
CHAPTER 22: ALTERNATIVES

A. INTRODUCTION

This chapter considers alternatives to the Dutch Kills Rezoning and Related Actions (“the proposed actions”) including a No Action Alternative, a Lower Density Alternative, ~~and~~ a No Impact Alternative, and a 3.0 FAR Alternative for Light Industrial Uses.

This analysis first considers the No Action Alternative, in which the proposed rezoning and other actions are not undertaken. Under the No Action Alternative, given the existing land use trends, development would occur as-of-right per the current zoning. The analysis then assesses the Lower Density Alternative, which considers a zoning proposal with less density for a portion of the proposed rezoning area than that found under the proposed actions. Under the Lower Density Alternative, development would occur on the same projected development sites as the proposed actions, but with lower bulk. However, nine potential development sites would be eliminated because they would no longer meet the criteria to be included in the Reasonable Worst Case Development Scenario (“RWCDs”). In addition, the affordable housing component under the Inclusionary Housing Program of the proposal would not apply. The analysis then assesses the No Impact Alternative, a scenario that seeks to avoid, without the need for mitigation, all significant environmental impacts of the proposed actions. This alternative would require a reduction in the net development program considered for projected development sites. Finally, the 3.0 FAR Alternative for Light Industrial Uses has been developed in response to comments received during the public review process. This alternative examines increasing the maximum light industrial/commercial floor area ratio (FAR) from 2.0 to 3.0 for selected primarily light industrial uses in the proposed M1-2, M1-2/R5B, M1-2/R5D, and M1-2/R6A zoning districts.

The development scenario implications of each alternative are summarized in Tables 22-1 and 22-2 below, which compares the RWCDs for the development sites under the proposed actions, No Action Alternative, ~~and~~ Lower Density Alternative, and 3.0 FAR Alternative for Light Industrial Uses.

Table 22-1
Summary of Development Scenarios Under Alternatives

Analysis Scenario	Dwelling Units	Commercial SF	Community Facilities SF	Industrial SF	Affordable Housing Units
Proposed Actions	1,577	173,582	39,773	2,475	187
No Action Alternative	22	371,052	81,470	183,011	0
Lower Density Alternative	1,118	173,582	39,733	2,475	0
<u>3.0 FAR Alternative</u>	<u>1,577</u>	<u>173,582</u>	<u>39,773</u>	<u>2,475</u>	<u>187</u>

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Table 22-2
Summary of Incremental Development Under Alternatives

Analysis Scenario	Dwelling Units	Commercial SF	Community Facilities SF	Industrial SF
Proposed Actions	0	0	0	0
No Action Alternative	-1,555	+197,470	+41,697	+180,536
Lower Density Alternative	-459	0	0	0
3.0 FAR Alternative	0	0	0	0

Note: Incremental Development in this case refers to the difference between the Proposed Actions as compared to the No Action Alternative and the Lower Density Alternative each of the other three alternatives.

B. NO ACTION ALTERNATIVE

The No Action Alternative assumes that the proposed actions including the rezoning would not be implemented. This alternative has previously been discussed and analyzed as “Future Condition Without the Proposed Actions” in the preceding chapters. The No Action Alternative assumes no zoning map amendments and zoning text amendments that would establish the Dutch Kills Subdistrict and Inclusionary Housing Program. The No Action Alternative would not require any discretionary approvals. The effects of this alternative are summarized below and compared to those of the proposed actions.

There are ~~nine~~ several known development projects expected to be completed in the rezoning area by 2017 that will serve as part of the No Action Alternative, all of which are proposed as hotels, and construction is either underway or currently being planned. In addition to these ~~nine~~ known development projects, given the current zoning and existing land use trends, it is anticipated that new, as-of-right development would occur on 16 projected and 7 potential development sites in the rezoning area. In total, it is projected that 22 dwelling units, 371,052 square feet of commercial space, 81,470 square feet of community facility space and 183,011 square feet of industrial floor space would be developed in the No Action Alternative. Compared to the proposed actions, this represents a decrease of 1,555 dwelling units, a 197,470 square foot increase in commercial floor area, a 41,697 square foot increase in community facility floor area and a 180,536 square foot increase in industrial floor area.

LAND USE, ZONING, AND PUBLIC POLICY

LAND USE

Under the No Action Alternative, it is anticipated that the primary study area would experience modest growth in commercial uses. Most of this growth is expected to include further development of local retail and commercial hotel and office space. Since the existing zoning found in the rezoning area includes predominately M1-3D zoning, with a small area zoned M1-1 in the north, a very limited number of new housing units could be created under the No Action Alternative through the Department of City Planning (“DCP”) authorization process. The existing M1-1 zoning district does not permit new residential development and the M1-3D zoning district is restrictive. Because of this, it is anticipated that under the No Action Alternative, the predominant trend existing in the rezoning area, of reuse and rehabilitation of existing building for new tenants, will continue. As a result, it is anticipated that by the 2017 build year, the existing low density commercial and manufacturing land uses will continue to dominate the rezoning area with existing residential uses dotting the landscape and many older residential buildings falling into disrepair. By 2017, it is anticipated that many industrial sites will remain underutilized as warehouses, parking lots and auto-repair shops. It is also anticipated, given recent trends, that many of the industrial sites in the rezoning area will be redeveloped for use as commercial (hotel) space. The positive effect

that the proposed rezoning would have on land use would be absent in this alternative and thus, this alternative would not meet the purpose and need of the proposed actions.

ZONING

Under the No Action Alternative, existing zoning is expected to remain. According to with a records check by DCP and other state and city agencies, there are is only one outstanding rezoning proposal currently under review that would be implemented by the 2017 build year. Located in the secondary study area (1/4 mile from the boundary of the rezoning area), this proposal would change the zoning on Block 645 lots 38, 40 and 42 on 38th Street from an M1-5 and M1-1 district to an M1-5/R7A and a C2-4/R6A district. This rezoning would enable development of one five-story residential building and one seven-story mixed-use building. Within the primary study area (the rezoning area itself), there are no outstanding rezoning proposals under review that would be implemented by 2017.

PUBLIC POLICY

No revisions to the public plans discussed in the above section are expected, thus it is likely that public policies essentially would remain the same under the No Action Alternative. The proposed actions include an Inclusionary Housing Program component that would support a stated citywide policy goal of increasing affordable housing opportunities for its residents. This opportunity would be absent in the No Action Alternative and thus, this alternative would not meet the purpose and need of the proposed actions.

In summary, the No Action Alternative would have no significant adverse impacts to land use, zoning, or public policy. However, it affords very little residential or other opportunities for this neighborhood that is anticipated under the proposed actions given the land use pattern and zoning that would continue without the proposed actions.

SOCIOECONOMICS

Where allowable under existing zoning, the study area is experiencing an influx in new residential development. Based on the 2000 study area average household size of 2.61 and occupancy rate of 98.4, the study area will gain an additional 1,925 residents and is expected to gain 750 residential units by 2017 under the No Action Alternative. This increase will result in a total of 14,176 units in the study area by 2017. In contrast, the proposed actions would result in net increase of 1,555 residential units to the study area, increasing the housing stock to 15,731 units in 2017. This addition would increase the residential units by approximately 11.0 percent in the study area by 2017 as compared with the No Action Alternative.

It is anticipated that the majority of new units will be rented or sold at the current market-rate value. As indicated by various residential real estate sources, condominiums in this area are expected to cost between \$389,000 to over a million dollars. Current rents for available units in the area are significantly higher than median contract rents in 2000, as reported in the Census. Current apartment listings in the study area range from \$1,300 to \$2,400, or approximately 84.4 percent higher than the median contract rent in 2000. Thus, new units scheduled to be constructed by 2017 under the No Action Alternative, would likely rent or sell at these prices or higher. It is possible that by 2017 without the proposed actions, some portion of the vulnerable population identified in the study area could experience rent increases that in turn could result in their indirect displacement.

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The proposed actions would introduce 1,555 units to the study area of which 187 units (12.1 percent) is anticipated to be affordable under the Inclusionary Housing program. The new residential population would likely mirror the economic diversity of the existing population in the study areas and would likely be more diverse than the population that will be introduced to the study areas in the No Action Alternative. This diverse new population and increased housing supply could help to relieve the trend toward increased rents in the study area, rather than accelerate it.

For businesses within the study area, there is an ongoing trend toward increased demand for resident-oriented services that would be expected to continue under the No Action Alternative. The proposed actions would not be expected to significantly alter or accelerate this ongoing trend.

Under the No Action Alternative the current socioeconomic trends would continue including that of increased rents in the study area and there would no significant adverse socioeconomic impacts anticipated with this alternative. The overall socioeconomic conditions would not change dramatically with the proposed actions; however, the potential reversal in the trend of increased rents expected under the proposed actions would not be realized under the No Action Alternative.

COMMUNITY FACILITIES AND SERVICES

Under the No Action Alternative, approximately 22 housing units would be added to projected development sites within the rezoning area. Based on an average household size of 2.61, this would add 57 people to the rezoning area. Additional residential development on parcels within a ¾-mile approximate radius of the proposed actions would result in approximately 17,924 people, increasing the total population to 123,980 within this area. These increases would be considerably less than those that would be expected to occur under the proposed actions. Accordingly, there would be less of an increase in the demand for public schools, day care facilities, health care facilities, police, and fire protection compared with the proposed actions. Like the proposed actions, the No Action Alternative would not have any significant impact adverse impacts to community facilities and services.

OPEN SPACE

Projections prepared for the ½ mile study area census tracts indicate a residential population increase of 7,692 or approximately 1.51 percent annual growth between 2007 and 2017 for the No Action Alternative. Given this, it is anticipated that the study area would have approximately 55,359 residents. No substantial changes in the age group structure of the residential population are expected by 2017. Similar to that seen with the proposed actions, seven new open space resources totaling 2.19 acres would be added to the study area by 2017. However, unlike the proposed actions, certain potential mitigations discussed in Chapter 21, “Mitigation” would not be developed.

