Chapter 10: Alternatives

A. INTRODUCTION

In accordance with City Environmental Quality Review (CEQR), this chapter presents and analyzes alternatives to the Proposed Actions. 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 of the goals and objectives of the action.

In addition to a comparative impact analysis, the alternatives in this chapter are assessed to determine to what extent they would meet the goals and objectives of the Proposed Actions, as intended by the project applicant, which are to facilitate the development of a new building with mixed uses on Projected Development Site 1 (the Proposed Project), containing up to 101,000 gross square feet (gsf), including up to 70,000 gsf of office uses (a portion of which is assumed to be light industrial in order to present a conservative analysis under CEQR in certain technical sections), up to 22,000 gsf of community facility uses, and up to 9,000 gsf of retail uses. The Proposed Actions would facilitate the creation of this mix of uses to serve what has become a mixed-use area. The proposed rezoning would also allow for the replacement of the windowless warehouse currently located on Projected Development Site 1 with ground-floor retail development on Kent Avenue and South 3rd Street that would activate the pedestrian street experience and improve the site's engagement with the neighborhood, consistent with more modern quality-of-life planning standards.

This chapter considers two alternatives. The first is a No Action Alternative, which is mandated by CEQR and is intended to provide the lead and involved agencies with an assessment of the expected environmental impacts of no action on their part. The No Action Alternative assumes that in the Future without the Proposed Actions, the Project Area will continue as in existing conditions, and no development will occur.

A No Unmitigated Significant Adverse Impact Alternative is also considered. In order to identify the No Unmitigated Significant Adverse Impact Alternative, the full range of impacts identified for the Proposed Actions is considered to determine what avoidance measures would be required for the different types of impacts. The Proposed Actions would result in significant adverse impacts to transit and pedestrians that could be fully mitigated with the measures identified in Chapter 11, "Mitigation." However, some of the significant adverse traffic impacts could not be mitigated. Therefore, an alternative was developed for analysis purposes to consider what level of development could be implemented such that there would be no unmitigated traffic impacts.

PRINCIPAL CONCLUSIONS

NO ACTION ALTERNATIVE

This alternative assumes that in the Future without the Proposed Actions, no new development would occur within the Project Area, and the existing buildings and uses on Projected Development Sites 1 and 2 would remain. The significant adverse traffic, transit, and pedestrian impacts identified that would be expected to occur with the Proposed Actions, would not occur under the No Action Alternative. As compared to the Proposed Actions, the intended goals and benefits of the Proposed Project—the creation of new mixed uses within the neighborhood and the activation of Kent Avenue and South 3rd Street adjacent to the Projected Development Sites—would not occur in the No Action Alternative.

NO UNMITIGATED SIGNIFICANT ADVERSE IMPACT ALTERNATIVE

The Proposed Actions' unmitigatable significant adverse traffic impacts could be eliminated by constructing only 35,000 gsf of office and 9,000 gsf of retail on Projected Development Site 1, a total of 44,000 gsf. For comparison, the Proposed Project on Projected Development Site 1 would contain approximately 101,000 gsf in total, including 70,000 gsf of office uses, 22,000 gsf of community facility uses, and 9,000 gsf of retail uses. As the Applicant does not control Projected Development Site 2, the anticipated program on that site would remain unchanged compared to the Proposed Project. The level of development under this alternative would fail to achieve the goals or benefits of the Proposed Project. No new community facility use would be introduced on Projected Development Site 1 and the reduced program would result in less additional space for employment in a mix of uses. Furthermore, this level of development is likely insufficient for the Applicant to undertake the cost of development on Projected Development Site 1, as floor area would not be significantly greater than under the existing and No Action conditions. As a result this No Unmitigated Significant Adverse Impact Alternative is unlikely to achieve any of the intended goals and benefits of the Proposed Project.

B. NO ACTION ALTERNATIVE

ALTERNATIVE IDENTIFICATION

For the purposes of this EIS, it is assumed that in the Future without the Proposed Actions (the No Action condition), no new development is anticipated to occur within the Project Area and existing buildings and uses observed in the existing condition would remain through the 2023 build year. For each technical analysis in the EAS and EIS, the No Action condition also considers approved or planned development projects within the appropriate study area that are likely to be completed by the analysis year, including the ongoing redevelopment of the former Domino Sugar Refinery site.

