A. INTRODUCTION

As described in the 2020 *City Environmental Quality Review* (CEQR) *Technical Manual*, alternatives selected for consideration in an environmental impact statement are generally those that are feasible and have the potential to reduce, eliminate, or avoid significant adverse impacts of a proposed project while meeting some or all of the goals and objectives of this project. The purpose of an analysis of alternatives to a proposed project is to provide the decision makers with the opportunity to consider practicable alternatives that are consistent with the project's purpose, and that could potentially reduce or eliminate significant adverse environmental impacts identified in the Environmental Impact Statement (EIS). As described in **Chapter 1, "Project Description,"** the Proposed Actions would facilitate the redevelopment of an underutilized 2.76-acre site in the Crown Heights neighborhood of Brooklyn Community District (CD) 9 with an approximately 1,369,314 gross square feet (gsf) (1,151,671 (zsf)) mixed-use commercial/residential development on the block bound by Montgomery Street, Franklin Avenue, Sullivan Place, and Washington Avenue, on the eastern side of the MTA's Franklin Avenue subway shuttle right-of-way. The site is comprised of Brooklyn Block 1192, Lots 41 (130 Montgomery Street), 46, 63 (124 Montgomery Street), and 66 (972 Franklin Avenue) (the "Development Site"), while the Proposed Rezoning Area also includes Lot 40 (122A Montgomery Street) and parts of Lot 1 (a portion of the MTA's Franklin Avenue subway shuttle right-of-way), Lot 77 (1015 Washington Avenue) and Lot 85 (1035 Washington Avenue) ("the Project Area").

Under the reasonable worst-case development scenario (RWCDS), it is anticipated that the Proposed Actions would facilitate the development of a two tower, approximately 1,369,314 gsf (1,151,671 zsf) mixed-use residential/commercial/community facility development. The Proposed Development would comprise approximately 1,263,039 gsf of residential uses, introducing a total of approximately 1,578 dwelling units (DUs), approximately 21,183 gsf of local retail space and approximately 9,678 gsf of community facility space. Additionally, approximately 10,790 sf of publicly accessible open space plaza area would be created. Parking spaces for approximately 16 percent of all market-rate units would be allocated in two separate parking garages on the ground- and cellar-levels of the Proposed Development.

This chapter considers two alternatives to the Proposed Development: (1) a No-Action Alternative, which contemplates a new as-of-right development is anticipated to be developed pursuant to existing R6A zoning at the Development Site; and~~,~~ (2) a No Unmitigated Significant Adverse Impacts Alternative, which considers a development scenario that would not result in any identified significant unmitigated adverse impacts.[1]

[1] After certification of the application, the Applicant presented a conceptual design of a lower density massing to the public at the Brooklyn Community Board 9 meeting for this application on February 22, 2021. The Applicant provided additional information related to this lower density massing to the Department immediately prior to the DEIS public hearing. Given the substantive change to the proposed actions required by the lower density massing, the size and complexity of the proposed project and project site, and the indication by the CPC that it would not use its discretion to consider modifying the proposal, the lower density massing was determined not to be a reasonable alternative and is not included in the FEIS.

B. PRINCIPAL CONCLUSIONS

No-Action Alternative

The No-Action Alternative examines future conditions on the Development Site, but assumes the absence of the Proposed Development (i.e., none of the discretionary approvals proposed as part of the Proposed Development would be adopted). Under the No-Action Alternative by 2024, it is anticipated that an as-of-right residential development would be constructed on the Development Site (Lots 41, 46, 63 and 66) in two phases pursuant to the existing R6A zoning. The R6A zoning district permits 3.0 FAR with a maximum base height of 60 feet and a maximum building height of 70 feet. The No-Action development would include a total of approximately 414,607 gsf (approximately 356,190 zsf) of residential uses with approximately 518 market rate condominiums (assuming an average dwelling unit size of approximately 800 gsf per unit). Approximately 259 parking spaces would be provided, which is the equivalent of 50 percent of the building's market-rate dwelling units as required by the site's R6A zoning. The technical chapters of this EIS have described the No-Action Alternative as "the Future Without the Proposed Actions."

The significant adverse impacts related to transportation and construction anticipated for the Proposed Development would not occur under the No-Action Alternative. However, the No-Action Alternative would not meet the goals of the Proposed Development. The benefits expected to result from the Proposed Development as intended by the Applicant – including promoting affordable and market-rate housing development through the introduction of increased residential density on-site, encouraging the extension of the retail corridor south along Franklin Avenue through the provision of a commercial overlay, and introducing new community facility space – would not be realized under this alternative, and the No-Action Alternative would fall short of the objectives of the Proposed Development.

