

**TECHNICAL MEMORANDUM 002
POTENTIAL CC MODIFICATIONS
JEROME AVENUE REZONING
CEQR NO. 17DCP019X**

ULURP Nos.: N180050 ZRX, C 180051 ZMX, C 170305 MMX, C180051(A)
ZMX, and N180050(A) ZRX
March 9, 2018

A. INTRODUCTION

The New York City Department of City Planning (DCP) is proposing a series of land use actions, including zoning map amendments, zoning text amendments and city map changes (collectively the “Proposed Actions”), in connection with the Jerome Avenue Neighborhood Study (the “Study”), devised in close partnership with community stakeholders and city agencies. The purpose of the Study is to support and implement the Jerome Avenue Neighborhood Plan, which is the subject of an on-going community engagement process, to create opportunities for new affordable housing and community facilities including new parkland, establish requirements that a share of housing remain permanently affordable, diversify area retail, support small businesses and entrepreneurs, and promote a safe and walkable pedestrian realm. The Proposed Actions would affect an approximately 92-block area primarily along Jerome Avenue and its east west commercial corridors in Bronx Community Districts 4, 5, and 7. The area that is subject to the Proposed Actions is generally bounded by E. 165th Street to the south and 184th Street to the north; and also includes portions of the Edward L. Grant Highway, E. 170th Street, Mount Eden Avenue, Tremont Avenue, Burnside Avenue, and E. 183rd Street. The Proposed Actions are to be consistent with Mayor de Blasio’s housing plan, *Housing New York: A Five Borough Ten Year Plan*, which seeks to build 200,000 units of affordable housing throughout the city.

The Draft Environmental Impact Statement (DEIS) for the Proposed Actions was accepted as complete on August 18, 2017, by DCP, acting on behalf of the City Planning Commission (CPC) as lead agency. On November 1, 2017, DCP filed an application (C 180051 (A) ZMX) to modify components of the zoning map amendment, in conjunction with a related application to modify components of the zoning text amendment (N 180050 (A) ZRX), in response to information and feedback gathered during the public review process. The A-Application Alternative would extend the boundaries of the proposed Rezoning Area and proposed Special Jerome Avenue District to include three additional blocks, located west and south of Jerome Avenue, and rezone them from R7-1 and M1-2 to R8A with a C2-4 commercial overlay and R7D with a C2-4 commercial overlay. The modified application would also include zoning text amendment provisions to allow second story retail along Jerome Avenue as-of-right, allow the second story as an obstruction in a rear yard within 100’ of Jerome Avenue, allow Physical Culture Establishments as of right within the Special Jerome Avenue District, and clarify street wall and ground floor regulations. A Technical Memorandum pursuant to the modified application was issued on November 9, 2017 (“TM 001”), and was later analyzed as an alternative, the “A-Application Alternative.” TM 001 concluded that the A-Application Alternative would not result in any new or different significant adverse impacts not already identified in the DEIS.

A public hearing on the DEIS was held on November 29, 2017, in conjunction with the CPC's citywide public hearing pursuant to ULURP, and written comments on the DEIS were accepted until December 10, 2017. On January 4, 2017, DCP withdrew the original application (C 180051 ZMX), along with related application (N 180050 ZRX). The modified application (C 180051 (A) ZMX, N 180050 (A) ZRX) then

became the Proposed Actions. The Notice of Completion for the Final Environmental Impact Statement (FEIS) was issued on January 5, 2018 (CEQR No. 17DCP019X) The FEIS incorporated responses to the public comments received on the DEIS and additional analysis conducted subsequent to the completion of the DEIS. As mentioned above, the FEIS also analyzed the modified application, called the “A-Application Alternative,” as an alternative to the original application.

Following the publication of the FEIS, the CPC adopted the Proposed Actions on January 17, 2018 (the “Approved Actions”) and referred the application to the City Council.

Since the CPC’s adoption of the Approved Actions, potential modifications have been identified as under consideration by the City Council. The potential City Council modifications (the “Potential Modifications”) are summarized below. This technical memorandum examines whether the Potential Modifications would result in any new or different significant adverse environmental impacts not already identified in the FEIS as pertains to the Approved Actions.

Additionally, as noted in the Community Facilities analysis in the FEIS, the School Construction Authority (SCA) released the data for the 2016-2017 school enrollment, capacity and utilization for the study area for the Proposed Actions shortly before the FEIS was completed. The analysis presented in this FEIS did not reflect the new data; the affected analyses have been revised with the current data, as reported herein.

As set forth below, this technical memorandum concludes that the Potential Modifications by the City Council and the update to the Community Facilities analysis, would not result in any new or different significant adverse impacts not already identified in the FEIS. The mitigation measures identified and proposed in the FEIS would not change.

B. DESCRIPTION OF THE POTENTIAL CITY COUNCIL MODIFICATIONS

The Potential Modifications to the Approved Actions consist of changes to the proposed Zoning Text Amendment (ULURP No. N180050 (A) ZRX), with regard to the Special Jerome Corridor District, and also with regard to the Mandatory Inclusionary Housing (MIH) Area Options to be mapped. After the CPC’s adoption of the Approved Actions, the City Council noted an unintended error in the zoning text of the Approved Actions. Under the CPC Approved Actions, certain properties in the rezoning area would be rezoned from R8 to R8A or from R8 to C4-4D (R8A equivalent), which would have restricted the allowable height and FAR of these properties. The City Council is considering modifications to correct this unintentional error by amending the Special Jerome Corridor District text so that the affected properties would not lose available height or floor area as a result of the rezoning. The text changes would permit properties within 100’ of wide streets, outside of MIH areas, being rezoned from R8 to R8A and R8 to C4-4D to maintain their existing 7.2 maximum residential FAR and build to a maximum building height, with a qualifying ground floor, of 145’, or 14 stories. R8A zoning on narrow streets would not be affected. The analysis assumed no reduction in available height or floor area for the affected properties, and therefore the Potential Modifications to the Special Jerome Corridor Text would not change the analysis assumptions, result in any change to the amount, type, or location of future development beyond what was analyzed in the Jerome Avenue Rezoning FEIS or TM 001.

The Potential Modifications also include a modification to the zoning text amendment action to the New York City Zoning Resolution (ZR) Appendix F to designate the portions of the rezoning area as MIH Areas. The modification would apply MIH Option 1 with MIH Option 3 (the “Deep Affordability” Option) rather than the currently proposed MIH Options 1 and 2 with MIH Option 3. MIH Option 2 requires 30% of residential floor area for affordable housing units for residents with incomes averaging 80% AMI (\$62,150 per year for a family of three). MIH Option 1 requires 25% of residential floor area for affordable housing units for residents with incomes averaging 60% AMI (\$46,620 per year for a family of three). MIH Option 3, the Deep Affordability Option, requires 20% of the total residential floor area for housing units for residents with incomes averaging 40% AMI (\$31,080 per year for a family of three); no direct subsidies may be used for these units except where needed to support more affordable housing. The change in available MIH Options would not increase density or otherwise affect the amount, type, or location of future development beyond what was analyzed in the Jerome Avenue Rezoning FEIS or TM 001. See Appendix A, “City Council Modifications”.

C. REASONABLE WORST CASE DEVELOPMENT SCENARIO

The Potential Modifications would not result in changes to the Reasonable Worst Case Development Scenario (RWCDs) presented in the FEIS and assessed in connection with the Approved Actions. The amended Special Jerome Corridor District text would apply only to existing R8 districts being rezoned to R8A and C4-4D. The affected sites include Projected Site 12, and Potential Sites 27, 28, 29, 31, and 87. Figure 1 shows the location of the affected sites within the affected zoning districts. The analysis assumed no change in available height or floor area for the affected sites. The Potential Modifications would therefore ensure that the analysis assumptions for the Approved Actions are correct. The Potential Modifications to change the available MIH Options would also not affect the analysis assumptions.

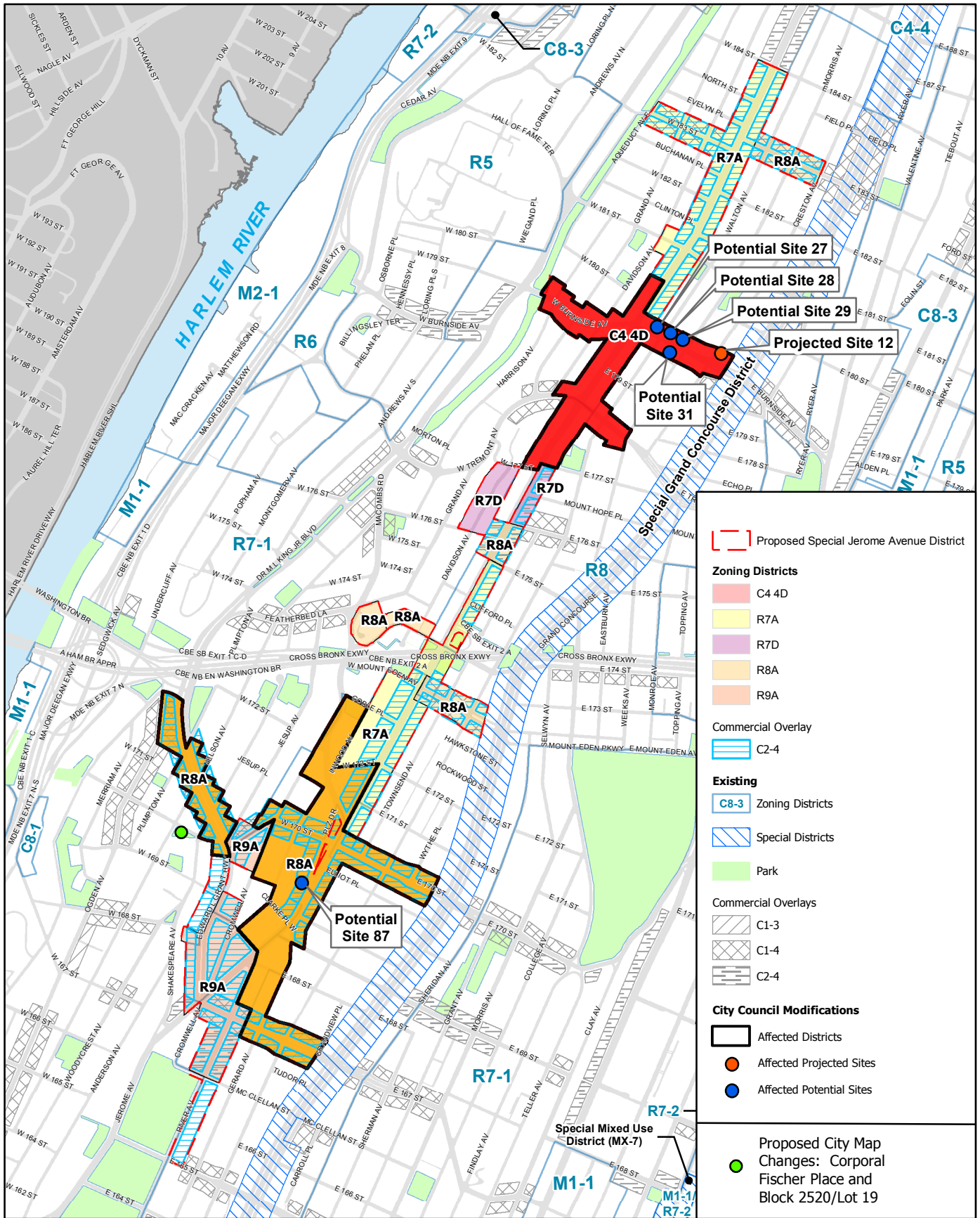
D. ENVIRONMENTAL ASSESSMENT OF THE POTENTIAL MODIFICATIONS

Because there would be no change to the RWCDs under the Potential Modifications as compared to the Approved Actions, there would be no change to the conclusions of no significant adverse impacts with respect to the following CEQR areas of environmental assessment in the FEIS: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Hazardous Materials; Water and Sewer Infrastructure; Solid Waste; Energy; Air Quality; Greenhouse Gases and Climate Change; Noise; Public Health; and Neighborhood Character. The same (E) Designations mapped in connection with the Proposed Actions to preclude exposure to noise, emissions (air quality) and hazardous materials would be mapped with the Potential Modifications.

