Chapter 22: Alternatives

A. INTRODUCTION

As described in the 2020 *City Environmental Quality Review (CEQR) Technical Manual*, alternatives that may be examined in an environmental impact statement (EIS) are those that are practical and have the potential to reduce, eliminate, or avoid any adverse impacts of a proposed action while meeting some or all of the goals and objectives of the proposed action. As described in Chapter 1, "Project Description," the New York City Department of City Planning (DCP) is proposing zoning map and zoning text amendments (the "Proposed Actions") to implement land use and zoning changes to better reflect existing neighborhood conditions, strengthen mixed-use, create opportunities for housing (including affordable housing), and celebrate the architectural character and creative legacy of the SoHo and NoHo neighborhoods.

This chapter considers two alternatives to the Proposed Actions:

- A No Action Alternative, which is mandated by CEQR and the State Environmental Quality Review Act (SEQRA) and is intended to provide the lead agency with an assessment of the expected environmental impacts of no action on its part.
- 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 the future (2031) conditions in the Project Area under the existing zoning assuming none of the proposed discretionary approvals are adopted. Under the No Action Alternative, the Project Area would not be rezoned and much of the SoHo/NoHo neighborhood would remain largely unchanged.

NO UNMITIGATED SIGNIFICANT ADVERSE IMPACTS ALTERNATIVE

The No Unmitigated Significant Adverse Impacts Alternative examines a scenario in which the density and other elements of the Proposed Actions are modified to avoid the unmitigated significant adverse impacts associated with the Proposed Actions which include impacts related to open space, shadows, historic and cultural resources (architectural and archaeological resources), transportation (transit and pedestrian), and construction (noise).

While this alternative would not result in any unmitigable significant adverse impacts, to eliminate all unmitigated significant adverse impacts, the alternative would also require substantial modifications in the program such that the goals and objectives of the Proposed Actions would not be fully realized.

C. NO ACTION ALTERNATIVE

The No Action Alternative examines future conditions within the Project Area but assumes the absence of the Proposed Actions. Under the No Action Alternative, there would be no change to zoning and Mandatory Inclusionary Housing (MIH) regulations would not apply to the Project Area.

LAND USE, ZONING, AND PUBLIC POLICY

Under the No Action Alternative, it is expected that current land use trends and general development patterns would continue. These trends and patterns are characterized by a mix of uses and primarily include commercial office and mixed-use residential and commercial retail buildings including four planned developments that are currently under construction or proposed to be developed and are expected to add up to 91 new residents and 256 new workers by 2031.

Within the Broadway-Houston subarea, a 34,539-gross-square-foot (gsf) office conversion and enlargement is planned at 32 Howard Street, located at the intersection of Crosby and Howard Streets. Within the Canal Street subarea, new construction is being completed at 11 Greene Street, located at the intersection of Greene and Canal Streets. The proposed building will feature 36 dwelling units (DUs) and 12,987 gsf of retail floor area. Within the SoHo Core subarea, a new 16,228-gsf office building is planned at 74 Grand Street, near the intersection of Wooster and Grand Streets. A mixed-use building is also being completed at 68 Spring Street, located near the intersection of Spring and Lafayette Streets, with 12 DUs and 4,506 gsf of floor area. Under the No Action Alternative, none of the benefits associated with allowing residential use and expanded commercial and community facility uses would be provided. No housing, including permanently affordable housing, would be developed in the Project Area. The benefits associated with contextual zoning envelopes for the SoHo Cast-Iron Historic District and Extension and the NoHo Historic District and Extension would not be provided, and the onerous and lengthy discretionary City approvals processes would be needed for any new developments within City-designated historic districts, as well as any new residential developments and many types of commercial and community facility uses.

SOCIOECONOMIC CONDITIONS

Both SoHo and NoHo are dynamic mixed-use neighborhoods with an established residential population and strong office, retail, and creative sectors that have evolved beyond what was contemplated by the M1-5A and M1-5B zoning. The existing zoning continues to prioritize traditional light industrial and related uses that have largely relocated to other parts of the City and region creating significant barriers and burdens for property owners and businesses looking to respond to market and industry changes. Under the No Action Alternative, these barriers would continue to exist.

The following discussion summarizes the potential socioeconomic effects of the No Action Alternative as compared with those of the Proposed Actions for the five issues of socioeconomic concern under CEQR.

DIRECT RESIDENTIAL DISPLACEMENT

Neither the No Action Alternative nor the Proposed Actions would result in significant adverse impacts due to direct residential displacement. The No Action Alternative would not directly displace any residents, while the Proposed Actions would directly displace an estimated 60

residents living in 32 DUs. However, this level of displacement would not have the potential to alter the socioeconomic character of the area.

DIRECT BUSINESS DISPLACEMENT

Like the Proposed Actions, the No Action Alternative would not result in any significant adverse impacts due to direct business displacement. The No Action Alternative would not displace any businesses, while the Proposed Actions would result in direct business displacement; however, the directly displaced businesses do not provide products or services that would no longer be available to local residents or businesses, nor are they the subject of regulations or publicly adopted plans aimed at preserving, enhancing, or otherwise protecting them in their current location. Therefore, the displaced businesses are not unique to the socioeconomic study area, nor do they serve a user base that is dependent on their location within the study area that would result in any significant adverse impacts.

