# Chapter 21: Alternatives

## A. INTRODUCTION

In accordance with the City Environmental Quality Review (CEQR) and the State Environmental Quality Review Act (SEQRA), this chapter presents and analyzes alternatives to the Proposed Action. As described in the 2012 *CEQR Technical Manual*, alternatives selected for consideration in an environmental impact statement (EIS) are generally those which are feasible and have the potential to reduce or eliminate any adverse impacts of a proposed action while meeting some or all of the goals and objectives of the action. Other alternatives may also be considered, including planning alternatives that do not necessarily address project-related impacts.

This chapter considers:

- A **No-Action Alternative** that is mandated by CEQR and SEQRA and is intended to provide the lead and involved agencies with an assessment of the expected environmental impacts of no action on their part;
- A **No Subdistrict B Alternative**, which would eliminate the Subdistrict B regulations from the proposed Special District zoning text and would instead apply the general Special District bulk regulations to the lots previously subject to Subdistrict B regulations under the Proposed Action;
- A **Midblock Special Permit Alternative**, in which the proposed Special District text would include a special permit to allow height and setback waivers for midblock sites located on blocks with narrow north-south street-to-street depth;
- A **No Subdistrict B with Midblock Special Permit Alternative**, which would eliminate the Subdistrict B regulations from the proposed Special District zoning text, and would include a special permit to allow height and setback waivers for midblock sites located on blocks with narrow north-south street-to-street depth;
- A **Modified Midblock Site Alternative**, which considers a proposal to allow for a taller building on a midblock through-lot site in exchange for the provision of public open space;
- A **Lower Height Alternative**; and
- A **No Unmitigated Significant Adverse Impact Alternative**, which considers development that would not result in any identified significant, unmitigated adverse impacts.

### PRINCIPAL CONCLUSIONS

For each alternative, the principal conclusions of the analysis in this chapter are as follows:

*NO-ACTION ALTERNATIVE*

The No-Action Alternative assumes that the Proposed Action would not be implemented (i.e., none of the discretionary approvals proposed as part of the Proposed Action would be adopted).

The No-Action Alternative considers development that would occur on the development sites if the Proposed Action were not approved. As outlined in Chapter 1, "Project Description," it is expected that in the future without the Proposed Action, new construction or enlargement would occur on four projected development sites owned by the Applicant, and on ~~four~~ five sites in the Rezoning Area not controlled by the Applicant. It is expected that the Applicant's sites would be developed with two new hotels (453 feet and 492 feet in height) and two two-story commercial buildings. Development on sites not controlled by the Applicant would include two additional hotels (222 feet and 166 feet in height), a commercial modernization and expansion project at One SoHo Square (up to 265 feet), the re-tenanting of a vacant building with storage uses, and the completion of an approximately 5,000-gross-square-foot (gsf) commercial enlargement. Overall, the No-Action Alternative projects new construction development or enlargement on ~~six~~ nine sites in the Rezoning Area, with new buildings ranging in height from approximately 30 feet to 492 feet. However, it should be noted that there is no height restriction under the current zoning in the Rezoning Area and future development could be constructed to heights as tall as or taller than the proposed 320-foot height limit for wide streets and the proposed 185-foot height limit for narrow streets under the Proposed Action.

This alternative would avoid the Proposed Action's significant adverse impacts related to open space, traffic, pedestrians, and construction traffic and pedestrians. With respect to shadows, unlike the Proposed Action, the No-Action Alternative would not result in significant adverse shadow impacts to Trump SoHo Plaza and SoHo Square, two open space resources in the Rezoning area, because the No-Action development at One SoHo Square would not result in additional shadows on these resources that would constitute a significant adverse impact, and because this alternative assumes a two-story, approximately 30-foot tall development on certain Applicant-owned development sites. However, as noted above there is no height restriction under the current zoning in the Rezoning Area and therefore these development sites could be constructed to heights as tall as or taller than the proposed 320-foot height limit, a scenario that would result in similar shadows on Trump SoHo Plaza and SoHo Square, although for the purposes of a conservative analysis such development has not been assumed in the RWCDS. Like the Proposed Action, this alternative could result in significant adverse impacts to archaeological resources, although not to the same extent as the Proposed Action because this alternative is projected to result in development (and subsequent subsurface disturbance) on fewer archaeologically significant sites than the Proposed Action. With respect to architectural resources, the No-Action Alternative could result in significant adverse construction-related impacts to **one known resource (the S/NR-eligible building at 131 Avenue of the Americas) and** 4 potential architectural resources located within 90 feet of development under the alternative. In comparison, under the standards of the *CEQR Technical Manual*, the Proposed Action could result in significant adverse construction-related impacts to **one known resource (the S/NR-eligible building at 131 Avenue of the Americas** ~~proposed South Village Historic District~~) and 6 potential architectural resources, due to their locations within 90 feet of sites that may be developed under the Proposed Action. ~~Specifically, one projected development site (Projected Development Site 13) and one potential enlargement site (Potential Enlargement Site 5 on Block 505, Lot 26) in the Rezoning Area are located approximately 90 feet from three buildings—110 Avenue of the Americas, 176-184 Avenue of the Americas, and 207 Spring Street—within the proposed South Village Historic District.~~ Under the construction of the No-Action Alternative, there would be no assurance that construction would include the use of equipment with the extensive emissions controls and noise abatement measures that would be provided with the Proposed Action on the Applicant's projected development and enlargement sites.

The No-Action Alternative would not meet one of the primary goals and objectives of the Proposed Action: to create a vibrant mixed-use neighborhood in Hudson Square by addressing the neighborhood's significant challenges while still preserving its essential character. Unlike the Proposed Action, the No-Action Alternative would not allow for residential development, nor would it institute zoning controls designed to limit conversions of non-residential buildings to residential use and retain certain commercial uses. Under the No-Action Alternative, the Rezoning Area's unique large-scale commercial and manufacturing building stock—which, in the Applicant's view, contains the creative commercial tenants that are so important to the city's economic diversity—would not be protected from demolition or conversion as it would be under the Proposed Action. In addition, the No-Action Alternative would not institute the mandatory streetwall requirements and height limits of the Proposed Action, nor would it require special permits for future hotel development with more than 100 sleeping units. Without these zoning requirements, new buildings could be constructed to heights much greater than the existing, predominantly mid-rise character of the Rezoning Area, and out-of-context hotel development could be expected to continue as the most viable development option for area property owners in the future.

The No-Action Alternative would also not support the goal of creating a vibrant mixed-use neighborhood in Hudson Square. Specifically, the No-Action Alternative would not allow the development of residential uses in the Rezoning Area. The continued prohibition of residential uses would not allow for the introduction of a critical mass of residents to support local retail, cultural activity, and street life, nor would it allow for the creation of affordable residential units. In addition, the No-Action Alternative would not include the development of a new school to meet the needs of existing and future residents in the area. Overall, the No-Action Alternative would not meet the goals and objectives of the Proposed Action, which include protecting the area's large-scale commercial and manufacturing building stock and retaining certain commercial uses, allowing residential development, instituting height limits and streetwall requirements, and establishing controls on hotel uses.

*NO SUBDISTRICT B ALTERNATIVE*

As discussed in Chapter 1, "Project Description," Subdistrict B has been included as part of the Proposed Action to discourage demolition of existing buildings and preserve the lower scale of the existing built context within the proposed Subdistrict B boundaries. Based on public scoping comments requesting the elimination of Subdistrict B from the proposed Special Hudson Square District, a No Subdistrict B Alternative has been analyzed. Under this alternative, the only subdistrict in the Special District would be Subdistrict A. The zoning regulations (i.e., floor area ratio [FAR], building height, base heights, etc.) proposed for wide and narrow streets in the Rezoning Area (not including Subdistricts A and B) would extend throughout the entire Rezoning Area, except for Subdistrict A.

The elimination of Subdistrict B would increase the development potential within that area, as compared with that of the Proposed Action. Applying the same set of specific development site criteria and assumptions as assumed under the RWCDS for the Proposed Action, the No Subdistrict B Alternative would result in changes to the anticipated development on Projected Development Sites 5 and 15 and Potential Development Sites 22 and 23 within the Rezoning Area. Overall, on the projected development sites, the No Subdistrict B Alternative would result in an increase of 179 residential units, including 42 affordable units; 5,343 gsf of retail use; and 11 accessory parking spaces as compared with the Proposed Action. As with the Proposed Action, the No Subdistrict B Alternative would include construction of a new 444-seat public

elementary school on Projected Development Site 1, subject to approvals and requirements of the School Construction Authority (SCA).

The No Subdistrict B Alternative would result in similar significant adverse impacts as the Proposed Action, including the same unmitigated impacts. Like the Proposed Action, the No Subdistrict B Alternative would result in significant adverse impacts in the areas of open space, shadows, historic and cultural resources, traffic, pedestrians, and construction traffic and pedestrians. In addition, it may also result in a significant adverse impact on a street-level stairway connecting to one of the area's subway stations. As with the Proposed Action, the No Subdistrict B Alternative could result in unmitigated impacts in the areas of open space, shadows, historic and cultural resources, traffic, and construction traffic, and could result in an additional unmitigated impact to transit, as discussed below.

With respect to transportation, since the DEIS was issued quantified analyses of selected analysis locations were performed. For traffic, compared to the Proposed Action, the No Subdistrict B Alternative would result in an additional impacted intersection during the weekday PM peak hour at Avenue of the Americas and Charlton Street/Prince Street, which could be mitigated by signal retiming. During the Saturday midday peak hour, the No Subdistrict B Alternative would result in two additional unmitigated traffic impacts at the intersections of Varick Street and Vandam Street (unmitigated during the weekday PM peak hour under both the Proposed Action and this alternative) and at Varick Street and Spring Street (unmitigated during the weekday PM peak hour under both the Proposed Action and this alternative). For transit, compared to the Proposed Action, the No Subdistrict B Alternative would result in a significant adverse impact at the C/E train Spring Street (unmarked) stairway on the northwest (NW) corner of Avenue of the Americas and Spring Street during the weekday AM peak period. Potential mitigation measures to address this impact would be to widen the NW stairway to an effective width of 90 inches from its current effective width of 48 inches, or to construct a splayed staircase on the northwest corner of Spring and Avenue of the Americas or a new staircase on the south side of Spring Street. Each of these potential mitigation measures would also need to be accompanied by an Americans with Disabilities Act-compliant elevator. The cost of implementing the stairway and elevator mitigation measure is estimated at approximately between 5 and 10 million dollars. Considering the extent of the impact in relation to the adverse effects the mitigation options may have on traffic and pedestrian operations, as well as on public open space, implementing the mitigation measures described above has been determined to be not practicable; hence, the projected impact for this stairway would be unmitigated. For pedestrians, compared to the Proposed Action, the No Subdistrict B Alternative would result in slightly elevated impacts over those of the Proposed Action at the same two impacted crosswalk locations; at the north crosswalk of the Avenue of the Americas and Spring Street and at the north crosswalk of Varick Street and Spring Street. Mitigation measures comparable to the Proposed Action would be required to mitigate the projected significant adverse impacts at these two crosswalk locations. Lastly, compared to the Proposed Action, the No Subdistrict B Alternative would result in additional parking shortfall due to the additional displacement of existing public parking facilities and the greater parking demand generated by this Alternative. However, as concluded for the Proposed Action, this parking shortfall under the No Subdistrict B Alternative would not constitute a significant adverse parking impact for projects located in Manhattan due to the magnitude of available alternative modes of transportation.

