A. INTRODUCTION

The New York City Department of City Planning (DCP) on behalf of the City Planning Commission (CPC) as lead agency, and in conjunction with the New York City Department of Housing Preservation and Development (HPD), is proposing a number of actions, including zoning map and text amendments and the disposition of a City property, that are collectively known as the East Village/Lower East Side Rezoning, and all are referred to in this Draft Environmental Impact Statement (DEIS) as the "proposed actions" or "proposed project." The area of the proposed actions (the "primary study area" or "rezoning area") is within Manhattan Community District 3 and is generally bounded by East 13th Street on the north; Avenue D to the east; East Houston Street, Delancey Street and Grand Street on the south; and the Bowery and Third Avenue on the west. Under the proposed actions, the current zoning map would be amended along with zoning text modifications. In addition to these DCP actions, HPD is proposing disposition of a City-owned property, to facilitate the development of a residential project with ground-floor retail. It is the purpose of the proposed actions to preserve the low- to mid-rise character of the East Village and Lower East Side neighborhoods while concentrating new development towards specific corridors that are more suited for new residential construction with incentives for affordable housing. Specifically, it is the objective of this proposal to:

- Protect the low- to mid-rise streetwall that characterizes much of the project area;
- Address the community's request for contextual rezoning;
- Reinforce use of several avenues as corridors for mixed retail/residential buildings;
- Provide opportunities for housing development and incentives for affordable housing along selected wide streets and major corridors; and
- Protect existing commercial uses in proposed R8B districts.

In order to assess the environmental impacts of the proposed actions, DCP developed a reasonable worst-case development scenario (RWCDS) that identified both projected and potential development sites. As defined by DCP, projected development sites are sites more likely to be developed as a result of the proposed actions. DCP identified 205 projected development sites. DCP also identified potential development sites, which are sites that could also be developed, but are assumed to have less development probability. DCP identified 565 potential development sites. The majority of these sites could be developed in the future without the proposed actions (the "No Build" condition) under the current zoning. The RWCDS projects that the proposed actions could result in a net increase of 1,383 residential units (including 23 enlargements), 348 of which would be affordable, and a net decrease of 74,439 gross square feet of commercial space on the projected development sites compared to conditions in the future without the proposed actions. The DEIS analyzes a Build year of 2017.

The above-described actions are subject to both City Environmental Quality Review (CEQR) and the Uniform Land Use Review Procedures (ULURP). This DEIS has been prepared in

accordance with the Final Scope of Work for the East Village/Lower East Side Rezoning issued in February 2008, Executive Order No. 91, New York City Environmental Quality Review (CEQR) regulations, and follows the guidance of the *CEQR Technical Manual* (October 2001). The DEIS and ULURP applications were certified as complete on May 5, 2008. Public hearings will be held by Manhattan Community Board 3, the Manhattan Borough President, CPC, and the City Council during the seven-month ULURP review process, with the DEIS/ULURP hearing to be held at the CPC hearing.

B. PROJECT DESCRIPTION

STUDY AREA HISTORY

The Lower East Side and the East Village grew as the Lower East Side's Eastern European community expanded northward from the overcrowded streets south of Houston Street during the late 1800s. They are longstanding residential communities comprised mostly of 19th century tenements with supporting institutional and cultural and neighborhood retail uses. At the turn of the 20th century, the Lower East Side was widely considered the nation's foremost immigrant neighborhood well known for its bustling street-level activity and its crowded tenement buildings.

Most buildings in these neighborhoods date from the early 20th century—remaining virtually unchanged through much of the 20th century—and also included settlement houses, social clubs, and other institutional uses serving the immigrant community. In the post war urban renewal period, and through the 1960s and 1970s, HPD and CPC deemed large tracts of land in the East Village and Lower East Side neighborhoods for urban renewal projects under the City's Urban Renewal Law. Development in these areas has taken the form of multi-tower residential buildings on large superblocks along the East River from East 14th Street to as far south as the Manhattan Bridge. During the 1970s and into the early 1980s, many former manufacturing loft buildings along Broadway, Lafayette Street, and Bowery were converted to both residential and commercial uses. In addition, the demographic composition of the area has changed dramatically from its days as an immigrant neighborhood.

In the 21st century, development in the East Village and the Lower East Side neighborhoods remains primarily residential in nature, including construction of new buildings and renovations of existing structures. Other types of development include the expansion of the area's academic institutions and the construction of a number of new, large-scale hotels on the Lower East Side south of East Houston Street. However, while much of the area of the proposed rezoning retains its low- to mid-rise character, there has been development that is out of scale with the local neighborhood. This is primarily a result of the current zoning in much of the area which is outdated and does not contain mechanisms to ensure that new development reflects the existing neighborhood context. Post-1961 amendments to the *New York City Zoning Resolution* provide new planning tools to address longstanding issues of harmonizing new development to existing context, most notably the use of contextual districts to restrict development to the appropriate scale and character in the surrounding neighborhoods.

EXISTING ZONING

The area of the proposed rezoning covers about 111 blocks of the East Village and Lower East Side neighborhoods in Manhattan Community District 3. Overall, the area is currently zoned for

medium-density residential and commercial uses. With the exception of a very small portion its northeast corner, the primary study area is currently zoned as it was in 1961.

Existing zoning is predominately R7-2, which typically results in mid-rise buildings with lower lot coverage. R7-2 districts are not indicative of the predominant low- to mid-rise character of the East Village and Lower East Side neighborhoods. The southwest portion of the study area is zoned C6-1, which supports medium and high-bulk commercial uses, including large retail stores and related activities, and alsos permit residential use. C1 and C2 commercial overlays, which permit local retail uses that serve the surrounding residential neighborhood, are mapped in the R7-2 districts in the study area along the major north-south avenues and major east-west streets. In both R7-2 and C6-1 districts, building heights are governed by sky exposure planes and are thus dependent on zoning lot dimensions as opposed to maximum building height regulations.

DESCRIPTION OF THE PROPOSED ACTIONS

As stated above, DCP is proposing zoning map amendments affecting all or portions of 111 blocks in the study area. DCP is also proposing zoning text amendments to establish incentives for the creation and preservation of affordable housing in conjunction with new development and to protect existing non-conforming street-level commercial uses in current residential districts. In addition, HPD is proposing the disposition of a City-owned property to facilitate the development of a residential building with ground-floor retail. A more detailed description of these actions follows.

PROPOSED ZONING MAP AMENDMENTS

Overall, the proposed zoning map amendments would map contextual districts at densities appropriate to the existing land uses and built character of the rezoning area, which is generally bounded by East 13th Street on the north; Avenue D to the east; East Houston Street, Delancey Street and Grand Street on the south; and the Bowery and Third Avenue on the west. Under the proposed actions, districts that are currently zoned R7-2 and C6-1 would be rezoned to R7A, R7B, R8A, R8B, C4-4A, and C6-2A. A new C2-5 commercial overlay would be mapped along Second Avenue between East 3rd Street and East 7th Street and would be consistent with the location of existing overlay districts along First Avenue, Avenue A, and Avenue C.

Under the proposed actions, the existing R7-2 district would be rezoned to R7A (along the major north-south avenues north of East Houston Street and the area south of East Houston Street), R7B (three blocks south of Tompkins Square Park), R8A (along East Houston Street, Delancey Street, and Avenue D), and R8B (midblocks north of East Houston Street) districts. These contextual districts reflect the low- to mid-rise character of the East Village and Lower East Side neighborhoods and would permit comparable development in terms of floor area to what is currently allowed. These districts would require continuous streetwalls and overall building heights would be limited to 75 feet in R7B and R8B districts and 80 feet in R7A districts. The proposed R8A districts, which are located along major streets—namely East Houston and Delancey Streets, would permit buildings up to 120 feet and would be subject to the Inclusionary Housing program that would allow additional floor area for new buildings that include an affordable housing component.

The existing C6-1 district would be rezoned to C4-4A on the midblocks from East Houston to Grand Street west of Essex Street and C6-2A along Second Avenue, Chrystie Street, East Houston Street, and Delancey Street. These contextual commercial districts permit both commercial and residential uses and would require new construction to line up with adjacent structures to maintain existing street wall characteristics. Overall building heights would be limited to 80 feet in C4-4A districts and 120 feet in C6-2A districts. Similar to the proposed R8A districts discussed above, the new C6-2A districts would be subject to the Inclusionary Housing program.

ZONING TEXT AMENDMENTS

INCLUSIONARY HOUSING PROGRAM

The proposed actions would apply the Inclusionary Housing program to the proposed R8A and C6-2A districts along the major transportation corridors throughout the primary study area, establishing incentives for the creation and preservation of affordable housing in conjunction with new development. Under the proposed Inclusionary Housing program, developments providing affordable housing are eligible for a floor area bonus, within contextual height and bulk regulations tailored to these areas.

NON-CONFORMING USES AND NON-COMPLYING BUILDINGS

To protect existing street-level commercial uses that currently exist as legal non-conforming uses in the R7-2 zoning districts, the proposed actions would include an additional text amendment to the *Zoning Resolution*. The proposed text change would extend the currently established regulations for qualifying uses in existing R7-2 districts to those same uses to R8B districts in Manhattan Community District 3; as such, existing non-conforming uses and spaces in the affected areas would be granted the same protections as they are today. There are currently no R8B districts in Manhattan Community District 3; R8B would be introduced to the primary study area as a result of the proposed actions.

PROPOSED HPD PROJECT

As part of the proposed actions, HPD is proposing the disposition of a City-owned property located at 302 East 2nd Street (Block 372, Lot 49). The proposed actions would facilitate the development of a residential building on this site with ground-floor retail. The City-owned site would be assembled with neighboring tax lots located at 5 Avenue D and 306-310 East 2nd Street (Block 372, Lots 43, 44, 47, and 48) and is listed in the RWCDS (see discussion below) as Projected Development Site 167. The City-owned site—and the assembled blocks—would be rezoned from R7-2 to R8A; the C1-5 overlay mapped along Avenue D would remain unchanged. The proposed HPD-sponsored development would include 116 dwelling units, including 23 affordable units, and 7,844 square feet of ground-floor retail space.

PROPOSED ZONING E-DESIGNATIONS

The proposed zoning would place E-designations on projected and potential development sites to avoid the potential for impacts with respect to air quality (heating systems) and noise (see Appendices F and G, respectively).

REASONABLE WORST-CASE DEVELOPMENT SCENARIO (RWCDS)

CEQR review requires the analysis of impacts from both the long- and short-term effects of proposed actions. Therefore for this DEIS, the "Build" scenario identifies the amount, type, and location of development that is expected to occur by 2017 as a result of the above-described proposed actions. The future without the proposed actions, or "No Build" scenario, identifies development projections absent the proposed actions. The incremental difference between the Build and No Build conditions serves as the basis for the environmental impact analyses presented in this DEIS.

To determine the RWCDS, methodologies were employed following the *CEQR Technical Manual* guidelines, identifying the amount and location of projected and potential future residential and commercial development. The methodology includes several factors such as known development proposals, current market demands, past development trends, and DCP's "soft site" criteria. The first step in establishing the RWCDS for the proposed actions was to identify sites where new development is reasonably expected to occur. In addition to general criteria, area-specific criteria were used to identify projected development sites. In some areas, the projected sites were identified on the basis of existing site conditions or site location. These sites were determined to be the most suitable for development in the foreseeable future.

In the future without the proposed actions, it is anticipated that existing land use trends, which include mixed-use or residential buildings with ground-floor retail, would continue. Also consistent with existing land use trends, there would be additional hotel development primarily in the Lower East Side neighborhood. Accordingly, the RWCDS reflects this same development on projected development sites absent the proposed actions.

The new land uses that are expected to result from the proposed actions would represent a continuation of current land use trends in a manner compatible with surrounding land uses. The proposed actions would allow for increased density of residential use along East Houston Street and Avenue D; the permitted density of residential use in the remainder of the study area would be similar to what is allowed currently but new development would be more restricted to be contextual with existing established medium-density residential neighborhoods. Similarly, the proposed actions would permit increased commercial density along the major transportation corridors—East Houston Street, Delancey Street, Chrystie Street, and Second Avenue—but would enforce contextual restrictions elsewhere within the existing commercial areas. The new development that is projected to result from the proposed actions would occur on underutilized sites. Overall, the development sites are fairly evenly distributed among the proposed new zoning districts, allowing new housing to be built along major corridors and wide streets and relieving the development pressure along the midblocks.

DCP identified 205 projected development sites in the RWCDS and 565 potential development sites where development is considered less likely. The RWCDS development projections are summarized below by the proposed zoning district (see Table S-1).