No Unmitigated Significant Adverse Impacts Alternative

The No Unmitigated Significant Adverse Impacts Alternative examines a scenario in which the density and other components of the Proposed Development are changed specifically to avoid the unmitigated significant adverse impacts associated with the Proposed Development. As presented in **Chapter 21, "Mitigation,"** and **Chapter 23 "Unavoidable Adverse Impacts,"** there is the potential for the Proposed Development to result in unmitigated significant adverse impacts related to community facilities (child care services), shadows, open space, natural resources, and construction. Overall, in order to eliminate all unmitigated significant adverse impacts, the Proposed Development would have to be modified to a point where the principal goals and objectives would not be realized.

C. NO-ACTION ALTERNATIVE

The No-Action Alternative assumes that the Proposed Development is not implemented. This includes no zoning map amendment, no zoning text amendment, no Large-Scale General Development Special Permit, no special permit to reduce required parking, and no approval for construction financing. Conditions under this alternative are similar to the "Future without the Proposed Actions" described in the preceding chapters, which are compared in the following sections to conditions under the Proposed Development. The No-Action Alternative incorporates known development projects in the surrounding area that are likely to be built by the analysis year of 2024.

Under the No-Action Alternative, it is anticipated that an as-of-right residential development would be constructed on the Development Site (Lots 41, 46, 63 and 66) in two phases pursuant to the existing R6A zoning under future No-Action conditions. The R6A zoning district permits 3.0 FAR with a maximum base height of 60 feet and a maximum building height of 70 feet. As described above, the No-Action development would include a total of approximately 414,607 gsf (approximately 356,190 zsf) of residential uses with approximately 518 market-rate condominiums (assuming an average dwelling unit size of approximately 800 gsf per unit). Approximately 259 parking spaces would be provided, which is the equivalent of 50 percent of the building's market-rate dwelling units as required by the site's R6A zoning.

The effects of the No-Action Alternative in comparison to those of the Proposed Development are provided below.

Land Use, Zoning, and Public Policy

Under the No-Action Alternative, it is anticipated that all existing buildings on the Development Site would be demolished and a new residential development would be constructed on-site pursuant to existing zoning. The No-Action development would introduce new residential uses on a site that has been used most recently for spice processing, warehousing, and distribution. Approximately 414,607 gsf (approximately 356,190 zsf) of residential uses would be developed in a two-phases, with approximately 518 market-rate condominiums and approximately 259 parking spaces, as described above. As such, the No-Action Alternative would result in a change of land use on the Development Site.

No changes to zoning or public policy are anticipated to the Project Area or the Development Site under the No-Action Alternative. Under this alternative, the existing R6A zoning classification of the Project Area would remain and no zoning special permits or other land use actions would be required. In addition, the zoning text amendment to establish the Project Area as a Mandatory Inclusionary Housing (MIH) area would not be established and no mandatory affordable housing would be developed.

It is the Applicant's opinion that unlike the Proposed Development, the No-Action Alternative would not improve land use conditions in the study area by expanding housing opportunities and mandating the creation of affordable housing and introducing local retail, and community facility uses to the area, nor would it provide new publicly accessible open plaza area. Further, the Applicant believes that the pedestrian experience would not be enhanced with active retail or publicly accessible open space uses. In addition, the Applicant believes that the No-Action Alternative would be less supportive of public policies articulated in *Housing New York*, PlaNYC, and *OneNYC* that aim toward increasing the supply of housing in the city, reclaiming underutilized land, and expanding access to affordable housing.

While the Applicant believes that the No-Action Alternative does not achieve the beneficial land use changes that would result with the Proposed Development, neither the Proposed Development nor the No-Action Alternative would result in significant adverse impacts related to land use, zoning, and public policy, as described in **Chapter 2, "Land Use, Zoning, and Public Policy."**

Socioeconomic Conditions

Neither the No-Action Alternative nor the Proposed Development would be expected to have a significant adverse impact on socioeconomic conditions. Similar to the Proposed Development, the No-Action Alternative would not result in direct residential or business displacement. While a portion of the

Development Site currently supports an existing business operation, the Applicant has indicated that they have an accepted purchase agreement and the existing business would vacate the property regardless of the Proposed Actions.

New residential developments are anticipated in the socioeconomic conditions study area in both the future with the Proposed Development and under the No-Action Alternative, and demand for residential development in Crown Heights is expected to continue to rise. Unlike the Proposed Development, under the No-Action Alternative, the Development Site would not be designated an MIH area, and no units of affordable housing would be constructed. As a result, the benefits of the Proposed Development, in which the Applicant intends to provide new affordable housing to the area that would help maintain deeper affordability in Crown Heights' housing stock, would not be realized under the No-Action Alternative as described in **Chapter 3, "Socioeconomic Conditions."**

Community Facilities and Services

The No-Action Alternative would introduce 518 units of market-rate housing and approximately 1,358 residents to the Development Site and, therefore, would result in an increase in demand on area community facilities. As described in **Chapter 4, "Community Facilities,"** The *CEQR Technical Manual* recommends a detailed analysis of indirect impacts on police, fire, and health care services in cases where a proposed action would create a sizeable new neighborhood where none existed before. As the No-Action development would result in 518 new DUs, it would not create a sizeable new neighborhood and, further analysis of police, fire, and health care services is not warranted.