Under the No Subdistrict B Alternative, the air quality (E) designation for ~~Potential Development Site 22 as specified under the Proposed Action would no longer be required, and the (E) designations for~~ Projected Development Site 5 ~~and Potential Development Site 23~~ as

specified under the Proposed Action would remain the same~~. At Projected Development Site 15, the (E) designation would only require the restriction on the use of fuel to natural gas (and no restrictions on stack location or use of a low $NO_x$ burner).~~ At Projected Development Site 15 and Potential Development Site 22, the (E) designation would require a restriction on fuel type (natural gas) and the use of low $NO_x$ (30ppm burners) but would not require a restriction on stack location. At Potential Development Site 23, the (E) designation would require a different restriction on stack location. With respect to noise, under this alternative, attenuation requirements for Block 578 Lot 71 (a portion of Projected Development Site 15 under this alternative) would be 31 dBA on all façades. As with the Proposed Action, if ~~1,388~~1,529 residential units or more are developed in the Rezoning Area before a public elementary school is constructed, the No Subdistrict B Alternative would result in a significant adverse impact to public elementary schools.

In general, the No Subdistrict B Alternative would meet the goals and objectives of the Proposed Action in that it would create a vibrant mixed-use neighborhood in Hudson Square while preserving its essential character. Like the Proposed Action, the No Subdistrict B Alternative would introduce a critical mass of residential uses with affordable housing while also seeking to limit hotel uses and instituting height limits and streetwall requirements, and would also include provisions to limit the demolition or conversion of the Rezoning Area's large-scale commercial and manufacturing building stock. However, this alternative would not preserve the essential character of the Rezoning Area to the same extent as the Proposed Action because it would not institute contextual height, setback, and floor area regulations in the lower scale area bounded by Watts, Hudson, and Dominick Streets and Avenue of the Americas. Thus, the No Subdistrict B Alternative would not preserve the lower-scale urban design character within this area, as is intended by the Proposed Action.

*MIDBLOCK SPECIAL PERMIT ALTERNATIVE*

The Midblock Special Permit Alternative proposes modification to the proposed Special District text to include a special permit to allow height and setback waivers for midblock sites (i.e., sites on narrow streets beyond 100 feet of their intersection with a wide street) located on blocks with narrow north-south street-to-street depth (i.e., 180 feet or less). All blocks south of Spring Street in the Rezoning Area (Blocks 226, 227, 477, 491, 578, and 579) have a narrow north-south street-to-street depth. The special permit would allow waivers of height and setback regulations only; there would be no change to the permitted uses, FAR, location of the streetwall or rear yard requirements in the proposed Special District text. Under this alternative, the special permit would not be available to sites located within either Subdistrict A or Subdistrict B. The special permit would allow a waiver of the currently proposed 185-foot building height limit that applies to narrow streets, but it is expected that such waiver would not allow buildings taller than 210 feet. The special permit would also allow a waiver of the currently proposed base height before setback (minimum 60 feet and maximum 125 feet) that applies to narrow streets; however, this alternative would maintain the streetwall requirement at the street line, as required under the Proposed Action. Like the Proposed Action, this alternative would also institute zoning controls designed to limit conversions of non-residential buildings to residential use and retain certain commercial uses and would require special permits for future hotel development with more than 100 sleeping units. As with the Proposed Action, the Midblock Special Permit Alternative would include construction of a new 444-seat public elementary school on Projected Development Site 1, subject to approvals and requirements of the SCA.

The Midblock Special Permit Alternative would result in the same projected and potential development, conversion, and enlargement sites as the RWCDS for the Proposed Action. However, this alternative could facilitate different base and building heights on certain projected and potential development and enlargement sites than what has been assessed for the Proposed Action. Under the Midblock Special Permit Alternative, only one development site (Projected Development Site 12) could utilize the special permit waiver for height and setback to construct a building or buildings up to 210 feet in height and achieve the full 12.0 FAR on the site. This would result in an increase of 24 residential units, including 6 affordable units, and 4 accessory parking spaces as compared with the Proposed Action.

The Midblock Special Permit Alternative would result in similar significant adverse impacts as the Proposed Action, including the same unmitigated impacts. Like the Proposed Action, the Midblock Special Permit Alternative would result in significant adverse impacts in the areas of open space, shadows, historic and cultural resources, traffic, pedestrians, and construction traffic and pedestrians. As with the Proposed Action, the Midblock Special Permit Alternative could result in unmitigated impacts in the areas of open space, shadows, historic and cultural resources, traffic, and construction traffic. Furthermore, as with the Proposed Action, if ~~1,388~~1,529 residential units or more are developed in the Rezoning Area before a public elementary school is constructed, the Midblock Special Permit Alternative would result in a significant adverse impact to public elementary schools.

*NO SUBDISTRICT B WITH MIDBLOCK SPECIAL PERMIT ALTERNATIVE*

The No Subdistrict B With Midblock Special Permit Alternative would include the same changes as under both the No Subdistrict B Alternative and the Midblock Special Permit Alternative. Under this alternative, the only subdistrict in the Special District would be Subdistrict A. The zoning regulations (i.e., FAR, building height, base heights, etc.) proposed for wide and narrow streets in the Rezoning Area (not including Subdistricts A and B) would extend throughout the entire Rezoning Area, except for Subdistrict A (as described in more detail in under the "No Subdistrict B Alternative").

In addition, under this alternative the Special District text would include a special permit to allow height and setback waivers for midblock sites (i.e., sites on narrow streets beyond 100 feet of their intersection with a wide street) located on blocks with narrow north-south street-to-street depth (i.e., 180 feet or less). All blocks south of Spring Street in the Rezoning Area (Blocks 226, 227, 477, 491, 578, and 579) have a narrow north-south street-to-street depth. As discussed under the "Midblock Special Permit Alternative," the special permit would allow a waiver of the currently proposed 185-foot building height limit that applies to narrow streets, but it is expected that such waiver would not allow buildings taller than 210 feet. The special permit would also allow a waiver of the currently proposed base height before setback (minimum 60 feet and maximum 125 feet) that applies to narrow streets; however, this alternative would maintain the streetwall requirement at the street line, as required under the Proposed Action. Under this alternative, the special permit would not be available within Subdistrict A. Like the Proposed Action, this alternative would also institute zoning controls designed to preserve Hudson Square's essential character and would prevent out-of-scale hotel development. As with the Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would include construction of a new 444-seat public elementary school on Projected Development Site 1, subject to approvals and requirements of the SCA.

Under this alternative, the elimination of Subdistrict B and the inclusion of a midblock special permit would allow for greater development potential in the Rezoning Area compared with the Proposed Action. The elimination of Subdistrict B under this alternative would increase the development potential within that area, which would result in changes to the anticipated development on Projected Development Sites 5 and 15 and Potential Development Sites 22 and 23. The midblock special permit under this alternative could facilitate different base and building heights on certain projected and potential development and enlargement sites than what has been assessed for the Proposed Action. Under this alternative, it is assumed that two development sites (Projected Development Site 12 and Potential Development Site 23) could each utilize the special permit waiver for height and setback to construct a building or buildings up to 210 feet in height and achieve the full 12.0 FAR on the site. On the projected development sites, the No Subdistrict B With Midblock Special Permit Alternative would result in an increase of 203 residential units, including 48 affordable units; 5,343 gsf of retail use; and 15 accessory parking spaces as compared with the Proposed Action.

The No Subdistrict B With Midblock Special Permit Alternative would result in similar significant adverse impacts as the Proposed Action, including the same unmitigated impacts. Like the Proposed Action, this alternative would result in significant adverse impacts in the areas of open space, shadows, historic and cultural resources, traffic, pedestrians, and construction traffic and pedestrians. ~~In addition, it may result in a significant adverse impact on a street-level stairway connecting to one of the area's subway stations.~~ As with the Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative could result in unmitigated impacts in the areas of open space, shadows, historic and cultural resources, traffic, and construction traffic, and could result in an unmitigated transit impact, as discussed above for the No Subdistrict B Alternative. With respect to Transportation, the development that would be allowed without further additional discretionary approvals under the No Subdistrict B With Midblock Special Permit Alternative would generate the same number of trips over the Proposed Action as the No Subdistrict B Alternative discussed above and would result in the same potential for impacts as that alternative. The utilization of the special permit for any eligible sites under the No Subdistrict B With Midblock Special Permit Alternative would be subject to a separate environmental review.

Under the No Subdistrict B With Midblock Special Permit Alternative, the air quality (E) designation~~s~~ for Projected Development Site~~s~~ 5 ~~and 12 and Potential Development Site 23~~ as specified under the Proposed Action would remain the same~~,~~, ~~and the (E) designation for Potential Development Site 22 as specified under the Proposed Action would no longer be required. At Projected Development Site 15, the (E) designation would only require the restriction on the use of fuel to natural gas (and no restrictions on stack location or use of a low $NO_x$ burner).~~ At Projected Development Site 15 and Potential Development Site 22, the (E) designation would require a restriction on fuel type (natural gas) and the use of low $NO_x$ (30ppm burners) but would not require a restriction on stack location. At Potential Development Site 23, the (E) designation would require a different restriction on stack location. With respect to noise, under this alternative, attenuation requirements for Block 578 Lot 71 (a portion of Projected Development Site 15 under this alternative) would be 31 dBA on all façades.

As with the Proposed Action, if ~~1,388~~1,529 residential units or more are developed in the Rezoning Area before a public elementary school is constructed, the No Subdistrict B With Midblock Special Permit Alternative would result in a significant adverse impact to public elementary schools.

*MODIFIED MIDBLOCK SITE ALTERNATIVE*

The Modified Midblock Site Alternative proposes to allow for a taller building in exchange for the provision of public open space. This alternative is being considered in response to comments provided during the public review of the Draft Scope of Work for the DEIS. This alternative would include an incentive for creating new public open space that would help offset the Proposed Action's significant adverse impact on open space. Under this alternative, the Special Hudson Square District text would be modified to allow the maximum height on a midblock through-lot site with narrow street-to-street depth (i.e., 180 feet or less) to exceed the proposed 185-foot height limit in the event that publicly accessible open space is provided.

While the Modified Midblock Site Alternative would provide a small amount of additional open space in the Rezoning Area, it would not be consistent with the Proposed Action's urban design policy goals with respect to building height, continuous streetwalls, and the preservation of lower-scale midblock areas. Moreover, although this alternative would provide a small amount of additional open space, this open space would only partially alleviate the Proposed Action's significant adverse open space impact and would compromise the urban design elements of the Proposed Action that are intended to provide for a more vibrant street life to support and enhance the commercial character of the neighborhood and to preserve the existing contextual character of the neighborhood.

Thus, this alternative would not be consistent with the Proposed Action's urban design goals and objectives.

*LOWER HEIGHT ALTERNATIVE*

In response to public scoping comments requesting lower height limits within the Rezoning Area, a Lower Height Alternative has been analyzed. Under this alternative, the maximum building heights and base heights mandated in the Special Hudson Square District text would be reduced along wide streets (building height reduced from 320 feet to 180 feet, base height would remain 150 feet), narrow streets (building height reduced from 185 feet to 120 feet, base height reduced from 125 feet to 85 feet) and in Subdistrict A (building height reduced from 430 feet to 240 feet, base height would remain 150 feet); the proposed height limits in Subdistrict B would be the same as with the Proposed Action. Under the Lower Height Alternative, only the maximum building heights and maximum base heights would be modified; there would be no change to the permitted uses, FAR, setbacks, rear yard requirements, or other bulk requirements in the proposed Special District text. Like the Proposed Action, this alternative would also institute zoning controls designed to preserve Hudson Square's essential character and would prevent out-of-scale hotel development.

