161ST STREET/RIVER AVENUE REZONING

TARGETED ENVIRONMENTAL IMPACT STATEMENT

Appendix A – 161st Street/River Avenue Environmental Assessment Statement

ENVIRONMENTAL ASSESSMENT STATEMENT

161ST STREET/RIVER AVENUE REZONING

CEQR No. 09DCP024X

ULURP Nos. Pending

Lead Agency: NYC Department of City Planning

Prepared by: Urbitran Associates

November 12, 2008

161ST STREET/RIVER AVENUE REZONING

ENVIRONMENTAL ASSESSMENT STATEMENT

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City Environmental Quality Review

ENVIRONMENTAL ASSESSMENT STATEMENT

PART I, GENERAL INFORMATION

Reference Numbers

1. **09DCP024X**
CEQR REFERENCE NUMBER (TO BE ASSIGNED BY LEAD AGENCY)

BSA REFERENCE NO. IF APPLICABLE

Pending
ULURP REFERENCE NO. IF APPLICABLE

OTHER REFERENCE NO.(S) IF APPLICABLE
(e.g. Legislative Intro, CAPA, etc)

Lead Agency & Applicant Information

PROVIDE APPLICABLE INFORMATION

2a. Lead Agency

NYC Department of City Planning
NAME OF LEAD AGENCY

Robert Dobruskin, AICP
NAME OF LEAD AGENCY CONTACT PERSON

22 Reade Street, Room 4E
ADDRESS

New York | **NY** | **10007**
CITY | STATE | ZIP

212-720-3423 | **212-720-3495**
TELEPHONE | FAX

R_Dobrus@planning.nyc.gov
E-MAIL ADDRESS

2b. Applicant Information

NYC Department of City Planning
NAME OF APPLICANT

Carol Samol
NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON

One Fordham Plaza, 5th Floor
ADDRESS

Bronx | **NY** | **10458**
CITY | STATE | ZIP

718-220-8500 | **718-584-8628**
TELEPHONE | FAX

csamol@planning.nyc.gov
E-MAIL ADDRESS

Action Description

SEE CEQR MANUAL SECTIONS 2A & 2B

3a. NAME OF PROPOSAL **161st Street/River Avenue Rezoning**

3b. DESCRIBE THE ACTION(S) AND APPROVAL(S) BEING SOUGHT FROM OR UNDERTAKEN BY CITY (AND IF APPLICABLE, STATE AND FEDERAL AGENCIES) AND, BRIEFLY, DESCRIBE THE DEVELOPMENT OR PROJECT THAT WOULD RESULT FROM THE PROPOSED ACTION(S) AND APPROVAL(S):

The New York City Department of City Planning (DCP) is proposing zoning text and map amendments that would affect 8 blocks in the Concourse village section of the Bronx. The rezoning area is generally bound by River Avenue on the west, East 162nd Street to the north, Park Avenue to the east, and East 159th and East 153rd Street to the south. the rezoning aera is within Bronx Community District 4. The proposed rezoning area is currently zoned R7-1 with C1-4 & C2-4 overlays, R8 with C1-4 overlay, C4-6, and C8-3. The rezoning proposal would change underlying zoning to R8A with C2-4 overlay, C6-2, and C6-3D. The proposed zoning text amendments would apply the Inclusionary Housing program within the proposed C6-3D (R9D) and R8A zoning districts in Bronx Community District 4.

The proposed zoning text amendment that would create the new C6-3 zoning district would only affect the area proposed by DCP to be rezoned C6-3D as part of the proposed 161st Street/River Avenue Rezoning. The Department of City Planning has no other plans to map the C6-3D zoning district elsewhere in the City at this time. The proposed zoning text amendment would only apply the Inclusionary Housing program in Bronx Community District 4 to areas proposed to be rezoned C6-3D and R8A as part of the proposed 161st Street/River Avenue Rezoning. There are no known plans to establish other C6-3D or R8A zoning districts elsewhere in Bronx Community District 4.

DCP has identified 11 projected development sites in the rezoning area. With the proposed zoning text and map amendments in place, the 11 identified projected development sites would have a total of 894 DUs (745 of which would be affordable housing units); 113,553 sf of commercial retail space; 553,484 sf of commercial office space; and 11,730 sf of community facility space. This would represent a net increase over no-action conditions of 594 DUs, including 148 units of affordable housing; 42,004 sf of retail commercial space; 306,001 sf of office commercial space, and 10 sf of community facility space.

3c. DESCRIBE THE PURPOSE AND NEED FOR THE ACTION(S) AND APPROVAL(S):

The proposed action would create opportunities for new housing development on underutilized and vacant land near transit. In addition, the rezoning would create capacity for much-needed office and commercial space surrounding the corridor's civic uses. The proposed action would effectuate the following land use goals: Provide new opportunities for redevelopment and economic growth along the 161st Street corridor; Direct new housing and commercial development at higher densities to an area with excellent transit and highway access; Encourage new housing production, including new affordable housing, in the Bronx; Encourage new office and commercial space surrounding the Bronx Civic Center; Strengthen the street wall along the 161st Street corridor and enliven the street level with commercial uses along its entire length, better connecting existing land uses and transportation infrastructure.

Required Action or Approvals

4. CITY PLANNING COMMISSION [X] Yes [ ] No

- [ ] Change in City Map
- [ ] Zoning Certification
- [ ] Site Selection - Public Facility
- [X] Zoning Map Amendment
- [ ] Zoning Authorization
- [ ] Disposition - Real Property
- [ ] Franchise
- [X] Zoning Text Amendment
- [ ] Housing Plan & Project
- [ ] UDAAP
- [ ] Revocable Consent
- [ ] Concession
- [ ] Charter 197-a Plan
- [ ] Zoning Special Permit, specify type:
- [ ] Modification of
- [ ] Renewal of
- [ ] Other

5. UNIFORM LAND USE PROCEDURE (ULURP) [X] Yes [ ] No

6. BOARD OF STANDARDS AND APPEALS [ ] Yes [X] No

- [ ] Special Permit [ ] New [ ] Renewal Expiration Date
- [ ] Variance [ ] Use [ ] Bulk

Specify affected section(s) of Zoning Resolution

7. DEPARTMENT OF ENVIRONMENTAL PROTECTION [ ] Yes [X] No

- [ ] Title V Facility
- [ ] Power Generation Facility
- [ ] Medical Water Treatment Facility

PLEASE NOTE THAT MANY ACTIONS ARE NOT SUBJECT TO CEQR. SEE SECTION 110 OF TECHNICAL MANUAL

8. OTHER CITY APPROVALS ☐ Yes ☒ No

☐ Legislation ☐ Rulemaking; specify agency

☐ Construction of Public Facilities ☐ Funding of Construction, Specify ☐ Funding of Programs, Specify

☐ Policy or plan ☐ Permits, Specify:

Other; explain:

9. STATE ACTIONS/APPROVALS/FUNDING ☐ Yes ☒ No

If "Yes," identify

10. FEDERAL ACTIONS/APPROVALS/FUNDING ☐ Yes ☒ No

If "Yes," identify

Action Type

11a. ☐ Unlisted; or ☒ Type I; specify category (see 6 NYCRR 617.4 and NYC Executive Order 91 OF 1977, as amended):
Section 617.4(b)(6)(v)

Activities, other than the construction of residential facilities, that meet or exceed the following threshold: a city, town or village having a population of more than 150,000 persons, a facility with more than 240,000 square feet of gross floor area.

11b. ☐ Localized action, site specific ☒ Localized action, change in regulatory control for small area ☐ Generic action

Analysis Year

12. Identify the analysis year (or build year) for the proposed action: **2018**

Would the proposal be implemented in a single phase? ☒ Yes ☐ No ☐ NA.

Anticipated period of construction: **10 years (foreseeable future in which developers are expected to act on the zoning changes).**

Anticipated completion date: **2018**

Would the proposal be implemented in multiple phases? ☐ Yes ☒ No ☐ NA.

Number of phases: **NA**

Describe phases and construction schedule: **NA**

Directly Affected Area

INDICATE LOCATION OF PROJECT SITE FOR ACTIONS INVOLVING A SINGLE SITE ONLY

(PROVIDE ATTACHMENTS AS NECESSARY FOR MULTIPLE SITES)

13a. LOCATION OF PROJECT SITE

NA
STREET ADDRESS

Generally bounded by River Avenue, Park Avenue, East 153rd Street and East 162nd Street. (See Figure 1)
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS

R7-1 with C1-4 and C2-4 overlays, C4-6, C8-3, and R8 with C1-4 overlay — **6a, 3b**
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION IF AN' — ZONING SECTIONAL MAP NO.

Refer to EAS Attachment A — **Bronx** — **4**
TAX BLOCK AND LOT NUMBERS — BOROUGH — COMMUNITY DISTRICT NO.

13b. PHYSICAL DIMENSIONS AND SCALE OF PROJECT **Refer to Chapter 2.0 of Attachment A for descriptions of Reasonable Worst Case Development Scenario (RWCDS) and rezoning area.**

TOTAL CONTIGUOUS SQUARE FEET OWNED OR CONTROLLED BY PROJECT SPONSOR: SQ.FT.

PROJECT SQUARE FEET TO BE DEVELOPED: SQ.FT.

GROSS FLOOR AREA OF PROJECT: SQ.FT.

IF THE ACTION IS AN EXPANSION, INDICATE PERCENT OF EXPANSION PROPOSED IN THE NUMBER OF UNITS,SQ. FT. OR OTHER APPROPRIATE MEASURE: % OF

DIMENSIONS (IN FEET) OF LARGEST PROPOSED STRUCTURE: HEIGHT; WIDTH; LENGTH.

LINEAR FEET OF FRONTAGE ALONG A PUBLIC THOROUGHFARE:

13c. IF THE ACTION WOULD APPLY TO THE ENTIRE CITY OR TO AREAS THAT ARE SO EXTENSIVE THAT A SITE-SPECIFIC DESCRIPTION IS NOT APPROPRIATE OR PRACTICABLE, DESCRIBE THE AREA LIKELY TO BE AFFECTED BY THE ACTION:

Refer to EAS Attachment A.

13d. DOES THE PROPOSED ACTION INVOLVE CHANGES IN REGULATORY CONTROLS THAT WOULD AFFECT ONE OR MORE SITES NOT ASSOCIATED WITH A SPECIFIC DEVELOPMENT? ☒ Yes ☐ No

IF 'YES', IDENTIFY THE LOCATION OF THE SITES PROVIDING THE INFORMATION REQUESTED IN 13a & 13b ABOVE.

Refer to EAS Attachment A.

PART II, SITE AND ACTION DESCRIPTION

Site Description

EXCEPT WHERE OTHERWISE INDICATED, ANSWER THE FOLLOWING QUESTIONS WITH REGARD TO THE DIRECTLY AFFECTED AREA. THE DIRECTLY AFFECTED AREA CONSISTS OF THE PROJECT SITE AND THE AREA SUBJECT TO ANY CHANGE IN REGULATORY CONTROLS.

1. **GRAPHICS** Please attach: (1) a Sanborn or other land use map; (2) a zoning map; and (3) a tax map. On each map, clearly show the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. The maps should not exceed 8½ x 14 inches in size.
In Chapter 3.1 of EAS Attachment A, See Figures 3.1-1 "Land Use," 3.1-2 "Existing Zoning" and 3.1-3 "Proposed Zoning."
See Attached Figure 1 for Tax Map.

2. **PHYSICAL SETTING** (both developed and undeveloped areas) **Data given for Projected Development Sites.**

Total directly affected area (sq. ft.): **126,865 sf** Water surface area (sq. ft.): **0**
Roads, building and other paved surfaces (sq. ft.): **343,698 sf** Other, describe (sq. ft.): **0**

3. **PRESENT LAND USE**

Residential
Total no. of dwelling units **4** No. of low-to-moderate income units **0**
No. of stories **Varies** Gross floor area (sq. ft.) **7,360**
Describe type of residential structures: Walk up apartment buildings, some mixed use with retail ground floor.

Commercial **The 11 projected development sites have 322,338 sf of commercial space.**
Retail: No. of bldgs **7** Gross floor area of each building (sq. ft.): **75,838**
Office: No. of bldgs **3** Gross floor area of each building (sq. ft.): **246,500**
Other: No. of bldgs Gross floor area of each building (sq. ft.):
Specify type(s): **Commercial Retail and Office.** No. of stories and height of each building:

Industrial **NA**
No. of bldgs Gross floor area of each building (sq. ft.):
No. of stories and height of each building:
Type of use(s): Open storage area (sq. ft.):
If any unenclosed activities, specify:

Community Facility **NA**
Type of community facility:
No. of bldgs Gross floor area of each building (sq. ft.):
No. of stories and height of each building:

Vacant Land
Is there any vacant land in the directly affected area? ☐ Yes ☒ No
If yes, describe briefly:

Publicly accessible open space
Is there any publicly accessible open space in the directly affected area? ☐ Yes ☒ No
If yes, describe briefly:

Does the directly affected area include any mapped City, State, or Federal parkland? ☐ Yes ☒ No
If yes, describe briefly:

Does the directly affected area include any mapped or otherwise known wetland? ☐ Yes ☒ No
If yes, describe briefly:

Other land use
No. of stories Gross floor area of each building (sq. ft.):
Type of use:

4. **EXISTING PARKING** **To be provided in targeted EIS prepared for proposed action.**

Garages
No. of public spaces: No. of accessory spaces:
Operating hours: Attended or non-attended?

Lots
No. of public spaces: No. of accessory spaces:
Operating hours: Attended or non-attended?

Other (including street parking) - please specify and provide same data as for lots and garages, as appropriate.

5. **EXISTING STORAGE TANKS** **See Chapter 3.10 of EAS Attachment A.**

Gas or service stations? ☐ Yes ☐ No Oil Storage Facility? ☐ Yes ☐ No Other? ☐ Yes ☐ No
If yes, specify:
Number and size of tanks: Last NYFD inspection date:
Location and depth of tanks:

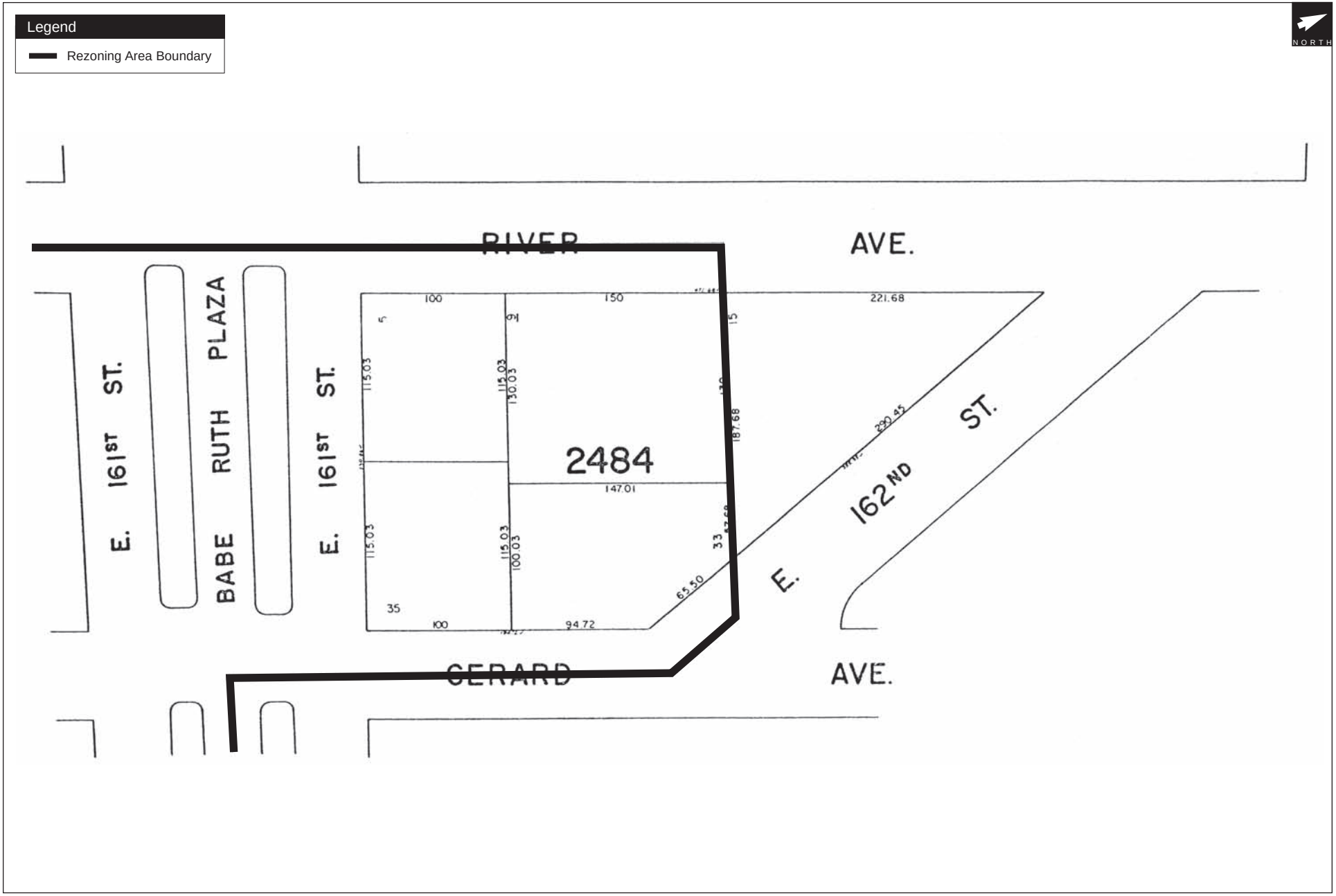
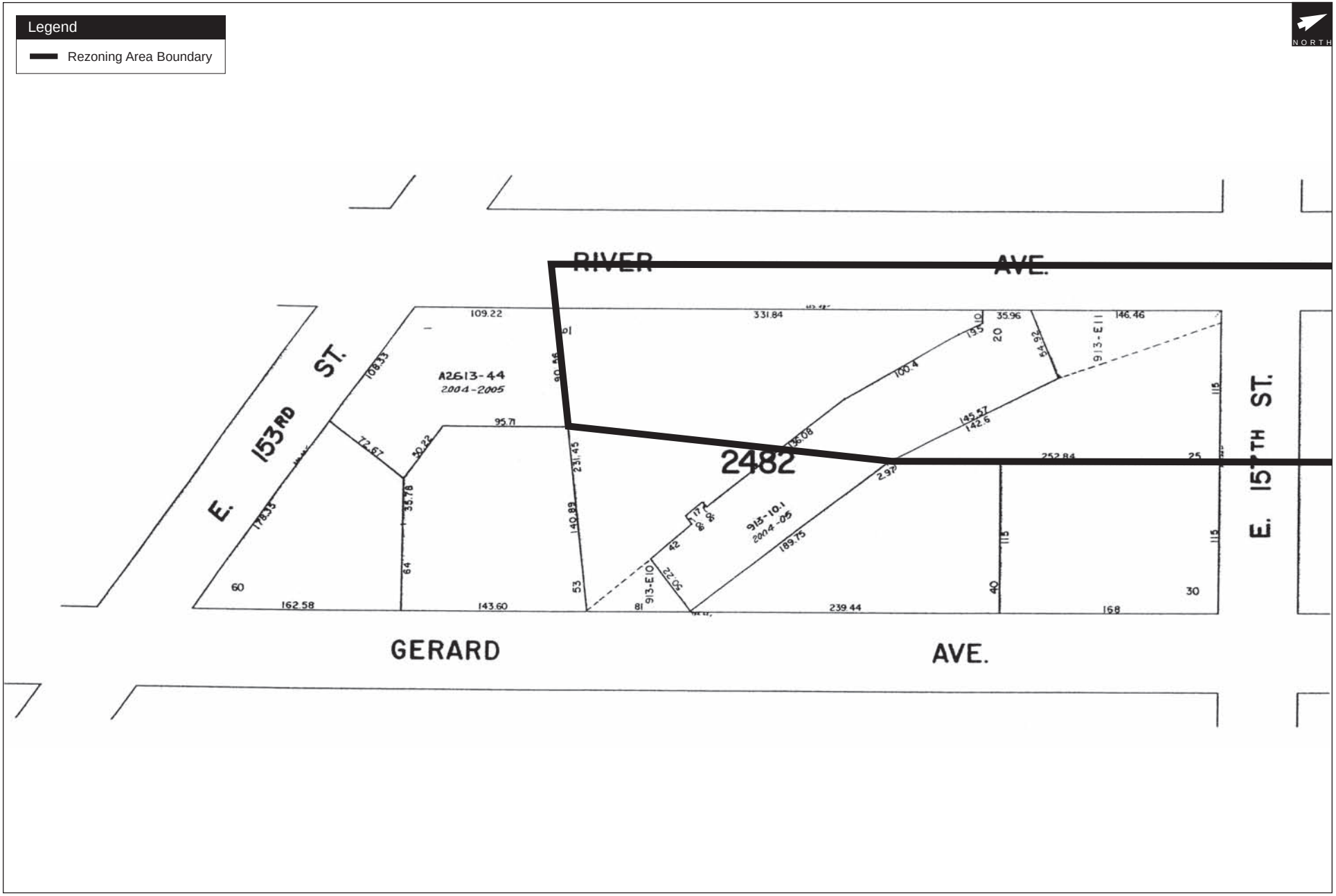


Figure 1 - Tax Map

161st Street Rezoning

NYC Department of City Planning



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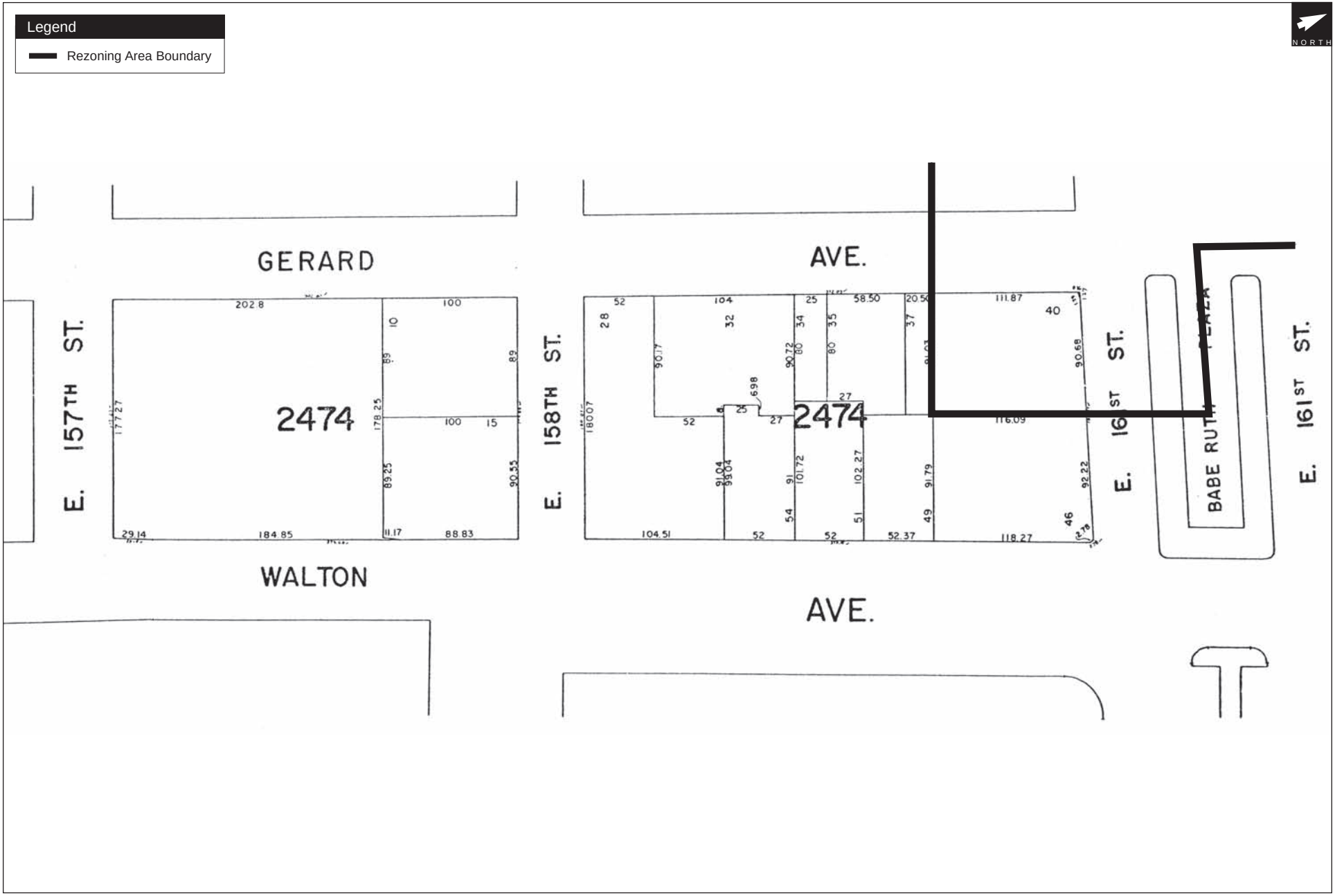

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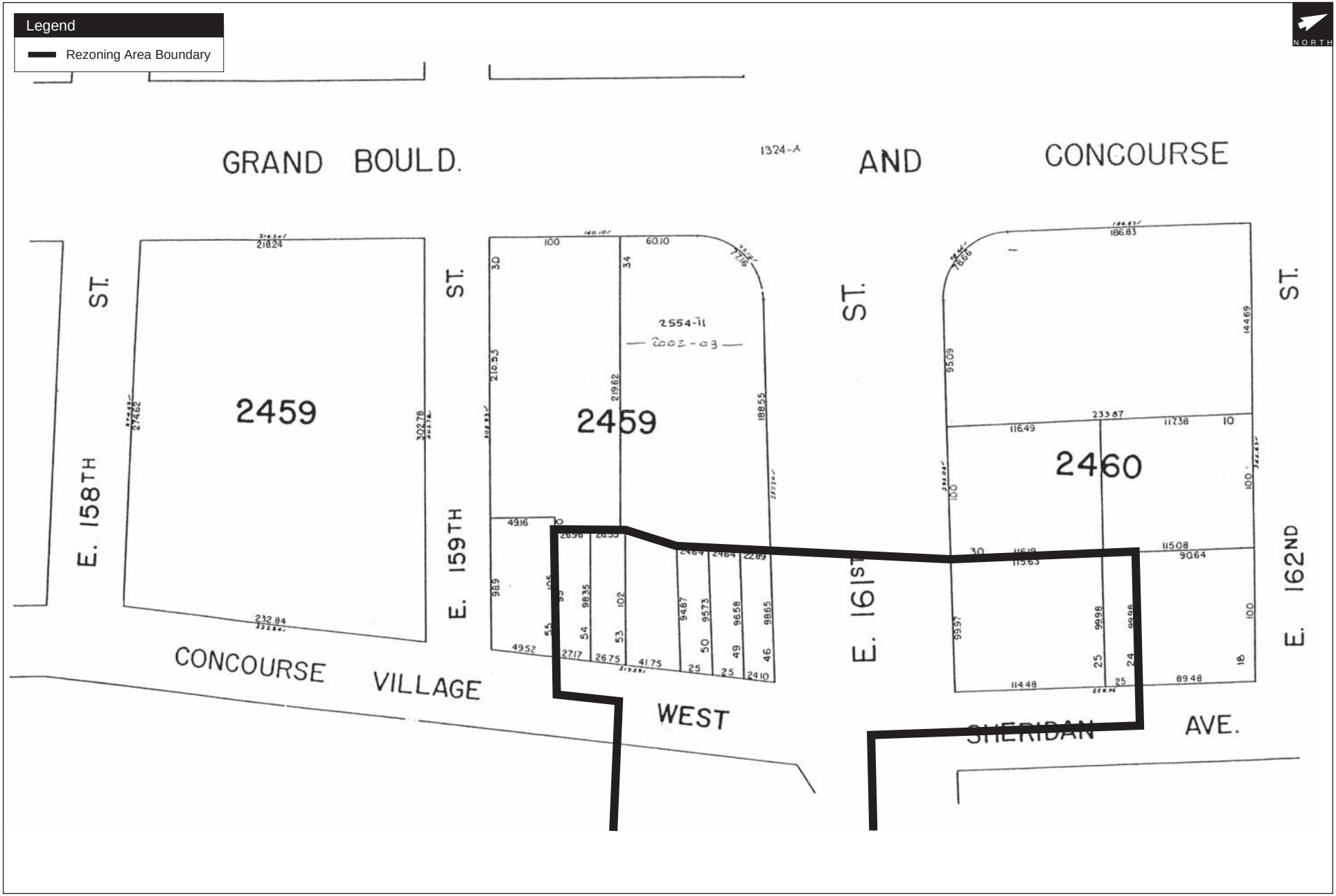

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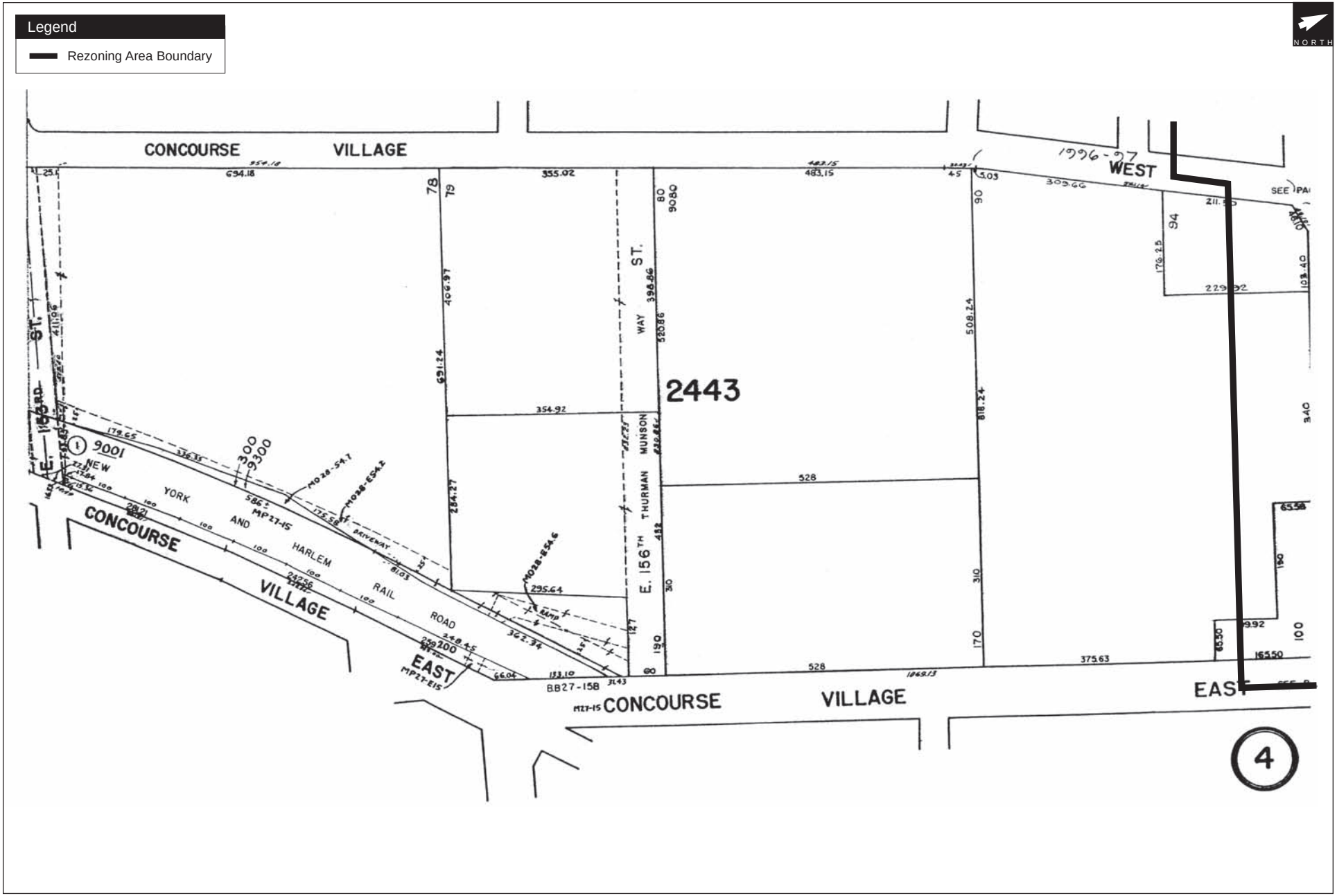


Figure 1 - Tax Map

161st Street Rezoning

NYC Department of City Planning

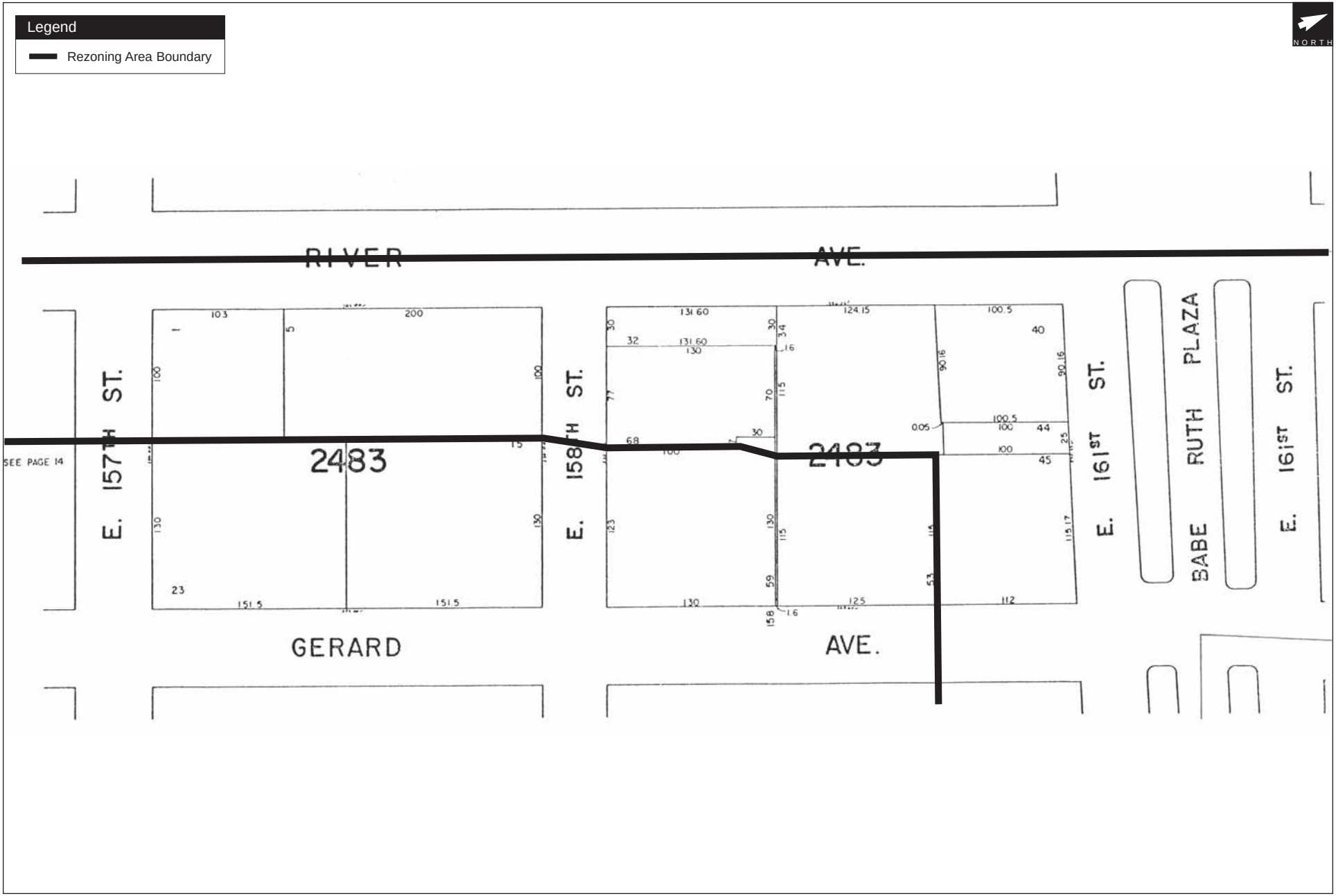


Figure 1 - Tax Map

161st Street Rezoning

NYC Department of City Planning

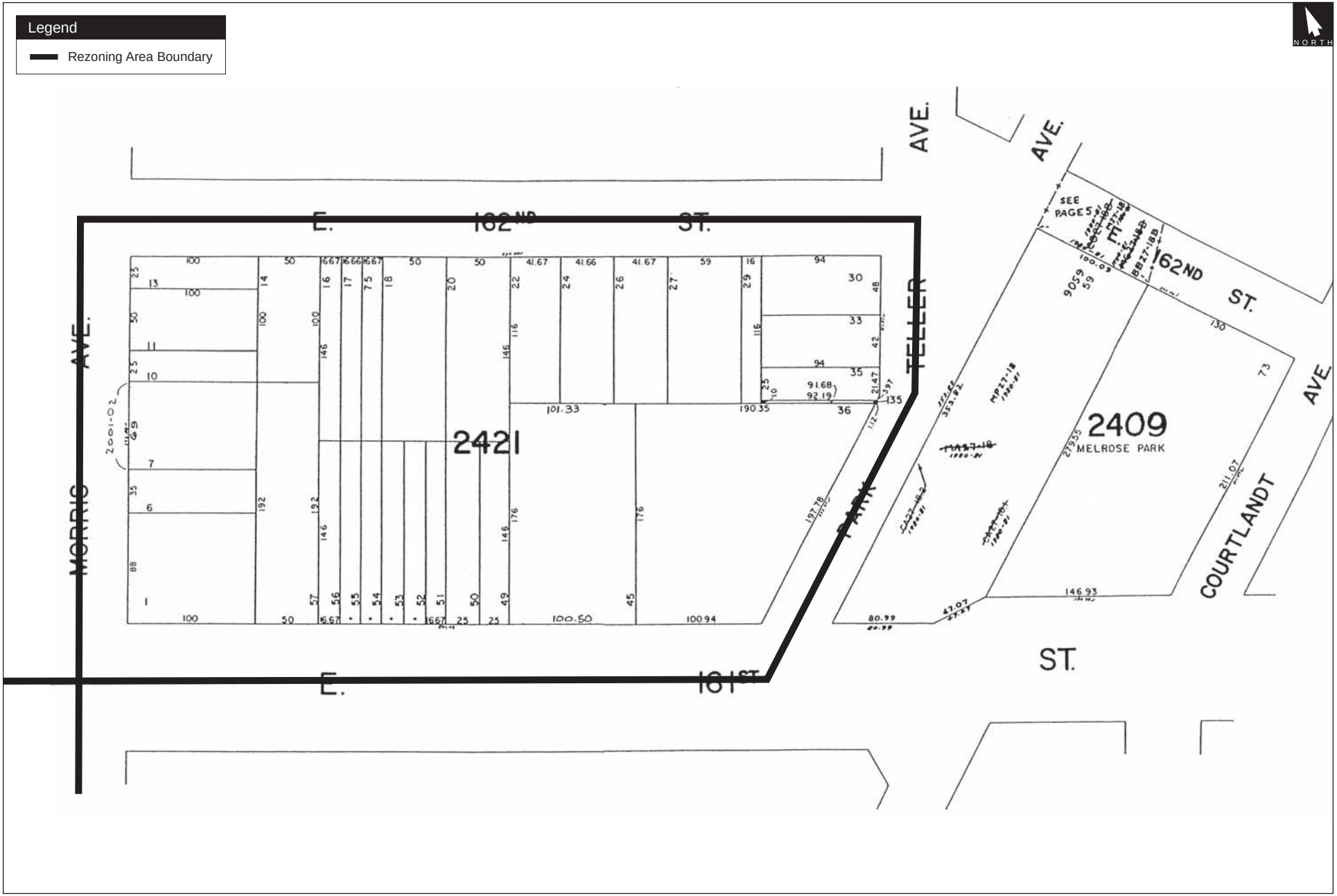


Figure 1 - Tax Map

161st Street Rezoning

NYC Department of City Planning

6. **CURRENT USERS** **See EAS Attachment A.**

No. of residents: _____ No. and type of businesses: _____

No. and type of workers by business: _____ No. and type of non-residents who are not workers: _____

SEE CEQR TECHNICAL MANUAL CHAPTER III F., HISTORIC RESOURCES

7. **HISTORIC RESOURCES (ARCHITECTURAL AND ARCHAEOLOGICAL RESOURCES)**

Answer the following two questions with regard to the directly affected area, lots abutting that area, lots along the same blockfront or directly across the street from the same blockfront, and, where the directly affected area includes a corner lot, lots which front on the same street intersection.

See Chapter 3.6 of EAS Attachment A.

Do any of the areas listed above contain any improvement, interior landscape feature, aggregate of landscape features, or archaeological resource that:

(a) has been designated (or is calendared for consideration as) a New York City Landmark, Interior Landmark or Scenic Landmark; **NO**

(b) is within a designated New York City Historic District; **NO**

(c) has been listed on, or determined eligible for, the New York State or National Register of Historic Places; **NO**

(d) is within a New York State or National Register Historic District; or **NO**

(e) has been recommended by the New York State Board for listing on the New York State or National Register of Historic Places? **NO**

Identify any resource:

Do any of the areas listed in the introductory paragraph above contain any historic or archaeological resource, other than those listed in response to the previous question? Identify any resource.**NO**

SEE CEQR TECHNICAL MANUAL CHAPTER III K., WATERFRONT REVITALIZATION PROGRAM

8. **WATERFRONT REVITALIZATION PROGRAM**

Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries? ☐ Yes ☒ No

(A map of the boundaries can be obtained at the Department of City Planning bookstore.)

If yes, append a map showing the directly affected area as it relates to such boundaries. A map requested in other parts of this form may be used.

9. **CONSTRUCTION** **See Chapters 2.0 and 3.19 of EAS Attachment A.**

Will the action result in demolition of or significant physical alteration to any improvement? ☒ Yes ☐ No

If yes, describe briefly: **The RWCDS for the proposed action projects development on 11 projected development sites.**

10. **PROPOSED LAND USE** **Net new development associated with RWCDS Projected Developments is as follows:**

Residential

Total no. of dwelling units **594** No. of low-to-moderate income units **148** Gross floor area (sq. ft.) **594,340**

No. of stories **NA** Describe type of residential structures: **Predominantly elevator buildings.**

Commercial

Retail: No. of bldgs **6** Gross floor area of each building (sq. ft.): **42,00044 sf**

Office: No. of bldgs **3** Gross floor area of each building (sq. ft.): **306,011 sf**

Other: No. of bldgs _____ Gross floor area of each building (sq. ft.): _____

Specify type(s): _____ No. of stories and height of each building: _____

Industrial **No net new industrial sf is projected as a result of the proposed action**

No. of bldgs _____ Gross floor area of each building (sq. ft.): _____

No. of stories and height of each building _____

Type of use(s): _____ Open storage area (sq. ft.): _____

If any unenclosed activities, specify:

Community Facility

Type of community facility **RWCDS projects 2-story mixed use comm., res. & community facility building on Projected Site 5**

No. of bldgs **1** Gross floor area of each building (sq. ft.): _____

No. of stories and height of each building _____

Vacant Land

Is there any vacant land in the directly affected area? ☐ Yes ☒ No

If yes, describe briefly:

Publicly accessible open space

Is there any existing publicly accessible open space in the directly affected area? ☐ Yes ☒ No

If yes, describe briefly:

Does the directly affected area include any mapped City, State or federal park land? ☐ Yes ☒ No

If yes, describe briefly:

Does the directly affected area include any mapped or otherwise known wetland? ☐ Yes ☒ No

If yes, describe briefly:

Other land use:

Gross floor area (sq. ft.) _____ No. of stories: _____ Type of use: _____

11. **PROPOSED PARKING** **The RWCDS projects 311 net new parking generated. 196 generated from market rate housing 15 generated from affordable housing and 100 generated from commercial uses.**

Garages

No. of public spaces: _____ No. of accessory spaces: _____

Operating hours: _____ Attended or non-attended? _____

Lots

No. of public spaces: _____ No. of accessory spaces: _____

Operating hours: _____ Attended or non-attended? _____

Other (including street parking) - please specify and provide same data as for lots and garages, as appropriate.

No. and location of proposed curb cuts:

12. **PROPOSED STORAGE TANKS** **In the RWCDS, new developments may have oil storage tanks**

Gas or service stations? ☐ Yes ☒ No Oil Storage Facility? ☐ Yes ☐ No Other? ☐ Yes ☐ No

If yes, specify:

Number and size of tanks:

Location and depth of tanks:

13. **PROPOSED USERS**

No. of residents: **1,800 (estimated)** No. and type of businesses: **Commercial office and retail.**

No. and type of workers by business: **1,300 (estimated)** No. and type of non-residents who are not workers: **50 (est.)**

14. **HISTORIC RESOURCES (ARCHITECTURAL AND ARCHAEOLOGICAL RESOURCES)**

Will the action affect any architectural or archeological resource identified in response to either of the two questions at #7 in the Site Description section of this form? ☐ Yes ☒ No

If yes, describe briefly:

SEE CEQR TECHNICAL MANUAL CHAPTER III B, SOCIOECONOMIC CONDITIONS

15. **DIRECT DISPLACEMENT**

Will the action directly displace specific business or affordable and/or low income residential units? ☒ Yes ☐ No

If yes, describe briefly: **Rezoning has the potential to replace existing businesses on some projected development sites. See Chapter 3.2 of EAS Attachment A.**

SEE CEQR TECHNICAL MANUAL CHAPTER III C, COMMUNITY FACILITIES

16. **COMMUNITY FACILITIES**

Will the action 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? ☐ Yes ☒ No

If yes, describe briefly: **See Chapter 3.3 of EAS Attachment A.**

Zoning Information

17. What is the zoning classification(s) of the directly affected area? **R7-1 with C1-4 and C2-4 overlays, C4-6, C8-3, and R8 with C1-4 overlay**

See Chapter 3.1 of EAS Attachment A.

18. What is the maximum amount of floor area that can be developed in the directly affected area under the present zoning?

Describe in terms of bulk for each use. **R7-1: 3.44 (Residential); 4.8 (Community Facility)**
C1-4 (Overlay w/ R7-2): 2.0 (Commercial)
C2-4 (Overlay w/ R7-2): 2.0 (Commercial)
C4-6*: 3.44 (Residential); 10.0 (Commercial); 10.0 (Community Facility)
C8-3: 2.0 (Commercial); 6.5 (Community Facility)
R8: 2.0 (Residential); 6.02 (Commercial); 6.5 (Community Facility)
C1-4 (Overlay w/ R8): 2.0 (Commercial)
***Up to 20% increase for plaza bonus; Up to 12 FAR (res.) with Inclusionary housing bonus**

19. What is the proposed zoning of the directly affected area? **C6-3D, C6-2 and R8A with C2-4 overlay**

20. What is the maximum amount of floor area that could be developed in the directly affected area under the proposed zoning?

Describe in terms of bulk for each use. **C6-3D: 9.0 (Residential); 9.0 Commercial; 9.0 (Community Facility)***
C6-2: 6.02 (Residential); 6.0 (Commercial); 6.5 (Community Facility)
R8A: 6.02 (Residential); 2.0 (Commercial); 6.5 (Community Facility)
C2-4 (Overlay w/ R8A): 2.0 (Commercial)
***Under proposed Inclusionary Housing Program text ammendment the C6-3I would have a bonus FAR and R8A would have 7.2 bonus FAR**

21. What are the predominant land uses and zoning classifications within a 1/4-mile radius of the proposed action?

North of the rezoning area, the predominant land use is residential, including one- and two-family residences, walk-up multi-family residences, and high-rise elevator apartment buildings. Sizes of residential buildings range from two-stories to ten-stories, with the majority of the larger apartment buildings located west of Sherman Ave and the majority of smaller residences located east of Sherman Avenue. Other uses in this portion of the secondary study area include mixed use buildings, public facilities, including P.S. 35 Franz Sigel School and J.H.S. 145 Arturo Toscanini School, and open space resources, such as Joyce Kilmer Park.

South of the rezoning area, the primary land use is also residential. Two large New York City Housing Authority (NYCHA) developments are located south of the rezoning area: the Andrew Johnson Houses, located on the block bordered by Park and Courtlandt Avenues to the west and east and East 158th and East 156th Streets to the north and south, and the Morrisania Air Rights Housing, which line Park Avenue between East 162nd and East 156th Streets, straddling over Metro-North train tracks. Other notable land uses include Franz Sigel Park, an open space resource located between Walton Avenue and the Grand Concourse from east to west and East 158th and East 151st Streets from north to south, and public facilities, the Marshall England Early Learning Center and the former site of P.S. 156 Benjamin Banneker School (The Performance School and the Bronx Global Learning Institute for Girls will be opening in its place).

To the west of the rezoning area, land uses are predominantly open space, industrial, and parking. The majority of this area is dominated by the existing Yankee Stadium, bordered by East 161st Street to the north, River Avenue to the east, East 157th Street to the south, and Ruppert Place to the west, and the future Yankee Stadium, which is currently under construction.

East of the rezoning area, residential uses are again most prevalent; however, there are also many industrial uses and vacant lots. Residential uses prevail along the blocks south of East 160th Street, and industrial uses and vacant lots are most common east of Melrose Avenue. There are also a few public facilities, including a Department of Corrections facility located on East 161st Street, which falls partially within the eastern boundary

Zoning classifications within the secondary study area include R6, R7A, R7-1, R7-2, R8, C4-4, C4-6, C8-3, M1-1, M1-2, and M2-1. There is also the Grand Concourse (C) special district zoning that is mapped along the Grand Concourse within the study area. The R7-1 and R8 zones cover most of the area directly north of the rezoning area. R6, C4-4, M1-1, and M2-1 districts comprise most of the area to the southwest. R7-2 and R8 districts comprise most of the area to the southeast.

Additional Information

22. Attach any additional information as may be needed to describe the action. If your action involves changes in regulatory controls that affect one or more sites not associated with a specific development, it is generally appropriate to include here one or more reasonable development scenarios for such sites, and, to the extent possible, to provide information about such scenario(s) similar to that requested in the Project Description questions 9 through 16.

Analyses

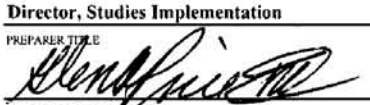
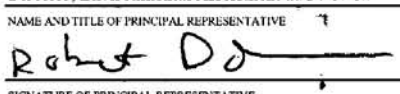
23. Attach analyses for each of the impact categories listed below (or indicate where an impact category is not applicable):

(a) LAND USE, ZONING AND PUBLIC POLICY	See CEQR Technical Manual Chapter III A
(b) SOCIOECONOMIC CONDITIONS	See CEQR Technical Manual Chapter III B
(c) COMMUNITY FACILITIES AND SERVICES	See CEQR Technical Manual Chapter III C
(d) OPEN SPACE	See CEQR Technical Manual Chapter III D
(e) SHADOWS	See CEQR Technical Manual Chapter III E
(f) HISTORIC RESOURCES	See CEQR Technical Manual Chapter III F
(g) URBAN DESIGN/VISUAL RESOURCES	See CEQR Technical Manual Chapter III G
(h) NEIGHBORHOOD CHARACTER	See CEQR Technical Manual Chapter III H
(i) NATURAL RESOURCES	See CEQR Technical Manual Chapter III I
(j) HAZARDOUS MATERIALS	See CEQR Technical Manual Chapter III J
(k) WATERFRONT REVITALIZATION PROGRAM	See CEQR Technical Manual Chapter III K
(l) INFRASTRUCTURE	See CEQR Technical Manual Chapter III L
(m) SOLID WASTE AND SANITATION SERVICES	See CEQR Technical Manual Chapter III M
(n) ENERGY	See CEQR Technical Manual Chapter III N
(o) TRAFFIC AND PARKING	See CEQR Technical Manual Chapter III O
(p) TRANSIT AND PEDESTRIANS	See CEQR Technical Manual Chapter III P
(q) AIR QUALITY	See CEQR Technical Manual Chapter III Q
(r) NOISE	See CEQR Technical Manual Chapter III R
(s) CONSTRUCTION IMPACTS	See CEQR Technical Manual Chapter III S
(t) PUBLIC HEALTH	See CEQR Technical Manual Chapter III T

The CEQR Technical Manual sets forth methodologies developed by the City to be used in analyses prepared for the above- listed categories. Other methodologies developed or approved by the lead agency may also be utilized. If a different methodology is contemplated, it may be advisable to consult with the Mayor's Office of Environmental Coordination. You should also attach any other necessary analyses or information relevant to the determination whether the action may have a significant impact on the environment, including, where appropriate, information on combined or cumulative impacts, as might occur, for example, where actions are interdependent or occur within a discrete geographical area or time frame.

Applicant Certification

24.

Glen A. Price III	**Robert Dobruskin, AICP**
PREPARER NAME	PRINCIPAL
Director, Studies Implementation	**Director, Environmental Assessment and Review**
PREPARER TITLE	NAME AND TITLE OF PRINCIPAL REPRESENTATIVE
	
PREPARER SIGNATURE	SIGNATURE OF PRINCIPAL REPRESENTATIVE
11/12/08	11/12/08
DATE	DATE

NOTE: Any person who knowingly makes a false statement or who knowingly falsifies any statement on this form or allows any such statement to be falsified shall be guilty of an offense punishable by fine or imprisonment or both, pursuant to Section 10-154 of the New York City Administrative Code, and may be liable under applicable laws.

Impact Significance

PART III, ENVIRONMENTAL ASSESSMENT AND DETERMINATION

TO BE COMPLETED BY THE LEAD AGENCY

The lead agency should complete this Part after Parts I and II have been completed. In completing this Part, the lead agency should consult 6 NYCRR 617.7, which contains the State Department of Environmental Conservation's criteria for determining significance

The lead agency should ensure the creation of a record sufficient to support the determination in this Part. The record may be based upon analyses submitted by the applicant (if any) with Part II of the EAS. The CEQR Technical Manual sets forth methodologies developed by the City to be used in analyses prepared for the listed categories. Alternative or additional methodologies may be utilized by the lead agency.

1. For each of the impact categories listed below, consider whether the action may have a significant effect on the environment with respect to the impact category. If it may, answer yes.

LAND USE, ZONING AND PUBLIC POLICY	
SOCIOECONOMIC CONDITIONS	
COMMUNITY FACILITIES AND SERVICES	Yes
OPEN SPACE	
SHADOWS	
HISTORIC RESOURCES	
URBAN DESIGN/VISUAL RESOURCES	
NEIGHBORHOOD CHARACTER	
NATURAL RESOURCES	
HAZARDOUS MATERIALS	
WATERFRONT REVITALIZATION PROGRAM	
INFRASTRUCTURE	
SOLID WASTE AND SANITATION SERVICES	
ENERGY	
TRAFFIC AND PARKING	Yes
TRANSIT AND PEDESTRIANS	Yes
AIR QUALITY	Yes
NOISE	Yes
CONSTRUCTION IMPACTS	
PUBLIC HEALTH	

2. Are there any aspects of the action relevant to the determination whether the action 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? If there are such impacts, explain them and state where, as a result of them, the action may have a significant impact on the environment.

3. If the lead agency has determined in its answers to questions 1 and 2 of this Part that the action will have no significant impact on the environment, a negative declaration is appropriate. The lead agency may, in its discretion, further elaborate here upon the reasons for issuance of a negative declaration.

4 If the lead agency has determined in its answers to questions 1 and 2 of this part that the action may have a significant impact on the environment, a conditional negative declaration (CND) may be appropriate if there is a private applicant for the action and the action is not Type I. A CND is only appropriate when conditions imposed by the lead agency will modify the proposed action so that no significant adverse environmental impacts will result. If a CND is appropriate, the lead agency should describe here the conditions to the action that will be undertaken and how they will mitigate potential significant

5. If the lead agency has determined that the action may have a significant impact on the environment, and if a conditional negative declaration is not appropriate, then the lead agency should issue a positive declaration. Where appropriate, the lead agency may, in its discretion, further elaborate here upon the reasons for issuance of a positive declaration. In particular, if supporting materials do not make clear the basis for a positive declaration, the lead agency should describe briefly the impact(s) it has identified that may constitute a significant impact on the environment.

Lead Agency Certification

Glen A. Price III	**Robert Dobruskin, AICP**
PREPARER NAME	NAME OF LEAD AGENCY REPRESENTATIVE
Director, Studies Implementation	**Director, Environmental Assessment and Review**
PREPARER TITLE	TITLE OF PRINCIPAL REPRESENTATIVE
PREPARER SIGNATURE	SIGNATURE OF PRINCIPAL REPRESENTATIVE
11/12/08	11/12/08
DATE	DATE

161ST STREET/RIVER AVENUE REZONING

ENVIRONMENTAL ASSESSMENT STATEMENT

Attachment A: Environmental Analyses

1.0 PROJECT DESCRIPTION

INTRODUCTION

The Department of City Planning (DCP) has developed zoning proposals intended to provide opportunities for new residential, commercial, and community facility development along the 161st Street corridor in the civic heart of the Bronx.

The actions, as proposed by The New York City Department of City Planning (DCP), as fully described below in section 1.2, "Detailed Description of the Proposed Action," are subject to City Environmental Quality Review (CEQR) and require City Planning Commission (CPC) and New York City Council approvals through the City's Uniform Land Use Review Procedure (ULURP) for the following actions:

- A zoning map amendment to change all or portions of 9 blocks from C8-3, C4-6, R7-1, R7-1/C1-4, R7-1/C2-4, R8/C1-4 to C6-3D, C6-2 and R8A/C2-4.
- Zoning text amendments to establish C6-3D zoning district to allow high-density residential, commercial and community facility development with special bulk controls for development along elevated train lines.
- Zoning text amendment to establish the Inclusionary Housing program within the proposed C6-3D (R9D) and R8A zoning districts in Bronx Community District 4.

The proposed actions build on a number of recent public and private investments. Over the past two decades, the Bronx has experienced a substantial amount of new housing construction, rebounding from the disinvestment and population loss experienced during the 1970s and 1980s. Most vacant and city-owned sites have been developed or are programmed for development, leaving a shortage of available sites for new residential development. With the population of New York City expected to increase by a million people by the year 2030, new areas are needed to accommodate this growth.

Recent investments in the area surrounding the 161st Street corridor include the new Yankee Stadium, slated to open in 2009, which is currently being constructed on the northwest corner of 161st Street and River Avenue. Parks are planned for the existing Yankee Stadium site, and sites along River Avenue and the Harlem River. The Gateway Center, currently under construction, will bring approximately one million square feet of new retail space south of the proposed rezoning area at 149th Street, and will include additional waterfront parks. Lou Gehrig Plaza, which formerly housed parking in front of Bronx Borough Hall, was recently completed as part of the Department of Transportation's Grand Concourse reconstruction project. At the center of the 161st Street corridor is the new Bronx Hall of Justice, which includes approximately 670,000 square feet of office space for 47 courtrooms and court-related agencies. The eastern section of the 161st Street corridor runs through the Melrose Commons Urban Renewal Area. Since the plan was established in 1994, more than 2,300 affordable dwelling units and approximately 60,600 square feet of commercial floor area have been built or are currently under construction. In addition, Boricua Village, located in Melrose Commons along Third Avenue, will accommodate a campus for Boricua College, as well as approximately 700 residential units and 30,000 square feet of commercial space.

Despite these investments, notable land remains underdeveloped. Several one- and two-story retail uses and surface parking lots remain along the 161st Street corridor. Current zoning is outmoded and unduly limits reasonable residential and commercial expansion in the transit accessible civic center of the Bronx. In addition, current zoning encourages uses and densities that are incompatible with surrounding residential and civic uses.

1.1 PURPOSE AND NEED FOR PROPOSED ACTION

161st Street is the civic center of the Bronx. Between River and Park avenues, there are three major courthouses and other civic uses, including the Bronx County Building, the borough hall of the Bronx. The proposed rezoning area is transit-rich, with access to the B, D and 4 trains at River Avenue and East 161st Street and access to the Metro-North Melrose Station at Park Avenue and East 162nd Street. Bus service in the area includes the Bx6 and Bx13 on 161st Street, and numerous north-south connections (Bx1, Bx13, Bx32, Bx41, Bx2, Bx55, Bx15, Bx21). Despite the civic uses and rich access to transit, underutilized properties and seasonal uses are common. A suburban-type shopping center is located at the center of the corridor and seasonal baseball-oriented commercial uses dominate River Avenue. Current zoning, which has largely been in place since 1961, unduly limits reasonable residential and commercial expansion in the transit accessible civic center of the Bronx. In addition, current zoning encourages uses and densities that are incompatible with surrounding residential and civic uses. The proposed action would create opportunities for new housing development on underutilized and vacant land near transit. In addition, the rezoning would create capacity for much-needed office and commercial space and community facility space surrounding the corridor's civic uses.

The proposed action would effectuate the following land use goals:

- Provide new opportunities for redevelopment and economic growth along the 161st Street corridor;
- Encourage new housing production, including new affordable housing, in the Bronx;
- Encourage new office and commercial space surrounding the Bronx Civic Center;
- Direct new housing and commercial development at higher densities to an area with excellent transit and highway access;
- Strengthen the street wall along the 161st Street corridor and enliven the street level with commercial uses along its entire length, better connecting existing land uses and transportation infrastructure.

1.2 DETAILED DESCRIPTION OF THE PROPOSED ACTION

The 161st Street/ River Avenue rezoning area is generally bound by River Avenue on the west, East 162nd Street to the north, Park Avenue to the east, and East 159th and East 153rd Street to the south (see Figure 1.0-1). The 161st Street corridor is largely built-out, including several civic uses and NYCHA housing; therefore the rezoning is focused on three strategic nodes. From west to east, the three nodes are: the Transit Node, the Civic Node and the Residential Node. The

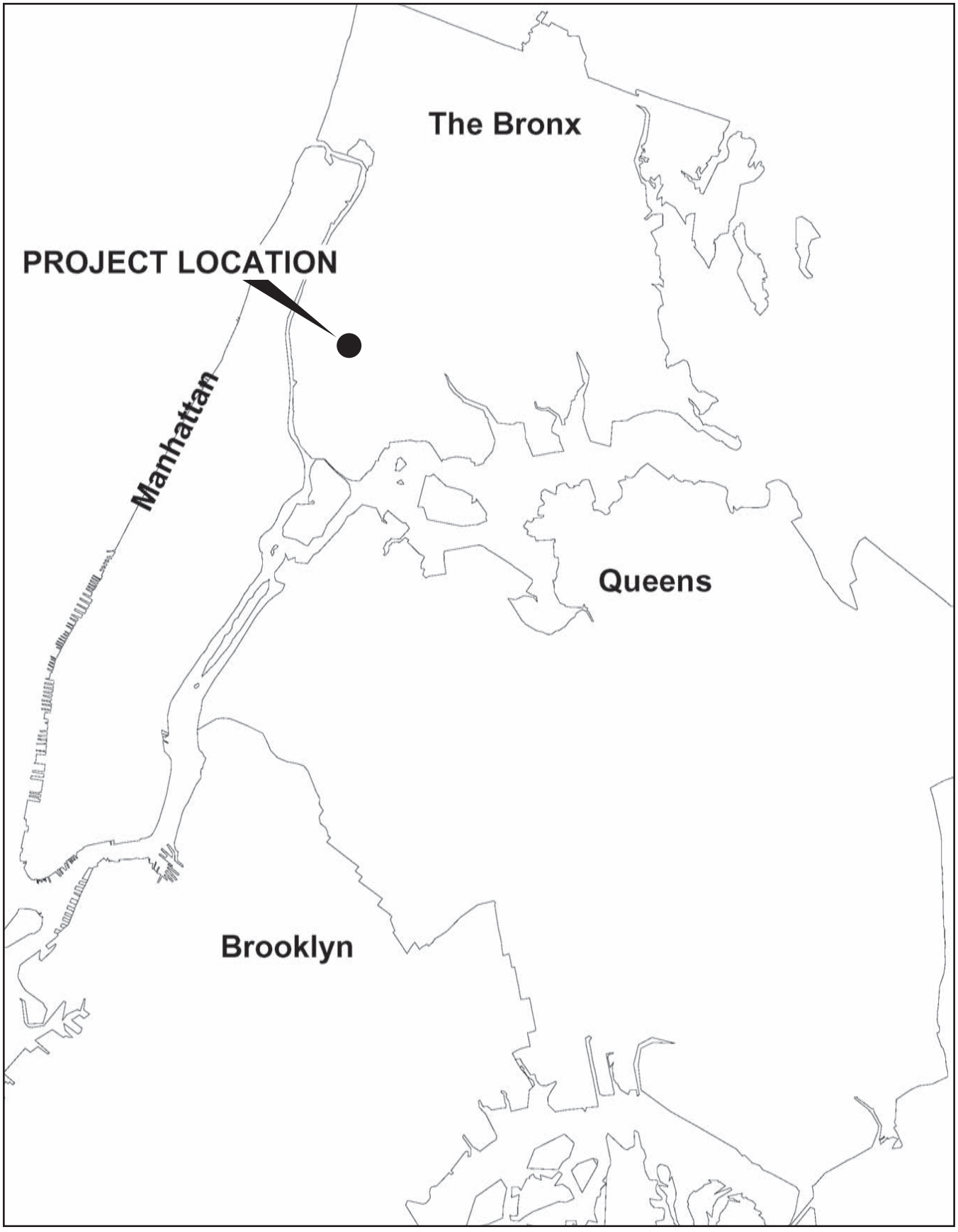


Figure 1.0-1 - Project Location

161st Street Rezoning and Related Actions EIS
NYC Department of City Planning

rezoning would address the characteristics and needs that are specific to each node while strengthening the identity of the corridor as a whole.

Located at the intersection of 161st Street and River Avenue, the Transit Node is centered on a transit hub that includes an elevated train, a subway line and buses. This area is characterized by low-rise commercial uses, surface and enclosed parking, and Yankee Stadium. Being such a transit rich area, this node can accommodate high density development; at the same time, the elevated train line located along River Avenue poses challenges, most notably street level. Furthermore, this area experiences substantial pedestrian and vehicular congestion, particularly on game days. As a result, a new zoning district has been crafted to address both the assets and liabilities of a high density transit node along an elevated train.

At the center of the 161st Street corridor is the Civic Node, which is generally located between the Grand Concourse and Morris Avenue. This area is characterized by the corridor's civic uses, most notably the Bronx Criminal Court Complex and the new Bronx Hall of Justice, as well as by a mix of office buildings, low-rise commercial uses and surface parking. As a result, higher density infill commercial and office development is most appropriate for this area.

East of Morris Avenue the character of the corridor becomes predominately residential. The Residential Node is defined as the area between Morris Avenue and the Melrose Commons Urban Renewal Area, a growing residential community located on the eastern edge of the 161st Street corridor. As a result, a higher density contextual zoning district that matches existing and proposed buildings in Melrose Commons is most appropriate for this area. In addition, local ground floor commercial uses would be expanded to all lots along 161st Street, activating the street level in an area that connects the Civic Center with the Melrose Metro-North station at Park Avenue and 162nd Street.

Zoning Map Amendment:

Transit Node

In the Transit Node, existing commercial zoning designations would be changed to permit residential uses and additional commercial uses along River Avenue, and existing residential zoning and commercial overlay designations would be changed to permit additional residential and commercial uses along East 161st Street. A zoning text amendment would establish a new C6-3D zoning district described below.

The proposed zoning changes are listed below.

- Change from C8-3 to C6-3D, portions of three blocks generally located along River Avenue south of East 161st Street and north of East 153rd Street.
- Change from R8/C1-4 to C6-3D**,** portions of three blocks generally located along East 161st Street between River Avenue and Walton Avenue, south of East 162nd Street and north of East 158th Street.

These zoning changes would result in a change in uses allowed surrounding the high-profile intersection of East 161st Street and River Avenue, and would facilitate new residential and commercial development in an area well served by transit. This area is characterized by one- and two-story retail uses (many seasonal) and surface and enclosed parking catering to Yankee Stadium. The proposed C6-3D zoning district would allow towers over six- to eight-story bases with setback requirements along the elevated train on River Avenue.

The proposed C6-3D district would allow high-density residential, commercial and community facility uses with a maximum FAR of 9.0. The existing C8-3 district allows heavy commercial and light industrial uses up to an FAR of 2.0, community facility uses up 6.5 FAR, and prohibits residential uses. The existing R8 district allows residential uses up to an FAR of 6.02, and the C1-4 overlay allows local commercial uses up to 2.0 FAR.

Civic Node

In the Civic Node, an existing C8-3 zoning designation would be changed to permit more commercial/office space, allow residential uses, and eliminate the potential for heavy automotive and light industrial uses along East 161st Street. In addition, an existing C4-6 zoning designation would be changed to permit additional commercial floor area at Sheridan Avenue and East 161st Street, and an existing R8 zoning designation would be changed to permit commercial uses along Concourse Village West.

The proposed zoning changes are listed below:

- Change from C8-3 to C6-2, a portion of one block generally located along East 161st Street between Concourse Village West and Concourse Village East.
- Change from C4-6 to C6-2, a portion of one block located at the intersection of East 161st Street and Sheridan Avenue.
- Change from R8 to C6-2, a portion of one block generally located along East 161st Street between the Grand Concourse and Concourse Village West, south of East 161st Street and north of East 159th Street.

These zoning changes would result in a change in uses allowed in the civic heart of the Bronx, and would facilitate new development of retail uses and office space. This area includes a mix of large civic uses, surface parking, one-story retail uses and two-story detached homes that have been converted to commercial uses. The proposed C6-2 zoning district would allow high-density, mid-rise towers with height factor setback requirements.

The proposed C6-2 district would allow high-density residential, commercial and community facility uses with a maximum FAR of 6.02, 6.0 and 6.5, respectively. The existing C8-3 district allows heavy commercial and light industrial uses up to an FAR of 2.0, community facility uses up 6.5 FAR, and prohibits residential uses. The existing C4-6 district allows residential, commercial and community facility uses with FAR of 10.0, 3.4 and 10.0, respectively, and the existing R8 district allows residential uses up to an FAR of 6.02.

Residential Node

In the proposed action area, existing residential zoning and commercial overlay designations would be changed to permit additional residential and commercial uses on the block between Morris Avenue and Park Avenue/Teller Avenue, south of East 162nd Street and north of East 161st Street.

The proposed zoning changes are from R7-1, with separate discontinuous C1-4 and C2-4 commercial overlays, to R8A with a continuous C2-4 commercial overlay on one block located block between Morris Avenue and Park Avenue/Teller Avenue, south of East 162nd Street and north of East 161st Street.

The zoning change would result in a change in uses allowed in an area of the 161st Street corridor that connects the civic heart of the Bronx with the Melrose Metro-North station and Melrose Commons to the east, and would facilitate development of retail and residential uses. Existing uses in this area include a mix of residential densities: mid-rise apartment buildings, semi-detached and detached houses, and one-story retail uses. The proposed R8A zoning designation would allow higher-density development with a contextual envelope that would match existing and proposed buildings in the Melrose Commons area. The proposed C2-4 commercial overlay would allow retail uses along Morris Avenue, East 161st Street, Park Avenue and Teller Avenue, increasing the capacity of commercial uses without altering the residential character of this area, and activating the street level on a block that connects the civic center with Metro-North and Melrose Commons.

The proposed R8A and R8A/C2-4 zoning designations would allow high-density residential and community facility uses (6.02 and 6.5, respectively), and commercial uses with a maximum FAR of 2.0. New development would be required to be built within a contextual envelope, which has a required 60- to 85-foot base and a maximum building height of 120 feet. The existing R7-1 allows residential development to a maximum FAR of 3.44 pursuant to sky exposure plane regulations. The existing C1-4 and C2-4 overlays allow local commercial uses up to an FAR of 2.0.

Zoning Text Amendment:

Proposed C6-3D (R9) Zoning

The proposed actions include the creation of a new zoning district, the proposed C6-3D (R9D equivalent), which allows high-density residential and commercial development. The bulk regulations are designed to facilitate tower development adjacent to an elevated train, while minimizing the impact on nearby existing buildings. In addition, the zoning district addresses pedestrian issues, including street-level noise, and pedestrian congestion within transit hubs.

The proposed base FAR would be 9.0 for commercial, community facility and residential uses, and the underlying bulk requirements would be an unlimited height tower above a required contextual base of 60 to 85 feet.

On sites that front an elevated train, a shorter base of 15 to 25 feet would be required, although a secondary base would be allowed to reach a total height of 60 to 85 feet. Both the secondary base and the unlimited height tower would be required to set back a minimum of 20 feet from the lot line that fronts the elevated train (for sites less than 110 feet deep, the setback would be reduced to between 10 to 19 feet). On corner sites that front an elevated train, a special corner setback on the ground level would be required to create additional pedestrian circulation space (a corner setback would be optional in other corner locations).

In addition, if a subway station entrance is located anywhere along the frontage of a site, there would be a requirement to improve and relocate the entrance inside the building. Sidewalk widening requirements would apply along all wide streets within the rezoning area. Where an existing building with legally required windows is located within 30 feet of an adjacent lot line, a minimum 15-foot setback would be required.

Parking would be required for 40% of the residential units which is standard for R9 zoning districts. There would be no parking requirement for commercial uses, which is standard for C6 commercial districts. There would be standard parking requirement for public, publicly-assisted and government assisted housing. For instance, parking would be required for 30% of the residential units for the publicly assisted housing and 25% of the dwelling units for government assisted housing

Table 1.0-1 Summary of Proposed C6-3D (R9)

Bldg Type	Condition	Base Required	Base	Secondary Base	Setback	Corner Setback
1	Lots unaffected by elevated	Yes	60’-85’	N/A	10’ Wide + 15’ Narrow +	Optional
2	Corner Lot***** At elevated and wide street	Yes	Wide: 60’-85’	N/A	10’ Wide +	Required
			Elevated: 15’-25’	Up to 85’******	20’ Elevated + ++	
3a	Interior Lot***** Along elevated train	Yes	15’-25’	Up to 85’******	20’ Elevated ++	N/A
3b	Corner Lot***** At elevated and narrow street	Yes	15’-25’	Up to 85’******	20’ Elevated + ++ 15’ Narrow +	Required

***** Tower face along elevated train is limited to 75% of lot width (up to 125’ maximum).

****** Face of secondary base can be flush with tower, and has no lot coverage maximum beyond minimum setback requirements.

\+ Required 15’ setback from side lot line for corner lots where existing legally required windows are within 30’ of adjacent lot line.

++ Setback reduced one foot for every foot that the lot depth is less than 110’ (10’ minimum setback for lots 100’ deep or less).

Zoning Text Amendment:

Inclusionary Housing

The proposed zoning text amendments would apply the Inclusionary Housing program within the proposed C6-3D (R9D) and R8A zoning districts in Bronx Community District 4. New base and bonussed FAR's would apply to new residential development. Base FAR's apply to developments which do not use the Inclusionary Zoning bonus. The full bonussed FAR is applied to buildings which take full advantage of the program by providing one-fifth of the total new housing floor area as affordable residential floor area in accordance with the Inclusionary Housing program. Base and bonussed FAR's will be as follows:

Table 1.0-2 Summary of Base and Bonused FAR for Inclusionary Housing

Zoning District	Base FAR	Bonussed FAR
C6-3D	7.52	10.0
R8A	5.4	7.2

The existing zoning is presented in Figure 1.0-2 and the proposed zoning is presented in Figure 1.0-3.

CONCEPTUAL ANALYSIS

The proposed zoning text amendment would create a new C6-3 zoning district and allow the Inclusionary Housing program to be applied in Bronx Community District 4 in areas proposed to be rezoned C6-3D and R8A as part of the proposed 161st Street/River Avenue Rezoning. As described above, DCP is proposing zoning text amendments that would provide new residential development in C6-3D and R8A districts in Bronx Community District 4 the opportunity to take advantage of an Inclusionary Zoning FAR bonus by providing one-fifth of the total new housing floor area as affordable residential floor area, as summarized in Table 1.0-2. .

In general, it is not expected that future development pursuant to the proposed text changes would result in environmental effects that would be greatly different from a development under the proposed action. In general, the overall provisions of the test changes are intended to enhance urban design conditions and preserve neighborhood character, while providing opportunities for growth in some areas.

There are no known plans to establish other C6-3D or R8A zoning districts elsewhere in Bronx Community District 4. Furthermore, the effects of any additional newly mapped C6-3D or R8A zoning districts in Bronx Community District 4 would be analyzed at the time of the proposed zoning map amendment. As discussed in the development scenarios, this analysis assumes that the sites within the rezoning area have the potential to be developed under the proposed text changes and an analysis of each site for which development could be assumed has been provided.

