# 20

# Alternatives

As described in the *2021 CEQR Technical Manual*, alternatives selected for consideration in an Environmental Impact Statement (EIS) are generally those that are feasible and have the potential to reduce, eliminate, or avoid adverse impacts of a proposed action while meeting some or all the goals and objectives of this action.

## Introduction

As described in **Chapter 1, Project Description**, the Applicants, 760 12th, LLC and 801 11th Ave., LLC, are seeking zoning map amendments, zoning text amendments, and zoning special permits (collectively, the Proposed Actions) to facilitate the development of two buildings (collectively, the Proposed Projects): a 44-story, mixed-use residential and commercial building at 629 West 54th Street (Manhattan Block 1102, Lot 11) (Development Site 1) and a 38-story, mixed-use residential and commercial building at 801 Eleventh Avenue (Manhattan Block 1103, Lot 36) (Development Site 2).

The Proposed Projects would contain a total of approximately 1,179,321 gross square feet (gsf; 892,442 zoning square feet [zsf]), including approximately 939,934 gsf (743,701 zsf) of residential floor area and 199,750 gsf (148,740.6 zsf) of commercial floor area across the two development sites. The building at 629 West 54th Street would contain up to approximately 617 dwelling units (DUs) and 113,990 gsf of commercial auto dealership space. The building at 801 Eleventh Avenue would contain 477 DUs and 85,760 gsf of commercial auto dealership space.

The Proposed Actions include a zoning text amendment, a zoning map amendment, and zoning special permits to facilitate a transfer of floor area from the Granting Sites (Chelsea Piers, Piers 81/83, and Pier 98) within Hudson River Park to the development sites. In addition to the Proposed Actions, the Board of Directors of Hudson River Park Trust must approve the sale of the floor area from the Granting Sites, which requires a Signification Action process pursuant to the Hudson River Park Act.

Given the range of programs that could result from the Proposed Actions, two reasonable worst case development scenarios were assessed to ensure conservative analyses. The Maximum Commercial Scenario assesses the Proposed Projects with a more conservative mix of commercial retail and office uses instead of auto dealership space. The Maximum Residential Scenario assesses a development scenario in which the Applicants instead maximize the residential floor area that could be developed on each Development Site.

This chapter considers the following three alternatives to the Proposed Actions:

- A **No-Action Alternative**, which is mandated by City Environmental Quality Review (CEQR) and the State Environmental Quality Review Act (SEQRA). The No-Action Alternative is intended to provide the lead and involved agencies with an assessment of the expected environmental conditions in 2029 (the "build year" for the Proposed Actions) in the absence of the Proposed Actions.
- A **No Unmitigated Significant Impacts Alternative**, which considers a development scenario that would not result in any identified unmitigated significant adverse impacts.
- A **No Special Permit Alternative**, which considers a development scenario in which the Applicants would seek a rezoning, but would not seek a transfer of development rights from Hudson River Park, resulting in reduced density compared to the Proposed Actions.

# Principal Conclusions

## No-Action Alternative

The No-Action Alternative assesses the future conditions on Development Sites 1 and 2 in absence of the Proposed Actions (i.e., none of the discretionary approvals proposed as part of the Proposed Actions would be adopted). In the 2029 future under the No-Action Alternative, it is anticipated that Development Site 1 would continue to be occupied by the existing auto dealership use, and the existing auto dealership space on Development Site 2 would be leased to new tenants. These conditions are referred to throughout the EIS as the No-Action Condition or the Future Without the Proposed Actions.

The anticipated significant adverse impacts of the Proposed Actions related to buses, construction transportation (traffic), and construction noise would not occur under the No-Action Alternative. However, the No-Action Alternative would not meet the goals and objectives of the Proposed Actions. Under the No-Action Alternative, there would be no residential development on the development sites, and the Applicants would not be able to provide affordable and market-rate housing. The existing zoning would not permit residential uses of any kind, and Mandatory Inclusionary Housing (MIH) would not be mapped on the Project Area, meaning that no affordable or market rate housing would be developed. In addition, under the No-Action Alternative, there would be no transfer of development rights from Hudson River Park, meaning that the associated benefits to the park (i.e., funding to facilitate the repair and rehabilitation of piers, bulkheads, and infrastructure within Hudson River Park) would not occur. Therefore, the No-Action Alternative would fail to meet the objectives of the Proposed Actions.

## No Unmitigated Significant Adverse Impacts Alternative

The No Unmitigated Significant Adverse Impacts Alternative assesses a scenario in which the Proposed Actions are modified such that future development would avoid the unmitigable significant adverse impacts associated with the Proposed Actions, as identified in the EIS. As discussed in **Chapter 18, Mitigation,** and **Chapter 21, Unavoidable Significant Adverse Impacts,** the Proposed Actions would result in unmitigable significant adverse impacts due to traffic and noise levels during construction. In order to eliminate these impacts, the Proposed Actions would have to be modified to such a point where their principal goals and objectives would not be realized.

## No Special Permit Alternative

To address public input on the Draft Scope of Work for the Draft Environmental Impact Statement (DEIS), a No Special Permit Alternative was developed in order to assess the extent to which the anticipated impacts to buses and construction noise could be reduced or eliminated and the goals and objectives of the Proposed Actions still achieved without the special permit pursuant to ZR Section 89-21 (Transfer of Floor Area from Hudson River Park) to transfer development rights from Hudson River Park to the development sites.[1] Under the No Special Permit Alternative, residential density at both development sites would be reduced.

The No Special Permit Alternative would meet some of the goals and objectives of the Proposed Actions, though to a lesser extent than the Proposed Actions. The provision of housing, including affordable housing, is a central goal of the Proposed Actions. The No Special Permit Alternative would result in up to 219 fewer units of housing being built compared to the Proposed Actions, including up to 65 fewer permanently affordable units pursuant to MIH. As such, the No Special Permit Alternative would contribute less than the Proposed Actions to the creation of new housing, including new affordable housing. An additional goal of the Proposed Actions is to provide for the repair and rehabilitation of piers, bulkheads, and infrastructure in Hudson River Park through transfer of development rights. The No Special Permit Alternative would not meet this goal.