LAND USE, ZONING, AND PUBLIC POLICY

Under the No Action Alternative, the Project Area would not be rezoned and the Projected Development Sites would continue in their existing conditions. The existing windowless warehouse and its warehouse/production event space uses would continue on Projected Development Site 1. The Proposed Project with its planned mix of office, light industrial and manufacturing, community facility (medical office), and retail uses would not be built. The adjacent street frontages on Kent Avenue and South 3rd Street would not be activated through new ground floor retail uses, the additional retail opportunities for the local population associated

with these spaces would not be created, and additional space for employment in a mix of uses would not be constructed.

The existing warehouse use on Projected Development Site 2 would also continue under this alternative, and a new building containing office, community facility, and ground floor retail uses would not be anticipated. As with the Proposed Actions, the remainder of the Project Area and its mix of residential, retail, and parking uses would continue in their existing conditions.

Outside of the Project Area, current land use trends and development patterns would continue. Within the 400-foot study area, seven background development projects are anticipated to be completed by 2023. These include four buildings that are part of the redevelopment of the former Domino Sugar Refinery site, as well as two additional projects.

The four buildings that are part of the Domino Sugar Refinery redevelopment are three mixed-use towers at 260, 280, and 350 Kent Avenue and the adaptive reconstruction and reuse of the landmarked former Domino Refinery building (the former Havemeyers & Elder Filter, Pan & Finishing House) at 314 Kent Avenue. 260 Kent Avenue, which recently completed construction and is partially occupied, will contain 332 DUs and 159,652 zoning square feet (zsf) of commercial space at full occupancy. The next tower planned in the development at 280 Kent Avenue will contain 680 DUs, 11,018 zsf of commercial space, 75,145 zsf of community facility space, which will be a 375-seat new elementary school, and 481 parking spaces. The completion of 280 Kent Avenue will be followed by the construction of the final tower planned at 350 Kent Avenue, which will contain 422 DUs, 41,801 zsf of commercial space, and 300 parking spaces. The reconstruction and adaptive reuse of the former Domino Refinery building at 314 Kent Avenue will yield 429,068 zsf of commercial space and 35,753 zsf of community facility space (artist/studio spaces). The estimated completion years for the buildings at 280 and 350 Kent Avenue are currently unknown, but are expected to occur after the Proposed Project's 2023 build year. The adaptive reuse of the former Domino Refinery building at 314 Kent Avenue is expected to be completed by the 2023 build year.

The other development projects within the study area planned for completion by 2023 are smaller in scale. These include 72 South 2nd Street, which will contain 7 DUs, 2,611 zsf of commercial space, 1,139 zsf of community facility space, and 1 parking space; and 333 Kent Avenue, an alteration to an existing building, which will contain 2 DUs, and 8,879 zsf of commercial space.

Zoning and public policies affecting the study area are expected to remain unchanged from existing conditions, and the Project Area would not be rezoned from the existing M3-1 zoning to M1-5. The adjacent MX-8 (M1-4/R6A) district would likewise not be extended westwards to meet the proposed M1-5 district and the area to be covered by this extension would not be removed from the "Excluded Area" shown on Map 2 of Appendix F of the Zoning Resolution.

In summary, neither the No Action Alternative nor the Proposed Actions would result in significant adverse impacts to land use, zoning, or public policy.

SOCIOECONOMIC CONDITIONS

Neither the No Action Alternative nor the Proposed Actions would result in significant adverse impacts due to direct residential and business displacement, indirect residential and business displacement, or adverse effects on specific industries. Under the No Action Alternative, no new development would occur on the Projected Development Sites and the existing warehouse/ production event space uses would continue. New space for employment in office, light industrial and manufacturing, community facility (medical office), and retail uses would not be built.

In summary, neither the No Action Alternative nor the Proposed Actions would result in significant adverse impacts to socioeconomic conditions in the study.

COMMUNITY FACILITIES AND SERVICES

Neither the No Action Alternative nor the Proposed Actions would result in the introduction of a new residential population to the Project Area and associated demand on public schools, libraries, or publicly funded child care centers. Therefore, delivery of these services would not noticeably change either with the Proposed Actions or under the No Action Alternative. Coverage of the Project Area by the New York City Police Department and Fire Department of New York City would likewise not change either with the Proposed Actions or under the No Action Alternative.

In summary, neither the No Action Alternative nor the Proposed Actions would result in significant adverse impacts to community facilities and services.

OPEN SPACE

Neither the Proposed Actions nor the No Action Alternative would physically alter or displace publicly accessible open space resources. The No Action Alternative would not increase the non-resident open space user population within the Project Area. In the No Action Alternative, the passive open space ratio in the non-residential study area would continue to exceed the City's planning goals, similar to the With Action condition, and would be slightly greater than with the Proposed Actions. In summary, neither the No Action Alternative nor the Proposed Actions would result in significant adverse impacts to open space resources.