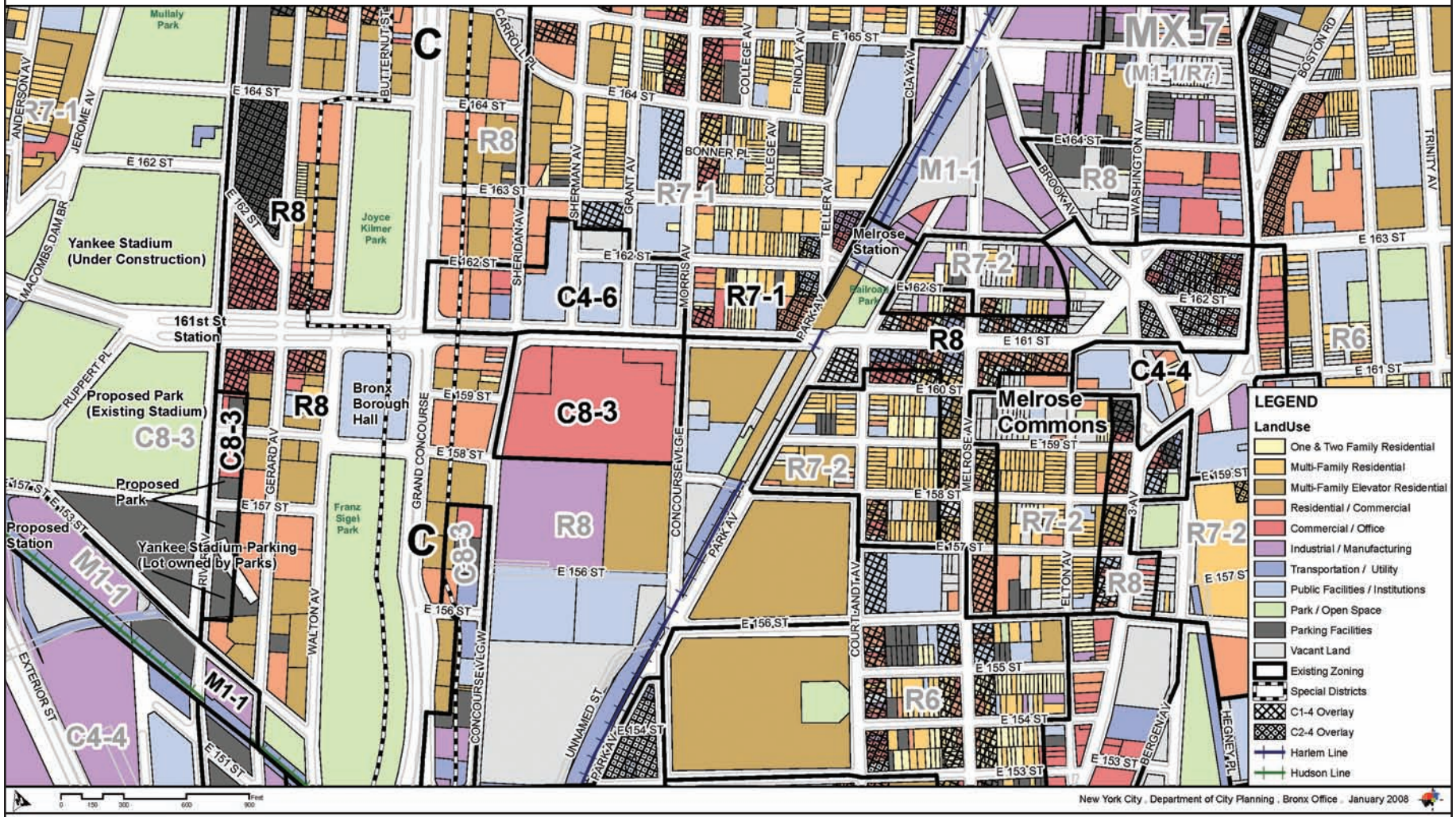


Figure 1.0-2 - Existing Zoning

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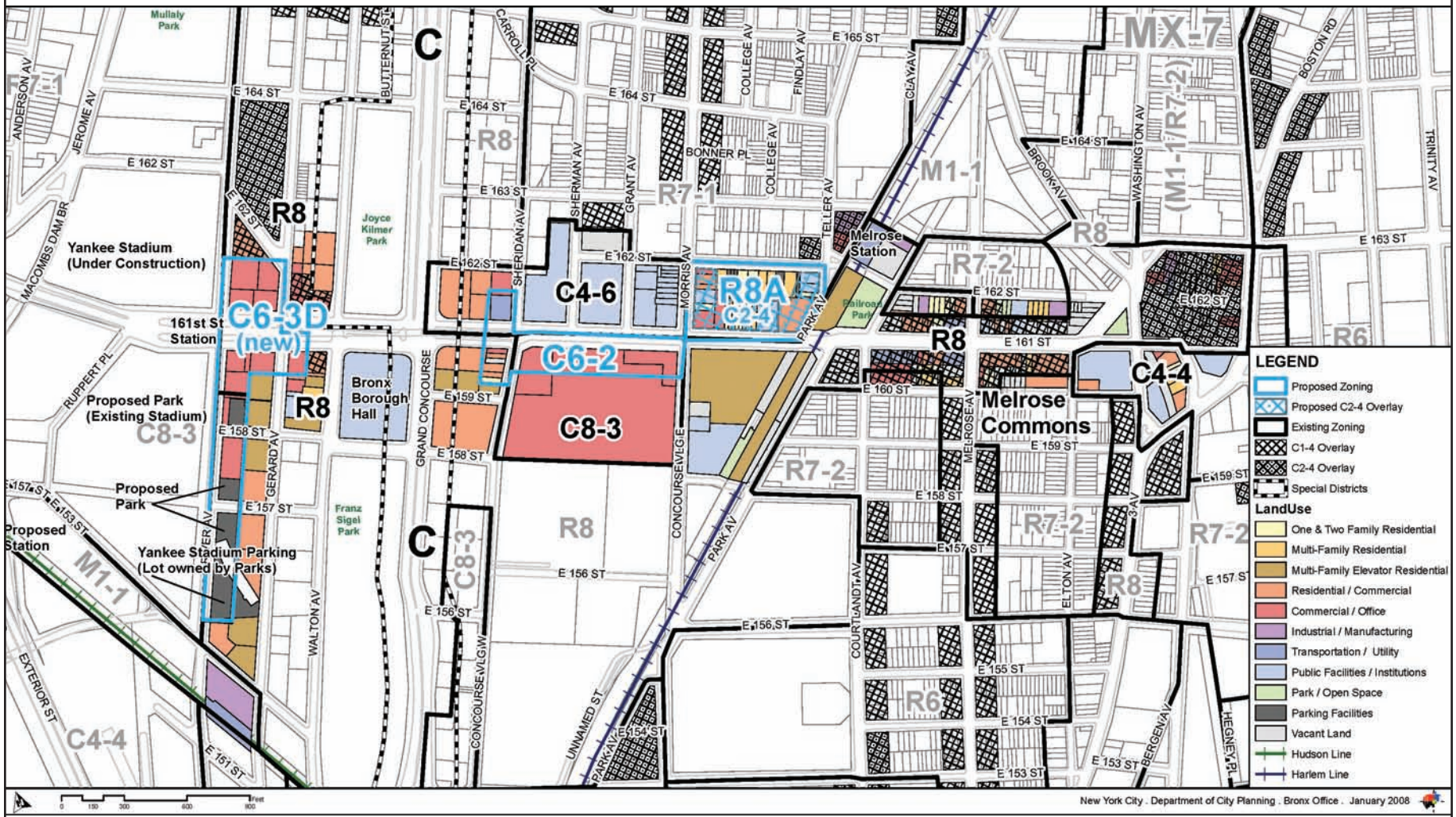


Figure 1.0-3 - Proposed Zoning

161st Street Rezoning and Related Actions EIS
NYC Department of City Planning

The Department of City Planning has no other plans to map the C6-3D zoning district elsewhere in the City at this time; however, other areas where the C6-3D zoning district could be mapped have been identified in the following community districts (CD) of Upper Manhattan and the Bronx:

- Washington Heights, Inwood (Manhattan CD 12)
- East Harlem (Manhattan CD11)
- Jerome, Fordham, and University Heights (Bronx CD 5)
- University Heights (Bronx CD7)

Absent specific plans to rezone other areas of the City, it is not possible to determine what the specific potential environmental effects of any future development would be. The effects of the effects of any additional newly mapped C6-3D zoning districts would be analyzed at the time of the proposed zoning map amendment.

1.2 REQUIRED APPROVALS

The following approvals are required for the proposed action:

Approval of the NYC City Planning Commission (CPC) and New York City Council for

- an amendment to the zoning map and
- an amendment of the zoning text for the proposed C6-3D (R9 equivalent) zoning district
- an amendment of the zoning text to establish Inclusionary Zoning Housing within the proposed C6-3D (R9) and R8A zoning districts in Bronx Community District 4.

The proposed rezoning is a discretionary public action which is subject to both the Uniform Land Use Review Procedure (ULURP), as well as City Environmental Quality Review (CEQR). ULURP is a process that allows public review of proposed action at four levels: the Community Board; the Borough President; the City Planning Commission and, if applicable, the City Council. ULURP mandates time limits for each stage to ensure a maximum review period of seven months. Through CEQR, designated agencies review discretionary actions for the purpose of identifying the effects those actions may have on the environment.

2.0 REASONABLE WORST CASE DEVELOPMENT SCENARIO ANALYSIS FRAMEWORK

Introduction

To evaluate the potential effects associated with the proposed action, this assessment identifies a reasonable worse case development scenario (RWCDS) for the "Future without the Proposed Action" ("No-Action Scenario") and for the proposed rezoning called "Future with the Proposed Action" ("With-Action Scenario") for a ten-year period (i.e., 2008-2018). For area-wide rezoning actions not associated with a specific development, a ten-year period is typically believed to be the length of time over which developers would act on a change in zoning. The No-Action Scenario identifies the amount, type, and location of new development projected to occur by the build year of 2018 without the proposed zoning change. The With-Action Scenario identifies development that would be expected to occur by the build year as a result of the proposed rezoning action. The Action Scenario projection is comprised of identified developable sites within the proposed rezoning area that could experience an increase in floor area ratio (FAR) or change in allowable uses and therefore could potentially be developed differently under the proposed zoning than under existing zoning. The incremental difference between the development that would occur in the No-Action Scenario and the With-Action Scenario would serve as the basis for the impact analysis of the Environmental Assessment Statement.

To determine the No-Action and With-Action Scenarios, standard methodologies have been used following *CEQR Technical Manual* guidelines. The development projections are based on analysis done by the Department of City Planning (DCP). These methodologies have been used to identify the type, amount and location of future development. Generally for area-wide rezonings, new development can be expected to occur on selected sites, rather than all sites within a proposed rezoning area.

2.1 Criteria for Reasonable Worst Case Scenario Development Scenario (RWCDS)

CEQR considers the long-term and short-term effects of actions. For area-wide rezonings not associated with a specific development the foreseeable future is generally considered to be a ten-year build out period. This is assumed to be the length of time over which developers would act on the change in zoning and the effects of the proposed action would be felt.

The Future Action Scenario (or Build) therefore identifies the amount, type, and location of development that is expected to occur by 2018 as a result of the proposed action. The Future No-Action Scenario (or No-Build) identifies similar development projections for 2018 absent the proposed action. The incremental difference between the build and no-build scenarios serves as the basis for the impact analyses.

To determine the development scenarios, standard methodologies have been used following *CEQR Technical Manual* guidelines and employing reasonable, worst-case assumptions. These methodologies have been used to identify the amount and location of future residential,

commercial, and community facility growth. In projecting the amount and location of new development, several factors have been considered, including known development proposals, current market demands, past development trends, and DCP's "soft site" criteria, described below, for identifying likely development sites. Generally, for area-wide rezonings, which create a broad range of development opportunities, new development can be expected to occur on selected, rather than all, sites within a rezoning area. The first step in establishing the development scenarios was to identify those sites where new development could reasonably be expected to occur.

In identifying the RWCDS, a general set of criteria was established and all sites that met the criteria were identified. Area specific criteria were also developed to further identify projected and potential development sites.

General Criteria for Development Sites

- Lots with a total size of 5,000 square feet or larger (which may include potential assemblages totaling 5,000 square feet, if an assemblage seems probable) occupied by buildings with floor area ratios equal to or less than half the proposed maximum permitted FAR. In the Transit Node, a total size of 10,000 square feet or larger was used, since tower-on-a-base development is unlikely on lots less than that size.

The following criteria were used to further categorize soft sites as "Potential" development sites, which are seen as less-likely to develop in the foreseeable future:

- Lots containing active businesses operating within fully-enclosed structures which occupy most of their lot/ building.
- Active businesses which have undergone extensive investment, which provide unique services, or which are prominent and successful neighborhood businesses or organizations unlikely to move.
- Highly irregular lots or otherwise encumbered parcels that would make development difficult or lots situated in a less-attractive location for new development.

Additional assumptions were made in developing the RWCDS:

- The average dwelling unit size is assumed to be 1,000 square feet, reflecting that type of units that are currently being constructed in this area.
- Ground floor commercial totals assume that 15 percent of the floor's floor area is circulation and mechanical space.

1.2 Future No-Action Scenario (No-Build)

In the future without the proposed action, the existing zoning controls would remain in place; it is expected that the current land use trends and general development patterns in and adjacent to the 161st Street/River Avenue area will continue.

It is anticipated that the rezoning area would experience some growth in commercial and residential uses. DCP has developed a scenario of as-of-right development that would reasonably be expected to occur within the rezoning area in the future without the proposed action (no-action). Several developments and conversions are expected within the land use study areas, including new development on some of the projected and potential development sites.

In the future without the proposed action**,** it is expected that the projected development sites would have a total of 299 DUs (all of which would be market-rate housing units); 71,549 sf of commercial retail space; 246,500 sf of commercial office space; and 11,720 sf of community facility space. This would represent a net increase over existing conditions of 295 DUs and 11,720 sf of community facility space and a net decrease of 4,289 sf of commercial retail space. Commercial office space would remain unchanged from existing conditions.

By the year 2018, under the Future No-Action Scenario, it is expected that the projected development sites would have a total of 358 DUs (31 of which would be affordable housing units); 111,369 sf of commercial retail space; no commercial office space; and 1,500 sf of community facility space. In comparison to the existing conditions on the site, this represents a decrease on the potential development sites of 4,432 sf of retail space, a decrease of 6,412 sf of office space, 1,500 sf of community facility space, and 344 market rate dwelling units (31 of which would be affordable housing units).

Proposed projects that are expected to occur in the area surrounding the rezoning area will be included, as appropriate, in the discussion of the Future No-Action Scenario. General background growth (e.g. population, traffic etc.) will be applied when analyzing future development on the site without the proposed actions.

The following is a list of known projects that will be considered in the analysis of the future without the proposed actions. Projects generally within on-half mile of the rezoning area were considered. Identified Future No-Action projects area as follows:

<u>El Jardin</u>
El Jardin, a residential project, currently under construction and scheduled for completion in 2010, will develop approximately 84 dwelling units on a site located on the southwest corner of the intersection of Melrose Avenue and East 158th Street.

<u>3160 Park Avenue</u>
This private residential development, scheduled for completion in 2012, will provide approximately 178 dwelling units at the following addresses: 3160 Park Avenue, 3164 Park Avenue, and 853 Courtlandt Avenue. The site of the future residential development is currently vacant land.

<u>580 River Avenue</u>
This project, located at 580 River Avenue, is anticipated to develop approximately 500 residential units.

Plaza 163 Site
This development will be located on the block bounded by East 164th Street, Brook Avenue, East 163rd Street, and Washington Avenue. Currently, the block is occupied by industrial uses and vacant land. The developer has explored building residential on the site, which has delayed the construction. The developer is going forward with a commercial development of 30,000 sq ft with a build year of 2011.

Yankee Stadium Redevelopment Project
The Yankee Stadium Redevelopment Project, scheduled for completion by the fall of 2011, will replace the existing Yankee Stadium with a new stadium. In addition to the construction of the new 53,000-seat stadium, scheduled for completion by the spring of 2009, the project will involve the construction of four new parking garages for a net increase of 3,315 off-street parking space, the development of new and replacement open space resources for a net increase of 4.63 acres, and the development of a new Metro North Train Station.

The stadium is being constructed on land that was previously part of Macomb's Dam Park and the southernmost portion of Mullaly Park. The site of the existing stadium will be redeveloped into Heritage Field, an active open space resource. Additional open space resources that will be developed as new or replacement facilities include: the Rooftop Park, located on top of one of the new parking garages; Bronx Terminal Market Waterfront Park; Ruppert Plaza; permanent ballfields at P.S. 29; permanent ballfields at the West Bronx Recreation Center; and the aforementioned River Avenue Parks, located within the proposed rezoning area. Overall, the project will result in the development of much-needed active space in the area, in addition to passive space resources.

Mott Haven Campus
The Mott Haven Campus development of four school facilities on over eight acres of vacant land located at 3001 Concourse Village East, directly south of P.S. 156 and I.S. 151. The project will develop two 550-seat high schools, one 575-seat combined intermediate and high school, and one 550-seat charter school that will accommodate fifth through eighth grades. The project will also provide space for approximately 100 special education students. The total building area for the four schools will be approximately 280,000 square feet. One high school is scheduled for occupancy in the fall of 2009 and the remaining schools are scheduled for occupancy in the fall of 2010.

The Gateway Center at the Bronx Terminal Market
The Gateway Center at the Bronx Terminal Market, scheduled for completion in 2009, will construct four new buildings and restore one historically-significant building. One of the buildings will be a 2,600-space parking garage, and the remaining buildings will offer a variety of national and local retail shops, generating a total of approximately one million square feet of retail space. The project, which will be on land currently occupied by industrial uses, will be bordered by East 153rd Street, Major Deegan Expressway, and Cromwell Avenue.

Widening of Major Deegan Expressway
This project will improve and widen the Major Deegan Expressway, which has advanced

deterioration and other structural and safety concerns. The project will be developed in two phases to accommodate the nearby Yankee Stadium and Gateway Center developments

St. Ann's Terrace

The Project site is located at St. Ann's Avenue, Eagle Avenue and East 159th Street and is presently zoned M1-1. The proposal for the project site is to rezone the property to an R7X district with a C2-3 commercial overlay on the St. Ann's Avenue side of the development. Eight total units, which range from seven to 12 stories in height, middle income, senior independent, affordable tax credit and condo/co-op apartments will be offered (approximately 600 units). Also proposed is 50,000 square feet of the ground level space for retail establishments and parking for an estimated 450 cars. The approximate build year is 2010.

Lower Concourse Rezoning

The Department of City Planning is proposing to rezone a 30-block area surrounding the lower end of the Grand Concourse, map a new waterfront park, establish a Waterfront Access Plan, make the provisions of Inclusionary Zoning applicable in the area, and other related actions in order to create new investment opportunities and open space in the underutilized but transit-rich Lower Concourse area. The proposed actions will transform a waning industrial waterfront area and the lower Grand Concourse into a vibrant, mixed-use, mixed-income community with new housing, waterfront open space, and an array of retail services. The Lower Concourse is located in Community Board 1 in the Bronx, generally bounded by the Harlem River to the west, E. 149th Street to the north, Morris and Lincoln Avenues to the east, and the Major Deegan Expressway to the south.

The projected incremental development expected on the 31 projected development sites of the rezoning area is 3,414 dwelling units, 571,162 of new retail space, 164,285 of new hotel space (combined for a total of 735,447 square feet), an increase of 63,700 of community facility space, and a net reduction of 598,351 sf of office space and a net reduction of 308,872 of industrial space.

Boricua College

The 4.5-acre Boricua Village is a joint venture of Atlantic Development Group and Boricua College. The project will include about 750 residential units and as many as 50,000 square feet of retail space centered around a new 14-story flagship building for Boricua College, whose present enrollment is 1,200 students. The development will transform 4.5 acres of city-owned vacant lots into seven residential buildings, several retail stores and the 120,000-square-foot college tower, all surrounded by landscaping, benches and public areas. The residential buildings will range in height from six to 13 stories, and offer studios and one-, two- and three-bedroom apartments. Three-quarters of the units will be reserved for low-income residents, and a quarter will be for moderate-income residents. The project build year is 2009.

Bronx Museum of the Arts

In February 2004, Bronx Museum of Arts began construction on a 16,000 sq. ft. building to the north of the existing facility. Plans are underway to rebuild a new modern structure on the existing site along with a moderate-income residential co-op tower (approximately 189 units).

With this new expanded facility, it is the Museum's hope to serve as a cultural leader in the South Bronx and as a catalyst for economic development within the surrounding communities.

Melrose Commons Sites

Several of the sites expected to be developed in the future without the proposed action (sites 1-7) will be developed as part of the Melrose Commons Urban Renewal Plan. The Melrose Commons Urban Renewal Plan was adopted in May, 1994 and governs development in a 34-block area, generally bounded by East 163rd Street to the north, Brook and Third Avenues to the east, East 156th and East 159th Streets to the south, and Park and Courtlandt Avenues to the west. The plan's goals are to replace vacant land and substandard structures with new residential, commercial, and community facility uses, and to restore the area's residential character by providing new low-income housing.

Furthermore, the plan set forth the following objectives: eliminate blight and maximize appropriate land use; remove substandard and unsanitary structures; remove impediments to land assemblage and orderly development; strengthen the City tax base by encouraging development; provide new and/or rehabilitated low, moderate, and/or middle income housing exhibiting good design; provide convenient community facilities, parks and recreational uses, local commercial activities, and parking; redevelop the area in a comprehensive manner, removing blight and restoring the residential character; and encourage the upgrading of housing quality in the immediate vicinity.

At the time of adoption, the area had experienced substantial disinvestment and over half of the land in the Melrose Commons Urban Renewal Area (URA) consisted of vacant lots and vacant buildings. The original Melrose Commons Urban Renewal Plan called for the construction of 1,714 new residential units. The following is a list of projects in the Melrose Urban Renewal Area identified by NYC Housing Preservation and Development:

Table 2.0-1 HPD Melrose Commons URA Projects

HPD Project Name	Blocks(s) & Lot(s)	Dwelling Units
The Orion - Melrose Commons URA Site p/o 1	Block 2364 Lots 2-5,7,9,17,19,21,23,24	77
The Dorado - Melrose Commons URA Site p/o3	Block 2378 Lots 62,64-66	58
Melrose Commons URA Site 5	Block 2378, lot 34	63
The Aurora - Melrose Commons URA Site 28	Block 2381 Lots 52,56,58-60	91
Melrose Commons URA Site p/o 17	Block 2364 Lots 45,49,p/o58,70	96
Melrose Commons URA Site p/o 17	Block 2364 Lots 55,56,p/o58,60,61	64
Courtlandt Corners I-Melrose Commons URA Site 46	Block 2407 Lots 5,8,10-12	71
Courtlandt Corners II-Melrose Commons URA Sites 56 & 57	Block 2408 Lots 1,6-10,p/o12,13,14,p/o16,20,25,27-29,31,32	252
Melrose Commons URA Site 15	Block 2404 Lots 1 and 2	16
Melrose Commons URA Sites 52,53,54	Block 2383 Lots 19,22,25,27,29-31,35,37,39	92
Melrose Commons URA Site 62	Block 2384 Lots p/o20,23,25,28,32-34,38,43	163
Melrose Commons URA Site 64	Block 2408 Lots 35,41,45,46,49,51-53	176
Melrose Commons URA Sites 23 & 31	Block 2418 Lot 6 and Block 2381 Lot 43	16

Other HPD Projects

Other HPD identified in a general half-mile area around the rezoning area that may be considered in the discussion of the Future No-Action discussion are as follows:

Table 2.0-2 Other HPD URA Projects

HPD Project Name	Blocks(s) & Lot(s) or Address	Dwelling Units
Via Verde/The Green Way-Bronxchester URA Sites	Block 2359 Lots p/o1, p/o3,p/o9001, p/o255(easement)	221
The Solara - Grant Avenue Apts.	Block2453 Lots 68,72,75,78,81,84,87,90	162
946-50 College Avenue	Block 2423 Lot 63	61
3313 Third Avenue	Block 2369 Lots 21,23-30,55-60,63-65	128
Brook Willis Apartments	136th St – 147th St	123
Morris Avenue Apartments	645 Morris Ave & 3000 Park Ave	209

1.2 Future Action Scenario (Build Scenario)

In the Future Action Scenario, with the proposed zoning text and map amendments in place, the 11 identified projected development sites would have a total of 894 DUs (745 of which would be affordable housing units); 113,553 sf of commercial retail space; 553,484 sf of commercial office space; and 11,730 sf of community facility space. This would represent a net increase over no-action conditions of 594 DUs, including 148 units of affordable housing; 42,004 sf of retail commercial space; 306,001 sf of office commercial space, and 10 sf of community facility space.

There are 11 potential development sites identified in the rezoning area. By the year 2018, under the Future Action Scenario, it is expected that the potential development sites could have a total of 390 DUs (66 of which would be affordable housing units); 127,049 sf of commercial retail space; 206,376 of commercial office space; and no community facility space. In comparison to the Future No-Action condition, this represents an incremental increase on the 11 potential development sites of 15,681 sf of retail space; an increase of 206,376 sf of office space; an increase of 35 affordable housing units; and a decrease of three market rate dwelling units (for a total of 32 net housing units).

Each chapter of the environmental supplemental report will assess the potential for environmental impacts based on the incremental difference of the Future Action and Future No-Action development scenarios. The build year for the environmental assessment will be 2018. The locations of the projected and potential development sites are shown in **Figure 2.0-1**. Development scenario data for the future without the proposed action, future with the proposed action, and incremental net change in development for all the sites are presented in **Table 2.0-3**.

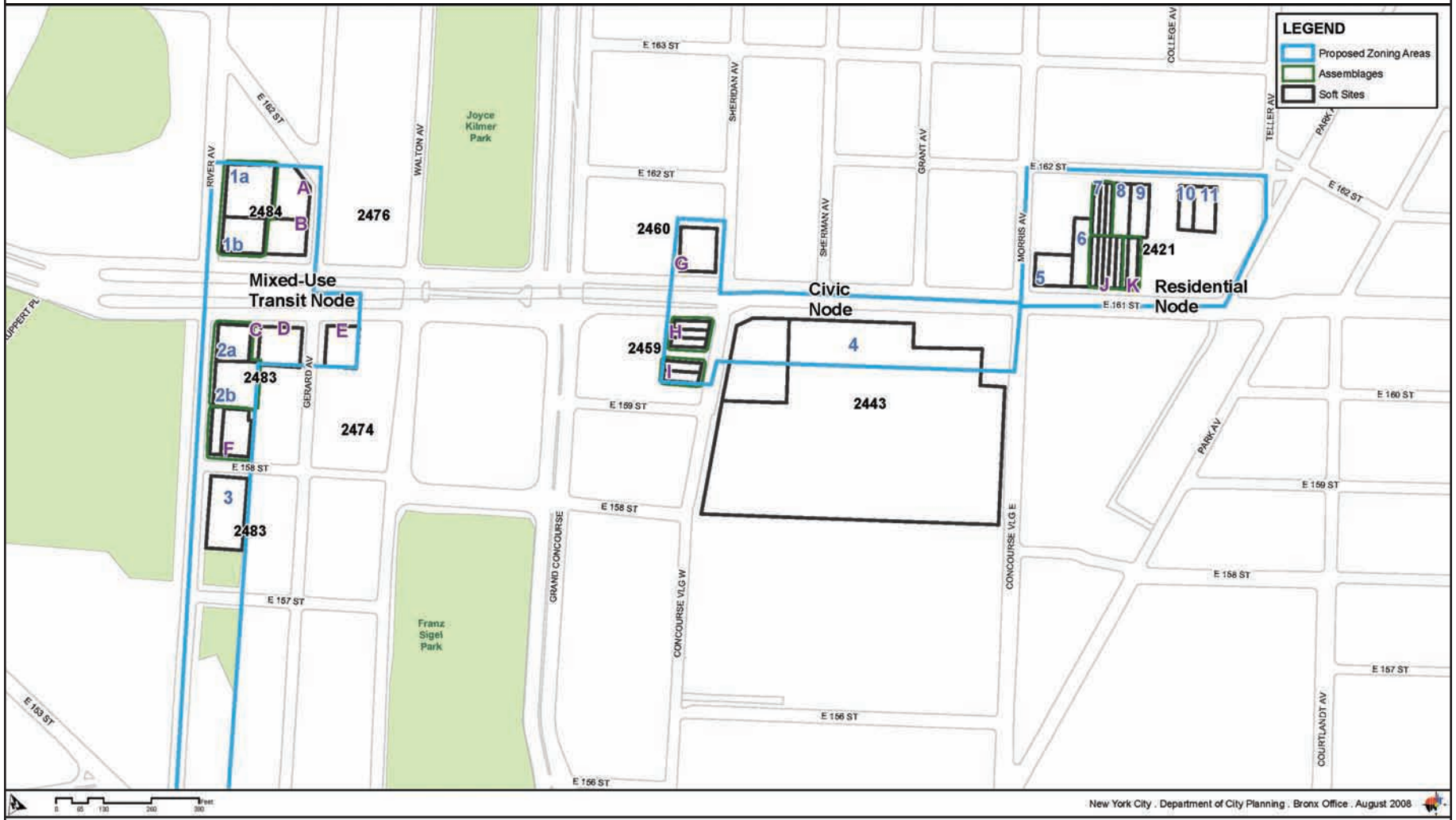


Figure 2.0-1 - Projected and Potential Development Sites

TABLE 2.0-3

Site Description							Existing Conditions											
Projected	Block	Lot	Lot Type	Land Use	Lot Area	Address	Existing Zoning	Maximum FAR	Built FAR	Bldg Area (PLUTO)	Retail SF	Office SF	Industrial SF	CF SF	Residential SF	Building Height	Affordable DUs	Market Rate DUs
1a	2484	9	interior	Commercial	19,306	880 River Avenue	R8/C1-4	6.02	2.28	44,000	5,000	39,000	0	0	0	25	0	0
1b	2484	5	Corner	Commercial, McDonald's	11,503	51 E. 161st Street	R8/C1-4*	7.20	0.26	3,038	3,038	0	0	0	0	15	0	0
2a	2483	40	Corner	Commercial	9,061	48 East 161st Street	R8/C1-4	6.02	0.99	9,000	9,000	0	0	0	0	15	0	0
2b	2483	34	Interior	Commercial	15,017	850 River Avenue	R8/C1-4	6.02	1.66	25,000	5,000	6,000	0	0	0	45	0	0
3	2483	5	Corner	Commercial	20,000	810 River Avenue****	C8-3	2.00	2.00	40,000	40,000	0	0	0	0	25	0	0
4	2443	p/o 90,94	Corner	Commercial (Office)	88,036***	198 E. 161st Street	C8-3	2.00	2.29***	201,500	0	201,500	0	0	0	105	0	0
5	2421	1	Corner	Commercial	8,800	271 East 161st Street	R7-1/ C1-4**	4.00	1.00	8,800	8,800	0	0	0	0	15	0	0
6	2421	57	Interior	Commercial	9,600	281 East 161st Street	R7-1**	4.00/3.44	0.52	5,000	5,000	0	0	0	0	15	0	0
7	2421	16	Interior	Parking	2,434	284 East 162nd Street	R7-1++	3.44	0.00	0	0	0	0	0	0	0	0	0
	2421	17	Interior	Parking	2,432	286 East 162nd Street	R7-1++	3.44	0.00	0	0	0	0	0	0	0	0	0
	2421	75	Interior	Parking	2,434	288 East 162nd Street	R7-1++	3.44	0.00	0	0	0	0	0	0	0	0	0
8	2421	18	Interior	Residential	7,300	294 East 162nd Street	R7-1++	3.44	0.33	2,420	0	0	0	0	2,420	20	0	1
9	2421	20	Interior	Residential	7,300	296 East 162nd Street	R7-1++	3.44	0.33	2,420	0	0	0	0	2,420	20	0	1
10	2421	26	Interior	Parking	4,834	308 East 162nd Street	R7-1++	3.44	0.00	0	0	0	0	0	0	0	0	0
11	2421	27	Interior	Residential	6,844	316 East 162nd Street	R7-1++	3.44	0.37	2,520	0	0	0	0	2,520	20	0	2
TOTAL					**126,865**					**343,698**	**75,838**	**246,500**	**0**	**0**	**7,360**		**0**	**4**

* R8=7.2 FAR on a wide street under Quality Housing
\+ R8=6.02 on a narrow street under Quality Housing
** R7-1=4.0 FAR on a wide street under Quality Housing only upto a depth of 100 feet, and remaining lot with 3.44 FAR
++ R7-1=3.44 FAR on a narrow street under Quality Housing
*** Projected Site 4 (Mall Site) Site area and built FAR are limited to area to be rezoned
**** Includes 14,000 SF vacant theater
^ R8A FAR= 6.02; with Inclusionary Housing base FAR = 5.4, up to 7.2 with IZ bonus
^^ C6-3D FAR=9.0; with Inclusionary Housing base FAR 7.52, up to 10.0 with IZ bonus

Building Height Assumptions:
15 feet for first floor retail and first floor office unit/lobby
10 feet for residential unit, community facility, and office unit above first floor

TABLE 2.0-3

		No-Action Conditions										
Projected	**Site Area**	**Existing Zoning**	**Development**	**Retail SF**	**Office SF**	**Industrial SF**	**CF SF**	**Residential SF**	**Building Height**	**Affordable DUs**	**Market Rate DUs**	**Total Res Dus**
1a	19,306	R8/C1-4	No Change (Issue: Elevated)	5,000	39,000	0	0	0	25	0	0	0
1b	11,503	R8/C1-4*	1-story Comm w/Res, QH	9,778	0	0	0	73,022	95	0	73	73
2a	9,061	R8/C1-4	1-story Comm w/Res, QH	7,702	0	0	0	57,537	85	0	58	58
2b	15,017	R8/C1-4	No Change (Issue: Elevated)	5,000	6,000	0	0	0	45	0	0	0
3	20,000	C8-3	No Change (Issue: FAR)	40,000	0	0	0	0	25	0	0	0
4	88,036***	C8-3	No Change (Comm Office)	0	201,500	0	0	0	105	0	0	0
5	8,800	R7-1/C1-4**	1-story Comm/CF w/Res, QH	4,070	0	0	4,070	26,400	55	0	26	26
6	9,600	R7-1**	1-story CF w/Res, QH	0	0	0	7,650	26,824	80	0	27	27
7	7,300	R7-1++	Res, QH	0	0	0	0	25,112	80	0	25	25
8	7,300	R7-1++	Res, QH	0	0	0	0	25,112	80	0	25	25
9	7,300	R7-1++	Res, QH	0	0	0	0	25,112	80	0	25	25
10	4,834	R7-1++	Res, QH	0	0	0	0	16,629	60	0	17	17
11	6,844	R7-1++	Res, QH	0	0	0	0	23,543	60	0	24	24
TOTAL				**71,549**	**246,500**	**0**	**11,720**	**299,292**		**0**	**299**	**299**

* R8=7.2 FAR on a wide street under Quality Housing
** R7-1=4.0 FAR on a wide street under Quality Housing only upto a depth of 100 feet, and remaining lot with 3.44 FAR
++ R7-1=3.44 FAR on a narrow street under Quality Housing
*** Projected Site 4 (Mall Site) Site area and built FAR are limited to area to be rezoned

TABLE 2.0-3

	With-Action Conditions												
Projected	**Proposed Zoning**	**Proposed Commercial FAR**	**Proposed Residential FAR**	**Site Area**	**Development**	**Retail SF**	**Office SF**	**Industrial SF**	**CF SF**	**Residential SF**	**Building Height (ft)**	**Affordable DUs**	**Market Rate Dus**	**Total Res DUs**
1a	C6-3D^^	9.00	10.00	30,809	1-story Retail along River Ave & 6-story Retail/Office along 161st St w/Incl. Res Tower	28,983	34,455	0	0	244,595	285	49	196	245
1b														
2a	C6-3D^^	9.00	10.00	24,078	1-story Retail along River Ave & 3-story Retail/Office + 3-story Res along 161st St w/Incl. Res Tower	22,840	23,813	0	0	214,936	305	43	172	215
2b														
3	C6-3D^^	9.00	10.00	20,000	Grocery store w/Incl. Res Tower Contextual (Short base)	17,000	0	0	0	153,000	275	31	122	153
4	C6-2	6.00	6.02	88,036***	Retail/Office	33,000	495,216	0	0	0	145	0	0	0
5	R8A/C2-4^	2.00	7.2	8,800	2 story comm/CF w/Incl. Res	7,480	0	0	7,480	45,760	85	9	37	46
6	R8A/C2-4^	2.00	4.32	9,600	2 story comm/CF w/Res	4,250	0	0	4,250	33,000	125	0	33	33
7	R8A^	0	5.40	7,300	Residential	0	0	0	0	39,420	120	0	39	39
8	R8A^	0	5.40	7,300	Residential	0	0	0	0	39,420	120	0	39	39
9	R8A^	0	5.40	7,300	Residential	0	0	0	0	39,420	120	0	39	39
10	R8A^	0	7.2	4,834	Incl. Residential	0	0	0	0	34,805	120	7	28	35
11	R8A^	0	7.2	6,844	Incl. Residential	0	0	0	0	49,277	120	10	39	49
TOTAL						**113,553**	**553,484**	**0**	**11,730**	**893,633**		**148**	**745**	**894**

^ R8A FAR= 6.02; with Inclusionary Housing base FAR = 5.4, up to 7.2 with IZ bonus
^^ C6-3D FAR=9.0; with Inclusionary Housing base FAR 7.52, up to 10.0 with IZ bonus

*** New retail/office building is calculated by multiplying the rezoned lot area (88,036) by the proposed maximum FAR (6.0), then subtracting the portion of the existing office tower that is within the rezoning area (201,500), on the same zoning lot, which results in a new 326,716 square foot building. (Total commercial: 201,500+326,716=528,216)

TABLE 2.0-3

	Increment								
Projected	**Retail SF**	**Office SF**	**Industrial SF**	**CF SF**	**Residential SF**	**Building Height (ft)**	**Affordable DUs**	**Market Rate DUs**	**Total Res Dus**
1a	14,205	-4,545	0	0	171,573	260	49	123	172
1b						190			
2a	10,138	16,840	0	0	157,399	220	43	114	157
2b						260			
3	-23,000	0	0	0	153,000	250	31	122	153
4	33,000	293,716	0	0	0	40	0	0	0
5	3,410	0	0	3,410	19,360	30	9	10	19
6	4,250	0	0	-3,400	6,176	45	0	6	6
7	0	0	0	0	14,308	40	0	14	14
8	0	0	0	0	14,308	40	0	14	14
9	0	0	0	0	14,308	40	0	14	14
10	0	0	0	0	18,176	60	7	11	18
11	0	0	0	0	25,733	60	10	16	26
TOTAL	**42,004**	**306,011**	**0**	**10**	**594,340**		**148**	**446**	**594**

TABLE 2.0-3

	No Action Parking						With-Action Parking						Increment - Parking					
Projected	**C**	**M**	**CF**	**Low-income Res**	**Market- rate Res**	**Total**	**C**	**M**	**CF**	**Low-income Res**	**Market Rate Res**	**Total**	**C**	**M**	**CF**	**Low-income Res**	**Market-rate Res**	**Total**
1a	0	0	0	0	0	0	w	0	0	6	78	84	0	0	0	6	78	84
1b	w	0	0	0	w	w												
2a	w	0	0	0	w	w	w	0	0	5	69	74	0	0	0	5	69	74
2b	0	0	0	0	0	0												
3	0	0	0	0	0	0	w	0	0	4	49	53	0	0	0	4	49	53
4	0	0	0	0	0	0	100	0	0	0	0	100	100	0	0	0	0	100
5	w	0	w	0	w	w	w	0	w	w	w	w	0	0	0	0	0	0
6	0	0	w	0	w	w	w	0	w	0	w	w	0	0	0	0	0	0
7	0	0	0	0	w	w	0	0	0	0	w	w	0	0	0	0	0	0
8	0	0	0	0	w	w	0	0	0	0	w	w	0	0	0	0	0	0
9	0	0	0	0	w	w	0	0	0	0	w	w	0	0	0	0	0	0
10	0	0	0	0	w	w	0	0	0	0	w	w	0	0	0	0	0	0
11	0	0	0	0	w	w	0	0	0	0	w	w	0	0	0	0	0	0
TOTAL	**0**	**0**	**0**	**0**	**0**	**0**	**100**	**0**	**0**	**15**	**196**	**311**	**100**	**0**	**0**	**15**	**196**	**311**

w=waived

R7-1 Low income HF, 30% and QH,15%; Market Rate <=10K 30%; >10K, 60%; waive if fewer than 5 req.
C6-2/R8 Low income 12%; Market Rate <10K, 0%; 10-15K, 20%; >=15K, 40%; waive if fewer than 15 req.
C63-D/R9 Low income 12%; Market rate <10K, 12%; 10-15K, 20%; >15% 40%; waive if fewer than 15 req

Site E and Site 4: With-action parking is market-driven and based on 2 and 1 story of parking, respectively. (No required parking)

TABLE 2.0-3

Site Description							Existing Conditions											
Potential	Block	Lot	Lot Type	Land Use	Lot Area	Address	Existing Zoning	Permitted FAR	Built FAR	Bldg Area (PLUTO)	Retail SF	Office SF	Industrial SF	CF SF	Residential SF	Building Height (ft)	Affordable DUs	Market Rate DUs
A	2484	33	Corner	Commercial (Grocery, Office)	13,600	881 Gerard Avenue	R8/C1-4	6.02	1.69	23,000	23,000	0	0	0	0	25	0	0
B	2484	35	Corner	Commercial	11,503	67 E. 161st Street	R8/C1-4*	7.20	1.00	11,500	11,500	0	0	0	0	15	0	0
C	2483	44	Corner	Commercial	2,500	58 East 161st Street	R8/C1-4	6.02	1.00	2,500	2,500	0	0	0	0	15	0	0
D	2483	45	Corner	Commercial	12,190	62 E. 161st Street	R8/C1-4*	7.20	1.00	12,180	12,180	0	0	0	0	15	0	0
E	2474	40	Corner	Commercial	10,376	48 E. 161st Street	R8/C1-4	6.02	0.96	9,990	9,990	0	0	0	0	15	0	0
F	2483	32	Interior	Commercial	3,948	830 River Avenue	C8-3	2.00	1.20	4,740	4,740	0	0	0	0	25	0	0
	2483	68	Corner	Commercial (Parking)	9,800	87 East 158th Street	C8-3	2.00	3.00	29,400	29,400	0	0	0	0	25	0	0
G	2460	25	Corner	Commercial (Office)	11,502	891 Sheridan Avenue	C4-6	10.00	1.98	22,770	19,600	3,170	0	0	0	25	0	0
H	2459	46	Corner	Commercial	2,293	871 Concourse Village W.	R8*	7.20	2.05	4,700	2,350	2,350	0	0	0	25	0	0
	2459	49	Corner	Mixed Com/Res	2,410	869 Concourse Village W.	R8	6.02	0.86	2,075	0	892	0	0	1,183	30	0	1
	2459	50	Corner	Parking	2,365	Sheridan Ave	R8	6.02	0.00	0	0	0	0	0	0	0	0	0
I	2459	53	Interior	Mixed Com/Res	2,660	859 Concourse Village W.	R8	6.02	0.56	1,500	0	550	0	0	950	25	0	1
	2459	54	Interior	Commercial	2,661	857 Concourse Village W.	R8	6.02	0.62	1,652	0	0	0	0	1,652	25	0	2
J	2421	56	Interior	Residential	2,433	285 East 161st Street	R7-1	3.44	0.87	2,125	0	0	0	0	2,125	30	0	1
	2421	55	Interior	Mixed Com/Res	2,336	287 East 161st Street	R7-1	3.44	1.13	2,641	541	0	0	0	2,100	35	0	2
	2421	54	Interior	Residential	2,433	289 East 161st Street	R7-1	3.44	0.84	2,040	0	0	0	0	2,040	30	0	1
	2421	53	Interior	Residential	2,409	291 East 161st Street	R7-1	3.44	0.85	2,040	0	0	0	0	2,040	30	0	2
	2421	52	Interior	Residential	2,433	293 East 161st Street	R7-1	3.44	0.84	2,040	0	0	0	0	2,040	20	0	1
K	2421	51	Interior	Residential	2,433	295 East 161st Street	R7-1	3.44	0.84	2,040	0	0	0	0	2,040	20	0	1
	2421	50	Interior	Residential	3,650	297 East 161st Street	R7-1	3.44	0.64	2,328	0	0	0	0	2,328	20	0	2

* R8=7.2 on a wide street under Quality Housing
** R7-1=4.0 FAR on a wide street under Quality Housing only upto a depth of 100 feet, and remaining lot with 3.44 FAR
Assemblages in the "With-Action" Condition which do not change in the "No-Action" Condition are aggregated in the "No-Action" Conditions chart for ease of comparison

TABLE 2.0-3

		No-Action Conditions										
Potential	**Site Area**	**Existing Zoning**		**Commercial SF**	**Office SF**	**Industrial SF**	**CF SF**	**Residential SF**	**Building Height**	**Affordable DUs**	**Market Rate DUs**	**Total Res Dus**
A	13,600	R8/C1-4	No Change (Issue: Business type)	23,000	0	0	0	0	25	0	0	0
B	11,503	R8/C1-4*	1-story Comm w/Res, QH	9,778	0	0	0	73,022	95	0	72	72
C	2,500	R8/C1-4	No Change (Issue: size)	2,500	0	0	0	0	15	0	0	0
D	12,190	R8/C1-4*	1-story Comm w/Res, QH	10,362	0	0	0	76,759	85	0	77	77
E	10,376	R8/C1-4	1-story Comm w/Res, QH	8,820	0	0	0	65,888	85	0	66	66
F	3,948	C8-3	No Change	4,740	0	0	0	0	25	0	0	0
	9,800	C8-3	No Change Parking	29,400	0	0	0	0	25	0	0	0
G	11,502	C6-4	No Change (Comm Office)	22,770	0	0	0	0	25	0	0	0
H	7,068	R8*	1-story CF (Medical Office) w/Res, QH	0	0	0	1,500	49,390	80	31	31	62
I	5,321	R8+	Res, QH	0	0	0	0	32,032	110	0	32	32
J	12,044	R7-1**	Res, QH	0	0	0	0	46,529	80	0	47	47
K	6,083	R7-1	No Change	0	0	0	0	4,368	20	0	3	3

* R8=7.2 on a wide street under Quality Housing
\+ R8=6.02 on a narrow street under Quality Housing
** R7-1=4.0 FAR on a wide street under Quality Housing only upto a depth of 100 feet, and remaining lot with 3.44 FAR

TABLE 2.0-3

	With-Action Conditions													
Potential	**Proposed Zoning**	**Proposed Commercial FAR**	**Proposed Residential FAR**	**Site Area**	**Development**	**Retail SF**	**Office SF**	**Industrial SF**	**CF SF**	**Residential SF**	**Building Height (ft)**	**Affordable DUs**	**Market Rate Dus**	**Total Res DUs**
A	C6-3D^^	9.00	10.00	13,600	Grocery store w/Incl. Res Tower	11,560	0	0	0	124,440	215	25	100	124
B	C6-3D^^	9.00	10.00	11,503	6-story Retail/Office	9,678	59,340	0	0	0	65	0	0	0
C	C6-3D^^	9.00	10.00	2,500	No Change (Issue: size)	2,500	0	0	0	0	15	0	0	0
D	C6-3D^^	9.00	10.00	12,190	6-story Retail/Office	12,190	60,950	0	0	0	65	0	0	0
E	C6-3D^^	9.00	10.00	10,376	6-story Retail/Office	10,376	51,880	0	0	0	65	0	0	0
F	C6-3D^^	9.00	10.00	13,748	1-story comm w/Incl. Res Tower	11,686	0	0	0	125,794	255	25	101	126
G	C6-2	6.00	6.02	11,502	4-story Retail/Office	11,502	34,206	0	0	0	45	0	0	0
H	C6-2	6.00	6.02	7,068	6-story Retail/Office	42,408	0	0	0	0	65	0	0	0
I	C6-2	6.00	6.02	5,321	1 story Retail w/Res, QH	4,523	0	0	0	27,510	95	0	28	28
J	R8A/C2-4^	2.00	7.2	12,044	1 story Retail w/Incl. Res	7,085	0	0	0	79,632	125	16	64	80
K	R8A/C2-4^	2.00	7.2	6,083	1 story Retail w/Resº	3,542	0	0	0	33,000	125	0	33	33

^ R8A FAR= 6.02; with Inclusionary Housing base FAR = 5.4, up to 7.2 with IZ bonus
^^ C6-3D FAR=9.0; with Inclusionary Housing base FAR 7.52, up to 10.0 with IZ bonus
º Development site too small for full build-out

TABLE 2.0-3

	Increment								
Potential	**Retail SF**	**Office SF**	**Industrial SF**	**CF SF**	**Residential SF**	**Building Height (ft)**	**Affordable DUs**	**Market Rate DUs**	**Total Res Dus**
A	-11,440	0	0	0	124,440	190	25	100	124
B	-100	59,340	0	0	-73,022	-30	0	-72	-72
C	0	0	0	0	0	0	0	0	0
D	1,829	60,950	0	0	-76,759	-20	0	-77	-77
E	1,556	51,880	0	0	-65,888	-20	0	-66	-66
F	-22,454	0	0	0	125,794	230	25	101	126
G	-11,268	34,206	0	0	0	20	0	0	0
H	42,408	0	0	0	-49,390	-15	-31	-31	-62
I	4,523	0	0	0	-59,542	-15	0	-4	-4
J	7,085	0	0	0	33,103	45	16	17	33
K	3,542	0	0	0	28,632	105	0	30	30

TABLE 2.0-3

	No Action Parking						With-Action Parking						Increment - Parking					
Potential	**C**	**M**	**CF**	**Low-incomeRes**	**Market- rate Res**	**Total**	**C**	**M**	**CF**	**Low-income Res**	**Market Rate Res**	**Total**	**C**	**M**	**CF**	**Low-income Res******	**Market-rate Res**	**Total**
A	0	0	0	0	0	0	w	0	0	w	w	w	0	0	0	0	0	0
B	w	0	0	0	w	w	w	0	0	0	0	0	0	0	0	0	0	0
C	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D	w	0	0	0	w	w	w	0	0	0	0	0	0	0	0	0	0	0
E	w	0	0	0	w	w	w	0	0	0	0	0	0	0	0	0	0	0
F	150	0	0	0	0	150	0	0	0	3	20	23	-150	0	0	3	20	-127
G	95	0	0	0	0	95	w	0	0	0	0	0	0	0	0	0	0	-95
H	0	0	w	w	w	w	w	0	0	0	0	0	0	0	0	0	0	0
I	0	0	0	0	w	w	w	0	0	0	w	w	0	0	0	0	0	0
J	0	0	0	0	w	w	w	0	0	0	w	w	0	0	0	0	0	0
K	0	0	0	0	0	0	w	0	0	0	w	w	0	0	0	0	0	0

w=waived

R7-1 Low income HF, 30% and QH,15%; Market Rate <=10K 30%; >10K, 60%; waive if fewer than 5 req.
C6-2/R8 Low income 12%; Market Rate <10K, 0%; 10-15K, 20%; >=15K, 40%; waive if fewer than 15 req.
C63-D/R9 Low income 12%; Market rate <10K, 12%; 10-15K, 20%; >15% 40%; waive if fewer than 15 req

3.0 PROBABLE IMPACTS OF THE PROPOSED ACTION

3.1 LAND USE, ZONING, AND PUBLIC POLICY

INTRODUCTION

The proposed action would not result in significant adverse land use impacts and would be consistent with zoning and public policies in the East 161st Street corridor of the Bronx and surrounding areas.

A detailed assessment of land use, zoning, and public policy is appropriate if an action would result in a significant change in land use or would substantially affect regulations or policies governing land use. The proposed action would result in a change in some current land uses, however the changes would not result in significant adverse impacts. The main effect of the proposed action would be to encourage greater growth and expansion of existing land uses. The proposed rezoning area is currently occupied by retail, office, mixed-use, institutional, residential, parking, and vacant lots. With the proposed action, new residential, commercial and mixed-use buildings are likely to be developed portions of East 161st Street, East 162nd Street, and River Avenue.

Under *CEQR Technical Manual* guidelines, an assessment of zoning is typically performed in conjunction with a land use analysis when the action would change the zoning on the site or result in the loss of a particular use. Similarly, an assessment of public policy typically accompanies an assessment of land use. According to the *CEQR Technical Manual*, a land use analysis characterizes the uses and development trends in the study area, and assesses whether a proposed action is compatible with or may affect those conditions.

The proposed action is an application by New York City Department of Planning (DCP) for zoning map and text amendments in the East 161st Street corridor of the Bronx. The area directly affected by the rezoning, located in Bronx Community District 4, includes portions of eight city blocks in the Concourse Village neighborhood of the Bronx.

The proposed rezoning area, generally bounded by East 162nd Street to the north, Park Avenue to the east, East 153rd Street to the south, and River Avenue to the west, is separated into three distinct areas along the 161st Street corridor. These areas are, from west to east: the Transit Node, the Civic Node and the Residential Node. The Transit Node is generally bounded by East 162nd Street to the north, Gerard Avenue to the east, East 153rd Street to the south, and River Avenue to the west. The Civic Node is generally located along East 161st Street, between Concourse Village East and Concourse Village West. The Residential Node is generally bounded by East 162nd Street to the north, Park and Teller Avenues to the east, East 161st Street to the south, and Morris Avenue to the west.

The Transit Node is centered around a transit hub that includes an elevated train, a subway line and buses, and the area is characterized by low-rise commercial uses, surface and enclosed parking, and Yankee Stadium. In the future with the proposed action, the Transit Node would be

changed from C8-3 and R8, with a C1-4 commercial overlay, zoning within the to the proposed C6-3D district. These zoning changes would result in a change in uses allowed immediately south of the high-profile intersection of East 161st Street and River Avenue, and would facilitate new residential and commercial development in an area well-served by transit. The proposed action would create the new C6-3D zoning district (R9D equivalent), which would allow high-density residential and commercial development. Additionally, the proposed zoning district would facilitate tower development adjacent to an elevated train, and address pedestrian issues, including street-level noise, and pedestrian congestion within transit hubs. More details on this zoning district are provided in Section 3.1.6.

The Civic Node is characterized by the corridor's civic uses, most notably the Bronx Criminal Court Complex and the new Bronx Hall of Justice, as well as by a mix of office buildings, low-rise commercial uses and surface parking. This node would be rezoned from C8-3, C4-6, and R8 zoning districts to a C6-2 zoning. These zoning changes would resulting a change in uses allowed in the civic heart of the Bronx, and would facilitate new development of retail uses and office space. The proposed zoning would allow high-density, mid-rise towers for residential, commercial and community facility uses. The proposed rezoning would also eliminate the potential for heavy automotive and light industrial uses, permitted under existing zoning regulations.

The Residential Node is a growing residential community and would be rezoned from a R7-1 zoning district, with separate discontinuous C1-4 and C2-4 commercial overlays, to a R8A district with a continuous C2-4 overlay. The zoning change would result in a change of uses allowed in an area of the 161st Street corridor that connects the civic heart of the Bronx with the Melrose Metro-North station and Melrose Commons to the east, and would facilitate new development of retail and residential uses.

In addition to the proposed zoning map amendments, described above, the proposed action includes zoning text amendments that would apply the Inclusionary Housing program within the proposed C6-3D (R9D) and R8A zoning districts in Bronx Community District 4. In accordance with the Inclusionary Housing program, residential developments that provide one-fifth of the total new housing floor area as affordable residential floor area would be able to take advantage of the Inclusionary Zoning (IZ) bonus, which permits a larger FAR than that which is permitted for developments that do not participate in the Inclusionary Housing program.

In the Future Action Scenario, with the proposed zoning text and map amendments in place, 11 identified sites are projected to be developed by 2018, which would have a total of 894 DUs (745 of which would be affordable housing units); 113,553 sf of commercial retail space; 553,484 sf of commercial office space; and 11,730 sf of community facility space. This would represent a net increase over no-action conditions of 594 DUs, including 148 units of affordable housing; 42,004 sf of retail commercial space; 306,001 sf of office commercial space, and 10 sf of community facility space.

The goal of the proposed action is to strengthen the identity of the corridor as a whole by encouraging uses and densities that are compatible with surrounding residential and civic uses.

The proposed action would create opportunities for new housing development on underutilized and vacant land near transit. In addition, the rezoning would create capacity for much-needed office and commercial space surrounding the corridor's civic uses. As the proposed action includes zoning map and text amendments and is expected to result in changes to land use, an assessment of its effects on land use, zoning, and public policy is warranted.

BACKGROUND AND DEVELOPMENT HISTORY[1]

The northernmost of New York City's five boroughs, the Bronx is the only one physically joined to the North American mainland. Until the middle of the 17th century, the land now known as the Bronx was inhabited by Algonquin speaking Native Americans. In 1639, Jonas Brock, his wife, and their indentured servants became the first Europeans to settle in the area, which was later named in his memory. The first permanent European settlement in the Bronx, called Westchester, was established in 1654 by 15 men, at the prodding of Thomas Pell. About 30 years following the creation of this settlement, modern-day Bronx became a part of Westchester County.

During the 18th century, the Bronx, including the sections now known as Concourse Village and Morrisania, consisted mostly of farmland. In 1697, the colonial governor of the region gave a patent to a young Lewis Morris, making his land the manor of Morrisania. During the American Revolution, the Bronx passed under British control. Following the war Lewis Morris proposed to the Continental Congress that the permanent capital of the newly-created nation be located in Morrisania. However, his proposal was never considered by Congress.

The Bronx was one of the last boroughs to be developed due to its lack of connectivity with Manhattan. In 1841, the construction of the New York and Harlem River Railroad, today the Harlem Division of Metro-North, gave the Bronx its first railroad. A couple of decades later, the Jerome Park Racetrack was constructed, and with it the road now known as Jerome Avenue was also constructed in order to attract wealthy residents from the Manhattan. Still, for most of the 19th century, the area remained mostly farmland, country estates, and market villages.

In 1874, the western portion of the Bronx, including the 161st Street/River Avenue area, was annexed by New York City. Following the Bronx's annexation, accessibility to New York City began to greatly improve with the extension of rapid transit lines from Manhattan. During this period, the Concourse Village section of the Bronx benefited from transit line extensions along Jerome Avenue, Boston Road, and the Grand Concourse. In 1888, the Third Avenue Elevated Train was extended to 169th Street, leading the way to greater urbanization and development in the area. Four years later, the Grand Concourse (officially named the Grand Boulevard and Concourse) was designed by Louis Risse in the style of Champs Elysées of Paris. By the turn of the 20th century, two years after the City of Greater New York was created as a federation of five boroughs, the Bronx was the fastest growing borough in the City, nearing a population of 500,000.

[1] *The Background and Development History section was largely drawn from the following resource:*
Hermalyn, Gary and Lloyd Ultan, "Bronx," The Encyclopedia of New York City, New Haven, CT: Yale University Press, 1995

The beginning of the 20th century was marked by the continuation of the urbanization process that began during the previous century. Construction on the Bronx Borough Courthouse began in 1905 at the intersection of 161st Street, Brook Avenue and Third Avenues. Shortly after the courthouse's completion in 1915, another prominent feature of the 161st Street corridor, Yankee Stadium, was constructed. The Stadium, home of the New York Yankees professional baseball team (aka "the Bronx Bombers"), opened in 1923 with a home run from their biggest star, Babe Ruth, christening in grand fashion what would soon be referred to "The House that Ruth Built." The stadium has been used through the years for football games, championship boxing matches, religious gatherings, and concerts.

The rapid urbanization of the Bronx around the turn-of-the-century led to employment opportunities to laborers who relocated to the Bronx. The first subway to enter the Bronx opened in 1904 which, coupled with the preexistent Third Avenue El, helped entice hundreds of thousands of workers and their families to relocate from the tenement housing in Manhattan to the more spacious accommodations available in the Bronx. Jewish immigrants and their descendents were the largest contingent of this group, although other populations were also part of this migration, most notably Italians and Germans. In the period between 1900 and 1930, the population of the Bronx increased from 201,000 to 1,265,000 residents.

The period of tremendous population growth subsided when the Depression arrived. Nonetheless, privately-financed apartment buildings, mostly in the Art Deco style, were still rising in the Bronx. Along the Grand Concourse in particular, the buildings and their residents came to symbolize social and economic success during a time period when the economic prospects of most people appeared grim. Laborers in the Bronx received some much needed work when the borough received public funds as part of the New Deal to improve the area's infrastructure. Among the various structures built during this time period was another dominant feature of the Grand Concourse and 161st Street corridor, the Bronx County Courthouse.

Following the Second World War, many longtime residents of southern Bronx began migrating north to other areas of the Bronx or suburbs of the New York Metro Area. In their place, many African-Americans and Puerto Ricans moved into southern Bronx from Manhattan. Some of these residents inhabited new public housing projects, many of which were constructed during the 1950s and 1960s using federal funds. Also constructed with federal funding during this time period were many of the borough's highways, including the Major Deegan Expressway and the Cross Bronx Expressway. The latter, which opened in 1965, is credited by some as being a factor contributing to the extreme urban decay that characterized the area in the decades following the Second World War. The Cross Bronx Expressway cut through the heart of southern Bronx, divided neighborhoods, displaced thousands of residents, and greatly decreased adjacent property values.

In the decades following the Second World War, the southern Bronx was the site of widespread poverty and poorly-maintained buildings. As a result of systematic rent controls introduced during the War, incentives did not exist for landlords to pay for building repairs. Consequently, apartment buildings were frequently set afire by landlords seeking to collect insurance or by

tenants, who would be given priority for available public housing. The rampant arson in the Bronx finally ceased in the late 1960s and early 1970s, when the policies were changed.

During the late 1980s, the Bronx began experiencing growth again in population numbers. Puerto Ricans continued to be the largest contingent of new residents, comprising of 25 percent of the borough's population in 1990, but many other immigrant groups moved into the borough, which continues to attract foreign-born residents. In 2000, 35 percent of the population in Bronx Community District 4 (which includes the project area) was foreign-born, with more than half of these residents being born in the Dominican Republic. The 1990s also ignited a period of increased economic opportunities, which has carried into the present day as the Bronx continues to be an area of change. A current symbol of the recent changes to the area is the construction of the new Yankee Stadium across the street from the former stadium, set to open in 2009.

LAND USE

3.1.1 EXISTING CONDITIONS

The land use assessment considers uses within the rezoning area, where the land use effects of the proposed action are direct, and a secondary study area consisting of the properties within an approximately quarter-mile radius of the boundaries of the project area, where land use effects are indirect. The rezoning area and study area are shown in Figures 3.1-1.

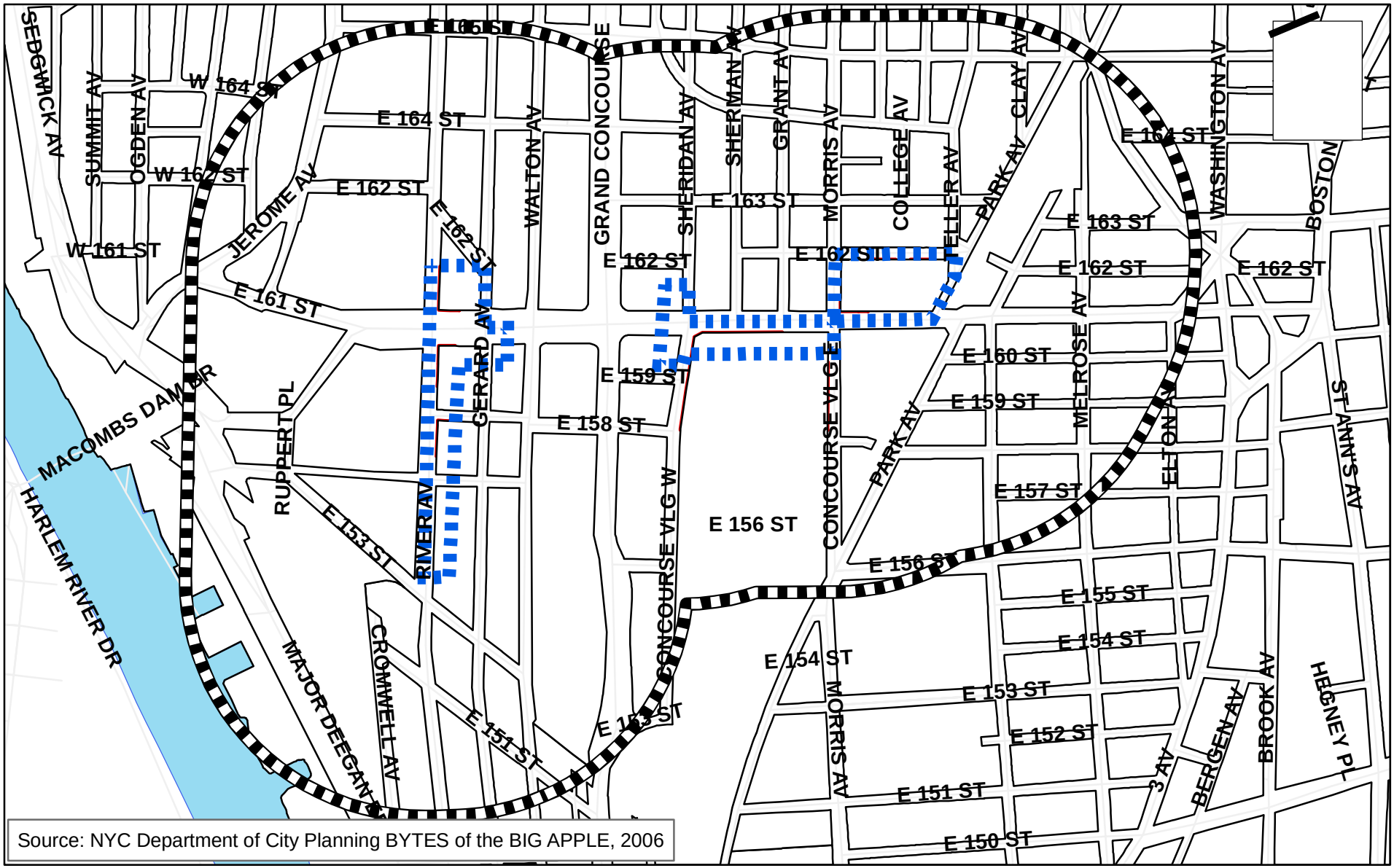
The proposed rezoning would affect portions of eight blocks (Blocks 2421, 2443, 2459, 2460, 2474, 2482, 2483, and 2484) along the East 161st Street corridor in the Concourse Village section of the Bronx. The rezoning study area is generally bounded by River Avenue on the west, East 162nd Street on the north, Park Avenue on the east, and East 161st Street on the south. The secondary study area covers an area that extends beyond the rezoning area boundaries and is generally bounded by Major Deegan Expressway on the west, East 165th Street on the north, Elton Avenue on the east, and East 153rd Street on the south.

Rezoning Area

The assessment of existing conditions focuses on the land uses occupying the rezoning area. Land uses in the rezoning area include a mix of commercial and office, mixed use, residential, institutional, industrial, parking, and vacant parcels.

Commercial land uses are predominant within the Transit Node. Many of the commercial uses, including sports bars, souvenir chops and clothing apparel shops, are geared towards crowds from Yankee Stadium and several are seasonal. Additional commercial uses in this node include pharmacies, banks, and eating establishments, including Crown's Diner and a McDonald's. There are also three enclosed and surface parking facilities within the Transit Node catering to Yankee Stadium. There are no other land uses presently located within this node.

The Civic Node consists almost entirely of commercial and mixed land uses. Commercial uses include a couple of multi-level office buildings located across the street from the new Hall of



Source: NYC Department of City Planning BYTES of the BIG APPLE, 2006

Legend

Proposed Rezoning Area

1/4-Mile Radius Around the Proposed Rezoning Area

0 300 600 1,200 Feet

Figure 3.1-1 - Land Use Study Area

161st Street Rezoning and Related Actions

NYC Department of City Planning

Justice and part of the Bronx Criminal Court Complex. The 11-story office building located on the corner of Concourse Village West and East 161st Street and the 10-story office building located on the corner of Concourse Village East and East 161st Street are primarily occupied by City government departments and social service organizations, contributing to the civic nature of the node. Other commercial uses in this node include local eating establishments and law offices located within mixed use buildings, which are found on the west side of Concourse Village West. This node also has a couple of parking areas, including a portion of the parking lot serving the Concourse Plaza Shopping Center, and a three-story residential building.

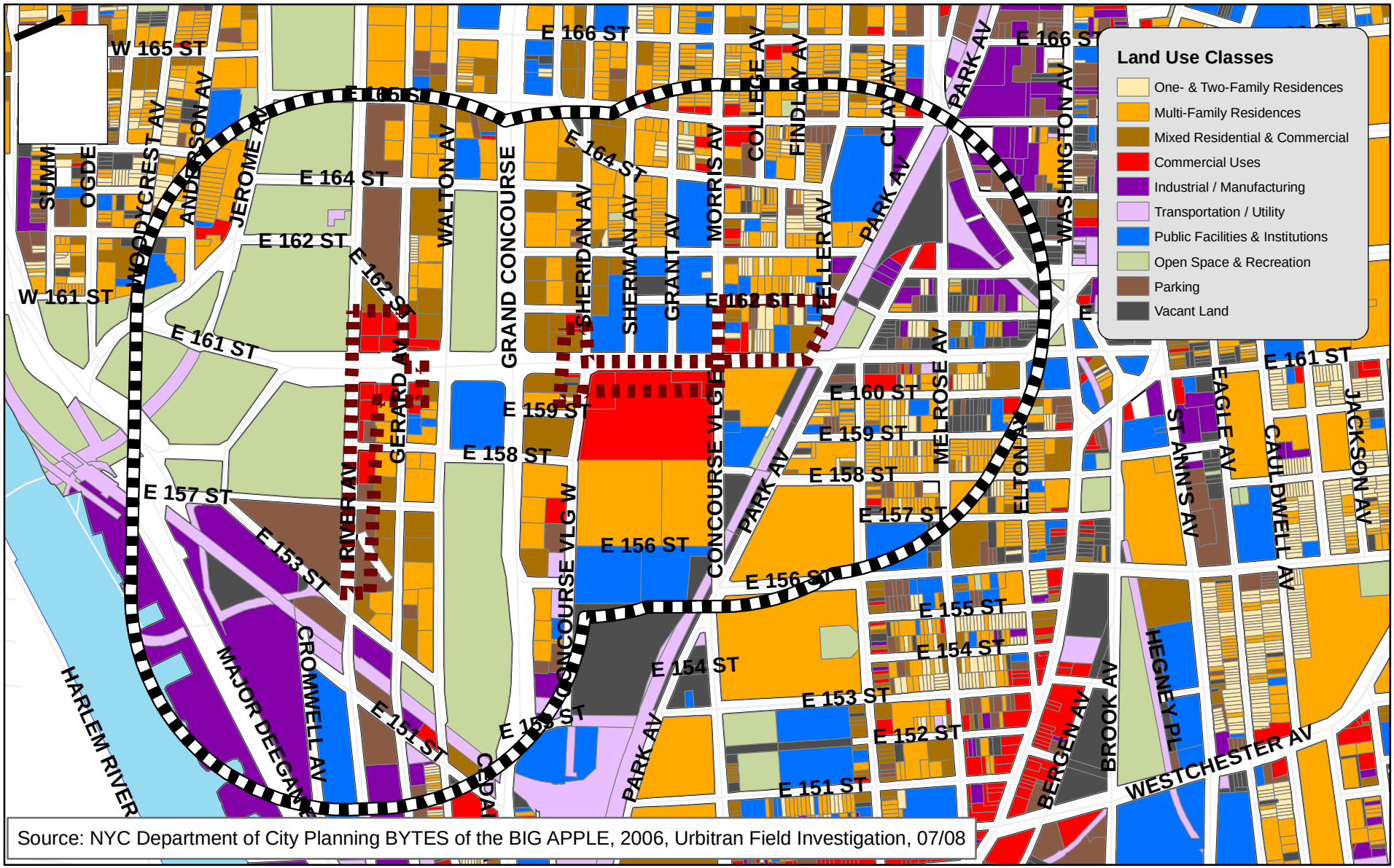
The Residential Node consists primarily of two- to five-story residential buildings, which vary considerably in style. Several of these residential buildings that have ground-level retail uses. There are also several institutional uses in this node, including the Montefiore Medical Group (305 East 161st Street), the Kingdom Hall of Jehovah's Witnesses (866 Morris Avenue), the Bronx Gospel Hall (899 Teller Avenue), and Sendu de Justicia (the intersection of Teller and Park Avenues). Other uses within the Residential Node include commercial uses, such as local eating establishments and pharmacies, parking facilities, and vacant buildings.

As shown in Figure 3.1-2 and in Table 3.1-1 below, the rezoning area includes a variety of land uses. However, commercial uses occupy more than five times the amount of land area as the next most prevalent land use, consisting of approximately two-thirds of the rezoning area's total lot area, although this is partially attributable to the Concourse Plaza Shopping Center, which is not in the rezoning area but is located on a lot that would be partially rezoned. Calculations for this analysis include full lot areas, although several lots would be only partially rezoned under the proposed action. Parking uses are the second most common use in the rezoning area, occupying 12 percent of the total land area. Mixed-use buildings occupy nine percent of the total land area, and one- and two-family residences and multi-family residences occupy five and two percent, respectively. The remaining land uses in the rezoning area include public facilities and vacant land, which occupy four percent and approximately zero percent of total land area, respectively. There are no open spaces located within the rezoning area.

Table 3.1-1: Existing Land Use within the Rezoning Area

Primary Land Use	# of Lots	Percent	Lot Area (sf)	Percent
One & Two Family	13	22%	45,842	5%
Multi-Family Residences	5	8%	20,817	2%
Mixed Use Buildings	8	13%	80,486	9%
Commercial and Office	18	30%	572,743	67%
Public Facilities and Institutions	4	7%	33,048	4%
Parking Facilities	11	18%	99,747	12%
Vacant Land	1	2%	300	0%
TOTAL	**60**	**100%**	**852,983**	**100%**

Source*: NYC Open Accessible Space Information System Cooperative (OASIS)*
Note: Calculations include the full lot areas of Lot 20 of Block 2482, Lot 158 of Block 2483,Lot 34of Block 2459, and Lots 90, 94, and 100 of Block 2443. All of these lots are only partially affected by the proposed rezoning.



Legend

Proposed Rezoning Area

1/4-Mile Radius Around the Proposed Rezoning Area

0 300 600 1,200 Feet

Figure 3.1-2 - Land Uses in the Rezoning and Primary Study Areas

161st Street Rezoning and Related Actions

NYC Department of City Planning

A comprehensive field survey was conducted in July 2008 to obtain the current land uses within the proposed rezoning area. The following is a block-by-block analysis of the existing land uses in the proposed rezoning area as observed during field visits. As one lot may consist of several buildings, there may be more land uses than tax lots on a given block.

- The block bounded by East 162nd Street, East 161st Street, Gerard Avenue and River Avenue (Block 2484) consists of four lots occupied by commercial buildings, and a fifth lot consisting of a mixed-use building; however, the mixed use building is outside the proposed rezoning boundaries.

- The block bounded by East 161st Street, East 158th Street, Gerard Avenue and River Avenue (the northern portion of Block 2483) consists of five lots for commercial uses, two residential buildings, one parking garage, and one small vacant lot. The two residential buildings and a portion of the vacant lot are excluded from the proposed rezoning area.

- The block bounded by East 158th Street, East 157th Street, Gerard Avenue and River Avenue (the southern portion of Block 2483) consists of one lot occupied by commercial uses, one lot occupied by a mixed-use building, one lot occupied by a residential building, and one open-air parking lot. The mixed-use and residential buildings are excluded from the proposed rezoning area.

- The block bounded by East 157th Street, East 153rd Street, Girard Avenue and River Avenue (Block 2482) consists of three lots occupied by mixed-use buildings, two lots occupied by residential buildings, and three lots occupied by a large open-air parking area. Only the western portion of the parking lot (consisting of two and a half lots) is included in the proposed rezoning area.

- The block bounded by East 161st Street, East 158th Street, Walton Avenue and Gerard Avenue (the northern portion of Block 2474) consists of two lots occupied by commercial buildings, two lots occupied by mixed-use buildings, three lots occupied by residential buildings, and three lots occupied by institutional uses. Only one lot, currently occupied by commercial uses, is included in the proposed rezoning area.

- The block bounded by East 162nd Street, East 161st Street, Sheridan Avenue and the Grand Concourse (Block 2460) consists of four lots occupied by mixed-use buildings and two lots occupied by commercial buildings. Only one of the lots occupied by mixed uses buildings and one of the lots occupied by commercial uses are included in the proposed rezoning area.

- The block bounded by East 161st Street, East 159th Street, Sheridan Avenue (or Concourse Village West) and the Grand Concourse (the northern portion of Block 2459) consists of one lot occupied by commercial uses, three lots occupied by mixed-use buildings, three lots occupied by residential buildings, and one lot used as a parking area. The parking lot, one commercial lot, one residential lot, two mixed-use lots and part of a

third are included in the proposed rezoning area.

- The block bounded by East 161st Street, East 156th Street, Concourse Village East and Concourse Village West (the northern portion of Block 2443) consists of three lots occupied by commercial uses, including a retail shopping plaza and accompanying parking lot, and two lots occupied by large residential buildings. Portions of the three commercial lots are included in the proposed rezoning area.

- The block bounded by East 162nd Street, East 161st Street, Park Avenue, Teller Avenue and Morris Avenue (Block 2421) consists of 17 lots occupied by residential uses, four lots occupied by mixed-use buildings, two lots occupied by commercial uses, four lots occupied by institutional uses, and five lots used for parking. The entire block is included in the proposed rezoning area.

The assessment of land uses in the rezoning area also includes a description of existing conditions on the projected development sites, which have been identified in the Reasonable Worst Case Development Scenario (RWCDS) as the sites most likely to be developed as a result of the proposed action by the analysis year of 2018. In the future with the proposed action, sites 1A and 1B will be combined into one development site and sites 2A and 2B will be combined into one development site. The net result of is a total of eleven projected development sites. The existing conditions on the projected development sites, described below, are also based on the field surveys conducted during July 2008. The rezoning area is a dynamic area in which land uses change over time. Therefore, the following site descriptions represent the conditions of the area at the time the survey was conducted. The existing conditions on the lots projected to be redeveloped as a result of the proposed action are as follows:

- Site 1A: This 19,306 sf site is located at 880 River Avenue (Block 2484, Lot 9), a mid-block lot. An existing two-story, 44,000 sf commercial building is currently on site with a built FAR of 2.28.

- Site 1B: This 11,503 sf site is located at 51 East 161st Street (Block 2484, Lot 5), a corner lot east of River Avenue. An existing one-story, 3,038 sf commercial building is currently on site with a built FAR of 0.26. The building is currently occupied by a McDonald's restaurant, which has outdoor seating area on site.

- Site 2A: This 9,061 sf site is located at 48 East 161st Street (Block 2483, Lot 40), a corner lot east of River Avenue. It currently has a one-story, 9,000 sf commercial building with a built FAR of 0.99. The building is currently occupied by various retail stores that primarily cater to crowds attending nearby Yankee Stadium.

- Site 2B: This 15,017 sf site is located at 850 River Avenue (Block 2483, Lot 34), a mid-block lot. It currently has a two-story commercial building, currently occupied by a sports bar, and a one-story commercial building, currently occupied by souvenir shops and other retail uses catering to nearby Yankee Stadium. The 25,000 sf adjoined buildings have a built FAR of 1.66.

- Site 3: This 20,000 sf site is located at 810 River Avenue (Block 3483, Lot 5), a corner lot south of East 158th Street. An existing two-story, 40,000 sf commercial building, occupied by a sports bar and restaurant, is currently on site with a built FAR of 2.00.

- Site 4: This 88,036 sf site is located at 198 East 161st Street (Block 2443, portions of Lots 94 and 90). The site encompasses a portion of an existing parking lot on Lot 94 that serves the adjacent shopping plaza. An 11-story, 201,500 sf office building with a built FAR of 2.29 currently exists on Lot 90. As the proposed site contains portions of each lot, the site area is limited to the area that is projected to be redeveloped as a result of the action.

- Site 5: This 8,800 sf site is located at 271 East 161st Street (Block 2421, Lot 1), a corner lot east of Morris Avenue. An existing one-story, 8,800 sf commercial building containing retail uses and an office is currently on site with a built FAR of 1.00.

- Site 6: This 9,600 sf site is located at 281 East 161st Street (Block 2421, Lot 57). It currently has a one-story, 5,000 sf commercial building, with a built FAR of 0.52. The building is currently occupied by retail establishments.

- Site 7: This site is comprised of three tax lots (Lots 16, 17, and 75) on Block 2421. Lot 16 is a 2,434 sf parcel located at 284 East 162nd Street; Lot 17 is a 2,432 sf parcel located at 286 East 162nd Street; and Lot 75 is a 2,434 sf parcel located at 288 East 162nd Street. All three lots are currently used for parking.