Table S-1
Summary of No Build and Build Development

District Description	Sites (Count)	Build				No Build				Increment			
		Commercial Floor Area	Residential Floor Area	Dwelling Units	Affordable Dwelling Units	Commercial Floor Area	Residential Floor Area	Dwelling Units	Affordable Dwelling Units	Commercial Floor Area	Residential Floor Area	Dwelling Units	Affordable Dwelling Units
PROJECTED SITES													
Proposed C4-4A	28	70,090	259,746	260	0	122,378	187,273	187	0	-52,288	72,473	73	0
Proposed C6-2A*	30	125,797	939,781	940	188	147,948	361,162	361	0	-22,151	578,619	579	188
Proposed R7A	51	111,223	838,829	839	0	111,223	705,821	706	0	0	133,008	133	0
Proposed R8B	44	12,086	811,006	811	0	12,086	695,773	696	0	0	115,233	115	0
Proposed R8A*	27	57,293	773,522	800	160	57,293	339,652	340	0	0	433,870	460	160
TOTAL PROJECTED	**180**	**376,489**	**3,622,884**	**3,650**	**348**	**450,928**	**2,289,681**	**2,290**	**0**	**-74,439**	**1,333,203**	**1,360**	**348**
POTENTIAL SITES													
Proposed C4-4A	13	64,102	72,078	72	0	30,448	84,685	85	0	33,654	-12,607	-13	0
Proposed C6-2A*	22	56,599	422,827	423	85	117,764	130,129	125	0	-61,165	292,698	298	85
Proposed R7A	19	29,732	255,296	255	0	29,839	217,926	218	0	-107	37,370	37	0
Proposed R8B	51	12,509	716,691	717	0	23,156	496,314	496	0	-10,647	220,377	221	0
Proposed R8A*	18	23,149	258,256	258	52	13,958	110,423	116	0	9,191	147,833	142	52
TOTAL POTENTIAL	**123**	**186,091**	**1,725,148**	**1,725**	**137**	**215,165**	**1,039,477**	**1,040**	**0**	**-29,074**	**685,671**	**685**	**137**
GRAND TOTAL	**303**	**562,580**	**5,348,032**	**5,375**	**485**	**666,093**	**3,329,158**	**3,330**	**0**	**-103,513**	**2,018,874**	**2,045**	**485**
ENLARGEMENTS													
PROJECTED													
Proposed R7A	13												
Proposed R8B	12												
TOTAL PROJECTED	**25**	**25,374**	**216,853**	**267**	**0**	**25,374**	**178,529**	**244**	**0**	**0**	**38,324**	**23**	**0**
POTENTIAL													
Proposed R7A	226												
Proposed R8B	216												
TOTAL POTENTIAL	**442**	**938,270**	**3,560,886**	**4,715**	**0**	**938,270**	**2,788,610**	**4,155**	**0**	**0**	**772,276**	**560**	**0**
TOTAL ENLARGEMENTS	**467**	**963,644**	**3,739,415**	**4,959**	**0**	**963,644**	**2,967,139**	**4,399**		**0**	**810,600**	**583**	**0**
TOTAL ALL SITES	**770**	**1,562,244**	**9,087,447**	**10,334**	**485**	**1,629,737**	**3,329,158**	**7,729**	**0**	**-103,513**	**2,829,474**	**2,628**	**485**

Sources: Department of City Planning, October 2007

C. PROBABLE IMPACTS OF THE PROPOSED ACTIONS

LAND USE, ZONING AND PUBLIC POLICY

No significant adverse impacts on land use, zoning, or public policy, as defined by the guidelines for determining impact significance set forth in the *CEQR Technical Manual* (see Section 400, Under Section A, "Land Use, Zoning, and Public Policy," Chapter 3), are anticipated in the future with the proposed actions in the primary and secondary study areas. The proposed actions would not directly displace any land uses so as to adversely affect surrounding land uses, nor would they generate land uses that would be incompatible with land uses, zoning, or public policy in the secondary study area. The proposed actions would not create land uses or structures that would be incompatible with the underlying zoning, nor would they cause a substantial number of existing structures to become non-conforming. The proposed actions would not result in land uses that conflict with public policies applicable to the primary or secondary study areas.

The proposed actions would result in an overall increase in residential use and a slight decrease in commercial use throughout the primary study area, when compared to the future No Build scenario. The major transportation corridors that bisect and border these neighborhoods would be developed with higher density buildings, while the low- to mid-rise character of the midblocks would be preserved. Furthermore, the proposed actions would reduce the allowable floor area ratio (FAR) available for commercial hotel buildings in the Lower East Side Subarea and would encourage residential development with ground floor retail in their place. The proposed zoning would create a framework that is both responsive to the uses present in the primary study area and compatible with the existing zoning designations in the surrounding areas. Finally, the proposed actions directly address the community's request for contextual rezoning and provide incentives for much needed affordable housing in the East Village and Lower East Side neighborhoods.

SOCIOECONOMIC CONDITIONS

The proposed actions would not cause any significant adverse impacts related to direct residential displacement, direct business displacement, indirect residential displacement, indirect business displacement, or effects on specific industries. Conclusions relative to the five areas of analysis under the *CEQR Technical Manual* are summarized below.

Direct Residential Displacement: Under the RWCDS, the proposed actions would not directly displace residents. Based on the guidelines in the *CEQR Technical Manual*, the proposed actions would not result in a significant adverse impact in terms of direct residential displacement because they would not result in the loss of any population group within the neighborhood or alter neighborhood character.

Direct Business Displacement: The proposed actions would displace 10 businesses with approximately 61 employees on Projected Development Site 32. The businesses that would be displaced conduct a variety of business activities including retail, banking, food service, art exhibition and sales, and real estate sales. The preliminary assessment concludes that the proposed actions would not cause a significant adverse direct business displacement impact because the displaced businesses are not found to have substantial economic value to the City or region, are not subject to publicly adopted plans to preserve, enhance, or protect them, and do not, individually or collectively, contribute substantially to neighborhood character. In fact, several of the displaced businesses are chains and have other locations in or near the study area.

Indirect Residential Displacement: Under the RWCDS, the proposed actions would increase the 2006 study area population by approximately 1.7 percent. According to the *CEQR Technical Manual*, if a proposed action could increase a study area population by greater than 5 percent, there is a potential to affect socioeconomic trends significantly. The proposed actions would not increase the population at a scale that could affect socioeconomic trends, nor would the population added by the proposed actions have socioeconomic characteristics substantially different than the existing population (the proposed actions would introduce a mix of affordable and market-rate housing). Therefore, the proposed actions would not result in significant adverse impacts related to indirect residential displacement.

Indirect Business and Institutional Displacement: Area businesses most vulnerable to indirect displacement due to increased rents include industrial businesses, such as building material manufacturers, wholesalers, or food distributors located in areas where general manufacturing uses would be combined with residential uses. In addition, existing retail and commercial office uses above the ground floor could face indirect displacement pressure due to the increased desirability of residential uses. However, these pressures are already present within the study area and are expected to increase in the future irrespective of the proposed actions. Therefore, while the proposed actions could result in limited indirect displacement of existing businesses, it would not alter or accelerate trends that would change existing economic patterns in a manner that would result in significant indirect displacement.

Adverse Effects on a Specific Industry: The proposed actions would not result in significant adverse affects on business conditions in any industry or category of business, nor would the proposed actions indirectly substantially reduce employment or impair the economic viability of any industry or category of business. The 10 businesses that would be directly displaced are not essential to the survival of other industries within or outside of the study area and they do not, for example, serve as the sole provider of goods and services to an entire industry or category of business in the city.

COMMUNITY FACILITIES

With respect to public schools, the proposed actions would generate approximately 152 new elementary and 31 new intermediate school children (since the proposed actions are expected to generate fewer than 150 high school students, an analysis of public high schools was not conducted). Due to the relatively large size of the primary study area, elementary and intermediate school students generated from the proposed actions could be assigned to a number of the primary and intermediate schools within the Community School Districts (CSDs) serving the study area, namely CSD 1 (Zones 2 and 3) and CSD 2 (Zone 1). With the proposed actions, utilization rates for elementary and intermediate schools elementary and intermediate schools within CSD 1 (Zones 2 and 3) would be 68 and 59 percent, respectively, and would not cause a greater than 5 percent deficiency in available seats over the future without the proposed actions. Utilization rates for elementary and intermediate schools in CSD 2 (Zone 1) in the future with the proposed actions are projected to be 105 and 88 percent, respectively; although elementary schools in CSD 2 (Zone 1) would operate above capacity, the increase in the deficiency of seats from conditions in the future without the proposed actions (approximately 1 percent) would be less than the *CEQR Technical Manual* threshold value of 5 percent. Therefore, no significant impacts on public elementary and intermediate schools would occur as a result of the proposed actions.

The proposed actions would increase the study area population by less than 1 percent with respect to the evaluation of library services. This is less than the 5 percent impact threshold identified in the *CEQR Technical Manual*. Currently, this population is well served by local public library services; the New York Public Library (NYPL) operates one central library and eight Manhattan branch libraries within an approximate ¾-mile radius surrounding the primary study area. For these reasons, no adverse impacts on library services are expected with the proposed actions.

There would be no direct impact on police or fire protection services (i.e., no direct displacement of facilities or stations) and it is anticipated that the added population and development that is projected under the proposed actions could be adequately served by these City departments. Thus, no significant adverse impacts on police and fire services are expected with the proposed actions.

According to the thresholds set forth in the *CEQR Technical Manual*, the proposed actions would not have significant adverse impacts on hospitals, health care facilities, or day care facilities.

OPEN SPACE

Based on the analysis pursuant to the *CEQR Technical Manual*, it is concluded that the proposed actions would not result in significant adverse impacts to open space. Open space ratios for residents and non-residents within the ½-mile residential study area currently fall short of DCP guidelines and would continue to do so in the future with and without the proposed actions (since the proposed actions would result in a decrease of commercial space, an assessment of the adequacy of open space in the ¼-mile non-residential study area was not conducted). In the residential study area, the total open space, active open space, and passive open space ratios for residents, the passive open space ratio for non-residents, and the combined passive open space ratio for both residents and non-residents would all remain the same as in the future without the proposed actions.

The proposed actions would not directly displace any public open spaces; and with the exception of the Orchard Alley community garden, which would be effected by incremental shadows cast by new buildings as part of the RWCDS, study area open spaces would not be impacted by shadows, air quality, or noise as a result of the proposed actions.

SHADOWS

Development as a result of the proposed actions would cast new shadows at times throughout the year on some of the existing open spaces in the primary study area. However, the East Village and Lower East Side neighborhoods of Manhattan are already developed and the incremental shadows from the RWCDS would have significant adverse impacts on only one publicly accessible open space: the Orchard Alley Garden between East 3rd and 4th Streets and Avenues C and D. Anticipated 120-foot-tall buildings along Avenue D to the east would cast incremental shadow on Orchard Alley Garden in the mornings and midday hours throughout the year. The extent of new shadows would generally be small, especially in the early morning when shadows in the future without the proposed actions cover much of the space, and in the early afternoon when shadows are shortest. Nevertheless, several hours of new shadows throughout the year would cause a significant adverse impact to this resource. Potential mitigation for this significant adverse impact could include locating sun-sensitive features in areas where they would be least

affected by shadows, choosing shade tolerant species for vegetation to be planted in areas that would be in shadow, and realignment of benches and seating areas.

Although the remaining open spaces and sun-sensitive historic resources would be subject to varying amounts of incremental shadows as a result of the proposed actions, these increments would be not be significant due to their limited extent and other site specific factors.

HISTORIC RESOURCES

ARCHAEOLOGICAL RESOURCES

Development on twenty-three potential development sites could result in significant adverse impacts on potential archaeological resources. Such impacts would be unavoidable adverse impacts, because there are no mechanisms available to require that subsequent private as-of-right development undertake archaeological field tests to determine the presence of archaeological resources or mitigation for any identified significant resources through avoidance or excavation and data recovery.

ARCHITECTURAL RESOURCES

The proposed actions could result in significant adverse direct impacts on up to fifteen known architectural resources and on up to twenty-four potential architectural resources. Thirteen resources are located on potential development sites and could be redeveloped under the RWCDS. In addition, there is one potential development site located within the S/NR Lower East Side Historic District. Twenty-two resources are located on potential enlargement sites and could be inappropriately altered under the RWCDS. In addition, there is one projected enlargement site located within the potential Tompkins Square Park Historic District, fifteen potential enlargement sites located within the potential Tompkins Square Park Historic District, and eight potential enlargement sites located within the potential East 6th Street Historic District. These significant adverse impacts would be unavoidable adverse impacts, because there are no mechanisms for implementing mitigation for as-of-right development.

There are two mechanisms to protect buildings in New York City from potential damage caused by adjacent construction. All buildings are provided some protection from accidental damage through DOB controls that govern the protection of any adjacent properties from construction activities, under Building Code Section 27-166 (C26-112.4). For all construction work, Building Code Section 27-166 (C26-112.4) serves to protect buildings by requiring that all lots, buildings, and service facilities adjacent to foundation and earthwork area be protected and supported in accordance with the requirements of Building Construction Subchapter 7 and Building Code Subchapters 11 and 19.

The second protective measure applies to New York City Landmarks, properties within New York City Historic Districts, and National Register-listed properties. For these structures, *TPPN #10/88* applies. *TPPN #10/88* supplements the standard building protections afforded by Building Code C26-112.4 by requiring a monitoring program to reduce the likelihood of construction damage to adjacent New York City Landmarks and National Register-listed properties (within 90 feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed. With these required measures, significant adverse construction-related impacts would not occur to the following 21 resources: St. Mark's Historic District (A), Louis N. Jaffe Art Theater (#1), Elizabeth Home for Girls (#2), Ottendorfer Branch of the New York Public Library (#6), Deutsches Dispensary (#7), Hamilton-Holly House (#8),

German-American Shooting Society Clubhouse (#9), Daniel Leroy House (#10), Italianate house at 68 East 7th Street (#15), New York Marble Cemetery (#29), New York City Marble Cemetery (#31), 11th Street Public Bath (#35), Tompkins Square Branch of the New York Public Library (#36), Charlie Parker Residence (#37), Christodora House (#38), Public School 64 (#39), Tompkins Square Lodging House for Boys (#40), Congregation Beth Hamedrash Hagadol Anshe Ungam (#44), Anshe Chesed Synagogue (#75), Stanton Street Shul (#77), and Hamilton Fish Park Play Center (#85).

For the 61 non-designated or listed resources, construction under the proposed actions could potentially result in construction-related impacts to the resources. The resources would be afforded limited protection under DOB regulations applicable to all buildings located adjacent to construction sites (C26-112.4); however, since the resources are not New York City Landmarks or listed National Register properties, they are not afforded special protections under *TPPN #10/88*. Additional protective measures afforded under *TPPN #10/88* would only become applicable if the 61 resources are designated or listed in the future prior to the initiation of adjacent construction. If the 61 resources are not designated or listed, they would not be subject to *TPPN #10/88* and may, therefore, be adversely impacted by adjacent development resulting from the proposed actions.

