A. INTRODUCTION

In accordance with the City Environmental Quality Review (CEQR) and State Environmental Quality Review Act (SEQRA), this chapter examines three alternatives to the proposed Rheingold Rezoning project, which includes zoning map and zoning text amendments affecting an approximately 6 block area within the Bushwick neighborhood of Brooklyn Community District 4. As described in the *CEQR Technical Manual*, alternatives selected for consideration in an EIS are generally those which are feasible and have the potential to reduce, eliminate, or avoid adverse impacts of a proposed action while meeting some or all of the goals and objectives of this action.

This chapter considers in detail the following three alternatives to the Proposed Action:

- A No-Action Alternative, which is mandated by CEQR and SEQRA, and is intended to provide the lead and involved agencies with an assessment of the expected environmental impacts of a no action on their part (i.e., no zoning changes);
- A Lower Density Alternative that considers a zoning district with less density, resulting in reduced residential development. In the Lower Density Alternative, the proposed R7A IH zoning district (4.6 FAR) would be replaced with a R6A IH zoning district (3.6 FAR).
- A No Unmitigated Significant Adverse Impacts Alternative, which considers a development scenario that would not result in any identified unmitigated significant adverse impacts.

B. PRINCIPAL CONCLUSIONS

No-Action Alternative

The No-Action Alternative examines future conditions within the proposed rezoning area, but assumes the absence of the Proposed Action (i.e., none of the discretionary approvals proposed as part of the Proposed Action would be adopted). Under the No-Action Alternative, existing zoning would remain in the area affected by the Proposed Action. None of the 8 projected development sites or 3 potential development sites would be redeveloped in this Alternative.

The technical chapters of the EIS have described the No-Action Alternative as "the Future Without the Proposed Action." The significant adverse impacts anticipated for the Proposed Action would not occur with the No-Action Alternative. However, the No-Action Alternative would not meet the goals of the Proposed Action. The benefits expected from the Proposed Action on land use, urban design, and neighborhood character would not be realized under this alternative. In addition, the No-Action Alternative would fall short of the objectives of the Proposed Action in promoting building forms that are compatible with existing neighborhood character, fostering new opportunities for developing affordable housing, supporting and enhancing mixed-use development opportunities, and enhancing ground-floor uses.

Lower Density Alternative

A Lower Density Alternative to the Proposed Action was developed to determine whether the impacts to open space, community facilities, and traffic could be reduced or eliminated while accomplishing the purpose and need established for the Proposed Action.

The Lower Density Alternative would still result in significant adverse impacts in open space indirect effects and public elementary schools. The Lower Density Alternative is expected to result in the same or a slightly fewer number of significant adverse traffic impacts than the Proposed Action, depending on the peak analysis hour. These impacts could be mitigated using the same mitigation measures identified for the Proposed Action.

The Lower Density Alternative would be less supportive of the objectives of the Proposed Action in creating a new mixed-use neighborhood with affordable housing. The Lower Density Alternative would result in fewer projected dwelling units but would have roughly the same local retail space. Overall, although the Lower Density Alternative would meet a number of the goals and objectives of the Proposed Action, it would do so to a lesser degree than the proposed project because it would introduce fewer residential units while continuing to result in the same significant adverse impacts in open space, public elementary schools and traffic. Compared to the Proposed Action, while the Lower Density Alternative would result in the same or fewer impacts, not all impacts could be avoided, and the goals and objectives established for the Proposed Action would not be achieved at the same level.

No Unmitigated Significant Adverse Impacts Alternative

The No Unmitigated Significant Adverse Impact Alternative examines a scenario in which the density of the Proposed Action is changed specifically to avoid the unmitigated significant adverse impacts associated with the Proposed Action. Based on the analysis presented in the other chapters of this Draft EIS, there is the potential for significant adverse impacts in the area open space. As discussed in Chapter 16, "Mitigation," the proposed mitigation measures would fully mitigate all of the significant adverse community facilities and traffic impacts. As further discussed in Chapter 16, "Mitigation," between the Draft and Final EIS, possible partial mitigation measures for the open space impact will be explored. As the significant adverse impact on open space would not be fully mitigated, the Proposed Action would result in an unavoidable adverse impact on open space. No significant adverse impacts are anticipated in the other technical areas.