- Site 8: This 7,300 sf site is located at 294 East 162nd Street (Block 2421, Lot 18), a mid-block lot. An existing two-story, 2,420 sf residential building, with a built FAR of 0.33, currently occupies the site.

- Site 9: This 7,300 sf site is located at 296 East 162nd Street (Block 2421, Lot 20), a mid-block lot. The site is currently occupied by a two-story, 2,420 sf residential building, with a built FAR of 0.33, and a side-yard parking area.

- Site 10: This 4,834 sf site is located at 308 East 162nd Street (Block 2421, Lot 26), a mid-block lot. The site is currently used as a parking area, containing no built structures.

- Site 11: This 6,844 sf site is located at 316 East 162nd Street (Block 2421, Lot 27), a mid-block lot. An existing two-story, 2,520 sf vacant residential building, with a built FAR of 0.37, is currently on site.

Secondary Study Area

As described above, the secondary study area includes the area within a quarter-mile radius of the proposed rezoning area. The secondary study area is generally bounded by East 165th Street on the north, Elton and Brook Avenues on the east, East 151st Street on the south, and Major Deegan Expressway on the west.

The secondary study area contains a variety of uses; however, residential uses predominate. A number of large public facility buildings are also located in the study area, including several public schools, such as P.S./M.S. 31 William Garrison School, P.S. 35 Franz Sigel School and J.H.S. 145 Arturo Toscanini School, and judicial buildings, such as the Bronx County Courthouse, the new Hall of Justice, and the Bronx Criminal Court Complex. The judicial buildings are largely concentrated along East 161st Street. A number of large open spaces, including Franz Sigel Park, Joyce Kilmer Park, and Mullaly Park, are also located in the secondary study area, particularly to the west of the Grand Concourse. Other land uses in the secondary area include parking facilities, mixed residential/commercial uses, commercial retail and office uses, transportation and utility uses, industrial and manufacturing uses, and vacant land.

Within the secondary study area, to the north of the rezoning area, the predominant land use is residential, including one- and two-family residences, walk-up multi-family residences, and high-rise elevator apartment buildings. Sizes of residential buildings range from two-stories to ten-stories, with the majority of the larger apartment buildings located west of Sherman Ave and the majority of smaller residences located east of Sherman Avenue. Other uses in this portion of the secondary study area include mixed use buildings, public facilities, including P.S. 35 Franz Sigel School and J.H.S. 145 Arturo Toscanini School, and open space resources, such as Joyce Kilmer Park.

To the east of the rezoning area, residential uses are again most prevalent; however, there are also many industrial uses and vacant lots. Residential uses prevail along the blocks south of East 160th Street, and industrial uses and vacant lots are most common east of Melrose Avenue. There are also a few public facilities, including a Department of Corrections facility located on East 161st Street, which falls partially within the eastern boundary of the secondary study area, and a Salvation Army center.

South of the rezoning area, the primary land use is also residential. Two large New York City Housing Authority (NYCHA) developments are located south of the rezoning area: the Andrew Johnson Houses, located on the block bordered by Park and Courtlandt Avenues to the west and east and East 158th and East 156th Streets to the north and south, and the Morrisania Air Rights Housing, which line Park Avenue between East 162nd and East 156th Streets, straddling over Metro-North train tracks. Other notable land uses include Franz Sigel Park, an open space resource located between Walton Avenue and the Grand Concourse from east to west and East 158th and East 151st Streets from north to south, and public facilities, the Marshall England Early Learning Center and the former site of P.S. 156 Benjamin Banneker School (The Performance

School and the Bronx Global Learning Institute for Girls will be opening in its place).

To the west of the rezoning area, land uses are predominantly open space, industrial, and parking. The majority of this area is dominated by the existing Yankee Stadium, bordered by East 161st Street to the north, River Avenue to the east, East 157th Street to the south, and Ruppert Place to the west, and the future Yankee Stadium, which is currently under construction. The future stadium is being constructed across the street from the existing stadium on East 161st Street, comprising of land that was previously part of Macomb's Dam Park and Mullaly Park. Open space resources in this area consist of the portions of Macomb's Dam Park and Mullaly Park that were not disturbed by construction, as well as the Interim Track and Field facility located on Jerome Avenue. Industrial and parking facilities are mostly located south of East 157th Street and west of River Avenue.

3.1.2 FUTURE WITHOUT THE PROPOSED ACTION

In the future without the proposed action, the existing zoning controls would remain in place. It is expected that the rezoning area would experience limited growth in residential, institutional, and commercial uses. As discussed above in "Existing Conditions," there are currently commercial and residential developments located on the East 161st Street corridor. In the future without the proposed action, residential and commercial developments are anticipated within the area; however, these developments are not expected to fulfill the reasonable growth-potential of the area. Development within the rezoning area in the future without the proposed action is primarily projected to occur on sites currently occupied by commercial and small-scale residential buildings; these sites are projected to be redeveloped mostly to accommodate greater residential uses. In the absence of the proposed action there would be no inclusionary housing bonus and projected new developments within the rezoning area are not expected to provide affordable housing.

DCP has developed a scenario of as-of-right development that would reasonably be expected to occur within the rezoning area in the future without the proposed action. This scenario includes known development projects that have been identified by DCP as being currently advanced or expected to be advanced in the near future based on currently available information. In order to derive the incremental difference between the future without the proposed action scenario and the future with the proposed action scenario, the Reasonable Worst Case Development Scenario (RWCDS) will be analyzed for the year 2018 – the length of time over which developers would likely act on the change in zoning and the effects of the proposed action would be felt. The RWCDS is comprised of projected and potential development sites. In addition to the anticipated no-action developments identified in the RWCDS, there are other developments expected to be completed by 2018 within the rezoning and secondary study areas. These developments are discussed in greater detail below.

The development expected in the future without the proposed action would be dictated by the use and build controls of the existing zoning regulations. The East 161st Street corridor is primarily zoned with medium-density residential zoning districts. A smaller portion of the corridor is zoned with a high-density commercial zoning district that permits heavy automobile use and does not allow residential uses. The development expected to occur in the future without the

proposed action would not be compatible with the specific characteristics and needs of the area, nor would it provide a plan for responsible development and growth in an area of the Bronx that is very well served by mass transit and functions as the civic heart of the Bronx.

Rezoning Area

The project site is the proposed eight-block rezoning area, generally bounded by 162nd Street on the north, Park Avenue on the east, East 153rd Street on the south, and River Avenue on the west. In the future without the proposed action, it is expected that the current land use trends and general development patterns within the rezoning area would continue. Existing development trends are characterized by limited, discrete residential, commercial, and mixed-use development, in accordance with existing zoning.

There is only one known development site located within the proposed rezoning area that is expected to be in place by 2018 and occur independently of the proposed action. As part of the Yankee Stadium Redevelopment Project, two small parks are scheduled for construction along the east side of River Avenue; one park located on the north side of East 157th Street, and one located on the south side. Both of these sites are currently used as parking areas. The new parks would consist of a total of 0.68 acres, all of which would be passive space. The parks will not be located on any projected or potential development sites related to the proposed action.

In the RWCDS, DCP has identified nine sites within the rezoning area that are projected to be developed in the future without the proposed action. These as-of-right developments are expected to result in a total of 299 dwelling units (DUs), 21,550 sf of retail, and 11,720 sf of community facility space. Affordable housing units are not expected to be developed on any of the projected development sites in the future without the proposed action. These projected development sites are listed in Table 3.1-2.

Table 3.1-2: Projected Developments in the Future without the Proposed Action

Projected Site #	Block / Lot	DUs	Retail SF	Comm. Fac. SF
1B	2484 / 9	73	9,778	0
2A	2483 / 40	58	7,702	0
5	2421 / 1	26	4,070	4,070
6	2421 / 57	27	0	7,650
7	2421 / 16, 17, 75	25	0	0
8	2421 / 18	25	0	0
9	2421 / 20	25	0	0
10	2421 / 26	17	0	0
11	2421 / 27	24	0	0
Total		**299**	**21,550**	**11,720**

The following conditions are expected on the projected development sites in the future without the proposed action:

- Site 1B: The existing building on Block 2484, Lot 9 would be renovated to include 73 new

dwelling units and 9,778 sf of retail uses (a net increase of 6,740 sf of retail space).

- Site 2A: The existing building on Block 2483, Lot 40 would be renovated to include 58 new dwelling units and 7,702 sf of retail space (a net decrease of 1,298 sf of retail space).

- Site 5: The existing commercial building on Block 2421, Lot 1 would be renovated to include 26 new dwelling units, 4,070 sf of new community facility space, and 4,070 sf of retail (a net decrease of 4,730 sf of retail space).

- Site 6: The existing commercial building on Block 2421, Lot 57 would be renovated to include 27 new dwelling units and 7,650 sf of new community facility space. The projected development would result in no retail space (a net decrease of 5,000 sf)

- Site 7: The site is comprised of Lots 16, 17 and 75 on Block 2421. In the future without the proposed action, the lots, which are currently used for parking, would be developed to include 25 new dwelling units.

- Site 8: This development site located on Block 2421, Lot 18 would be redeveloped to include 25 dwelling units (a net increase of 24 dwelling units).

- Site 9: This development site located on Block 2421, Lot 20 would be redeveloped to include 25 dwelling units (a net increase of 24 dwelling units).

- Site 10: This development site, located on Block 2421, Lot 26, is currently used as a parking area. In the future without the proposed action, the site would be developed to include 17 new dwelling units.

- Site 11: The existing residential building on Block 2421, Lot 27 is currently vacant. In the future without the proposed action, the site would be redeveloped to include 24 dwelling units (a net increase of 22 dwelling units).

No changes are expected to occur on the remaining sites (sites 1A, 2B, 3, and 4) that are projected development sites in the with-action scenario.

Absent the proposed action, some development could reasonably be expected to occur on seven of the 11 potential development sites by 2018, as identified by DCP. These potential developments would be as-of-right pursuant to existing zoning. The seven potential development sites are listed in Table 3.1-3.

Table 3.1-3: Potential Developments in the Future without the Proposed Action

Potential Site #	Block / Lot	DUs	Retail FA	Comm. Fac. FA
B	2484 / 33	72	9,778	0
D	2483 / 45	77	10,362	0
E	2474 / 40	66	8,820	0
G	2460 / 25	0	22,770	0
H	2459 / 46, 49, 50	62	0	1,500
I	2459 / 53, 54	32	0	0
J	2421 / 56, 55, 54, 53, 52	47	0	0
Total		**356**	**51,730**	**1,500**

Potential developments in the future without the proposed action include:

- Site B: This development site, located on Block 2484, Lot 33, is currently used as retail space. It would be redeveloped with 72 new dwelling units and 9,778 sf of retail space (a net decrease of 1,722 sf of retail space).

- Site D: This development site is located on Block 2483, Lot 45 and would be redeveloped to include 77 new dwelling units and 10,362 sf of retail space (a net decrease of 1,818 sf of retail space).

- Site E: This development site, located on Block 2474, Lot 40, is currently used for commercial uses. In the future without the proposed action, it may be redeveloped to include 66 new dwelling units and 8,820 sf of retail space (a net decrease of 1,170 sf of retail space).

- Site G: This development site is located on Block 2460, Lot 25. In the future without the proposed action, 3,170 sf of office space would be converted into retail space, resulting in a total of 22,770 sf of retail space.

- Site H: The development site consists of three lots on Block 2459. In the future without the proposed action, the lots would be redeveloped to include 62 dwelling units (a net increase of 61 dwelling units) and 1,500 sf of new community facility space. The development would result in the net decrease of 2,350 sf of retail space and 3,242 sf of office space.

- Site I: This development site consists of two lots on Block 2459. In the future without the proposed action, the lots would be redeveloped to include 32 dwelling units (a net increase of 29 dwelling units. The development would result in a net decrease of 550 sf of office space.

- Site J: This development site consists of five lots on Block 2421. In the future without the proposed action, the lots would be redeveloped to include 47 dwelling units (a net increase of 40 dwelling units). The development would result in a net decrease of 541 sf of retail space.

Secondary Study Area

In addition to the anticipated developments in the rezoning area, there are other actions and development projects expected in the secondary study area in the future without the proposed rezoning. The following is a synopsis of the future developments located within a quarter-mile of the proposed rezoning area expected to be in place by 2018:

Melrose Commons Urban Renewal Area Sites

There are several sites expected to be developed in the future without the proposed action as part of the Melrose Commons Urban Renewal Plan. The Melrose Commons Urban Renewal Plan was adopted in May, 1994 and governs development in a 34-block area, generally bounded by East 163rd Street to the north, Brook and Third Avenues to the east, East 156th and East 159th Streets to the south, and Park and Courtlandt Avenues to the west. The plan's goals are to replace vacant land and substandard structures with new residential, commercial, and community facility uses, and to restore the area's residential character by providing new low-income housing. At the time of adoption, the area had experienced substantial disinvestment and over half of the land in the Melrose Commons Urban Renewal Area (URA) consisted of vacant lots and vacant buildings. The original Melrose Commons Urban Renewal Plan called for the construction of 1,714 new residential units.

Within the secondary study area, 786 total residential units are expected to be developed on seven different sites as part of the urban renewal plan. The largest planned URA development within a quarter-mile radius of the rezoning area is Courtlandt Corners II, which is expected to develop 252 DUs and approximately 15,600 sf for other uses. Other URA developments that are planned for the secondary study area are: Melrose Commons site 64, which will develop approximately 176 DUs; Melrose Commons site 62, which will develop approximately 163 DUs; Melrose Commons sites 52, 53, and 54, which will develop approximately 92 DUs; Courtland Corners I, which will develop approximately 71 DUs; Melrose Commons site 15, which will develop approximately 16 DUs; and Melrose Commons sites 23 and 31, which will also develop approximately 16 DUs.

El Jardin

El Jardin, a residential project currently under construction and scheduled for completion in 2010, will develop approximately 84 dwelling units on a site located on the southwest corner of the intersection of Melrose Avenue and East 158th Street.

3160 Park Avenue

This private residential development, scheduled for completion in 2012, will provide approximately 178 dwelling units at the following addresses: 3160 Park Avenue, 3164 Park Avenue, and 853 Courtlandt Avenue. The site of the future residential development is currently vacant land.

946-50 College Avenue

This residential project, currently under construction and scheduled for completion in 2008, is expected to develop approximately 61 dwelling units. The project site is located on Findlay Avenue, between East 163rd and East 164th Streets.

580 River Avenue
This project, located at 580 River Avenue, is anticipated to develop approximately 500 residential units.

Plaza 163 Site
This development will be located on the block bounded by East 164th Street, Brook Avenue, East 163rd Street, and Washington Avenue. Currently, the block is occupied by industrial uses and vacant land. The developer has explored building residential on the site, which has delayed the construction. The developer is going forward with a commercial development of 30,000 sq ft with a build year of 2011.

Yankee Stadium Redevelopment Project
The Yankee Stadium Redevelopment Project, scheduled for completion by the fall of 2011, will replace the existing Yankee Stadium with a new stadium. In addition to the construction of the new 53,000-seat stadium, scheduled for completion by the spring of 2009, the project will involve the construction of four new parking garages for a net increase of 3,315 off-street parking space, the development of new and replacement open space resources for a net increase of 4.63 acres, and the development of a new Metro North Train Station.

The stadium is being constructed on land that was previously part of Macomb's Dam Park and the southernmost portion of Mullaly Park. The site of the existing stadium will be redeveloped into Heritage Field, an active open space resource. Additional open space resources that will be developed as new or replacement facilities include: the Rooftop Park, located on top of one of the new parking garages; Bronx Terminal Market Waterfront Park; Ruppert Plaza; permanent ballfields at P.S. 29; permanent ballfields at the West Bronx Recreation Center; and the aforementioned River Avenue Parks, located within the proposed rezoning area. Overall, the project will result in the development of much-needed active space in the area, in addition to passive space resources.

Mott Haven Campus
The Mott Haven Campus development of four school facilities on over eight acres of vacant land located at 3001 Concourse Village East, directly south of P.S. 156 and I.S. 151. The project will develop two 550-seat high schools, one 575-seat combined intermediate and high school, and one 550-seat charter school that will accommodate fifth through eighth grades. The project will also provide space for approximately 100 special education students. The total building area for the four schools will be approximately 280,000 square feet. One high school is scheduled for occupancy in the fall of 2009 and the remaining schools are scheduled for occupancy in the fall of 2010.

The Gateway Center at the Bronx Terminal Market
The Gateway Center at the Bronx Terminal Market, scheduled for completion in 2009, will construct four new buildings and restore one historically-significant building. One of the buildings will be a 2,600-space parking garage, and the remaining buildings will offer a variety of national and local retail shops, generating a total of approximately one million square feet of retail space. The project, which will be on land currently occupied by industrial uses, will be bordered by East 153rd Street, Major Deegan Expressway, and Cromwell Avenue.

Widening of Major Deegan Expressway
This project will improve and widen the Major Deegan Expressway, which has advanced deterioration and other structural and safety concerns. The project will be developed in two phases to accommodate the nearby Yankee Stadium and Gateway Center developments

Conclusion

The variety of developments within a quarter-mile radius anticipated to be in place by 2018 under Future No-Action conditions suggests that the area surrounding the 161st Street corridor is a dynamic area that accommodates many types of land uses. More than 1,600 new dwelling units are expected to be developed in the study area under no-action conditions. Geographically, these residential developments are distributed throughout the study area. In the eastern portion of the study area, residential units related to the Melrose Commons Urban Renewal Plan are expected to be developed, and in the western portion of the study area, the development expected at 580 River Avenue will result in approximately 500 new dwelling units. The anticipated development on College Avenue will result in the addition of new residential units in the northern portion of the study area.

In addition to additional residential uses expected under no-action conditions, the development of commercial, institutional, and open space uses are also anticipated. The Gateway Center development is expected to generate the biggest addition of commercial uses to the study area by developing approximately one million square feet of space for commercial uses. Institutional uses expected to be generated in the study area by 2018 include the Mott Haven campus, which will introduce four new schools to the area. New open space resources will be developed as a result of the Yankee Stadium Redevelopment Project, which will also improve several existing open space facilities.

Overall, the wide range of future no-action developments expected within a quarter-mile study area of the proposed rezoning by 2018 suggests that the area surrounding the 161st Street corridor is vibrant and experiencing growth and expansion in a variety of land uses.

3.1.3 FUTURE WITH THE PROPOSED ACTION

Rezoning Area

The proposed action would not result in significant adverse land use impacts in the rezoning area. By 2018, much of the rezoning area would be occupied by a diverse mix of commercial, residential, institutional and residential buildings with retail generally located on the ground floor. The proposed zoning map and text amendments, with its mapping of C6-2 and R8A districts and its creation of a new C6-3D district, would encourage greater residential and commercial development in a manner that is consistent with the existing surrounding residential and civic land uses.

In general, land uses trends that characterize the existing and no-action conditions would be continue in the future with the proposed action. The substantial change in land use would be the elimination of the potential for heavy automotive and light industrial uses along a portion of East

161st Street. In the future with the proposed action, zoning along this portion of East 161st Street would allow residential uses, which are not permitted under existing and no-action conditions. This change in land use is compatible with surrounding land uses and land use trends, as the East 161st Street corridor has increasingly become more residential and less industrial. Other land uses would remain the same, although in the future with the proposed action higher density residential and commercial developments would be encouraged in the proposed rezoning area. Higher-density land uses will strengthen the identity of the East 161st Street corridor and activate the street level. The growth and expansion of these land uses within the rezoning area are consistent with existing and no-action land uses and is appropriate for an area that is very well-served by public transportation. The proposed action would complement trends that have already been established in the rezoning area, where residential and commercial developments are encouraged.

The new C6-3D zoning district, mapped in the Transit Node on three blocks located along River Avenue and along three blocks along East 161st Street between River and Walton Avenues, would allow for high-density residential, commercial, and community facility uses with no height limits. The goal of the new zoning district is to facilitate development adjacent to an elevated train, addressing both the assets and liabilities associated with the location.

The proposed C6-2 zoning district, mapped in the Civic Node on portions of three blocks on East 161st Street between Grand Concourse and Concourse Village West, would replace C8-3, C4-6, and R8 zoning districts. The C6-2 zoning district would allow high-density residential, commercial, and community facility uses. The new zoning district would also eliminate the potential for heavy automotive and light industrial uses and would allow for residential development on the portion of East 161st Street that is currently mapped C8-3, which does not permit residential developments.

The proposed R8A zoning district with a continuous C2-4 overlay, mapped in the Residential Node on one block between East 162nd Street and East 161st Street to the north and south and Park Avenue and Morris Avenue to the east and west, would replace the existing R7-1 zoning district with separate discontinuous C1-4 and C2-4 commercial overlays. The R8A zoning district would allow for higher-density residential, commercial, and community facility development, and the proposed commercial overlay would allow retail uses facing the surrounding streets, activating the street level and increasing the capacity of commercial uses without altering the residential character of the area.

The expected development to occur on the 11 projected development sites as a result of the proposed action by 2018 consists of a total of approximately 894 residential dwelling units, including 148 affordable dwelling units; 113,553 sf of commercial retail floor area; 553,484 sf of commercial office floor area; 11,730 sf of community facility floor area; and 311 parking spaces.

Compared to no-action conditions, the proposed action is expected to generate a net change of approximately: 594 residential dwelling units, including 148 affordable dwelling units; 42,004 sf of commercial retail floor area; 306,011 sf of commercial office floor area; 10 sf of community facility floor area; and 311 parking spaces.

Site data is presented below for the future with the proposed action, followed by Table 3.1-4, which shows the incremental net change in development between future no-action conditions and future with-action conditions. In the future without the proposed action, two of the 11 projected development sites would remain unchanged (and parts of two other projected sites would remain unchanged) whereas in the future with the proposed action, these sites would be developed with primarily residential, commercial, and retail uses.

The following developments are anticipated in the future with the proposed action by 2018:

- Site 1: Under existing conditions, the site is divided into sites 1A and 1B. Site 1A has 5,000 sf of retail space and 39,000 sf of office space, and site 1B has 3,038 sf of retail space. Under no-action conditions, site 1A would remain unchanged and site 1B would have 9,778 sf of retail space and 73 dwelling units. Approximately 28,983 sf of retail space, 34,455 sf of office space, and 245 dwelling units (including 49 affordable units) are expected to be developed on these combined sites under in the future with the proposed rezoning. This site would be within the proposed new C6-3D zone, with a maximum base FAR of 9.0 and a FAR of up to 10.0 with an Inclusionary Zoning (IZ) bonus.

- Site 2: Under existing conditions, the site is divided into sites 2A and 2B. Site 2A has 9,000 sf of retail space, and site 2B has 5,000 sf of retail space and 6,000 sf of office space. Under no-action conditions, site 2A would have 7,702 sf of retail space and 58 dwelling units, and site 2B would remain unchanged. Approximately 215 dwelling units (including 43 affordable units), 22.840 sf of retail space, and 23,813 sf of office space are expected for these combined sites under with-action conditions. The site would be within the proposed new C6-3D zone, with a maximum base FAR of 9.0 and a FAR of up to 10.0 with an IZ bonus.

- Site 3: Under existing conditions, the site has 40,000 sf of retail space. Under no-action conditions, this site would remain unchanged. Approximately 153 dwelling units (including 31 affordable units) and 17,000 sf of retail are expected for this site under with-action conditions. The site would be within the proposed new C6-3D zone, with a maximum FAR of 9.0 and a FAR of up to 10.0 with an IZ bonus.

- Site 4: Under existing conditions, the site has 201,500 sf of office space. Under no-action conditions, site 4 would remain unchanged. Approximately 33,000 sf of retail space and 495,216 sf of office space are expected for this site under with-action conditions. The site would be within the proposed C6-2 zone, with a maximum commercial FAR of 6.0 and residential FAR of 6.02.

- Site 5: Under existing conditions, the site has 8,800 sf of retail space. Under no-action conditions, the site would have 26 dwelling units, 4,070 sf of retail space, and 4,070 of community facility space. Approximately 46 dwelling units (including nine affordable units), 7,480 sf of retail space, and 7,480 sf of community facility space are expected for this site under with-action conditions. The site would be within the proposed R8A zone with a C2-4 commercial overlay, with a maximum FAR of 6.02 and a FAR of up to 7.2 with an IZ

bonus.

- Site 6: Under existing conditions, the site has 5,000 sf of retail space. Under no-action conditions, the site would have 27 dwelling units and 7,650 sf of community facility space. Approximately 33 dwelling units, 4,250 sf of retail space, and 4,250 of community facility space are expected for this site under with-action conditions. The site would be within the proposed R8A zone with a C2-4 commercial overlay, with a maximum FAR of 6.02.

- Site 7: Under existing conditions, the site is composed of three lots currently used for parking. Under no-action conditions, the site would have 25 dwelling units. Under with-action conditions, the site would have 39 dwelling units. The site would be zoned R8A, with a maximum FAR of 6.02.

- Site 8: Under existing conditions, the site has one dwelling unit. Under no-action conditions, the site would have 25 dwelling units. Approximately 39 dwelling units are expected for this site under with-action conditions. The site would be within the proposed R8A zone, with a maximum FAR of 6.02.

- Site 9: Under existing conditions, the site has one dwelling unit. Under no-action conditions, the site would have 25 dwelling units. Approximately 39 dwelling units are expected for this site under with-action conditions. The site would be within the proposed R8A zone, with a maximum FAR of 6.02.

- Site 10: Under existing conditions, the site has a lot area of 4,834 sf that is currently used for parking. Under no-action conditions, the site would have 17 dwelling units. Under with-action conditions, site 10 would have 35 dwelling units (including seven affordable units). The site would be within the proposed R8A zone, with a maximum FAR of up to 7.2 with an IZ bonus.

- Site 11: Under existing conditions, the site has two dwelling units. Under no-action conditions, the site would have 24 dwelling units. Approximately 49 dwelling units (including 10 affordable units) are expected for this site under with-action conditions. The site would be in the proposed R8A zone, with a maximum FAR of up to 7.2 with an IZ bonus.

As shown in Table 3.1-4, the proposed rezoning area would experience a significant increase in residential development (including affordable units) and commercial development as a result of the proposed action. As noted above, substantial new construction for residential, commercial and retail uses are projected to occur in the future with the proposed action, which illustrates how the proposed zoning would facilitate new mixed-use development, as well as the continued development of commercial space. Community facility and parking uses would experience less significant increases as a result of the proposed action, in comparison to the future without the proposed action.

Table 3.1-4: 2018 Project Increment on Projected Development Sites

	2018 No-Action	2018 With-Action	Increment
Residential Dwelling Units	299	894 (incl. 148 affordable units)	594
Retail FA	71,549	113,553	42,004
Office FA	246,500	553,484	306,011
Community Facility / Institutional FA	11,720	11,730	10
Parking Spaces	0	311	311

As discussed earlier, East 161st Street has experienced limited residential and commercial development recently. This trend of development is expected to continue in the future without the proposed action. In the future with the proposed action, higher-density residential and commercial developments will be encouraged along the East 161st Street corridor.

The proposed action would result in substantial increases in existing land uses centered on East 161st Street between River and Park Avenues. By 2018, with the proposed action, the East 161st Street corridor would substantially reinforce its status as the civic heart of the Bronx, taking advantage of its transit-accessible location. The proposed action includes zoning text and map amendments that will enhance the East 161st Street corridor through a responsible rezoning strategy that will serve to stimulate commercial and residential development while eliminating the potential for heavy automobile and light industrial uses.

The proposed rezoning districts and the changes in land use associated with them would be compatible with the ongoing revitalization of the civic corridor in the Bronx, providing opportunities for greater commercial and residential developments along the transit-rich East 161st Street corridor. Along most of the corridor, the land uses would remain the same; however, the proposed action would facilitate a reasonable growth strategy that is compatible with surrounding residential and civic uses. As the proposed rezoning action is expected to have a beneficial effect on the context and range of uses along East 161st Street, no significant adverse land use impacts are anticipated in the rezoning study area.

Secondary Study Area

The proposed action is not anticipated to result in significant adverse impacts on land uses in the secondary study area. In general, the mixed use, residential, commercial, and community facility uses expected as a result of the proposed action would be compatible with the predominantly residential and institutional uses found in the secondary study area. Most of the future no-action developments to the east of the proposed rezoning will be residential developments, including several large-scale residences, which are compatible with the residential uses that are projected to be developed as a result of the proposed action. To the south of the proposed action, the largest future no-action development is the Mott Haven Campus, which is also compatible with the increased residential uses that are expected to result from the proposed rezoning. To the west

of the proposed rezoning, the future no-action developments in the secondary study area are largely commercial developments (i.e., the Gateway Center) and open space development (i.e., the Yankee Stadium Redevelopment Project). The mixed use and commercial developments expected as a result of the proposed action are compatible with anticipated retail uses generated by The Gateway Center, and the residential developments expected as a result of the proposed rezoning are compatible with the development of new and replacement open space resources expected as part of the Yankee Stadium Redevelopment Project.

CONCLUSION

The proposed action would not result in significant adverse land use impacts in the rezoning or secondary study areas. The proposed rezoning would foster mixed-use, residential, and commercial development compatible with development trends and ongoing commercial and residential investments in the area, and would add to the vitality of the street life in the rezoning area by increasing the residential population and encouraging ground floor retail uses. Furthermore, the proposed rezoning will encourage the growth and expansion of existing land uses in an area of the Bronx that is appropriate for such growth, as it is very well-served by mass-transit and functions as the civic heart of the borough.

ZONING

3.1.4 EXISTING CONDITIONS

The assessment of zoning analyzes the same study areas that were used for the land use analysis: the rezoning area and the secondary study area, which is the area that is roughly within a quarter-mile radius of the rezoning area boundary.

Rezoning Area

The three nodes that comprise the rezoning area (the area directly affected by the proposed action) are currently zoned as follows:

In the Transit Node, there are portions of three blocks generally located along River Avenue, south of East 161st Street and north of East 153rd Street, zoned in a C8-3 district, and portions of three blocks generally located along East 161st Street between River and Walton Avenues, south of East 162nd Street and north of East 158th Street, zoned in a R8 district with a C1-4 commercial overlay. In the Civic Node, there is a portion of one block generally located along East 161st Street between Concourse Village West and Concourse Village East zoned in a C8-3 district, a portion of one block located along East 161st Street between the Grand Concourse and Concourse Village West zoned in a R8 district, and a portion of one block located at the intersection of East 161st Street and Sheridan Avenue mapped in a C4-6 zoning district. In the Residential Node, there is one block located between East 162nd and East 161st Streets to the north and south and Morris and Park Avenues to the west and east that is zoned in a R7-1 district, with separate discontinuous C1-4 and C2-4 commercial overlays. The existing zoning is

shown in Figure 1.0-2 in Chapter 1.0 "Project Description". Below is a description of the existing zoning districts in the rezoning area.

The C8-3 zoning district is a commercial zoning district that allows heavy commercial and light industrial uses, and prohibits residential uses. This district bridges commercial and manufacturing uses, and substantial parking is required. Typical uses in a C8-3 district are automobile showrooms and repair shops, warehouses, and gas stations. C8-3 districts allow commercial development up to 2.0 FAR and community facility development up to 6.5 FAR.

The R8 zoning district is the highest density residential district in the Bronx, having a maximum FAR that ranges from 0.94 to 6.02 and a maximum OSR that ranges from 5.9 to 11.9, permitting taller buildings when more open space is provided. The R8 zoning district also allows developers to choose the optional Quality Housing regulations in lieu of height factor regulations, which permits a maximum allowable FAR of up to 6.02 on narrow streets and 7.2 on wide streets. Under either regulation, parking must be provided for 40 percent of the units, although these requirements are waived if 15 or fewer spaces are required. C1-4 commercial overlay districts are mapped in residential areas along streets that serve the local retail needs of the surrounding neighborhood. It permits a commercial FAR of up to 2.0 in a R8 district.

The C4-6 zoning district is mapped in regional commercial centers that are located outside of the central business districts. Specialty and department stores, and other commercial and office uses in this district, serve a larger area and generate more traffic than neighborhood shopping areas. Use Group 7 (uses that would interrupt the desired continuous retail frontage, such as repair service stores) is not permitted in this zoning district. The C4-6 zoning district allows commercial development up to 3.4 FAR and residential development up to 10.0 FAR. A residential FAR bonus of up to 20 percent is allowable with Inclusionary Housing or with a plaza.

The R7-1 zoning district is a medium-density apartment house district that allows developers to choose the optional Quality Housing regulations in lieu of the height factor regulations. This zoning district permits residential development of from up to 0.87 to 3.44 FAR and from up to 15.5 to 25.5 OSR. Parking must be provided for 60 percent of the dwelling units, unless the total requirement is five or fewer spaces. Under the Quality Housing regulations, the maximum allowable FAR for residential development is 3.44 on narrow streets and 4.0 on wide streets. Under these regulations, parking must be provided for 50 percent of the units, unless five or fewer spaces are required. C1-4 and C2-4 commercial overlays are mapped along streets that serve the local retail needs of residential neighborhoods. C2 districts permit a slightly wider range of uses, such as funeral homes and repair services, than C1 districts, however typical retail uses for both include grocery stores, restaurants, and beauty parlors. The maximum commercial FAR permitted by C1-4 and C2-4 commercial overlay districts within R7-1 districts is 2.0.

Table 3.1-5 provides a summary of zoning regulations for each of the existing zoning districts within the proposed rezoning area, including FAR, street wall height, and building height regulations.

Table 3.1-5: Summary of Existing Allowed Density and Building Form in the Rezoning Area

EXISTING ZONING							
Allowed Density (FAR):						**Building Form:**	
Use:	**RESIDENTIAL**			**COMMERCIAL**	**COMMUNITY FACILITY**	**Existing bulk controls**	
Zoning District	**Base FAR**	**Inclusionary Housing Bonus FAR**	**Max. FAR**	**Max. FAR**	**Max. FAR**	**Building base (streetwall): min. max.**	**Building height (ft): max.**
R7-1	-	-	3.44/4.0*	-	4.8	40 ft* 65 ft*	Sky exposure plane / 80*
R8	-	-	6.02/7.2*	-	6.5	60 ft* 85 ft*	Sky exposure plane / 120*
C1-4 overlay	-	-	-	2.0	-	-	-
C2-4 overlay	-	-	-	2.0	-	-	-
C4-6	-	12.0[1]	10.0	3.4	10.0[1]	-	-
C8-3	-	-	-	2.0	6.5	-	-
	* with Quality Housing Program [1] also with plaza bonus			[1] up to 20% increase for plaza bonus		* with Quality Housing Program	

Source: *NYC DCP*

Secondary Study Area

The secondary study area consists of a variety of zoning districts. Residential zoning districts comprise the majority of the secondary study area and are located mostly to the north and southeast of the rezoning area; small manufacturing zones are scattered to the southwest, near the Major Deegan Expressway and along the Harlem River, and northeast of the rezoning area; and commercial zones are located predominately along small portions of East 161st Street within the rezoning area. Zoning classifications within the secondary study area include R6, R7A, R7-1, R7-2, R8, C4-4, C4-6, C8-3, M1-1, M1-2, and M2-1. There is also the Grand Concourse (C) special district zoning that is mapped along the Grand Concourse within the study area. The R7-1 and R8 zones cover most of the area directly north of the rezoning area. R6, C4-4, M1-1, and M2-1 districts comprise most of the area to the southwest. R7-2 and R8 districts comprise most of the area to the southeast. Commercial overlay districts were not included in the study area existing zoning analysis. Below is a description of the existing zoning districts in the secondary study area:

- **R6** is a medium density residential district. R6 districts have a residential FAR of 0.78 to 2.43, and community facilities have an allowable FAR of 4.8.

- **R7A** is a medium density apartment house district. The R7A designation allows for high lot coverage apartment buildings that blend with existing buildings in older neighborhoods. R7A districts have a residential FAR of 4.0, and community facilities have an allowable FAR of 4.0.

- **R7-1** is also a medium density apartment house district and is mapped in much of the Bronx, along with R7-2 districts. R7-1 districts have a residential FAR of 0.87 to 3.44, and community facilities have an allowable FAR of 4.8.

- **R7-2** is a medium density apartment house district that is essentially the same as the R7-1 district. R7-2 districts have a residential FAR ranging from 0.87 to 3.44, and a community facility FAR of 6.5.

- **R8** is a medium density district that is the highest density residential district in the Bronx. The FAR for residences in R8 districts is 0.94 to 6.02 - approximately two-thirds greater than that allowed in R7. The higher FAR produces taller buildings with low lot coverage that are set back from the street. It produces a density of 295 to 387 dwelling units per acre. For community facilities, an FAR of 6.5 is permitted.

- **C4-4** districts are mapped in major commercial centers located outside of the central business districts. C4-4 districts allow department stores, theaters, and other commercial uses that serve a larger area. The commercial FAR is 3.4 and the residential FAR ranges from 0.87 to 3.44. The community facility FAR is 6.5 (equivalent to R7).

- **C4-6** districts are similar to C4-4 districts, although they are mapped in more densely built areas that C4-4 districts. C4-6 districts have a commercial FAR of 3.4 and a residential FAR of 10.0 for commercial, residential. The community facility FAR is also 10.0 (equivalent to R10).

- **C8-3** districts permit automotive and other heavy commercial uses. All commercial uses and certain community facilities are permitted; residential housing is not permitted. C8-3 districts have a commercial FAR of 2.0 and a community facility FAR of 6.5.

- **M1-1** is a light manufacturing district with a manufacturing FAR of 1.0. M1 districts are often a buffer between M2 or M3 districts and adjacent residential or commercial districts. Retail and office uses are also permitted at an FAR of 1.0. Certain community facilities, such as hospitals, are allowed in M1 districts only by special permit, but houses of worship are allowed as-of-right. M1-1 districts allow certain community facility uses up to 2.4 FAR.

- **M1-2** districts are similar to M1-1 districts. An FAR of 2.0 is allowed for commercial uses and manufacturing uses, and certain community facility uses are permitted up to 4.8

FAR.

- **M2-1** districts allow heavier manufacturing and industrial uses than are permitted in M1 districts. Except when bordered by a residential district, more noise and vibration are allowed in M2 districts. Additionally, smoke is permitted and industrial activities need not be entirely enclosed. M2-1 districts have an FAR of 2.0 for manufacturing and commercial uses. Residential and community facility uses are not allowed in M2-2 districts.

- **Grand Concourse District (C)** is a special purpose district established to protect the distinctive art deco composition and scale of the area extending almost the entire length of the Grand Concourse Boulevard, from East 151st Street to Mosholu Parkway. The district consists of a Residential Preservation Area and three commercial subareas, however commercial uses are limited to designated locations to preserve the boulevard's traditional residential character.

Parking requirements vary throughout the various zoning districts in the secondary study area. Accessory parking for residential developments in the area range from 40 percent to 70 percent of a building's dwelling units, when parking requirements are not waived. Accessory parking for commercial uses within commercial districts vary greatly, with C8-3 districts requiring substantial parking. Accessory parking requirements for manufacturing uses are the same for M1 and M2 zoning districts, and vary according to use.

3.1.5 FUTURE WITHOUT THE PROPOSED ACTION

Rezoning Area

In the future without the proposed action, the rezoning area would maintain its existing zoning. Existing trends in land use are expected to continue within the framework of the current zoning; with continued as-of-right development of medium-density residential and commercial developments.

The current zoning regulations, expected to continue under no-action conditions, encourage development that limits residential and commercial growth and expansion in an area of the Bronx that is well-served by public transportation, is a major commercial corridor for the area, and serves as the civic heart of the Bronx.

Secondary Study Area

In the future without the proposed action, the secondary study area would maintain its existing zoning. Zoning regulations would continue to encourage the development of mostly residential, mixed use, and institutional uses.

3.1.6 FUTURE WITH THE PROPOSED ACTION

Rezoning Area

The proposed action would strengthen the identity of the East 161st Street corridor through zoning map and text amendments. The zoning map and text amendments are separated into three distinct nodes, from west to east: the Transit Node, the Civic Node, and the Residential Node. The proposed action would address the characteristics and needs that are specific to each node, better integrating the corridor's streetscape. The proposed zoning changes are shown on Figure 1.0-3 in Chapter 1.0 "Project Description".

The Transit Node, generally bounded by East 162nd Street to the north, Gerard Avenue to the east, East 153rd Street to the south, and River Avenue to the west, is concentrated around a transit hub that includes an elevated train, a subway line, and buses. The zoning districts within this node are R8 (with a C1-4 commercial overlay) and C8-3. Being a transit-rich area, this node can accommodate high density development. However, environmental issues related to the elevated train pose potential issues for high-density residential development including, light air and pedestrian congestion.

In the future with the proposed action, the node will have a new C6-3D zoning to address the liabilities of high-density residential development near an elevated train. On sites that front an elevated train, a shorter base of 15 to 25 feet would be required, although a secondary base would be allowed to reach a total height of 60 to 85 feet. Both the secondary base and the unlimited height tower would be required to set back a minimum of 20 feet from the lot line that fronts the elevated train (for sites less than 110 feet deep, a 10- to 19-foot setback would apply). On corner sites that front an elevated train, a special corner setback would be required (a corner setback would be optional in other corner locations). In addition, if a subway station entrance is located anywhere along the frontage of a site, there would be a requirement to improve and relocate the entrance inside the building. Sidewalk widening requirements would apply along all wide streets within the rezoning area. Where an existing building with legally required windows is located within 30 feet of a lot line, a minimum 15-foot setback is required.

The Civic Node, generally located along East 161st Street between the Grand Concourse and Concourse Village East, is characterized by civic uses, most notably the Bronx Criminal Court Complex and the Bronx Hall of Justice. The node is currently divided into R8, C4-6, and C8-3 zonings. In the future with the proposed action, the node will have a C6-2 zoning, which would encourage higher density infill commercial and office developments, as is appropriate in the area.

The Residential Node, generally bounded by East 162nd Street to the north, Park Avenue to the east, East 161st Street to the south, and Morris Avenue to the west, is characterized by its residential character. The node currently has a R7-1 zoning with separate discontinuous C1-4 and C2-4 commercial overlays. In the future with the proposed action, the node would have an R8A zoning with a continuous C2-4 commercial overlay, which would permit higher density residential development, in scale with the Melrose Commons Urban Renewal Area located a

residential development, in scale with the Melrose Commons Urban Renewal Area located a couple of blocks to the east, and activate the street level along a section of East 161st Street that connects the civic uses on East 161st Street with the Melrose Metro-North station and the residential uses in Melrose Commons. Table 3.1-6 presents a summary of the proposed zoning changes.

Table 3.1-6: Summary of the Proposed Zoning Changes

Existing Zoning District	Proposed Zoning District
R7-1 (C1-4 and C2-4 overlays)	R8A (C2-4 overlay)
R8	C6-2
R8 (C1-4 overlay)	C6-3D
C4-6	C6-2
C8-3	C6-3D, C6-2

The proposed action would encourage the development of higher density residential and commercial development in the East 161st Street corridor. The proposed rezoning will change the permitted uses in some sections of the corridor and will modify the existing bulk and density regulations for other sections.

Table 3.1-7 summarizes the zoning regulations for each of the proposed zoning districts within the proposed rezoning area, including FAR, street wall height, and building height regulations.

Table 3.1-7: Summary of Proposed Zoning Districts

PROPOSED ZONING								
Allowed Density (FAR):						**Building Form:**		
Use:	**RESIDENTIAL**			**COMMERCIAL**	**COMMUNITY FACILITY**	**Bulk controls**		
Underlying Zoning District	**Base FAR**	**Inclusionary Housing Bonus**	**Max. FAR**	**Max. FAR**	**Max. FAR**	**Building base (streetwall): min.**	**max.**	**Building height: max.**
R8A	5.4	7.2	6.02	-	6.5	60’	85’	120’
C2-4 overlay	-	-	-	2.0	-	-		-
C6-2	-	-	0.94 – 6.02[1]	6.0[2]	6.5[2]	60’	85’	120’
C6-3D	7.52	10.0	9.0	9.0	9.0	60’	85’	unlimited
[1] 7.2 FAR on wide streets under the Quality Housing Program [2] FAR bonus of up to 20% for a plaza								

Source: *NYC DCP*
Note: The proposed zoning text amendment would apply the Inclusionary Housing Program within the proposed R8A and C6-3D zoning districts

Proposed Zoning Districts

The following provides a summary of the proposed zoning districts that would be mapped in the rezoning area. For specific changes with regard to FAR, street wall height, and building height, please also refer to Tables 3.1-5 (for existing districts) and 3.1-7 (for proposed districts).

- **R8A** is a medium-density residential district. R8A districts have a maximum residential FAR of 6.02, and a community facility FAR of 6.5.

- **C2-4** is a commercial overlay within residential districts. C2-4 overlays are mapped along streets that serve the local retail needs of a neighborhood. C2-4 overlays have a maximum commercial FAR of 2.0 within R8A residential districts.

- **C6-2** is a high-bulk commercial district that is mapped in areas well served by mass transit. C6-2 districts have a maximum commercial FAR of 6.0 (and bonus of up to 20% with a plaza), and a maximum residential FAR ranging from 0.94 to 6.02 (and up to 7.2 FAR on wide streets under the Quality Housing Program). The district has a maximum community facility FAR of 6.5 (and a bonus of up to 20% with a plaza).

- **C6-3D** is a new zoning district that would be established as part of the East 161st Street Rezoning project. The district will permit high-density residential and commercial development, having a maximum residential, commercial and community facility FAR of 9.0.

C6-3D Zoning District

The proposed C6-3D zoning district is intended to address the assets and liabilities related to the transit hub located at the intersection of East 161st Street and River Avenue. The proposed C6-3D district (R9D equivalent) allows high-density residential and commercial development. The bulk regulations are designed to facilitate tower development adjacent to an elevated train, while minimizing the impact to nearby existing buildings. In addition, the zoning district addresses pedestrian issues, including street-level noise, and pedestrian congestion within transit hubs.

The proposed base FAR would be 9.0 for commercial, community facility and residential uses, and the underlying bulk requirements would be an unlimited height tower above a required contextual base of 60 to 85 feet.

On sites that front an elevated train, a shorter base of 15 to 25 feet would be required, although a secondary base would be allowed to reach a total height of 60 to 85 feet. Both the secondary base and the unlimited height tower would be required to set back a minimum of 20 feet from the lot line that fronts the elevated train (for sites less than 110 feet deep, a 10- to 19-foot setback would apply). On corner sites that front an elevated train, a special corner setback would be required (a corner setback would be optional in other corner locations).

In addition, if a subway station entrance is located anywhere along the frontage of a site, there would be a requirement to improve and relocate the entrance inside the building. Sidewalk widening requirements would apply along all wide streets within the rezoning area. Where an existing building with legally required windows is located within 30 feet of a lot line, a minimum 15-foot setback is required.

Parking would be required for 40 percent of the residential units, which is standard for R9 zoning districts. There is no parking requirement for commercial uses, which is standard for C6 commercial districts. There would be standard parking requirements for public, publicly-assisted and government-assisted housing. For instance, parking would be required for 30 percent of residential units in publicly-assisted housing and 25 percent of dwelling units in government-assisted housing.

Zoning Text Amendment

The proposed zoning text amendments would establish the Inclusionary Zoning Housing program in the rezoning area. The amendments would apply the Inclusionary Housing program within the R8A and proposed C6-3D (R9D equivalent) zoning districts in Bronx Community District 4. New base and bonus FAR's would apply to new residential development. Base FAR's apply to developments which do not use the Inclusionary Zoning bonus. The full bonus FAR is applied to buildings which take full advantage of the program by providing one-fifth of the total new housing floor area as affordable residential floor area in accordance with the Inclusionary Housing program. In accordance with the proposed zoning text amendments, the R8A zoning district will permit a base FAR of 5.4 and a bonus FAR of 7.2, and the C6-3D zoning district will permit a base FAR of 7.52 and a bonus FAR of 10.0.

CONCLUSION

Rezoning Study Area

The proposed action would change zoning designations within the proposed rezoning study area in a manner that would both encourage growth and strengthen the identity of the East 161st Street corridor. The proposed rezoning addresses the specific characteristics and needs of each node (Transit, Civic, and Residential) along the East 161st Street corridor. Currently, there are notable parcels of land that remain underdeveloped along the corridor, as current zoning permits uses and densities that are incompatible with surrounding residential and civic uses. Under the proposed action, higher density residential and commercial growth will be encouraged, which is compatible with the surrounding land uses and is appropriate in an area that is so well served by mass transit.

Secondary Study Area

The proposed action creates zoning that is compatible with those districts that surround the rezoning area. The proposed action would not alter zoning designations outside of the rezoning area. Those portions of the Bronx adjacent to the proposed rezoning area would continue with their existing zoning designations, and the proposed action would complement existing zoning

designations in the secondary study area. Since the secondary study area is primarily mapped residential and commercial districts, the residential and commercial zoning districts proposed under with-action conditions would be compatible with zoning designations under existing and no-action conditions in the secondary study area.

PUBLIC POLICY

3.1.7 EXISTING CONDITIONS

Besides zoning, many other public policies can affect the allowable land uses within the proposed rezoning area. The public policies applicable to the proposed rezoning area are the 161st Street Business Improvement District (BID) and the Bronx Empowerment Zone. Public policies affecting land use in the secondary study area include the Bronx Community District 3 197-a Plan, the Melrose Commons Urban Renewal Plan, the Port Morris Empire Zone, the Bronx Waterfront Plan, and the Waterfront Revitalization Program (WRP).

161st Street Business Improvement District
The 161st Street Business Improvement District (BID), a not-for-profit corporation, was established in August 2004 to provide services to the 161st Street corridor, primarily focusing on sanitation and marketing. The 161st Street BID extends along 161st Street in Concourse Village between River and Morris Avenues. Services are provided mostly from funds of numerous commercial properties that face 161st Street. Residential properties facing 161st Street also provide funds for the BID, but only at a cost of one dollar annually. Services provided include sanitation, promotion and marketing, holiday decorations, and maintenance.

Bronx Empowerment Zone
The Bronx Empowerment Zone (EZ) is an economic development initiative which uses public funds and tax incentives to encourage private investments in the South Bronx. The Bronx EZ covers much of the land in the Bronx that lies adjacent to the Bronx and East Rivers, extending inland at various depths. Only the western part of the rezoning area (i.e., the Transit Node) falls within the Empowerment Zone, as the boundary of the EZ extends from the Harlem River to the Grand Concourse.

Community District 3 197-a Plan
Under Section 197-a of the New York City Charter, community boards may propose plans for the development, growth, and improvement of land within their districts. Pursuant to the Charter, the City Planning Commission developed and adopted standards and rules of procedure for 197-a plans. Once approved by the Commission and adopted by the City Council, 197-a plans are intended to serve as policy guides for subsequent actions by city agencies.

On November 12, 1992, a 197-a plan for Bronx Community District 3 was adopted the City Council, outlining a community development strategy that focuses on housing and zoning policy. The plan outlines five broad development goals, as follows: re-establish the community district as a dynamic, viable community; increase the district population to 100,000 by 2000; provide a

viable economic base through the provision of job-training and the creation of labor intensive opportunities; maintain, develop, and expand the district's supporting infrastructure; and maintain parks and recreation areas throughout the district

Melrose Commons Urban Renewal Plan
Urban renewal areas are aimed at removing blight, maximizing appropriate land uses and removing or rehabilitating substandard and unsanitary structures and impediments to the assemblage and development of land. The Melrose Commons Urban Renewal Plan was adopted in May, 1994 and governs development in a 34-block area, generally bounded by East 163rd Street to the north, Brook and Third Avenues to the east, East 156th and East 159th Streets to the south, and Park and Courtlandt Avenues to the west. The plan outlines the goal of replacing vacant land and substandard structures with new residential, commercial, and community facility uses, and restoring the area's residential character by providing new low-income housing. At the time of adoption, the area had experienced substantial disinvestment and over half of the land in the Melrose Commons Urban Renewal Area (URA) consisted of vacant lots and vacant buildings.

The Melrose Commons Urban Renewal Plan sets forth the following objectives: eliminate blight and maximize appropriate land use; remove substandard and unsanitary structures; remove impediments to land assemblage and orderly development; strengthen the City tax base by encouraging development; provide new and/or rehabilitated low, moderate, and/or middle income housing exhibiting good design; provide convenient community facilities, parks and recreational uses, local commercial activities, and parking; redevelop the area in a comprehensive manner, removing blight and restoring the residential character; and encourage the upgrading of housing quality in the immediate vicinity. The original URA plan called for the construction of 1,714 new residential units.

Port Morris Empire Zone
The Port Morris Empire Zone falls partially within the secondary study area, south of East 153rd Street on the west side of the study area and east of Brook Avenue on the east dies of the study area. Empire Zones are designated areas of New York State that offer tax benefits and incentives to encourage economic development, business investment, and job creation. The goal of the program is to create jobs and stimulate private investment in new or existing businesses in order to alleviate problems in impoverished areas of the State. To receive certain benefits, a business needs only to reside within the boundaries of a zone. The Port Morris Empire Zone is administered by the Bronx Overall Economic Development Corporation (BOEDC).

Bronx Waterfront Plan
The New York City Comprehensive Waterfront Plan presents practical strategies to guide land use in a way that recognizes the waterfront's value as a natural resource and celebrates the waterfront's diversity. The Bronx Waterfront Plan was adopted by the City Council on March 19, 2004, and sets forth the following objectives: improve public access to the waterfront; protect natural resources; upgrade existing parkland; and expand business opportunities along the waterfront. The following objectives are outlined by the plan for the area bordering the Harlem River, which falls within the secondary study area: improve existing parkland and develop pedestrian connections to the waterfront; develop the Fordham landing site; and redevelop

Yankee Stadium and the Bronx Terminal Market to include an improved ferry access and a waterfront park.

Waterfront Revitalization Program (WRP) / Coastal Zone Management
The federal Coastal Zone Management Act of 1972, established to support and protect the nation's coastal areas, set forth standard policies for the review of proposed projects along the coastlines. As part of the Federal Coastline Management Program, New York State has adopted a state Coastal Management Program, designed to achieve a balance between economic development and preservation that will promote waterfront revitalization and waterfront dependent uses; protect fish, wildlife, open space, scenic areas, public access to the shoreline, and farmland. The program is also designed to minimize adverse changes to the ecological systems, erosion, and flood hazards.

The state program contains provisions for local governments to develop their own local waterfront revitalization programs. New York City has adopted such a program (*New York City Waterfront Revitalization Program*, New York City Department of City Planning, revised 1999). The Local WRP establishes the City's Coastal Zone, and includes policies that address the waterfront's economic development, environmental preservation, and public use of the waterfront, while minimizing the conflicts among those objectives.

As the proposed rezoning area does not fall within the City's designated coastal zone, the proposed action is not assessed for its consistency with the policies of the City's Local Waterfront Revitalization Program (LWRP).

3.1.8 FUTURE WITHOUT THE PROPOSED ACTION

There are no anticipated public policy actions which would have a significant effect on conditions in the rezoning or secondary study areas in the future without the proposed action. All City public policies, as described above in "Existing Conditions," are expected to remain unchanged in the future without the proposed action.

3.1.9 FUTURE WITH THE PROPOSED ACTION

The changes resulting in the future with the proposed action are not anticipated to create significant adverse impacts to public policy. The proposed action would be consistent with the public policy set forth to guide the development of the rezoning and the secondary study areas.

161st Street Business Improvement District
As described earlier, the 161st Street Business Improvement District (BID) is a not-for-profit corporation that uses funds from numerous businesses and properties that face 125th Street to provide services to the corridor, mainly focusing on sanitation and marketing. The proposed rezoning along sections of the East 161st Street corridor would support the commercial character of portions of 161st Street through increases in density for commercial development. New

development catalyzed through the proposed rezoning would also support the creation of jobs and career opportunities. Therefore, as the proposed action would strengthen the commercial character of the corridor, the proposed action would be compatible with the 161st Street BID.

Bronx Empowerment Zone
The Bronx Empowerment Zone aims to encourage private economic investments in parts of the Bronx, including the portion of the proposed rezoning area located within the Transit Node. In the future with the proposed action, this section of the proposed rezoning area would be zoned C6-3D, which permits high density commercial and residential developments. As the proposed zoning change will encourage developments of higher densities than under existing and no-action conditions, the proposed action would be compatible with the goals of the Bronx Empowerment Zone.

Developments anticipated as a result of the proposed action are anticipated to be consistent with the known public polices in the secondary study area as follows:

Community District 3 197-a Plan
The Community District 3 197-a Plan focuses on increasing the residential population of the community district and improving the community's economic base to reestablish the district as a viable community. In the future with the proposed action, the proposed rezoning changes would encourage greater residential and commercial developments in the proposed rezoning area. Since the proposed rezoning are falls within Community District (CD) 4, residential developments anticipated as a result of the proposed action would not affect the number of residents in CD 3. However, the commercial developments anticipated as a result of the proposed action would provide economic opportunities for residents in CD 3. As such, the proposed rezoning is consistent with the goals of the district's 197-a plan.

Melrose Commons Urban Renewal Plan
The Melrose Commons Urban Renewal Plan aims to develop underutilized, vacant land and restore the residential character of the area. While the proposed rezoning are is located outside of the Melrose Commons Urban Renewal Area (URA), the proposed action would encourage development on land that is currently underutilized and vacant. Furthermore, the proposed rezoning would encourage reasonable high-density mixed-use residential developments, which would generate new residents and improve the street level by providing ground level retail spaces. As the proposed action would improve the residential character of the area, particularly within the Residential Node, which is located nearest to the Melrose Commons URA, the project is consistent with the goals of the Urban Renewal Plan.

Port Morris Empire Zone
The aims of the Port Morris Empire Zone include creating new employment opportunities and encouraging business investments. The proposed rezoning would permit greater commercial development than is permitted under existing and no-action conditions, and thus generate greater employment opportunities than in the future without the proposed action. As such, the proposed rezoning is compatible with the objectives of the Port Morris Empire Zone.

Bronx Waterfront Plan

The goals of the Bronx Waterfront Plan include improving pedestrian access to waterfront areas and improving existing parkland. As the proposed rezoning does not fall within the area affected by the Bronx Waterfront Plan, and does not impede pedestrian access to the waterfront or the improvement of existing parkland, the proposed action does not conflict with the goals of the Bronx Waterfront Plan.

3.2 SOCIOECONOMIC CONDITIONS

INTRODUCTION

A socioeconomic assessment may be necessary if the proposed action is expected to create substantial socioeconomic changes that would not be expected to occur in the absence of the proposed action. Such socioeconomic changes include direct displacement of residential population, businesses, or employees; a new development that is markedly different from existing uses and activities within the neighborhood; an adverse effect on conditions in the real estate market in the area; or an adverse effect on the economic viability of a specific industry. According to the *CEQR Technical Manual*, a residential development of 200 units or less, or a commercial development of 200,000 square feet (SF) or less would typically not result in socioeconomic impacts, unless it generates socioeconomic conditions that are very different from prevailing conditions.

Following the methodologies in the *CEQR Technical Manual*, an initial screening analysis was performed to determine whether the proposed action would require a socioeconomic assessment. The initial screening identifies whether an action may be reasonably expected to create substantial socioeconomic changes. The *CEQR Technical Manual* identifies the following circumstances that would typically require a socioeconomic assessment:

- The proposed action would directly displace residential population so that the socioeconomic profile of a neighborhood would be substantially altered.

- The proposed action would directly displace a substantial number of businesses or employees; or it would directly displace a business or institution that has an important economic role in a community.

- The proposed action would result in a substantial new development that is markedly different from existing uses, development, and activities in the neighborhood, which could lead to indirect displacement. Typically, projects that are small to moderate in size would not have significant socioeconomic effects unless they are likely to generate socioeconomic conditions that are very different from existing conditions in an area. Residential development of 200 units or less or commercial development of 200,000 SF or less would typically not result in significant socioeconomic impacts.

- Notwithstanding the above, the proposed action may affect conditions in the real estate market not only on the site(s) anticipated to be developed, but in a larger area. When this possibility cannot be ruled out, an assessment may be needed to address indirect displacement.

- If the proposed action may adversely affect economic conditions in a specific industry.

In the Future Action Scenario, with the proposed zoning text and map amendments in place, the 11 identified projected development sites would have a total of 894 new dwelling units, 745 of which would be affordable housing units; 113,553 SF of commercial retail space; 553,484 SF of

commercial office space; and 11,730 SF of community facility space. This would represent a net increase over no-action conditions of approximately 594 dwelling units (including 148 units of affordable housing); 42,004 SF of retail commercial space; 306,001 SF of office commercial space, and 10 SF of community facility space.

Zoning map and text amendments proposed by DCP are separated into three distinct areas along the 161st Street corridor, which include, from west to east: the Transit Node, the Civic Node and the Residential Node. In an effort to strengthen the identity of the corridor as a whole, the rezoning would address the characteristics and needs that are specific to each node, better integrating the corridor's streetscape.

Located at the intersection of 161st Street and River Avenue, the Transit Node is centered around a transit hub that includes an elevated train, a subway line and several bus routes. This area is characterized by low-rise commercial uses, surface and enclosed parking, and Yankee Stadium. Being such a transit rich area, this node can accommodate high density development; at the same time, the elevated train line located along River Avenue poses environmental challenges, most notably street level noise, light and air. Furthermore, this area experiences substantial pedestrian and vehicular congestion, particularly on game days. As a result, a new zoning district has been crafted to address both the assets and liabilities of a high density transit node along an elevated train.

At the center of the 161st Street corridor is the Civic Node, which is generally located between the Grand Concourse and Morris Avenue. This area is characterized by the corridor's civic uses, most notably the Bronx Criminal Court Complex and the new Bronx Hall of Justice, as well as by a mix of office buildings with tenants that include lawyer offices and other businesses that support the neighboring courts, low-rise commercial uses and surface parking. As a result, higher density infill commercial and office development is most appropriate for this area.

East of Morris Avenue the character of the corridor becomes predominately residential. The Residential Node is defined as the area between Morris Avenue and the Melrose Commons Urban Renewal Area, a growing residential community located on the eastern edge of the 161st Street corridor. As a result, a higher density contextual district that matches existing and proposed buildings in Melrose Commons is most appropriate for this area. In addition, local ground floor commercial uses would be expanded to all lots along 161st Street, activating the street level in an area that connects the Civic Center with the Melrose Metro-North station at Park Avenue and 162nd Street.

A preliminary assessment of the potential for socioeconomic impacts related to the proposed rezoning of 161st Street follows below.

Study Area

As per the guidelines of the *CEQR Technical Manual*, a socioeconomic study area was identified for the purpose of conducting preliminary analyses of socioeconomic conditions. The socioeconomic study area consists of all census tracts located in the proposed rezoning area and all census tracts that have more than half of their area fall within a quarter-mile radius from the

rezoning area. This includes census tracts 53.01, 57, 59.01, 59.02, 61, 69,141, 143, 173, 183, 187, and 195. Census tracts 53.01 and 187 are mapped as parkland and the Metro-North railroad right of way and have no population In order to avoid a misrepresentation of socioeconomic conditions, these two census tracts are excluded from the socioeconomic study area. See Figure 3.2-1

3.2.1 PRELIMINARY ASSESSMENT

According to the *CEQR Technical Manual*, a preliminary screening assessment is used to determine the potential significance of socioeconomic change generated by a proposed action. Given the overall size of the proposed action (i.e., the size and density of the projected development), this chapter follows the guidance set forth in the *CEQR Technical Manual* for both the preliminary socioeconomic assessments.

Residential Displacement

Direct Residential Displacement

Direct residential displacement (sometimes called primary displacement) is the involuntary displacement of residents from the site of (or a site directly affected by) a proposed action. Direct residential displacement is not in and of itself an impact under *CEQR*. According to the *CEQR Technical Manual*, direct residential impacts can occur if the numbers and types of people being displaced would be enough to alter neighborhood character and perhaps lead to indirect displacement of remaining residents.

As described in Chapter 2.0, "Reasonable Worst Case Development Scenario," it is anticipated that, with the proposed rezoning, development could occur on 11 projected development sites. Three of these projected development sites (projected development sites 8, 9 and 11) contain a total of four dwelling units in the existing condition. However, it is expected that the four dwelling units on projected development sites 8, 9 and 11 would be displaced in the Future No-Action Scenario. As these four residential units would be displaced in the future without the proposed action, no significant adverse impacts are expected as a result of direct residential displacement generated by the proposed action and no detailed assessment of direct residential displacement is warranted.

Indirect Residential Displacement

Indirect displacement occurs when an action increases property values, and thus also increase rents throughout the study area, making it difficult for some existing residents to afford their homes. According to the *CEQR Technical Manual*, an action could lead to indirect changes in rent if:

- it would add a substantial new population with different socioeconomic characteristics compared to the size and character of the existing population;

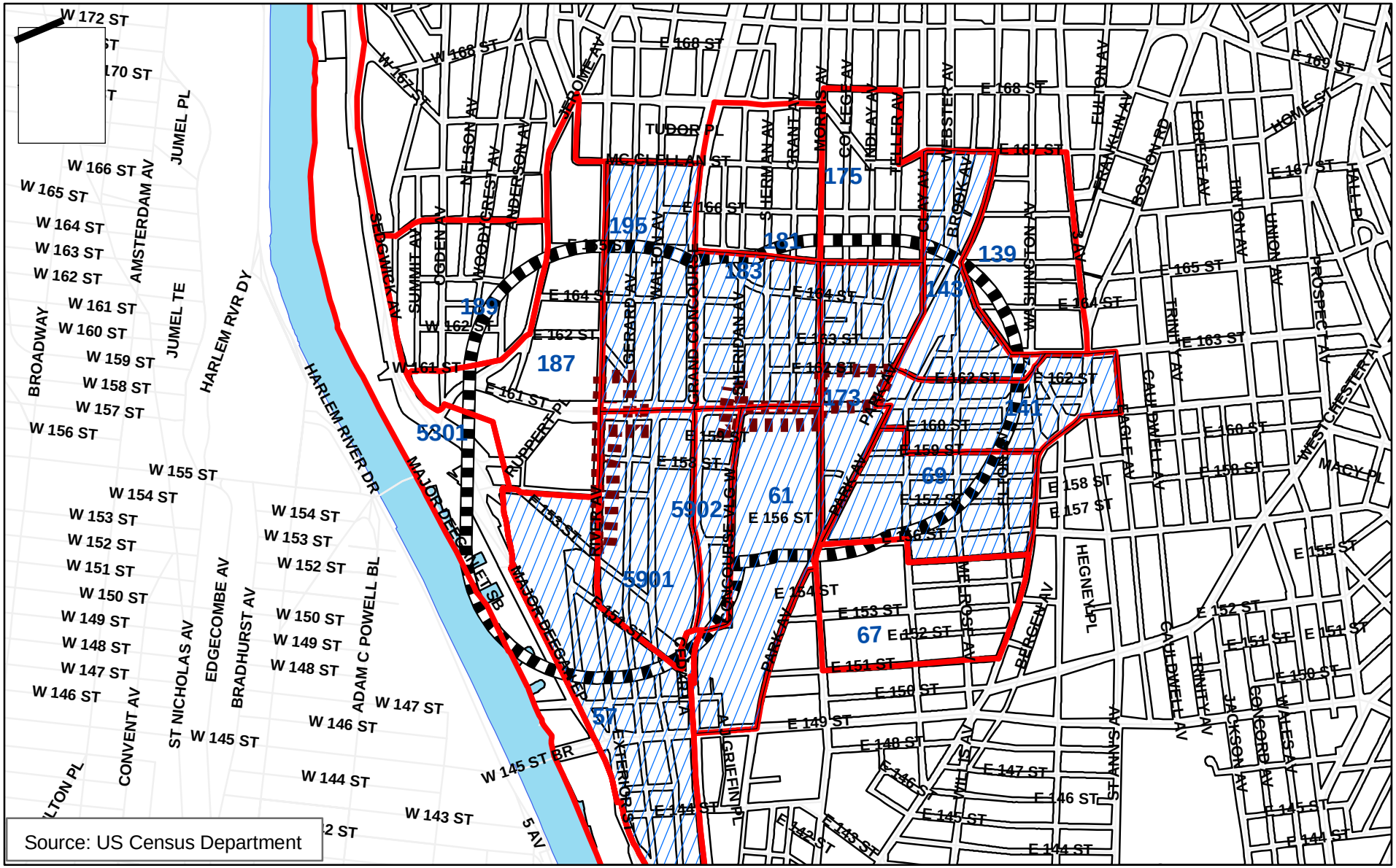


Figure 3.2-1 - Socioeconomic Conditions Study Area

161st Street Rezoning and Related Actions

NYC Department of City Planning

- it would directly displace uses or properties that have had a "blighting" effect on property values in the area;

- it would directly displace enough of one or more components of the population to alter the socioeconomic profile of the area;

- it would introduce a substantial amount of a more costly type of housing compared to existing housing and housing expected to be built in the study area by the time the proposed action is implemented;

- it would introduce a "critical mass" of non-residential uses (e.g., a large office complex), such that the surrounding area becomes more attractive as a residential neighborhood; or

- it would introduce a land use that could have a similar effect if it is large enough or prominent enough or combines with other like uses to create a critical mass large enough to offset positive trends in the study area, to impeded efforts to attract investment to the area, or to create a climate for disinvestment.

To assess the potential for indirect residential displacement a preliminary analysis was undertaken to determine if the proposed action meets any of the above criteria for an indirect impact. The preliminary analysis that follows considers many factors, including: total population and the number of housing units; median household income; housing value and median contract rent; vacancy rate and percent of units that are renter occupied; presence of any unique or predominant population groups or populations particularly vulnerable to economic changes; and development trends in the area.

Demographic Profile

This section describes the population and housing characteristics of the study area. Population and housing statistics were compiled from the 2000 census and from NYC Department of Finance RPAD data files. As shown in **Table 3.2-1**, according to the 2000 U.S. Census, the study area had a population of approximately 42,331 residents living in 15,084 households with a median household income of $22,940. Income statistics in the study area show that approximately 36 percent of population is below the poverty line.

Table 3.2-1 2000 Population Profile

Population Characteristics	Census Tracts: 57, 59.01, 59.02, 61, 69, 141, 143, 173, 183, 195
Population	42,331
Number of Households	15,084
Median Household Income	$21,603
Percent of Population below the Poverty Line	36%

Source: 2000 U.S Census

The presence of a relatively large percentage (36%) of residents below the poverty line and the low median household income ($21,603) in the study area is likely pulled down by the public housing complexes in the study area. The McKinley Houses and the Morrisiana Air Rights Houses are located in census tracts 69, 141, and 143, respectively. Without these census tracts included, the percent of the population below the poverty level falls to 30 percent and the median household income increases by 25 percent to $26,103. This is comparable to the median household for Bronx County which is $27,611.

Table 3.2-2 shows housing characteristics for the study area. According to 2000 U.S. Census data, tracts within the study area contained 15,347 housing units, 14,540 of which were occupied and 807 housing units that are vacant. Of the total occupied housing units in the study area, 1,817 are owner-occupied and the remaining 12,723 housing units are renter-occupied.

Table 3.2-2 2000 Housing Profile

Housing Characteristics	Census Tracts: 57, 59.01, 59.02, 61, 69, 141, 143, 173, 183, 195
Total Housing Units	15,347
Owner-Occupied Units	1,817
1 Unit Detached	65
1-4 Units Attached	158
5-9 Units Attached	15
10+ Units Attached	1,579
Other	0
Renter-Occupied Units	12,723
1 Unit Detached	46
1-4 Units Attached	541
5-9 Units Attached	508
10+ Units Attached	11,621
Other	7
Occupied Units	14,540
Vacant Units	807
Vacancy Rate	5%
Median Housing Value	$113,627
Median Contract Rent	$493

Source: 2000 U.S Census

A comparison of the 2000 U.S. Census data to 2008 New York City Department of Finance RPAD data shows that the number of housing units in the study area have increase by 321 housing units, or two percent, between 2000 and 2008. The population is estimated to have grown by the same percent change and is estimated to be 46,534 in 2008, compared to 42,331 in 2000. Table 3.2-3 provides a comparison of the housing and population characteristics of the study area in 2000 compared to 2008.

Table 3.2-3
2000 vs. 2008 Estimated Housing and Population

2000 vs. 2008 Housing and Population Characteristics	Census Tracts: 57, 59.01, 59.02, 61, 69, 141, 143, 173, 183, 195
2000 Housing Units	15,347
2008 Housing Units	15,668
Percent Change	2%
2000 Population	42,331
Estimated 2008 Population	46,534
Percent Change	2%

Source: 2000 U.S Census; 2008 NYC RPAD

A RWCDS for the future no-action scenario was prepared by DCP for the proposed rezoning. DCP has identified nine sites within the proposed rezoning area that are projected to be developed in the future without the proposed action. These as-of-right developments are expected to result in a total of 299 dwelling units (DUs), 21,550 SF of retail, and 11,720 SF of community facility space. Affordable housing units are not expected to be developed on any of the projected development sites in the future without the proposed action. A site by site listing of expected dwelling units is provided in Table 3.2-4.

Table 3.2-4
Projected Housing Units in the Rezoning Area - Future without the Proposed Action

Projected Site #	Block and Lot	Dwelling Units
1B	2484 / 9	73
2A	2483 / 40	58
5	2421 / 1	26
6	2421 / 57	27
7	2421 / 16, 17, 75	25
8	2421 / 18	25
9	2421 / 20	25
10	2421 / 26	17
11	2421 / 27	24
Total		**299**

Source: NYC DCP

In addition to the anticipated developments in the rezoning area, there are other actions and development projects expected in the study area in the future without the proposed rezoning. Other developments in the study area are projected to add a total of approximately 2,569 housing units by the year 2018. The following is a synopsis of other developments located within a quarter-mile of the study area expected to be in place by 2018:

Melrose Commons Urban Renewal Area Sites

There are several sites expected to be developed by NYC Housing, Preservation and Development (HPD) in the future without the proposed action as part of the Melrose Commons Urban Renewal Plan. The Melrose Commons Urban Renewal Plan was adopted in May, 1994 and governs development in a 34-block area, generally bounded by East 163rd Street to the north, Brook and Third Avenues to the east, East 156th and East 159th Streets to the south, and Park and Courtlandt Avenues to the west. The Melrose Commons/HPD projected development sites are listed in Table 3.2-5.

Table 3.2-5
Melrose Commons/HPD Projected Development Sites

Project Name	Blocks(s) & Lot(s)	Dwelling Units
The Dorado - Melrose Commons URA Site p/o3	2378 / 62, 64-66	58
The Aurora - Melrose Commons URA Site 28	2381 / 52, 56, 58-60	91
Courtlandt Corners I- Melrose Commons URA Site 46	2407 / 5, 8, 10-12	71
Courtlandt Corners II- Melrose Commons URA Sites 56 & 57	2408 / 1, 6-10, p/o12, 13, 14, p/o16, 20, 25, 27-29, 31, 32	252
Melrose Commons URA Site 15	2404 / 1 and 2	16
Melrose Commons URA Sites 52,53,54	2383 / 19, 22, 25, 27, 29-31, 35, 37, 39	92
Melrose Commons URA Site 62	2384 / p/o20, 23, 25, 28, 32-34, 38, 43	163
Melrose Commons URA Site 64	2408 / 35, 41, 45, 46, 49, 51-53	176
Melrose Commons URA Sites 23 & 31	2418 / 6 and 2381 / 43	16
946-50 College Avenue	2423 / 63	61
Total		**996**

Source: NYC HPD and NYC DCP

El Jardin
El Jardin, a residential project currently under construction and scheduled for completion in 2010, will develop approximately 84 dwelling units on a site located on the southwest corner of the intersection of Melrose Avenue and East 158th Street.

3160 Park Avenue
This private residential development, scheduled for completion in 2012, will provide approximately 178 dwelling units at the following addresses: 3160 Park Avenue, 3164 Park Avenue, and 853 Courtlandt Avenue. The site of the future residential development is currently vacant land.

946-50 College Avenue
This residential project, currently under construction and scheduled for completion in 2008, is expected to develop approximately 61 dwelling units. The project site is located on Findlay Avenue, between East 163rd and East 164th Streets.

580 River Avenue
This project, located at 580 River Avenue, is anticipated to develop approximately 500 residential units.

Boricua College
The 4.5-acre Boricua Village is a joint venture of Atlantic Development Group and Boricua College. The project will include about 750 residential units and as many as 50,000 square feet of retail space centered around a new 14-story flagship building for Boricua College, whose present enrollment is 1,200 students. Three-quarters of the units will be reserved for low-income residents, and a quarter will be for moderate-income residents. The project build year is 2009.

In the future without the action, there are expected to be 299 additional housing units on nine of the projected development sites in the rezoning area by the year 2018. In the quarter-mile study area surrounding the rezoning area, several projects are expected to occur (as discussed above) that are projected to add a total of approximately 2,569 housing units by the year 2018. In total the study area is expected to increase by 2,868 housing units by the year 2018, an increase of 18 percent over the number of units in 2008. Approximately 1,560 of the 2,868 total housing units are expected to affordable housing units. The additional housing units projected in the study area by the year 2018 are anticipated to increase the population by 8,517, bringing the estimated Future No-Action population to 55,051 (See Table 3.2-6).

Table 3.2-6
Future No-Action Scenario – Population and Housing Growth

2018 Population and Housing Characteristics	Census Tracts: 57, 59.01, 59.02, 61, 69, 141, 143, 173, 183, 195
2008 Housing Units	15,668
2008-2018 Housing Unit Estimated Growth	2,868
Estimated 2018 Housing Units	18,536
Percent Change	18%
2008 Population Units	46,534
2008-2018 Population Unit Estimated Growth	8,517[1]
Estimated 2018 Population	55,051
Percent Change	18%

[1] Based on an average household size in Bronx Community District 4 of 2.97, as per 2000 US Census.

In the future with the action, there is expected to be a net increase of approximately 594 new dwelling units on 11 projected development sites in the rezoning area by the year 2018. It is expected that 446 of these new dwelling units will be market-rate and the remaining 148 dwelling units would be affordable housing. The increase in the future with the action is expected to increase the total number of housing units to 19,130, a growth of three percent over Future No-Action conditions. Additionally, approximately 1,764 new residents would be introduced as a result of the proposed action, bringing the estimated Future Action Scenario study area population to 56,815.

Table 3.2-7
Future Action Scenario – Population and Housing Growth

2018 Population and Housing Characteristics	Census Tracts: 57, 59.01, 59.02, 61, 69, 141, 143, 173, 183, 195
2008 Housing Units	18,536
2008-2018 Housing Unit Estimated Growth	594
Estimated 2018 Housing Units	19,130
Percent Change	3%
2008 Population Units	55,051
2008-2018 Population Unit Estimated Growth	1,764[1]
Estimated 2018 Population	56,815
Percent Change	3%

[1] Based on an average household size in Bronx Community District 4 of 2.97, as per 2000 US Census.