INDIRECT RESIDENTIAL DISPLACEMENT

Neither the No Action Alternative nor the Proposed Actions are expected to result in a significant adverse indirect residential displacement impact. Under the No Action Alternative, it is expected that existing upward trends in rents and average and median household income will continue, and the MIH program would not be mapped in the Project Area. As with the Proposed Actions, under the No Action Alternative there is potential for displacement of study area residents who are currently vulnerable to rent increases. However, the No Action Alternative would not provide any income-restricted permanently affordable units required under MIH, which would provide the opportunity for affordable housing in the area and a more diverse mix of incomes. By providing affordable housing and increasing the supply of housing, it is also expected that the Proposed Actions, unlike the No Action Alternative, would relieve displacement pressures.

INDIRECT BUSINESS DISPLACEMENT

Neither the No Action Alternative nor the Proposed Actions would result in any significant adverse impacts related to indirect business displacement. Similar to the No Action Alternative, the Proposed Actions 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 study area or the well-established residential and commercial markets. However, the No Action Alternative would not introduce a new population that would grow the consumer base for existing and new businesses as is expected under the Proposed Actions.

ADVERSE EFFECTS ON SPECIFIC INDUSTRIES

Neither the Proposed Actions nor the No Action Alterative would result in significant adverse impacts on specific industries, which are generally related to regulatory changes that affect the City as a whole or in the case of a localized action affects a substantial concentration of that industry. Like the Proposed Actions, the No Action Alternative would not significantly affect business conditions in any industry or any category of business within or outside of the study area.

COMMUNITY FACILITIES AND SERVICES

Like the Proposed Actions, the No Action Alternative would not result in any significant adverse impacts to community facilities. However, as described in detail below, the No Action Alternative would introduce fewer residents to the community facilities study area as compared with the Proposed Actions and, therefore, would result in a smaller increase in demand on area community facilities.

PUBLIC ELEMENTARY AND INTERMEDIATE SCHOOLS

Under the No Action Alternative, elementary schools in Subdistrict 1/CSD 2 and Subdistrict 2/CSD 2 will operate below capacity at 74.8 percent utilization and 90.9 percent utilization with a surplus of 1,206 seats and 402 seats, respectively. Intermediate schools in Subdistrict 1/CSD 2 will operate below capacity at 76.8 percent utilization and Subdistrict 2/CSD 2 will be above capacity at 131.4 percent utilization. Subdistrict 1/CSD 2 will have a surplus of 253 seats and Subdistrict 2/CSD 2 will have a deficit of 562 seats. While the Proposed Actions would reduce these surpluses, it would not result in any significant adverse impacts on elementary or intermediate level schools.

PUBLIC LIBRARIES

In the No Action Alternative, library services are expected to remain adequate to serve the area's population. Based on a review of New York Public Library (NYPL) capital projects, temporary closures of the Chatham Square, Hudson Park, and Jefferson Market Branches for improvements are expected; however, all of the improvements would be completed in the near term and it is anticipated that all study area libraries would be fully operational by the 2031 analysis year.

The catchment area population of each library is projected to increase as a result of new development projects completed by 2031.

In the No Action Alternative, new residents would be added to all branch library catchment areas with the greatest increases in the Seward Park Branch catchment area with 1,672 new residents, increasing its population to 145,958 and decreasing its holdings-per-resident ratio to 0.77 (from 0.78 in existing conditions). However, even with the addition of new residents to all other branch library catchment areas, there are no changes to the holdings-per-resident ratios.

EARLY CHILDHOOD PROGRAMS

Under the No Action Alternative, planned No Action development is projected to introduce approximately 2,448 new affordable housing units within the study area. Based on the CEQR generation rates for the projection of children eligible for publicly funded day care multipliers, this yields approximately 282 new children under the age of six who will be eligible for publicly funded child care programs, thereby decreasing the number of available slots.

There is currently a surplus of 193 available slots in the study area and the utilization rate is at 85 percent. With the estimated 282 children under age six introduced by planned development projects are added to this total, early childhood programs in the study area will operate with a deficit of 89 slots (106.93 percent utilization) by the 2031 analysis year under the No Action Alternative. This deficit would increase with the projected additional population under the Proposed Action; however, the increase would not result in a significant adverse impact.

HEALTHCARE FACILITIES

Neither the Proposed Actions nor the No Action Alternative would result in any significant adverse impacts on health care facilities.

POLICE AND FIRE SERVICES

Neither the Proposed Actions nor the No Action condition would result in any significant adverse impacts on police or fire protection services.

OPEN SPACE

Under the No Action Alternative, there will be a net increase of 3.79 acres of new publicly accessible open space in the study area including new publicly accessible open space associated with New York University's (NYU) expansion and two New York City Department of Parks and Recreation (NYC Parks) capital projects proposed in conjunction with a New York City Department of Environmental Protection (DEP) infrastructure project. The new open spaces associated with NYU's expansion will generally replace existing private open spaces but will also remove approximately 0.68 acres of existing publicly accessible open space including a portion of the Mercer Playground. NYU will introduce a total of approximately 3.28 acres of open space to the study area. As a result of these three projects, total publicly accessible open space in the study area will increase by 3.79 acres, from 93.73 acres in the existing condition to 97.52 acres in the No Action Alternative.

With the above changes, the total open space ratio is projected to increase to 0.579 acres per 1,000 residents from 0.562 acres per 1,000 residents in the existing condition. The active open space ratio is anticipated to increase slightly (to 0.212 acres per 1,000 residents) and the passive open space ratio is anticipated to increase from 0.352 acres per 1,000 residents to 0.367 acres per 1,000 residents in the No Action Alternative. Despite these increases, residents in the study area will continue to be underserved by open space in the No Action Alternative; however, there would not be the added population of the Proposed Actions that results in the significant adverse open space impact.