The anticipated significant adverse impacts of the Proposed Actions related to buses, construction traffic, and construction noise would still occur under the No Special Permit Alternative. As noted above, in order to eliminate these impacts, the Proposed Actions would have to be modified to such a point where their principal goals and objectives would not be realized. Since the No Special Permit Alternative would fail to provide the same potential benefits as the Proposed Actions, and similar impacts would still occur, the No Special Permit Alternative would fail to meet the objectives of the Proposed Actions.

# No-Action Alternative

## Description of the No-Action Alternative

The No-Action Alternative examines future conditions on Development Sites 1 and 2 but assumes the absence of the Proposed Actions (i.e., none of the discretionary approvals proposed as part of

[1] The proposed text amendment to ZR 89-11(c) states that the use and bulk regulations of the proposed C4-7 zoning district would only be applicable with the implementation of a Special Permit authorizing the transfer of development rights from Hudson River Park.

the Proposed Actions would be adopted). The following subsections compare the conditions under this alternative to conditions in the future with the Proposed Actions, similar to the No-Action sections in the preceding chapters. The No-Action Alternative incorporates known development projects in the surrounding area that are likely to be built by the analysis year of 2029.

In the future without the Proposed Actions, it is anticipated that Development Site 1 would continue to be occupied by the existing auto dealership use, and the existing auto dealership space on Development Site 2 would be leased to new tenants. No changes would occur on the portion of non-Applicant-owned Block 1103, Lot 23 comprising the balance of the Project Area. In the No-Action scenario, no floor area would be transferred from Hudson River Park.

The anticipated effects of the No-Action Alternative in comparison to those of the Proposed Actions are discussed below.

## Land Use, Zoning, and Public Policy

In the No-Action Alternative, the existing buildings would remain on the development sites. The existing building on Development Site 1 would continue to be occupied by an auto dealership use. The existing building on Development Site 2 would be re-tenanted with auto dealership uses. As such, the No-Action Alternative would not result in a change of land use on the development sites.

As described in **Chapter 2, Land Use, Zoning, and Public Policy**, one new development is anticipated to occur in the 400-foot study area absent the Proposed Actions.

Under the No-Action Alternative, it is anticipated that there would be no changes to zoning affecting the Project Area or the 400-foot study area. Under this alternative, the existing M2-4 zoning on Development Site 1 and M2-3 zoning on Development Site 2 would remain. No floor area would be transferred from Hudson River Park. The zoning text amendment to establish the Project Area as an MIH area would not be established, and no mandatory affordable housing would be developed.

There is one anticipated change in public policy: it is anticipated that the NYC Industrial Plan would be implemented. This policy aims to bolster the city's industrial sector by creating a comprehensive framework to develop and support industrial businesses and jobs. Under this policy, both Developments Sites would be subject to a new zoning Special Permit if they were to be used for Last-Mile Facilities; however, this Special Permit would not be utilized in the No-Action Alternative. Hence, this change in public policy would not affect the No-Action Alternative

It is the opinion of the Applicants that the No-Action Alternative would not achieve the beneficial changes regarding land use and public policy that would result from the Proposed Actions. Unlike the future With-Action condition, the No-Action Alternative would not allow for the development of housing including affordable housing. No residential uses could be developed under the existing zoning, and without the mapping of an MIH area on the Project Area, there would be no mechanism for ensuring permanent affordability on the development sites. Additionally, the Applicants believe that the Project Area would remain underutilized without the addition of new residents, workers, and visitors introducing a 24-hour population. The No-Action Alternative would not have a beneficial effect regarding the Hudson River Waterfront Revitalization Initiative in comparison to the Proposed Actions, since no funding would be provided to facilitate the repair and rehabilitation of piers, bulkheads, and infrastructure within Hudson River Park. The Applicants also believe that the No-Action Alternative would be less supportive of public policies that aim to increase the supply of

housing and affordable housing, such as Housing New York 2.0, OneNYC 2050, and Housing Our Neighbors: A Blueprint for Housing and Homelessness.

While the No-Action Alternative would not achieve potential benefits associated with the Proposed Actions, neither the Proposed Actions nor the No-Action Alternative would result in significant adverse impacts related to land use, zoning, and public policy, as described in **Chapter 2, Land Use, Zoning, and Public Policy.**

## Socioeconomic Conditions

Neither the No-Action Alternative nor the Proposed Actions would cause a significant adverse impact on socioeconomic conditions.

Like the Proposed Actions, the No-Action Alternative would not result in direct residential or business displacement, nor would there be any significant adverse impacts related to indirect business displacement due to effects on a specific industry, increased rents, or retail market saturation.

Both in the future With-Action condition and in the No-Action Alternative, new residential developments are anticipated in the study area for indirect residential displacement. Demand for housing is anticipated to continue to rise in Hell's Kitchen and the surrounding neighborhoods. In contrast with the future With-Action condition, the No-Action Alternative would not allow for residential development, nor would there be an MIH area mapped on the development sites. As such, the potential socioeconomic benefits of the Proposed Actions (the provision of housing including permanently affordable housing pursuant to MIH) would not be achieved under the No-Action Alternative, as described in **Chapter 3, Socioeconomic Conditions**.

## Community Facilities and Services

Neither the Proposed Actions nor the No-Action Alternative would result in any impacts to community facilities and services. There would be no significant adverse impacts related to direct or indirect effects on public elementary, intermediate, and high schools, library services, police, fire, emergency medical services, or publicly funded early childhood programs in the future with the Proposed Actions or in the No-Action alternative.

## Open Space

Neither the Proposed Actions nor the No-Action Alternative would result in any direct effects on existing open spaces. Under the No-Action Alternative, no residential population would be introduced on the development sites, so there would be no indirect open space impacts due to residential population. In the No-Action Alternative, the existing auto dealership use would remain in the existing building on Development Site 1, and the existing building on Development Site 2 would be re-tenanted with auto dealership uses, introducing roughly 15 workers. Per *CEQR Technical Manual* guidance, this additional nonresidential population would not be high enough to cause an indirect open-space impact.

## Shadows

In the No-Action Alternative, the existing buildings would remain on the development sites; their shadows would be the same as under existing conditions. While the Proposed Actions would introduce

development that would cast shadows on several sunlight-sensitive resources, there would be no significant adverse shadows impacts under either the No-Action Alternative or the Proposed Actions.