The Potential Modifications would result in the same significant adverse impacts that would occur with the Approved Actions, potentially requiring the same mitigation measures; therefore, the Potential Modifications would not change the conclusions of the FEIS. The significant adverse impacts, mitigation and unavoidable impacts of the Potential Modifications are summarized below.

The Potential Modifications, as with the Approved Actions, would result in a significant adverse impacts to community facilities (elementary and intermediate schools) as analyzed in the FEIS (without update). Like the Approved Actions, these significant adverse impacts would be mitigated, and therefore, would not be unavoidable.

The Potential Modifications, as with the Approved Actions, would result in significant adverse shadow impacts to sun-sensitive resources. Like the Proposed Actions, there are means to partially mitigate significant adverse shadow impacts; however, some of these impacts will be unavoidable.



Source: New York City Department of City Planning, 2018; STV Incorporated, 2018.



Figure 1

Jerome Avenue Rezoning

**CITY COUNCIL MODIFICATIONS
AFFECTED DISTRICTS & DEVELOPMENT SITES**

The Potential Modifications, as with the Approved Actions, would result in significant adverse impacts to transportation (vehicular traffic, public bus service, and pedestrians). Like the Proposed Actions, impacts to vehicular traffic could be partially mitigated, but some traffic impacts would be unavoidable; impacts to public bus service and pedestrians would be fully mitigated, resulting in no unavoidable impacts.

The Potential Modification, as with the Approved Actions, would result in significant adverse construction impacts (transportation and noise). Like the Approved Actions, impacts to transportation would be partially mitigated, but traffic impacts at five intersections would be unavoidable; noise impacts would be partially mitigated, however, for certain development sites noise impacts would be unavoidable.

The Potential Modifications would have no effect on the Alternatives analysis.

E. DESCRIPTION OF THE UPDATES TO COMMUNITY FACILITIES

The School Construction Authority (SCA) released the data for the 2016-2017 school enrollment, capacity and utilization for the study area for the Proposed Actions shortly before the FEIS was completed. The analysis presented in this FEIS did not reflect the new data.

The analyses have been revised with the current 2016-2017 data; the following tables presented in the FEIS have are revised accordingly, as described below.

F. ENVIRONMENTAL ASSESSMENT OF THE UPDATES TO COMMUNITY FACILITIES

Updates to community facilities were applied to the analysis of the Proposed Actions, the Lower Density Alternative, the Expanded Rezoning Area Alternative, and the A-Application Alternative, as applicable. Analyses of the updates to community facilities indicate that the significant adverse impacts reported in the FEIS would remain, requiring the same mitigation measures.

Proposed Actions

Analyses of the updates to community facilities for the Proposed Actions indicate that there would be the same significant adverse impacts as described in the FEIS (see Tables 1 – 10). The mitigation and avoidance measures described in the FEIS would remain the same (see Table 11). Information (data and analytical results) that have changed since the FEIS are represented in the following tables in double-underline format.

Table 1: Projected Development Sites and Associated Number of Projected Incremental Students by Respective CSD Sub-districts

Study Area	Projected Development Sites	Total DUs (No-Action to With-Action Increment)	Number of Projected Elementary Students	Number of Projected Intermediate Students	Number of Projected High School Students
CSD 9, Sub-district 1	31, 37 – 45	398	155	64	76
CSD 9, Sub-district 2	19-30, 32-36	1,947	759	312*	370
CSD 9, Sub-district 3	14, 16, 17	66	26	11	13
CSD 10, Sub-district 4	1-13, 15, 18	819	319	131	156
Total	45	3,228	1,259	516	613
<p>Note: Students residing within CSD 9 Sub-district 2 are zoned to intermediate schools outside the sub-district. Consistent with the CEQR Technical Manual, students from projected development sites were assigned to schools within their sub-districts regardless of current zoning practices.</p>					

Source: Calladium Group, 2018.

Table 2: Study Area Elementary School Enrollment, Capacity, and Utilization for the 2016-2017 Academic Year

Map No.	School Name	Address	Grades Served	Enrollment	Target Capacity	Available Seats	Utilization (%)
<i>CSD 9, Sub-district 1</i>							
1	P.S. 11 – Highbridge	1257 Ogden Avenue	K-5	<u>443</u>	<u>485</u>	<u>42</u>	<u>91.3</u>
3	P.S. 35 – Franz Siegel	261 East 163 rd Street	K-5	<u>671</u>	<u>424</u>	<u>-247</u>	<u>158.3</u>
4	P.S. 53 – Basheer Quisim	360 East 168 th Street	PK-5	<u>679</u>	<u>969</u>	<u>290</u>	<u>70.1</u>
4a	P.S. 53 – Basheer Quisim Mini School #1	360 East 168 th Street	K-5	<u>280</u>	N/A	<u>-280</u>	<u>N/A</u>
4b	P.S. 53 – Basheer Quisim Mini School #2	360 East 168 th Street	K-5	<u>230</u>	N/A	<u>-230</u>	<u>N/A</u>
8	P.S. 73 – Bronx	1020 Anderson Avenue	PK-5	<u>734</u>	<u>649</u>	<u>-85</u>	<u>113.1</u>
11	P.S. 114 – Luis Llorens Torres	115 Cromwell Avenue	K-5	<u>795</u>	<u>625</u>	<u>-170</u>	<u>127.2</u>
12	P.S. 126 – Dr. Marjorie H. Dunbar	175 West 166 th Street	PK-5	<u>625</u>	<u>936</u>	<u>311</u>	<u>66.8</u>
17	P.S./I.S. 218 – Rafael Hernandez Dual Language Magnet	1220 Gerard Avenue	K-8	<u>711</u>	<u>698</u>	<u>-13</u>	<u>101.9</u>
20	P.S. 443 -The Family School	1116 Sheridan Avenue	PK-5	<u>314</u>	<u>316</u>	<u>2</u>	<u>99.4</u>
20a	P.S. 443 – The Family School Mini School	1116 Sheridan Avenue	K-5	<u>210</u>	N/A	<u>-210</u>	<u>N/A</u>
21	P.S. 449 – Grant Avenue	250 East 164 th Street	K-5	<u>444</u>	643	<u>199</u>	<u>69.1</u>
22	P.S. 457 – Sheridan Academy for Young Leaders	1116 Sheridan Avenue	K-5	<u>570</u>	578	<u>8</u>	<u>98.6</u>
<i>CSD 9, Sub-district 1 Subtotals</i>				<u>6,706</u>	<u>6,323</u>	<u>-383</u>	<u>106.1</u>

Table 2 (continued): Study Area Elementary School Enrollment, Capacity, and Utilization for the 2016-2017 Academic Year

Map No.	School Name	Address	Grades Served	Enrollment	Target Capacity	Available Seats	Utilization (%)
<i>CSD 9, Sub-district 2</i>							
35	P.S. 11 Annex – (P172 ECC)	1399 Ogden Avenue	K-5	<u>231</u>	<u>202</u>	<u>-29</u>	<u>114.4</u>
7	P.S. 70–Max Schoenfeld	1691 Weeks Avenue	K-5	<u>1,064</u>	<u>1,064</u>	<u>0</u>	<u>100.0</u>
7a	P.S. 70 – Max Schoenfeld Mini School	1691 Weeks Avenue	K-5	<u>218</u>	N/A	<u>-218</u>	N/A
9	P.S. 88 – S. Silverstein Little Sparrow	1340 Sheridan Avenue	K-3	<u>169</u>	<u>272</u>	<u>103</u>	<u>62.1</u>
14	P.S. 170 – Esteban Vincente	1598 Townsend Avenue	K-2	<u>276</u>	121	<u>-155</u>	<u>228.1</u>
15	P.S. 199 – The Shakespeare School	1449 Shakespeare Avenue	PK-5	<u>800</u>	<u>793</u>	-7	<u>100.9</u>
38	P.S. 294 – The Walton Avenue School	1425 Walton Avenue	K-5	<u>497</u>	<u>427</u>	<u>-70</u>	<u>116.4</u>
39	P.S. 311 – Lucero Elementary	1425 Walton Avenue	K-5	<u>410</u>	<u>284</u>	<u>-126</u>	<u>144.4</u>
23	P.S. 555 – Mount Eden Children’s Academy	1501 Jerome Avenue	PK-5	<u>432</u>	<u>382</u>	<u>-50</u>	<u>113.1</u>
<i>CSD 9, Sub-district 2 Subtotals</i>				<u>4,097</u>	<u>3,545</u>	<u>-552</u>	<u>115.6</u>

Table 2 (continued): Study Area Elementary School Enrollment, Capacity, and Utilization for the 2016-2017 Academic Year

Map No.	School Name	Address	Grades Served	Enrollment	Target Capacity	Available Seats	Utilization (%)
<i>CSD 9, Sub-district 3</i>							
2	P.S. 28 – Mount Hope	1861 Anthony Avenue	PK-5	<u>751</u>	719	<u>-32</u>	<u>104.5</u>
5	P.S. 58	459 East 176 th Street	PK-5	<u>502</u>	<u>564</u>	<u>62</u>	<u>89.0</u>
10	P.S. 109 – Sedgwick	1771 Popham Avenue	PK-5	<u>602</u>	<u>521</u>	<u>-81</u>	<u>115.5</u>
10a	P.S. 109 – Sedgwick Mini School	1771 Popham Avenue	K-5	<u>112</u>	N/A	<u>-112</u>	N/A
13	P.S. 163 – Arthur A. Schomburg	2075 Webster Avenue	K-5	<u>323</u>	<u>265</u>	<u>-58</u>	<u>121.9</u>
13a	P.S. 163 – Arthur A. Schomburg Transportable School	2075 Webster Avenue	K-5	<u>200</u>	N/A	<u>-200</u>	N/A
16	P.S. 204 – Morris Heights	1780 Dr. Martin Luther King Jr. Boulevard	PK-5	<u>619</u>	<u>509</u>	<u>-110</u>	<u>121.6</u>
19	P.S. 236 – Langston Hughes	1871 Walton Avenue	PK-5	<u>312</u>	<u>289</u>	<u>-23</u>	<u>108.0</u>
41	P.S. 274 – <u>The New American Academy at Roberto Clemente State Park</u>	275 Harlem River Park Bridge	PK-5 <i>(School is phasing in)</i>	<u>807</u>	<u>744</u>	<u>-63</u>	<u>108.5</u>
<i>CSD 9, Sub-district 3 Subtotals</i>				<u>4,228</u>	<u>3,611</u>	<u>-617</u>	<u>117.1</u>

Table 2 (continued): Study Area Elementary School Enrollment, Capacity, and Utilization for the 2016-2017 Academic Year

Map No.	School Name	Address	Grades Served	Enrollment	Target Capacity	Available Seats	Utilization (%)
CSD 10, Sub-district 4							
24	PS 15 – Institute for Environmental Learning	2195 Andrews Avenue	K-8	<u>315</u>	<u>196</u>	<u>-119</u>	<u>160.7</u>
25	P.S. 33 – Timothy Dwight*	2424 Jerome Avenue	PK-5	<u>782</u>	640	<u>-142</u>	<u>122.2</u>
36	P.S. 33 Annex	2392 Jerome Avenue	K-5	212	192	-20	110.4
26	P.S. 91	2170 Aqueduct Avenue	K-5	<u>619</u>	<u>643</u>	<u>24</u>	<u>96.3</u>
26a	P.S. 91 Mini School	2170 Aqueduct Avenue	K-5	<u>137</u>	N/A	<u>-137</u>	<u>N/A</u>
27	P.S. 226 Van Carpenter	1950 Sedgwick Avenue	PK-5	<u>286</u>	<u>97</u>	<u>-189</u>	<u>294.8</u>
27a	P.S. 226 Van Carpenter Mini School	1950 Sedgwick Avenue	K-5	<u>202</u>	N/A	<u>-202</u>	<u>N/A</u>
28	P.S. 279 – Captain Manuel Rivera, Jr.	2100 Walton Avenue	K-8	<u>658</u>	<u>532</u>	<u>-126</u>	<u>123.7</u>
37	P.S. 279 Annex	2240 Walton Avenue	K-8	<u>82</u>	<u>47</u>	<u>-35</u>	<u>174.5</u>
29	P.S. 291	2195 Andrews Avenue	K-5	<u>663</u>	<u>478</u>	<u>-185</u>	<u>138.7</u>
30	P.S. 306	40 West Tremont Avenue	K-5	<u>709</u>	<u>756</u>	<u>47</u>	<u>93.8</u>
31	P.S. 315 – Lab School	2246 Jerome Avenue	K-8	172	<u>99</u>	<u>-73</u>	<u>173.7</u>
32	P.S. 382 – Elementary School for Math, Science, and Technology	125 East 181 st Street	K-5	<u>290</u>	<u>459</u>	<u>169</u>	<u>63.2</u>
33	P.S. 386 – School for Environmental Citizenship	125 East 181 st Street	PK-5	<u>617</u>	550	<u>-67</u>	<u>112.2</u>
34	P.S. 396	1930 Andrews Avenue	PK-5	<u>349</u>	<u>386</u>	<u>37</u>	<u>90.4</u>
CSD 10, Sub-district 4 Subtotals				<u>6,093</u>	<u>5,075</u>	<u>-1,018</u>	<u>120.2</u>
<p>Note: Capacity of Transportable Classroom Units (TCUs) and Mini-schools have not been included in the CEQR analysis. *In the February 2018 Amendment of the Five Year Capital Plan, PS 33 is scheduled to expand capacity in 2021 by 388 seats. This increase is not reflected in this table as the expansion has not yet occurred.</p>							

Source: DOE, Enrollment- Capacity – Utilization Report, 2016-2017 School Year.

