

1.0 EXECUTIVE SUMMARY

INTRODUCTION

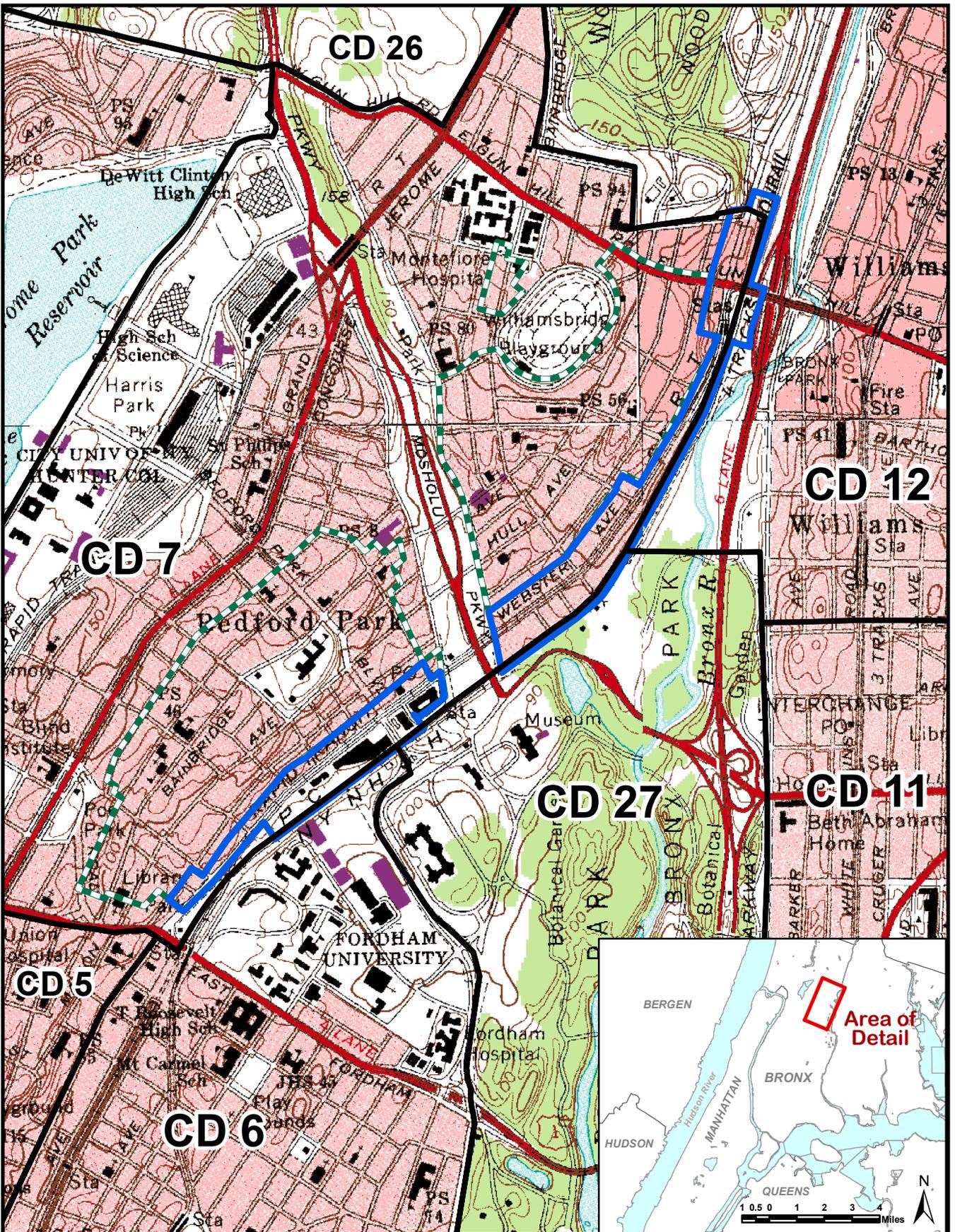
This Final Environmental Impact Statement (Final EIS) analyzes the potential environmental impacts of the proposed Webster Avenue Rezoning (“the proposed action”) in conformity with all applicable laws and regulations, including Executive Order No. 91, New York City Environmental Quality Review (CEQR) regulations, dated August 24, 1977, and follows the guidelines of the *CEQR Technical Manual*. The proposed action includes zoning map and text amendments that have been proposed by the New York City Department of City Planning (NYCDCP). The two areas affected by the proposed action are located largely in Bronx Community District 7 and partly in Community District 12, and they comprise the Webster Avenue corridor rezoning area, and rezoning areas to the west in the Bedford Park and Norwood neighborhoods, as shown on Figure 1.0-1.