As mentioned above, between the Draft and Final EIS, possible partial mitigation measures for the open space impact will be explored. To eliminate all unmitigated significant adverse impacts, the Proposed Action would have to be modified to a point where its principal goals and objectives would not be realized.

C. NO-ACTION ALTERNATIVE

The No-Action Alternative assumes that the proposed zoning map, text changes, and city map changes of the Rheingold Development rezoning proposal are not implemented. This includes no amendments to the zoning map; and no new zoning text amendments to establish Inclusionary Housing designated areas, and no new mapped streets. Conditions under this alternative are similar to the "Future Without the Proposed Action" described in Chapters 2 through 15, which are compared below to conditions under the Proposed Action.

Land Use, Zoning, and Public Policy

Under the No-Action Alternative, it is anticipated that the proposed rezoning area would experience no new development. In comparison to the future with the Proposed Action, under the No-Action Alternative there would be no new residential units and commercial space.

Like the Proposed Action, the No-Action Alternative would not result in any significant adverse impacts to land use, zoning, or public policy. However, under this alternative, new housing and inclusionary housing developed under the Proposed Action would not occur, and there would not be new zoning that targets growth towards appropriate areas consistent with the existing built context while protecting moderate density and contextual areas. The No-Action Alternative would also not expand development opportunities for this area, which has experienced little private investment, and therefore the area would continue to stagnate.

Under this alternative, no changes to zoning are anticipated. No new development within the existing M1-1 and M3-1 zoning districts is anticipated to occur.

The benefits expected to result from the Proposed Action—including providing mixed use development at an appropriate density and opportunities for affordable housing —would not be realized under this alternative.

Socioeconomic Conditions

Absent the Proposed Action, it is anticipated that no new development would occur on the projected development sites. Like the Proposed Action, the No-Action Alternative would not result in any significant adverse impacts to socioeconomic conditions. The following summarizes the potential socioeconomic effects of the No-Action Alternative as compared to those of the Proposed Action for the five issues of socioeconomic concern under CEQR.

Direct Residential Development

Neither the Proposed Action nor the No-Action Alternative would result in significant adverse impacts due to direct residential displacement.

Direct Business Displacement

Neither the Proposed Action nor the No-Action Alternative would result in significant adverse impacts due to direct business displacement. The Proposed Action would result in some direct business displacement. The Proposed Action would result in the direct displacement of 7 business firms and 46 employees in the wholesale and retail sectors on 4 projected development sites. Unlike the Proposed Action, the No-Action Alternative would not result in any direct displacement of businesses. The businesses directly displaced as a result of the Proposed Action, do not provide products or services essential to the local economy that would otherwise be unavailable, and no public plans or policies call for the protection of these businesses.

Indirect Residential Displacement

Neither the No-Action alternative nor the Proposed Action would be expected to have a significant adverse indirect residential displacement impact. Residential rental rates and sales prices in the study area increased from 2000 to 2010, indicating an existing trend of increasing rents in the study area. Unlike the

Proposed Action, the No-Action Alternative would not introduce a substantial number of market rate units that could introduce a population with incomes higher than the average ½-mile study area. However, even with the introduction of these market rate units, the Proposed Action would not initiate a trend toward increased rents in the study area. In addition, unlike the Proposed Action, this alternative would not introduce any affordable housing to the proposed rezoning area, and therefore, would not further the City's goals of increasing affordable housing opportunities.

Indirect Business Displacement

Neither the Proposed Action nor the No-Action Alternative would be expected to have a significant adverse indirect business displacement impact. Similar to the Proposed Action, the No-Action Alternative would not introduce new economic activities that would substantially alter existing economic patterns in the study area, nor would it alter the land use character of the proposed rezoning area. The study area already has prominent and well-established residential, institutional, and commercial uses, and neither the Proposed Action nor the No-Action Alternative would substantially alter commercial real estate trends in the area.