## Urban Design and Visual Resources

Under the No-Action Alternative, the existing commercial auto dealership buildings would remain on the development sites. One new development is anticipated in the 400-foot study area for urban design and visual resources absent the Proposed Actions. Any potential benefits to the streetscape associated with the Proposed Actions, as discussed in **Chapter 7, Urban Design and Visual Resources** (e.g. the introduction of cohesive streetwalls and building setbacks that would result in sidewalk widenings and additional light and air) would not occur under the No-Action Alternative. Neither the No-Action Alternative nor the Proposed Actions would result in significant adverse impacts related to urban design and visual resources.

## Hazardous Materials

As discussed in **Chapter 8, Hazardous Materials**, Recognized Environmental Conditions (RECs) were identified in the Phase I Environmental Site Assessments (ESAs) for both development sites. Under the No-Action Alternative, the RECs identified in the Phase I ESAs would not be investigated or mitigated. As such, confirmed contaminants would go unmitigated and remain in place, and potential subsurface contamination within the development sites would be unmitigated.

## Water and Sewer Infrastructure

As with the Proposed Actions, there would be no significant adverse impacts to the City's water supply, wastewater and stormwater conveyance, or sewer infrastructure under the No-Action Alternative. Since no development would occur in the Project Area, there would be no changes to water demand, sanitary flows, or stormwater flows from the development sites compared to the existing conditions. As with the Proposed Actions, the North River Wastewater Resource Recovery Facility (WRRF) would continue to have adequate capacity to handle wastewater from the development sites.

## Transportation

Under the No-Action Alternative, there would be no significant adverse impacts to transportation. Traffic, transit, and pedestrian volumes would increase due to background growth and development within the surrounding area.

Under the No-Action Alternative, there would be no significant adverse impacts to traffic or on buses. In contrast, the Proposed Actions would cause significant adverse traffic impacts to one intersection during the Saturday peak hour and to bus service due to projected service shortfalls on the M12 bus route in the northbound and southbound directions during the PM peak hour, and on the M57 bus route in the eastbound direction during the AM peak hour.

## Air Quality

As described above, no development is expected to occur on the development sites under the No-Action Alternative. As such, the No-Action Alternative would not result in a significant adverse mobile source or

stationary source air quality impact. As discussed in **Chapter 11, Air Quality**, under the Proposed Actions, an (E)-Designation for air quality would be placed on both development sites, requiring any fossil fuel powered heating, ventilation, and air conditioning (HVAC) and hot water equipment in any future residential or commercial development on Development Sites 1 and 2 to be powered by natural gas only, and specifying certain requirements for the locations of hot water and HVAC stacks. In the No-Action Alternative, these (E)-Designations would not be placed and there would be no mechanism to ensure that sensitive receptors surrounding the development sites would be protected.

## Greenhouse Gas Emissions and Climate Change

As no new development would occur under the No-Action Alternative, there would be no significant changes to energy consumption and carbon dioxide equivalent ($CO_2e$) emissions per year. Neither the Proposed Actions nor the No-Action Alternative would result in significant greenhouse gas emissions or climate change impacts.

## Noise

Similar to the Proposed Actions, there would be an increase in background traffic under the No-Action condition that would result in an increase in ambient noise conditions. No-Action noise conditions have been determined based on ambient noise measurements and proportional noise modeling. These increases in traffic would result in small changes in noise levels, but changes of this magnitude would be barely perceptible. Absent the Proposed Actions, new noise-sensitive receptors would not be introduced at the development sites and the Proposed Projects would not introduce any new noise sources. Therefore, the No-Action Alternative would not result in a significant adverse operational noise impact. As discussed in **Chapter 13, Noise**, under the Proposed Actions, an (E)-Designation for noise would be placed on the development sites, specifying minimum required window/wall noise attenuation ratings for future residential uses at Development Sites 1 and 2, along with the need for an alternative means of ventilation to maintain a closed-window condition.

## Public Health

Under the No-Action Alternative, there would be no new on-site development. As such, no significant adverse impacts would occur in the areas of hazardous materials, air quality, noise, or construction.

## Neighborhood Character

No project development would occur under the No-Action Alternative and the overall neighborhood character of the area would remain similar to existing conditions. Therefore, the No-Action Alternative would not result in a significant adverse impact to neighborhood character.

## Construction

The No-Action Alternative would not involve new construction. Therefore, the No-Action Alternative would not result in a significant adverse construction impact. Compared to the Proposed Actions, the No-Action Alternative would not result in a significant adverse construction noise or construction traffic impact. As discussed in **Chapter 16, Construction**, under the Proposed Actions, construction activities would cause significant adverse traffic impacts at two intersections during the AM construction peak hour and at five intersections during the PM construction peak hour.  Exterior and

interior noise impacts would occur at one commercial office receptor. These impacts would not occur under the No-Action Alternative.

### Disadvantaged Communities

Since no new development would occur under the No-Action Alternative, this alternative would not have a disproportionate impact on disadvantaged communities or cause or increase a pollution burden. Like the existing conditions, under the No-Action Alternative, (E)-Designations would not be placed on the development sites to protect future development from potential impacts related to hazardous materials, air quality, or noise. Potential benefits of the Proposed Actions (the provision of affordable and market-rate housing and the introduction of a 24-hour population) would be concentrated in a disadvantaged community but would not occur under the No-Action Alternative.

## No Unmitigated Significant Adverse Impacts Alternative

### Description of the No Unmitigated Significant Adverse Impacts Alternative

According to the *CEQR Technical Manual*, when proposed actions would result in unmitigated significant adverse impacts, it may be appropriate to include an assessment of an alternative to the project that would not result in unmitigated impacts. The No Unmitigated Significant Adverse Impact Alternative identifies those modifications to the Proposed Actions that would be required to eliminate all of their unmitigated significant adverse impacts.

The Proposed Actions would result in significant adverse traffic impacts at the intersection of Twelfth Avenue and West 55th Street during the Saturday peak hour. However, as discussed in **Chapter 18, Mitigation**, the identified significant adverse traffic impact could be fully mitigated with signal timing changes, which is a standard traffic capacity improvement that is typically implemented by the New York City Department of Transportation (DOT).

