

A. INTRODUCTION

In accordance with City Environmental Quality Review (CEQR), this chapter presents and analyzes alternatives to the Proposed Actions. Under CEQR, alternatives selected for consideration in an Environmental Impact Statement (EIS) are generally those which have the potential to reduce, eliminate, or avoid adverse impacts of a Proposed Actions while meeting some or all of the goals and objectives of the action.

CEQR requires the examination of a No Action Alternative, in which a Proposed Actions would not be undertaken. The technical chapters of this EIS have described the No Action Alternative (referred to as “The Future without the Proposed Actions”) and have used it as the basis to assess the potential impacts and associated mitigation for the Proposed Actions. The following sections describe the No Action Alternative and then compare its likely impacts with those expected from the Proposed Actions. This analysis considers potential effects in 2013 when development as a result of the Proposed Actions is expected to be complete.

This chapter also considers alternatives for the location of the new school on the Project Site, which were proposed during scoping for this EIS and include an expansion of the existing P.S. 51 building and construction of a new school over the rail cut. Since existing uses on the Project Site, its zoning, and ownership by the City of New York limit the number of reasonable and practicable development options, this chapter does not include an analysis of an as-of-right alternative or alternative rezoning scenario.

The Draft Environmental Impact Statement included discussion of the feasibility of an alternative that would eliminate the project’s potential for an unmitigated impact on day care facilities. Based on the most current CEQR methodologies, that impact is no longer identified in the Final Environmental Impact Statement (FEIS). Consequently, the alternative addressing the impact was deleted from the FEIS.

B. NO ACTION ALTERNATIVE

The No Action Alternative assumes that the proposed zoning changes and other land use actions of the West 44th Street and Eleventh Avenue Rezoning proposal are not implemented. This includes no disposition of City-owned property as proposed by the New York City Department of Housing Preservation and Development (HPD), no zoning map and text amendments; no special permits; and no Urban Development Action Area Project (UDAAP) designation. Conditions under this alternative are similar to the “Future without the Proposed Actions” described in Chapters 2 through 21 of this EIS, which are compared below to conditions under the Proposed Actions.

LAND USE, ZONING, AND PUBLIC POLICY

The No Action Alternative would not result in a change in the land use or zoning of the Project Site. Although individual parcels could be redeveloped subject to a separate discretionary actions and environmental review, this is considered unlikely given that the underlying low-density manufacturing zoning on the Project Site does not permit redevelopment consistent with land use trends in the surrounding area. As such, under the No Action Alternative, the Project Site is expected to remain as a public parking lot, a horse stable, a vacant warehouse, a private parking lot, an outmoded school, and an open below-grade rail cut.

The No Action Alternative would not result in residential uses on the Project Site and would therefore not advance the City’s public policy of providing increased market-rate and affordable housing to meet the needs of its population. In addition, this alternative would not allow for the expansion and modernization of Public School (P.S.) 51, which, like system-wide elementary school conditions in Community School District (CSD) 2, operates above capacity (see Chapter 4, “Community Facilities”).

In sum, the No Action Alternative would not achieve the Proposed Actions’ purpose and need, which include enlivening an underutilized site with much-needed affordable housing, retail space, and community facilities and furthering positive development trends on Manhattan’s West Side.

SOCIOECONOMIC CONDITIONS

Similar to the Proposed Actions, the No Action Alternative would not result in any indirect impacts on residential displacement or significantly alter the socioeconomic composition of the study area including local population or household characteristics.¹ 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 increased market-rate and affordable housing.

The No Action Alternative would not result in the displacement of two businesses on the Project Site affecting approximately 20 employees. However, the two potentially displaced businesses located on the Project Site represent two different industries, and their employees account for only a small fraction of the total employment within their respective employment sectors; as such, their displacement would not result in significant adverse impacts on a specific industry in study area or the broader New York City economy.

COMMUNITY FACILITIES AND SERVICES

Neither the No Action Alternative nor the Proposed Actions would significantly impact libraries, health care, or fire and police protection services. Although the Proposed Actions would introduce new residents to Manhattan’s West Side, no significant adverse impacts on community facilities and services would be expected.

¹ As discussed in Chapter 3, “Socioeconomic Conditions,” given the diversity of incomes and unit prices that would be introduced, the Proposed Actions would not generate a dramatic demographic shift that could substantially affect area rents or the socioeconomic characteristics of the study area.