SHADOWS

Unlike the Proposed Actions, the No Action Alternative would not result in significant adverse shadow impacts. Under the No Action Alternative, it is assumed that the existing conditions on the projected and potential development sites would remain unchanged. Based on an analysis of best-available information from publicly available filings with the New York City Department of Buildings (DOB) and other sources, it is anticipated that current development trends in the study area would continue in the No Action Alternative, resulting in new buildings and building additions that would be generally similar in height and scale to adjacent and nearby buildings. Examples of this include future planned developments at 111 Mulberry Street, 11 Greene Street, 74 Grand Street, 47-51 Greene Street, 68 Spring Street, 39-41 Great Jones Street, and the NYU expansion development.

The Proposed Actions would result in significant adverse shadow impacts to five sunlight-sensitive resources including the Most Precious Blood Church on Baxter Street, the Merchant's House Museum on East 4th Street, Grand Canal Court an active open space at Canal Street and Sixth Avenue, a Greenstreet space next to the Grand Canal Court, and Petrosino Square, a passive open space at Centre and Spring Streets. These significant adverse impacts would not occur under the No Action Alternative.

HISTORIC AND CULTURAL RESOURCES

Unlike the Proposed Actions, the No Action Alternative will not result in significant adverse impacts to archaeological and architectural resources.

Developments expected as-of-right in the Project Area that could affect architectural resources in the No Action Alternative include the following:

- No Build #4 is a planned conversion of the building at 32 Howard Street with approximately 34,539 gsf of office space and located in the SoHo-Cast Iron Historic District (NYCHD,

Resource A). The property is a five-story mid-19th century mixed-use building that is a contributing resource to the historic district.

- No Build #6 at 11 Greene Street (within the SoHo-Cast Iron Historic District [NYCHD, Resource A]) is a planned new building with approximately 36 DUs and 12,987 gsf of retail space. The property is currently a parking lot within the historic district.
- No Build #8 at 74 Grand Street (within the SoHo-Cast Iron Historic District [NYCHD, Resource A]) is a planned new building with approximately 16,228 gsf of office space. The property is currently a parking lot within the historic district.

Because these three No Build projects are located within a NYCHD, the adaptive reuse and new construction on these sites is subject to LPC's review and approval under the New York City Landmarks Law. Therefore, like the With Action Alternative, the No Action Alternative would not result in any significant adverse impacts to these historic architectural resources.

In the No Action Alternative, No Build projects could potentially result in construction-related impacts to architectural resources located within 90 feet of architectural resources. DOB's *Technical Policy and Procedure Notice (TPPN) #10/88* applies to properties listed on the State and National Registers of Historic Places (S/NR-listed) and New York City Landmark (NYCL)/New York City Historic District (NYCHD) properties:

- No Builds #4, #6, and #8, described above, are on properties located within and adjacent to other buildings in the SoHo-Cast Iron Historic District (NYCHD, Resource A);

No Build #9 is planned new construction of a building with approximately 12 DUs and 4,506 gsf of retail space and is located within 90 feet of the SoHo-Cast Iron Historic District and Extension (NYCHD, Resource A). Because these No Build projects are located with NYCHDs, they would be subject to the protective measures of DOB's *TPPN # 10/88* and no indirect significant adverse impacts would occur to architectural resources within 90 feet of these No Build projects with the No Action Alternative.

In the No Action Alternative, the proposed rezoning would not occur, and projected and potential development sites are assumed to remain unchanged from existing conditions and are not expected to be redeveloped. Therefore, any archaeological resources located on the 21 lots on 17 projected and potential sites that were identified as archaeologically sensitive would not be disturbed or destroyed with the No Action Alternative. There would be no effects to archaeological resources on the 21 lots/17 sites with the No Action Alternative.

NATURAL RESOURCES

Like the Proposed Actions, the No Action Alternative will not result in any significant adverse impacts to natural resources. Natural resource features are limited to primarily street trees and ornamental herbs and shrubs in small parks and private gardens. There are no New York State Department of Environmental Conservation (DEC)-classified surface waters, or DEC or National Wetlands Inventory (NWI) mapped wetlands, in the study area. With the No Action Alternative, the identified projected development sites are assumed to either remain unchanged from existing conditions or become occupied by uses that are as-of-right under existing zoning and reflect current trends. No significant changes to natural resources are anticipated.

HAZARDOUS MATERIALS

Neither the Proposed Actions nor the No Action Alternative would result in any significant adverse impacts related to hazardous materials. Under the No Action Alternative, site disturbance

would be less than the Proposed Actions, but the controls associated with the (E) Designation would not apply. Under the No Action Alternative, the development sites are assumed to remain generally unchanged from existing conditions or become occupied by uses that are as-of-right under existing zoning. Although the sites do not currently present a hazard to people or the environment, any construction involving soil disturbance could potentially increase pathways for human exposure to any subsurface hazardous materials present. As such, ground disturbance under the No Action Alternative, should it occur, may not be conducted in accordance with all of the procedures and precautions that would be required under the Proposed Actions.

WATER AND SEWER INFRASTRUCTURE

Like the Proposed Actions, the No Action Alternative would not result in any significant adverse impacts related to water and sewer infrastructure. Under the No Action Alternative, the projected development sites are assumed to remain generally unchanged from existing conditions. Thus, there will be no change to water demand, sanitary sewage generation, and stormwater flows on the projected development sites.