For the most part, it is not anticipated that the proposed actions would have adverse visual or contextual impacts on the majority of architectural resources, because new development pursuant to the proposed actions would not eliminate or screen publicly accessible views of a resource, introduce an incompatible visual, audible, or atmospheric elements to a resource's setting, or result in significant adverse shadow impacts on a historic resource with sun-sensitive features. However, development pursuant to the proposed actions could result in significant adverse visual and contextual impacts (which would be unavoidable adverse impacts) on the five row houses (#23-27) at 30-38 East 3rd Street, because up to three of them could be redeveloped, which would alter the other row houses' relationship to the streetscape and to each other. There could be similar visual and contextual impacts to the row houses at 258-266 East 7th Street (#153) and the row house at 217 East 7th Street (#152), which are located on potential development sites, as well as to the row house at 263 East 7th Street (#151), and similar visual and contextual impacts to the buildings of the blockfront at 164-180 First Avenue (#150), which includes three potential enlargement sites. In addition, enlargements within the potential Tompkins Square Park and East 6th Street Historic Districts could have adverse visual and contextual impacts on the historic districts.

URBAN DESIGN AND VISUAL RESOURCES

Overall, the proposed actions and its associated projected and potential development would not have significant adverse impacts on the urban design and visual resources of the primary study area. There would be no changes to topography, natural features, street hierarchy, block shapes, or building arrangements.

The proposed actions and any subsequent development would affect the streetscape and building use, bulk, and type of the primary study area. The study area's streetscape would retain its active character and new active uses in the form of residential buildings with street-level retail would enliven the streetscapes in portions of study area where vacant and under-utilized properties exist currently. These new residential buildings and enlargements to existing buildings would reinforce existing residential streetscape patterns. The proposed zoning map and text

amendments would also preserve the existing commercial character of certain shopping streets, including St. Mark's Place and streets within the Bargain District.

In terms of building bulk, use and type, the new buildings as part of the RWCDS would be built to the existing low- to mid-rise character of the neighborhood as a whole. These new residential buildings would be built with mandatory streetwall heights of 40 to 65 feet along local streets and 60 to 85 feet along wide streets. Overall building heights of 75 to 80 feet along local streets and 120 feet along wide streets would prevent additional out-of-scale developments from being built in the future, as in the case on the Lower East Side neighborhood south of East Houston Street.

The proposed actions also include the disposition of Projected Development Site 167, located at 302 East 2nd Street at the intersection of Avenue D and East 2nd Street. This 13-story residential building with ground-floor retail spaces would be clad in glass and steel with balconies along East 2nd Street.

New buildings that could be developed under the RWCDS for the proposed actions would be residential and commercial structures of heights and bulk consistent with those urban design features of the area and built on existing blocks and lots. These new buildings would not block any significant view corridors and views of visual resources or limit access to any visual resources, including views of Tompkins Square Park, Sara D. Roosevelt Park, and views east along Delancey Street toward the Williamsburg Bridge, and the mandatory streetwall requirements of the proposed rezoning would further define view corridors in the primary study area, which are generally long due to the relative straightness of the streets, flat topography, and the area's low-rise character. The proposed height limits would preserve views of the taller visual resources in the area. No new development would occur in the St. Mark's Historic District, preserving the views along Stuyvesant Street and of the St. Mark's Church-in-the-Bowery. Therefore, the proposed actions would not result in significant adverse impacts on the visual resources in the study area.

NEIGHBORHOOD CHARACTER

No significant adverse impacts on neighborhood character are anticipated in the future with the proposed actions. The proposed actions would not directly displace any land uses or result in differing land uses so as to adversely affect surrounding land uses. Buildings as a result of the RWCDS would be primarily residential in nature—compatible with these residential neighborhoods—and would be built to the existing neighborhood scale. Higher-density development would be channeled to the major transportation corridors that bisect and border these neighborhoods, allowing the low- to mid-rise character of the midblocks to be preserved. The proposed actions would not change the socioeconomic characteristics of the study area and would not result in a notable increase in neighborhood traffic or noise. The removal under the proposed actions of up to four individual houses of worship would result in significant adverse impacts to those individual buildings. Given that these resources are scattered throughout the rezoning area and not concentrated in one particular area, their removal would not result in significant adverse impacts to neighborhood character.

NATURAL RESOURCES

The RWCDS sites contain no landscaped features or natural resources. Any vegetation on these sites in the existing condition would be typical urban invasive vegetation with no vegetation or wildlife habitat value. There are no streams, ponds, or lakes that would provide any habitat for

aquatic-related wildlife and no significant habitat in the primary study area. In sum, there is limited habitat in the primary study area and no impacts on natural resources are expected under the proposed actions.

HAZARDOUS MATERIALS

Under the proposed actions, development could occur on sites that have the potential for adverse impacts due to potential presence of hazardous materials. These impacts could include the potential for impacts to the health and safety of workers (and the community) during construction, or the potential for impact on future residents or employees of individual buildings on these sites. These adverse impacts are principally associated with: auto-related, transportation, or utility uses on the development site or an adjacent site (e.g., garage, filling station, auto repair, substation); records of underground storage tanks or leaking underground storage tanks; records of spills of petroleum or chemicals on the development site or an adjacent site; and records of above ground storage tanks on the development site or an adjacent site.

For the sites concluded to have the potential for adverse impacts due to hazardous materials, an E-designation is proposed as part of the rezoning to avoid hazardous materials impacts. A listing of all properties subject to these E-designations and the applicable requirements is presented in Chapter 11, "Hazardous Materials."

WATERFRONT REVITALIZATION PROGRAM

The proposed actions would be consistent with citywide policies for fostering residential and commercial development, protecting scenic resources that contribute to the visual quality of the coastal area, and protecting sensitive natural and historic resources in the coastal area. Thus, the proposed East Village/Lower East Side Rezoning would be consistent with the City's 10 Waterfront Revitalization Program (WRP) policies and standards.

INFRASTRUCTURE

The incremental additional water usage as a result of the proposed actions is expected to total 279,826 gallons per day (gpd). This added demand represents an increase of 0.05 percent over the City's current daily water demand and is not expected to overburden the City's water supply system. In addition, all new development must comply with Local Law No. 29 of 1989 with respect to water conservation measures.

It is expected that there would be adequate treatment capacity at the Newtown Creek Water Pollution Control Plant (WPCP) to handle the increased sanitary flows from the RWCDS development. In the future with the proposed actions, average monthly flow of just less than 225 million gallons per day (mgd) would be within the permitted and design capacity of the Newtown Creek WPCP.

No measurable change in stormwater runoff from the new development as a result of the proposed actions is expected as projected development sites are already occupied by buildings or other impervious surfaces and new development would be required to comply with New York City Department of Environmental Protection (DEP) rules and regulations for detention.

Based on the analysis pursuant to the *CEQR Technical Manual*, it is concluded that the proposed actions would not result in significant adverse impacts to the local water supply, sanitary wastewater treatment, or stormwater management infrastructure systems.

SOLID WASTE

Development under the RWCDS would occur in an area that is currently served by the New York City Department of Sanitation (DSNY) residential trash and recycling pick-ups. The proposed actions would not adversely affect the delivery of these services, or place a significant burden on the City's Solid Waste Management Plan (SWMP). The net increase in solid waste to be collected by DSNY under the proposed actions is about 3.3 tons per day, which, when compared to the estimated 12,000 tons per day of residential and institutional refuse and recyclables collected by DSNY, is a minimal increase. Commercial waste would have a net decrease of about 3.5 tons per week.

In sum, given that there is an extensive system of solid waste collection and disposal services available to the study area for both residential solid waste services provided by DSNY and commercial/industrial collection provided by private carters, and that the net increments of solid waste under the proposed actions would be a minimal addition to the City's solid waste stream, it is concluded that the proposed actions would not adversely impact solid waste and sanitation services and would not conflict with the City's SWMP.

ENERGY

The proposed actions would create an increased demand on energy systems including electricity and gas. However, relative to the capacity of these systems and the current levels of service within New York City, these increases in demand are minor. Electrical and gas connections are readily available in the local streets. Any new development under the proposed actions would be required to comply with the New York State Conservation Construction Code. For these reasons, the proposed actions are not expected to adversely impact energy systems.

TRAFFIC AND PARKING

Neither the RWCDS nor the Inclusionary Alternative would generate enough vehicle trips to warrant the need for a detailed traffic study; as a result, both scenarios would not result in any significant adverse traffic impacts. Furthermore, the parking demand generated by development components of these scenarios could be accommodated by the existing parking supply and is not expected to result in a parking shortfall.

TRANSIT AND PEDESTRIANS

Neither the RWCDS nor the Inclusionary Alternative would generate enough subway, bus, or pedestrian trips to warrant the need for a detailed transit or pedestrian analysis; as a result, both scenarios would not result in any significant adverse transit and pedestrian impacts.

AIR QUALITY

The analyses conclude that the proposed actions would not result in any significant adverse air quality impacts on sensitive uses in the surrounding community, and the proposed actions would not be adversely affected by existing sources of air emissions in the secondary study area.

The proposed actions are not expected to significantly alter traffic conditions and the maximum hourly incremental traffic as a result of the proposed actions would not exceed the *CEQR Technical Manual* air quality screening threshold of 100 peak hour trips at nearby intersections in the secondary study area. Therefore, a quantified assessment of on-street mobile source emissions is not warranted.

The stationary source analyses determined that there would be no potential significant adverse air quality impacts from HVAC systems at the projected and potential development sites. At certain sites, E-designations would be mapped as part of the proposed zoning to ensure the developments would not result in any significant air quality impacts from HVAC emissions due to individual or groups of development sites.

NOISE

The proposed actions would not generate sufficient traffic to have the potential to cause a significant noise impact (i.e., it would not result in a doubling of passenger car equivalents [PCEs] which would be necessary to cause a 3 dBA increase in noise levels).

Ambient noise levels adjacent to the projected and potential development sites also were examined in order to address any noise attenuation requirements. The *CEQR Technical Manual* establishes building noise attenuation requirements, based on exterior (ambient) noise levels. These noise attenuation values are designed to achieve interior noise levels of 45 dBA or lower for residential buildings, Based on exterior $L_{10(1)}$ noise levels for the study area attenuation requirement are as follows: to achieve 25 dBA of building attenuation, double-glazed windows with good sealing properties as well as an alternate means of ventilation, such as well-sealed window air conditioning, are necessary; to achieve 30 dBA of building attenuation, double-glazed windows with good sealing properties as well as alternate means of ventilation, such as well sealed through-the-wall air conditioning, are necessary; to achieve 35 dBA of building attenuation, double glazed windows with good sealing properties as well as alternate ventilation such as central air conditioning, are necessary; and to achieve 40 dBA of building attenuation, special design features that go beyond the normal double-glazed window and central air conditioning are necessary, which may include using specially designed windows (e.g., windows with small sizes, windows with air gaps, windows with thicker glazing, etc.), and additional building insulation.

To ensure that interior noise levels for future buildings meet the above requirements, E-designations would be placed on properties that require this noise attenuation. A listing of all properties subject to E-designations and the applicable requirements are presented in Appendix G.

CONSTRUCTION IMPACTS

Construction-related activities resulting from the proposed actions are not expected to have any exceptional or long-term significant adverse impacts other than those relating to historic resources (see the discussion above under "Historic Resources"). These impacts cannot be mitigated because the projected and potential development sites are privately owned and could be redeveloped as of right under the proposed actions. The construction process in New York City is regulated to ensure that construction period impacts are eliminated or minimized. The construction process requires consultation and coordination with a number of City and/or State agencies, including DOB, New York City Department of Transportation (DOT), DEP, and New York State Department of Environmental Conservation (NYSDEC) (where applicable), among others. For these reasons, with the exception of historic resources, no significant adverse impacts are expected with respect to construction.

PUBLIC HEALTH

The *CEQR Technical Manual* states that a public health assessment should provide a thorough consideration of potential public health issues. This DEIS considered potential public health

impacts due to air quality, hazardous materials, solid waste management, odors, and noise. The proposed actions would not have any significant adverse impacts in any of these areas and would also use E-designations to avoid impacts associated with hazardous materials, air quality, and noise. Thus, the proposed actions would not have any significant adverse public health impacts.

D. UNAVOIDABLE ADVERSE IMPACTS

HISTORIC RESOURCES

ARCHAEOLOGICAL RESOURCES

Development is expected to occur on twenty-one potential development sites (plus parts of two more) where there is a potential for disturbance of archaeological resources. Resources within portions of the project sites where new construction could occur, absent prior disturbance, would be adversely impacted by new construction. This would constitute a significant adverse impact. Common mitigation measures (e.g., redesigning a project so that it does not disturb the resource fieldwork/field-testing, data recovery, curating artifacts) are applicable or practical for the proposed actions, because the affected lots are privately owned. As such, impacts at these potential development sites are considered to be an unmitigated and unavoidable adverse impact of the proposed actions.

ARCHITECTURAL RESOURCES

The proposed action would result in unmitigated and unavoidable adverse impacts on thirty-nine architectural resources that could be removed or altered for potential development or potential enlargements. In addition, the proposed action could result in unmitigated and unavoidable adverse contextual and visual impacts on five architectural resources. Because future private development on these sites would occur as-of-right under the proposed rezoning, there are no mechanisms for developing and implementing mitigation measures.

E. ALTERNATIVES

A number of alternatives to the proposed East Village/Lower East Side Rezoning were examined, as follows:

- No Action Alternative, which assumes no area-wide rezoning or any elements of the proposed actions;
- No Impact Alternative;
- Lesser Density Alternative; and
- R7A/C6-3A with Inclusionary Alternative.

The development scenario for each alternative is summarized in Table S-2. As summarized in the table, the total net number of dwelling units would vary with each of the identified alternatives.

Table S-2
Summary of Development Under Alternatives

Analysis Scenario	Total Projected Development		
	Commercial Square Feet	Dwelling Units	Affordable Dwelling Units
Proposed Actions	376,489	3,650	348
No Action Alternative	450,929	2,290	0
No Impact Alternative	338,254	3,240	303
Lesser Density Alternative	415,617	3,232	343
R7A/C6-3A with Inclusionary Alternative	396,863	3,918	456

NO ACTION ALTERNATIVE

The No Action Alternative assumes that the proposed zoning changes and other land use actions are not implemented (e.g., zoning map amendment, zoning text amendments, and disposition). This alternative is discussed and analyzed as "The Future Without the Proposed Actions" in each of the technical areas of Chapters 2 through 21 and compares conditions under the No Action Alternative with conditions with the proposed actions. Conditions under this alternative are summarized below and compared with those of the proposed actions.