Adverse Effects on Specific Industries

Neither the Proposed Action nor the No-Action Alternative would have a significant adverse impact on any of the city's economic sectors. A significant adverse impact on a specific industry would generally occur only in the case of a regulatory change affecting the city as a whole or in the case of a local action that affects an area in which a substantial portion of that sector is concentrated, relative to the city as a whole. Neither the Proposed Action nor the No-Action Alternative would affect citywide policy or regulatory mechanisms, and the businesses displaced by the Proposed Action and this alternative conduct a variety of business activities and are not critical to the viability of any City industries.

Community Facilities

Unlike the Proposed Action, the No-Action Alternative would not result in the development of residential units in the rezoning area. Therefore, unlike the Proposed Action, the No-Action Alternative would not introduce new demand for elementary, intermediate, or high school seats. Therefore, the No-Action Alternative would not result in the significant adverse elementary school impact in CSD 32, sub-district 2 identified under the Proposed Action.

Like with the Proposed Action, the No-Action Alternative would not result in any significant adverse impacts with regard to intermediate schools, high schools, child care facilities, library services, police services, fire protection, and emergency medical services.

Open Space

Unlike the Proposed Action, the No-Action Alternative would not result in the development of residential units in the rezoning area, and would not exacerbate an existing deficiency of open space in the residential study area. Therefore, unlike the Proposed Action, the No-Action Alternative would not result in the significant adverse open space impacts identified for the residential study area under the Proposed Action.

Shadows

The shadows that would fall on existing publicly accessible open spaces under the Proposed Action would not occur with this alternative. Although the three open spaces (Green Central Knoll Park,

Playground and Pool, and Garden Playground) would be subject to varying amounts of incremental shadows as a result of the Proposed Action, these increments would be not be significant due to their limited extent and/or duration, and other site specific factors. Therefore, like the Proposed Action, the No-Action Alternative would not result in any shadow impacts.

Urban Design and Visual Resources

Under both the Proposed Action and this No-Action Alternative, there would not be any changes to topography, natural features, street hierarchy, block shapes, or building arrangements, or have a significant adverse impact on urban design features of the area.

Unlike the Proposed Action, no new development is expected to occur on any projected or potential development sites under the No-Action Alternative. Unlike the Proposed Action, the No-Action Alternative would not establish contextual zoning districts for residential and mixed-use buildings that would maintain the scale and character of the existing Bushwick community while providing appropriate development opportunities. Unlike the Proposed Action, the No-Action Alternative would not introduce any new residential uses and street-level retail, which under the Proposed Action would enliven the streetscapes in the rezoning area where vacant and underutilized properties exist.

Hazardous Materials

Unlike the Proposed Action, the No-Action Alternative would not result in any new construction within the rezoning area. Thus, under the No-Action Alternative, there would be no soil disturbance that could potentially increase pathways for human exposure to any subsurface hazardous materials. Development under the Proposed Action would include subsurface investigations, tank removals, remediation, asbestos abatement, and construction in accordance with applicable state and federal requirements and under site-specific Sampling and Remediation Work Plans and Health and Safety Plans. Mechanisms to ensure that these actions occur with the Proposed Action include the placement of an (E) designation on all of the 11 projected and potential development sites identified in the RWCDS. Therefore, as with the Proposed Action, the No-Action Alternative would not result in a significant adverse impact on hazardous materials.

Water and Sewer Infrastructure

Neither the Proposed Action nor the No-Action Alternative would result in any significant adverse impacts on the city's water supply, wastewater treatment or stormwater conveyance infrastructure. Unlike the Proposed Action, the No-Action Alternative would not generate any new demand on New York City's water supply and wastewater treatment infrastructure. However, neither this alternative nor the Proposed Action would cause significant adverse impacts to water and sewer infrastructure.

Transportation

In 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. As shown in Table 17-1, in the AM peak hour, similar to the Proposed Action with mitigation, under the No-Action Alternative, all five intersections would operate at LOS A/B/C and no analyzed intersections would operate at LOS D, LOS E or LOS F. In the weekday midday peak hour, one analyzed intersections would operate at LOS D, none at LOS E or F in the No-Action condition, same as with the Proposed Action with mitigation. In the weekday PM peak hour, one analyzed intersection would operate at LOS E, none at LOS D or LOS F in the No-Action condition. This compares to a marginally acceptable LOS D with the Proposed Action with

mitigation. Lastly, in the Saturday midday peak hour, no analyzed intersections would operate at LOS E or F and one at a marginally acceptable LOS D in the No-Action condition, same as with the Proposed Action with mitigation.