The total open space ratio in the No Action Alternative would be 0.83 acres per 1,000 people, below the citywide median community district open space ratio of 1.5 acres per 1,000 residents and the planning goal of 2.5 acres per 1,000 residents. The total open space ratio under the proposed actions would be 0.78 acres per 1,000 people. This represents a 6.8 decrease in the open space ratio than under the No Action Alternative.

As with the proposed actions, the No Action Alternative would also have a significant adverse open space impact unless sufficient mitigation measures are found. However, the proposed actions include Inclusionary Housing Program component that could contribute to alleviating some of the shortage of open space in the study area.

SHADOWS

In accordance with accepted analysis methodology, a shadow factor was applied to each of the No Action Alternative development sites. In addition, the nine known development sites proposed as hotels six to sixteen-stories were also evaluated as part of the analysis. No publicly accessible open spaces or historic resources with sunlight sensitive uses or features were identified within the potential shadow radii of the development sites. Therefore, the No Action Alternative as with the proposed actions would not have significant adverse shadow impacts.

HISTORIC RESOURCES

ARCHAEOLOGICAL RESOURCES

Five lots were identified within the study area that could potentially experience new in-ground disturbance and possess the potential for intact archaeological deposits. In the No Action Alternative, it is anticipated that three of these lots would be developed as-of-right under the current zoning by 2017. This would likely result in new in-ground disturbance, which would constitute an adverse physical impact to potential archaeological resources. If potential archaeological resources exist on these three lots, and they would be excavated as the result of private development (which would not require further discretionary approvals). There are no mechanisms available to require that subsequent private as-of-right development undertake archaeological field tests to determine the presence of archaeological resources or mitigation for any identified significant resources through avoidance or excavation and data recovery.

Development under the proposed actions would also occur on these three locations plus the other two locations where potential for archaeological resources exist. The expected development would differ from that for the No Action Alternative and would include residential use alone or in combination with commercial of sufficient size which would likely result in the need for larger and/or deeper foundations than that would be necessary for the development expected under the No-Action Alternative. Therefore, it is expected the development sites under the proposed actions would likely result in new in-ground disturbance and/or new excavation deeper and/or wider than previously excavated on the same site as compared to that would be seen under the No Action Alternative.

Unavoidable adverse impacts to archaeological resources would occur under both the proposed actions and the No Action Alternative. However, the No Action Alternative would be expected to affect only three locations of potential archaeological resources versus five locations under the proposed actions.

ARCHITECTURAL RESOURCES

The No Action Alternative would see new or expanded as-of-right development under the current zoning by 2017. However, none of the development sites are located on or in close proximity of the State and National Register eligible architectural resources located within the study area. Therefore, there would be no potential adverse impacts to historic architectural resources under the No Action Alternative. In contrast, the proposed actions would potentially impact four eligible architectural resources located on or in close proximity of its development sites.

State and National Register eligibility does not provide restrictions to private property as-of-right use and development and private owners of properties eligible for, or even listed on, the Registers using private funds can alter or demolish their properties without further review or approval. Privately owned properties that are designated NYC Landmarks, in New York City Historic Districts, or pending

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designation as Landmarks are protected under the New York City Landmarks Law, which requires review and approval before any alteration or demolition can occur, regardless of whether the project is publicly or privately funded. One of the identified architectural resources is eligible for NYC Landmark designation and could potentially afford some protection for this architectural resource pending a decision. However, it has not been calendared for consideration; therefore it is assumed that it would not be designated as such for the analysis. Thus, the proposed actions would result in an unavoidable adverse impact to architectural resources.

In summary, both the proposed actions and No Action Alternative would have unavoidable adverse impacts to archaeological resources. However, unavoidable adverse impact to architectural resources would be limited to the proposed actions.

URBAN DESIGN AND VISUAL RESOURCES

Under the No Action Alternative, current land use trends within the primary study area are expected to continue apace resulting in slight increases in commercial, industrial and community facility floor area and even smaller increases in residential floor area. These increases are a result of as-of-right residential development restrictions under existing zoning, and will likely result in little or no changes in urban design and visual resources of the area given that the permitted uses and building envelopes will remain the same. The No Action Alternative would also include 9 hotels that are currently planned or under construction. These hotels range in height from 6 to 16 stories and would be out of scale with the surrounding neighborhood. Generally, current restrictive zoning regulations will prohibit industrial and commercial conversions, maintaining the present light industrial, mixed-use characteristics prevalent throughout the Dutch Kills neighborhood. As such, no significant adverse impacts to urban design and visual resources are expected to occur as a result of the proposed actions or under the No Action alternative. Absent in the No Action Alternative, but under the guidance of the proposed zoning designations, the future condition with the proposed actions would enhance the general urban design and visual resources of the Dutch Kills neighborhood.

NEIGHBORHOOD CHARACTER

Under the No Action Alternative, current zoning trends within the primary study area (the rezoning area) are anticipated to continue apace resulting in small increases in residential, commercial, industrial and community facility floor area. Further, current land use trends that favor low-density residential, commercial and industrial uses will remain in affect, and 9 out of scale hotel developments would be developed in the area. Generally, current restrictive zoning regulations will prohibit industrial and commercial conversions, maintaining the present light industrial, mixed-use characteristics prevalent throughout the Dutch Kills neighborhood. Additionally, none of the benefits of the proposed actions would occur.

With regard to the secondary study area (one-quarter mile perimeter around the edge of rezoning area), each subarea is expected to experience land use changes over the 10-year analysis period due to the increased demand for residential and commercial development, planning initiatives and infrastructure improvements and a general trend towards dense, mixed-use development in and around the areas significant transportation hubs. These land use changes will significantly influence the neighborhood character found in the secondary study areas.

NATURAL RESOURCES

The study area would remain a densely developed and urbanized area with no significant natural resources under the No Action Alternative. As such, no significant adverse impacts to natural resources would result from the proposed actions or the No Action Alternative.

HAZARDOUS MATERIALS

The nine known development sites are expected to proceed and as-of-right development would occur on 16 projected and 7 potential development sites. Since the E-designations proposed for all of the development sites under the proposed actions would not be instituted to cause site investigations and clean-ups prior to development, construction on these sites could result in the release of hazardous materials to the environment and possible exposure of residents and construction workers to hazardous materials under the No Action Alternative.

INFRASTRUCTURE

Under the No Action Alternative, the development sites are assumed to either remain unchanged from their existing condition, or would be developed with uses that are permitted under the existing zoning regulations. It is expected that the No Action Alternative would result in an associated water demand of approximately 152,295 gallons per day (“gpd”) for domestic uses and an additional 88,237 gpd for air conditioning. Under the No Action Alternative, the development sites would also generate approximately 152,295 gpd of sewage.

The proposed actions would result in an associated water demand of approximately 491,980 gpd for domestic uses and an additional 307,718 gpd for air conditioning. Together, the estimated total water consumption associated with these sites would be approximately 799,698 gpd, an increase of approximately 559,166 gpd over the No Action Alternative. Under the proposed actions, the development sites would also generate approximately 491,980 gpd of sewage, an increase of 339,685 gpd.

No significant adverse impacts to infrastructure will occur as a result of the proposed actions or the No Action Alternative.

SOLID WASTE AND SANITATION SERVICES

In total, it is projected that 22 dwelling units, 371,052 square feet of commercial space, 81,470 square feet of community facility space and 183,011 square feet of industrial floor space would be developed in the No Action Alternative. Compared to the proposed actions, this represents a decrease of 1,555 dwelling units, a 197,470 square foot increase in commercial floor area, an 41,697 square foot increase in community facility floor area and a 180,536 square foot increase in industrial floor area. These uses would generate approximately 61,034 pounds of solid waste per week, an decrease of approximately 62,504 pounds per week from the proposed actions which equates to approximately three additional sanitation collection trucks per week. Neither this alternative nor the proposed actions would cause increases to the degree that there would be significant adverse impacts on solid waste and sanitation services.

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ENERGY

As noted above, it is projected in total, that 22 dwelling units, 371,052 square feet of commercial space, 81,470 square feet of community facility space and 183,011 square feet of industrial floor space would be developed in the No Action Alternative. Compared to the proposed actions, this represents a decrease of 1,555 dwelling units, a 197,470 square foot increase in commercial floor area, an 41,697 square foot increase in community facility floor area and a 180,536 square foot increase in industrial floor area. These changes would result in an associated energy consumption of approximately 58,318 million BTUs, an decrease of approximately 186,483 million BTUs over the proposed actions consumption levels. The 58,318 million BTUs that would be consumed under the No Action Alternative represent approximately 0.01 percent of the city's forecast 2017 peak load of 13,360 MW. Under the No Action Alternative, the increased demands on energy systems would be smaller than those under the proposed actions, but neither scenario would cause a significant adverse impact on utilities.

TRAFFIC AND PARKING

TRAFFIC

Under the No-Action Alternative, traffic and parking demand levels in the study area would increase as a result of general background growth and future developments in the area. Of the nine signalized intersections analyzed, three would have one or more movements experiencing congestion (i.e., operating at LOS E or F or a v/c ratio of 0.90 or above) in the weekday AM peak hour, four in the midday, six in the PM peak hour and two in the Saturday midday peak hour. By comparison, the proposed actions would increase traffic and result in significant adverse impacts at two analyzed intersections in the weekday AM peak hour, three in the midday, four in the PM peak hour and two in the Saturday midday peak hour.

PARKING

Under the No-Action Alternative, demand for public parking spaces in the study area would increase as a result of general background growth and future developments. Four existing public parking facilities with a total of 1,392 spaces would be displaced by new development, while three new public parking facilities with a total of 1,600 spaces would be developed. The off-street public parking supply within ¼-mile of projected development sites is expected to be 55 percent utilized in the weekday AM and 50 percent utilized in the Saturday midday. In the weekday midday, however, parking demand is expected to exceed capacity by approximately 1,083 spaces. All parking demand from No-Action development on projected development sites is expected to be accommodated in accessory parking facilities, and would not contribute to the deficit of off-street public parking in the weekday midday under the No-Action Alternative.

TRANSIT AND PEDESTRIANS

SUBWAY

Under the No-Action Alternative, subway stations in the vicinity of the rezoning area would experience increased demand as a result of background growth as well as new development that could occur pursuant to existing zoning. With this new demand, the two entrance stairs and the fare array at the 39th Avenue (N, W) subway station would continue to operate at an acceptable LOS A (free-flow) in both the weekday AM and PM peak hours. Under the proposed actions, these facilities would operate at an acceptable LOS A or B during these periods.

