Chapter 21: Alternatives

A. INTRODUCTION

In accordance with City Environmental Quality Review (CEQR), this chapter considers alternatives to the Proposed Actions~~, including the No Action Condition and an alternative that would avoid the unmitigated significant adverse impacts of 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 project while meeting some or all of the goals and objectives of the project.

As described in Chapter 1, "Project Description," the Applicant (a joint venture between Kaufman Astoria Studios, BedRock Real Estate Partners, and Silverstein Properties) is seeking a series of land use actions, including zoning map amendments, zoning text amendments, and special permits (the Proposed Actions) to facilitate the Applicant's intended development and programming. The area subject to the Proposed Actions is the five (5) city blocks city blocks bounded by 35th Avenue to the north, 43rd Street/Northern Boulevard to the east, 36th Avenue to the south and 37th Street to the west in the Astoria neighborhood of Queens in Community District 1. The Project Area (Blocks 641, 668, 669, 670, and 671) contains 43 lots, of which 21 are controlled by the Applicant while the remaining lots are controlled by others. With the Proposed Actions, the Applicant-controlled lots would be controlled by a Large Scale General Development (LSGD) Special Permit and would contain the Proposed Development (referred to as the "Development Site"). In total, the Proposed Development would include 12 buildings with approximately 2.9 million gross square feet (gsf) of space, with approximately 2.4 million gsf of residential space (approximately 2,843 DUs, of which 711 would be permanently affordable DUs pursuant to Mandatory Inclusionary Housing [MIH]), approximately 250,000 gsf of office space, approximately 209,000 gsf of other commercial uses (retail, eating and drinking establishments, grocery store, and the relocated cinema and potential motorcycle showroom), approximately 108,000 gsf of community facility uses (e.g., day care, community center, and arts and cultural center), and approximately 2.17 acres of publicly accessible open space.

In addition to the Proposed Development with approximately 2.9 million gsf of space, the Proposed Actions would facilitate the redevelopment of several projected development sites in the Additional Affected Area that are not controlled by the Applicant. These additional developments would include approximately 800,000 gsf of residential and commercial space, similar to the Proposed Development. Therefore, the Proposed Actions would facilitate the development of a total of approximately 3.7 million gsf in the Project Area.

This chapter considers alternatives to the proposed project, including the No Action Condition, a No Unmitigated Significant Adverse Impacts Alternative, and new Proposed Modified

Application Alternative [1] ~~a smaller building~~ that would avoid or reduce the potential unmitigated significant adverse impacts resulting from the Proposed Actions. The new alternative considers a modification to the Proposed Development's proposed building massing, which includes reductions of building heights along 35th Avenue and shifting of floor area to buildings on other portions of the Development Site, as well as a reduction in parking in the Proposed Development.

PRINCIPAL CONCLUSIONS

NO ACTION ALTERNATIVE

The No Action Alternative examines the future (2032) conditions in the Project Area under the existing zoning without the Proposed Actions (i.e., assumes none of the proposed discretionary approvals proposed as part of the Proposed Actions would be adopted). Under the No Action Alternative, the existing active commercial and auto-related facilities on the majority of the properties in the Project Area would remain in their current condition. However, in the No Action condition, the Applicant would redevelop underutilized parcels (parcels that contain vacant buildings and open parking areas for vehicular storage) that are feasible development sites under existing zoning. On Projected Development Site C (Block C), the Applicant would develop a 1-story, approximately 30,000 gsf grocery store, as well as a surface parking lot with 100 spaces (approximately 29,000 sf) to provide the required accessory parking for the grocery store. On Projected Development Site D (Block D), the Applicant would develop local retail uses on the 35th Street frontage (approximately 20,000 gsf) with a 1-story, approximately 68,000 gsf warehouse on the remainder of the site. The Applicant would not seek to redevelop the more active existing uses on Projected Development Sites A, B, and E (the Regal Cinema, the P.C. Richards & Sons retail store, and the Harley Davidson Motorcycles dealership, respectively) absent the Proposed Actions. Likewise, the remaining Projected Development Sites not controlled by the Applicant (Sites F, G, H, I, J, and K) are expected to remain in their current condition.

Under the No Action Alternative, there would be no change to zoning and Mandatory Inclusionary Housing (MIH) would not apply to the Project Area. The substantial amount of affordable housing expected under the Proposed Actions would not be provided. In addition, the No Alternative would not provide for arts and cultural spaces to add to the existing concentration of these uses in the study area, and would not provide for new publicly accessible open space in an area where there is currently limited open space. Unlike the Proposed Actions, under the No Action Alternative, the significant adverse impacts related to community facilities (early childhood programs, libraries), open space, shadows, transportation (traffic, transit, and pedestrians), ~~air quality (related to annual average $PM_{2.5}$ increments)~~ and construction (noise) would not occur.

NO UNMITIGATED SIGNIFICANT ADVERSE IMPACTS ALTERNATIVE

The No Unmitigated Significant Adverse Impacts Alternative examines a scenario in which the density and other components of the Proposed Actions are modified to avoid the unmitigated significant adverse impacts associated with the Proposed Actions. There is the potential for the Proposed Actions to result in unmitigated significant adverse impacts to community facilities and services (publicly financed early childhood programs; libraries), open space, shadows, traffic, ~~air~~

[1] Since the publication of the DEIS, the Applicant has submitted a modified application with proposed changes to the project; this modified version of the project is described and considered in this chapter of the FEIS as the Proposed Modified Application Alternative.

~~quality (related to maximum annual incremental $PM_{2.5}$ concentrations at two intersection sites),~~ and construction.

While this alternative considers development that would not result in any unmitigable significant adverse impacts, to eliminate all unmitigated significant adverse impacts, the Proposed Actions would have to be modified to such a degree that the principal goals and objectives of the Proposed Actions would not be fully realized.

The Proposed Actions would result in a significant adverse impact to publicly funded early childhood programs. The Proposed Actions would introduce 128 children under the age of five who would be eligible for publicly funded early childhood programs. With the addition of these children, early childhood programs within the study area would operate at 229.6 percent utilization, an increase in the utilization rate of approximately 80.5 points over the No Action condition. ~~Mitigation measures will be explored with DCP and DOE between the DEIS and FEIS~~ The Restrictive Declaration for the Proposed Development will require the Applicant to work with DOE to consider the need for and the implementation of one or more measures to provide additional capacity, if required, to mitigate the significant adverse impact to publicly funded child care facilities within the 1.5-mile study area or within Queens Community District 1. Should practical and feasible mitigation measures not be found, the significant adverse impact to early childhood programs would remain unmitigated. To avoid the identified significant adverse impact to early childhood programs, the number of affordable DUs that could be introduced by the Proposed Actions would have to be reduced from 914 DUs to 53 DUs, a reduction of 861 affordable units. A substantial reduction in the number of affordable housing units developed in the Project Area would be less supportive of the goals and objectives of the Proposed Actions.

The Proposed Actions would result in a significant adverse impact to libraries with the addition of 8,144 residents. With the additional residential population, the population served by the Long Island City branch of the Queens Public Library would increase by 5.94 percent over the No Action scenario, which is greater than the 5-percent change threshold, and this change may impair the delivery of library services within the study area. The Applicant has coordinated with the Queens Public Library concerning a partnership with the Proposed Development and potential mitigation. Between DEIS and FEIS, the Applicant refined possible mitigation measures in coordination with QPL and DCP. The Restrictive Declaration for the Proposed Development will require the Applicant to coordinate with QPL and to commit to one of, or some combination of, the following mitigation measures, which will be implemented before the Temporary Certificate of Occupancy is issued for the final building in the Proposed Development. Potential mitigation measures include funding or provision of improvements and maintenance to the QPL Broadway branch facility that would support the branch's programming and services year-round, such as improvements to the branch's garden to provide space for public gatherings and community enjoyment; provision of space within the Proposed Development for the library, the size and location of which would be determined in coordination with QPL; and/or support for QPL for the continued operation of a space for the Library within the Proposed Development. ~~Mitigation measures for the libraries impacts are being explored by the Applicant in consultation with DCP and the Queens Public Library and will be refined between the DEIS and FEIS. If the significant adverse impacts on libraries would not be fully mitigated~~If measures to fully mitigate the significant adverse impact are not implemented, the Proposed Actions would result in unmitigated significant adverse impacts on libraries. To avoid the identified significant adverse impact to libraries (i.e., to reduce the population increase to a level below the 5 percent impact threshold at the Long Island City branch), the number of DUs that could be introduced by the Proposed Actions would have to be reduced from 3,652 DUs to 3,070 DUs, a reduction of 582 units. This reduction

in the number of housing units developed in the Project Area would also reduce the number of affordable units that would be required under MIH~~,~~ and would be less supportive of the goals and objectives of the Proposed Actions.

The Proposed Actions would result in a significant adverse quantitative impact associated with the active open space ratio. Under the Proposed Actions, the active open space ratio would decrease by approximately 15 percent from the No Action condition. This impact is primarily the result of the low existing active open space ratio in the study area and the addition of a substantial project-generated residential population. ~~Partial mitigation measures being considered to address this impact include the provision of~~ As mitigation for the significant adverse impact, the Proposed Development would provide an approximately 10,000-sf area at the southern end of Block A (along 36th Avenue) ~~in the Proposed Development~~ that ~~may~~ would be additional publicly accessible open space. 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. Since the study area has such a low open space ratio, changes in the ratio as low as 1 percent may result in result in a significant adverse impact. A reduction of approximately 3,450 DUs would result in a decrease of 0.9 percent, which is below the 1 percent threshold; however, such a reduction in housing, including affordable housing, would conflict with one of the primary goals of the Proposed Actions.

Development resulting from the Proposed Actions would cast new shadows that would have a significant adverse impact on Playground Thirty Five XXXV. In particular, development resulting from the Proposed Actions would cast new shadows on Playground Thirty Five XXXV throughout the day in all seasons, covering large areas of the playground at times, eliminating much or all of the remaining sunlight in the park at times—particularly in the fall, winter, and early spring—and causing significant adverse impacts to the user experience in all seasons. Potential mitigation measures ~~are being~~were explored by the Applicant in consultation with DCP and NYC Parks, ~~and will be refined~~ between the DEIS and FEIS. ~~In particular, t~~The ~~potential~~ additional active publicly accessible open space at the southern end of Block A ~~(discussed above)~~ would ~~also~~ provide partial mitigation for the significant adverse shadows impact to Playground Thirty Five XXXV by providing an additional active resource in an area that would receive less shadow. In order to avoid the significant adverse shadow impact, the height of development on the Projected Development Sites, in particular the Proposed Development's buildings closest to Playground Thirty Five XXXV would have to be substantially reduced. In some cases, one or more of the Proposed Development's towers would need to be eliminated, resulting in a significant reduction of floor area, in particular residential floor area. Therefore, this alternative would substantially compromise the Proposed Actions' goals.

The Proposed Actions would result in significant adverse traffic impacts at 23~~1~~ study area intersections during one or more analyzed peak hours. Because of the anticipated congestion at a number of these intersections, even small increases in incremental With Action traffic volumes at some of the congested intersection approach movements would result in significant adverse impacts that could not be fully mitigated during one or more analysis peak hours, and almost any new development in the rezoning area could result in unmitigated traffic impacts. Therefore, no reasonable alternative could be developed to completely avoid such impacts without substantially compromising the Proposed Actions' stated goals.