Table 3: Study Area Intermediate School Enrollment, Capacity, and Utilization for the 2016-2017 Academic Year

Map No.	School Name	Address	Grades Served	Enrollment	Target Capacity	Available Seats	Utilization (%)
<i>CSD 9, Sub-district 1</i>							
1	I.S. 22 – Jordan L. Mott	270 East 167 th Street	6, 7, 8	<u>419</u>	<u>497</u>	<u>78</u>	<u>84.3</u>
3	I.S. 145 – Arturo Toscanini	1000 Teller Avenue	6, 7, 8	<u>287</u>	<u>345</u>	<u>58</u>	<u>83.2</u>
22	P.S./I.S. 218 – Rafael Hernandez Dual Language Magnet School	1220 Gerard Avenue	K-8	<u>287</u>	<u>282</u>	<u>-5</u>	<u>101.8</u>
7	I.S. 323 – Bronx Writing Academy	270 East 167 th Street	6, 7, 8	<u>451</u>	<u>550</u>	<u>99</u>	<u>82.0</u>
14	Bronx Early College Academy for Teaching Learning (X324)	250 East 164 th Street	6 – 12	<u>273</u>	<u>295</u>	<u>22</u>	<u>92.5</u>
8	I.S. 325 – Urban Science Academy	1000 Teller Avenue	6, 7, 8	<u>254</u>	<u>396</u>	<u>142</u>	<u>64.1</u>
10	I.S. 328 – New Millennium Business Academy Middle School	1000 Teller Avenue	6, 7, 8	<u>199</u>	250	<u>51</u>	<u>79.6</u>
23	The Highbridge Green School (X361)	200 West 167 th Street	6, 7, 8	<u>391</u>	387	<u>-4</u>	<u>101.0</u>
11	Science and Technology Academy: A Mott Hall School (X454)	250 East 164 th Street	6, 7, 8	<u>433</u>	430	<u>-3</u>	<u>100.7</u>
16	HS of Law, Government, and Justice (X505)	244 East 163 rd Street	6 – 12	<u>283</u>	<u>267</u>	<u>-16</u>	<u>106.0</u>
<i>CSD 9, Sub-district 1 Subtotals</i>				<u>3,277</u>	<u>3,699</u>	<u>422</u>	<u>88.6</u>

Table 3 (continued): Study Area Intermediate School Enrollment, Capacity, and Utilization for the 2016-2017 Academic Year

Map No.	School Name	Address	Grades Served	Enrollment	Target Capacity	Available Seats	Utilization (%)
<i>CSD 9, Sub-district 2</i>							
9	I.S. 327 – Comprehensive Model School Project	1501 Jerome Avenue	6 – 12	<u>295</u>	<u>215</u>	<u>-80</u>	<u>137.2</u>
24	New Directions Secondary School (X350)	240 East 172 nd Street	6 – 11	<u>139</u>	<u>293</u>	<u>154</u>	<u>47.4</u>
15	Bronx High School for Medical Science (X413)	240 East 172 nd Street	6 – 12	<u>145</u>	<u>173</u>	<u>28</u>	<u>83.8</u>
<i>CSD 9, Sub-district 2 Subtotals</i>				<u>579</u>	<u>681</u>	<u>102</u>	<u>85.0</u>
Map No.	School Name	Address	Grades Served	Enrollment	Target Capacity	Available Seats	Utilization (%)
<i>CSD 9, Sub-district 3</i>							
2	I.S. 117 – Joseph H. Wade	1865 Morris Avenue	6, 7, 8	<u>562</u>	<u>709</u>	<u>147</u>	<u>79.3</u>
4	I.S. 229 – Roland Patterson	275 Harlem River Park Bridge	6, 7, 8	<u>237</u>	<u>580</u>	<u>343</u>	<u>40.9</u>
13	Eagle Academy for Young Men (X231)	1137 Herkimer Street	6 – 12	<u>198</u>	<u>188</u>	<u>-10</u>	<u>105.3</u>
5	I.S. 232 – The Alexander Macomb’s Middle School	1700 Macombs Road	6, 7, 8	<u>476</u>	<u>555</u>	<u>79</u>	<u>85.8</u>
6	I.S. 303 – Leadership Community Service	1700 Macombs Road	6, 7, 8	<u>320</u>	<u>329</u>	<u>9</u>	<u>97.3</u>
12	H.S. 568 – Young Women’s Leadership School of the Bronx	1865 Morris Avenue	6 – 12	<u>256</u>	<u>228</u>	<u>-28</u>	<u>112.3</u>
<i>CSD 9, Sub-district 3 Subtotals</i>				<u>2,049</u>	<u>2,589</u>	<u>540</u>	<u>79.1</u>

Table 3 (continued): Study Area Intermediate School Enrollment, Capacity, and Utilization for the 2016-2017 Academic Year

Map No.	School Name	Address	Grades Served	Enrollment	Target Capacity	Available Seats	Utilization (%)
<i>CSD 10, Sub-district 4</i>							
25	P.S./I.S. 15 – Institute for Environmental Learning	2195 Andrews Avenue	K-8	<u>190</u>	<u>118</u>	<u>-72</u>	<u>161.0</u>
17	I.S. 206B – Ann Mersereau	2280 Aqueduct Avenue	6, 7, 8	<u>197</u>	<u>292</u>	<u>95</u>	<u>67.5</u>
26	P.S./I.S. 279 – Captain Manuel Rivera, Jr.	2100 Walton Avenue	6, 7, 8	<u>342</u>	<u>276</u>	<u>-66</u>	<u>124.0</u>
27	P.S. 279 Annex – Captain Manuel Rivera, Jr.	2240 Walton Avenue	6, 7, 8	<u>43</u>	<u>25</u>	<u>-18</u>	<u>172.0</u>
28	P.S. 315 – Lab School	2246 Jerome Avenue	K-8	<u>102</u>	<u>59</u>	<u>-43</u>	<u>173.0</u>
29	I.S. 331 – The Bronx School of Young Leaders	40 West Tremont Avenue	6, 7, 8	<u>391</u>	<u>574</u>	<u>183</u>	<u>68.1</u>
18	M.S. 363 – Academy for Personal Leadership and Excellence	120 East 184 th Street	6, 7, 8	<u>503</u>	<u>479</u>	<u>-24</u>	<u>105.0</u>
19	I.S. 390	1930 Andrews Avenue	6, 7, 8	<u>522</u>	<u>418</u>	<u>-104</u>	<u>124.9</u>
20	I.S. 447 – Creston Academy	125 East 181 st Street	6, 7, 8	<u>474</u>	<u>416</u>	<u>-58</u>	<u>113.9</u>
21	I.S. 459 – East Fordham Academy for the Arts	120 East 184 th Street	6, 7, 8	<u>264</u>	<u>318</u>	<u>54</u>	<u>83.0</u>
<i>CSD 10, Sub-district 4 Subtotals</i>				<u>3,028</u>	<u>2,975</u>	<u>-53</u>	<u>101.8</u>

Source: DOE, Enrollment- Capacity – Utilization Report, 2016- 2017 School Year

Table 4: Bronx High School Enrollment, Capacity, and Utilization for the 2016-2017 Academic Year

Area	Enrollment	Target Capacity	Available Seats	Utilization (%)
Bronx	<u>55,132</u>	<u>71,267</u>	<u>16,135</u>	<u>77.4</u>

Source: DOE, Enrollment-Capacity-Utilization Report, 2016-2017 School Year

Table 5: Bronx High Schools within a One-Mile Radius of the Rezoning Area

Map No.	School Name	Address
1	Frederick Douglass Academy	2581 7 th Avenue (Manhattan)
2	Community Health Academy of the Heights	504 West 158 th Street (Manhattan)
3	Washington Heights Expeditionary Learn	511 West 182 nd Street (Manhattan)
4	College Academy (The)	549 Audubon Avenue (Manhattan)
	High School for Media and Communications	
	High School for Law and Public Service	
	High School for Health Careers and Sciences	
5	Gregorio Luperon High School of Science and Math	501 West 165 th Street (Manhattan)
6	Bronx Leadership Academy II High School	730 Concourse Village West
	New Explorers High School	
	Urban Assembly School for Careers in Sports	
7	Bronx Haven High School	333 East 151 st Street
	Bronx Design and Construction Academy	
	Alfred E. Smith Career and Technical High School	
8	Eagle Academy for Young Men	4143 3 rd Avenue
9	Eximius College Prep Academy	1363 Fulton Avenue
	Bronx Center for Science & Math	
10	Urban Assembly School - Applied Math	1595 Bathgate Avenue
	Mott Hall Bronx High School	
	Validus Prep Academy	
11	Leadership Institute	1701 Fulton Avenue
12	Bronx Early College Academy for Teaching and Learning	250 East 164 th Street
13	Academy for Language and Technology	1700 Macombs Road
14	Bronx School for Law, Government and Justice	244 East 163 rd Street
15	Frederick Douglass Academy III	3630 3 rd Avenue
16	Bronx Leadership Academy High School	1710 Webster Avenue
17	Morris Academy for Collaborative Studies	1110 Boston Road
	Bronx International High School	
	School for Excellence	
	High School for Violin and Dance	
18	Bronx Collegiate Academy	240 East 172 nd Street
	Dreamyard Preparatory School	
	Bronx High School of Business	
	Bronx High School for Medical Science	
	Jonathan Levin High School for Media and Communication	
Claremont International High School		
19	Theatre Arts Production Company School	2225 Webster Avenue
20	Pulse High School	560 East 179 th Street
21	West Bronx Academy for the Future	500 East Fordham Road
	Knowledge, Power Prep Academy Intermediate High School	
	Belmont Preparatory High School	
	Fordham High School for the Arts	
	Fordham Leadership Academy for Business and Technology	
Bronx High School for Law and Community Service		

Table 5 (continued): Bronx High Schools within a One-Mile Radius of the Rezoning Area

Map No.	School Name	Address
22	Kingsbridge International High School	2780 Reservoir Avenue
	International School for Liberal Arts	
	High School for Teaching and Professions	
	Celia Cruz Bronx High School of Music (The)	
	Discovery High School	
23	Crotona International High School	2474 Crotona Avenue
	High School for Energy and Technology	
	Bronx Academy of Software Engineering	

Source: DOE

Table 6: 2026 Estimated No-Action Elementary and Intermediate School Enrollment, Capacity and Utilization