As described in **Chapter 4, "Community Facilities,"** CSD 17, Sub-district 2 elementary schools are expected to continue to operate with available capacity in the future without the Proposed Actions. Under 2024 No-Action conditions, CSD 17, Sub-district 2 elementary school enrollment is expected to increase from 3,702 to 3,936 students, while capacity is expected to decrease from 5,121 to 4,321 seats. As such, the utilization rate of elementary schools in the sub-district is expected to increase to 91.1 percent in 2024, with 385 available seats.

CSD 17, Sub-district 2 intermediate schools are also expected to continue to operate with available capacity in the without the Proposed Actions. Under 2024 No-Action conditions, CSD 17, Sub-district 2 intermediate school enrollment is expected to increase from 2,418 to 2,444 students, while capacity is expected to increase from 3,662 to 4,090 seats. As such, the utilization rate of intermediate schools in the sub-district is expected to decrease to 59.8 percent in 2024, with 1,646 available seats.

No changes to either the Crown Heights Library or Brooklyn's Central Library are expected in the future without the Proposed Actions, and for analysis purposes, the number of holdings in each library is assumed to remain the same in 2024, as described in **Chapter 4, "Community Facilities."** Based on this assumption, the No-Action holdings-per-resident ratio would decrease from 0.46 to 0.44 for the Crown Heights Library, and from 8.00 to 7.57 for the Central Library.

Although no affordable residential development is anticipated on the Development Site in the No-Action condition, a number of residential development projects with affordable units planned or under construction are expected to be completed in the surrounding area by 2024 (refer to **Table 2-4** in **Chapter 2, "Land Use, Zoning, and Public Policy"**). Of these, approximately 599 units are affordable units for households earning up to 80 percent of AMI including, amongst others, 152 affordable DUs at 902 Franklin Avenue/931 Carroll Street and 250 affordable DUs at the Bedford-Union Armory.

Based on the *CEQR Technical Manual* generation rates for developments in Brooklyn, these incremental 599 No-Action affordable housing units are expected to generate 107 additional publicly funded child care-eligible children under age six to the study area, increasing the total child care center enrollment to 1,473. No changes to child care center capacity are anticipated in the 2024 No-Action condition. As described in **Chapter 4, "Community Facilities,"** the future No-Action child care utilization rate is expected to increase by 7.1 percentage points to 97.8 percent and, therefore, the study area's child care centers would continue to operate with available capacity.

The No-Action Alternative would not result in direct impacts to community facilities and services or indirect impacts to high schools, library services, child care services, or police, fire, and emergency medical services. Under the Proposed Development, indirect impacts to child care services would occur.

Open Space

Under the No-Action Alternative, a new market-rate residential development with 518 units would occur on the Development Site. Approximately 1,358 residents and 26 workers would be introduced to the area as a result of the as-of-right development on the Development Site. Unlike the Proposed Development, the No-Action Alternative would not result in the creation of a new publicly accessible plaza. Similar to existing conditions, the total and passive open space ratios under the No-Action alternative would remain above the City's community district median and the City's optimal planning guidelines, while the active open space ratio would remain below the City's community district median and the City's optimal planning guidelines. The No-Action Alternative would cast shadows on two sunlight sensitive resources, the Brooklyn Botanic Garden and Jackie Robinson Playground. Shadows from the No-Action Alternative would be limited to the early morning hours of each of the four representative analysis days and would not cast any shadow on any greenhouse. Shadow from the No-Action Alternative would be cast on Jackie Robinson Playground in the afternoon hours of each representative analysis day. Shadows from the No-Action Alternative would not substantially affect the usability or enjoyment of either open space.