BUS

Under the No-Action Alternative, it is anticipated that demand on MTA Bus and NYC Transit-operated bus routes serving the proposed rezoning area would increase as a result of general background growth and new development. As standard practice, MTA Bus and NYC Transit routinely conduct periodic ridership counts and increase service where operationally warranted and fiscally feasible. It is therefore anticipated that under the No-Action Alternative, MTA Bus and NYC Transit would increase frequency where necessary to address any capacity shortfalls.

PEDESTRIANS

Under the No-Action Alternative, pedestrian demand at analyzed sidewalks, corner areas and crosswalks would increase as a result of general background growth and new development that could occur pursuant to existing zoning. During the weekday AM, midday and PM peak hours, all analyzed sidewalks would operate at an acceptable LOS A or B under platoon conditions. All analyzed corner areas and crosswalks would also operate at an acceptable LOS A or B in all peak hours. Similar LOS A or B conditions would occur at these facilities in all peak hours in the future with the proposed actions.

AIR QUALITY

MOBILE SOURCES ANALYSIS

Carbon Monoxide (CO) concentrations without the proposed actions were determined for the No Action Alternative in the 2017 Build year under the using the methodology previously described in Chapter 17. Table 22-3 shows future maximum predicted 8-hour average CO concentrations at the analysis intersections under the No Action Alternative (i.e., 2017 No Build values). The values shown are the highest predicted concentrations for the receptor locations for any of the time periods analyzed. As shown in the table, 2017 No Action Alternative values are predicted to be well below the 8-hour CO standard of 9 ppm.

**Table 22-3
Future (2017) Maximum Predicted 8-Hour
Average Carbon Monoxide No Action Alternative Concentrations**

Receptor Site	Location	Time Period	8-Hour Concentration (ppm)
1	31st Street and 39th Ave	Weekday PM	2.7
		Saturday MD	2.4
2	39th Ave and Northern Boulevard	Weekday PM	3.6
		Saturday MD	2.9
3	31st Street and 38th Ave	Weekday PM	2.6
		Saturday MD	2.3
Note: 8-hour standard is 9 ppm.			

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STATIONARY SOURCE ANALYSIS

Minimal growth and development within the project area would occur in the No-Action Alternative by 2017. The development anticipated by 2017 under the No Action Alternative would be modest within the rezoning area. Given this, HVAC and industrial source emissions in the No-Action Alternative would likely be similar to existing conditions. Any protection offered by adding E-designations to specific sites as would be done under the proposed actions would not occur in the No Action Alternative.

NOISE

Under the No Action Alternative, no new sensitive receptors (residential uses) would be introduced in the rezoning area. Therefore, this alternative would have no significant adverse noise impacts. The proposed actions would also have no significant adverse noise impacts as it would place E-designations on the necessary development sites to ensure the required building attenuation would be achieved.

CONSTRUCTION IMPACTS

The No Action Alternative is expected to have modest level of as-of-right development. While the construction would be less overall it would be similar to the level found for the proposed actions since it would require similar equipment use in a similar timeframe.

Depending on construction techniques used for these projects, construction-related impacts could affect the rezoning area. Equipment and machinery for construction of these projects would likely include graders and excavators, cranes and cherry pickers, backhoes and front end loaders, pile drivers and compressors, as well as other heavy construction equipment. The use of this equipment could affect noise receptors and air quality in the vicinity of construction activity. Other potential impacts could include fugitive dust emissions and hazardous materials exposure from building demolition, land clearing and excavation, potential noise and vibration impacts from pile driving and other construction activities, temporary disruptions to utility provision, and reduced access to public transportation, community facilities, and residential and business entrances. It is anticipated that projects under construction in this scenario would comply with current building code requirements and state and city environmental regulations.

Construction-related impacts could potentially occur to several eligible historic resources under both the proposed actions and the No Action Alternative, as discussed above. These potentially significant adverse impacts would be unmitigated because development activity on development sites nearby or adjacent to these eligible resources would occur within the limitations of the area's zoning. Since the resources are not NR-listed or NYLPC-designated, they would not be afforded special protections under New York City Department of Buildings' ("NYCDOB") *Technical Policy and Procedure Notice 10/88*. The resources would be provided a measure of protection from construction under Building Code Section 27-166 (C26-112.4), which requires that all lots, buildings, and service facilities adjacent to foundation and earthwork areas be protected and supported in accordance with the requirements of Building Construction Subchapter 7 and Building Code Subchapters 11 and 19.

As such, potential construction related impacts to historic architectural resources could occur under both the proposed actions and No Action Alternative.

PUBLIC HEALTH

Neither the proposed actions nor the No Action Alternative would result in significant adverse public health impacts.

C. LOWER DENSITY ALTERNATIVE

This alternative considers a lower density than the proposed actions and is intended to assess whether development with lower density than the proposed actions would result in impacts substantially different from those of the proposed actions and whether it would meet the purpose and need for the proposed actions identified in Chapter 1, “Project Description”.

The alternative is the same as the proposed actions except for the following:

- Under this alternative, an M1-2/R6A zoning district, with a maximum Floor Area Ratio (“FAR”) of 3.0, would be mapped along all or a portion of 11 blocks by Northern Boulevard between 40th Road and 37th Street (subarea D-1). Under the proposed actions, the proposed zoning district for subarea D-1 is M1-3/R7X, with a maximum FAR of 5.0 (see Table 22-4).

**Table 22-4
Comparison of Proposed Actions and Lower Density Alternative**

Subarea	Proposed Action		Lower Density Alternative	
	Zoning District	Max. FAR	Zoning District	Max. FAR
D-1	M1-3/R7X	5.0	M1-2/R6A	3.0
C-1	M1-2/R5D	2.0	M1-2/R5B	1.65

Source: NYCDTCP, March 2008

- Under this alternative, an M1-2/R5B zoning district, with a maximum FAR of 1.65, would be mapped along 40th Avenue and 39th Avenue and portions of 29th Street and Crescent Street between 41st and 37th Avenues (subarea C-1). Under the proposed actions, the proposed zoning district for subarea C-1 is M1-2/R5D, with a maximum FAR of 2.0.

Zoning under this Lower Density Alternative is shown in Figure 22-1. Under the Lower Density Alternative, development would occur on the same projected development sites as the proposed actions, but with lower bulk. However, nine potential development sites (and single lots on three other potential development sites) would be eliminated because they would no longer meet the criteria for inclusion in the RWCDS. Specifically, these nine sites would have FARs at greater than 50 percent of the maximum development potential and therefore would not meet the RWCDS soft site criteria, as discussed in Chapter 1 “Project Description”. In addition, the affordable housing component of the proposed actions would not apply under the Lower Density Alternative. This is a result of the change in proposed zoning from an M1-3/R7X district to an M1-2/R6A district. Since the Inclusionary Housing Program only specifically applies to residential uses in the proposed M1-3/R7X district, the change in proposed zoning district eliminates its applicability.

Under the zoning designations presented above, the Lower Density Alternative would result in 1,096 dwelling units, a reduction of 459 dwelling units compared to 1,555 units under the proposed actions. The Lower Density Alternative is expected to result in the same amount of nonresidential development as the proposed actions.

A comparison of impacts under this alternative with the proposed actions is presented below. It is noted that for CEQR impact areas that are density-related (e.g., open space, traffic, community facilities, etc.), the effects of this alternative are reduced in magnitude since there are fewer dwelling units and therefore fewer residents than under the proposed actions. However, since the projected and potential development sites for the Lower Density Alternative are the same as for the proposed actions, site-specific impacts (e.g., hazardous materials, historic resources) are the same under both scenarios.

**Table 22-5
Summary of RWCDS for Lower Density Alternative to Proposed Actions –
Projected Development Sites**

Use	No Build		Build		Incremental		
	Proposed Actions	Lower Density Alt.	Proposed Actions	Lower Density Alt.	Proposed Actions	Lower Density Alt.	Difference
Commercial (sf)	371,052	371,052	173,582	173,582	-197,470	-197,470	0
Industrial (sf)	183,011	183,011	2,475	2,475	-180,536	-180,536	0
Community Facilities (sf)	81,470	81,470	39,773	39,773	-41,697	-41,697	0
Total Dwelling Units	22	22	1,577	1,118	1,555	1,096	459

Source: NYCDP, February 2008

LAND USE, ZONING, AND PUBLIC POLICY

The overall effect of the Lower Density Alternative on land use, zoning, and public policy would generally be comparable to that of the proposed actions. The benefits expected to result from the proposed actions—including the encouragement of moderate- and higher-density development near public transportation by removing restrictions on residential development and support continued economic growth in the mixed-use residential, commercial, and light industrial community by retaining the light manufacturing district in both the mixed use and solidly industrial areas of Dutch Kills—would still be realized under this alternative, though to a lesser degree, as this alternative would lead to the production of fewer housing units compared to the proposed actions. Thus, the beneficial effects of the proposed actions would not be as great under this alternative. Neither the Lower Density Alternative nor the proposed actions would result in significant adverse impacts on land use, zoning, and public policy.

SOCIOECONOMICS

Like the proposed actions, the Lower Density Alternative would not result in significant adverse socioeconomic impacts. A total of 459 fewer dwelling units would be expected to be developed given the zoning designated in the alternative. Development, however, under this alternative would take place on the same projected development sites identified for the proposed actions, resulting in the direct residential and business displacement identified in the proposed actions. In addition, it is anticipated that this alternative would introduce the same amount and type of non-residential development as the proposed actions, so it would not have the potential to lead to significant indirect business displacement.

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As found in the proposed action, the Lower Density Alternative would not be expected to result in a significant adverse indirect residential displacement impact because there is an existing trend in the study area toward increased rents, and this trend is expected to accelerate in the future without the proposed actions or the Lower Density Alternative. Unlike the proposed actions, the Lower Density Alternative would not introduce affordable housing to the study area. Therefore, affordable housing benefits derived from the Inclusionary Housing Bonus would not be realized under the alternative.

