

**TECHNICAL MEMORANDUM 001**  
**JEROME AVENUE REZONING**  
**CEQR NO. 17DCP019X**

ULURP NOS.: N180050 ZRX, 180051 ZMX, 170305 MMX, N 180050(A)ZRX, C180051(A)ZMX  
November 9, 2017

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**A. INTRODUCTION**

The New York City Department of City Planning (DCP) is proposing a series of land use actions that include zoning map amendments, zoning text amendments, and city map changes (collectively the “Proposed Actions”) as a component of the Jerome Avenue Neighborhood Study (the “Neighborhood Study”), a comprehensive, community-focused effort aimed at identifying opportunities for the creation of new mixed-income housing and preservation of existing affordable units consistent with Mayor de Blasio’s housing plan, *Housing New York: A Five – Borough, Ten Year Plan*. The Proposed Actions are intended to create opportunities for new affordable housing and community facilities including new parkland, establish requirements that a share of affordable housing remain permanently affordable, diversify area commercial space, support small businesses and entrepreneurs, and promote a safe and walkable pedestrian realm. The proposed zoning text and map amendments would rezone an approximately 92-block area primarily along Jerome Avenue and its east west commercial corridors in Bronx Community Districts 4, 5, and 7 (the “Rezoning Area”), and would establish the Special Jerome Avenue District coterminous with the Rezoning Area. The Rezoning Area is generally bounded by E. 165<sup>th</sup> Street to the south and 184<sup>th</sup> Street to the north, and also includes portions of Edward L. Grant Highway, E. 170<sup>th</sup> Street, Mount Eden Avenue, Tremont Avenue, Burnside Avenue, and E. 183<sup>rd</sup> Street. 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. A public hearing on the DEIS is scheduled for November 29, 2017 at 10:00 a.m. at Spector Hall, 22 Reade Street, New York, NY 10007.

Since the issuance of the DEIS, DCP has prepared and filed an amended zoning text application (referred to hereafter as the “A-Application Alternative”) that addresses issues raised after issuance of the DEIS. The A-Application Alternative, as ULURP application N 180050(A)ZRX, C180051(A)ZMX, consists of modifications to the Proposed Actions. The A-Application Alternative would extend the boundaries of the proposed Rezoning Area and proposed Special Jerome Avenue District to include additional blocks and lots, 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.

This technical memorandum presents a revised assessment of the Proposed Actions based on the A-Application Alternative (see Appendix A for the full revised text amendment). This technical memorandum considers whether the proposed A-Application Alternative would result in any new or different significant adverse environmental impacts not already identified in the DEIS. An Expanded Rezoning Area Alternative was studied as part of the DEIS, which included multiple areas and sites in addition to those under the Proposed Actions, and included the sites currently proposed as part of the A-

Application Alternative. As set forth below, this technical memorandum concludes that the A-Application Alternative would not result in any new or different significant impacts not already identified in the DEIS. This assessment of the A-Application Alternative will also be reflected in the Final EIS.

## **B. DESCRIPTION OF THE A-APPLICATION ALTERNATIVE**

The A-Application Alternative would include nearly the same zoning text, map amendments, and city map changes as under the Proposed Actions, but map amendments would be made to a larger area to include two additional blocks and expanded portions of three blocks in the Rezoning Area in three discrete areas, as compared to the Proposed Actions (see figure “A-Application Boundaries” on the following page). A total of three additional projected development sites and five additional potential sites are located within these areas. Each of the three discrete areas would be mapped adjacent to the proposed Rezoning Area with new R7D and R8A zoning districts with C2-4 commercial overlays. In addition to mapping the proposed districts, the proposed Special Jerome Avenue District would also include rules to allow second story retail in mixed use buildings along the elevated rail line.