TABLE 17-1
Intersection Level of Service Summary Comparison
No-Action Alternative vs. Proposed Action with Mitigation

	No-Action				Proposed Action with Mitigation			
	AM	Midday	PM	Saturday Midday	AM	Midday	PM	Saturday Midday
Overall LOS A/B/C	5	4	4	4	5	4	4	4
Overall LOS D	0	1	0	1	0	1	1	1
Overall LOS E	0	0	1	0	0	0	0	0
Overall LOS F	0	0	0	0	0	0	0	0

Unlike the No-Action Alternative, the Proposed Action would result in significant adverse traffic impacts at four intersections – two in each of the weekday AM and Saturday midday peak hours, three in the weekday midday peak hour, and four in the weekday PM peak hour. The implementation of the proposed mitigation plan would entirely eliminate all of the identified traffic impacts. No significant adverse impacts to on-or off-street parking conditions would result from either the Proposed Action or the No-Action Alternative.

Under the No-Action Alternative, transit and pedestrian facilities in the proposed rezoning area would experience an increase in demand as a result of background growth and future developments anticipated throughout the study area. However, levels of service (LOS) at stairways and fare arrays at subway stations, sidewalks, corner areas, and crosswalks would remain largely the same compared with existing conditions. Like the Proposed Action, there would be no subway, bus, or pedestrian impacts under this alternative.

Air Quality

Neither the Proposed Action nor the No-Action Alternative would result in significant adverse mobile source air quality impacts from CO mobile sources. Unlike the Proposed Action, the No-Action Alternative would not result in any new development and therefore would not generate mobile source emissions. Unlike the Proposed Action, the No-Action Alternative would not result in new residential buildings with heating, ventilation, and air conditioning (HVAC) system emissions that could potentially cause significant adverse air quality impacts on other new residential buildings. (E) designations specifying requirements regarding fuel source and emissions stack location would be incorporated as part of the Proposed Action, and would prevent the occurrence of stationary source impacts. Neither the Proposed Action nor the No-Action Alternative would result in significant adverse stationary source air quality impacts.

Greenhouse Gas Emissions

Unlike the Proposed Action, the No-Action Alternative would not result in any new development and therefore would not generate carbon dioxide equivalent (CO_2e) emissions per year. Neither the Proposed Action nor the No-Action Alternative would result in any GHG emission or climate change impacts as a result of the Proposed Action.

Noise

Like the Proposed Action, the No-Action Alternative would not generate sufficient traffic to have the potential to cause a significant adverse noise impact. Unlike the Proposed Action, there would, however, not be the noise attenuation requirements due to the proposed (E) designations that would be incorporated as part of the Proposed Action.

Neighborhood Character

According to the *CEQR Technical Manual*, a proposed action could have a significant adverse neighborhood character impact if it would have the potential to affect the defining features of the neighborhood, either through the potential for a significant adverse impact in any relevant technical area or through a combination of moderate effects in those technical areas. The Proposed Action would not cause significant adverse impacts regarding land use, zoning, and public policy; socioeconomic conditions; open space; urban design and visual resources; or noise. The significant adverse impacts to open space would not affect any defining feature of neighborhood character, nor would a combination of moderately adverse effects affect such a defining feature. Unlike the Proposed Action, would not establish contextual zoning districts for residential and mixed-use buildings that would maintain the scale and character of the existing Bushwick community while providing appropriate development opportunities. Unlike the Proposed Action, the No-Action Alternative would not introduce any new residential uses and street-level retail, which under the Proposed Action would enliven the streetscapes in the rezoning area where vacant and underutilized properties exist. Neither the Proposed Action nor the No-Action Alternative would have a significant adverse neighborhood character impact.

Construction

Unlike the Proposed Action, the No-Action Alternative would not result in any new construction and therefore would not generate temporary construction disruption such as construction related noise and traffic. Like the Proposed Action, the No-Action Alternative would not result in any construction-related significant adverse impacts. Under the No-Action Alternative, the direct economic benefits resulting from expenditures on labor, materials, and services, and indirect benefits created by expenditures by material suppliers, construction workers, and other employees involved in the direct activity would not be realized. The No-Action Alternative would also not contribute to increased tax revenues for the city and state, including those from personal income taxes.