~~The Proposed Actions would result in a significant adverse air quality impact since the maximum incremental concentrations of fine particulate matter ($PM_{2.5}$) was predicted to exceed the *de minimis* criterion of 0.1 $\mu g/m^3$ for the annual averaging period for Analysis Site 2, at 35th Avenue~~

~~and 41st Street, and Analysis Site 3, at Northern Boulevard and 43rdStreet/42nd Place. Traffic mitigation measures were developed at these affected intersections to reduce congestion and increase speeds along corridors in the affected area. The prescribed traffic mitigation measures would mitigate the significant adverse air quality impact at Site 2; however. for Site 3, the prescribed mitigation measures would not fully mitigate the air quality impact. The magnitude of the $PM_{2.5}$ incremental concentration at Site 3 would require a substantial reduction in project-generated traffic to eliminate the predicted impact. This would require a significant reduction in density in the Project Area, which would not meet goals and objectives of the Proposed Actions. Therefore, no reasonable alternative could be developed to completely avoid air quality impacts at this location without substantially compromising the Proposed Actions' stated goals~~

Finally, temporary noise level increases exceeding *CEQR Technical Manual* impact criteria are expected at various receptors within the study area during construction. While construction activity is expected to follow the requirements of the New York City Noise Control Code, to completely avoid significant adverse construction noise impacts, project-generated construction would have to be limited in such a way so as to occur neither on the same block as, nor within one block of any noise receptors, which would require elimination of the rezoning area in the vicinity of these sensitive receptors. This would compromise the Proposed Actions' goals and objectives.

Overall, given the above-described limitations, in order to fully avoid all identified significant adverse impacts, the Proposed Actions would have to be modified to a point where their principal goals and objectives would not be realized.

PROPOSED MODIFIED APPLICATION ALTERNATIVE

Under the Proposed Modified Application Alternative, the Proposed Development would be modified to reduce its massing and scale along the northern side of the Development Site, in particular the scale along 35th Avenue opposite the lower-density residential buildings (located on the northern side of the avenue) and surrounding Playground Thirty Five XXXV and the proposed civic oriented public open space on Block C. Under this alternative, there would be reductions to building heights on the northern side of Blocks C, D, and E, and additional floors on other buildings in the Proposed Development to redistribute floor area, including modifications to the building massings on Blocks A and B. The modified site plan would remove two of the proposed Public Access Areas (PAAs) along 38th Street on Blocks A and B. With the Proposed Actions, these two spaces include approximately 14,500 sf (0.33 acres). However, the alternative would also include the approximately 22,000 sf (0.50 acre) active space PAA proposed on Block A as mitigation. Therefore, including the mitigation PAA, the Proposed Development would continue to provide over two acres of publicly accessible open space. The alternative would also a reconfiguration of the Proposed Development's below-grade spaces to reduce the number of parking spaces to 949 (the minimum required under the proposed zoning) from the 1,390 total assumed with the Proposed Actions.

The modification under consideration by the CPC is proposed by the Applicant in response to concerns raised during the public review process. The development program under this alternative is equal to the Reasonable Worst-Case Development Scenario (RWCDS) prepared for the Proposed Actions. While the massing configuration would be different compared to the Proposed Development, the Proposed Modified Application Alternative would include an equivalent amount of floor area in the Proposed Development that would be generated as a result of the Proposed Actions, and would only affect the distribution of the floor area across the Proposed Development's blocks. Accordingly, the Proposed Modified Application Alternative would result

in the same or similar significant adverse impacts as the Proposed Actions, requiring the same or similar mitigation measures, while still meeting the objectives of the Proposed Actions. Specifically, the Proposed Modified Application Alternative would result in the same or similar significant adverse impacts related to community facilities and services (publicly financed early childhood programs and libraries), open space, shadows, transportation (traffic, transit, and pedestrian conditions), and construction (traffic and noise). Concerning open space, with the reduction of passive open space on Blocks A and B under the Proposed Modified Application Alternative, the total and passive ratios would be slightly lower than under the Proposed Actions. However, as under the Proposed Actions, the total and passive open space ratios would see a substantial increase, while the decrease in active open space would remain the same. As such, the Proposed Modified Application Alternative would result in the same significant adverse active open space impacts as Proposed Actions. However, with the provision of the approximately 22,000 sf PAA with active uses at the southern end of Block A, the impact would be fully mitigated under the Proposed Modified Application Alternative, whereas the Proposed Actions would only provide partial mitigation for the significant adverse impact.

B. NO ACTION ALTERNATIVE

The No Action Alternative is the Future without the Proposed Actions (No Action Condition), described in Chapter 1, "Project Description," and analyzed in Chapters 2 through 19. Absent the Proposed Actions, the existing active commercial and auto-related facilities on the majority of the properties in the Project Area would remain in their current condition. However, in the No Action condition, the Applicant would redevelop underutilized parcels (parcels that contain vacant buildings and open parking areas for vehicular storage) that are feasible development sites under existing zoning. On Projected Development Site C (Block C), the Applicant would develop a 1-story, approximately 30,000 gsf grocery store, as well as a surface parking lot with 100 spaces (approximately 29,000 sf) to provide the required accessory parking for the grocery store. On Projected Development Site D (Block D), the Applicant would develop local retail uses on the 35th Street frontage (approximately 20,000 gsf) with a 1-story, approximately 68,000 gsf warehouse on the remainder of the site. The Applicant would not seek to redevelop the more active existing uses on Projected Development Sites A, B, and E (the Regal Cinema, the P.C. Richards & Sons retail store, and the Harley Davidson Motorcycles dealership, respectively) absent the Proposed Actions. Likewise, the remaining Projected Development Sites not controlled by the Applicant (Sites F, G, H, I, J, and K) are expected to remain in their current condition.

LAND USE, ZONING, AND PUBLIC POLICY

Under the No Action Alternative, the Project Area will not undergo a rezoning and no new land uses will be permitted within the Project Area. Although the Applicant would develop~~ment~~ a new grocery store on Projected Development Site C, and retail and warehouse uses on Projected Development Site D, no other development is anticipated to occur in the Project Area, which would remain primarily commercial, manufacturing, and parking uses with some residential uses. As with the Proposed Actions, the No Action Alternative would not result in any significant adverse impacts to land use, zoning, or public policy.

Because the No Action Alternative would not allow for the mixed-use developments that would be facilitated by the Proposed Actions, it would not provide for additional residential uses that would connect the residential portion of the Astoria neighborhood to the Project Area, and would not provide for a new residential population to support the existing ground floor commercial uses

on the Steinway Street and 35th Avenue commercial corridors. Furthermore, the No Action Alternative would not provide for arts and cultural spaces to add to the existing concentration of these uses in the study area, and would not provide for new publicly accessible open space in an area where there is currently limited open space. Unlike the Proposed Actions, the No Action Alternative would not support the development of affordable housing.

SOCIOECONOMIC CONDITIONS

As with the Proposed Actions, the No Action Alternative would not result in significant adverse impacts due to direct residential displacement, direct business displacement, indirect residential displacement, indirect business displacement, or adverse effects on specific industries. Regarding direct business displacement, while the No Action Alternative would result in the displacement of the existing businesses on Projected Development Sites C and D, the potentially displaced businesses are not within a category of business that is the subject of regulations or publicly adopted plans to preserve, enhance, or otherwise protect it. Unlike the Proposed Actions, the No Action Alternative would not displace any existing residential uses; however, as discussed in Chapter 3, "Socioeconomic Conditions," the number of residents that would potentially be displaced by the Proposed Actions would represent less than one percent of the residential population within the socioeconomic study area, and the Proposed Actions' potential direct displacement would not substantially alter the socioeconomic character of the neighborhood. Similarly, unlike the Proposed Actions, the No Action Alternative would not introduce a residential population that has the potential to cause increased rents in the area; however, it would also not introduce permanently affordable units to the area. The affordable units provided with the Proposed Actions would serve to preserve a more diverse mix of incomes in the study area as compared with the No Action Alternative. Therefore, neither the No Action Alternative nor the Proposed Actions would result in significant adverse impacts due to indirect residential displacement.

Unlike the Proposed Actions, the No Action Alternative would not introduce a new residential population that could increase demand for the goods and services provided by existing businesses in the area. Similarly, the No Action Alternative would not provide for new office space to connect to the strong commercial office market in the area, particularly in the Long Island City neighborhood, and would not support arts-related uses (such as studio space, flexible office space, and an arts and cultural center); therefore, unlike the Proposed Actions, the No Action Alternative would not strengthen the existing cluster of arts and cultural uses found in the study area.

COMMUNITY FACILITIES AND SERVICES

The No Action Alternative would not introduce any new residents to the Project Area that would result in increased demand for community facilities and services. In particular, because the No Action Alternative would not result the introduction of any new residential space, there would no additional demand for schools and libraries. In particular, there would be no additional demand for library services at the branches of the Queens Public Library in the study area, therefore the Proposed Actions would avoid the significant adverse impact on library services that would occur with the Proposed Actions. There would also be no significant adverse impacts on schools under the No Action Alternative, however, as noted in Chapter 4, "Community Facilities and Services," there would also be no significant adverse impacts to schools with the Proposed Actions. Because the No Action Alternative would not provide for any new affordable residential units, it would not introduce children who would be eligible for publicly funded early childhood programs; therefore,

the No Action Alternative would avoid the potential significant adverse impact on publicly funded early childhood programs that is anticipated with the Proposed Actions.

OPEN SPACE

Unlike the Proposed Actions, the No Action Alternative would not result in a new worker or residential population that would place additional demand on open space resources in an area that has limited availability. In the No Action Alternative, development on Projected Development Sites C and D is anticipated to result in an increase of 138 workers to the study area compared to existing conditions. As the No Action Alternative would not introduce a new residential population that would generate demand for active open spaces, the No Action Alternative would avoid the potential significant adverse impact on active open space that is anticipated with the Proposed Actions. Under the No Action Alternative, one additional open space resource would be available to residents by the 2032 analysis year, adding approximately 0.25 acres of open space to the study area. However, the No Action Alternative would not introduce any new publicly accessible open space to the Project Area. In particular, unlike the Proposed Actions, the No Action Alternative would not provide for any new passive open space to complement Playground Thirty Five XXXV and support workers and residents in the area: the total and passive open space ratios for both workers and residents in the study area will remain well below the City's goals, and the area will continue to be considered underserved in terms of open space and recreation. Unlike the Proposed Actions, there would be no improvement to the total and passive open space ratios in the study area under the No Action Alternative.

SHADOWS

In the No Action Alternative, the one-story grocery store that would be constructed on Projected Development Site C abutting Playground Thirty Five XXXV to the south would cast shadows on the playground. In particular, on the December 21 analysis date representing winter, No Action Alternative shadow would cover much of the playground later in the afternoon. However, during all other times on the December 21 analysis, and during all of the other analysis days (March 21/September 21, May 6/August 6, and June 21), the No Action Alternative would cast significantly less shadow on the playground than the development resulting from the Proposed Actions. Under the No Action Alternative, the playground would receive direct sunlight for much of the day, and shadows would not result in an impact to the user experience. Regarding the playground's vegetation, trees and plantings would continue to receive adequate direct sunlight in all seasons. Therefore, the No Action Alternative would avoid the potential significant adverse shadows impact on Playground Thirty Five XXXV that is anticipated with the Proposed Actions.

HISTORIC AND CULTURAL RESOURCES

As discussed in Chapter 7, "Historic and Cultural Resources," there are no known or potential architectural resources on the Development Site or the Additional Affected Area. As with the Proposed Actions, the No Action Alternative would not result in any significant adverse impacts to historic and cultural resources.

