

A. INTRODUCTION

Two alternatives to the proposed and future actions are considered in this chapter: a No Action Alternative, which assumes that the amendments to the Melrose Commons Urban Renewal Plan (URP) and associated zoning changes would not occur, and a Reuse of the Bronx Municipal Court – Second District Building alternative, in which the Bronx Municipal Court – Second District building is preserved and expanded to house the proposed Boricua College campus. The following sections describe each of the alternatives and then compare their likely impacts with those expected from the proposed actions.

B. NO ACTION ALTERNATIVE

The No Action Alternative represents the future conditions in 2009 if the proposed URP amendments and rezonings do not occur. This is the condition described throughout earlier chapters of the environmental impact statement (EIS) as “the future without the proposed and future actions.” In this chapter, the No Build condition is compared with the proposed project. Under the No Action Alternative, no changes related to the buildout of the Boricua Village and Courtlandt Corners sites or of urban renewal parcels 15, 51, 52, 53, 54, 62, and 64 would occur and a community garden would not be constructed on part of site 1 and site 2. Rather than being developed with housing, retail space, community facilities, and public open space, these urban renewal sites would remain primarily a mix of vacant land and vacant buildings as well as some industrial and commercial businesses and several community gardens. Under the future without the proposed and future actions projects under construction or in discussion at HPD pursuant to the existing URP has been analyzed and have been reviewed in the original EIS. This would result in approximately 1,331 of housing units and 81,420 sf of commercial space.

LAND USE, ZONING AND PUBLIC POLICY

Under this alternative, the existing assortment of vacant land, vacant buildings, industrial and commercial businesses, and community gardens would remain on the proposed development sites. As with the proposed and future actions, this alternative would not result in significant adverse land use impacts in the larger study area. No amendments to the Melrose Commons URP or zoning changes would take place under the No Action Alternative.

This alternative would not allow for the full buildout of the URA and would not fulfill the URP’s goals of replacing vacant land and substandard structures with new residential, commercial, and community facility uses and enhancing the area’s residential character by providing new low-income housing. An opportunity for the development of new affordable housing as called for by the Mayor’s housing policy as set forth in *The New Housing Marketplace: Creating Housing for the Next Generation* would be lost.

SOCIOECONOMIC CONDITIONS

With this alternative, no substantial change in the uses on the proposed development sites would occur. Unlike the proposed project, there would not be an increase in the residential or commercial populations and the direct displacement of six businesses would not occur. As in the future with the proposed and future actions, there would be no significant adverse impact on socioeconomic conditions.

COMMUNITY FACILITIES

With the No Action Alternative there would be no increase in the number of public school children, low-income residents, or children eligible for publicly funded day care in the area. As in the future with the proposed and future actions, there would not be significant adverse impacts on public schools, libraries, day care, or outpatient health care facilities.

OPEN SPACE

Under the No Action Alternative, the four existing community gardens would remain on urban renewal sites 56 and 62 and these parcels would not be developed with new housing. The gardens are accessible to the public for limited hours and for only part of the year and therefore are not considered fully accessible public open space. In this alternative, public open space would not be created on the Boricua Village site and new community gardens would not be created on parcel 45 of the Courtlandt Corners site or on parcels 1 and 2. Under both the No Action Alternative and the proposed and future actions, the Melrose Commons URA and the surrounding study area would continue to experience a shortage of publicly accessible open space, though neither the No Action Alternative nor the proposed and future actions would result in a significant adverse impact on open spaces.

SHADOWS

Under the No Action Alternative, no new buildings would be constructed on the proposed development sites and therefore no new shadows would be cast on public open spaces. In either case, there would not be significant adverse shadow impacts.

HISTORIC RESOURCES

Since this alternative would not include any excavation, it would not affect any potential archaeological resources. This alternative would not disturb any potential archaeological resources in the project area and therefore no testing or additional protection would be required. Under the No Action Alternative, the Bronx Municipal Court – Second District building located on the Boricua Village site would remain in its deteriorated state rather than being demolished. Therefore, unlike the proposed project, the No Action Alternative would not result in significant adverse impacts on historic resources.

URBAN DESIGN AND VISUAL RESOURCES

With the No Action Alternative, the full buildout of the Melrose Commons URA with residential, retail, and community facility space would not occur. As under existing conditions, the development sites would remain largely dilapidated. Vacant lots, vacant buildings, and industrial and automotive uses would remain on the development sites. The improvements in

visual character associated with the new developments and open space in the URA would not occur.