Under the No Action Alternative, DEP is expected to enact amended citywide on-site stormwater management requirements for new and redevelopment projects in combined sewer areas, updating the stormwater rules that reduce peak discharges to the City's sewer system during rain events by requiring greater on-site storage of stormwater runoff and slower release to the sewer system for new developments. In combined sewersheds, such as the portion of Manhattan that contains SoHo/NoHo, the Unified Stormwater Rule is expected to lead to a reduction in combined sewer overflow (CSO) volume as more lots redevelop over time. These requirements would also apply to projected and potential development sites under the Proposed Actions. Based on the projected incremental increase in development under the Proposed Actions and the DEP requirements for new construction., no significant impacts on water or sewer infrastructure under the Proposed Action or this No Action Alternative.

SOLID WASTE AND SANITATION SERVICES

Neither the Proposed Actions nor the No Action Alternative would adversely affect solid waste and sanitation services or place a significant burden on the City's solid waste management system. While solid waste generated by the projected development sites would increase under both the No Action Alternative and the Proposed Actions, the No Action Alternative will generate less demand on New York City's solid waste services and sanitation services. Under the No Action Alternative, the City will implement the Clean Curbs Pilot, a program administered by the New York City Sanitation Department (DSNY), in coordination with the New York City Department of Transportation (DOT), that permits private entities to set out containers for solid waste on the street or sidewalk—reducing rodents, odors, and unsightly waste from sidewalks. In addition, DSNY's citywide Commercial Waste Zones will designate 20 geographic zones with new routes that replace inefficient, overlapping routes for trash pickup. The program is expected to eliminate 18 million miles of heavy-duty truck traffic every year from City streets. Manhattan Community District 2, which includes SoHo/NoHo, will transition from 49 overlapping private operations to just three.

ENERGY

Neither the Proposed Actions nor the No Action Alternative would result in any significant adverse impacts with respect to the generation, transmission, or consumption of energy. Under both the Proposed Actions and the No Action Alternative, the increases in energy demand represent a negligible amount of the City's forecasted annual energy needs.

TRANSPORTATION

In the No Action Alternative, traffic, transit, pedestrian activity, and parking demand in the study area would increase as a result of background growth and other development projects likely to occur within and in the vicinity of the Project Area. As discussed below, unlike the Proposed Actions, the No Action Alternative would not result in any significant adverse impacts with respect to transportation. Specifically, unlike the Proposed Actions, the No Action Alternative would not result in the potential for significant adverse impacts to a street stair at the Canal Street (A/C/E) subway station in the AM and PM peak hours, nor a significant adverse pedestrian impact to the north sidewalk on Canal Street between Lafayette and Centre Streets in the Saturday peak hour. Like the Proposed Actions, demand for off-street and on-street parking spaces in proximity to the Project Area in the No Action condition may potentially exceed capacity during the analyzed weekday midday and overnight periods, but any shortfall would not be considered significant.

TRAFFIC

Under the Proposed Actions, no traffic impacts are expected and no intersection is expected to experience a net incremental increase of 50 or more trips in any peak hour. Under the No Action Alternative, intersections in proximity to the Project Area will experience increased demand as a result of background growth and future development.

TRANSIT

Subway

Subway Stations

Under the No Action Alternative, the analyzed Canal Street (J/N/Q/R/W/Z/6) subway station complex and the Canal Street (A/C/E) subway station will experience increased demand as a result of background growth and future developments anticipated within and in the vicinity of the Project Area. Unlike the Proposed Actions, significant adverse impacts to street stair S6/M8 at the Canal Street (A/C/E) subway station in the AM and PM peak hours would not occur under this alternative.

Subway Line Haul

Under the No Action Alternative, subway trains serving the Project Area will experience increased ridership through their maximum load points as a result of background growth and new development. Like the Proposed Actions, no subway route would experience significant adverse line haul impacts under this alternative.

Bus

Under the Proposed Actions, no bus route operating in proximity to the Project Area is expected to experience an incremental increase of 50 or more peak hour trips in one direction. Under the No Action Alternative, demands on the local bus routes are expected to increase as a result of background growth and new development. However, like the Proposed Actions, no bus route would experience significant adverse impacts under this alternative.

PEDESTRIANS

Under the No Action Alternative, pedestrian volumes along analyzed sidewalks, corner areas, and crosswalks are expected to increase compared with existing levels as a result of background growth as well as demand from new development.

Sidewalks

Under the No Action Alternative, all analyzed sidewalks are expected to operate at an acceptable level of service (LOS) C or better in all peak hours with the exception of the north sidewalk on Canal Street between Lafayette Street and Broadway, which would operate at a congested LOS E in the Saturday peak hour, and the north sidewalk on Canal Street between Lafayette and Centre Streets, which would operate at a marginal LOS D in the Saturday peak hour. Unlike the Proposed Actions, the significant adverse impact to the latter sidewalk in the Saturday peak hour would not occur under this alternative.

Corners

Under the No Action Alternative, all analyzed corner areas are expected to operate at an acceptable LOS C or better in all peak hours with the exception of the northwest corner at Lafayette and Canal Streets, which would operate at a marginal LOS D in the Saturday peak hour. Like the Proposed Actions, the No Action Alternative would not result in any significant adverse impacts to corner areas in any peak hour.