The proposed rezoning would affect all or portions of approximately 80 blocks within the Webster Avenue corridor and the overall neighborhoods of Bedford Park and Norwood. The Webster Avenue rezoning area includes 25 blocks or block portions located adjacent to and west of the Metro-North Railroad Harlem Line along an approximately 1.75-mile stretch of the Webster Avenue corridor, generally bounded by East 213th Street to the north and East 193rd Street to the south. The rezoning areas to the west of Webster Avenue include approximately 41 blocks or block portions in the Bedford Park neighborhood and approximately 28 blocks or block portions in the Norwood neighborhood.

The Webster Avenue corridor is proposed for the mapping of zoning districts that would permit contextual residential development and medium density commercial uses, where current zoning is generally oriented to low-scale automotive-related commercial uses. Because of Webster Avenue’s existing zoning for heavy commercial uses, it lacks the development density of the adjoining neighborhoods, and is lined with numerous underdeveloped lots and vacant properties. The proposed mixed-use residential and commercial development generated by the proposed action would maximize the development potential of this important corridor in the Bronx. The proposed action is also intended to shape Webster Avenue into a vibrant, inviting, and walkable residential and commercial corridor.

For the Bedford Park and Norwood neighborhoods to the west of the Webster Avenue corridor, the proposed action is intended to preserve low density development characteristic of these residential areas, and to shift new development from these neighborhoods to Webster Avenue. Through height limits and contextual requirements of the proposed zoning, development incentives would be removed from the lower-density neighborhoods and shifted to higher-density areas such as Webster Avenue.

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Legend

-  Webster Avenue Corridor
-  Bedford Park and Norwood
-  Bronx Community District Boundaries



Source: USGS Topographic Map, quads o40073g7, o40073g8, o40073h7, o40073h8; STV Incorporated

Figure 1.0-1: Project Location

Webster Avenue Rezoning

NYC Department of City Planning

This Final EIS has been developed following preparation of a complete Environmental Assessment Statement (EAS), which is included in its entirety in electronic format with this document, as well as a Draft Environmental Impact Statement (DEIS). The EAS includes review and analysis of all impact categories identified in the 2001 *CEQR Technical Manual*, and all impact categories were reevaluated to assure substantive compliance with the methodologies of the recently revised *CEQR Technical Manual*, which became effective on May 17, 2010. Based upon the findings contained in the EAS, NYCDCP has determined that the proposed action had no potential to result in significant, adverse environmental impacts, except for four analysis areas where further analyses were found to be required to be able to make that determination: Public Policy (Local Waterfront Revitalization Program), Water and Sewer Infrastructure, Transportation (Traffic and Parking), and Neighborhood Character. Therefore, this EIS has been prepared to address the potential impacts related to these areas.

Further, the analyses conducted for this Final EIS have determined that there could be significant adverse impacts related to traffic (see Chapter 3.3, "Transportation"), and even with the institution of mitigation measures, not all traffic impacts could be fully mitigated. Therefore, a Lower Density Alternative was prepared to facilitate an evaluation of whether the purpose and need of the proposed rezoning action (see Chapter 2.0, "Project Description") could be accomplished without the unmitigatable impacts ascribed to the proposed action. Based on the analysis of this Lower Density Alternative, and consideration of the No Unmitigated Impact Alternative and No-Action Alternative, it has been determined that no alternative to the proposed action that satisfies project objectives would either avoid traffic impacts or result in traffic impacts that could be fully mitigated. The discussion of the No Unmitigated Impact Alternative, Lower Density Alternative, and No-Action Alternative appears in Chapter 3.5, "Alternatives."

