



City Environmental Quality Review

ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) SHORT FORM

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

Part I: GENERAL INFORMATION

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

If “yes,” STOP and complete the [FULL EAS FORM](#).

2. Project Name C7 Baychester Avenue Rezoning

3. Reference Numbers

CEQR REFERENCE NUMBER (to be assigned by lead agency)
20DCP035X

BSA REFERENCE NUMBER (if applicable)

ULURP REFERENCE NUMBER (if applicable)
200088ZMX

OTHER REFERENCE NUMBER(S) (if applicable)
(e.g., legislative intro, CAPA)

4a. Lead Agency Information

NAME OF LEAD AGENCY

New York City, Department of City Planning

4b. Applicant Information

NAME OF APPLICANT

New York City, Department of City Planning

NAME OF LEAD AGENCY CONTACT PERSON

Olga Abinader, Director of Environmental Assessment and Review Division

NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON

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5. Project Description

The applicant, the New York City Department of City Planning (“DCP”), seeks a zoning map amendment to rezone Block 5141 Lots 101, 102, and a portion of Lot 110 in the Bronx, Community District 10, in the neighborhood of Baychester (“Rezoning area”) from a C7 zoning district to a C8-2 zoning district. In total, the rezoning area measures approximately 46,090 square feet and is improved with commercial uses. The proposed action is not intended to facilitate new development, but would better reflect existing and surrounding land uses.

Project Location

BOROUGH Bronx

COMMUNITY DISTRICT(S) 10

STREET ADDRESS 1945-2021 Bartow Avenue

TAX BLOCK(S) AND LOT(S) Block 5141 Lots 101, 102, and p/o 110

ZIP CODE 10475

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Bartow Avenue between Baychester Avenue and Asch Loop

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY C7

ZONING SECTIONAL MAP NUMBER 4A

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

City Planning Commission: ☒ YES ☐ NO

☒ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

☐ CITY MAP AMENDMENT

☐ ZONING CERTIFICATION

☐ CONCESSION

☒ ZONING MAP AMENDMENT

☐ ZONING AUTHORIZATION

☐ UDAAP

☐ ZONING TEXT AMENDMENT

☐ ACQUISITION—REAL PROPERTY

☐ REVOCABLE CONSENT

☐ SITE SELECTION—PUBLIC FACILITY

☐ DISPOSITION—REAL PROPERTY

☐ FRANCHISE

☐ HOUSING PLAN & PROJECT

☐ OTHER, explain:

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

Board of Standards and Appeals: ☐ YES ☒ NO

☐ VARIANCE (use)

☐ VARIANCE (bulk)

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

Department of Environmental Protection: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If "yes," specify:				
Other City Approvals Subject to CEQR (check all that apply)				
<input type="checkbox"/> LEGISLATION	<input type="checkbox"/> FUNDING OF CONSTRUCTION, specify:			
<input type="checkbox"/> RULEMAKING	<input type="checkbox"/> POLICY OR PLAN, specify:			
<input type="checkbox"/> CONSTRUCTION OF PUBLIC FACILITIES	<input type="checkbox"/> FUNDING OF PROGRAMS, specify:			
<input type="checkbox"/> 384(b)(4) APPROVAL	<input type="checkbox"/> PERMITS, specify:			
<input type="checkbox"/> OTHER, explain:				
Other City Approvals Not Subject to CEQR (check all that apply)				
<input type="checkbox"/> PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)		<input type="checkbox"/> LANDMARKS PRESERVATION COMMISSION APPROVAL		
<input type="checkbox"/> OTHER, explain:				
State or Federal Actions/Approvals/Funding: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If "yes," specify:				
7. Site Description: The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.				
Graphics: The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.				
<input checked="" type="checkbox"/> SITE LOCATION MAP	<input checked="" type="checkbox"/> ZONING MAP	<input checked="" type="checkbox"/> SANBORN OR OTHER LAND USE MAP		
<input checked="" type="checkbox"/> TAX MAP	<input type="checkbox"/> FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)			
<input checked="" type="checkbox"/> PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP				
Physical Setting (both developed and undeveloped areas)				
Total directly affected area (sq. ft.): Approximately 46,090 square feet		Waterbody area (sq. ft) and type: n/a		
Roads, buildings, and other paved surfaces (sq. ft.): Approximately 42,205 square feet		Other, describe (sq. ft.): Lot 110 is unimproved and unpaved and the portion that lies within the proposed rezoning area measures approximately 3,885 square feet		
8. Physical Dimensions and Scale of Project (if the project affects multiple sites, provide the total development facilitated by the action)				
SIZE OF PROJECT TO BE DEVELOPED (gross square feet): not applicable				
NUMBER OF BUILDINGS: 2		GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): Lot 101: 9,782 square feet		
HEIGHT OF EACH BUILDING (ft.): Buildings on Lot 101: 20 feet; Building on Lot 102: approximately 40 feet		NUMBER OF STORIES OF EACH BUILDING: Lot 101: one one-story building; Lot 102: one two-story building		
Does the proposed project involve changes in zoning on one or more sites? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO If "yes," specify: The total square feet owned or controlled by the applicant: 0 SF The total square feet not owned or controlled by the applicant: 46,090 square feet				
Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known): AREA OF TEMPORARY DISTURBANCE: sq. ft. (width x length) VOLUME OF DISTURBANCE: cubic ft. (width x length x depth) AREA OF PERMANENT DISTURBANCE: sq. ft. (width x length)				
Description of Proposed Uses (please complete the following information as appropriate)				
	Residential	Commercial	Community Facility	Industrial/Manufacturing
Size (in gross sq. ft.)	N/A	N/A	N/A	N/A
Type (e.g., retail, office, school)	N/A units	N/A	N/A	N/A
Does the proposed project increase the population of residents and/or on-site workers? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: NUMBER OF ADDITIONAL WORKERS: Provide a brief explanation of how these numbers were determined:				
Does the proposed project create new open space? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If "yes," specify size of project-created open space: sq. ft.				
Has a No-Action scenario been defined for this project that differs from the existing condition? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				

If “yes,” see Chapter 2 , “Establishing the Analysis Framework” and describe briefly:		
9. Analysis Year CEQR Technical Manual Chapter 2		
ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2029		
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: N/A		
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE?	<input type="checkbox"/> YES <input type="checkbox"/> NO	IF MULTIPLE PHASES, HOW MANY? N/A
BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:		
10. Predominant Land Use in the Vicinity of the Project (check all that apply)		
<input checked="" type="checkbox"/> RESIDENTIAL	<input type="checkbox"/> MANUFACTURING	<input checked="" type="checkbox"/> COMMERCIAL <input type="checkbox"/> PARK/FOREST/OPEN SPACE <input type="checkbox"/> OTHER, specify:

Part II: TECHNICAL ANALYSIS


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

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

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

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

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


		YES	NO
Hazardous Materials; Noise?			
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20 , "Public Health." Attach a preliminary analysis, if necessary.			
18. NEIGHBORHOOD CHARACTER: CEQR Technical Manual Chapter 21			
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21 , "Neighborhood Character." Attach a preliminary analysis, if necessary.			
19. CONSTRUCTION: CEQR Technical Manual Chapter 22			
(a) Would the project's construction activities involve:			
o Construction activities lasting longer than two years?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Construction activities within a Central Business District or along an arterial highway or major thoroughfare?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, etc.)?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
o The operation of several pieces of diesel equipment in a single location at peak construction?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Closure of a community facility or disruption in its services?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Activities within 400 feet of a historic or cultural resource?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Disturbance of a site containing or adjacent to a site containing natural resources?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22 , "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination.			
20. APPLICANT'S CERTIFICATION			
I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.			
Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.			
APPLICANT/REPRESENTATIVE NAME Department of City Planning/Carol Samol, Bronx Office Director		DATE 09/16/2019	
SIGNATURE 			
PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.			

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

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

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

**Potentially
Significant
Adverse Impact**

IMPACT CATEGORY	YES	NO
Land Use, Zoning, and Public Policy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Socioeconomic Conditions	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Community Facilities and Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Open Space	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Shadows	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Historic and Cultural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Urban Design/Visual Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Natural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Hazardous Materials	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Water and Sewer Infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Solid Waste and Sanitation Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Air Quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Greenhouse Gas Emissions	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Noise	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Public Health	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Neighborhood Character	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Construction	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.		
3. Check determination to be issued by the lead agency:		
<input type="checkbox"/> Positive Declaration: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a <i>Positive Declaration</i> and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).		
<input type="checkbox"/> Conditional Negative Declaration: A <i>Conditional Negative Declaration</i> (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.		
<input checked="" type="checkbox"/> Negative Declaration: If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a <i>Negative Declaration</i> . The <i>Negative Declaration</i> may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.		
4. LEAD AGENCY'S CERTIFICATION		
TITLE Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning, acting on behalf of the City Planning Commission	
NAME Olga Abinader	DATE September 20, 2019	
SIGNATURE 		

Project Name: C7 Baychester Avenue Rezoning

CEQR #: 20DCP035X

SEQRA Classification: Unlisted

EAS SHORT FORM PAGE 9

NEGATIVE DECLARATION (Use of this form is optional)

Statement of No Significant Effect

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


Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which finds the proposed actions sought before the City Planning Commission would have no significant effect on the quality of the environment. Reasons supporting this determination are noted below.