Crosswalks

Under the No Action Alternative, all analyzed crosswalks are expected to operate at an acceptable LOS C or better in all peak hours with the exception of the north crosswalk on Lafayette Street at Canal Street which would operate at a marginal LOS D in the Saturday peak hour. Like the Proposed Actions, the No Action Alternative would not result in any significant adverse crosswalk impacts in any peak hour.

PARKING

Under the No Action Alternative, it is anticipated that demand for both off-street and on-street parking would increase due to new development and general background growth. Five existing public parking facilities with a total capacity of 474 spaces during daytime hours (421 spaces overnight) that would be displaced under the Proposed Actions will remain under this alternative. However, like the Proposed Actions, the No Action Alternative would not result in a significant adverse parking impact.

AIR QUALITY

Like the Proposed Actions, there would be no significant adverse air quality impacts under the No Action Alternative from either mobile or stationary sources. In the No Action Alternative, the identified projected development sites are assumed to either remain unchanged from existing conditions or become occupied by uses that are as-of-right under existing zoning and reflect current development trends. The Proposed Actions would not exceed the volume of vehicle trips requiring a detailed analysis of mobile source air quality impacts. The Proposed Actions would result in additional development; therefore, the emissions from heat and hot water systems associated with the Proposed Actions would cumulatively be greater than the emissions from heat and hot water systems under the No Action Alternative. However, modeling analyses found that there would also be no significant adverse air quality impacts from stationary systems at both the projected and potential development sites. At certain sites, an (E) Designation (E-619) would also be mapped to ensure that there would be no impact. The analysis of emissions from existing permitted from existing permitted industrial uses, major sources, and large sources in the area also found that those emissions would not result in any potential significant adverse air quality impacts either individually or cumulatively on the projected or potential development sites. Therefore, under the No Action Alternative there would similarly be no impacts.

GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

Neither the Proposed Actions nor the No Action Alternative would result in any significant adverse impacts with respect to greenhouse gas emissions and climate change. In the No Action Alternative, greenhouse gas (GHG) emissions associated with land uses in the Project Area would change over the years due to changes in development that would occur under existing zoning rules, depending on changes in the local real estate market and due to changes in the mix of fuel in the electricity provided to buildings as well as fuels used locally for heating and vehicles. The resilience challenges associated with sea level rise, the future increase in potential severe storm levels, and the City's response to these challenges would be the same as those described for the Proposed Actions.

NOISE

In the No Action Alternative, traffic volumes will increase in the area due to general background growth and trips associated with new development that would be independent of the Proposed Actions, but these increases would be barely perceptible. Like the Proposed Actions, the No Action Alternative would not result in significant adverse impacts. However, unlike the Proposed Actions, any as-of-right development on projected or potential development sites would not be afforded the noise attenuation required under the proposed (E) Designations that would provide window-wall attenuation.

PUBLIC HEALTH

Neither the Proposed Actions nor the No Action Alternative would result in any significant adverse public health impacts. Under the Proposed Action there are no unmitigated significant adverse impacts with respect to hazardous materials, air quality, or noise. The Proposed Actions would result in unmitigated construction noise impacts, but this impact would not result in a significant adverse public health impact. Similarly, the No Action Alternative would not have any impacts.

NEIGHBORHOOD CHARACTER

Like the Proposed Actions, the No Action Alternative would not result in a significant adverse impact to neighborhood character. The Proposed Actions would not result in significant adverse impacts with respect to land use, zoning, and public policy; socioeconomic conditions; urban design and visual resources; or noise. The significant adverse impacts to open space, historic and cultural resources, and pedestrians would not affect any defining feature of neighborhood character, nor would a combination of moderately adverse effects affect such a defining feature. Under the No Action Alternative, however, none of the benefits associated with allowing residential use and expanded commercial and community facility uses would be provided. Moreover, no housing—including permanently affordable housing—would be developed in the Project Area.

CONSTRUCTION

Unlike the Proposed Actions, the No Action Alternative would not result in a temporary significant adverse construction noise impact. However, similar to the Proposed Actions, there would not be any construction-related impacts related to land use, socioeconomic conditions, community facilities, open space, hazardous materials, air quality, or vibration.

As the amount of new construction under the No Action Alternative would be less as compared with the Proposed Actions, the No Action Alternative would not generate as much temporary

construction disruption in the community with shorter construction durations than the Proposed Actions, and fewer potential construction-related impacts to historic resources.

D. NO UNMITIGATED SIGNIFICANT ADVERSE IMPACTS ALTERNATIVE

Based on the analyses presented in this EIS, there is the potential for the Proposed Actions to result in a number of significant adverse impacts. Specifically, these impacts were identified in the technical areas of open space, shadows, historic and cultural resources, pedestrians, and construction noise. Potential mitigation measures for these impacts will continue to be explored between the Draft EIS (DEIS) and Final EIS (FEIS). However, the purpose of this alternative is to examine a development scenario that would not result in any unmitigated significant adverse impacts. As described in detail below, to eliminate all unmitigated significant adverse impacts the Proposed Actions would have to be modified to an extent that the goals and objectives of the Proposed Actions would not be fully realized.