As with the Proposed Actions, there would be construction on some of the projected development sites within the Project Area within 90 feet of potential historic districts. Specifically, the No Action development on Projected Development Site D would be constructed approximately 90 feet from the southeastern edge of the potential 42nd and 43rd Street historic district, across 35th Avenue. Under the No Action Alternative, it is anticipated that this potential architectural resource

would be offered some protection through New York City Department of Buildings (DOB) controls governing the protection of adjacent properties from construction activities; however, the protections to avoid construction-related damage to historic structures under *TPPN #10/88* would not be required, as the potential historic district is not a New York City Landmark (NYCL) and is not listed on the State and National Register of Historic Places (S/NR). Therefore, unlike the Proposed Actions, the No Action Alternative would not provide the additional protections under a Construction Protection Plan (CPP) to avoid any inadvertent impacts to potential architectural resources.

The No Action Alternative would not result in any visual or contextual impacts to other known or potential architectural resources in the study area. As with the Proposed Actions, development in the Project Area under the No Action Alternative would not obstruct public views of any known or potential architectural resources in the study area, and would not introduce incompatible visual, audible, or atmospheric elements to a historic resource's setting.

URBAN DESIGN AND VISUAL RESOURCES

Under the No Action Alternative, the Project Area would not undergo a rezoning and no new land uses would be permitted within the Project Area. The new buildings that would be constructed on Projected Development Sites C and D would replace the existing one- and two-story warehouses on this site, however these No Action Alternative buildings would comply with existing zoning and would not adversely affect urban design features in the study area or alter the context of a natural or significant built resource. They would not notably change the lot coverage, built FAR, or height of buildings within the Project Area. Views from the streets and avenues within the Project Area also would not change notably under the No Action Alternative. Therefore, as with the Proposed Actions, the No Action Alternative would not have a significant adverse effect on urban design in the Project Area or the study area. However, unlike the Proposed Actions, the No Action Alternative would not introduce new residential, office, other commercial, arts and cultural, community facility, and open space uses that would serve as an anchor for the synergistic expansion of the neighborhood's existing business and residential communities. The No Action Alternative would also not replace the existing light-industrial uses in the Project Area to extend the mixed-use corridors of Steinway Street and 34th Avenue to the north and west. As compared to the Proposed Actions, the No Action Alternative would bring less pedestrian activity to the Project Area and would provide less active ground-floor uses and publicly accessible open spaces to enhance the pedestrian experience.

HAZARDOUS MATERIALS

Under the No Action Alternative, the Development Site and Additional Affected Area are assumed to either remain generally unchanged from existing conditions or be redeveloped with uses that are as-of-right under existing zoning. The No Action Alternative developments on Projected Development Sites C and D would involve soil disturbance that could potentially increase pathways for human exposure to any subsurface hazardous materials present. Any soil disturbance associated with the No Action Alternative would likely not be conducted in accordance with all of the procedures (e.g., conducting testing before commencing excavation, and implementation of health and safety plans during construction) that would be implemented with the Proposed Actions. However, should petroleum tanks and/or petroleum spills be identified (e.g., during excavation for new foundations), legal requirements (notably those of the New York State Department of Environmental Conservation [DEC]) would need to be followed, as would applicable regulatory requirements prior to demolition relating to asbestos-containing materials

(ACM) and disturbance and handling of known or suspected lead-based paint (LBP). Off-site disposal of excess soil/fill under the No Action Alternative would also need to be conducted in accordance with applicable federal and state requirements. Overall, under the No Action Alternative, the amount of soil disturbance would likely be significantly less than under the Proposed Actions, but the controls on its performance would not be as stringent as those under the Proposed Actions. The No Action Alternative would not result in a significant adverse impacts related to hazardous materials; with the implementation of additional measures in accordance with an (E) Designation for all lots included in the Development Site and Additional Affected Area, the Proposed Actions would similarly not result in significant adverse impacts to hazardous materials.

WATER AND SEWER INFRASTRUCTURE

As compared to the Proposed Actions (which would not result in any significant adverse impacts on the City's water supply or wastewater and stormwater conveyance and treatment infrastructure), the No Action Alternative would result in less water consumption and sewage generation. Located in the service area of Bowery Bay Wastewater Treatment Plant (WWTP), neither the Proposed Actions (which would generate 920,979 gallons per day [gpd] of sanitary sewage) nor the No Action Alternative (which would generate 100,229 gpd of sanitary sewage) would result in an exceedance of the plant's permitted capacity. Because the Project Area is almost entirely covered with rooftop or paved surfaces in existing conditions, the No Action Alternative, similar to the Proposed Actions, would not result in a substantial increase in impervious surface; therefore, there would be a minimal increase in stormwater runoff. As with development under the Proposed Actions, new development on Projected Development Sites C and D under the No Action Alternative would incorporate sanitary and stormwater source control best management practices (BMPs) to reduce sanitary volume and peak stormwater runoff volumes to the combined sewer system as required by the DEP regulations and the recently adopted Unified Stormwater Rule. Therefore, similar to the Proposed Actions, the No Action Alternative would not have a significant adverse impact on the City's combined sewer system or the City's sewage treatment system.

SOLID WASTE AND SANITATION SERVICES

Neither the Proposed Actions nor the No Action Alternative would result in a significant adverse impact to 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 from existing conditions 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. Specifically, compared to the Proposed Actions, the No Action Alternative would result in approximately 75.5 less tons handled by the New York City Department of Sanitation (DSNY) and approximately 7.3 less tons handled by private carters.

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. While energy demand on the projected development sites would increase from existing conditions under both the No Action Alternative and the Proposed Actions, these increases represent a negligible amount of the City's forecasted annual energy needs.

TRANSPORTATION

As discussed below, unlike 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 the potential for significant adverse traffic impacts to ~~20~~19, 1~~3~~6, 1~~8~~9, and 16 signalized intersections in the weekday AM, midday and PM, and Saturday peak hours, respectively. The Proposed Actions' significant adverse impacts ~~to one fare array at the 36th Street (M/R) subway station, and~~ to line haul conditions on southbound N/W train service in the AM peak hour would not occur under the No Action Alternative. Furthermore, the Proposed Actions' significant adverse impacts to three sidewalks and two crosswalks in one or more peak hours would not occur under the No Action Alternative. Like the Proposed Actions, any shortfall in on-street or off-street public parking capacity under the No Action Alternative would not be considered significant due to the magnitude of available alternative modes of transportation.

In the No Action Alternative, traffic, transit, pedestrian, and parking 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 likely to occur within and in the vicinity of the Project Area.

TRAFFIC

Independent of the Proposed Actions, traffic levels of service (LOS) at many locations in the study area would experience congested conditions in the future. Under the No Action Alternative, a total of 27 intersections (all signalized) would have at least one congested lane group in one or more peak hours; this is compared with a total of ~~30~~ 29 intersections (all signalized) with at least one congested lane group in one or more peak hours under the Proposed Actions. There would be no intersections with significant adverse traffic impacts under the No Action Alternative compared with ~~20~~19, 1~~3~~6, 1~~8~~9, and 16 impacted intersections during the weekday AM, midday and PM, and Saturday peak hours, respectively, under the Proposed Actions.

TRANSIT

Subway

Subway Stations

Under the No Action Alternative, the three analyzed subway stations would experience an increase in demand as a result of background growth and future developments anticipated within and in the vicinity of the Project Area. No pedestrian elements (stairs, escalators, and fare arrays) at any of these stations would experience significant adverse impacts under this alternative. Therefore, like the Proposed Actions, the No Action Alternative would not result in significant adverse impacts to the analyzed subway stations.

Subway Line Haul

Under the No Action Alternative, subway trains serving stations in proximity to the Project Area would experience increased ridership through their maximum load points as a result of background growth and new development. No subway route would experience significant adverse line haul impacts under this alternative. By comparison, southbound N/W service would be significantly adversely impacted by the Proposed Actions in the AM peak hour.

Bus

Under the No Action Alternative, demands on the local bus services operating in the vicinity of the Project Area are expected to increase compared with existing ridership as a result of background growth and new development. However, the analyzed Q66 route is expected to continue to operate with available capacity in the peak direction in both the weekday AM and PM peak hours under this alternative. Therefore, like the Proposed Actions, the No Action Alternative would not result in significant adverse bus impacts.

PEDESTRIANS

Under the No Action Alternative, pedestrian volumes along analyzed sidewalks, crosswalks and corner areas 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 LOS C or better in all peak hours with the exception of one sidewalk operating at ~~mid~~ LOS D in the AM peak hour. The Proposed Actions' significant adverse impacts to three of the 40 analyzed sidewalks in one or more peak hours would not occur under this alternative.

Crosswalks

Under the No Action Alternative, all analyzed crosswalks are expected to operate at an acceptable LOS ~~B~~ C or better in all peak hours. The Proposed Actions' significant adverse impacts to two of the 33 analyzed crosswalks would not occur under this alternative.

Corners

Under the No-Action Alternative all 65 analyzed corner areas are expected to operate at an uncongested LOS A in all peak hours. Like the Proposed Actions, the No Action Alternative would not result in any significant adverse corner 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. On-site accessory parking under this alternative would total approximately 700 spaces compared to 1,633 under the Proposed Actions.

Like the Proposed Actions, any shortfall in on-street or off-street public parking capacity under the No Action Alternative would not be considered significant based on *CEQR Technical Manual* criteria due to the magnitude of available alternative modes of transportation. Therefore, like the Proposed Actions, the No Action Alternative is not expected to result in a significant adverse parking shortfall.

AIR QUALITY

Concerning mobile sources, the No Action Alternative would result in fewer vehicle trips, and the maximum pollutant concentrations from mobile sources under the No Action Alternative would be lower than under than under the Proposed Actions. Therefore, as with the Proposed Actions, under the No Action Alternative, concentrations of CO, fine particulate matter less than two and

a half microns in diameter ($PM_{2.5}$), and fine particulate matter less than ten microns in diameter (PM_{10}) due to traffic at intersections would not result in any violations of National Ambient Air Quality Standards (NAAQS). ~~Unlike~~ As with the Proposed Actions, there would be no intersections with significant adverse air quality impacts from mobile sources under the No Action Alternative.

In terms of industrial sources, since no businesses were found to have a New York State Department of Environmental Conservation (NYSDEC) air permit or New York City Department of Environmental Protection (DEP) certificate of operation within the study area, and no other potential sources of concern were identified, there would be no potential significant adverse air quality impacts on the No Action Alternative from industrial sources.

Concerning stationary sources, since the No Action Alternative would result in new buildings on Projected Development Sites C and D that would be smaller than under the Proposed Actions, with smaller heating and hot water systems, no significant adverse impacts would be anticipated. With the Proposed Actions, (E) Designations would be mapped to ensure that future developments in the Project Area would not result in any significant adverse air quality impacts from fossil fuel-fired heat and hot water systems emissions; these (E) Designations would not be enacted under the No Action Alternative.

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 (GHG) emissions and climate change. In the No Action Alternative, there would be limited new development in the Project Area; GHG emissions associated with land uses in the Project Area may change due to the new 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. However, under the No Action Alternative, there would be fewer sustainability measures incorporated into the buildings; with the Proposed Actions, the Proposed Development and new developments in the Additional Affected Area would include energy efficiency and sustainable design which would result in lower GHG emissions. Similarly, the No Action Alternative would not provide increased opportunities for increased residential density and less space for new jobs in an area with very good transit access, and therefore would not support the City's GHG emission reduction goals to the extent that the Proposed Actions would support those goals.