This Final EIS contains a description and analysis of the proposed action and its environmental setting; the environmental impacts of the proposed action, including its short- and long-term effects, and typical associated environmental effects; identification of any significant adverse environmental effects that can be avoided through incorporation of corrective measures into the proposed action; a discussion of alternatives to the proposed action; the identification of any irreversible and irretrievable commitments of resources that would be involved in the proposed action should it be implemented; and a description of any necessary mitigation measures proposed to minimize significant adverse environmental impacts.

A ten-year period is typically considered the length of time necessary to allow for changes due to area-wide rezoning actions. Therefore, the EIS considers an analysis year of 2020.

1.1 PROJECT DESCRIPTION AND REQUIRED ACTIONS

Project Description

NYCDCP is proposing zoning map and zoning text amendments affecting Webster Avenue and the Bedford Park and Norwood neighborhoods in Bronx Community Districts 7 and 12. The rezoning falls marginally within Community District 12 by inclusion of two lots in this district located in the northeast corner of the rezoning area. The areas affected by the proposed action include all or portions of 80 blocks, generally bound by East Gun Hill Road to the north, East Fordham Road to the south, the Metro-North Railroad Harlem Line to the east, and Valentine and Rochambeau Avenues to the west. A detailed project description is provided in Chapter 2.0 of this Final EIS.

Required Actions

The actions proposed by NYCDCP for the Webster Avenue rezoning are subject to CEQR and require City Planning Commission (CPC) and New York City Council approvals through the City's Uniform Land Use Review Procedure (ULURP). The actions are as follows:

- **Zoning map amendment** to change portions of 18 blocks currently zoned C8-2, R7-1, R7-1/C1-3, and R7-1/C2-3 to R7D/C2-4, generally located along Webster Avenue, north of East 193rd Street and south of East 205th Street.
- **Zoning map amendment** to change a portion of one block currently zoned C8-2 to C4-5D, generally located along Webster Avenue, north of East 195th Street and south of Bedford Park Boulevard.
- **Zoning map amendment** to change portions of four blocks from C8-2 to C4-4 and R7B generally located along Webster Avenue, north of East 210th Street and south of East 213th Street.
- **Zoning map amendment** to change portions of 71 blocks from R7-1, R7-1/C1-3, R7-1/C2-3, R8, R8/C2-3, and C4-4 to contextual districts R4A, R5A, R5B, R5D/C1-4, R6B, R7B, R7B/C1-3, R7B/C2-4, R7A, R7A/C1-3, R7A/C1-4, R7A/C2-4, and R8/C2-4 generally located northwest of Webster Avenue, north of Fordham Road, southeast of Valentine Avenue, east of Rochambeau Avenue, and south of East Gun Hill Road.
- **Zoning text amendment** to establish the Inclusionary Housing program in the R7D and C4-5D districts within the proposed rezoning area in Community District 7, the Bronx.

The CEQR EAS was submitted on April 16, 2010 and a draft scoping document that set forth the analyses and methodologies proposed for this EIS was submitted to the public on April 16, 2010. The public, interested agencies, Bronx Community Boards 7 and 12, and elected officials were invited to comment on the scope, either in writing or orally, at a public scoping hearing held at 4:00 PM on May 19, 2010 at the Bedford Park Senior Center, 243 East 204th Street, Bronx, NY, and at a second public scoping hearing held at 10:00 AM on September 1, 2010 at the Department of City Planning, 22 Reade Street,

New York, NY. Comments received during the draft scope's public hearing, and written comments received up to 10 days after the hearing, were considered and incorporated, as appropriate, into the final scope of work. The final scope of work was used as the framework for preparing the Draft EIS ~~this EIS and is included as Appendix A.~~

~~As~~ NYCDCP ~~has~~ determined ~~that~~ the Draft EIS to be ~~is~~ complete, and made the document ~~will be made~~ available for public review and comment. The Draft EIS accompanied ~~will accompany~~ the ULURP application through the public hearings at the Community Boards and CPC. A public hearing was held ~~will be held~~ on the Draft EIS in conjunction with the CPC hearing on the ULURP application to afford all interested parties the opportunity to submit oral and written comments. The record remained ~~will~~ remain open for ten days after the public hearing to allow additional written comments on the Draft EIS. At the close of the public review period, this a Final Environmental Impact Statement (Final EIS) was ~~will~~ be prepared to ~~that will~~ incorporate all substantive comments made on the Draft EIS, along with any revisions to the technical analyses necessary to respond to those comments. The Final EIS will ~~then~~ be used by decision makers to evaluate CEQR findings, which address project impacts and proposed mitigation measures, before deciding whether to approve the requested discretionary actions.