The Proposed Actions would cause significant adverse transportation impacts due to projected service shortfalls on the M12 bus route in the northbound and southbound directions during the PM peak hour, and on the M57 bus route in the eastbound direction during the AM peak hour. However, as discussed in **Chapter 18, Mitigation**, these impacts could be fully mitigated through the provision of additional bus service (impacts to the M12 bus route could be mitigated with an additional bus in each direction during the PM peak hour. The M57 bus route could be mitigated with the addition of two buses in the eastbound direction in the AM peak hour).

The Proposed Actions would result in a significant adverse noise and traffic impact during the construction period. As discussed in **Chapter 21, Unavoidable Significant Adverse Impacts**, the Proposed Actions would have the potential to result in significant adverse noise and traffic impacts due to construction that would remain unmitigated.

As discussed below, to eliminate all unmitigated significant adverse impacts, the Proposed Actions would need to be so substantially modified that the project goals and objectives would not be realized or would be materially compromised.

# Construction

## Transportation

### *Traffic*

As discussed in **Chapter 16, Construction**, and **Chapter 18, Mitigation**, the Proposed Actions would result in significant adverse traffic impacts during construction. Significant construction traffic impacts were identified at two of the eleven intersections analyzed during the AM construction peak hour and five intersections during the PM construction peak hour. Standard traffic capacity improvements typically implemented by NYC DOT, such as signal timing modifications, could not mitigate the significant traffic impacts at the two impacted intersections during the AM construction peak hour and one of the five significantly impacted intersections during the PM construction peak hour. Significant traffic impacts during the AM and PM construction peak hours to the intersection of Twelfth Avenue and West 55th Street, primarily due to the reduction of West 55th Street's travel lanes from three lanes to two lanes to facilitate construction activities and protect pedestrian traffic, would result in significant traffic impacts that could not be mitigated. Significant traffic impacts during the AM construction peak hour at the intersection of Eleventh Avenue and West 56th Street, primarily due to the reduction of West 56th Street's travel lanes from two lanes to one lane to facilitate construction activities and protect pedestrian traffic, also could not be mitigated (refer to **Chapter 21, Unavoidable Significant Adverse Impacts**).

In order to fully mitigate all identified significant adverse impacts related to construction traffic, the Proposed Actions would need to be modified to a point at which the Proposed Actions' goals and objectives would not be realized. Per *CEQR Technical Manual* guidance, projects in New York City with an anticipated construction duration of 24 months or less would be unlikely to cause significant adverse impacts during the construction period. In order to reduce the duration of the Proposed Projects' construction period, it would be necessary to significantly reduce their scale, such as by reducing or eliminating the proposed transfer of floor area from HRPT, or by seeking a lower-density zoning district. Were the Proposed Actions modified in such a way, it would significantly decrease the number of affordable and market-rate units within the Proposed Projects. As such, the No Unmitigated Significant Adverse Impacts Alternative would not meet the goals and objectives outlined in **Chapter 1, Project Description** to the same extent as the Proposed Actions.

## Noise

As discussed in **Chapter 16, Construction**, and **Chapter 18, Mitigation**, significant adverse construction noise impacts would occur as a result of the Proposed Actions. Since construction noise levels would exceed the thresholds for exterior increase in noise as well as the thresholds for acceptable interior noise levels for commercial office uses, there would be potential for construction of the Proposed Projects to result in significant adverse construction noise impacts at one receptor location (619 West 54th Street; R32). With the adherence to existing construction noise regulations and the implementation of a Construction Noise Mitigation Plan, as required by the New York City Noise Code, including an 8-foot construction noise barrier, construction noise would be reduced, but would still exceed the thresholds for significant construction noise impact.

In order to fully mitigate all identified significant adverse impacts related to construction noise, the Proposed Actions would need to be modified to a point at which the Proposed Actions' goals and

objectives would not be realized. Per *CEQR Technical Manual* guidance, projects in New York City with an anticipated construction duration of 24 months or less would be unlikely to cause significant adverse impacts during the construction period. In order to reduce the duration of the Proposed Projects' construction period, it would be necessary to significantly reduce their scale, such as by reducing or eliminating the proposed transfer of floor area from HRPT, or by seeking a lower-density zoning district. Were the Proposed Actions modified in such a way, it would significantly decrease the number of affordable and market-rate units within the Proposed Projects. As such, the No Unmitigated Significant Adverse Impacts Alternative would not meet the goals and objectives outlined in **Chapter 1, Project Description** to the same extent as the Proposed Actions.

# No Special Permit Alternative

## Description of the No Special Permit Alternative

To address public input on the Draft Scope of Work for the DEIS, a No Special Permit Alternative was developed in order to determine whether the goals and objectives of the Proposed Actions could still be achieved without the proposed transfer of development rights from Hudson River Park[2], and to understand the environmental effects of such an alternative compared to conditions under the Proposed Actions. Under the No Special Permit Alternative, residential density at both development sites would be reduced.

**Table 20-1** compares the total development density of the No Special Permit Alternative to the With-Action condition, under both the Maximum Commercial Scenario and the Maximum Residential Scenario. In each scenario, the commercial space associated with the No Special Permit Alternative would be the same as in the respective scenario under the Proposed Actions.

In the Maximum Commercial Scenario, the No Special Permit Alternative would result in a reduction of 185,719 gsf across both development sites and a reduction of 219 DUs (including a reduction of 44 to 65 affordable DUs pursuant to MIH), leading to 368 fewer residents and eight fewer workers compared to the Proposed Actions.

In the Maximum Residential Scenario, the No Special Permit Alternative would result in a reduction of 184,234 gsf across both development sites and a reduction of 217 DUs (including a reduction of 43 to 65 affordable DUs pursuant to MIH), leading to 365 fewer residents and eight fewer workers compared to the Proposed Actions.

The sections below summarize the effects of the No Special Permit Alternative compared to those of the Proposed Actions. As outlined below, the No Special Permit Alternative would still result in a significant adverse traffic impact at one intersection. The No Special Permit Alternative would still result in significant adverse impacts due to capacity shortfalls on the M12 and M57 buses. These impacts could be mitigated using the same or similar mitigation measures identified for the Proposed Actions, with slightly lesser mitigation needed. The No Special Permit Alternative would still result in unmitigable significant adverse impacts due to construction traffic and noise.