CEQR Assessment Criteria

1. Would the proposed action add substantial new population with different socioeconomic characteristics compared with the size and character of the existing population?

As shown in Table 3.2-6, in 2008 there are an estimated 15,668 housing units in the study area that housed an estimated population of 46,534. In the future without the action, the study area is expected to have 18,536 housing units and an estimated population of 55,051. In the future with the action, there is expected to be 19,130 housing units and a population of 56,825. The new residents under the Future Action Scenario would increase the study area population by approximately three percent. According to the *CEQR Technical Manual*, if a proposed action increases a study area population by greater than five percent, there is a potential to affect socioeconomic trends significantly. Since the new population generated by the proposed action is below the five percent threshold, the proposed action is not expected to increase the population at a scale that could affect significantly socioeconomic trends. The proposed action is not expected to add a population with substantially different characteristics than the existing population. The number of new housing units added (594) is four percent of the total housing units in the study area in 2008 (15,668). In addition, 148 of the project-generated units would be affordable housing units, further reducing the potential for the new housing units to house a population substantially different from the existing population. The project-generated housing units are part of an overall trend of investment that is expected to bring 2,868 housing units to the study area in the future with or without the proposed action.

2. Would the proposed action directly displace uses or properties that have had a "blighting" effect on property values in the area?

The proposed action would not directly displace uses or properties that have had a "blighting effect" on property values. Field surveys of the exteriors of properties indicate that the displaced properties appear to be in fair physical condition; the sites generally contain active uses and do not impose poor physical conditions on the surrounding area.

As discussed in the Project Description, Chapter 1.0, the proposed actions build on a number of recent public and private investments. Recent investments in the area surrounding the 161st Street corridor include the new Yankee Stadium, slated to open in 2009, which is currently being constructed on the northwest corner of 161st Street and River Avenue. Parks are planned for the existing Yankee Stadium site, and sites along River Avenue and the Harlem River. The Gateway Center, currently under construction, will bring approximately one million square feet of new retail space south of the proposed rezoning area at, 149th Street, and will include additional waterfront parks. Lou Gehrig Plaza, which formerly housed parking in front of Bronx Borough Hall, was recently completed as part of the Department of Transportation's Grand Concourse reconstruction project. At the center of the 161st Street corridor is the new Bronx Hall of Justice, which includes approximately 670,000 square feet of office space for 47 courtrooms and court-related agencies. Furthermore, as shown in table 3.2-6, it is expected that in the future without the action, 2,868 new housing units will be added to the study area and 8,517 new

residents. The trend of residential and non-residential projects and investment in the area indicate that the projected development sites that would be displaced have not had a blighting effect on the surrounding area.

3. Would the proposed action directly displace enough of one or more components of the population to alter the socioeconomic composition of the study area?

As discussed above under "Direct Residential Displacement," projected development sites 8, 9 and 11 contain a total of four dwelling units in the existing condition. However, as these four units are expected to be displaced under both the Future No-Action and Future Action Scenarios, the proposed zoning action is not expected to alter the socioeconomic composition of the study area.

4. Would the proposed action introduce a substantial amount of a more costly type of housing compared with existing housing and housing expected to be built in the study areas by the time the action is implemented.

The proposed action would add 594 new residential units to the study area. Of the 594 new residential units, 148 are anticipated to be affordable housing units and 448 are expected to be market-rate housing. In order to affect the existing housing, new housing generated would need to induce a rise in rents such that it would affect existing vulnerable renter population in the study area. In New York City, all residential units in rental buildings of six or more units are covered by rent stabilization or rent control laws, which shield tenants from excessive rent increases. CEQR suggests that the income level of the population living in rental buildings with less than six units be considered in order to determine if the economic profile of the renter population would be vulnerable to changes in rent. However, income data for the housing units in buildings with less than six units is not available for the study area. To be conservative, this analysis assumes that all renter-occupied units in buildings with less than six units would be considered vulnerable to a rent increase as a result of the proposed action.

According to the 2000 U.S. Census, in the study area, there are 587 renter-occupied housing units in buildings with four or less units. The RPAD data for 2008 has an estimated 25 units in buildings with five units, bringing the estimated number of housing units in the study area considered vulnerable to a rent escalation to 612 residential units. Thus, of the 12,723 total renter-occupied housing units in the study area, approximately five percent would be susceptible to rent escalation. However, as discussed previously, the number of new housing units added as a (594) would increase the study area population by approximately three percent. In addition, 148 of the project-generated housing units would be affordable housing units. Given the population generated is less than five percent, it is not likely that the new housing units in the future with the action would have a population that would significantly affect housing conditions in the study area.

5. Would the proposed action introduce a critical mass of non-residential uses such that the surrounding area becomes more attractive as a residential neighborhood complex?

The proposed action is not expected to introduce a "critical mass" of non-residential uses or a single land use that would make the neighborhood more attractive as a residential area. The non-residential development that is expected to occur under the proposed action is a mix of office and retail space. Under the Future Action Scenario there is projected to be a net increase of 42,004 SF of retail space; 306,001 SF of office space, for a grand total of 348,005 SF of commercial space. While the amount of commercial space projected for the rezoning area is above the 200,000 SF CEQR screening threshold for commercial space, a majority of the commercial space (293,716 SF) would be on one development site, projected development site 4, which is located in the civic node. The office development on projected development site 4 would be located adjacent to a 201,500 square foot office building to the west and a 201,000 square foot office building located to the east of the projected development site 4. Other notable office buildings in the surrounding are the Bronx Hall of Justice that is located just north of 161st Street from projected development site 4 and the Bronx County Courthouse, located two bocks to the west. The civic node has an established office use and character and is not expected to become more attractive for residential development by the addition of projected development site 4. The remaining commercial space (54,289 SF) projected for the rezoning area is expected to be office and retail uses that would be scattered through the three nodes of the rezoning area and would not create a critical mass that would make the area more attractive for residential development.

6. Would the proposed action introduce a land use that could have a similar effect if it is large or prominent enough, or combines with other like uses to create a critical mass large enough to offset positive trends in the study areas, to impede efforts to attract investments to the area, or to create a climate for disinvestment?

The proposed actions would not impose any type of change that would diminish investment in the study area. To the contrary, the objectives of the proposed actions would enhance existing land uses, would continue the trend of public and private investment in the area, and would not introduce new uses that could offset positive trends in the study area, or create a climate for disinvestment. As discussed in Chapter 1.0, "Project Description," the proposed action would create opportunities for new housing development on underutilized land near transit locations. In addition, the rezoning would create capacity for much-needed office and commercial space community facility space surrounding the corridor's civic uses.

No significant impacts from indirect business development are expected as a result of the action and no further assessment is warranted.

Business and Institutional Displacement

While all businesses contribute to neighborhood character and provide value to the city's economy, CEQR seeks to determine whether displacement of a single business or group of businesses would rise to a level of significance in terms of impact on the City's or the area's economy or the character of the affected neighborhood. There are 11 projected development

sites in the proposed rezoning area as described in Chapter 2.0, "Reasonable Worst Case Development Scenario." There is currently 75,838 SF of retail space in the rezoning area and 246,500 SF of office space. Using a ratio of three employees per 1,000 SF for retail and four employees per 1,000 SF for office space, there are an estimated 228 employees in the retail uses in the rezoning area and 986 estimated employees in the office uses, for a total of 1,214 employees. Based on U.S. Census data there are an estimated 13,066 employees in the quarter-mile study area around the rezoning area.

In the future without the action, the amount of retail space in the rezoning area is expected to decline by 4,289 SF and the amount of office space is expected to remain the same as in the existing condition. The number of employees in the rezoning area is expected to decline by an estimated 13 employees to a total of 1,201 employees. This reduction of employees is due to displacement of business that is expected to occur in the future without the action on projected development sites 1b, 2a, 5 and 6.

The number of workers is expected to increase within the socioeconomic study area in the future without the proposed action. There are three projects in the study area that are either currently under construction or anticipated to be completed before the action year of 2018. These are the Gateway Center and Bronx Terminal Market, Yankee Stadium Redevelopment and Boriqua Village. These projects are expected to generate 2,799 employees to the study area, bringing it to a total of 15,862 employees.

Direct Displacement

Under CEQR, displacement of a business or group of businesses is not, in and of itself, an adverse environmental impact. The preliminary assessment of business and institutional displacement directly resulting from a proposed action looks at the employment and business value characteristics of the affected businesses to determine the significance of the potential impact. As part of the preliminary assessment, the following circumstances were considered:

- If the business or institution in question has a substantial economic value to the City or region in terms of its products and services (and potential effects on businesses or consumers due to loss of such products or services), and if it can only be relocated with great difficulty or not at all due to locational needs that may not be satisfied at other locations.
- If a category of businesses or institutions is the subject of other regulations or public adopted plans to preserve, enhance, or otherwise protect it.
- If the business or institution defines or contributes substantially to a defining element of neighborhood character (or a substantial number of businesses or employees would be displaced that collectively define the character of the neighborhood).

Under the Future Action Scenario, projected development is expected in the rezoning area that could potentially displace businesses in addition to those displaced under the Future No-Action Scenario. Three projected development sites under the Future Action Scenario would displace businesses that would not be displaced under the Future No-Action Scenario. These are projected development sites: 1a, 2b, and site 3 (see Chapter 2.0 "RWCDS"). On these three

projected development sites that would see displaced businesses as a result of the proposed action, it is estimated that 330 jobs would be displaced on these three sites. The types of businesses and the estimated number of employees on these projected development is shown in Table 3.2-8 as follows:

Table 3.2-8
Estimated Businesses and Employees Subject to Direct Displacement
Under Future Action Scenario

Site #	Blocks & Lot	Type of Business	Estimated Number of Employees
1a	2484, 9	Bar, 99-cent shop, Yankee related merchandise and video game store, medical office, and dental and vision storefront	171
2b	2483, 34	Yankee related stores (food and merchandise) and office space	39
3	2483, 5	Yankee related stores (food and merchandise), bowling alley	120
Total			330

1. Do the businesses or institutions in question have substantial economic value to the city or region, and can they be relocated only with great difficulty or not at all?

While all businesses contribute to neighborhood character and provide value to the city's economy, CEQR seeks to determine whether displacement of a single business or group of businesses would rise to a level of significance in terms of impact on the City's or the area's economy or the character of the affected neighborhood. The types of business that would be displaced are shown in Table 3.2-8. Although the potentially displaced businesses each contribute to the City's economy and have economic value, the products and services they provide are available in other parts of the study area and in other parts of the City. There is no indication that the business types displaced would not be able to relocate within the study area or to another location in the City. It is also expected that the goods and services provided by these businesses would still be available to consumers from existing businesses in the study area and in the City.

The displaced businesses consist primarily of retail stores (with Yankee and non-Yankee related merchandise), eating and drinking establishments, a bowling alley and medical and other office uses, The displacement of these businesses would also mean the displacement of an estimated 330 employees in the study area. As discussed above, the study area would have approximately

15,862 workers in the future without the action. The 330 workers displaced represents three percent of the total workers estimated in the future with the action. Thus, the proposed action is not expected to result in substantial employment loss within the study area.

2. Is the category of businesses or institutions that would be directly displaced subject to regulations or publicly adopted plans to preserve, enhance, or otherwise protect it?

The business displaced consist of retail stores (with Yankee and non-Yankee related merchandise), eating and drinking establishments, medical offices and other office types and a bowling alley (see Table 3.2-8). The businesses directly displaced by this action are not businesses or institutions that are the subject of other regulations or publicly adopted plans to preserve, enhance or otherwise protect them.

3. Do the businesses or institutions in question define or contribute substantially to a defining element of neighborhood character, or do a substantial number of businesses or employees that would be displaced collectively define the character of the neighborhood?

As shown in Table 3.2-8, there are three projected development sites that would have businesses displaced under the Future No-Action Scenario that would not be displaced under the Future Action Scenario (Projected development sites 1a, 2b and 3). The business displaced consist of retail stores (with Yankee and non-Yankee related merchandise), eating and drinking establishments, medical offices and other office-use types and a bowling alley. It is estimated that the number of employees displaced would be 330, which represents three percent of the study area projected employment in the future without the proposed action and is not considered a substantial amount.

Indirect Displacement

The preliminary assessment for indirect business and institutional displacement focuses on the issue of whether an action would increase property values, and thus rents, throughout the study area, making it difficult for some categories of businesses to remain in the area. An action can lead to such indirect changes if:

- It introduces enough of a new economic activity to alter existing economic patterns.
- It adds to the concentration of a particular sector of the local economy enough to alter or accelerate an ongoing trend to alter existing patterns.
- It displaces uses or properties that have had a "blighting" effect on commercial property values in the area, leading to rises in commercial rents.
- It directly displaces uses of any type that directly support businesses in the Project Area or bring people to the area that form a customer base for local businesses.
- It directly or indirectly replaces residents, workers, or visitors who form the customer base of existing businesses in the Project Area.
- It introduces a land use that could have a similar indirect effect, through the lowering of property values if it is large enough or prominent enough or combines with other like uses to create a critical mass large enough to offset positive trends in the study area, to impede efforts to attract investment to the area, or to create a climate for disinvestment.

1. Would the proposed actions introduce enough of a new economic activity to alter existing economic patterns?

The increase in retail and office space in the rezoning area is not expected to introduce new economic activity to the study area that would alter the existing economic patterns. The incremental retail space of 42,004 square feet generated by the proposed action is small in light of the abundance of retail space that is present on the 161st Street retail corridor and surrounding study area. The 306,001 square feet of new office space, while a more substantial amount than the retail space generated, is also not expected to alter the economic patterns of the rezoning area and study area. The proposed action is expected to generate a net increase of 1,350 new employees to the study area. This represents eight percent over the future No-Action Scenario (15,862) and is not an amount of new employees that would be expected to alter the local economic patterns.

The majority of the office space is (293,716 SF) will be on one development site, projected development site 4. This new office development on projected development site 4 would be located in the civic node of the rezoning area, adjacent to a 201,500 square foot office building to the west of the projected development and adjacent to a 201,000 square foot office building presently located to the east of the site. Other notable office buildings in the surrounding are the Bronx Hall of Justice that is located just north of 161st Street from projected development site 4 and the Bronx County Courthouse, located two bocks to the west.

The existing office uses in the civic node have established the character of the economic activity of the rezoning area surrounding area and the introduction of new office space - primarily on projected development site 4 - is not expected to introduce new economic activity that would serve to change the current economic patterns. The office space generated by the proposed action is an appropriate amount of development and location, particularly in the civic node. The proposed office use on projected development site 4 would complement the higher density office development that characterizes the civic node, most notably the Bronx Criminal Court Complex and the new Bronx Hall of Justice, as well the mix of office buildings and other commercial uses in the area.

The proposed rezoning is not expected to lead to indirect displacement of businesses in the rezoning or study areas. The amount of commercial space displaced will be offset by the incremental gain in commercial space in the future with the action. The amount of new commercial space generated is not substantial enough to create a critical mass to potentially impact local economic activity. The new development expected under the proposed rezoning is expected to complement the existing office and retail uses in the rezoning and surrounding areas and serve to contribute to the overall positive trend of new investment and development that is occurring in this section of Bronx as exemplified by the new Yankee stadium development, the new Bronx Hall of justice and other projects that are occurring in the area (see Chapter 2.0 “RWCDS”). No significant impacts from indirect business development are expected as a result of the action and no further assessment is warranted.

2. Would the proposed actions add to the concentration of a particular sector of the local economy enough to alter or accelerate an ongoing trend to alter existing economic patterns?

The proposed action would add a net increase over no-action conditions of 42,004 SF of retail commercial space and 306,001 SF of office commercial space. As mentioned earlier, this projected development is part of an on-going trend of public and private investment in the study area. Examples include the new Bronx Hall of Justice and projects expected to occur in the future with or without the proposed action such as the new Yankee Stadium, the Gateway Center at Bronx Terminal Market and Boriqua Village. The proposed action is expected to generate 1,350 new workers to the area, which represents eight percent of the total worker population expected in the future without the action (15,862). Thus, the proposed rezoning is considered to complement the existing trend in the area, but would not add a significant a significant amount of development that would alter the existing local economy.

3. Would the proposed actions directly displace uses or properties that have a "blighting" effect on commercial property values in the area, leading to rises in the commercial rents?

The proposed action would not directly displace uses or properties that have had a "blighting effect" on property values. Field surveys of the exteriors of properties indicate that the displaced properties appear to be in fair physical condition; the sites generally contain active uses and do not impose poor physical conditions on the surrounding area.

As discussed in the Project Description, Chapter 1.0, the proposed actions build on a number of recent public and private investments. Recent investments in the area surrounding the 161st Street corridor include the new Yankee Stadium, slated to open in 2009, which is currently being constructed on the northwest corner of 161st Street and River Avenue. Parks are planned for the existing Yankee Stadium site, and sites along River Avenue and the Harlem River. The Gateway Center, currently under construction, will bring approximately one million square feet of new retail space south of the proposed rezoning area at 149th Street, and will include additional waterfront parks. Lou Gehrig Plaza, which formerly housed parking in front of Bronx Borough Hall, was recently completed as part of the Department of Transportation's Grand Concourse reconstruction project. Furthermore, it is expected in the Future Action Scenario there would be 42,004 square feet of retail space generated by the proposed action and 306,001 square feet of new office space. The trend of commercial investment in the study area indicates that the projected development sites that would be displaced have not had a blighting effect on the surrounding area.

4. Would the proposed actions directly displace uses of any type that directly support businesses in the area or bring people to the area that form a customer base for local businesses?

There are three projected development sites that would have businesses displaced under the Future No-Action Scenario that would not be displaced under the Future Action Scenario (Projected development sites 1a, 2b and 3). The businesses displaced consist of retail stores (with Yankee and no-Yankee related merchandise), eating and drinking establishments, medical offices and other office types and a bowling alley (see table 3.2-8). It is estimated that the

number of employees displaced would be 330, which represents three percent of the study area projected employment in the future without the proposed action and is not considered a substantial amount.

The businesses displaced are varied and do not directly support businesses in the area. While some businesses projected to be displaced are related to the presence of Yankee Stadium and sell Yankee related services and merchandise, these businesses are already affected by the relocation of Yankee Stadium north of 161st Street that is expected to occur by the year 2009. The demand for Yankee related merchandise and services are driven by the location of Yankee stadium. The stadium is being relocated across 161st Street and the customer base that is driven by the stadium location would be expected to continue with or without the action.

5. Would the proposed actions directly or indirectly displace residents, workers, or visitors who form the customer base of existing businesses in the study area?

As discussed previously in this chapter, the proposed action would lead to the displacement of four residential units and is not considered to affect existing businesses in the study area. The analysis provided above of the potential for indirect residential displacement found that there is a low probability that indirect residential displacement would occur. Housing in the area that would be considered vulnerable to indirect displacement does not have the characteristics that would rise to a level of significant adverse impact. There is the potential for 330 employees to be displaced from the businesses projected to be displaced on the three projected development sites in the future with the action, but this only represents three percent of the total workers in the study area in the future without the action and is not considered to be significant. Visitors to the study area that frequent the Yankee related merchandise and services business that are projected to be displaced as a result of the action are expected to continue to come to the study area. These visitors are driven by the presence of Yankee Stadium which is being relocated a block away from its current site. In addition, there are existing Yankee related businesses that are not being displaced and there are expected to be opportunities for new businesses (including relocated displaced businesses) in the area around the new Yankee Stadium location.

6. Would the proposed actions introduce a land use that could (1) have a similar indirect effect, through the lowering of property values if it is large enough or prominent enough, or (2) combines with other like uses to create a critical mass large enough to offset positive trends in the study area, to impede efforts to attract investment to the area, or to create a climate for disinvestment?

In the Future Action Scenario, with the proposed zoning text and map amendments in place, the 11 identified projected development sites would have a net increase over no-action conditions of 594 dwelling units, including 148 units of affordable housing; 42,004 sf of retail commercial space; 306,001 sf of office commercial space.

As discussed previously in this chapter, the amount of new residential development and retail is not considered significant to create a significant impact on the local real estate and retail markets. The amount of existing office uses in the civic node have established the character of the economic activity of the rezoning area surrounding area and the introduction of new office space

- primarily on projected development site 4 - is not expected to introduce new economic activity that would serve to change the current economic patterns. The proposed office use on projected development site 4 would complement the higher density office development that characterizes the civic node, most notably the Bronx Criminal Court Complex and the new Bronx Hall of Justice, as well the mix of office buildings and other commercial uses in the area.

Adverse Effects on Specific Industries

As set forth under CEQR guidelines, the preliminary assessment of the proposed action's potential to affect the operation and viability of these specific industries (and not necessarily tied to the specific proposed action area) is not based on set criteria or the identification of specific economic variables. The *CEQR Technical Manual* indicates that a more detailed examination is appropriate if the following considerations cannot be answered with a clear "no:"

1. Would the action significantly affect business conditions in any industry or any category of businesses within or outside the study area?

No. The rezoning area and secondary study do not have a cluster of specific industries. Some business would be displaced as a result of the proposed action. There are three projected development sites that would have businesses displaced under the Future No-Action Scenario that would not be displaced under the Future Action Scenario (projected development sites 1a, 2b and 3). The businesses displaced consist of retail stores (with Yankee and non-Yankee related merchandise), eating and drinking establishments, medical offices and other office types and a bowling alley (see Table 3.2-8).

The approximately 41,000 square feet of office space that would be displaced by the proposed action is not considered to result in a significant adverse impact. The amount of office space to be displaced is small in light of the substantial amount of office space that is available in the rezoning area, particularly in the civic node. In addition, under the Future Action Scenario there would be 553,484 square feet of office space on the 11 projected development sites. This represents a net increase over the Future No-Action Scenario of 306,011 square feet of office space in the Future Action Scenario.

The approximately 50,000 square feet of retail use that would be directly displaced consists of eating and drinking establishments, storefront medical offices, Yankee related merchandise, and other various retail stores. The displacement of these businesses would in no way diminish the viability of the retail sector, with substantial numbers of retail businesses remaining in the rezoning area. The goods and services available at these establishments would still be available in the rezoning area and surrounding area. In addition there would be 113,553 square feet of retail space on the 11 projected development sites in the Future Action Scenario. This represents an increase in retail space in the rezoning area of 42,004 square feet.

The action would neither affect a particular industry nor the economic viability of an industry or category of businesses. While a limited amount of direct business would occur in the rezoning area, this displacement would be counter-balanced by the additional office and retail space that is expected to be developed in the rezoning area in the future with the action. The proposed action

would not have a significant adverse impact on any specific industry within or outside of the study area.

2. Would the action indirectly substantially reduce employment or impact the economic viability in the industry or category of businesses?

No. As described above, the proposed action would not indirectly substantially reduce employment or impair the viability of an industry or category of business. While three projected development sites would have businesses that would have an estimated 330 employees displaced. The net increment of retail and office space generated by the proposed action would generate an estimated 1,350 new employees to the study area. Thus, the proposed action would also result in net increases in employment in the retail and service sectors in which displaced businesses are concentrated.

The businesses that would be directly displaced by the proposed action's projected development consist of retail stores (with Yankee and non-Yankee related merchandise), eating and drinking establishments, medical offices and other office types and a bowling alley (see Table 3.2-8). These businesses are not within categories of businesses or institutions that are the subject of other regulations or publicly adopted plans to preserve, enhance or otherwise protect them. Furthermore, jobs in the sectors that would be displaced would be expected to be replaced with new jobs generated in similar industries by the projected new development. Under the Future Action Scenario, there would be an increase in the amount of retail and office space in the rezoning area when compared to the Future No-Action Scenario. Therefore, adverse effects on business conditions in any particular sector are not expected and a detailed assessment analysis of the potential for adverse impact on specific industries is not warranted.

CONCLUSION

Based on the preliminary assessment discussed above, the proposed action would not have the potential to result in significant adverse impacts on socioeconomic conditions in the study area. No direct residential displacement is expected to occur in the future with the action that is not also expected to occur in the future without the action. The number of dwelling units generated by the proposed rezoning (594 DUs) would generate a population that is less than five percent of the total study area population and would not lead to significant adverse impacts related to indirect residential displacement. While some direct business displacement is projected to occur as a result of the proposed action, the products and services the businesses provide are available in other parts of the study area and in other parts of the City and the direct displacement of these businesses is not expected to lead to a significant adverse impact. The office and retail commercial uses projected in the future with the proposed action would complement existing businesses in the study area and would not significantly increase the number of businesses and workers in the study area to alter existing economic patterns and lead to indirect business displacement. Finally, the proposed action would not diminish the viability of a specific industry that has a substantial economic value to the City's economy. No further detailed assessment of socioeconomic conditions is considered necessary for the proposed action.

3.3 COMMUNITY FACILITIES AND SERVICES

The *CEQR Technical Manual* defines community facilities as public or publicly funded facilities including schools, hospitals, libraries, day care centers, and fire and police protection services. This section examines the potential effects of the development of the projected development sites by 2018 under the proposed action, as described in Chapter 1.0**,** "Project Description," on the capacity and provision of services by those community facilities. Direct effects may occur when a particular action physically alters or displaces a community facility. Indirect effects result from increases in population, which create additional demand for service delivery

The potential for the proposed action to generate significant adverse community facility impacts cannot be ruled out. Please refer to attached Draft Scope of Work for a targeted environmental impact statement for the proposed rezoning of 161st Street/River Avenue.

3.4 OPEN SPACE

INTRODUCTION

The proposed 161st Street Rezoning would not result in significant adverse open space impacts.

The 2001 *New York City Environmental Quality Review (CEQR) Technical Manual* guidelines indicate the need for an open space analysis when an action would result in the physical loss of public open space, or the introduction of 200 or more residents or 500 or more workers, to an area. An open space assessment may also be necessary if a proposed action could potentially have a direct or indirect effect on open space resources in the project area. A direct effect would physically change, diminish, or eliminate an open space or reduce its utilization or aesthetic value. An indirect effect may occur when the population generated by a proposed project would be sufficient to noticeably diminish the ability of an area's open space to serve the existing or future population.

The *CEQR Technical Manual* suggests that a significant quantitative impact may result if the proposed action would reduce the open space ratio, compared to the No-Action condition, or would further exacerbate a deficiency in open space. Quantitative impacts are typically further assessed qualitatively to determine overall level of significance. The qualitative approach examines factors that could affect conclusions about indirect impacts on an area's open spaces, including consideration of the type and quality of open spaces available to meet the needs of study area population and the ease of access to private open spaces and to significant open spaces that are in close proximity to the study area.

Although the 161st Street Rezoning project would not result in the direct loss of public open space, it would introduce a new residential and non-residential (worker) population to an area considered to have an existing deficiency in open space, which is defined by the *CEQR Technical Manual* as having below 1.5 acres of total open space per 1,000 residents or below 0.15 acres of passive open space per 1,000 non-residents. In this case, the area has more than 0.15 acres of passive open space per 1,000 non-residents, but less than 1.5 acres of total open space per 1,000 residents. In both the future without the proposed action and the future with the proposed action, the open space ratios in the residential study area would continue to be lower than the New York City Department of City Planning's (DCP's) recommended weighted average. However, in the future with the project, the open space ratio for the residential study area would be only one-hundredth less than the ratio in the future without the proposed action (or a 1.1 percent decrease). This chapter assesses existing conditions and compares conditions in the future with and without the proposed project to determine potential impacts related to the proposed rezoning.

Although the open space ratios for the residential study area would remain below the levels recommended by DCP, it is recognized that these are goals that are not feasible for many areas of the city and are therefore not considered impact thresholds. Qualitative assessments on the residential and non-residential open space study area conclude that even though the proposed project would result in an increase in the number of residents and employees and a decrease in the open space ratio, the existing and future open space resources in the study area would

sufficiently address the needs of the identified user populations of the area. Other open spaces in close proximity to the residential study area such as St. Mary's and Claremont Parks would also help assist in reducing the additional need for open space for residential populations. These factors add to the quality of open spaces in the study area so that they ultimately meet the demand of the population that lives and works in and around the project study area.

According to the *CEQR Technical Manual*, a five percent decrease in open space ratio is considered a substantial change. For the non-residential study area, the passive open space ratios for the combined resident and non-residential populations and for the non-residential population alone would have the potential to decrease by five percent or more as a result of the proposed action. However, showing that decreases of more than five percent in the with-action condition would only occur for the non-residential population in the non-residential study area, but would still greatly exceed DCP guidelines, the proposed project would not result in significant adverse impacts to passive space resources for the non-residential population within the non-residential study area. The decrease in passive open space ratio for combined resident and non-residential population would also not result in significant adverse impacts based on qualitative factors, including likely user populations and likely distribution of users at different times of the day.

According to the *CEQR Technical Manual*, a one percent decrease in open space ratio should be further assessed when open space resources are very scarce (e.g. below 1.5 acres per 1,000 residents). For the residential study area, open space resources are considered scarce (0.91 acres per 1,000 residents) and the open space ratio for the residential population has the potential to decrease by 1.1 percent as a result of the proposed action, slightly exceeding the CEQR recommended guideline. However, the proposed action would not result in significant adverse impacts on open space resources within the residential study area for the following reasons:

- There are a wide variety of open space resources within the study area, particularly among active space resources.
- The quality of open space resources are expected to greatly improve compared to existing conditions, with 26 percent of all open space resources and 30 percent of all active resources expected to be constructed between 2008 and the action year of 2018.
- The close proximity of additional open space resources located outside of the study area, including more than 12 acres of open space located within a half-mile radius of the proposed action and more than 200 acres of located within one mile of the study area.

DCP Guidelines

The adequacy of open space in the study area is assessed quantitatively using a ratio of usable open space acreage to the study area population - the open space ratio. The determination of the need for a quantified analysis is based on both the adequacy of the quantity of open space and how a proposed project or action would change the open space ratios in the study area compared with the ratios in the future without the proposed project. If a potential decrease in an adequate open space ratio exceeds five percent, it is generally considered to be a substantial change, warranting further analysis. Furthermore, if a study area exhibits a low open space ratio (e.g., below the guidelines set forth in the *CEQR Technical Manual*, indicating a shortfall of open

space), even a decrease of less than one percent in that ratio may be considered an adverse effect and could warrant a detailed analysis.

To assess the adequacy of the quantity of open space resources, open space ratios are compared against goals set by DCP. Although these open space ratios are not meant to determine whether a proposed action might have a significant adverse impact on open space resources, they are helpful guidelines in understanding the extent to which user populations are served by open space resources. The following guidelines are used in this type of analysis:

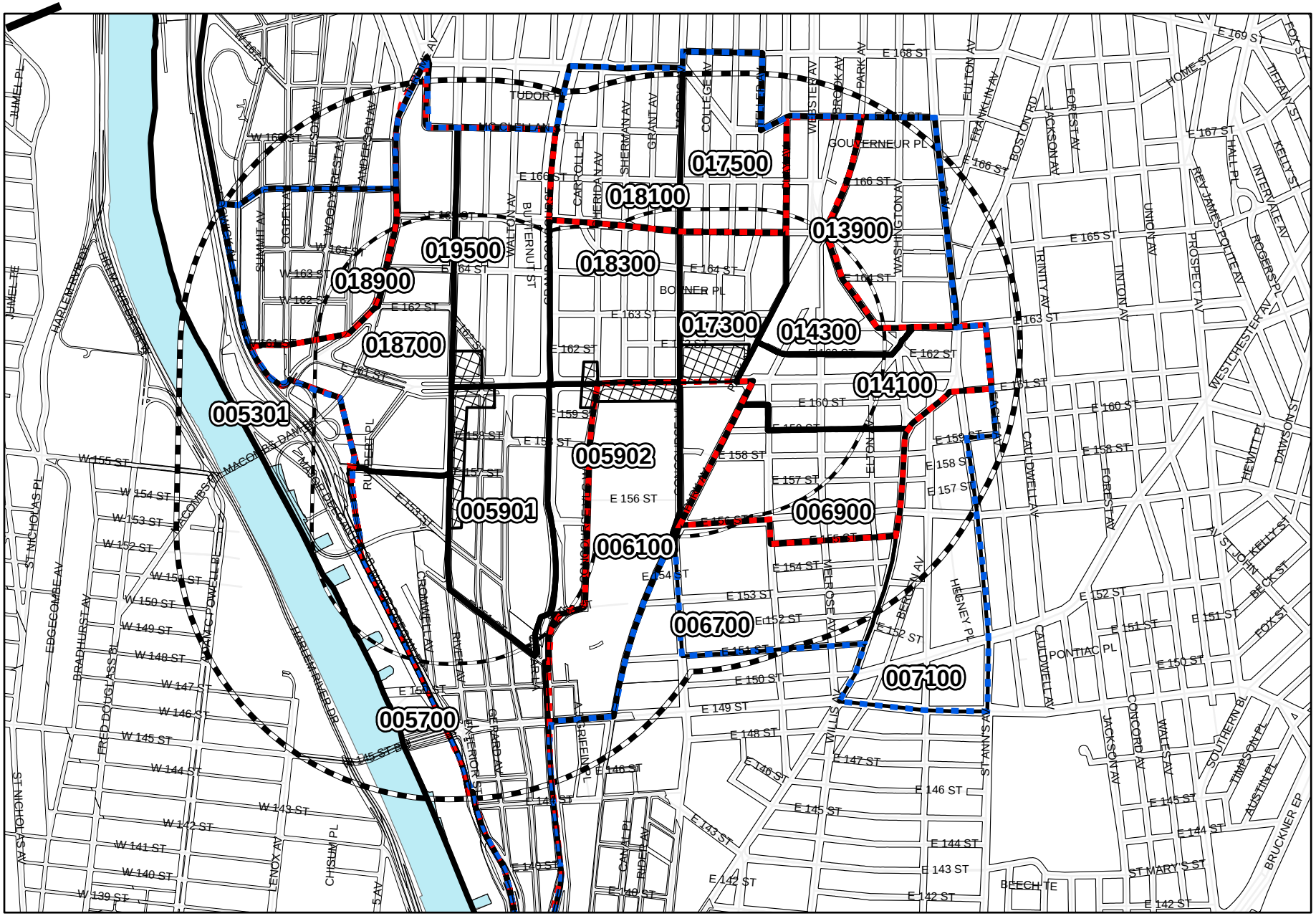
- For non-residential populations, 0.15 acres of passive open space per 1,000 non-residents is typically considered adequate.
- For residential populations, 2.5 acres per 1,000 residents is considered adequate. Ideally, this would comprise 0.50 acres of passive space and 2.0 acres of active open space per 1,000 residents. A citywide survey and review of all community districts have indicated that half the community districts have an open space ratio of 1.5 acres of open space per 1,000 residents. However, as noted above, these goals are often not feasible for many areas of the City, and they do not constitute an impact threshold. Rather, they act as a benchmark to represent how well an area is served by its open space.
- For combined residential and non-residential populations, a target is established by creating a weighted average of the amount of open space necessary to meet the DCP guideline of 0.15 acres of passive open space per 1,000 non-residents and 0.50 acres of passive open space per 1,000 residents.

In the future with proposed action, the residential open space study area weighted average is 0.432 and the non-residential weighted average is .417 acres per 1,000 persons. The ratio of non-residents to open space is above the open space ratio target of 0.15 acres of passive open space per 1,000 non-residents and below the target 0.5 acres of passive open space per 1,000 residents. Although not all ratios meet the levels recommended by DCP, it is recognized that these are goals that are not feasible for many areas of the city and are therefore not considered impact thresholds. Although the decline in the open space ratios are substantial, the qualitative assessment concludes that the open space elements, variety of amenities and availability of other large open spaces would help alleviate the burden on the study area's open spaces. Thus, the proposed project would not result in a significant adverse impact on open space.

3.4.1 EXISTING CONDITIONS

Study Area

The proposed rezoning area is generally bounded by River Avenue to the west, East 162nd Street to the north, Park Avenue to the east, and East 160th and East 153rd Streets to the south. The residential and non-residential open space study areas are identified by a half-mile and quarter-mile radius around the proposed rezoning area respectively, as shown on Figure 3.4-1.



Legend

- Rezoning area
- Residential Study Area
- Non-residential Study Area
- 2000 Census Tract
- Quarter-Mile Study Area
- Half-Mile Study Area

0 1,000 2,000 Feet

Figure 3.4-1 - Open Space Study Area

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Residential Study Area

For the residential study area, the half-mile radius was defined and then adjusted to include whole census tracts, as shown on Figure 3.4-1. The residential open space study area is generally bounded by Major Deegan Expressway to the west, East 168th Street to the north, St. Ann's Avenue to the west, and East 149th Street to the south. Per *CEQR Technical Manual* guidelines, census tracts with an area of 50 percent or greater located within the half-mile radius were included in the calculation of population and open space; those with less than 50 percent of their area in the half-mile radius were excluded. The residential study area includes the following census tracts in their entirety: 59.01, 59.02, 61, 69, 141, 143, 173, 183, 187, 189, and 195. The following census tracts have more than 50 percent of their area within a half-mile radius and were also included in the residential open space study area: 57, 67, 71, 139, 175, and 181.

Non-Residential Study Area

The non-residential study area boundary was established by identifying the quarter-mile radius around the proposed 161st Street Rezoning Area and adjusted to include whole census tracts. The non-residential study area is shown on Figure 3.4-1. The non-residential study area is generally bounded by Major Deegan Expressway and Jerome Avenue to the west, McClellan and East 167th Streets to the north, Third Avenue to the west, and East 155th Street to the south. This study area includes the following census tracts in their entirety: 59.01, 59.02, 173, and 183. The following census tracts have more than 50 percent of their area within the quarter-mile radius and were also included in the non-residential study area: 57, 69, 141, 143, 187, and 195.

Methodology

The total residential population was calculated using 2000 Census data and the number of employees was determined by collecting reverse journey-to-work data from the Census Transportation Planning Package (CTPP). The total residential and non-residential (worker) populations were then used to determine the ratio of population to total open space for residential, worker and combined residential and worker populations in both the quarter-mile and half-mile study areas. These ratios were then compared with existing citywide averages and planning goals set forth by DCP.

Only open space resources located within the census tracts that comprise the residential and non-residential study areas were included in the open space analysis. Consequently, there are several open space resources that are located within a half-mile radius of the proposed rezoning but were excluded from the analysis because they are located in census tracts that do not have a majority of their area within the half-mile radius. This means that the analysis of open space resources underestimates the total acreage of open space accessible to future residents and workers.

The information used for this analysis was acquired from the New York City Department of Parks and Recreation (NYCDPR) and other agencies. For each open space, active and passive recreational spaces were noted and the acreage dedicated to each type of recreation was estimated. Active open space facilities are characterized by activities such as jogging, field

sports, and children's active play. Such open space features might include basketball courts, baseball fields, or play equipment. Passive open space facilities are characterized by activities such as strolling, reading, sunbathing, and people-watching. Some spaces have both active and passive recreation uses.

Residential Study Area Demographics

Census data from 2000 was collected for all census tracts within the residential study area in order to calculate the total population of residents. As shown in Table 3.4-1 below, the residential study area has a 2000 population of approximately 71,729 people. CTPP data for total workers 16 years and over at their place of work, regardless of residence, were also compiled for each census tract in order to calculate the total population of workers within the residential study area. The total number of non-residents, or workers, within the census tracts included in the residential study area provides a means of establishing a basis for sufficiency of open space among workers. The total worker population within the residential study area is approximately 20,500 persons for a total user population (residential and non-residential) of 92,229 persons.

The residential study area includes 17 census tracts, ten of which are also located within the non-residential study area. Table 3.4-1 below shows that approximately 55.9 percent of the total population in the residential study area falls between the ages of 20 and 64. Thirty-five and six-tenths percent of the population are 19 years old or younger (those typically requiring active recreation) and 8.6 percent are 65 years of age or older (persons generally preferring passive recreation). The age distribution of the study area population differs from the Bronx as a whole, where the 19 and under population is higher than in the Bronx, and the 20 to 64 and the 65 and older populations are slightly lower than in the Bronx. With these demographic characteristics, the study area has need for a range of active and passive recreation facilities, including those geared toward both children and adults.

Table 3.4-1: Population and Age Group Distribution (Residential Study Area)

Census Tract	Residential Population	Worker Population	Under 20 yrs	% Under 20 yrs	20 – 64 yrs	% 20 – 64 yrs	65+ yrs	% 65+ yrs
Non-residential study area:								
Tract 57*	858	2,545	138	16.1%	648	25.5%	72	8.4%
Tract 59.01*	4,972	2,405	1,686	33.9%	2,935	59.0%	351	7.1%
Tract 59.02*	2,682	870	792	29.5%	1,640	61.1%	250	9.3%
Tract 69*	4,323	470	1,849	42.8%	2,145	49.6%	329	7.6%
Tract 141*	2,209	660	970	43.9%	1,136	51.4%	103	4.7%
Tract 143*	817	335	344	42.1%	425	52.0%	48	5.9%
Tract 173*	4,842	515	1,855	38.3%	2,551	52.7%	436	9.0%
Tract 183*	8,377	3,365	2,709	32.3%	4,852	57.9%	816	9.7%
Tract 187*	33	1,005	0	0%	33	100%	0	0%
Tract 195*	7,327	960	2,655	36.2%	4,197	57.3%	475	6.5%
Residential study area:								
Tract 61	4,039	2,155	840	20.8%	2,212	54.8%	987	24.4%
Tract 67	6,491	935	2,584	39.8%	3,394	52.3%	513	7.9%
Tract 71	1,885	955	784	41.6%	987	52.4%	114	6.0%
Tract 139	571	355	230	40.3%	308	53.9%	33	5.8%
Tract 175	6,466	620	2,457	38.0%	3,353	51.9%	656	10.1%
Tract 181	8,573	1,110	3,009	35.1%	4,971	58.0%	593	6.9%
Tract 189	7,264	1,240	2,611	35.9%	4,287	59.0%	366	5.0%
Bronx	**1,332,650**	**280,940**	**438,523**	**32.9%**	**760,179**	**57.0%**	**133,948**	**10.1%**
Open Space Study Area	**71,729**	**20,500**	**25,513**	**35.6%**	**40,074**	**55.9%**	**6,142**	**8.6%**

Source: 2000 US Census; Central Transportation Planning Package (CTPP) 2000.

Non-Residential Open Space Study Area Demographics

The non-residential open space study area has a population of approximately 36,440 people, as shown in Table 3.4-2. CTPP data for total workers 16 years and over at their place of work, regardless of residence, were compiled for each census tract within the non-residential study area. The total number of non-residents who work within the census tracts included in the non-residential study area provided a basis for determining sufficiency of open space among workers. The total worker population within the non-residential study area is approximately 13,130, for a total user population (residential and non-residential) of 49,570 persons. Table 3.4-2 summarizes the demographics for the quarter-mile non-residential study area as a whole, by the number of non-residents and by the age distribution of residents, in both total numbers and as a percentage.

Table 3.4-2: Population and Age Group Distribution (Non-Residential Study Area)

Total Residential Population	Total Worker Population	Under 20 yrs	% Under 20 yrs	20 – 64 yrs	% 20 – 64 yrs	65+ yrs	% 65+ yrs
36,440	**13,130**	**12,998**	**35.7%**	**20,562**	**56.4%**	**2,880**	**7.9%**

Sources: 2000 US Census, Central Transportation Planning Package (CTPP) 2000.

The non-residential open space study area shows similar results to the residential study area, in that the percentage of people under the age of 20 is higher than the percentage of people under 20 in the Bronx as a whole. The percentage of the population from ages 20-64 in the non-residential study area is a little higher than that within the residential study area, matching more closely with the Bronx as a whole. The proportion of population that is 65 and older in the non-residential study area is slightly smaller than the proportion in the residential study area, and is quite smaller than the proportion in the Bronx as a whole, where 10.1 percent of the population is 65 and older.

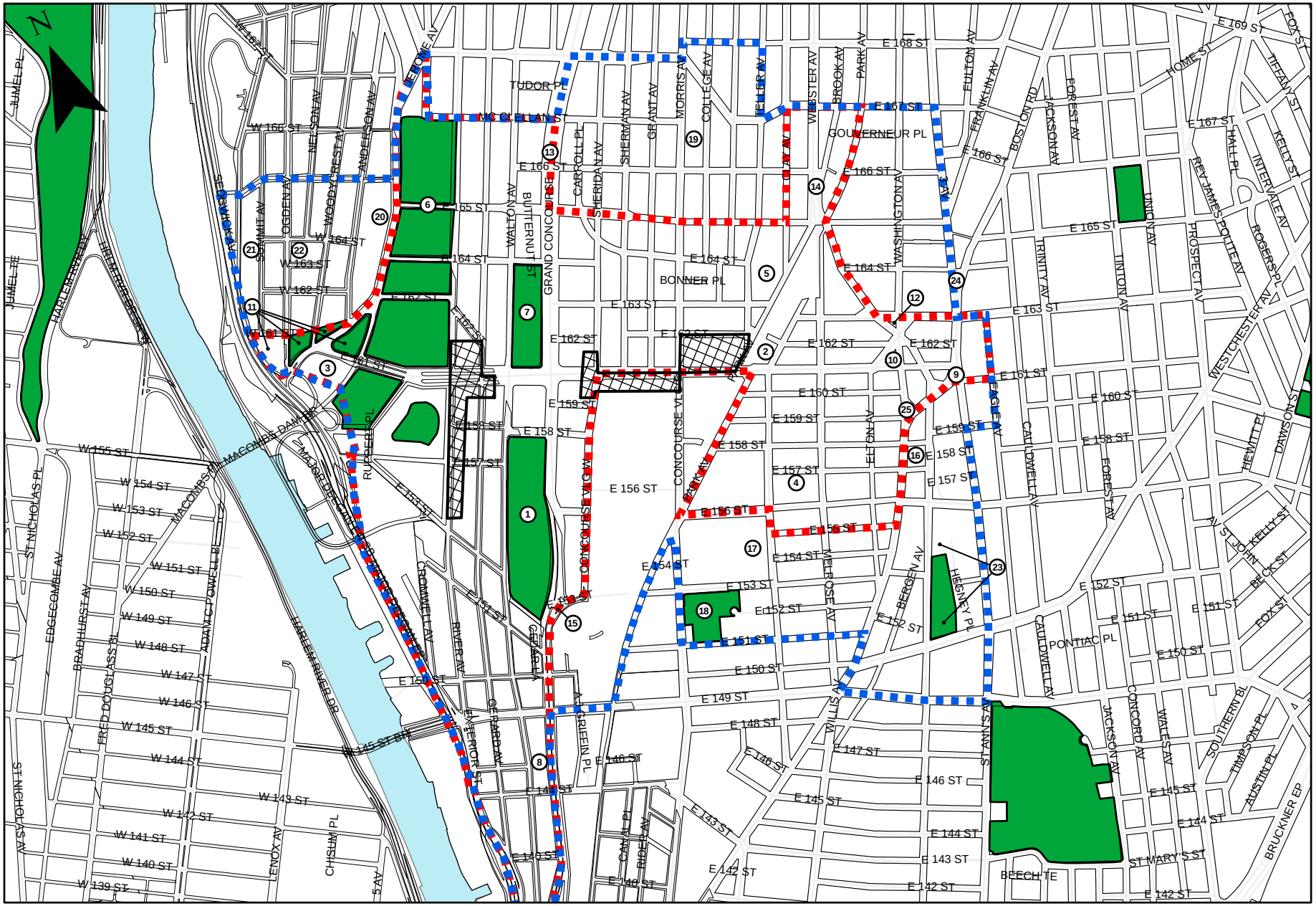
Inventory of Publicly Accessible Open Space

Open space may be publicly or privately owned and may be used for active or passive recreational purposes. According to the *CEQR Technical Manual* public open space is defined as publicly or privately owned land that is publicly accessible (open to the public for designated daily periods on a regular basis) and has been designated for leisure, play or sport, or land set aside for the protection and/or enhancement of the natural environment. Private open space that is not accessible to the general public on a regular basis can only be considered qualitatively.

An open space is determined to be active or passive by the uses which the design of the space allows. Active open space is the part of a facility used for active play such as sports or exercise and may include playground equipment, playing fields and courts, swimming pools, skating rinks, golf courses, lawns, and paved areas for active recreation. Passive open space is used for sitting, strolling, and relaxation with benches, walkways, and picnicking areas.

All publicly accessible open space facilities within the study area were inventoried in July 2008 and were identified by their location, size, type, and features. Table 3.4-3, Existing Open Space Resources, identifies existing resources in the study area, their address, and estimates of the distribution of active and passive open space. Figure 3.4-2 maps the location of open spaces within the entire open space study area and shows them in context with the quarter-mile non-residential and half-mile residential study area boundaries. When initially referenced in the text, study area open space resources are listed by the number used to identify them in Table 3.4-3 and on Figure 3.4-2.

There are several open space resources that are located within a half-mile radius of the proposed action (i.e., the reasonable walking distance that users would travel to reach open space), but are not located in census tracts that have a majority of their areas located within the half-mile radius. As such, Nelson Playground, Charlton Garden, Cauldwell Playground, Franklin Triangle, El Batey Borincano Garden, and La Casitas Community Garden, which have a combined total of 2.21 acres of open space, were excluded from the quantitative analysis. However, these open space resources were considered qualitatively, in addition to regional "destination" open spaces, which are located outside of the study area but are recognized as resources for which people would travel greater distances to access. These open space resources include: St. Mary's Park, a 35.3-acre park located approximately 0.7 miles southeast of the study area; Claremont Park, a 38.5-acre park located approximately 0.7 miles north of the study area; and Crotona Park, a 127.5-acre park located approximately one mile northeast of the study area.



Legend

- Residential Study Area
- Non-residential Study Area
- Rezoning Area
- (1) Open Space Resource

0 1,150 2,300 Feet

Figure 3.4-2 - Existing Open Space Resources

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Yankee Stadium Redevelopment Project

Construction related to the Yankee Stadium Redevelopment Project was taking place at the time of the open space inventory. The project will result in the displacement of 22.42 acres of parkland (18.55 acres from Macomb's Dam Park and 3.89 acres from Mullaly Park) and will provide 27.05 acres of replacement parkland by the fall of 2011, resulting in a net increase of 4.63 acres of parkland.

According to the New York City Department of Parks and Recreation (DPR), the following new and replacement open space resources within the open space study area were scheduled for completion by the summer of 2008 (i.e., the time of the existing open space inventory): an interim track and field facility located at the intersection of East 161st Street and Jerome Avenue and a permanent ballfield located at Public School (P.S.) 29. The Interim Track and Field was developed on land that was mapped as parkland within Macomb's Dam Park, although it was previously used as a parking lot. In the winter of 2008-2009, the facility is scheduled for demolition and will be replaced by a parking garage with a rooftop park of approximately the same acreage.

The analysis of existing open space conditions includes the acreage of the Interim Track and Field separately from Macomb's Dam Park (shown in Table 3.4-3), as the land is no longer part of Macomb's Dam Park. The permanent ballfield at P.S. 29 is also included in the analysis, although its acreage is estimated. Open space resources that have been displaced as a result of the construction of the new stadium (i.e., portions of Mullaly Park and Macomb's Dam Park) have been appropriately adjusted in the analysis of existing resources, as shown in Table 3.4-3.

Table 3.4-3: Existing Open Space Resources (Residential and Non-Residential Study Area)

Map Key #	Name/Address	Description	Acreage		
			Total	**Active**	**Passive**
Non-residential study area:					
1	Franz Sigel Park E 153 St to E 158 St, between Walton Ave and Grand Concourse	Park: basketball court, softball and baseball fields, walking paths, benches	15.99	6.40	9.59
2	Railroad Park E 161 St and Courtlandt Ave	Park: jungle gym, benches, circular walkway	0.732	0.042	0.690
3	Interim Track and Field E 161 St and Jerome Ave	Park: running track and field	2.89	2.89	0
4	P.S. 29 Permanent Ballfield E 157 St, Courtlandt Ave to Melrose Ave	Park: baseball field	0.99	0.99	0
5	Arcilla Playground E 164 St, Park Ave, Clay Ave, Teller Ave	Playground: play equipment, spray shower, game tables, basketball and handball courts	1.377	1.334	0.043
6	Mullaly Park E 162 St to McClellan St, Jerome Ave to River Ave	Park: outdoor pool, play equipment, basketball courts, baseball fields, recreation center, skate park	14.626	11.133	3.493
7	Joyce Kilmer Park E 161 St to E 164 St, Walton Ave to Grand Concourse	Park: benches, open lawn, walking paths, play equipment	6.882	0.170	6.712
8	Garrison Playground E 146 St, Walton Ave to Grand Concourse	Playground: chain-link fence and trees enclosing space, basketball and handball courts	0.70	0.56	0.14
9	Captain Oliver Triangle E 161 St, Third Ave, St. Ann's Ave	Triangle: landscaped area with trees and shrubs	1.19	0	1.19
10	O'Neill Triangle E 161 St, Washington Ave, Elton Ave	Triangle: lawn area with trees and benches	0.169	0	0.169
11	Macomb's Dam Park E 157 St to E 162 St, Harlem River to River Ave	Park: benches, sitting areas, play equipment	6.98	0.10	6.88
12	Greenstreet E 163 St, Wahington Ave, Brook Ave	Triangle	0.054	0	0.054

13	Greenstreet Grand Concourse Planter, between E 165 St and E 170 St	Strip of landscaped area	NA	NA	NA
14	Greenstreet 166 St, Webster Ave, Brook Ave	Strip of landscaped area	NA	NA	NA
15	Greenstreet E 153 St and Grand Concourse	Strip of landscaped area	NA	NA	NA
Residential study area:					
16	John and Michael Flynn Playground E 157 St to E 158 St, Third Ave to Brook Ave	Playground: play equipment, basketball courts	0.82	0.76	0.06
17	Melrose Playground Courtlandt Ave from E 153 St to E 156 St	Playground: play equipment, swings, multi-use courts	1.001	1.001	0
18	Governor Smith Playground E 151 St to E 153 St, Morris Ave to Courtlandt Ave	Playground: running track, tennis courts, multi-use sports field	3.564	3.564	0
19	Mott Playground E 166 St to E 167 St, Morris Ave to College Ave	Playground: play equipment, basketball and handball courts	1.49	1.49	0
20	Jerome Hill W 165 St and Jerome Ave	Steep strip of landscaped area with stairs between Anderson and Jerome Avenues	0.764	0	0.764
21	Summit Avenue Park W 164 St and Summit Ave	Park	0.061	0	0.061
22	Taqwa Community Farm W 164 St, between Ogden Ave and Woodycrest Ave	Garden for growing crops	0.494	0	0.494
23	Merrill Lych Field of Dreams E 156 St to Westchester Ave, Brook Ave to Hegney Place	Park: running track and field, little league field, pedestrian path	5.00	4.15	0.85
24	Greenstreet E 164 St, Boston Rd, Third Ave	Triangle	0.06	0	0.06
25	Greenstreet E 158 St, Third Ave, Washington Ave	Strip of landscaped area	NA	NA	NA
	TOTAL		**65.83**	**34.58**	**31.25**

Source: New York City Department of Parks and Recreation
Source for Mullaly Park and Macombs Dam Park: Yankee Stadium Redevelopment Project, FEIS

The residential study area has a relatively small amount of publicly accessible open spaces. Of the 25 open space resources, nine are parks, six are playgrounds, nine are triangles or strips of landscaped grassy areas, and one is a garden. All of the six playgrounds contain at least one jungle gym or other type of play equipment, and eight of the nine parks contain some form of active recreation space. None of the nine triangles/plazas have active space. Fourteen of the 25 open spaces (56 percent) in the study area have some active space and seven resources have only passive space (28 percent). The acreage of the remaining four resources are not available, however they are likely to contain only passive space, as they are greenstreets and a community garden. The proposed rezoning area does not contain any open space resources.

In total, the 25 open space resources in the residential study area contain 65.83 acres of open space. The open space resources in the study area are approximately 53 percent active and 47 percent passive, with 34.58 acres and 31.25 acres respectively.

The largest open space resources in the study area are (in order of size): Franz Sigel Park (#1), Mullaly Park (#6), Macomb's Dam Park (#11), and Joyce Kilmer Park (#7). All four open space resources have six or more acres, and together they provide the majority of open space in the study area. These four parks contain a total of 44.48 acres, accounting for approximately 73 percent of the total park acreage within the study area. These four parks contain approximately 17.8 acres of active recreational space and 26.67 acres of passive space, or 40 and 60 percent respectively.

Franz Sigel Park is the largest open space resource within the study area, containing 15.99 acres. The park is enclosed by East 153rd Street on the south, Walton Avenue on the west, East 158th Street on the north, and Grand Concourse on the east, and is characterized by its slopes and high rocky ridge, which was once used by George Washington to monitor the movements of British troops during the Revolutionary War. The park also contains several facilities for active recreation, including softball fields, a basketball court, and playgrounds, at its southern end.

Mullaly Park is bordered by East 162nd Street to the south, Jerome Avenue to the west, McClellan Street to the north, and River Avenue to the east. The park, which was originally 18.516 acres, now contains approximately 14.626 acres, as the southernmost section of the park has been redeveloped as part of the new Yankee Stadium. Mullaly Park was constructed as a multi-use recreational open space resource and contains several active facilities. The section of the park situated below East 165th Street includes an outdoor pool, play equipment, basketball courts, a recreation center, and a skate park. The skate park is one of the most popular features of the park, being frequented by skateboarders, rollerskaters, and BMX-riders. Facilities on the northern part of the park include play equipment, a marine-animal themed spray shower, two softball fields, a lawn, and benches.

The third largest open space resource in the study area, Macombs Dam Park, contains approximately 6.98 acres, having decreased significantly in size as a result of the Yankee Stadium Redevelopment Project. The portion of the park that has not been affected by construction generally surrounds and is bounded by Jerome Avenue, East 161st Street, Major Deegan Expressway, and the Harlem River. These parcels include several small, landscaped areas, a lawn area with a walking path, benches, game tables, a playground, and a fountain

ornamented with carved limestone dolphins and a lion's head. The park also houses Macomb's Dam Bridge, the third oldest major bridge in New York City and a designated New York City landmark since 1992.

The fourth largest open space resource in the study area, with 6.882 acres, is Joyce Kilmer Park. Located across from the Bronx County Courthouse, the park is bounded by Walton Avenue to the west, East 164th Street to the north, the Grand Concourse to the east, and East 161st Street to the south. The park features a playground at its northern end, lots of benches and grassy sitting areas, and walking paths that are frequented by professionals in the area. Joyce Kilmer Park also contains two monuments: the Louis J. Heintz statue, dedicated to the pioneer of the Grand Concourse, and the Lorelei fountain, which celebrates poet Heinrich Heine.

There are seven open space resources that have a total area from one to four acres. These areas, from largest to smallest are as follows: the Merrill Lynch Field of Dreams, Governor Smith Playground, Interim Track and Field, Mott Playground, Arcilla Playground, Captain Oliver Triangle, and Melrose Playground.

The Merrill Lynch Field of Dreams (#23) is an approximately five-acre park consisting of a six-lane track, a soccer field, and baseball and softball fields. The park was recently renovated to serve the athletic needs of students attending South Bronx High School, as well as Little League teams. Another resource with a running track, Governor Smith Playground (#18) lies adjacent to the Alfred E. Smith High School and Public School 1. Named in honor of former State Governor Alfred Emmanuel Smith, the 3.564-acre playground features a sports field (for use as a soccer, football, baseball and softball field) and several tennis courts, in addition to the full-size track. The only other track and field facility in the study area is located at the recently-developed Interim Track and Field (#3), which is an approximately 2.89-acre active open space. It was constructed as part of the Yankee Stadium Redevelopment Project as a temporary open space resource to alleviate the displacement of other open spaces while the new stadium remains under construction.

The 1.49-acre Mott Playground (#19), which lies adjacent to Junior High School 22, features play equipment, in addition to basketball and handball courts. Also lying adjacent to a school is Arcilla Playground (#5), located next to Junior High School 145. This playground has had several names since first opening, adopting its current name, "Arcilla," (the Spanish word for clay) to recognize the Hispanic influence in the neighborhood. Arcilla Playground features play equipment, a spray shower, game tables, and handball and basketball courts.

Captain Oliver Triangle (#9), located at the junction of East 161st Street, Third Avenue, and St. Ann's Avenue, is a landscaped passive area that pays tribute to Oliver Tilden, who was killed during the Civil War. The smallest open space resource in the study area with a total area greater than one acre is the Melrose Playground (#17), which contains 1.001 acres. This open space, which lies adjacent to the Melrose housing projects for which it was built, is visited by house sparrows, a bird species which became dominant in the city following its introduction from Europe, and is the site of several different species of trees. The playground features play equipment, swings, and multi-use courts.

The following is a synopsis of active open spaces in the study area that are less than one acre, which are as follows: John and Michael Flynn Playground, Garrison Playground, and the P.S. 29 permanent ballfield. All three of these open space resources feature play equipment. John and Michael Flynn Playground (#16) and Garrison Playground (#8) contain basketball courts, while Garrison Playground also contains handball courts, as well. The permanent ballfield at P.S. 29 (#4), which was developed as part of the Yankee Stadium Redevelopment Project, contains a baseball field that serves the needs of local Little Leaguers.

The majority of the passive recreation resources are triangles, gardens or grassy strips of land that line larger streets. All of the open space resources that are dedicated for passive use only, excluding Captain Oliver Triangle, are less than one acre. However, these resources do vary in terms of attractiveness and amenity. Some of these resources offer planting boxes and benches, while others may be landscaped spaces enclosed by a fence or divided with paved walkways.

Quantitative Analysis of Open Space Adequacy

Residential Open Space Study Area

The residential open space study area contains 65.83 acres of public open space, which consists of 34.58 acres for active use and 31.25 acres for passive use (See Table 3.4-3). Based on the 2000 census, 71,729 people reside within the residential open space study area. The residential open space study area has a combined (active and passive) open space ratio of approximately 0.92 acres of open space per 1,000 residents, and therefore does not meet DCP's planning guideline of 2.5 acres of combined active and passive open space per 1,000 residents.

While there are not vast open space resources in the study area, the low total acreage and open space ratio figures can be partially attributable to the Yankee Stadium Redevelopment Project. At the time of the existing open space inventory, the project had already displaced several pre-existing open space resources, but had not yet developed most of the replacement facilities which are planned. Both the active open space ratio, which is 0.48 acres of open space per 1,000 residents, and the passive open space ratio, which is 0.44 acres of open space per 1,000 residents, fall short of DCP recommended guidelines of 2.0 and 0.5 acres of open space, respectively.

When considering the total population in the study area (residents and workers), the passive open space ratio decreases further. The combined residential and worker populations total 92,229 persons. Therefore, the combined passive open space ratio in the residential study area is 0.33 acres, which is lower than the weighted average of the resident and worker target open space ratio of 0.422 acres per 1,000 residents and workers. Existing condition data are shown in Table 3.4-4.

Within the residential study area, approximately 55.9 percent of the population falls between the ages of 20 and 64, 35.6 percent under 20 and 8.6 percent are 65 years of age or older. The under 20 population uses more active open spaces and the over 65 population is more likely to use only passive open space. The population between the ages of 20 and 64 are likely to use both active and passive spaces.

Non-Residential Open Space Study Area

The analysis of the non-residential open space study area focuses on passive open spaces that may be used by workers in the area. To assess the adequacy of passive open space resources in the study area, the ratio of workers to acres of open space is compared with DCP's planning guideline of 0.15 acres of passive space per 1,000 workers. In addition, the passive open space ratio for both workers and residents in the area is compared to the weighted average of the resident and worker open space ratios. The weighted average target for combined open space residents and non-residents is 0.407 acres within the non-residential open space area.

The non-residential open space study area contains 52.58 acres of open space, with 28.96 acres for passive use. A total of 36,440 residents live in the non-residential study area and 13,130 people work in the non-residential study area. Therefore, the combined residential and worker population within this study area is 49,570. The non-residential study area has a ratio of 2.21 acres of passive open space per 1,000 workers, which is substantially higher than the City's guideline of 0.15 acres (see Table 3.4-4). This open space ratio indicates that there is a sufficient amount of passive open space within the non-residential study area to serve the worker population. The relatively high ratio of passive open space to workers in the non-residential study area is most likely due to the presence of large parks within the study area, including Franz Sigel Park, Joyce Kilmer Park, and Macomb's Dam Park.

When the residential and non-residential populations are combined (see Table 3.4-4), the combined passive open space ratio for residents and workers falls to 0.58 acres per 1,000 residents and workers, which is still higher than the recommended weighted average ratio of 0.407 acres. The combined passive open space ratio indicates that there are sufficient passive open space resources to serve the combined nonresidential and residential populations.

Table 3.4-4 summarizes the existing population, open space acreage, and open space ratios for residential, worker, and combined residential and worker populations for the residential and non-residential study areas.

Table 3.4-4: Existing Population, Acreage and Open Space Ratios

	Total Population	Open Space Acreage			Open Space Ratios per 1,000 People			DCP Open Space Guidelines		
		Total	Active	Passive	Total	Active	Passive	Total	Active	Passive
Non-Residential Study Area										
Non-residents	13,130	52.58	23.62	28.96	N/A	N/A	2.21	N/A	N/A	0.15
Combined non-residents and residents	49,570				N/A	N/A	0.58	N/A	N/A	0.407*
Residential Study Area										
Residents	71,729	65.83	34.58	31.25	0.92	0.48	0.44	2.5	2.0	0.5
Combined non-residents and residents	92,229				N/A	N/A	0.34	N/A	N/A	0.422*
*These ratios are the weighted average for the combined passive open space within the residential and non-residential study areas. The ratios were calculated by combining 0.15 acres per 1,000 non-residents and 0.50 acres per 1,000 residents.										

Qualitative Assessment of Open Space Adequacy

Residential Open Space Study Area

Although the existing open space ratio of 0.92 total acres per 1,000 residents within the residential study area is less than half of the desired guideline of 2.5 acres per 1,000 residents, the deficiency of open space resources is ameliorated by the presence of other open space resources that are located within a reasonable travel distance of the proposed rezoning area (i.e., a half-mile radius). There are six open space resources, consisting of a total of 2.21 acres, located within a reasonable travel distance from the proposed action that were excluded from the study area. Additionally, there are three regional "destination" open space resources located within approximately one mile of the study area, which are recognized as resources for which people would be willing to travel a greater distance to access. These three resources (St. Mary's Park, Claremont Park, and Crotona Park) contain over 200 acres of open space in total.

The deficiency in existing resources is greatest for active space; however, much of the deficiency in active space resources is temporary, as new active resources will be developed when the Yankee Stadium Redevelopment Project completes construction by the end of 2011. The project will also increase passive resources, meaning that this deficiency is also temporary. Also, although active space resources are limited, a wide variety of options for active users are available, including: play equipment, basketball and handball courts, soccer fields, baseball and softball fields, an outdoor swimming pool, a skate park, and track and field facilities. The three track facilities are especially attractive resources amongst active adults.

In addition to the planned construction of passive open space as part of the Yankee Stadium Redevelopment Project, the deficiency in existing passive open space is ameliorated by user

group preferences. Those most likely to use passive open space (i.e., the population over 65 and some of the population between 20 and 64) are a smaller percentage of the study area population than in the Bronx as a whole, meaning that existing passive open space resources are more likely to satisfy the needs of its users despite being below DCP guidelines. Furthermore, residents are more likely to use passive space on the weekends and in the evenings on weekdays, while non-residents are more likely to use passive space during business hours on weekdays.

Non-Residential Open Space Study Area

A total of 15 of the 25 open space resources within the open space study area are located within the Census tracts which comprise the non-residential study area. These open space resources account for 52.58 acres, or 80 percent of the total 65.83 acres located within the open space study area. The non-residential study area has a passive open space ratio of 2.21 acres per 1,000 workers, which is substantially higher than DCP's recommended ratio of 0.15 acres per 1,000 non-residents. When the residential and non-residential populations are combined (see Table 3.4-4), the combined passive open space ratio for residents and workers falls to 0.58 acres per 1,000 residents and workers, which is above than the recommended weighted average ratio of 0.407 acres. Therefore, as both ratios are above recommended guidelines, there are sufficient existing passive open space resources to serve the residents and non-residents in the non-residential study area.

3.4.2 FUTURE WITHOUT THE PROPOSED ACTION

In the future without the proposed action, under the Reasonable Worst Case Development Scenario (RWCDS) developed by DCP, both residential and commercial development is expected by 2018. As discussed in Chapter 3.1, "Land Use, Zoning, and Public Policy," several future no-action projects are expected to occur by the 2018 analysis year within a half-mile radius of the proposed action area. The following is a discussion of the open space projects that are expected to be developed in the residential and non-residential study areas and the expected populations in the future without the proposed 161st Street Rezoning project.

Residential Open Space Study Area Population Estimates

Past trends in the residential open space study area were evaluated in order to provide the best estimate for growth trends of the open space study area by the action year of 2018. The population of the residential open space study area was approximately 65,953 in 1990 and 71,729 in 2000 for a net increase of 5,776, or 577.6 residents per annum. This is a rate of growth of approximately 8.8 percent over 10 years. Assuming that population growth follows past trends in the area, it is estimated that the residential population would increase by 577.6 per year through 2018, adding approximately 10,397 residents in the 18-year period from 2000 to 2018. Therefore, the open space study area is expected to increase to 82,126 residents in the year 2018.

There are 25 projects that are expected to be developed in the future without the proposed action that would impact the residential and/or worker populations in the residential study area, including the Gateway Center at the Bronx Terminal Market, Boricua Village, the rezoning of the Lower Concourse, and the Yankee Stadium Redevelopment Project. There are 22 no-action

projects expected to result in the development of new dwelling units, and five no-action projects expected to develop new retail, office, hotel, and community facility space. Boricua Village and the Lower Concourse Rezoning are expected to generate a substantial amount of both residents and non-residents.

The 22 projects that would impact the residential population are expected to result in the development of approximately 4,440 dwelling units. In addition, there are 299 dwelling units expected under the future no-action scenario of the Reasonable Worst Case Development Scenario (RWCDS). In total, 4,739 dwelling units are expected to be developed in the future without the proposed action. The no-action projects are discussed in further detail in Chapter 3.1, "Land Use, Zoning, and Public Policy," and the resulting increase in the population within the residential study area is discussed in further detail below.

The projected 4,739 dwelling units expected under no-action conditions would add approximately 14,122 additional residents to the open space study area (number of DU's multiplied by the average household size of 2.98 for Community Districts 1, 3, and 4). The projected population of 82,126 in 2018 plus the 14,122 additional residents would result in an estimated future open space study area residential population of 96,248 under no-action conditions. Table 3.4-5 summarizes the number of new dwelling units and employees generated by the expected no-action projects in the residential open space study area.

Table 3.4-5: Study Area Residential Populations Generated by Expected Future No-Action Projects

Project	Number of Dwelling Units
Located within ¼ mile study area	
The Dorado – Melrose Commons	58
The Aurora – Melrose Commons	91
Melrose Commons Site p/o 5	75
Courtlandt Corners I – Melrose Commons	71
Courtlandt Corners II – Melrose Commons	252
Boricua Village – Melrose Commons	699
Melrose Commons Site 15	16
Melrose Commons Sites 52,53,54	92
Melrose Commons Site 62	163
Melrose Commons Site 64	176
Melrose Commons Site 23 & 31	16
El Jardin	84
3160 Park Avenue	178
946-50 College Avenue	61
580 River Avenue	500
Lower Concourse Rezoning	1,133[1]
Subtotal	**3,665**
Located within ½ mile study area	
The Orion – Melrose Commons	77
Melrose Commons Site p/o 17	96
Melrose Commons Site p/o 17	64
Via Verde/The Green Way – Bronxchester	221
3313 Third Avenue	128
Bronx Museum Expansion	189
Total	**4,440**

Source: *NYC Department of City Planning*
[1] Only projected development sites within Census tract 57 (sites 5, 6, 7, 8, 9, 10, 11, 12, and 13) are included in the study area.

Table 3.4-6: Study Area Non-Residential Populations Generated by Expected Future No-Action Projects

Project	Number of Employees
Located within ¼ mile study area	
Boricua Village – Melrose Commons	178
Yankee Stadium Redevelopment	700[1]
Gateway Center at Bronx Terminal Market	1,921[3]
Lower Concourse Rezoning	-1,484[4]
Subtotal	**1,315**
Located within ½ mile study area	
Mott Haven Campus	300[2]
Total	**1,615**

[1] According to the *Yankee Stadium Redevelopment Project FEIS*
[2] According to the *Mott Have School Facility FEIS*
[3] According to the *Gateway Center at Bronx Terminal Market FEIS*
[4] Only projected sites within Census tract 57 (sites 5, 6, 7, 8, 9, 10, 11, 12, and 13) are included in the study area

The number of workers is also expected to increase within the residential open space study area in the future without the proposed action. There are five projects in the study area that are either currently under construction or anticipated to be completed before the action year of 2018. Predictions on the number of workers these projects would generate were calculated by using a threshold for employees per a specific amount of square footage, depending on the type of space that is being built and by the number of residential dwelling units that have been proposed. Employment numbers were based on the following: three employees per 1,000 sf of retail, four employees per 1,000 sf of office space, one employee per 800 sf of utility use, one employee for every 1,000 sf of storage/manufacturing, one employee for every 10,000 sf of parking, one employee per 300 sf of community facility and institutional space, one employee per 500 sf of hotel and 0.04 employees per dwelling unit of residential use. The expected square footages of each land use are detailed in Chapter 2.0, "Project Description."

Under existing conditions, there are approximately 20,500 workers within the residential open space study area. The five future no-action projects expected to impact the non-residential population would add approximately 1,615 employees to the residential study area, as shown in Table 3.4-6 above. The Gateway Center at the Bronx Terminal Market is expected to generate the largest amount of workers, at 1,921, while the Lower Concourse Rezoning is expected to reduce the number of non-residents is the area by 1,484. This is because the project development sites related to the Lower Concourse Rezoning that fall within the study area are expected to convert existing office and manufacturing space into residential uses. The as-of-right development (see Chapter 2.0, "Project Description") expected on portions of nine of the 11 projected development sites in the future no-action scenario would result in an incremental addition of approximately 116 additional workers to the residential study area.

The total number of workers in the residential study area is therefore expected to be 22,231 in the future without the proposed action. Combining the 96,248 no-action residential population to the 22,231 worker population expected under no-action conditions would yield approximately 118,479 combined residents and workers within the residential open space study area. This information is summarized in Table 3.4-7 below.

Table 3.4-7: Future No-Action (2018)
Residential Study Area Projected Population

	Residential Population				Worker (Non-Residential) Population		
	Existing Residential Population (2000 Census)	**Residential Increase due to Population Growth (0.9%/year)**	**Residential Increase due to Future No-Action Projects**	**Projected Future No-Action Residential Population**	**Existing Worker Population**	**Increase due to Future No-Action Projects**	**Projected Future No-Action Worker Population**
Study Area Population	71,729	10,397	14,122	**96,248**	20,500	1,731	**22,231**

Non-Residential Study Area Population Estimates

Past trends in the non-residential open space study area were also researched in order to provide the best estimate for growth trends within the non-residential open space study area by the project horizon year of 2018. The population was approximately 35,668 in 1990 and 36,440 in 2000 for a net increase of 772. Assuming that population growth follows past trends in the area, it is estimated that the residential population would increase by approximately by 1,390 residents in the 18-year period from 2000 to 2018. Therefore, the non-residential study area would have approximately 37,830 residents in the year 2018.

There are 16 no-action projects within the non-residential study area that are expected to impact the residential population. These 16 projects combined would add a total of approximately 3,665 residential dwelling units to the non-residential study area, with the Lower Concourse Rezoning and Boricua Village expected to contribute the greatest amount of dwelling units. In addition, there are expected to be 299 additional dwelling units developed on the projected development sites under the future no-action scenario according to the Reasonable Worst Case Development Scenario (RWCDS). In total, 3,964 dwelling units are expected to be developed in the future without the proposed action. The additional 3,964 dwelling units expected under no-action conditions would add approximately 11,813 additional residents to the open space study area (number of DU's multiplied by the average household size of 2.98 for Community Districts 1, 3 and 4). The 37,830 population expected in 2018, plus the 11,813 additional residents, results in an anticipated open space study area population of 49,643 under future no-action conditions.

There are currently 13,130 workers within the non-residential quarter-mile study area. In the future no-action scenario, there would be approximately 14,561 workers in the study area in 2018, which includes the 13,130 existing workers added to the additional 1,431 workers that would be generated as a result of the four no-action projects located in the non-residential study area and the as-of-right developments expected to occur on portions of nine of the 11 projected development sites in the proposed rezoning area. The 14,561 additional workers within the quarter-mile open space study area, plus the projected 49,643 future residential population would result in a future combined non-residential open space study area population of approximately 64,204 residents and workers under no-action conditions. The expected growth trends within the non-residential study area are shown in Table 3.4-8 below.

Table 3.4-8: Future No-Action (2018)
Non-Residential Study Area Projected Population

	Residential Population				**Worker (Non-Resident) Population**		
	Existing Residential Population (2000 Census)	**Residential Increase due to Population Growth (0.2%/year)**	**Residential Increase due to Future No-Action Projects**	**Projected Future No-Action Res. Population**	**Existing Worker Population**	**Increase due to Future No-Action Projects**	**Projected Future No-Action Worker Population**
Study Area Population	36,440	1,390	11,813	**49,643**	13,130	1,431	**14,561**

Inventory of Future No-Action Open Space

The Yankee Stadium Redevelopment Project is the only project that is expected to create or expand open space resources in the non-residential study area by 2018 in the future without the proposed project. While this is the only project impacting the availability of open space resources in the non-residential study area, it comprises the majority of future open space resources in the residential study area as well, consisting of 18.34 acres. There are six new open space resources that are expected to be developed related to the Yankee Stadium Redevelopment Project, although one resource (the Rooftop Park) will displace the existing Interim Track and Field, which consists of the same acreage. The largest planned open space resource that falls within the non-residential study area is Heritage Field, which will be active recreation space developed on the site of the existing Yankee Stadium. Replacement open space resources expected to be developed within Macomb's Dam Park as part of the Yankee Stadium Redevelopment Project will also contribute a sizable amount of active space to the study area.

There are two other open space resources, related to the Boricua Village project and the Mott Haven Campus, that are expected to be developed that will be located within the residential study

area. Of the two, the playing fields at Mott Haven Campus are expected to consist of a greater total area, at 3.24 acres. These fields will be an active recreation space and will be accessible to the public during non-school hours.

Additionally, one open space would be lost in the no-action condition, which is the 2.89-acre Interim Track and Field. However, this open space resource was constructed as a temporary facility during the construction of the new Yankee Stadium and will be replaced by a parking garage that will have a rooftop park consisting of approximately the same acreage as the Interim Track and Field facility. Also, there are two open space resources expected to be constructed by 2018 - the Bronx Terminal Market Waterfront Park (part of the Yankee Stadium Redevelopment Project) and the Bronx Terminal Market off-site park - that will be located within a quarter-mile radius, and an additional resource (Lower Concourse park) that will be located within a half-mile radius, of the proposed rezoning which were not included in the quantitative analysis because they are located within census tracts which were excluded from the study areas. These three open space resources are expected to have a combined area of 9.82 acres.