1.2 SIGNIFICANT ADVERSE IMPACTS

For the proposed Webster Avenue Rezoning, there would be significant adverse impacts related to traffic. This determination was made considering the incremental difference in person trips by mode and vehicle trips expected to result from the proposed action by the 2020 analysis year. Table 1.0-1 provides the estimated incremental net change in peak hour person and vehicle trips (compared to the No-Action condition) that would occur in 2020 with the implementation of the proposed action. This forecast represents the net difference of the trips generated on each of the 24 projected development sites less the trips generated by the land use displaced on each site. In total, the number of additional peak hour person trips that would be generated in 2020 by the proposed action ranges from a minimum of approximately 700 during the AM peak hour to nearly 1,600 during the midday peak hour. The maximum increment of approximately 190 vehicle trips would occur during the midday peak hour.

Table 1.0-1: 2020 With-Action Trip Generation Increment

Peak Hour Person Trips															
Analysis Time Period	Auto		Taxi		Bus		Subway		Railroad		Walk		Total		
	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
AM Peak Hour	25	108	5	2	26	65	45	191	4	17	89	118	194	501	695
Midday Peak Hour	170	116	25	19	74	67	98	91	5	5	483	425	855	723	1,578
PM Peak Hour	164	91	13	9	85	55	202	100	16	8	300	253	780	516	1,296
Saturday Peak Hour	131	105	15	12	60	57	117	114	8	8	314	284	645	580	1,225
Peak Hour Vehicle Trips															
Analysis Time Period	Auto		Taxi		Truck/Bus		Total								
	In	Out	In	Out	In	Out	In	Out	Total						
AM Peak Hour	17	70	4	4	6	6	27	80	107						
Midday Peak Hour	82	59	18	18	5	5	105	82	187						
PM Peak Hour	94	56	10	10	0	0	104	66	170						
Saturday Peak Hour	68	55	12	12	0	0	80	67	147						

Source: Parsons Brinckerhoff, 2010

Generally, the vehicle trip assignments reflect the roadway network characteristics in the area, particularly related to corridors leading to and from the Bronx River Parkway and Major Deegan Expressway, the linear distribution of projected development sites along Webster Avenue, and the predominant pattern of vehicle trips to and from south of the rezoning area. The greatest net changes in vehicle trips are projected to occur on Webster Avenue south of Mosholu Parkway and along Dr. Theodore Kazimiroff Boulevard.

According to the criteria presented in the *CEQR Technical Manual*, impacts are considered significant and require mitigation if they result in an increase of five or more seconds of delay in a lane group over No-Action levels beyond mid-LOS D. For No-Action LOS E, a four-second increase in delay is considered significant. For No-Action LOS F, a three-second increase in delay is considered significant. In addition, impacts are considered significant if the LOS for a movement deteriorates from acceptable LOS A, B, or C in the No-Action condition to marginally unacceptable LOS D (a delay in excess of 45 seconds, the midpoint of the LOS D range of delay), or unacceptable LOS E or F in the future With-Action condition.

Based on the above CEQR criteria, significant impacts were identified at two intersections with five significantly impacted lane groups impacted in the AM, midday, PM, and Saturday peak hours. Significant impacts are described below by analysis hour with increases in average delay per vehicle shown in parentheses.