The Lower Height Alternative would result in the same projected and potential development, conversion, and enlargement sites as the RWCDS for the Proposed Action. However, as a result of the lower height limits, approximately half of the projected development sites would not be able to reach the maximum permitted FAR of 12.0 and there would be a reduction in development program on the majority of projected development and enlargement sites as compared with the Proposed Action. Overall, the Lower Height Alternative would result in a net decrease of up to 886 dwelling units (including a decrease of 404 affordable units) compared with the 3,352 dwelling units (including 679 affordable units) that would be generated under the Proposed Action. This would represent a 27 percent reduction in the number of projected dwelling units and a 59 percent reduction in the number of affordable units. In addition, with the substantial reductions in the height limit under the Lower Height Alternative, the Applicant

would not utilize the floor area exemption that is available for the development of a public school in Subdistrict A, and a new 444-seat public elementary school would not be developed on Projected Development Site 1.

Although the Lower Height Alternative would have a smaller program, it would not avoid any of the significant adverse impacts of the Proposed Action. Like the Proposed Action, the Lower Height Alternative would result in significant adverse impacts in the areas of open space, shadows, historic and cultural resources, traffic, pedestrians, and construction traffic and pedestrians. As with the Proposed Action, the Lower Height Alternative could result in unmitigated impacts in the areas of open space, shadows, historic and cultural resources, traffic, and construction traffic. The Lower Height Alternative would also result in a significant adverse impact to elementary schools. In comparison, the Proposed Action would not result in a significant adverse impact to public elementary schools, as the Proposed Action would facilitate the proposed development of a public elementary school on Projected Development Site 1.

In general, although the Lower Height Alternative would meet a number of the goals and objectives of the Proposed Action, it would do so to a lesser degree than the Proposed Action because it would introduce fewer residential units (including fewer affordable units) to support an active mixed-use neighborhood and would not result in the development of a new public school. As with the Proposed Action, the Lower Height Alternative would allow the Rezoning Area to evolve into a more active, mixed-use neighborhood than under the existing zoning while preserving its existing built context and commercial uses, but the extent of that increased activity would be lower. Because the Lower Height Alternative would result in a substantial reduction in the number of new dwelling units in the Rezoning Area as compared with the Proposed Action, it would not introduce the same substantial residential population needed to support local retail and active street life and attract and retain the variety of commercial uses that anchor the neighborhood. Therefore, this alternative would be less supportive of the goal of creating a vibrant mixed-use neighborhood in Hudson Square than the Proposed Action. In addition, the Lower Height Alternative would result in a substantial decrease in the number of affordable housing units to be developed in the Rezoning Area compared with the Proposed Action. The Lower Height Alternative would also not result in the development of a new public elementary school, and as stated above this alternative would result in a significant adverse impact to public elementary schools. Nonetheless, as with the Proposed Action, the Lower Height Alternative would allow the Rezoning Area to evolve into a more active, mixed-use neighborhood while preserving its existing built context and commercial uses.

*NO UNMITIGATED SIGNIFICANT ADVERSE IMPACTS ALTERNATIVE*

The No Unmitigated Significant Adverse Impacts Alternative considers several modifications to the Proposed Action to eliminate its unmitigated impacts in the areas of open space, shadows, archaeological and architectural resources, traffic, and construction traffic. These modifications include reducing the number of projected residential units and reducing the height of Projected Development Site 2. To eliminate all unmitigated significant adverse impacts, the Proposed Action would have to be modified to a point where its principal goals and objectives would not be realized.

# B. NO-ACTION ALTERNATIVE

## DESCRIPTION

Consideration of the No-Action Alternative is mandated by both CEQR and SEQRA and is intended to provide the lead agency and involved agencies with an assessment of the expected environmental impacts of no action on their part. As described in Chapter 1, "Project Description," the No-Action Condition considers the development that will occur in the Rezoning Area independent of the Proposed Action. The No-Action Alternative considers development that would occur on the development sites if the Proposed Action were not approved. As outlined in Chapter 1, "Project Description," it is expected that in the No-Action condition, new construction would occur on four projected development sites owned by the Applicant, and on ~~four~~ five sites in the Rezoning Area not controlled by the Applicant.

Absent the Proposed Action, it is expected that new construction would occur on four projected development sites owned the Applicant; new hotel development is projected to occur on two of these sites. A new, approximately 366,815-gsf development rising approximately 492 feet, containing a hotel tower above a commercial base with retail and other permitted commercial uses[1] would be constructed on the block bounded by Avenue of the Americas and Grand, Canal, and Varick Streets (on Projected Development Site 1; Block 227, Lots 63, 69, 70, 76, and 80), which is currently vacant. On the block bounded by Vandam, Varick, Spring, and Hudson Streets (on Projected Development Site 3; Block 579, Lots 60, 68, 70, and 74), the existing buildings would be demolished and an approximately 370,885-gsf development of approximately 453 feet and containing a hotel tower above a commercial base with retail and other permitted commercial uses would be constructed. It is expected that the commercial base below the hotels would contain a limited amount of retail use catering to the retail demand generated by hotel guests. The site located at the corner of Varick and Dominick Streets (Projected Development Site 2; Block 491, Lot 3), which currently contains surface parking, would be developed with a two-story, approximately 26,655-gsf commercial building containing ground-floor retail and other permitted commercial uses above. The site located at Greenwich Street between King and Charlton Streets (Projected Development Site 4; Block 598, Lots 42 and 48) containing parking uses is expected to be developed with a two-story approximately 43,868-gsf commercial building containing ground-floor retail and other permitted commercial uses above. The Applicant's site at 304 Hudson Street (Projected Enlargement Site 1; Block 579, Lot 47) would remain in its current use in the No-Action condition. As accessory parking is permitted under the existing zoning, the No-Action Alternative assumes the inclusion of accessory parking pursuant to the existing zoning regulations. Additionally, at 330 Hudson Street (Block 580, Lot 1)—a site that is not a projected development site but is controlled by the Applicant—the existing building would be rehabilitated and expanded to include 350,000 gsf of office and 20,000 gsf of ground-floor retail.

Development in the No-Action condition is also expected to occur on ~~four~~ five Rezoning Area sites not controlled by the Applicant. On the east side of Varick Street between Watts and Broome Streets (Projected Development Site 5; Block 477, Lots 35, 42, 44, and 76), an approximately 109,890-gsf commercial building with 202 hotel rooms and 2,750 gsf of retail use

[1] Other permitted commercial uses include conference facility, community theater, catering hall, professional school, dance studio, health club, etc.

is expected to be developed.[1] At 145 Avenue of the Americas (Projected Development Site 18; Block 491, Lot 7502), an approximately 5,000-gsf commercial enlargement is expected to be completed.[2] At 537 Greenwich Street (Projected Development Site 19; Block 597, Lot 39), a currently vacant 70,000-gsf building is expected to be re-tenanted with a commercial use. On Greenwich Street between Spring and Vandam Streets (Projected Development Site 17; Block 597, Lot 5), an approximately 59,720-gsf hotel building (124 hotel rooms), is expected to be developed. Additionally, on the block bounded by Avenue of the Americas, Spring, Varick, and Vandam Street, the One SoHo Square commercial modernization and expansion project is planned to occur on Block 505, Lots 31, 35, and 36. (This site is not a projected development site.) The One SoHo Square project would combine the two existing office buildings at 161 Avenue of the Americas (Lot 31) and 233 Spring Street (Lot 36) and construct an approximately 45,000-square-foot office expansion above 233 Spring Street. It would include construction of a new combined core structure (rising up to 265 feet) for the two buildings along Lot 35, the narrow lot between the two buildings.

Overall, the No-Action Alternative projects new construction development or enlargement on ~~six~~ nine sites in the Rezoning Area, with new buildings ranging in height from approximately 30 feet to 492 feet. However, it should be noted that there is no height restriction under the current zoning in the Rezoning Area and future development under the No-Action Alternative could be constructed to heights as tall as or taller than the proposed 320-foot height limit for wide streets and the proposed 185-foot height limit for narrow streets under the Proposed Action.

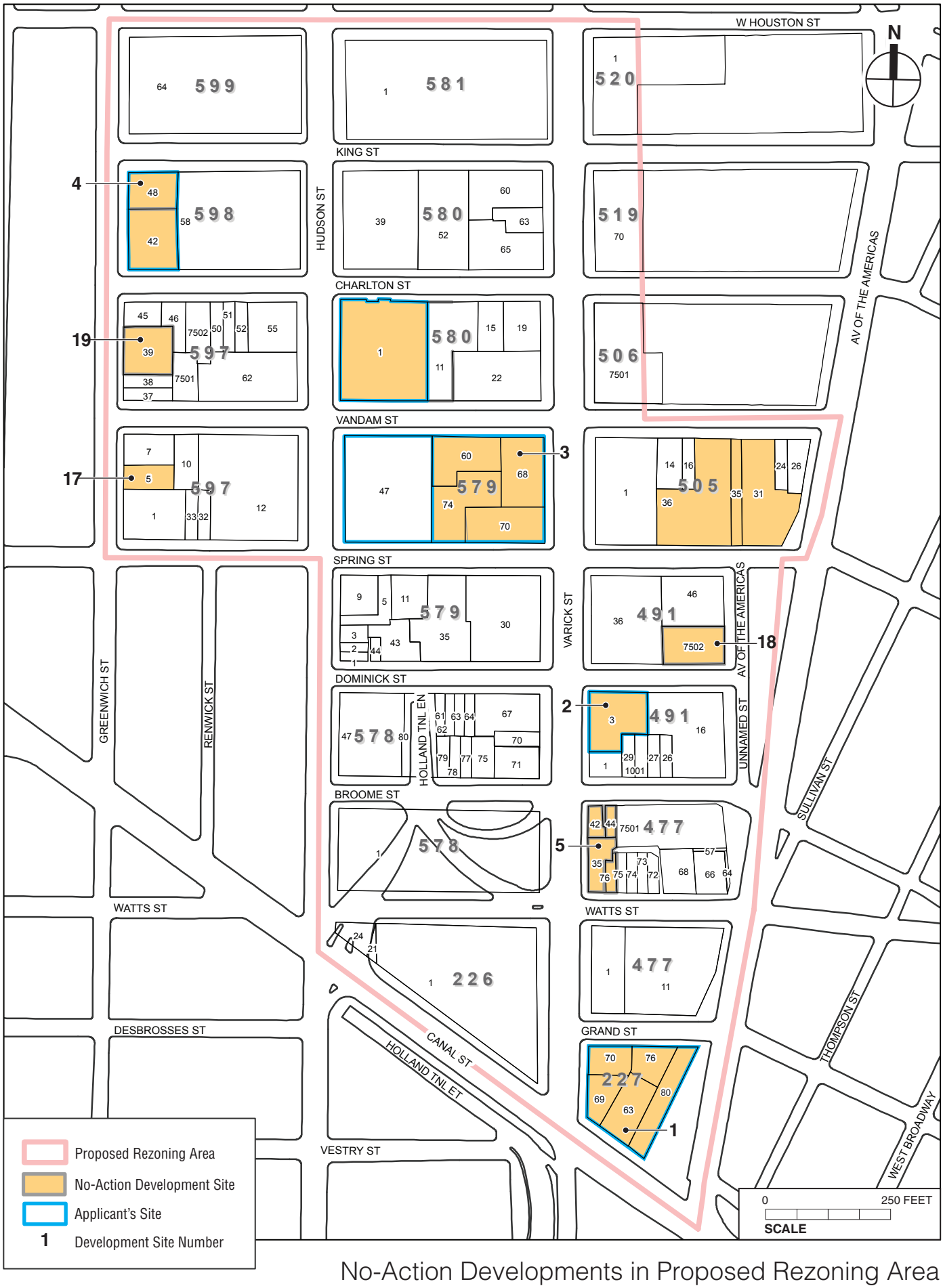
**Table 21-1** presents the development program expected on the projected development sites within the Rezoning Area under the No-Action Alternative.