Shadows/Natural Resources

Under the No-Action Alternative, a 518-unit market-rate residential development would occupy the Development Site. The R6A zoning district permits 3.0 FAR with a maximum base height of 60 feet and a maximum building height of 70 feet. **Figure 1-5** in **Chapter 1, "Project Description"** shows an illustrative site plan for the No-Action development. With portions of the Phase I and Phase II buildings extending up to six stories and a maximum height of 70 feet, the longest shadow cast would extend approximately 301 feet and, as such, would have the potential to reach the Jackie Robinson Playground and the Brooklyn Botanic Garden. With the existing four- and six-story buildings located on Washington Avenue to the west of the Development Site, there would be minimal incremental shadows cast to the west as a result of the Proposed Development. Shadows cast by the No-Action Alternative would be limited to small portions of the garden in the early morning hours. No shadow would be cast on any sensitive greenhouses. Shadows cast to the east as a result of the No-Action Alternative would result in afternoon shadows on the Jackie Robinson Playground; however, the incremental shadows would be limited in size and would not substantially affect the usability or enjoyment of the playground. Therefore, as shadows from the No-Action Alternative would not reach any sensitive greenhouses in the Brooklyn Botanic Garden, or affect the usability and enjoyment of the Jackie Robinson Playground, no significant adverse impacts would occur under the No-Action Alternative.

Historic and Cultural Resources

As described in **Chapter 7, "Historic and Cultural Resources,"** the Development Site is not considered to be sensitive for archaeological resources. Therefore, as with the Proposed Development, the No-Action Alternative would not result in any significant adverse impacts to archaeological resources.

In a letter dated December 20, 2017, the NYCLPC determined that the Consumer's Park Brewing Company Complex buildings on Lots 41 and 46 are eligible for listing on the S/NR, but are not eligible for designation as a NYCL (see correspondence in **Appendix 1**). As detailed in an assessment conducted by SHPO in August 1999, the Consumer's Park Brewing Company Complex is eligible for listing on the S/NR "as a rare survivor of the many breweries that were once an important part of Brooklyn industry at the turn of the century and due to its distinctive industrial architecture." The former brewery is located in the northern portion of the Project Area, fronting Montgomery Street to the north and Franklin Avenue to the east. There are no other historic architectural resources eligible for listing on the S/NR or designation as NYCLs in the Project Area.

The buildings on Lots 41 and 46 of the Project Area are the only structures that remain from the original Consumers Park Brewing Company Complex. There are five buildings on Lot 46 fronting Franklin Avenue. These redbrick structures were built around 1898 to the designs of architect C.T. Fernery in the Romanesque Revival style. All five building facades along Franklin Avenue are in fair to poor condition, with deteriorating bricks, mortar, and stone trim; an extensive amount of graffiti on the lower levels; and brick infill and repointing not matching existing brickwork.

The southernmost structure on Franklin Avenue is four stories tall and three bays wide, and was originally the Consumers Park Brewery's racking room and cold storage facility. It has stringcourses above the basement level and first floor and below the fourth floor, connecting to those on the building to its north. The basement windows have been replaced with brick infill. A large, terra-cotta plaque which once advertised the "Consumers Park Brewery" remains in the center of the building, extending between the second and third floors; the engraved letters have been painted over. At some point during the mid- to late-20th century, a new window was added to the central bay of the second façade, requiring the removal of the bottom portion of the plaque. The fourth floor contains round-arched windows with brick detailing, a common element throughout the buildings of the complex.

Immediately to the north is a five-story building with three bays that housed the original brewing rooms of Consumers Park. The stringcourse from the adjacent building extends above and beneath the first floor windows and below the fourth floor windows of the structure. The first floor windows are topped with a stone lintel that extends the width of the windows and contains severely deteriorating terra-cotta beer barrels as ornament. Above are round-arched transoms (except for the southernmost opening which was replaced with an air conditioning unit), mirroring the round-arched windows on the fourth and fifth floors as well as the adjacent building. There is decorative brickwork throughout the façade, including in the arches above windows as well as the brick corbelling above the fifth story.

The central building on Franklin Avenue was originally six stories tall and topped with a soaring mansard roof – the tallest structure in the complex. It appears that the roof was lined with statues or pillars at its corners. However, in the last decades of the 20th century, the top story of the building and the embellished roof were removed, and the structure now rises to the same height as its southern neighbor. The building retains its narrow three-bay-wide central windows and the complex's main vehicular entrance occupies most of the ground floor with a non-original metal roll-down gate.

The two northern structures on Franklin Avenue are both two stories tall and four bays wide. The main pedestrian entrance for the complex is located immediately north of the vehicular entrance, and contains non-original metal doors and a non-original metal roll-down gate. This structure was originally used as offices for the Consumers Park Brewing Company. Like other buildings in the complex, it has decorative brick arches and brick corbelling above the second floor windows. The roof of this structure is irregular, and the brick detailing just below the roofline contains small, decorative, round-arched recesses, mimicking the round-arched windows of the second floor.