NEIGHBORHOOD CHARACTER

The positive effect on neighborhood character through improvements to an area now characterized primarily by vacant lots, vacant buildings, and scattered industrial and automotive uses would not occur. A mix of new residential, retail, and institutional uses and public open space would not be constructed, and the development sites would remain in their deteriorated states. Unlike under the proposed and future actions, there would be no corresponding increase in traffic and noise that could affect neighborhood character. Neither the No Action Alternative nor the proposed and future actions would create a significant adverse impact on neighborhood character.

HAZARDOUS MATERIALS

With the No Action Alternative, there would not be construction of new residential, retail, and community facility buildings on the development sites and any hazardous materials would not be disturbed. However, there would also be no removal of contaminated soils, as there would be with the proposed and future actions. Clean soil fill would not be placed in areas not covered by paving or other impervious materials, and underground storage tanks may not be removed. Neither the No Action Alternative nor the proposed and future actions would create significant adverse impacts with respect to hazardous materials.

INFRASTRUCTURE

The No Action Alternative would not create new demands on infrastructure. As with the proposed project, there would not be significant adverse impacts on infrastructure.

SOLID WASTE AND SANITATION SERVICES

Like the proposed and future actions, the No Action Alternative would not have significant adverse impacts on solid waste and sanitation services.

ENERGY

Like the proposed and future actions, the No Action Alternative would not have significant adverse impacts on energy systems.

TRAFFIC, PARKING, TRANSIT AND PEDESTRIANS

The increases in travel demand associated with users of the proposed residential, retail, and community facility space that would be constructed under the proposed and future actions would not occur under the No Action Alternative. Since the No Action Alternative would not generate new traffic or visitors, the significant adverse traffic and bus impacts associated with the proposed and future actions would not occur. As with the proposed and future actions, there would be no significant parking or subway impacts.

AIR QUALITY

Because no new development would occur, the No Action Alternative would not result in any increases in mobile source emissions from vehicular traffic or emissions from HVAC systems.

Like the proposed and future actions, the No Action Alternative would not result in unmitigated violations of air quality standards.

NOISE

The No Action Alternative would not result in additional vehicular traffic, and therefore noise levels would remain in the “marginally acceptable” to “marginally unacceptable” categories. Neither the No Action Alternative nor the proposed and future actions would create significant adverse impacts with respect to noise.

CONSTRUCTION IMPACTS

Under the No Action Alternative there would be no construction on the proposed development sites. Therefore, there would be no temporary effects associated with increased traffic, noise, and air emissions and, the city and state would not obtain the economic benefits associated with the construction of the new buildings from taxes and wages.

PUBLIC HEALTH

Neither the No Action Alternative nor the proposed and future actions would result in significant adverse impacts on public health. Because no new development would occur, the No Action Alternative would not result in any increases in vehicular traffic or emissions from stationary sources. Neither the No Action Alternative nor the proposed action would create a significant new source of noise or odors, and neither would result in significant hazardous materials impacts.

C. REUSE OF BRONX MUNICIPAL COURT – SECOND DISTRICT BUILDING

As described in Chapter 7, “Historic Resources,” the proposed project would result in a significant adverse impact on historic architectural resources with the demolition of the Bronx Municipal Court – Second District building, which the New York City Landmarks Preservation Commission (LPC) has determined meets eligibility criteria for New York City Landmark (NYCL) designation. Therefore, this chapter includes an alternative in which this structure, which occupies the site of the proposed Boricua College building, is reused and incorporated into the proposed project rather than being demolished.

The Reuse of the Bronx Municipal Court – Second District Building alternative considers a development program in which this building at 900 Washington Avenue on urban renewal site 49, which would be demolished under the proposed actions, is retained and incorporated into a larger structure that would house the new Bronx campus of Boricua College. As under the proposed actions, the college building would include classrooms and other academic space as well as community facility space on the ground floor with a total of 120,000 gross square feet, which is the amount of floor area required to fulfill Boricua College’s programmatic needs. This amount of floor area would be achieved by adding 10 stories to the existing structure to create a 14-story college building. The remainder of the development program would be unchanged.