**Figure 21-1** shows the anticipated development sites within the Rezoning Area under the No-Action Alternative.

[1] A BSA variance for residential use is being sought for Projected Site 5, but at the time of the FEIS no approval had been granted. Therefore, the RWCDS assumes hotel development pursuant to the approved DOB plans for the site.

[2] The enlargement on Projected Development Site 18 was completed shortly before certification of the Draft EIS. ~~Between the Draft and Final EIS, the analyses in this document will be updated to reflect the enlargement as an existing condition.~~ See the discussion related to Projected Development Site 18 in the Foreword of the FEIS.

1.4.12




No-Action Developments in Proposed Rezoning Area

Figure 21-1

**HUDSON SQUARE REZONING**

**Table 21-1**
**Development on Projected Development Sites in the No-Action Alternative**

| Site No. | Block | Lot | Address | Development Type | Gross Floor Area (gsf) | Retail (sf) | Office (sf) | Hotel (sf) | Hotel Rooms | Other Commercial (sf) | Residential (sf) | Total DUs | Public Parking Spaces | Accessory Parking Spaces |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **APPLICANT'S PROJECTED DEVELOPMENT SITES** | | | | | | | | | | | | | | |
| Projected 1 | 227 | 63 | 417 Canal Street | Hotel above commercial base | 366,815 | 16,409 | 0 | 299,740 | 419 | 50,666 | 0 | 0 | 0 | 80 |
| | 227 | 69 | 74 Varick Street | | | | | | | | | | | |
| | 227 | 70 | 76 Varick Street | | | | | | | | | | | |
| | 227 | 76 | 11 Grand Street | | | | | | | | | | | |
| | 227 | 80 | 87 Avenue Of The Amer | | | | | | | | | | | |
| Projected 2 | 491 | 3 | 114 Varick Street | 2-story commercial development | 26,655 | 13,328 | 0 | 0 | 0 | 13,328 | 0 | 0 | 0 | 7 |
| Projected 3 | 579 | 60 | 50 Vandam Street | Hotel above commercial base | 370,885 | 12,100 | 0 | 272,569 | 381 | 86,216 | 0 | 0 | 0 | 82 |
| | 579 | 68 | 143 Varick Street | | | | | | | | | | | |
| | 579 | 70 | 137 Varick Street | | | | | | | | | | | |
| | 579 | 74 | 275 Spring Street | | | | | | | | | | | |
| Projected 4 | 598 | 42 | 551 Greenwich Street | 2-story commercial development | 43,868 | 21,934 | 0 | 0 | 0 | 21,934 | 0 | 0 | 0 | 11 |
| | 598 | 48 | 561 Greenwich Street | | | | | | | | | | | |
| **OTHER PROJECTED DEVELOPMENT SITES** | | | | | | | | | | | | | | |
| Projected 5 | 477 | 35 | 94 Varick Street | Hotel w/ Ground-Floor Retail[2] | 109,890 | 2,750 | 0 | 107,140 | 202 | 0 | 0 | 0 | 0 | 0 |
| | 477 | 42 | 104 Varick Street | | | | | | | | | | | |
| | 477 | 44 | 557 Broome Street | | | | | | | | | | | |
| | 477 | 76 | 66 Watts Street | | | | | | | | | | | |
| Projected 17 | 597 | 5 | 523 Greenwich Street | Hotel | 59,721 | 0 | 0 | 59,721 | 124 | 0 | 0 | 0 | 0 | 0 |
| Projected 18[1] | 491 | 7502 | 145 Avenue Of The Americas | Commercial enlargement | 5,032 | 0 | 5,032 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Projected 19 | 597 | 39 | 537 Greenwich Street | Storage use | 70,000 | 0 | 0 | 0 | 0 | 70,000 | 0 | 0 | 0 | 0 |
| | | | | Total, Projected and Potential Development Sites: | 1,052,866 | 66,520 | 5,032 | 739,170 | 1,126 | 242,143 | 0 | 0 | 0 | 180 |

**Notes:** [1] The enlargement on Projected Development Site 18 was completed shortly before certification of the Draft EIS. ~~Between the Draft and Final EIS, the analyses in this document will be updated to reflect the enlargement as an existing condition.~~ See the discussion related to Projected Development Site 18 in the Foreword of the FEIS.

[2] A BSA variance for residential use is being sought for Projected Site 5, but at the time of the FEIS no approval had been granted. Therefore, the RWCDS assumes hotel development pursuant to the approved DOB plans for the site.

**Sources:** New York City Department of Buildings; Trinity Real Estate.

## NO-ACTION ALTERNATIVE COMPARED WITH THE PROPOSED ACTION

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

### *LAND USE, ZONING, AND PUBLIC POLICY*

Like the Proposed Action, the No-Action Alternative would not result in any significant adverse impacts to land use, zoning, or public policy. Under the No-Action Alternative, existing land use trends are expected to continue in the Rezoning Area and secondary study area. No changes to zoning or public policy are anticipated in the Rezoning Area under the No-Action Alternative. While the Proposed Action would result in a decrease in certain commercial uses, such as transient hotels, it is anticipated that under the No-Action Alternative, given the existing M1-6 zoning, the current trend of hotel development would continue. Unlike the Proposed Action, the No-Action Alternative would not enable the Rezoning Area to evolve into an active mixed-use neighborhood while preserving its existing built context and commercial uses. Furthermore, this alternative would not introduce a new residential population, and would therefore not create

demand for new retail uses needed to make the area more attractive to a variety of commercial tenants, as well as to serve workers and residents in the surrounding area. Unlike the Proposed Action, the No-Action Alternative would not incentivize the development of new affordable housing, nor would it limit the development of new hotels with more than 100 sleeping units, or allow a greater range of cultural and community facility uses, as well as a new school. Height limits and more stringent controls for midblock sites would also not be established under the No-Action Alternative.

*SOCIOECONOMIC CONDITIONS*

The No-Action Alternative, like the Proposed Action, would not result in any significant adverse impacts to any of the five socioeconomic areas of concern prescribed in the *CEQR Technical Manual.*

*Direct Residential Displacement*

Neither the No-Action Alternative nor the Proposed Action would result in significant adverse impacts due to direct residential displacement. While the direct residential displacement of four residential units within two buildings on Projected Development Site 10 (282 Hudson Street, Block 579 Lot 1; and 284 Hudson Street, Block 579 Lot 2) resulting from the Proposed Action would not be large enough to substantially alter the socioeconomic character of the neighborhood, this displacement would not occur under the No-Action Alternative.

*Indirect Residential Displacement*

Neither the Proposed Action nor the No-Action Alternative would result in significant adverse impacts due to indirect residential displacement. Residential rental rates and sales prices in the study area increased substantially from 2000 to 2010, indicating an existing trend of increasing rents in the study area. Unlike the Proposed Action, the No-Action Alternative would not introduce a substantial number of market rate units that could introduce a population with incomes higher than the average for the ½-mile study area. However, even with the introduction of these market rate units, the Proposed Action would not initiate a trend toward increased rents in the study area.

*Direct Business Displacement*

Like the Proposed Action, the No-Action Alternative would not result in significant adverse impacts due to direct business displacement. As with the Proposed Action, which could have the potential to displace significantly more businesses than the No-Action Alternative, the displaced businesses do not provide products or services that would no longer be available to local residents or businesses, nor are they the subject of regulations or publicly adopted plans aimed at preserving, enhancing, or otherwise protecting them in their current location. The businesses are not unique to the ¼-mile study area, nor do they serve a user base that is dependent on their location within the study area. It is expected that the potentially displaced businesses would be able to find comparable space within the study area or elsewhere within the city. However, it should be noted that, unlike the Proposed Action, the No-Action Alternative would not institute provisions to limit demolition or conversion of the existing large-scale commercial and manufacturing building stock in the Rezoning Area.

*Indirect Business Displacement*

Neither the No-Action Alternative nor the Proposed Action would result in significant adverse impacts due to indirect business displacement. The ½-mile study area already has well-established commercial and residential markets, and therefore, like the Proposed Action, the No-Action Alternative would not be introducing new economic activities to the projected development sites or to the study area that would alter existing economic patterns.

*Adverse Effects on Specific Industries*

Neither the Proposed Action nor the No-Action Alternative would result in significant adverse impacts on specific industries. Like the Proposed Action, the No-Action Alternative would not significantly affect business conditions in any industry or any category of business within or outside the study area.

*COMMUNITY FACILITIES AND SERVICES*

Unlike the Proposed Action, the No-Action Alternative would not result in incremental development of residential units in the Rezoning Area. Therefore, unlike the Proposed Action, the No-Action Alternative would not introduce new demand for elementary, intermediate, or high school seats. However, the No-Action Alternative would not provide a new development on Projected Development Site 1 that would include a 444-seat public elementary school (grades pre-kindergarten through fifth) of approximately 75,000 square feet, as the Proposed Action would.

As with the Proposed Action, the No-Action Alternative would not result in any significant adverse impacts on public intermediate or high schools. With the Proposed Action, Community School District (CSD) 2/Subdistrict 2 would operate at approximately 100 percent capacity, with a small deficit of 2 seats ~~with a surplus of~~ at the intermediate school level ~~seats under either the Proposed Action or No-Action Alternative~~. While the Proposed Action would result in an increase in the utilization rate of approximately 15 percent, as discussed in Chapter 4, "Community Facilities," this would not constitute a significant adverse impact. The need for intermediate seats in the study area in 2022 would be approximately equal to the number of seats provided, and therefore the delivery of intermediate school services would be adequate. Thus, ~~With respect to high schools,~~ neither the Proposed Action nor the No-Action Alternative would result in a significant adverse impact on intermediate or high schools.

As with the Proposed Action, the No-Action Alternative would not result in any significant adverse impacts with regard to library services, police services, fire protection, and emergency medical services.

*OPEN SPACE*

*Direct Effects*

Under the No-Action Alternative, development of Projected Development Site 1 would result in the improvement of the open space easement located adjacent to the site based on commitments from a prior approval, which would add an additional 0.23 acres of passive open space to the study area. The development of Projected Development Site 5 under the No-Action Alternative would utilize the plaza bonus currently available under the Zoning Resolution with the creation of an approximately 3,500-square-foot public plaza. However, plans approved by the New York City Department of Buildings (DOB) indicate that this space would not provide amenities such

as seating. As with the Proposed Action, the No-Action Alternative would not remove any existing publicly accessible open spaces, nor would it result in any significant adverse impacts on any open spaces due to noise or air quality. Unlike the Proposed Action, the No-Action Alternative would not result in significant adverse shadow impacts to Trump SoHo Plaza and SoHo square, two open space resources in the Rezoning area. (Although, as noted above, since there is currently no height limit in the Rezoning Area, absent the Proposed Action development could be constructed to heights as tall as or taller than the proposed 320 foot height limit, which could result in similar shadows on Trump SoHo Plaza and SoHo Square.) However, the significant adverse shadow impacts on these open spaces under the Proposed Action would not result in a significant adverse open space impact because both Trump Soho Plaza and Soho Square would remain usable open spaces.