NOISE

As with the Proposed Actions, there would be no significant adverse noise impacts with operation of the No Action Alternative, as neither would generate sufficient traffic to cause a significant mobile source noise impact.

With the Proposed Actions, based on the projected noise levels, a Noise (E) Designation for building attenuation would be mapped to ensure that interior noise levels meet CEQR criteria at all new construction. This (E) Designation would require up to 33 dBA window/wall attenuation to achieve acceptable interior noise levels per the *CEQR Technical Manual* noise exposure guideline at residential and community facility uses. In the No Action Alternative, there would be no environmental review and, therefore, no requirement for a Noise (E) Designation and no required levels of window/wall attenuation.

PUBLIC HEALTH

As discussed above and below, the No Action Alternative would not result in unmitigated significant adverse impacts in areas related to public health (air quality, water quality, hazardous materials, or noise), and therefore would not have the potential to result in significant adverse impacts to public health. In particular, the No Action Alternative is expected to avoid the significant adverse impacts to ~~air quality related to National Ambient Air Quality Standards (NAAQS) and~~ construction noise that would occur with the Proposed Actions. ~~However, with the Proposed Actions, the projected exposure to the predicted exceedances of the $PM_{2.5}$ *de minimis* criterion at the affected locations would be brief, and the exceedances would not contribute to a violation of the $PM_{2.5}$ National Ambient Air Quality Standards (NAAQS), therefore, the exceedances of the $PM_{2.5}$ *de minimis* criterion on an annual basis would not constitute a significant adverse impact on public health. Similarly~~However, construction resulting from the Proposed Actions would not result in chronic exposure to high levels of noise, prolonged exposure to noise levels above 85 dBA, or episodic and unpredictable exposure to short-term impacts of noise at high decibel levels. Therefore, neither the No Action Alternative nor the Proposed Actions would result in a significant adverse public health impact.

NEIGHBORHOOD CHARACTER

As with the Proposed Actions, the No Action Alternative would not result in any significant adverse impacts on 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 Actions would not result in any significant adverse impacts to land use, zoning, and public policy; socioeconomic conditions; historic and cultural resources; urban design and visual resources; or noise. As discussed in Chapter ~~19~~18, "Neighborhood Character," although significant adverse impacts would occur with respect to of open space, shadows, and transportation, these impacts would not result in significant adverse impacts to neighborhood character. The significant adverse open space, shadows, and transportation impacts would not affect any defining feature of neighborhood character, nor would a combination of moderately adverse effects affect such a defining feature.

New development that could occur in the Project Area under the No Action Alternative would be limited to commercial or manufacturing uses (e.g., new grocery store, retail, and warehouse facilities), and new residential development including provision of affordable dwelling units required under MIH would not occur. Unlike the Proposed Actions, the No Action Alternative would not have beneficial effects the defining features of the neighborhood. In particular, the No Action Alternative would not provide arts and cultural uses to support the Kaufman Arts District and the existing concentration of arts, cultural, film, television, and educational uses near the Project Area. The No Action Alternative would also not provide new publicly accessible open space to complement the existing Playground Thirty Five XXXV and provide amenities to a wide variety of users in the neighborhood.

CONSTRUCTION

With the No Action Alternative, construction activities would be limited to the new buildings that would be constructed on Projected Development Sites C and D, which is anticipated to be smaller in scale and of a shorter duration than construction that would be undertaken under the Proposed

Actions. In particular, the No Action Alternative is anticipated to generate~~d~~ less traffic by construction workers commuting via autos and by trucks making deliveries to projected development sites than under the Proposed Actions. Therefore, the No Action Alternative is expected to avoid ~~the significant~~ the significant adverse construction traffic impacts that would occur with the Proposed Actions. The No Action Alternative also would require less noise-intensive construction activities (e.g., demolition, excavation, and foundation construction work) than under the Proposed Actions, which would result in lower maximum construction noise levels for a shorter duration at receptors in the surrounding area. Consequently, maximum interior noise levels at these receptors are anticipated to be lower than those predicted for the Proposed Actions. Therefore, the No Action Alternative is expected to avoid the significant adverse impacts related to construction noise that would occur with the Proposed Actions. As with the Proposed Actions, construction under the No Action Alternative would be required to follow the requirements of the *New York City Noise Control Code* for construction noise control measures, which could include a variety of source and path controls. However, as construction under the No Action Alternative can occur as-of-right without any discretionary approvals, the mitigation measures proposed for the Proposed Actions would not be implemented.

For all other technical areas, impacts due to construction activities for the No Action Alternative, similar to construction activities under the Proposed Actions, would not result in significant adverse impacts.

C. NO UNMITIGATED SIGNIFICANT ADVERSE IMPACT ALTERNATIVE

CEQR requires that alternatives be considered that would avoid or reduce the potential unmitigated significant adverse impacts resulting from the Proposed Actions. As discussed below, the Proposed Actions would result in potential unmitigated significant adverse impacts to community facilities and services (publicly financed early childhood programs; libraries), open space, shadows, traffic~~, air quality (related to maximum annual incremental $PM_{2.5}$ concentrations at two intersection sites)~~, and construction. This alternative considers development that would not result in any significant adverse impacts that could not be fully mitigated. However, to eliminate all unmitigated significant adverse impacts, the Proposed Actions would have to be modified to a point where the principal goals and objectives of the Proposed Actions would not be fully realized.

COMMUNITY FACILITIES AND SERVICES

EARLY CHILDHOOD PROGRAMS

The Proposed Actions would result in a significant adverse impact to publicly funded early childhood programs. The Proposed Actions would introduce 128 children under the age of five who would be eligible for publicly funded early childhood programs. With the addition of these children, early childhood programs within the study area would operate at 229.6 percent utilization, an increase in the utilization rate of approximately 80.5 points over the No Action condition. The Restrictive Declaration for the Proposed Development will require the Applicant to work with DOE to consider the need for and the implementation of one or more measures to provide additional capacity, if required, to mitigate the significant adverse impact to publicly funded child care facilities within the 1.5-mile study area or within Queens Community District 1. ~~Mitigation measures will be explored with DCP and DOE between the DEIS and FEIS.~~ Should

practical and feasible mitigation measures not be found, the significant adverse impact to early childhood programs would remain unmitigated.

To avoid the identified significant adverse impact to early childhood programs, the number of affordable DUs that could be introduced by the Proposed Actions would have to be reduced from 914 DUs to 53 DUs, a reduction of 861 affordable units. A substantial reduction in the number of affordable housing units developed in the Project Area would be less supportive of the goals and objectives of the Proposed Actions. Alternatively, the provision of 79 early childhood slots under this alternative would avoid the unmitigated significant adverse impact to early childhood programs.

LIBRARIES

The Proposed Actions would result in a significant adverse impact to libraries. The Proposed Actions would result in the addition of 8,144 residents. Assuming half of the residents would visit the Long Island City branch of the Queens Public Library, one of the two branches serving the study area, the With Action scenario population would represent an increase of 5.94 percent over the No Action scenario. At the Long Island City branch, this is greater than the 5-percent change threshold, and this change may impair the delivery of library services within the study area. The Applicant has coordinated with the Queens Public Library concerning a partnership with the Proposed Development and potential mitigation. Between DEIS and FEIS, the Applicant refined possible mitigation measures in coordination with QPL and DCP. The Restrictive Declaration for the Proposed Development will require the Applicant to coordinate with QPL and to commit to one of, or some combination of, the following mitigation measures, which will be implemented before the Temporary Certificate of Occupancy is issued for the final building in the Proposed Development. Potential mitigation measures include funding or provision of improvements and maintenance to the QPL Broadway branch facility that would support the branch's programming and services year-round, such as improvements to the branch's garden to provide space for public gatherings and community enjoyment; provision of space within the Proposed Development for the library, the size and location of which would be determined in coordination with QPL; and/or support for QPL for the continued operation of a space for the Library within the Proposed Development. ~~Mitigation measures for the libraries impacts are being explored by the Applicant in consultation with DCP and the Queens Public Library and will be refined between the DEIS and FEIS. If the significant adverse impacts on libraries would not be fully mitigated~~ If measures to fully mitigate the significant adverse impact are not implemented, the Proposed Actions would result in unmitigated significant adverse impacts on libraries.

To avoid the identified significant adverse impact to libraries (i.e., to reduce the population increase to a level below the 5 percent impact threshold at the Long Island City branch), the number of DUs that could be introduced by the Proposed Actions would have to be reduced from 3,652 DUs to 3,070 DUs, a reduction of 582 units. This reduction in the number of housing units developed in the Project Area would also reduce the number of affordable units that would be required under MIH, and would be less supportive of the goals and objectives of the Proposed Actions. Alternatively, provision of space for the Queens Public Library within the Proposed Development and~~,~~ ~~funding for improvements to the Broadway branch to support the branch's programming, and/or programmatic funding~~provision of ~~to~~ support the start-up of the space ~~in the Proposed Development~~ would avoid the unmitigated significant adverse impact to libraries.

OPEN SPACE

The Proposed Actions would result in a significant adverse quantitative impact associated with the active open space ratio. The active open space ratio would decrease by approximately 15 percent over the No Action condition. The impact to open space is primarily due to the existing low active open space ratio in the study area and the addition of a substantial residential population. Potential mitigation measures for the open space impact ~~are being~~were explored by the Applicant in consultation with DCP and NYC Parks and ~~will be~~have been refined between the DEIS and FEIS. In particular, the Proposed Development would include an approximately 10,000 sf area at the southern end of Block A (along 36th Avenue) that ~~may~~ would be additional publicly accessible open space. This ~~potential~~ publicly accessible open space ~~may~~ would include active uses to provide partial mitigation for the significant adverse impact to active open space by providing an additional resource for active recreation for residents of the study area. 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 may ~~result in~~ result in a significant adverse impact. The Proposed Actions would result in a 15 percent decrease in the active open space ratio, A reduction of approximately 3,450 DUs would result in a decrease of less than 1 percent (0.9 percent), however such a reduction would not facilitate the provision of housing, including a substantial amount of affordable housing, which is one of the primary goals of the Proposed Actions. Alternatively, the provision of additional publicly accessible active open space with the Proposed Development would avoid the unmitigated significant adverse impact to active open space.

SHADOWS

As detailed in Chapter 6, "Shadows," development resulting from the Proposed Actions would cast new shadows that would have a significant adverse impact on Playground Thirty Five XXXV. In particular, development resulting from the Proposed Actions would cast new shadows on Playground Thirty Five XXXV throughout the day in all seasons, covering large areas of the playground at times, eliminating much or all of the remaining sunlight in the park at times—particularly in the fall, winter, and early spring—and causing significant adverse impacts to the user experience in all seasons. Potential mitigation measures ~~are being~~were explored by the Applicant in consultation with DCP and NYC Parks~~, and will be refined between the DEIS and FEIS~~. ~~In particular, t~~The potential additional active publicly accessible open space at the southern end of Block A ~~(discussed above)~~ would ~~also~~ provide partial mitigation for the significant adverse shadows impact to Playground Thirty Five XXXV by providing an additional active resource, which may include children's active play space, in an area that would receive less shadow. This additional publicly accessible resource would serve residents of the study area seeking sunny active space. ~~In the absence of feasible mitigation~~As no feasible and practicable mitigation has bene identified to fully mitigate the significant adverse shadows impact, the significant adverse shadow impact at Playground Thirty Five XXXV would remain unmitigated.