This analysis concludes that the adaptive reuse of the Bronx Municipal Court – Second District building as part of Boricua College is not feasible and could not be accomplished without significant adverse impacts on this historic resource. While the college’s program and mission call for an open, visually permeable floor plan and façade that can house ground-level

community amenities such as a gallery and/or theater, the existing building has a brick façade with small windows. Furthermore, as described above, 10 floors would need to be added to the building in order to accommodate the amount of classroom space needed by Boricua College. To retrofit the existing building for these purposes would be prohibitively expensive, and this alternative would require such extensive changes to the courthouse building that a significant adverse impact on historic architectural resources would result.

LAND USE, ZONING AND PUBLIC POLICY

This alternative would result in the same mix of residential, retail, and community space and public open space as the proposed actions. As with the proposed actions, this alternative would be consistent with surrounding land uses, zoning, and public policy.

SOCIOECONOMIC CONDITIONS

The Reuse of the Bronx Municipal Court – Second District Building alternative would not change the number of businesses displaced or the number of new residents introduced to the study area as compared with the proposed actions. As in the future with the proposed actions, there would be no significant adverse impact on socioeconomic conditions under this alternative.

OPEN SPACE

Because the overall development program would be the same as under the proposed actions, this alternative would, like the proposed actions, result in no significant adverse impacts on open space resources.

COMMUNITY FACILITIES

Compared to the proposed actions, this alternative would not change the number of public school children, low-income residents, or children eligible for publicly funded day care in the area. As with the proposed actions, there would be no significant adverse impacts on public schools, libraries, day care facilities, or outpatient health care facilities under this alternative.

SHADOWS

The Reuse of the Bronx Municipal Court – Second District Building alternative would result in a Boricua College building of roughly the same height as that which would be developed under the proposed actions. Therefore, the shadows cast on O’Neil Square and the Elton Avenue park would be of similar size and duration as under the proposed actions. Like the proposed actions, this alternative would not result in any significant adverse shadows impacts.

HISTORIC RESOURCES

The Bronx Municipal Court – Second District building contains approximately 57,600 gross square feet, which would not be sufficient to accommodate Boricua College’s needs. Therefore, to utilize the building, it would have to be altered through the addition of new space. Since the building occupies a full city block and cannot be expanded horizontally without disrupting block patterns and view corridors, additional stories would have to be added to create a vertical expansion. It is assumed that 10 stories would have to be added to the existing four-story building, resulting in a building with 14 stories to provide 120,000 gross square feet of floor area to accommodate Boricua College’s development program. The addition of these stories would

dramatically alter the appearance and historic character of the former court building, which, as described below, is in an advanced state of disrepair.

The building has been vacant since at least October 1977 and was cited as an unsafe building by the Department of Buildings in 1986. Site visits in January 2005 showed that in many locations the building has been left open to the elements for years and has become dangerously dilapidated. The site visit included only the first two floors; the third floor staircase was littered with impassible debris and the upper floors, left open to the elements from the open window openings and likely roof failure, were deemed too dangerous to visit. The first and second floors were littered with debris from collapsing ceiling and wall surfaces and supports, and holes were observed in the second floor. The third and fourth floor window openings are unenclosed fully open to the elements. Views of the East 161st Street façade showed that the staircase to the fourth floor was suspended without any clear support.

Based on the condition of the building, it is unlikely that the exterior masonry walls are structurally sound. Reusing the building would require a full and detailed structural evaluation. The advanced state of deterioration in the interior of the building indicates that it would likely have to be gutted. Furthermore, Boricua College's system of teaching involves many small colloquia for the instruction of five to ten students laid out around a communal area. The layout of the existing building, including column and bearing wall placement, would not accommodate these types of spaces. Therefore, essentially, what would be left to reuse of the building are its five exterior masonry walls, which would likely require extensive remedial work to be made structurally sound. To accommodate Boricua College's space needs, 10 stories would have to be built above the existing four-story structure. Therefore, the existing structure would also have to be substantially rebuilt and reinforced to carry the additional loads.

In addition to these issues, Boricua College is a community-based organization, and the proposed new facility is intended to be both physically and visually permeable to the community. The heavy masonry structure with relatively narrow window openings appropriate to a courthouse does not meet this requirement. Further, the college seeks to design a building that can in part rely on natural light. To accommodate uses such as a gallery and/or theater at the ground level, the first floor façade of the building would have to be substantially modified to allow for glazing and visual permeability. The cost of the structural reinforcements and changes to the building's façade that would be necessary to accommodate the proposed college make the adaptive reuse of the building as a college infeasible.