AM Peak Hour

- Webster Avenue/Bedford Park Boulevard: The eastbound Bedford Park Boulevard approach would deteriorate from LOS D to LOS E and increase in average delay from 54.5 seconds per vehicle to 66.2 seconds per vehicle (11.7). The westbound Bedford Park Boulevard approach would deteriorate from LOS D to LOS E and increase in average delay from 53.1 seconds per vehicle to 74.4 seconds per vehicle (21.3). The southbound left turn lane would deteriorate within LOS F and increase in average delay from 132.3 seconds per vehicle to 138.3 seconds per vehicle (6.0).
- Webster Avenue/East Fordham Road: The eastbound left turn lane would deteriorate from LOS E to LOS F and increase in average delay from 73.7 seconds per vehicle to 81.1 seconds per vehicle (7.4). The southbound Webster Avenue through and right turn lane group would deteriorate in LOS F and increase in average delay from 161.4 seconds per vehicle to 186.8 seconds per vehicle (25.4).

Midday Peak Hour

- Webster Avenue/Bedford Park Boulevard: The eastbound Bedford Park Boulevard approach would deteriorate from LOS E to LOS F and increase in average delay from 62.6 seconds per vehicle to 91.0 seconds per vehicle (28.4). The westbound Bedford Park Boulevard approach would deteriorate from LOS D to LOS E and increase in average delay from 41.2 seconds per vehicle to 61.4 seconds per vehicle (20.2).
- Webster Avenue/East Fordham Road: The eastbound left turn lane would deteriorate from LOS D to LOS E and increase in average delay from 39.3 seconds per vehicle to 61.4 seconds per vehicle (22.1). The southbound Webster Avenue left turn lane would deteriorate from LOS E to LOS F and increase in average delay from 67.6 seconds per vehicle to 82.1 seconds per vehicle (14.5). The southbound Webster Avenue through and right turn lane group would deteriorate from LOS E to LOS F and increase in average delay from 70.0 seconds per vehicle to 105.3 seconds per vehicle (35.3).

PM Peak Hour

- Webster Avenue/Bedford Park Boulevard: The eastbound Bedford Park Boulevard approach would deteriorate from LOS E to LOS F and increase in average delay from 76.2 seconds per vehicle to 86.2 seconds per vehicle (10.0). The westbound Bedford Park Boulevard approach would deteriorate within LOS F and increase in average delay from 105.1 seconds per vehicle to 127.1 seconds per vehicle (22.0).
- Webster Avenue/East Fordham Road: The eastbound left turn lane would deteriorate from LOS D to LOS E and increase in average delay from 43.1 seconds per vehicle to 72.2 seconds per vehicle (29.1). The southbound Webster Avenue left turn lane would deteriorate within LOS E and increase in average

delay from 66.7 seconds per vehicle to 76.1 seconds per vehicle (9.4). The southbound Webster Avenue through and right turn lane group would deteriorate within LOS F and increase in average delay from 150.2 seconds per vehicle to 170.3 seconds per vehicle (20.1).

Saturday Peak Hour

- Webster Avenue/Bedford Park Boulevard: The eastbound Bedford Park Boulevard approach would deteriorate within LOS D and increase in average delay from 47.1 seconds per vehicle to 52.5 seconds per vehicle (5.4). The westbound Bedford Park Boulevard de facto left turn lane would deteriorate within LOS F and increase in average delay from 116.3 seconds per vehicle to 166.0 seconds per vehicle (49.7).
- Webster Avenue/East Fordham Road: The eastbound left turn lane would deteriorate from LOS C to LOS D and increase in average delay from 34.5 seconds per vehicle to 46.8 seconds per vehicle (12.3). The southbound Webster Avenue left turn lane would deteriorate within LOS F and increase in average delay from 136.1 seconds per vehicle to 152.5 seconds per vehicle (16.4). The southbound Webster Avenue through and right turn lane group would deteriorate from LOS E to LOS F and increase in average delay from 71.8 seconds per vehicle to 82.7 seconds per vehicle (10.9).

1.3 MITIGATION MEASURES

As described above and in Chapter 3.6, “Mitigation,” significant adverse impacts were identified at two intersections, Webster Avenue at Bedford Park Boulevard and Webster Avenue at East Fordham Road, with five significantly impacted lane groups impacted in the AM, midday, PM and Saturday peak hours.

Most traffic impacts on the local street network can be mitigated by standard traffic engineering improvements such as signal phasing and timing modifications, parking prohibitions and lane restriping. These measures are consistent with the range of traffic capacity improvements that have been proposed and implemented for other projects in the city.