SCHOOLS

As discussed in Chapter 4, “Community Facilities and Services,” the Proposed Actions would result in an additional 77 elementary seats at P.S. 51 that would partially offset the introduction of 162 project-generated elementary students and an additional 277 intermediate seats that would more than compensate for the introduction of 54 project-generated intermediate students.¹

As shown in **Table 22-1**, the elementary school utilization rates are nearly identical for the No Action Alternative and the Proposed Actions. The additional 277 intermediate seats as part of the Proposed Actions would result in a substantial improvement in the intermediate school utilization rates, especially within the ½-mile study area.

Table 22-1
Comparison of Elementary and Intermediate School Utilizations for the No Action Alternative and the Proposed Project

School	No Action Alternative			Proposed Actions		
	Capacity	Enrollment	Utilization	Capacity	Enrollment	Utilization
Elementary (½-mile Study Area)	1,100	2,120	193%	1,177	2,282	194%
Elementary (CSD 2)	15,850	17,449	110%	15,927	17,611	111%
Intermediate (½-mile Study Area)	307	549	179%	584	603	103%
Intermediate (CSD 2)	7,754	6,716	87%	8,031	6,670	84%

Although neither the No Action Alternative nor the Proposed Actions would result in adverse impacts on schools, the No Action Alternative would not provide for the expansion and modernization of P.S. 51, which was constructed 1905 and the facilities of which are outmoded.

DAY CARE CENTERS

In the Future without the Proposed Actions, public day care facilities in the area will operate above capacity. Although the No Action Alternative would not generate new children eligible for publicly funded day care on the Project Site, conditions under both the No Action Alternative and the Proposed Project would exceed the available capacity of the area.

OPEN SPACE

The open space analysis for the Proposed Actions concluded that there would not be any significant 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 within the ½-mile study area would fall short of New York City Department of City Planning (DCP) guidelines. According to the *CEQR Technical Manual*, a 5 percent decrease in open space ratios is considered a substantial decline. While the Proposed Actions would introduce an estimated 2,606 residents and 96 employees to the study area,² since the total, active, and passive open space ratios would not decrease by more than 5 percent, the Proposed Actions and No Action Alternative would not result in significant adverse impacts on open space resources.

¹ The increase in the utilization rate of elementary schools in the ½-mile study area or in CSD 2 (1 percentage point in each) does not constitute a significant adverse impact on either category.

² No new publicly accessible open space is expected to be added to the study area as a result of the Proposed Actions. However, the Proposed Actions would be designed with an interior courtyard that would be for use by residents only.

SHADOWS

Under the No Action Alternative, existing uses would remain on-site, and there would be no incremental increase in shadows. The Proposed Actions would cast new shadows, but these shadows would not result in significant adverse impacts on sun-sensitive features. Thus, neither the No Action Alternative nor the Proposed Actions would result in significant impacts with respect to shadows on sun-sensitive features.

HISTORIC RESOURCES

ARCHAEOLOGICAL RESOURCES

Because the No Action Alternative would not result in subsurface disturbance, potential archaeological resources, if present, would remain *in situ*. As discussed in Chapter 7, “Historic Resources,” the Proposed Actions would involve subsurface disturbance of the Project Site, which could affect any historic-period archaeological resources that still exist in this area, and would require further investigation in the form of Phase 1B archaeological testing on portions of the Project Site. As this testing would be conducted in consultation with the New York City Landmarks Preservation Commission (LPC), no significant adverse impacts to archaeological resources are expected to occur with the Proposed Actions. Therefore, the No Action Alternative and the Proposed Actions would not result in significant adverse impacts to archaeological resources.

ARCHITECTURAL RESOURCES

As under the Proposed Actions, P.S. 51, which has been determined eligible for listing on the State or National Register of Historic Places (S/NR-eligible), would remain on the Project Site (although this building would be converted to residential use under the Proposed Actions). Although the proposed development would alter the context of architectural resources in the study area located closest to the Project Site, it is not expected that the Proposed Actions would result in significant adverse physical or contextual impacts on architectural resources in the study area. Construction on the Project Site as a result of the Proposed Actions would require the implementation of a Construction Protection Plan (CPP), developed in consultation with both the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) and LPC, to avoid potential inadvertent construction-related impacts to the former Houbigant Building, an architectural resource which is located across West 45th Street approximately 60 feet north of the Project Site. As such, neither the No Action Alternative nor the Proposed Actions would result in significant adverse impacts to architectural resources.