COMMUNITY FACILITIES AND SERVICES

The projected population increase in the study area under the Lower Density Alternative would be lesser than for the proposed actions, and would therefore place a smaller increase in demand on community facilities and services. Compared to the proposed actions, this alternative would generate approximately 75 fewer elementary school students, 37 fewer middle school students, and 17 fewer high school students. The Lower Density Alternative would not include low-income housing units and would therefore not trigger detailed analyses of day care and health care facilities. As under the proposed actions, this alternative would not have any significant adverse impacts on public schools, libraries, day care centers, or outpatient health care facilities, or police and fire protection services.

OPEN SPACE

The overall effect of the Lower Density Alternative on open space resources would generally be similar to, although slightly less than, the effects of the proposed actions. While the projected net increase in residents to the open space study area under the Lower Density Alternative would be smaller than under the proposed actions (2,861 compared with 4,059), as with the proposed actions, it would result in additional demand on available open spaces. This difference in the number of residents added to the open space study area would result in an open space ratio of 0.79 acres per 1,000 residents under the Lower Density Alternative. In the future with the proposed actions, the open space ratio would be 0.78 acres per 1,000 residents, a decrease of approximately 1.3 percent. Per CEQR Technical Manual guidelines, 1.5 acres of open space resources per 1,000 residents is considered adequate for the residential population. As a planning goal, the DCP attempts to achieve a ratio of 2.5 acres per 1,000 residents for large-scale proposals.

The open space ratio under both the proposed actions and the Lower Density Alternative is less than the DCP goal of 2.5 acres and the CEQR guideline of 1.5 acres for open space; therefore, a significant adverse impact to publicly-accessible open space would result from both the proposed actions and the Lower Density Alternative. Unless sufficient mitigation measures are found, the adverse impacts to open space would be unavoidable for both the proposed actions and the Lower Density Alternative. However, the proposed actions include Inclusionary Housing Program component that could contribute to alleviating some of the shortage of open space in the study area.

SHADOWS

A shadow analysis performed for the future condition with the proposed actions determined that no significant shadow impact to sunlight sensitive resources will occur as a result of the proposed actions. Development would occur on the same 40 projected sites under the Lower Density Alternative, but as a result of the reduced FAR, building heights would be reduced. As such, no significant shadow impacts will occur as a result of the Lower Density Alternative.

HISTORIC RESOURCES

ARCHAEOLOGICAL RESOURCES

Five lots were identified within the study area that could potentially experience new in-ground disturbance and possess the potential for intact archaeological deposits: Block 367, Lot 23 ; Block 368, Lot 11; Block 371, Lot 38; Block 398, Lot 1; and, Block 398, Lot 39.

Under the Lower Density Alternative, development would occur on the same 40 projected sites and all but nine of the 192 potential development sites as under the proposed actions' RWCDs. Development of the projected development sites under both the proposed actions and Lower Density Alternative could result in adverse physical impacts to potential archaeological resources through construction and these potential impacts would be considered unmitigatable adverse impacts. If potential archaeological resources exist on these five lots, and they would be excavated as the result of private development (which would not require further discretionary approvals), the impacts would be unavoidable adverse impacts. There are no regulatory mechanisms currently available to require that subsequent private as-of-right development undertake archaeological field tests to determine the presence of archaeological resources or mitigation for any identified significant resources through avoidance or excavation and data recovery.

Lower Density Alternative would have the same adverse impacts to archaeological resources as the proposed actions and these impacts, as for the proposed actions, would be unavoidable adverse impacts.

ARCHITECTURAL RESOURCES

A survey of historic architectural resources within the study area identified 22 properties that appeared to be 50 years in age or greater (30 years in age or greater for New York City Landmarks) and that had potential to meet the eligibility criteria for inclusion in the State and National Registers of Historic Places. Of the structures that were determined to be eligible historic architectural resources only four structures are located on or in close enough proximity of the development sites which could potentially lead to direct and/or indirect significant adverse historic resources impacts due to the Lower Density Alternative. Those structures are: New York Consolidated Card Company, Pierce-Arrow Building (Harrolds Motor Car Company), Garside & Sons Shoe Factory, and FDNY Engine Company 261 Hook & Ladder 116.

The A. Garside & Sons Shoe Factory and the Pierce-Arrow Building (Harrolds Motor Car Company) are located on development sites for the Lower Density Alternative. Since the property may be demolished as part of the alternative's development, it could result in a direct significant adverse impact. The New York Consolidated Card Company is not located directly on a development site; however it is located adjacent or otherwise in close proximity development sites for the Lower Density Alternative. Any construction activities associated with one or more development sites could result in direct significant adverse impact that could occur as the result of falling objects, subsidence, collapse, and/or damage from construction machinery. Similarly, FDNY Engine Company 261 Hook & Ladder 116 could experience direct significant adverse impact as the result of construction activities associated with this alternative's development sites.

Because none of the potential development sites being removed under the Lower Density Alternative are in proximity to any historic properties, this alternative would have the same adverse impact to historic architectural resources as the proposed actions. And, as for archaeological resources above, the impacts

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to these historic architectural resources would be unavoidable for both the proposed actions and the Lower Density Alternative.

URBAN DESIGN AND VISUAL RESOURCES

Positive changes to the visual character of the study area that would occur with the proposed actions would also occur under this alternative. While the Lower Density Alternative would allow a reduced maximum FAR of 3.0 with its corresponding maximum residential building height of 70 feet along all or a portion of 11 blocks by Northern Boulevard between 40th Road and 37th Street (as compared to a maximum FAR of 5.0 and maximum residential building height of 125 feet under the proposed actions) and a maximum FAR of 1.65 with its corresponding maximum residential building height of 33 feet along 40th Avenue and 39th Avenue and portions of 29th Street and Crescent Street between 41st and 37th Avenues (as compared to a maximum FAR of 2.0 and maximum residential building height of 40 feet under the proposed actions), development is expected to occur on the same sites as under the proposed actions (with the exception of nine potential development sites).

Under the proposed actions and Lower Density Alternative, residential development would be encouraged and industrial, commercial and community facilities would become better balanced in terms of street wall heights and building bulks so as to compliment residential development and to reflect the existing context. Street walls and setbacks within the study area would generally undergo some unification and would benefit the urban design of the Dutch Kills neighborhood. As visual resources within the study area include views west and southwest towards Manhattan, there is a potential for some partial blocking and interruption of these view corridors from new developments under both scenarios. However, these views are not unique or rare thus partial interruption would not pose a significant impact.

Therefore, neither this alternative nor the proposed actions would result in significant adverse impacts on urban design and visual resources.

NEIGHBORHOOD CHARACTER

Effects on neighborhood character would be similar under the Lower Density Alternative to those of the proposed actions. As both the proposed actions and Lower Density Alternative will influence the build characteristics of development projects largely through changes in the zoning requirements of the primary study area, the majority of anticipated affects are limited to the size and type of future buildings, and do not significantly affect other components of the built environment. As future development projects will be influenced by the larger project goal of creating transit oriented mixed-use and residential neighborhoods, both the proposed actions and Lower Density Alternative would enhance the general neighborhood character of the Dutch Kills neighborhood.

Since development under this alternative would take place on the same projected development sites identified for the proposed actions, direct residential and business displacement would be the same for the proposed actions as under this alternative. In addition, it is anticipated that this alternative would introduce the same amount and type of non-residential development as the proposed actions, so it would not have the potential to lead to significant indirect business displacement. Unlike the proposed actions, the Lower Density Alternative would not introduce affordable housing to the study area. Therefore, the population introduced under this alternative would not necessarily reflect the economic diversity of the existing study area population. However, the Lower Density Alternative would not be expected to result in a significant adverse indirect residential displacement impact because a) this alternative could serve to relieve, rather than increase market pressures in the study area, and b) there is an existing trend in the

study area toward increased rents, and this trend is expected to accelerate in the future without the proposed actions or Lower Density Alternative.

The proposed project could result in a significant adverse impact to the following historic properties determined eligible for listing on the State and National Registers.

- The A. Garside & Sons Shoe Factory (Block 377, Lot 13)
- The Pierce-Arrow Building (Harrolds Motor Car Company) (Block 376, Lot 1)

The A. Garside & Sons Shoe Factory is located on a projected development site and the Pierce-Arrow Building (also NYCL eligible) is located on a potential development site. Since development under the Lower Density Alternative would take place on the same projected and potential development sites (with the exception of nine potential development sites) identified for the proposed actions, direct and indirect significant impacts to these historic resources could occur under both scenarios. However, given that these buildings are not part of a distinct district, are not visually connected, and are not representative of area architecture, the loss of these buildings to future development would not constitute a significant impact to neighborhood character under either scenario.

As discussed in Chapter 8, “Urban Design and Visual Resources”, the proposed actions are not anticipated to significantly adversely impact the urban design and visual resources of the primary and secondary study areas. Under the guidance of the proposed zoning designations, the proposed actions would enhance the general urban design and visual resources of the Dutch Kills neighborhood. The Lower Density Alternative is expected to have similar impacts to urban design and visual resources.

As the Lower Density Alternative would generate fewer vehicle trips than the proposed actions’ RWCDs, and thus would result in fewer significant traffic impacts compared to the proposed actions. The unmitigable impacts to the eastbound and northbound left-turn movements at the intersection of Northern Boulevard and Steinway Street/39th Street in the weekday PM peak hour would not occur under the Lower Density Alternative. All analyzed sidewalks, corner areas and crosswalks would operate at LOS A or B in all analyzed peak hours with the proposed actions, and would also operate at these acceptable levels of service with the lower demand generated by the Lower Density Alternative.

In the future with the proposed actions, the maximum increase in noise would be less than 1 dBA. Under the Lower Density Alternative, increases in noise are expected to remain at or near this level. Increases of this magnitude would be imperceptible and, according to CEQR criteria, insignificant.

Therefore, the Lower Density Alternative would not result in significant adverse impacts to neighborhood character with respect to land use, socioeconomic conditions, historic resources, urban design and visual resources, transportation or noise.