Land Use, Zoning, and Public Policy

The EAS includes an analysis of the effects on the proposed action on Land Use, Zoning, and Public Policy and determined that no significant impacts would occur. The proposed zoning map amendment from C7 to C8-2 is not intended to facilitate new development, but would better reflect existing and surrounding conditions. The study area primarily comprises residential and commercial uses, and the proposed zoning map amendment would better serve community needs and align with the current and future land uses in the area. The proposed C8-2 zoning district would permit a range of commercial uses as well as community facility uses that are consistent with those seen along the Bartow Avenue corridor. In accordance with the Waterfront Revitalization Program, a Consistency Assessment Form was completed (WRP # 18-125) and finds that the action will not substantially hinder the achievement of any Waterfront Revitalization Policy. The analysis concludes that the proposed action would not result in any significant adverse Land Use, Zoning, and Public Policy impacts.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA). Should you have any questions pertaining to this Negative Declaration, you may contact Rupsha Ghosh at (212) 720-3250.

TITLE Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning, acting on behalf of the City Planning Commission 120 Broadway, 31 st Fl. New York, NY 10271 (212) 720-3493
NAME Olga Abinader	DATE September 20, 2019
SIGNATURE 	

Project Name: C7 Baychester Avenue Rezoning

CEQR #: 20DCP035X

SEQRA Classification: Unlisted

EAS SHORT FORM PAGE 10

TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE September 23, 2019
SIGNATURE	

Attachment A: Project Description

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

I. Introduction

The applicant, the New York City Department of City Planning (“DCP”), seeks a zoning map amendment to rezone Block 5141 Lots 101, 102, and a portion of Lot 110 in the Bronx, Community District 10, in the neighborhood of Baychester (“Proposed Rezoning area”) from a C7 zoning district to a C8-2 zoning district (the “Proposed Action”). In total, the rezoning area measures approximately 46,090 square feet and is improved with commercial uses. The Proposed Action is not intended to facilitate new development, but would better align zoning to reflect existing uses and surrounding context.

II. Description of the Proposed Rezoning Area

The proposed rezoning area is bound by Bartow Avenue (a wide street which measures 120 feet wide and runs east and west) and the Interstate 95/New England Thruway. The proposed rezoning area includes Block 5141 Lots 101, 102, and a portion of Lot 110. The tax lots that constitute the proposed rezoning area are owned by distinct private entities.

Lot 101 measures approximately 21,025 square feet and is improved with a single-story building that was constructed in 2018 and is occupied by retail businesses including a convenience store, paint store and pharmacy. The building on lot 101 utilizes a floor area ratio (FAR) of 0.47 out of a maximum allowable FAR of 2.0. There are 25 accessory parking spots provided in a surface lot.

Lot 102 measures approximately 25,065 square feet and is improved with a two-story building that is occupied by retail businesses including a bank and a clothing store. The building on Lot 102 utilizes a FAR of approximately .53 out of a maximum allowable FAR of 2.0. In addition to the building, there are 35 accessory parking spaces provided in a surface lot.

Lot 110 measures approximately 58,000 square feet and is unimproved and is used as outdoor recreation. The rear portion of the lot, consisting of 3,885 square feet is included in the Proposed Rezoning Area.

III. Description of Proposed Action

A zoning map amendment, to change the zoning designation of the Proposed Rezoning Area from C7 to C8-2 is proposed. The C8-2 district's regulations closely match the existing built character of the project area, and would permit the convenience retail uses that are located onsite today and which are similar to those along Bartow Avenue. Considering the context of the proposed rezoning area, which is proximate to both a major arterial highway and just south of Co-op City, the zoning map change would carry the added benefit of applying more appropriate signage regulations.

IV. Description of the Proposed Project

A zoning change from C7 to C8-2 is proposed. Redevelopment of the proposed rezoning area is not contemplated at this time.

V. Purpose and Need

A zoning map amendment, to change the zoning designation from C7 to C8-2, is proposed to update the zoning in the area to better align with existing land uses and community needs, including introducing more appropriate signage regulations at this location.

C7 districts are specifically designated for large open amusement parks and permit uses associated with amusement parks, including use groups 12 through 15. In the 1960s, the Proposed Rezoning Area was the location of Freedomland U.S.A., an 85-acre amusement park dedicated to American history-themed entertainment. The amusement park was demolished in 1965 and the surrounding land, including the Proposed Rezoning Area, was redeveloped. While the surrounding area was rezoned throughout the 1960s and 1970s to facilitate residential and commercial development, the Proposed Rezoning Area retained the original C7 zoning designation. However, neither the current land uses nor the anticipated future land uses are consistent with the existing zoning designation, associated with large open amusement parks.

The proposed zoning map amendment from C7 to C8-2 would better serve community needs and align with the current and future land uses in the area. C8-2 districts a range of commercial uses as well as community facility uses (use groups 4 through 14 and 16), including retail, heavier commercial uses, and auto-related uses that are consistent with those seen along the Bartow Avenue corridor.

The bulk requirements for yards, height, setback, and parking are similar across C7 and C8-2 districts. The maximum floor area ratio for commercial uses in both C7 and C8-2 districts is 2.0. There is no residential equivalent in either C7 or C8-2 districts. C8-2 districts permit community facility FAR of 4.8, whereas in C7 districts, community facility uses are not permitted. In both districts, required parking varies by permitted use but is generally one space per 400 square feet.

The C7 district does not align with the current land uses or community needs in the area, and has not since the 1970s. The C8-2 district's regulations closely match the existing built character of the proposed rezoning area.

VI. Analysis Framework and Reasonable Worst-Case Development Scenario

Guidance from the *2014 CEQR Technical Manual* was used to evaluate the potential environmental effects of the proposed action (in this case, a zoning map change). The proposed action would only apply the proposed rezoning area which is a relatively small geography that is occupied with active, commercial uses. It is not anticipated that the proposed action will result in a change of use or generate new development.

For the purpose the environmental analyses, the “No-action Condition” represents the future absent the proposed action(s) and serves as the baseline by which the proposed project (or “With-Action” condition) is compared to determine the potential for significant environmental impacts. The difference between the No-Action and With-Action conditions represents the increment to be analyzed in the CEQR process.

Analysis Year

CEQR requires analysis of the project's effects on its environmental setting. Since typically proposed projects, if approved, would be completed and become operational at a future date, the action's environmental setting is not the current environment but the environment as it would exist at project completion and operation, in the future. Therefore, future conditions must be projected. This prediction is made for a particular year, generally known as the “analysis year” or the “build year,” which is the year when the proposed project would be substantially operational.

For generic actions, where the build-out depends on market conditions and other variables, the build year cannot be determined with precision. In these cases, a ten-year build year is generally considered reasonable as it captures a typical cycle of market conditions and generally represents

the outer timeframe within which predictions of future development may usually be made without speculation. Therefore, an analysis year of 2029 has been identified for this environmental review.

Future No-Action Condition

Absent the approval of the proposed zoning map change, no change to the proposed rezoning area is anticipated and the current conditions would remain:

- **Block 5141, Lot 101:** A single-story building occupied by active retail businesses, and 25 accessory parking spots. This building contains 9,782 square feet of gross floor area and utilizes an FAR of .47.
- **Block 5141, Lot 102:** A two-story building occupied by active retail businesses, and 35 parking spaces. The building contains 13,438 square feet of gross floor area and utilizes an FAR of .53.
- **Block 5141, (p/o) Lot 110:** This portion of the proposed rezoning area is unimproved and measures approximately 3,885 square feet.

Future With-Action Condition

In the With-Action condition, the sites identified above would remain in their existing conditions.

The proposed C8-2 district would permit a community facility use at an FAR of 4.8, which is not permitted by the C7 zoning in place today. Commercial uses are permitted at 2.0 FAR in C8-2 districts and in the existing C7 district.

The building on **Block 5141, Lot 101** was constructed in 2018, and based on the 2014 *CEQR Technical Manual* guidance a change of use in the foreseeable future considered unlikely. The proposed zoning change for the 3,885 portion of **Block 5141, Lot 110** would not generate substantial development potential, given the relatively small size of this portion compared to the entirety of the approximately 58,000 sf lot. A potential future change of the uses on **Block 5141, Lot 102** was considered. Through this exploration, it was concluded that a future development incorporating community facility space would be likely cost-prohibitive because multiple stories of structured parking would have to be constructed to accommodate the required parking. Even marginal enlargement (approximately 4,000 sf) of the existing commercial space would generate additional parking requirements at a rate of 1 space per 400 sf. Additional parking spaces could

not be accommodated on the remainder of the lot, and therefore enlargement of the site within the build year would be unlikely. Further, an examination of development trends of comparably-sized lots within other C8-2 districts throughout the Bronx within the last 2 years indicates that this sort of conversion is not common (Table 1)¹.

Based on this analysis of development trends, a difference between the No-Action and With-Action conditions is not projected in the foreseeable future. The uses on the proposed rezoning area are expected to remain in the current condition.