*Indirect Effects*

Unlike the Proposed Action, the No-Action Alternative would not result in incremental development of residential units in the Rezoning Area, and would not exacerbate an existing deficiency of open space in the residential study area. Therefore, unlike the Proposed Action, the No-Action Alternative would not result in the significant adverse open space impacts identified for the residential study area under the Proposed Action. While the No-Action Alternative would introduce approximately 231 employees to the area, this population would be smaller than the 438 employees that would be introduced by the Proposed Action, and therefore, like the Proposed Action, the No-Action Alternative would not result in significant adverse open space impacts within the non-residential study area.

*SHADOWS*

Unlike the Proposed Action, the No-Action Alternative would not result in significant adverse shadow impacts to Trump SoHo Plaza and SoHo Square, two open space resources in the Rezoning area. The No-Action development at One SoHo Square would not result in additional shadows on these resources that would constitute a significant adverse impact. With the Proposed Action, the significant adverse shadow impacts on Trump SoHo Plaza and SoHo Square would be primarily from Projected Development Site 2. Under the No-Action Alternative, Site 2 would be shorter than under the Proposed Action (30 feet compared with 320 feet). While Projected Development Site 5 would be substantially taller than under the Proposed Action (220 feet compared with 120 feet) and also contribute to shadows on Trump Plaza and SoHo Plaza, collectively, the No-Action Alternative would cast less shadow on both Trump SoHo Plaza and SoHo Square than the Proposed Action. However, although the RWCDS for the No-Action condition assumes a development on Projected Development Site 2 with a height of only 30 feet, there is no height restriction under the current zoning in the Rezoning Area. Therefore, Projected Development Site 2 could be constructed to heights as tall as or taller than the 320-foot height limit with the Proposed Action, which would result in similar shadows on Trump SoHo Plaza and SoHo Square, although for the purposes of a conservative analysis such development has not been assumed in the RWCDS.

Under the No-Action Alternative, Projected Development Site 1 would be developed with a taller (492 feet as compared with 430 feet under with the Proposed Action) building and would cast similar shadows on Duarte Square and SoHo Square as the Proposed Action. However, neither the building on Projected Development Site 1 under the Proposed Action nor the building on Projected Development Site 1 under No-Action Alternative would result in significant adverse impacts on these open sources resources. In addition, the developments on

Projected Development Sites 4, 17 and 19 would be shorter than those proposed under the Proposed Action, and unlike the Proposed Action, would not cast new shadows early in the morning on the Hudson River and Hudson River Park. However, as noted above, although the RWCDS for the No-Action condition on Projected Development Site 4 assumes a height of only 30 feet, there is no height restriction under the current zoning in the Rezoning Area, and in the No-Action Alternative this site could be constructed to heights as tall as or taller than the 320-foot height limit with the Proposed Action. Development on Projected Development Site 18 would be the same height under both the Proposed Action and the No-Action Alternative, and would result in equal shadow effects.

*HISTORIC AND CULTURAL RESOURCES*

*Archaeological Resources*

Unlike the Proposed Action, under the No-Action Alternative, it is assumed that there would be no subsurface disturbance to 8 of the 10 archaeologically significant properties identified as archaeologically significant by the New York City Landmarks Preservation Council (LPC), and the sites will remain in their current condition. Therefore, any potential archaeological resources that may be located on those sites would not be disturbed or destroyed under the No-Action Alternative, and the unavoidable significant adverse impacts on archaeological resources that could occur with the Proposed Action would not occur. However, while the No-Action Alternative does not anticipate development on these properties, it should be noted that subsurface disturbance could potentially occur on these properties as part of as-of-right development, for which there are no mechanisms available through CEQR to require that such additional archaeological investigations (i.e., a Phase 1B survey) be completed.

Two of the lots identified as archaeologically sensitive in the Phase 1A study (Block 477 Lots 44 and 76) are included within Projected Development Site 5, which will be redeveloped under the No-Action Alternative. This as-of-right development is not subject to CEQR and therefore is under no obligation to complete any additional archaeological investigations (i.e., a Phase 1B survey) to confirm the presence or absence of archaeological resources on those lots. This development could therefore disturb or destroy any archaeological resources on Lots 44 and 76 under the No-Action Alternative.

*Architectural Resources*

Like the Proposed Action, there are no known or potentially eligible resources located on sites that would be developed under the No-Action Alternative. There **is one** known resource located within 90 feet of development associated with the No-Action Alternative. The Proposed Action could result in adverse direct impacts on up to **six** known architectural resources in both the Rezoning Area and study area**, including the S/NR-eligible building at 131 Avenue of the Americas** ~~including the proposed South Village Historic District~~. Additionally, the Proposed Action could result in significant adverse construction-related impacts to six potential architectural resources, due to their locations within 90 feet of sites that may be developed under the Proposed Action. In contrast, there are four potential architectural resources located within 90 feet of planned developments in the No-Action Alternative.

There are two mechanisms to protect buildings in New York City from potential damage caused by adjacent construction (e.g., damage caused by ground-borne construction-period vibrations, falling debris, and collapse). All buildings are provided some protection from accidental damage through DOB controls that govern the protection of any adjacent properties from construction

activities, under Building Code Section 27-166 (C26-112.4). For all construction work, Building Code Section 27-166 (C26-112.4) serves to protect buildings by requiring that all lots, buildings, and service facilities adjacent to foundation and earthwork areas be protected and supported in accordance with the requirements of Building Construction Subchapter 7 and Building Code Subchapters 11 and 19.

The second protective measure applies to New York City Landmarks (NYCLs), properties within New York City Historic Districts (NYCHDs), and National Register (NR)-listed properties. For these structures, the DOB's Technical Policy and Procedure Notice *#10/88* (*TPPN #10/88)* applies. *TPPN #10/88* supplements the standard building protections afforded by Building Code C26-112.4 by requiring a monitoring program to reduce the likelihood of construction damage to adjacent NYCLs and NR-listed properties (within 90 feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed. There are **six** known resources located within 90 feet of projected and potential development and enlargement sites under the Proposed Action. **Five of these** resources would be afforded special protections under *TPPN #10/88*, and therefore would not experience significant adverse construction-related impacts under the Proposed Action. **Under the standards of the *CEQR Technical Manual*, one known architectural resource (the S/NR-eligible building at 131 Avenue of the Americas** ~~proposed South Village Historic District~~**), which is neither a NYCL nor NR-listed, could experience a significant adverse construction-related impact because it is not afforded the additional protective measures of *TPPN #10/88*.** ~~Specifically, one projected development site (Projected Development Site 13) and one potential enlargement site (Potential Enlargement Site 5 on Block 505, Lot 26) in the Rezoning Area are located approximately 90 feet from three buildings within the proposed South Village Historic District—110 Avenue of the Americas, 176-184 Avenue of the Americas, and 207 Spring Street—and construction of these development sites could potentially affect these structures.~~ As noted above, there **is one** known resource located within 90 feet of sites that are expected to be developed under the No-Action Alternative. Therefore, **both** the Proposed Action **and** the No-Action Alternative would result in ~~any~~ adverse construction-related impacts to **one** known architectural resource. ~~However, it should be noted that absent the Proposed Action, development could occur on other properties that were not included in the No-Action condition, including Projected Development Site 13.~~

With respect to potential architectural resources, under the Proposed Action, development would occur adjacent to or within 90 feet of 6 potential architectural resources that are neither NYCLs nor NR-listed properties. These potential resources could experience adverse construction-related impacts because they are not afforded the additional protective measures of *TPPN #10/88*. However, for the resources within 90 feet of the Applicant's projected development sites, a Construction Protection Plan (CPP) would be prepared to avoid significant adverse construction-related impacts due to the construction of the Applicant's projected development sites. In comparison, development under the No-Action Alternative would occur adjacent to or within 90 feet of 4 potential architectural resources, which are neither NYCLs nor NR-listed properties and would therefore experience adverse construction-related impacts. Under the No-Action Alternative, all 4 potential architectural resources would be afforded limited protection under DOB regulations applicable to all buildings located adjacent to construction sites (C26-112.4); however, since the resources are not NYCLs or NR-listed properties, they would not be afforded special protections under *TPPN #10/88*. Additional protective measures afforded under *TPPN #10/88* would only become applicable if any of the 4 resources are designated or listed in the future prior to the initiation of adjacent construction. If the resources are not designated or

listed, they would not be subject to *TPPN #10/88.* Therefore, for all 4 potential resources, construction under the No-Action Alternative could potentially result in adverse construction-related impacts to the resources. Additionally, unlike the Proposed Action, any potential architectural resources that are located within 90 feet of the Applicant-controlled sites would only be afforded the limited protection under DOB regulations mentioned above under the No-Action Alternative, and therefore construction of the Applicant's sites under the No-Action Alternative could potentially result in adverse construction-related impacts to the potential resources.

In general, the replacement of empty lots with buildings that are similar in height or are slightly larger than adjacent buildings is not expected to have an adverse impact on the context of adjacent known or potential architectural resources. As with the Proposed Action, it is not anticipated that the No-Action Alternative would have adverse visual or contextual impacts on the majority of architectural resources because new development pursuant to the No-Action Alternative would not eliminate or screen publicly accessible views of a resource, introduce an incompatible visual, audible, or atmospheric elements to a resource's setting, or result in significant adverse shadow impacts on a historic resource with sun-sensitive features. However, as noted above there is no height restriction under the current zoning and structures in the No-Action Alternative could be constructed to heights substantially taller than adjacent buildings.

*URBAN DESIGN AND VISUAL RESOURCES*

Like the Proposed Action, development under the No-Action Alternative would not result in significant adverse impacts on urban design or visual resources in the Rezoning Area and study area for the 2022 analysis year. Under the No-Action Alternative, new buildings expected in the Rezoning Area on Projected Development Sites 1 and 3 would be constructed to heights much greater than the buildings proposed under the Proposed Action, and these buildings would not be as consistent with the existing low- to mid-rise urban design and visual character of the Rezoning Area as development on these sites under the Proposed Action. Furthermore, as noted above, although the RWCDS for the No-Action condition on Projected Development Sites 2 and 4 assumes a height of only 30 feet, there is no height restriction under the current zoning in the Rezoning Area, and in the No-Action Alternative these sites could be constructed to heights as tall or taller than the 320-foot height limit with the Proposed Action. Unlike the Proposed Action, the No-Action Alternative would not institute provisions to limit the demolition of the large-scale commercial and manufacturing building stock in the Rezoning Area. As with the Proposed Action, under the No-Action Alternative, visual resources in the Rezoning Area including Soho Square and Duarte Square, as well as important view corridors such as the uninterrupted views south to downtown along Hudson and Varick Streets, views toward the Charlton-King-Vandam Historic District, views toward the Tribeca North Historic District from Canal Street, and views north toward the Greenwich Village Historic District from West Houston Street would not change as a result of the anticipated development in the Rezoning Area. In addition, important view corridors in the study area, including uninterrupted south views to downtown from Avenue of the Americas and Greenwich Street, also would not change as a result of anticipated development under the No-Action Alternative.

The No-Action Alternative would not introduce as much new residential use and street-level retail, which under the Proposed Action would enliven streetscapes in the Rezoning Area where vacant and underutilized properties currently exist, such as Greenwich Street. Unlike the Proposed Action, the No-Action Alternative not serve to increase the retail character of Hudson

Street, or the west side of Avenue of the Americas south of Vandam Street, which under the Proposed Action would enliven these streetscapes and enhance the pedestrian experience.

Under the No-Action Alternative, the mandatory streetwall requirements of the Proposed Action, which would further define the Hudson and Varick Street view corridors in the Rezoning Area, would not occur. The proposed height limits of the Proposed Action would also not occur under the No-Action Alternative. Without the height limits of the Proposed Action, new buildings could be constructed to heights much greater than the existing predominantly mid-rise urban design character of the Rezoning Area.