SHADOWS

The No Action Alternative would not cast any project-generated shadow on the sunlight-sensitive resources in the longest shadow study area. New shadow on portions of Domino Park and the East River that would result from the Proposed Actions would not occur under the No Action Alternative. The new shadow on these resources that would be created by the Proposed Actions were determined to be brief in duration and small in extent, and would not result in any significant adverse impacts. Therefore, neither the No Action Alternative nor the Proposed Actions would result in significant adverse impacts with respect to shadows.

HISTORIC AND CULTURAL RESOURCES

The New York City Landmarks Preservation Commission (LPC) determined in comment letters dated April 3, 2019 and August 15, 2019 that there are no archaeological concerns for the projected development sites. As a result, the No Action Alternative would not result in any significant adverse impacts related to archaeological resources, similar to the Proposed Actions.

Though there are no historic or cultural resources within the Project Area, there are four known architectural resources located within the study area, including the Havemeyers & Elder Filter, Pan & Finishing House located within 90 feet of the projected development sites across Kent Avenue. A Construction Protection Plan (CPP) intended to ensure that there would not be any significant adverse impacts to architectural resources would not be required under the No Action Alternative.

URBAN DESIGN AND VISUAL RESOURCES

The No Action Alternative would not result in any new buildings on the projected development sites. Neither the Proposed Actions nor the No Action Alternative would eliminate any significant publicly accessible view corridors or completely block public views to any natural or built visual resources or result in any substantial changes to the built environment of a historic district. There would be no new ground floor design elements or ground floor retail on the project sites that would activate and enliven the streetscape adjacent to the projected development sites as with the Proposed Actions.

Overall, similar to the Proposed Actions, the No Action Alternative would not result in any significant adverse impacts to urban design and visual resources.

NATURAL RESOURCES

The Project Area is occupied by existing buildings and paved surfaces in a fully developed area of Brooklyn, and there are no significant natural resources within it. The No Action Alternative would not increase shadows on the East River. However, the incremental shadow on the East River under the Proposed Action would be of limited extent and duration and would not adversely affect aquatic resources (plankton or fish) in the East River. Therefore, neither the No Action Alternative nor the Proposed Actions would result in a significant adverse impacts with respect to Natural Resources.

HAZARDOUS MATERIALS

In the No Action Alternative, there would be no excavation or construction on the Projected Development Sites or within the Project Area. There would be no potential for disturbing any contaminated materials that may exist on the Projected Development Sites, and the No Action Alternative would not require remediation of Projected Development Site 1 through the steps outlined in EAS Attachment G, "Hazardous Materials," or the placement of an (E) Designation on Projected Development Site 2.

WATER AND SEWER INFRASTRUCTURE

While the Proposed Actions would result in an incremental water demand of approximately 56,641 gallons per day (gpd) as outlined in the EAS, neither the Proposed Actions nor the No Action Alternative would result in any significant adverse impacts to the City's water supply.

The Proposed Actions would generate approximately 26,596 gpd of sanitary sewage (approximately 0.01 percent of the average daily flow at the Newton Creek Waste Water Treatment Plant [WWTP]); however, this increase in volume would not exceed the capacity of the Newton Creek WWTP. Therefore, neither the Proposed Actions nor the No Action Alternative would result in a significant adverse impact on the City's sanitary sewage treatment system.

SOLID WASTE AND SANITATION SERVICES

Similar to the Proposed Actions, the No Action Alternative would not adversely affect solid waste and sanitation services or place a significant burden on the City's solid waste management system, and therefore similarly would not result in significant adverse impacts on Solid Waste and Sanitation Services. However, the No Action Alternative would generate less demand on New York City's solid waste services and sanitation services.

ENERGY

Similar to the Proposed Actions, the No Action Alternative would not result in significant adverse impacts with respect to the transmission or generation of energy. While the No Action Alternative would not generate increased demands on New York City's energy services, the Proposed Actions would generate an incremental increase in energy demand that would be negligible when compared to the overall demand within Consolidated Edison (Con Edison)'s New York City and Westchester County service area.

TRANSPORTATION

In the No Action Alternative, traffic, parking, transit, and pedestrian demand in the study area would increase as a result of background growth, development that could occur pursuant to existing zoning (i.e., as-of-right development), and other development projects planned or likely to occur in the vicinity of the Project Area (particularly due to the development of the former Domino Sugar Refinery site). Thus, the overall levels of service would be expected to deteriorate in the No Action Alternative as compared to existing conditions due to the increased transportation demands in the study area as result of background growth and incremental trips from other discrete developments that would advance absent the proposed actions.