Overall, with the addition of eight new open space resources and the removal of one existing open space, under the 2018 no-action condition, the additional open space is expected to result in a net increase of approximately 23.08 acres of open space in the residential study area, including 19.47 acres of active recreation space and 3.61 acres of passive recreation space.

Table 3.4-9: Open Spaces in the Future without the Proposed Action

Map Key #	Name / Address	Description	Acreage		
			Total	**Active**	**Passive**
Non-Residential Study Area:					
26	Heritage Field* E 161 St and River Ave	Park: baseball field with spectator stands	8.90	8.9	0
27	Portion of Macomb's Dam Park* E 161 St and Ruppert Pl	Park: running track, soccer field, little league field, basketball courts, handball courts, play equipment, spectator stands	7.33	7.33	0
28	Interim Track and Field* E 161 St and Jerome Ave	Park to be demolished and redeveloped with a parking garage and Rooftop Park	-2.89	-2.89	0
29	Rooftop Park* E 161 St and Jerome Avenue	Park: fourteen tennis courts	2.89	2.89	0
30	Ruppert Plaza* Ruppert Place, E 161 St to E 157 St	Park: tree-lined walkway	1.13	0	1.13
31	River Avenue Parks* River Ave, either side of E 157 St	Parks: passive areas	0.68	0	0.68
32	Park* E 164 St, River Ave to Jerome Ave	Park: landscaped area, sculptured elements	0.30	0	0.30
Total net future added acreage in quarter-mile study area:			**18.34**	**16.23**	**2.11**
Residential Study Area:					
33	Boricua Village Project (including "Boricua Plaza" Elton Ave to Third Ave, E 163 St to E 161 St	Plaza: landscaped area, benches	1.5	0	1.5
34	Mott Haven Campus Playing Fields Concourse Village W to Concourse Village E, north of E 153 St	Park: active playing fields (open to the public during non-school hours)	3.24	3.24	0
Total net future added acreage in half-mile study area:			**23.08**	**19.47**	**3.61**
Total 2008 existing open space acreage:			**65.83**	**34.58**	**31.25**
Total 2018 future No-Action open space acreage:			**88.91**	**54.05**	**34.86**

* Part of the Yankee Stadium Redevelopment Project. *Source: Yankee Stadium Redevelopment Project FEIS*

Quantitative Analysis of Open Space Adequacy

Table 3.4-10 below outlines the projected no-action population, open space acreage and open space ratios for the future no-action condition for the residential and non-residential study areas in the year 2018.

Table 3.4-10: Future No-Action Projected Populations, Acreage and Open Space Ratios

	Total Population	Open Space Acreage			Open Space Ratios per 1,000 People			DCP Open Space Guidelines		
		Total	Active	Passive	Total	Active	Passive	Total	Active	Passive
Non-Residential Study Area										
Non-residents	14,561	70.92	39.85	31.07	N/A	N/A	2.13	N/A	N/A	0.15
Combined non-residents and residents	64,204				N/A	N/A	0.48	N/A	N/A	0.421*
Residential Study Area										
Residents	96,248	88.91	54.05	34.86	0.92	0.56	0.36	2.5	2.0	0.5
Combined non-residents and residents	118,479				N/A	N/A	0.29	N/A	N/A	0.434*

*These ratios are the weighted average for the combined passive open space within the residential and non-residential study areas. The ratios were calculated by combining 0.15 acres per 1,000 non-residents and 0.50 acres per 1,000 residents.

Residential Open Space Study Area

By 2018, the addition of eight open space resources within the residential study area is expected to result in a total net increase of 23.08 acres of open space, including 19.47 acres of active and 3.61 acres of passive open space. This addition would increase the total open space in the residential open space study area to approximately 88.91 acres, including 54.05 acres of active open space and 34.86 acres of passive open space, as compared to 65.83 total acres, 34.58 active space acres, and 31.25 passive space acres under 2008 existing conditions.

With the changes to the residential study area population and the open space inventory, there is expected to be a change in the open space ratio. With a projected population of 118,479 persons under future no-action conditions in the open space study area, the available open space ratio would be 0.92 acres per 1,000 residents, which is the same as existing conditions. The active open space ratio would be 0.56 active acres per 1,000 residents, a 16.7 percent increase from existing conditions. The passive open space ratio would be 0.36 passive acres per 1,000 residents, a decrease of 0.08 passive acres per 1,000 residents from existing conditions. Approximately 61 percent of the resources in the future without the action are expected to be dedicated to active uses and 39 percent to passive uses. The passive open space ratio for the combined resident and non-resident population would be approximately 0.29, which is below the recommended weighted average ratio of 0.434 acres per 1,000 combined residents and workers.

Non-Residential Open Space Study Area

The addition of open space resources in the future without the proposed action by 2018 is expected to be have a net increase of 18.34 acres of open space in the non-residential study area. This includes 16.23 acres of active recreation space and 2.11 acres of passive recreation space.

Projected developments in the study area are expected to introduce new workers and residents to the non-residential study area in the future without the proposed project, resulting in a decrease in the passive open space ratio for non-residents and combined residents and non-residents. The non-resident passive open space ratio would decrease from 2.21 acres in the existing condition to 2.13 acres in the future without the proposed action; however, this ratio would still be much higher than the 0.15 acres per 1,000 non-residents recommended by DCP. The passive open space ratio for the combined non-resident and resident populations would decrease to approximately 0.48 acres per 1,000 residents and non-residents, which still exceeds the recommended weight average ratio of 0.421 acres per 1,000 residents and non-residents, as shown in Table 3.4-9.

The quantitative assessment of no-action open space conditions reveals that some existing shortfalls in open space would be exacerbated, while other existing shortfalls, such as those related to available active space and total space in the residential study area, would be unchanged or improved upon. Table 3.4-10 presents the quantitative reduction in open space that is projected between the existing and no-action conditions.

Table 3.4-10 Future Without the Proposed Action – Open Space Ratios Summary

Ratio	DCP Guideline	Existing Ratio	No-Action Ratio	Percent Change (%)
Residential Study Area				
Total/residential	2.5	0.92	0.92	0
Passive/residential	0.5	0.44	0.36	-18.2
Active/residential	2.0	0.48	0.56	16.7
Non-Residential Study Area				
Passive/non-residential	0.15	2.21	2.13	-3.6
Passive/total population	0.421*	0.58	0.48	-17.2

*the weighted average combining 0.15 per 1,000 non-residents and 0.50 acres per 1,000 residents. Non-residents typically use passive open space; therefore, for the non-residential study area, only passive open space ratios are calculated. For the residential study area, passive, active and total open space ratios are calculated.

Qualitative Assessment of Open Space Adequacy

Residential Open Space Study Area

The total open space ratio for the residential study area under no-action conditions would remain the same as in existing conditions, which is below the DCP recommended guidelines. However, as was discussed in "Existing Conditions," the deficiency in total open space is ameliorated by the presence of additional open space resources that are located within a reasonable walking distance of the proposed action – as defined by the *CEQR Technical Manual* – but do not fall within the study area boundaries. The six existing open space resources within a half-mile of the proposed rezoning that are excluded from the quantitative analysis contribute an additional total of 2.21 acres of open space. Also, there are three open space resources (Bronx Terminal Market Waterfront Park, Bronx Terminal Market Off-site Park, and the Lower Concourse Park) expected to be constructed in the future without the proposed action that are located within a reasonable walking distance of the proposed action but do not fall within the study area boundaries. These resources are expected to consist of a combined total of 9.82 acres of open space.

There would be an improvement in the availability of much-needed active recreation spaces in the future without the proposed action, which is largely a result of the Yankee Development Redevelopment Project. The active open space ration in the residential study area would increase from 0.48 to 0.56 in the future without the proposed action. While the no-action active open space ratio would still fall below the DCP recommended guidelines, the deficiency is somewhat ameliorated by the variety and quality of active recreation facilities and the quality of the facilities. The future no-action open space resources include the same wide variety of active recreational facilities as under existing conditions, in addition to more tennis courts, more baseball and softball fields, more soccer fields, and more handball and basketball courts. The existing running track at the Interim Track and Field that will be removed will be replaced by a new running track located within the newly-renovated portions of Macomb's Dam Park.

The quality of active recreational facilities is expected to improve because many active space resources (30 percent of all active space) will be new, having been constructed after 2008. Additionally, the Yankee Stadium Redevelopment Project is expected to renovate and improve the recreational facilities in Mullaly Park. While the amount of available open space in Mullaly Park is not expected to change in the future, the quality of the facilities in the park is expected to improve as a result of the renovation. Additionally, the Bronx Terminal Market Waterfront Park and the Lower Concourse Park, while located outside of the study area boundaries, are expected to contribute an additional 7.11 acres of active space located within a half-mile of the proposed rezoning.

The passive open space ratio would decrease somewhat for the residential study area, to 0.36 acres per thousand residents, remaining below DCP's open space guideline of 0.50 acres per 1,000 residents. However, the new passive open spaces are expected to be developed in both the western and eastern portions of the residential study area, thus offering a greater geographical distribution of passive space resources, making these resources easier to access. The locations for the new passive space resources compliment the location of two of the largest passive space resources in the residential study area, Franz Sigel Park and Joyce Kilmer Park, which are

located in the middle of the residential study area. The passive open spaces being constructed as part of the Yankee Stadium Redevelopment project would allow strolling and observation opportunities along the active space resources, and the new passive open space within Boricua Village would provide seating areas that would largely serve the student population from Boricua College.

Non-Residential Open Space Study Area

For the non-residential study area, the anticipated increase in total population is somewhat countered by the availability of new open spaces that will allow greater choice for the residential component of this group. The passive open space ratio for non-residents remains well above the DCP guideline of 0.15 acres of passive space per 1,000 non-residents, at 2.13 acres of passive space per 1,000 non-residents, and the passive open space ratio for the total population in the non-residential study area, at 0.48 acres of passive space per 1,000 combined non-residents and residents, exceeds the recommended weighted average ratio.

3.4.3 FUTURE WITH THE PROPOSED ACTION

As described in detail in Chapter 2.0, "Project Description," the proposed rezoning is expected to result in the development of eleven projected development sites under the future action scenario. The projected incremental development anticipated to occur on the eleven sites in the future action scenario when compared to the no-action scenario is: 594 dwelling units; 42,004 square feet of retail space; and 306,011 square feet of office space.

The proposed action is expected to result in the net development of 594 dwelling units, including 148 low- and moderate-income dwelling units, on eleven projected development sites. The average household size for Community Districts 4 is 2.97. Based on this average household size, the 594 dwelling units in the future action scenario are expected to generate a net increase of approximately 1,764 residents.

The incremental employment within the open space study areas under the future action scenario was calculated using the same square footage to employees ratios used in section 3.4.2 "Future Without the Proposed Action." Employees generated by the eleven projected development sites were estimated based on the following ratios: three employees per 1,000 square feet of retail; four employees per 1,000 square feet of office space; and 0.04 employees per dwelling unit of residential use.

The eleven projected development sites are expected to generate approximately 1,374 new employees. The estimated employment numbers, dwelling units and breakdown of square footage by use under future no-action and future action conditions is presented in Chapter 3.2, "Socioeconomic Conditions."

The proposed action is expected to result in a net increase in the worker population that would exceed the CEQR threshold of 500 workers for requiring an open space analysis of the worker population. Therefore, an analysis of the future open space demand of the future worker population is warranted and the open space analysis focuses both on the open space for study

area residents and workers.

The proposed 161st Street Rezoning does not include the development of new open space resources. Therefore, the total acreage of open space resources in the residential open space study area would be 88.91 acres in the future action scenario, with 54.05 acres of active and 34.86 acres of passive open space. For the non-residential study area, the total open space acreage would be 63.94 acres, comprised of 39.75 active acres and 24.19 passive acres. The future inventory and location of all publicly accessible open spaces in the study areas are shown on Figure 3.4-3.

Residential Open Space Study Area Population Estimates

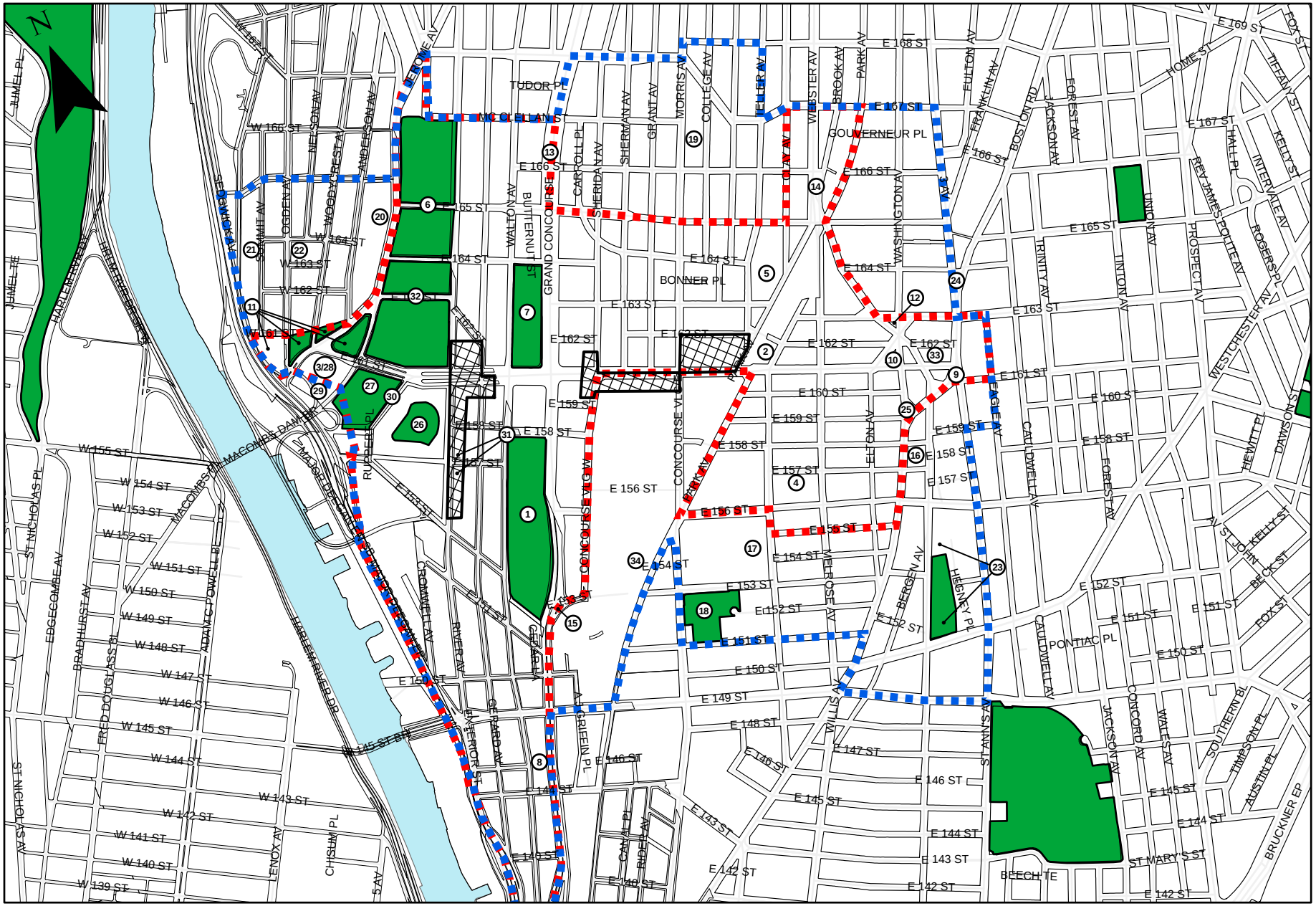
The proposed action is expected to result in an increase of approximately 1,764 new residents to the residential open space study area. By the analysis year 2018, the residential study area would therefore increase from 96,248 residents under future no-action conditions to 98,012 under future action conditions. In addition, the proposed action would add approximately 1,374 new workers to the residential study area. The new workers generated by the proposed action would increase the worker population in the residential open space study area from 22,231 workers in the future no-action scenario to 23,605 workers in the future action scenario. The table below outlines the increase in residential and worker populations in the residential open space study area.

Table 3.4-11: Future Action (2018) Residential Study Area Projected Population

	Residential Population			**Worker (Non-Residential) Population**		
	Projected Future No-Action Residential Population	**Projected Future Action Residential Population Increase**	**Projected Future Action Total Residential Population**	**Projected Future No-Action Worker Population**	**Projected Future Action Worker Population Increase**	**Projected Future Action Total Worker Population**
Study Area Population	96,248	1,764	**98,012**	22,231	1,374	**23,605**

Non-Residential Open Space Study Area Population Estimates

The increase in the residential population generated by the proposed action and included in the residential open space study area (approximately 1,764 new residents), would also be included in the non-residential open space study area. These new residents would result in a total increase from 49,643 residents under future no-action conditions to 51,407 residents under future action conditions. Similarly, the 1,374 workers generated by the proposed action and discussed above in the residential open space study area, would be included within the non-residential open space



Legend

- Residential Study Area
- Non-residential Study Area
- Rezoning Area
- (1) Open Space Resource

0 1,150 2,300 Feet

Figure 3.4-3 - Future Open Space Resources

161st Street Rezoning and Related Actions EIS
NYC Department of City Planning

study area. The worker population in the non-residential open space study area is estimated to increase from 14,561 under future no-action conditions to 15,935 under future action conditions. The table below outlines the increase in from future no-action and action scenarios within the non-residential study area.

Table 3.4-12: Future Action (2018) Non-Residential Study Area Projected Population

	Residential Population			Worker (Non-Residential) Population		
	Projected Future No-Action Res. Population	**Projected Future Action Residential Population Increase**	**Projected Future Action Total Residential Population**	**Projected Future No-Action Worker Population**	**Projected Future Action Worker Population Increase**	**Projected Future Action Total Worker Population**
Study Area Population	49,643	1,764	**51,407**	14,561	1,374	**15,935**

Quantitative Analysis of Open Space Adequacy

Table 3.4.13 outlines the population, open space acreage and open space ratios for the future action for the residential and non-residential study areas in the year 2018.

Table 3.4-13: Future Action Projected Populations, Acreage and Open Space Ratios

	Total Population	**Open Space Acreage**			**Open Space Ratios per 1,000 People**			**DCP Open Space Guidelines**		
		Total	Active	Passive	Total	Active	Passive	Total	Active	Passive
Non-Residential Study Area										
Non-residents	15,935	70.92	39.85	31.07	N/A	N/A	1.95	N/A	N/A	0.15
Combined non-residents and residents	67,342				N/A	N/A	0.46	N/A	N/A	0.417*
Residential Study Area										
Residents	98,012	88.91	54.05	34.86	0.91	0.55	0.36	2.5	2.0	0.5
Combined non-residents and residents	121,617				N/A	N/A	0.29	N/A	N/A	0.432*
*These ratios are the weighted average for the combined passive open space within the residential and non-residential study areas. The ratios were calculated by combining 0.15 acres per 1,000 non-residents and 0.50 acres per 1,000 residents.										

Residential Open Space Study Area

With a population of 98,012 and 88.91 total acres of open space, under 2018 Future Action conditions, the residential study area total (active and passive) open space ratio would be 0.91 acres per 1,000 residents. This would be a decrease of 0.01 acres per 1,000 residents compared to the Future No-Action total ratio and would be below the DCP guideline of 2.5 acres per 1,000 residents. The active open space ratio would be 0.55 acres per 1,000 residents, also a decrease of 0.01 acres per 1,000 residents compared to the future no-action ratio of 0.56 acres. The passive open space ratio would be 0.36 acres per 1,000 residents, which is the same as the future no-action passive open space ratio. Both the active open space ratio of 0.55 and the passive open space ratio of 0.36 are lower than DCP's guideline of 2.0 active acres per 1,000 residents and 0.5 passive acres per 1,000 residents. The passive open space ratio for the combined (residential and worker) population would remain the same as in future no-action actions, at 0.29 acres per 1,000 combined workers and residents, falling short of the recommended weighted average ratio of 0.432 acres per 1,000 workers and residents.

Non-Residential Open Space Study Area

The non-residential study area passive open space ratio would be 1.95 acres per 1,000 non-residents under future action conditions. This would be a decrease of 0.18 acres per 1,000 non-residents compared to the future no-action ratio of 2.13 acres per 1,000 non-residents, but well above the DCP guideline of 0.15 acres per 1,000 non-residents. The passive open space ratio for the combined (residential and worker) population would decrease from 0.48 acres per 1,000 combined workers and residents under future no-action conditions, to 0.46 acres per 1,000 combined workers and residents under future action conditions, which is above the recommended weighted average ratio of 0.417 acres per 1,000 workers and residents.

As shown in Table 3.4-14, with the proposed action, the percentage changes vary from between a zero percent loss to an 8.5 percent loss of open space ratio. The greatest change is seen in the non-residential study area, where there would be a loss of 8.5 percent; however, the DCP guideline is still easily exceeded, so this decline is not significant. Similarly, the passive space ratio for the total population in the non-residential study area would also decline, yet remain above the recommended weighted average ratio.

Table 3.4-14 Future With the Proposed Action – Open Space Ratios Summary

Ratio	DCP Guideline	No-Action Ratio	With-Action Ratio	Percent Change (%)
Residential Study Area				
Total/residential	2.5	0.92	0.91	-1.1
Passive/residential	0.5	0.36	0.36	0
Active/residential	2.0	0.56	0.55	-1.8
Non-Residential Study Area				
Passive/non-residential	0.15	2.13	1.95	-8.5
Passive/total population	0.417*	0.48	0.46	-4.2
*the weighted average combining 0.15 per 1,000 non-residents and 0.50 acres per 1,000 residents. Non-residents typically use passive open space; therefore, for the non-residential study area, only passive open space ratios are calculated. For the residential study area, passive, active and total open space ratios are calculated.				

Qualitative Analysis of Open Space Adequacy

Residential Open Space Study Area

The proposed action would not result in significant adverse impacts on open space in the residential study area. In comparison to future no-action conditions, the total open space ratio decreases by 1.1 percent in the future with the proposed action, which is one-tenth of one percent more than the *CEQR Technical Manual* recommends as a guideline for warranting a more detailed analysis. However, the quality of open space resources in the study area, as well as the availability of additional open space resources located just beyond the residential study area, indicate that open space resources under future action conditions would meet the needs of residents and non-residents in the residential study area.

The quality of open space resources, particularly those offering active recreation space, is expected to improve under future conditions because approximately 26 percent (or 23.08 acres) of the 88.91 acres of total open space will be constructed between 2008 and 2018, and even more open space resources (i.e., Mullaly Park) are expected to undergo renovations. Also, in the future with the proposed action, an additional 12.03 acres of open space (2.21 acres of existing resources and 9.82 acres of future resources) which do not fall within the study area are expected to be located within a reasonable walking distance of the proposed rezoning (i.e., within a half-mile). Furthermore, there are more than 200 acres of open space resources contained within three parks (St. Mary's, Claremont, and Crotona Parks) that are located within approximately one mile of the study area.

The limits on total and active open space which exist under future action conditions exist under future no-action conditions as well, with the proposed action contributing to only a slight decrease in resources by comparison. Both total and active open space ratios in the residential study area are greater in under future conditions with the proposed action than under existing conditions. This is largely due to plans related to the Yankee Stadium Redevelopment Project, which will result in the development, expansion and renovation of many open space resources, the majority offering active space.

Although the active open space ratio falls short of DCP recommended guidelines, it is only 0.01 acres per 1,000 residents less than the active open space ratio in the future without the action, and it is substantially higher than the active open space ratio in existing conditions. Additionally, the CEQR Technical Manual sets a goal that open space resources are 80 percent active. While future open space resources do not match this goal, a greater percentage of total future open spaces are active (61 percent) than are total existing open spaces (53 percent).

The deficiency in active space resources is further ameliorated by the wide variety of active facilities, including: a swimming pool, a skate park, play equipment, basketball and handball courts, baseball and softball fields, and tennis courts. There are also expected to be three running tracks located within the residential study area in the future with the proposed action, which is a particularly attractive resource among active adults. Furthermore, there will be approximately 8.73 additional acres of active space located outside of the study area that will be accessible (i.e., within a half-mile radius of the proposed rezoning area) to the resident population under future

conditions.

As the future with-action passive open space ratio remains unchanged from future no-action conditions, there is no potential for a significant impact.

Non-Residential Open Space Study Area

The passive open space ratio for non-residents is expected to decrease by 8.4 percent compared to no-action conditions, which is more than the five percent considered to be a substantial decrease in the *CEQR Technical Manual*. However, the ratio in the future with the proposed rezoning (1.52 passive acres per 1,000 non-residents) is still much higher than the DCP guideline of 0.15 passive acres per 1,000 non-residents and therefore the decrease in the passive open space ratio is not expected to result in a significant adverse impact.

The passive open space ratio for combined non-resident and resident populations in the non-residential study area is expected to decrease by 4.2 percent compared to no-action conditions. However, the ratio in the future with the proposed action (0.46 passive acres per 1,000 combined non-residents and residents) still exceeds the recommended weighted average ratio of 0.417 passive acres per 1,000 combined non-residents and residents. As such, the decrease in the passive open space ratio for combined non-residents and residents is not expected to result in a significant adverse impact.

3.5 SHADOWS

Introduction

The proposed action is not expected to result in significant adverse impacts from shadows created by projected and potential development sites.

According to the *CEQR Technical Manual*, a shadow is defined as the circumstance in which a building or other built structure blocks the sun from the land. An adverse shadow impact is considered to occur when the shadow from a proposed project falls on a publicly accessible open space; historic landscape; or other historic resource/ if the features that make the resource significant depend on sunlight; or if the shadow falls on an important natural feature and adversely affects its use; and/or important landscaping and vegetation. In general, shadows on city streets and sidewalks or on other buildings are not considered significant under CEQR. In addition, shadows occurring within one and one-half hours of sunrise or sunset generally are not considered significant under CEQR.

This chapter assesses the reasonable worst-case development scenario (see Chapter 2.0, Reasonable Worst Case Development Scenario," on a site-specific basis, for potential shadowing effects on existing light-sensitive resources, and discloses the range of shadow impacts, if any, which are likely to result from the action, further identifying:

- All projected and potential development sites, including those adjacent to existing natural resources, historic resources, and/or publicly accessible open spaces; and those located in areas which are not susceptible to shadow impacts.

- The potential effect of shadows from buildings on development sites identified in the RWCDS (both projected and potential development sites) on publicly accessible open spaces, light-sensitive natural resources, or light-sensitive historic resources and describing them through shadow diagrams and text.

The rezoning area is located in the Concourse Village section of the Bronx and is generally bound by River Avenue to the west, East 162nd Street to the north, Park Avenue to the east, and East 159th and East 153rd Street to the south. According to the *CEQR Technical Manual*, the longest shadow a structure will cast, except for periods close to dawn or dusk, is 4.3 times its height. Projected and potential development building heights would range from 45 feet up to 305 feet in portions of the study area, accordingly, the longest shadows cast by potential or projected new development would extend from 193.5 feet up to 1,311.5 feet in length. Preliminary assessment of future buildings on projected and potential development sites, and the shadows they would cast, found that several cast shadows long enough to reach open spaces and architectural resources. Therefore, a shadow screening analysis was undertaken for the projected and potential development sites to determine whether the proposed action has the potential to result in significant shadow impacts thereby requiring a detailed shadow analysis.

Methodology

Computer-generated simulations of the shadows under Future No-Action and Action conditions were prepared for representative times on four analysis days: March 21, May 6, June 21, and December 21. Since the CEQR methodology does not consider shadows and incremental increases in shadows within one and one-half hours of sunrise or sunset to be significant, the analysis period on each analysis day considers only the shadows that begin one and one-half hours after sunrise and end one and one-half hours before sunset. Daylight savings time was assumed for the analysis times on the March 21, May 6 and June 21 analysis dates. In general, shadows on city streets and sidewalks or on other buildings are not considered significant under *CEQR Technical Manual* guidelines.

The uses and vegetation in an open space determine its sensitivity to shadows. Uses that rely on sunlight include passive uses, such as sitting or sunbathing, and such activities as gardening or wading in fountains or pools. Vegetation requiring sunlight includes the tree canopy and flowering plants. In open spaces where lawns are actively used, the grass also requires extensive sunlight. Four to six hours a day of sunlight is generally a minimum requirement, particularly in the growing season (April to October). Sun-sensitive features of historic resources may include large windows admitting light into interior spaces, stained glass windows in churches, deeply sculpted façade ornamentation, and historic landscapes.

Following the guidelines of the *CEQR Technical Manual*, the analysis focuses on the incremental or additional shadows cast by the proposed development program in the Future Action development scenario beyond the shadows from structures which could be built under the Future No-Action development scenario. The analysis examines the potential impact of these incremental shadows and takes into account uses and users of open space, landscaping and vegetation of open space, as well as the characteristics of any significant natural features or historic resources with qualities or details that are sunlight-dependent and make such resources significant. The *CEQR Technical Manual* identifies the following conditions when a proposed development program may result in a significant shadow impact:

- Substantial reduction in sunlight where a sensitive use is already subject to substandard sunlight (i.e., less than the minimum time necessary for plant survival);
- Reduction in sunlight available to a sensitive use from more to less than the minimum time necessary for plant survival;
- Substantial reduction in sunlight to a sun-sensitive use or feature; and
- Substantial reduction in the usability of the open space.

There may be situations where a very small loss of sunlight is important (e.g., in areas where people sit or in a historic church with stained glass windows) or where a comparatively large loss is not significant (e.g., where vegetative species are shade-tolerant). Although these situations represent a general guideline for determining significant adverse impacts, each case is reviewed on its own merits. Potential impacts were considered based on the coverage and duration of

shadows on each sensitive receptor, as well as the presence or lack of sun-sensitive uses, the amount of use in general, and the availability of alternative space within each sensitive receptor.

The shadow diagrams and analysis presented in this chapter were developed using building envelope information supplied by the New York City Department of City Planning. For the purposes of this shadow analysis, projected and potential development sites were modeled assuming a "worst case scenario" bulk condition for each site, using maximum streetwall heights and maximum building heights. Projected and potential sites also include a representative bulk head volume on top of the highest story as well as 3-foot high parapet walls. Actual development in the future may involve less bulk.

3.5.1 RESOURCES OF CONCERN

In accordance with CEQR guidelines, the assessment of potential shadow impacts is limited to new shadows long enough to reach publicly accessible open spaces, historic resources, or important natural features. In coordination with Chapter 3.4, "Open Space," and Chapter 3.6, "Historic Resources", publicly accessible open spaces and architectural resources to the north, south, east, and west of the projected and potential development sites were identified, as shadows created by the proposed action could fall in the direction of these resources. A preliminary screening of historic and open space resources follows below.

Historic Resources

- **The Bronx County Courthouse** (NYCL and NR listed), known also known as the Mario Merola Building, was built in the Neo-classical style and is located at 851 Grand Concourse. This imposing, monumental civic edifice was designed by the architects Max Hausle and Joseph H. Freedlander and constructed between 1931 and 1934. The construction of nine-story building provided desperately needed employment during the Depression and stands today as a dominant feature of the Grand Concourse.

- **The Grand Concourse Historic District** (NYCL eligible and NR listed), added to the National Register in 1987, is located at 730-1000, 1100-1520, 1560, and 851-1675 Grand Concourse, falling partially within the proposed rezoning area. The district encompasses the Bronx County Courthouse and is characterized by its mix of residential and institutional buildings. The historic district spans approximately 500 acres and consists of 82 buildings that were mostly constructed in art deco and late 19th and 20th century revival styles.

The preliminary shadows assessment identified the two above historic resources that could be potentially affected by the sweep of new shadows from the projected and potential development sites, as listed above. As per CEQR guidelines, only historic resources with sunlight-sensitive features have the potential to be adversely impacted by incremental new shadows generated by the proposed action. The two historic resources listed above are not considered dependent on sunlight to the extent that any net incremental shadows generated by the proposed action would

diminish their significance. Therefore, while the proposed action could potentially cast shadows on these two resources, such shadow effects would not be considered significant and would not require a detailed shadows assessment.

Open Space Resources

According to the *CEQR Technical Manual*, some open spaces contain facilities that are not sensitive to sunlight. These are usually paved, contain no sitting areas, no vegetation, no unusual or historic plantings, or contain only unusual or historic plantings that are shade tolerant. Facilities such as children's playgrounds and sprinklers, swimming pools, sitting or sunning areas, ballfields and other play areas that are covered with turf do require direct sunlight for some part of the day or at some times of the year.

A preliminary shadow screening looked at a shadow sweep of the RWCDS over the course of four representative seasonal analysis days (December 21st, March 21st, June 21st, and May 6th). Five open space resources were identified as falling within the shadow radius of projected or potential developments sites and may require a detailed technical analysis to identify potential incremental shadow impacts generated under the RWCDS. The following list contains a description of the features and facilities present on the five open space resources considered sensitive to new incremental shadows caused by the proposed action.

- **Railroad Park** (Open Space Resource #2) - This park at the intersection of Courtlandt Avenue, East 161st, and East 162nd Streets in the Bronx neighborhood of Melrose takes its name from the railroad station that still stands here but has been out of use for years. The site also includes a flagpole with a yardarm, a circular walkway surrounding a grassy area interspersed with a variety of trees, and a unique feature – an abandoned railway station at the entranceway of the park. The station has not been used in many years, but the tracks of the Metro North Railroad still lie directly beneath the playground. This resource is considered sunlight-sensitive due to the landscaping and passive recreation features of the garden.

- **Joyce Kilmer Park** (Open Space resource #7) - The park is bounded by Walton Avenue to the west, East 164th Street to the north, the Grand Concourse to the east, and East 161st Street to the south. The park features a playground at its northern end, lots of benches and grassy sitting areas, and walking paths that are frequented by professionals in the area. Joyce Kilmer Park also contains two monuments: the Louis J. Heintz statue, dedicated to the pioneer of the Grand Concourse, and the Lorelei fountain, which celebrates poet Heinrich Heine. This resource is considered sunlight-sensitive due to the landscaping and passive recreation features of the park.

- **Renovated Macomb's Dam Park (including proposed Heritage Field and Macomb's Dam Triangle) (Open Space Resource #11) and New Yankee Stadium** - Portions of Macomb's Dam Park fall within the shadow sweep of the projected and potential development sites as identified in the RWCDS for the proposed rezoning. Specifically, the Macomb's Dam Park Triangle at the intersection of East 161st Street and Jerome

Avenue and portions of Macomb's Dam Park west of Jerome Avenue and south of East 161st Street. Macomb's Dam Park is being renovated as part the development of the new Yankee Stadium. As part of the plan, the current Yankee Stadium will be demolished and replaced with Heritage Field. The new Yankee Stadium is under construction north of East 161st Street and west of River Avenue. As the renovations and new stadium completion will occur before the build year for the proposed 161st Street Rezoning, the shadow analysis considers the effect of new shadows cast upon these resources.

Of the five identified open space resources listed above, one resource, Railroad Playground (Open Space Resource #2), does not warrant a detailed assessment of the potential for an adverse shadow impact. Railroad Playground is adjacent to one of the multi-story high-rise buildings that are part of the Morrisania Air Rights Houses, which shares much of the western border of the playground. The preliminary screening performed showed that the playground currently receives substantial shadow coverage from existing buildings, particularly from the adjacent multi-story high rise Morrisania Air Rights Houses that the playground borders and further study of shadow impacts on the resource are not necessary. The remaining four resources identified in the list above have the potential to be affected by incremental new shadows from the projected and potential development sites and would require a detailed shadow assessment.

3.5.2 FUTURE WITHOUT THE PROPOSED ACTION

In the future without the proposed action, the rezoning area would maintain its existing zoning. Development in the rezoning area would continue to be governed by the existing mapped R7-1 (with separate discontinuous C1-4 and C2-4 commercial overlays), R8 (with a C1-4 overlay), C4-6, and C8-3 zoning districts.

Existing trends in land use are expected to continue within the framework of the current zoning; with continued as-of-right development of medium-density residential and commercial developments expected to continue in the future without the proposed action. New development would be generated in the rezoning area as a result of as-of-right development projects that are currently planned or under construction and as a result of as-of-right development that is anticipated on potential and projected development sites, as per the RWCDS (see Chapter 2.0, "RWCDS"). These developments are projected to occur by 2018 and would occur independently of the proposed action.

3.5.3 FUTURE WITH THE PROPOSED ACTION

In order to determine the impact of the new shadows created by the proposed action, the incremental difference in shadows cast by the potential and projected development sites was determined for the Future Action Scenario. The incremental shadow durations under the Future Action Scenario were determined for each of the following resources of concern:

- Renovated Macomb's Dam Park and Heritage Field
- Macomb's Dam Park Triangle
- New Yankee Stadium

- Joyce Kilmer Park

This analysis considers the effects of the incremental shadows cast on the resources of concern during the four representative analysis time periods of the year: June 21st, May 6th and March 21st are representative days for the growing season for vegetation on open space; and December 21st is representative of conditions during winter months. Due to their close proximity, the Renovated Macomb's Dam Park and Renovated Heritage Field were analyzed as one resource of concern. Due to the location of Macomb's Dam Park Triangle north of East 161st Street, this open space resource was not analyzed part of Macomb's Dam Park, but as a separate resource of concern.

Table 3.5-1 provides the start and end time of the incremental shadows cast by the projected and potential developments on the resources of concern and shows the estimated duration of those new incremental shadows. For this analysis, the massing and maximum building heights of the proposed action developments were used as described in the methodology section. The "entering" times shown in the table are the times that the shadows first hit any part of the resource being evaluated, and the "exit" time represents the time that the incremental shadow leaves the resource. Daylight savings time was assumed for the analysis times on the March 21, May 6 and June 21 analysis dates. As per CEQR, only the time one and a half hour after sunrise and before sunset were considered for the analysis.

Table 3.5-1, Continued
Durations of Future Action Incremental Shadows on Resources of Concern

Resource of Concern	Source of Shadow (Development sites and height in feet)	Dec 21st 8:47 a.m. - 3:01 p.m. EST*	June 21st 6:54 a.m.- 7:01 p.m. EST*	March 21st 8:27 a.m.- 5:39 p.m. EST*	May 6th 7:17 a.m.- 6:28 p.m. EST*
Renovated Macomb's Dam Park and Heritage Park	Site 1a, 1b – 285' Site 2a, 2b – 305' Site 3 – 275' Site A – 215' Site B – 165' Site F – 255'	Enter: 8:47 a.m. Exit: 12:45 p.m. Duration: 4h 02m	Enter: 6:54 a.m. Exit: 12:15 p.m. Duration: 5h 21m	Enter: 8:27 a.m. Exit: 1:14 p.m. Duration: 4h 47m	Enter: 7:17 a.m. Exit: 12:25 p.m. Duration: 5h 09m
Macomb's Dam Park Triangle	Site 2a, 2b – 305'	Enter: 8:47 a.m. Exit: 9:10 a.m. Duration: 23m	NA	NA	NA
New Yankee Stadium	Site 1a, 1b – 285' Site 2a, 2b – 305' Site A – 215' Site B – 165'	Enter: 8:47 a.m. Exit: 1:00 p.m. Duration: 4h 17m	NA	Enter: 8:27 a.m. Exit: 1:00 p.m. Duration: 4h 33m	Enter: 8:35 a.m. Exit: 11:20 a.m. Duration: 2h 45m
Joyce Kilmer Park	Site 1a, 1b – 285' Site A – 215' Site B – 165'	NA:	Enter: 5:45 p.m. Exit: 7:01 p.m. Duration: 1h 16m	Enter: 5:12 p.m. Exit: 5:39 p.m. Duration: 27m	Enter: 5:30 p.m. Exit: 6:28 p.m. Duration: 58m

Note: Daylight saving time was assumed for the June, March, and May analysis dates
** -The time shown represents one and one-half hours after sunrise and before sunset for the analysis date.*

Assessment of Potential Shadow Impacts

According to the *CEQR Technical Manual*, a shadow is defined as the circumstance in which a building or other built structure blocks the sun from the land. An adverse shadow impact is considered to occur when the shadow from the projected or potential development falls on a publicly accessible open space, historic landscape, or other historic resource if the features that make the resource significant depend on sunlight, or if a shadow falls on an important natural feature and adversely affects its use and/or important landscaping and vegetation. The uses and vegetation in an open space establish its sensitivity to shadows. Uses that rely on sunlight include passive use, such as sitting or sunning, and such activities such as gardening, or children's wading pools and sprinklers. Vegetation requiring sunlight includes tree canopy and flowering plants. Where lawns, natural or artificial, are actively used, the turf also requires extensive sunlight. For these activities and plants, four to six hours a day of sunlight, particularly in the growing season, is often a minimum requirement. In general, shadows on city streets and sidewalks and on other buildings are not considered significant under CEQR.

As detailed in the discussion below, the proposed action would create incremental shadows on four sunlight-sensitive open space resources within the study area. Based on the preliminary shadow screening, no other potential sunlight-sensitive resources are expected to experience incremental shadows from the proposed action projected or potential development sites. The discussion below focuses on the duration, location, and size of the shadows generated from the proposed action development sites, with respect to the sunlight-sensitive resources of concern that would experience the incremental shadows.

Renovated Macomb's Dam Park and Heritage Park

As part of the development of the new Yankee Stadium, Macomb's Dam Park south of East 161st Street would be renovated, including the area of the existing Yankee Stadium (also referred to as Heritage Field). The plan for the park would create a unified and contiguous 17.36-acre park area south of East 161st Street. There would be three natural turf ballfields - a baseball field, a softball field, and a little league field - would be located in the proposed parkland at the site of the existing stadium, also referred to as Heritage Field. The park west of Ruppert Place, under the Future Action Scenario would have four basketball courts, a soccer field, a 400-meter athletic track, a little league field, nine handball courts, and a tot-lot with climbing and play equipment.

December 21st

During the morning hours of December 21st, Site 2a and 2b, 3 and Site F would begin casting an incremental shadow on this resource beginning at 8:47 a.m. (see Figure 3.5-1) and lasting until 12:45 p.m. The total duration of incremental new shadows on this open space resource would be four hours and two minutes. The maximum incremental shadows cast at the beginning of the analysis period, when the shadows from Site 3 and Site F would be cast along the northern portion of both parks from River Avenue to Macomb's Dam Park. At this time of maximum incremental shadow, approximately 30 percent of the park would experience net new shadow

from these projected and potential sites. From the point of maximum incremental shadow (8:47 a.m.), the incremental shadows begin to recede off the resource until 12:45 p.m., when the incremental shadows exit off the resource completely. As noted in **Chapter 3.4, "Open Space**," Heritage Park and the renovated Macomb's Dam Park consist primarily of active uses. At 8:47 a.m., the time of the maximum incremental shadow, the baseball fields, spectator stands and trees that ring Heritage Park, the running track, soccer field and a portion of the spectator stands at Macomb's Dam Park would be cast in shadow. However, the incremental shadow shifts over the period it is on the resource and shadow coverage on the resource decreases from its maximum coverage point of approximately 30 percent at 8:47 a.m. The total duration of the shadow does not fall for a substantial amount of time on one specific portion of the park.

June 21st

During the morning hours of June 21st, Sites 1a and 1b, 2a and 2b, 3 and Sites A, B and F would begin casting an incremental shadow on this resource beginning at 6:54 a.m. (see Figure 3.5-3) and lasting until 12:15 p.m. At 6:54 a.m., the maximum incremental shadow would be cast on Heritage Field, with incremental shadows extending to the west and reaching the limit of Heritage Field. Macomb's Dam Park does not experience incremental shadows during this analysis period. Approximately 50 percent of Heritage Field would be in shadow during the maximum incremental shadow time of 6:54 a.m. and the incremental shadow would cover portions of the baseball fields, spectator stands and trees that ring Heritage Field. After 6:54 a.m., the point of the maximum incremental shadow, the incremental shadow recedes from this resource and ultimately exits 12:15 p.m.

The total duration of incremental new shadows on this open space resource would total five hours and 21 minutes. However, the incremental shadow shifts over the period it is on the resource and shadow coverage decreases on the resource from its maximum coverage point of approximately 50 percent at 6:54 a.m. The total duration of the shadow does not fall for a substantial amount of time on one specific portion of the park.

March 21st

On the March 21st analysis period, the incremental shadow under the Future Action scenario, when compared to the Future No-Action scenario, would enter the resource at 8:27 a.m. (see Figure 3.5-5), and exit at 1:14 p.m. The maximum incremental shadow is cast at the beginning of the analysis period (8:27 a.m.), when the shadows from Sites 2a and 2b, Site 3 and Site F would be cast westerly along the both Heritage Field and Macomb's Dam Park from River Avenue to Macomb's Dam Bridge and East 157th Street. At 8:27 a.m., the time of maximum incremental shadow, approximately 45 percent of the park would experience incremental shadow from the projected and potential sites. The incremental shadows would then begin to recede off the resources until 1:14 p.m., when the incremental shadows exit completely off the resource.

As noted in **Chapter 3.4, "Open Space"**, Heritage Park and the renovated Macomb's Dam Park consist primarily of active uses. At 8:27 a.m., the time of the maximum incremental shadow, the baseball fields, spectator stands and trees that ring Heritage Park, the running track, soccer field

and a portion of the spectator stands at Macomb's Dam Park would be cast in shadow. The incremental new shadow would be cast on the resource for four hours and 47 minutes. However, the incremental shadow shifts over the period it is on the resource and shadow coverage on the resource decreases from its maximum coverage point of approximately 45 percent at 8:27 a.m. The total duration of the shadow does not fall for a substantial amount of time on one specific portion of the park..

May 6th

During the morning hours of May 5th, Sites 1a and 1b, 2a and 2b, 3 and Sites A, B and F would begin casting an incremental shadow on this resource beginning at 7:17 a.m. (see Figure 3.5-8) and lasting until 12:25 p.m. At 7:17 a.m., the greatest incremental shadow would be cast on this resource with approximately 60 percent of the resource covered in incremental shadow. The maximum incremental shadow covers the baseball fields, spectator stands and trees that ring Heritage Park, the running track, soccer field and a portion of the spectator stands at Macomb's Dam Park. After the point of maximum incremental shadow coverage (7:17 a.m.), the shadows would begin to recede off the resource until 12:15 p.m., when the shadows ultimately exit the resource. The total duration of incremental new shadows on this open space resource would total five hours and nine minutes. However, the incremental shadow shifts over the period it is on the resource and shadow coverage on this resource decreases from its maximum coverage point of approximately 60 percent at 7:17 a.m. The total duration of the shadow does not fall for a substantial amount of time on one specific portion of the park..

The incremental shadow on Renovated Macomb's Dam Park and Heritage Field is not expected to generate a significant adverse impact. The renovated open space resource is proposed to be programmed with mainly active resources, as described above, which are open space uses CEQR considers less likely to be affected by shadows. The Heritage Field portion is proposed to be natural turf with a ring of trees around the fields and could be affected by the presence of new shadows generated by the proposed action. However, the analysis shows that the maximum extent of incremental shadows occurs at the beginning of the analysis period for all four time periods studied (see Table 3.5-1). After this point, the shadow begins to recedes off the resource. In addition, the critical period for natural turf and the ring of trees around Heritage Field is the April to October growing period. During the May and June analyzed time periods, after the shadow recedes off Heritage Field, the turf is expected to receive well over five hours of sunlight. No potential significant adverse impacts on renovated Macomb's Dam Park and Heritage Field are expected as a result of the proposed action.

<u>Macomb's Dam Park Triangle</u>

Although this resource is part of Macomb's Dam Park, because it is separated by East 161st Street it was analyzed separately from the rest of Macomb's Dam Park. Macomb's Dam Triangle is formed by 161st Street, Jerome Avenue and the Macomb's Dam Bridge Approach. The park has trees, a walking path and a lawn area.

December 21st

On December 21st, in the Future Action scenario, the shadow increment would enter the garden at 8:47 a.m. (see Figure 3.5-1) and exit at 9:10 a.m. Approximately 30 percent of the park, would experience net new shadows during this time. The shadow would be cast on the passive elements of the park including its trees, walking path and grassy areas. The total duration of the incremental new shadow under the Future Action scenario would be 23 minutes. In this scenario, the shadows of Site 2a and 2b would cause a net new shadow to be cast upon the resource.

June 21st

There would be no incremental shadows cast upon the Macomb's Dam Park Triangle during the June 21st analysis period.

March 21st

There would be no incremental shadows cast upon the Macomb's Dam Park Triangle during the March 21st analysis period.

May 6th

There would be no incremental shadows cast upon the Macomb's Dam Park Triangle during the March 6th analysis period.

The proposed action is not expected to create a significant adverse shadow impact on Macomb's Dam Triangle Park. The analysis shows that incremental shadows will reach the resource only during the December analysis period and the incremental shadow will only be cast on this resource for twenty three minutes. This short shadow duration during the non-growing season would not lead to a significant adverse shadow impact on Macomb's Dam Park Triangle.

<u>New Yankee Stadium</u>

The new Yankee Stadium is under construction north of East 161st Street and west of River Avenue. While the stadium will include new design and other architecture features, it will have many similar characteristics of the current stadium including natural turf and the layout of the playing field and viewing stands.

December 21st

During the morning hours of December 21st, Sites 1a and 1b, 2a and 2b, and Site A, and Sites B and F would begin casting an incremental shadow on this resource at 8:47 a.m. (see figure 3.5-1) and lasting until 1:00 p.m. The maximum incremental shadow cast on this resource would be at 10:00 a.m., with approximately 20 percent of the stadium in new shadow. The total duration of incremental new shadows on this open space resource would total four hours and 17 minutes.

However, the incremental shadow shifts over the period it is on the resource and the total duration of the shadow does not fall for a substantial amount of time on one specific portion of the stadium.

June 21st

There would be no incremental shadows cast upon the new Yankee Stadium during the June 21st analysis period.

March 21st

On the March 21st analysis period, the incremental shadow under the Future Action scenario, when compared to the Future No-Action scenario, would enter the resource at 8:27 a.m. (see Figure 3.5-5), and exit at 1:00 p.m. The incremental new shadow would be cast on the resource for four hours and 33 minutes. During this time, the maximum incremental shadow coverage occurs at 9:00 a.m., when approximately 10 percent of the stadium experiences net new shadows. However, the incremental shadow shifts over the period it is on the resource and the total duration of the shadow does not fall for a substantial amount of time on one specific portion of the park. During this seasonal time period, Sites 1a and 1b, Site A and Site B contribute shadows on this resource.

May 6th

On May 6th, incremental shadow begins at the entry time of 8:35 a.m., with less than 5 percent coverage on the southern bleachers. The shadow remains on this resource until 11:20 a.m., for a total incremental shadowing time of two hours and 45 minutes.

The proposed action is not expected to result in significant adverse shadow impacts on the new Yankee Stadium. Incremental shadows from projected and potential development sites would only affect the new Yankee Stadium during three of the four analysis periods as there is no incremental shadow on the stadium during the June 21st analysis period. The maximum incremental shadow in each of the three periods that would reach the stadium occurs relatively early in the day (see Table 3.5-1). The December 21st analysis period maximum incremental shadow is cast on the stadium at 10:00 a.m. (see Figure 3.5-2), the March 21st analysis period maximum incremental shadow cast occurs at 9:00 a.m. (see Figure 3.5-6) and the May 6th maximum incremental shadow is cast at 9:10 a.m. (see Figure 3.5-9). After the incremental shadow reaches the maximum point, the shadows begin to recede off the new Yankee Stadium. The incremental shadows will not affect users of the stadium, the majority of home games occur in the evening, typically around 7:00 p.m. Day games are typically scheduled at 1:00 p.m. and by this time all incremental shadows have moved off the stadium. In addition, the incremental shadow cast on the new stadium is not expected to affect the natural turf playing field. The analysis shows that of the two periods studied (May 6th and June 21st) during the growing season (April to October) only the May analysis period will experience incremental shadows and these shadows are off the field by 11:20 a.m., leaving ample time for sunlight during the growing

season. The new Yankee Stadium is not expected to experience significant adverse shadow impacts.

Joyce Kilmer Park

The park is bounded by Walton Avenue to the west, East 164th Street to the north, the Grand Concourse to the east, and East 161st Street to the south. The park features a playground at its northern end, lots of benches and grassy sitting areas, and walking paths.

December 21st

In the future with the action, none of the projected or potential development sites would cast incremental new shadows upon Joyce Kilmer Park on the December 21st analysis day.

June 21st

During the June 21st analysis period, incremental shadows would be cast by Sites 1a and 1b, 2a and 2b, and Site A, Site B and Site F at 5:45 p.m. and would exit at 7:01 p.m. (see Figure 3.5-4), resulting in an incremental shadow of one hour and sixteen minutes. The greatest incremental shadow coverage occurs at the end of the analysis period (7:01 p.m.), when approximately 20 percent of the park would be covered by incremental shadows. The incremental shadow covers passive elements of the park such as trees, grassy fields, pathways and benches.

March 21st

On the March 21st analysis period, the incremental shadow under the Future With-Action scenario, when compared to the Future No-Action scenario, would first enter the park at 5:12 p.m., and exit at 5:39 p.m. (see Figure 3.5-7). Therefore, the incremental new shadow would be cast on the resource for the duration of 27 minutes. The end of the analysis period (5:39 p.m.) represents the maximum incremental shadow on the resource and the shadow covers approximately 30 percent of Joyce Kilmer Park, including passive elements such as trees, benches, pathways and landscaping.

May 6th

On May 6th, incremental shadows from Sites 1a and 1b, Sites A and B begins at the 5:30 p.m., the shadow remains on this resource until 6:28 p.m. (see Figure 3.5-10). This results in a total incremental shadow time of 58 minutes. The end of the analysis period (6:28 p.m.) represents the maximum incremental shadow on the resource and 20 percent of the park is subject to net new shadows at this time. Passive open space is present in this area covered in new shadow including trees, grassy fields, pathways and benches.

The incremental shadows cast on passive elements of Joyce Kilmer Park are not considered to be significant. The park only experiences incremental shadows during three of the four analysis time periods. There is no incremental shadow on the park during the December 21st analysis

period. The longest duration of incremental shadow occurs during the June 21st analysis time period, when the incremental shadow last for one hour and 16 minutes. During the May 6th analysis time period, the incremental shadow last for 58 minutes and during the March time period the incremental shadow only lasts for 27 minutes. Given the relatively short durations of the incremental shadows during the analysis time periods, the shadows are not considered to have a significant adverse impact. There is ample time for the park to experience sunlight during the day, particularly during the growing season. No significant adverse impacts due to the proposed action are expected on Joyce Kilmer Park as a result of the proposed action.

CONCLUSION

The proposed action would not result in significant adverse shadow impacts on the four identified sunlight-sensitive resources: Renovated Macomb's Dam Park and Heritage Field, Macomb's Dam Triangle, New Yankee Stadium and Joyce Kilmer Park. While these resources would receive incremental new shadows as a result of the proposed action, these shadows were not found to generate significant adverse impact on these resources. The analysis found that during the four analysis time periods, December 21st, June 21st, May 6th and March 21st, the duration of the shadows would still allow for sufficient sunlight during the growing season and the proposed action would not result in a substantial reduction in sunlight to any sun-sensitive uses or features. As such, the proposed action would not result in significant adverse shadow impacts on the four open space resources analyzed.

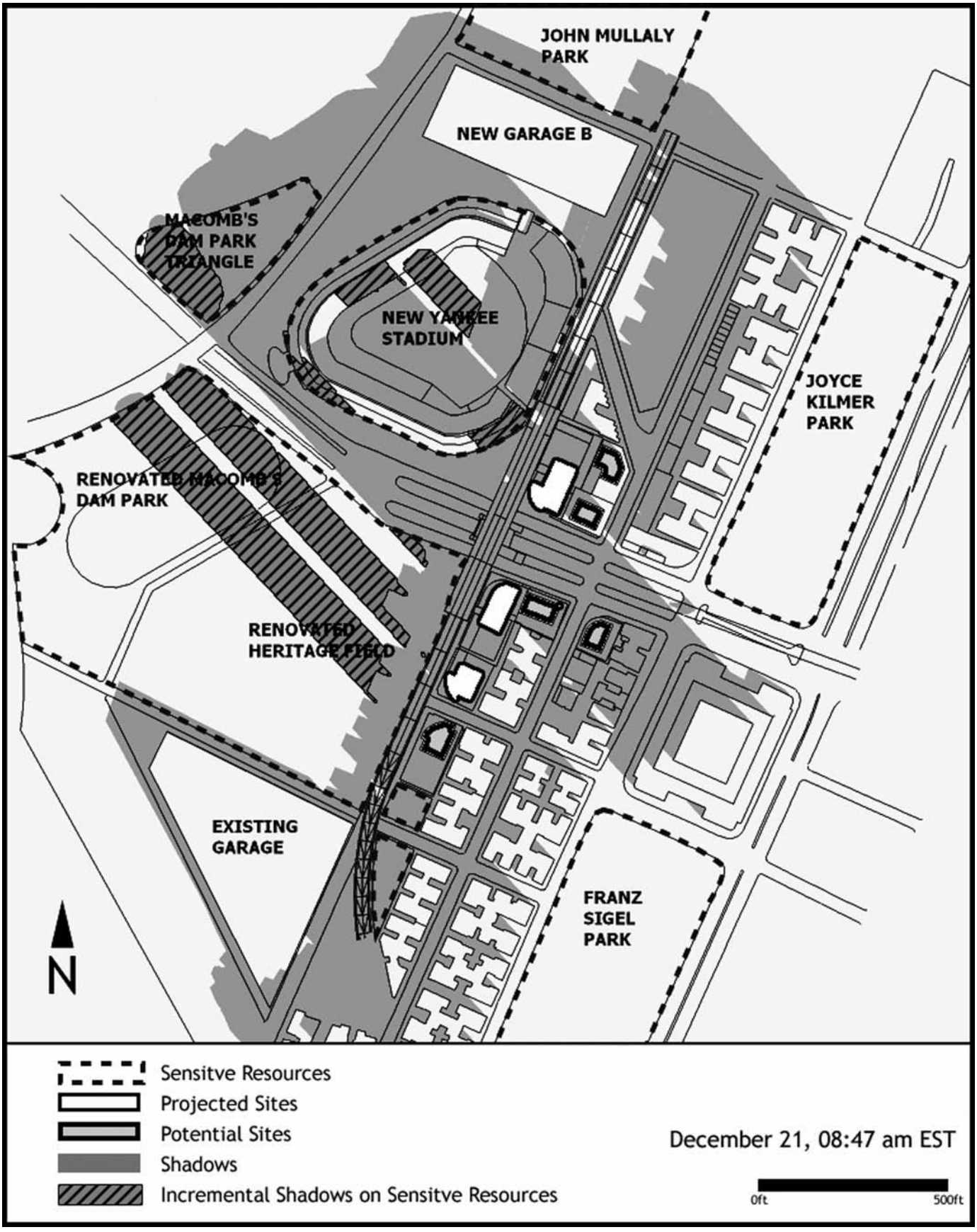


Figure 3.5-1 - Shadow Diagram

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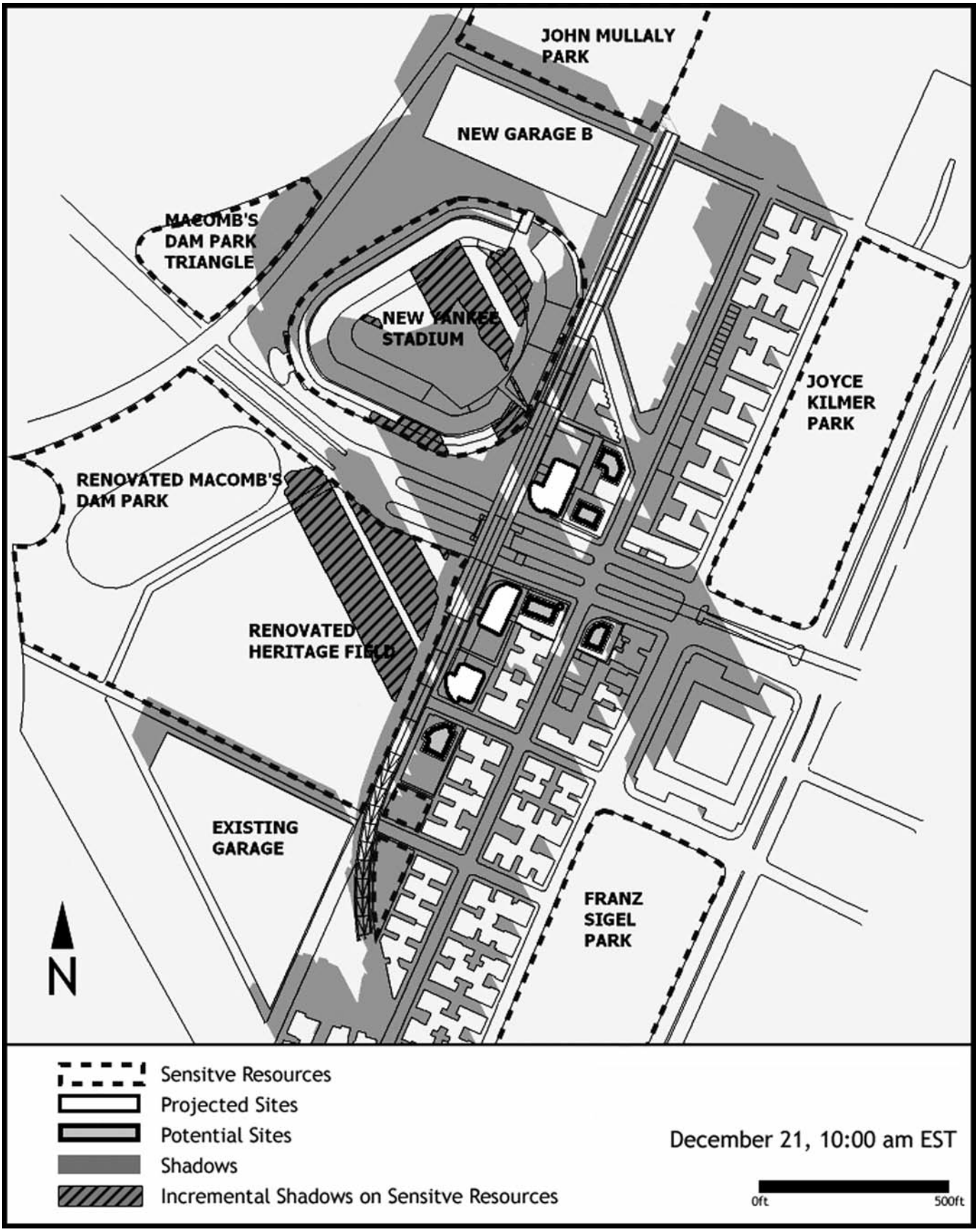

Figure 3.5-2 - Shadow Diagram

161st Street Rezoning EAS

NYC Department of City Planning

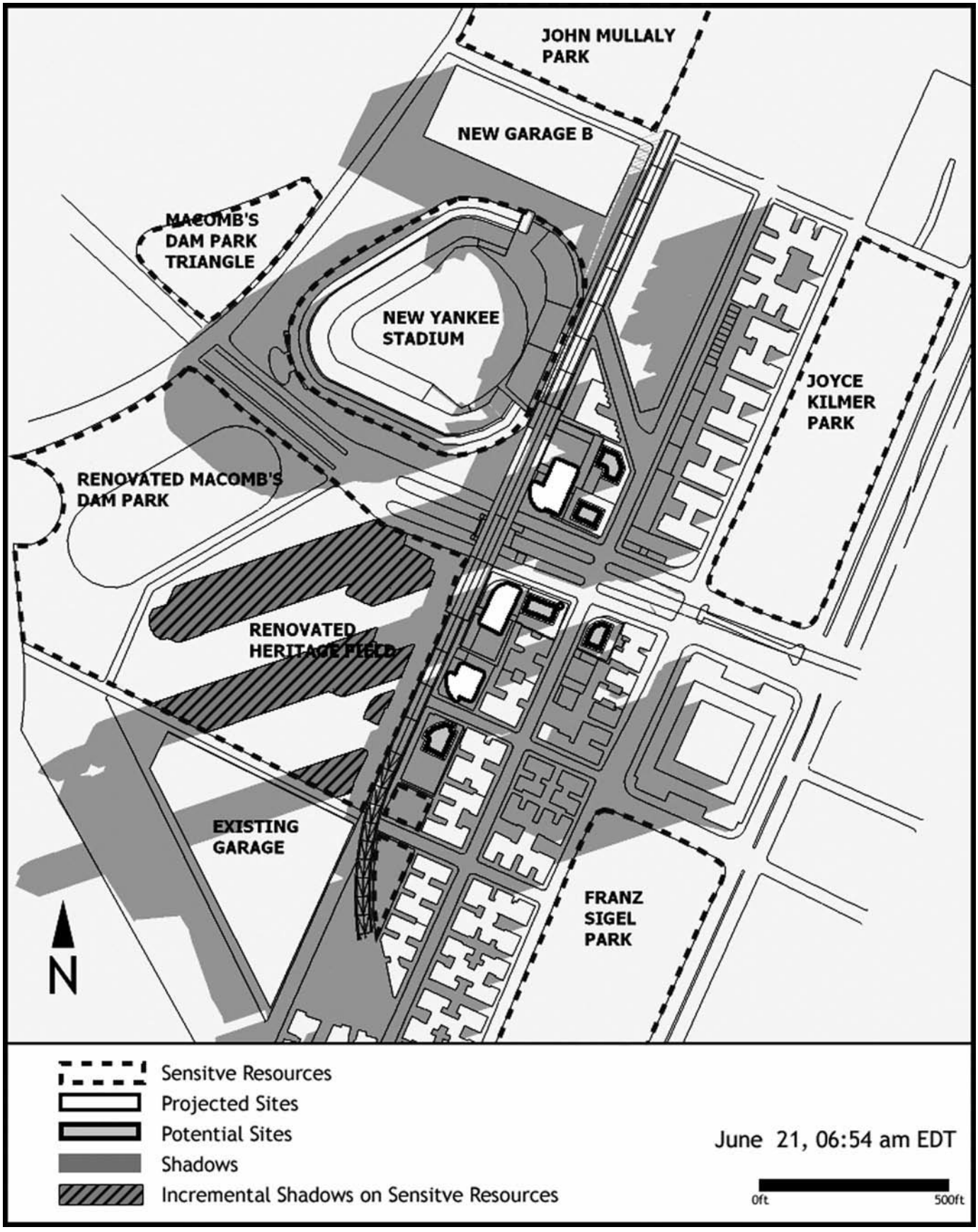

Figure 3.5-3 - Shadow Diagram

161st Street Rezoning EAS

NYC Department of City Planning

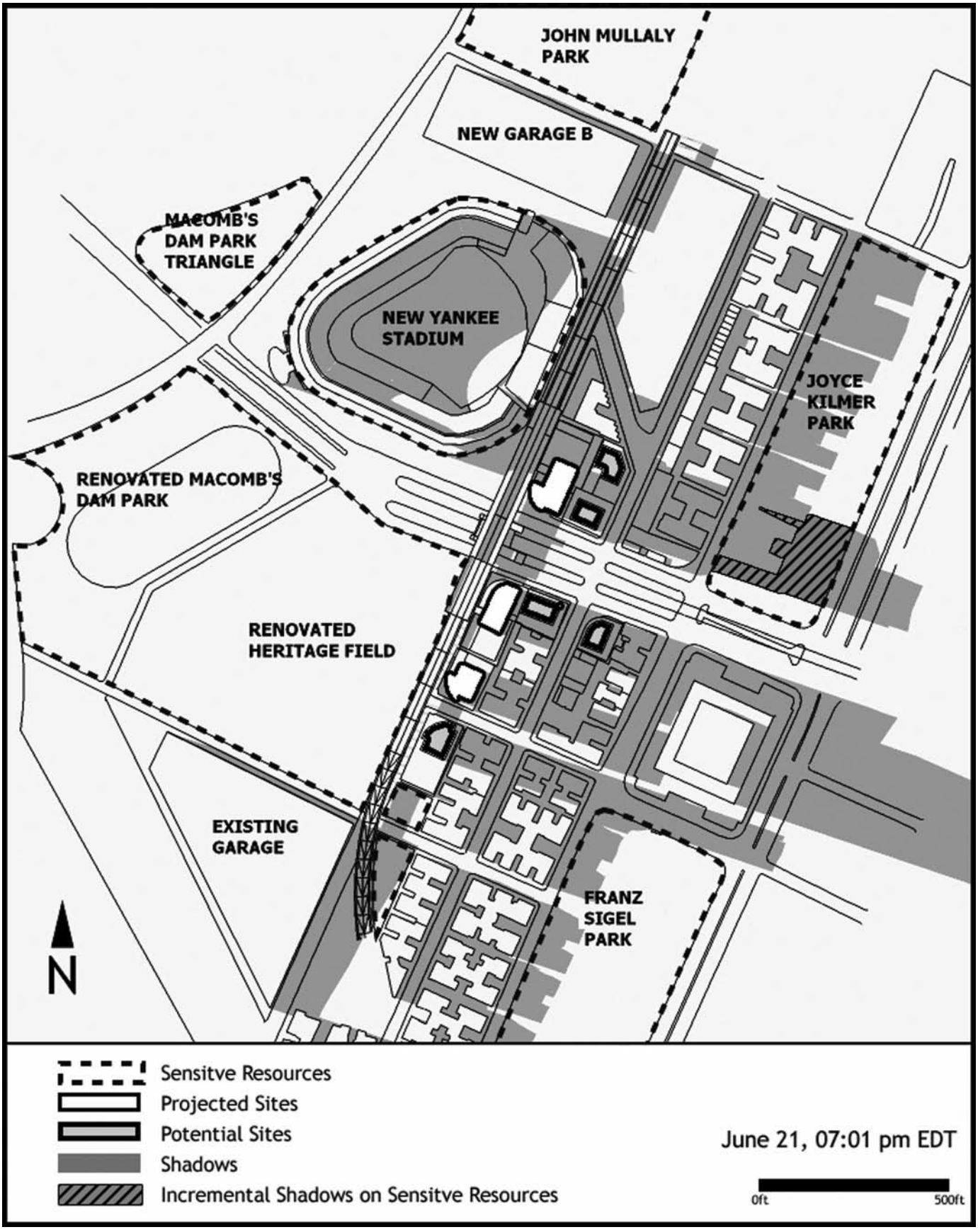

Figure 3.5-4 - Shadow Diagram

161st Street Rezoning EAS

NYC Department of City Planning

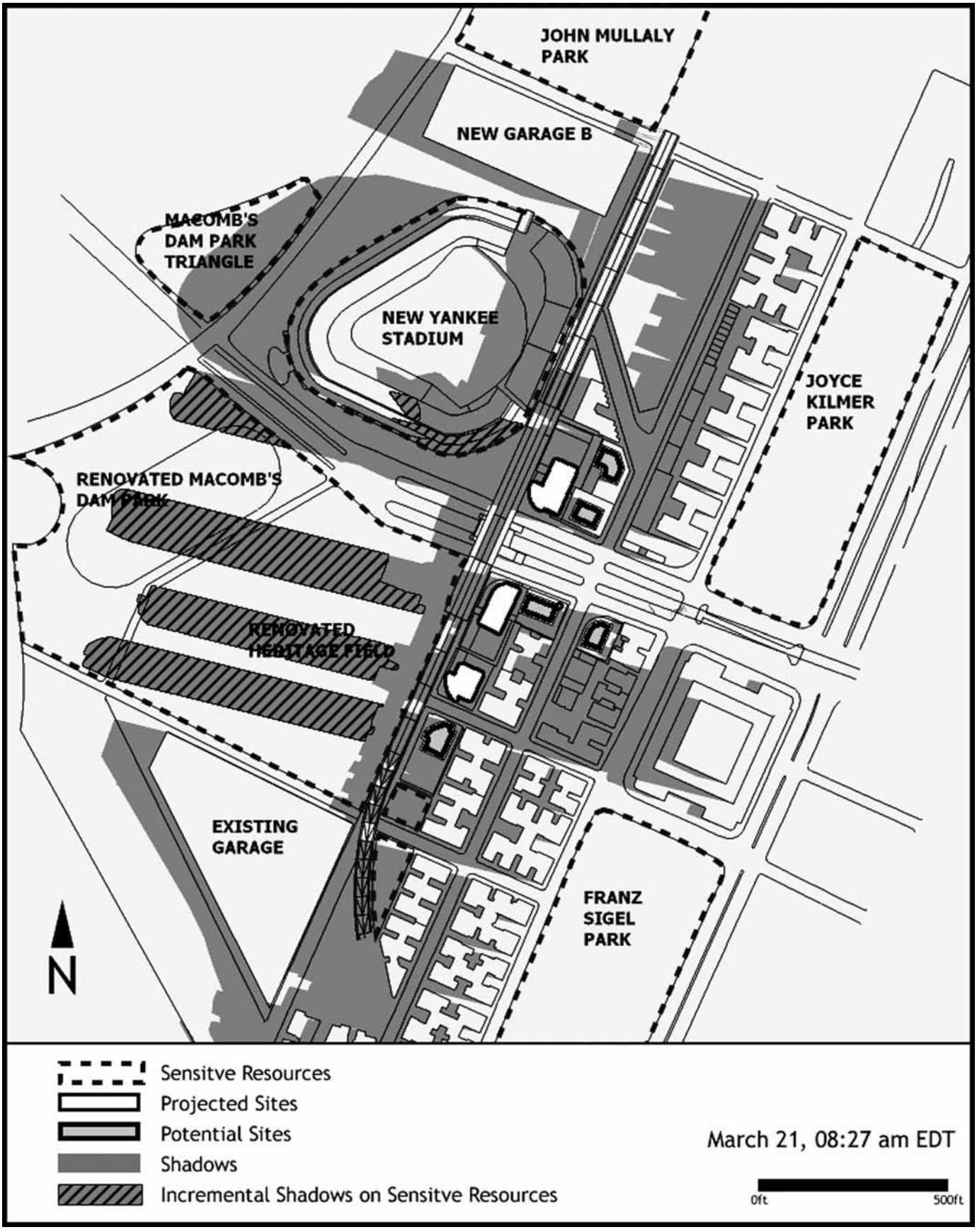

Figure 3.5-5 - Shadow Diagram

161st Street Rezoning EAS

NYC Department of City Planning

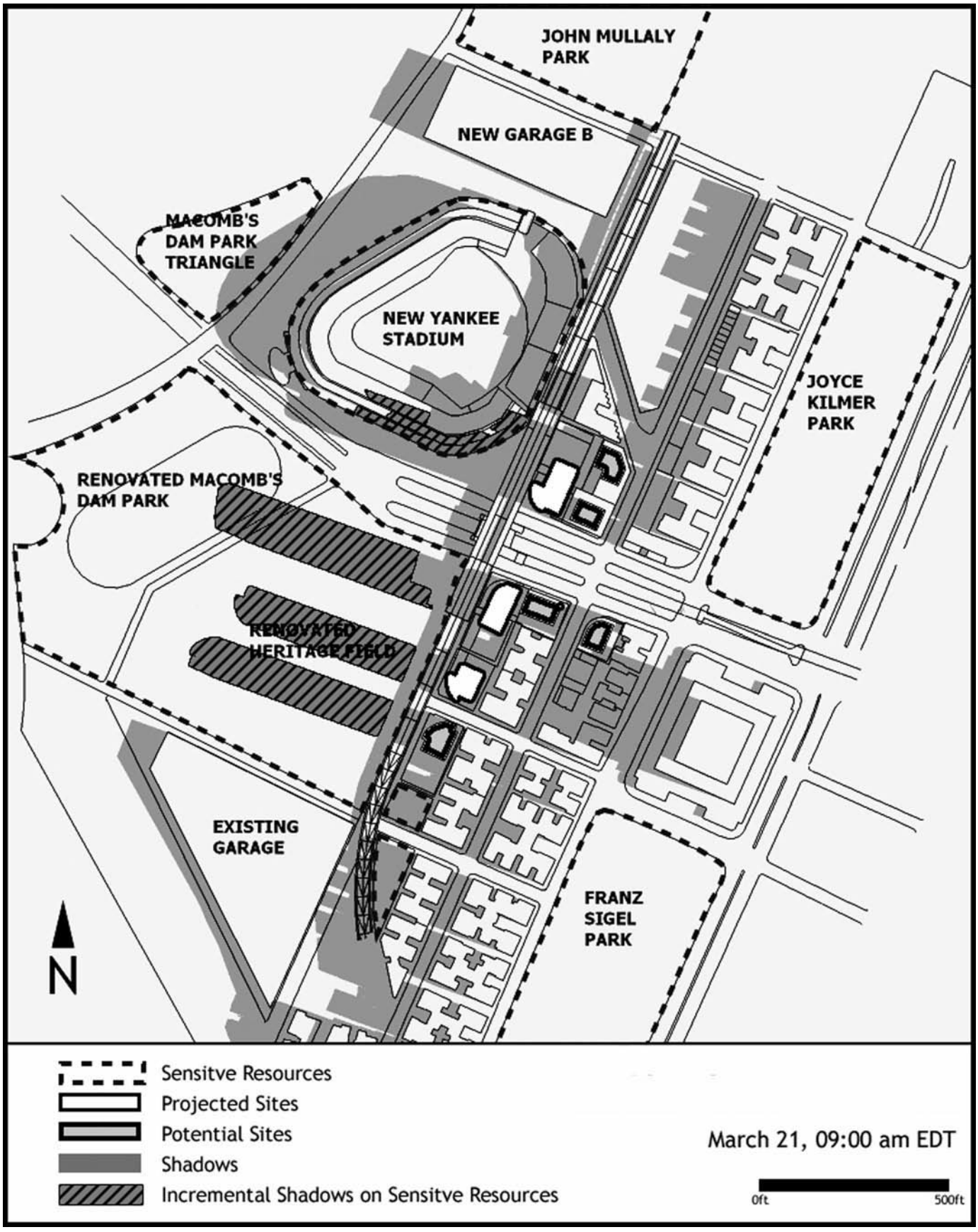

Figure 3.5-6 - Shadow Diagram

161st Street Rezoning EAS

NYC Department of City Planning

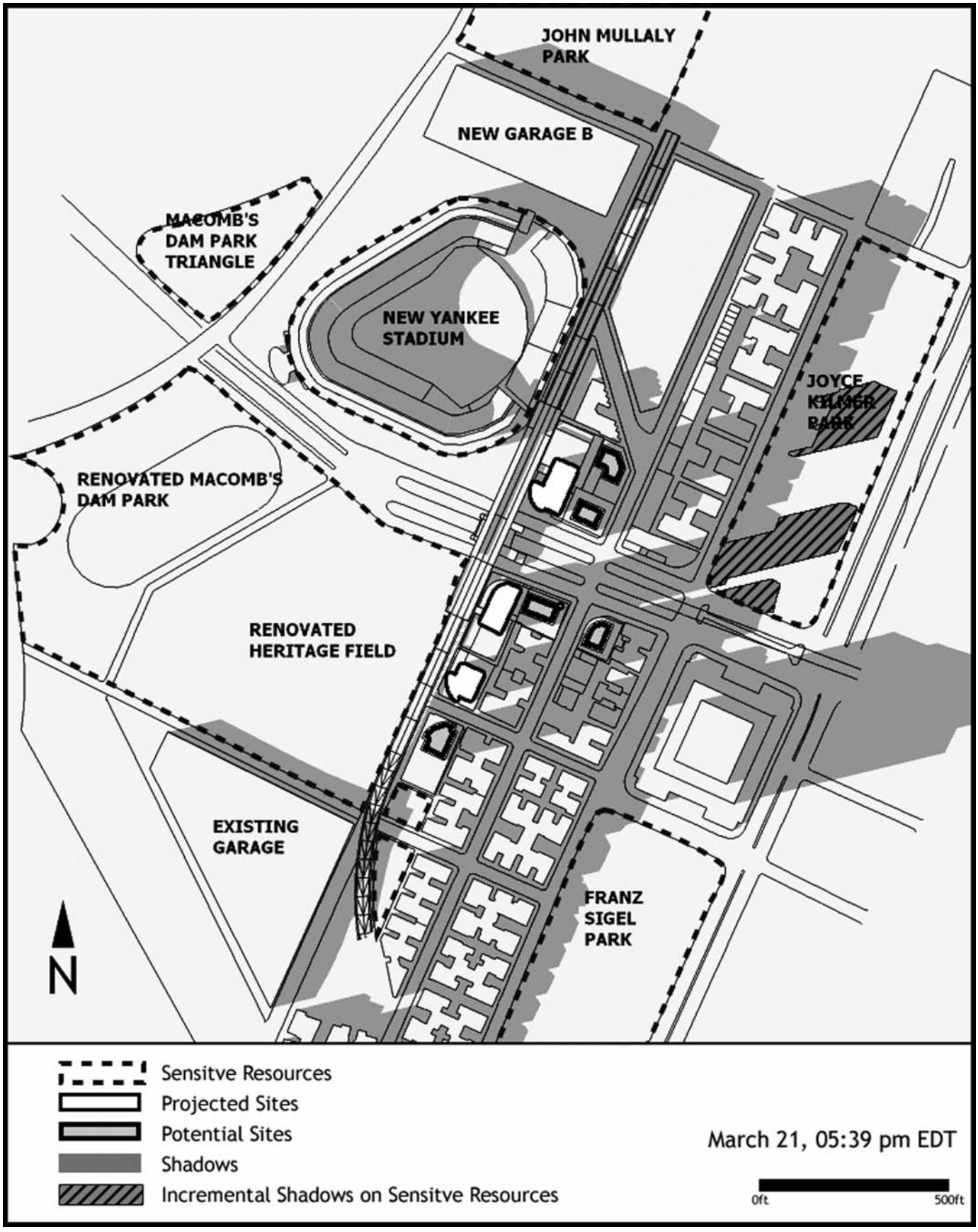

Figure 3.5-7 - Shadow Diagram

161st Street Rezoning EAS

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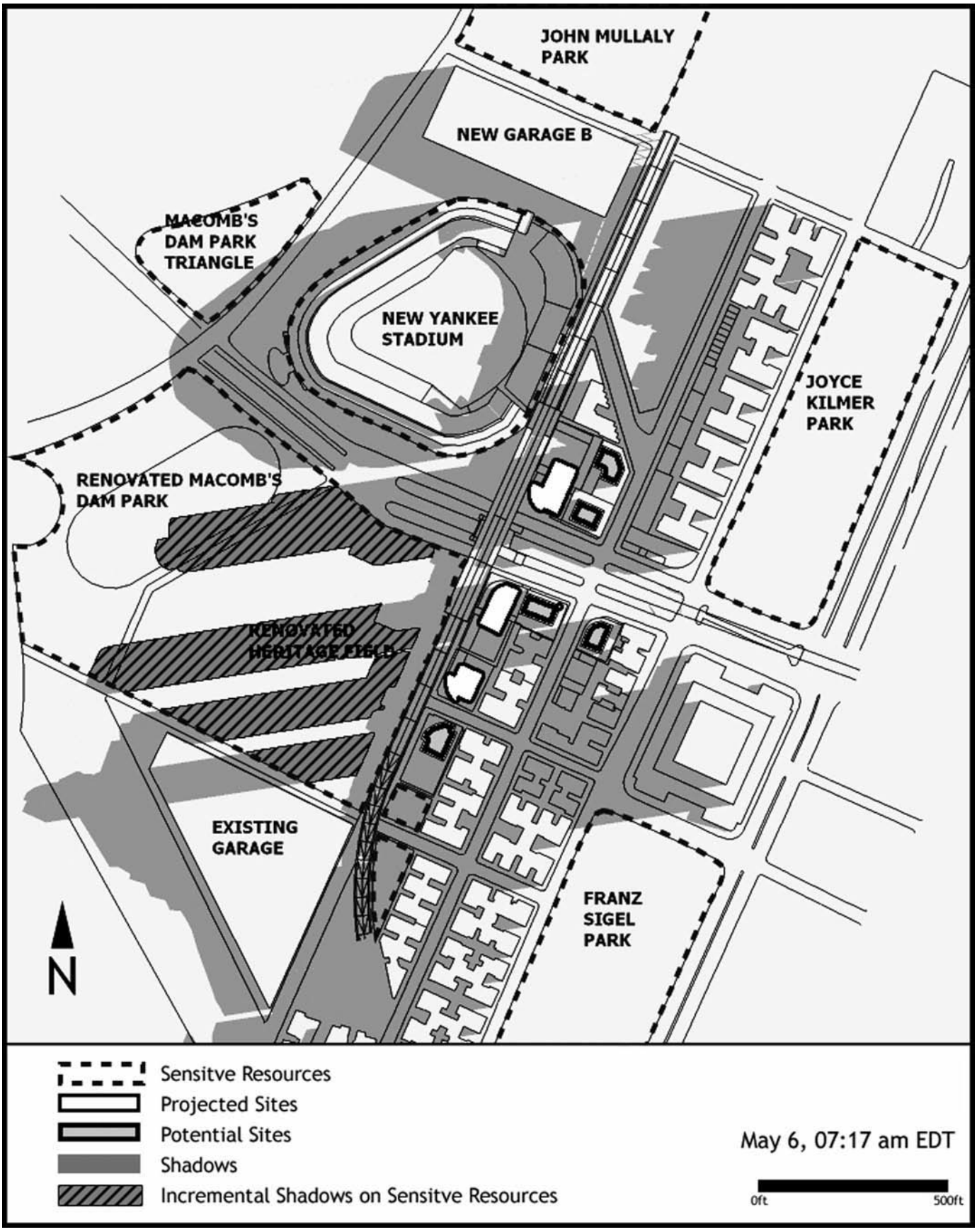