*HAZARDOUS MATERIALS*

The No-Action Alternative would result in less construction and fewer conversions from non-residential to residential uses than the Proposed Action. However, any construction involving soil disturbance in portions of the Rezoning Area with identified potential for contamination could potentially increase pathways for human exposure to any subsurface hazardous materials present in those areas. Since no E-designations—which require the owner of a property to assess potential hazardous material impacts prior to construction—currently exist on the projected and potential development sites, such soil disturbance under the No-Action Alternative would not necessarily be conducted in accordance with procedures that would be undertaken under the Proposed Action (e.g., conducting testing before commencing excavation and implementation of health and safety plans during construction). However, legal requirements pertaining to petroleum tank maintenance, spill reporting (if spills are identified), off-site disposal of soil/fill, and disturbance and handling of suspect lead-based paint, asbestos-containing materials (ACM) and polychlorinated biphenyls (PCB)-containing equipment and/or lighting fixtures, would need to be followed. Thus, under the No-Action Alternative, the amount of soil disturbance would be less, but the controls to address potential hazardous materials contamination would not be as stringent as under the Proposed Action.

*WATER AND SEWER INFRASTRUCTURE*

Neither the Proposed Action nor the No-Action Alternative would result in any significant adverse impacts on the city's water supply, wastewater treatment or stormwater conveyance infrastructure. Compared with the Proposed Action, the No-Action Alternative would generate less demand on New York City's water supply and wastewater treatment infrastructure and would result in less of an increase of impervious surfaces. Similar to the Proposed Action, incorporation of selected best management practices (BMPs) would be required as a part of the New York City Department of Environmental Protection (DEP) site connection application process for new buildings.

*SOLID WASTE AND SANITATION SERVICES*

While the No-Action Alternative would generate less demand on New York City's solid waste services and sanitation services, neither the Proposed Action nor the No-Action Alternative would result in any significant adverse impacts to these services. As with the Proposed Action, development that is anticipated to occur as a result of the No-Action Alternative would occur in an area that is currently served by the New York City Department of Sanitation (DSNY) residential trash and recycling pick-ups. Neither the Proposed Action nor the No-Action Alternative would adversely affect the delivery of these services, or place a significant burden on the city's solid waste management system. Therefore, as with the Proposed Action, the No-

Action Alternative would not result in a significant adverse impact on solid waste and sanitation services.

*ENERGY*

Like the Proposed Action, the No-Action Alternative would generate increased demands on New York City's energy services, but the demand generated by the No-Action Alternative would be considerably less than the Proposed Action. However, under both the Proposed Action and No-Action Alternatives, the annual increase in demand would represent a negligible amount of the city's forecast annual energy requirements for 2020. Additionally, any new development under the either the Proposed Action or the No-Action Alternative would be required to comply with the *New York State Conservation Construction Code*. Therefore, neither the No-Action Alternative nor the Proposed Action would result in significant adverse impacts with respect to the transmission or generation of energy.

*TRANSPORTATION*

As accessory parking is permitted under the existing zoning, the No-Action Alternative assumes the inclusion of accessory parking pursuant to the existing zoning regulations. With this alternative, traffic volumes in the study area would be expected to increase as a result of the new construction within the Rezoning Area, general background growth, and other planned development in the study area. As presented in Chapter 13, "Transportation," due in part to the high traffic volumes passing through the study area to access the Holland Tunnel, certain intersection approaches/lane groups already operate at congested levels under existing conditions, such that even small increases in traffic volumes could further worsen traffic conditions, as would occur under the No-Action Alternative. Nonetheless, with lower overall volumes of traffic than the Proposed Action on the street system, the No-Action Alternative would not result in the significant adverse traffic impacts at ~~13~~ 14 intersections during the weekday AM peak hour, 3 intersections during the weekday midday peak hour, ~~13~~14 intersections during the weekday PM peak hour, and 5 intersections during the Saturday midday peak hour, as the Proposed Action would, even though the amount of incremental traffic added to these locations by the Proposed Action may be minimal. ~~As described in Chapter 13, "Transportation," additional intersections may be analyzed between the Draft and Final EIS. These intersections will be selected in consultation with DCP and NYCDOT. The analysis of these additional intersections may identify additional significant adverse traffic impacts, for which mitigation measures would be identified. If feasible measures are not available to fully mitigate these impacts, they would be identified as unmitigated in the Final EIS. Similarly, the No-Action Alternative would not result in any significant adverse traffic impacts that may be identified due to the addition of analysis intersections between the Draft and Final EIS.~~

Under the No-Action Alternative, all station stairways and control area elements would continue to operate at acceptable levels, except for the northwest stairway at the Spring Street and Avenue of the Americas entrance during the AM peak period (Spring Street station). However, neither the Proposed Action nor the No-Action Alternative would result in any significant adverse transit impacts.

In terms of pedestrians, all sidewalk, corner reservoir, and crosswalk analysis locations would continue to operate at acceptable mid-Level of Service (LOS) D or better under the No-Action Alternative, except at the north crosswalk of Varick Street and Spring Street. While future development associated with the No-Action alternative would increase pedestrian volumes

within the study area, the No-Action Alternative would not result in the significant adverse impacts under the Proposed Action that were identified for the north crosswalk of Avenue of the Americas and Spring Street and the north crosswalk of Varick Street and Spring Street.

Public parking utilization under the No-Action Alternative is expected to increase over existing conditions, but would result in a substantially smaller shortfall within the study area compared with the Proposed Action. However, neither the Proposed Action nor the No-Action Alternative would result in a significant adverse parking impact. Furthermore, due to an abundance of parking resources within ½-mile of the Rezoning Area, the excess parking demand is expected to be accommodated via a slightly longer walking distance, beyond the ¼-mile radius.

*AIR QUALITY*

The No-Action Alternative would result in considerably less development contributing to vehicular trips than that of the Proposed Action. Therefore, similar to the Proposed Action, the No-Action Alternative would not result in significant adverse impacts from mobile source emissions.

Under the No-Action Alternative, smaller as-of-right buildings would be constructed at certain development sites, and would be shorter in height as compared with the developments analyzed for the Proposed Action. At other sites, the as-of-right buildings would be larger in size as compared with the developments analyzed for the Proposed Action, and taller in height. As-of-right development under the No Action condition would not have an environmental assessment of air quality exposure as conducted for the Proposed Action and thus such development would not be subject to any air quality (E) designations. Specifically, they would not have the restrictions specified under the Proposed Action and outlined in Chapter 14, "Air Quality" for the placement of exhaust stacks and/or control of emissions for fossil fuel-fired heating, ventilation and air conditioning (HVAC) systems, which would be designed to ensure there would be no significant adverse air quality impacts at nearby sensitive receptor locations.

Under the Proposed Action, to avoid potential significant adverse air quality from the heating and hot water systems boilers at existing large buildings (345 Hudson Street, 201 Varick Street, ~~233 Spring Street, and~~ 75 Varick Street, and from the One SoHo Square enlargement), restrictions on operable windows and air intakes would be required for Projected Development Sites 1, 4, 6, ~~16,~~ and 19, Potential Development Site 24, and Projected Enlargement Site 2. In the No-Action Alternative, these four existing buildings would not have the potential to result in significant adverse air quality impacts related to heat and hot water systems on Projected Development Sites 4, 6, 16, and 19, Potential Development Site 24, and Projected Enlargement Site 2 because they would be taller in height than the proposed sites. At Projected Development Site 1, the restrictions on operable windows and air intakes identified under the Proposed Action to avoid significant impacts from existing emissions sources at 75 Varick Street would not be implemented, and thus potential significant adverse impacts would not be avoided.

The emissions from existing industrial sources would be the same with the No-Action Alternative. Therefore, as with the Proposed Action, the No-Action Alternative would not result in any significant adverse air quality impacts from industrial sources.

*GREENHOUSE GAS EMISSIONS*

With considerably less development than the Proposed Action, the No-Action Alternative would have less energy use and vehicle use, and would therefore result in fewer carbon dioxide equivalent ($CO_2e$) emissions per year.

Development under the No-Action Alternative would not provide a process in which specific environmental commitments are called for, whereas under the Proposed Action the Applicant is formally committing to design all new development on projected developments sites under the Applicant's control to meet the standards of the United States Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED) Silver certification.

*NOISE*

Like the Proposed Action, the No-Action Alternative would not generate sufficient traffic to have the potential to cause a significant adverse noise impact.

Unlike the Proposed Action, the up to 35 dBA of building attenuation that would be required for the Applicant's projected development and enlargement sites and up to 38 dBA of building attenuation would be required for other projected and potential development and enlargement sites would not be implemented under the No-Action Alternative, as these requirements would not be ensured through (E) designations.

*NEIGHBORHOOD CHARACTER*

Like the Proposed Action, the No-Action Alternative would not result in any significant adverse impacts with respect to neighborhood character. However, unlike the Proposed Action, the No-Action Alternative is expected to result in increased as-of-right hotel development, and it would therefore not result in the mix of uses in the Rezoning Area proposed by the Proposed Action that would enable it to develop into a mixed-use neighborhood where New Yorkers live and work. Instead of hotel development, the increased residential population under the Proposed Action would make retail more viable and the increased retail would support the commercial character and pedestrian activity in the Rezoning Area. The No-Action Alternative would not introduce a new residential population, and would therefore not create demand for new retail uses needed to make the area more attractive to a variety of commercial tenants, as well as to serve workers and residents in the surrounding area. The new residential development would be supported by other provisions of the proposed Rezoning Area that would allow for a greater range of cultural and community facility uses, and there would be incentives for affordable housing development. Unlike the Proposed Action, the No-Action Alternative would not preserve the existing character of the neighborhood by limiting the conversion of non-residential use to residential use and by imposing new urban design controls, including height limits. Therefore, the No-Action Alternative would not result in the changes to land use that would be beneficial to the neighborhood character of the Rezoning Area and surrounding study area under the Proposed Action.

*CONSTRUCTION*

While the overall construction program for the No-Action Alternative would be much smaller than that of the Proposed Action, and would result in less construction-related traffic, construction of this alternative could result in impacts, such as increased traffic, noise and dust that are typical of construction projects throughout the city. There would be no assurance that

construction under the No-Action Alternative would include the use of equipment with the extensive emission controls and noise abatement measures that would be provided with the Proposed Action. For example, under the Proposed Action, the Applicant would commit to implement a variety of emissions control measures to the extent practicable and feasible during construction of its projected development and enlargement sites to ensure that the construction results in the lowest practicable diesel particulate matter emissions.

As discussed above, unlike the Proposed Action, under the No-Action Alternative, it is assumed that there would be no subsurface disturbance to 8 of the 10 archaeologically significant properties identified by LPC as archaeologically significant, and the sites will remain in their current condition. Therefore, any potential archaeological resources that may be located on those sites would not be disturbed or destroyed under the No-Action Alternative, and the unavoidable significant adverse impacts on archaeological resources that could occur with the Proposed Action would not occur. Two of the lots identified as archaeologically sensitive in the Phase 1A study (Block 477 Lots 44 and 76) are included within Projected Development Site 5, which will be redeveloped under the No-Action Alternative. Therefore, under the No-Action Alternative, development on Lots 44 and 76 could disturb or destroy any archaeological resources on those properties.