The No Action Alternative would not result in any significant adverse impacts with respect to transportation. Unlike the Proposed Actions, the No Action Alternative would not result in significant adverse traffic impacts to five intersections during the weekday AM peak hour, four intersections during the weekday midday peak hour, and eight intersections during the weekday PM peak hour. Increases in bus ridership beyond the current bus capacity by up to three passengers on the northbound B32 during the weekday AM peak period and one passenger on the northbound B62 during the weekday PM peak period would not occur under the No Action Alternative. Furthermore, the Proposed Actions' significant adverse impact to one sidewalk during the weekday midday and PM peak hours would not occur under the No Action Alternative. As with the Proposed Actions, no parking shortfalls or significant adverse parking impacts would occur under the No Action Alternative.

AIR QUALITY

The No Action Alternative would result in fewer vehicle trips and less mobile source pollution than with the Proposed Actions. Since no significant mobile source air quality impacts are predicted due to the Proposed Actions, neither the Proposed Actions nor the No Action Alternative would result in a significant adverse impact related to mobile sources.

Under the No Action Alternative, stationary sources of emissions would be lower than with the Proposed Actions. The restrictions on the type of fuel for heating and hot water systems, on the use of low NO_x burners, and the heights and placement of heating and hot water system exhaust stacks that would be put in place on the projected development sites through the mapping of an (E) Designation for air quality would not be required with the No Action Alternative. Neither the No Action Alternative nor the Proposed Actions are anticipated to result in a significant adverse impact related to stationary sources.

GREENHOUSE GASES AND CLIMATE CHANGE

GREENHOUSE GAS EMISSIONS

In the No Action Alternative, there would be no increase in energy use on the projected development sites, or the ensuing greenhouse gas (GHG) emissions associated with the proposed and projected buildings. Building and on-road energy use and the associated GHG emissions would remain largely unchanged, and may be reduced over time due to changes in the mix of fuel used to produce electricity provided to buildings, fuel and technologies used for heating, and vehicle technology and fuel. Any increase in emissions which might occur under the Proposed Actions, associated with the increased usage of the projected development sites, would be likely to occur elsewhere in the No Action Alternative, addressing similar needs for commercial and community facility uses and associated facilities and services. If those needs are provided in an area with less access to transit or with less efficient energy design requirements or a higher-carbon mix of electricity production, those emissions may be higher.

RESILIENCE TO CLIMATE CHANGE

In the No Action Alternative, the existing buildings and uses on the projected development sites would be unchanged from current conditions and would continue to be outside the designated areas considered vulnerable to current potential coastal flooding conditions during severe storms. Despite the anticipated rise in flood elevations by up to 6.25 feet in the year 2100, the projected development sites are anticipated to remain outside of the area that would be considered vulnerable.

NOISE

In the No Action Alternative, traffic volumes would increase due to background growth and trips associated with new development that would occur independent of the Proposed Actions, but there would be no increases due to additional vehicular trips associated with the Proposed Actions. Like with the Proposed Actions, there would be no significant adverse noise impacts in the No Action Alternative, as neither scenario would generate sufficient traffic to have the potential to cause a significant mobile source noise impact. Further, the proposed and projected buildings' mechanical systems (i.e., heating, venting, and air conditioning [HVAC] systems) would be designed to meet all applicable noise regulations to avoid producing levels that would result in any significant increase in ambient noise levels. Therefore, neither the Proposed Actions nor the No Action Alternative would result in any significant adverse noise impacts related to building mechanical equipment.

In the With Action condition, due to existing high levels of ambient noise in the area, building attenuation would be required to ensure that interior noise levels meet CEQR criteria. To ensure the proposed building on Projected Development Site 1 meets the criteria, future community facility/office uses must provide a closed-window condition with a minimum of 28 dBA window/wall attenuation on all facades facing Kent Avenue and portions of facades facing South 3rd Street within 50 feet of Kent Avenue and include an alternative means of ventilation. This would ensure interior noise levels are not greater than 45 dBA for community facility uses or not greater than 50 dBA for commercial offices uses. To ensure the same interior noise levels within the projected building on Projected Development Site 2 are met, future community facility/office uses must provide a closed-window condition with a minimum of 28 dBA window/wall attenuation on facades facing Kent Avenue and an alternate means of ventilation. The

window/wall attenuation and alternate means of ventilation requirements would be codified in a Noise (E) Designation on the projected development sites. In the No Action Alternative, there would be no need for Noise (E) Designations to be placed on the projected development sites.