Webster Avenue and East Fordham Road

Significant traffic impacts at this intersection are projected on the eastbound East Fordham Road left turn lane and southbound Webster Avenue through and right turn lane group for all peak hours analyzed, and on the southbound Webster Avenue left turn lane for the midday, PM, and Saturday peak hours. The traffic mitigation measures for the impact to the southbound through and right turn lane group would encompass prohibiting parking on the west side of Webster Avenue for a distance of 150 feet north of East Fordham Road and restriping the approach for an exclusive right turn lane plus two through lanes and an exclusive left turn lane. In addition, one second of green

traffic signal time would need to be shifted during the AM peak hour from the east-west phase to the north-south protected left turn phase to preclude a new impact from occurring on the northbound left turn lane after the southbound approach is reconfigured. The traffic mitigation measure for the impact to the eastbound left turn lane during the Saturday peak would encompass shifting one second of green time from the east-west phase to the east-west protected left turn phase. Even with the proposed mitigation in place, two lane groups at this intersection would continue to experience significant adverse impacts for several time periods. These are the eastbound left turn lane (AM, midday, and PM peak hours), and at the southbound left turn lane (midday, PM, and Saturday peak hours). These traffic impacts cannot be mitigated through signal timing adjustments without causing traffic impacts on other movements at the intersection and no feasible geometric modifications that would mitigate these left turn lane impacts are evident.

Webster Avenue and Bedford Park Boulevard

Significant traffic impacts at this intersection are projected on the eastbound Bedford Park Boulevard approach for all peak hours analyzed; on the westbound approach for the AM, midday and PM peak hours; on the southbound left turn lane during the AM peak hour; and, on the westbound de facto left turn during the Saturday peak hour. The traffic mitigation measures for the impact to the eastbound approach would encompass prohibiting parking on south side of Bedford Park Boulevard for a distance of 150 feet west of Webster Avenue and restriping the approach for an exclusive right turn lane, through lane, and through and left turn lane. The traffic mitigation measures for the westbound approach would encompass similarly restriping the approach for an exclusive right turn lane, through lane, and through and left turn lane. In addition, to mitigate the impact to the southbound left turn lane during the AM peak hour, one second of green time would be shifted from the east-west phase to the north-south phase; and to mitigate the impact to the westbound de facto left turn lane during the Saturday peak hour, two seconds of green time would be shifted from the north-south phase to the east-west phase.

1.4 UNMITIGATED ADVERSE IMPACTS

According to the *CEQR Technical Manual*, unavoidable adverse impacts are disclosed when a proposed action is expected to result in significant adverse impacts for which there are no reasonable or practical mitigation measures. As described in Chapter 3.6, most of the potential significant adverse impacts to traffic resulting from the proposed action could be avoided or mitigated by implementing a number of measures.

The proposed mitigation measures would mitigate all of the operational impacts associated under typical conditions with the proposed action, with the exception of impacts at the following intersections where unmitigated impacts would remain under the Proposed Action condition:

- Webster Avenue/East Fordham Road: at the eastbound left turn lane (AM, midday, and PM peak hours);
- Webster Avenue/East Fordham Road: at the southbound left turn lane (midday, PM, and Saturday peak hours).

As noted above, these traffic impacts cannot be mitigated through signal timing adjustments without causing traffic impacts on other movements at the intersection and no feasible geometric modifications that would mitigate these left turn lane impacts are evident. It should also be noted that at these locations, for most of the time periods indicated above, poor traffic levels of service are projected for the No-Action condition as well, indicating that they would occur regardless of the proposed action.

1.5 ALTERNATIVES TO THE PROPOSED ACTION

The purpose of the alternatives analysis is to examine reasonable alternatives to the proposed action that avoid or reduce action-related significant adverse impacts and may still allow for the achievement of the stated goals and objectives of the proposed action. For this Final EIS, the following alternatives were considered: a No-Action Alternative and a Lower Density Alternative. A No Unmitigated Impact Alternative was also explored, as described below.