Figure 3.5-8 - Shadow Diagram

161st Street Rezoning EAS

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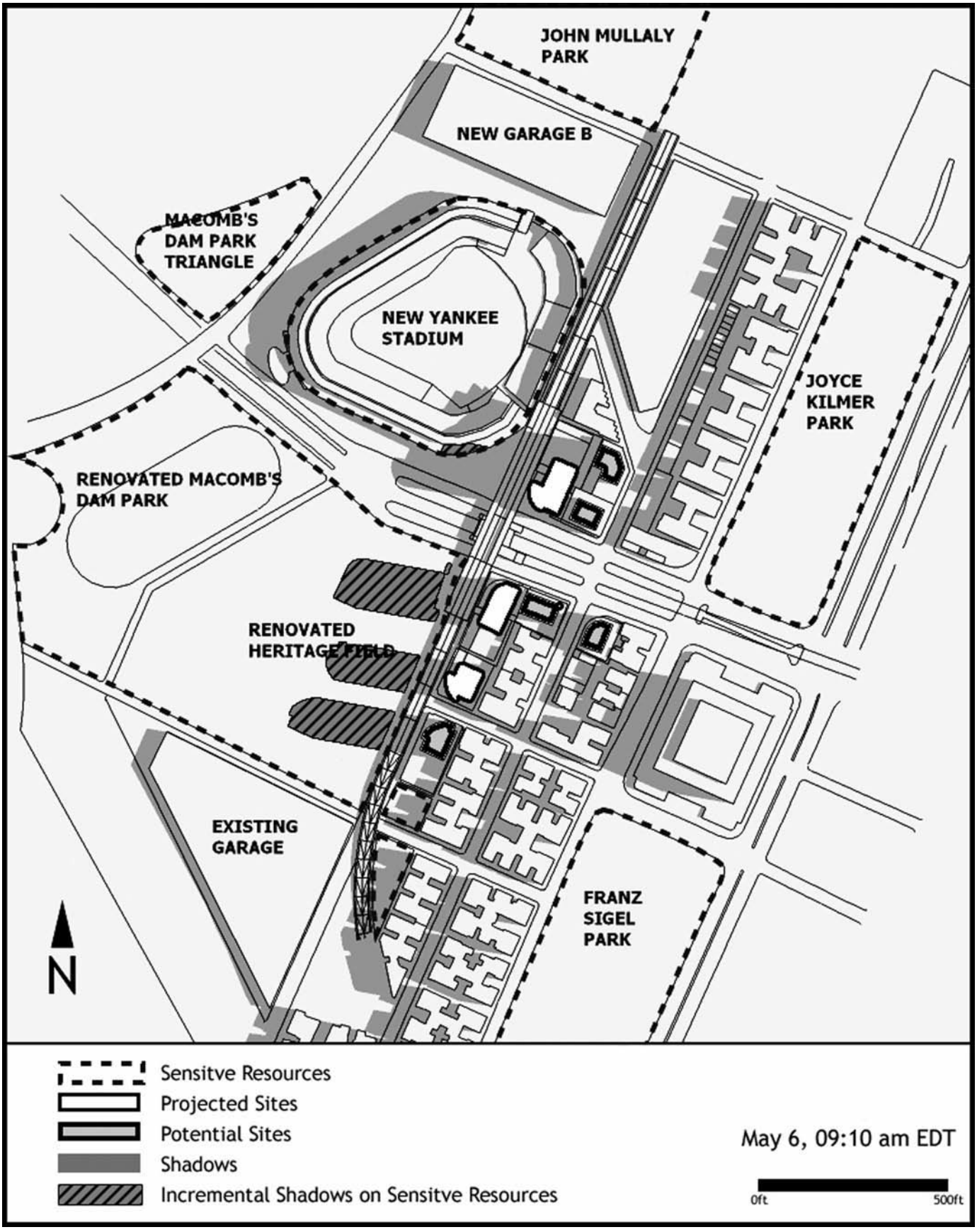

Figure 3.5-9 - Shadow Diagram

161st Street Rezoning EAS

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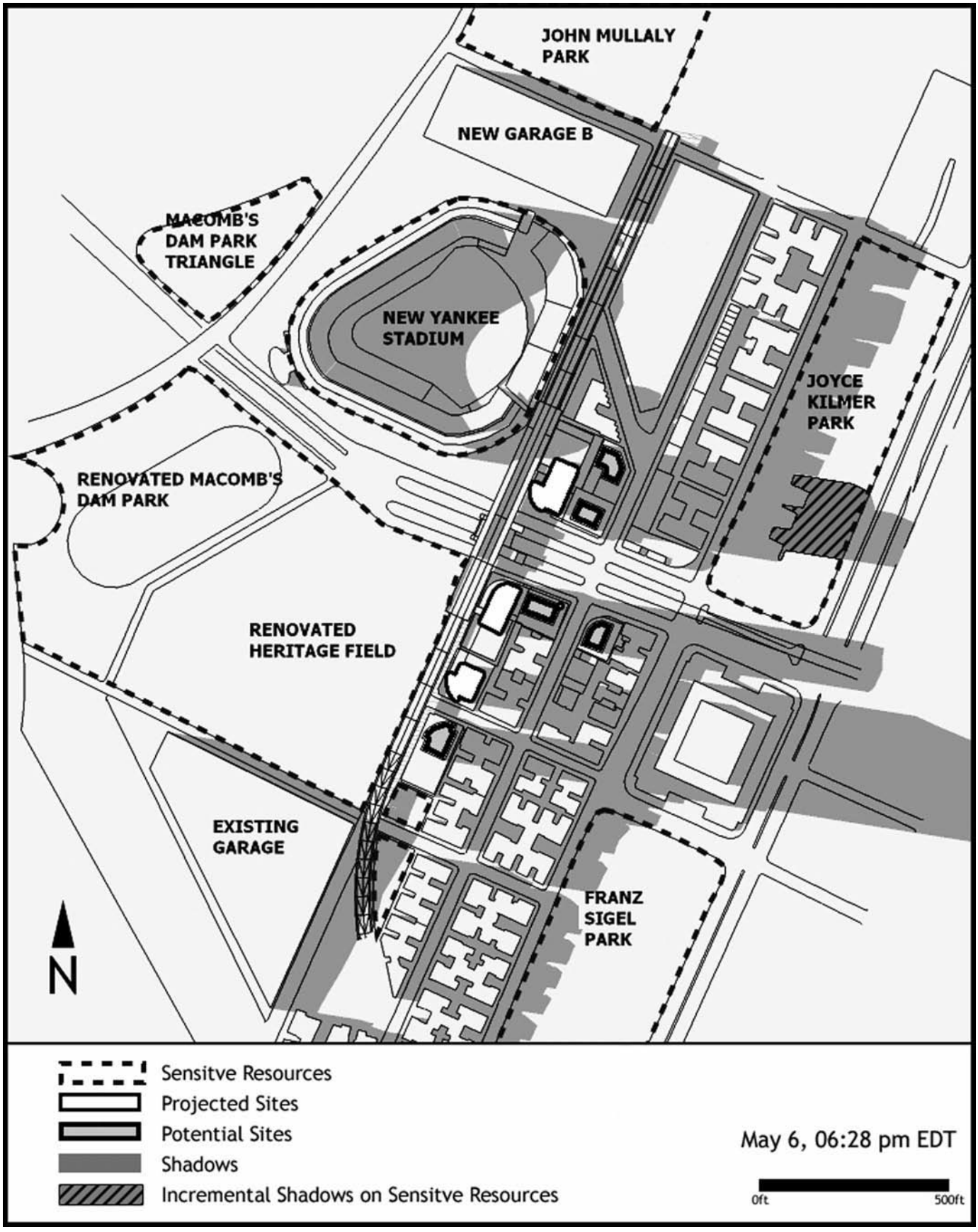

Figure 3.5-10 - Shadow Diagram

161st Street Rezoning EAS

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3.6 HISTORIC RESOURCES

INTRODUCTION

The proposed action would not result in significant adverse impacts to archaeological or architectural resources.

This chapter assesses the potential effect of the proposed action on historic architectural and archaeological resources. The *CEQR Technical Manual* identifies historic resources as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. This includes designated NYC Landmarks; properties calendared for consideration as landmarks by the New York City Landmarks Preservation Commission (LPC); properties listed on the State/National Registers of Historic Places (S/NR) or contained within a district listed on or formally determined eligible for S/NR listing; properties recommended by the New York State Board for listing on the S/NR; National Historic Landmarks; and properties not identified by one of the programs listed above, but that meet their eligibility requirements.

According to *CEQR Technical Manual* guidelines, impacts on historic resources are considered on those sites affected by the proposed action and in the area surrounding identified development sites. The historic resources study area is therefore defined as the area to be rezoned plus an approximate 400-foot radius around the proposed rezoning area. This is the area in which it is expected that new development could affect physical, visual, and historic relationships of architectural resources. Archaeological resources are considered only in those areas where excavation is likely and would result in new in-ground disturbance; these are limited to sites that may be developed in the rezoning area, including projected and potential development sites. This is also referred to as the area of potential effect.

There are two designated and eligible historic resources located in the vicinity of the proposed rezoning area. As the proposed action would generate development that could result in new in-ground disturbance and construction of a building type not currently permitted in the affected area, the proposed action has the potential to affect archaeological and architectural resources. However, as discussed below, the proposed action will not result in significant adverse impacts on historic resources.

Archaeological Resources

The *CEQR Technical Manual* requires a detailed evaluation of an action's potential effect on archaeological resources if it would result in an in-ground disturbance to an area not previously excavated, and includes new excavation deeper and/or wider than previous excavation on the same site. For any actions that would result in new ground disturbance, assessment of both prehistoric and historic archaeological resources is generally appropriate.

The area of subsurface work of the proposed action is considered the impact area. As some of the projected and potential development sites would involve excavation or other types of in-ground disturbance on sites which may have not been previously excavated, LPC reviewed the

sites to determine the potential for effects on archaeological resources. LPC determined that the projected and potential development sites (see Chapter 2.0 for complete description of sites that comprise the projected and potential development sites) are not on sites considered archaeologically sensitive for prehistoric and historic archaeological resources, therefore the proposed rezoning does not have the potential to result in significant adverse archaeological impacts and no further analysis is necessary. Please refer to the LPC Archaeological Environmental Review letter attached in Appendix A. Accordingly, this chapter focuses exclusively on the potential for the proposed rezoning to result in significant adverse impacts to architectural resources within the study area.

Background/History[1]

The northernmost of New York City's five boroughs, the Bronx is the only one physically joined to the North American mainland. Until the middle of the 17th century, the land now known as the Bronx was inhabited by Algonquin speaking Native Americans. In 1639, Jonas Brock, his wife, and their indentured servants became the first Europeans to settle in the area, which was later named in his memory. The first permanent European settlement in the Bronx, called Westchester, was established in 1654 by 15 men, at the prodding of Thomas Pell. About 30 years following the creation of this settlement, modern-day Bronx became a part of Westchester County and remained a part of that county until 1914, when Bronx County was established.

During the 18th century, the Bronx, including the sections now known as Concourse Village and Morrisania, consisted mostly of farmland. In 1697, the colonial governor of the region gave a patent to a young Lewis Morris, making his land the manor of Morrisania. During the American Revolution, the Bronx passed under British control. Following the war Lewis Morris proposed to the Continental Congress that the permanent capital of the newly-created nation be located in Morrisania. However, his proposal was never considered by Congress.

The Bronx was one of the last boroughs to be developed due to its lack of connectivity with Manhattan. In 1841, the construction of the New York and Harlem River Railroad, today the Harlem Division of Metro-North, gave the Bronx its first railroad. A couple of decades later, Jerome Park Racetrack was constructed, and with it the road now known as Jerome Avenue was also constructed in order to attract wealthy residents from the Manhattan. Still, for most of the 19th century, the area remained mostly farmland, country estates, and market villages.

In 1874, the western portion of the Bronx, including the 161st Street / River Avenue area, was annexed by New York City. Following the Bronx's annexation, accessibility to New York City began to greatly improve with the extension of rapid transit lines from Manhattan. During this period, the Concourse Village section of the Bronx benefited from transit line extensions along Jerome Avenue, Boston Road, and the Grand Concourse. In 1888, the Third Avenue Elevated Train was extended to 169th Street, leading the way to greater urbanization and development in

[1] *The Background and Development History section was largely drawn from the following resource:*
Hermalyn, Gary and Lloyd Ultan, "Bronx," The Encyclopedia of New York City, New Haven, CT: Yale University Press, 1995

the area. Four years later, the Grand Concourse (officially named the Grand Boulevard and Concourse) was designed by Louis Risse in the style of Champs Elysées of Paris. By the turn of the 20th century, two years after the City of Greater New York was created as a federation of five boroughs, the Bronx was the fastest growing borough in the City, nearing a population of 500,000.

The beginning of the 20th century was marked by the continuation of the urbanization process that began during the previous century. Construction on the Bronx Borough Courthouse began in 1905 at the intersection of 161st Street, Brook Avenue and Third Avenues. Shortly after the courthouse's completion in 1915, another prominent feature of the 161st Street corridor, Yankee Stadium, was constructed. The Stadium, home of the New York Yankees professional baseball team (aka "the Bronx Bombers"), opened in 1923 with a home run from their biggest star, Babe Ruth, christening in grand fashion what would soon be referred to "The House that Ruth Built." The stadium has been used through the years for football games, championship boxing matches, religious gatherings, and concerts.

The rapid urbanization of the Bronx around the turn-of-the-century led to employment opportunities to laborers who relocated to the Bronx. The first subway to enter the Bronx opened in 1904 which, coupled with the preexistent Third Avenue El, helped entice hundreds of thousands of workers and their families to relocate from the tenement housing in Manhattan to the more spacious accommodations available in the Bronx. Jewish immigrants and their descendents were the largest contingent of this group, although other populations were also part of this migration, most notably Italians and Germans. In the period between 1900 and 1930, the population of the Bronx increased from 201,000 to 1,265,000 residents.

The period of tremendous population growth subsided when the Depression arrived. Nonetheless, privately-financed apartment buildings, mostly in the Art Deco style, were still rising in the Bronx. Along the Grand Concourse in particular, the buildings and their residents came to symbolize social and economic success during a time period when the economic prospects of most people appeared grim. Laborers in the Bronx received some much needed work when the borough received public funds as part of the New Deal to improve the area's infrastructure. Among the various structures built during this time period was another dominant feature of the Grand Concourse and 161st Street corridor, the Bronx County Courthouse.

Following the Second World War, many longtime residents of southern Bronx began migrating north to other areas of the Bronx or suburbs of the New York Metro Area. In their place, many African-Americans and Puerto Ricans moved into southern Bronx from Manhattan. Some of these residents inhabited new public housing projects, many of which were constructed during the 1950s and 1960s using federal funds. Also constructed with federal funding during this time period were many of the borough's highways, including the Major Deegan Expressway and the Cross Bronx Expressway. The latter, which opened in 1965, is credited by some as being a factor contributing to the extreme urban decay that characterized the area in the decades following the Second World War. The Cross Bronx Expressway cut through the heart of southern Bronx, divided neighborhoods, displaced thousands of residents, and greatly decreased adjacent property values.

In the decades following the Second World War, the southern Bronx was the site of enduring poverty and poorly-maintained buildings. As a result of systematic rent controls introduced during the War, incentives did not exist for landlords to pay for building repairs. Consequently, apartment buildings were frequently set afire by landlords seeking to collect insurance or by tenants, who would be given priority for available public housing. The rampant arson in the Bronx finally ceased in the late 1960s and early 1970s, when the policies were changed.

During the late 1980s, the Bronx began experiencing growth again in population numbers. Puerto Ricans continued to be the largest contingent of new residents, comprising of 25% of the borough's population in 1990, but many other immigrant groups moved into the borough, which continues to attract foreign-born residents. In 2000, 35% of the population in Bronx Community District 4 (which includes the project area) was foreign-born, with more than half of these residents being born in the Dominican Republic. The 1990s also ignited a period of increased economic opportunities, which has carried into the present day as the Bronx continues to be an area of change. A current symbol of the recent changes to the area is the construction of the new Yankee Stadium across the street from the former stadium, set to open in 2009.

3.6.1 EXISTING CONDITIONS

Architectural Resources

In order to assess the potential architectural impacts of the proposed rezoning, a study area was defined by drawing a 400-foot radius around the boundary of the proposed rezoning area (see Figure 3.6-1). The identified architectural resources in the study area are shown on this figure.

As shown in Figure 3.6-1, there are no historic resources within the boundaries of the proposed rezoning area. There are two historic resources in the 400-foot study area. Photographs of all designated New York City Landmarks (NYCL) State and National (S/NR) landmarks (and eligible resources) are shown on Figure 3.6-2. The following area the historic resources in the 400-foot study area:

> The **Bronx County Courthouse** (Figure 3.6-2, Photo 1, NYCL and NR listed), now also known as the Mario Merola Building, was built in the Neo-classical style and is located at 851 Grand Concourse. This imposing, monumental civic edifice was designed by the architects Max Hausle and Joseph H. Freedlander and constructed between 1931 and 1934. The construction of nine-story building provided desperately needed employment during the Depression and stands today as a dominant feature of the Grand Concourse. This resource is not immediately adjacent to any projected or potential development sites.
>
> **The Grand Concourse Historic District** (Figure 3.6-2, Photo 2, NYCL eligible and NR listed), added to the National Register in 1987, is located at 730-1000, 1100-1520, 1560, and 851-1675 Grand Concourse, falling partially within the proposed rezoning area. The district encompasses the Bronx County Courthouse and is characterized by its mix of residential and institutional buildings. The historic district spans approximately 500 acres

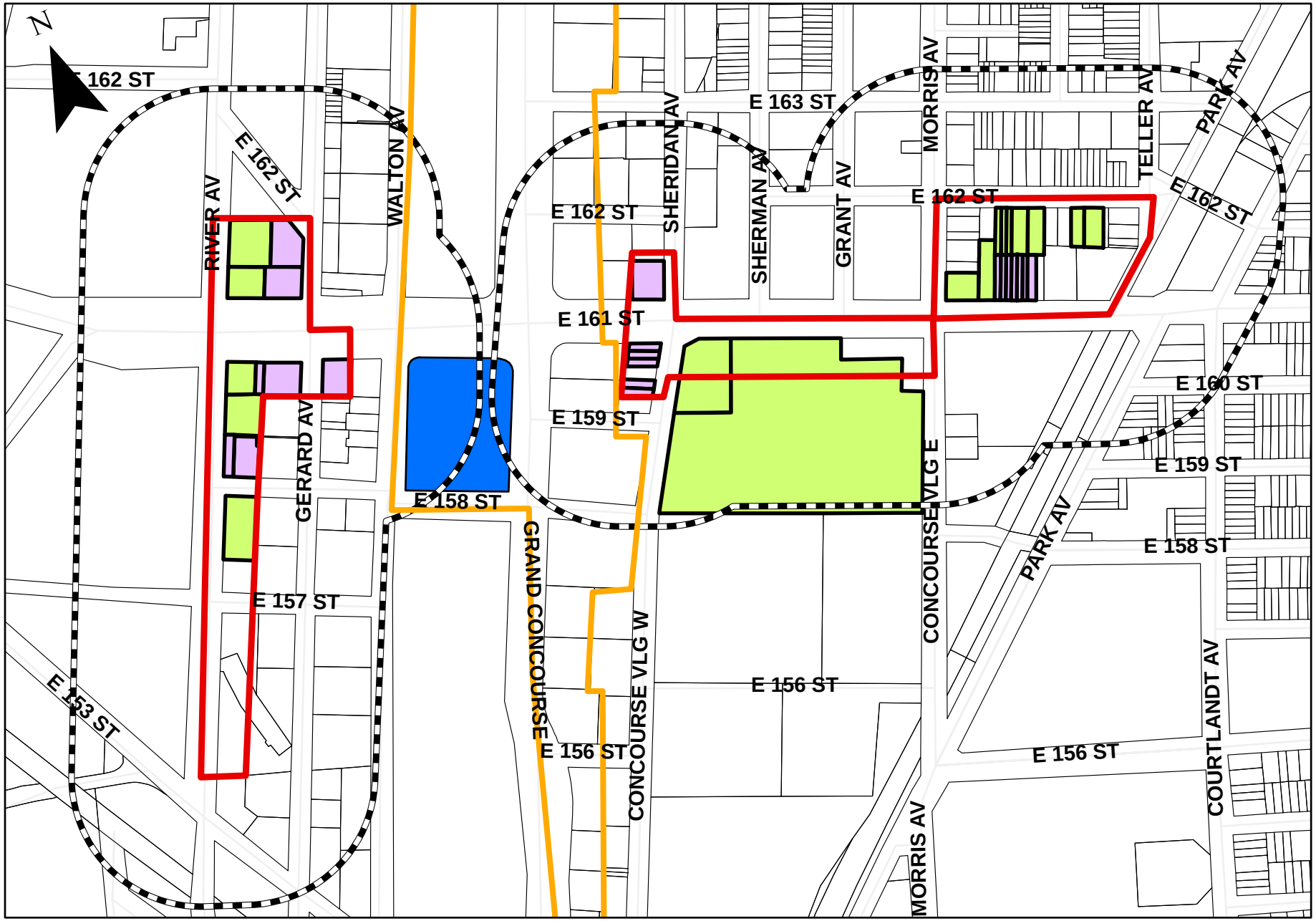

Figure 3.6-1 - Historic resources in 400-foot study area

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Photo 1: Bronx County Courthouse, NYCL and NR listed.

Photo 2: Grand Concourse Historic District (view north), NYCL eligible and NR listed.

Figure 3.6-2 - Photos of Historic Resources in 400-Foot Study Area

and consists of 82 buildings that were mostly constructed in art deco and late 19th and 20th century revival styles.

3.6.2 FUTURE WITHOUT THE PROPOSED ACTION

In the future without the proposed action, the existing zoning controls would remain in place; it is expected that the current land use trends and general development patterns in and adjacent to the 161st Street/River Avenue area will continue.

It is anticipated that the rezoning area would experience some growth in commercial and residential uses. DCP has developed a scenario of as-of-right development that would reasonably be expected to occur within the rezoning area in the future without the proposed action (no-action). Several developments and conversions are expected within the land use study areas, including new development on some of the projected and potential development sites.

In the future without the proposed action**,** it is expected that the projected development sites would have a total of 299 DUs (all of which would be market-rate housing units); 71,549 sf of commercial retail space; 246,500 sf of commercial office space; and 11,720 sf of community facility space. This would represent a net increase over existing conditions of 295 DUs and 11,720 sf of community facility space and a net decrease of 4,289 sf of commercial retail space. Commercial office space would remain unchanged from existing conditions.

There are 11 potential development sites in the rezoning area. In the year 2018, under the Future No-Action Scenario, it is expected that the projected development sites would have a total of 358 DUs (31 of which would be affordable housing units); 111,369 sf of commercial retail space; no commercial office space; and 1,500 sf of community facility space. In comparison to the existing conditions on the site, this represents a decrease on the potential development sites of 4,432 sf of retail space, a decrease of 6,412 sf of office space, 1,500 sf of community facility space, and 344 market rate dwelling units (31 of which would be affordable housing units).

No development that would occur on the projected and potential development sites described in the RWCDS (See Chapter 2.0, "Reasonable Worst Case Development Scenario") in the future without the action is anticipated to affect the two historic resources identified in the study area (the Bronx County Courthouse and the Grand Concourse Historic District). The historic resources identified in the study area are not located on any of the projected or potential development sites. Further, the historic resources are not located adjacent to any of the Future No-Action scenario identified projected and potential development sites. Therefore, in the future without the proposed action, the historic resources would not be affected by the as-of-right development anticipated to occur on the projected and potential development sites.

3.6.3 FUTURE WITH THE PROPOSED ACTION

According to the *CEQR Technical Manual*, generally, if a proposed action would affect those characteristics that make a resource eligible for New York City Landmark designation or National Register listing, this could be a significant adverse impact. The designated historic

resources in the study area are significant both for their architectural quality as well as for their historical value as part of the City's development. This section assesses the potential for the proposed action to result in significant adverse impacts on identified architectural resources, including effects resulting from direct effects, construction of the projected or potential developments, project-generated shadows, or indirect effects on existing historic resources in the study area once construction is completed.

The proposed rezoning was assessed in accordance with guidelines established in the *CEQR Technical Manual* (Chapter 3F, Part 420), to determine (a) whether there would be a physical change to any designated property or its setting as a result of the proposed action, and (b) if so, is the change likely to diminish the qualities of the resource that make it important (including non-physical changes such as context or visual prominence). Whereas this section of the chapter focuses specifically on the proposed action's effects on the physical and visual context of architectural historic resources, an assessment of the proposed action's effect on the visual character of the study area in general is provided separately in Chapter 3.7, "Urban Design and Visual Resources" and in Chapter 3.5, "Shadows."

As described in Chapter 2.0, "Reasonable Worst Case Development Scenario," the 11 projected development sites, under Future Action Scenario, would have a total of 894 DUs (745 of which would be affordable housing units); 113,553 sf of commercial retail space; 553,484 sf of commercial office space; and 11,730 sf of community facility space. This would represent a net increase over no-action conditions of 594 DUs, including 148 units of affordable housing; 42,004 sf of retail commercial space; 306,001 sf of office commercial space, and 10 sf of community facility space.

Direct Effects

Historic resources can be directly affected by physical destruction, demolition, damage, alteration, or neglect of all or part of a historic resource. For example, alterations, such as the addition of a new wing to a historic building could result in significant adverse impacts, depending on the design. Direct effects also include changes to an architectural resource that cause it to become a different visual entity, such as a new location, design, materials, or architectural features.

Two historic resources have been identified in the 400-foot study area around the proposed rezoning area: the Bronx County Courthouse (NYCL and NR listed) at 851 Grand Concourse and the Grand Concourse Historic District (NYCL eligible and NR listed). Neither of these two historic resources are located on or adjacent to projected or potential development sites. Thus, the development expected to be generated by the proposed rezoning is not anticipated to directly affect the historic resources located in the study area.

Construction-related Effects

There are two mechanisms to protect buildings in New York City from potential indirect damage caused by construction activities. All buildings are provided some protection from accidental

damage through New York City DOB controls that govern the protection of any adjacent properties from construction activities, under Building Code Section 27-166 (C26-112.4). For all construction work, Building Code section 27-166 (C26-112.4) serves to protect buildings by requiring that all lots, buildings, and service facilities adjacent to foundation and earthwork areas be protected and supported in accordance with the requirements of Building Construction Subchapter 7 and Building Code Subchapters 11 and 19.

The second protective measure applies to designated NYCL and National Register-listed historic buildings. For these structures, the DOB's *Technical Policy and Procedure Notice (TPPN) #10/88* applies. *TPPN 10/88* supplements the standard building protections afforded by the Building Code C26-112.4 by requiring a monitoring program to reduce the likelihood of construction damage to adjacent LPC-designated or NR-listed resources (within 90 feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed. This distance is recognized as being close enough to potentially experience adverse construction-related impacts from ground-borne construction-period vibrations, falling debris, and collapse.

The proposed and potential development sites identified as part of the RWCDS of the proposed rezoning would all be more than 90 feet from the identified historic resources in the study area. Construction activities associated with the projected and potential development would therefore not indirectly affect historic resources in the study area.

Indirect Effects

Indirect effects, also referred to as contextual effects, can occur when development results in the isolation of a property from or alteration of its setting or visual relationship with the streetscape; introduction of incompatible visual, audible, or atmospheric elements to a resource's setting; replication of aspects of a resource so as to create a false historic appearance; or elimination or screening of publicly accessible views of the resource.

The development resulting from the proposed rezoning would not alter the setting or visual context of the historic resources in the study area. The development on the projected and potential development sites are a sufficient distance from the historic resources and area not expected to eliminate or screen the views of the resources. In addition, no incompatible visual, audible or atmospheric elements would be introduced by the proposed rezoning to the setting of the historic resources. Thus, the proposed action is not expected to result in indirect effects on historic resources in the study area.

Shadows

As described in Chapter 3.5, "Shadows," the projected and potential development that could result from the proposed rezoning would not create a shadow impact on the historic resources in the study area. The Bronx County Courthouse and the Grand Concourse Historic District are not considered resources of concern that require a detailed assessment for potential shadow impacts. The two historic resources in the study area do not contain details that are considered sunlight

sensitive. Thus, any incremental shadow on the Bronx County Courthouse and the Grand Concourse Historic District generated by the proposed action would not create a significant adverse impact.

CONCLUSION

LPC reviewed the projected and potential development sites to determine the potential for effects on archaeological resources. LPC determined that the projected and potential development sites (see Chapter 2.0 for complete description of sites that comprise the projected and potential development sites) are not on sites considered archaeologically sensitive for prehistoric and historic archaeological resources, therefore the proposed rezoning does not have the potential to result in significant adverse archaeological impacts.

The projected and potential development sites do not include any historic resources and the proposed rezoning would therefore not directly affect any identified historic resources in the study area. The construction sites of the projected and potential development sites would be more than 90 feet from any resource and no construction-related impacts are anticipated as a result of the proposed action. The proposed rezoning is not expected to alter the visual context of the historic resources and no indirect impacts are anticipated as a result of the proposed action. Finally, the identified historic resources in the study area are not considered sunlight-sensitive and and would not be significantly affected by incremental shadows generated by the proposed action.

The proposed action is not expected to result in significant adverse impacts on Historic Resources.

3.7 URBAN DESIGN AND VISUAL RESOURCES

INTRODUCTION

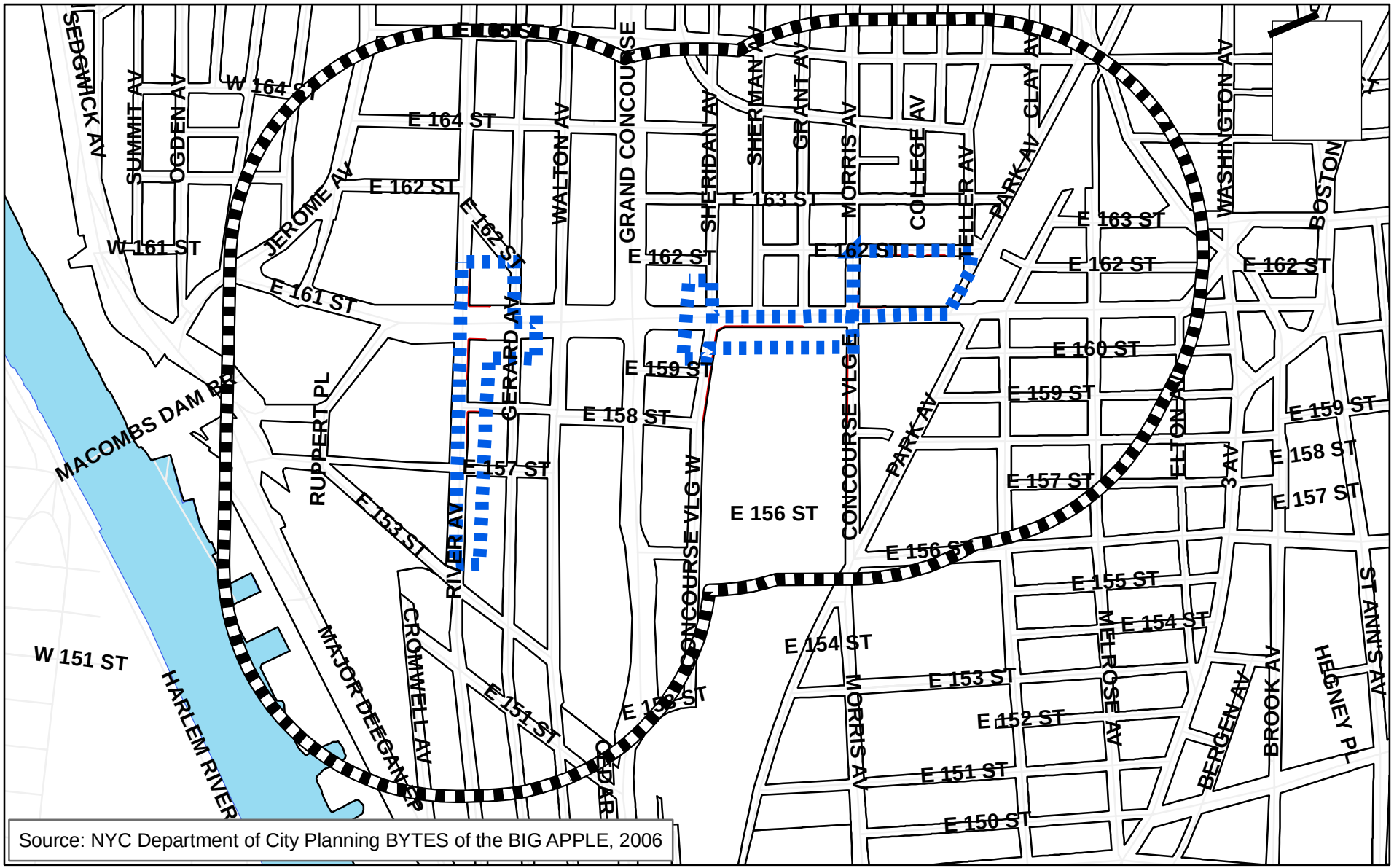
The proposed action would not result in significant adverse impacts related to urban design and visual resources.

This chapter provides an assessment of the potential effects on urban design and visual resources that could result from the proposed action. As described in **Chapter 1.0**, "**Project Description**," the proposed action includes zoning map and text amendments specific to the 161st Street corridor in order to strengthen the identity of the corridor as a whole and to address the characteristics and needs that are specific to the area.

The proposed action is anticipated to result in new developments that would generally differ in height, bulk, form, setbacks, size, and scale from those which currently exist in the rezoning area. The new development would also differ in these characteristics from what could occur under a no-action condition. The proposed action would result in new development in the rezoning area, which contains some visual resources. As such, an analysis of urban design and visual resources is appropriate as per the guidelines set forth in the *CEQR Technical Manual*. For analysis purposes, the urban design and visual resources study area are consistent with the study area used for analysis in Chapter 3.1, "Land Use, Zoning and Public Policy," defined by a quarter-mile radius from the proposed action area (see Figure 3.7-1).

Together, urban design components and visual resources define the distinctive identity of a neighborhood. As specified by CEQR, the analysis of urban design assesses the effects of the proposed action on those attributes that constitute the physical appearance of buildings and streets in the study area. These attributes include building bulk, use, and type; building arrangement; block form and street pattern; streetscape elements; street hierarchy; and natural features. Bulk is defined by the size of a building and its massing on a site. Height, length, and width define a building's size while volume, shape, setbacks, lot coverage, and density define its mass. The analysis of visual resources provided in this chapter assesses the effects of the proposed action on the visual resources of the study area, which are its unique or important public view corridors, vistas, or natural or built features. Public parks, landmarked structures, and landmarked districts are all examples of visual resources. As suggested by CEQR, only views of visual resources from public and publicly accessible locations are assessed.

Within the area of the proposed action, DCP has identified eleven projected development sites, where development is likely to occur. Eleven potential development sites have also been identified, where development could occur, but is considered less likely. The proposed zoning map and text amendments that comprise the proposed action respond to the character and growth potential of 161st Street and the surrounding area, and would result in an urban form sensitive to the existing built context. The proposed action would bring about significant improvements to the urban form of the proposed action area, providing for the replacement of several low-rise structures with residential, commercial and mixed-use developments. The proposed action would strengthen the identity of the area as the civic heart of the Bronx by encouraging the contextual



Source: NYC Department of City Planning BYTES of the BIG APPLE, 2006

Legend

Rezoning Area (Primary Study Area)

1/4-Mile Area (Secondary Study Area)

0 330 660 1,320 Feet

Figure 3.7-1 - Urban Design Study Area

161st Street Rezoning and Related Actions

NYC Department of City Planning

growth and expansion of residential, office and retail uses located along 161st Street. The proposed rezoning would also address the specific characteristics and needs of each of the three distinct nodes within the primary study area, ensuring that expansion is compatible with surrounding areas. These nodes are defined below.

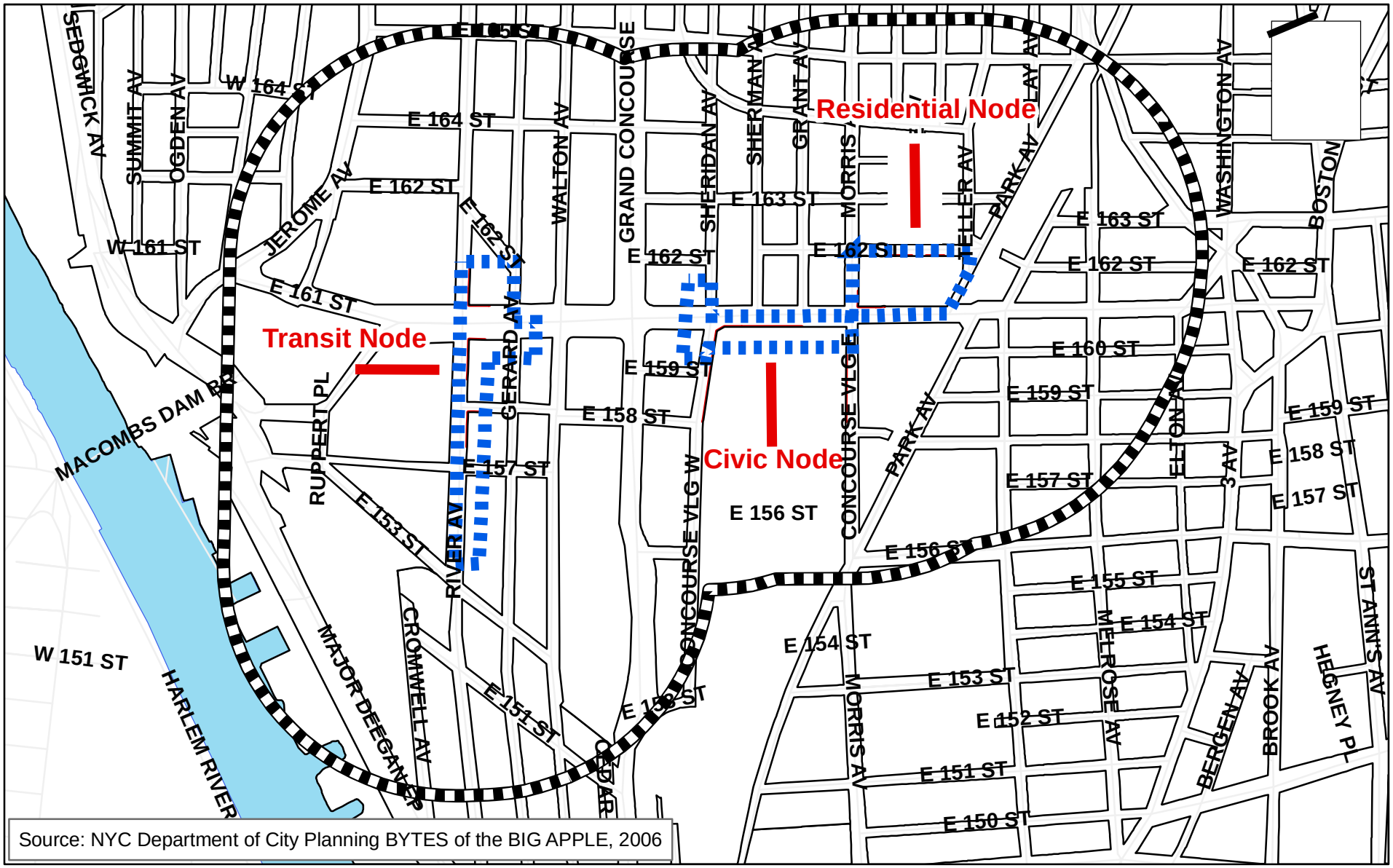
Study Areas

The discussion of urban design and visual resources is divided into two parts: a study area contiguous with the rezoning area (referred to as the primary study area) and a secondary study area, which extends a quarter-mile radius from the proposed rezoning area boundary. The rezoning area is an approximately eight-block area in the Bronx generally bounded by East 162nd Street to the north, Park Avenue to the east, East 153rd and East 159th Streets to the south, and River Avenue to the west. The secondary study area contains all or part of approximately 63 blocks, in addition to the eight-block rezoning study area, for a total study area comprising 71 blocks. The secondary study area is generally bounded by East 165th Street to the north, Elton Avenue to the east, East 156th and East 151st Streets to the south, and the Major Deegan Expressway to the west. Figure 3.7-1 presents the urban design and visual resources study areas.

The 161st Street rezoning area was divided into three nodes, which were defined through consideration of building type and development density, levels of activity, opportunity for redevelopment, streetscape, use and concentrations of like activities. The primary study area has been divided into three corresponding nodes, as shown on Figure 3.7-2: the Transit Node, the Civic Node, and the Residential Node. The analysis assesses the impacts within each node in the rezoning study area and then assesses impacts in a secondary study area a quarter-mile around the rezoning area.

As shown on Figure 3.7-2, moving from west to east, the first node in the rezoning study area is the Transit Node, centered around the intersection of East 161st Street and River Avenue. This node has a concentration of transit uses, including a subway line, public bus routes and an elevated train. The next node is the Civic Node, which has a concentration of civic uses centered on the East 161st Street between Concourse Village East and Concourse Village West, including the Bronx Criminal Court Complex and the new Bronx Hall of Justice. The easternmost node is the Residential Node. It's center a growing residential community located on the block that extends from Morris Avenue to Teller and Park Avenues from west to east, and from East 162nd Street to East 161st Street from north to south. The Residential Node bridges the civic uses on the corridor to the Melrose Metro-North station, as well as the existing and proposed residences in Melrose Commons.

The proposed rezoning considers the historical buildings, parks and districts in the area. The only individual landmark within the primary study area is the Bronx County Courthouse. The Grand Concourse Historic District and parks such as Franz Sigel Park, Joyce Kilmer Park, and the future Heritage Field would be integrated into the urban fabric through the uses and bulk regulations developed for the proposed 161st Street Rezoning.



Legend

Rezoning Area (Primary Study Area)

1/4-Mile Area (Secondary Study Area)

0 330 660 1,320 Feet

Figure 3.7-2 - Urban Design Nodes

161st Street Rezoning and Related Actions

NYC Department of City Planning

3.7.1 EXISTING CONDITIONS

URBAN DESIGN

The urban design of a neighborhood or other urban area is defined by the building bulk, use and type, street hierarchy, block form and pattern, building arrangement, streetscape elements, and natural features and topography. The assessment of urban design focuses on the three nodes of the primary study area and then the secondary urban design study area.

Primary Study Area

The Primary Study Area is coterminous with the rezoning area. It is an approximately eight-block area in the Concourse Village section of the Bronx generally bounded by East 162nd Street on the north, East 159th and East 153rd Streets on the south, Park Avenue on the east, and River Avenue on the west. The Primary Study Area is divided into the following three nodes: the Transit Node, the Civic Node, and the Residential Node. The Primary Study Area is shown on Figure 3.7-2.

Transit Node

Within the rezoning study area, the Transit Node includes portions of three city blocks (2484, 2483, and 2482) that flank River Avenue between East 153rd and East 162nd Streets, plus one lot of block 2474 located on East 161st Street between Gerard and Walton Avenues. In total, the Transit Node includes portions of five blocks. There are five projected development sites located in the Transit Node that are expected to be redeveloped as three different development sites in the future with the proposed action. They are designated as projected development sites 1A, 1B, 2A, 2B, and 3. The following site descriptions represent the conditions of these sites as of July, 2008. The existing conditions on the lots projected to be redeveloped as a result of the proposed action are as follows:

- Site 1A: This 19,306 sf site is located at 880 River Avenue (Block 2484, Lot 9) and is a mid-block lot. An existing two-story, 44,000 sf commercial building is currently on the site with a built FAR of 2.28.

- Site 1B: This 11,503 sf site is located at 51 East 161st Street (Block 2484, Lot 5) and is a corner lot east of River Avenue. An existing one-story, 3,038 sf commercial building is currently on the site with a built FAR of 0.26. The building is currently occupied by a McDonald's restaurant, which has an outdoor seating area.

- Site 2A: This 9,061 sf site is located at 48 East 161st Street (Block 2483, Lot 40) and is a corner lot east of River Avenue. It currently has a one-story, 9,000 sf commercial building with a built FAR of 0.99. The building is currently occupied by various retail stores that primarily cater to crowds attending nearby Yankee Stadium.

- Site 2B: This 15,017 sf site is located at 850 River Avenue (Block 2483, Lot 34) and is a

mid-block lot. It has a two-story commercial building, currently occupied by a sports bar, and a one-story commercial building, currently occupied by souvenir shops and other retail uses catering to nearby Yankee Stadium. The 25,000 sf adjoined buildings together have a built FAR of 1.66.

- Site 3: This 20,000 sf site is located at 810 River Avenue (Block 3483, Lot 5) and is a corner lot south of East 158th Street. An existing two-story, 40,000 sf commercial building, occupied by a sports bar and restaurant, is currently on site with a built FAR of 2.00.

On the west end of the Transit Node, located along River Avenue, are the current Yankee Stadium, which is a visual landmark located on the southern side of East 161st Street, and the new Yankee Stadium, under construction north of East 161st Street. River Avenue is two-way street that runs below the elevated "4" train. The section of East 161st Street that lies within the Transit Node is of greater width than surrounding streets and contains local traffic lanes on either side of limited-access travel lanes. The limited-access travel lanes are designated to accommodate traffic exiting the Major Deegan Expressway. The east side of River Avenue and the section of East 161st Street that lies within the Transit Node are lined mostly with retail establishments, although there are several parking facilities on River Avenue. Pedestrian activity is concentrated at the intersection of East 161st Street and River Avenue, which provides access to the 161st Street subway station that serves the "B", "D" and "4" trains. On a typical day, pedestrian activity is heaviest on 161st Street, as the retail establishments on River Avenue are primarily geared towards crowds from Yankee Stadium. Sidewalks within the Transit Node are wide to accommodate large game-day crowds. Retail developments on both streets predominantly include one-story sports bars, souvenir shops and small restaurants. Figure 3.7-3 provides views of this area.

Building Bulk, Use, and Type: The buildings found in the Transit Node are predominantly comprised of one- to two-story commercial buildings fronting River Avenue or East 161st Street. The structures in this node have FARs within the range of 0.26 to 3.0, and most buildings feature retail uses. There is also one indoor parking garage. Structures are built to their lot lines in this node, with the parking areas along River Avenue, on either side of East 157th Street, being the only exceptions. Retail uses consist primarily of businesses aimed at crowds related to Yankee Stadium, such as souvenir shops, sports bars, and sports apparel, and locally-oriented businesses, such as food establishments and pharmacies. However, there are also regional or national chains such as McDonald's, Chase Bank, Apple Bank, and Foodtown grocery store.

Building Arrangement: With respect to their placement upon their respective lots, most buildings in the Transit Node are attached to one another in a parallel formation. The buildings were constructed during different periods, each of which presents the prevailing architectural vernacular of the time. A moderately cohesive urban form is exhibited by their varying styles and building façades.

Block Form and Street Pattern: Most of the block forms are rectangular and generally fit within the street grid pattern. North of 161st Street in the Transit Node, the block form is interrupted by East 162nd Street, which runs diagonally on the northern border of the block. Directly outside the rezoning area to the west, block form is interrupted by the existing and future Yankee Stadiums,

Figure 3.7-3 – Urban Design: Transit Node

(1) A view of existing retail along River Avenue, facing south

(2) A view of the elevated train and River Avenue, facing south

(3) A view of East 161st Street and Walton Avenue, facing west

(4) A view of East 161st Street and River Avenue, facing northwest towards the new Yankee Stadium

as well as Major Deegan Expressway ramps.

Streetscape Elements: Compared with other nodes in the Primary Study Area, fewer street trees are present in the Transit Node, with the highest density of trees lining the medians within East 161st Street. Along this roadway, signage is found at nearly every commercial floor level which, as noted, consists primarily of individual retail stores of one or two floors. Newsracks are present at varying locations throughout River and Gerard avenues. There are several building facades adjacent to parking areas in the node, which are used for mural drawings. Pedestrian activity can be heavy along 161st Street during the morning, afternoon and evening hours.

The streetwalls in the Transit Node are continuous, with the only exception being in the southernmost portion of the node, where outdoor parking facilities are located. Street lamps are common along East 161st Street, while the most dominant street feature along River Avenue is support beams for the elevated train.

Street Hierarchy: The Transit Node is comprised of slightly irregular blocks bounded by north-south avenues, and east-west local streets that run diagonally, slightly disrupting the grid pattern. East 161st Street is a major east-west arterial in this area that bisects the Transit node. The other east-west streets in the node are local streets and handle limited traffic. The north-south avenues, River and Gerard Avenues, function as collector/distributor streets, with River Avenue being used a route for public buses.

Natural Features and Topography: There are no significant natural or topographic features within the Transit Node. There is a subtle change in grade, which rises slightly northeast, though the topography is generally flat.

Civic Node

Included in the Civic Node are several civic-use buildings, including the Hall of Justice and the Bronx Criminal Court Complex, as well as a retail shopping center—The Concourse Plaza. The node contains mostly mixed use and commercial buildings, several of which also house civic uses. The Civic Node contains one projected development site (site 4) and three potential development sites. Figure 3.7-4 presents views of this urban design node.

The existing conditions were surveyed as of July, 2008. Site 4 is an 88,036 sf site located at 198 East 161st Street (Block 2443, portions of Lots 94 and 90). The site encompasses a portion of an existing parking lot on Lot 94 that serves the adjacent shopping plaza. An 11-story, 201,500 sf office building with a built FAR of 2.29 currently exists on Lot 90. As the proposed site contains portions of each lot, the site area is limited to the area that is projected to be redeveloped as a result of the action.

Building Bulk, Use, and Type: There is no overall pattern of building arrangement within the project area, as this node contains buildings of varying heights and uses, in addition to several garage and surface-parking areas. By comparison to the Transit Node, buildings within the Civic Node are of greater bulk, as the area lacks the single-story retail uses prevalent along River

Figure 3.7-4 – Urban Design: Civic Node

(5) A view of Concourse Plaza from 161st Street and Sheridan Avenue, facing east

(6) A view of Sheridan Avenue at 161st Street, facing north

(7) A view of East 161st Street and Concourse Village West, facing south


(8) A view of Potential Development site I, located on Concourse Village West

Avenue and the western portion of East 161st Street. Along East 161st Street, between Concourse Village West and Concourse Village East, there are three office buildings, rising two, ten and eleven stories in height. The two- and ten-story buildings abut each other and were constructed at an earlier time than the eleven-story building, which is fairly new and well-maintained. All three buildings are built to the lot line and have full lot coverage, although lot sizes are irregular. On Sheridan Avenue, north of East 161st Street, there is a two-story, boxy mixed-use building and a three-story, narrow residential building, both of which are built to the lot line and have full lot coverage. On the south side of 161st Street, there are four two- to three-story mixed-use, commercial and residential buildings of various styles. Whereas the commercial building is rectangular and constructed from brick, the other buildings are residential and with a vinyl façade. Built FARs in this node range from 0.86 to 2.29.

Building Arrangement: Buildings in this node are generally built to their lot lines. However, several of the lots are irregular in shape, notably those on which the large office buildings are located. The Concourse Plaza Shopping Center is a notable exception, with its parking lot separating the eleven-story, newer office building from the remaining office buildings fronting East 161st Street. A surface parking lot located near the southwest corner of East 161st Street and Concourse Village West also separates the four two- to three-story buildings into groups of two.

Blockform and Street Pattern: The two blocks in the node to the west of Concourse Village West have regular blockforms. The large office buildings, and the parking lot for the Concourse Plaza Shopping Center, are located on a superblock which interrupts the rectangular street grid in this node. The street pattern consists of one arterial (East 161st Street) intersected by a collector/distributor street (Concourse Village West).

Streetscape Elements: The portion of the Civic Node fronting East 161st Street experiences a relatively large amount of pedestrian traffic. As a result, adaptive streetscape elements include food carts, a book vendor, trashcans, newspaper bins, and a few street trees. There are also streetlamps located along this portion of the node. While the octagonal, galvanized steel posts with cobra-head luminaire varieties are most common, several streetlamps exhibit an embellished, historic flair. These are located primarily along the East 161st Street median between River and Walton avenues. The parking lot for the Concourse Plaza Shopping Center disrupts the street wall fronting East 161st Street, with a large wrought-iron fence at the perimeter. The small parking area on the portion of the node fronting Concourse Village West also disrupts the street wall on that block, which is otherwise consistent. Signage is found on retail frontages along buildings fronting Concourse Village West, as well as in front of the plaza parking lot.

Street Hierarchy: The Civic Node is centered on one major arterial road, 161st Street. The other street within the node, Concourse Village West, is a collector/distributor road.

Natural Features and Topography: The topography of this area is generally constant, and there are no significant natural or topographic features within the Civic Node.

Residential Node

The Residential Node contains seven projected development sites and two potential development sites. The node generally connects the Civic Node on the west to the Melrose Metro-North train station and Melrose Commons Urban Renewal Area on the east. The node consists of one block in the rezoning area bounded by East 162nd and East 161st Streets on the north and south, and Morris and Park Avenues on the west and east. See Figure 3.7-5 for views of the Residential Node. The following site descriptions represent the conditions of the seven projected development sites in the Residential Node as of July, 2008. The existing conditions on these lots are as follows:

- Site 5: This 8,800 sf site is located at 271 East 161st Street (Block 2421, Lot 1) and is a corner lot east of Morris Avenue. An existing one-story, 8,800 sf commercial building containing retail uses currently occupies the site with a built FAR of 1.00.

- Site 6: This 9,600 sf site is located at 281 East 161st Street (Block 2421, Lot 57). It currently has a one-story, 5,000 sf commercial building, with a built FAR of 0.52. The building is currently occupied by retail establishments.

- Site 7: This site is comprised of three tax lots (Lots 16, 17, and 75) on Block 2421. Lot 16 is a 2,434 sf parcel located at 284 East 162nd Street; Lot 17 is a 2,432 sf parcel located at 286 East 162nd Street; and Lot 75 is a 2,434 sf parcel located at 288 East 162nd Street. All three lots are currently used for parking.

- Site 8: This 7,300 sf site is located at 294 East 162nd Street (Block 2421, Lot 18) and is a mid-block lot. An existing two-story, 2,420 sf residential building, with a built FAR of 0.33, currently occupies the site.

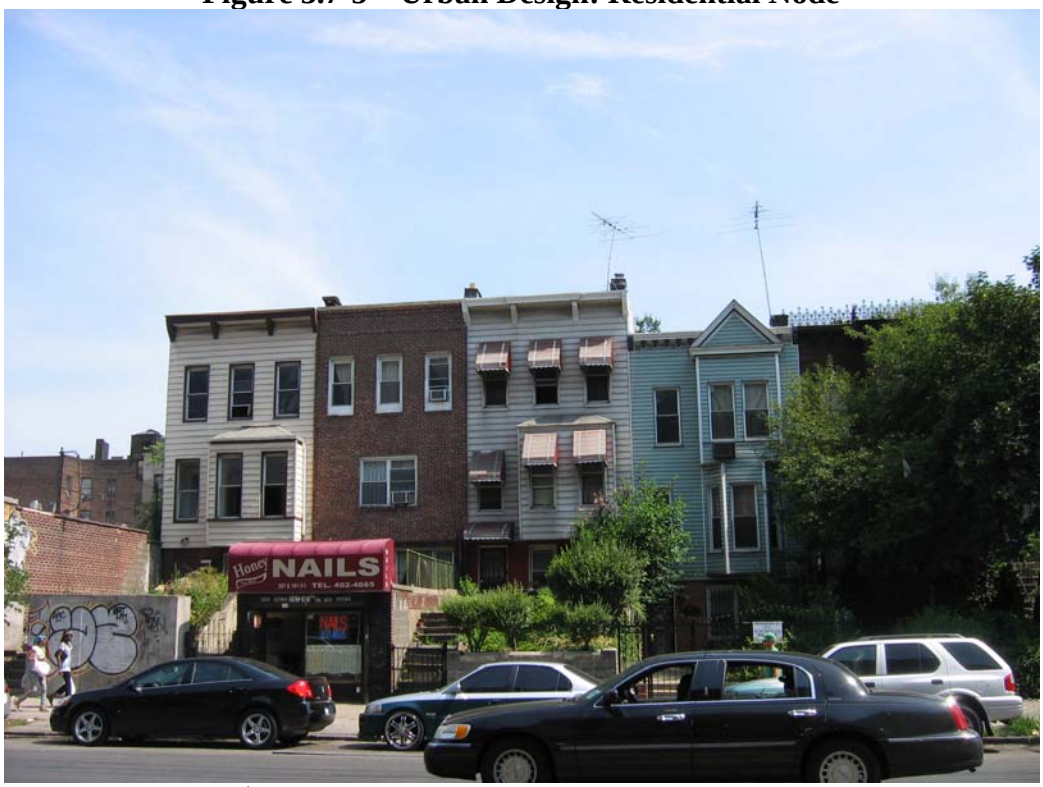
- Site 9: This 7,300 sf site is located at 296 East 162nd Street (Block 2421, Lot 20) and is a mid-block lot. The site is currently occupied by a two-story, 2,420 sf residential building, with a built FAR of 0.33, and a side-yard parking area.

- Site 10: This 4,834 sf site is located at 308 East 162nd Street (Block 2421, Lot 26) and is a mid-block lot. The site is currently used as a parking area, containing no built structures.

- Site 11: This 6,844 sf site is located at 316 East 162nd Street (Block 2421, Lot 27) and is a mid-block lot. An existing two-story, 2,520 sf vacant residential building, with a built FAR of 0.37, is currently on site.

Building Bulk, Use, and Type: Within the Residential Node, the streetwalls are discontinuous. Building uses alternate between concentrations of commercial buildings, residential buildings, and institutional buildings. Heights range from two to five stories; however, these differences are sometimes exacerbated by parking areas and side lawns between buildings. Commercial, mixed-use, and institutional uses are dominant building forms, while residential buildings are set back further from the street and contain less bulk. Built FARs on projected and potential sites in this node range from 0.33 to 1.13.

Figure 3.7-5 – Urban Design: Residential Node



(9) A view of East 161st Street between Morris and Park avenues, looking north

(10) A view of East 161st and Morris Avenue, looking north

(11) A view of East 162nd Street between Morris and Park avenues, looking south

(12) A view of East 161st Street between Morris and Park avenues, looking northwest

Building Arrangement: Buildings within the Residential Node are generally rectangular. However not all buildings, particularly the two- and three-story residential buildings on the northern blockface of 161st Street between Morris and Park avenues, are built to the lot lines.

Blockform and Street Pattern: There is only one block in the Residential Node. It is slightly irregular, with the diagonal run of Park Avenue disrupting the rectangular form of the block. The block length is generally consistent with others within this node and the rezoning area.

Streetscape Elements: Street trees are positioned sporadically throughout this node, and exist primarily in front of residential buildings. Street lighting fixtures are generally of the octagonal, galvanized steel posts with cobra-head luminaire varieties. While several street benches line the perimeters of the local parks in other nodes, these street furnishings are absent in the Residential node. Overall, streetscape elements are minimal in this node.

Street Hierarchy: The Residential Node is bounded by streets are various different sizes and functions. East 161st Street is a principal arterial; Morris and Park Avenues are collector/distributor roads; and East 162nd Street is a local road.

Natural Features and Topography: There are no significant natural or topographic features within the Residential Node.

Secondary Study Area

The secondary study area is defined as the area contained within a quarter-mile radius from the rezoning area. The secondary study area is generally bounded by East 165th Street to the north, Elton Avenue to the east, East 156th and East 151st Streets to the south, and the Major Deegan Expressway to the west. The boundaries of the secondary study area are shown in Figure 3.7-1. For the purposes of this analysis, the secondary study area is divided into four sections based on their relation to the rezoning area.

The westernmost portion of the study area (the area that is generally west of River Avenue) is characterized by open space resources, including Mullaly Park, the Interim Track and Field facility, Macomb's Dam Park, lots currently undergoing development, industrial uses, and parking facilities. This portion of the study area also includes the current and future Yankee Stadiums, the latter of which was under construction as of the field survey in July, 2008. These two stadiums are the largest built structures in this portion of the study area. Other buildings in the area are residential buildings concentrated west of Jerome Avenue. The residential buildings in this area vary in size and type, ranging from two-story, single-family, detached residences to ten-story, multi-family apartment buildings. The residential buildings are built to their lot lines, with the larger apartment buildings facing Jerome Avenue and the smaller apartment buildings and individual residences facing Ander Avenue, and have full lot coverage. There is also a one-story commercial building and a couple of institutional buildings in this portion of the study area, including the Highbridge Woodycrest Center, which is a City landmark.

The blockforms in the western portion of the study area are irregular, largely due to the design of

the Major Deegan Expressway and adjoining ramps. The several large open space resources and the existing and future Yankee Stadiums are located on superblocks or otherwise irregular blocks. In addition to the expressway, other roadways in the area include Jerome Avenue, which is a collector/distributor road, and local roads, including Ruppert Place, East 153rd Street, Anderson Avenue, and East 156th Street, which is the southern border of Mullaly Park. The park is bordered by a large wrought-iron fence and several large, mature trees. Street trees are common in this portion of the study area, and are located on the streets surrounding the stadiums, along Macomb's Dam Park, and along Anderson Avenue. The majority of the western portion of the study area is devoid of natural features. The elevation does noticeably rise from south to north on Anderson Avenue, and rises slightly from the west to the east along East 161st Street into the rezoning area.

The northern portion of the study area (the area that is generally north of East 162nd Street, between River Avenue on the west and Park Avenue on the east) is largely characterized by residential and mixed use buildings. Several community facilities, including P.S. 35 (Franz Sigel School) and J.H.S. 145 (Arturo Toscanini School), Joyce Kilmer Park, and several commercial buildings are located in this portion of the study area. The residential buildings in the northern portion of the study area vary considerably in size and style, with large apartment buildings, ranging from six- to ten-stories in height, concentrated to the west of Sherman Avenue, and one- to two-family attached residences and low-rise apartment buildings concentrated to the east of Sherman Avenue. There is also a 23-story, high-rise apartment building located at the southeast corner of the Grand Concourse and East 165th Street. Residences located along the Grand Concourse are noted for their art deco designs and are included as part of the Grand Concourse Historic District. Residential and institutional buildings in the northern portion of the study area are mostly rectilinear, built to their lot lines, and have full lot coverage.

The blocks in the northern portion of the study area vary in size, however most blocks are regular in shape. Irregular blocks in this part of the study area are attributable to East 164th Street and Park Avenue, which run diagonally and do not follow the street grid pattern. The Grand Concourse is a major arterial road in the northern portion of the study area, with the other north-south avenues functioning as collector/distributor roads or local roads, and all east-west streets functioning as local roads. There are several street trees located in this portion of the study area, though most are small and so are not prominent street features. This area is largely devoid of other streetscape elements, as well as natural features. In general, the elevation in the northern portion of the study area rises gradually to the north.

The easternmost portion of the secondary study area (the area that is generally east of Park Avenue) is characterized by residential and industrial uses, as well as vacant lots. In this portion of the study area, residential buildings are largely concentrated in the area south of East 161st Street, and industrial buildings and vacant lots are largely concentrated in the area north of East 161st Street. Residential buildings are generally rectangular, ranging from two to three stories in height. The exception is the Andrew Jackson Houses, which are 16 stories in height, as well as a couple of mid-rise apartment buildings. These larger apartment buildings are mostly concentrated to the west of Courtlandt Avenue. Mixed use buildings, commercial buildings, community facilities, including day care centers and a Salvation Army building, and several open space resources are located in the eastern portion of the study area. Buildings in the eastern

part of the study area are generally built to their lot lines and have full lot coverage.

Residential and industrial blocks in the eastern portion of the study area are generally regular, with the exception being blocks bordered by Park, Brook, or Elton Avenues, which all run diagonally. In general, the north-south avenues are collector/distributor roads and the east-west streets are local roads. The area is largely devoid of streetscape elements besides small street trees, and there are no significant natural or topographic features in the eastern part of the study area.

The southern portion of the study area (the area that is generally south of East 161st Street, between River Avenue to the west and Park Avenue to the east) contains a mix of residential uses, commercial uses, including the Concourse Plaza Shopping Center, mixed-use buildings, community facilities, including the Bronx County Courthouse, and open space resources, including Franz Sigel Park. Residential buildings are mostly mid-rise apartment buildings, ranging from six- to eight-stories in height; however, there are also a few high-rise apartment buildings concentrated on the west side of Concourse Village East that range up to 25 stories in height. Residences fronting the Grand Concourse comprise a portion of the Grand Concourse Historic District were designed in the art deco style. Similar to the Primary Study Area, buildings in the southern part of the secondary study area are generally rectangular, built to their lot lines, and have full lot coverage.

The blockforms in the southern part of the secondary study area are generally irregular, due to superblocks and diagonal streets, such as East 153rd Street. Franz Sigel Park, which is situated at a higher elevation than adjacent areas, also contributes to the irregular blockform. In general, the north-south avenues, such as Concourse Village West and Walton Avenue, are collector/distributor roads, and the east-west streets are local roads. The Grand Concourse is a major arterial in this portion of the study area. Similar to the rest of the secondary study area, this area is largely devoid of streetscape elements and natural features, except for street trees that are found mostly along residential blocks. In general, the elevation rises slightly to the north in the southern portion of the study area.

VISUAL RESOURCES

Based on criteria outlined by the *CEQR Technical Manual*, several resources have been defined as having visual significance in the quarter-mile study area. These resources include historic districts, views of significant historic and architectural landmarks, and open space resources. Table 3.7-1 lists these resources. Further details about Mullaly Park, Joyce Kilmer Park, and Franz Sigel Park are available in Chapter 3.4, "Open Space" while further information on the resources can be found in Chapter 3.6, "Historic Resources."

Views of visual resources within the study area are generally limited to the resource's immediate surroundings. However, views of resources located along major arterials, such as East 161st Street and the Grand Concourse, generally extend further. The visual resources of the 161st Street study area include National Register and New York City Landmark structures, a historic district, and open space resources. None of these visual resources are located within the rezoning area.

There are two individual landmarks located within the quarter-mile study area, the Bronx County Courthouse and the Highbridge Woodycrest Center. The Bronx County Courthouse, located at 851 Grand Concourse, is an imposing, monumental civic edifice built in the Neo-classical style. The building is situated directly south of Joyce Kilmer Park and directly north of Franz Sigel Park. Given the building's location at the intersection of the two major arterials in the study area (East 161st Street and the Grand Concourse), its construction atop a large base, and its immediate proximity to open space resources, views of the Bronx County Courthouse are available from all adjacent blocks, in addition to some surrounding blocks. A partial view of this resource is possible from the western portion of the Civic Node within the proposed rezoning area.

The Highbridge Woodycrest Center, located at 936 Woodycrest Avenue, was the former American Female Guardian Society's Home for the Friendless (also known as the Woody Crest Home) and currently serves the community as a long-term health care facility. The large, palatial building was constructed in 1901-02 in the beaux arts style and is situated adjacent to a small section of Macomb's Dam Park. This landmark is generally visible only from its immediate surroundings; however, a partial view of the building can be had from other sections of Macomb's Dam Park and from the Interim Track and Field facility.

In addition to the registered individual landmarks mentioned above, the existing Yankee Stadium is a notable visual resource in the project study area. The existing stadium is located on the south side of East 161st Street, between Ruppert Place and River Avenue. As elevation rises gradually from the stadiums in the western part of the study area towards the eastern part of the study area, there are many possible views of the stadium from the study area. Along East 161st Street, partial views of the stadium can be had from River Avenue to the Grand Concourse, as well as on some streets running parallel to East 161st Street. Yankee Stadium is also visible from the Transit Node within the proposed rezoning area.

There is one historic district, the Grand Concourse Historic District, located partially within the project study area. The Grand Concourse Historic District encompasses properties at 730-1000, 1100-1520, 1560, and 851-1675 Grand Concourse, is characterized by its mix of residential and institutional buildings, encompassing the Bronx County Courthouse. The historic district spans approximately 500 acres and consists of 82 buildings that were mostly constructed in art deco and late 19th and 20th century revival styles. As this resource comprises mostly of buildings fronting the Grand Concourse within the study area, portions of the district are easily visible from nearby streets, as well as from Franz Sigel Park and Joyce Kilmer Park. A partial view of the historic district is possible from the easternmost portion of the Transit Node within the proposed rezoning area.

There are three open space resources that may be considered visual resources for the project study area: Joyce Kilmer Park, Franz Sigel Park, and Mullaly Park. Joyce Kilmer Park is bounded by East 164th and East 161st Streets on the north and south, and Walton Avenue and the Grand concourse on the west and east, and contains approximately 6.88 acres of open space. Within the park are the Louis J. Heintz statue and the Lorelei fountain, which contribute to the visual value of the park. This park is visible from surrounding streets, and partial views can also be had from the easternmost portion of the Transit Node and the westernmost portion of the Civic Node in the proposed rezoning area.

Franz Sigel Park contains 16 acres of open space and is generally bounded by East 158th and East 151st Streets on the north and south, and Walton Avenue and the Grand Concourse on the west and east. The park is visible only from surrounding streets despite it being situated at a higher elevation than nearby streets because it is largely encompassed by mid-rise apartment and mixed use buildings.

Mullaly Park contains approximately 14.63 acres of open space under existing conditions and is generally bounded by McClellan and East 164th Streets to the north and south, and Jerome and River Avenues to the west and east. Only the southern portion of the park, situated south of East 165th Street, is located with the quarter-mile study area. The southern portion of the park, which includes a swimming pool and skate park, is visible from surrounding streets.

Table 3.7-1: Visual Resources in the 161st Street Corridor Study Area

Key	Resource Name	Location	Resource Description	Description of Views
1	Bronx County Courthouse	851 Grand Concourse	Nine-story monumental building in Neo-classical style (NYCL and NR)	Visible from immediate surroundings, and along stretches of East 161st Street and Grand Concourse.
2	Highbrdige Woodycrest Center	936 Woodycrest Avenue	Mansion-esque building in beaux arts style (NYCL)	Visible from immediate surroundings
3	Existing Yankee Stadium	East 161st Street, River Avenue, and Ruppert Place	Concrete baseball stadium home to the New York Yankees	Visible from immediate surroundings, western portion of East 161st Street Corridor and some parallel streets.
4	Grand Concourse Historic District	730-1000, 1100-1520, 1560, 851-1675 Grand Concourse	82 residential and institutional buildings, mostly in art deco style (NYCL Eligible and NR)	Visible from the Grand Concourse, adjacent parks, and some areas to the west.
5	Joyce Kilmer Park	East 164th Street to East 161st Street, Walton Avenue to Grand Concourse	Park containing Heintz Statue, Lorelei fountain, and mostly passive open space	Visible from immediate surroundings
6	Franz Sigel Park	East 158th Street to East 151st Street, Walton Avenue to Grand Concourse	Park containing passive and active open space, including ballfield.	Visible from immediate surroundings
7	Mullaly Park	McClellan Street to East 164th Street, Jerome Avenue to River Avenue	Park containing mostly active resources, including swimming pool and skate park	Visible from immediate surroundings

NYCL - Resource is a designated NYC Landmark,/NR - Resource appears on the National Register of Historic Places

3.7.2 FUTURE WITHOUT THE PROPOSED ACTION

In the future without the proposed action, it is anticipated that the zoning regulations in the rezoning area that exist presently would remain in place. The New York City Department of City Planning (DCP) has identified likely new development on portions of nine of the projected development sites within the rezoning area that would be expected to be completed in the future without the proposed action in the Reasonable Worst Case Development Scenario (RWCDS). In addition, there are several large developments expected within the quarter-mile secondary study area in the future without the proposed rezoning. While these developments are not expected to significantly change the urban design of the area, they will alter some existing visual resources.

Urban Design – Rezoning Area

The Primary Study Area is generally bounded by East 162nd Street to the north, Park Avenue to the east, East 153rd and East 159th Streets to the south, and River Avenue to the west, and is divided into the Transit Node, the Civic Node, and the Residential Node. In the future without the proposed action, it is expected that the current general development patterns within the rezoning study area would continue. These trends are characterized by limited, discrete redevelopment, in accordance with existing zoning.