In order to fully avoid the significant adverse impacts, the height of development on the Projected Development Sites, in particular the Proposed Development's buildings closest to Playground Thirty Five XXXV would have to be substantially reduced. On the December 21 analysis date representing winter, incremental shadow resulting from the new development would eliminate most or all sunlight on the playground throughout the day; the incremental shadow is primarily from the 27-story building on Projected Development Site C, the 16- and 27-story buildings on

Projected Development Site D, and the 20- and 26-story buildings on Projected Development Site E. In order to reduce incremental shadow on Playground Thirty Five XXXV such that there would be no significant adverse impact, the tower on Projected Development Site C would need to be eliminated, and the building would need to be limited to a height of 45 feet (approximately 20 feet shorter than the proposed building's base). If the building were reduced to only the 65-foot-tall base, this structure would still eliminate most of the remaining sunlight on the playground for about an hour on December 21 (1:30 p.m. to 2:30 p.m.), which would be significant to users in the playground at that time, therefore the elimination of the tower alone would not eliminate the significant adverse impact. In addition to the reduction in height on Projected Development Site C, the tower on the northern half of Projected Development Site D would need to be eliminated, and the building would need to be limited to its 80-foot-tall base. Finally, the tower on the southern portion of Projected Development Site E would need to be reduced by 80 feet, to a maximum of 150 feet tall (190 feet including rooftop bulkhead and mechanical structures). These combined building reductions would eliminate the significant adverse impact on the December 21 analysis day, as well as on the March 21/September 21 and May 6/August 6 analysis days.

On the March 21/September 21 analysis date representing fall and early spring, the new development would result in incremental shadow over the course of the day, particularly in the late afternoon when the entirety of Playground Thirty Five XXXV would be in shadow, most of it incremental shadow from Projected Development Sites C and B. In order to eliminate the significant adverse impact on the park on the March 21/September 21 analysis day, a combination of two of these three modifications to the Proposed Development would be required: (1) the buildings on Projected Development Site B would need to be limited to mid-rise 120-foot-tall towers; (2) the tower on Projected Development Site C would need to be reduced by approximately 200 feet to a maximum height of 95 feet (135 feet including rooftop bulkhead and mechanical structures); and (3) the tower on the northern half of Projected Development Site D would need to be reduced by 70 feet to a maximum height of 130 feet (70 feet including rooftop bulkhead and mechanical structures).

The combined reduction in heights of multiple buildings in the Proposed Development necessary to avoid the significant adverse impact to Playground Thirty Five XXXV, including in some cases the complete elimination of one or more of the Proposed Development's towers, would result in a significant reduction of floor area. As the Proposed Development's towers primarily contain residential space, the reduction in building height and corresponding floor area would result in the loss of needed housing, including affordable housing, and would not meet the goals and objectives of the Proposed Actions. Therefore, no reasonable alternative could be developed to completely avoid the significant adverse shadows on Playground Thirty Five XXXV without substantially compromising the Proposed Actions' goals.

TRANSPORTATION

As presented in Chapter 20, "Mitigation," the Proposed Actions would result in significant adverse traffic impacts at 2<u>3</u>~~1~~ study area intersections during one or more analyzed peak hours; specifically, ~~20~~ <u>19</u> intersections during the weekday AM peak hour, 1<u>3</u>~~6~~ intersections during the midday, 1<u>8</u>~~9~~ intersections during the PM, and 16 intersections the Saturday peak hour. Implementation of traffic engineering improvements such as signal timing changes and modifications to lane striping and curbside parking regulations would provide mitigation for many of the anticipated traffic impacts. Specifically, the significant adverse impacts would be fully mitigated at 1<u>1</u>~~3~~ lane groups in the weekday AM peak hour, <u>8</u>~~12~~ lane groups in the midday, 1<u>2</u>~~3~~ lane groups in the PM, and <u>7</u>~~13~~ lane groups in the Saturday peak hour. Intersections where all

impacts would be fully mitigated would total 7~~9~~, ~~11~~6, 8~~10~~, and 5~~9~~ during these same periods, respectively. In total, impacts to one or more lane group would remain unmitigated in one or more peak hours at 15~~2~~ intersections.

Because of existing congestion at a number of these intersections, even a minimal increase in traffic would result in unmitigated impacts. Specifically, in the No Action condition, a total of 27 intersections would have at least one congested lane group in one or more peak hours, and a total of 15~~6~~, 13~~4~~, 16~~7~~, and 15 intersections would have one or more lane groups operating at or over capacity in the weekday AM, midday, and PM, and Saturday peak hours, respectively. ~~According to the *CEQR Technical Manual*, for a lane group that would operate at LOS F in the No Action condition, a projected delay of three or more seconds is considered a significant impact. As such, s~~Small increases in incremental ~~With Action~~ traffic volumes ~~at some of the congested intersection approach movements~~ would result in significant adverse impacts that could not be fully mitigated ~~during one or more analysis peak hours, and almost any new development in the rezoning area could result in unmitigated traffic impacts~~. Therefore, no reasonable alternative could be developed to completely avoid such impacts without substantially compromising the Proposed Actions' stated goals.

~~AIR QUALITY~~

~~As discussed in Chapter 20, "Mitigation," the Proposed Actions would result in a significant adverse air quality impact since the maximum incremental concentrations of fine particulate matter ($PM_{2.5}$) was predicted to exceed the *de minimis* criterion of 0.1 $\mu g/m^3$ for the annual averaging period for Analysis Site 2, at 35th Avenue and 41st Street, and Analysis Site 3, at Northern Boulevard and 43rdStreet/42nd Place. Traffic mitigation measures were developed at these affected intersections to reduce congestion and increase speeds along corridors in the affected area. For Site 2, the modeling analysis of the potential mitigation indicates that the annual incremental concentration of $PM_{2.5}$ with the prescribed traffic mitigation measures would be lower than the With Action condition and would not exceed the *de minimis* criteria for $PM_{2.5}$. Therefore, the incorporation of the traffic mitigation measures would mitigate the significant adverse air quality impact at this location. For Site 3, the prescribed mitigation measures would not fully mitigate the air quality impact. The magnitude of the $PM_{2.5}$ incremental concentration at Site 3 would require a substantial reduction in project-generated traffic to eliminate the predicted impact. This would require a significant reduction in density in the Project Area, which would not meet goals and objectives of the Proposed Actions. Therefore, no reasonable alternative could be developed to completely avoid air quality impacts at this location without substantially compromising the Proposed Actions' stated goals.~~

CONSTRUCTION

NOISE

As presented in Chapter 19, "Construction," the Proposed Actions would result in temporary significant adverse impacts related to construction noise at various receptors within the Study Area. As discussed in Chapter 20, "Mitigation," partial mitigation is proposed for some of the significant adverse impacts of the Proposed Actions. Construction under the Proposed Actions would follow the requirements of the *New York City 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 (including measures beyond what are required by the New York City Noise Code) would be incorporated in noise mitigation plan(s) required

under the *New York City Noise Control Code*. These measures could include a variety of source and path controls.

In terms of source controls (i.e., reducing noise levels at the source or during the most sensitive time periods), the following measures would be mandated in accordance with the *New York City Noise Code* and include additional measures beyond the *New York City Noise Code*:

- Equipment that meets the sound level standards specified in Subchapter 5 of the *New York City Noise Control Code* would be utilized from the start of construction. Table 19-21~~0~~ (see Chapter 19, "Construction") shows the noise levels for typical construction equipment and the mandated noise levels for the equipment that would be used for construction under the Proposed Actions.
- 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 electrical equipment cannot be used, diesel or gas-powered generators and pumps would be located within buildings 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 3 minutes at the construction site based upon Title 24, Chapter 1, Subchapter 7, Section 24-163 of the New York City 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 for construction would be implemented:

- 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 utilized to provide shielding (e.g., the construction sites would have a minimum 8-foot tall barrier around the perimeter);
- Concrete trucks would be required to be located inside site-perimeter noise barriers while pouring or being washed out; and
- Path noise control measures (i.e., portable noise barriers, panels, enclosures, and acoustical tents) for certain dominant noise equipment to the extent feasible and practical based on the results of the construction noise calculations. The details to construct portable noise barriers, enclosures, tents, etc. are shown in DEP's *Rules for Citywide Construction Noise Mitigation*.[2]

Mitigation measures to control noise at the receptors predicted to experience impacts would be considered prior to construction under the Proposed Actions~~, and would be further explored between the DEIS and FEIS~~.

Construction activity is expected to follow the requirements of the *NYC Noise Control Code*. However, the implementation of these measures would not eliminate the identified significant adverse construction noise impacts predicted to occur during hours when the loudest pieces of

[2] As found at http://www.nyc.gov/html/dep/pdf/noise_constr_rule.pdf

construction equipment are in use. In order to completely avoid significant adverse construction noise impacts, project-generated construction would have to be restricted in such a manner so as to occur neither on the same block, nor within one block of any noise receptors, which would require elimination of the proposed rezoning in the vicinity of these sensitive receptors. This would severely limit achievable development density and the Proposed Actions' goals and objectives.

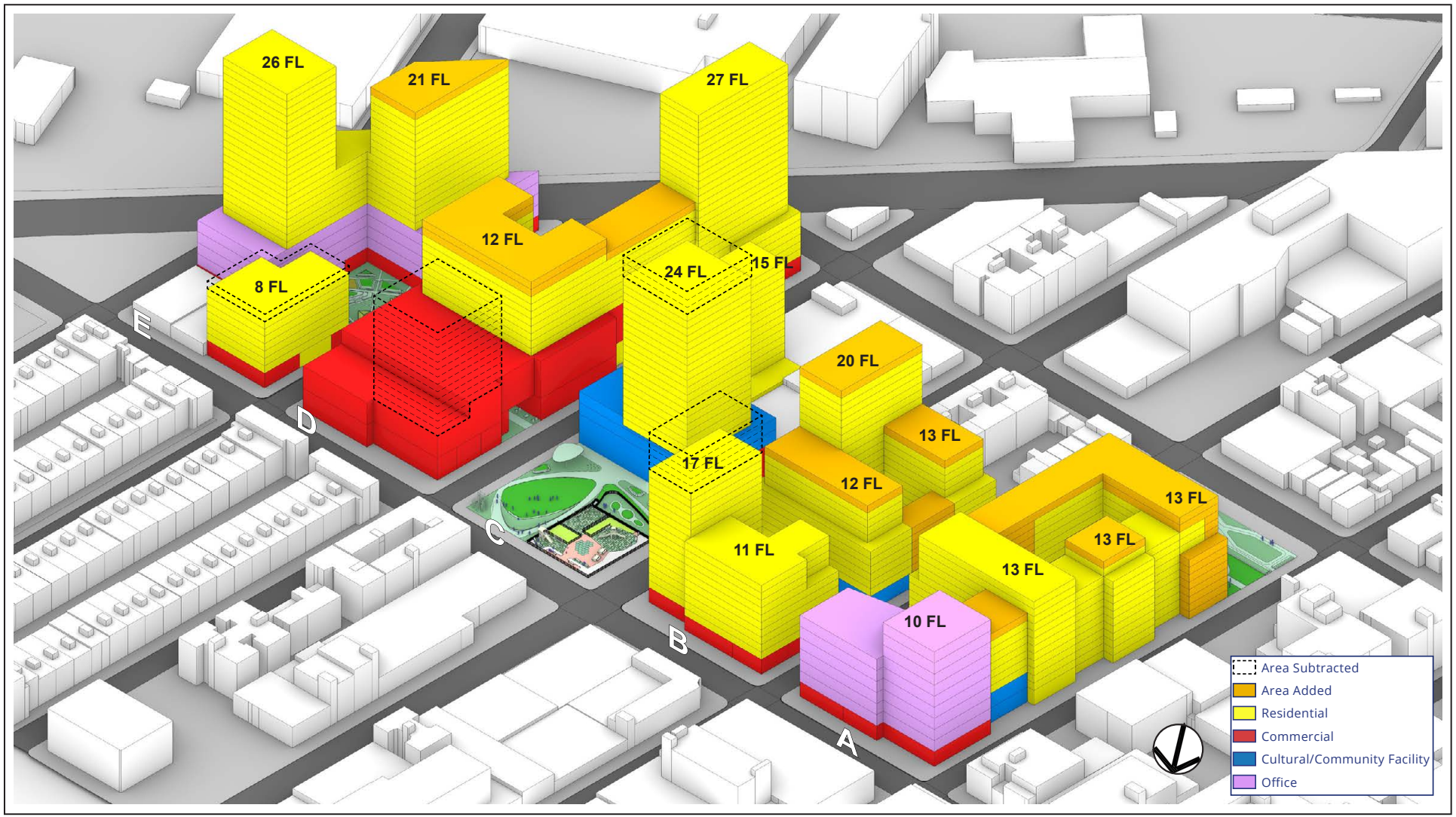
D. PROPOSED MODIFIED APPLICATION ALTERNATIVE