LAND USE, ZONING, AND PUBLIC POLICY

Under the No Action Alternative, it is anticipated that the project area would experience modest growth in residential and ground floor commercial uses. In the future without the proposed actions, there would be approximately 1,383 fewer housing units, no affordable units and somewhat more commercial space. In comparison to the proposed actions, no significant adverse impacts expected under the proposed actions on land use, zoning and public policy; however, there would be additional housing and the provision of affordable housing in the project area. Under this alternative, new housing and inclusionary housing developed under the proposed actions would not occur and there would not be new zoning that targets growth towards appropriate areas consistent with the existing built context while protecting moderate density and contextual areas. Under this alternative, development could occur throughout the project areas under the current mix of R7-2 and C6-1 zoning districts that cover much of the project areas as site assemblages become available. Development could also occur at the densities and scale that are currently allowed under these zoning districts. Thus, the benefits of the proposed actions with respect to preservation of existing contextual neighborhoods would be foregone as would the proposed inclusionary housing zoning which would target development along the major transportation corridors. The protection of existing legal non-conforming commercial uses would not be provided.

The benefits expected to result from the proposed actions—including increased density along wider streets and avenues, such as East Houston, Delancey, and Chrystie Streets as well as Second Avenue with new residential uses and inclusionary housing directed to the area's major corridors—would not be realized under this alternative. In addition, conditions at the HPD site which currently are underutilized could be improved to only provide a maximum of 24 market rate units and 7,844 square feet of commercial would not be improved to provide more housing and affordable units, i.e., the 116 total units and 23 affordable units of the proposed project.

Absent the proposed actions, it is anticipated that development would occur on most of the projected development sites, resulting in a total of 2,290 dwelling units and 450,929 square feet of commercial space. In addition, neither the No Action Alternative or the proposed actions would result in any indirect impacts on residential displacement or significantly alter the socioeconomic composition of the study area including local population or household characteristics. Under this alternative, added residential development anticipated under the proposed actions would not occur and the affordable housing element would be foregone. Thus, this alternative would not further the City's goals of providing significant new opportunities for residential growth with enhanced neighborhood commercial development in areas where appropriate development can occur.

SOCIOECONOMIC CONDITIONS

This alternative would also not result in the displacement of 10 businesses on projected development sites affecting an estimate total of 61 employees in the retail, office and commercial art sectors. However, this impact is minor given the overall employment in the area and would be offset by the commercial development anticipated under the proposed actions. No unique businesses would be displaced nor would loss of the affected business significantly affect the local neighborhood character. Likewise, the proposed actions are not expected to adversely impact the Lower East Side Business Improvement District or result in any adverse indirect impacts on local businesses nor would there be any impacts on specific industries. Thus, economic conditions under the proposed actions would not be significantly different from that under this alternative, although there would be a slight reduction in the amount of commercial space. However, the proposed zoning also recognizes the preservation of existing non-conforming commercial uses as well. Under this No Action Alternative, these zoning update would not occur.

COMMUNITY FACILITIES

Neither this alternative nor the proposed actions would impact libraries, health care or day care facilities. Although the proposed actions would introduce new residents to the East Village and Lower East Side neighborhoods, no significant adverse impacts on community facilities and services would be expected. The proposed actions would generate approximately 152 new elementary and 31 new intermediate school children in the primary study area, for a total of 183 new elementary and intermediate school students combined. Even with this increased enrollment, the public elementary and intermediate schools serving the primary study area in Zones 2 and 3 of CSD 1, and CSD 1 as a whole would continue to operate with available capacity. While elementary and intermediate schools serving the primary study area in Zone 1 of CSD 2, and CSD 2 as a whole would continue to operate above capacity under both the proposed actions and the No Action Alternative, the increase in the deficiency of seats from conditions in the future without the proposed actions would be less than the *CEQR Technical Manual* threshold value of 5 percent. Therefore, conditions under the No Action Alternative would not be significantly different from that under the proposed actions with respect to public elementary and intermediate schools.

OPEN SPACE

The open space analysis for the proposed actions concluded that there would not be any direct or indirect adverse impacts on open space resources in the residential study area. Under both the No Action Alternative and the proposed actions, open space ratios for residents and non-residents

within the study area currently would fall short of DCP guidelines. With respect to differences in open space ratios between this No Action Alternative and the proposed actions, the total open space, active open space, and passive open space ratios for residents, the passive open space ratio for non-residents, and the combined passive open space ratio for both residents and non-residents would be the same under both conditions. With respect to active open space, while under the open space ratios under the proposed actions would not change and would not result in any significant adverse impacts on open space resources. This conclusion is based on a number of qualitative factors with respect to the open space needs of the local population, including the diversity of the local open space resources within the study area (e.g., playgrounds, courts, fields, paths, and grassy areas) and the range of study are private open space facilities and spaces that are not generally accessible to the public, but exist to serve the existing population. These open spaces, which were not counted in the inventory, include school playgrounds, private housing developments, community gardens, and New York University (NYU) facilities. In consideration of these factors, although the active open space ration would decline, it would not be a significant impact of the proposed actions. Thus, open space conditions under the proposed actions would not be significantly different from conditions under this No Action Alternative.

SHADOWS

Development as a result of the proposed actions would cast new shadows throughout the year on some of the existing open spaces in the primary study area. However, these incremental shadows (i.e., additional shadow beyond what would occur under this the No Action Alternative) would have significant adverse impacts on only one publicly accessible open space: the Orchard Alley Garden between East 3rd and 4th Streets and Avenues C and D. The remaining open spaces and historic resources in the study area would not be significantly affected or affected by these incremental shadows. Thus, under this alternative, neither the impact on this open space nor the proposed mitigation for the shadow impacts would occur.

HISTORIC RESOURCES

Under the No Action Alternative, it is assumed that development would occur throughout the project area on some of the projected and potential development sites in accordance with existing zoning. Of the sites that are expected to be redeveloped absent the proposed actions, 42 are potentially sensitive for archaeological resources, and development of these sites would likely disturb or destroy any archaeological resources located on them.

Under the proposed actions, there is the potential for significant adverse direct impacts on up to fourteen known architectural resources and up to twenty-three potential architectural resources. Thirteen potential resources are located on potential development sites and could be directly impacted under the proposed actions. Eighteen resources are located on potential enlargement sites and could be inappropriately altered under the proposed actions. In addition, there is one projected enlargement site located within the potential Tompkins Square Park Historic District, fifteen potential enlargement sites located within the potential Tompkins Square Park Historic District, and eight potential enlargement sites located within the potential East 6th Street Historic District. However, under the No Action Alternative similar direct impacts could occur.

With respect to indirect (contextual) impacts, it is not anticipated that the proposed actions would have adverse visual or contextual impacts on the majority of architectural resources, since development under the proposed actions would not eliminate or screen publicly accessible views of a resource, introduce an incompatible visual, audible, or atmospheric element to a resource's

setting, and (as discussed above) there would not be any significant adverse shadow impacts on a historic resource containing sun-sensitive features. However, development under the proposed actions could result in significant adverse contextual impacts a number of potential resources including the row houses at 30-38 East 3rd Street, 258-266 East 7th Street, and the row house at 217 East 7th Street (the latter is part of a potential development sites), as well as the row house at 263 East 7th Street, and the blockfront at 164-180 First Avenue, where there are potential enlargement sites. In addition, enlargements within the potential Tompkins Square Park and East 6th Street Historic Districts could have adverse visual and contextual impacts on the historic districts. However, similar contextual impacts could occur under the No Action Alternative although to a lesser degree and scale. Under the No Action Alternative, there would also not be the zoning proposal that would shift the development density towards more appropriate wider streets and transportation corridors thereby protecting designated and potential historic resources in the lower scale residential areas.

URBAN DESIGN AND VISUAL RESOURCES

Under both the proposed actions and this No Action Alternative, there would not be any changes to topography, natural features, street hierarchy, block shapes, or building arrangements, and neither this alternative nor the proposed actions would affect the overall street grid or have a significant adverse impact on urban design features of the area. In addition, the proposed actions are not expected to have any significant adverse impacts on the visual resources of the primary study area. Development of projected and potential sites on existing blocks and lots and new buildings under the proposed actions would not block any significant view corridors, views of visual resources, or limit visual access to any resources. As there would be limited development of modestly-sized buildings in the immediate vicinity of most of the visual resources, the settings and views of those resources would not be expected to change dramatically. Views along the area's major corridors would change, as these corridors are developed with new buildings of density similar to existing buildings, but no views would not be blocked, new buildings would frame existing views, and views throughout the primary study area would continue to be of mixed-use urban neighborhoods composed of a wide array of buildings of various heights, sizes, uses, and styles. Therefore, under the proposed actions there would not be any significant adverse changes in views and viewshed conditions from conditions under this No Action Alternative.

However, the proposed actions would affect the local streetscape and building use and bulk within primary study area in a positive way. For example, it is expected that local streetscapes would be improved as development replaces parking lots, one- and two-story non-descript commercial and vacant buildings, and vacant lots with infill buildings or enlargements that would reinforce existing residential streetscape patterns. Within the proposed rezoning area, urban design provisions of the proposed zoning districts would create lively ground-floors with retail; create consistent street walls that would frame views along major corridors; improve the existing streetscape and provide pedestrian amenities in specified locations that would include widened sidewalks, lighting, seating, and street trees. While these benefits would also occur under the No Action alternative, they would be expanded and enhanced under the proposed actions. Thus, in this No Action Alternative, these added benefits are foregone.

Throughout the entire primary study area, the mix of building types and uses that is expected under the proposed actions would be in keeping with the diversity of existing building types and uses that define the wide streets and avenues of the area. In contrast, under the No Action Alternative, development that could occur under the current zoning has the potential for

contextual impacts in these local neighborhoods and would not be concentrated along wide transportation corridors. Thus, the benefits of the proposed actions with respect to neighborhood preservation and concentrating new development in appropriate areas would not occur under this No Action Alternative.

NEIGHBORHOOD CHARACTER

Under the proposed actions there would not be any adverse impacts on neighborhood character with respect to land use. The proposed actions would not directly displace any land uses that would adversely affect the neighborhood nor would they generate land uses that are incompatible with the community or result in land uses that conflict with public policies affecting the community. The proposed actions would also not result in significant adverse socioeconomic impacts including direct residential displacement, direct business and institutional displacement, indirect residential displacement, indirect business and institutional displacement, nor would there be any adverse effects on specific industries. Only limited additional impacts to historic architectural and archaeological resources beyond what would occur in the No Action alternative would occur under the proposed actions.

In contrast, unlike the No Action Alternative, the proposed actions are expected to result in new residential development at a scale compatible with the existing established medium-density residential neighborhoods, preserving the neighborhood's low-rise character and sky exposure. In addition, unlike the No Action Alternative, the proposed rezoning would reverse the trends of recent tall, out-of-scale development in the project area that conflicts with the urban design and visual character of this area. As such, the proposed actions would not result in any significant adverse impacts on the neighborhood with respect to neighborhood character, but would have positive impacts.

NATURAL RESOURCES

Neither the No Action Alternative nor the proposed actions would result in significant adverse impacts on natural resources or water quality.

HAZARDOUS MATERIALS

Under the No Action Alternative, construction of new buildings for as-of-right uses under the current zoning may occur with less regulatory oversight, such that residual contamination could be encountered by construction workers or general public. It is assumed under this alternative that all construction activities with respect to the removal or handling of hazardous materials would be conducted in accordance with applicable state and federal requirements. However, while a greater intensity of construction would occur under the proposed actions, in most cases, this additional construction would occur above grade, so no additional soil disturbance would occur on these sites. Nonetheless, the proposed actions would result in construction on some sites that potentially have hazardous material issues and would not be disturbed under this No Action Alternative. On these sites, the proposed actions include E-designations that avoid impacts. With the proposed E-designations, development sites that were previously impacted by hazardous materials are required to perform subsurface investigations, tank removals, remediation, asbestos abatement, and prepare construction health and safety plans in accordance with a DEP approved site-specific Sampling and Remediation Work Plan. Under the No Action alternative, some of these requirements would be met through the applicable state and federal requirements as well as local laws regarding asbestos and lead paint abatement. Under this alternative, there would not be the added protections of the E-designations.

WATERFRONT REVITALIZATION PROGRAM

The No Action Alternative would also be consistent with the policies of the city's coastal zone. Thus, in neither this alternative nor the proposed actions is there an impact or conflict with the City's Waterfront Revitalization Program.

INFRASTRUCTURE, SOLID WASTE, AND ENERGY

Under this No Action Alternative, increased demands on infrastructure including water supply and sanitary wastewater treatment would be less than under the proposed actions. There would also be less increased demand for solid waste, sanitation, and energy services under this alternative as compared to the proposed actions. However, neither this alternative nor the proposed actions would cause significant infrastructure impacts.

TRAFFIC AND PARKING

Under the proposed actions there would be additional residential and commercial development with a total of approximately 1,040 total peak hour person trips and 100 peak hour vehicle trips. In assigning these trips to local streets, fewer than 50 peak hour vehicle trips would occur at any intersection. As a result, no significant adverse traffic impacts would occur under the proposed actions. Thus, while these vehicular trips would not occur under the No Action Alternative, traffic conditions on local streets would not be significantly different between the proposed actions and this No Action Alternative.