URBAN DESIGN/VISUAL RESOURCES

Under the No Action Alternative, the Project Site would remain unchanged. The Proposed Actions would substantially alter the urban design of the Project Site by removing the warehouse, stable, and surface parking lot, and decking over the rail cut. The Proposed Actions would replace unrelated uses that do not contribute to an active streetscape with a cohesively-designed set of buildings with continuous streetwalls and active ground-floor uses. Although the Proposed Actions would result in buildings much taller than those under the No Action Alternative, these buildings would not obstruct any existing views north and south on Tenth Avenue, views south on Eleventh Avenue, and views on the east-west streets in the study area.

As discussed in Chapter 8, “Urban Design and Visual Resources,” the Proposed Actions would not result in significant adverse impacts to urban design or visual resources.

While the No Active Alternative would not result in significant adverse impacts to urban design or visual resources, this alternative would not further the stated goals of enlivening an underutilized site with much-needed affordable housing, retail space, and expanded school facilities and continuing the trend of residential development in the area. Under the No-Action Alternative, the potential urban design benefits attributable to the Proposed Actions would not be realized.

NEIGHBORHOOD CHARACTER

Under the No Action Alternative, existing uses on the Project Site would remain; under the Proposed Actions, the Project Site would further the neighborhood’s trend toward greater residential use and, since the residential units would be a mix of market-rate and affordable, they would not introduce a population with substantially different socioeconomic characteristics. The displacement of two businesses on the Project Site, which are not major contributors to neighborhood character, would not be considered significant. Although traffic volumes would be lower under the No Action Alternative, the Proposed Actions would not result in traffic increases constituting a significant adverse impact on neighborhood character. The Proposed Project and the No Action Alternative would be a substantial generator of noise, and therefore, would not result in noise impacts within the neighborhood. Whereas the Proposed Project would result in disturbance of areas that have been identified as potentially sensitive for archaeological resources, would require construction protection for two historic resources within 90 feet of the Project Site, and would require further consultation with OPHRP for renovation of the existing P.S. 51, the No Action Alternative would not effect these historic resources. However, neither the No Action Alternative nor the Proposed Project would adversely alter the context of historic architectural resources. Therefore, like the Proposed Actions, the No Action Alternative would not adversely impact neighborhood character.

NATURAL RESOURCES

The Project Site is fully improved and contains no natural features. The No Action Alternative would not result in increases in shadow on the Hudson River. While the Proposed Project would result in limited periods of new shadow on the Hudson River, this incremental increase would not result in significant adverse impacts on water quality or natural resources. Thus, the effect of both the No Action Alternative and the Proposed Project with respect to natural resources would not substantially differ.

HAZARDOUS MATERIALS

As discussed in Chapter 11, “Hazardous Materials,” there is potentially subsurface contamination on the Project Site from past on- and off-site activities. However, as there would be no subsurface disturbance under the No Action Alternative, no significant adverse impacts related to hazardous materials are expected.

Demolition and excavation activities anticipated as a result of the Proposed Actions could disturb hazardous materials and increase pathways for human exposure. However, significant impacts would be avoided by performing these activities in accordance with the following:

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- Conduct laboratory analysis of collected soil and groundwater samples prior to construction activities;
- Implementation of an environmental health and safety plan (HASP);
- Implementation of a Remedial Action Plan (RAP)/environmental construction health and safety plan (CHASP) during construction;
- Remediation of any encountered petroleum storage tanks, asbestos-containing materials, lead-based paint, fluorescent light fixtures and other electrical equipment requiring disposal would be managed in accordance with applicable requirements prior to any demolition activities;
- Disposal of any excavated soil requiring off-site disposal would be managed in accordance with applicable requirements.

Although the Proposed Actions would require these additional measures, neither the No Action Alternative nor the Proposed Actions would result in significant adverse impacts related to hazardous materials. However, since new construction would not occur under the No Action Alternative, identified contaminants on the Project Site would remain.

INFRASTRUCTURE

As shown in Chapter 12, “Infrastructure,” the Proposed Actions would result in a net increase in water usage of approximately 504,000 gallons per day (gpd) and net increase in sanitary sewage flows of approximately 306,000 gpd when compared to conditions in the future without the Proposed Actions. However, neither the No Action Alternative nor the Proposed Actions would cause significant infrastructure impacts.

SOLID WASTE AND SANITATION SERVICES

As shown in Chapter 13, “Solid Waste and Sanitation Services,” the Proposed Actions would generate an additional 49,633 pounds (or 25 tons) of solid waste per week over the conditions in the future without the Proposed Actions. However, neither the No Action Alternative nor the Proposed Actions would cause significant solid waste and sanitary impacts.