Table 1: Recently Developed C8-2 Sites within the Bronx

Address	Block/Lot	Land Use	FAR
5805 Broadway, 10463	5765/710	Commercial, Food Establishment	0.19
5771 Broadway, 10463	5765/720	Commercial, Food Establishment	0.12

¹ An additional site (3210 Webster Avenue, Block 3357, Lot 66) of comparable size in a C8-2 district was identified. The site was most recently improved with an automotive service use in 2001. While not developed as recently as sites in Table 1, this illustrates similar development trends in C8-2 districts in the Bronx.

C7 Baychester Avenue Rezoning Area Map

Department of City Planning



Rezoning Area 400 Foot Radius

Zoning

- Zoning District**

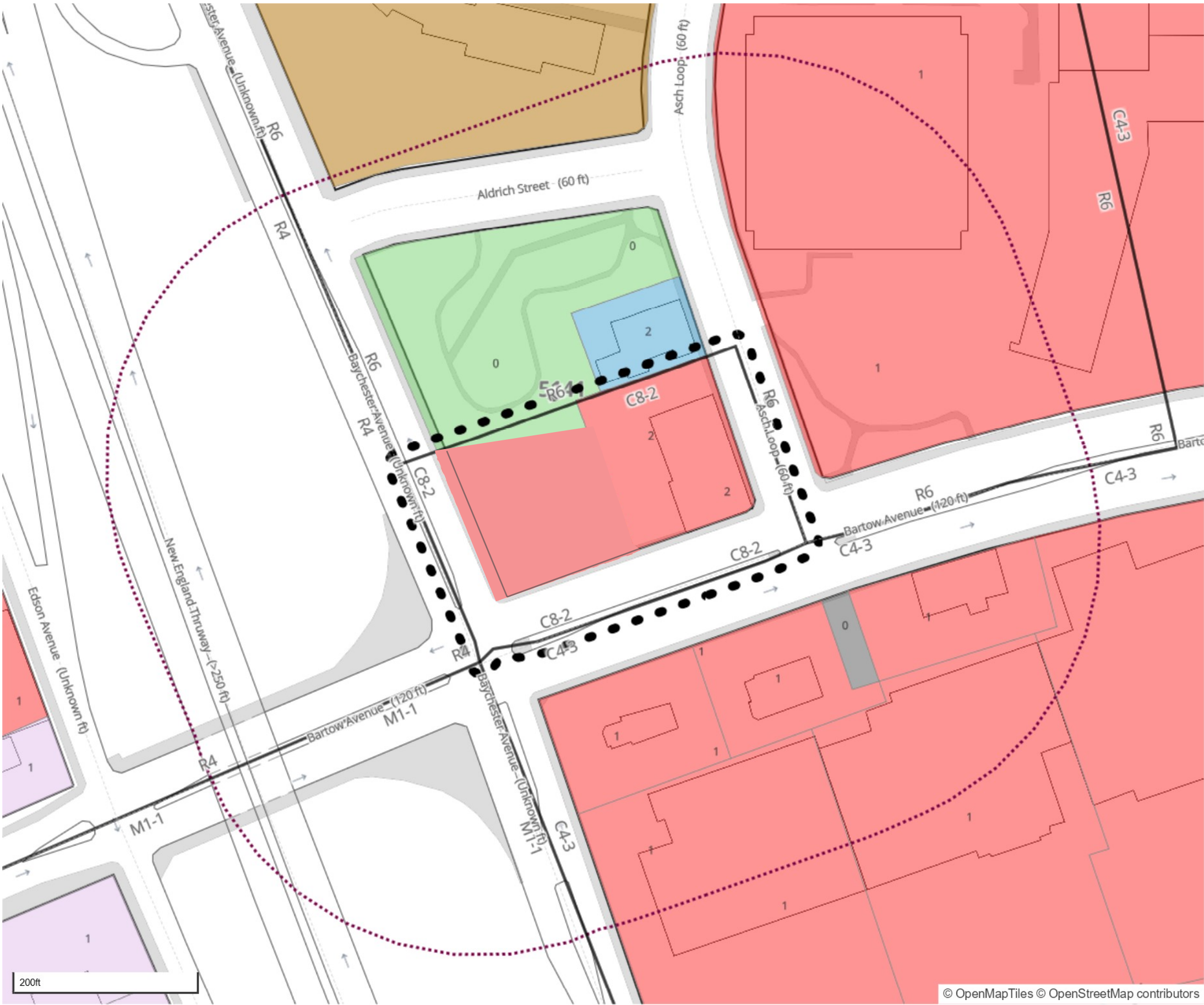
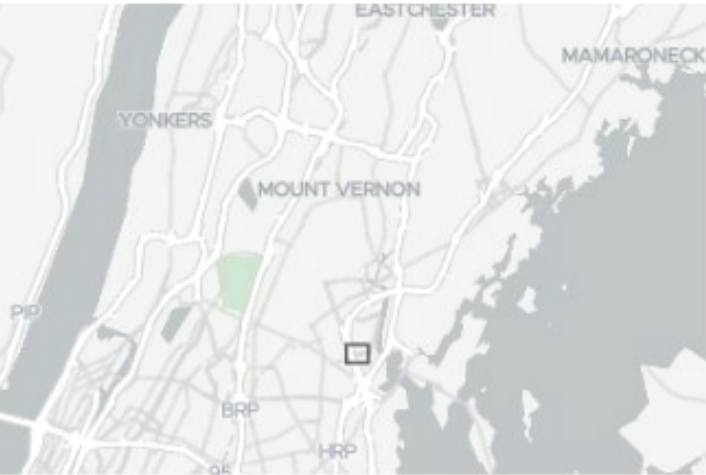
 - C1-1
 - C1-2
 - C1-3
 - C1-4
 - C1-5
 - C2-1
 - C2-2
 - C2-3
 - C2-4
 - C2-5
 - Special Purpose District
- Land Use**

 - 1-2 Family Residential
 - Multifamily Walkup
 - Multifamily Elevator
 - Mixed Commercial/Residential
 - Commercial & Office
 - Industrial & Mfg
 - Transportation & Utility
 - Public Facilities & Institutions
 - Open Space & Outdoor Recreation
 - Parking
 - Vacant/No Data
 - Other

Transportation

Subway Stop Subway Entrance

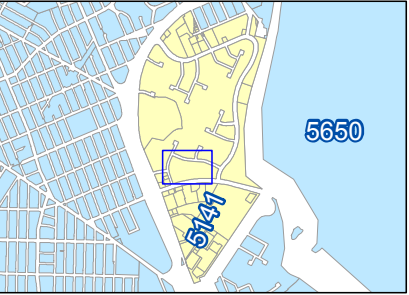
Map Created: Aug 28, 2019, 4:02pm
Data Sources: layers-api.planninglabs.nyc/v1/sources
pluto MapPLUTO™ 18v2.1, Bytes of the Big Apple (March 2019); zoning-districts (July 2019); digital-citymap (6 April 2018); planimetrics (28 February 2019); transportation (21 November 2017); supporting-zoning (July 2019)