Under the proposed actions, the projected development was aggregated to account for the increase in residential development and hourly trips were projected using the same assumptions as used for determining the numbers of vehicular trips. In addition, there would be 77 additional off-street parking spaces under the development assumed with proposed actions, beyond what is projected under the No Action Alternative. The results of the parking analyses show that the capacity of the off-street facilities would increase to 8,459 spaces under the proposed actions. Based on projected future parking demands and supplies, there would be an occupancy level in off- street parking of about 72 percent in the AM period (compared to 71 percent under the future No Action Alternative), 88 percent in the midday period (which is the same under the No Action Alternative) and 81 percent in the PM period (compared to 79 percent under the No Action Alternative). This is the equivalent of about 2,370 unoccupied off-street parking spaces available at local parking lots and garages, compared to about 2,450 unoccupied spaces under the No Action Alternative. This would decrease to about 980 spaces during the midday period (compared to about 1,000 spaces under the No Action Alternative). During the PM period there would be about 1,650 unoccupied spaces would exist as compared to about 1,800 unoccupied spaces under the No Action Alternative.

Three of the eight zones analyzed in this EIS would have a daytime shortage of off-street parking that could be accommodated at other off-street parking facilities in the study area and in an adjacent zone. Therefore, under the proposed actions, off street parking conditions would not be significantly different from conditions under the No Action Alternative.

With respect to on-street parking, under the No Action Alternative, on-street parking would be about 90 to 100 percent occupied during the weekday peak hours. For the overnight condition, under the proposed actions, the on-street parking would be fully utilized. For the overnight period, under the proposed actions, the overnight on-street parking demand is estimated to be approximately 16,450 vehicles (compared to 16,200 vehicles under the No Action Alternative)

with an occupancy of about 85 percent (compared to 84 percent under the No Action Alternative). Therefore, overnight parking could be accommodated under both the proposed actions and this alternative and no impact would occur.

TRANSIT AND PEDESTRIANS

The proposed actions would result in a total of approximately 1,040 total person trips, with 460 subway trips, and 110 bus trips beyond what would occur under the No Action Alternative. Because these additional trips would be dispersed within a large rezoning area and among 12 subway stations, 9 local bus routes, and hundreds of sidewalks, crosswalks, and corners reservoirs, a screening analysis was performed fro potential impacts under the proposed actions. The assignment of subway and bus trips were conducted under a methodology similar to traffic, with trip allocations to eight designated zones in the primary study area including the peak hour transit trips estimated for the projected increase in residential units, but conservatively not including the anticipated decrease in commercial development. Based on these assumptions, the proposed project would yield a maximum single station increment of 118 subway trips at the Delancey/Essex Street Station beyond what would occur under the No Action Alternative. This is not a significant increase in subway trips at a station and a detailed analysis of subway impacts was not necessary for the proposed actions. Therefore, it is concluded that subway conditions under this No Action Alternative would not be significantly different from conditions under the proposed actions.

Under the proposed actions there would be an additional 123 PM peak hour bus only trips, resulting in a maximum single route increment of 33 trips on the M15 bus. Accounting for bus to bus and bus to subway transfers, the total projected AM and PM peak hour bus trip increments under the proposed project were estimated to amount to 411 trips. However, spread among the 9 study area bus routes, the maximum PM peak hour single route increments would be 88 trips on the M14D route. Because this increment is below the CEQR threshold necessary for performing a detailed analysis of bus line-haul conditions, it is concluded that conditions under the proposed actions would not be different from this No Action Alternative.

A detailed pedestrian analysis would be required if the proposed actions were expected to result in 200 or more peak hour trips at sidewalks, corners, and crosswalks near the RWCDS development sites. Based on the residential trip generation estimates for the proposed actions, each residential dwelling unit would yield a maximum of approximately 0.9 person trips during a peak hour. Since the incremental auto and taxi trips would mostly originate or terminate proximate to the projected development sites, the net pedestrian trips expected to travel on the general pedestrian network are primarily those made by other modes. Hence, each dwelling unit would generate a maximum of approximately 0.8 pedestrian trips during a peak hour. A review of the locations and sizes of the specific development sites was performed for clusters of development. Since no clusters would result in 200 or more pedestrian trips at nearby sidewalks, corners, and crosswalks, and there would also not be 200 or more pedestrian trips generated at any of the 12 study area subway stations, it was concluded that the proposed actions would not result in any significant impacts no pedestrian conditions, Thus, conditions under the proposed actions would not be significantly different from those under the No Action Alternative.

AIR QUALITY

With respect to mobile sources, the proposed actions would not generate enough vehicle trips at any location that would significantly impact air quality. Thus, no violations of the National

Ambient Air Quality Standards (NAAQS) are predicted to occur under the proposed actions and neither the proposed actions nor the No Action Alternative would result in any impacts from mobile sources. Under the proposed actions, additional pollutant emissions could result from heating systems. Similarly, under the No Action Alternative, additional development could result in impacts due to the proximity to existing industrial sources of emissions, since there would not be a mechanism to protect future residents from potential emissions. In contrast, under the proposed actions, these impacts are avoided with the protections provided through the E-designations, which would specify the type of fuel to be used or the distance that the vent stack on the building roof must be from its edge.

NOISE

Under the proposed actions, noise emissions from mobile sources would not increase significantly from the conditions under the No Action Alternative. With respect to ambient noise, under the No Action Alternative, additional development could be impacted due to the existing ambient noise levels that could result in interior noise levels for residential buildings above the CEQR since no attenuation is required (under the No Action Alternative, there would not be a mechanism to require this attenuation). However, under the proposed actions, noise attenuation requirements are written into the proposed E-designations that would be incorporated into the proposed zoning. Therefore, new development under the proposed actions would avoid this impact while development under the No Action alternative would not have these protections.

CONSTRUCTION IMPACTS

Because the amount of new construction under this alternative would be less as compared with the proposed actions, the No Action Alternative would not generate as much temporary construction disruption. However, construction-related impacts on historic archaeological and architectural resources would be similar since the same sites would be impacted with the exception of twenty-three archaeology sites that would be impacted by the proposed actions, but not this alternative. The No Action Alternative would also result in slightly less duration of construction-related noise and traffic than the proposed actions. However, neither this alternative nor the proposed actions would result in significant adverse impacts on air quality, noise, traffic, or transit during construction.

PUBLIC HEALTH

Neither the proposed actions nor the No Action Alternative would result in significant adverse public health impacts.

NO IMPACT ALTERNATIVE

It is the City's practice to include, whenever feasible, a No Impact Alternative that avoids, without the need for mitigation, all significant environmental impacts of the proposed action. As presented in Chapters 2 through 21, the proposed actions is anticipated to result in a significant adverse impact in the following technical areas: shadows (a significant adverse impact on only one publicly accessible open space, the Orchard Alley Garden between East 3rd and 4th Streets and Avenues C and D; archaeology (site disturbance) and historic resources. To entirely avoid these potential significant adverse impacts, this alternative would require: a substantial reduction in the number of development sites, dwelling units and commercial spaces to avoid impacts on archaeological sites; a substantial reduction in the number of development sites, dwelling units and

commercial spaces to avoid impacts on historic resources, including both direct and indirect impacts on listed and potentially eligible historic architectural resources; for the Orchard Alley Garden, building heights at Projected Development Sites 165, 167, and 169 would need to be reduced so that no additional shadow falls over this open space, thereby eliminating a number of affordable housing units. Therefore, while this No Impact Alternative would avoid significant adverse impacts, it would not meet the goals and objectives of the proposed actions. By reducing the number of development sites and overall development program, this alternative would fail to meet the project goals of supporting the development of new housing and affordable housing in the project area while protecting existing neighborhoods and neighborhood context.

LESSER DENSITY ALTERNATIVE

This Lesser Density Alternative was developed for the purposes of assessing whether lower density development would result in impacts substantially different from those of the proposed actions while also meeting the goals of the proposed actions. Table S-5 shows the development program under this alternative. Under the Lesser Density Alternative, development would occur on the same projected and potential development sites as the proposed actions, but with lower bulk. Under the assumptions of the Lesser Density Alternative there would be 3,232 total dwelling units of which 343 would be affordable units. Thus, the Lesser Density Alternative would result in a reduction of about 391 dwelling units as compared with the proposed action. The reduction in commercial floor area would be less where the proposed actions reduces commercial floor area by about 74,400 square feet this alternative would reduce commercial floor area by about 39,127 square feet.

A comparison of conditions under this alternative with the proposed actions is presented below. It is noted that for CEQR impact areas that are density-related (e.g., open space, traffic, community facilities, etc.), the effects of this alternative are reduced in magnitude since there are fewer dwelling units and therefore fewer residents than under the proposed action. However, since the projected and potential development sites for the Lesser Density Alternative are the same as for the proposed action, site-specific impacts (e.g., hazardous materials, archaeology) are the same under both scenarios.

LAND USE, ZONING, AND PUBLIC POLICY

Like the proposed actions this alternative would not result in any significant adverse impacts on land use, zoning, or public policy and the land use effects under this alternative would be essentially the same. Under this alternative, however, the benefits of an expanded housing program would be reduced. Thus, although this alternative would increase the supply of housing available in New York City, which is consistent with City housing policy, that additional housing would not be as extensive as under the proposed actions. This alternative, however, would further support city policies aimed at increasing the supply of affordable housing.

SOCIOECONOMIC CONDITIONS

Like the proposed actions, this alternative would not result in any new significant adverse impacts on socioeconomic conditions. Instead, as described below, this alternative would expand the opportunity for additional housing and affordable housing within the area of the proposed actions, although the total number of housing units as compared with the proposed actions would be less. Like the proposed actions, by encouraging the development of additional affordable housing this alternative would serve to support housing growth and affordable housing in the project area. The additional housing units would provide added supply to meet the increasing

housing demands in New York City, although there would be about 391 fewer units than under the proposed actions. Thus, the beneficial socioeconomic effects of an increased housing supply as would occur under the proposed actions would not be as substantial under this alternative. Under the proposed actions, with more residential units, the market would be more able to meet the long-term demand for new housing, and with an affordable housing component, the proposed actions would allow the project area to retain a greater diversity of housing types and household incomes. This alternative would, however, reduce the number of market rate units.

Other socioeconomic effects would be similar under this alternative and the proposed actions, although the reduced number of residential units would generate somewhat less new development with the accompanying additional construction employment as compared with the proposed actions. The effects of this alternative on direct residential displacement, direct and indirect business displacement, and specific industries would be the same as the proposed actions (i.e., no significant adverse impacts). In sum, both the proposed actions and this alternative would result in no significant adverse impacts associated with direct displacement or indirect business displacement, and would expand the housing opportunities, with the proposed actions providing about 12 percent more market rate housing than the proposed actions.

COMMUNITY FACILITIES

Neither this alternative nor the proposed actions would impact libraries, health care, or day care facilities. Although the proposed actions would introduce new residents to the East Village and Lower East Side neighborhoods, no significant adverse impacts on community facilities and services would be expected. The proposed actions would generate approximately 152 new elementary and 31 new intermediate school children in the primary study area, for a total of 183 new elementary and intermediate school students combined. This alternative would generate approximately about 134 new elementary school students and about 27 new intermediate school children in the primary study area, for a total of about 161 new school students at these levels. However, as with the proposed actions, even with this increased enrollment, the public elementary and intermediate schools serving the primary study area in CSD 1, Zones 2, and 3 and CSD 1 as a whole would continue to operate with available capacity. While elementary and intermediate schools serving the primary study area in CSD 2, Zone 1, and CSD 2 as a whole would operate above capacity under both the proposed actions and this alternative, the increase in the deficiency of seats (above that under the future without the proposed actions conditions) would be less than the *CEQR Technical Manual* threshold value of 5 percent and would be less under this alternative than under the proposed actions. However, no significant impacts on public elementary and intermediate schools would occur as a result of either the proposed actions or this alternative.

Table S-5
Summary of EV/LES Rezoning RWCDS Lesser Density Alternative

		Build				No-Build				Increment			
District Description	Sites (Count)	Commercial Floor Area	Residential Floor Area	Dwelling Units	Affordable Dwelling Units	Commercial Floor Area	Residential Floor Area	Dwelling Units	Affordable Dwelling Units	Commercial Floor Area	Residential Floor Area	Dwelling Units	Affordable Dwelling Units
PROJECTED SITES													
Proposed C4-4A	28	70,090	259,746	260	0	122,378	187,273	187	0	-52,288	72,473	72	0
Proposed C6-2A*	30	125,797	939,781	940	188	147,948	361,162	361	0	-22,150	578,619	579	188
Proposed R7A	26	87,998	399,926	400	0	87,998	331,617	332	0	0	68,309	68	0
Proposed R7B	64	35,312	858,640	859	0	0	1,025,065	1,025	0	35,312	-166,425	-166	0
Proposed R8A*	27	57,293	773,522	774	155	57,293	339,652	340	0	0	433,870	434	155
TOTAL PROJECTED	175	376,491	3,231,615	3,232	343	415,617	2,244,768	2,245	0	-39,127	986,847	987	343
POTENTIAL SITES													
Proposed C4-4A	13	64,102	72,078	72	0	30,492	84,685	85	0	33,609	-12,607	-13	0
Proposed C6-2A*	21	56,599	422,827	423	85	117,764	130,129	124	0	-61,165	292,699	298	85
Proposed R7A	14	24,898	210,690	211	0	24,915	182,836	182	0	-17	27,854	28	0
Proposed R7B	20	5,243	238,420	238	0	0	279,400	279	0	5,243	-40,980	-41	0
Proposed R8A*	18	23,149	258,256	258	52	13,958	110,423	116	0	9,191	147,833	142	52
TOTAL POTENTIAL	86	173,991	1,202,272	1,202	136	187,130	787,472	787	0	-13,139	414,799	415	136
GRAND TOTAL	261	550,481	4,433,887	4,434	479	602,747	3,032,240	3,032	0	-52,266	1,401,646	1,402	479

OPEN SPACE

The open space analysis for the proposed actions concluded that it would not result in any significant direct or indirect significant adverse impacts on open space resources in the residential study area. Open space ratios for residents and non-residents within the study area currently fall short of DCP guidelines and would continue to do so under both the proposed actions and this Lesser Density Alternative. In this study area, the total open space, active open space, and passive open space ratios for residents, the passive open space ratio for non-residents, and the combined passive open space ratio for both residents and non-residents would all remain the same under the proposed actions and this alternative. Therefore, neither the Lesser Density Alternative nor the proposed actions would result in any significant adverse impacts on open space resources. As described above, this conclusion is based on a number of qualitative factors including the demographics of the local population, the diversity of the local open space resources in the study area (e.g., playgrounds, courts, fields, paths, and grassy areas), the range of private open space facilities in the study area that meets local needs, and the active spaces that are not publicly accessible and therefore not included in the in the study area inventory, but which provide active open space for the study area populations school playgrounds, facilities in private housing, community gardens, and NYU facilities. It is therefore concluded that neither this alternative nor the proposed actions would result in any impact in open space resources.