Study Area	Projected 2026 Enrollment ¹	Students Introduced by No-Action Residential Development ²	Total No-Action Enrollment	Capacity ³	Available Seats	Utilization (%)
Elementary Schools						
CSD 9, Sub-district 1	<u>7,069</u>	<u>307</u>	<u>7,376</u>	<u>6,323</u>	<u>-1,053</u>	<u>116.7</u>
CSD 9, Sub-district 2	<u>4,193</u>	<u>237</u>	<u>4,430</u>	<u>3,545</u>	<u>-885</u>	<u>125.0</u>
CSD 9, Sub-district 3	<u>4,483</u>	<u>326</u>	<u>4,809</u>	<u>3,611</u>	<u>-1,198</u>	<u>133.2</u>
CSD 10, Sub-district 4	<u>6,278</u>	<u>231</u>	<u>6,509</u>	<u>5,463⁴</u>	<u>-1,046</u>	<u>119.2</u>
Intermediate Schools						
CSD 9, Sub-district 1	<u>3,143</u>	<u>103</u>	<u>3,246</u>	<u>3,699</u>	<u>453</u>	<u>87.8</u>
CSD 9, Sub-district 2	<u>762</u>	<u>92</u>	<u>854</u>	<u>681</u>	<u>-173</u>	<u>125.4</u>
CSD 9, Sub-district 3	<u>2,060</u>	<u>162</u>	<u>2,222</u>	<u>2,589</u>	<u>367</u>	<u>85.8</u>
CSD 10, Sub-district 4	<u>3,202</u>	<u>196</u>	<u>3,398</u>	<u>2,975</u>	<u>-423</u>	<u>114.2</u>
Notes:						
¹ <u>Enrollment Projections 2016 to 2025 New York City Public Schools by Statistical Forecasting. Per CEQR, 2025 projections were assumed for the 2026 analysis year.</u>						
² SCA, Projected New Housing Starts for the 2015-2019 Capital Plan.						
³ Existing mini-schools and TCUs are excluded.						
⁴ <u>In the February 2018 Amendment of the Five Year Capital Plan, PS 33 is scheduled to expand capacity in 2021 by 388 seats</u>						

Source: Data as noted; Calladium Group, 2018.

Table 7: 2026 Estimated No-Action Bronx High School Enrollment, Capacity, and Utilization

Area	Projected 2026 Enrollment ¹	Students Introduced by No-Action Residential Development ²	Total No-Action Enrollment	Capacity ³	Available Seats	Utilization
Bronx	<u>53,670</u>	<u>3,624</u>	<u>57,294</u>	<u>71,267</u>	<u>13,973</u>	<u>80.4</u>
Notes: ¹ Enrollment Projections 2016 to 2025 New York City Public Schools by Statistical Forecasting. Per CEQR, <u>2025</u> projections were assumed for the 2026 analysis year. ² SCA, Projected New Housing Starts for the 2015-2019 Capital Plan. ³ No anticipated capacity changes based on 2015-2019 Capital Plan.						

Source: Data as noted; Calladium Group, 2018.

Table 8: Estimated Number of Elementary and Intermediate Students Introduced in the Study Area in the 2026 Future with the Proposed Actions

Study Area	Housing Units	Students Introduced by the Proposed Development Sites		
		Elementary	Intermediate	High School
CSD 9, Sub-district 1	398	155	64	--
CSD 9, Sub-district 2	1,947	759	312	--
CSD 9, Sub-district 3	66	26	11	--
CSD 10, Sub-district 4	819	319	131	--
Bronx	approx. 3,228	--	--	613

Source: Based on student generation rates presented in Table 6-1a of the *CEQR Technical Manual*.

Table 9: 2026 Estimated With-Action Elementary and Intermediate School Enrollment, Capacity, and Utilization

Study Area	Projected 2026 No-Action Enrollment	Students Introduced by the Proposed Actions	Total With-Action Enrollment	Capacity	Available Seats	Utilization (%)	Change in Utilization (%) from No-Action Condition
Elementary Schools							
CSD 9, Sub-district 1	<u>7,376</u>	155	<u>7,531</u>	<u>6,323</u>	<u>-1,208</u>	<u>119.1</u>	2.5
CSD 9, Sub-district 2	<u>4,430</u>	759	<u>5,189</u>	<u>3,545</u>	<u>-1,644</u>	<u>146.4</u>	<u>21.4</u>
CSD 9, Sub-district 3	<u>4,809</u>	26	<u>4,835</u>	<u>3,611</u>	<u>-1,224</u>	<u>133.9</u>	0.7
CSD 10, Sub-district 4	<u>6,509</u>	319	<u>6,828</u>	<u>5,463</u>	<u>-1,365</u>	<u>125.0</u>	<u>5.8</u>
Intermediate Schools							
CSD 9, Sub-district 1	<u>3,246</u>	64	<u>3,310</u>	<u>3,699</u>	<u>389</u>	<u>89.5</u>	<u>1.7</u>
CSD 9, Sub-district 2	<u>854</u>	312	<u>1,166</u>	<u>681</u>	<u>-485</u>	171.2	<u>45.8</u>
CSD 9, Sub-district 3	<u>2,222</u>	11	<u>2,233</u>	<u>2,589</u>	<u>356</u>	<u>86.2</u>	0.4
CSD 10, Sub-district 4	<u>3,398</u>	131	<u>3,529</u>	<u>2,975</u>	<u>-554</u>	<u>118.6</u>	<u>4.4</u>

Source: Calladium Group, 2018.

Table 10: 2026 Future With-Action High School Enrollment, Capacity and Utilization

Projected 2026 No-Action Enrollment	Students Introduced by the Proposed Actions	Total With-Action Enrollment	Capacity	Available Seats	Utilization (%)	Change in Utilization (%) from No-Action Condition
<u>57,294</u>	613	<u>57,907</u>	<u>71,267</u>	<u>13,360</u>	<u>81.3</u>	<u>0.9</u>

Source: Calladium Group, 2018.

Table 11: Elementary and Intermediate School Impact Thresholds and Mitigation School Seats

<u>District and Sub-District and Grade Level</u>	<u>Impact Thresholds¹</u>	<u>Mitigation Seats Needed to Fully Mitigate the Significant Adverse Impact</u>
<u>CSD 9, Sub-District 2, Elementary</u>	<u>449 DUs (175 students)</u>	<u>450</u>
<u>CSD 9, Sub-District 2, Intermediate</u>	<u>209 DUs (33 students)</u>	<u>214</u>
<u>CSD 10, Sub-District 4, Elementary</u>	<u>693 DUs (270 students)</u>	<u>40</u>
<u>Notes:</u>		
¹ Represents increment over No-Action Condition		

Source: The Calladium Group, 2018

Lower Density Alternative

Analyses of the updates to community facilities for the Lower Density Alternative indicate that there would be the same significant adverse impacts as described in the FEIS (see Tables 12 – 13). The mitigation and avoidance measures described in the FEIS would remain the same (see Table 14). Information (data and analytical results) that have changed since the FEIS are represented in the following tables in double-underline format.

Table 12: Projected Development Sites and Associated Number of Projected Incremental Students by Respective CSD Sub-districts in the Lower Density Alternative

Study Area	Projected Development Sites*	Total DUs (No-Action to With-Action Increment)	Number of Projected Elementary Students	Number of Projected Intermediate Students	Number of Projected High School Students
CSD 9, Sub-district 1	31, 37-45	398	155	64	76
CSD 9, Sub-district 2	19-30, 32-36	1,488	580	238	283
CSD 9, Sub-district 3	14, 16-17	66	26	11	13
CSD 10, Sub-district 4	1-13, 15, 18	779	304	125	148
Total	45	2,730	1,065	437	519

Note: *Consistent with the CEQR Technical Manual, students from projected development sites were assigned to schools within their sun-districts regardless of current zoning practices.

Source: Calladium Group, 2018

Table 13: 2026 Lower Density Alternative Estimated With-Action School Enrollment, Capacity, and Utilization

Study Area	Students Introduced by the Lower Density Alternative	Total Lower Density Alternative With- Action Enrollment ^{1,2}	Capacity ²	Available Seats	Utilization (%) under LDA	Change in Utilization (%) compared to No-Action Condition	Change in Utilization (%) compared to Proposed Actions
Elementary Schools							
CSD 9, Sub-district 1	155	<u>7,531</u>	<u>6,323</u>	<u>-1,208</u>	<u>119.1</u>	2.5	0.0
CSD 9, Sub-district 2	580	<u>5,010</u>	<u>3,545</u>	<u>-1,465</u>	<u>141.3</u>	<u>16.4</u>	<u>-5.0</u>
CSD 9, Sub-district 3	26	<u>4,835</u>	<u>3,611</u>	<u>-1,224</u>	<u>133.9</u>	0.7	0.0
CSD 10, Sub-district 4	304	<u>6,813</u>	<u>5,463⁴</u>	<u>-1,350</u>	<u>124.7</u>	5.6	-0.3
Intermediate Schools							
CSD 9, Sub-district 1	64	<u>3,310</u>	<u>3,699</u>	<u>389</u>	<u>89.5</u>	<u>1.7</u>	0.0
CSD 9, Sub-district 2	238	<u>1,092</u>	<u>681</u>	<u>-411</u>	<u>160.4</u>	<u>34.9</u>	<u>-10.9</u>
CSD 9, Sub-district 3	11	<u>2,233</u>	<u>2,589</u>	<u>356</u>	<u>86.2</u>	0.4	0.0
CSD 10, Sub-district 4	125	<u>3,523</u>	<u>2,975</u>	<u>-548</u>	<u>118.4</u>	<u>4.2</u>	-0.2
High Schools							
Bronx	519	<u>57,813</u>	<u>71,267</u>	<u>13,454</u>	<u>81.1</u>	<u>0.7</u>	-0.1

¹ Enrollment Projections 2016 to 2025 New York City Public Schools by Statistical Forecasting. Per CEQR, 2025 projections were assumed for the 2026 analysis year.

² SCA, Projected New Housing Starts for the 2015-2019 Capital Plan.

² Existing mini-schools and TCUs are excluded

⁴ in the February 2018 Amendment of the Five Year Capital Plan, PS 33 is scheduled to expand capacity in 2021 by 388 seats.

Source: STV Incorporated, 2018, Data as noted, Calladium Group, 2018.

Table 14: LDA Mitigation

<u>District and Sub-District and Grade Level</u>	<u>Impact Thresholds¹</u>	<u>Mitigation Seats Needed to Fully Mitigate the Significant Adverse Impact</u>
<u>CSD 9, Sub-District 2, Elementary</u>	<u>449 DUs (175 students)</u>	<u>312</u>
<u>CSD 9, Sub-District 2, Intermediate</u>	<u>209 DUs (33 students)</u>	<u>157</u>
<u>CSD 10, Sub-District 4, Elementary</u>	<u>693 DUs (270 students)</u>	<u>28</u>
Notes:		
¹ Represents increment over No-Action Condition		

Source: Calladium Group, 2018.

Expanded Rezoning Area Alternative

Analyses of the updates to community facilities for the Expanded Rezoning Area Alternative indicates that there would be the same significant adverse impacts as described in the FEIS (see Tables 15 – 16). The mitigation and avoidance measures described in the FEIS would remain the same (see Table 17). Information (data and analytical results) that have changed since the FEIS are represented in the following tables in double-underline format.