The Proposed Modified Application Alternative was developed in response to issues raised during the public review process by Community Board 1 (CB1), the Queens Borough President, and the CPC Commissioners concerning the Proposed Development's massing and scale along the northern side of the Development Site, in particular the scale along 35th Avenue opposite the lower-density residential buildings (located on the northern side of the avenue) and surrounding Playground Thirty Five XXXV and the proposed civic oriented public open space on Block C. The Proposed Modified Application Alternative also includes a modified site plan that provides for the additional Public Access Area (PAA) with active uses at the southern end of Block A, which is proposed as mitigation for the Proposed Actions' significant adverse active open space impact. In addition, the alternative addresses concerns raised during the public review process regarding the Proposed Development's proposed parking.

Under this alternative, the massing of the Proposed Development would be modified as follows (see **Figures 21-1 to 21-3**):

- On Block E (Block 671), the Proposed Development's 9-story mixed-use building on the corner of 35th Avenue and 42nd Street would be reduced by one story, to an 8-story building. To redistribute the floor area, an additional floor would be added to the 20-story building along Northern Boulevard, increasing the building to 21 stories.
- On Block D (Block 670), the Proposed Development's 16-story residential tower at the corner of 35th Avenue and 42nd Street above the proposed relocated cinema would be removed; the two-story building containing the cinema would remain. To redistribute the floor area, two floors would be added to the U-shaped through-block 10-story building to the south, increasing the building to 12 stories. Additional floor area would be redistributed to Blocks A and B (discussed below).
- On Block C (Block 669), the Proposed Development's 27-story residential tower fronting on the proposed open space and Steinway Street would be reduced by three stories, to 24 stories. The floor area would be redistributed to other blocks on the Development Site.
- On Block B (Block 668), the Proposed Development's 22-story tower along Steinway Street at 35th Avenue would be reduced by five stories, to 17 stories. To redistribute the floor area, additional floors would be added to the 19-story tower further south on Steinway Street, increasing the tallest portion of the building to 20 stories (and increasing lower tiers of the building from 11 and 12 stories to 12 and 13 stories, respectively). The modified massing to the building along Steinway Street would include adding a section along the 38th Street frontage in the area that is proposed as a PAA under the Proposed Development. This would result in the removal of the PAA.
- On Block A (Block 641), the massing of the residential building on the southern portion of the block would be modified to redistribute floor area from the other Proposed Development blocks. The modified massing would add floors to lower sections of the buildings to increase

9.8.22

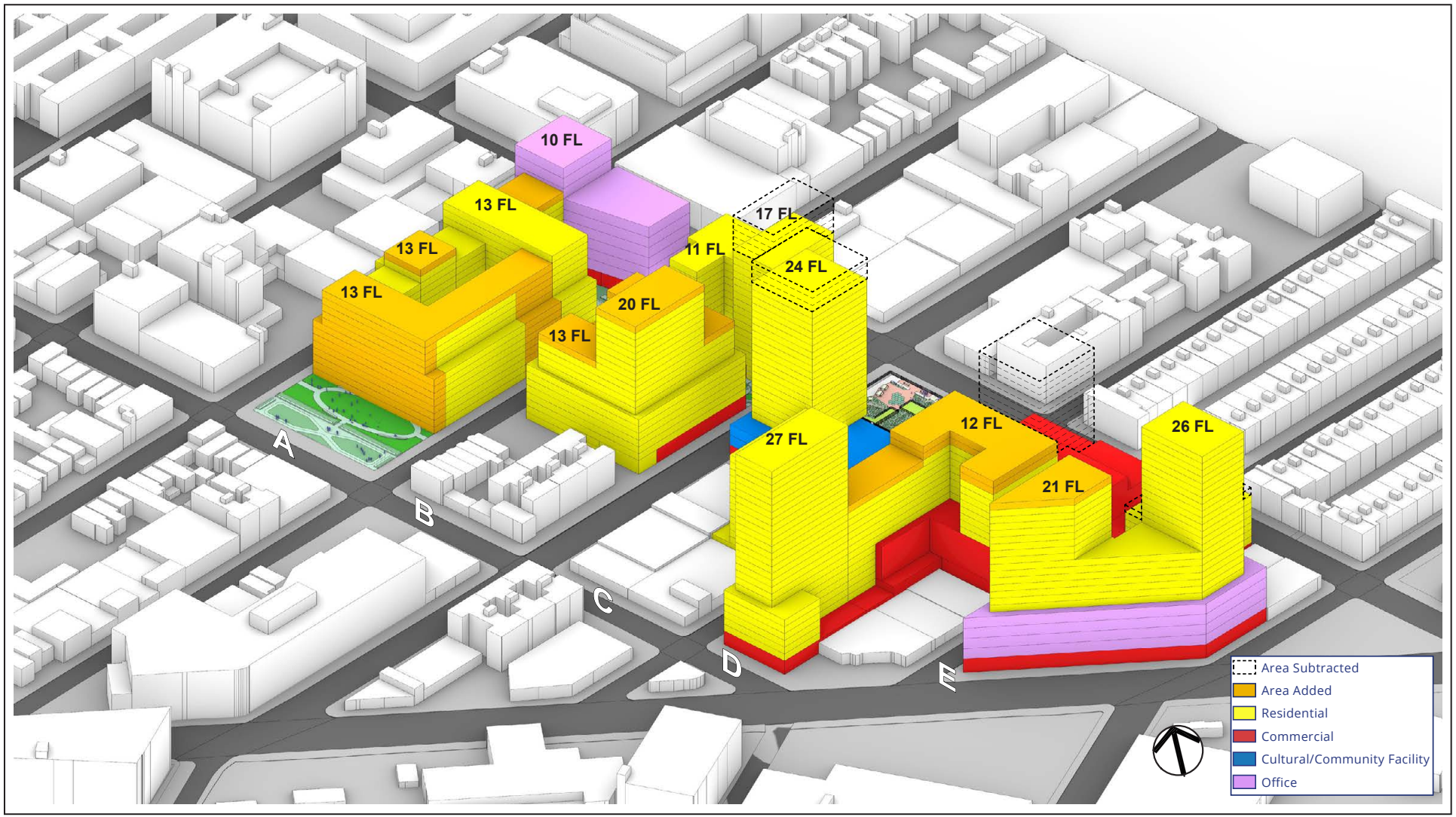


Source: ODA

INNOVATION QNS
ASTORIA, QUEENS
COMMUNITY DISTRICT 1

Massing of Proposed Modified Application Alternative
Figure 21-1

9.8.22



Source: ODA

Massing of Proposed Modified Application Alternative,
View from Northern Boulevard

Figure 21-2

9.8.22



Source: ODA

INNOVATION QNS
ASTORIA, QUEENS
COMMUNITY DISTRICT 1

Site Plan of Proposed Modified Application Alternative
Figure 21-3

the building to 13 floors across the majority of the site, and would add a section along the 38th Street frontage that is proposed as a PAA under the Proposed Development (planned as a playscape for children), which would result in the removal of the PAA. The proposed modification to the building would also remove a portion of the community facility space on the ground floor to provide for redistributed residential space. At the southern end of the block, the area along 36th Avenue from 37th to 38th Streets would contain an approximately 22,000 sf PAA with active uses, which is proposed as mitigation for the Proposed Development's significant adverse impact to active open space (discussed in Chapter 5, "Open Space," and Chapter 20, "Mitigation").

With the alternative, there would be no other modifications to the other buildings in the Proposed Development or the other proposed public open spaces. While the massing configuration would be different compared to the Proposed Development, the Proposed Modified Application Alternative would include an equivalent amount of floor area in the Proposed Development that would be generated as a result of the Proposed Actions, and would only affect the distribution of the floor area across the Proposed Development's blocks. With the shift in residential space, a portion of the community facility space on the ground floor of the buildings on Blocks A and B would be converted into residential space in order to provide for residential entrances, lobbies, and amenity space. Therefore, there would be a minor reduction in community facility space and a minor increase in residential space, however this shift would only affect ground floor spaces and would not result in additional dwelling units. In total, the Proposed Development under the alternative would continue to include 2.9 million gsf of space, of which approximately 2.4 million gsf would be residential space (approximately 2,843 DUs, of which 711 would be permanently affordable DUs pursuant to MIH). The alternative would include a reconfiguration of the Proposed Development's below-grade spaces to reduce the number of parking spaces to 949 (the minimum required under the proposed zoning) from the 1,390 total assumed with the Proposed Actions.

As outlined above, the alternative would remove two of the proposed PAAs along 38th Street on Blocks A and B. With the Proposed Actions, these two spaces include approximately 14,500 sf (0.33 acres). However, the alternative would also include the approximately 22,000 sf (0.50 acre) active space PAA proposed on Block A as mitigation. Therefore, including the mitigation PAA, the Proposed Development would continue to provide over two acres of publicly accessible open space.

The Proposed Modified Application Alternative would only modify the Proposed Development as described above and would not affect the other projected developments in the Additional Affected Area. Therefore, excepting the reduction in parking in the Proposed Development (which would reduce the With Action condition parking total from 1,633 spaces to 1,192 spaces) and minor decrease in community facility space, the alternative would not result in any changes to the RWCDS's building program, as the development program under this alternative would be equal to the RWCDS prepared for the Proposed Actions. The Proposed Modified Application Alternative would result in the same land uses as the Proposed Actions, and would require the same zoning actions considered as the Proposed Actions. The significant adverse impacts related to community facilities and services (publicly financed early childhood programs; libraries), open space, shadows, transportation, and construction that would occur with the Proposed Actions would also occur under the Proposed Modified Application Alternative, and would require the same or similar mitigation measures. Additionally, the Proposed Modified Application Alternative would meet the goals and objectives of the Proposed Actions.

LAND USE, ZONING, AND PUBLIC POLICY

As described above, the Proposed Modified Application Alternative would result in the same land uses as the Proposed Actions, and would require the same zoning actions considered as the Proposed Actions. In addition, no changes to zoning or public policy are anticipated to the Project Area under the Proposed Modified Application Alternative. As such, neither the Proposed Modified Application Alternative nor the Proposed Actions would be expected to result in significant adverse impacts related to land use, zoning, or public policy.