NATURAL RESOURCES

The rezoning area is a densely developed urban area that does not contain natural features of significance, and it is not located immediately adjacent to any natural resources. As a result, neither the proposed actions nor the Lower Density Alternative would result in significant adverse impacts to natural resources.

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HAZARDOUS MATERIALS

The Lower Density Alternative would have the similar potential for significant adverse impacts with respect to hazardous materials as the proposed actions. This alternative would result in a decreased density of development in certain areas, and development on nine fewer sites (plus 3 fewer lots from other potential development sites). As with the proposed actions, development sites in the rezoning area have the potential to be affected by contamination as a result of historical and/or current industrial activity, the presence of fuel storage tanks, or some other land use identified in the *CEQR Technical Manual*. As such for this alternative, it is recommended that all appropriate (i.e., not city-owned) projected and potential development sites receive an E-designation.. The establishment of an E-designation ensures that the affected properties receive an appropriate level of assessment for the presence of contamination (Phase I Environmental Site Assessment of Phase II Environmental Site Investigation) prior to development. Since there are nine fewer potential development sites that would receive E-designations under the Lower Density Alternative, and there would be no restrictions on developing these sites (and 3 lots on other potential development sites) based on the zoning, the protections offered of placing E-designations on these sites and lots that is found in the proposed actions would be absent in the Lower Density Alternative.

INFRASTRUCTURE

The Lower Density Alternative would result in similar, but reduced effects on infrastructure. No significant adverse impacts to infrastructure will result from the proposed actions or the Lower Density Alternative.

SOLID WASTE AND SANITATION SERVICES

The Lower Density Alternative would result in similar, but reduced effects to solid waste and sanitation services as the proposed actions. No significant adverse impacts to sanitation services will result from the proposed actions or the Lower Density Alternative.

ENERGY

The Lower Density Alternative would result in similar, but reduced effects to energy use than the proposed actions. No significant adverse impacts will result from the proposed actions or the Lower Density Alternative.

TRAFFIC AND PARKING

With 459 fewer dwelling units than the proposed actions' RWCDs, the Lower Density Alternative would generate a lower level of travel demand than would the proposed actions. As shown in Table 22-6, below, the Lower Density Alternative would generate 56 fewer vehicle trips in the AM peak hour, 33 fewer in the midday, 63 fewer in the PM peak hour and 40 fewer in the Saturday midday peak hour.

**Table 22-6
Peak Hour Travel Demand Comparison
Lower Density Alternative with the Proposed Actions**

	Proposed Actions (1)	Lower Density Alternative (1)	Net Difference
Person Trips			
AM	664	327	-337
Midday	834	660	-174
PM	1,252	854	-398
Saturday Midday	1,459	1,212	-247
Vehicle Trips (2)			
AM	50	-6	-56
Midday	90	57	-33
PM	149	86	-63
Saturday Midday	201	161	-40
(1) Total incremental change in person and vehicle trips compared to the No-Action condition. (2) Auto, taxi and truck, combined.			

TRAFFIC

As the Lower Density Alternative would generate fewer vehicle trips than the proposed actions' RWCDs, and thus would result in fewer significant traffic impacts compared to the proposed actions. In the AM peak hour, two intersections would have one significant impact each, the same as with the proposed actions. In the midday, however, there would be no significant adverse traffic impacts under the Lower Density Alternative compared to a total of four impacted movements at three intersections with the proposed actions. In the PM peak hour, this alternative would result in a total of three impacted movements at three intersections compared to six impacted movements at four intersections with the proposed actions. Lastly, in the Saturday midday peak hour there would be one significant impact at one intersection under the Lower Density Alternative compared to a total of three impacts at two intersections with the proposed actions. A comparison of the impacted intersections under the proposed actions and Lower Density Alternative are presented in Table 22-7 below.

**Table 22-7
Comparison of Impacted Intersections under Lower Density Alternative**

Intersection	Proposed Actions				Lower Density Alternative			
	Weekday			Saturday	Weekday			Saturday
	AM	MD	PM	MD	AM	MD	PM	MD
Northern Blvd. at 40 th Ave/31 st Street	X	X	X	X	X		X	X
Northern Blvd. at 39 th Ave/Honeywell Street Bridge		X	X				X	
Northern Blvd. at 38 th Avenue/35 th Street			X				X	
Northern Blvd. at Steinway Street/39 th Street Bridge	X	X	X	X	X			
X - denotes significant impacts to one or more movements in the peak hour.								

The unmitigable impacts to the eastbound and northbound left-turn movements at the intersection of Northern Boulevard and Steinway Street/39th Street in the weekday PM peak hour would not occur under

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the Lower Density Alternative as a result of the smaller number of vehicle trips generated by this alternative compared to the RWCDS. Significant adverse traffic impacts under the Lesser Density Alternative would also be of a smaller magnitude than with the proposed actions due to the smaller number of vehicle trips. Traffic mitigation measures recommended to address significant adverse impacts under the proposed actions would therefore also fully address all significant adverse impacts under the Lesser Density Alternative.

PARKING

As with the proposed actions' RWCDS, it is anticipated that all parking demand from development of the Lower Density Alternative would be accommodated in accessory parking facilities, and would not contribute to a projected deficit of 1,283 off-street public parking spaces in the weekday midday. (The public parking supply would be 61 percent utilized in the weekday AM and 55 percent utilized in the Saturday midday, the same as with the proposed actions.) One existing off-street public parking facility with 200 spaces would be displaced under both the Lower Density Alternative and the proposed actions' RWCDS.

TRANSIT AND PEDESTRIANS

SUBWAY SERVICE

The Lower Density Alternative would generate a net total of 38 new subway trips in the weekday AM peak hour and 110 in the weekday PM peak hour at subway stations in the vicinity of the proposed rezoning area. This compares to 230 and 336 new subway trips during these periods, respectively, with the proposed actions. The lower level of new demand under this alternative would result in fewer additional trips at the two entrance stairs and the fare array at the 39th Avenue (N, W) subway station compared to the proposed actions' RWCDS. These facilities would operate at an acceptable LOS A or B in both the weekday AM and PM peak hours under the Lower Density Alternative, the same as with the proposed actions.

BUS SERVICE

Due to the replacement of light industrial, hotel, office and community facility uses from projected development sites that would exist in the future condition without the proposed actions, the Lower Density Alternative would result in a net reduction of 31 person-trips by bus in the weekday AM peak hour and a net reduction of six trips in the weekday PM peak hour on local bus routes within one-quarter mile of the proposed rezoning area. This compares to a net reduction of 25 trips in the AM peak hour and a net increase of three trips in the PM peak hour with the proposed actions. Since the Lower Density Alternative would result in a net reduction in bus demand in both analyzed peak hours, it would not result in significant adverse impacts to local bus services, the same as for the proposed actions.

PEDESTRIANS

In addition to pedestrian demand associated with trips to and from area transit facilities, the Lower Density Alternative would generate an estimated 194,212 and 452 walk-only trips during the weekday AM, midday and PM peak hours, respectively. This compares to 262, 247 and 532 walk-only trips during these periods, respectively, under the proposed actions' RWCDS. All analyzed sidewalks, corner areas and crosswalks would operate at LOS A or B in all analyzed peak hours with the proposed actions, and

would also operate at these acceptable levels of service with the lower demand generated by the Lower Density Alternative.

AIR QUALITY

MOBILE SOURCE

The Lower Density Alternative would result in fewer vehicle trips than the proposed action. Since the proposed action has been analyzed using a quantified mobile source analysis and would not result in any significant adverse impacts to air quality, the Lower Density Alternative is not expected to cause significant adverse impacts either.

INDUSTRIAL SOURCES

The Lower Density Alternative would result in fewer potential development sites and lower bulk on development sites overall. This would result in fewer sensitive receptors in the rezoning area that could be affected by local industrial sources of air pollution. Potential Development Site 127 would no longer receive as an E-designation and would not need to be considered in the Industrial Source analysis because it would not be considered a receptor in the Lower Density Alternative. Therefore, it is not expected that the Lower Density Alternative would include additional industrial source impacts.

HVAC SOURCES

The Lower Density Alternative would result in fewer potential development sites and lower bulk on development sites overall. Therefore, this alternative, which is smaller, would result in less overall air emissions from building heating boilers. The results of the modeling analysis for the impacts of all development sites demonstrated that the proposed action (with higher emissions) with the appropriate E-site designations would not result in any significant adverse impacts to air quality. However, given the possibility that some project buildings may be shorter in this alternative, there could be a more direct effect on nearby residential buildings that have operable windows at elevations close to shorter stack heights that may be associated with project developments of the Lower Density Alternative or existing buildings. Nevertheless, the overall number of HVAC E-designations would likely be fewer in the Lower Density Alternative. This is because about half of the projected or potential development sites would be expected to have building heights of 40 feet or 125 feet under the proposed actions; under the Lower Density Alternative the heights of these projected and potential development sites are expected to be lower (33 feet or 70 feet, respectively). Thus it is expected that many of the projected or potential development sites identified under the proposed actions as receptor points for HVAC emissions from neighboring buildings would likely not be receptor points for HVAC emissions under the Lower Density Alternative. Therefore, it is likely that this would result in fewer HVAC E-designations under the Lower Density Alternative. Additionally, Potential Development Sites 138 and 146 would drop out as E-designation sites because they would no longer exist as a source. Site 78 would drop out as an E-designation site because it would now be greater than 20 feet from the affected receptor since Lot 32 is also not part of the Lower Density Alternative. As with the proposed actions, any impact as it relates to HVAC emissions in the alternative would be avoided by use of E-designations restricting the type of fuel used at those sites.

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NOISE

The Lower Density Alternative would likely generate less traffic than the proposed actions, and as such would not be expected to result in any significant noise impact. Under the Lower Density Alternative, the same building attenuation design measures for rail noise as under the proposed actions would apply, so that noise levels within any buildings that would occur due to the Lower Density Alternative would comply with all applicable requirements.

CONSTRUCTION IMPACTS

Given that development will occur on the same potential and projected development sites (with the exception of nine potential sites) under the Lower Density Alternative as under the proposed actions, potential construction related impacts would be similar, with significant impacts occurring for historic architectural resources under both scenarios.