The No Special Permit Alternative would meet some of the goals and objectives of the Proposed Actions, though to a lesser extent than under the Proposed Actions. The provision of housing,

[2] The proposed text amendment to ZR 89-11(c) states that the use and bulk regulations of the proposed C4-7 zoning district would only be applicable with the implementation of a Special Permit authorizing the transfer of development rights from Hudson River Park.

including affordable housing, is a central goal of the Proposed Actions. The No Special Permit Alternative would result in up to 219 fewer units of housing being built compared to the Proposed Actions, including up to 65 fewer permanently affordable units pursuant to MIH. As such, the No Special Permit Alternative would contribute less than the Proposed Actions to the creation of new housing, including new affordable housing. A primary goal of the Proposed Actions is to provide for the repair and rehabilitation of piers, bulkheads, and infrastructure in Hudson River Park through transfer of development rights. The No Special Permit Alternative would not meet this goal.

**Table 20-1 Future No-Action and With-Action Comparison**

**Maximum Commercial Scenario[1]**

| | | With-Action Condition | No Special Permit Alternative | Difference |
|---|---|---|---|---|
| **Auto Dealership (GSF)** | | 0 | 0 | 0 |
| **Commercial Retail (GSF)** | | 87,036[2] | 87,036[2] | 0 |
| **Commercial Office (GSF)** | | 112,714 | 112,714 | 0 |
| **Residential** | **GSF** | 939,934 | 754,215 | -185,719 |
| | **DUs** | 1,094 | 875 | -219 |
| | ***Affordable DUs*** | *219 to 328* | *175 to 263* | *-44 to -65* |
| **TOTAL GSF** | | 1,179,321 | 993,603 | -185,719 |
| **Population** | | 1,838 | 1,470 | -368 |
| **Workers** | | 756 | 748 | -8 |

**Maximum Residential Scenario**

| | | | | |
|---|---|---|---|---|
| **Auto Dealership (GSF)** | | 88,559[2] | 88,559[2] | 0 |
| **Commercial Retail (GSF)** | | 0 | 0 | 0 |
| **Commercial Office (GSF)** | | 0 | 0 | 0 |
| **Residential** | **GSF** | 1,066,176 | 881,942 | -184,234 |
| | **DUs** | 1,242 | 1,025 | -217 |
| | ***Affordable DUs*** | *248 to 373* | *205 to 308* | *-43 to -65* |
| **TOTAL GSF** | | 1,194,373 | 1,010,139 | -184,234 |
| **Population** | | 2,087 | 1,722 | -365 |
| **Workers** | | 138 | 130 | -8 |

Notes:

[1] The Proposed Projects are similar to the Maximum Commercial Scenario, except that in lieu of commercial retail and office uses, the Proposed Projects would have 199,750 GSF of auto dealership use.

[2] Includes commercial loading area.

## Land Use, Zoning, and Public Policy

Like the Proposed Actions, the No Special Permit Alternative would reduce a mix of residential and commercial uses to the development sites. Compared to the Proposed Actions, the No Special Permit Alternative would result in up to 219 fewer residential units, but the land uses would be the same.

Neither the No Special Permit Alternative nor the Proposed Actions would result in significant land use impacts.

The No Special Permit Alternative would map the same C4-7 district with MIH on the Project Area as in the Proposed Actions, but none of the actions related to the Hudson River Park Special District would be pursued. Both the No Special Permit Alternative and Proposed Actions would map the same underlying zoning district on the Project Area, allowing for commercial and residential development, and therefore, would not result in a significant adverse zoning impact.

The No Special Permit Alternative would not have a beneficial effect regarding the Hudson River Waterfront Revitalization Initiative in comparison to the Proposed Actions, since no funding would be provided to facilitate the repair and rehabilitation of piers, bulkheads, and infrastructure within Hudson River Park. Compared to the Proposed Actions, the No Special Permit Alternative would be less supportive of public policies that aim to increase the supply of housing and affordable housing, such as Housing New York 2.0, OneNYC 2050, and Housing Our Neighbors: A Blueprint for Housing and Homelessness.

## Socioeconomic Conditions

Neither the No Special Permit Alternative nor the Proposed Actions would cause a significant adverse impact on socioeconomic conditions. Like the Proposed Actions, the No Special Permit Alternative would not result in direct residential or business displacement, nor would there be any significant adverse impacts related to indirect business displacement due to effects on a specific industry, increased rents, or retail market saturation.

The No Special Permit Alternative would result in the construction of fewer affordable housing units compared to the Proposed Actions, and therefore would be less supportive of the project's goal of creating new opportunities for affordable housing development.

## Community Facilities and Services

Like the Proposed Actions, the No Special Permit Alternative would not result in any impacts to community facilities and services. There would be no significant adverse impacts related to direct or indirect effects on public elementary, intermediate, and high schools, library services, police, fire, emergency medical services, or publicly funded early childhood programs in the future with the Proposed Actions or in the No Special Permit Alternative. Compared to the Proposed Actions, the No Special Permit Alternative would introduce fewer children eligible for publicly funded early childhood programs, fewer public elementary, intermediate, and high school students, and fewer public library users. Therefore, similar to the Proposed Actions, the No Special Permit Alternative would not result in any significant adverse impacts to community facilities and services.

## Open Space

Like the Proposed Actions, the No Special Permit Alternative would not result in any impacts to open space. Neither the Proposed Actions nor the No Special Permit Alternative would result in any direct effect on existing open spaces. The No Special Permit Alternative would not cause indirect open space impacts due to added residential or worker population. The No Special Permit Alternative under the Maximum Commercial Scenario would introduce approximately eight fewer workers compared to the With-Action Condition; and the No Special Permit Alternative under the Maximum

Residential Scenario would introduce approximately 368 fewer residents compared to the With-Action Condition. Since there would be no indirect open space impacts under the Proposed Actions, the No Special Permit Alternative would also not cause indirect open space impacts.

## Shadows

Like the Proposed Actions, the No Special Permit Alternative would not cause significant adverse impacts related to shadows. It is anticipated that development under the No Special Permit Alternative would have a lower height compared to the RWCDS Massings for the Proposed Actions. As such, the maximum shadow length from the Proposed Project's buildings would be lower than under the Proposed Actions. As such, it is anticipated that incremental shadow durations and coverage under the No Special Permit Alternative would be less compared to the Proposed Actions. Therefore, similar to the Proposed Actions, the No Special Permit Alternative would not result in significant adverse shadows impacts.