SOCIOECONOMIC CONDITIONS

As the development program under the Proposed Modified Application Alternative would be equal to the RWCDS prepared for the Proposed Actions, neither the Proposed Modified Application Alternative nor the Proposed Actions would be expected to result in significant adverse impacts on socioeconomic conditions. As with the Proposed Actions, the Proposed Modified Application Alternative could directly displace an estimated 20 residents living in nine dwelling units (DUs), however this potential direct displacement would not substantially alter the socioeconomic character of the neighborhood. Similarly, the Proposed Modified Application Alternative could directly displace an estimated 20 businesses on projected development sites and an estimated 170 jobs associated with those businesses, however, the potential displacement of these businesses does not constitute a significant adverse impact on the socioeconomic conditions of the area as defined by CEQR.

COMMUNITY FACILITIES AND SERVICES

The development program under the Proposed Modified Application Alternative would be equal to the RWCDS prepared for the Proposed Actions; in particular, the Proposed Modified Application Alternative would result in the same number of DUs as the RWCDS. Therefore, the Proposed Modified Application Alternative would generate the same residential and student population, as well as the same number of publicly funded child care-eligible children, in the Project Area as under the Proposed Actions.

Neither the Proposed Modified Application Alternative nor the Proposed Actions would result in direct impacts to community facilities and services or indirect impacts to schools or police, fire, and emergency medical services. However, similar to the Proposed Actions, the Proposed Modified Application Alternative would result in indirect impacts to library services and publicly funded early childhood programs. As the indirect impact on library services and publicly funded early childhood programs would be identical to that under the Proposed Actions, mitigation, as described in Chapter 18, "Mitigation," would remain the same as under the Proposed Actions.

OPEN SPACE

As the development program under the Proposed Modified Application Alternative would be equal to the RWCDS prepared for the Proposed Actions, the Proposed Modified Application Alternative would generate the same worker and residential population at the Project Area as under the Proposed Actions. However, the Proposed Modified Application Alternative would result in a slight reduction in project-generated open space as compared to the Proposed Actions, due to the removal of the PAAs on Blocks A and B (these two spaces include approximately 0.33 acres). The Proposed Modified Application Alternative would result in the introduction of approximately 1.61 acres of passive publicly accessible open space (not including the additional PAA that is proposed as mitigation; see Chapter 5, "Open Space"), as compared to approximately 1.94 acres of passive

open space under the Proposed Actions. **Tables 21-1 and 21-2** show the results of the quantitative analysis of open space adequacy in the residential study area under the Proposed Modified Application Alternative.

Table 21-1
Adequacy of Open Space Resources—
Proposed Modified Application Alternative (Residential Study Area)

	Population	Open Space Acreage			Open Space Ratios per 1,000 Persons			*CEQR Technical Manual* Open Space Guidelines		
		Total	Active	Passive	Total	Active	Passive	Total	Active	Passive
Residential (1/2-Mile) Study Area										
Residents	52,939	5.235	2.929	2.306	0.099	0.055	0.044	2.500	2.000	0.500
Source: 2020 U.S. Census; NYC Parks; AKRF field survey, May 2021 and March 2022.										

Table 21-2
Open Space Ratio Summary—Proposed Modified Application Alternative
(Residential Study Area)

Ratio	*CEQR Technical Manual* Open Space Guideline	Open Space Ratios per 1,000 Persons			Percent Change (With Action)
		Existing	No Action	With Action	
Residential (½-Mile) study area					
Total—Residents	2.500	0.080	0.081	0.099	+22%
Active—Residents	2.000	0.065	0.065	0.055	-15%
Passive—Residents	0.500	0.015	0.016	0.044	+181%

Under the Proposed Modified Application Alternative, the total and passive ratios would be slightly lower than under the Proposed Actions; therefore, the percent increases in the total and passive ratios as compared to the No Action condition would be slightly lower (22 percent and 181 percent, compared to 30 percent and 221 percent under the Proposed Actions, respectively). However, as under the Proposed Actions, the total and passive open space ratios would see a substantial increase, while the decrease in active open space would remain the same. As such, the Proposed Modified Application Alternative would result in the same significant adverse active open space impacts as Proposed Actions.

The Proposed Modified Application Alternative would include the approximately 22,000 sf PAA with active uses at the southern end of Block A, which is proposed as mitigation. This additional active PAA would provide the approximately 0.50 acres of new active open space that would be required to reduce the active open space ratio decrease to 1 percent and fully mitigate the impact. Therefore, whereas the Proposed Actions would only provide partial mitigation for the significant adverse impact, the impact would be fully mitigated under the Proposed Modified Application Alternative.

SHADOWS

As with the development under the Proposed Actions as detailed in Chapter 6, "Shadows," development resulting from the Proposed Modified Application Alternative would cast new shadows that would have a significant adverse impact on Playground Thirty Five XXXV. There are no other sunlight-sensitive resources in the study area that would potentially receive project-generated shadow on any representative day. Although the potential modifications to the Proposed Development's buildings would reduce the heights of the buildings adjacent to the playground—including the elimination Proposed Development's 16-story residential tower on Block D and the

reduction of the towers on Blocks B and C—these modifications would not sufficiently reduce incremental shadow on the playground such that they would avoid the significant adverse impact.

As discussed above under the No Unmitigated Significant Adverse Impact Alternative, the significant adverse impact during most of the analysis periods would only be avoided with the elimination of the tower on Block C, and the building would need to be limited to a height of 45 feet (approximately 20 feet shorter than the proposed building's base). The elimination of the tower on Block C would need to be combined with the elimination of the tower on Block D (which is proposed under this alternative) as well as a reduction of the tower on the southern portion of Block E. As the development under this alternative would not include all of the building reductions necessary to fully avoid a significant increase in incremental shadow, the Proposed Modified Application Alternative would result in the same significant adverse shadow impact as the Proposed Actions. The same mitigation would be required, as discussed in Chapter 20, "Mitigation"; specifically, the alternative would include the same additional active publicly accessible open space at the southern end of Block A that would provide partial mitigation for the significant adverse shadows impact to Playground Thirty Five XXXV.

HISTORIC AND CULTURAL RESOURCES

As discussed in Chapter 7, "Historic and Cultural Resources," there are no known or potential architectural resources on the Development Site or the Additional Affected Area. As with the Proposed Actions, the Proposed Modified Application Alternative would not result in any significant adverse impacts to historic and cultural resources. As with the Proposed Actions, the Proposed Modified Application Alternative would result in the construction of a number of new buildings that would be larger and taller than the known and potential architectural resources within the study area, however this development would not obstruct public views of any known or potential architectural resources in the study area, and would not introduce incompatible visual, audible, or atmospheric elements to a historic resource's setting.

URBAN DESIGN AND VISUAL RESOURCES

Both the Proposed Modified Application Alternative and the Proposed Actions would result in the transformation of the Development Site and the Additional Affected Area. The massing configuration of the Proposed Modified Application Alternative would be different compared to the Proposed Development (see **Figures 21-1 to 21-3**), but would include an equivalent amount of floor area and would only affect the distribution of the floor area across the Proposed Development's blocks. The buildings that would be developed in the Project Area would be substantially taller than the surrounding built context in the Proposed Modified Application Alternative as well as the future with the Proposed Actions (see **Figure 21-4 to 21-6**). Both the Proposed Development and the Proposed Modified Application Alternative would serve as a transition between the low- and mid-rise areas to the north and west of the Project Area, the heavily trafficked, commercial-centered Northern Boulevard corridor, and the higher-density mixed-use Long Island City area to the south. In both scenarios, the tallest proposed buildings would be oriented toward the Steinway Street corridor and the wide Northern Boulevard corridor; in the Proposed Modified Application Alternative, the scale of new development along 35th Avenue (opposite lower-density residential buildings on the northern side of the avenue) and surrounding Playground Thirty Five XXXV and the proposed civic-oriented public open space on Block C would be reduced with the reallocation of floor area to other portions of the Project Area. While the size and height of both the Proposed Modified Application Alternative and the Proposed Development would constitute a substantial change to the Development Site, both the Proposed

9.8.22



Source: ODA

No Action Condition

Future With Potential Modified Application Alternative

Illustrative Rendering of No Action/Future with Proposed Modified Application Alternative: View East on 35th Avenue from 35th Street

Figure 21-4

INNOVATION QNS
ASTORIA, QUEENS
COMMUNITY DISTRICT 1

PROJECTED DEVELOPMENT SITES

ADDITIONAL AFFECTED AREAS



No Action Condition



Future With Potential Modified Application Alternative

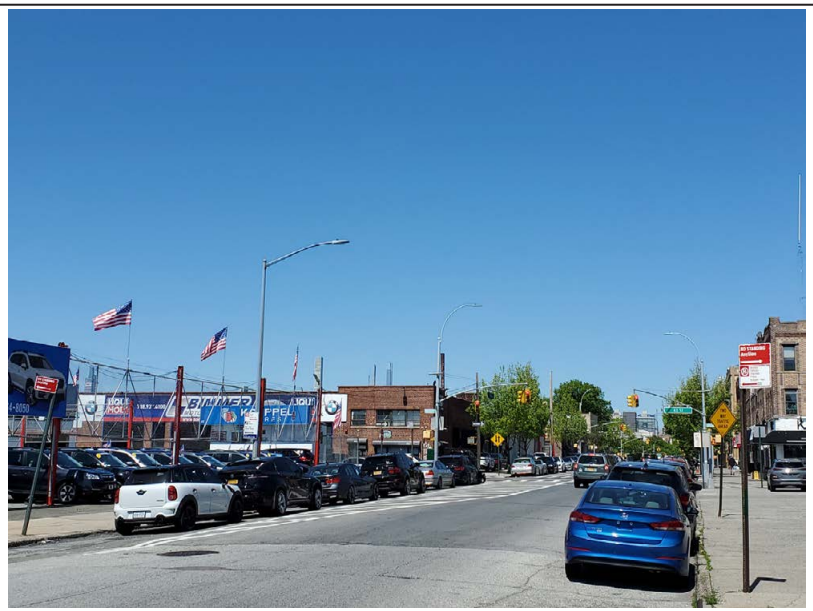
Source: ODA

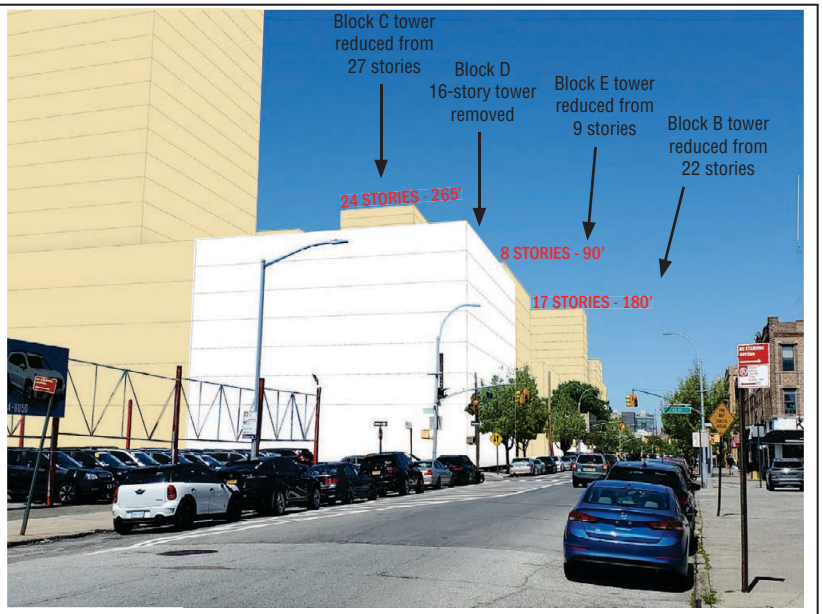
Illustrative Rendering of No Action/Future with Proposed Modified Application Alternative: View South on Steinway Street from 34th Avenue

Figure 21-5

PROJECTED DEVELOPMENT SITES

ADDITIONAL AFFECTED AREAS





No Action Condition

Future With Potential Modified Application Alternative

Source: ODA

Illustrative Rendering of No Action/Future with Proposed Modified Application Alternative: View West on 35th Avenue from Northern Boulevard

Figure 21-6

Development and the Proposed Modified Application Alternative would also positively contribute to the pedestrian's experience of the area. The Proposed Modified Application Alternative would remove two of the proposed PAAs along 38th Street on Blocks A and B, totaling 14,500 sf (0.33 acres), but would include an additional 22,000 sf (0.50 acre) active space PAA on Block A. Therefore, like the Proposed Actions, the Proposed Modified Application Alternative would not result in significant adverse impacts to urban design and visual resources.