**As a result of construction-related activities, under the standards of the *CEQR Technical Manual*, both the Proposed Action and No-Action Alternative could result in a significant adverse construction-related impact to one known architectural resource (specifically, 131 Avenue of the Americas).** ~~three buildings within the proposed South Village Historic District: 110 Avenue of the Americas, 176-184 Avenue of the Americas, and 207 Spring Street~~ **As it is neither a NYCL nor NR-listed, it is not afforded the additional protective measures of *TPPN #10/88*.** Construction under both the Proposed Action and No-Action Alternative could potentially result in impacts to non-designated or unlisted resources, because they would not be afforded special protections under *TPPN #10/88*. With the Proposed Action, development would occur adjacent to or within 90 feet of 6 potential architectural resources, which are neither NYCLs nor NR-listed properties and would therefore experience adverse construction-related impacts. However, for the resources within 90 feet of the Applicant's projected development sites, a CPP would be prepared to avoid significant adverse construction-related impacts due to the construction of the Applicant's projected development sites. In comparison, development related to the No-Action Alternative would occur adjacent to or within 90 feet of 4 potential architectural resources, which are neither NYCLs nor NR-listed properties and would therefore experience adverse construction-related impacts. For all 4 potential resources, construction under the No-Action Alternative could potentially result in adverse construction-related impacts to the resources. Additionally, unlike the Proposed Action, any potential architectural resources that are located within 90 feet of the Applicant-controlled sites would only be afforded the limited protection under DOB regulations mentioned above under the No-Action Alternative, and therefore construction of the Applicant's sites under the No-Action Alternative could potentially result in adverse construction-related impacts to the potential resources.

As with the Proposed Action, the No-Action Alternative would not result in significant adverse construction impacts with respect to open space, socioeconomic conditions, community facilities, and land use and neighborhood character. While the No-Action Alternative would result in less construction and fewer conversions than the Proposed Action, any construction involving soil disturbance in portions of the Rezoning Area with identified potential for contamination could potentially increase pathways for human exposure to any subsurface hazardous materials present in those areas. Since no (E) designations—which require the owner

of a property to assess potential hazardous material impacts prior to construction—currently exist on the proposed and projected development sites, such soil disturbance under the No-Action Alternative would not necessarily be conducted in accordance with procedures that would be undertaken under the Proposed Action (e.g., conducting testing before commencing excavation and implementation of health and safety plans during construction). However, legal requirements pertaining to petroleum tank maintenance, spill reporting (if spills are identified), off-site disposal of soil/fill, and disturbance and handling of suspect lead-based paint, ACM and PCB-containing equipment and/or lighting fixtures, would need to be followed. Thus, under the No-Action Alternative, the amount of soil disturbance would be less, but the controls on its performance would not be as stringent as under the Proposed Action.

Under the No-Action Alternative, the direct economic benefits resulting from expenditures on labor, materials, and services, and indirect benefits created by expenditures by material suppliers, construction workers, and other employees involved in the direct activity would not be realized. The No-Action Alternative would also not contribute to increased tax revenues for the city and state, including those from personal income taxes.

*PUBLIC HEALTH*

The No-Action Alternative, like the Proposed Action, would not result in any significant adverse public health impacts associated with construction or operation of the new development on any development sites.

## C. NO SUBDISTRICT B ALTERNATIVE

### DESCRIPTION

As discussed in Chapter 1, "Project Description," Subdistrict B has been included as part of the Proposed Action to discourage demolition of existing buildings and preserve the lower scale of the existing built context within the proposed Subdistrict B boundaries. Based on public scoping comments requesting the elimination of Subdistrict B from the proposed Special Hudson Square District, a No Subdistrict B Alternative has been analyzed. Under this alternative, the only subdistrict in the Special District would be Subdistrict A. The zoning regulations (i.e., FAR, building height, base heights, etc.) proposed for wide and narrow streets in the Rezoning Area (not including Subdistricts A and B) would extend throughout the entire Rezoning Area, except for Subdistrict A.

Under the Proposed Action, within Subdistrict B, the maximum permitted floor area would be reduced to 5.4 FAR (bonusable to 7.2 FAR with the inclusion of affordable housing pursuant to the city's Inclusionary Housing Program), and building heights would be limited to 120 feet. Under the No Subdistrict B Alternative, non-residential development would be permitted at 10 FAR and residential development would be permitted at 9 FAR (bonusable to 12 FAR pursuant to the Inclusionary Housing Program). On wide streets, the maximum building height would be restricted to 320 feet, with a base height of between 125 and 150 feet, and a 10-foot setback required above the base height. On narrow streets, the maximum building height would be restricted to 185 feet, with a base height of between 60 and 125 feet, and a 15-foot setback required above the base height. The Subdistrict A requirements would not change under this alternative.

As stated in the "Project Description," since the issuance of the DEIS, the Applicant has proposed a modification to the proposed zoning text amendment. Per the modification, the Subdistrict B regulations would be eliminated from the proposed Special District zoning text and in their place the general Special District bulk regulations would apply. This modification to the Proposed Action is analyzed in this section (the "No Subdistrict B Alternative"). The modified proposed zoning text is provided in **Appendix 1.**

*DEVELOPMENT PROGRAM*

The elimination of Subdistrict B would increase the development potential within that area, as compared with the Proposed Action. Applying the same set of specific development site criteria and assumptions as assumed under the RWCDS for the Proposed Action, the No Subdistrict B Alternative would result in changes to the anticipated development on Projected Development Sites 5 and 15 and Potential Development Sites 22 and 23 within the Rezoning Area (see **Table 21-2**). On Projected Development Site 5 and Potential Development Sites 22 and 23, the increased development potential is attributed to the increased allowable FAR. For Projected Development Site 15, because the built FAR on Block 578, Lot 71 is less than 50 percent of the maximum permitted FAR with the elimination of Subdistrict B, Projected Development Site 15 would consist of an assemblage between Lots 71 and 75 under this alternative. Thus, the increased development potential on Projected Development Site 15 is attributed to both the larger development site and increased allowable FAR.

On the projected development sites, the No Subdistrict B Alternative would result in an increase of 179 residential units, including 42 affordable units; 5,343 gsf of retail use; and 11 accessory parking spaces as compared with the Proposed Action. As with the Proposed Action, the No Subdistrict B Alternative would include construction of a new 444-seat public elementary school on Projected Development Site 1, subject to approvals and requirements of the SCA.

As shown below, the No Subdistrict B Alternative would also result in additional development on Potential Development Sites 22 and 23. However, consistent with the analysis approach throughout this EIS, potential development sites are assessed for site-specific impacts only, such as those related to shadows, historic and cultural resources, urban design, hazardous materials, air quality (stationary sources), and noise (building attenuation). The analyses of density-related impacts (such as socioeconomic conditions, community facilities, open space, and traffic and parking, and transit and pedestrians) associated with the No Subdistrict B Alternative only considers the additional development on Projected Development Sites 5 and 15.

## NO SUBDISTRICT B ALTERNATIVE COMPARED WITH THE PROPOSED ACTION

*LAND USE, ZONING, AND PUBLIC POLICY*

The No Subdistrict B alternative would result in an additional 179 residential units and 5,343 gsf of retail use on the projected development sites, compared with the Proposed Action (based on the RWCDS that was analyzed in Chapter 2, "Land Use, Zoning and Public Policy"). There would also be standard wide and narrow street heights in the Subdistrict B area, and an additional lot (Block 578, Lot 71) would be added to Projected Development Site 15.

**Table 21-2**
**Development Program Comparison—Proposed Action and No Subdistrict B Alternative**

| Site | Proposed Action[1] | No Subdistrict B Alternative[1] | Difference (as compared with either RWCDS 1 or RWCDS 2)[1] |
|---|---|---|---|
| Projected Development Site 5 | 62,691 gsf residential; 74 DUs (17 affordable); 8,962 gsf retail; 17 accessory parking spaces | 110,079 gsf residential; 132 DUs (31 affordable); 8,962 gsf retail; 28 accessory parking spaces | 47,388 gsf residential; 58 DUs (14 affordable); 0 gsf retail; 11 accessory parking spaces |
| Projected Development Site 15 | 24,874 gsf residential; 30 DUs (7 affordable); 3,556 gsf retail; 0 accessory parking spaces | 126,485 gsf residential; 151 DUs (35 affordable); 8,899 gsf retail; 0 accessory parking spaces | 101,611 gsf residential; 121 DUs (28 affordable); 5,343 gsf retail; 0 accessory parking spaces |
| **Difference, Projected Development Sites** | | | **148,999 gsf residential; 179 DUs (42 affordable); 5,343 gsf retail; 11 accessory parking spaces** |
| Potential Development Site 22 | 44,122 gsf residential; 52 DUs (12 affordable); 6,308 gsf retail; 11 accessory parking spaces | 77,474 gsf residential; 92 DUs (21 affordable); 6,308 gsf retail; 19 accessory parking spaces | 33,352 gsf residential; 40 DUs (9 affordable); 0 gsf retail; 8 accessory parking spaces |
| Potential Development Site 23[2] | 37,255 gsf residential; 44 DUs (10 affordable); 5,326 gsf retail; 10 accessory parking spaces | 57,555 gsf residential; 69 DUs (16 affordable); 5,326 gsf retail; 15 accessory parking spaces | 20,300 gsf residential; 25 DUs (6 affordable); 0 gsf retail; 5 accessory parking spaces |
| **Difference, Potential Development Sites** | | | **53,652 gsf residential; 65 DUs (15 affordable); 0 gsf retail; 13 accessory parking spaces** |

**Notes:**
DU = Dwelling unit
1. Under the Proposed Action and the No Subdistrict B Alternative, there is no difference between RWCDS 1 and RWCDS 2 on Projected Development Sites 5 and 15 and Potential Development Sites 22 and 23.
2. Under the No Subdistrict B Alternative, Potential Site 23 would not be able to maximize its FAR under the narrow streets bulk regulations and is therefore assumed to be built to a lower FAR.

Like the Proposed Action, the additional development and modified height regulations associated with the No Subdistrict B Alternative would not result in any significant adverse impacts to land use, zoning, or public policy. As with the Proposed Action, the modified program would not directly displace any land uses so as to adversely affect surrounding land uses, nor would the modified program generate land uses that would be incompatible with land uses, zoning, or public policy in either the primary or the secondary study areas. The modified program would also not create land uses or structures that would be incompatible with the underlying zoning, nor would the modified program cause any existing structures to become non-conforming.

Instead, the modified program would result in a modestly higher residential population with commercial uses that would further the Proposed Action's goal of creating an active mixed-use neighborhood, while preserving its existing built context and commercial uses. As with the RWCDS, the modified program would: incentivize the development of new affordable housing; allow a greater range of cultural and community facility uses; result in a new public school; and implement specific provisions regulating demolition and conversions of existing buildings, as well as height limits as appropriate, to preserve the essential character of the neighborhood. The modified program would not substantially alter the findings in Chapter 2, and would not result in any significant adverse land use impacts.

*SOCIOECONOMIC CONDITIONS*

The No Subdistrict B Alternative would result in the same direct residential displacement as the Proposed Action and would still fall well below the 500-resident threshold warranting an assessment under the *CEQR Technical Manual*. Therefore the No Subdistrict B Alternative is not expected to have any impact on direct residential displacement as compared with the Proposed Action.

Along with the 88 businesses that would be displaced with the Proposed Action, the No Subdistrict B Alternative would result in the displacement of one additional business—a parking garage on Projected Development Site 15. The parking garage is estimated to provide employment to approximately three employees. The displacement of the garage would increase the number of displaced employees from 629 with the Proposed Action to 632 in the No Subdistrict B Alternative, which represents a 0.002 percent increase and would therefore not be considered a significant adverse impact. The direct business displacement resulting from the No Subdistrict B Alternative would not be large enough to substantially alter the socioeconomic character of the neighborhood, and there would be no significant adverse impacts due to direct business displacement.