OPEN SPACE

The Proposed Actions would result in a significant adverse quantitative impact with respect to the total, active, and passive open space ratios. Partial mitigation measures being considered to address the significant adverse open space impact include improvements to existing parks to allow for expanded programming and enhanced usability. Because these measures would only partially mitigate the significant adverse impact, even with the implementation of these measures, the impact would not be fully mitigated. For a study area that exhibits a low open space ratio, changes as low as 1 percent can result in a significant adverse impact. Housing production is a primary goal of the Proposed Actions. Approximately 1,870 new housing units are anticipated to result under the zoning changes. To eliminate the impact, the number of residential units would need to be reduced to approximately 892 DUs (a reduction of approximately 50 percent). Such a reduction would result in a decrease of less than 1 percent of the open space ratio. However, such a reduction would not facilitate the provision of housing, including a substantial amount of affordable housing, which is one of the goals of the Proposed Actions.

SHADOWS

The Proposed Actions would result in significant adverse shadow impacts to the Most Precious Blood Church on Baxter Street, the Merchant's House Museum on East 4th Street, Grand Canal Court at Canal Street and Sixth Avenue, a Greenstreet space next to the Grand Canal Court, Petrosino Square at Centre and Spring Streets, and a planned future park on East 4th Street. As discussed in greater detail below, a total of eight projected development sites and one potential development sites would have to be substantially reduced in both floor area and height to fully eliminate any significant shadow impacts. Of those, seven of the development sites would have to be reduced by at least half in height. These substantial reductions would result in the loss of needed housing, including affordable housing, and would not meet the goals of the Proposed Actions.

MOST PRECIOUS BLOOD CHURCH

The Most Precious Blood Church is S/NR-listed, and has large stained-glass windows on its west façade facing Baxter Street as well as a row of stained-glass windows on its south façade—both of which face Projected Development Site 27 (180 feet in height) on the northwest corner of Canal and Baxter Streets. Under the Proposed Actions, the stained-glass windows of the church would be impacted by an hour and a half of new shadow on March 21 and September 21 afternoons and three to three-and-a-half hours of new shadow on late spring and summer afternoons. The new

shadow would cover large portions of the windows at times and would eliminate the remaining sun on the windows for 50 minutes to an hour in the late afternoons of the spring, summer, and fall months.

In the No Action condition, the existing building occupying Projected Development Site 27 is a six-story, approximately 90-foot-tall building (including rooftop bulkheads) that casts shadow on the slightly shorter church in the late afternoons. Any additional height at that site beyond the existing building's height would increase the time that the stained-glass windows would be entirely in shadow in the late afternoon—and the windows would partially be in shadow before that. For example, adding more than a single story to the existing building would cause a significant reduction in direct sunlight on the church's windows in the spring, summer, and fall months. Therefore, while this alternative has this impact, a reduction in height to avoid or mitigate the impact would result in the loss of needed housing, including affordable housing, that would compromise the goals of the Proposed Actions.

MERCHANT'S HOUSE MUSEUM REAR GARDEN

Both an NYCL and National Historic Landmark (NHL), this 1832 rowhouse is now a museum under the jurisdiction of NYC Parks and is open to the public six days a week in the afternoons. The rear garden contains plantings, flower beds, and marble benches, and is enclosed by high walls. The walls and the townhouse itself cast shadows on the garden. However, in the No Action condition, the garden gets substantial sun in the late morning and early afternoon, particularly in the spring, summer, and fall months. Under the Proposed Actions, the west-adjacent Potential Development Site J (160 feet in height) would cast new shadow on the garden during these times throughout the year for approximately an hour up to an hour 45 minutes, depending on the season, eliminating all the sunlight for most of these periods.

In the No Action condition, the existing building occupying the adjacent Potential Development Site J is a one-story, approximately 15-foot-tall garage, roughly the same height as the garden's west wall that abuts the garage. Any additional height at that site would cast new shadow on the garden in the early afternoon. Potential development at Site J would have to be limited to approximately 60 feet in height to avoid a significant shadow impact on May 6/August 6 and June 21, and limited to a height of 40 feet to avoid a significant shadow impact on the March 21 and September 21 analysis day when shadows are longer. Such a substantial reduction in the height of proposed development at Potential Development Site J would result in a reduction in housing, including affordable housing, and would compromise the goals of the Proposed Actions.

GRAND CANAL COURT

This City open space has active space with a full-size basketball court, and passive space with benches, trees, and a high chain-link fence around the perimeter. The Proposed Actions would create substantial new shadows, primarily from Projected Development Sites 5, 6, and 7, lasting for up to between three and four hours in the morning in every season. In fall, winter, and early spring, incremental shadow from Projected Development Sites 6 and 7 would fall to the north and shade large areas of the court at times and in winter would eliminate remaining sun for nearly two hours. In late spring and summer months, incremental shadow from Projected Development Site 5 would fall to the southwest across the space early in the morning for two to three hours, covering a large area at times and eliminating most or all the remaining sun until about 8:00 AM (9:00 AM EDT).

Projected Development Sites 5, 6, and 7 are all on the block east-adjacent to Grand Canal Court. To avoid significant shadow impacts to the park, development on the three sites would have to be

approximately half the size currently proposed in the reasonable worst-case development scenario (RWCDS)—i.e., approximately 120 feet, 80 feet, and 80 feet, respectively. This substantial reduction in the height and floor area at the three projected development sites would result in the loss of needed housing, including affordable housing, and would compromise the goals of the Proposed Actions.

GREENSTREET BETWEEN THOMPSON STREET AND CANAL STREET

This is a small triangular Greenstreet space located where Canal Street, Sixth Avenue, and Thompson Street meet. It has four Japanese zelkova and one northern pin oak that generally require about six hours of sun per day. There are no benches or other amenities. In the spring, summer, and fall, incremental shadow, primarily from Projected Development Site 6, would fall on the space for four to five hours, throughout the morning, covering much or all of the space at times, particularly in the March to May and July to September periods. Given these species' sun requirements and the generally stressed nature of this location, in small pits surrounded by traffic, the new shadows would likely cause significant adverse impacts to the health of these trees.