NEIGHBORHOOD CHARACTER

Similar to the Proposed Actions, the No Action Alternative would not result in significant adverse impacts associated with neighborhood character. Similar to the Proposed Actions, the No Action Alternative would not result in significant adverse impacts in the areas of land use, zoning, and public policy; socioeconomic conditions; open space, shadows; historic and cultural resources; urban design and visual resources; and noise. In comparison to the Proposed Actions, the No Action Alternative would avoid significant adverse impacts with respect to transportation, which would not result in a significant change to one of the determining elements of neighborhood character. However, the No Action Alternative would not result in potential benefits to neighborhood character, including activating the street at ground level and providing additional retail opportunities for the local population and additional space for employment in a mix of uses within the neighborhood.

CONSTRUCTION

The No Action Alternative would not involve any demolition or construction on the projected development sites, and any temporary disruptions to the surrounding area, including occasional noise and dust, would not occur. Maintenance and Protection of Traffic (MPT) plans needed for any curb-lane and/or sidewalk closures that may be required during construction would not be developed under the No Action Alternative, nor would a CPP be developed for the protection of nearby historic structures to avoid inadvertent demolition and/or construction-related damage to such resources from ground-borne construction period vibrations, falling debris, or collapse. during construction. A Remedial Action Plan (RAP) and associated Health and Safety Plan (HASP) intended to protect against exposure to hazardous materials during any subsurface disturbance activities associated with construction would likewise not be developed. Additional trips to the projected development sites generated by construction workers would also not occur under the No Action Alternative.

Overall, similar to the Proposed Actions, the No Action Alternative would not result in any significant adverse impacts resulting from construction.

PUBLIC HEALTH

Under both the No Action Alternative and the Proposed Actions, no unmitigated significant adverse impacts would occur in the areas of hazardous materials, air quality, water quality, or noise (including construction noise). Therefore, neither the No Action Alternative nor the Proposed Actions would not result in significant adverse public health impacts.

C. NO UNMITIGATED SIGNIFICANT ADVERSE IMPACT ALTERNATIVE

ALTERNATIVE IDENTIFICATION

In order to identify a No Unmitigated Significant Adverse Impact Alternative, the full range of impacts identified for the Proposed Actions is considered to determine what avoidance measures

would be required for the different type of impacts. The Proposed Actions' pedestrian and transit impacts could be fully mitigated with the measures identified in Chapter 11, "Mitigation." However, the Proposed Actions are anticipated to have significant adverse traffic impacts that could not be mitigated. Therefore, traffic is considered below.

TRANSPORTATION

As discussed above, the Proposed Actions are expected to result in several unmitigated significant adverse traffic impacts. The assessments prepared for the No Unmitigated Impacts Alternative determine the portion of the Proposed Project that could be developed on Projected Development Site 1 without incurring the potential for any unmitigated significant adverse traffic impacts. As the Applicant does not control Projected Development Site 2 the anticipated program on that site would remain unchanged compared to the Proposed Project.

TRAFFIC

With the Proposed Actions, there would be unmitigatable significant adverse traffic impacts at six intersections in at least one analysis peak hour. In order to eliminate all unmitigated traffic impacts, only 35,000 gsf of office and 9,000 gsf of retail could be constructed on Projected Development Site 1, or 44,000 total gsf. This alternative would therefore reduce the size of the development on Projected Development Site 1 by more than 56 percent; the 22,000 gsf of community facility space (analyzed as medical office for transportation) as well as 35,000 gsf of the office space would be eliminated. For comparison, the Proposed Project on Projected Development Site 1 would contain approximately 101,000 gsf in total, including 70,000 gsf of office uses, 22,000 gsf of community facility uses, and 9,000 gsf of retail uses.

This reduction in the level of development would significantly compromise the ability of the Proposed Project to realize its intended goals and benefits. No new community facility use would be introduced on Projected Development Site 1, and the reduced program would not result in the employment opportunities in a mix of uses that would be provided by the Proposed Project. The reduced program would also make the introduction of light manufacturing uses nonviable. Furthermore, this level of development is likely insufficient for the Applicant to undertake the cost of development on Projected Development Site 1, as floor area would not be significantly greater than under the existing and No Action conditions. As a result, this No Unmitigated Significant Adverse Impact Alternative is unlikely to achieve any of the intended goals and benefits of the Proposed Project. A development program with these reductions would not be considered a reasonable alternative, and therefore, no reasonable alternative could be developed to avoid the potential unmitigated significant adverse traffic impacts. ✷