PUBLIC HEALTH

Neither the proposed actions nor the Lower Density Alternative would result in significant adverse public health impacts.

MITIGATION

As with the proposed actions, further coordination between DCP and New York City Department of Parks and Recreation (“NYCDPR”) would be required to mitigate open space impacts associated with the Lower Density Alternative. Depending on the availability of publicly owned vacant land for the creation of new open space and the availability of feasible measures to improve the usability of existing open space resources, the significant adverse open space impact under the Lower Density Alternative may remain unmitigated.

As discussed above, the Lower Density Alternative would generate fewer vehicle trips than the proposed actions’ RWCDS, and thus would result in fewer significant traffic impacts compared to the proposed actions. In the AM peak hour, two intersections would have one significant impact each, the same number as with the proposed actions. In the midday, however, there would be no significant adverse traffic impacts under the Lower Density Alternative compared to a total of four impacted movements at three intersections with the proposed actions. In the PM peak hour, this alternative would result in a total of three impacted movements at three intersections compared to six impacted movements at four intersections with the proposed actions. Lastly, in the Saturday midday peak hour there would be one significant impact at one intersection under the Lower Density Alternative compared to a total of three impacts at two intersections with the proposed actions. Unlike the proposed actions, the unmitigable impacts to the eastbound and northbound left-turn movements at the intersection of Northern Boulevard and Steinway Street/39th Street in the weekday PM peak hour would not occur under the Lesser Density Alternative.

UNAVOIDABLE ADVERSE IMPACTS

HISTORIC RESOURCES

Archaeological Resources

Five lots were identified within the study area that could potentially experience new in-ground disturbance and possess the potential for intact archaeological deposits. Resources within portions of the development sites where new construction could occur, absent prior disturbance, would be adversely impacted by new construction. This would constitute a significant adverse impact. Given that the projected and potential development sites for the Lower Density Alternative are the same as for the proposed actions, significant impacts would also result from the Lower Density Alternative. As with the proposed actions, the Lower Density Alternative was assessed for possible mitigation measures in accordance with the guidelines contained in the *CEQR Technical Manual*. The guidelines identify several ways in which impacts on potential archaeological resources can be mitigated, including:

- Redesigning a project so that it does not disturb the resource.
- Fieldwork/field-testing – this includes archaeological site testing to assess whether archaeological resources are, in fact, present. If evidence of such resources is found, additional archaeological testing is performed to determine the extent and significance of the archaeology site.
- Data Recovery – when archaeological resources are determined to be present on a project site and avoidance of significant archaeological resources is not an option, a data recovery program can be implemented. Since the value or significance of an archaeological resource relates to its potential to provide important information, adverse impacts are considered mitigated when the information has been recovered through systematic archaeological data recovery. Mitigation is not considered to be complete until a final report has been reviewed and approved and artifacts are curated in an appropriate repository (see below).
- Repositories – artifacts recovered through data recovery should be curated in an appropriate repository which would keep them to professional standards and make them available to researchers.

Both the proposed actions and Lower Density Alternative are area wide rezoning and related actions. None of the above mitigation options would be applicable or practical, because the affected lots are privately owned. The sites could be developed as-of-right and private ownership of the land prevents the city from requiring any archaeological research or testing program, or mandating the preservation or documentation of such remains, should they exist. Since there is no implementation technique, the impacts at the four projected development sites and one potential development site are considered to be an unmitigated and unavoidable adverse impact of the Lower Density Alternative.

Architectural Resources

As noted earlier, of the structures that were determined to be eligible historic architectural resources only four structures are located on or in close enough proximity of the development sites which could potentially lead to direct and/or indirect significant adverse historic resources impacts due to the Lower Density Alternative. Those structures are: New York Consolidated Card Company, Pierce-Arrow

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Building (Harrolds Motor Car Company), Garside & Sons Shoe Factory, and FDNY Engine Company 261 Hook & Ladder 116.

The Lower Density Alternative was assessed for possible mitigation measures in accordance with CEQR guidelines. The *CEQR Technical Manual* identifies several ways in which impacts on potential architectural resources can be mitigated, including:

- Redesigning the action so that it does not disturb the resource;
- Relocating the action to avoid the resource altogether;
- Contextual redesign of a project that does not actually physically affect an architectural resource but would alter its setting;
- Adaptive reuse to incorporate the resource into the project rather than demolishing it;
- Development of a construction protection plan to protect historic resources that may be affected by construction activities related to a proposed action;
- Data recovery or recordation of historic structures that would be significantly altered or demolished; and
- Relocating architectural resources.

Based on the above mitigation options, no mitigation measures would be feasible and practicable for the Lower Density Alternative, because the area to be rezoned and the sites identified for projected and potential development are privately-owned. In the future, if the sites are developed as-of-right in accordance with the new zoning, private ownership of the land would prevent the City from requiring any of the above mitigation measures. As such, like the proposed actions, the architectural impacts identified under the Lower Density Alternative are considered to be unmitigated adverse impacts.

TRAFFIC

The unavoidable adverse impacts to the eastbound and northbound left-turn movements at the intersection of Northern Boulevard and Steinway Street/39th Street that would occur under the proposed actions in the weekday PM peak hour would not occur with the Lower Density Alternative.

D. NO IMPACT ALTERNATIVE

It is the city's practice to include, whenever feasible, a No Impact Alternative that avoids, without the need for mitigation, all significant environmental impacts of the proposed actions. As presented in Chapters 2 through 20, the proposed actions are anticipated to result in significant adverse impacts in the following technical areas: open space, historical resources (site disturbance) and traffic. To avoid these potential significant adverse impacts, this alternative would require a substantial reduction in the number of dwelling units and commercial spaces. For example, in order to eliminate all significant adverse traffic impacts, the development program would need to be reduced to approximately 451 additional residential units and 42,364 square feet of destination retail space. (Vehicle trips generated by the project's destination retail component are the primary factor contributing to significant adverse traffic impacts in the Saturday midday peak hour.) This is compared to 1,555 dwelling units and 70,606 square feet of destination retail space under the proposed actions. In order to avoid significant adverse traffic impact, a No Impact Alternative would have to be reduced the total incremental residential development by approximately 70 percent and the total incremental destination retail development approximately 40 percent. Therefore, a No Impact Alternative for traffic is not feasible as it would not result in a development density required to meet the goals and objectives of the proposed actions.

The open space ratio under the No Action Alternative would be 0.83 acres per 1,000 residents, 0.79 acres per 1,000 residents under the Lower Density Alternative, and 0.78 acres per 1,000 residents as a result of the proposed actions. Under all three scenarios, the open space ratios are below the citywide median community district open space ratio of 1.5 acres per 1,000 residents and the NYCDCP planning goal of 2.5 acres per 1,000 residents. Any appreciable increase in residential development is likely to result in an increase demand on open space resources resulting in significant adverse impacts on those resources. Therefore, a No Impact Alternative for open space is not feasible as it would not result in sufficient residential development required to meet the goals and objectives of the proposed actions.

To avoid the proposed action's direct impacts and potential construction-related impacts to historic resources, construction under a No Impact Alternative would have to be avoided on the following development sites:

- Projected Development Site 15 - southeast corner of 37th Avenue and 24th Street;
- Projected Development Site 32 - east side of Crescent Street, midblock between 37th and 38th Avenues;
- Projected Development Site 14 - southwest corner of 38th Avenue and 30th Street;
- Projected Development Site 24 - southeast corner of 40th Avenue and 28th Street;
- Part of Potential Development Site 47 - west side of 29th Street just north of 40th Avenue;
- Projected Development Site 7 - south side of 37th Avenue between 35th and 36th Streets, and;
- Potential Development Lot 155 - south side of 37th Avenue between 34th and 35th Streets.
- Potential Development Sites #69, #70, #121, and #233 – east side of 32nd Street between 36th and 37th Avenues
- Projected Development Site #34 and Potential Development Sites #42 and #185 – midblock between 28th and 29th Streets and between 37th and 38th Avenues

Removal of these development sites would result in a noncontiguous rezoning area. Therefore, a No Impact Alternative for historic resources is not feasible as it would not result in a cohesive rezoning area with uniform regulations consistent with the Special District and would be in conflict with the goals and objectives of the proposed actions.

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E. 3.0 FAR ALTERNATIVE FOR LIGHT INDUSTRIAL USES

In response to comments received during the public review process, a 3.0 FAR Alternative for Light Industrial Uses is being considered. Under this alternative, where M1-2 or M1-2/R5B, M1-2/R5D, and M1-2/R6A zoning districts are proposed the maximum light industrial/commercial floor area ratio (FAR) would be increased from 2.0 to 3.0 for selected primarily light industrial uses as noted in proposed regulations for the Dutch Kills Subdistrict within the Special Long Island City Mixed Use District. This alternative would give the selected light industrial uses increased flexibility in terms of enlarging and growing their businesses.

Over 90% of the light industrial and commercial uses in the rezoning area are developed to less than 2.0 FAR. Therefore, under the proposed actions most light industrial uses would be able to vertically enlarge upward by an additional 1 to 2 stories. Under the 3.0 Alternative, such 1-story uses could enlarge upward by an additional 2-3 stories consistent with M1-2 building envelope regulations and at a scale that would blend well with the established built fabric of the rezoning area. As such, the 3.0 FAR Alternative could provide development opportunities that would be at appropriate scales that are consistent with the existing context, a key purpose of the proposed actions as identified in Chapter 1, “Project Description.”

Under this Alternative, the additional floor area would be available to a range of commercial and light industrial uses traditionally found within or near to the rezoning area, including: television, radio and movie production, and light industrial uses such as electrical and heating contractors, glass cutting shops, warehouses, wholesalers, moving or storage offices, laundries, building materials or contractor’s yards and manufacturing and production of apparel, canvas, cork products, mattresses, textiles, bottles, upholstery and wax products, among others listed in Use Groups 16A, 16D, 17A and 17B. The 3.0 FAR Alternative would not be available to other semi-industrial uses whose maximum allowable FAR would be maintained at 2.0 including: automobile, motorcycle or motor scooter rental establishments, chicken slaughterhouses, riding academies, stables for horses and trade schools for adults.