Table 15: Projected Development Sites and Associate Number of Projected Incremental Students by Respective CSD Sub-districts in the Expanded Rezoning Area Alternative

Study Area	Projected Development Sites	Total DUs (No-Action to With-Action Increment)	Number of Projected Elementary Students	Number of Projected Intermediate Students	Number of Projected High School Students
CSD 9, Sub-district 1	31, 37-45	384	150	61	73
CSD 9, Sub-district 2	19-30, 32-36, 46, 50-52	2,762	1,077	442	525
CSD 9, Sub-district 3	14, 16-17, 49	161	63	26	31
CSD 10, Sub-district 4	1-13, 15, 18, 47-48	882	344	141	168
Total	52	4,187	1,634	670	796

Table 16: 2026 Estimated Expanded Rezoning Area Alternative (With-Action) Public School Enrollment, Capacity, and Utilization

Study Area	Projected 2026 No-Action Enrollment ¹	Students Introduced With-Action	Total With-Action Enrollment	Capacity ²	Available Seats	Utilization (%)	Utilization Change compared to No-Action	Utilization Change compared to Proposed Action
Elementary Schools								
CSD 9, Sub-district 1	<u>7,376</u>	150	<u>7,526</u>	<u>6,323</u>	<u>-1,203</u>	<u>119.0</u>	2.4	-0.1
CSD 9, Sub-district 2	<u>4,430</u>	1,077	<u>5,507</u>	<u>3,545</u>	<u>-1,962</u>	<u>155.3%</u>	<u>30.4</u>	<u>9.0</u>
CSD 9, Sub-district 3	<u>4,809</u>	63	<u>4,872</u>	<u>3,611</u>	<u>-1,261</u>	<u>134.9%</u>	<u>1.7</u>	<u>1.0</u>
CSD 10, Sub-district 4	<u>6,509</u>	344	<u>6,853</u>	<u>5,463³</u>	<u>-1,390</u>	<u>125.4</u>	6.3	0.5
Intermediate Schools								
CSD 9, Sub-district 1	<u>3,246</u>	61	<u>3,307</u>	<u>3,699</u>	<u>392</u>	<u>89.4</u>	1.6	<u>-0.1</u>
CSD 9, Sub-district 2	<u>854</u>	442	<u>1,296</u>	<u>681</u>	<u>-615</u>	<u>190.3</u>	<u>64.9</u>	<u>19.1</u>
CSD 9, Sub-district 3	<u>2,222</u>	26	<u>2,248</u>	<u>2,589</u>	<u>341</u>	<u>86.8</u>	<u>1.0</u>	<u>0.6</u>
CSD 10, Sub-district 4	<u>3,398</u>	141	<u>3,539</u>	<u>2,975</u>	<u>-564</u>	<u>119.0</u>	<u>4.7</u>	0.3
High Schools								
Bronx	<u>57,294</u>	796	<u>58,090</u>	<u>71,267</u>	<u>13,177</u>	<u>81.5</u>	1.1	0.3
Notes:								
¹ Enrollment Projections 2016 to 2025 New York City Public Schools by Statistical Forecasting. Per CEQR, 2025 projections were assumed for the 2026 analysis year.								
and SCA, Projected New Housing Starts for the 2015-2019 Capital Plan.								
² Existing mini-schools and TCUs are excluded.								
³ In the February 2018 Amendment of the Five Year Capital Plan, PS 33 is scheduled to expand capacity in 2021 by 388 seats.								
Source: STV Incorporated, 2018.								

Table 17: Elementary and Intermediate School Impact Thresholds and Mitigation School Seats

District and Sub-District and Grade Level	Impact Thresholds ¹	Mitigation Seats Needed to Fully Mitigate the Significant Adverse Impact
CSD 9, Sub-District 2, Elementary	<u>449 DUs (175 students)</u>	<u>695</u>
CSD 9, Sub-District 2, Intermediate	<u>209 DUs (33 students)</u>	<u>314</u>
CSD 10, Sub-District 4, Elementary	<u>693 DUs (270 students)</u>	<u>60</u>
Notes:		
¹ Represents increment over No-Action Condition		

Source: Calladium Group, 2018.

A-Application Alternative

Analyses of the updates to community facilities for the A-Application Alternative indicates that there would be the same significant adverse impacts as described in the FEIS (see Tables 18 – 19). The mitigation and avoidance measures described in the FEIS would remain the same (see Table 20). Information (data and analytical results) that have changed since the FEIS are represented in the following tables in double-underline format.

Table 18: Estimated Number of Elementary and Intermediate Students introduced in the Study Area in the 2026 Future with the Proposed A-Application Alternative Actions

Study Area	Projected Development Sites	Total DUs (No-Action to With-Action Increment)	Number of Projected Elementary Students	Number of Projected Intermediate Students	Number of Projected High School Students
CSD 9, Sub-district 1	<u>31, 37-45</u>	384	150	61	73
CSD 9, Sub-district 2	<u>19-30, 32-36, 46, 52</u>	2,514	980	402	478
CSD 9, Sub-district 3	<u>14, 16-17</u>	66	26	11	13
CSD 10, Sub-district 4	<u>1-13, 15, 18, 47</u>	817	319	131	155
Total	48	3,780	1,475	605	718

Source: Calladium Group, 2018.

Table 19: 2026 Estimated A-Application Alternative (With-Action) Public School Enrollment, Capacity, and Utilization

Study Area	Projected 2026 No-Action Enrollment ¹	Students Introduced With-Action	Total With-Action Enrollment	Capacity ²	Available Seats	Utilization (%)	Utilization Change compared to No-Action	Utilization Change compared to Proposed Action
Elementary Schools								
CSD 9, Sub-district 1	<u>7,376</u>	150	<u>7,526</u>	<u>6,323</u>	<u>-1,203</u>	<u>119.0</u>	2.4	-0.1
CSD 9, Sub-district 2	<u>4,430</u>	980	<u>5,410</u>	<u>4,001</u>	<u>-1,409</u>	<u>135.2</u>	<u>10.3</u>	<u>-11.2</u>
CSD 9, Sub-district 3	<u>4,809</u>	26	<u>4,835</u>	<u>3,611</u>	<u>-1,224</u>	<u>133.9</u>	0.7	0.0
CSD 10, Sub-district 4	<u>6,509</u>	319	<u>6,828</u>	<u>5,463³</u>	<u>-1,365</u>	<u>125.0</u>	<u>5.8</u>	0.0
Intermediate Schools								
CSD 9, Sub-district 1	<u>3,246</u>	61	<u>3,307</u>	<u>3,699</u>	<u>392</u>	<u>89.4</u>	1.6	<u>-0.1</u>
CSD 9, Sub-district 2	<u>854</u>	402	<u>1,256</u>	<u>681</u>	<u>-575</u>	<u>184.4</u>	<u>59.0</u>	<u>13.2</u>
CSD 9, Sub-district 3	<u>2,222</u>	11	<u>2,233</u>	<u>2,589</u>	<u>356</u>	<u>86.2</u>	<u>0.4</u>	<u>0.0</u>
CSD 10, Sub-district 4	<u>3,398</u>	131	<u>3,529</u>	<u>2,975</u>	<u>-554</u>	<u>118.6</u>	<u>4.4</u>	0.0
High Schools								
Bronx	<u>57,294</u>	718	<u>58,012</u>	<u>71,267</u>	<u>13,255</u>	<u>81.4</u>	<u>1.0</u>	<u>0.1</u>

Notes:

¹ Enrollment Projections 2016 to 2025 New York City Public Schools by Statistical Forecasting. Per CEQR, 2025 projections were assumed for the 2026 analysis year and SCA, Projected New Housing Starts for the 2015-2019 Capital Plan.

² Existing mini-schools and TCUs are excluded.

³ In the February 2018 Amendment of the Five Year Capital Plan, PS 33 is scheduled to expand capacity by 388 seats in 2021. The capacity changes in CSD 10, Sub-district 4 reflect a new proposed school that has been cited.

⁴ The capacity changes in CSD 9, Sub-district 2 reflect a new 456-seat elementary school proposed as a projected development in the A-Application Alternative.

Source: Calladium Group, 2018.

Table 20: Elementary and Intermediate School Impact Thresholds and Mitigation School Seats

District and Sub-District and Grade Level	Impact Thresholds ¹	Mitigation Seats Needed to Fully Mitigate the Significant Adverse Impact
CSD 9, Sub-District 2, Elementary ²	<u>1967 DUs (767 students)</u>	<u>164</u>
CSD 9, Sub-District 2, Intermediate	<u>209 DUs (33 students)</u>	<u>283</u>
CSD 10, Sub-District 4, Elementary	<u>693 DUs (270 students)</u>	<u>40</u>
Notes: ¹ Represents increment over No-Action Condition ² Represents threshold calculated with capacity change experienced in No-Action and With-Action condition.		

Source: Calladium Group, 2018.

G. CONCLUSION

This Technical Memorandum examined whether the Potential Modifications and/or the update to community facilities analyses would result in any new or different significant adverse environmental impacts not already identified in the FEIS and concludes that no new or greater impacts would result with the Potential Modifications and/or the update to the Community Facilities analyses; neither the Potential Modifications nor the update to the Community Facilities analysis would result in a significant adverse impact that was not identified in the FEIS.

The Potential Modifications would result in the same significant adverse impacts related to community facilities (elementary and intermediate schools) as analyzed in the FEIS (without update), shadows, transportation (traffic, transit, pedestrians), and construction (transportation and noise) as identified in the FEIS for the Proposed Actions. As a consequence, the significant adverse impacts under the Potential Modifications could be mitigated using the same types of mitigation measures identified for the Proposed Actions. As detailed in the FEIS, mitigation has been proposed for these identified significant adverse impacts; however, in some instances no practicable mitigation has been identified to fully mitigate significant adverse impacts. Therefore, the Potential Modifications, as with the Approved Actions, would potentially result in unavoidable significant adverse impacts in the areas of shadows, transportation (vehicular traffic), and construction (transportation and noise).

As updated for the new 2016-2017 data, the significant adverse impacts related to elementary and intermediate public schools as reported in the FEIS remain and would require the same mitigation described in the FEIS.

Appendix A

City Council Modifications, March 8, 2018



**THE COUNCIL
THE CITY OF NEW YORK
LAND USE DIVISION
250 BROADWAY, ROOM 1602
NEW YORK, NEW YORK 10007**

**RAJU MANN
DIRECTOR**

**PHONE: 212-788-7335
RMann@council.nyc.gov**

March 8, 2018

Honorable Marisa Lago, Chair
City Planning Commission
120 Broadway, 31st Floor
New York, NY 10271

**Re: Application No.: N 180050 (A) ZRX (L.U. No. 17)
Related Application Nos.: C 180051 (A) ZMX (L.U. No. 18)
C 170305 MMX (L.U. No. 19)**

Jerome Avenue Rezoning

Dear Chair Lago:

On March 6, 2018, the Land Use Committee of the City Council, by a vote 19-0-0 for Application N 180050 (A) ZRX, recommended modifications of the City Planning Commission's decision in the above-referenced matter.

Pursuant to Section 197-d(d) of the City Charter and Section 11.70 of the Rules of the Council, I hereby file the proposed modifications with the Commission:

N 180050 (A) ZRX (L.U. No. 17)

Matter underlined is new, to be added;

Matter ~~struck-out~~ is to be deleted;

Matter within # # is defined in Section 12-10;

Matter ~~double-struck-out~~ is old, deleted by the City Council;

Matter double-underlined is new, added by the City Council;

* * * indicates where unchanged text appears in the Zoning Resolution

ARTICLE I: GENERAL PROVISIONS

Chapter 1 - Title, Establishments of Controls and Interpretation of Regulations

Honorable Marisa Lago, Chair

Application No.: N 180050 (A) ZRX (L.U. No. 17)

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* * *

11-122

Districts established

* * *

Establishment of the Special Hunts Point District

In order to carry out the special purposes of this Resolution as set forth in Article X, Chapter 8, the #Special Hunts Point District# is hereby established.

Establishment of the Special Jerome Corridor District

In order to carry out the special purposes of this Resolution as set forth in Article XIV, Chapter 1, the #Special Jerome Corridor District# is hereby established.

Establishment of Special Limited Commercial District

In order to carry out the special purposes of this Resolution as set forth in Article VIII, Chapter 3, the #Special Limited Commercial District# is hereby established.

* * *

Chapter 2 - Construction of Language and Definitions

* * *

12-10

DEFINITIONS

* * *

Special Hunts Point District

The “Special Hunts Point District” is a Special Purpose District designated by the letters “HP” in which special regulations set forth in Article X, Chapter 8, apply.

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Special Jerome Corridor District

The “Special Jerome Corridor District” is a Special Purpose District designated by the letters “J” ~~“JC”~~ in which special regulations set forth in Article XIV, Chapter 1, apply.

Special Limited Commercial District

The “Special Limited Commercial District” is a Special Purpose District designated by the letters “LC” in which special regulations set forth in Article VIII, Chapter 3, apply.