In addition, under the A-Application Alternative, zoning text provisions would allow the following:

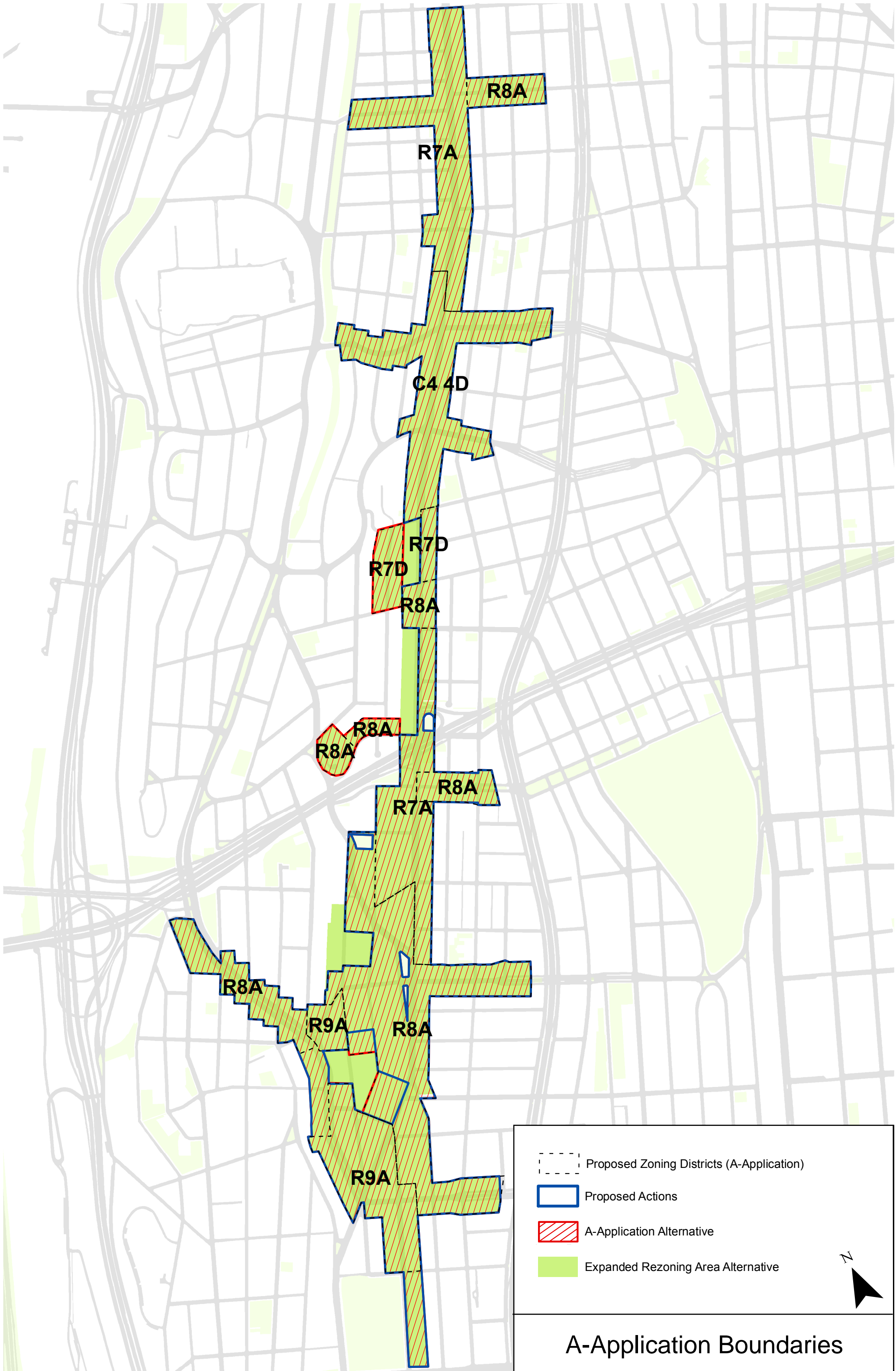
- 2nd story retail along Jerome Avenue, as-of-right
- 2nd story as an obstruction in a rear yard within 100’ of Jerome (syncs with 2nd story retail allowance)
- Physical Cultural Establishments, as-of-right
- street wall flexibility (a la R9A sites in proposed action) to site at Block 2865, Lot 134

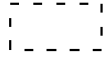



## **C. PURPOSE AND NEED**

The proposed A-Application Alternative would apply map amendments to a larger area than the Proposed Actions; approximately five additional blocks in three discrete areas. The changes proposed as part of the A-Application Alternative are in response to views expressed during the public review process, and are located in appropriate areas of the district to allow continued consideration of appropriate building form and scale.