The northernmost building fronting Franklin Avenue in the complex was originally the engine and dynamo room for the brewery. Its irregularly shaped northern wall follows what was likely the lot line at the time that the building was constructed. The ground-floor bays of this structure feature wide round-arched window openings, the northernmost of which was converted into an additional entrance to the complex with a modern metal roll-down gate. The second story of the building contains pairs of round-arched windows topped with decorative brick arches. Above the second floor windows is brick corbelling and several small, decorative, round-arched recesses identical to those on the building to the south. Just beyond is a smokestack from the brewery, with the words “Interboro Brew” visible from the north. The remainder of Lot 46 is vacant and enclosed with a chain-link fence along Franklin Avenue and the eastern portion of Montgomery Street, and a non-original brick wall along the western portion of Montgomery Street.

The original stable fronting Montgomery Street still stands on Lot 41. Likely constructed between 1895 and 1899, the three-story, red brick, Queen Anne style structure once held 60 horse stalls and a harness room. There is a significant amount of graffiti on the buildings eastern, western, and northern facades, and the building’s second-story segmental arch windows fronting Montgomery Street have been infilled with brick. The stable retains its mansard roof and brick-corbelled cornice, but all of its hooded dormers have been removed.

After the Interboro Brewing Company went out of business in 1919, the Consumers Park Station closed and the platform bridge was removed. Lot 6 and 14 of the complex, which had once accommodated the Consumers Park Hotel, were redeveloped with four-story apartment buildings in 1925-1926 (similar to nearby lots along the eastern side of Washington Avenue). Around this time the barrel storage and bottling department buildings on Lot 63 were also demolished, and the existing single-story factory on the property was not constructed until 1938. In 1922, the remaining buildings on Lots 41 and 46 were converted into a mattress and pillow factory for the Burton Dixie Corporation. Morris J. Golombeck, Inc., a company specializing in importing and distributing spices, has occupied the complex since 1955, utilizing the space for manufacturing, processing, and blending spices.

As described above, the Applicant has indicated that they have an accepted purchase agreement and the existing business would vacate the property regardless of the Proposed Actions. The as-of-right residential development that would occur under the No-Action Alternative would result in the demolition of the existing buildings on the Development Site. Similar to the Proposed Development, the No-Action Alternative would not eliminate or screen publicly accessible views of any resources, and neither this alternative nor the Proposed Development would result in significant adverse indirect or contextual impacts on historic architectural resources.

Urban Design and Visual Resources

As under future conditions with the Proposed Development, no significant adverse impacts to urban design and visual resources would occur in the No-Action Alternative. Under the No-Action Alternative,

the Development Site would provide increased foot traffic and a unified streetwall that does not exist at the underutilized site under existing conditions. However, there would not be any local retail, community facility or publicly-accessible plaza areas under the No-Action condition.

Hazardous Materials

As under the Proposed Development, the No-Action Alternative would not result in significant adverse hazardous materials impacts. The hazardous materials (E) designation (E-586###) would only be placed on the Development Site under the With-Action Scenario, this (E) designation would not be placed on the Development Site under the No-Action Alternative. However, under the No-Action Alternative, the Development Site would be redeveloped in accordance with the applicable NYC DOB guidance in terms of safe building demolition and site redevelopment methods. Therefore, there would be no potential for contact with subsurface contamination and no significant risk of human exposure.

Water and Sewer Infrastructure

Neither the Proposed Development nor the No-Action Alternative would result in significant adverse impacts on the City's water supply, wastewater treatment, or stormwater conveyance infrastructure. Compared with the Proposed Development, the No-Action Alternative would generate less demand on the City's water supply and wastewater treatment infrastructure.

Energy

Neither the Proposed Development nor the No-Action Alternative would result in significant adverse impacts with respect to the transmission or generation of energy. The demand generated under the No-Action Alternative would be considerably less than for the Proposed Development. However, under both the Proposed Development and the No-Action Alternative, the annual increase in demand would represent a negligible amount of the City's forecasted annual energy requirements for 2024.

Transportation

As discussed above, the No-Action Alternative would introduce 1,358 residents and 26 workers and, therefore, would result in an increase in demand on the transportation network of the surrounding area. The No-Action Alternative would not result in significant adverse impacts to traffic, transit, pedestrians, or parking. However, the Proposed Development would result in traffic and pedestrian impacts.

In the No-Action Alternative, traffic, transit, pedestrian, and parking demand in the study area would increase as a result of background growth and development that could occur pursuant to existing zoning (i.e., as-of-right development), and other development projects likely to occur within and in the vicinity of the Development Site.

Traffic

Between 2020 and 2024, it is expected that transportation demands in the vicinity of the Development Site would increase due to background growth and new development. As presented in **Chapter 14,**

"Transportation," at the nine analyzed intersections, under No-Action conditions, two of the 29 lane groups would operate with congested conditions[2] in the weekday AM peak hour and none in the weekday midday and PM, and Saturday peak hours (refer to Table 14-12). By introducing fewer residential units, commercial space, and community facility space, the No-Action Alternative would reduce the congestion in the two congested lane groups (refer to Table 14-12).