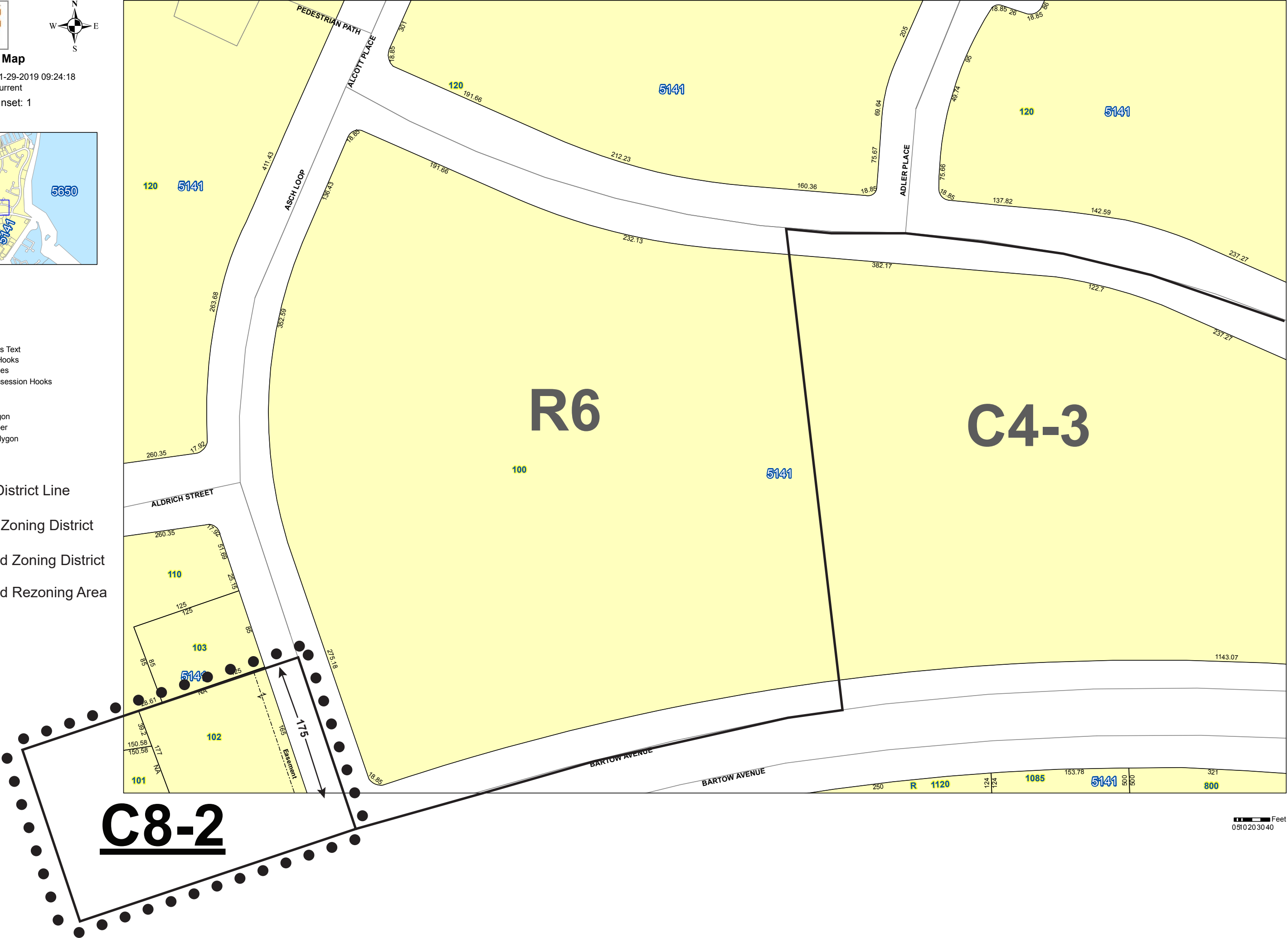
NYC Digital Tax Map

Effective Date : 01-29-2019 09:24:18
End Date : Current
Bronx Block: 5141 Inset: 1



- Legend
- Streets
 - Miscellaneous Text
 - Possession Hooks
 - Boundary Lines
 - Lot Face Possession Hooks
 - Regular
 - Underwater
 - Tax Lot Polygon
 - Condo Number
 - Tax Block Polygon

- Zoning District Line
- R6** Existing Zoning District
- C8-2** Proposed Zoning District
- ● ● Proposed Rezoning Area





NYC Digital Tax Map

Effective Date : 01-29-2019 09:24:18
End Date : Current
Bronx Block: 5141 Inset: 23



- Legend
- Streets
 - Miscellaneous Text
 - Possession Hooks
 - Boundary Lines
 - Lot Face Possession Hooks
 - Regular
 - Underwater
 - Tax Lot Polygon
 - Condo Number
 - Tax Block Polygon

- Zoning District Line
- R6 Existing Zoning District
- C8-2 Proposed Zoning District
- Proposed Rezoning Area

M1-1

R6

C8-2

C4-3


Proposed Project Area



THE NEW YORK CITY PLANNING COMMISSION

The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

C - COMMERCIAL DISTRICT

 SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

03-13-2019 C 180261 ZMX

For a list of lots subject to CEQR environmental requirements, see APPENDIX C.

For a list of lots subject to "D" restrictive declarations, see APPENDIX D.

For Inclusionary Housing designated areas and Mandatory Inclusionary Housing areas on this map, see APPENDIX F.

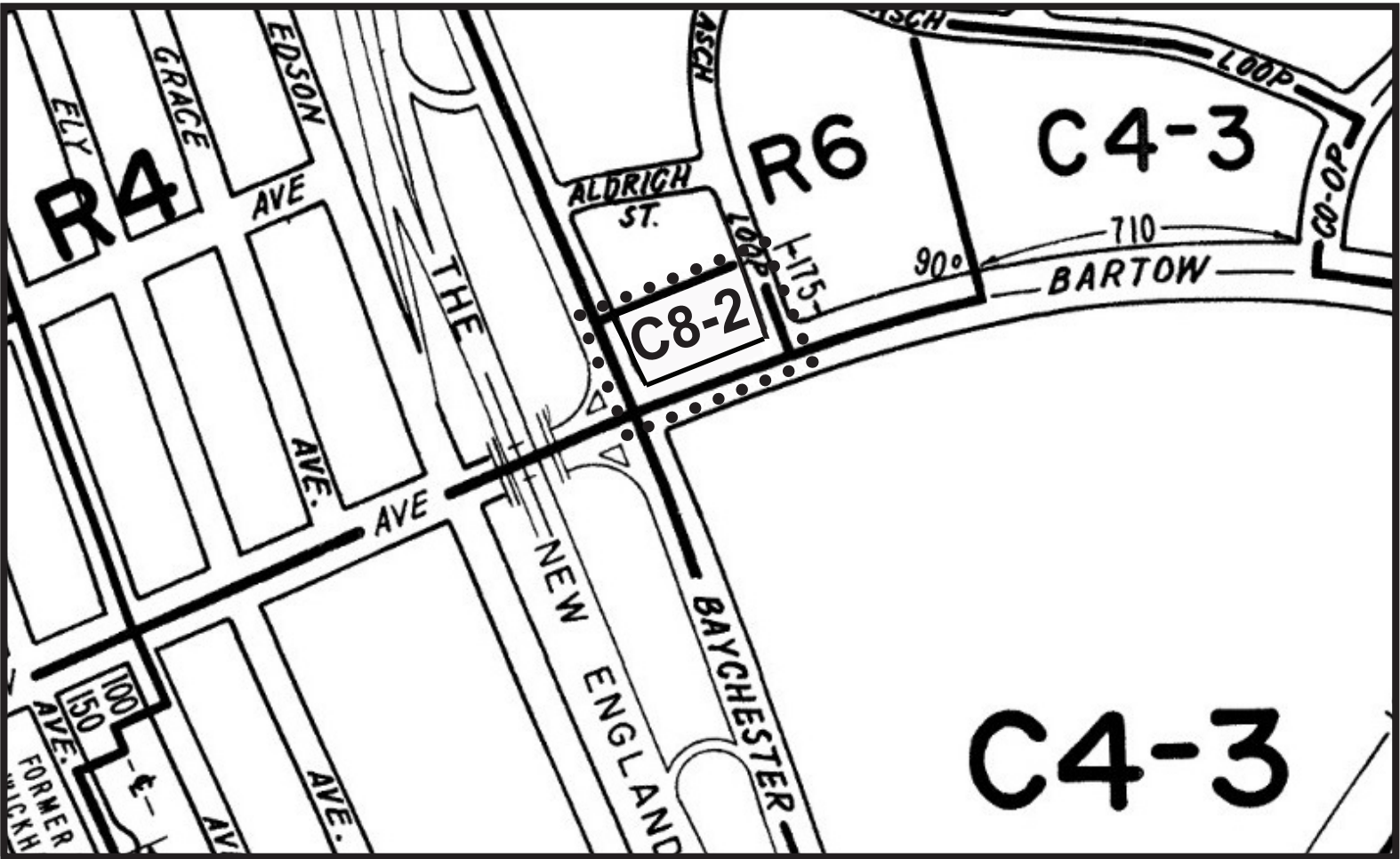
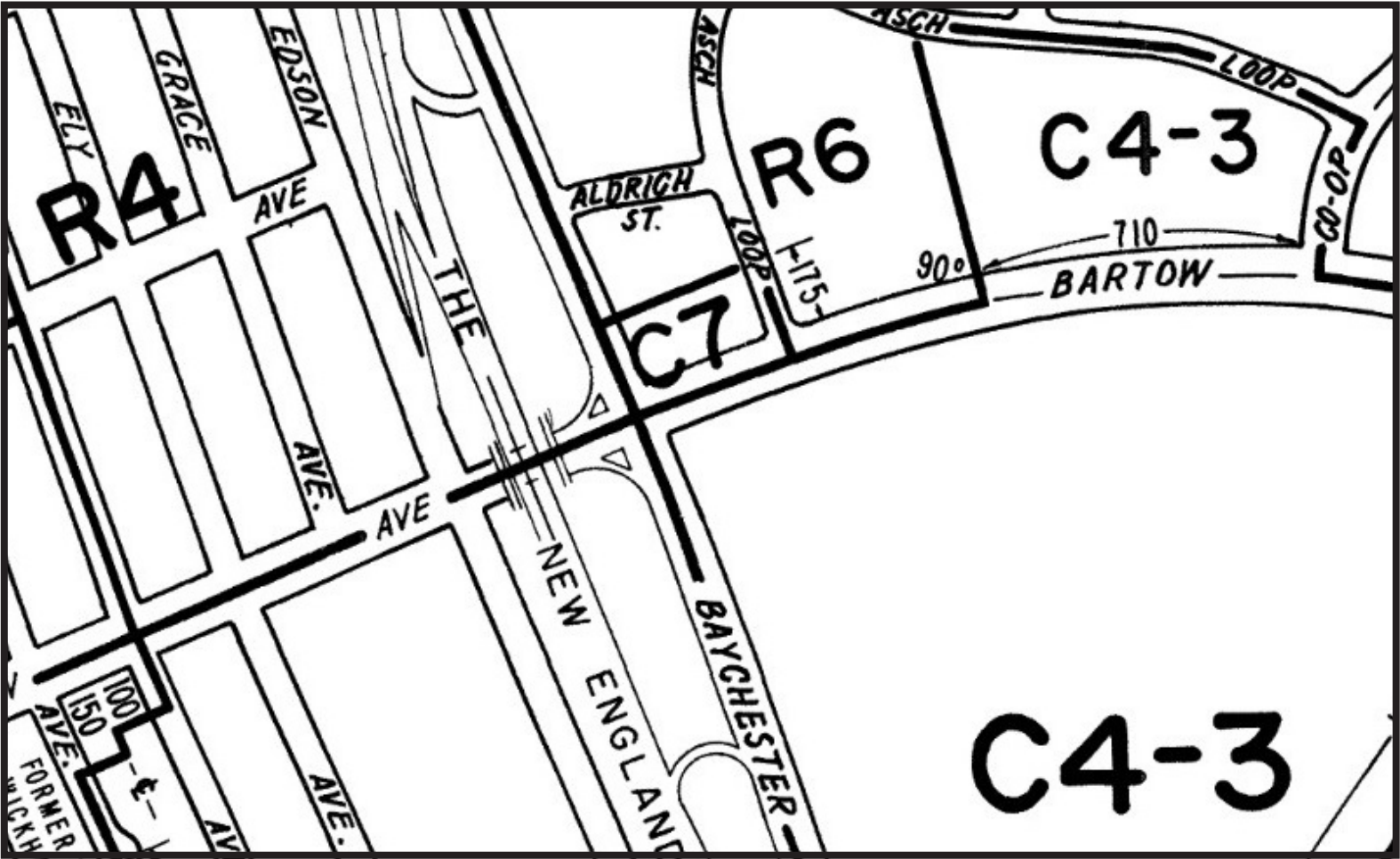
1d	2b	2d
3c	4a	4c
3d	4b	4d