ENERGY

Although the Proposed Actions would result in an additional increase of approximately 162,819 million British Thermal Units (BTUs) when compared to conditions in the Future Without the Proposed Actions, neither the No Action Alternative nor the Proposed Actions would result in adverse impacts on energy supplies.

TRAFFIC AND PARKING

The increases in travel demand associated with the Proposed Project would not occur under the No Action Alternative. Since the No Action Alternative would not generate new traffic or visitors, the significant adverse traffic impacts associated with the Proposed Actions would not occur. The No Action Alternative would also not displace 300 public parking spaces on the Project Site, but as with the Proposed Action, there would be no significant parking impacts.

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 Actions would not occur under the No Action Alternative, and thus, the No Action Alternative would not generate new transit or pedestrian trips. Nonetheless, neither the No Action Alternative nor the Proposed Actions would result in significant transit or pedestrian 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 Action, the No Action Alternative would not result in violations of air quality standards.

NOISE

The No Action Alternative would not result in an increase in vehicle volumes. Although the Proposed Actions would result in an increase in traffic, this increase would not have the potential to cause a significant noise impact. In addition, the proposed building's mechanical system (i.e., heating, ventilation, and air conditioning systems) would be designed to meet all applicable noise regulations and to avoid producing levels that would result in any significant increase in ambient noise levels. Therefore, neither the No Action Alternative nor the Proposed Actions would result in significant adverse impacts from noise.

CONSTRUCTION IMPACTS

Under the No Action Alternative there would be no construction on the Project Site. Therefore, there would be no temporary effects associated with increased traffic, noise, and air emissions during construction, 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

Like the Proposed Actions, the No Action Alternative would not be expected to adversely impact public health. The No Action Alternative would not result in construction or other activities with the potential to cause exceedances of National Ambient Air Quality Standards or substantial increases in noise.

C. EXPANSION OF EXISTING P.S. 51 ALTERNATIVE

An alternative was assessed in which the existing P.S. 51 School is renovated for continued school use or some other community facility use. This alternative and the Proposed Actions would increase school capacity in the district by providing another school facility on the Project Site. In other respects, overall impacts would be similar to those with the Proposed Project as the number of residential units and square footage of retail space would be unchanged. That is, there would continue to be significant adverse traffic impacts with similar levels of mitigation required.

Renovating the school for continued long term use would require extensive reconstruction; because given the age of the school, it does not meet many current design standards of the School Construction Authority (SCA), such as central air conditioning and energy-efficiency measures. Also, renovation

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would require closing of the school for at least one or two school years, thereby relocating students and temporarily reducing the capacity of the district. The temporary impact on school capacity that would result from this alternative would not occur with the Proposed Actions.

With this alternative, a new wing would be added south of the existing school building. Since floor heights vary between the existing school and SCA's standard design, an expanded school could result in reduced efficiency of its layout and capacity as compared to a new school building. Furthermore, as described in Chapter 7, "Historic Resources," the existing school is S/NR-eligible. Thus, as with the Proposed Actions, any alteration to the existing school building would need to be undertaken in consultation with OPHRP, and these alterations may increase the cost and schedule for school as compared to the Proposed Actions.

The expansion of the existing school would require modifications to the site plan for residential uses, since the adaptive re-use of the school for residential purposes would not occur. It is anticipated that the overall unit count would be the same as for the Proposed Project, but bulk would have to be added to one of the other proposed residential buildings on the Project Site.

The sale of the school is critical to creating the funding required for construction of the project's new school. Consequently, retaining and renovating the existing school is not consistent with one of the goals of the business transaction between HPD and 44th Street Development LLC, which is to provide financing for school construction as part of the project and could jeopardize the overall financial feasibility of the Proposed Actions.

D. SCHOOL OVER RAIL CUT ALTERNATIVE

This alternative contemplates placing the new school above the rail cut on the eastern side of the Project Site rather than within the existing school yard. Under this alternative, the rear yard of the existing school would instead provide for a portion of the residential development along 44th Street. Assuming the proposed development program could still be accommodated under the reconfigured site plan, this alternative would result in similar impacts on traffic as the Proposed Project.

Development of a school over the rail cut would orient the building north-south rather than east-west in order to meet the minimum footprint and space requirements. The school would also be constructed to the lot line such that classroom windows would front, in close proximity, the gas station to the east of the rail cut along Tenth Avenue. Furthermore, building over the rail cut would preclude the inclusion of a cellar level, resulting in a design of six stories above grade, which is not consistent with the SCA's design standards. Therefore, SCA considers development of the school over the rail cut to be infeasible. *