In the No Action condition, the existing building on Projected Development Site 6 is about 25 feet tall. Given the location of this site relative to the open space, essentially any new development on that site taller than the existing building would result in new incremental shadow falling on one or more of the trees reducing the exposure to sunlight in the early spring and fall (e.g., the March 21/September 21 analysis day). In addition, to avoid a significant shadow impact on this analysis day, Projected Development Site 7 would have to be limited in height of about 100 feet, rather than the 160 feet proposed in the RWCDS. This substantial reduction in the height and floor area at these two projected development sites would result in the loss of needed housing, including affordable housing, and would not meet the goals of the Proposed Actions.

PETROSINO SQUARE

This small City park at Centre and Spring Streets provides seating with benches, water fountains, trees, and landscaping. In the late spring and summer, shadow cast on this park primarily from Projected Development Site 28 and to a lesser extent from Potential Development Site GG would affect the park for a total duration of incremental shadow from 2½ to 3½ hours, depending on the month, and for nearly half of that period the incremental shadow would eliminate the remaining sunlit area on the north side of the park resulting in a significant adverse impact to this park.

Projected Development Site 28 and Potential Development Site GG are adjacent, and the northern part of the park is across Lafayette Street to the east. In the No Action condition, the existing buildings on the two development sites are two and three stories, and taller existing buildings flank the development sites to the north and south. In the late afternoons of the late spring and summer months, when shadows are longer, virtually any new development on Projected Development Site 28 taller than the existing buildings on that site would add new shadow, significantly reducing the limited sunlight at that time on both the May 6/August 6 and June 21 analysis dates. However, any substantial reduction in the height and floor area at these two projected development sites would result in the loss of needed housing, including affordable housing, and would compromise the goals of the Proposed Actions.

BOWERY & EAST 4TH STREET PLANNED OPEN SPACE

A planned open space will be developed on East 4th Street between Lafayette Street and Bowery (east-adjacent to the Merchant's House Museum and Garden, see above) as part of a DEP infrastructure project. The open space will be mostly paved with a small turf oval in the center,

and planted buffers and benches around the west, north, and east perimeters. Incremental shadow would fall on this park in all seasons, with the greatest impact occurring in fall, winter, and early spring, when shadows from Projected Development Sites 13, 1, and 2, all located on the block south of the park, would cast shadows in the late mornings and midday hours, and, in the fall and early spring, in the late afternoon. These shadows would eliminate much of the remaining sun for most of the affected period, and all the remaining sun at times.

Projected Development Site 13 is the nearest to the park, and the tallest, at 260 feet including rooftop bulkhead; this development would have to be reduced by approximately two-thirds, down to a height of approximately 80 feet, to avoid contributing to the significant impact on the park. Project Development Sites 1 and 2, at 210 feet and 185 feet respectively, would have to be reduced to approximately 160 feet and 125 feet, respectively, reductions in height of approximately a quarter and a third. These reductions in height and floor area and the resulting loss of needed housing, including affordable housing, would compromise the goals of the Proposed Actions.

HISTORIC AND CULTURAL RESOURCES

The Proposed Actions would result in direct and indirect significant adverse impacts to both archaeological and architectural resources. This includes direct and indirect impacts on the following architectural resources: the S/NR-listed portion of the SoHo Historic District the Bowery Historic District (S/NR-listed), the Chinatown and Little Italy Historic District (S/NR-listed), the Samuel Tredwell Skidmore House (S/NR-listed, NYCL), and the Old Merchant's House (NHL, S/NR-listed, NYCL, NYCL Interior).

ARCHAEOLOGICAL RESOURCES

A Phase 1A Archaeological Documentary Study identified all or portions of 21 lots on 17 potential and projected development sites as archaeologically sensitive for resources associated with the 19th century. The Phase 1A Study recommended additional archaeological analysis for certain development sites, including Phase 1B Archaeological Testing and continued consultation with LPC and submission and concurrence of all required work plans for any necessary phases of archaeological inquiry.

All of these sites are under private ownership and could be developed as-of-right subsequent to the proposed rezoning. Since these sites are privately owned, there is no mechanism to require a developer to conduct archaeological testing or require the preservation or documentation of archaeological resources, should they exist. Since there is no mechanism to avoid or mitigate these potential impacts, the No Unmitigated Adverse Impact Alternative would require no development on all or portions of 21 lots on 17 potential and projected development sites.

ARCHITECTURAL RESOURCES

The Proposed Actions which would result in direct significant adverse impacts to the S/NR-listed portion of the SoHo Historic District, the S/NR-listed Bowery Historic District, and the S/NR-listed Chinatown and Little Italy Historic District as a result of the demolition of contributing resources to these historic districts. The No Unmitigated Significant Adverse Impacts Alternative would not involve the demolition and redevelopment of projected and potential development sites within these S/NR-listed historic districts. .