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NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: www.nyc.gov/planning or contact the Zoning Information Desk at (212) 720-3291.

ZONING MAP 4a

Zoning Change Map

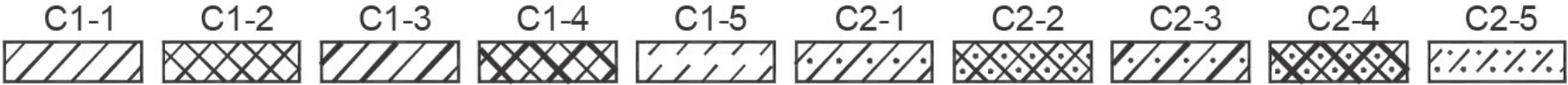


Current Zoning Map (4A)



Proposed Zoning Map (4C) - Area proposed for rezoning is outlined with dotted lines.

Changing a C7 district to a C8-2 district.



Note: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolutio.



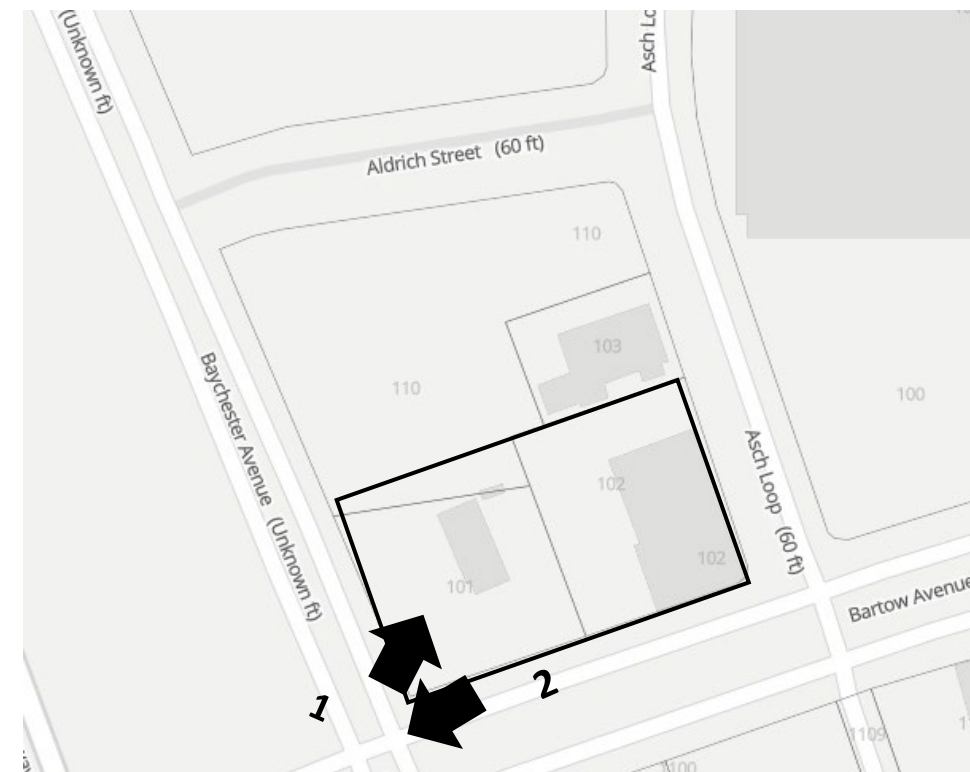
1) View from Baychester Avenue facing Northeast



2) View facing West from the corner of Baychester Avenue and Bartow Avenue

Photos taken on July 16, 2019.

Google Earth images captured on August 27th, 2019.