SHADOWS

Development as a result of both the proposed actions and this alternative would cast new shadows at times throughout the year on some of the existing open spaces in the study area. However, like the proposed actions, under this alternative, these incremental shadows (i.e., the additional shadow beyond what would occur under the current zoning) would have significant adverse impacts on one publicly accessible open space: the Orchard Alley Garden between East 3rd and 4th Streets and Avenues C and D. The remaining open spaces and historic resources in the study area would not be significantly affected or affected at all. Thus, under this alternative, as under the proposed actions, neither the impact nor the proposed mitigation for the shadow impacts local open spaces would occur.

HISTORIC RESOURCES

Under this alternative, it is assumed that development would occur on the same projected and potential development sites as the proposed actions. Of the sites, twenty-three are potentially sensitive for archaeological resources, and development of these sites would likely disturb or destroy any archaeological resources located on them. Thus, the impacts under this alternative would be the same as the proposed actions.

Since it is assumed that development would occur on the same projected and potential development sites as under the proposed actions, there would be a similar potential under this alternative for significant adverse direct impacts on up to fourteen known architectural resources and on up to twenty-three potential architectural resources. In addition, like the proposed actions, thirteen resources are located on potential development sites and eighteen resources are located on potential enlargement sites and could be inappropriately altered. In addition, there is one projected enlargement site located within the potential Tompkins Square Park Historic District, fifteen potential enlargement sites located within the potential Tompkins Square Park Historic District, and eight potential enlargement sites located within the potential East 6th Street Historic District.

It is not anticipated that development under this alternative or the proposed actions would have adverse visual or contextual impacts on the majority of architectural resources. New development under either scenario would not eliminate or screen public views of a resource, introduce an incompatible visual, audible, or atmospheric element to a resource's setting, or result have any shadow impacts on a historic resource with sun-sensitive features. However, under both the proposed actions and this Lesser Density Alternative, there could be significant adverse visual and contextual impacts a number of row houses at 30-38 East 3rd Street, 258-266 East 7th Street, and the row house at 217 East 7th Street, which is located on a potential development sites, as well as the row house at 263 East 7th Street, and the blockfront at 164-180 First Avenue, where there are potential enlargement sites. In addition, enlargements within the potential Tompkins Square Park and East 6th Street Historic Districts could have adverse visual and contextual impacts on the historic districts.

URBAN DESIGN AND VISUAL RESOURCES

Neither this alternative nor the proposed actions would have significant adverse impacts on the urban design and visual resources of the study area. Neither scenario results in any changes in topography, natural features, street hierarchy, block shapes, or building arrangements, and neither would affect the overall street grid of the study area or have a significant adverse impact on urban design features of the study area.

In addition, neither scenario would have any significant adverse impacts on the visual resources of the study area. Construction of new buildings on existing blocks and lots and new buildings under the both scenarios would not block any significant view corridors or views of visual resources. There would be controlled development of modestly-sized buildings in the vicinity of study areas contextual neighborhoods. Therefore, the settings and views of these resources would not change dramatically. Views along the area's major corridors (e.g., Houston Street) would change, as these corridors are developed with new buildings of higher density. However the building height and setbacks in this area would be the same as under the proposed actions (maximum height of 80 feet). While this alternative could potentially reduce density in these areas, similar to the proposed actions, no public views would be blocked, new buildings would frame existing views, and views throughout the primary study area would continue to be of mixed-use urban neighborhoods composed of a variety of buildings of various heights, sizes, uses, and styles.

Both this alternative and the proposed actions would affect the streetscape and building use, bulk, and type of the study area in a positive way. For example, it is expected that local streetscapes would be improved as development replaces parking lots, one- and two-story non-descript commercial and vacant buildings, and vacant lots as most new development would be infill buildings or enlargements that would reinforce existing residential streetscape patterns. Within the proposed rezoning area, urban design provisions of the proposed zoning districts would create lively ground-floors with retail; create consistent street walls that would frame views along major corridors; improve the existing streetscape and provide pedestrian amenities in specified locations that would include widened sidewalks, lighting, seating, and street trees.

In addition, although both development scenarios would facilitate the construction of higher-density uses along the major transportation corridors, it is not expected that there would be any significant adverse impacts to building bulk, use, and type. Throughout the entire primary study area, the mix of building types and uses that is expected under the proposed actions would be in keeping with the diverse range of existing building types and uses that define the wide streets

and avenues of the surrounding area. In addition, both scenarios would protect the built context of the neighborhoods on the side local streets and the neighborhood scale away from the wide streets and corridors.

NEIGHBORHOOD CHARACTER

Under both this alternative and the proposed actions, no adverse impacts on neighborhood character would occur with respect to land use. Neither build condition would directly displace any land uses to the extent that the neighborhood would change nor would either build condition create land uses that are incompatible with the neighborhood or contrary to public policies for the study area. Neither build condition would result in any significant adverse socioeconomic impacts such a direct residential displacement, direct business and institutional displacement, indirect residential displacement, indirect business or institutional displacement, or have any adverse effects on specific industries. Both would have limited additional impacts to historic architectural and archaeological resources, but both conditions are expected to result in new residential development at a scale generally compatible with the existing established medium-density residential neighborhoods, preserving the neighborhood's low-rise character and sky exposure. In addition, both rezoning objectives would attempt to reverse the trends of recent tall, out-of-scale development such as the tall buildings that have been developed south of East Houston Street, altering the visual scale of this area. Under both the proposed actions and this Lesser Density Alternative, the major transportation corridors across the study area would be developed with higher density buildings, but the low- to mid-rise character of the midblocks would be preserved. In controlling this development in the study area, and targeting growth toward appropriate areas, neither this Lesser Density Alternative nor the proposed actions would result in any significant adverse impact on the neighborhood with respect to urban design.

Neither this alternative nor the proposed actions would generate enough vehicle trips that would result in any adverse effects on neighborhood traffic or noise. In addition, neither build condition adversely impacts neighborhood transit or pedestrian facilities.

Moreover, both the proposed actions and this alternative would reduce the allowable development available for commercial hotel buildings in the study area and would encourage residential development with ground floor retail in its place. Thus, the zoning in both scenarios would create a framework that is responsive to the uses present in the study area and compatible with the existing zoning designations in the surrounding areas and would also reinforce use of wide avenues and streets as corridors for mixed-use residential and commercial buildings while protecting existing commercial uses that currently operate as legal non-conforming uses. Under this Lesser Density Alternative, there would also be the neighborhood benefits of affordable housing.

In sum, both this alternative and the proposed actions would directly address the community's request for contextual rezoning, steer higher-density development toward areas most capable of supporting such development, and provide incentives for much needed affordable housing in the East Village and Lower East Side neighborhoods. This Lesser Density Alternative would meet the local neighborhood objectives for providing affordable housing opportunities, but would provide less total housing than the proposed actions.

NATURAL RESOURCES

Neither this Lesser Density Alternative nor the proposed actions would result in significant adverse impacts on natural resources or water quality.

HAZARDOUS MATERIALS

Under both this alternative and the proposed actions, while a lesser density of construction would occur on the projected and potential development sites than might otherwise occur under the proposed actions, in most cases, this additional construction would not create soil disturbance beyond what would occur under the current zoning. However, both build conditions would result in construction on some sites with hazardous material issues that would otherwise remain undisturbed. On these sites, under both the proposed actions and this alternative, to avoid impacts from hazardous materials, the proposed actions would include E-designations. With the proposed E-designations, development sites that are impacted by hazardous materials are required to perform subsurface investigations, tank removals, remediation, asbestos abatement, and prepare construction health and safety plans in accordance with a DEP approved site-specific Sampling and Remediation Work Plans.

WATERFRONT REVITALIZATION PROGRAM

Both this Lesser Density Alternative and the proposed actions would be consistent with the policies of the city's coastal zone. Thus, in neither condition is there an impact or conflict with the City's Waterfront Revitalization Program.

INFRASTRUCTURE, SOLID WASTE, AND ENERGY

Under this alternative, increased demands on infrastructure including water supply and sanitary wastewater treatment would be less than under the proposed actions. There would also be somewhat greater increased demand for solid waste, sanitation, and energy services under this alternative as compared to the proposed actions. However, neither this alternative nor the proposed actions would cause significant infrastructure impacts.

TRAFFIC AND PARKING

Under this Lesser Density Alternative, there would be fewer units than under the proposed actions. With the proposed actions, there is a total of approximately 1,040 total peak hour person trips and 100 peak hour vehicle trips. In comparison, this alternative would generate approximately 915 total peak hour person trips and 106 peak hour vehicle trips. Typically, the number of the projected peak hour trips (exceeding 50 vehicle trips) would warrant a detailed analysis of traffic conditions. However, since the projected development sites and the associated vehicle trips would be dispersed within a large rezoning area and among over 100 intersections, a screening analysis for this alternative determined that, like the proposed actions, no significant traffic impacts would occur on local streets as a result of this alternative.

The Lesser Density Alternative would result in similar weekday parking utilization as the proposed actions. Off-street parking occupancy levels for the study area under the proposed actions are approximately 72 percent in the AM peak period under the proposed actions, 88 percent in the midday peak period, and 81 percent in the PM peak period. Similar to the proposed actions, in three of the eight analyzed parking zones analyzed under this alternative, there would be a daytime shortfall of off-street parking; however this shortfall could be accommodated within the off-street parking facilities in an adjacent zone.

For overnight parking, neither the proposed actions not this Lesser Density Alternative would impact on-street parking facilities. In conclusion, neither this alternative nor the proposed actions would result in any parking impacts.

TRANSIT AND PEDESTRIANS

The proposed actions would yield a total of approximately 1,040 total person trips, with 460 subway trips, and 110 bus trips. In comparison, this Lesser Density Alternative would yield during peak hours, about 915 total person trips, with about 475 subway trips, and 115 bus trips. As under the proposed actions, these trips would be dispersed within a large rezoning area and among 12 subway stations, 9 local bus routes, and hundreds of sidewalks, crosswalks, and corners. A screening analysis for the proposed actions determined that the proposed actions resulted in a maximum single station increment of 118 trips at the Delancey/Essex Street Station. For is Lesser Density Alternative there would be about 540 total PM peak hour subway trips and a maximum single station increment of 120 trips at the Delancey/Essex Street Station. That maximum station increment is below the *CEQR Technical Manual* threshold for a detailed analysis of subway station elements. Therefore, it is concluded that this Lesser Density Alternative, like the proposed actions, would not result in any significant adverse subway station impacts.

Under the proposed actions there would be a total of approximately 123 PM peak hour bus-only trips, resulting in a maximum single route increment of 33 trips on the M15 route. The corresponding peak hour bus-only trips and maximum single route increment (on the M15 route) under this Lesser Density Alternative would be 108 and 29 trips, respectively. To comprehensively assess bus loading conditions, it is also necessary to consider bus-to-bus and bus-to/from-subway transfers. Because many of the development sites within the primary study area have limited nearby subway and local bus service, there is expected to be a fair amount of transfers required for transit users traveling to and from these development sites. Accounting for these transfers, the total projected PM peak hour bus trip increments for the proposed actions and the Lesser Density Alternative were estimated to amount to 363 and 320 trips, respectively. However, spread among the 9 study area bus routes, the maximum PM peak hour single route increments would be 78 and 68 trips on the M14D route for the proposed actions and the Lesser Density Alternative, respectively. Because these increments are below the *CEQR Technical Manual* threshold for a detailed analysis of bus line-haul conditions, it is concluded that neither the proposed actions nor the Lesser Density Alternative would result in any significant adverse impacts on bus services.

In accordance with the *CEQR Technical Manual*, a detailed pedestrian analysis would be required if the Lesser Density Alternative were expected to result in 200 or more peak hour trips at sidewalks, corners, or crosswalks in the study area. Based on the residential trip generation estimates used for the proposed actions, it is projected that each residential dwelling unit would yield a maximum of approximately 0.9 person trips during a peak hour. Since the incremental auto and taxi trips would mostly originate or terminate near the anticipated development sites, the net pedestrian trips expected to travel on the general pedestrian network are primarily those made by other modes. Hence, each dwelling unit would generate a maximum of approximately 0.8 pedestrian trips during a peak hour. Since none of the above clusters would result in 200 or more pedestrian trips at nearby sidewalks, corners, or crosswalks, and there would also not be 200 or more pedestrian trips generated at any of the 12 study area subway stations, the projected peak hour pedestrian trips under both the proposed actions and this Lesser Density Alternative would not exceed the *CEQR Technical Manual* threshold at any pedestrian element. Therefore, it is concluded that neither this alternative nor the proposed actions would result in any significant adverse pedestrian impacts.

AIR QUALITY

With respect to mobile sources, neither the proposed actions nor this alternative would generate enough vehicle trips at any location to significantly increase carbon monoxide concentrations. Thus no violations of the National Ambient Air Quality Standards (NAAQS) are predicted to occur under either development scenario and no air quality impacts would occur. Under both scenarios, additional pollutant emissions could result from heating systems and similar impacts could occur. Under both development scenarios, these impacts are avoided with the protections provided through the E-designations of the proposed zoning. These designations would specify the type of fuel to be used or the distance that the vent stack on the building roof must be from its edge. The E-designations for these sites are presented in Appendix F.