* * *

Chapter 4 – Sidewalk Cafe Regulations

* * *

14-44

Special Zoning Districts Where Certain Sidewalk Cafes Are Permitted

* * *

The Bronx	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
City Island District	No	Yes
<u>Jerome Corridor District</u>	<u>No</u>	<u>Yes</u>

* * *

ARTICLE II – RESIDENCE DISTRICT REGULATIONS

Chapter 3 – Residential Bulk Regulations in Residence Districts

Honorable Marisa Lago, Chair

Application No.: N 180050 (A) ZRX (L.U. No. 17)

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23-00

APPLICABILITY AND GENERAL PURPOSES

23-01

Applicability of This Chapter

* * *

Special regulations applying to #large-scale residential developments# or #residential uses# in #large-scale community facility developments# are set forth in Article VII, Chapter 8.

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI, XII and XIII and XIV.

* * *

Chapter 4 - Bulk Regulations for Community Facilities in Residence Districts

24-00

APPLICABILITY, GENERAL PURPOSES AND DEFINITIONS

24-01

Applicability of this Chapter

* * *

Special regulations applying to #large-scale community facility developments# or to #community facility uses# in #large-scale residential developments# are set forth in Article VII, Chapter 8.

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI, XII and XIII and XIV.

* * *

ARTICLE III - COMMERCIAL DISTRICT REGULATIONS

Honorable Marisa Lago, Chair

Application No.: N 180050 (A) ZRX (L.U. No. 17)

Related Application Nos.: C 180051 (A) ZMX (L.U. No. 18), C 170305 MMX (L.U. No. 19)

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Chapter 3 - Bulk Regulations for Commercial or Community Facility Buildings in Commercial Districts

33-00

APPLICABILITY, GENERAL PURPOSES AND DEFINITIONS

33-01

Applicability of This Chapter

* * *

Special regulations applying to #large-scale residential developments#, #community facility uses# in #large-scale residential developments# or #large-scale community facility developments# are set forth in Article VII, Chapter 8.

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI, XII ~~and~~ XIII and XIV.

* * *

Chapter 4 - Bulk Regulations for Residential Buildings in Commercial Districts

34-00

APPLICABILITY AND DEFINITIONS

34-01

Applicability of this Chapter

* * *

Existing #buildings or other structures# that do not comply with one or more of the applicable #bulk# regulations are #noncomplying buildings or other structures# and are subject to the regulations set forth in Article V, Chapter 4.

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI, XII ~~and~~ XIII and XIV.

Honorable Marisa Lago, Chair

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* * *

Chapter 5 - Bulk Regulations for Mixed Buildings in Commercial Districts

35-00

APPLICABILITY AND DEFINITIONS

35-01

Applicability of this Chapter

* * *

Existing #buildings or other structures# that do not comply with one or more of the applicable #bulk# regulations are #noncomplying buildings or other structures# and are subject to the regulations set forth in Article V, Chapter 4.

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI, XII and XIII and XIV.

* * *

Chapter 7 - Special Urban Design Regulations

37-00

GENERAL PURPOSES

Special urban design regulations are set forth in this Chapter to improve the quality of the streetscape and to promote a lively and engaging pedestrian experience along commercial streets in various neighborhoods.

The provisions of this Chapter shall apply as follows:

* * *

(c) Section 37-30, inclusive, sets forth special streetscape provisions that apply in conjunction with provisions specified in the supplemental use provisions of Article III, Chapter 2, special

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provisions for certain areas in Article VI, or in Special Purpose Districts in Articles VIII through ~~XIII~~ XIV;

* * *

ARTICLE IV - MANUFACTURING DISTRICT REGULATIONS

Chapter 3 - Bulk Regulations

43-00

APPLICABILITY AND GENERAL PROVISIONS

43-01

Applicability of this Chapter

* * *

Special regulations applying to #large-scale community facility developments# are set forth in Article VII, Chapter 8.

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI, XII and XIII and XIV.

* * *

ARTICLE XIV - SPECIAL PURPOSE DISTRICTS

Chapter 1 - Special Jerome Corridor District

141-00

GENERAL PURPOSES

The "Special Jerome Corridor District" established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

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- (i) to encourage well-designed buildings that complement the built character of the Highbridge, Concourse, Mount Eden, Mount Hope, Morris Heights, and University Heights neighborhoods;
- (ii) to achieve a harmonious visual and functional relationship with the adjacent neighborhoods;
- (iii) to enhance neighborhood economic diversity by broadening the range of housing choices for residents at varied incomes;
- (iv) to create a livable community combining housing, retail and other uses throughout the district;
- (v) to create a walkable, urban streetscape environment through a mix of ground floor uses;
- (vi) to create a lively and attractive built environment that will provide daily amenities and services for the use and enjoyment of area residents, workers and visitors;
- (vii) to provide flexibility of architectural design within limits established to assure adequate access of light and air to the street, and thus to encourage more attractive and economic building forms on zoning lots with irregular shapes and on zoning lots fronting on the elevated rail structure along Jerome and River Avenues; and
- (viii) to promote the most desirable use of land in accordance with a well-considered plan and thus conserve the value of land and buildings, and thereby protect the City's tax revenues.

141-01

General Provisions

The provisions of this Chapter shall apply within the #Special Jerome Corridor District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

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141-02

District Plan and Maps

In order to carry out the purposes and provisions of this Chapter, district maps are located in the Appendix to this Chapter and are hereby incorporated and made an integral part of this Resolution. They are incorporated for the purpose of specifying locations where special regulations and requirements, as set forth in the text of this Chapter, apply.

Map 1 Special Jerome Corridor District, Subdistrict and Subareas

Map 2 Designated locations for street wall continuity and ground floor requirements in Subarea A1

Map 3 Designated locations for street wall continuity and ground floor requirements in Subareas A2

Map 4 Designated locations for street wall continuity requirements in Subarea A3

Map 5 Boundary of Subarea A4

141-03

Subdistricts and Subareas

To carry out the provisions of this Chapter, Subdistrict A, comprised of Subareas A1, A2, A3 and A4, is established. The location and boundaries of this Subdistrict and Subareas are shown on Map 1 (Special Jerome Corridor District, Subdistrict and Subareas) in the Appendix to this Chapter.

141-04

Applicability of the Inclusionary Housing Program

For the purposes of applying the Inclusionary Housing Program provisions set forth in Sections 23-154 and 23-90, inclusive, #Mandatory Inclusionary Housing areas# within the #Special Jerome Corridor District# are shown on the maps in APPENDIX F of this Resolution.

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141-10

SPECIAL USE REGULATIONS

Within the #Special Jerome Corridor District#, the underlying #use# regulations are modified by the provisions of this Section.

141-11

Special Permit for Transient Hotels

The #development# or #enlargement# of a #building# containing a #transient hotel#, as listed in Section 32-14 (Use Group 5), or the #conversion# or change of #use# within an existing #building# to a #transient hotel#, shall only be allowed in C2 Districts, subject to the locational criteria set forth in the double-asterisked footnote of Use Group 5 in Section 32-14, and in C4 Districts;

(a) upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the #residential development# goal, as set forth in this Section, has been met; or

(b) by special permit by the City Planning Commission where such #residential development# goal, has not been met. To permit such a #transient hotel#, the Commission shall find that:

(1) sufficient sites are available in the area to meet the #residential development# goal; or

(2) a harmonious mix of #residential# and non-#residential uses# has been established in the area, and such #transient hotel# is consistent with the character of the surrounding area.

The City Planning Commission may prescribe additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

For the purpose of applying the provisions of this Section, the #residential development# goal shall be met when at least 3,006 #dwelling units# within the #Special Jerome Corridor District# have received temporary or final certificates of occupancy subsequent to [date of adoption].

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141-12

Physical Culture or Health Establishments

#Physical culture or health establishments# shall be permitted as-of-right in C2 and C4 Districts. For the purposes of applying the underlying regulations to such #use#, a #physical culture or health establishment# shall be considered a Use Group 9 #use# and shall be within parking requirement category B.

141-13

Modification of Supplemental Use Provisions

For #mixed buildings# constructed after [date of adoption] on #zoning lots# in C1 or C2 Districts mapped within R7 or R8 Districts with #street lines# along the elevated rail structure on Jerome or River Avenues, the underlying provisions of Section 32-421 (Limitation on floors occupied by commercial uses) shall be modified to allow #commercial uses# listed in Use Groups 6, 7, 8, 9 or 14 to occupy the lowest two #stories#.

141-20

SPECIAL BULK REGULATIONS

The underlying #bulk# ~~height and setback~~ regulations are modified by the provisions of this Section.

141-21

Special Yard Regulations

In #Commercial Districts#, for #zoning lots# or portions thereof, with #street lines# along the elevated rail structure on Jerome or River Avenues and within 100 feet of such #street lines#, the permitted obstructions set forth in Section 33-23 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) shall be modified to permit any #building# or portion of a #building# used for any permitted #use# other than #residences#, to be a permitted obstruction within a required #yard#, #rear yard equivalent# or other #open space# required pursuant to the provisions of Section 33-20 (YARD REGULATIONS), inclusive, or Section 33-30 (OTHER SPECIAL PROVISIONS

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FOR REAR YARDS), inclusive, provided that the height of such portion of a #building# shall not exceed two #stories#, excluding #basement#, nor in any event 30 feet above #curb level#.

141-22

Special Floor Area Regulations in R8A Districts

For #zoning lots# in R8A Districts, or C1 or C2 Districts mapped within R8A Districts, or in #Commercial Districts# with an R8A residential equivalent, within 100 feet of a #wide street# located outside of #Mandatory Inclusionary Housing areas#, the maximum #residential floor area ratio# shall be 7.2.

141-23 ~~141-22~~

Special Height and Setback Regulations Along the Elevated Rail Structure Outside Subdistrict A

For #zoning lots#, or portions thereof, within 100 feet of #street lines# along the elevated rail structure on Jerome or River Avenues, and located outside Subdistrict A, the underlying height and setback provisions are modified by the provisions of this Section.

(a) #Street wall# location

At least 70 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and shall extend to at least a minimum base height of 15 feet, or the height of the #building#, whichever is lower. The remaining #aggregate width of street walls# may be recessed beyond eight feet of the #street line#, provided that any such recesses deeper than 10 feet along a #wide street# or 15 feet along a #narrow street# are located within an #outer court#.

The underlying allowances for #street wall# articulation, set forth in paragraph (e) of Section 35-651 (Street wall location) shall be permitted to project or recess, where applicable, beyond the #street wall# locations established in this paragraph.

Any open space between a #street wall# and a #street line# along the elevated rail structure on Jerome or River Avenues shall comply with the special open space provisions of paragraph (a) of Section 141-33.

(b) Base heights, maximum #building# heights and maximum number of #stories#

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The table in this Section sets forth, by zoning district, the minimum and maximum base height, the maximum height of a #building or other structure#, and the maximum number of #stories# for #buildings#, or portions thereof. For #zoning lots# in a #Commercial District# the applicable district shall be the #Residence District# within which such #Commercial District# is mapped, or the applicable residential equivalent set forth in the tables in Section 35-23 (Residential Bulk Regulations in Other C1 or C2 Districts or in C3, C4, C5 or C6 Districts).

Separate maximum base heights are established in the table in this Section for #street walls# of #buildings# facing #streets# intersecting Jerome or River Avenues, and for #street walls# facing the elevated rail structure. The maximum base heights along intersecting #streets# shall also apply to #street walls# facing the elevated rail structure on Jerome or River Avenues within 75 feet of the corner.

A setback is required for all portions of #buildings or other structures# that exceed the maximum base height specified for the district, and shall be provided at a height not lower than the minimum base height or higher than the permitted maximum base height. Such setback shall have a depth of at least 10 feet from any #street wall# fronting on a #wide street#, and a depth of at least 15 feet from any #street wall# fronting on a #narrow street#. The underlying provisions of paragraphs (c)(2) through (c)(4) of Section 23-662 (Maximum height of buildings and setback regulations) shall apply to such setbacks.