## Urban Design and Visual Resources

Both the No Special Permit Alternative and the Proposed Actions would result in the construction of new mixed-use buildings at the development sites. As with the Proposed Actions, the No Special Permit Alternative would map a commercial zoning district on the Project Area (C4-7). However, it is anticipated that the buildings constructed under the No Special Permit Alternative would be lower in height than the Reasonable Worst-Case Development Scenario (RWCDS) Massings for the Proposed Actions. As discussed in **Chapter 7, Urban Design and Visual Resources,** the taller buildings constructed under the Proposed Actions would be compatible with existing and planned development in the surrounding area. Like the Proposed Actions, the No Special Permit Alternative would not result in significant adverse impacts to urban design and visual resources.

## Hazardous Materials

With implementation of the measures outlined in **Chapter 8, Hazardous Materials**, development under the Proposed Actions and the No Special Permit Alternative would not result in significant adverse hazardous materials impacts

## Water and Sewer Infrastructure

As with the Proposed Actions, there would be no significant adverse impacts to the City's water supply, wastewater and stormwater conveyance, or sewer infrastructure under the No Special Permit Alternative. With fewer residential units, the No Special Permit Alternative would result in less domestic water demand, as compared to the Proposed Actions. Similar to the development facilitated by the Proposed Actions, the No Special Permit Alternative would not result in a significant increase in water demand over the No-Action condition. As with the Proposed Actions, the North River WRRF would continue to have adequate capacity to handle wastewater from the development sites.

## Transportation

While vehicle, pedestrian, and transit (subway and bus) trips generated by non-residential uses would not change between the No Special Permit Alternative and the Proposed Actions, trips generated by residential uses under the No Special Permit Alternative would be less than those generated by the

Proposed Actions. As such, similar to the Proposed Actions, the No Special Permit Alternative would not result in significant adverse parking, pedestrian, subway, or pedestrian safety impacts. However, while both the Proposed Actions and the No Special Permit Alternative are expected to result in significant adverse traffic and bus impacts. The significant traffic and bus impacts under the No Special Permit Alternative would be less than those under the Proposed Actions, as discussed below.

## Traffic

Traffic analysis was conducted at four intersections for the weekday AM, PM and Saturday peak hours and identified significant adverse traffic impacts at the intersection of Twelfth Avenue and West 55th Street during the Saturday peak hour. During the Saturday peak hour, the Proposed Actions would generate 157 vehicle trips. The Proposed Actions would generate 134 vehicle trips during the Saturday peak hour under the No Special Permit Alternative.

A sensitivity analysis was conducted and determined that the addition of three right turning vehicles along the westbound West 55th Street approach at Twelfth Avenue would result in significant adverse traffic impact during the Saturday peak hour. Two right turning vehicles would be approximately 10 percent of the total project-generated trips (21 right turning vehicles) at this location under the Proposed Actions; a minimal increase in traffic activities would trigger a significant adverse impact at this intersection. As the reduction of project-generated vehicle trips under the No Special Permit Alternative is approximately 15 percent of the Proposed Actions, the increment of right turning vehicles at this location would also be expected to result in significant adverse traffic impacts at this intersection under the No Special Permit Alternative. Similar to the Proposed Actions, the identified significant adverse traffic impacts under the No Special Permit Alternative could be fully mitigated with signal timing modifications.

## Buses

Bus line haul analyses for the Proposed Actions were conducted for three bus routes (the M12, M31, and M57) during the AM and PM peak hours. The Proposed Actions analysis determined that there would be significant impacts due to projected service shortfalls on the M12 bus route in the northbound and southbound directions during the PM peak hour, and on the M57 bus route in the eastbound direction during the AM peak hour. As shown in **Table 20-2**, significant bus impacts are expected to these same bus routes under the No Special Permit Alternative but the shortfalls would be less. These significant impacts could be mitigated with additional bus services, similar to under the Proposed Actions.

**Table 20-2 Comparison of Bus Shortfall**

| | | | Proposed Action | | No Special Permit Alternative | |
|---|---|---|---|---|---|---|
| **Peak Hour** | **Route** | **Direction** | **Project Increment** | **Available Capacity[1]** | **Project Increment** | **Available Capacity[1]** |
| AM | M57 | EB | 125 | -95 | 102 | -72 |
| | | | 125 | -90 | 102 | -67 |
| PM | M12 | NB | 39 | -35 | 35 | -31 |
| | | SB | 8 | -1 | 8 | -1 |
| | | | 8 | -1 | 8 | -1 |

Notes:
[1] Available capacities based on New York City Transit loading guidelines of 54 passengers per standard bus.

# Air Quality

## Mobile Sources

The No Special Permit Alternative would generate fewer vehicular trips than the Proposed Actions. Consequently, the No Special Permit Alternative would result in lower mobile source pollutant concentrations than the Proposed Actions. As such, similar to the Proposed Actions, no significant adverse mobile source air quality impacts would result.

## Stationary Source: Industrial

Compared to the Proposed Actions, the No Special Permit Alternative would result in a reduction in building height at both development sites but would not change the building positioning. Since the industrial analysis is based on the horizontal distance between Development Site 2 and the industrial source located at the CBS Corporation building, the conclusions of the analysis would be the same under the No Special Permit Alternative as under the Proposed Actions, and no significant adverse impacts would occur.