NOISE

Under both this alternative and the proposed actions, no noise emissions from mobile sources would cause significant impacts. With respect to ambient noise, additional development in both scenarios could be impacted due to the existing ambient noise levels that can cause interior noise levels for residential buildings to be above the CEQR standard if no attenuation, or limited attenuation, is provided. Therefore, under both this alternative and the proposed actions, noise attenuation requirements would be written into the proposed E-designations that would be part of the proposed zoning and would therefore avoid this impact.

CONSTRUCTION IMPACTS

Because the amount of new construction under this alternative would be somewhat less as compared with the proposed actions, it would not generate somewhere more temporary construction activity. Construction-related impacts on historic archaeological and architectural resources would be similar since the same sites would be developed. The proposed actions would also result in slightly longer duration of construction-related noise and traffic than this alternative. However, neither this alternative nor the proposed actions would result in significant adverse impacts on air quality, noise, traffic, or transit during construction.

PUBLIC HEALTH

Neither the proposed actions nor this Lesser Density Alternative would result in significant adverse public health impacts.

R7A/C6-3A WITH INCLUSIONARY ALTERNATIVE

The R7A/C6-3A with Inclusionary Alternative seeks to achieve the same goals and objectives as the proposed actions while incentivizing additional new residential development in order to capture additional opportunities for affordable housing production in selected areas. The primary difference is that the proposed R7A districts on the wide avenues north of East Houston Street and the C6-3A district on Chrystie Street would allow new residential and mixed-use development at higher densities than what is allowed under the R7A and C6-2A districts as part of the proposed actions through the use of the Inclusionary Housing program.

The RWCDS for this Inclusionary Alternative differs from that of the proposed actions with respect to both the number of development sites and the overall number of estimated dwelling units. Although maximum base FAR is lower in some cases under this alternative as compared with the proposed actions, the development scenario in this alternative assumes new

development to occur at the maximum allowable density, taking into account the bonus FAR available through the Inclusionary Housing program mechanism. In addition, the maximum building heights on the projected and potential development sites would be 145 feet in the affected C6-3A districts, instead of 120 feet under the proposed actions. Table S-6 summarizes the total development under this alternative by zoning district.

While use regulations under this Inclusionary Alternative are identical to those of the proposed actions, there is significant variation from the proposed actions with respect to density and bulk regulations, and the degree of the differences varies depending on the affected districts. Under this alternative, R7A districts with Inclusionary Housing program areas are proposed in place of selected R7A districts; some of the bulk regulations are the same for both districts, so the differences here are more narrowly defined. This alternative also proposes C6-3A districts with Inclusionary Housing program areas in place of selected C6-2A districts (also with Inclusionary Housing program areas); in these districts bulk regulations differ more widely, so the potential differences there can have broader impacts.

With regard to the affected R7A districts, maximum FAR would be lower under this alternative than under the proposed actions for residential uses and would remain the same for community facility uses. The maximum base FAR of 3.45 for residential uses would be lower in affected areas under the alternative as compared with the maximum FAR of 4.0 in those same districts under the proposed actions, although residential development would be permitted an additional 1.15 FAR bonus, for a maximum of 4.6, in exchange for providing affordable housing under the Inclusionary Housing program. The maximum FAR for community facility uses under the alternative would be identical, at 4.0, to that under the proposed actions.

The building height and setback regulations in the affected R7A districts would be identical under the alternative as compared to those under the proposed actions. Under both the proposed actions and this alternative, new development in the affected districts would have a maximum building height of 80 feet, with streetwall heights permitted between 40 and 65 feet.

With regard to the affected C6-3A districts, maximum FAR would be higher under this alternative than under the proposed actions for both residential and community facility uses. The maximum base FAR of 6.5 for residential uses would be higher in affected areas under this alternative as compared with the maximum FAR of 5.4 in those same districts under the proposed actions. Additionally, the residential FAR bonus of 2.0 and the corresponding maximum 8.5 FAR (in exchange for providing affordable housing under this Inclusionary Alternative) are greater than under the proposed actions, which allows a residential FAR bonus of 1.8 and a corresponding maximum 7.2 FAR. The maximum 7.5 FAR for community facility uses under the alternative would also be higher than the maximum 6.5 FAR under the proposed actions.

The building height and setback regulations in the affected C6-3A districts would also be generally higher as compared to those under the proposed actions. Under this alternative, new development in the affected districts would have a maximum building height of 145 feet, with streetwall heights permitted between 60 and 102 feet on wide streets (for development on narrow streets, maximum building heights are 135 feet, with streetwall heights permitted between 60 and 95 feet). Under the proposed actions maximum building heights are 120 feet, with streetwall heights permitted between 60 and 85 feet.

A comparison of conditions under this alternative with the proposed project is presented below. The alternatives analysis is primarily qualitative, except where impacts of the proposed actions

have been identified. For technical areas where impacts have been identified, the alternatives analysis will determine whether these impacts would still occur under each alternative. A detailed RWCDS for this alternative was developed for the purposes of this analysis and is provided in Appendix C.

LAND USE, ZONING, AND PUBLIC POLICY

Like the proposed actions this alternative would not result in any significant adverse impacts on land use, zoning, or public policy and the land use effects under this alternative would be essentially the same. Under this alternative, however, the proposed inclusionary housing zoning would be expanded. Thus, like the proposed actions, this alternative would increase the supply of housing available in New York City, which is consistent with City housing policy, but this alternative would further support city policies aimed at increasing the supply of housing as well as affordable housing.

SOCIOECONOMIC CONDITIONS

Like the proposed actions, this Inclusionary Alternative would not result in any new significant adverse impacts on socioeconomic conditions. Instead, this alternative would expand the opportunity for additional housing and affordable housing within the area of the proposed actions. By encouraging the development of additional affordable housing this alternative would serve to support housing growth and affordable housing in the project area. The additional housing units would provide added supply to meet the increasing housing demands in New York City.

The beneficial socioeconomic effects of an increased housing supply under the proposed actions would be augmented under this Inclusionary Alternative. With more residential units, the market would be more able to meet the long-term demand for new housing, and with an affordable housing component, the Inclusionary Alternative would allow the project area to retain a greater diversity of housing types and household incomes.

Other socioeconomic effects would be similar to those anticipated under the proposed actions, although the greater number of residential units would generate somewhat more new development with the accompanying additional construction employment. The effects of this alternative on direct residential displacement, direct and indirect business displacement, and specific industries would be the same or similar to the proposed actions (i.e., no significant adverse impacts). In sum, the Inclusionary Alternative would result in no significant adverse impacts associated with direct displacement or indirect business displacement, and would expand the housing opportunities that are projected under the proposed actions.

Table S-6
Summary of EV/LES Rezoning RWCDS Inclusionary Alternative

District Description	Sites (Count)	Build				No-Build				Increment			
		Commercial Floor Area	Residential Floor Area	Dwelling Units	Affordable Dwelling Units	Commercial Floor Area	Residential Floor Area	Dwelling Units	Affordable Dwelling Units	Commercial Floor Area	Residential Floor Area	Dwelling Units	Affordable Dwelling Units
PROJECTED SITES													
Proposed C4-4A	28	70,090	259,746	260	0	122,378	187,273	187	0	-52,288	72,473	73	0
Proposed C6-2A*	19	93,026	694,957	695	139	115,176	261,305	261	0	-22,150	433,652	434	139
Proposed R7A	33	37,738	566,516	567	0	37,738	481,908	482	0	0	84,608	85	0
Proposed R7A INCLUSIONARY	19	77,157	340,399	340	68	77,157	235,102	235	0	0	105,297	105	68
Proposed R8B	44	12,086	811,006	811	0	12,086	695,773	696	0	0	115,233	115	0
Proposed R8A*	27	57,293	773,522	800	160	57,293	339,652	340	0	0	433,870	460	160
Proposed C6-3A INCLUSIONARY	16	49,473	445,253	445	89	49,473	150,746	151	0	0	294,507	294	89
TOTAL PROJECTED	**186**	**396,863**	**3,891,399**	**3,918**	**456**	**471,301**	**2,351,759**	**2,352**	**0**	**-74,438**	**1,539,640**	**1,566**	**456**
POTENTIAL SITES													
	13	64,102	72,078	72	0	30,448	84,685	85	0	33,654	-12,607	-13	0
	16	44,107	329,508	330	66	82,891	103,322	98	0	-38,784	226,186	232	66
	10	11,953	176,407	176	0	12,059	144,251	144	0	-106	32,156	32	0
	31	49,925	279,573	280	56	49,925	229,494	229	0	0	50,079	51	56
	51	12,509	716,691	717	0	23,156	496,314	496	0	-10,647	220,377	221	0
	18	23,149	258,256	258	52	13,958	110,423	116	0	9,191	147,833	142	52
	4	6,765	60,886	61	12	6,765	20,614	21	0	0	40,272	40	12
TOTAL POTENTIAL	**143**	**212,510**	**1,893,399**	**1,894**	**186**	**219,202**	**1,189,103**	**1,189**	**0**	**-6,692**	**704,296**	**705**	**186**
GRAND TOTAL	**329**	**609,373**	**5,784,798**	**5,812**	**642**	**690,503**	**3,540,862**	**3,541**	**0**	**-81,130**	**2,243,936**	**2,271**	**642**
ENLARGEMENTS													
PROJECTED													
Proposed R7A	13												
Proposed R8B	12												
TOTAL PROJECTED	**25**	**25,374**	**216,853**	**267**	**0**	**25,374**	**178,529**	**244**	**0**	**0**	**0**	**0**	**0**
POTENTIAL													
Proposed R7A	226												
Proposed R8B	216												
TOTAL POTENTIAL	**442**	**938,270**	**3,560,886**	**4,715**	**0**	**938,270**	**2,788,610**	**4,155**	**0**	**0**	**772,276**	**560**	**0**
TOTAL ENLARGEMENTS	**467**	**963,644**	**3,777,739**	**4,982**	**0**	**963,644**	**2,967,139**	**4,399**	**0**	**0**	**772,276**	**560**	**0**
TOTAL ALL SITES	**796**	**1,573,017**	**9,562,537**	**10,794**	**642**	**1,654,147**	**6,508,001**	**7,940**	**0**	**-81,130**	**3,016,212**	**2,831**	**642**

COMMUNITY FACILITIES

Neither this alternative nor the proposed actions would impact libraries, health care or day care facilities. Although the proposed actions would introduce new residents to the East Village and Lower East Side neighborhoods, no significant adverse impacts on community facilities and services would be expected. The proposed actions would generate approximately 152 new elementary and 31 new intermediate school children in the primary study area, for a total of 183 new elementary and intermediate school students combined. The Inclusionary Alternative would generate approximately 175 new elementary and 36 new intermediate school children in the primary study area, for a total of 211 new elementary and intermediate school students combined. Even with this increased enrollment, the public elementary and intermediate schools serving the primary study area in CSD 1, Zones 2, and 3, and CSD 1 as a whole would continue to operate with available capacity. While elementary schools serving the primary study area in CSD 2, Zone 1, and CSD 2 as a whole would continue to operate above capacity under both the proposed actions and this Inclusionary Alternative, the increase in the deficiency of seats (above that under the future without the proposed actions conditions) would be less than the *CEQR Technical Manual* threshold value of 5 percent. Therefore, it is concluded that no significant impacts on public elementary and intermediate schools would occur as a result of either the proposed actions or this Inclusionary Alternative.

OPEN SPACE

The open space analysis for the proposed actions concluded that it would not result in any significant direct or indirect significant adverse impacts on open space resources in the residential study area. Open space ratios for residents and non-residents within the study area currently fall short of DCP guidelines and would continue to do so under both the proposed actions and this Inclusionary Alternative. In this study area, the total, active, and passive open space ratios for residents, the passive open space ratio for non-residents, and the combined passive open space ratio for both residents and non-residents would all remain the same under the proposed actions as in the Inclusionary Alternative. Therefore, neither the Inclusionary Alternative nor the proposed actions would result in any significant adverse impacts on open space resources. This conclusion is based on a number of qualitative factors including the demographics of the local population, the diversity of the local open space resources in the study area (e.g., playgrounds, courts, fields, paths, and grassy areas), the range of private open space facilities in the study area that meets local needs, and the active spaces that are not publicly accessible and therefore not included in the in the study area inventory, but which provide active open space for the study area populations school playgrounds, facilities in private housing, community gardens, and NYU facilities. It is therefore concluded that neither this alternative nor the proposed actions would result in any impact in open space resources.

SHADOWS

Development as a result of both the proposed actions and this alternative would cast new shadows at times throughout the year on some of the existing open spaces in the study area. These shadows could increase somewhat in the afternoons due to the allowable increased height of buildings along the west side of Chrystie Street and the potential shadows on Sara D. Roosevelt Park to the east. However, like the proposed actions, under this alternative, these incremental shadows (i.e., the additional shadow beyond what would occur under the current zoning) would have significant adverse impacts on only one publicly accessible open space:

Orchard Alley Garden between East 3rd and 4th Streets and Avenues C and D. The remaining open spaces and historic resources in the study area would not be significantly affected or affected at all.

HISTORIC RESOURCES

Under the Inclusionary Alternative, it is assumed that development would occur on the same projected and potential development sites as the proposed actions. There would also be development on additional sites; of these, only one (Potential Development Site 255) would experience incremental ground disturbance, and that site was determined by the New York City Landmarks Preservation Commission (LPC) to not be sensitive for archaeological resources. Therefore, the impacts under this alternative would be the same as under the proposed actions.

Similar to the proposed actions, the RWCDS of the Inclusionary Alternative would result in the potential for significant adverse direct impacts on up to fifteen known architectural resources and on up to twenty-four potential architectural resources. Of the additional Inclusionary Alternative-only sites, one is located within the potential Tompkins Square Park Historic District and one is located on the blockfront of tenements at 164-180 First Avenue. Overall, under the Inclusionary Alternative, similar direct impacts could occur to architectural resources as under the proposed actions.