3) View from Baychester Avenue facing Northeast



4) View from Baychester Avenue facing Northeast

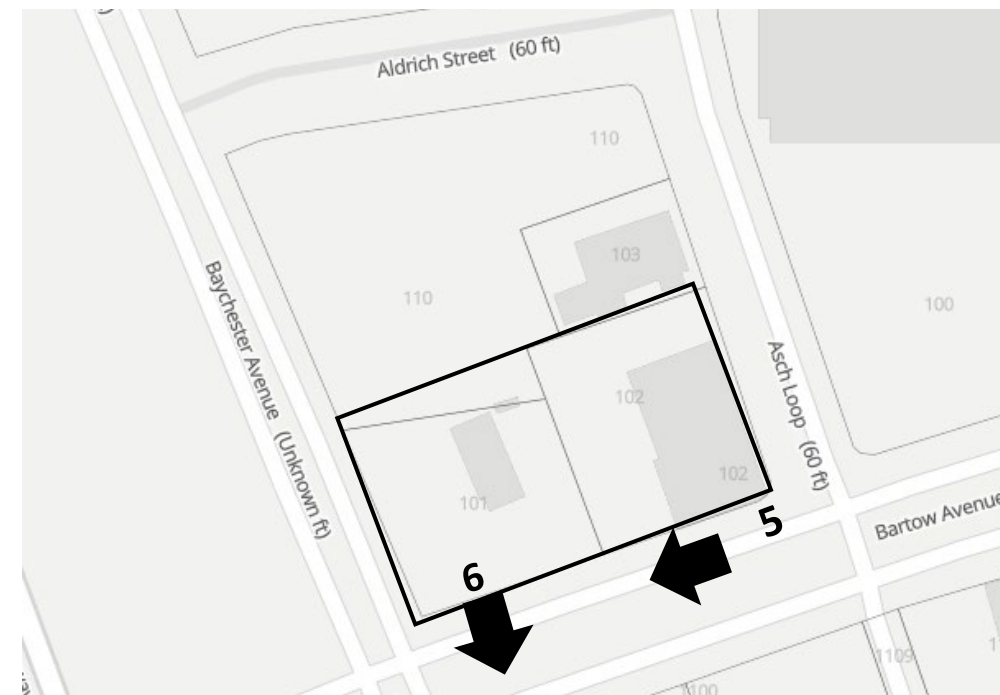




5) View facing west along Bartow Avenue



6) View facing South from the rezoning area across Bartow Avenue

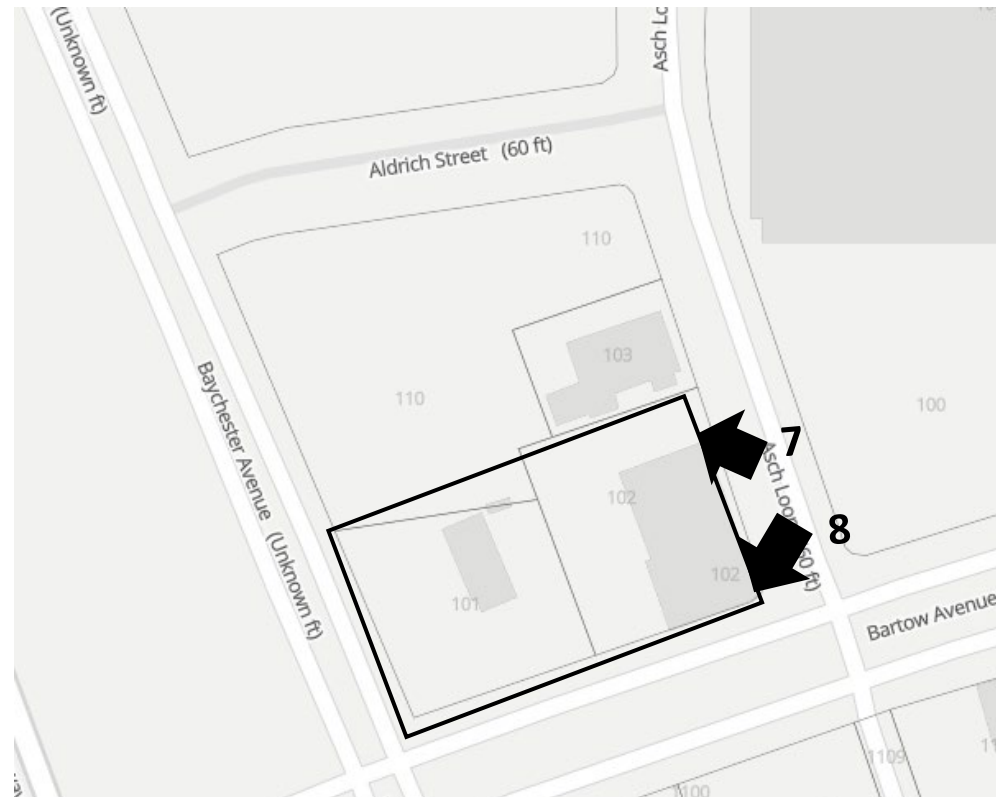




7) View facing northwest from Asch Loop



8) View facing Southwest from the corner of Asch Loop and Bartow Avenue

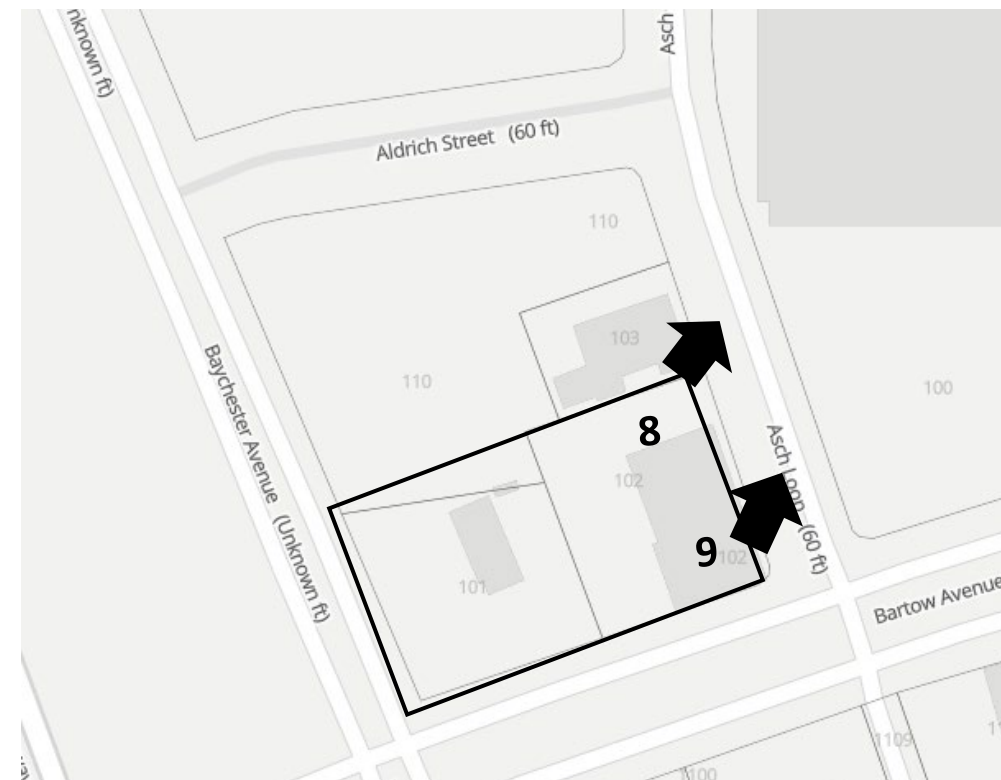




8) View facing northeast from Asch Loop



9) View facing northwest from the corner of Bartow Avenue and Asch Loop



Attachment B: Land Use, Zoning, and Public Policy

I. Introduction

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

As described in Attachment A (Project Description), the proposed action is a zoning map change (from C7 to C8-2). The area affected by the proposed action ("proposed rezoning area") consists of two full tax lots (Block 5141, Lots 101 and 102) and a portion of Block 5141, Lot 110.

II. Methodology

This preliminary analysis of land use, zoning, and public policy follows the guidelines set forth in the CEQR Technical Manual for a preliminary assessment (Section 320). According to the CEQR Technical Manual, a preliminary land use and zoning assessment:

- Describes existing and future land uses and zoning information, and describes any changes in zoning that could cause changes in land use;
- Characterizes the land use development trends in the area surrounding the project area that might be affected by the proposed action; and
- Determines whether the proposed project is compatible with those trends or may alter them.

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

The following assessment method was used to determine the potential for the proposed project to result in significant adverse impacts on Land Use, Zoning, and Public Policy:

1. Establish a "study area", a geographic area surrounding the proposed rezoning area to determine how the proposed project may affect the immediate surrounding area. For this assessment, a study area of 400-feet around the proposed rezoning area was used.
2. Identify data sources, including any public policies (formal plans, published reports) to be used to describe the existing and No-Action conditions related to Land Use, Zoning, and/or Public Policy.
3. Conduct a preliminary assessment of the proposed project's potential effects on Land Use, Zoning and Public Policy to determine whether the proposed project is consistent with or conflicts with area land uses, zoning, or the identified policies.
 - If a proposed project could conflict with the identified policies, a detailed assessment would be conducted; or
 - If the proposed project is found to not conflict with the identified policies, no further assessment is needed.

III. Assessment

Existing Conditions

Land Use

The proposed rezoning area consists of Block 5141, Lot 101, 102, and a portion of Lot 110. Lots 101 and 102 are improved with active, commercial uses. The small portion of Lot 110 that lies within the proposed rezoning area measures 3,885 square feet and is undeveloped.

Baychester Avenue serves as the service road to the Interstate 95, while Bartow Avenue is a major commercial corridor that is occupied by large single-story, chain retailers. Immediately to the north of the proposed rezoning area is approximately 58,525 square feet of open space, a fire station, and Co-op City, a large cooperative residential development. To the east of the proposed rezoning area is the Bartow Mall, which consists of single and story convenience retail establishments. Directly to the south are fast food restaurants and more chain retailers.

Zoning

Zoning in the Proposed Rezoning Area

The proposed rezoning area's current zoning designation is C7, which has been in place since 1961. C7 zoning districts are specifically designated for large open amusement parks and permit groups 12 through 15. In addition to the types of activities commonly found in amusement parks, C7 districts also permit boating facilities and other large open and enclosed entertainment facilities like skating rinks, sports stadiums and miniature golf courses (Use Groups 12–14). Residential and community facility uses are not permitted. The maximum floor area ratio for commercial uses in C7 districts is 2.0. Building heights are governed by the sky exposure plane which begins at a height of 60 feet or four stories (whichever is less) after an initial setback distance of 20 feet from a narrow street or 15 feet from a wide street, and then slopes inward over the zoning lot. Required parking varies by permitted use but is generally one space per 400 square feet. C7 districts do not restrict the size or height of nonilluminated and illuminated advertising signs where permitted.

Zoning in the Study Area

The rest of the study area consists of R6 and C4-3 zoning districts.

R6 districts are medium-density residential districts that are mapped in neighborhoods with a diverse mix of building types and heights to large-scale “tower in the park” developments. Developers can choose between two sets of bulk regulations. Standard height factor regulations, introduced in 1961, produce small multi-family buildings on small zoning lots and, on larger lots, tall buildings that are set back from the street. Optional Quality Housing regulations produce high lot coverage buildings within height limits that often reflect the scale of older, pre-1961 apartment buildings in the neighborhood.

In R6 districts, produce small multi-family buildings on small zoning lots and, on larger lots, tall buildings that are set back from the street. There are no height limits for height factor buildings although they must be set within a sky exposure plane which begins at a height of 60 feet above the street line and then slopes inward over the zoning lot. The FAR in R6 districts ranges from 0.78 (for a single-story building) to 2.43 at a typical height of 13 stories. Quality Housing regulations can produce high lot coverage buildings within height limits that often reflect the scale of older, pre-1961 apartment buildings in the neighborhood. Off-street parking is generally

required for 70 percent of a building's dwelling units, but requirements are lower for income-restricted housing units (IRHU) and are further modified in specific areas.

C4-3 districts are mapped in densely built, regional commercial centers. In these areas, specialty and department stores, theaters and other commercial and office uses serve a larger region and generate more traffic than neighborhood shopping areas. C4-3 districts permit most commercial uses (Use Groups 5, 6, 8, 9, 10 and 12) and have a residential equivalent of R6. The maximum floor area ratio for commercial uses is 3.0. Building heights are governed by the sky exposure plane that begins at a height of 60 feet or four stories (whichever is less) after an initial setback distance of 20 feet from a narrow street or 15 feet from a wide street, and then slopes inward over the zoning lot. Required parking varies by permitted use but is generally one space per 400 square feet for commercial uses.