Public Health

The No-Action Alternative, like the Proposed Action, would not result in any significant adverse public health impacts.

Conclusions

In the No-Action Alternative, every significant adverse impact caused by the Proposed Action, including impacts to community facilities (elementary schools), open space, and traffic would be avoided.

D. LOWER DENSITY ALTERNATIVE

A Lower Density Alternative to the proposed action was developed to determine whether the impacts to open space, community facilities, and traffic could be reduced or eliminated while accomplishing the

purpose and need established for the Proposed Action. Under the Lower Density Alternative, the rezoning area would be mapped with a R6A district with C2-4 overlays and Inclusionary Housing only. The R6A would reduce the maximum permitted FAR from 4.6 to 3.6 and would also reduce the maximum permitted building height from 80 feet to 70 feet.

The Lower Density Alternative would result in approximately 900 DUs. Compared to the proposed action, the Lower Density Alternative was found to result in fewer trips generated over the No-Action condition. The Lower Density Alternative would still result in significant adverse impacts in open space indirect effects and public elementary schools. The Lower Density Alternative is expected to result in the same or a slightly fewer number of significant adverse traffic impacts than the Proposed Action, depending on the peak analysis hour. These impacts could be mitigated using the same mitigation measures identified for the Proposed Action.

The Lower Density Alternative would be less supportive of the objectives of the Proposed Action in creating a new mixed-use neighborhood with affordable housing. The Lower Density Alternative would result in fewer projected dwelling units but would have roughly the same local retail space. Overall, although the Lower Density Alternative would meet a number of the goals and objectives of the Proposed Action, it would do so to a lesser degree than the proposed project because it would introduce fewer residential units while continuing to result in the same significant adverse impacts in open space, public elementary schools and traffic. Compared to the Proposed Action, while the Lower Density Alternative would result in the same or fewer impacts, not all impacts could be avoided, and the goals and objectives established for the Proposed Action would not be achieved at the same level.

Community Facilities

Elementary Schools

Under the Proposed Action, elementary schools in CSD 32, sub-district 2 would experience an increased shortfall in seats as compared to the No-Action condition. Demand would increase from 104% to 111.4% of capacity from No-Build to Build conditions. This 7.4% increase would be a significant adverse impact. As discussed in Chapter 16, “Mitigation,” the impact to public elementary schools occurs at 614 dwelling units. Since the Lower Density Alternative would result in approximately 900 dwellings units, the elementary schools impact would still occur but with a slightly lower projected shortfall in seats.

Open Space

Under the Proposed Action, the residential study area’s total open space ratio in the future with the Proposed Action would be 0.411 acres per 1,000 residents, which represents a reduction of approximately 3.97% (0.017 acres per 1,000 residents) from No-Action conditions. The qualitative assessment indicates that the quality and low utilization of a number of the study area open spaces combined with the availability of open spaces outside the study area would somewhat alleviate the burden on open spaces in the future action conditions. However, the rezoning area is located in an area underserved by open space and the decrease of 3.97% in the total open space ratio as a result of the Proposed Action is sizeable. Because of this, the Proposed Action would result in a significant adverse open space impact.

As discussed in Chapter 16, “Mitigation,” the impact to open space occurs at 260 dwelling units. Since the Lower Density Alternative would result in approximately 900 dwellings units, the open space impact would still occur and would require the same amount of potential partial mitigation identified but with a slightly lower population using the open space resources.

Transportation

The Proposed Action would result in significant adverse traffic impacts at four intersections – two in each of the weekday AM and Saturday midday peak hours, three in the weekday midday peak hour, and four in the weekday PM peak hour. The implementation of the proposed mitigation plan would entirely eliminate all of the identified traffic impacts. No significant adverse impacts to on-or off-street parking conditions would result from either the Proposed Action or the No-Action Alternative.