It is not anticipated that development under this alternative or the proposed actions would have adverse visual or contextual impacts on the majority of architectural resources. New development under either scenario would not eliminate or screen public views of a resource, introduce an incompatible visual, audible, or atmospheric element to a resource's setting, or result have any shadow impacts on a historic resource with sun-sensitive features. However, under both the proposed actions and this Inclusionary Alternative, there could be significant adverse visual and contextual impacts a number of row houses at 30-38 East 3rd Street, 258-266 East 7th Street, and the row house at 217 East 7th Street, which is located on a potential development sites, as well as the row house at 263 East 7th Street, and the blockfront at 164-180 First Avenue, where there are potential enlargement sites. In addition, enlargements within the potential Tompkins Square Park and East 6th Street Historic Districts could have adverse visual and contextual impacts on the historic districts.

URBAN DESIGN AND VISUAL RESOURCES

Neither the Inclusionary Alternative nor the proposed actions would have significant adverse impacts on the urban design and visual resources of the study area. Neither scenario results in any changes in topography, natural features, street hierarchy, block shapes, or building arrangements, and neither would affect the overall street grid of the study area or have a significant adverse impact on urban design features of the study area.

In addition, neither this alternative nor the proposed actions would have any significant adverse impacts on the visual resources of the study area. Construction of new buildings on existing blocks and lots and new buildings under the both scenarios would not block any significant view corridors or views of visual resources. There would be controlled development of modestly-sized buildings in the vicinity of study areas contextual neighborhoods. Therefore, the settings and views of these resources would not change dramatically. Views along the area's major corridors (e.g., Houston Street) would change, as these corridors are developed with new buildings of higher density and this development would be expanded under this alternative to blocks along the wide avenues north of Houston Street including Second and First Avenues and

Avenues A and C) and the west side of Chrystie Street. However the building height and setbacks in this area would be the same as under the proposed actions (maximum height of 80 feet). Along the west side of Chrystie Street the height would be increased from 120 to 145 feet and the allowable streetwall would also increase from between 60 to 85 feet. While this alternative could potentially increase density in these areas, particularly along the west side of Chrystie Street, similar to the proposed actions, no public views would be blocked, new buildings would frame existing views, and views throughout the primary study area would continue to be of mixed-use urban neighborhoods composed of a variety of buildings of various heights, sizes, uses, and styles.

Both this Inclusionary Alternative and the proposed actions would affect the streetscape and building use, bulk, and type of the study area in a positive way. For example, it is expected that local streetscapes would be improved as development replaces parking lots, one- and two-story non-descript commercial and vacant buildings, and vacant lots, as most new development would be infill buildings or enlargements that would reinforce existing residential streetscape patterns. Within the proposed rezoning area, urban design provisions of the proposed zoning districts would: create lively ground-floors with retail; create consistent street walls that would frame views along major corridors; improve the existing streetscape and provide pedestrian amenities in specified locations that would include widened sidewalks, lighting, seating, and street trees.

In addition, although both development scenarios would facilitate the construction of higher-density uses along the major transportation corridors, it is not expected that there would be any significant adverse impacts to building bulk, use, and type. Throughout the entire primary study area, the mix of building types and uses that is expected under the proposed actions would be in keeping with the diverse range of existing building types and uses that define the wide streets and avenues of the surrounding area. In addition, both scenarios would protect the built context of the neighborhoods on the side local streets and the neighborhood scale away from the wide streets and corridors.

NEIGHBORHOOD CHARACTER

Under both this alternative and the proposed actions, no adverse impacts on neighborhood character would occur with respect to land use. Neither build condition would directly displace any land uses to the extent that the neighborhood would change, nor would either build condition create land uses that are incompatible with the neighborhood or contrary to public policies for the study area. Neither build condition would result in any significant adverse socioeconomic impacts such a direct residential displacement, direct business and institutional displacement, indirect residential displacement, indirect business or institutional displacement, or have any adverse effects on specific industries. Both would have limited additional impacts to historic architectural and archaeological resources, but both conditions are expected to result in new residential development at a scale generally compatible with the existing established medium-density residential neighborhoods, preserving the neighborhood's low-rise character and sky exposure. In addition, both rezoning objectives would attempt to reverse the trends of recent tall, out-of-scale development such as the tall buildings that have been developed south of East Houston Street, altering the visual scale of this area. Under both the proposed actions and this Inclusionary Alternative, the major transportation corridors across the study area would be developed with higher density buildings, but the low- to mid-rise character of the midblocks would be preserved. In controlling this development in the study area, and targeting growth toward appropriate areas, neither this Inclusionary Alternative nor the proposed actions would result in any significant adverse impact on the neighborhood with respect to urban design.

Moreover, both the proposed actions and this alternative would reduce the allowable development available for commercial hotel buildings in the study area and would encourage residential development with ground floor retail in its place. Thus, the zoning in both scenarios would create a framework that is responsive to the uses present in the study area and compatible with the existing zoning designations in the surrounding areas and would also reinforce use of wide avenues and streets as corridors for mixed-use residential and commercial buildings while protecting existing commercial uses that currently operate as legal non-conforming uses. Under this Inclusionary Alternative, there would also be the added neighborhood benefits of additional affordable housing.

In sum, both this alternative and the proposed actions would directly address the community's request for contextual rezoning, steer higher-density development toward areas most capable of supporting such development, and provide incentives for much needed affordable housing in the East Village and Lower East Side neighborhoods. This Inclusionary Alternative would further advance the local neighborhood objectives for providing local affordable housing opportunities.

NATURAL RESOURCES

Neither the Inclusionary Alternative nor the proposed actions would result in significant adverse impacts on natural resources or water quality.

HAZARDOUS MATERIALS

Under both this alternative and the proposed actions, while a greater intensity of construction would occur on the projected and potential development sites than might otherwise occur under the proposed zoning, in most cases, this additional construction would not create soil disturbance beyond what would occur under the current zoning. However, both build conditions would result in construction on some sites with hazardous material issues that would otherwise remain undisturbed. On these sites, under both the proposed actions and this alternative, to avoid impacts from hazardous materials, the proposed actions would include E-designations. With the proposed E-designations, development sites that are impacted by hazardous materials are required to perform subsurface investigations, tank removals, remediation, asbestos abatement, and prepare construction health and safety plans in accordance with a DEP approved site-specific Sampling and Remediation Work Plans.

WATERFRONT REVITALIZATION PROGRAM

Both this Inclusionary Alternative and the proposed actions would be consistent with the policies of the city's coastal zone. Thus, in neither condition is there an impact or conflict with the City's Waterfront Revitalization Program.

INFRASTRUCTURE, SOLID WASTE, AND ENERGY

Under this alternative, increased demands on infrastructure including water supply and sanitary wastewater treatment would be less than under the proposed actions. There would also be somewhat greater increased demand for solid waste, sanitation, and energy services under this alternative as compared to the proposed actions. However, neither this alternative nor the proposed actions would cause significant infrastructure impacts.

TRAFFIC AND PARKING

Under this Inclusionary Alternative, there are additional dwelling units beyond that under the proposed actions. To determine whether these additional units would warrant the need for detailed transportation analyses, travel demand projections were developed to identify the numbers of person, transit, and vehicular trips that could potentially be generated under this alternative. With the proposed actions, there is a total of approximately 1,040 total peak hour person trips and 100 peak hour vehicle trips. In comparison, this Inclusionary Alternative would generate up to approximately 1,220 total peak hour person trips and 120 peak hour vehicle trips (see also the details in Chapter 16, "Traffic and Parking," Tables 16-4 and 16-5). Typically, the number of the projected peak hour trips (exceeding 50 vehicle trips) would warrant a detailed analysis of traffic conditions. However, since the projected development sites and the associated vehicle trips would be dispersed within a large rezoning area and among over 100 intersections, a screening analysis for this alternative determined that, like the proposed actions, no significant traffic impacts would occur on local streets as a result of this Inclusionary Alternative.

This Inclusionary Alternative would result in similar weekday parking utilization as the proposed actions. Off-street parking occupancy levels would be approximately 72 percent in the AM peak period (the same as for the proposed actions), 89 percent in the midday peak period (compared to 88 percent with the proposed actions), and 81 percent in the PM (the same as for the proposed actions). Similar to the proposed actions, in three of the eight analyzed parking zones analyzed under this Inclusionary Alternative, there would be a daytime shortfall of off-street parking; however this shortfall could be accommodated within the off-street parking facilities in an adjacent zone.

For overnight parking, the estimated utilization would be 85 percent occupied under this Inclusionary Alternative—the same as under the proposed actions. Therefore, overnight parking could also be accommodated under the Inclusionary Alternative. In conclusion, neither the Inclusionary Housing nor the proposed actions would result in any parking impacts.

TRANSIT AND PEDESTRIANS

The proposed actions would yield a total of approximately 1,040 total person trips, with 460 subway trips, and 110 bus trips. In comparison, the Inclusionary Alternative would yield during peak hours, up to approximately 1,220 total person trips, 540 subway trips, and 130 bus trips (see also the details in Chapter 16, "Traffic and Parking," Tables 16-4 and 16-5). As under the proposed actions, because these trips would be dispersed within a large rezoning area and among 12 subway stations, 9 local bus routes, and hundreds of sidewalks, crosswalks, and corners, a screening analysis was performed. The assignments of subway trips were conducted in manner similar to the allocation of vehicular trips, following the same allocation to the eight designated zones in the primary study area. Based on these assumptions, the proposed actions resulted in a maximum single station increment of 118 trips at the Delancey/Essex Street Station. For the Inclusionary Alternative, there would be 610 total PM peak hour subway trips and a maximum single station increment of 136 trips at the Delancey/Essex Street Station. These increments are below the *CEQR Technical Manual* threshold for a detailed analysis of subway station elements. Therefore, it is concluded that this Inclusionary Alternative, like the proposed actions, would not result in any significant adverse subway station impacts.

Under the proposed actions there would be a total of approximately 123 PM peak hour bus-only trips, resulting in a maximum single route increment of 33 trips on the M15 route. The corresponding peak hour bus-only trips and maximum single route increment (on the M15 route)

under this Inclusionary Alternative would be 141 and 38 trips, respectively. To comprehensively assess bus loading conditions, it is also necessary to consider bus-to-bus and bus-to/from-subway transfers. Because many of the development sites within the primary study area have limited nearby subway and local bus service, there is expected to be a fair amount of transfers required for transit users traveling to and from these development sites. Accounting for these transfers, the total projected PM peak hour bus trip increments for the proposed actions and the Inclusionary Alternative were estimated to amount to 363 and 411 trips, respectively. However, spread among the 9 study area bus routes, the maximum PM peak hour single route increments would be 78 and 88 trips on the M14D route for the proposed actions and the Inclusionary Alternative, respectively. Because these increments are below the *CEQR Technical Manual* threshold for a detailed analysis of bus line-haul conditions, it is concluded that neither the proposed actions nor this Inclusionary Alternative would result in any significant adverse bus impacts.

In accordance with the *CEQR Technical Manual*, a detailed pedestrian analysis would be required if this Inclusionary Alternative were expected to result in 200 or more peak hour trips at sidewalks, corners, and crosswalks in the study area. Based on the residential trip generation estimates used for the proposed actions, it is projected that each residential dwelling unit would yield a maximum of approximately 0.9 person trips during a peak hour. Since the incremental auto and taxi trips would mostly originate or terminate near the anticipated development sites, the net pedestrian trips expected to travel on the general pedestrian network are primarily those made by other modes. Hence, each dwelling unit would generate a maximum of approximately 0.8 pedestrian trips during a peak hour. A review of the locations and sizes of the specific development sites under this Inclusionary Alternative revealed the following clusters of projected residential units:

- 60 dwelling units at Avenue D and East 6th Street;
- 120 dwelling units at Avenue D and Houston Street;
- 70 dwelling units at First Avenue and Houston Street;
- 90 dwelling units at Chrystie Street between Stanton and Rivington Streets;
- 70 dwelling units at Chrystie Street between Rivington and Delancey Streets; and
- 140 dwelling units at Delancey and Suffolk Streets.

Since none of the above clusters would result in 200 or more pedestrian trips at nearby sidewalks, corners, and crosswalks, and there would also not be 200 or more pedestrian trips generated at any of the 12 study area subway stations, the projected peak hour pedestrian trips under both the proposed actions and this Inclusionary Alternative would not exceed the *CEQR Technical Manual* threshold at any pedestrian element. Therefore, it is concluded that neither this Inclusionary Alternative nor the proposed actions would result in any significant adverse pedestrian impacts.

AIR QUALITY

With respect to mobile sources, neither the proposed actions nor the Inclusionary Alternative would generate enough vehicle trips at any location to significantly increase carbon monoxide concentrations. Thus no violations of the National Ambient Air Quality Standards (NAAQS) are predicted to occur under either development scenario and no air quality impacts would occur. Under both scenarios, additional pollutant emissions could result from heating systems and similar impacts could occur. Under both development scenarios, these impacts are avoided with

the protections provided through the E-designations of the proposed zoning. These designations would specify the type of fuel to be used or the distance that the vent stack on the building roof must be from its edge. The E-designations for these sites are presented in Appendix F.

NOISE

Under both this Inclusionary Alternative and the proposed actions, no noise emissions from mobile sources would cause significant impacts. With respect to ambient noise, additional development in both scenarios could be impacted due to the existing ambient noise levels that can cause interior noise levels for residential buildings to be above the CEQR standard if no attenuation, or limited attenuation, is provided. Therefore, under both this alternative and the proposed actions, noise attenuation requirements would be written into the proposed E-designations that would be part of the proposed zoning and would therefore avoid this impact.

CONSTRUCTION IMPACTS

Although the amount of new construction under this alternative would be somewhat greater when compared with the proposed actions, construction-related impacts would be similar. The proposed actions would also result in slightly less duration of construction-related noise and traffic than this alternative. However, neither this alternative nor the proposed actions would result in significant adverse impacts on air quality, noise, traffic, or transit during construction.

PUBLIC HEALTH

Neither the proposed actions nor this Inclusionary Alternative would result in significant adverse public health impacts. ✷