Transit

Under the No-Action Alternative, it is expected that transit demand in the vicinity of the Development Site would increase as a result of background growth and new development. As presented in **Chapter 14, "Transportation,"** all analyzed stairs and fare arrays at the Franklin Avenue-Botanic Garden and Prospect Park subway stations would operate at level of service (LOS) C or better in the AM and PM peak hours. With regard to bus conditions, no bus analysis was warranted for the Proposed Development or the No-Action Alternative as the anticipated increase in ridership did not exceed the *CEQR Technical Manual* threshold for a detailed analysis.

Pedestrians

Under the No-Action Alternative, it is expected that pedestrian traffic in the vicinity of the Development Site would increase as a result of background growth and new development. As presented in **Chapter 14**, **"Transportation,"** all analyzed sidewalk and crosswalk elements are expected to operate at a LOS C or better in all peak hours in the future without the Proposed Actions, with the exception of the north crosswalk at Empire Boulevard and Washington Avenue, which is expected to operate at a marginally acceptable LOS D. All analyzed corner areas are expected to continue to operate at an uncongested LOS A in all peak hours in the future without the Proposed Actions. Therefore, the No-Action Alternative would not result in significant adverse pedestrian impacts.

Parking

Under the No-Action Alternative, it is expected that parking demand in the vicinity of the Development Site would increase as a result of background growth and new development. However, the parking demand generated by the No-Action Alternative would be substantially less than for the Proposed Development, and off-street parking requirements for new developments would provide sufficient capacity to accommodate the additional parking demand anticipated under the No-Action Alternative. Therefore, the No-Action Alternative would not result in significant adverse parking impacts.

Air Quality

Under the No-Action Alternative, a new 518-unit market-rate residential development and an on-site accessory parking garage would be constructed on the Development Site containing approximately 259 accessory parking spaces. As such there would be a new source of stationary source air quality emissions and a new emissions source from the parking garage on the Development Site. As the size of the accessory-parking garage would be larger in the No-Action condition than in the Proposed Development, the No-Action condition may result in more vehicles and higher emissions concentrations than the Proposed Development. However, the potential for significant adverse impacts in this scenario has not

[2] A congested lane group is defined as either: (a) a signalized lane group that operates at level of service (LOS) E or F or with a volume-to-capacity (v/c) ratio of 0.90 or greater; or (b) an unsignalized movement that operates at LOS E or F.

been evaluated.

Under the No-Action condition, a 70-foot-tall building of approximately 414,607 gsf would be constructed at the Development Site. The closest building taller than the No-Action development is the 175-foot tall building at 40 Crown Street. 40 Crown Street is approximately 70 feet north of the Development Site. The placement of an (E) designation on the Development site under the With-Action conditions would ensure no stationary source impacts would occur. This mechanism would not be established in the No-Action alternative.

Additionally, mobile source emissions from traffic on surrounding roadways would increase as a result of general background traffic growth and new development in the surrounding area, when compared to existing conditions. As presented in **Chapter 14, "Air Quality,"** no exceedances of the National Ambient Air Quality Standards (NAAQS) would occur and the Proposed Development's combustion systems would not cause any significant adverse air quality impacts under the With-Action Condition. As the No-Action Alternative would result in less mobile source emissions (i.e., less incremental vehicle trips) than the Proposed Development, significant adverse impacts are unlikely under the No-Action Alternative.

Greenhouse Gas Emissions and Climate Change

As the No-Action Alternative would result in a new 518-unit market-rate residential development, it would be smaller than the Proposed Development. As such, it would use less energy than the Proposed Development and would, therefore, result in fewer carbon dioxide equivalent (CO_2e) emissions per year. Neither the Proposed Project nor the No-Action Alternative would result in significant greenhouse gas (GHG) emission or climate change impacts.

Noise

Under the No-Action Alternative, a new 518-unit market-rate residential development would occur on the Development Site. No other sources of noise would be created on the Development Site. The noise levels from mobile sources on surrounding roadways would increase due to general background traffic growth and new developments in the surrounding area, as well as the 518-unit residential development, when compared to noise levels under existing conditions, but would be lower than future conditions with the Proposed Development. As presented in **Chapter 17, "Noise,"** to ensure the Proposed Development would not result in any significant adverse noise impacts, the noise attenuation specifications for the Proposed Development would be mandated through the assignment of an (E) designation (E-586) to the Development Site. As under the Proposed Development, no significant adverse noise impacts would occur at the noise receptor locations in the study area in the No-Action Alternative.

Public Health

Similar to the Proposed Development, the No-Action Alternative would not result in any unmitigated significant adverse impacts in any of the technical areas related to public health. According to the *CEQR Technical Manual*, actions that do not result in unmitigated significant adverse impacts related to air quality, water quality, hazardous materials, or noise typically do not warrant a public health analysis. As the No-Action Alternative does not have the potential to cause any significant adverse impacts in those areas, it would not have any significant adverse impacts on public health.