For analysis of urban design and visual resources in the future without the proposed action, only those sites that would accommodate new above-ground construction are analyzed. Based on currently available information, there are no known developments located within the Primary Study Area which are expected to be developed independent of the proposed action.

Although there are no known developments in the future without the proposed action, DCP has identified 11 projected development sites within the rezoning study area. As identified in the RWCDS, in the future without the proposed action, as-of-right development totaling 299 dwelling units (DUs), 21,550 sf of retail, and 11,720 sf of community facility space would be expected to occur on 9 of these sites. These 9 sites are listed in Table 3.7-3. These projected developments are possible under the current zoning regulations and are in no way dependent upon the proposed action.

Table 3.7-3: Projected Developments in the Future without the Proposed Action

Projected Site #	Block / Lot	DUs	Retail FA	Office FA	Com. Fac. FA	Prkg Spaces
1b	2484/5	73	9,778	0	0	0
2a	2483/40	58	7,702	0	0	0
5	2421/1	26	4,070	0	4,070	0
6	2421/57	27	0	0	7,650	0
7	2421/16, 17, 75	25	0	0	0	0
8	2421/18	25	0	0	0	0
9	2421/20	25	0	0	0	0
10	2421/26	17	0	0	0	0
11	2421/27	24	0	0	0	0
Total		**299**	**21,550**	**0**	**11,720**	**0**

No changes are expected to occur on the remaining projected development sites (sites 1a, 2b, 3 and 4) in the future without the proposed action.

The development that would occur in the future without the proposed action would not be part of an overall zoning strategy that seeks to create incentives for new development and to balance new building form with the built scale and character of the area. In the future without the proposed action there would be some new residential development that would have an effect in enlivening the streetscape of 161st Street and minimizing the impact of new development on adjacent buildings.

The following conditions are expected on the projected development sites (Primary Study Area) in the future without the proposed action:

Transit Node

- Site 1b: This site is on Block 2484, Lot 5, and houses a commercial fast food restaurant. In the future without the proposed action, the existing retail on Lot 5 would be expanded to include additional retail and residential uses. The FAR for this site would be 7.2 with the expansion.

- Site 2a: This site is on Block 2483, Lot 40. In the future without the proposed action, Lot 40 would be developed with 58 new dwelling units and 7,702 sf of ground-floor retail. The 65,239 sf building would have an FAR of 7.2.

Civic Node

In the future without the proposed action, no new development is expected on the projected development sites in the Civic Node.

Residential Node

- Site 5: This site is on Block 2421, Lot 1. An 8,800 sf commercial building currently

occupies the site. In the future without the proposed action, approximately 4,070 sf of retail and 4,070 sf of community facility space would occupy the ground floor, with 26 dwelling units occupying the remainder of the floor area. New bulk would be created, and the existing FAR of 1.0 would increase to 3.9.

- Site 6: This site currently contains a one-story commercial building of approximately 5,000 sf. New development including 27 dwelling units and 7,650 sf of community facility space would occur at this site. Substantial new development would result on this site, with a building estimated at 34,474 gsf and an effective FAR of 3.6.

- Site 7: This site is comprised of Block 2421 Lots 16, 17 and 75, all of which are currently used as surface parking lots. In the future without the proposed action it would be developed with 25 dwelling units. A building with approximately 25,112 gross square feet would be created on these lots, with an FAR of 3.44.

- Site 8: This site contains one single-family home built to an FAR of 0.33. In the future without the proposed action, it is expected that Block 2421 Lot 18 would be built to include a total of 25 residential units. The total building size would be 25,112 gross square feet, which represents an FAR of 3.44.

- Site 9: This site is located on Block 2421 Lot 20. In the future without the Proposed Action, the existing 2,420 sf of residential uses would be expanded to include a total of 25 units. This development would equal 25,112 gross sf, which is an on-site FAR of 3.44. Building usage would not be modified, but bulk would be expanded.

- Site 10: This development site is currently used as a surface parking lot. In the future without the proposed action it would be developed with 17 dwelling units. A building with approximately 16,629 gross square feet would be created on this lot, with an FAR of 3.44.

- Site 11: This site contains two dwelling units built to an FAR of 0.37. In the future without the proposed action, it is expected that Block 2421 Lot 27 would be built to include a total of 24 residential units. The total building size would be 23,543 gross square feet, which represents an FAR of 3.44.

The development expected in the future without the proposed action would be dictated by the use and build controls of the existing zoning regulations. The rezoning area is primarily mapped within medium-density residential zoning districts. A smaller portion of the corridor is zoned with a high-density commercial zoning district that permits heavy automobile use and does not allow residential uses. The development expected to occur in the future without the proposed action would not be part of a comprehensive rezoning strategy aimed at responsible development and growth in an area of the Bronx that is well served by mass transit and functions as the civic heart of the Bronx.

Urban Design – Secondary Study Area

In the future without the proposed action, development projects expected to proceed

independently of the proposed action would include site-specific improvements in the urban design, visual quality and streetscape of the secondary study area. In particular, the Melrose Commons sites and the Yankee Stadium redevelopment site would result in substantial changes to the urban form at the east and west edges of the proposed rezoning area, respectively. Throughout the rest of the secondary study area overall existing conditions are expected to remain essentially unchanged given the modest number and distribution of the remaining expected developments throughout the area.

In addition to anticipated development in the rezoning area, absent the proposed action, other actions and development projects are expected to be in place within the secondary study area by 2017. These developments are listed in Table 3.7-5.

In the future without the proposed action, of the ten development projects identified below three of them would encompass the major land use changes expected to occur in the secondary study area by 2018: (1) the Melrose Commons URA Sites to the east of the project area, (2) the redevelopment of Yankee Stadium and the publicly-accessible open space that will be generated as a result, and (3) the development of the Gateway Center at Bronx Terminal Market to the south of the proposed rezoning area. The remaining seven developments represent major new development projects within the secondary study area.

Table 3.7-5: Study Area Developments in the Future without the Proposed Action

Map No.	Name	DUs	Retail FA	Com. Fac. FA	Prkg Spaces
1	Melrose Commons URA Sites	786	0	0	0
2	El Jardin	84	0	0	0
3	3160 Park Avenue	178	0	0	0
4	946-50 College Avenue	61	0	0	0
5	580 River Avenue	500	0	0	0
6	Plaza 163 Site	0	30,000	0	0
7	Yankee Stadium Redevelopment Project	0	??	0	0
8	Mott Haven Campus	0	0	280,000	0
9	Gateway Center at Bronx Terminal Market	0	957,700	0	2,835
10	Major Deegan Expressway Widening	n/a	n/a	n/a	n/a
Total		**1,609**	**987,700**	**280,000**	**2,835**

Melrose Commons Urban Renewal Area Sites

There are several sites expected to be developed in the future without the proposed action as part of the Melrose Commons Urban Renewal Plan. The Melrose Commons Urban Renewal Plan was adopted in May, 1994 and governs development in a 34-block area, generally bounded by East 163rd Street to the north, Brook and Third Avenues to the east, East 156th and East 159th

3.8 NEIGHBORHOOD CHARACTER

INTRODUCTION

As defined in the *CEQR Technical Manual,* neighborhood character is considered to be an amalgam of the various elements that give a neighborhood its distinct personality. These elements can include land use, urban design, visual resources, historic resources, socioeconomic conditions, traffic, and noise, as well as any other physical or social characteristics that help to distinguish the community in question from another.

The proposed action is anticipated to result in changes to the neighborhood character of the 161st Street rezoning area. These changes are considered to be beneficial to the overall character of the corridor and would not constitute significant adverse impacts to neighborhood character.

According to the *CEQR Technical Manual,* an assessment of neighborhood character is generally needed when the action would exceed preliminary thresholds in any one of the following areas of technical analysis: land use, urban design and visual resources, historic resources, socioeconomic conditions, transportation, or noise. An assessment is also appropriate when the action would have moderate effects on several of the aforementioned areas. Potential effects on neighborhood character may include:

- *Land Use.* Development resulting from a proposed action could alter neighborhood character if it introduces new land uses, conflicts with land use policy or other public plans for the area, changes land use character, or generates significant land use impacts.

- *Socioeconomic Conditions.* Changes in socioeconomic conditions have the potential to affect neighborhood character when they result in substantial direct or indirect displacement or addition of population, employment, or businesses; or substantial differences in population or employment density.

- *Historic Resources.* When an action would result in substantial direct changes to a historic resource or substantial changes to public views of a resource, or when a historic resource analysis identifies a significant impact in this category, there is a potential to affect neighborhood character.

- *Urban Design and Visual Resources.* In developed areas, urban design changes have the potential to affect neighborhood character by introducing substantially different building bulk, form, size, scale, or arrangement. Urban design changes may also affect block forms, street patterns, or street hierarchies, as well as streetscape elements such as street walls, landscaping, curb cuts, and loading docks. Visual resource changes could affect neighborhood character if they directly alter key visual features such as unique and important public view corridors and vistas, or block public visual access to such features.

- *Transportation*. Changes in traffic and pedestrian conditions can affect neighborhood character in a number of ways. For traffic to have an effect on neighborhood character, it must be a contributing element to the character of the neighborhood (either by its absence or its presence), and it must change substantially as a result of the action. According to the *CEQR Technical Manual*, such substantial traffic changes can include: changes in level of service (LOS) to C or below; change in traffic patterns; change in roadway classifications; change in vehicle mixes, substantial increase in traffic volumes on residential streets; or significant traffic impacts, as identified in the technical traffic analysis. Regarding pedestrians, when a proposed action would result in substantially different pedestrian activity and circulation, it has the potential to affect neighborhood character.

- *Noise.* According to the *CEQR Technical Manual,* for an action to affect neighborhood character with respect to noise, it would need to result in a significant adverse noise impact and a change in acceptability categories.

This chapter of the EAS examines the proposed action's effects on neighborhood character within the area to be rezoned and its surrounding blocks (a study area defined by a 1/4-mile radius around the rezoning area, coterminous with the land use study area, see **Figure 3.1-1** in **Chapter 3.1**, "Land Use, Zoning, and Public Policy"). The impact analysis focuses on changes to neighborhood character resulting from changes in the technical areas listed above as follows.

3.8.1 EXISTING CONDITIONS

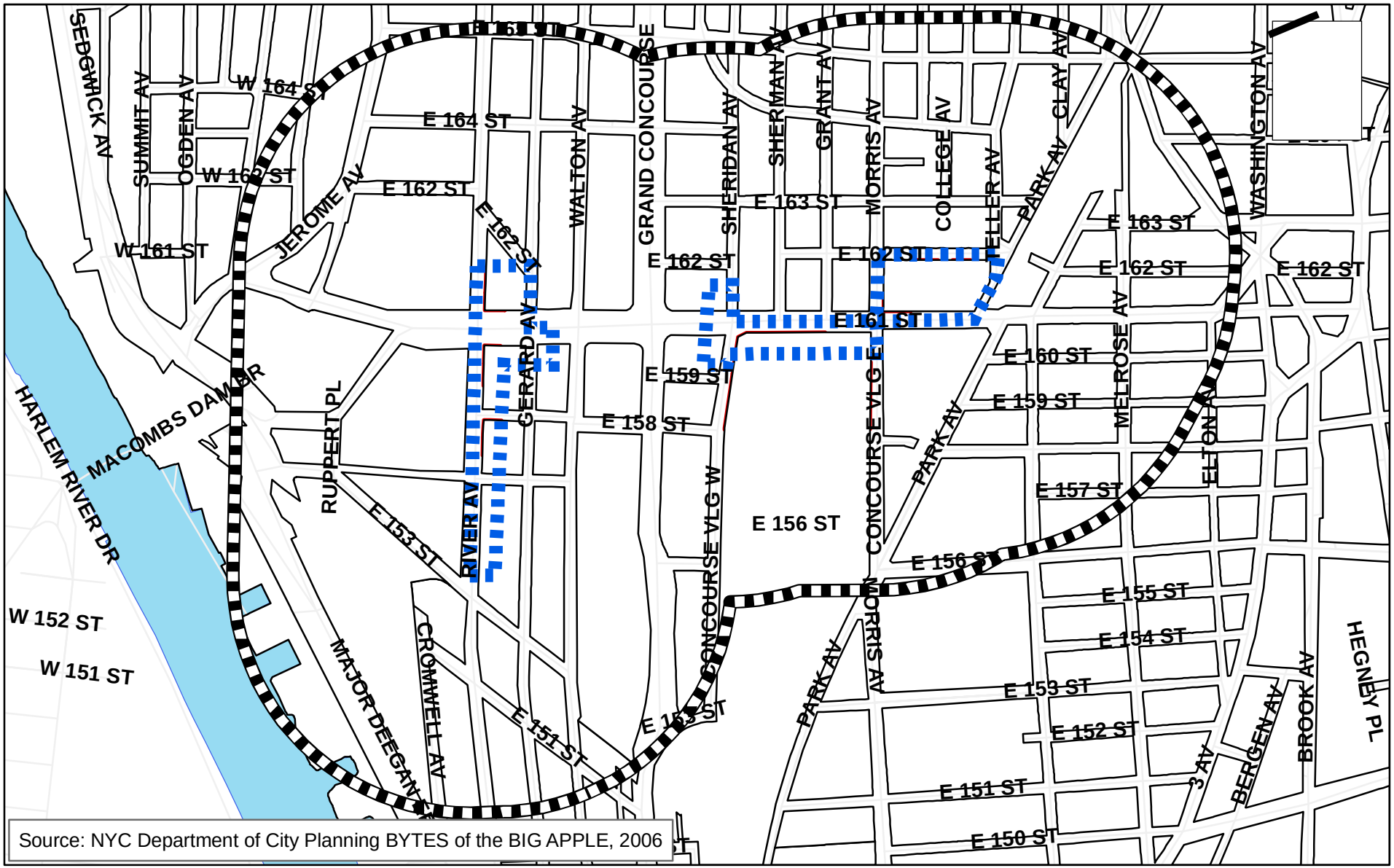
The proposed rezoning area consists of 8 blocks along the East 161st Street corridor in the Concourse Village section of the Bronx. The rezoning study area is generally bounded by River Avenue on the west, East 162nd Street on the north, Park Avenue on the east, and East 161st Street on the south. (see Figure 3.8-1).

For the purposes of studying neighborhood character, the subareas defined in the **Chapter 3.7**, "Urban Design and Visual Resources," are used in this chapter. This chapter will discuss the study area in three distinct nodes: 1) the Transit Node; 2) the Civic Node; and 3) the Residential Node. Due to the presence of important built features and the conditions in the future with the proposed action, each node was found to have a distinct character.

Primary Study Area

Transit Node

The Transit Node is generally bounded by East 162nd Street to the north, Gerard Avenue to the east, East 153rd Street to the south, and River Avenue to the west. The Transit Node is centered on a transit hub that includes an elevated train, a subway line and buses, and the area is characterized by low-rise commercial uses, surface and enclosed parking, and the existing and



Source: NYC Department of City Planning BYTES of the BIG APPLE, 2006

Legend

Proposed Rezoning Area

1/4-Mile Radius Around the Proposed Rezoning Area

0 310 620 1,240 Feet

Figure 3.8-1 - Neighborhood Character Study Area

161st Street Rezoning and Related Actions

NYC Department of City Planning

future Yankee Stadiums. Commercial land uses are predominant within the Transit Node. Many of the commercial uses, including sports bars, souvenir shops and clothing apparel shops, are geared towards crowds from Yankee Stadium and several are seasonal. Additional commercial uses in this node include pharmacies, banks, and eating establishments, including Crown's Diner and a McDonald's. There are also three enclosed and surface parking facilities within the Transit Node catering to Yankee Stadium.

The buildings found in the Transit Node are predominantly comprised of one- to two-story commercial buildings fronting River Avenue or East 161st Street. The structures in this node have FARs within the range of 0.26 to 3.0, and most buildings feature retail uses. There is also one indoor parking garage. Structures are built to their lot lines in this node, with the parking areas along River Avenue, on either side of East 157th Street, being the only exceptions.

While there are no designated or potential historic resources within the Transit Node, several resources exist directly outside the primary study area. These include the Bronx County Courthouse (NYCL and NR listed), now also known as the Mario Merola Building, which was built in the Neo-classical style and is located at 851 Grand Concourse. This imposing, monumental civic edifice was designed by the architects Max Hausle and Joseph H. Freedlander and constructed between 1931 and 1934. This resource is not immediately adjacent to any projected or potential development sites. Furthermore, the Grand Concourse Historic District (NYCL eligible and NR listed), added to the National Register in 1987, is located at 730-1000, 1100-1520, 1560, and 851-1675 Grand Concourse, falling partially within the Civic Node. The district encompasses the Bronx County Courthouse and is characterized by its mix of residential and institutional buildings. The historic district spans approximately 500 acres

As discussed in Chapter 3.15 "Traffic and Parking", intersections within the Transit Node operate at levels of service consistent with the other nodes. The eastbound and westbound approaches at East 161st Street at River Avenue both currently operate at LOS "B" during the weekday AM, midday and PM peak hours and in the Saturday midday peak hour, while the northbound and southbound approaches currently operate at LOS "A" during those periods. The eastbound and westbound approaches at East 161st Street and Gerard Avenue both currently operate at LOS "A" during the weekday AM, midday and PM peak hours and in the Saturday midday peak hour, and the northbound approach currently operates at LOS "C" in the three weekday peaks and LOS "C" in the Saturday midday peak hour.

Civic Node

The Civic Node is generally located along East 161st Street, between Concourse Village East and Concourse Village West. The Civic Node is characterized by the corridor's civic uses, most notably the Bronx Criminal Court Complex and the new Bronx Hall of Justice, as well as by a mix of office buildings, low-rise commercial uses and surface parking. These proposed zoning changes would resulting a change in uses allowed in the civic heart of the Bronx, and would facilitate new development of retail uses and office space. The proposed zoning would allow high-density, mid-rise towers for residential, commercial and community facility uses.

The Civic Node consists almost entirely of commercial and mixed land uses. Commercial uses include a couple of multi-level office buildings located across the street from the new Hall of Justice and part of the Bronx Criminal Court Complex. The 11-story office building located on the corner of Concourse Village West and East 161st Street and the 10-story office building located on the corner of Concourse Village East and East 161st Street are primarily occupied by city government departments and social service organizations, contributing to the civic nature of the node. Other commercial uses in this node include local eating establishments and law offices located within mixed use buildings, which are found on the west side of Concourse Village West. This node also has several parking areas, including a portion of the parking lot serving the Concourse Plaza Shopping Center, and a three-story residential building.

On Sheridan Avenue, north of East 161st Street, there is a two-story mixed-use building and a three-story, narrow residential building, both of which are built to the lot line and have full lot coverage. On the south side of 161st Street, there are four two- to three-story mixed-use, commercial and residential buildings of various styles. Whereas the commercial building is rectangular and constructed from brick, the other buildings are residential and with a vinyl façade.

The portion of the Civic Node fronting East 161st Street experiences a relatively large amount of pedestrian traffic. As a result, adaptive streetscape elements include food carts, a book vendor, trashcans, newspaper bins, and a few street trees. There are also streetlamps located along this portion of the node. While the octagonal, galvanized steel posts with cobra-head luminaire varieties are most common, several streetlamps exhibit an embellished, historic flair. These are located primarily along the East 161st Street median between River and Walton avenues. The parking lot for the Concourse Plaza Shopping Center disrupts the street wall fronting East 161st Street, with a large wrought-iron fence at the perimeter. The small parking area on the portion of the node fronting Concourse Village West also disrupts the street wall on that block, which is otherwise consistent. Signage is found on retail frontages along buildings fronting Concourse Village West, as well as in front of the plaza parking lot.

The Civic Node is centered on one major arterial road, 161st Street, which provides transit access to and through this subarea. The NYCT Bx6 and Bx13 buses provide local service with numerous stops along 161st Street. Traffic movements through the intersections in this node currently operate at LOS "C" or better during all four of the peak hours analyzed.

The two blocks in the node to the west of Concourse Village West have regular blockforms. The large office buildings, and the parking lot for the Concourse Plaza Shopping Center, are located on a superblock which interrupts the rectangular street grid in this node. The street pattern consists of one arterial (East 161st Street) intersected by a collector/distributor street (Concourse Village West).

Residential Node

To the west of the Civic Node lies the Residential Node, which is generally bounded by East 162nd Street to the north, Park and Teller Avenues to the east, East 161st Street to the south, and Morris Avenue to the west.

The Residential Node consists primarily of two- to five-story residential buildings, which vary considerably in style. Several of these residential buildings that have ground-level retail uses. There are also several institutional uses in this node, including the Montefiore Medical Group (305 East 161st Street), the Kingdom Hall of Jehovah's Witnesses (866 Morris Avenue), the Bronx Gospel Hall (899 Teller Avenue), and Sendu de Justicia (the intersection of Teller and Park avenues). Other uses within the Residential Node include commercial uses, such as local eating establishments and pharmacies, parking facilities, and vacant buildings.

There is only one block in the Residential Node. It is slightly irregular, with the diagonal run of Park Avenue disrupting the rectangular form of the block. The block length is generally consistent with others within this node and the rezoning area. Within the Residential Node, the streetwalls are discontinuous. Building uses alternate between concentrations of commercial buildings, residential buildings, and institutional buildings. Heights range from two to five stories; however, these differences are sometimes exacerbated by parking areas and side lawns between buildings. Commercial, mixed-use, and institutional uses are dominant building forms, while residential buildings are set back further from the street and contain less bulk. Buildings within the Residential Node are generally rectangular. However not all buildings, particularly the two- and three-story residential buildings on the northern blockface of 161st Street between Morris and Park avenues, are built to the lot lines.

Traffic movement within the Mid Corridor is consistent with the majority of the study area, with levels of service generally within the "C" or "D" range. However, the northbound approach at East 161st Street and Morris Avenue operates at LOS "E" during the weekday AM period, with the southbound approach operating at LOS "E" during the weekday AM and PM periods.

Street trees are positioned sporadically throughout this node, and exist primarily in front of residential buildings. Street lighting fixtures are generally of the octagonal, galvanized steel posts with cobra-head luminaire varieties. While several street benches line the perimeters of the local parks in other nodes, these street furnishings are absent in the Residential node. Overall, streetscape elements are minimal in this node.

Secondary Study Area

As suggested in the *CEQR Technical Manual*, the study area for neighborhood character will be coterminous with the 1/4-mile land use study area. As shown in Figure 3.8-1, the secondary study area covers an area bound at its outer limits by East 165th Street on the north, East 151st /East 156th Street on the south, Woodycrest Avenue on the east, and Washington Avenue on the west, and includes portions of the surrounding Highbridge and Melrose neighborhoods.

The secondary study area contains a variety of uses; however, residential uses predominate. A number of large public facility buildings are also located in the study area, including several public schools, such as P.S./M.S. 31 William Garrison School, P.S. 35 Franz Sigel School and J.H.S. 145 Arturo Toscanini School, and judicial buildings, such as the Bronx County Courthouse, the new Hall of Justice, and the Bronx Criminal Court Complex. The judicial buildings are largely concentrated along East 161st Street. A number of large open spaces, including Franz Sigel Park, Joyce Kilmer Park, and Mullaly Park, are also located in the secondary study area, particularly to the west of the Grand Concourse. Other land uses in the secondary area include parking facilities, mixed residential/commercial uses, commercial retail and office uses, transportation and utility uses, industrial and manufacturing uses, and vacant land.

Within the secondary study area, to the north of the rezoning area, the predominant land use is residential, including one- and two-family residences, walk-up multi-family residences, and high-rise elevator apartment buildings. Sizes of residential buildings range from two-stories to ten-stories, with the majority of the larger apartment buildings located west of Sherman Ave and the majority of smaller residences located east of Sherman Avenue. Other uses in this portion of the secondary study area include mixed use buildings, public facilities, including P.S. 35 Franz Sigel School and J.H.S. 145 Arturo Toscanini School, and open space resources, such as Joyce Kilmer Park.

To the east of the rezoning area, residential uses are again most prevalent; however, there are also many industrial uses and vacant lots. Residential uses prevail along the blocks south of East 160th Street, and industrial uses and vacant lots are most common east of Melrose Avenue. There are also a few public facilities, including a Department of Corrections facility located on East 161st Street, which falls partially within the eastern boundary of the secondary study area, and a Salvation Army center.

South of the rezoning area, the primary land use is also residential. Two large New York City Housing Authority (NYCHA) developments are located south of the rezoning area: the Andrew Johnson Houses, located on the block bordered by Park and Courtlandt Avenues to the west and east and East 158th and East 156th Streets to the north and south, and the Morrisania Air Rights Housing, which line Park Avenue between East 162nd and East 156th Streets, straddling over Metro-North train tracks. Other notable land uses include Franz Sigel Park, an open space resource located between Walton Avenue and the Grand Concourse from east to west and East 158th and East 151st Streets from north to south, and public facilities, the Marshall England Early Learning Center and the former site of P.S. 156 Benjamin Banneker School (The Performance School and the Bronx Global Learning Institute for Girls will be opening in its place).

To the west of the rezoning area, land uses are predominantly open space, industrial, and parking. The majority of this area is dominated by the existing Yankee Stadium, bordered by East 161st Street to the north, River Avenue to the east, East 157th Street to the south, and Ruppert Place to the west, and the future Yankee Stadium, which is currently under construction. The future stadium is being constructed across the street from the existing stadium on East 161st Street, comprising of land that was previously part of Macomb's Dam Park and Mullaly Park.

Open space resources in this area consist of the portions of Macomb's Dam Park and Mullaly Park that were not disturbed by construction, as well as the Interim Track and Field facility located on Jerome Avenue. Industrial and parking facilities are mostly located south of East 157th Street and west of River Avenue.

3.8.2 FUTURE WITHOUT THE PROPOSED ACTION

In the future without the proposed action, the existing zoning controls would remain in place. It is expected that the rezoning area would continue to experience growth in retail establishments centered on 161st Street, while outside the rezoning area, market rate and affordable residential housing would continue to be developed.

DCP has developed a scenario of as-of-right development that would reasonably be expected to occur within the rezoning area in the future without the proposed action (No-Action). In order to derive the incremental difference between the future without the proposed action and the future with the proposed action, this Reasonable Worst Case Development Scenario (RWCDS) will be analyzed for the year 2018 – the length of time over which developers would likely act on the change in zoning and the effects of the proposed action would be felt. The RWCDS is comprised of projected and potential development sites.

The development expected in the future without the proposed action would be dictated by the use and build controls of the existing zoning regulations. The East 161st Street corridor is primarily zoned with medium-density residential zoning districts. A smaller portion of the corridor is zoned with a high-density commercial zoning district that permits automobile use and does not allow residential uses. The development expected to occur in the future without the proposed action would not be compatible with the specific characteristics and needs of the area, nor would it provide a plan for responsible development and growth in an area of the Bronx that is very well served by mass transit and functions as the civic heart of the Bronx.

Primary Study Area

In the future without the proposed action, it is expected that the current land use trends and general development patterns within the rezoning area would continue. Existing development trends are characterized by limited, discrete residential, commercial, and mixed-use development, in accordance with existing zoning. There is only one known development site located within the proposed rezoning area that is expected to be in place by 2018 and occur independently of the proposed action. As part of the Yankee Stadium Redevelopment Project, two small parks are scheduled for construction along the east side of River Avenue; one park located on the north side of East 157th Street, and one located on the south side. Both of these sites are currently used as parking areas. The new parks would consist of a total of 0.68 acres, all of which would be passive space. The parks will not be located on any projected or potential development sites related to the proposed action.

In the RWCDS, DCP has identified nine sites within the rezoning area that are projected to be developed in the future without the proposed action. These as-of-right developments are

expected to result in a total of 299 dwelling units (DUs), 21,550 sf of retail, and 11,720 sf of community facility space. Affordable housing units are not expected to be developed on any of the projected development sites in the future without the proposed action.

Absent the proposed action, some development could reasonably be expected to occur on seven of the 11 potential development sites by 2018, as identified by DCP. These potential developments would be as-of-right pursuant to existing zoning. In the future without the proposed action, as-of-right development totaling 356 dwelling units (DUs), 51,730 sf of retail, and 1,500 sf of community facility space would be expected to occur. These projected developments are possible under the current zoning regulations, and are in no way dependent upon the proposed action.

During the 2008 to 2018 period, it is also expected that transportation demands in the study area would change due to specific development projects in the area, as well as general background growth over time. In order to forecast these future demands without the proposed rezoning action, an annual growth rate of 0.5 percent was applied to the existing traffic volumes and traffic volumes associated with the specific development projects ("soft sites") were added to the adjusted traffic volumes. Overall, increased congestion and reductions in levels of service were present at most intersections under the No Action scenario.

Secondary Study Area

In addition to the anticipated developments in the rezoning area, there are other actions and development projects expected in the secondary study area in the future without the proposed rezoning. The following is a synopsis of the future developments located within a quarter-mile of the proposed rezoning area expected to be in place by 2018:

Melrose Commons Urban Renewal Area Sites

There are several sites expected to be developed in the future without the proposed action as part of the Melrose Commons Urban Renewal Plan. The Melrose Commons Urban Renewal Plan was adopted in May, 1994 and governs development in a 34-block area, generally bounded by East 163rd Street to the north, Brook and Third Avenues to the east, East 156th and East 159th Streets to the south, and Park and Courtlandt Avenues to the west. The plan's goals are to replace vacant land and substandard structures with new residential, commercial, and community facility uses, and to restore the area's residential character by providing new low-income housing. At the time of adoption, the area had experienced substantial disinvestment and over half of the land in the Melrose Commons Urban Renewal Area (URA) consisted of vacant lots and vacant buildings. The original Melrose Commons Urban Renewal Plan called for the construction of 1,714 new residential units.

Within the secondary study area, 786 total residential units are expected to be developed on seven different sites as part of the urban renewal plan. The largest planned URA development within a quarter-mile radius of the rezoning area is Courtlandt Corners II, which is expected to develop 252 DUs and approximately 15,600 sf for other uses. Other URA developments that are planned for the secondary study area are: Melrose Commons site 64, which will develop

approximately 176 DUs; Melrose Commons site 62, which will develop approximately 163 DUs; Melrose Commons sites 52, 53, and 54, which will develop approximately 92 DUs; Courtland Corners I, which will develop approximately 71 DUs; Melrose Commons site 15, which will develop approximately 16 DUs; and Melrose Commons sites 23 and 31, which will also develop approximately 16 DUs.

El Jardin
El Jardin, a residential project currently under construction and scheduled for completion in 2010, will develop approximately 84 dwelling units on a site located on the southwest corner of the intersection of Melrose Avenue and East 158th Street.

3160 Park Avenue
This private residential development, scheduled for completion in 2012, will provide approximately 178 dwelling units at the following addresses: 3160 Park Avenue, 3164 Park Avenue, and 853 Courtlandt Avenue. The site of the future residential development is currently vacant land.

946-50 College Avenue
This residential project, currently under construction and scheduled for completion in 2008, is expected to develop approximately 61 dwelling units. The project site is located on Findlay Avenue, between East 163rd and East 164th Streets.

580 River Avenue
This project, located at 580 River Avenue, is anticipated to develop approximately 500 residential units.

Plaza 163 Site
This development will be located on the block bounded by East 164th Street, Brook Avenue, East 163rd Street, and Washington Avenue. Currently, the block is occupied by industrial uses and vacant land. The developer has explored building residential on the site, which has delayed the construction. The developer is going forward with a commercial development of 30,000 sq ft with a build year of 2011.

Yankee Stadium Redevelopment Project
The Yankee Stadium Redevelopment Project, scheduled for completion by the fall of 2011, will replace the existing Yankee Stadium with a new stadium. In addition to the construction of the new 53,000-seat stadium, scheduled for completion by the spring of 2009, the project will involve the construction of four new parking garages for a net increase of 3,315 off-street parking space, the development of new and replacement open space resources for a net increase of 4.63 acres, and the development of a new Metro North Train Station.

The stadium is being constructed on land that was previously part of Macomb's Dam Park and the southernmost portion of Mullaly Park. The site of the existing stadium will be redeveloped into Heritage Field, an active open space resource. Additional open space resources that will be developed as new or replacement facilities include: the Rooftop Park, located on top of one of

the new parking garages; Bronx Terminal Market Waterfront Park; Ruppert Plaza; permanent ballfields at P.S. 29; permanent ballfields at the West Bronx Recreation Center; and the aforementioned River Avenue Parks, located within the proposed rezoning area. Overall, the project will result in the development of much-needed active space in the area, in addition to passive space resources.

Mott Haven Campus
The Mott Haven Campus development of four school facilities on over eight acres of vacant land located at 3001 Concourse Village East, directly south of P.S. 156 and I.S. 151. The project will develop two 550-seat high schools, one 575-seat combined intermediate and high school, and one 550-seat charter school that will accommodate fifth through eighth grades. The project will also provide space for approximately 100 special education students. The total building area for the four schools will be approximately 280,000 square feet. One high school is scheduled for occupancy in the fall of 2009 and the remaining schools are scheduled for occupancy in the fall of 2010.

The Gateway Center at the Bronx Terminal Market
The Gateway Center at the Bronx Terminal Market, scheduled for completion in 2009, will construct four new buildings and restore one historically-significant building. One of the buildings will be a 2,600-space parking garage, and the remaining buildings will offer a variety of national and local retail shops, generating a total of approximately one million square feet of retail space. The project, which will be on land currently occupied by industrial uses, will be bordered by East 153rd Street, Major Deegan Expressway, and Cromwell Avenue.

Widening of Major Deegan Expressway
This project will improve and widen the Major Deegan Expressway, which has advanced deterioration and other structural and safety concerns. The project will be developed in two phases to accommodate the nearby Yankee Stadium and Gateway Center developments.

Overall, the wide range of future no-action developments expected within a quarter-mile study area of the proposed rezoning by 2018 suggests that the area surrounding the 161st Street corridor is vibrant and experiencing growth and expansion in a variety of land uses.

3.8.3 FUTURE WITH THE PROPOSED ACTION

This section focuses on potential changes to neighborhood character resulting from changes in the technical areas of Land Use, Socioeconomic Conditions, Historic Resources, Urban Design and Visual Resources, Transportation (traffic and pedestrians), and Noise in the future with the proposed action conditions by 2018. Detailed technical analysis for each of these areas is presented in Chapters 3.1, 3.2, 3.6, 3.7, 3.16, and 3.17, respectively. As discussed in greater detail in those chapters, environmental and social changes in these technical areas are most likely to result in changes to neighborhood character. In sum, the proposed action would bring about changes to urban design, socioeconomic conditions, traffic, and pedestrians, which would affect neighborhood character. Overall, the proposed action is expected to result in beneficial effects on neighborhood character, and would not result in a significant adverse impact. In addition, the

proposed action would help preserve portions of the area with a strong built character and existing residential uses.

Land Use

Land use is the strongest factor in determining the character of the area because land use creates changes that can alter the "look and feel" of the area, as well as the levels of activity in it (e.g., traffic and pedestrian flows). Land use changes are also the foundation for neighborhood character elements such as urban design and visual character, socioeconomic conditions, and vehicular and pedestrian traffic.

The Land Use, Zoning, and Public Policy analysis (see Chapter 3.1) indicates that the proposed action would not result in significant adverse land use impacts in the rezoning area. By 2018, much of the rezoning area would be occupied by a diverse mix of commercial, residential, institutional and residential buildings with retail generally located on the ground floor.

In general, land uses trends that characterize the existing and no-action conditions would be continue in the future with the proposed action. The substantial change in land use would be the elimination of the potential for heavy automotive and light industrial uses along a portion of East 161st Street. In the future with the proposed action, zoning along this portion of East 161st Street would allow residential uses, which are not permitted under existing and no-action conditions. This change in land use is compatible with surrounding land uses and land use trends, as the East 161st Street corridor has increasingly become more residential and less industrial. Other land uses would remain the same, although in the future with the proposed action higher density residential and commercial developments would be encouraged in the proposed rezoning area. Higher-density land uses will strengthen the identity of the East 161st Street corridor and activate the street level. The growth and expansion of these land uses within the rezoning area are consistent with existing and no-action land uses and is appropriate for an area that is very well served by public transportation. The proposed action would complement trends that have already been established in the rezoning area, where residential and commercial developments are encouraged.

The proposed rezoning districts and the changes in land use associated with them would be compatible with the ongoing revitalization of the civic corridor in the Bronx, providing opportunities for greater commercial and residential developments along the transit-rich East 161st Street corridor. Along most of the corridor, the land uses would remain the same; however, the proposed action would facilitate a reasonable growth strategy that is compatible with surrounding residential and civic uses. As the proposed rezoning action is expected to have a beneficial effect on the context and range of uses along East 161st Street, no significant adverse land use impacts are anticipated in the rezoning study area.

Socioeconomic Conditions

The Socioeconomic Conditions analysis (see Chapter 3.2) indicates that by 2018, the proposed action would not result in direct residential or business displacement, and indirect residential or

business displacement would be minimal. However, this would not result in a significant adverse impact, and no changes to neighborhood character can be expected.

Historic Resources

The analysis in Chapter 3.6, "Historic Resources," indicates that two historic resources have been identified in the 400-foot study area around the proposed rezoning area: the Bronx County Courthouse (NYCL and NR listed) at 851 Grand Concourse and the Grand Concourse Historic District (NYCL eligible and NR listed). Neither of these two historic resources are located on or adjacent to projected or potential development sites. Thus, the development expected to be generated by the proposed rezoning is not anticipated to directly affect the historic resources located in the study area. Further, the proposed and potential development sites identified as part of the RWCDS of the proposed rezoning would all be more than 90 feet from the identified historic resources in the study area. Construction activities associated with the projected and potential development would therefore not indirectly affect historic resources in the study area.

Urban Design and Visual Resources

The Urban Design and Visual Resources analysis (see Chapter 3.7) indicates that the proposed action would result in positive changes and improvements to urban design conditions of the proposed rezoning area. The new residential and commercial development allowed by the proposed rezoning would replace many of the area's underutilized lots with new buildings with a coherent building form. The respective characters of the transit, civic and residential nodes would be expanded and enhanced through new housing development and an increased capacity for office and commercial space. The new uses would provide essential services to the area's existing and new residents and would enhance the area's streetscape through the strengthening of the streetwall and placing an emphasis on the corner locations near train stations. East 161st Street has recently experienced a number of public and private investments that include residential and commercial uses. This trend of development is expected to continue in the future without the proposed action. In the future with the proposed action, higher-density residential and commercial developments are intended along the East 161st Street corridor.

As new development on the projected and potential development sites would be confined to the existing blocks and lots, it would not affect views to the visual resources from the streets or sidewalks. The context of the visual resources that contribute to the character of the rezoning area would not be significantly or substantially altered by the proposed action, given the bulk and massing of new construction which would be compatible with the study area's existing resources and built context.

Traffic

A detailed assessment of traffic will be provided as part of the targeted Draft Environmental Impact Statement prepared for the project (see Chapter 3.15, "Traffic and Parking"). However, it is not expected that traffic generated by the proposed action will result in significant adverse impacts to neighborhood character.

Noise

A detailed assessment of noise will be provided as part of the targeted Draft Environmental Impact Statement prepared for the project (see Chapter 3.18, "Noise"). However, it is not expected that the proposed action will result in significant adverse noise impacts.

Shadows

The proposed action would not result in significant adverse shadow impacts on the four identified sunlight-sensitive resources: Renovated Macomb's Dam Park and Heritage Field, Macomb's Dam Triangle, New Yankee Stadium and Joyce Kilmer Park. While these resources would receive incremental new shadows as a result of the proposed action, these shadows were not found to generate significant adverse impact on these resources. The analysis found that during the four analysis time periods, December 21st, June 21st, May 6th and March 21st, the duration of the shadows would still allow for sufficient sunlight during the growing season and the proposed action would not result in a substantial reduction in sunlight to any sun-sensitive uses or features. As such, the proposed action would not result in significant adverse shadow impacts on the four open space resources analyzed.

NEIGHBORHOOD CHARACTER ANALYSIS BY SUBAREA

Transit Node

The new C6-3D zoning district, mapped in the Transit Node on three blocks located along River Avenue and along three blocks along East 161st Street between River and Walton Avenues, would allow for high-density residential, commercial, and community facility uses with no height limits. Three projected and six potential development sites exist within this node. The goal of the new zoning district is to facilitate development adjacent to an elevated train, addressing both the assets and liabilities associated with the location.

As noted in Chapter 3.15, "Traffic", the eastbound and westbound approaches at East 161st Street and River Avenue would both operate at LOS "B" of "C" during the weekday AM, midday and PM peak hours and in the Saturday midday peak hour, and the northbound and southbound approaches would operate at LOS "A" during all four peak periods with the exception of the Saturday midday peak, when the northbound approach would operate at LOS "F." No other intersections are expected to operate at LOS "E" or "F" in the future with the proposed action. A detailed assessment of traffic will be provided as part of the targeted Draft Environmental Impact Statement prepared for the project (see Chapter 3.15, "Traffic and Parking").

As discussed further in Chapter 3.16, "Transit and Pedestrians", the proposed action is not expected to result in any significant adverse impacts to subway stations or to subway line haul conditions. There would be no adverse impacts on shadows, historic resources, urban design, or socioeconomic conditions. For a more thorough discussion of these conditions, please see Chapters 3.5, 3.6, 3.7, and 3.2, respectively.

Civic Node

The Civic Node contains one projected development sites and three potential development sites that could be developed in the future with the proposed action by the 2018 analysis year. The proposed C6-2 zoning district, mapped in the Civic Node on portions of three blocks on East 161st Street between Grand Concourse and Concourse Village West, would replace C8-3, C4-6, and R8 zoning districts. The C6-2 zoning district would allow high-density residential, commercial, and community facility uses.

During the weekday AM peak hour, delays for vehicles on the eastbound *de facto* left turning movement are projected to increase from 122.4 seconds/vehicle (LOS "F") under the No-Action condition to 228.2 seconds/vehicle (LOS "F") under the Action condition; on the eastbound through movements in the PM peak hour delays for vehicles are projected to increase from 155.4 seconds/vehicle (LOS "F") under the No-Action condition to 189.0 seconds/vehicle (LOS "F") under the Action condition; and on the westbound approach in the PM peak hour delays for vehicles are projected to increase from 131.7 seconds/vehicle (LOS "F") under the No-Action condition to 153.4 seconds/vehicle (LOS "F") under the Action condition. No other traffic impacts are expected within the Civic Node as a result of the proposed action. A detailed assessment of traffic will be provided as part of the targeted Draft Environmental Impact Statement prepared for the project (see Chapter 3.15, "Traffic and Parking").

No other impacts to neighborhood character are expected as a result of the proposed action.

Residential Node

The Residential Node contains seven projected and two potential development sites. In the future with the proposed action the Residential Node would be rezoned to R8A with a continuous C2-4 overlay. The zoning change would result in a change in uses allowed in the section of the 161st Street corridor that connects the civic heart of the Bronx with the Melrose Metro-North station and Melrose Commons to the east, and would facilitate new development of retail and residential uses. This area includes a mix of residential densities, including mid-rise apartment buildings, semi-detached and detached houses, and one-story retail uses. The proposed R8A zoning designation would allow high-density development with a contextual envelope that would match existing and proposed buildings in the Melrose Commons area.

As a result of the proposed action, the built environment of the Residential Node would change to be more in context with its adjacent uses. Several development sites are expected and the character of the existing residential development along the 161st and 162nd Street blockfaces would be reinforced by the change in zoning. Buildings would be created with a contextual reference to the existing structures of the node. Streetwalls would be maintained and reinforced.

No adverse impacts to pedestrian or transit conditions are expected in this subarea as a result of the proposed action. Higher density development in the form of residential and retail are

expected to have an overall positive effect on conditions within the subarea, with no adverse impacts to socioeconomic conditions or traffic.

Secondary Study Area

The proposed action is not anticipated to result in significant adverse impacts upon the urban design of the areas surrounding 161st Street. The residential areas to the north of the study area would be unaffected by the proposed action. To the south of the 161st Street corridor, the mixed commercial and industrial areas would continue, and would complement the redevelopment of 161st Street within the larger area.

In general, the mixed use, residential, commercial, and community facility uses expected as a result of the proposed action would be compatible with the predominantly residential and institutional uses found in the secondary study area. Most of the future no-action developments to the east of the proposed rezoning will be residential developments, including several large-scale residences, which are compatible with the residential uses that are projected to be developed as a result of the proposed action. To the south of the proposed action, the largest future no-action development is the Mott Haven Campus, which is also compatible with the increased residential uses that are expected to result from the proposed rezoning. To the west of the proposed rezoning, the future no-action developments in the secondary study area are largely commercial developments (i.e., the Gateway Center) and open space development (i.e., the Yankee Stadium Redevelopment Project). The mixed-use and commercial developments expected as a result of the proposed action are compatible with anticipated retail uses generated by The Gateway Center, and the residential developments expected as a result of the proposed rezoning are compatible with the development of new and replacement open space resources expected as part of the Yankee Stadium Redevelopment Project. Therefore, no significant adverse impacts to neighborhood character are expected to result from the proposed action on the blocks surrounding the proposed rezoning area.

CONCLUSION

The proposed action would result in changes to the general neighborhood character of the rezoning area. The proposed action would result in an overall change in the character of the proposed rezoning area with respect to land use, socioeconomic conditions, historic resources, urban design and visual resources, traffic, shadows and street-level pedestrian activity. In addition, the proposed action would not affect historic resources in ways that would affect neighborhood character.

Overall, the proposed action would not result in significant adverse land use impacts in the rezoning or secondary study areas. The proposed rezoning would foster mixed-use, residential, and commercial development compatible with development trends and ongoing commercial and residential investments in the area, and would add to the vitality of the street life in the rezoning area by increasing the residential population and encouraging ground floor retail uses. Furthermore, the proposed rezoning will encourage the growth and expansion of existing land

uses in an area of the Bronx that is appropriate for such growth, as it is very well-served by mass-transit and functions as the civic heart of the borough.

As a result of the proposed action, the respective commercial, civic and residential characters of the 161st Street corridor are expected to be improved. In addition, the proposed action would complement the neighborhood character of the secondary study area and would not result in significant adverse impacts. The new development within the rezoning area would be complementary to the development expected independent of the proposed action to the east and west of the rezoning area.

The proposed action is anticipated to result in changes to the neighborhood character of the 161st Street corridor. These changes are considered to be beneficial to the overall character of the corridor and would not constitute significant adverse impacts to neighborhood character.

Streets to the south, and Park and Courtlandt Avenues to the west. The plan's goals are to replace vacant land and substandard structures with new residential, commercial, and community facility uses, and to restore the area's residential character by providing new low-income housing. At the time of plan adoption, the area had experienced substantial disinvestment and over half of the land in the Melrose Commons Urban Renewal Area (URA) consisted of vacant lots and vacant buildings.

Within the secondary study area, 786 total residential units are expected to be developed on seven different sites as part of the urban renewal plan. The largest planned URA development within a quarter-mile radius of the rezoning area is Courtlandt Corners II, which is expected to develop 252 dwelling units and approximately 15,600 sf for other uses. Other URA developments that are planned for the secondary study area are: Melrose Commons site 64, which will develop approximately 176 dwelling units; Melrose Commons site 62, which will develop approximately 163 dwelling units; Melrose Commons sites 52, 53, and 54, which will develop approximately 92 dwelling units; Courtland Corners I, which will develop approximately 71 dwelling units; Melrose Commons site 15, which will develop approximately 16 dwelling units; and Melrose Commons sites 23 and 31, which will also develop approximately 16 dwelling units.

The proposed Melrose Commons project would include a courtyard located behind the East 163rd Street buildings as well as landscaping for the public plaza on the already demapped portions of East 161st Street, East 162nd Street, and Brook Avenue. The majority of the buildings on project site would range in height from 75 to 85 feet, with setbacks rising up to an additional 40 feet. On the site of the former Bronx Municipal Court – Second District Building, a new college facility would be constructed which would have a 14-story building consisting of a 3-story base with a tower above. The proposed residential buildings would be faced in red brick with a concrete block base and setbacks. They would also feature retail spaces on the ground floor along Elton Avenue, East 163rd Street, and Third Avenue.

The proposed Melrose Commons project would change the appearance of its project site from one of derelict and abandoned buildings and vacant lots to a cohesive group of brick and glass buildings. The proposed project would improve the streetscape of its project site by introducing new vitality in the form of commercial, residential, and educational uses that would generate street level activity and enliven the area. It would also create new walkways and introduce street lighting and trees to improve the visual appearance of the project site.

<u>El Jardin</u>
El Jardin, a 12-story residential project currently under construction and scheduled for completion in 2010, will develop approximately 84 dwelling units on a site located on the southwest corner of the intersection of Melrose Avenue and East 158th Street.

<u>3160 Park Avenue</u>
This private residential development, scheduled for completion in 2012, will provide approximately 178 dwelling units at the following addresses: 3160 Park Avenue, 3164 Park Avenue, and 853 Courtlandt Avenue. The site of the future residential development is currently vacant land.

946-50 College Avenue
This residential project, currently under construction and scheduled for completion in 2008, is expected to develop approximately 61 dwelling units. The project site is located on Findlay Avenue, between East 163rd and East 164th Streets.

580 River Avenue
This project, located at 580 River Avenue, is anticipated to develop approximately 500 residential units.

Plaza 163 Site
This development will be located on the block bounded by East 164th Street, Brook Avenue, East 163rd Street, and Washington Avenue. Currently, the block is occupied by industrial uses and vacant land. The developer has explored building residential on the site, which has delayed the construction. The developer is going forward with a commercial development of 30,000 sq ft with a build year of 2011.

Yankee Stadium Redevelopment Project
The Yankee Stadium Redevelopment Project, scheduled for completion by the fall of 2011, will replace the existing Yankee Stadium with a new stadium. In addition to the construction of the new 53,000-seat stadium, scheduled for completion by the spring of 2009, the project will involve the construction of four new parking garages for a net increase of 3,315 off-street parking space, the development of new and replacement open space resources for a net increase of 4.63 acres, and the development of a new Metro North Train Station.

The stadium is being constructed on land that was previously part of Macomb's Dam Park and the southernmost portion of Mullaly Park. The site of the existing stadium will be redeveloped into Heritage Field, an active open space resource. Additional open space resources that will be developed as new or replacement facilities include: the Rooftop Park, located on top of one of the new parking garages; Bronx Terminal Market Waterfront Park; Ruppert Plaza; permanent ballfields at P.S. 29; permanent ballfields at the West Bronx Recreation Center; and the aforementioned River Avenue Parks, located within the proposed rezoning area. Overall, the project will result in the development of much-needed active space in the area, in addition to passive space resources.

The proposed master plan for the project encompasses three primary elements: (1) a new Yankee Stadium, (2) recreational facilities in Macomb's Dam Park, John Mullaly Park, and in a portion of the Bronx Terminal Market, to replace those to be removed by the proposed project, and (3) new parking garages. The proposed Yankee Stadium would be developed on the blocks north of East 161st Street between River and Jerome Avenues and south of East 164th Street. New recreational facilities would be built primarily on the blocks south of East 161st Street between River Avenue, the Macomb's Dam Bridge Approach, the Major Deegan Expressway, and East 157th Street. They would also be developed in tandem with parking facilities on the Macomb's Dam Park parcel bounded by the Macomb's Dam Bridge Approach, East 161st Street, Jerome Avenue, and the Major Deegan Expressway, on River Avenue, and at the Bronx Terminal Market site on the Harlem River waterfront. Additional parking facilities would be developed at

the Bronx Terminal Market site and on River Avenue at East 151st Street.

The proposed project would result in the construction of a new waterfront park with one little-league field and one softball field on the west side of Exterior Street at the Bronx Terminal Market in the area of Bronx Terminal Market Buildings G, H, and J, necessitating the demolition of these structures. These ballfields would be surrounded by landscaped areas including lawns, trees, paved walkways, and other plantings. The Yankee Stadium Redevelopment Project would also include a new esplanade that would extend north from the proposed ballfields. The esplanade would extend from the northern end of the proposed park, following the edges of the piers that contain the existing Yankee Stadium parking fields, to the existing ferry landing. At that point, it would veer east to Exterior Street to the existing pedestrian connection beneath the Major Deegan Expressway. It is expected that this new esplanade would be 20 feet wide. It would be designed with such amenities as decorative paving, landscaping, and lighting. It would establish physical and visual access to the Harlem River waterfront, enliven the waterfront, and connect the proposed new park facilities along the Harlem River waterfront and those in the eastern portion of the project area.

Mott Haven Campus

The Mott Haven Campus development of four school facilities on over eight acres of vacant land located at 3001 Concourse Village East, directly south of P.S. 156 and I.S. 151. The project will develop two 550-seat high schools, one 575-seat combined intermediate and high school, and one 550-seat charter school that will accommodate fifth through eighth grades. The project will also provide space for approximately 100 special education students. The total building area for the four schools will be approximately 280,000 square feet. One high school is scheduled for occupancy in the fall of 2009 and the remaining schools are scheduled for occupancy in the fall of 2010. The school complex would visually enhance the site by replacing a vacant lot with active uses.

The Gateway Center at the Bronx Terminal Market

The Gateway Center at the Bronx Terminal Market, scheduled for completion in 2009, will construct four new buildings and restore one historically-significant building. One of the buildings will be a 2,600-space parking garage, and the remaining buildings will offer a variety of national and local retail shops, generating a total of approximately one million square feet of retail space. The project, which will be on land currently occupied by industrial uses, will be bordered by East 153rd Street, Major Deegan Expressway, and Cromwell Avenue.

The Gateway Center at the Bronx Terminal Market would alter the street pattern of the project site by demapping 150th Street between River Avenue and Exterior Street, and eliminating 151st Street between River and Cromwell Avenues, and Cromwell Avenue between Exterior Street and the Metro-North Railroad tracks. While the proposed Gateway buildings would be considerably different than the existing on-site buildings, the existing buildings are currently unutilized or underutilized and have a neglected quality, and the proposed buildings would be expected to improve the visual quality of the site. Also, a landscaped passageway between these buildings would be created to generate improved pedestrian access, and street lighting and trees would improve the visual appearance of the site.

Conclusion

The wide range of future no-action developments expected by 2018 within the secondary study area suggests that the area surrounding 161st Street is vibrant and experiencing growth and expansion in a variety of land use classifications. However, the zoning and design controls in the future without the proposed action would not encourage development sensitive to the built context of each distinct node, nor would the rezoning's stated goals of generating commercial and residential development, including affordable housing, be realized.

VISUAL RESOURCES

In the future without the proposed action, existing views of visual resources are not expected to undergo substantial change.

Primary Study Area

The development anticipated to occur in the Primary Study Area in the future without the proposed action is not expected to have substantial effects on views of significant visual resources. Individual developments in the future without the proposed action would create site-specific improvements but would not change overall views of the available visual resources to the rezoning study area. Within the 161st Street rezoning area, views of certain landmark buildings, notably the Bronx County Courthouse, would continue to be accessible, and intervening development near this and other sites would not significantly alter the short views that are available to these resources from within the Primary Study Area.

Secondary Study Area

The study area developments would not be anticipated to have substantial effects on views of visual resources. Although the Bronx Terminal Market project would alter development near the Harlem River, views from Exterior Street to the Harlem River waterfront would be improved. The restricted views of the Harlem River waterfront, East Harlem, and the 145th Street and Macombs Dam Bridges from the area west of the Bronx Terminal Market would not be affected. All existing views of the current Yankee Stadium would be eliminated in the future without the proposed action, as this visual resource is expected to be demolished after the new stadium is built. Views of the new stadium, however, would be created. No other views of the visual resources listed in Table 3.7-1 would be significantly affected in the future without the proposed action.

3.7.3 FUTURE WITH THE PROPOSED ACTION

In the future with the proposed action, as described in **Chapter 1.0**, "**Project Description**," the 161st Street Rezoning and Related Actions would serve to enhance the 161st Street corridor and surrounding neighborhood through a balanced strategy which provides new opportunities to catalyze future mixed-use commercial and residential development, including affordable housing, while protecting the scale and character of each distinct node with a strong built context.

The proposed rezoning area, generally bounded by East 162nd Street to the north, Park Avenue to the east, East 153rd Street to the south, and River Avenue to the west, is separated into three distinct areas along the 161st Street corridor. These areas are, from west to east: the Transit Node, the Civic Node and the Residential Node. The Transit Node is generally bounded by East 162nd Street to the north, Gerard Avenue to the east, East 153rd Street to the south, and River Avenue to the west. The Civic Node is generally located along East 161st Street, between Concourse Village East and Concourse Village West. The Residential Node is generally bounded by East 162nd Street to the north, Park and Teller Avenues to the east, East 161st Street to the south, and Morris Avenue to the west.

The Transit Node is centered on a transit hub that includes an elevated train, a subway line and bus routes, and the area is characterized by low-rise commercial uses, surface and enclosed parking, and Yankee Stadium. In the future with the proposed action, the Transit Node would be rezoned from C8-3 and R8, with a C1-4 commercial overlay. These zoning changes would result in a change in uses allowed immediately south of the high-profile intersection of East 161st Street and River Avenue, and would facilitate new residential and commercial development in an area well-served by transit.

The Civic Node is characterized by the corridor's civic uses, most notably the Bronx Criminal Court Complex and the new Bronx Hall of Justice, as well as by a mix of office buildings, low-rise commercial uses and surface parking. This node would be rezoned from C8-3, C4-6, and R8 zoning districts to a C6-2 zoning. These zoning changes would result in a change in uses allowed in the civic heart of the Bronx, and would facilitate new development of retail uses and office space. The proposed zoning would allow high-density, mid-rise towers for residential, commercial and community facility uses, and would eliminate the potential for heavy automotive and light industrial uses which are permitted under existing zoning regulations.

The Residential Node is a growing residential community and would be rezoned from a R7-1 zoning district, with separate discontinuous C1-4 and C2-4 commercial overlays, to a R8A district with a continuous C2-4 overlay. The zoning change would result in a change of uses allowed in an area of the 161st Street corridor that connects the civic heart of the Bronx with the Melrose Metro-North station and Melrose Commons to the east, and would facilitate new development of retail and residential uses.

In addition to the proposed zoning map amendments, described above, the proposed action includes zoning text amendments that would apply the Inclusionary Housing program within the proposed C6-3D (R9D) and R8A zoning districts in Bronx Community District 4. In accordance

with the Inclusionary Housing program, residential developments that provide one-fifth of the total new housing floor area as affordable residential floor area would be able to take advantage of the Inclusionary Zoning (IZ) bonus, which permits a larger FAR than that which is permitted for developments that do not participate in the Inclusionary Housing program. Residential developments utilizing this bonus could be built to an FAR of 10.0 in the Transit Node and 7.2 in the Residential Node.

In the Future Action Scenario, with the proposed zoning text and map amendments in place, 11 identified sites are projected to be developed by 2018, which together would have a total of 894 DUs (745 of which would be affordable housing units); 113,553 sf of commercial retail space; 553,484 sf of commercial office space; and 11,730 sf of community facility space. This would represent a net increase over no-action conditions of 594 DUs, including 148 units of affordable housing; 42,004 sf of retail commercial space; 306,001 sf of office commercial space, and 10 sf of community facility space.

There are 11 potential development sites identified in the rezoning area. By the year 2018, under the Future Action Scenario, it is expected that the potential development sites could have a total of 390 DUs (66 of which would be affordable housing units); 127,049 sf of commercial retail space; 206,376 of commercial office space; and no community facility space. In comparison to the Future No-Action condition, this represents an incremental increase on the 11 potential development sites of 15,681 sf of retail space; an increase of 206,376 sf of office space; an increase of 35 affordable housing units; and a decrease of three market rate dwelling units (for a total of 32 net housing units).

URBAN DESIGN

There would be significant and positive changes to the urban design of the 161st Street rezoning area in the 2018 future with the proposed action. The new residential and commercial development allowed by the proposed rezoning would replace many of the area's underutilized lots with new buildings with a coherent building form. The respective characters of the transit, civic and residential nodes would be expanded and enhanced through new housing development and an increased capacity for office and commercial space. The new uses would provide essential services to the area's existing and new residents and would enhance the area's streetscape through the strengthening of the streetwall and placing an emphasis on the corner locations near train stations. Table 3.7-6 summarizes the increment of proposed development and types that would be expected under the with-action condition.

Table 3.7-6 Summary of Projected Development Increment

	2018 No-Action	2018 With-Action	Increment
Residential Dwelling Units	299	894 (incl. 148 affordable units)	594
Retail FA	71,549	113,553	42,004
Office FA	246,500	553,484	306,011
Community Facility / Institutional FA	11,720	11,730	10
Parking Spaces	0	311	311

Source: Department of City Planning

As discussed in **Chapter 3.1, "Land Use",** East 161st Street has recently experienced a number of public and private investments that include residential and commercial uses. This trend of development is expected to continue in the future without the proposed action. In the future with the proposed action, higher-density residential and commercial developments are intended along the East 161st Street corridor. Table 3.7-7 presents each projected development site with its expected development program with the proposed action.

Table 3.7-7
Summary of With-Action Development Increment by Projected Development Site

Increment of Development									
Proj. Dev. Site	Proposed Zoning	Retail SF	Office SF	Com Fac SF	Residential SF	Affordable DUs	Market Rate DUs	Total Res DUs	Total Req'd. Parking
1a	C6-3D	1,4205	-4545	0	171,573	49	123	172	84
1b									
2a	C6-3D	10,138	16840	0	157,399	43	114	157	74
2b									
3	C6-3D	-23,000	0	0	153,000	31	122	153	53
4	C6-2	33,000	293716	0	0	0	0	0	100
5	R8A/C2-4	3,410	0	3410	19,360	9	10	19	0
6	R8A/C2-4	4,250	0	-3400	6,176	0	6	6	0
7	R8A	0	0	0	14,308	0	14	14	0
8	R8A	0	0	0	14,308	0	14	14	0
9	R8A	0	0	0	14,308	0	14	14	0
10	R8A	0	0	0	18,176	7	11	18	0
11	R8A	0	0	0	25,733	10	16	26	0
TOTAL		**42,004**	**306,011**	**10**	**594,340**	**148**	**446**	**594**	**311**

In each distinct node identified above, the proposed action would strengthen the street wall through the use of design controls along the 161st Street corridor and enliven the street level with commercial uses. Through this action, land uses and transportation infrastructure will be better connected. Overall, the proposed action is not anticipated to affect the street hierarchy, street pattern, block form, natural features, or topography in the study area. Building arrangement is anticipated to become more consistent, given the opportunities to consolidate individual lots into single developments, and the requirements for sympathetic streetwall buildings, with upper story setbacks to frame the street and the pedestrian environment.

Following is a discussion of the proposed action including those zoning requirements that would impact urban design.

Urban Design – Primary Study Area

Transit Node

In the future with the proposed action, the Transit Node will have a new C6-3D zoning to address the liabilities of high-density residential development near an elevated train. On projected development sites that front an elevated train (sites 1a, 1b, 2a, 2b and 3), a shorter base

of 15 to 25 feet would be required, although a secondary base would be allowed to reach a total height of 60 to 85 feet. Both the secondary base and the unlimited height tower would be required to set back a minimum of 20 feet from the lot line that fronts the elevated train (for sites less than 110 feet deep, a 10- to 19-foot setback would apply). On corner sites that front an elevated train, a special corner setback would be required (a corner setback would be optional in other corner locations). In addition, if a subway station entrance is located anywhere along the frontage of a site, there would be a requirement to improve and relocate the entrance inside the building. Sidewalk widening requirements would apply along all wide streets within the rezoning area. Where an existing building with legally required windows is located within 30 feet of a lot line, a minimum 15-foot setback is required.

The proposed C6-3D district would allow high-density residential, commercial and community facility uses with a maximum FAR of 9.0. The existing C8-3 district allows heavy commercial and light industrial uses up to an FAR of 2.0, community facility uses up 6.5 FAR, and prohibits residential uses. The existing R8 district allows residential uses up to an FAR of 6.02, and the C1-4 overlay allows local commercial uses up to 2.0 FAR.

The Transit Node contains 3 projected and 6 potential developments in the future with the proposed action.

Projected Sites

- Site 1: Approximately 28,983 sf of retail space, 34,455 sf of office space, and 245 dwelling units (including 49 affordable units) are expected to be developed on these combined sites under in the future with the proposed rezoning. This site would be within the proposed new C6-3D zone, with a maximum base FAR of 7.52 and a FAR of up to 10.0 with an Inclusionary Zoning (IZ) bonus.

- Site 2: Approximately 215 dwelling units (including 43 affordable units), 22.840 sf of retail space, and 23,813 sf of office space are expected for these combined sites under with-action conditions. The site would be within the proposed new C6-3D zone, with a maximum base FAR of 7.52 and a FAR of up to 10.0 with an IZ bonus.

- Site 3: Approximately 153 dwelling units (including 31 affordable units) and 17,000 sf of retail are expected for this site under with-action conditions. The site would be within the proposed new C6-3D zone, with a maximum FAR of 7.52 and a FAR of up to 10.0 with an IZ bonus.

At Potential Development Sites A through F, buildings rising to a maximum of 255 feet above a streetwall between 60 and 85 feet could be developed.

Assessment of Transit Node

Building Bulk, Use, and Type: As a result of the proposed action development, the built environment of the Transit Node would undergo substantial change and improvement. The replacement of low intensity retail uses with mixed-use buildings would strengthen the limited

existing residential presence along River Avenue and East 161st Street near the future Yankee Stadium. The form of new buildings within this node would complement the built form of nearby walk-up apartment buildings and create a visual harmony with higher-bulk buildings to the east. Building bulks on the projected and potential development sites would be significantly increased in comparison with the existing one- and two-story retail buildings, but this increase in bulk would create a more regularized streetwall in this node. It is expected that the changes of use, bulk and the regularized streetwall will improve the street-level appearance and attractiveness of the Transit Node, and improve pedestrian conditions.

Building Arrangement: New building arrangements within the Transit Node area would be regular with respect to their placement on blocks and lots.

Block Form and Street Pattern: No changes to block form or street pattern are expected in the Transit Node.

Streetscape Elements: The streetscape would be improved with the replacement of several underutilized one-story buildings. New street trees would be anticipated in conjunction with new residential development under the Quality Housing program.

Street Hierarchy: There would be no changes to street hierarchy in the Transit Node.

Natural Features and Topography: There would be no changes to any natural or topographic feature in the Transit Node.

Civic Node

The Civic Node, generally located along East 161st Street between the Grand Concourse and Concourse Village East, is characterized by civic uses, most notably the Bronx Criminal Court Complex and the Bronx Hall of Justice. The node is currently divided into R8, C4-6, and C8-3 zonings. In the future with the proposed action, the node will have a C6-2 zoning, which would encourage higher density infill commercial and office developments, which is appropriate for this area because of its proximity to a multi-modal transit network and highway access. This zoning change would result in a change in uses, and would facilitate new development of retail uses and office space. This area includes a mix of large civic uses, surface parking, one-story retail uses and two-story detached homes that have been converted to commercial uses. The proposed C6-2 zoning district would allow high-density, mid-rise towers with a maximum height of 120 feet and setback requirements such as a streetwall base between 60 and 85 feet. The proposed C6-2 district would allow high-density residential, commercial and community facility uses with a maximum FAR of 6.02, 6.0 and 6.5, respectively.

The Civic Node contains one projected development sites and three potential development sites that could be developed in the future with the proposed action by the 2018 analysis year.

Projected Site

- Site 4: Approximately 33,000 sf of retail space and 495,216 sf of office space are expected

for this site under with-action conditions. The site would be within the proposed C6-2 zone, with a maximum commercial FAR of 6.0 and residential FAR of 6.02.

Potential Sites

Potential sites G, H and I have frontages on Sheridan Avenue/Concourse Village West. With the proposed action, Potential Site G could contain a retail/office development of 45,708 units sf, with a maximum height of 45 feet. Potential Site H could also contain a retail/office development of similar square footage, but at a height of 65 feet, with Potential Site I expected to reach a total of 95 feet.

Assessment of Civic Node

Building Bulk, Use, and Type: In the future with the proposed action, it is anticipated that the Civic Node would undergo a minor increase in bulk, use, and scale, as the RWCDS identifies one projected and three potential development sites. Through the creation of a mixed office/retail development, projected development site 4 would further the goals of the proposed action by continuing the streetwall along the 161st Street corridor. At an approximate height of 145 feet and an FAR of 6.0, height and bulk will conform to existing development surrounding the site and on the north side of 161st Street, thereby adding consistency along the central portion of the corridor. In addition to development on projected development site 4, new development would potentially occur on three of the Concourse Village West/Sheridan Avenue frontages, though sites H and I would experience a reduction in overall square footage and building height. Potential development site G would experience a modest incremental height increase of approximately 20 feet and an FAR increase from 1.98 to 3.98. The node's underutilized parcels would be replaced by a new commercial and mixed-use development. As such, the proposed action would bring improvements to the built character and uses in the Civic Node that would reinforce its unique character. The existing and with-action buildings in the Civic Node would create continuous building volume along the central portion of the 161st Street spine.

Building Arrangement: New building arrangements within the Civic Node would be regular with respect to their placement on blocks and lots.

Block Form and Street Pattern: No changes to block form or street pattern are expected in the Civic Node.

Streetscape Elements: In the future with the proposed action, it is anticipated that new development in the Civic Node would provide retail and office space in an area known as the civic heart of the Bronx.

Street Hierarchy: There would be no changes to street hierarchy in the Civic Node.

Natural Features and Topography: There would be no changes to any natural or topographic feature in the Civic Node.

Residential Node

In the future with the proposed action the Residential Node would be rezoned to R8A with a continuous C2-4 overlay. The zoning change would result in a change in uses allowed in the section of the 161st Street corridor that connects the civic heart of the Bronx with the Melrose Metro-North station and Melrose Commons to the east, and would facilitate new development of retail and residential uses. This area includes a mix of residential densities, including mid-rise apartment buildings, semi-detached and detached houses, and one-story retail uses. The proposed R8A zoning designation would allow high-density development with a contextual envelope that would match existing and proposed buildings in the Melrose Commons area.

The proposed C2-4 commercial overlay would allow retail uses along Morris Avenue, East 161st Street, Park Avenue and Teller Avenue, increasing the capacity of commercial uses without altering the residential character of this area, and activating the street level on a block that connects the civic center with Melrose Commons. The proposed R8A and R8A/ C2-4 zoning designations would allow high-density residential and community facility uses (6.02 and 6.5, respectively), and commercial uses with a maximum FAR of 2.0.

New development would be required to be built within a contextual envelope, which has a required 60- to 85-foot base and a maximum building height of 120 feet. The existing R7-1 zone allows residential development to a maximum FAR of 3.44 pursuant to sky exposure plane regulations. The existing C1-4 and C2-4 overlays allow local commercial uses up to an FAR of 2.0.

The Residential Node contains seven projected and two potential development sites.

Projected Sites

- Site 5: Under existing conditions, the site has 8,800 sf of retail space. Under no-action conditions, the site would have 26 dwelling units, 4,070 sf of retail space, and 4,070 of community facility space. Approximately 46 dwelling units (including nine affordable units), 7,480 sf of retail space, and 7,480 sf of community facility space are expected for this site under with-action conditions. The site would be within the proposed R8A zone with a C2-4 commercial overlay, with a maximum FAR of 6.02 and a FAR of up to 7.2 with an IZ bonus.

- Site 6: Under existing conditions, the site has 5,000 sf of retail space. Under no-action conditions, the site would have 27 dwelling units and 7,650 sf of community facility space. Approximately 33 dwelling units, 4,250 sf of retail space, and 4,250 of community facility space are expected for this site under with-action conditions. The site would be within the proposed R8A zone with a C2-4 commercial overlay, with a maximum FAR of 6.02.

- Site 7: Under existing conditions, the site is composed of three lots currently used for parking. Under no-action conditions, the site would have 25 dwelling units. Under with-action conditions, the site would have 39 dwelling units. The site would be zoned R8A, with a maximum FAR of 6.02.

- Site 8: Under existing conditions, the site has one dwelling unit. Under no-action conditions, the site would have 25 dwelling units. Approximately 39 dwelling units are expected for this site under with-action conditions. The site would be within the proposed R8A zone, with a maximum FAR of 6.02.

- Site 9: Under existing conditions, the site has one dwelling unit. Under no-action conditions, the site would have 25 dwelling units. Approximately 39 dwelling units are expected for this site under with-action conditions. The site would be within the proposed R8A zone, with a maximum FAR of 6.02.

- Site 10: Under existing conditions, the site has a lot area of 4,834 sf that is currently used for parking. Under no-action conditions, the site would have 17 dwelling units. Under with-action conditions, site 10 would have 35 dwelling units (including seven affordable units). The site would be within the proposed R8A zone, with a maximum FAR of up to 7.2 with an IZ bonus.

- Site 11: Under existing conditions, the site has two dwelling units. Under no-action conditions, the site would have 24 dwelling units. Approximately 49 dwelling units (including 10 affordable units) are expected for this site under with-action conditions. The site would be in the proposed R8A zone, with a maximum FAR of up to 7.2 with an IZ bonus.

Potential Sites

- Potential sites J and K would be mapped in the R8A/ C2-4 zoning district in the future with the proposed action. It is presumed that both sites could be developed with mixed-use buildings at a height of 125 feet.

Assessment of Residential Node

Building Bulk, Use, and Type: As a result of the proposed action the built environment of the Residential Node would undergo modest change and would be more in context with the mid-rise residential character of the node. The projected and potential development sites within this subarea highlight the improvements in the built form of new buildings under the proposed action in contrast to development that could result under the future without the proposed action. The built form regulations included in the proposed action would limit new development to 120 feet, providing a better connection with buildings of greater bulk and scale in the Melrose Commons Urban Renewal Area located several blocks to the east, and activate the street level along a section of East 161st Street that connects the civic uses on East 161st Street with the Melrose Metro-North station and the residential uses in Melrose Commons. The new development would reinforce the residential character of this node and would provide infill development on several currently-vacant lots. The R8A developments within the Residential Node would also be subject to a continuous C2-4 commercial overlay, further adding to the area's mixed-use nature.

Building Arrangement: New building arrangements within the Residential Node would be regular with respect to their placement on blocks and lots.

Block Form and Street Pattern: No changes to block form or street pattern are expected in the Residential Node.

Streetscape Elements: The streetscape would be improved with the addition of residential uses complemented by retail uses within new. New street trees would be anticipated in conjunction with new residential development pursued through the Quality Housing program.

Street Hierarchy: There would be no changes to street hierarchy in the Residential Node.

Natural Features and Topography: There would be no changes to any natural or topographic feature in the Residential Node.

Urban Design – Secondary Study Area

The proposed action is not anticipated to result in significant adverse impacts upon the urban design of the areas surrounding 161st Street. The residential areas to the north of the study area would be unaffected by the proposed action. To the south of the 161st Street corridor, the mixed commercial and industrial areas would continue, and would complement the redevelopment of 161st Street within the larger area.

VISUAL RESOURCES

The proposed action is not expected to have significant adverse impacts on visual resources within the primary or secondary study areas. While the secondary study area contains several historic architectural and open space resources which are visual resources, publicly accessible views to most of these resources are generally only available at the nearby sidewalks and streets and these views are not considered to be unique or contribute significantly to the defining character of 161st Street and River Avenue. The study area's significant public views are limited to the secondary study area only, and consist of views available from the 161st Street corridor to the Bronx County Courthouse, the Grand Concourse Historic District, the existing Yankee Stadium, Joyce Kilmer Park, Franz Sigel Park, Mullaly Park and the Highbridge Woodycrest Center.

Significant views of these resources would not be affected by changes in building height and form resulting from the proposed action. As discussed above in the urban design assessment, development in the future with the proposed action would not result in any changes in block form. As the significant views of the study area's resources are obtained from the streets and sidewalks along the 161st Street Corridor and River Avenue, and the block form would be unchanged under the proposed action, the significant views available of the visual resources within the corridor would not be obstructed. Views from the sidewalks within each node would be further preserved through the establishment of streetwall, setbacks and height limitation requirements for all new development. These design requirements, which would not be in place in the future no-action condition, would maintain and preserve the open views available from the sidewalk.

The study area's visual resources exist in a setting comprised of a wide variety of building forms. Development under the proposed action would not significantly alter the setting of the corridor's visual resources. The proposed action would establish requirements for street walls and setbacks for the upper portion of the buildings above the street wall in order to relate building height and bulk to the street in a more appropriate and consistent form. Maximum height limits would be introduced for a majority of the proposed new mapped districts ensuring that the overall massing and scale of new development responds to the particular characteristics of the unique nodes within the corridor. These requirements would ensure that the scale and bulk of new buildings within each area are sensitive to and consistent with existing development.

CONCLUSION

No significant adverse impacts on urban design would result from the proposed action. The proposed action is expected to result in positive changes and improvements to urban design conditions within the proposed rezoning area. Views to visual resources would be enhanced to the extent the surrounding setting is improved, and the opportunity to generate a visual connection with such resources as the new Yankee Stadium and other destinations through the creation of a continuous retail environment would enhance the area.

The most appreciable changes would be seen in the built form of new developments, especially pertaining to building bulk, use, and type, and streetscape elements. Underutilized parcels and one- and two-story retail structures would be replaced with mixed-use buildings that are appropriate in massing, scale and uses to their nodes and to the larger 161st Street and River Avenue corridors.

The urban design strategy that has been developed as part of the proposed action would result in a series of carefully calibrated changes to the built environment of the 161st Street and River Avenue corridors. The urban design strategy would ensure that new development takes into account and responds to the varied built conditions that characterize each of the different nodes of the corridor. The proposed building form controls would guide development in the Civic Node to complement the strong contextual built character by permitting additional commercial floor area and eliminating the potential for heavy automotive and light industrial uses. Medium density areas such as the Residential Node would be reinforced by generating additional residential and commercial development in an area with a strong built context. Additionally, the appropriate scale and massing for higher-density residential and commercial development will be advanced in the Transit Node. While building heights would not be controlled through the use of zoning mechanisms in this node, underlying bulk requirements would mandate a context-sensitive base of 60 to 85 feet.

New development in areas of the corridor with a strong contextual built character, such as the Civic and Residential nodes, would be guided by building form controls that would ensure an appropriate relationship to their respective existing built contexts. The required streetwalls heights and the limitations on the maximum building height would be consistent with the bulk and massing of the predominant existing buildings reinforcing the streetwall and specific building scales of these areas.

Higher density new development is expected within each node as a result of the proposed action. However, as each node has a unique built character, bulk controls have been tailored to complement the existing urban fabric. Within these nodes building form regulations would ensure that new higher density development is of appropriate scale and massing, with appropriate controls to frame and enhance the street. The new development in the Transit Node would replace one- and two-story retail structures with new mixed-use buildings. Building form regulations would require the new buildings to frame 161st Street and River Avenue with streetwalls of consistent height. Required setbacks and limitations for those portions of the building above the streetwall would ensure that the bulk of the building does not unduly affect the street level below. The combined building form regulations would ensure that the new higher density mixed-use development is of a scale and massing appropriate to the node for which they have been tailored.