Public Policy

Waterfront Revitalization Program

The project site is located within the Coastal Zone Boundary. Therefore, policies related to the Waterfront Revitalization Program (WRP) apply to the proposed project.

No-Action Condition

As described in Attachment 1, Project Description, in the No-Action condition, the proposed rezoning area would remain in the current conditions with the existing commercial uses and parking spaces on Block 5141, Lots 101 and 102, and the unimproved portion of Lot 110 would also remain.

There are no known zoning changes that are anticipated to affect the proposed rezoning area or study area. The rest of the study area would continue to be governed by the various zoning regulations found in the area, as described in the existing conditions section above.

Public Policy

In the future No-Action condition, there are no known public policy changes that are anticipated to affect the proposed rezoning area or study area.

Future With-Action Condition

Land Use

In the With-Action condition, the same conditions noted above in the No Action Condition would continue. As is discussed in Attachment 1, Project Description, a change of uses is not projected within the foreseeable future. The proposed C8-2 zoning district would permit the existing active commercial uses in the proposed rezoning area today and would permit a broader range of commercial and community facility uses which are more aligned with the existing land uses in the area and the community needs.

Zoning

In the With-Action condition, the current conditions would remain, but the proposed zoning change would also permit a wider range of commercial uses than are permitted today, and enact more contextual signage regulations to overall increase the alignment of zoning with future community needs. The proposed C8-2 zoning district would permit a range of commercial uses as well as community facility uses (use groups 4 through 14 and 16), including retail, heavier commercial uses, and auto-related uses that are consistent with those seen along the Bartow Avenue corridor.

The bulk requirements for yards, height, setback, and parking are similar across C7 and C8-2 districts. The maximum floor area ratio for commercial uses in both C7 and C8-2 districts is 2.0. There is no residential equivalent in either C7 or C8-2 districts. C8-2 districts permit community facility FAR of 4.8, whereas in C7 districts, community facility uses are not permitted. Height provisions are the same in C7 and C8-2 districts which are governed by the sky exposure plane. In both districts, required parking varies by permitted use but is generally one space per 400 square feet.

Signage rules are more restrictive in C8-2 districts than in C7 districts. C7 districts do not restrict the size or height of nonilluminated and illuminated advertising signs. Where permitted, C7 districts do not restrict the height or size of non-illuminated or illuminated advertising or accessory signs, while C8-2 districts place appropriate restrictions on the size and height of advertising signs and accessory signs.

Public Policy

Waterfront Revitalization Program

Given that the proposed rezoning area is located within the New York City Coastal Zone, the proposed development is subject to review for its consistency with the City's Waterfront Revitalization Program. In accordance with the guidelines of the CEQR Technical Manual, a preliminary evaluation of the proposed actions' potential for inconsistency with the new WRP policies was undertaken. This preliminary evaluation requires completion of the WRP Consistency Assessment Form (CAF), which contains a series of questions designed to screen out those policies that would have no bearing on a consistency determination for a proposed action (see Appendix B). The CAF lists the WRP policies and indicates whether the proposed project would promote or hinder that policy, or if that policy would not be applicable. For any policies which may be affected, this section provides additional information. As detailed in Appendix C, the proposed project would be consistent with WRP policies (WRP# 18-125)

Conclusion

No significant adverse impacts related to Land Use, Zoning, and Public Policy would result from the proposed action.

NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM Consistency Assessment Form

Proposed actions that are subject to CEQR, ULURP or other local, state or federal discretionary review procedures, and that are within New York City's Coastal Zone, must be reviewed and assessed for their consistency with the [New York City Waterfront Revitalization Program](#) (WRP) which has been approved as part of the State's Coastal Management Program.

This form is intended to assist an applicant in certifying that the proposed activity is consistent with the WRP. It should be completed when the local, state, or federal application is prepared. The completed form and accompanying information will be used by the New York State Department of State, the New York City Department of City Planning, or other city or state agencies in their review of the applicant's certification of consistency.

A. APPLICANT INFORMATION

Name of Applicant: _____

Name of Applicant Representative: _____

Address: _____

Telephone: _____ Email: _____

Project site owner (if different than above): _____

B. PROPOSED ACTIVITY

If more space is needed, include as an attachment.

1. Brief description of activity

2. Purpose of activity

C. PROJECT LOCATION

Borough: _____ Tax Block/Lot(s): _____

Street Address: _____

Name of water body (if located on the waterfront): _____

D. REQUIRED ACTIONS OR APPROVALS

Check all that apply.

City Actions/Approvals/Funding

City Planning Commission

☐ Yes ☐ No

- | | | |
|---|--|--|
| <input type="checkbox"/> City Map Amendment | <input type="checkbox"/> Zoning Certification | <input type="checkbox"/> Concession |
| <input type="checkbox"/> Zoning Map Amendment | <input type="checkbox"/> Zoning Authorizations | <input type="checkbox"/> UDAAP |
| <input type="checkbox"/> Zoning Text Amendment | <input type="checkbox"/> Acquisition – Real Property | <input type="checkbox"/> Revocable Consent |
| <input type="checkbox"/> Site Selection – Public Facility | <input type="checkbox"/> Disposition – Real Property | <input type="checkbox"/> Franchise |
| <input type="checkbox"/> Housing Plan & Project | <input type="checkbox"/> Other, explain: _____ | |
| <input type="checkbox"/> Special Permit | | |

(if appropriate, specify type: ☐ Modification ☐ Renewal ☐ other) Expiration Date: _____

Board of Standards and Appeals

☐ Yes ☐ No

- ☐ Variance (use)
☐ Variance (bulk)
☐ Special Permit

(if appropriate, specify type: ☐ Modification ☐ Renewal ☐ other) Expiration Date: _____

Other City Approvals

- | | |
|--|---|
| <input type="checkbox"/> Legislation | <input type="checkbox"/> Funding for Construction, specify: _____ |
| <input type="checkbox"/> Rulemaking | <input type="checkbox"/> Policy or Plan, specify: _____ |
| <input type="checkbox"/> Construction of Public Facilities | <input type="checkbox"/> Funding of Program, specify: _____ |
| <input type="checkbox"/> 384 (b) (4) Approval | <input type="checkbox"/> Permits, specify: _____ |
| <input type="checkbox"/> Other, explain: _____ | |

State Actions/Approvals/Funding

- ☐ State permit or license, specify Agency: _____ Permit type and number: _____
- ☐ Funding for Construction, specify: _____
- ☐ Funding of a Program, specify: _____
- ☐ Other, explain: _____

Federal Actions/Approvals/Funding

- ☐ Federal permit or license, specify Agency: _____ Permit type and number: _____
- ☐ Funding for Construction, specify: _____
- ☐ Funding of a Program, specify: _____
- ☐ Other, explain: _____

Is this being reviewed in conjunction with a [Joint Application for Permits](#)?

☐ Yes

☐ No

E. LOCATION QUESTIONS

1. Does the project require a waterfront site? ☐ Yes ☐ No
2. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land under water or coastal waters? ☐ Yes ☐ No
3. Is the project located on publicly owned land or receiving public assistance? ☐ Yes ☐ No
4. Is the project located within a FEMA 1% annual chance floodplain? (6.2) ☐ Yes ☐ No
5. Is the project located within a FEMA 0.2% annual chance floodplain? (6.2) ☐ Yes ☐ No
6. Is the project located adjacent to or within a special area designation? See [Maps – Part III](#) of the NYC WRP. If so, check appropriate boxes below and evaluate policies noted in parentheses as part of WRP Policy Assessment (Section F).
 - ☐ Significant Maritime and Industrial Area (SMIA) (2.1)
 - ☐ Special Natural Waterfront Area (SNWA) (4.1)
 - ☐ Priority Maritime Activity Zone (PMAZ) (3.5)
 - ☐ Recognized Ecological Complex (REC) (4.4)
 - ☐ West Shore Ecologically Sensitive Maritime and Industrial Area (ESMIA) (2.2, 4.2)

F. WRP POLICY ASSESSMENT

Review the project or action for consistency with the WRP policies. For each policy, check Promote, Hinder or Not Applicable (N/A). For more information about consistency review process and determination, see **Part I** of the [NYC Waterfront Revitalization Program](#). When assessing each policy, review the full policy language, including all sub-policies, contained within **Part II** of the WRP. The relevance of each applicable policy may vary depending upon the project type and where it is located (i.e. if it is located within one of the special area designations).

For those policies checked Promote or Hinder, provide a written statement on a separate page that assesses the effects of the proposed activity on the relevant policies or standards. If the project or action promotes a policy, explain how the action would be consistent with the goals of the policy. If it hinders a policy, consideration should be given toward any practical means of altering or modifying the project to eliminate the hindrance. Policies that would be advanced by the project should be balanced against those that would be hindered by the project. If reasonable modifications to eliminate the hindrance are not possible, consideration should be given as to whether the hindrance is of such a degree as to be substantial, and if so, those adverse effects should be mitigated to the extent practicable.