Furthermore, reuse of the building to meet Boricua College's programmatic needs would require substantial modifications to the building, altering its historic character. These include building 10 stories above the existing building, modifying the exterior masonry walls to allow for the greater provision of light and visual permeability, and rebuilding or reinforcing the exterior walls to carry the additional loads and remediate existing structural defects and deficiencies. Reuse of the building is expected to result in significant adverse impacts to this historic structure, and entail substantial costs to Boricua College to remediate and reuse the existing structure as opposed to building a new structure that fits their programmatic needs. As with the proposed project, this alternative would result in a significant adverse impact to historic resources that would not be fully mitigated.

URBAN DESIGN AND VISUAL RESOURCES

The Reuse of the Bronx Municipal Court – Second District Building alternative would result in improvements with respect to urban design and visual resources similar to those that would

occur under the proposed actions. If the courthouse building were integrated into the base of a larger Boricua College building, the building would be of similar height and form as under the proposed actions. The visual character of the area would be improved with the rehabilitation of the existing courthouse building, which currently has a negative effect on urban design due to its dilapidated state. As under the proposed actions, there would be no significant adverse impact on urban design and visual resources.

NEIGHBORHOOD CHARACTER

Under this alternative, the same mix of new residential, retail, and institutional uses and public open space would be constructed and the improvements with respect to urban design would be similar to those that would occur under the proposed actions. Because the development program would be the same, changes with respect to socioeconomic conditions, traffic, pedestrians, and noise would be the same as under the proposed actions. While there would remain a significant adverse impact on historic resources, this would not result in a significant adverse impact on neighborhood character. Instead, the neighborhood character would be improved with the rehabilitation of the deteriorated Bronx Municipal Court – Second District building. As under the proposed actions, there would be no significant adverse impact on neighborhood character.

HAZARDOUS MATERIALS

The Reuse of the Bronx Municipal Court – Second District Building alternative would result in construction of new residential, retail, and community facility buildings on the same development sites as under the proposed actions. Therefore, the same measures to identify and remediate hazardous materials on these sites would be taken, and with these measures there would be no significant adverse impacts with respect to hazardous materials.

INFRASTRUCTURE

Like the proposed actions, this alternative would not have significant adverse impacts on infrastructure.

SOLID WASTE AND SANITATION SERVICES

Like the proposed actions, the Reuse of the Bronx Municipal Court – Second District Building alternative would not have significant adverse impacts on solid waste and sanitation services.

ENERGY

Like the proposed actions, this alternative would not have significant adverse impacts on energy systems.

TRAFFIC, PARKING, TRANSIT AND PEDESTRIANS

Because the same amount and type of development would occur under this alternative as under the proposed actions, the same amount of traffic and visitors would be generated and the significant adverse traffic, bus, and pedestrian impacts associated with the alternative would be the same as under the proposed actions and the same mitigation measures would be called for. As with the proposed actions, there would be no significant adverse parking or subway impacts.

AIR QUALITY

Because the same amount and type of development would occur, this alternative would result in similar increases in mobile source emissions from vehicular traffic and emissions from HVAC systems as the proposed actions. Like the proposed actions, the Reuse of the Bronx Municipal Court – Second District Building alternative would not result in unmitigated violations of air quality standards.

NOISE

Because the development program would be the same as under the proposed actions, the Reuse of the Bronx Municipal Court – Second District Building alternative would result in the same amount of additional vehicular traffic and noise levels would remain in the “marginally acceptable” to “marginally unacceptable” categories. Neither this alternative nor the proposed actions would result in a significant adverse impact with respect to noise.

CONSTRUCTION IMPACTS

Under this alternative, construction of the same scale would occur on the same proposed development sites as under the proposed actions. Construction work on the site of the Bronx Municipal Court – Second District building would be different, as full demolition of the existing structure would not occur. However, overall the temporary effects associated with increased traffic, noise, and air emissions would be similar to those of the proposed project and no significant adverse impacts would occur.

PUBLIC HEALTH

Neither the Reuse of the Bronx Municipal Court – Second District Building alternative nor the proposed actions would result in significant adverse impacts to public health. Development under the Reuse of the Bronx Municipal Court – Second District Building alternative would result in similar increases in vehicular traffic and emissions from stationary sources as under the proposed actions. Neither this alternative nor the proposed action would create a new source of noise or odors, and neither would result in significant hazardous materials impacts. *