HAZARDOUS MATERIALS

Development under the Proposed Modified Application Alternative would result in the same site disturbance as under the Proposed Actions, and the same (E) Designation requirements would be applied. Therefore, development under the Proposed Actions and the Proposed Modified Application Alternative would not result in significant adverse hazardous materials impacts with implementation of the measures outlined in Chapter 9, "Hazardous Materials."

WATER AND SEWER INFRASTRUCTURE

As with the Proposed Actions, the Proposed Modified Application Alternative would not result in significant adverse impacts to the City's water supply, wastewater and stormwater conveyance, and treatment infrastructure. As the development program under the Proposed Modified Application Alternative would be equal to the RWCDS prepared for the Proposed Actions, the Proposed Modified Application Alternative would generate the same water demand and sanitary sewage demand at the Project Area as under the Proposed Actions. As compared to development under the Proposed Actions, the Proposed Modified Application Alternative would result in a minor increase in rooftop area, specifically on Blocks A and B, where the modified buildings would result in the removal of two small PAAs (which would contain paved and softscape surface area) and construction of building rooftops in these areas. However, as with the development under the Proposed Actions, development under the Proposed Modified Application Alternative would be required by implement stormwater detention as part of the DEP Site Connection Proposal (SCP) application process for new buildings connecting to the City's sewer system, and would need to be in compliance with the required on-site stormwater volume requirements and stormwater release rate as detailed in the Unified Stormwater Rule. With the incorporation of best management practice (BMP) measures to meet the City site connection requirement, specifically on-site detention, development under the both the Proposed Actions and the Proposed Modified Application Alternative would not result in a significant increase in stormwater runoff or CSO volumes/frequencies. Therefore, neither the Proposed Actions nor the Proposed Modified Application Alternative would result in significant adverse impacts to local water supply or wastewater and stormwater conveyance and treatment infrastructure.

SOLID WASTE AND SANITATION SERVICES

Neither the Proposed Actions nor the Proposed Modified Application Alternative would result in a significant adverse impact to solid waste and sanitation services or place a significant burden on the City's solid waste management system. As the development program under the Proposed Modified Application Alternative would be equal to the RWCDS prepared for the Proposed Actions, the Proposed Modified Application Alternative would result in the same solid waste generation, which would constitute a negligible increase that would not reach the level of impact significance or overburden available waste management capacity.

ENERGY

Neither the Proposed Actions nor the Proposed Modified Application Alternative would result in any significant adverse impacts with respect to the generation, transmission, or consumption of energy. While energy demand on the projected development sites would increase from existing conditions under both the Proposed Actions and the Proposed Modified Application Alternative, these increases represent a negligible amount of the City's forecasted annual energy needs.

TRANSPORTATION

The development program under the Proposed Modified Application Alternative would be generally comparable to the program analyzed for the Proposed Actions under the RWCDS. There would be a minor reduction in community facility space (to provide for additional residential entrances, lobbies and amenity space), but no change in the number of dwelling units, nor any change in the overall floor area for the Proposed Development. There would also be some redistribution of uses within the Project Area. Overall, the Proposed Modified Application Alternative would generate a similar number of vehicle, subway, bus, and pedestrian trips at the Project Area as under the Proposed Actions. Consequently, significant adverse impacts to traffic, transit and pedestrian conditions under the Proposed Modified Application Alternative are expected to be the same or comparable to those under the Proposed Actions. Recommended measures to mitigate the impacts under the Proposed Modified Application Alternative are therefore also expected to be the same or comparable to those described for the Proposed Actions.

The Proposed Modified Application Alternative would also include a reduction in the on-site accessory parking spaces from 1,633 spaces to 1,192 spaces. The below-grade parking spaces in the Proposed Development would be reduced from 1,390 spaces to 949 spaces, while the number of parking spaces in the Additional Affected Area would remain unchanged at 243. Like the Proposed Actions, the Proposed Modified Application Alternative may potentially contribute to off-street and on-street parking shortfalls. However, as with the Proposed Actions, any such shortfall in public parking capacity under the Proposed Modified Application Alternative would not be considered significant based on *CEQR Technical Manual* criteria due to the magnitude of available alternative modes of transportation. As with the Proposed Actions, the potential traffic impacts and recommended mitigation measures would be evaluated as part of the Transportation Management Plan (TMP) described in Chapter 20, "Mitigation." It is anticipated that the TMP would focus on assessing traffic conditions at impacted intersections in the first quarter of 2026 and would include the trip generation, modal split, and origin/designation surveys of residents and other uses in the Proposed development, traffic data collection, and LOS analyses. A similar TMP would also be conducted at full build-out and occupancy of the Proposed Development.

AIR QUALITY

As with the Proposed Actions, the Proposed Modified Application Alternative would not result in significant adverse air quality impacts. The Proposed Modified Application Alternative would generate a similar number of vehicular trips as the Proposed Actions. As such, the Proposed Modified Application Alternative would result in identical mobile source pollutant concentrations as the Proposed Actions. As such, like the Proposed Actions, no significant adverse mobile source air quality impacts would result. In addition, as the Proposed Modified Application Alternative would include a reduction of parking spaces in the Proposed Development, therefore, vehicle emissions within the parking garages would be reduced as well. Therefore, as with the Proposed Actions, no significant adverse air quality impacts would occur.

The configuration of the Proposed Development's buildings under the Proposed Modified Application Alternative would be modified compared to the Proposed Actions, including reducing the heights or elimination of some buildings and adding floors to buildings on other portions of the Development Site. As described in Chapter 14, "Air Quality," the projected development sites under the Proposed Actions would require certain restrictions from fossil fuel-fired heating and hot water systems through the placement of an (E) Designation (E-675) to avoid the potential for significant adverse air quality impacts. Similar to the Proposed Actions, the placement of an (E) Designation on the projected development sites would also be needed under the Proposed Modified Application Alternative in order to avoid the potential for significant adverse air quality impacts. The implementation of the (E) Designation would be reviewed and approved by the NYC Office of Environmental Remediation (OER) to ensure that there is no significant adverse air quality impact.

GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

Both the Proposed Actions and the Proposed Modified Application Alternative would be consistent with the City's greenhouse gas reduction goals. As the total floor area and associated vehicle trips under the Proposed Modified Application Alternative would be similar to that of the Proposed Actions, greenhouse gas emissions of the Proposed Modified Application Alternative would be the same under the Proposed Actions. Buildings associated with the Proposed Actions and the Proposed Modified Application Alternative, as a dense mixed-use development, would advance New York City's greenhouse gas reduction goals by virtue of its density and location in an area well-served by public transportation. Furthermore, as with the Proposed Development under the Proposed Actions, the Applicant would implement sustainable design features in the development under the Proposed Modified Application Alternative that would ensure that the development would achieve the substantially increased stringency of the building energy efficiency requirements under the 2020 Energy Conservation Code of New York State (2020 ECCNYS) Code, and would likely exceed them.

NOISE

As described above, as the Proposed Modified Application Alternative would result in similar project-generated vehicle trips as compared to the Proposed Actions, the projected noise levels would be the same as noise levels expected with the Proposed Actions. In terms of noise attenuation requirements at the Project Area, the same (E) designation for noise expected under the Proposed Actions would be required under the Proposed Modified Application Alternative. By meeting the design guidelines specified in ZR Section 123-32, the Noise (E) Designation or equivalent mechanism, buildings developed as a result of under the Proposed Modified Application Alternative would provide sufficient attenuation to achieve the *CEQR Technical Manual* interior noise level guidelines. Therefore, neither the Proposed Modified Application Alternative nor the Proposed Actions would result in significant adverse noise impacts.

PUBLIC HEALTH

Neither the Proposed Actions nor the Proposed Modified Application Alternative would result in significant adverse public health impacts. As described above, the Proposed Modified Application Alternative would not have the potential for unmitigated significant adverse impacts in the areas of water quality, hazardous materials, air quality or operational noise. As discussed further below, construction under the Proposed Modified Application Alternative would be substantially similar to the construction activities resulting from the Proposed Actions, therefore, as with the Proposed

Actions, the Proposed Modified Application Alternative is expected to result in unmitigated significant adverse construction-period noise impacts at receptors in the vicinity of the Project Area, including at Projected Development Sites that are completed and occupied while other nearby or adjacent Projected Development Sites are under construction. However, construction resulting from the Proposed Modified Application Alternative would not result in chronic exposure to high levels of noise, prolonged exposure to noise levels above 85 dBA, or episodic and unpredictable exposure to short-term impacts of noise at high decibel levels, as per the *CEQR Technical Manual*.

NEIGHBORHOOD CHARACTER

Like the Proposed Actions, the Proposed Modified Application Alternative would result in substantial changes to the Project Area; neither alternative would result in significant adverse impacts on neighborhood character in the area. Both alternatives would activate the Development Site and Additional Affected Area, which currently primarily contain low-scale commercial, manufacturing, and parking uses, with new mixed-use buildings containing residential apartments, open space, arts and cultural uses, retail, and community facility spaces. Both the Proposed Actions and the Proposed Modified Application Alternative would introduce open space in the Project Area that would complement the existing Playground Thirty Five XXXV and would offer amenities to a wide variety of users in the neighborhood. Overall, the both the Proposed Actions and the Proposed Modified Application Alternative would be consistent with the existing character of the study area, maintaining and enhancing the current arts and culture uses within the surrounding neighborhood, while simultaneously providing essential commercial, community facility, and open space uses for an expanded residential population in the future.

CONSTRUCTION

As the Proposed Modified Application Alternative is equal to development under the Proposed Actions in overall density but with changes to building massing and the distribution of the floor area across the Proposed Development's blocks, it would require essentially the same construction process and phasing as anticipated under the Proposed Actions. Since the buildings are similar in size and would be developed over the same construction schedule, the amount of materials and construction workers associated with building the Proposed Modified Application Alternative would be similar to that of the Proposed Actions. As such, the duration and total level of activity would be similar to that of the Proposed Actions. These changes to the Proposed Modified Application Alternative would not materially affect the construction-related analysis assumptions and conclusions. Therefore, the Proposed Modified Application Alternative would likely result in significant adverse noise transportation and noise impacts of a similar magnitude to the Proposed Project (see Chapter 19, "Construction"). Mitigation for these significant adverse impacts, as described in Chapter 18, "Mitigation," would remain the same as under the Proposed Actions. Like the Proposed Actions, for all other technical areas, construction activities associated with the Proposed Modified Application Alternative would not result in significant adverse impacts. ✶