		Promote	Hinder	N/A
I	Support and facilitate commercial and residential redevelopment in areas well-suited to such development.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I.1	Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I.2	Encourage non-industrial development with uses and design features that enliven the waterfront and attract the public.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I.3	Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I.4	In areas adjacent to SMIA's, ensure new residential development maximizes compatibility with existing adjacent maritime and industrial uses.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I.5	Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2.	<input type="checkbox"/>	<input type="checkbox"/>	

		Promote	Hinder	N/A
2	Support water-dependent and industrial uses in New York City coastal areas that are well-suited to their continued operation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.1	Promote water-dependent and industrial uses in Significant Maritime and Industrial Areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.2	Encourage a compatible relationship between working waterfront uses, upland development and natural resources within the Ecologically Sensitive Maritime and Industrial Area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.3	Encourage working waterfront uses at appropriate sites outside the Significant Maritime and Industrial Areas or Ecologically Sensitive Maritime Industrial Area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.4	Provide infrastructure improvements necessary to support working waterfront uses.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.5	Incorporate consideration of climate change and sea level rise into the planning and design of waterfront industrial development and infrastructure, pursuant to WRP Policy 6.2.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Promote use of New York City's waterways for commercial and recreational boating and water-dependent transportation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.1.	Support and encourage in-water recreational activities in suitable locations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.2	Support and encourage recreational, educational and commercial boating in New York City's maritime centers.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.3	Minimize conflicts between recreational boating and commercial ship operations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.4	Minimize impact of commercial and recreational boating activities on the aquatic environment and surrounding land and water uses.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.5	In Priority Marine Activity Zones, support the ongoing maintenance of maritime infrastructure for water-dependent uses.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Protect and restore the quality and function of ecological systems within the New York City coastal area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.1	Protect and restore the ecological quality and component habitats and resources within the Special Natural Waterfront Areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.2	Protect and restore the ecological quality and component habitats and resources within the Ecologically Sensitive Maritime and Industrial Area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.3	Protect designated Significant Coastal Fish and Wildlife Habitats.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.4	Identify, remediate and restore ecological functions within Recognized Ecological Complexes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.5	Protect and restore tidal and freshwater wetlands.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.6	In addition to wetlands, seek opportunities to create a mosaic of habitats with high ecological value and function that provide environmental and societal benefits. Restoration should strive to incorporate multiple habitat characteristics to achieve the greatest ecological benefit at a single location.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.7	Protect vulnerable plant, fish and wildlife species, and rare ecological communities. Design and develop land and water uses to maximize their integration or compatibility with the identified ecological community.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.8	Maintain and protect living aquatic resources.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

		Promote	Hinder	N/A
5	Protect and improve water quality in the New York City coastal area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.1	Manage direct or indirect discharges to waterbodies.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.2	Protect the quality of New York City's waters by managing activities that generate nonpoint source pollution.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.3	Protect water quality when excavating or placing fill in navigable waters and in or near marshes, estuaries, tidal marshes, and wetlands.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.4	Protect the quality and quantity of groundwater, streams, and the sources of water for wetlands.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.5	Protect and improve water quality through cost-effective grey-infrastructure and in-water ecological strategies.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6	Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.1	Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.2	Integrate consideration of the latest New York City projections of climate change and sea level rise (as published in <i>New York City Panel on Climate Change 2015 Report, Chapter 2: Sea Level Rise and Coastal Storms</i>) into the planning and design of projects in the city's Coastal Zone.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.3	Direct public funding for flood prevention or erosion control measures to those locations where the investment will yield significant public benefit.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.4	Protect and preserve non-renewable sources of sand for beach nourishment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.1	Manage solid waste material, hazardous wastes, toxic pollutants, substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution and prevent degradation of coastal ecosystems.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.2	Prevent and remediate discharge of petroleum products.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.3	Transport solid waste and hazardous materials and site solid and hazardous waste facilities in a manner that minimizes potential degradation of coastal resources.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8	Provide public access to, from, and along New York City's coastal waters.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.1	Preserve, protect, maintain, and enhance physical, visual and recreational access to the waterfront.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.2	Incorporate public access into new public and private development where compatible with proposed land use and coastal location.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.3	Provide visual access to the waterfront where physically practical.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.4	Preserve and develop waterfront open space and recreation on publicly owned land at suitable locations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

		Promote	Hinder	N/A
8.5	Preserve the public interest in and use of lands and waters held in public trust by the State and City.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.6	Design waterfront public spaces to encourage the waterfront's identity and encourage stewardship.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	Protect scenic resources that contribute to the visual quality of the New York City coastal area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9.1	Protect and improve visual quality associated with New York City's urban context and the historic and working waterfront.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9.2	Protect and enhance scenic values associated with natural resources.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10	Protect, preserve, and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10.1	Retain and preserve historic resources, and enhance resources significant to the coastal culture of New York City.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.2	Protect and preserve archaeological resources and artifacts.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

G. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this Section.

"The proposed activity complies with New York State's approved Coastal Management Program as expressed in New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program, and will be conducted in a manner consistent with such program."

Applicant/Agent's Name: Department of City Planning / Carol Samol

Address: 1775 Grand Concourse, Bronx, New York 10453

Telephone: 718-220-8500

Email: _____

Applicant/Agent's Signature: _____

Carol Samol

Date: 9/16/19

CONSISTENCY OF THE PROPOSED PROJECT WITH THE WATERFRONT REVITALIZATION PROGRAM POLICIES

The Proposed Rezoning Area is located within the New York City's Coastal Zone Boundary and therefore, the Proposed Project is subject to review for consistency with the policies of the Waterfront Revitalization Program ("WRP"). The WRP includes policies designed to maximize the benefits derived from economic development, environmental preservation, and public use of the waterfront, while minimizing the conflicts among those objectives. The WRP Consistency Assessment Form lists the WRP policies and indicates whether the Proposed Actions would promote or hinder a particular policy, or if that policy would not be applicable (see Appendix 1). This section provides additional information for the policies that have been checked "promote" or "hinder" in the WRP Consistency Assessment Form.

CONSISTENCY OF THE PROPOSED PROJECT WITH WATERFRONT REVITALIZATION PROGRAM POLICIES

Policy 1: Support and facilitate commercial and residential redevelopment in areas well-suited to such development.

Policy 1.1: Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.

The proposed zoning map amendment will facilitate the continued commercial uses on site and better align the existing zoning with the future anticipated uses. The proposed C8-2 zoning district will permit a wider range of commercial uses as-of-right than are permitted under the existing C7 zoning which are appropriate given the sites location at the crossroads of an active retail corridor and major highway. The proposed project would continue to encourage commercial uses and is therefore, consistent with this sub policy.

Policy 6: Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.

Policy 6.2: Integrate consideration of the latest New York City projections of climate change and sea level rise (as published in the New York City Panel on Climate Change 2015 Report, Chapter 2: Sea Level Rise and Coastal Storms) into planning and design of projects in the city's Coastal Zone.

1(a) The proposed rezoning area is not located within the current 1% Annual Chance Floodplain, but is partially within the current 0.2% Annual Chance Floodplain, and is located within the projected 2050's 1% Annual Chance Floodplain (see Figures 1 and 2). Relative to NAVD88, the ground elevations in the proposed rezoning area range from approximately 14 to 16 feet above grade. Information regarding Base Flood Elevations (BFE) are not available outside the 1% Annual Chance Floodplain, but the closest BFE in the area is 10 feet NAVD. No portion of the project area would be affected by future Mean Higher High Water given the 90th percentile projections for sea level rise.

1(b) Under Policy 6, the primary goal for projects in coastal areas is to reduce risks posed by current and future coastal hazards, particularly major storms that are likely to increase due to climate change and sea level rise. Opportunities to reduce risks of damage from current and future coastal hazards as part of the proposed rezoning are limited, since redevelopment is not proposed. However, the existing buildings, or any buildings that may be constructed in the future, could be affected by future severe flood events. Consequences could potentially include damage to buildings or property, and public safety risks.

2) Building code requirements for flood-resistant construction would be required for all new development facilitated by this action within the future 1% Annual Chance Floodplain. New development located outside the 1% Annual Chance Floodplain, but within the 0.2% Annual Chance Floodplain, will be able to voluntarily floodproof to flood resistant construction standards, and take measures to relocate any critical building equipment or storage above the design flood elevation.

3) The project would advance Policy 6.2 because no new vulnerable, critical, or potentially hazardous features would be facilitated in areas that are projected to flood from future Mean Higher High Water. New vulnerable features within the future 1% Annual Chance Floodplain would be required to be designed in accordance with the flood-resistant construction standards as defined by Appendix G of the New York City Building Code. The proposed rezoning would not inhibit the ability of new vulnerable features located within the future 1% Annual Chance Floodplain to be made resilient through future adaptive actions, like retrofits.



Figure 1: Preliminary Flood Insurance Rate Map 2015. (Source: Department of City Planning's Flood Hazard Mapper 2019)

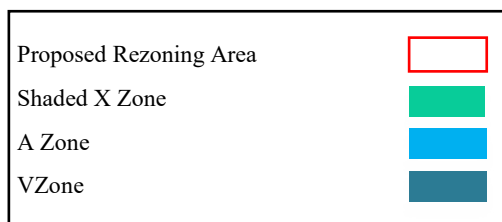




Figure 2: Future Floodplain 2050s. (Source: Department of City Planning's Flood Hazard Mapper 2019)