Neighborhood Character

According to the *CEQR Technical Manual*, a proposed project could have a significant adverse neighborhood character impact if it would have the potential to affect the defining features of the neighborhood, either through the potential for a significant adverse impact in any relevant technical area, or through a combination of moderate effects in those technical areas. Similar to the Proposed Development, the No-Action Alternative would not cause significant adverse impacts in the areas of land use, zoning, and public policy; socioeconomic conditions; historic and cultural resources; urban design and visual resources; or noise. Further, no significant adverse transportation impacts are anticipated as a consequence of the No-Action Alternative. As such, the No-Action Alternative would not affect any defining feature of neighborhood character, nor would a combination of moderately adverse effects affect such a defining feature. A new 518-unit market-rate residential development would occur under the No-Action Alternative and the overall neighborhood character of the area would continue to trend toward increased residential and local retail uses on vacant and underutilized sites under the No-Action Alternative. The study area would continue to be characterized by its evolving mix of land uses and building types, and its location in an area with low pedestrian volumes. Neither the Proposed Development nor the No-Action Alternative would result in significant adverse impacts to neighborhood character.

Construction

As discussed above, the No-Action Alternative would result in a new as-of-right residential development with 518 new market-rate units on the Development Site and, therefore would result in temporary increases in construction worker demand on the transportation network of the surrounding area, and new sources of construction-related air quality or noise emissions. As compared to the Proposed Development, the No-Action Alternative would result in a shorter overall construction schedule and would have less construction noise and less on-site construction equipment and construction-related traffic generating emissions. Where the Proposed Development would result in significant adverse construction impacts related to transportation and noise, the No-Action Alternative would not result in any significant adverse construction impacts.

D. NO UNMITIGATED SIGNIFICANT ADVERSE IMPACT ALTERNATIVE

According to the *CEQR Technical Manual*, when a project would result in unmitigated significant adverse impacts, it is often CEQR practice to include an assessment of an alternative to the project that would result in no unmitigated impacts. Based on the analyses presented in other chapters of this EIS, there is the potential for the Proposed Development to result in unmitigated impacts with respect to community facilities (child care services), open space, shadows, natural resources, transportation (traffic), and construction traffic and noise. This alternative demonstrates those measures that would have to be taken to eliminate all of the Proposed Development's unmitigated significant adverse impacts. As detailed below, in order to result in no unmitigated significant adverse impacts, the Proposed Development would have to be modified to a point where the principal goals and objectives would not be fully realized.

As the density of this alternative would be substantially less than with the Proposed Development, the no unmitigated significant adverse impacts alternative would have similar or lesser effect on the CEQR technical areas analyzed in the EIS, compared to the Proposed Development. However, unlike the Proposed Development, this alternative would mitigate all identified significant adverse impacts. The

analysis provided below focuses on the CEQR technical areas that would experience unmitigated significant adverse impacts with the Proposed Development.

Community Facilities and Services

Child Care Services

As presented in **Chapter 4, "Community Facilities and Services,"** the Proposed Development would result in significant adverse impacts to publicly-funded child care services. In order to eliminate this impact the size of the Proposed Development would need to be reduced from 1,578 total DUs (with 474 affordable DUs through the MIH Program) to 1,404 DUs (with 421 affordable DUs through the MIH Program).

Open Space, Shadows, and Natural Resources

Due to incremental shadows from the Proposed Development, the Proposed Actions would result in direct significant adverse impacts to Brooklyn Botanic Garden and to Jackie Robinson Playground. The Proposed Development would cast incremental shadow on several greenhouses during the crucial winter months. Greenhouses within the Brooklyn Botanic Garden are used to propagate plants for desert, tropical, and warm temperate climates that require full, year-round sun including sunlight during the important winter months. No feasible alternative to the Proposed Actions could be identified which substantially reduced incremental shadow to the degree which would fully mitigate the significant adverse open space, shadows, and natural resources impacts.

In order for direct shadows impacts on Jackie Robinson Playground to be eliminated, the Proposed Development's height and bulk would have to be modified to a point where the principal goals and objectives would not be fully realized. Due the position of the playground relative to the Development Site, any development that was 30-45 feet taller than the (70-foot-tall) No-Action Alternative would result in a complete elimination of direct sunlight to Jackie Robinson Playground at certain times on at least one of the four representative analysis days.

Transportation

Traffic

As discussed in **Chapter 14, "Transportation,"** the Proposed Development would result in significant adverse impacts at two lane groups at the following two signalized intersections during one or more analyzed peak hours.