## **D. A-APPLICATION ALTERNATIVE REASONABLE WORST CASE DEVELOPMENT SCENARIO**

The A-Application Alternative would result in some changes to the Reasonable Worst Case Development Scenario (RWCDs) and accordingly a modified RWCDs was created (referred to hereafter as the “A-Application Alternative RWCDs”). As presented in Table A.1, nine (9) development sites would be added to the Proposed Actions RWCDs under the A-Application Alternative, including three (3) projected development sites and six (6) potential development sites. These development sites would be zoned as R8A with C2-4 commercial overlays with the exception of Projected Development Site 47 and Potential Development Site 105, which would both be zoned as R7D with C2-4 commercial overlays. Additionally, the RWCDs with-action assumptions may be updated to include additional community facility uses on the ground floor of certain sites projected as part of the Proposed Actions. The additional community facility uses may generate additional significant adverse impacts, including impacts to Transportation and Construction traffic and noise.



-  Proposed Zoning Districts (A-Application)
-  Proposed Actions
-  A-Application Alternative
-  Expanded Rezoning Area Alternative



### A-Application Boundaries

**Table A.1: Additional Projected and Potential Development Sites with the A-Application Alternative**

<b>Projected/ Potential</b>	<b>Site No</b>	<b>Block</b>	<b>Lot</b>	<b>Proposed District</b>
Projected	Site 46	2865	134	R8A
Projected	Site 47	2867	142	R7D
Projected	Site 52	2855	45, 51, 53	R8A
Potential	Site 105	2861	129	R7D
Potential	Site 111	2865	122	R8A
Potential	Site 118	2864	25	R8A
Potential	Site 119	2864	21	R8A
Potential	Site 124	2855	42	R8A
Potential	Site 125	2855	65	R8A

**E. REVISED ENVIRONMENTAL ANALYSES DUE TO THE A-APPLICATION ALTERNATIVE**

**Analysis**

The proposed map amendments would result in the expansion of the boundaries of the Proposed Actions and the addition of nine (9) development sites, including three (3) projected development sites and six (6) potential development sites, to the Proposed Actions’ one-hundred-forty-six (146) development sites, including forty-five (45) projected development sites and one-hundred-one (101) potential development sites. Though the A-Application Alternative would slightly expand the geography, the proposed zoning would be consistent with the zoning proposed under the Proposed Actions and would not in total greatly add to the bulk or density previously analyzed. This difference in the A-Application Alternative RWCDs would not be substantial enough to change the conclusions of the following impact categories in the DEIS: 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; Greenhouse Gas Emissions and Climate Change; Noise; Public Health; and Neighborhood Character. Under the A-Application Alternative RWCDs, these impact categories would continue to have no significant impact.

In the area of Air Quality, (E) designations were proposed in connection with the Proposed Actions to ensure the developments would not result in any significant air quality impacts from fossil fuel-fired heat and hot water systems emissions due to individual or groups of development sites.

As discussed in detail below, the A-Application Alternative is expected to result in the same or very similar significant adverse impacts related to Community Facilities, Shadows, Transportation (traffic, transit, and pedestrians), Construction (traffic and noise), as identified in the DEIS for the Proposed Actions. As a consequence, the significant adverse impacts under the A-Application Alternative could be mitigated using the same types of mitigation measures identified for the Proposed Actions or the Expanded Rezoning Area Alternative.

### ***Community Facilities***

As identified in the DEIS, the Proposed Actions would result in significant adverse impacts to elementary and intermediate schools in CSD 9, Sub-district 2 and elementary schools in CSD 10, Sub-district 4. Based on the conceptual construction schedule, CSD 9, Sub-district 2 is anticipated to exceed significant adverse impact thresholds for elementary schools in 2020 and intermediate schools in 2019 and CSD 10, Sub-district 4 is anticipated to exceed significant adverse impacts for elementary schools in 2025.