The 3.0 FAR Alternative is not expected to induce new development beyond the amounts already described in the proposed actions. Today, under the existing conditions, light industrial businesses have the potential to enlarge an existing building or develop a new building up to a maximum FAR of 5.0. However, there have been only a handful of modest light industrial enlargements in the rezoning area over the past 20 years and current building trends are actually moving toward conversion of former industrial loft buildings to office buildings or other commercial uses. The 3.0 FAR Alternative is intended to give businesses more flexibility in terms of how they can expand in the future. Thus, the 3.0 FAR Alternative would not trigger a change in overall development and no further technical analyses are necessary beyond those already conducted for the proposed actions.

LAND USE, ZONING, AND PUBLIC POLICY

The overall effect of the 3.0 FAR Alternative on land use, zoning, and public policy would be comparable to that of the proposed actions. The benefits expected to result from the proposed actions—including the encouragement of moderate- and higher-density development near public transportation by removing restrictions on residential development and the support of continued economic growth in the mixed-use residential, commercial, and light industrial community by retaining the light manufacturing district in both the mixed use and solidly industrial areas of Dutch Kills—would still be realized under this alternative. Neither the 3.0 FAR Alternative nor the proposed actions would result in significant adverse impacts on land use, zoning, and public policy.

SOCIOECONOMICS

Like the proposed actions, the 3.0 FAR Alternative would not result in significant adverse socioeconomic impacts. Development under this alternative would take place on the same projected development sites identified for the proposed actions, resulting in the direct residential and business displacement as identified for the proposed actions. In addition, it is anticipated that this alternative would introduce the same amount and type of non-residential development as the proposed actions, so it would not have the potential to lead to significant indirect business displacement.

As with the proposed actions, the 3.0 FAR Alternative would not be expected to result in a significant adverse indirect residential displacement impact because there is an existing trend in the study area toward increased rents, and this trend is expected to continue in the future without the proposed actions or the 3.0 FAR Alternative. However, both the proposed actions and the 3.0 FAR Alternative are expected to result in an additional 187 affordable units through the proposed Inclusionary Housing Program, creating new opportunities for lower-income renters in the area.

COMMUNITY FACILITIES AND SERVICES

The projected population increase in the study area under the 3.0 FAR Alternative would be comparable to that for the proposed actions, and would place a similar demand on community facilities and services. Therefore, as under the proposed actions, this alternative would not have any significant adverse impacts on public schools, libraries, day care centers, or outpatient health care facilities, or police and fire protection services.

OPEN SPACE

The overall effect of the 3.0 FAR Alternative on open space resources would be similar to the effects of the proposed actions. The open space ratio under both the proposed actions and the 3.0 FAR Alternative is less than the DCP goal of 2.5 acres and the CEQR guideline of 1.5 acres for open space; therefore, a significant adverse impact to publicly-accessible open space would result from both the proposed actions and the 3.0 FAR Alternative. Unless sufficient mitigation measures are found, the adverse impacts to open space would be unavoidable for both the proposed actions and the 3.0 FAR Alternative.

SHADOWS

A shadow analysis performed for the future condition with the proposed actions determined that no significant shadow impact to sunlight sensitive resources will occur as a result of the proposed actions. Development would occur on the same development sites under the 3.0 FAR Alternative. Therefore, no significant shadow impacts will occur as a result of the 3.0 FAR Alternative.

HISTORIC RESOURCES

ARCHAEOLOGICAL RESOURCES

Five lots were identified within the study area that could potentially experience new and/or expanded in-ground disturbance and possess the potential for intact archaeological deposits: Block 367, Lot 23 ; Block 368, Lot 11; Block 371, Lot 38; Block 398, Lot 1; and, Block 398, Lot 39.

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Under the 3.0 FAR Alternative, development would occur on the same projected and potential development sites as under the proposed actions. Development of the projected development sites under both the proposed actions and 3.0 FAR Alternative could result in adverse physical impacts to potential archaeological resources through construction and these potential impacts would be considered unmitigatable adverse impacts. If potential archaeological resources exist on these five lots, and they would be excavated as a result of private development (which would not require further discretionary approvals), the impacts would be unavoidable adverse impacts. There are no regulatory mechanisms currently available to require that subsequent private as-of-right development undertake archaeological field tests to determine the presence of archaeological resources or mitigation for any identified significant resources through avoidance or excavation and data recovery.

The 3.0 FAR Alternative would have the same adverse impacts to archaeological resources as the proposed actions and these impacts, as for the proposed actions, would be unavoidable adverse impacts.

ARCHITECTURAL RESOURCES

A survey of historic architectural resources within the study area was conducted to identify properties that had potential to meet the eligibility criteria for inclusion in the State and National Registers of Historic Places. Of the structures that were determined to be eligible historic architectural resources only four structures are located on or in close enough proximity to the development sites which could potentially lead to direct and/or indirect significant adverse historic resources impacts due to the proposed actions and, similarly, the 3.0 FAR Alternative. Those structures are: New York Consolidated Card Company, Pierce-Arrow Building (Harrolds Motor Car Company), Garside & Sons Shoe Factory, and FDNY Engine Company 261 Hook & Ladder 116. Only the Pierce-Arrow Building is eligible for New York City landmark designation, however it has not been calendared for consideration by Landmarks Preservation Commission.

The A. Garside & Sons Shoe Factory and the Pierce-Arrow Building are located on development sites for the 3.0 FAR Alternative. Since the properties may be demolished as part of the future development, it could result in a direct significant adverse impact. Neither the New York Consolidated Card Company or the FDNY Engine Company 261 Hook & Ladder 116 are located directly on a development site. However they are located adjacent or otherwise in close proximity development sites for the 3.0 FAR Alternative. Any construction activities associated with one or more development sites nearby could result in a direct significant adverse impact that could occur as the result of falling objects, subsidence, collapse, and/or damage from construction machinery.

Given that development would occur on the same projected and potential development sites under the 3.0 FAR Alternative as under the proposed actions, this alternative would have the same adverse impact to historic architectural resources as the proposed actions. And, as for archaeological resources above, the impacts to these historic architectural resources would be unavoidable for both the proposed actions and the 3.0 FAR Alternative.

URBAN DESIGN AND VISUAL RESOURCES

Positive changes to the urban design and visual character of the study area that would occur with the proposed actions would also occur under this alternative. Under the proposed actions and 3.0 FAR Alternative, residential development would be encouraged and industrial, commercial and community facilities would become better balanced in terms of street wall heights and building bulks so as to compliment residential development and to reflect the existing context. Street walls and setbacks within

the study area would generally undergo some unification and would benefit the urban design of the Dutch Kills neighborhood. As visual resources within the study area include views west and southwest towards Manhattan, there is a potential for some partial blocking and interruption of these view corridors from new developments under both scenarios. However, these views are not unique or rare and, thus, partial interruption would not pose a significant impact.

Therefore, neither the proposed actions nor the 3.0 FAR Alternative would result in significant adverse impacts on urban design and visual resources.

NEIGHBORHOOD CHARACTER

Effects on neighborhood character would be similar under the 3.0 FAR Alternative to those of the proposed actions. As both the proposed actions and 3.0 FAR Alternative will influence the build characteristics of development projects largely through changes in the zoning requirements of the primary study area, the majority of anticipated affects are limited to the size and type of future buildings, and do not significantly affect other components of the built environment. As future development projects will be influenced by the larger project goal of creating transit oriented mixed-use and residential neighborhoods, both the proposed actions and 3.0 FAR Alternative would enhance the general neighborhood character of the Dutch Kills neighborhood.

Since development under this alternative would take place on the same projected development sites identified for the proposed actions, direct residential and business displacement would be the same for the proposed actions as under this alternative. In addition, it is anticipated that this alternative would introduce the same amount and type of non-residential development as the proposed actions, so it would not have the potential to lead to significant indirect business displacement.

The 3.0 FAR Alternative would not be expected to result in a significant adverse indirect residential displacement impact because a) this alternative could serve to relieve, rather than increase market pressures in the study area, and b) there is an existing trend in the study area toward increased rents, and this trend is expected to continue in the future without the proposed actions or the Alternative.

The proposed project could result in a significant adverse impact to the historic properties as identified above. Since development under the 3.0 FAR Alternative would take place on the same projected and potential development sites identified for the proposed actions, direct and indirect significant impacts to these historic resources could occur under both scenarios. However, given that these buildings are not part of a historic district, are not visually connected, and are not representative of area architecture, the loss of these buildings to future development would not constitute a significant impact to neighborhood character under either scenario.

The proposed actions are not anticipated to significantly adversely impact the urban design and visual resources of the primary and secondary study areas. Under the guidance of the proposed zoning designations, the proposed actions would enhance the general urban design and visual resources of the Dutch Kills neighborhood. The 3.0 FAR Alternative is expected to have similar impacts to urban design and visual resources.

The 3.0 FAR Alternative would generate approximately the same number of vehicle trips as the proposed actions' RWCDS and would thus result in the same significant traffic impacts. All analyzed sidewalks, corner areas and crosswalks would operate at Level of Service (LOS) A or B in all analyzed peak hours

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with the proposed actions, and would also operate at these acceptable levels of service with the similar demand generated by the 3.0 FAR Alternative.

In the future with the proposed actions, the maximum increase in noise would be less than 1 dBA (in concert with the prescribed noise attenuation requirements). Under the 3.0 FAR Alternative, increases in noise are expected to remain at or near this level. Increases of this magnitude would be imperceptible and, according to CEQR criteria, insignificant.

Given the above, the 3.0 FAR Alternative would not result in significant adverse impacts to neighborhood character with respect to land use, socioeconomic conditions, historic resources, urban design and visual resources, transportation, or noise.

NATURAL RESOURCES

The rezoning area is a densely developed urban area that does not contain natural features of significance, and it is not located immediately adjacent to any natural resources. As a result, neither the proposed actions nor the 3.0 FAR Alternative would result in significant adverse impacts to natural resources.