No-Action Alternative

Under CEQR, consideration of a No-Action Alternative is required. The No-Action Alternative examines future conditions within the proposed rezoning area assuming the absence of the proposed action. This alternative provides a baseline for the evaluation of impacts associated with the proposed action. The No-Action Alternative for the Webster Avenue Rezoning evaluates traffic conditions without the proposed rezoning in place. The No-Action Alternative is not intended to and would not fulfill the project purpose and need. Based on the analysis, under the No-Action Alternative, the traffic conditions at the intersections that are significantly impacted under the proposed action would still be poor, even absent the proposed action.

No Unmitigated Impact Alternative

A No Unmitigated Impact Alternative was also explored, which considered the magnitude of development that could occur on the projected development sites without resulting in any unmitigated significant adverse impacts. Because the traffic conditions at the impacted intersections are expected to be poor in the No-Action condition, any increase in traffic through those intersections is expected to worsen conditions, such that any new development on the projected development sites could result in a significant adverse impact. Additionally, as explained in Chapter 3.6, "Mitigation," mitigation measures such as parking prohibitions, signal timing changes or restriping are not feasible in these locations. Given these conditions, there is no feasible Unmitigated Impact Alternative available that would meet the goals and objectives of the proposed action.

Lower Density Alternative

A Lower Density Alternative to the proposed action was developed to determine whether the purpose and need established for the proposed action could be accomplished while avoiding the significant adverse impacts to traffic that have been identified. Under the Lower Density Alternative, there would be no commercial, restaurant or office use permitted at projected development sites 1, 2, 3, and residential development would be limited to a floor-area ratio (FAR) of 3.0. In addition, at all projected development sites 4-21, the residential FAR would also be limited to 3.0, but no other changes would occur (e.g., other commercial, community facility, and office uses would be included as part of the alternative).

Compared to the proposed action, the Lower Density Alternative was found to result in substantially fewer trips generated over the No-Action condition. Net incremental trips compared to the No-Action Alternative would be negative for the Lower Density Alternative in the AM, midday, and PM peak hours. No significant traffic impacts would occur at the intersection of Webster Avenue and Bedford Park Boulevard. However, two significant traffic impacts would occur at the intersection of Webster Avenue and East Fordham Road (rather than eleven significant impacts that were identified with the proposed action). These two impacts would occur at the southbound through and right turn lane group in the AM peak hour and the eastbound left turn lane in the PM peak hour. Therefore, compared to the proposed action, while the Lower Density Alternative results in reduced impacts, not all impacts could be avoided, and the goals and objectives established for the proposed action would not be achieved.

1.6 CONTENTS OF THIS EIS AND ANALYSIS AREAS ELIMINATED FROM FURTHER STUDY

This Final EIS contains analyses of four topics for which the screening methodologies contained in the recently revised *CEQR Technical Manual* indicated that the potential for significant adverse environmental impacts exists, thus warranting additional detailed studies. The analyses presented in this EIS include:

- Land Use, Zoning, and Public Policy (Waterfront Revitalization Program conformity only)
- Water and Sewer Infrastructure
- Transportation (traffic operating conditions and parking analyses, only)
- Neighborhood Character

None of the analyses, aside from traffic operating conditions, identified significant adverse impacts. In addition, chapters evaluating Alternatives and Mitigation, as noted above, and chapters evaluating Unavoidable Adverse Impacts, Growth-Inducing Aspects of the Proposed Action, and Irreversible and Irretrievable Commitment of Resources are included.

In the EAS, attached to this Final EIS in electronic format, complete reviews in accordance with the *CEQR Technical Manual*, were performed. NYCDCP has determined that there would be no significant adverse impacts in the following analysis areas and conditions:

- Land Use, Zoning, and Public Policy (with the exception of Waterfront Revitalization Program conformity)
- Socioeconomic Conditions
- Community Facilities and Services
- Open Space
- Shadows
- Historic and Cultural Resources
- Urban Design and Visual Resources
- Natural Resources
- Hazardous Materials
- Solid Waste and Sanitation Services
- Energy
- Transportation (transit and pedestrians, only, e.g., subway and rail services and facilities; bus services; sidewalks and crosswalks; and pedestrian, bicycle and vehicular safety)
- Air Quality
- Greenhouse Gas Emissions
- Noise
- Public Health
- Construction Impacts