Under the Lower Density Alternative, traffic is expected to result in the same or a slightly fewer number of significant adverse traffic impacts than the proposed project, depending on the peak analysis hour. These impacts could be mitigated using the same mitigation measures identified for the proposed project.

E. NO UNMITIGATED SIGNIFICANT ADVERSE IMPACTS ALTERNATIVE

According to the *CEQR Technical Manual*, when a project would result in unmitigated significant adverse impacts, it is often CEQR practice to include an assessment of an alternative to the project that would result in no unmitigated impacts. This alternative demonstrates those measures that would have to be taken to eliminate all of the Proposed Action's unmitigated significant adverse impacts.

Based on the analysis presented in the other chapters of this Draft EIS, there is the potential for significant adverse impacts in the areas of community facilities (elementary schools), open space, and traffic. As discussed in Chapter 16, "Mitigation," the proposed mitigation measures would fully mitigate all of the significant adverse community facilities (elementary schools) and traffic impacts. As further discussed in Chapter 16, "Mitigation," between the Draft and Final EIS, possible partial mitigation measures for the open space impacts will be explored. As the significant adverse impact on open space would not be fully mitigated, the Proposed Action would result in an unavoidable adverse impact on open space. No significant adverse impacts are anticipated in the other technical areas.

The No Unmitigated Significant Adverse Impacts Alternative would result in the same actions as the future with the Proposed Action, but considers the magnitude of development that could occur on the projected development sites without resulting in any significant adverse impacts.

The No Unmitigated Significant Adverse Impacts Alternative focuses on an alternative which avoids the anticipated open space impact associated with the Proposed Action. To avoid the significant adverse impact to open space, the Proposed Action would have to be approximately 260 DUs, which is a substantial reduction in the program. Under this scenario, Sites 2, 3 and 4 would be removed, and only the Applicant owned Site 1 would be developed along with the privately owned Sites 5-8.

The density of this alternative would be substantially less than the Proposed Action. Such a development would have similar or lesser effects on the CEQR technical areas analyzed in the EIS than the Proposed Action. However, unlike the Proposed Action, this alternative would not result in unmitigated significant adverse impacts.

Open Space

Under the Proposed Action, the residential study area's total open space ratio in the future with the Proposed Action would be 0.411 acres per 1,000 residents, which represents a reduction of approximately 3.97% (0.017 acres per 1,000 residents) from No-Action conditions. The qualitative assessment indicates that the quality and low utilization of a number of the study area open spaces combined with the availability of open spaces outside the study area would somewhat alleviate the burden on open spaces in

the future action conditions. However, the rezoning area is located in an area underserved by open space and the decrease of 3.97% in the total open space ratio as a result of the Proposed Action is sizeable. Because of this, the Proposed Action would result in a significant adverse open space impact.

Under the No Unmitigated Significant Adverse Impacts Alternative, approximately 260 DUs would be developed which would generate approximately 767 new residents. As shown in Table 17-2, with this Alternative, the study area's open ratio would decrease by 0.99%. According to the *CEQR Technical Manual*, a decrease of less than one percent in the open space ratio is generally considered to be insignificant. As such, the Alternative would not result in significant adverse open space impacts.

Table 17-2
Estimated Open Space Ratio (Residential Study Area) under No Unmitigated Significant Adverse Impacts Alternative

	Total Open Space (acres)	No-Build 2016 Population	New Residents Generated by No Unmitigated Significant Adverse Impacts Alternative*	No Unmitigated Significant Adverse Impacts Alternative Study Area Population	No-Action OSR	No Unmitigated Significant Adverse Impacts Alternative OSR	% Decrease in OSR
Residential Open Space Study Area	32.53	76,000	767	76,767	0.428	0.424	**0.99%**

*Assuming 2.95 residents per dwelling unit; based on 2010 Census Data

Conclusions

The No Unmitigated Significant Adverse Impacts Alternative would avoid the Proposed Action's possible identified unmitigated significant adverse impacts to open space. However, this No Unmitigated Significant Adverse Impacts Alternative is not a practicable alternative to the Proposed Action given the goals and objectives of the proposal. By significantly reducing the number of residential units to be developed (from 1,076 to 260), this alternative would fail to meet the objectives of the Proposed Action, which include supporting and enhancing mixed-use development opportunities.