As a result of the proposed action, the respective commercial, civic and residential characters of the 161st Street corridor are expected to be improved. In addition, the proposed action would compliment the urban design of the secondary study area and would not result in significant adverse impacts on urban design. The new development within the rezoning area would be complementary to the development expected independent of the proposed action to the east and west of the rezoning area.

The proposed action would not result in significant adverse impacts to visual resources. The context of the visual resources that define the 161st Street Corridor would not be significantly or substantially altered by the proposed action, given the bulk and massing of new construction which would be compatible with the study area's existing resources and built context. The proposed action would not result in the loss of significant public views to visual resources as the area's streets and sidewalks would be unaltered. Within each distinctive node, development on the projected and potential development sites would be confined to the existing blocks and lots and would not affect views to the visual resources from the streets or sidewalks.

3.9 NATURAL RESOURCES

The *CEQR Technical Manual* defines a natural resource as an area "capable of providing habitat for plant and animal species or capable of functioning to support environmental systems and maintain the City's environmental balance." Included in the list of natural resources are surface water, groundwater, drainage systems and wetlands. Other resources to consider are dunes, beaches, coastal resources, grasslands, woodlands, landscaped areas, gardens, parks and built structures used by wildlife.

The *CEQR Technical Manual* recommends several screening criteria when determining whether an assessment of natural resource impacts should be performed. To meet the screening criteria in order to preclude assessment of natural resources impacts, an action must meet the following criteria: the area must be substantially devoid of natural resources; the area must contain no built resource that is known to contain protected species or which may be used by such species; the area must not contain subsurface conditions that affect neighboring natural resources; and the proposed action must not disturb nearby natural resources. Also, a proposed action may be deemed to disturb a natural resource, but under certain conditions a regulatory agency with jurisdiction over the resource may deem the disturbance environmentally insignificant (e.g., if the proposed action is considered a necessary improvement). If the proposed action does not meet all of these conditions or if it is unknown whether it meets one or more of these conditions, then an assessment of natural resources is appropriate.

Chapter 2.0, "Project Description," identifies a reasonable worst-case development scenario (RWCDS) for 11 projected development sites by 2018. It is expected that under Future With-Action, the projected development sites would have a total of 894 DUs (745 of which would be affordable housing units); 113,553 sf of commercial retail space; 553,484 sf of commercial office space; and 11,730 sf of community facility space. This would represent a net increase over no-action conditions of 594 DUs, including 148 units of affordable housing; 42,004 sf of retail commercial space; 306,001 sf of office commercial space, and 10 sf of community facility space.

There are 11 potential development sites in the rezoning area. In the year 2018, under the Future Action Scenario, it is expected that the potential development sites would have a total of 390 DUs (66 of which would be affordable housing units); 127,049 sf of commercial retail space; 206,376 of commercial office space; and no community facility space. In comparison to the Future No-Action condition, this represents an incremental increase on the 11 potential development sites of 15,681 sf of retail space; an increase of 206,376 sf of office space; an increase of 35 affordable housing units; and a decrease of three market rate dwelling units (for a total of 32 net housing units).

An assessment of an action's impact on natural resources is typically performed for actions that would either occur on or near natural resources (e.g., wetlands, woodlands, meadows, etc.) or for actions that would result in the direct or indirect disturbance of such resources. The habitat value of the rezoning area for native species is low as a result of extensive development and paving of the projected and potential development sites, which no longer contain natural resources of any significance. Significant adverse impacts on natural resources are therefore not expected and no further analysis is warranted.

3.10 HAZARDOUS MATERIALS

INTRODUCTION

The proposed action would not result in significant adverse hazardous materials impacts.

This chapter assesses the potential for the presence of hazardous materials in soil and/or groundwater at the proposed rezoning and development sites in the rezoning areas.

The project area (the site) is located in the Bronx, New York and is defined by three "nodes":

- Transit Node – Located along River Avenue and 161st Street. The proposed rezoning areas include the east side of the street along River Avenue, between 153rd and 162nd Streets. On 161st Street the project area is located between Walton and River Avenues. Site identification markers in this node include: 1a, 1b, a, b, 2a, 2b, 3, C, D, E and F (see Figure 2.0-1)
- Civic Node – Located along 161st Street and Concourse Village West (also Sheridan Avenue). The proposed rezoning sites on Concourse Village West and Sheridan Avenue are located between 159th and 162nd Streets. The proposed rezoning sites located along 161st Street and between Concourse Village West and Concourse Village East. Site identification markers in this node include: G, H, I and 4 (see Figure 2.0-1)
- Residential Node – The residential node is located on the north side of 161st Street and the south side of 162nd Street between Morris Avenue and Park Avenue. Site identification numbers include: 5, 6, 7, 8, 9, 10, 11, J and K. (see Figure 2.0-1)

Contaminated materials, based on their chemical composition, can be toxic or potentially harmful substances that may be present in soil and/or groundwater. Contaminated materials are frequently encountered during construction activities in urban areas that have been subject to past disturbance from construction, excavation and industrial uses. This chapter analyzes the potential presence and types of contaminated materials that may be encountered in the soil, soil gas, and groundwater. Subsurface disturbance, due to any future construction activities at the proposed rezoning areas, has the potential to bring these contaminants into contact with people and may be hazardous to human health and the environment.

An assessment of potential hazardous materials impacts was performed for the projected and potential development sites for a number of reasons. For example, rezoning of manufacturing lots to a residential use can lead to exposure of future residents to hazardous materials. Therefore, as part of the process of rezoning a manufacturing zone to allow commercial or residential uses or development a hazardous materials assessment is appropriate.

The media may be contaminated by petroleum and hazardous substances such as volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), metals, polychlorinated biphenyls (PCBs) found in gasoline, fuel oils, solvents, waste oils, medical wastes and historic fill. The media within the nodes may be contaminated by historic operations on the site or by

migration of contaminants from adjacent properties. Groundwater in the area is generally located between 10–20 feet below grade and is anticipated to flow in various directions depending on the location of the lot. The groundwater can act as a vehicle to transport contamination from adjacent properties to beneath the proposed development site. During construction dewatering, groundwater and any dissolved contaminants within a zone of influence will likely flow from surrounding areas toward the construction site and contaminate the media.

An additional consideration for the development sites included determining whether an (E) designation is necessary at privately held sites that are projected or potential development sites under the proposed actions. An (E)-designated site is designated on the City zoning map (by block and lot) within which no change of use or development requiring a New York City Department of Buildings permit may be issued without approval of the New York City Department of Environmental Protection (NYCDEP). These sites require the NYCDEP's review to ensure protection of human health and the environment from any known or suspected hazardous materials associated with the site. (E) designations for hazardous materials are listed in Appendix B.

Methodology

As described in the *New York City Environmental Quality Review (CEQR) Technical Manual*, the goal of a hazardous materials assessment is to determine whether a proposed action could lead to potential increased human exposure to hazardous materials and whether the increased exposure could lead to significant public health impacts or environmental impacts. The objective of this analysis is to determine which, if any, of the proposed rezoning areas may have been adversely affected by current or historical uses on-site, adjacent to, or within 400 feet of the site, such that the property may be adversely impacted by hazardous materials and thus require an (E) designation.

Hazardous materials, as defined in the *CEQR Technical Manual*, are substances that pose a threat to human health and the environment. The soil and/or groundwater may be contaminated by petroleum and hazardous substances such as volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), metals, polychlorinated biphenyls (PCBs) found in gasoline, fuel oils, solvents, waste oils, medical wastes and historic fill.

Hazardous wastes are defined under the regulations promulgated by the Resource Conservation and Recovery ACT (RCRA) as solid waste that meets at least one of the four characteristics: ignitability, corrosivity, reactivity, and/or toxicity, or as identified in NYCRR Part 371.4. For the study area, 49 sites were identified as either potential or projected development sites. Each of these sites were evaluated for the potential impacts due to hazardous materials by reviewing: (1) historical topographic maps and Sanborn fire insurance maps; (2) an environmental regulatory database summary for the project area including a 660-foot study area; and (3) observations to identify environmental conditions that may be associated with a particular property. Information such as the current occupants or site operations/activity, Tax Block and Lot numbers, addresses, land use, lot size, historic site information, building information, notes on general environmental related observations, neighboring property uses, and listings on environmental regulatory agency databases were also used in this assessment.

Historic Sanborn Fire Insurance Map Review

Historic and current Sanborn maps were reviewed to assess site activities and operations from specific years for the period of 1891 through 1989. For projected and potential development sites and adjacent or nearby lots, the historic land use was investigated to determine if activities at these sites may have the potential to release chemicals to the environment. For the majority of the site, the Sanborn map coverage included 1891, 1908, 1951-1952, 1959, 1978-1979 and 1989. The review consisted of identifying the name(s) of the occupant(s), the type of business conducted, and the years of occupancy for each of the specific lots. Facilities listed in the *CEQR Technical Manual* with respect to hazardous materials were identified, including lots with a prior land use such as automobile service stations, gasoline service stations, filling stations, electric power substations, coal storage yards, etc. that make use of, potentially generate, or dispose chemicals that may have a negative impact on the environment

Database Review

In preparing this analysis, a number of databases of potential sources of hazardous materials were reviewed, including:

- United States Environmental Protection Agency (USEPA) National Priority List (NPL).
- New York State (NYS) Inactive Hazardous Waste Disposal Sites and those that qualify for possible inclusion to the NYSDEC Inactive Hazardous Waste Disposal Site Registry
- USEPA Resource Conservation and Recovery Information System (RCRIS) – Resource Conservation and Recovery Act (RCRA) Corrective Action Activity Report (CORRACTS)
- USEPA Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS). Includes listing of Non-NFRAP sites that require investigation and cleanup and NFRAP sites that have no further remediation planned.
- New York State Brownfield Sites/Voluntary Cleanup Program (VCP).
- New York State Department of Environmental Conservation (NYSDEC) Solid Waste Facilities/Landfill Sites and NYC 1934 Solid Waste Sites.
- NYS and Federal Hazardous Waste Treatment, Storage, Disposal (TSD) Sites reported by the NYS manifest system and the USEPA's Resource Conservation and Recovery Information System (RCRIS) and NYS Hazardous Waste. Includes RCRA violations
- NYSDEC Spills Information Database (NYSPILL) – including Leaking Underground Storage Tanks (LTANKS)
- NYSDEC Major Oil Storage Facilities (MOSF) Database (more than 400,000-gallon capacity for storing petroleum).

- NYSDEC Petroleum Bulk Storage Facilities – Underground and Aboveground Storage Tank Database including NYC Fire Department data from 1997.
- New York and Federal Hazardous Waste Generators and Transporters for sites reported by the NYS manifest system and the USEPA's Resource Conservation and Recovery Information System (RCRIS) and NYS Hazardous Waste. Includes RCRA violations.
- NYSDEC Chemical Bulk Storage (CBS) Facilities Database. Sites storing hazardous substances in ASTs with 185 gallons or more and USTs of any size.
- Historic New York City Utility Facilities (1898 – 1950). Power generating stations, manufactured gas plants, gas storage facilities, etc.
- NYSDEC Hazardous Substance Waste Disposal Sites listing contaminated sites that are not eligible for state clean up funding.
- Federal Toxic Release Inventory (TRI): discharges of selected toxic chemicals.
- Federal Permit Compliance System Toxic Wastewater Discharges
- New York State and Federal Air Discharge Facilities
- NYC Environmental Quality Review Requirements (CEQR) "E" Sites
- USEPA Emergency Response Notification System of Spills (ERNS): a listing of federally reported spills.
- Federal Civil Enforcement Docket

The database search yielded 208 results. Due to their regulatory status, relative hydraulic gradient and distance, 24 database results represent an environmental concern to the site.

Field Survey

PB conducted a site visit to the 161st Street / River Avenue rezoning area on August 11, 2008. The site visit consisted of a visual inspection from the adjacent sidewalks and publicly accessible areas. The intent of the inspection was to identify and verify those facilities within and adjacent to the rezoning area's boundary (e.g., dry cleaners, gasoline stations, auto repair facilities, electrical sub-stations, etc.) that represent potential environmental concerns to any of the lots included in the proposed rezoning. Each site was observed in the field in order to verify literature and data records, and to identify existing environmental conditions and note any potential evidence of historic conditions. Therefore, observations were often made from the exteriors of buildings and lots. Each site was observed with attention toward environmental conditions of concern. These environmental conditions include, but are not limited to: the nature of the operations at a property; evidence of petroleum bulk storage tanks from either an oil fill port and/or vent; sidewall vents where potential air discharges occur; electrical substations; any sheen, discoloration or staining of surfaces on or adjacent to a property; topographical disturbances including excavation and filling; stressed vegetation; and solid waste disposal practices. Activities or occupants of adjacent properties were also noted to assess the possibility of a neighboring property contributing an impact on each of the projected or potential sites.

Topography and Hydrogeology

Based on reports compiled by the USGS, the site lies at elevations between 15 and 80 feet above sea level. The highest point within the site is approximately at the intersection of 161st Street and Grand Concourse Boulevard. Grand Concourse Boulevard runs north-south along a slight ridge. To the east of Grand Concourse Boulevard the terrain slopes immediately east, and then gently slopes east-southeast. This area includes the Civic Node and the Residential node. The western side of Grand Concourse Boulevard, containing the Transit-mixed use Node, slopes to the west. Groundwater is assumed to flow to be in the same general direction as topography, and it is expected to flow westerly toward the Harlem River and east-southeasterly toward the Harlem River. It is expected that groundwater would be encountered at a depths ranging from 10 to 20 feet below grade.

Actual groundwater flow direction is often affected by local factors, the main such factor in this vicinity being bedrock geology. Other local factors include: underground structures tidal influence, seasonal fluctuations, soil geology, production wells, and other factors beyond the scope of this study. The actual groundwater flow direction under the Site can be accurately determined only by installing groundwater monitoring wells, which is beyond the scope of this project.

3.10.1 SANBORN MAP REVIEW AND SITE RECONNAISSANCE

According to historical maps the study area began being developed between 1891 and 1908, with residential, complimentary commercial, and office uses. Development continued and was noted throughout subsequent map reporting years, showing increasing residential and commercial development, manufacturing, a rail yard as well as a gasoline service station. By 1952, a pattern of development is well established, and was not substantially altered in subsequent years. A brief description of the historical and existing conditions is broken down by node:

Transit-Mixed Use Node

This node shows increasingly intense development with office, commercial and manufacturing uses. Today, this area has a mix of restaurants, bars, offices, and other commercial uses. During the site reconnaissance, an equipment storage garage with a chemical odor was observed. The garage opens onto an alley located within Site A. Also observed during site reconnaissance was a drycleaners, which was directly across the street and upgradient of Sites A and B. Another drycleaners was located upgradient and on the same block as site E.

Civic Node

This area was characterized by a rail yard, present on Sanborn maps from 1908–1989. Historically, surrounding the rail yard were dwellings, a filling station and manufacturing facilities. Today, in the same location as the old rail yard, is the Concourse Plaza Shopping Center, which is a large shopping center with a two-story underground parking garage. Across the street from Concourse Plaza Shopping center is the Bronx Criminal Court. Other proposed rezoning areas here include residential areas as well as a commercial lot.

Residential Node
The Sanborn Map review shows this area was undeveloped in 1891. By 1908 all of the lots within the proposed rezoning area have been developed into dwellings. All of the lots remained dwellings through 1989. Today the area mainly consists of two story houses as well as three empty lots. There are two restaurants, a pharmacy, a check cashing business, a liquor store, a beauty salon and a nail salon along the western portion of this node along 161st Street. Two gravel parking lots were observed during site recon. One lot contained what appeared to be an abandoned pickup truck.

3.10.2 FUTURE WITHOUT THE PROPOSED ACTION
In the future without the proposed action, a number of projected and potential development sites are assumed to be developed with residential, commercial and community facility uses. These sites are described in Chapter 1, "Project Description." These sites are expected to be converted or developed on an as-of-right basis.

3.10.3 FUTURE WITH THE PROPOSED ACTION
In the future with the proposed action the 36 lots within the proposed rezoning area would most likely be redeveloped. The analysis below examines projected and potential sites where it could be expected that development in the future, with the proposed actions, would have the potential for environmental impacts due to potential presence of hazardous materials. These impacts could include the potential for impacts to the health and safety of workers during construction, the potential for the transport of contaminated soil, or the potential for impact on future residents or employees of individual buildings on these sites. These adverse impacts are principally associated with the following uses and concerns:

- Former or current gasoline filling stations or automotive service centers on a development site or an adjacent site.
- Auto-related or "transportation" uses on the development site or an adjacent site (e.g., garage, filling station, auto repair, service or painting).
- Records of underground storage tanks or leaking underground storage tanks on the development site or an adjacent site.
- Records of spills of petroleum or chemicals on the development site or an adjacent site.
- Records of above ground storage tanks on the development site or an adjacent site.
- Sites adjacent to power substations or utilities.
- Sites adjacent to former manufacturing facilities.
- Sites adjacent to dry cleaning facilities.

For all privately owned sites, as listed in Appendix B, (E) designations are recommended as part of the proposed zoning. Recommendations for (E) designations are based on whether the projected and potential development sites may have been adversely affected by current or historical uses at, adjacent to, or within 400 feet of these sites. By placing (E) designations on sites where there is a known or suspect environmental concern, the potential for an adverse

impact to human health and the environment resulting from the proposed action is avoided. The (E) designation provides the City with the mechanism for addressing environmental conditions so that significant adverse impacts do not occur as a result of site development.

The (E) designation requires that pre-development activities at each site include a Phase 1 environmental site investigation, and, if necessary, a sampling protocol and remediation to the satisfaction of NYCDEP before the issuance of a building permit. Appendix B presents the complete list of privately-owned projected and potential development sites for which (E) designations are proposed (Appendix B - Table 2, "Projected and Potential Sites Requiring (E) Designations for Hazardous Materials").

3.11 WATERFRONT REVITALIZATION PROGRAM

The current Local Waterfront Revitalization Program (LWRP) was approved by the New York City Council in October 1999, and by the New York State Department of State and the United States Secretary of Commerce in the summer of 2002. This new LWRP replaces the 56 City and State policies approved in 1982 with ten policies aimed at simplifying and clarifying the consistency review process. The new LWRP builds on, and is a direct outcome of, numerous waterfront planning efforts since the LWRP was originally adopted. These plans and studies have led to a more complete understanding of the City's waterfront, calling attention to the need for a LWRP that better reflects the different conditions, issues and priorities along a diverse and complex coastline.

The ten polices of the new LWRP are designed to more effectively realize the City's waterfront planning goals, addressing the following issues and policy goals:

1. Residential and commercial redevelopment;
2. Water-dependent and industrial uses;
3. Commercial and recreational boating;
4. Coastal ecological systems;
5. Water quality;
6. Flooding and erosion;
7. Solid waste and hazardous substances;
8. Public access;
9. Scenic resources; and
10. Historical and cultural resources.

The new policies simplify and clarify the consistency review process without eliminating any policy element required by state and federal law.

Proposed actions subject to CEQR that are situated within the designated boundaries of the NYC Coastal Zone must be assessed for their consistency with the city's LWRP. However, no portion of the proposed rezoning area is located within the City's designated Coastal Zone. As such, the proposed action is not subject to review for consistency with the City's LWRP. No further assessment of the proposed action's consistency with the City's LWRP is required.

3.12 INFRASTRUCTURE

INTRODUCTION

This chapter describes three parts of the city's infrastructure: the water supply, wastewater treatment, and stormwater management systems. Based on the methodology set forth in the *CEQR Technical Manual*, the proposed action would not result in significant adverse impacts to the water supply, wastewater treatment or stormwater management systems. Though this chapter focuses on these three systems, the *CEQR Technical Manual* defines the city "infrastructure" as the physical systems that support the population of the city, also including, but not limited to, the transportation network, waste and sanitation services and public transportation systems. Because many of these topics are discussed in separate chapters of this EIS, the focus of this chapter will remain on the water supply, wastewater treatment and stormwater management systems.

The Department of Environmental Protection estimates that New York City consumes approximately 1.3 billion gallons of water per day (gpd). Given the enormous consumption rate the manual also notes the unlikelihood of any particular action resulting in a significant adverse impact on the City's water supply or water pressure. Since the proposed action would not result in developments that consume an exceptional amount of water, the proposed action is not anticipated to adversely impact the City's water supply or water pressure.

Chapter 2.0, "Project Description," identifies a reasonable worst-case development scenario (RWCDS) for 11 projected development sites by 2018. It is expected that under Future With-Action, the projected development sites would have a total of 894 DUs (745 of which would be affordable housing units); 113,553 sf of commercial retail space; 553,484 sf of commercial office space; and 11,730 sf of community facility space. This would represent a net increase over no-action conditions of 594 DUs, including 148 units of affordable housing; 42,004 sf of retail commercial space; 306,001 sf of office commercial space, and 10 sf of community facility space.

Wastewater generated in the proposed rezoning area is treated at the Wards Island WPCP. The Wards Island WPCP is permitted to treat up to 275 million gallons per day (mgd) of wastewater. The *CEQR Technical Manual* indicates that because of the large permitted capacity and the City's commitment to reducing wastewater production, it is unlikely that a proposed action will significantly affect the existing flow. The proposed action does not contain developments that would generate unusually large flows and is not expected to impact the wastewater treatment plants.

The analysis of stormwater management focuses on the body of water into which stormwater is released in the event of an overflow of the sewer system. In turn, actions involving the reduction or elimination of permeable surfaces or those which direct additional volume to storm sewers would warrant an analysis. The *CEQR Technical Manual* states that stormwater management warrants a detailed analysis if the proposed action contains certain industrial activities (such as manufacturing, processing, or raw materials storage). Actions that would be served by separate sewers, separate storm system or involve the construction of a separate storm system also warrant detailed analysis. The proposed action does not warrant a detailed analysis of stormwater

management. The Future No-Action and With Action conditions do not include the elimination of pervious surfaces due to the development of vacant land.

3.12.1 EXISTING CONDITIONS

Water Supply

The New York City water supply system is comprised of a network of reservoirs, lakes and aqueducts extending into the Catskill region and a pipe network that distributes water within the city. Because the Hudson River, Harlem River and the East River are not potable water sources, New York City obtains nearly all of its water from the Delaware, Catskill and Croton watersheds located within 125 miles north of the city. Water from the watersheds is stored at 19 reservoirs and three control lakes, having a combined capacity of 550 billion gallons. The water is then carried into the city by a number of aqueducts. It enters the city via City Tunnel 1, which runs through the Bronx, Manhattan and Queens, and City Tunnel 2, which runs through the Bronx, Queens and Brooklyn. City Tunnel 3, partially complete, serves the Bronx, Manhattan and Queens, and when fully complete, will terminate in Brooklyn. Staten Island obtains it water from the Richmond Tunnel, an extension of City Tunnel 2.

Once in the city, the three aqueducts disperse water into a network of water mains. Water mains up to 96-inches in diameter feed smaller mains, such as 20, 12 and 8-inch mains, that deliver water to their final destination. These are the same mains that provide water to fire hydrants. Nearly all of the water reaches its consumers by gravity alone although some four percent, generally located at pressure boundaries, high elevations or at a pressure extremity such as Far Rockaway, is pumped to its final destination. There are pressure regulators throughout the city that monitor and control the water pressure.

In the existing condition, uses on the projected development sites include four residential units, 75,838 sf of retail, 246,500 sf of office space, and no community facility space. According to the consumption rates listed in the *CEQR Technical Manual*, it is estimated that the existing facilities consume approximately 38,886 gallons per day (gpd) of water for domestic uses and 38,793 gpd of water for air conditioning for a total 77,679 gpd (0.08 million gallons per day (mgd) of water). These results are displayed in Table 3.12-1.

Wastewater Treatment

According to the *CEQR Technical Manual* wastewater is considered to include sanitary sewage, wastewater generated by industries, and stormwater. Water used for air conditioning generates a negligible amount of wastewater for it is recirculated or evaporates in the cooling and heating process.

The majority of New York City's wastewater treatment system is comprised of the sewer network beneath the streets and the 14 water pollution control plants (WPCP) located throughout the city. Wastewater generated in a "drainage basin," the area served by a WPCP, is conveyed

through a network of combined sewers to the WPCP. During dry weather, the WPCP primarily treats sanitary sewage. The average daily flow during dry weather is known as the average "dry-weather flow". WPCPs have design treatment capacities set at twice their average dry-weather flow for a limited amount of time. However, because the majority of New York City sewers are combined sewers, they are also the recipients of stormwater, rainwater runoff from impermeable surfaces that generally contain pollutants such as oil and floatable debris. During wet weather, stormwater enters the combined sewer system along with sanitary sewage, and are both treated at a WPCP. However, during such wet weather, rainfall runoff can reach 10 to 50 times the dry-weather flow, sometimes well above the WPCP design capacity. To avoid flooding the WPCPs, built-in regulators act as relief valves to direct the excess water to an outfall. During storm events, sanitary sewage entering or already in the combined sewer system, stormwater and debris are discharged untreated into the nearest body of water. This untreated outfall is known as "combined sewer outfall" (CSO). As mentioned above, the majority of New York City wastewater is collected by a combined sewer system and treated by WPCPs, however small areas in Brooklyn, Queens and Staten Island either have separate sewer systems or use septic systems to dispose of sanitary waste.

Wastewater in the Bronx is collected and conveyed through a network of combined sewers that direct the wastewater to water pollution control plants. Wastewater is treated at the Wards Island WPCP. Wards Island WPCP has a State Pollution Discharge Elimination System (SPDES) permits to treat up to 275 of the 1.805 billion gallon per day SPDES permitted capacity of all 14 WPCP.

Based on the wastewater generation rates found in the *CEQR Technical Manual,* existing use on the projected development sites generate approximately 38,886 gpd of wastewater. These results are also displayed in Table 3.12-1.

Table 3.12-1
Existing Water Consumption and Sewage Generation

Use	Usage Rate[1]	Existing	
		SF or Persons	Gallons Used Per Day
Residential			
Domestic	112 gbd/person	12[2]	1,344
Air Conditioning	0.17 gdb/sf	7,360	1,251
Retail			
Domestic	0.17 gdb/sf	75,838	12,892
Air Conditioning	0.17 gdb/sf	75,838	12,892
Community Facility			
Domestic	0.17 gdb/sf	0	0
Air Conditioning	0.17 gdb/sf	0	0
Office			
Domestic	25 gdb/person[3]	986	24,650
Air Conditioning	0.10 gpd/sf	246,500	24,650
Subtotal			
Domestic			38,886
Air Conditioning			38,793
Total Water Consumption			**77,679**

Notes:
gpd= Gallons Per Day
[1]Consumption Rates from *CEQR Technical Manual*, Table 3L-2.
[2]Assumes 2.97 residents per DU (Source 2000 Census for Bronx Community District 4).
[3]Assumes 250 sf of Office space per person.

3.12.2 FUTURE WITHOUT THE PROPOSED ACTION

In the 2018 future without the proposed action, anticipated growth in the rezoning area would result in additional demand for water, wastewater production and stormwater runoff. In the future without the proposed action, the existing zoning controls would remain in place. It is expected that the rezoning area would experience some growth in commercial and residential uses. In the future without the proposed action as-of-right development would be expected to occur on 9 of the 11 projected development sites identified by DCP in the rezoning area. In the future without the action there is expected to be 71,549 sf or retail space, 246,500 sf of office space, 295 dwelling units (DUs); and 11,270 sf of community facility space.

Water Supply

In the future without the proposed action, the water consumption would total approximately 227,947 gpd (0.23 mgd) including 138,261 gpd of demand generated from domestic uses and 89,685 gpd demand from air conditioning use. This represents an approximately 99,375 gpd increase in water demand for domestic use and a 50,892 gpd increase in demand for air conditioning use. The total demand would increase by approximately 150,267 gpd (0.15 mgd).

Wastewater Treatment

In the future without the proposed action, it is anticipated that the WPCP and Wards Island WPCP will maintain the existing SPDES permitted capacity of 275 mgd. Under the No Action scenario, wastewater would continue to be treated at the Wards Island WPCP. Table 3.12-2 shows that in the future without the proposed action, 138,262 gpd of wastewater would be generated (wastewater generation is generally equal to domestic water consumption). In comparison to the SPDES capacity of the Wards Island WPCP of 275 mgd, the No Action wastewater increment of approximately 138,262 gpd represents an increase to 0.05 percent of the Wards Island WPCP permitted capacity. In the future without the proposed action, additional wastewater generated under Future No-Action conditions are not expected to cause the Wards Island WPCP to meet or exceed permitted capacity.

Table 3.12-2
Future No-Action Water Consumption and Sewage Generation

Use	Usage Rate[1]	Future No-Action	
		SF or Persons	Gallons Used Per Day
Residential			
Domestic	112 gbd/person	888	99456
Air Conditioning	0.17 gdb/sf	299,292	50,880
Retail			
Domestic	0.17 gdb/sf	71,549	12,163
Air Conditioning	0.17 gdb/sf	71,549	12,163
Community Facility			
Domestic	0.17 gdb/sf	11,720	1,992
Air Conditioning	0.17 gdb/sf	11,720	1,992
Office			
Domestic	25 gdb/person[3]	986	24,650
Air Conditioning	0.10 gpd/sf	246,500	24,650
Subtotal			
Domestic			138,261
Air Conditioning			89,685
Total Water Consumption			**227,946**

Notes:
gpd= Gallons Per Day
[1]Consumption Rates from *CEQR Technical Manual*, Table 3L-2.
[2]Assumes 2.97 residents per DU (Source 2000 Census for Bronx Community District 4).
[3]Assumes 250 sf of Office space per person.

3.12.3 FUTURE WITH THE PROPOSED ACTION

In the future with the proposed action, the existing infrastructure systems are expected to support the proposed action. As described in Chapter 2.0, "Project Description," it is expected that under Future Action conditions, the projected development sites would consist of 894 DUs (745 of which would be affordable housing units); 113,553 sf of commercial retail space; 553,484 sf of commercial office space; 11,730 sf of community facility space.

Water Supply

The proposed action would not result in significant adverse impacts on the City's water supply system. As shown in Table 3.12-3, in the future with the proposed action, approximately 374,008 gpd of water would be consumed for domestic uses and 228,627 gpd for air conditioning, for a total of 602,635 gpd (0.60 mgd) an increase of 374,688 gpd (0.37 mgd) from the No Action

demand. Considering that the City of New York consumes 1.3 billion gallons per day, this increment represents a 0.03 percent of the City's water supply system. The proposed rezoning would therefore be unlikely to adversely impact the City's water supply or water pressure.

Wastewater Treatment

In the future with the proposed action, wastewater from the study area would continue to be treated by Wards Island WPCP. The facility would retain a SPDES permitted capacity of 275 mgd. As shown in Table 3.12-3, the proposed action would generate approximately 374,008 gpd of sanitary sewage, an increase of 235,747 gpd (0.24 mgd) from the Future No-Action condition. Wards Island WPCP would receive the wastewater increment generated by the action (235,746 gpd), which is equivalent to approximately 0.08 percent of the capacity of the Wards Island WPCP. The proposed rezoning is not expected generate a significant wastewater increment and would not adversely impact the Wards Island WPCP.

Table 3.12-2
Future Action and Incremental Water Consumption and Sewage Generation

Use	Usage Rate	Future No-Action		Future Action		Future Action Increment	
		SF or Persons	Gallons Used Per Day	SF or Persons	Gallons Used Per Day	SF or Persons	Gallons Used Per Day
Residential							
Domestic	112 gbd/person	888	99,456	2,655	297,360	1,767	197,904
AC	0.17 gdb/sf	299,292	508,79.64	894,000	151,980	594,708	101,100
Retail							
Domestic	0.17 gdb/sf	71,549	12,163	113,553	19,304	42,004	7,141
AC	0.17 gdb/sf	71,549	12,163	113,553	19,304	42,004	7,141
Community Facility							
Domestic	0.17 gdb/sf	11,720	1,992	11,730	1,994	10	2
AC	0.17 gdb/sf	11,720	1,992	11,730	1,994	10	2
Office							
Domestic	25 gdb/person	986	24,650	2,214	55,350	1,228	30,700
AC	0.10 gpd/sf	246,500	24,650	553,484	55,348	306,984	30,698
Subtotal							
Domestic			138,262		374,008		235,74
AC			89,685		228,627		138,941
TOTAL			**227,947**		**602,635**		**374,688**

CONCLUSION

The proposed action would not adversely impact the City's infrastructure. Development on the 11 projected sites would produce an additional 374,688 gpd (0.37 mgd) demand on the City's water supply system, representing a 0.03 percent increase. As such, the proposed action would not result in a significant adverse impact to the City's water supply or water pressure.

The proposed action would not adversely impact the City's wastewater treatment system. The Wards Island WPCP would receive approximately 235,746 gpd of additional wastewater as a result of the proposed action, equivalent to approximately 0.08 percent of the treatment capacities. As this represents a relatively small incremental demand that would not significantly augment the amount of wastewater treated by Wards Island WPCP, no adverse impact on the City's wastewater treatment system would result from the proposed action.

3.13 SOLID WASTE AND SANITATION SERVICES

INTRODUCTION

The proposed action would not result in significant adverse impacts to solid waste and sanitation services.

According to the *CEQR Technical Manual*, actions involving construction of housing or other development generally do not require evaluation for solid waste impacts unless they are unusually large (a generation rate of less than 10,000 pounds per week, for example, is not considered large). Compliance with applicable requirements generally eliminates possible significant adverse impacts. In accordance with these guidelines, this chapter analyzes the effects of the proposed action on solid waste and sanitation services.

Chapter 2.0, "Project Description," identifies a reasonable worst-case development scenario (RWCDS) for 11 projected development sites by 2018. It is expected that under Future With-Action, the projected development sites would have a total of 894 DUs (745 of which would be affordable housing units); 113,553 sf of commercial retail space; 553,484 sf of commercial office space; and 11,730 sf of community facility space. This would represent a net increase over no-action conditions of 594 DUs, including 148 units of affordable housing; 42,004 sf of retail commercial space; 306,001 sf of office commercial space, and 10 sf of community facility space.

In order to determine whether the increase in residential, retail, and commercial office space due to the proposed action conforms to the City's Comprehensive Solid Waste Management Plan, a quantitative assessment was conducted. This entails the calculation of existing solid waste generation on the projected development sites, as well as a comparison of equivalent calculations in the future with and without the proposed action in place.

3.13.1 EXISTING CONDITIONS

Description of Current Sanitation Services

In New York City, the Department of Sanitation (DSNY) is the agency responsible for the collection and disposal of solid waste and recyclable materials generated by residences, some nonprofit institutions, tax exempt properties, and City agencies. DSNY also collects waste from street litter baskets, and handles street-sweeping operations and lot cleaning activities. Commercial operations handle solid waste from other uses, e.g., commercial retail, office, and industrial operations. Fresh Kills Landfill, which was New York City's last operating landfill, was officially closed in March 2001. DSNY continues to collect residential and institutional solid waste and recyclables (the municipal waste stream) which are now transported out of the City. Currently, most of the City's municipal solid waste is collected and delivered to transfer stations for sorting and transfer to larger "hopper" trucks, and then transported out of the City. Likewise, municipal solid waste from the project area is collected and trucked via transfer stations to out-of-state landfills and waste-to-energy facilities. Private carters also consolidate solid waste from commercial and industrial operations and haul it to waste transfer facilities both inside and

outside New York City, where it is then transported to out-of-City disposal facilities. It is estimated that DSNY collects over 12,000 tons of residential and institutional refuse and recyclables (solid waste) per day. It is also estimated that the non-residential (commercial/industrial) waste stream is about 13,000 tons per day (tpd). The total solid waste generated in the City therefore averages approximately 25,000 tpd.[1]

The City's solid waste management services are undertaken in accordance with the City's Solid Waste Management Plan (SWMP). The DSNY developed a new Draft SWMP in October 2004 to address anticipated future demands for solid waste management for the City. The Draft SWMP was subsequently revised in July 2006 and approved by the New York City Council on July 19, 2006. The new SWMP is effective for the next 20 years and is expected to be fully operational by 2009. The new SWMP addresses and recognizes the interdependency of the systems for managing recycling, residential waste, and commercial waste. The new SWMP introduces a shift from the current mode of truck-based export to export by barge and/or rail. The City intends to commit to a long-term (20-year) contract with the Hugo Neu Corporation for the processing and marketing of metal, glass, and plastic (MGP). An MGP processing facility will be developed in the City at the 30th Street Pier in South Brooklyn Marine Terminal. The plant will be barge-fed from Hugo Neu Corporation sites in Queens and the Bronx and a potential DSNY location in Manhattan.

The new SWMP includes a Long-Term Export Program for residential waste. The City's Long-Term Export Program is anticipated to be implemented through: (1) the development of four new converted marine transfer stations (MTS); (2) the award of up to five contracts with private transfer stations for barge or rail export of DSNY-managed waste for disposal; and (3) an intergovernmental agreement to dispose of a portion of Manhattan's DSNY-managed waste at a Port Authority waste-to-energy facility in New Jersey. Solid waste would be consolidated, containerized, and barged or railed out of the City from the converted MTSs or the five existing private transfer stations. The barges currently used at MTS facilities will be replaced or retrofitted with new sealed containers or "intermodal containers" capable of being transported on barge or rail. The four converted MTS facilities will be designed to each process up to 4,290 tons per day and accommodate 30 collection vehicles per hour. In the interim, all municipal solid waste will be trucked out of the City.

Local Law 19 of 1989 requires that DSNY and private carters collect recyclable materials and deliver them to material recovery facilities. New York City residents are required to separate aluminum foil, glass, plastic and metal containers, and newspapers and other paper wastes from household waste for separate collection. The SWMP also mandates that commercial and industrial establishments are subject to recycling requirements. Businesses must source-separate certain types of paper wastes, cardboard, metal items, and construction wastes. Food and beverage establishments must recycle metal, glass, and plastic containers, and aluminum foil, in addition to meeting the commercial recycling requirements.

[1] DSNY website: http://www.nyc.gov/html/dsny/html/about/about.shtml

Quantitative Analysis of Solid Waste Generation

As solid waste/sanitation services is a density-based technical analysis, only those developments on identified projected development sites form the basis for the assessment of solid waste and sanitation services. Residential uses are present on the projected development sites, and the solid waste generated by these uses is collected by the DSNY municipal service routes. There are also a number of private businesses on the projected development sites, and these uses are served by commercial solid waste and recycling management companies.

Table 3.13-1 summarizes the current solid waste generation conditions on the 11 projected development sites. As shown in the table, the existing uses currently generate a total of approximately 15 tons of solid waste per week, most of which is collected by private carters.

Table 3.13-1
Estimated Weekly Solid Waste Generation on
Projected Development Sites Under Existing Conditions

Use	EXISTING	
	Square Feet/ Dwelling Units	**Solid Waste Generated* (pounds per week)**
Community Facility	0	0
Residential	4	164
Office/Commercial	246,500	12,818
Retail	75,838	17,974
TOTAL		30,956

*Based on the following assumptions:
Community Facility: 0.03 lbs per square feet (*CEQR Technical Manual* Table 3M-1)
Residential: 41 lbs per DU (*CEQR Technical Manual* Table 3M-1).
Office/Commercial: 1 employee for 250 sf and 13 lbs of solid waster per week per employee (*CEQR Technical Manual* Table 3M-1).
Retail: 3 employees for 1,000 sf and 79 lbs of solid waste per week per employee (*CEQR Technical Manual* Table 3M-1).

3.13.2 FUTURE WITHOUT THE PROPOSED ACTION

If the proposed action is not implemented, the existing zoning controls would remain in place. It is expected that the rezoning area would experience some growth in commercial and residential uses. In the future without the proposed action, as-of-right development would be expected to occur on some of the 11 projected development sites. With new development in the proposed action area, the No-Action RWCDS is expected to result in higher solid waste generation on the projected development sites in the future without the proposed action than under existing conditions.

In the future without the proposed action, the existing zoning controls would remain in place. It is expected that the rezoning area would experience some growth in commercial and residential uses. In the future without the proposed action as-of-right development would be expected to occur on nine of the 11 projected development sites identified by DCP in the rezoning area. In the future without the action there is expected to be 71,549 sf or retail space, 246,500 sf of office space, 295 dwelling units (DUs); and 11,270 sf of community facility space.

Table 3.13-2 summarizes the solid waste generation for each use under No-Action conditions. The same assumptions utilized for existing conditions were applied in calculating solid waste generation on the projected development sites in the future without the proposed action. As shown in Table 3.13-2, it is estimated that the 11 projected development sites would generate approximately 21 tons of solid waste per week in the future without the proposed action. The majority of the solid waste produced would be removed by private carters.

Table 3.13-2
Estimated Weekly Solid Waste Generation on Projected Development Sites
Under 2017 No-Action Conditions

Use	NO-ACTION	
	Square Feet	Solid Waste Generated* (pounds per week)
Community Facility	11,720	352
Residential	299	12,259
Office/Commercial	246,500	12,818
Retail	71,549	16,957
TOTAL		42,386

*Refer to Table 3.13-1 for generation rate assumptions.

The development projected in the no-action condition would increase the volumes of solid waste and recyclables generated, but would not affect the delivery of these services, nor would it place a significant burden on the City's solid waste management services (both public and private). In addition, the proposed action would not conflict with, or require amendments to, the City's Solid Waste Management Plan.

3.13.3 FUTURE WITH THE PROPOSED ACTION

As described in Chapter 2.0, "Project Description," it is expected that under Future With-Action conditions, the projected development sites would consist of 894 DUs (745 of which would be affordable housing units); 113,553 sf of commercial retail space; 553,484 sf of commercial office space; 11,730 sf of community facility space.

The same assumptions utilized under existing and future No-Action conditions were applied in calculating solid waste generation on the 11 projected development sites in the future with the proposed action. Table 3.13-3 shows the solid waste expected to be generated by the projected development sites in the future with the proposed action, comparing it to the future without the proposed action, and identifying the incremental change in solid waste generation associated with the proposed action. It is estimated that the 11 projected development sites would generate approximately 46 tons of solid waste per week in the future with the proposed action. Therefore, the proposed action would result in an incremental increase of approximately 25 tons of solid waste generated weekly compared to No-Action conditions.

Table 3.13-3
Estimated Weekly Solid Waste Generated on Projected Development Sites Under 2017 With-Action Conditions, Compared to No-Action Conditions, With Incremental Change Associated with Proposed Action

	NO-ACTION		WITH-ACTION		INCREMENTAL
Use	Square Feet/ Dwelling Units	Solid Waste Generated* (pounds per week)	Square Feet/ Dwelling Units	Solid Waste Generated* (pounds per week)	Solid Waste Generated* (pounds per week)
Community Facility	11,720	352	11,730	352	0
Residential	299	12,259	894	36,654	24,395
Office/Commercial	246,500	12,818	553,484	28,781	15,963
Retail	71,549	16,957	113,553	26,912	9,955
TOTAL		42,386		92,669	50,313

*Refer to Table 3.13-1 for generation rate assumptions.

The solid waste generated by residential and community facilities would be collected by the New York City Department of Sanitation (DSNY). Under the With-Action conditions, the solid waste generated by these uses would be equivalent to approximately 18 tons per week, for a net increase of 12 tons per week compared to No-Action conditions. According to the *CEQR Technical Manual*, the typical DSNY collection truck for residential refuse carries approximately 12.5 tons of waste material. Therefore, the uses subject to municipal collection by DSNY induced by the proposed action on the 11 projected development sites would be expected to generate a net solid waste equivalent of approximately one-sixth of a truck load per day (assuming a seven-day week). This increase is not expected to burden the DSNY's solid waste handling services, and the proposed action would not have a significant adverse impact on the City's solid waste and sanitation services.

In addition, it is expected that the net increase in commercial waste of 13 tons per week could be handled by the private solid waste management industry. The per-week increase is the equivalent of approximately two tons per day. This represents a negligible increase in light of the 13,000 tons of commercial waste per day handled by the private waste carting industry. This is a small increase and it is expected to be covered by a slight increase in private solid waste management services that already service the area.

CONCLUSION

The proposed action is not anticipated to result in significant adverse solid waste impacts. Development pursuant to the proposed action would occur in an area which is currently served by DSNY residential trash and recycling pick-ups. The proposed action would not affect the delivery of these services, or place a significant burden on the City's solid waste management system. The resulting net increase in solid waste to be picked up by DSNY is relatively small (less than two tons per day) when compared to the estimated 12,000 tons of residential and institutional refuse and recyclables collected by DSNY per day. In addition, due to the proposed action, non-residential waste serviced by private carters would increase by approximately two tons per day, an insignificant amount compared to the estimated 13,000 tons of commercial/industrial waste currently removed by private carters.

It is concluded that in the future with the proposed project in 2018, there would be no significant adverse impacts on residential or commercial solid waste collection and disposal services, nor would the proposed project conflict with, or require any amendments to, the City's solid waste management objectives as stated in the SWMP.

3.14 ENERGY

INTRODUCTION

The proposed action would not result in significant adverse energy impacts.

This chapter describes the effects that the proposed action may have on energy consumption. Although present uses at the projected development sites create some demand for energy, development resulting from the proposed action would place an increased overall demand on energy services. As discussed in this chapter, the proposed action would create new demands on energy, but the additional demand would not be large enough to constitute significant adverse impacts on these services.

Chapter 2.0, "Project Description," identifies a reasonable worst-case development scenario (RWCDS) for 11 projected development sites by 2018. It is expected that under Future With-Action, the projected development sites would have a total of 894 DUs (745 of which would be affordable housing units); 113,553 sf of commercial retail space; 553,484 sf of commercial office space; and 11,730 sf of community facility space. This would represent a net increase over no-action conditions of 594 DUs, including 148 units of affordable housing; 42,004 sf of retail commercial space; 306,001 sf of office commercial space, and 10 sf of community facility space.

3.14.1 EXISTING CONDITIONS

The Energy System

Consolidated Edison (Con Edison), along with other transmission companies, delivers electricity to New York City and almost all of Westchester County. The electricity is generated by Con Edison as well as a number of independent power companies, including Keyspan Energy. The New York Power Authority (NYPA) is the governing authority responsible for overseeing power distribution across the state. The recent deregulation of the energy market across New York State has led to the transition of formerly government-regulated utilities to independently owned energy generators. Con Edison has sold many of its power generating facilities and is now primarily involved in energy distribution.

Electrical energy is created from non-renewable sources such as oil, natural gas, coal, nuclear fuel, and renewable sources like hydroelectric, biomass fuels, solar, and wind. New York City's energy is produced within the City, from across the Northeast US, and from locations as far as Canada. Once electrical energy is generated in the form of high voltage electrical power, a transmission grid provides high voltage electrical power to and within New York City. The interconnected power grid, extending across New York State and the Northeast, allows for power to be imported from other regions as the demand requires. Substations located throughout New York City convert high-voltage electrical to low-voltage electrical power for distribution to end users.
According to the New York Independent System Operator (NYISO) *2008 Load & Capacity Data* report, the peak electrical demand for New York City in summer 2007 was 10,970

Megawatts (MW), and the peak demand for summer 2008 is forecasted at 11,950 MW.[1] Typically the electricity generated within the City is sufficient to satisfy the demand. However, during the peak summer demand period, locally generated electricity must be supplemented through the transmission grid providing power from across the Northeast. Con Edison's distribution grid has a finite capacity, and during heavy demand periods, the transmission grid is strained. There is an ongoing service and distribution improvement program for Con Edison infrastructure which upgrades localized areas that are continually high demand zones. Electricity required for these local "hot" zones are supplied by other regions of New York City or from sources elsewhere within the larger grid, if necessary.

Con Edison provides the electrical power transmission system for the City through a series of substations. Transmission substations receive electricity from the generating stations through the transmission system and reduce the voltage to a level that can be delivered to area substations. Area substations receive electricity from a transmission substation and reduce the voltage to a level that can be delivered into the distribution system or "grid" in the streets. In the distribution system, the electricity's voltage is reduced further to be delivered to customers. Each area substation serves one or more distinct geographic areas, called networks, which are isolated from the rest of the local distribution system. The purpose of the networks is that if one substation goes out of service, the problem would be localized to that network area and would not spread to other parts of the City. Substations are designed to have sufficient capacity for the network to grow.

A number of power plants are located in the five boroughs, providing electric generation resources to New York City. According to NYISO's *Revised Locational Installed Capacity Requirements Study* for the 2006-2007 capability year, New York City has an existing installed capacity of 10,018 MW (not including Special Case Resources).[2]

Recent Energy Conservation Directives

In 2001, New York State began taking measures to address the increasing capacity needs of the metropolitan New York City region. NYISO implemented the Emergency Demand Response and the Day-Ahead Demand Bidding programs to reduce utility electrical power demand during peak load periods. New York State Governor's Executive Order No. 111 (EO 111), introduced in June of 2001, directed state agencies, state authorities, and other affected entities to address energy efficiency, renewable energy, green building practices, and alternate fuel vehicles. EO 111 identified the New York State Energy Research and Development Authority (NYSERDA) as the organization responsible for coordinating and assisting agencies and other affected entities with their responsibilities. The NYSERDA and other utilities have implemented programs to encourage businesses to reduce energy usage and increase energy efficiency. The NYPA has purchased and constructed 11 new 44-MW, natural gas-fired, simple cycle turbine generating

[1] New York Independent System Operator *2008 Load & Capacity Data*, released 04/2008
[2] NYISO *Revised Locational Installed Capacity Requirements Study Covering the New York Control Area for the 2007-2008 Capability Year*, February 16, 2007. According to the Study, Special Case Resources (SCRs) are "loads capable of being interrupted, and distributed generators, rated at 100 kW or higher, that are not directly telemetered."

units (10 of which are located within New York City). Additionally, NYPA has focused on reducing energy consumption at public facilities throughout New York City.

The independent, non-profit New York State Reliability Council (NYSRC) has determined that a minimum of 80 percent of the City's peak load must be provided by generating sources within the City to maintain compliance with the criteria established by the regional and national reliability councils. Presently, there is sufficient capacity within the City to meet this 80 percent local energy generation requirement. As the energy demand increases over time, additional in-city generation would be needed to satisfy this requirement.

The NYISO, which manages the safety and reliability of the state's electric transmission system, developed and implemented an annual review of New York State's energy reliability and needs in December 2005. According to NYISO's 2008 Reliability Needs Assessment, under base case assumptions New York State will have reliability needs beginning in 2012.

Existing Demand

In estimating the existing annual energy consumption at the 11 projected development sites, the rates provided in Table 3N-1 of the *CEQR Technical Manual* were utilized. The measure of energy used in the analysis is BTUs per year. One BTU, or British Thermal Unit, is the quantity of heat required to raise the temperature of one pound of water one Fahrenheit degree. According to the *CEQR Technical Manual*, this unit of measure can be used to compare consumption of energy from different sources (e.g., gasoline, hydroelectric power, etc.), taking into consideration how efficiently those sources are converted to energy. Its use avoids the confusion inherent in comparing different measures of output (e.g., horsepower, kilowatt hours, etc.) and consumption (e.g., tons per day, cubic feet per minute, etc.). In general 1 kilowatt (KW) is equivalent to 3,413 BTUs per hour. As shown in Table 3.14-1, current annual energy use on the 11 projected development sites is estimated to be approximately 24.50 billion BTUs for all heating, cooling, and electric power.

Table 3.14-1
Estimated Annual Energy Consumption on
Projected Development Sites Under Existing Conditions

		EXISTING	
Use	**Consumption Rates***	**SF**	**Annual Energy Use (million BTUs*)**
Residential	145,500 BTUs/sf/y	7,360	1,071
Office/Commercial	77,900 BTUs/sf/y	246,500	19,202
Retail	55,800 BTUs/sf/y	75,838	4,231
TOTAL			24,504

*Based on rates from *CEQR Technical Manual* Table 3N-1.

3.14.2 FUTURE WITHOUT THE PROPOSED ACTION

In the future without the proposed action, the existing zoning controls would remain in place. It is expected that the rezoning area would experience some as-of-right growth in commercial and residential uses. In the future without the proposed action, as-of-right development would be expected to occur on some of the 11 projected development sites. With new development in the proposed action area, the Future No-Action Scenario is expected to result in higher energy consumption on the projected development sites than under existing conditions.

The NYISO *2007 Load & Capacity Data* report forecasts energy requirements through 2018 and expects the summer peak load for New York City to be 13,085 MW in 2018. The 2018 annual energy requirements are forecasted at approximately 62,979 gigawatt hours (GWH).[3]

In the future without the proposed action, the existing zoning controls would remain in place. It is expected that the rezoning area would experience some growth in commercial and residential uses. In the future without the proposed action as-of-right development would be expected to occur on 9 of the 11 projected development sites identified by DCP in the rezoning area. In the future without the action there is expected to be 71,549 sf or retail space, 246,500 sf of office space, 299 dwelling units (DUs); and 11,700 sf of community facility space.

Table 3.14-2 summarizes the annual energy consumption for each use under No-Action conditions. The same assumptions utilized for existing conditions were applied in calculating energy consumption on the projected development sites in the future without the proposed action. As shown in Table 3.14-2, it is estimated that the 11 projected development sites would use approximately billion BTUs of energy annually in 2018 without the proposed action.

[3] New York Independent System Operator *2008 Load & Capacity Data*, released 04/2008

Table 3.14-2
Estimated Annual Energy Consumption on Projected Development Sites Under 2018 No-Action Conditions

Use	Consumption Rates*	NO-ACTION	
		SF	Annual Energy Use (million BTUs*)
Community Facility	76,400 BTUs/sf/y	11,720	352
Residential	145,500 BTUs/sf/y	299,292	12,259
Office/Commercial	77,900 BTUs/sf/y	246,500	12,818
Retail	55,800 BTUs/sf/y	71,549	16,957
TOTAL			63,647

*Refer to Table 3.14-1 for consumption rate assumptions.

3.14.3 FUTURE WITH THE PROPOSED ACTION

As described in Chapter 2.0, "Project Description," it is expected that under Future With-Action conditions, the projected development sites would consist of 894 DUs (745 of which would be affordable housing units); 113,553 sf of commercial retail space; 553,484 sf of commercial office space; 11,730 sf of community facility space.

Projected development resulting from the proposed action would be required to comply with the New York State Conservation Construction Code, which governs performance requirements of heating, ventilation, and air conditioning systems, as well as the exterior building envelope of new buildings. In compliance with the Code, the buildings to be constructed on the projected development sites would incorporate all required energy conservation measures, including meeting the Code's requirements relating to energy efficiency and combined thermal transmittance.

The same assumptions utilized for the various uses under No-Action conditions were applied in calculating estimated annual energy consumption on the 11 projected development sites in the future with the proposed action. Table 3.14-3 shows the energy expected to be consumed by the projected development sites in the future with the proposed action, comparing it to the future without the proposed action, and identifying the incremental change in energy consumption associated with the proposed action.

Table 3.14-3
Estimated Annual Energy Consumption on Projected Development Sites Under 2018 With-Action Conditions, Compared to No-Action Conditions, With Incremental Change Associated with Proposed Action

	NO-ACTION		WITH-ACTION		INCREMENTAL
Use	SF	Annual Energy Use (million BTUs)	SF	Annual Energy Use (million BTUs)	Annual Energy Use (million BTUs)
Community Facility	11,720	895	11,730	896	1
Residential	299,292	43,546	894,000	130,077	86,531
Office/Commercial	246,500	19,202	553,484	43,116	23,914
Retail	71,549	3,992	113,553	6,336	2,344
TOTAL		63,647		180,425	112,790

Refer to Tables 3.14-1 and 3.14-2 for notes.

Based on the above assumptions, it is estimated that the 11 projected development sites would use approximately 180.425 billion BTUs of energy annually in the future with the proposed action. Therefore, the proposed action would result in an incremental increase of approximately 112.790 billion BTUs in annual energy use compared to No-Action conditions. This annual incremental demand on an hourly basis would represent a small fraction of the City's forecasted peak summer load of 13,360 MW in 2018, and a negligible amount of the City's forecasted annual energy requirements for 2018, and is therefore not expected to be a significant additional load. As such, the operational energy demand from the proposed action would not have significant adverse impacts.

CONCLUSION

The proposed action is not anticipated to result in significant adverse energy impacts. Consumption of electrical energy on the projected development sites would experience a net increase of approximately 339.47 billion BTUs in annual energy use compared to No-Action conditions. This annual incremental demand on an hourly basis would represent a small fraction of the City's forecasted peak summer load of 13,085 MW in 2018, and an infinitesimal amount of the City's forecasted annual energy requirements for 2018. This relatively small incremental demand is not large enough to significantly impact the ability of the City's energy system to deliver electricity.

3.15 TRAFFIC AND PARKING

According to the *CEQR Technical Manual*, if a proposed action is projected to result in fewer than 50 peak hour incremental vehicular trip ends, traffic impacts would be unlikely.

The potential for the proposed action to generate significant adverse traffic and parking impacts cannot be ruled out. Please refer to attached Draft Scope of Work for a targeted environmental impact statement for the proposed rezoning of 161st Street/River Avenue.

3.16 TRANSIT AND PEDESTRIAN

According to *CEQR Technical Manual* guidelines, a proposed action may adversely affect local transit and pedestrian conditions if it results in greater than 200 peak hour pedestrian, rail or bus transit trips.

The potential for the proposed action to generate significant adverse transit and pedestrian impacts cannot be ruled out. Please refer to attached Draft Scope of Work for a targeted environmental impact statement for the proposed rezoning of 161st Street/River Avenue.

3.17 AIR QUALITY

According to the *CEQR Technical Manual*, an analysis of air quality impacts is undertaken to determine a proposed project's effects on ambient air quality, as well as effects on development induced by the project because of ambient air quality. Besides potential air pollutants associated with regulated construction activities, there are two types of sources for pollutants that might impact the ambient air quality: mobile and stationary sources.

The potential for the proposed action to generate significant adverse air quality impacts cannot be ruled out. Please refer to attached Draft Scope of Work for a targeted environmental impact statement for the proposed rezoning of 161st Street/River Avenue.

3.18 NOISE

Noise pollution in an urban area comes from many sources. Some sources are activities essential to the health, safety, and welfare of the City's inhabitants, such as noise from emergency vehicle sirens, garbage collection operations, and construction and maintenance equipment. Other sources, such as traffic, stem from the movement of people and goods, activities that are essential to the viability of the City as a place to live and do business. Although these and other noise-producing activities are necessary to a city, the noise they produce is undesirable. Urban noise detracts from the quality of the living environment and there is increasing evidence that excessive noise represents a threat to public health. Besides noise associated with construction activities there are two types of sources for noise that might impact sensitive receptors: mobile and stationary sources.

The potential for the proposed action to generate significant adverse noise impacts cannot be ruled out. Please refer to attached Draft Scope of Work for a targeted environmental impact statement for the proposed rezoning of 161st Street/River Avenue.

3.19 CONSTRUCTION IMPACTS

Construction, although temporary, can result in disruptive and noticeable effects on a proposed action area. A determination of the significance of construction and the need for mitigation is based on the duration and magnitude of these effects. Construction is typically of greatest importance when it could affect traffic conditions, archaeological resources, the integrity of historic resources, community noise patterns, and air quality conditions.

The proposed action consists of the rezoning of three areas in the Concourse Village section of the Bronx. There are 11 projected development sites and 11 potential development sites in the rezoning area. The 11 projected development sites are anticipated to be developed in the 10 years following the adoption of the proposed rezoning. The 11 potential development sites are considered less likely to be developed over the 10-year analysis period, but are still considered sites for potential future development.

Chapter 1.0, "Project Description," identifies a reasonable worst-case development scenario (RWCDS) for 11 projected development sites by 2018. It is expected that under Future With-Action, the projected development sites would have a total of 894 DUs (745 of which would be affordable housing units); 113,553 sf of commercial retail space; 553,484 sf of commercial office space; and 11,730 sf of community facility space. This would represent a net increase over no-action conditions of 594 DUs, including 148 units of affordable housing; 42,004 sf of retail commercial space; 306,001 sf of office commercial space, and 10 sf of community facility space.

There are 11 potential development sites in the rezoning area. In the year 2018, under the Future Action Scenario, it is expected that the potential development sites would have a total of 390 DUs (66 of which would be affordable housing units); 127,049 sf of commercial retail space; 206,376 of commercial office space; and no community facility space. In comparison to the Future No-Action condition, this represents an incremental increase on the 11 potential development sites of 15,681 sf of retail space; an increase of 206,376 sf of office space; an increase of 35 affordable housing units; and a decrease of three market rate dwelling units (for a total of 32 net housing units).

As construction induced by the proposed action would be gradual, taking place over a 10-year period, potential impacts would be minimal. The following is a brief discussion of the effects associated with the construction related activities on traffic, air quality, noise, historical resources and hazardous materials.

3.19.1 Effect of Construction on Traffic

The proposed action would result in new development, over a 10-year period, on 11 projected development sites. These developments would replace existing uses on the development sites. During construction, the projected development sites would generate trips from workers traveling to and from the construction sites, and from the movement of materials and equipment.

The infrastructure of New York City is comprised of physical systems that support the population, including water supply, wastewater, sanitation, energy, roadways, bridges, tunnels,

and public transportation. Many of these categories are discussed individually elsewhere in this document (see Chapters 3.13-3.16). This section covers only the effect of the proposed action on traffic operations. Given typical construction hours, worker trips would be concentrated in off-peak hours and would not represent a substantial increment during the area's peak travel periods.

Construction activities may result in short-term disruption of both traffic and pedestrian movements at the development sites. This would occur primarily due to the temporary loss of curbside lanes from the staging of equipment and the movement of materials to and from the site. Additionally, construction would at times result in the temporary closing of sidewalks adjacent to the site. These conditions would not lead to significant adverse effects on traffic and transportation conditions.

3.19.2 Effect of Construction on Air Quality

Possible impacts on local air quality during construction induced by the proposed action include fugitive dust (particulate) emission from land clearing operation and demolition as well as mobile source emissions generated by construction equipment and vehicles.

Fugitive dust emissions from land clearing operations can occur from excavation, hauling, dumping, spreading, grading, compaction, wind erosion, and traffic over unpaved areas. Actual quantities of emissions depend on the extent and nature of the clearing operations, the type of equipment employed, the physical characteristics of the underlying soil, the speed at which construction vehicles are operated, and the type of fugitive dust control methods employed. Much of the fugitive dust generated by construction activities should be of a short-term duration and relatively contained within a proposed site, not significantly impacting nearby buildings or residents.

As the number of construction-related vehicle trips generated by the proposed action would be relatively small and the emissions from such vehicles as well as construction equipment would occur over a 10-year period and be dispersed throughout the proposed rezoning area, the mobile source emissions generated by the proposed action would not be significant. Overall, the proposed action would not have the potential to result in significant adverse air quality impacts.

3.19.3 Effect of Construction on Noise

Noise and vibration from construction equipment operation and noise from construction workers' vehicles and delivery vehicles traveling to and from the construction sites can affect community noise levels. The level of impact of these noise sources depends on the noise characteristics of the equipment and activities involved the construction schedule, and the location of potentially sensitive noise receptors.

Noise and vibration levels at a given location are dependent on the kind and number of pieces of construction equipment being operated, as well as the distance of the location from the construction site and the types of structures, if any, between the location and the noise source. Noise levels caused by construction activities can vary widely, depending on the phase of

construction (e.g. demolition, land clearing and excavation, foundation, erection of structure, construction of exterior walls) and the specific task being undertaken.

Construction noise associated with the proposed action is expected to be similar to noise generated by other residential construction projects in the City. Increased noise level caused by construction activities can be expected to be more significant during early excavation phases of construction and would be of relatively short duration. Increases in noise levels caused by delivery trucks and other construction vehicles would not be significant.

Construction noise is regulated by the New York City Noise Control code and by Environmental Protection Agency noise emission standards for construction equipment. These local and federal requirements mandate that certain classifications of construction equipment and motor vehicles meet specified noise emissions standards; that, except under exceptional circumstances, construction activities be limited to weekdays between the hours of 7:00 AM and 6:00 PM; and that construction material be handled and transported in such a manner as not to create unnecessary noise. In addition, whenever possible, appropriate low noise emission level equipment and operational procedures can be utilized to minimize noise and its effect on adjacent uses.

Accordingly, the proposed action would not result in significant adverse noise impacts.

3.19.4 Effect of Construction on Historic Resources

As discussed in Chapter 3.6, none of the projected and potential development sites are located on or adjacent to any historic resource. It is not anticipated that action-generated would have any adverse physical effects on any historic resources in the study area. Likewise, the Landmarks Preservation Commission has determined that it is unlikely that there is any potential for disturbance of archaeological resources as a result of the proposed action. Therefore, the proposed action is not expected to have any significant adverse impacts on archaeological resources in the area.

3.19.5 Effect of Construction on Hazardous Materials

The proposed action would result in new development in the rezoning area. As such, a hazardous materials assessment was undertaken, as presented in Chapter 3.10. As discussed in that chapter, all contaminants and contaminated materials will be removed in accordance with environmental regulations and no significant adverse impacts are expected.

3.19.6 Conclusion

Construction-related activities are not expected to have any significant adverse impacts on traffic, air quality, noise, historic resources, or hazardous materials conditions as a result of the proposed action.

3.20 PUBLIC HEALTH

Public health involves the activities that society undertakes to create and maintain conditions in which people remain healthy. Many public health concerns are closely related to air quality, hazardous materials, construction and natural resources. A public health assessment may be warranted if a proposed action results in any of the following:

a) increased vehicular traffic or emissions from stationary sources resulting in significant adverse air quality impacts;
b) increased exposure to heavy metals and other contaminants in soil/bust resulting in significant adverse impacts, or the presence of contaminants from historic spill or releases of substances that might have affected or might affect ground water to be used as a source of drinking water;
c) solid waste management practices that could attract vermin and lead to an increased pest population;
d) potentially significant adverse impacts to sensitive receptors from noise and odors;
e) vapor infiltration from contaminants within a building or underlying soil that may result in significant adverse hazardous materials or air quality impacts.

The potential for the proposed action to generate significant adverse public health impacts cannot be ruled out. Please refer to attached Draft Scope of Work for a targeted environmental impact statement for the proposed rezoning of 161st Street/River Avenue.

161ST STREET/RIVER AVENUE REZONING

ENVIRONMENTAL ASSESSMENT STATEMENT

Attachment B: Appendices

161ST STREET/RIVER AVENUE REZONING

ENVIRONMENTAL ASSESSMENT STATEMENT

Attachment B: Appendices

Appendix A - LPC 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 7/23/2008

Project number **Date received**

Project: 161 ST. REZONING

Properties with no Architectural or archaeological significance:

880 RIVER AVENUE, BBL 2024840009
51 EAST 161 STREET, BBL 2024840005
48 EAST 161 STREET, BBL 2024830040
850 RIVER AVENUE, BBL 2024830034
810 RIVER AVENUE, BBL 2024830005
200 EAST 161 STREET, BBL 2024430090
198 EAST 161 STREET, BBL 2024430094
271 EAST 161 STREET, BBL 2024210001
281 EAST 161 STREET, BBL 2024210057
284 EAST 162 STREET, BBL 2024210016
286 EAST 162 STREET, BBL 2024210017
288 EAST 162 STREET, BBL 2024210075
294 EAST 162 STREET, BBL 2024210018
296 EAST 162 STREET, BBL 2024210020
308 EAST 162 STREET, BBL 2024210026
316 EAST 162 STREET, BBL 2024210027
881 GERARD AVENUE, BBL 2024840033
67 EAST 161 STREET, BBL 2024840035
58 EAST 161 STREET, BBL 2024830044
62 EAST 161 STREET, BBL 2024830045
76 EAST 161 STREET, BBL 2024740040
830 RIVER AVENUE, BBL 2024830032
87 EAST 158 STREET, BBL 2024830068
891 SHERIDAN AVENUE, BBL 2024600025
871 CONCOURSE VILLAGE W, BBL 2024590046
869 CONCOURSE VILLAGE W, BBL 2024590049
SHERIDAN AVENUE, BBL 2024590050
859 CONCOURSE VILLAGE W, BBL 2024590053
857 CONCOURSE VILLAGE W, BBL 2024590054
285 EAST 161 STREET, BBL 2024210056
287 EAST 161 STREET, BBL 2024210055
289 EAST 161 STREET, BBL 2024210054
291 EAST 161 STREET, BBL 2024210053
293 EAST 161 STREET, BBL 2024210052
295 EAST 161 STREET, BBL 2024210051
297 EAST 161 STREET, BBL 2024210050

The following properties possess architectural significance in the radius:

Comments: The Grand Concourse HD also appears LPC eligible.

8/1/2008

SIGNATURE DATE

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161ST STREET/RIVER AVENUE REZONING

ENVIRONMENTAL ASSESSMENT STATEMENT

Attachment B: Appendices

Appendix B – Hazardous Materials

APPENDIX B: PROPOSED (E) DESIGNATIONS

INTRODUCTION

Under the proposed zoning, (E) designations are proposed to avoid impacts on projected or potential development sites with respect to hazardous materials, air quality (heating systems), and noise. A description of the requirements of those (E) designations follows. A list of the sites, blocks and lots affected by the (E) designations is presented in Table 1. The descriptions and requirements of the proposed (E) designations are presented below.

HAZARDOUS MATERIALS

There are two mechanisms that are applied to avoid the potential impacts to sites with respect to hazardous materials. For privately owned sites it is an (E) designation that is mapped as part of the zoning.

(E) DESIGNATION SITES (PRIVATELY OWNED SITES)

As described in Chapter 3.10, "Hazardous Materials," a number of projected and potential development sites in the study area have the potential to be adversely affected by hazardous materials. In order to avoid impacts from hazardous materials, an (E) designation would be placed on these sites as part of the proposed zoning. The sites with the need for hazardous materials (E) designations are presented in Table 1 ("Projected and Potential Sites Requiring (E) Designations for Hazardous Materials"). By placing (E) designations on sites where there is a known or suspect environmental concern, the potential for an adverse impact to human health and the environment resulting from the proposed action is eliminated. The (E) designation provides the mechanism for identifying and remediating environmental conditions with respect to hazardous materials. The New York City Department of Environmental Protection (NYCDEP) would provide the regulatory oversight of the environmental investigation during this process. Building permits are not issued by the New York City Department of Buildings without prior NYCDEP approval of the investigation and/or remediation pursuant to the provisions of Section 11-15 of the Zoning Resolution (Environmental Requirements).

The (E) designation requires that the fee owner of the site conduct, as necessary, a Phase 1 Environmental Site Assessment, a site sampling and testing protocol and remediation, as necessary, to the satisfaction of NYCDEP. The (E) designation also includes a mandatory construction-related health and safety plan that must be approved by NYCDEP. Under the (E) designation, the following tasks are undertaken:

- Task 1 – The applicant submits to the NYCDEP Bureau of Environmental Planning and Assessment (BEPA), for review and approval, a Phase 1A of the site along with a soil and groundwater 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 NYCDEP. The number and location of sample sites should be selected to adequately characterize the site, the specific source of suspected contamination (e.g., 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 NYCDEP upon request.
- Task 2 – A written report with findings and a summary of the data must be submitted to NYCDEP after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by NYCDEP if the results indicate that remediation is necessary. If NYCDEP determines that no remediation is necessary, written notice shall be given by NYCDEP. If remediation is indicated from the test results, a proposed remediation plan must be submitted to NYCDEP for review and approval. The applicant must complete such remediation as determined necessary by NYCDEP. The applicant should then provide proper documentation that the work has been satisfactorily completed. A NYCDEP-approved construction-related health and safety plan would be implemented during evacuation and construction and 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 NYCDEP for review and approval prior to implementation.

APPENDIX B - TABLE 1:

PROJECTED AND POTENTIAL SITES REQUIRING (E) DESIGNATIONS FOR HAZARDOUS MATERIALS

Site #	Site Address	Block	Lot	2008 Land Use	Preliminary screening	Hazardous Materials Conditions	Comments
Transit Node: Proposed Rezoning Sites							
Projected Site 1a	880 River Ave	2484	9	Retail/Office/Commercial	VOC, SVOC	Medical office on site; equipment storage garage adjacent; dry cleaner upgradient; petroleum spill upgradient;	Recommended (E) Designation
Projected Site 1b	51 E 161st St	2484	5	Commercial	VOC, SVOC	Equipment storage garage adjacent; medical office on site; dry cleaner upgradient; petroleum spill upgradient;	Recommended (E) Designation
Potential Site A	881 Gerard Ave	2484	33	Retail/Commercial	VOC, SVOC	Equipment storage garage on site; medical office adjacent drycleaner upgradient; petroleum spill upgradient	Recommended (E) Designation
Potential Site B	67 E 161st St	2484	35	Commercial	VOC, SVOC	Equipment storage garage adjacent; medical office adjacent drycleaner upgradient; petroleum spill upgradient	Recommended (E) Designation

APPENDIX B - TABLE 1:

PROJECTED AND POTENTIAL SITES REQUIRING (E) DESIGNATIONS FOR HAZARDOUS MATERIALS

Site #	Site Address	Block	Lot	2008 Land Use	Preliminary screening	Hazardous Materials Conditions	Comments
Projected Site 2a	48 E 161st St	2483	40	Retail/Commercial	VOC, SVOC	drycleaner upgradient, petroleum spills upgradient and adjacent	Recommended (E) Designation
Projected Site 2b	850 River Ave	2483	34	Vacant Lot/ Commercial/Retail	VOC, SVOC	drycleaner upgradient, petroleum spills upgradient and adjacent	Recommended (E) Designation
Potential Site C	58 E 161st St	2483	44	Commercial/Retail	VOC, SVOC	Dry cleaner upgrade, petroleum spills upgradient	Recommended (E) Designation
Potential Site D	62 E 161st St	2483	45	Retail/offices	VOC, SVOC	Dry cleaner upgrade, petroleum spills upgradient	Recommended (E) Designation
Projected Site 3	810 River Ave	2483	5	Commercial/Retail	VOC, SVOC, PCB, Metals	petroleum spills adjacent and upgradient, Dry cleaner upgradient	Recommended (E) Designation
Potential Site E	48 E 161st St	2474	40	Commercial	VOC, SVOC	Dry cleaner upgrade, petroleum spills upgradient,	Recommended (E) Designation

APPENDIX B - TABLE 1:

PROJECTED AND POTENTIAL SITES REQUIRING (E) DESIGNATIONS FOR HAZARDOUS MATERIALS

Site #	Site Address	Block	Lot	2008 Land Use	Preliminary screening	Hazardous Materials Conditions	Comments
Potential Site F	830 River Ave. 87 E 158th St	2483	32, 68	Commercial	VOC, SVOC	Dry cleaner upgrade, petroleum spills upgradient	Recommended (E) Designation
Civic Node: Proposed Rezoning Sites							
Projected Site 4	198 E. 161st Street	2443	p/o 90, 94	Retail/Commercial	VOC, SVOC, PCB, Metals	former rail yard, former gas station, open spill, several closed spills	Recommended (E) Designation
Potential Site H	869 & 871 Concourse Vlg W./Sheridan Ave.	2459	46, 49, 50	Vacant lot/Commercial/Residential	VOC, SVOC, PCB, Metals	former manufacturing facility upgradient.	Recommended (E) Designation
Potential Site I	857 & 859 Conc. Vlg W	2459	53, 54	Residential	VOC, SVOC, PCB, Metals	former manufacturing facility upgradient.	Recommended (E) Designation
Potential Site G	891 Sheridan Ave.	2460	25	Commercial	VOC, SVOC, PCB, Metals	former manufacturing facility on site. Dry cleaners upgradient.	Recommended (E) Designation

APPENDIX B - TABLE 1:

PROJECTED AND POTENTIAL SITES REQUIRING (E) DESIGNATIONS FOR HAZARDOUS MATERIALS

Site #	Site Address	Block	Lot	2008 Land Use	Preliminary screening	Hazardous Materials Conditions	Comments
Residential Node: Proposed Rezoning Sites							
Projected Site 5	271 East 161st Street	2421	1	Commercial/Retail	VOC, SVOC, PCB, Metals	Former rail yard upgradient, former gas station upgradient, former manufacturing facility upgradient, petroleum spills and leaking tanks upgradient. upgradientpetroleum spills	Recommended (E) Designation
Projected Site 6	281 East 161st Street	2421	57	Commercial/Retail	VOC, SVOC, PCB, Metals	Former rail yard upgradient, former gas station upgradient, former manufacturing facility upgradient, petroleum spills and leaking tanks upgradient. upgradientpetroleum spills	Recommended (E) Designation
Projected Site 7	284/286/288 East 162nd Street	2421	16, 17, 75	Residential	VOC, SVOC, PCB, Metals	Former rail yard upgradient, former gas station upgradient, former manufacturing facility upgradient, petroleum spills and leaking tanks upgradient. Vacant vegetated lot on site.	Recommended (E) Designation

APPENDIX B - TABLE 1:

PROJECTED AND POTENTIAL SITES REQUIRING (E) DESIGNATIONS FOR HAZARDOUS MATERIALS

Site #	Site Address	Block	Lot	2008 Land Use	Preliminary screening	Hazardous Materials Conditions	Comments
Projected Site 8	294 E 162nd St	2421	18	Residential	VOC, SVOC, PCB, Metals	Former rail yard upgradient, former gas station upgradient, former manufacturing facility upgradient, petroleum spills and leaking tanks upgradient.	Recommended (E) Designation
Projected Site 9	296 E 162 st	2421	20	Residential	VOC, SVOC, PCB, Metals	Former rail yard upgradient, former gas station upgradient, former manufacturing facility upgradient, petroleum spills and leaking tanks upgradient.	Recommended (E) Designation
Projected Site 10	308 E 162nd St	2421	26	Residential	VOC, SVOC, PCB, Metals	Former rail yard upgradient, former gas station upgradient, former manufacturing facility upgradient, petroleum spills and leaking tanks upgradient. Vacant vegetated lot on site.	Recommended (E) Designation

APPENDIX B - TABLE 1:

PROJECTED AND POTENTIAL SITES REQUIRING (E) DESIGNATIONS FOR HAZARDOUS MATERIALS

Site #	Site Address	Block	Lot	2008 Land Use	Preliminary screening	Hazardous Materials Conditions	Comments
Projected Site 11	316 E 162nd St	2421	27	Residential	VOC, SVOC, PCB, Metals	Former rail yard upgradient, former gas station upgradient, former manufacturing facility upgradient, petroleum spills and leaking tanks upgradient.	Recommended (E) Designation
Potential Site J	285, 287, 289, 291, & 293 E 161st St	2421	52, 53, 54, 55, 56	Commercial/Residential	VOC, SVOC, PCB, Metals	Former rail yard upgradient, former gas station upgradient, former manufacturing facility upgradient, petroleum spills and leaking tanks upgradient. Nail salon on site.	Recommended (E) Designation
Potential Site K	295 & 297 E. 161st St	2421	50, 51	Commercial/Residential	VOC, SVOC, PCB, Metals	Former rail yard upgradient, former gas station upgradient, former manufacturing facility upgradient, petroleum spills and leaking tanks upgradient.	Recommended (E) Designation