## Stationary Source: Major Source

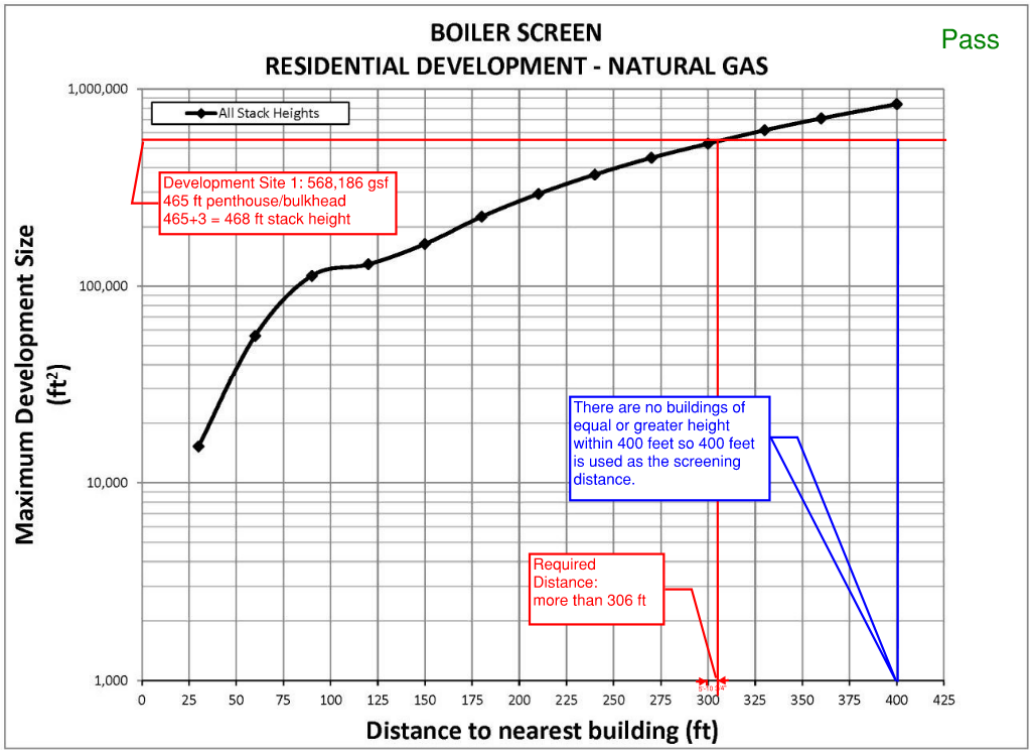
Compared to the Proposed Actions, the No Special Permit Alternative would reduce the number of stories and the number of receptors at both development sites but would not otherwise affect the analysis. Therefore, the conclusions of the analysis would be the same under the No Special Permit Alternative as under the Proposed Actions, and no significant adverse impacts would occur.

## Stationary Source: HVAC

Compared to the Proposed Actions, the No Special Permit Alternative would reduce the square footage and height of the buildings at both development sites. Under the No Special Permit Alternative, the height of Development Site 1 would be reduced to 480 feet under the Maximum Residential Scenario and 465 feet under the Maximum Commercial Scenario and Development Site 2 would be reduced to 441 feet in both scenarios. Additionally, the development sites would be larger in square footage under the Maximum Residential Scenario than in the Maximum Commercial Scenario.

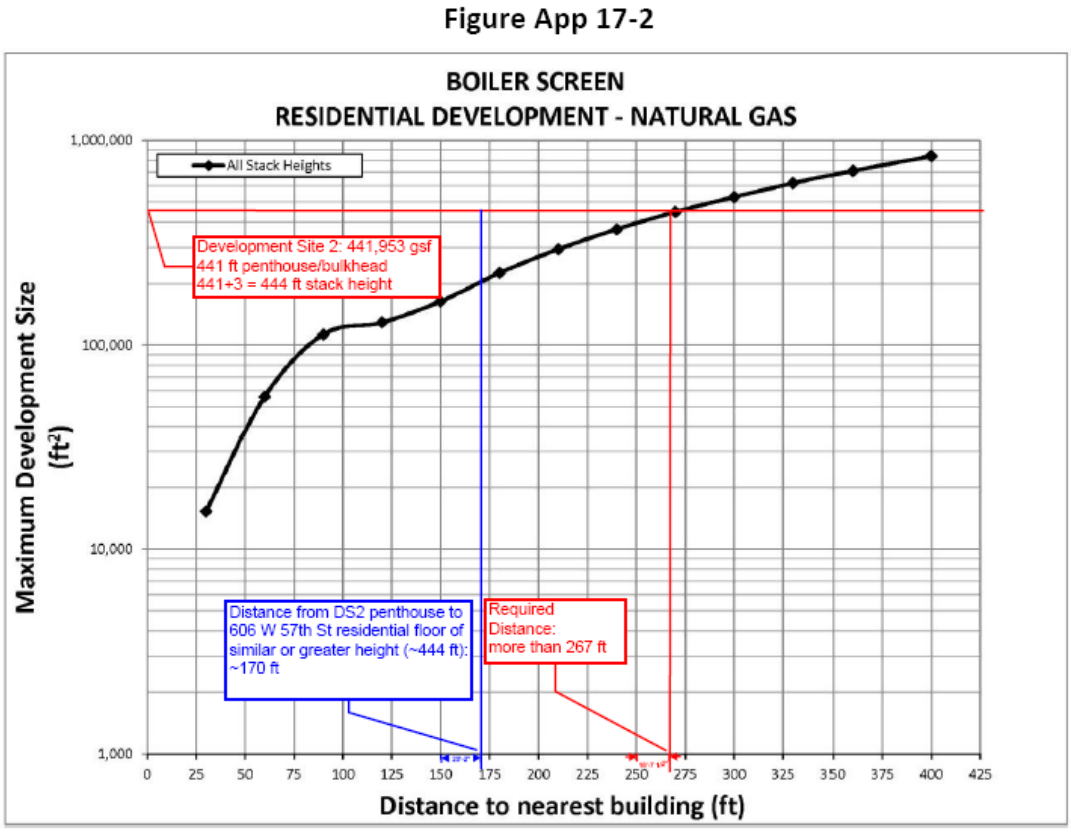
A combination of the largest size from the Maximum Residential Scenario and the lowest height from the Maximum Commercial Scenario were used to conduct a conservative screening analysis. For Development Site 1, there would be no buildings of equal or greater height within 400 feet of the proposed building, including the building on Development Site 2. Based on the size of the proposed building under the No Special Permit Alternative, and assuming the use of natural gas for its HVAC and hot water systems, the minimum required distance from potential receptors that would result in no adverse air quality impacts is more than 306 feet (see **Figure 20-1**). Since no receptors were identified within 400 feet, no significant adverse air quality impact is expected from Development Site 1's HVAC and hot water systems.