- Washington Avenue and Empire Boulevard: The southbound approach would operate at LOS D in the weekday PM peak hour; and
- Franklin Avenue and Sullivan Place: The southbound approach would operate at LOS D in both weekday AM and PM peak hours.

In order to eliminate traffic impacts, the incremental number of DUs, retail space, and medical office space above the No-Action Alternative would need to be reduced to 0 DUs, approximately 0 gsf of retail space, and 9,867 gsf of community facility space. Therefore, the program for the No Unmitigated Significant

Adverse Impact Alternative would include 518 DUs, 0 gsf of retail space, and 9,678 gsf of community facility space. This building would not include any affordable DUs. While this building program would not result in any operational traffic significant adverse impacts, it would not fulfill the objectives of the Propose Actions, to create approximately 789 DUs of permanently affordable housing and create new retail opportunities by extending the retail corridor south along Franklin Avenue.

Pedestrians

The Proposed Development would result in significant adverse impacts to pedestrians at the northern crosswalk at the intersection of Empire Boulevard and Washington Avenue. To eliminate the pedestrian impact at this crosswalk, the increment above the No-Action Alternative would include 0 DUs, 12,000 gsf of retail, and 9,867 gsf of community facility space. The No Unmitigated Significant Adverse Impact would include 518 DUs, 12,000 gsf of retail space, and 9,867 gsf of community facility space. Though this Alternative would eliminate any pedestrian impacts, this Alternative would not achieve the purpose and goals of the Proposed Actions. While this Alternative would extend the existing retail corridor south on Franklin Avenue it would not include any affordable DUs.

Construction

Traffic

The Proposed Development would result in significant adverse construction traffic impacts. As presented in **Chapter 20, "Construction,"** two lane groups at one intersection are expected to have the potential for significant adverse traffic impacts as a result of construction activities, namely the northbound left-through and southbound left at Eastern Parkway and Washington during the 3 to 4 PM peak hour. Due to the existing conditions and the sensitivity at the intersection of Eastern Parkway and Washington Avenue, the addition of a single construction vehicle would cause an impact at this intersection. As such, any minor construction increment at the site would likely trigger an impact. As presented in **Chapter 21, "Mitigation,"** no feasible measures to mitigate the significant adverse construction traffic impacts could be identified and both of the construction related impacts during the 3 to 4 PM peak hour would remain unmitigated.

Noise

The Proposed Development would result in significant adverse construction noise impacts. As presented in **Chapter 20, "Construction,"** at residences directly adjacent to the Development Site and at P.S. 375 Jackie Robinson School, construction of the Proposed Development would result in noise level increases that would exceed the recommended CEQR threshold for residential and community facility use over a prolonged period of time. As presented in **Chapter 21, "Mitigation,"** potential measures to mitigate the significant adverse construction noise impacts were explored in consideration of their effectiveness, cost, and feasibility.

In order to reduce the level of construction noise at nearby receptors, the Applicant would commit to constructing an 8-foot-high perimeter noise wall around each construction area. The wall would be lined with a quilted fiberglass to improve sound absorption and reduce construction noise levels at surrounding residential properties. As no additional feasible mitigation measures have been identified, the significant adverse impacts would be considered partially mitigated.

Given the proximity of these existing sensitive receptors to the Development Site, even accounting for the

types of measures incorporated into the Proposed Development to reduce construction noise and the proposed mitigation measures, any development involving below-grade excavation and multi-year construction would likely have the potential to result in temporary unmitigated significant adverse construction noise impacts. Furthermore, any significant adverse construction noise impacts at these nearby receptors could not reasonably or feasibly be fully mitigated.

In order to completely avoid significant adverse construction noise impacts, the development program would have to be reduced by approximately 70 percent (an approximately 3.0 FAR project) to the No-Action Alternative. Due to the proximity of sensitive receptors to the Proposed Development, particularly P.S. 375 Jackie Robinson School, any construction increment above the No-Action Alternative would result in significant adverse impacts related to construction noise.

The No-Action Alternative would reduce the number of residential units by approximately 1,060 DUs, and would eliminate the proposed local retail, community facility space, and 10,790 sf of publicly accessible open space. While the No Unmitigated Significant Adverse Impacts Alternative would avoid the potential for unmitigated significant adverse impacts identified under the Proposed Actions, it would substantially compromise the objectives of the Proposed Actions. The benefits expected to result from the Proposed Actions – including the creation of 789 affordable DUs, local retail and community facility space, and 10,790 sf of publicly accessible open space would not be realized under this alternative. Therefore, no reasonable alternative could be developed to avoid temporary construction noise impacts without substantially compromising the Proposed Actions' stated goals and objectives.

Accordingly, based on the analysis presented herein, no feasible alternative has been identified which results in no unmitigated significant adverse impacts.