Base Heights, Maximum #Building# Heights and Maximum Number of #Stories#

<u>District</u>	<u>Maximum Base Height along Elevated Rail Structure, beyond 75 feet of the corner (in feet)</u>	<u>Maximum Base Height on Intersecting Streets, and within 75 feet of the corner (in feet)</u>	<u>Maximum Height of #Buildings or Other Structures# (in feet)</u>	<u>Maximum Number of #Stories#</u>
R7A	30	75	115	11

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<u>R7D</u>	<u>30</u>	<u>95</u>	<u>135</u>	<u>13</u>
<u>R8A</u>	<u>30</u>	<u>105</u>	<u>165</u>	<u>16</u>
<u>R9A</u>	<u>30</u>	<u>125</u>	<u>195</u>	<u>19</u>

(c) Required and permitted articulation

For #street wall# fronting the elevated rail structure on Jerome or River Avenues with widths exceeding 100 feet, a minimum of 20 percent of the surface area of such #street walls# above the level of the second #story#, or a height of 30 feet, whichever is lower, shall either recess or project a minimum of three feet from the remaining surface of the #street wall#. Any such projections shall be considered a permitted obstruction into a required setback, and the depth of such projections along the elevated rail structure shall not exceed three feet.

In addition, the underlying dormer provisions of paragraph (c) of Section 23-621 shall be modified for portions of #buildings# facing the elevated rail structure, so that above the maximum base height set forth in paragraph (b) of this Section, dormers shall be permitted only within 75 feet of a corner.

141-24 ~~141-23~~

Special Height and Setback Regulations in Subdistrict A

In Subdistrict A, as shown on Map 1 (Special Jerome Corridor District, Subdistrict and Subareas) in the Appendix to this Chapter, the underlying height and setback provisions are modified by the provisions of this Section.

(a) #Street wall# location

(1) Along the elevated rail structure

For #street walls#, or portions thereof, within 100 feet of #street lines# along the elevated rail structure on Jerome or River Avenues, the provisions of paragraph (a) of Section 141-23~~141-22~~ shall apply.

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(2) Along designated #streets#

In Subareas A1 through A3, along the #streets# designated on Maps 2 through 4 in the Appendix to this Chapter, the following shall apply:

(i) In #Commercial Districts#

For #street walls#, or portions thereof, located in #Commercial Districts#, at least 70 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and shall extend to at least a height of 30 feet, or the height of the #building#, whichever is lower. In addition, above a height of 30 feet, at least 50 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and shall extend to at least a minimum base height of 60 feet, or the height of the #building#, whichever is lower.

The remaining #aggregate width of street walls# may be recessed beyond eight feet of the #street line#, provided that any such recesses deeper than 10 feet along a #wide street# or 15 feet along a #narrow street# are located within an #outer court#.

The underlying allowances for #street wall# articulation, set forth in paragraph (e) of Section 35-651 shall be permitted to project or recess, where applicable, beyond the #street wall# locations established in this paragraph.

In the corner locations designated on Maps 2 and 3, an open space may be provided within 75 feet of the corner, pursuant to the provisions of paragraph (b) of Section 141-33.

(ii) In #Residence Districts#

For #street walls#, or portions thereof, located in #Residence Districts#, at least 70 percent of the #aggregate width of street walls# shall be located within 15 feet of the #street line# and shall extend to at least the minimum base height set forth in paragraph (b) of this Section, or the height of the #building#, whichever is lower.

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The remaining #aggregate width of street walls# may be recessed beyond eight feet of the #street line#, provided that any such recesses deeper than 10 feet along a #wide street# or 15 feet along a #narrow street# are located within an #outer court#.

The underlying allowances for #street wall# articulation, set forth in paragraph (e) of Section 35-651 shall be permitted to project or recess, where applicable, beyond the #street wall# locations established in this paragraph.

In the corner locations designated on Map 4, an open space may be provided within 75 feet of the corner, pursuant to the provisions of paragraph (b) of Section 141-33.

(3) Along other #streets#

In Subareas A1 through A4, along #streets# that are not designated on Maps 2 through 5, no #street wall# location provisions shall apply, and no minimum base heights shall apply.

(b) Base heights, maximum #building# heights, and maximum number of #stories#

The table in this Section sets forth, by zoning district, the maximum base height, the maximum transition height, the maximum height of a #building or other structure# and the maximum number of #stories# for #buildings#.

However, for #street walls# facing the elevated rail structure along Jerome or River Avenues beyond 75 feet of the corner, the maximum base height shall be 30 feet.

A setback is required for all portions of #buildings or other structures# that exceed the maximum base height specified for the district, and shall be provided at a height not lower than the minimum base height, where applicable, or higher than the permitted maximum base height. Such setback shall have a depth of at least 10 feet from any #street wall# fronting on a #wide street#, and a depth of at least 15 feet from any #street wall# fronting on a #narrow street#. However, for portions of #buildings or other structures# along Cromwell Avenue located beyond 200 feet from a corner, a minimum setback with a depth

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of at least 30 feet shall be provided. The underlying provisions of paragraphs (c)(2) through (c)(4) of Section 23-662 shall apply to all such setbacks.

In R9A Districts, or #Commercial Districts# mapped over an R9A District, above the required setback, the height of a #building# shall not exceed the maximum transition height set forth in the table in this Section, except that where the #lot coverage# of all #buildings# on the #zoning lot# above the maximum transition height has been reduced to 50 percent on #zoning lots# with a #lot area# less than or equal to 15,000 square feet, 40 percent on #zoning lots# with a #lot area# greater than 15,000 square feet but less than 30,000 square feet, and 30 percent for all other #zoning lots#, a #building# may rise up to the maximum #building or other structure# height set forth in the table in this Section. The maximum #street wall# width of any #story# above the maximum transition height shall not exceed 165 feet, and where two or more non-contiguous portions of a #building# exist at the same level above the maximum transition height, such portions shall provide a minimum distance of 60 feet between facing walls at any point.

Base Heights, Maximum #Building# Heights and Maximum Number of #Stories#

<u>District</u>	<u>Maximum Base Height (in feet)</u>	<u>Maximum Transition Height (in feet)</u>	<u>Maximum Height of #Buildings or Other Structures# in Certain Locations (in feet)</u>	<u>Maximum Number of #Stories#</u>
<u>R8A</u>	<u>105</u>	<u>N/A</u>	<u>145</u>	<u>14</u>
<u>R9A</u>	<u>125</u>	<u>175</u>	<u>225</u>	<u>22</u>

(c) Required and permitted articulation

In Subareas A1 through A3, along #streets# designated in Maps 2 through 4 in the Appendix to this Chapter, for #street wall# widths exceeding 100 feet, a minimum of 20 percent of the surface area of #street walls# above the level of the second #story#, or a height of 30 feet, whichever is lower, shall either recess or project a minimum of three feet from the remaining surface of the #street wall#. Any such projections shall be considered

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a permitted obstruction into a required setback, provided that any projections with a depth greater than five feet shall be considered a dormer.

In addition, the underlying dormer provisions of paragraph (c) of Section 23-621 shall apply, except that in Subareas A1 through A3, for #street walls# intersecting within 100 feet of the corners designated on Maps 2, 3 and 4 in the Appendix to this Chapter, and irrespective of the width of the #street wall# below the maximum base height, dormers shall be permitted within 100 feet of such intersecting #street walls#. Such dormers need not decrease in width as the height above the maximum base height increases.

Any dormers or projections provided in accordance with this paragraph need not be included in the maximum #lot coverage# permitted above the maximum transition height, nor be included in the maximum #street wall# width of a #story#.

141-25

Special Height and Setback Regulations in R8A Districts

For #zoning lots# in R8A Districts, or C1 or C2 Districts mapped within R8A Districts, or in #Commercial Districts# with an R8A residential equivalent, within 100 feet of a #wide street# located outside of #Mandatory Inclusionary Housing areas#, the height and setback provisions of Section 23-662 (Maximum height of buildings and setback regulations) or Section 35-652 (Maximum height of buildings and setback regulations), respectively, shall be modified as follows: the maximum base height shall be 105 feet, the maximum height of a #building or other structure# without a #qualifying ground floor# shall be 140 feet, the maximum height of a #building or other structure# with a #qualifying ground floor# shall be 145 feet, and the maximum number of #stories# shall be 14.

141-30

SPECIAL STREETScape REGULATIONS

141-31

Applicability of underlying ground floor use regulations

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In C2 Districts mapped within R7D Districts, the underlying supplemental #use# regulations of Section 32-434 (Ground floor use in C4-5D and C6-3D Districts and in certain C2 Districts) shall not apply. In lieu thereof, the provisions of Section 141-32 (Ground Floor Use Regulations) shall apply.

141-32

Ground Floor Use Regulations

For the purposes of applying the special #ground floor level# streetscape provisions set forth in Section 37-30 to this Chapter, any portion of a #ground floor level street# frontage of a #zoning lot# in a #Commercial District# located within 50 feet of #street lines# along the elevated rail structure on Jerome or River Avenues and, in Subdistrict A, for Subareas A1 or A2, a #ground floor level street# frontage along #streets#, or portions thereof, designated on Maps 2 and 3 in the Appendix to this Chapter, shall be considered #primary street frontages#. A #ground floor level street# frontage along any other #street# shall be considered a #secondary street frontage#. For the purposes of this Section, defined terms shall include those in Sections 12-10 and 37-311.

The provisions of this Section shall apply to #developments# or #ground floor level enlargements#.

(a) Along #primary street frontages#

For #buildings# with #primary street frontage#, or portions thereof, #uses# on the #ground floor level#, to the minimum depth set forth in Section 37-32 (Ground Floor Depth Requirements for Certain Uses), shall be limited to non-#residential uses#, except for Type 1 lobbies and entrances and exits to #accessory# parking spaces provided in accordance with the applicable provisions of Section 37-33 (Maximum Width of Certain Uses). #Group parking facilities# located on the #ground floor level# shall be wrapped by #floor area# in accordance with the provisions of paragraph (a) of Section 37-35 (Parking Wrap and Screening Requirements). #Ground floor level street walls# shall be glazed in accordance with the provisions set forth in Section 37-34 (Minimum Transparency Requirements).

(b) Along #secondary street frontages#

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For #buildings# with #secondary street frontage#, or portions thereof, all #uses# permitted by the underlying district shall be permitted on the #ground floor level#, provided that any accessory# off-street parking spaces on the #ground floor level# shall be wrapped or screened in accordance with Section 37-35.

The level of the finished floor of such ground floor shall be located not higher than five feet above nor lower than five feet below the as-built level of the adjoining #street#.

141-33

Special Open Space Provisions

Along the elevated rail structure on Jerome or River Avenues, where open space is provided between the #street line# of the #zoning lot# and the #street wall# of a #building# facing the elevated rail structure, or in Subdistrict A, for Subareas A1 through A3, where open space is provided between the #street wall# and the corner at a location designated on Maps 2, 3 or 4 in the Appendix to this Chapter, the provisions of Section 28-23 (Planting Areas) shall apply to all #buildings#, whether the ground floor is occupied by #residential uses# or non- #residential uses#, subject to the modifications of this Section.

(a) Along the elevated rail structure

Along the elevated rail structure on Jerome or River Avenues, a sidewalk widening, built to Department of Transportation standards, may be provided as an alternative to planting, provided that the area that would otherwise be allocated to planting, measured in square feet, is allocated to streetscape amenities, including, but not limited to, trees, bicycle racks, benches or wall treatment, are provided along such sidewalk widening, as set forth below.

Where benches are provided as an alternative to such planting, the length of such benches shall not exceed, in the aggregate, 15 feet per every 50 feet of #street wall# frontage. Where bicycle racks are provided, such racks shall be oriented so that the bicycles are placed parallel to the #street wall#, and the width of such bicycle racks shall not exceed, in the aggregate, 10 feet per every 50 feet of #street wall# frontage. Such benches or bicycle racks shall be located entirely within the #zoning lot#, and each bench or bicycle rack so provided shall be equivalent to 15 square feet of planted area.

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Where trees, and associated tree pits are provided as an alternative, the minimum depth of any open space between the #street wall# and #street line# shall be eight feet. Each tree provided shall be equivalent to 15 square feet of planted area.