HAZARDOUS MATERIALS

The 3.0 FAR Alternative would have the similar potential for significant adverse impacts with respect to hazardous materials as the proposed actions. As with the proposed actions, development sites in the rezoning area have the potential to be affected by contamination as a result of historical and/or current industrial activity, the presence of fuel storage tanks, or some other land use as identified in the *CEQR Technical Manual*. As with the proposed actions, all appropriate (i.e., not city-owned) projected and potential development sites would receive an E-designation under the 3.0 FAR Alternative. E-Designations would be employed for the development sites which are shown in Appendix O. The establishment of an E-designation ensures that the affected properties receive an appropriate level of assessment for the presence of contamination prior to development.

INFRASTRUCTURE

The 3.0 FAR Alternative would result in similar effects on infrastructure and no significant adverse impacts to infrastructure will result from the proposed actions or the 3.0 FAR Alternative.

SOLID WASTE AND SANITATION SERVICES

The 3.0 FAR Alternative would result in similar effects to solid waste and sanitation services and no significant adverse impacts to sanitation services will result from the proposed actions or the 3.0 FAR Alternative.

ENERGY

The 3.0 FAR Alternative would result in similar effects to energy use and no significant adverse impacts will result from the proposed actions or the 3.0 FAR Alternative.

TRAFFIC AND PARKING

The 3.0 FAR Alternative would result in similar travel demand when compared to the proposed actions and would result in the same significant traffic impacts. There are four intersections that would be considered significant adverse impacts under the proposed actions would be significant adverse impacts under the 3.0 FAR Alternative. The intersections are: Northern Boulevard at 40th Ave/31st Street, Northern Boulevard at 39th Ave/Honeywell Street Bridge, Northern Boulevard at 38th Avenue/35th Street, and Northern Boulevard at Steinway Street/39th Street Bridge.

As with the proposed actions, the unmitigable impacts to the eastbound and northbound left-turn movements at the intersection of Northern Boulevard and Steinway Street/39th Street in the weekday PM peak hour would also occur under the 3.0 FAR Alternative. For all other significant adverse traffic impacts, the traffic mitigation measures identified under the proposed actions would also be necessary to address significant adverse impacts under the 3.0 FAR Alternative.

PARKING

As with the proposed actions, it is anticipated that all parking demand from development of the 3.0 FAR Alternative would be accommodated in accessory parking facilities, and would not contribute to a projected deficit of 1,283 off-street public parking spaces in the weekday midday (parking supply for the weekday morning and Saturday midday would be more than sufficient under both the proposed actions and this alternative). One existing off-street public parking facility with 200 spaces would be displaced under both the 3.0 FAR Alternative and the proposed actions.

TRANSIT AND PEDESTRIANS

TRANSIT SERVICES

Transit services, subway and/or bus, would not experience a significant adverse impact as the result of the proposed actions or the 3.0 FAR Alternative. The 3.0 FAR Alternative would generate a similar number of new subway trips as the proposed actions and the 39th Avenue (N, W) subway station would operate at an acceptable LOS A or B in both the weekday AM and PM peak hours under the 3.0 FAR Alternative, the same as with the proposed actions. The 3.0 FAR Alternative, as with the proposed actions, would result in a net reduction in bus demand in both analyzed peak hours and as such, it would not result in significant adverse impacts to local bus services.

PEDESTRIANS

All analyzed sidewalks, corner areas and crosswalks would operate at LOS A or B in all analyzed peak hours with the proposed actions, and would also operate at these acceptable levels of service with the under the 3.0 FAR Alternative.

AIR QUALITY

MOBILE SOURCE

The 3.0 FAR Alternative would result in a similar number of vehicle trips as compared to the proposed actions. Since the proposed actions would not result in any significant adverse impacts to air quality in

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accordance with the mobile source analysis conducted, the 3.0 FAR Alternative would not be expected to cause significant adverse impacts either.

INDUSTRIAL SOURCES

Given that development would occur on the same projected and potential development sites under the 3.0 FAR Alternative as under the proposed actions, this alternative would result in the same sensitive receptors in the rezoning area that could be affected by local industrial sources of air pollution. The industrial source analysis conducted for the proposed actions determined that there would be no potential significant adverse air quality impacts from industrial sources. Therefore, the 3.0 FAR Alternative would also not result in significant adverse air quality impacts from industrial sources.

HVAC SOURCES

Because development would occur on the same projected and potential development sites under the 3.0 FAR Alternative as under the proposed actions, this alternative would result in the same sensitive receptors in the rezoning area that could be affected by HVAC sources of air pollution. The stationary source analyses conducted for the proposed actions determined that there would be no potential significant adverse air quality impacts from HVAC systems of the projected and potential development sites. At certain sites, an E-designation would be mapped to ensure the developments would not result in any significant air quality impacts from HVAC emissions due to individual or groups of development sites. E-Designations would be employed for the development sites which are shown in Appendix O. Therefore, the 3.0 FAR Alternative would also not result in significant adverse air quality impacts from HVAC sources with the incorporation of the appropriate E-designations.

NOISE

The 3.0 FAR Alternative would generate similar traffic as found with the proposed actions, and as such would not be expected to result in any significant noise impact. Under the 3.0 FAR Alternative, the same building attenuation design measures for rail noise as under the proposed actions would apply, so that the interior noise levels within any buildings that would occur due to the 3.0 FAR Alternative would comply with all applicable requirements. E-Designations would be employed for the development sites which are shown in Appendix O.

CONSTRUCTION IMPACTS

Given that development will occur on the same potential and projected development sites under the 3.0 FAR Alternative as under the proposed actions, potential construction related impacts would be similar. Construction-related activities resulting from the proposed actions are not expected to have significant adverse impacts on land use and neighborhood character, socioeconomics conditions, community facilities and services, open space, natural resources, traffic and parking, air quality, noise and vibration, infrastructure, or hazardous materials conditions. Both direct and indirect construction-related impacts related to the proposed actions could potentially occur to the eligible historic resources noted above, further these impacts would be considered unmitigated. Consequently, the 3.0 FAR Alternative would potentially incur the same unmitigatable significant adverse impacts to historic resources due to construction-related activities.

PUBLIC HEALTH

The 3.0 FAR Alternative would not induce any new development beyond that already described for the proposed actions. The survey of contributing items that could potentially result in public health concerns as a result of the proposed actions found that none would rise to a significant level. Therefore, neither the proposed actions nor the 3.0 FAR Alternative would result in significant adverse public health impacts.

MITIGATION

The 3.0 FAR Alternative, as noted above, would have the same significant adverse impact to traffic as would result from the proposed actions. A traffic mitigation plan for the proposed actions was developed consisting of changes to signal timing and phasing, and changes to curb side parking regulations in order to increase capacity. The proposed traffic mitigation measures would fully mitigate most of the traffic impacts that would occur as a result of the proposed actions in each peak hour. However, two impacts at the intersection of Northern Boulevard and Steinway Street/39th Street would remain unmitigated in the weekday PM peak hour. Given that the 3.0 FAR Alternative would have the same developments sites as that for the proposed actions and therefore have similar effects on traffic, the traffic mitigation plan would have similar results for the 3.0 FAR Alternative as that for the proposed actions.

UNAVOIDABLE ADVERSE IMPACTS

OPEN SPACE

The 3.0 FAR Alternative would have the same significant adverse impact to publicly-accessible open space as would result from the proposed actions. As with the proposed actions, the 3.0 FAR Alternative was assessed for possible mitigation measures in accordance with the guidelines contained in the *CEQR Technical Manual*. Given the unavailability of publicly owned vacant land for the creation of new open space and/or feasible measures to sufficiently improve the usability of existing open space resources, like that for the proposed actions, the significant adverse open space impact under the 3.0 FAR Alternative would remain unmitigated.

HISTORIC RESOURCES

Archaeological Resources

Five lots were identified, as noted above, that could potentially experience new and/or expanded in-ground disturbance and possess the potential for intact archaeological deposits. Resources within portions of the development sites where new construction could occur, absent prior disturbance, would be adversely impacted by new construction and would constitute a significant adverse impact. As with the proposed actions, the 3.0 FAR Alternative was assessed for possible mitigation measures in accordance with the guidelines contained in the *CEQR Technical Manual*.

Both the proposed actions and 3.0 FAR Alternative are area wide rezoning and related actions. None of the mitigation options noted in the guidelines would be applicable or practical, because the affected lots are privately owned. The sites could be developed as-of-right and private ownership of the land prevents the city from requiring any archaeological research or testing program, or mandating the preservation or documentation of such remains, should they exist. Since there is no implementation technique, the impacts at the five development sites are considered to be an unmitigated and unavoidable adverse impact of the 3.0 FAR Alternative.

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Architectural Resources

As noted earlier, of the structures that were determined to be eligible historic architectural resources, only four structures are located on or in close enough proximity of the development sites which could potentially lead to direct and/or indirect significant adverse historic resources impacts due to the 3.0 FAR Alternative. Those structures are: New York Consolidated Card Company, Pierce-Arrow Building (Harrolds Motor Car Company), Garside & Sons Shoe Factory, and FDNY Engine Company 261 Hook & Ladder 116.

The 3.0 FAR Alternative was assessed for possible mitigation measures in accordance with CEQR guidelines. Based on the mitigation options, no mitigation measures would be feasible and practicable for the 3.0 FAR Alternative, because the area to be rezoned and the sites identified for development are privately-owned. In the future, if the sites are developed as-of-right in accordance with the new zoning, private ownership of the land would prevent the City from requiring any mitigation measures. As such, like the proposed actions, the architectural impacts identified under the 3.0 FAR Alternative are considered to be unmitigated adverse impacts.

TRAFFIC

Four of the six significant adverse traffic impacts in the weekday PM peak hour would be mitigated. No reasonable mitigation would be available to mitigate the two remaining significant adverse impacts at the intersection of Northern Boulevard and Steinway Street/39th Street in the weekday PM peak hour. The traffic movements that would be affected by unmitigated impacts are the eastbound left-turn on Northern Boulevard and the northbound left-turn from the 39th Street Bridge. At these locations, use of the range of mitigation measures that are available to the city, including signal timing changes, and changes in on-street parking regulations to allow additional travel lanes could not fully mitigate the anticipated impacts of the proposed project. Thus, these are unmitigated significant adverse impacts of the 3.0 FAR Alternative with respect to traffic.