The Proposed Actions have the potential to result in indirect significant adverse impacts to the S/NR-listed Bowery Historic District, as well as the Samuel Tredwell Skidmore House and the Old Merchant's House by constructing taller and larger buildings in close proximity to these architectural resources that could adversely alter the context of these resources. Because the

demolition and redevelopment of projected and potential development sites within the S/NR-listed Bowery Historic District would be a significant adverse direct impact, a No Unmitigated Adverse Impacts Alternative is not feasible to eliminate an indirect impacts to this historic resource. To eliminate the indirect significant adverse impacts the Samuel Tredwell Skidmore House and the Old Merchant's House, the No Unmitigated Adverse Impacts Alternative would require the development of buildings of a reduced height and form on the projected and potential development sites located in close proximity to these individual historic resources.

TRANSPORTATION

TRANSIT

The Proposed Actions would result in significant adverse impacts to street stair S6/M8 at the Canal Street (A/C/E) subway station on the Eighth Avenue Line in the AM and PM peak hours. Stairway widening is the most common form of mitigation for significant stairway impacts, provided that NYCT deems it practicable (i.e., that it is worthwhile to disrupt service on an existing stairway to widen it and that a given platform and/or sidewalk affected by such mitigation are wide enough to accommodate the stairway widening). Another potential mitigation measure would be to add vertical capacity (i.e., adding an elevator, escalator or additional stairway) in the vicinity of the impacted stairway.

Widening stair S6/M8 from the current 4.67 feet in width to 7.5 feet would fully mitigate the significant adverse impact to this stair. DCP, as lead agency, will explore potential mitigation measures in coordination with NYCT between publication of the DEIS and FEIS. Absent the identification and implementation of feasible mitigation measures that would mitigate the stair impacts to the greatest extent practicable, the Proposed Actions would result in unmitigated significant adverse subway station impacts.

The incremental increase in subway trips at stair S6/M8 would be generated by Projected Development Sites 5, 6, 7, 20, 22 and 23. The significant adverse impact to this stair could be avoided by reducing the number of proposed housing units by up to 21 percent, or approximately 70 DUs and/or eliminating other non-residential components of the program on these sites. A reduction in the program of this magnitude for these projected development sites would, however, compromise the goals and objectives of the Proposed Actions.

PEDESTRIANS

The Proposed Actions would result in a significant adverse pedestrian impact to the north sidewalk on Canal Street between Lafayette and Centre Streets in the Saturday peak hour. This impact is at a location where pedestrian flow is constrained by the presence of a subway station elevator located on the sidewalk adjacent to the curb. While no feasible mitigation has been identified for this impact, DCP, as lead agency, will further explore potential mitigation measures in coordination with DOT between publication of the DEIS and FEIS. Absent the identification and implementation of feasible mitigation measures that would mitigate the significant adverse impact to the north sidewalk on Canal Street between Lafayette and Centre Streets during the Saturday peak hour to the greatest extent practicable, the Proposed Actions would result in an unmitigated significant adverse pedestrian impact.

The incremental increase in pedestrian demand along the north sidewalk on Canal Street between Lafayette and Centre Streets would be generated by Projected Development Sites 9 and 10. The significant adverse impact to this sidewalk could be avoided by reducing the number of proposed housing units by up to 80 percent, or over 350 DUs and/or eliminating other non-residential

components of the program on these two sites. A reduction of in the program of this magnitude for Projected Development Sites 9 and 10 would, however, compromise the goals and objectives of the Proposed Actions.

CONSTRUCTION

Increases in ambient noise levels exceeding *CEQR Technical Manual* impact criteria are expected at several locations in the rezoning area during construction.

All construction activities would need to comply with the requirements of the *NYC Noise Control Code* (also known as Chapter 24 of the Administrative Code of the City of New York, or Local Law 113) for construction noise control measures. Specific noise control measures would also be incorporated in noise mitigation plan(s) required under the *NYC Noise Control Code*. These measures could include a variety of source and path controls to reduce noise levels at the source during the most sensitive time periods, such as the following:

- Equipment that meets the sound level standards specified in Subchapter 5 of the *NYC Noise Control Code* would be utilized from the start of construction.
- As early in the construction period as logistics would allow, diesel- or gas-powered equipment would be replaced with electrical-powered equipment such as welders, water pumps, bench saws, and table saws (i.e., early electrification) to the extent feasible and practicable.
- Where feasible and practicable, construction sites would be configured to minimize back-up alarm noise. In addition, all trucks would not be allowed to idle more than three minutes at the construction site based upon Title 24, Chapter 1, Subchapter 7, Section 24-163 of the *NYC Administrative Code*.
- Contractors and subcontractors would be required to properly maintain their equipment and mufflers.

In terms of path controls (e.g., placement of equipment, implementation of barriers or enclosures between equipment and sensitive receptors), the following measures would also be implemented to the extent feasible and practicable:

- Where logistics allow, noisy equipment, such as cranes, concrete pumps, concrete trucks, and delivery trucks, would be located away from and shielded from sensitive receptor locations.
- Noise barriers constructed from plywood or other materials would be erected to provide shielding; and
- Path noise control measures (i.e., portable noise barriers, panels, enclosures, and acoustical tents, where feasible) for certain dominant noise equipment would be employed to the extent feasible and practical based on the results of the construction noise calculations.

Implementation of these measures would not eliminate the identified significant adverse construction noise impacts during hours when the loudest pieces of construction equipment are in use. To completely avoid significant adverse construction noise impacts, project-generated construction would have to be restricted in such a manner so as to not be underway on the same block as, or within one to two blocks from, existing sensitive receptors, which would require elimination of the rezoning area in the vicinity of these sensitive receptors. Such a restriction would significantly reduce the proposed development and compromise the Proposed Actions' goals and objectives. ✷