Though the A-Application Alternative would slightly expand the geography, the proposed zoning would be consistent with the zoning proposed under the Proposed Actions and would not in total greatly add to the bulk or density previously analyzed. The A-Application Alternative RWCDs is expected to result in similar significant adverse impacts to elementary and intermediate schools as identified in the Proposed Actions. The A-Application Alternative RWCDs may also result in significant adverse impacts to child care facilities, as was identified in the DEIS for the Expanded Rezoning Area Alternative, though to a lesser degree.

### ***Shadows***

Under the Proposed Actions, eight sunlight sensitive open space resources, including Bronx School of Young Leaders, PS 306 Schoolyard, Mount Hope Playground, Goble Playground, Inwood Park, Keltch Park, Edward L Grant Greenstreet, and Jerome Avenue/Grant Avenue Greenstreet could be significantly impacted by incremental shadows.

Though the A-Application Alternative would slightly expand the geography, the proposed zoning would be consistent with the zoning proposed under the Proposed Actions and would not in total greatly add to the bulk (including height) or density previously analyzed. The A-Application Alternative would result in significant adverse impacts to the same eight sunlight sensitive resources impacted under the Proposed Actions. It may also result in some increases in shadow coverage similar to the effects of the Expanded Rezoning Area Alternative identified in the DEIS.

### ***Transportation***

The Proposed Actions would result in significant adverse transportation impacts to traffic, transit, and pedestrians. Significant adverse traffic impacts were identified at 22 study area intersections during one or more analyzed peak hours; specifically, 16 lane groups at 14 intersections during the weekday AM peak hour, 19 lane groups at 15 intersections in the weekday midday peak hour, 32 lane groups at 21 intersections in the weekday PM peak hour, and 30 lane groups at 19 intersections during the Saturday midday peak hour. Significant adverse transit impacts were identified for buses as the Proposed Actions would result in a capacity shortfall on the east and westbound Bx11, southbound Bx32, and eastbound Bx35 in the AM peak hour and on the westbound Bx11, north and southbound Bx32, and east and westbound Bx35 in the PM peak hour. Significant adverse pedestrian impacts were also identified for incremental demand from the Proposed Actions, which would significantly adversely impact one corner and one crosswalk during the weekday PM and Saturday midday peak hours, and one sidewalk during the Saturday midday peak hour.

The A-Application Alternative would add traffic, pedestrian and transit trips to the same intersections and transit elements in the study area, and it may result in a new significant impact location or make the significant impact locations identified under the Proposed Actions and Expanded Rezoning Area

Alternative to be unmitigated. The A-Application Alternative RWCDs is otherwise expected to result in types of significant adverse impacts to transportation similar to those identified in the DEIS for the Proposed Actions and the Expanded Rezoning Area Alternative.

### ***Construction***

The Proposed Actions would result in significant adverse construction impacts to traffic and noise. Construction-related traffic would have significant adverse impacts at one intersection during the weekday construction 6-7 AM peak hour and 13 intersections during the weekday construction PM peak hour (3-4 PM). Construction-related noise on multiple development sites has the potential to increase interior noise levels of existing adjacent commercial and residential buildings. These increases would likely approach or marginally exceed the impact threshold for short periods of time. The same potential to exceed the noise limits exist during other construction quarters bordering the peak construction period. The analysis is based on a conceptual construction schedule.

Though the A-Application alternative would slightly expand the geography, the proposed zoning would be consistent with the zoning proposed under the Proposed Actions and would not in total greatly add to the bulk or density previously analyzed. The A-Application Alternative RWCDs is expected to result in significant adverse construction impacts similar to those identified in the DEIS for the Proposed Actions and the Expanded Rezoning Area Alternative.

### **CONCLUSION**

This Technical Memorandum examined whether the A-Application Alternative would result in any new or different significant adverse environmental impacts not already identified in the DEIS. The proposed map changes in the A-Application Alternative would result in nine (9) development sites, including three (3) projected development sites and six (6) potential development sites, in the RWCDs in addition to the development sites identified in the Proposed Actions. This Technical Memorandum concludes that these changes to the RWCDs, pursuant to the A-Application Alternative, may result in new or different significant adverse impacts not already identified in the DEIS. These changes would likely be minimal, however, and it is expected that mitigation measures identified in the DEIS for the Proposed Actions and Expanded Rezoning Area Alternative could still mitigate any significant adverse impacts to the maximum extent practicable.