**Figure 20-1 No Special Permit Alternative: Development Site 1 Building Screening**




For Development Site 2, the closest building of equal or greater height would be 606 West 57th Street, a residential building located approximately 170 feet from the tallest tier of the proposed building. Based on the size of the proposed building under the No Special Permit Alternative, and assuming the use of natural gas for its HVAC and hot water systems, the minimum required distance from potential receptors that would result in no adverse air quality impacts is more than 267 feet (see **Figure 20-2**). As such, the HVAC and hot water systems' exhaust stacks would need to be located at least 97 feet from the northern façade of the building on Development Site 2 (the façade facing West 56th Street) or approximately 107 feet from the lot line along West 56th Street.

**Figure 20-2 No Special Permit Alternative: Development Site 2 Building Screening**




It is anticipated that the (E)-Designations (as presented in **Chapter 11, Air Quality**) would be revised to account for the shorter buildings under the No Special Permit Alternative. The (E)-Designation for Development Site 2 would be more restrictive and limit the potential location of the HVAC and hot water exhaust stacks to the southern portion of the site in an area with an approximately 90-foot width. Alternatively, Development Site 2 would require detailed air quality modeling so a less restrictive (E)-Designation could be developed.

## Greenhouse Gas Emissions and Climate Change

Neither the Proposed Actions nor the No Special Permit Alternative would result in significant adverse impacts due to greenhouse gas emissions and climate change. It is anticipated that the reduction in residential floor area under the No Special Permit Alternative would lead to lower total building emissions, fewer vehicle trips, and a slight reduction in greenhouse gas emissions compared to the Proposed Actions. As under the Proposed Actions, development under the No Special Permit Alternative would comply with all local laws and regulations related to energy efficiency and emissions.

## Noise

Neither the Proposed Actions nor the No Special Permit Alternative would result in a significant adverse impact due to operational noise. It is anticipated that the No Special Permit Alternative

would introduce fewer project-generated vehicle trips compared to the Proposed Actions, and therefore there would be no significant adverse impacts due to mobile sources of noise.

In terms of noise attenuation requirements at the Project Area, it is anticipated that the same or similar (E)-Designation for noise expected under the Proposed Actions would apply under the No Special Permit Alternative as well.

## Neighborhood Character

Like the Proposed Actions, the No Special Permit Alternative would result in the redevelopment of the development sites with new mixed-use buildings. Neither the Proposed Actions nor the No Special Permit Alternative would result in significant adverse impacts on neighborhood character in the area. Both alternatives would improve the neighborhood character of the area by redeveloping underutilized sites with new mixed-use buildings with active ground floor uses and introducing a 24-hour resident population to the development sites.

## Public Health

Neither the Proposed Actions nor the No Special Permit Alternative would result in significant adverse public health impacts. During operation, the No Special Permit Alternative would not have the potential for unmitigated significant adverse impacts in any of the technical areas related to public health. While it is anticipated that the No Special Permit Alternative would cause construction noise impacts similar to the Proposed Actions (see below), as discussed in **Chapter 14, Public Health**, this impact would be temporary, and while applicable *CEQR Technical Manual i*mpact thresholds would be exceeded, noise conditions during construction would not disrupt public health.

## Construction

Like the Proposed Actions, construction of the No Special Permit Alternative would not cause significant adverse impacts related to land use and neighborhood character, socioeconomic conditions, community facilities, open space, natural resources, hazardous materials, water quality, or air quality.

While the No Special Permit Alternative would involve construction of buildings that would be smaller than under the Proposed Actions, it would require essentially the same construction process and phasing. Since the buildings would be smaller and would be developed over the same construction schedule, there could be a modest reduction in the amount of materials and construction workers associated with building the No Special Permit Alternative. This could slightly reduce the duration and total level of activity. These reductions would not materially affect the construction-related analysis assumptions and conclusions.

Like the Proposed Actions, the No Special Permit Alternative would not have a significant impact on air quality during the construction period. Measures required to reduce pollutant emissions during construction include all applicable laws, regulations, and the City's building codes. These include dust suppression measures, idling restriction, and the use of ultra-low sulfur diesel (ULSD) fuel and best available tailpipe reduction technologies. With the implementation of these emission reduction measures, the dispersion modeling analysis of construction-related air emissions for both on-site and on-road sources determined that particulate matter ($PM_{2.5}$ and $PM_{10}$), annual-average nitrogen dioxide ($NO_2$), and carbon monoxide (CO) concentrations would be below their corresponding *de*

*minimis* thresholds or National Air Quality Ambient Standards (NAAQS), respectively (see **Chapter 16, Construction**). Since the No Special Permit Alternative would involve slightly less emissions from mobile sources and stationary sources during construction compared to the Proposed Actions, there would be no significant adverse air quality impacts during construction under the No Special Permit Alternative.

While development under the No Special Permit Alternative would have slightly less residential density compared to the to the Proposed Actions, the development would require similar construction practices, phasing, and materials. With respect to construction traffic, it is anticipated that these conditions would be similar to or slightly better than those under the Proposed Actions, however, it is anticipated that impacts would still occur (refer to **Chapter 18, Mitigation**, and **Chapter 21, Unavoidable Significant Adverse Impacts**).

While construction of the No Special Permit Alternative could result in a slight reduction in the duration of construction or the level of activity during the same construction timeline, it is anticipated that noise levels at the receptors identified in **Chapter 16, Construction**, would continue to meet or exceed the relevant standards for construction noise impacts. Similarly, as under the Proposed Actions, there are no further practicable and feasible mitigation considered to fully mitigate any identified significant adverse impacts related to construction noise that occur under the No Special Permit Alternative, and therefore noise levels at the effected receptor would at times during the construction period exceed the impact criteria. Because these impacts cannot be fully mitigated, there would be temporary unavoidable significant adverse impacts due to construction noise under the No Special Permit Alternative, similar to the Proposed Actions.

## Disadvantaged Communities

The No Special Permit Alternative, like the Proposed Actions, would not have the potential to disproportionately affect any disadvantaged communities, nor would the No Special Permit Alternative cause or increase a pollution burden on a disadvantaged community. The No Special Permit Alternative would introduce the same land uses to the development sites as under the Proposed Actions, but with less residential density. Potential benefits of the Proposed Actions (the provision of affordable and market-rate housing and the introduction of a 24-hour population) would still occur, but less housing would be provided in a disadvantaged community than under the Proposed Actions.