Where a wall treatment is provided as an alternative, it shall be in the form of permitted #signs#, graphic or sculptural art, rustication, decorative screening or latticework, or living plant material along the #street wall#. Such wall treatment shall extend to a height of at least 10 feet, as measured from the level of the adjoining sidewalk or grade, and shall have a minimum width of 10 feet, as measured parallel to the #street wall#. Portions of a #street wall# providing such wall treatment may be exempt from the ground floor glazing requirements of paragraph (a) of Section 141-32, provided that the exempted area not exceed 50 percent of the #street wall#, or a #street wall# width of 20 feet, whichever is less. The portion of the #street wall# allocated to a wall treatment shall satisfy the planting requirement directly in front of such #street wall#.

Where planting is provided, the minimum depth of open space between the #street line# and the #street wall# shall not be less than three feet.

(b) In Subdistrict A

In~~in~~ Subdistrict A, where open space is provided between the #street wall# and the intersection of two #streets#, pursuant to paragraph (a)(2) of Section 141-23~~41-22~~, streetscape amenities may be provided as an alternative to planting, provided that the area that would otherwise be allocated to planting, measured in square feet, is allocated to trees, benches, or tables and chairs, as set forth below. However, planting shall not be reduced to less than 20 percent of the area of the open space.

Each bench provided shall be equivalent to 10 square feet of planted area, and each set of tables and at least two chairs shall be equivalent to 15 square feet of planted area. Seating shall be publicly accessible, unless tables and chairs are associated with an open eating or drinking establishment on the #zoning lot#. The area under such seating shall be paved with permeable materials and shall either abut the adjoining sidewalk or be connected to such sidewalk by a circulation path at least five feet wide that is also paved with permeable materials.

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Each tree and associated tree pits provided shall be equivalent to 15 square feet of planted area, and shall be located at least 10 feet from any #building wall# or the adjoining sidewalk.

Where planting is provided, the minimum depth of a planted bed shall not be less than three feet.

In no event shall chain link fencing or barbed or razor wire be permitted in any open space provided pursuant to this Section.

141-40

SPECIAL PARKING AND LOADING REGULATIONS

The underlying parking provisions are modified by the provisions of this Section.

141-41

Location of Curb Cuts

In all districts, for #zoning lots# existing on [date of adoption] with frontage along Edward L. Grant Highway, West 170th Street, or the portions of Jerome or River Avenues with an elevated rail structure, and fronting along other #streets#, no curb cut accessing off-street parking spaces or loading spaces shall be permitted along such #streets#, as applicable.

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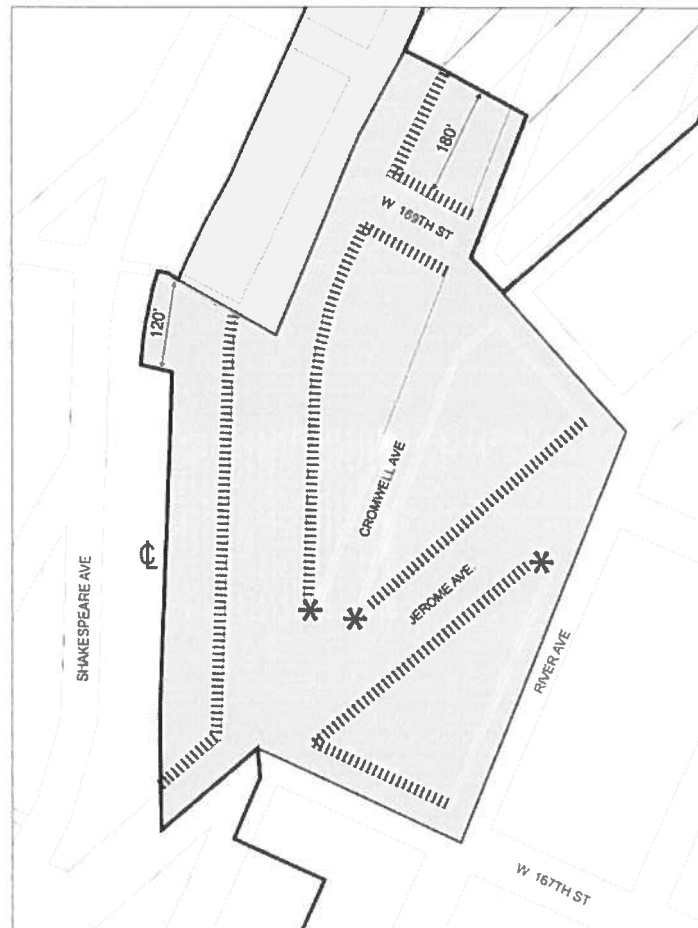
Application No.: N 180050 (A) ZRX (L.U. No. 17)






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Map 2 – Designated locations for street wall continuity and ground floor requirements in Subarea A1



-  #Special Jerome Corridor District#
-  Subdistrict A
-  Excluded Area
-  Designated street frontages
-  Locations where open space (Section 141-33 (a)) and modified dormers (Section 141-23 (c)) are permitted

Map 3 – Designated locations for street wall continuity and ground floor requirements in Subareas A2

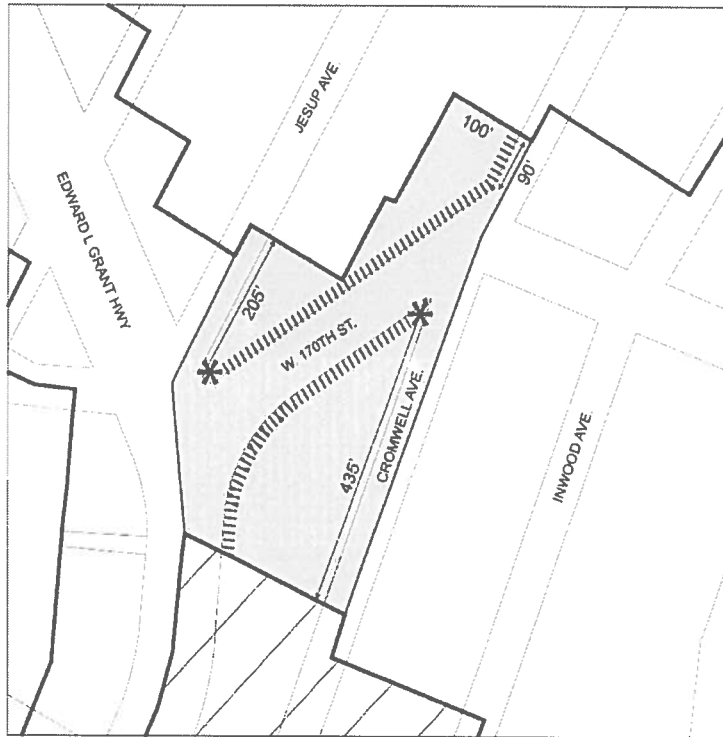
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□ #Special Jerome Corridor District#

■ Subdistrict A

▨ Excluded Area

||||| Designated street frontages

* Locations where open space (Section 141-33 (a)) and modified dormers (Section 141-23 (c)) are permitted

Honorable Marisa Lago, Chair

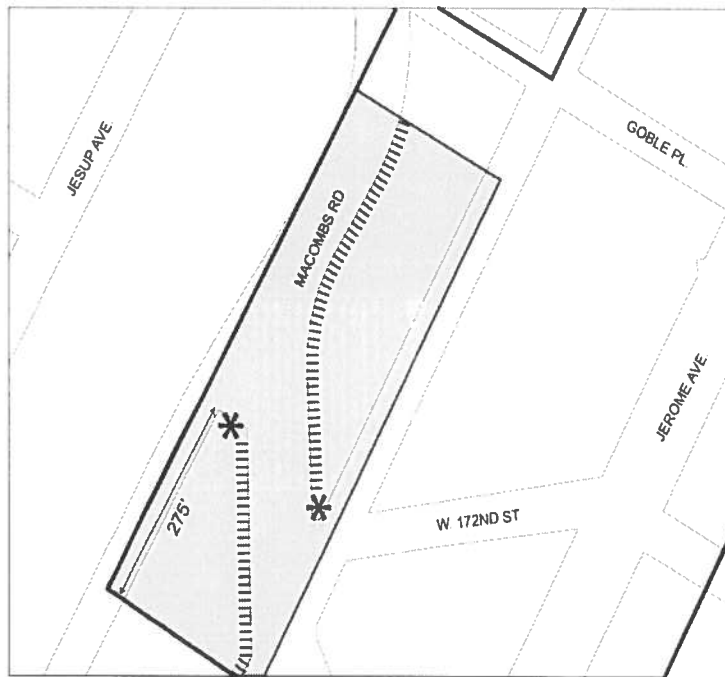
Application No.: N 180050 (A) ZRX (L.U. No. 17)






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Map 4 – Designated locations for street wall continuity requirements in Subarea A3



-  #Special Jerome Corridor District#
-  Subdistrict A
-  Excluded Area
-  Designated street frontages
-  Locations where open space (Section 141.33 (a)) and modified dormers (Section 141.23 (c)) are permitted

Map 5 – Boundary of Subarea A4

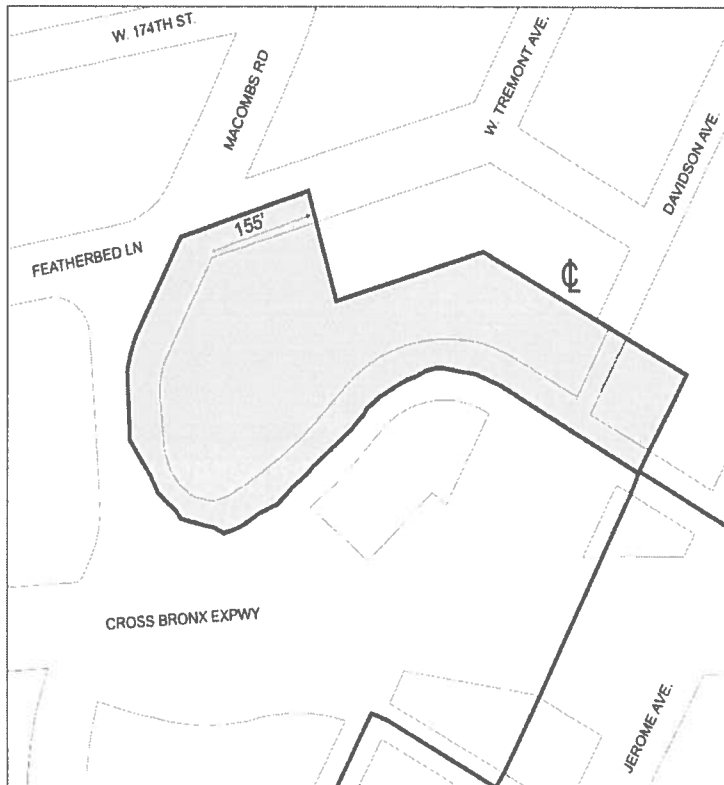
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□ #Special Jerome Corridor District#

□ Subdistrict A

□ Excluded Area

||||| Designated street frontages

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APPENDIX F

Inclusionary Housing designated areas and Mandatory Inclusionary Housing areas

* * *

Zoning Map	Community District	Maps of Inclusionary Housing Designated Areas	Maps of Mandatory Inclusionary Housing Areas
1d	Bronx CD 7	Map 1	
3b	Bronx CD 4	Map 1	
<u>3b</u>	<u>Bronx CD 4 and 5</u>		<u>Map 1, Map 2</u>
<u>3c</u>	<u>Bronx CD 5 and 7</u>		<u>Map 1</u>
<u>3d</u>	<u>Bronx CD 5</u>		<u>Map 1, Map 2</u>

* * *

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Adopted.

Please feel free to contact me at (212) 482-5185 if you or your staff have any questions in the regard.

Sincerely,



Julie Lubin, Esq.

General Counsel

JL:mg

RECEIVED BY: _____

DATE: _____

TIME: _____

- C: Members, City Planning Commission
- Raju Mann, Director, Land Use Division
- Amy Levitan, Deputy Director
- Dylan Casey, Esq., Deputy General Counsel
- Jeff Yuen, Project Manager
- Anita Laremont, Esq., DCP
- Danielle J. DeCerbo, DCP
- File