The No Subdistrict B Alternative would introduce an additional 137 market rate residential units to the study area as compared with the Proposed Action. While this would represent an increase in new residents compared with the Proposed Action, this increase would not be substantial enough to initiate a trend toward increasing rents in the area. In addition, there is not a substantial population in the study area potentially at risk of indirect residential displacement. Therefore, the No Subdistrict B Alternative is not expected to result in any significant adverse impacts due to indirect residential displacement.

Since the ½-mile study area already contains more than 7.7 million square feet of retail space, the additional 5,343 gsf of retail introduced by the No Subdistrict B Alternative as compared with the Proposed Action would not introduce an amount of retail space that would alter or accelerate commercial market trends. The No Subdistrict B Alternative would increase the number of residential units by 179 units compared with the Proposed Action. The additional units expected to be introduced by the No Subdistrict B Alternative would represent a continuation of an existing trend toward more residential development in the study area. The new units are not expected to change the character of the neighborhood and are therefore unlikely to result in any indirect business displacement.

Like the Proposed Action, the No Subdistrict B Alternative would not result in any significant adverse impacts due to adverse effects on either the creative arts industry or the hospitality and tourism industry.

*COMMUNITY FACILITIES AND SERVICES*

*Indirect Effects on Public Elementary, Intermediate, and High Schools*

The No Subdistrict B Alternative would result in the overall development of 3,502 new residential units by 2022, which is an incremental increase of 179 residential units compared with the Proposed Action (based on the RWCDS analyzed in Chapter 4, "Community Facilities"). As a result, the No Subdistrict B Alternative would result in a greater number of new public school students as compared with the Proposed Action. The No Subdistrict B

Alternative would generate demand for approximately 420 elementary school seats, 140 intermediate school seats, and 210 high school seats.[1] By comparison, the Proposed Action would generate demand for approximately 399 elementary school seats, 133 intermediate school seats, and 199 high school seats.

As with the Proposed Action, the No Subdistrict B Alternative would include construction of a new 444-seat public elementary school on Projected Development Site 1, subject to approvals and requirements of the SCA. The new elementary school seats that would be provided would accommodate all demand for elementary school seats generated by either the Proposed Action or the No Subdistrict B Alternative. Under the No Subdistrict B Alternative, the deficit of elementary school seats would decrease from ~~1,025~~670 in the No Action condition to ~~1,001~~646, and the elementary school utilization rate would be ~~127~~ 116 percent (as compared with ~~126~~ 115 percent with the Proposed Action). The No Subdistrict B Alternative would not increase the elementary school utilization rate in CSD 2/Sub-District 2; rather, the elementary school utilization rate would decrease by ~~four~~ approximately 2.5 percentage points as compared with the No-Action condition. Therefore, like the Proposed Action, the No Subdistrict B Alternative would not result in any significant adverse impacts to elementary schools.

As with the Proposed Action, the opening of a new public school requires the provision of adequate public funding within the SCA/Department of Education (DOE) budget to fit-out the space and operate the school, which is outside of the Applicant's control. Similar to conditions with the Proposed Action, if ~~1,388~~1,529 residential units or more are developed in the Rezoning Area before a public elementary school is operational, the No Subdistrict B Alternative would result in a significant adverse impact to elementary schools in CSD 2/Sub-District 2.

~~The greater number of intermediate school students generated under the No Subdistrict B Alternative would decrease the surplus of intermediate school seats in the study area but such schools would continue to operate with a surplus of seats. Therefore, like the Proposed Action, the No Subdistrict B Alternative would not result in any significant adverse impacts to intermediate schools.~~As with the Proposed Action, the No-Action Alternative would not result in a significant adverse impact on public intermediate schools. With the Proposed Action, CSD 2/Subdistrict 2 would operate at approximately 100 percent capacity, with a small deficit of 2 seats at the intermediate school level. The greater number of intermediate school students generated under the No Subdistrict B Alternative would result in a small deficit of nine seats, and intermediate schools in the subdistrict would operate at 101 percent utilization; however, this would not constitute a significant adverse impact. The need for intermediate seats in the study area in 2022 would be approximately equal to the number of seats provided, and therefore the delivery of intermediate school services would be adequate. Furthermore, as discussed in Chapter 4, "Community Facilities," CSD 2 operates under an intermediate school choice policy, which means that students are not restricted to geographically proximate middle school facilities. No Subdistrict B Alternative would result in a significant adverse impact on intermediate schools.

The No Subdistrict B Alternative would introduce a greater number of high school students compared with the Proposed Action. However, high schools in Manhattan would continue to

[1] Based on student generation rates listed in Table 6-1a of the *CEQR Technical Manual* (0.12 elementary students, 0.04 intermediate school students, and 0.06 high school students per residential unit in Manhattan).

operate with a surplus of seats. Therefore, like the Proposed Action, the No Subdistrict B Alternative would not result in any significant adverse impacts to high schools.

*Indirect Effects on Libraries*

The No Subdistrict B Alternative would result in 6,579 new residents in the study area by 2022, an increase of 330 residents as compared with the Proposed Action (based on the RWCDS analyzed in Chapter 4, "Community Facilities"). As a result, the number of new users that would utilize existing public libraries would increase, but this increase would not affect the delivery of library services. Therefore, the population introduced by the No Subdistrict B Alternative would not impair the delivery of library services in the study area and, like the Proposed Action, the No Subdistrict B Alternative would not result in any significant adverse impacts on public libraries.

*Indirect Effects on Childcare Services*

The No Subdistrict B Alternative would result in the development of 721 affordable units by 2022, which is an additional 42 units compared with the Proposed Action (based on the RWCDS analyzed in Chapter 4, "Community Facilities"). The No Subdistrict B Alternative would introduce 83 children who would be eligible for public child care, as compared with 78 children introduced by the Proposed Action.

With the addition of these 83 children, child care facilities in the study area would operate at 102 percent utilization, with a deficit of ~~28~~ 64 slots under the No Subdsitrict B Alternative. Under this alternative, the utilization rate of public child care facilities would increase ~~4.59~~4.18 percentage points over the No-Action condition, compared with ~~4.32~~3.93 percentage points for the Proposed Action. Although child care facilities in the study area would operate with a small deficit of seats, the increase in the utilization rate due to the alternative would be less than five percent, which is the CEQR threshold for a significant adverse impact. Therefore, like the Proposed Action, the No Subdistrict B Alternative would not result in a significant adverse impact on child care facilities.

*Police and Fire Protection Services*

Like the Proposed Action, the No Subdistrict B Alternative would not result in any significant adverse impacts to police or fire protection services, as it would not affect the physical operations of, or direct access to and from, a precinct house or fire station, nor would it create a sizeable new neighborhood where none existed before.

*OPEN SPACE*

The No Subdistrict B Alternative would result in similar impacts to open space as the Proposed Action. The No Subdistrict B Alternative would not remove or alter any existing publicly accessible open spaces, nor would it result in any significant adverse impacts on any open spaces due to noise or air quality. The No Subdistrict B Alternative would result in similar impacts to open space due to shadows as compared with the Proposed Action.

The No Subdistrict B Alternative would result in the same impacts to open space as the Proposed Action. Within the non-residential study area, similar to the Proposed Action, the ratio for passive open space would decrease by 0.6 percent under the No Subdistrict B Alternative and would still remain higher than the city's planning goal of 0.15 acres per 1,000 workers. Within the residential study area, under the No Subdistrict B Alternative, the passive open space ratio would decrease by approximately 9.5 percent as compared with a 9.1 percent decrease under the

Proposed Action. However, this ratio would still remain above the city's planning goal of 0.5 acres per 1,000 workers. The total and active open space ratios would also each decrease by approximately 9.5 percent as a result of the No Subdistrict B Alternative, as compared with a 9.1 percent decrease with the Proposed Action. As with the Proposed Action, the total and active open space ratios in the residential study area would remain lower than the city's guidelines under the No Subdistrict B Alternative, resulting in a significant adverse impact to open space in the residential study area. Measures to mitigate this significant adverse impact would be similar to those described for the Proposed Action.

*SHADOWS*

Like the Proposed Action, the No Subdistrict B Alternative would result in significant adverse shadow impacts on two publicly accessible open spaces, Trump SoHo Plaza and SoHo Square. As the anticipated development at Projected Development Site 2 would be the same under both the Proposed Action and the No Subdistrict B Alternative, this development would result in the same significant adverse shadow impacts to Trump SoHo Plaza and SoHo Square. The same measures would be necessary to mitigate the significant adverse impact under this alternative.

With the No Subdistrict B Alternative, the anticipated development at Projected Development Sites 5 and 15 and Potential Development Sites 22 and 23 would be substantially taller than with the Proposed Action; however, they would not result in substantially more shadows on any nearby open spaces or other sun-sensitive resources on any of the representative analysis days. The No Subdistrict B Alternative would not result in any additional significant adverse shadow impacts as compared with the Proposed Action.

*HISTORIC AND CULTURAL RESOURCES*

*Archaeological Resources*

Like the Proposed Action, the No Subdistrict B Alternative would result in development on six potential and projected development sites identified as archaeologically sensitive. As with the Proposed Action, development of these six sites under the No Subdistrict B Alternative could result in unavoidable significant adverse impacts on archaeological resources. The No Subdistrict B Alternative also projects development on Block 578, Lot 71 as part of Projected Development Site 15. The redevelopment of Block 578, Lot 71 is not projected to occur under the Proposed Action. However, in a comment letter dated December 16, 2008, LPC determined that this lot has no archaeological sensitivity. Therefore, the No Subdistrict B Alternative would result in the same significant adverse impacts to archaeological resources as the Proposed Action.

*Architectural Resources*

Under the No Subdistrict B Alternative, as with the Proposed Action, construction on projected and potential development and enlargement sites not controlled by the Applicant could result in significant adverse construction-related impacts on up to ~~1~~ **one known architectural resource (specifically, the S/NR-eligible building at 131 Avenue of the Americas** ~~three buildings within the proposed South Village Historic District~~**) and** 6 potential architectural resources due to their locations within 90 feet of sites that may be developed under the either the No Subdistrict B Alternative or the Proposed Action. Like the Proposed Action, the No Subdistrict B Alternative would not result in any significant adverse visual or contextual impacts to historic and cultural resources. As noted above, the No Subdistrict B Alternative also projects

development on Block 578, Lot 71 as part of Projected Development Site 15. In a letter dated May 7, 2012, LPC determined that the building located on Block 578, Lot 71 does not appear to be a potential architectural resource. There would be no construction-related impacts to potential architectural resources located within 90 feet of Block 578, Lot 71 as a result of development on that parcel. Therefore, the No Subdistrict B Alternative would result in the same significant adverse impacts to architectural resources as the Proposed Action.

*URBAN DESIGN AND VISUAL RESOURCES*

Similar to the Proposed Action, the No Subdistrict B Alternative would introduce limits on building height, while also establishing contextual streetwall and setback requirements and reduced height limits on the midblocks. However, by eliminating Subdistrict B, this alternative would allow maximum building heights in the lower scale area bounded by Watts, Hudson, and Dominick streets and Avenue of the Americas that would be the same as those throughout the entire proposed Rezoning Area. Thus, the No Subdistrict B Alternative would not preserve the lower scale urban design character within this area, as would the Proposed Action. However, neither the Proposed Action nor the No Subdistrict B Alternative would result in a significant adverse impact on the urban design character of the neighborhood.

*HAZARDOUS MATERIALS*

Under the No Subdistrict B Alternative, the footprints of the projected and potential development and enlargement sites would be the same as those of the Proposed Action except for the addition of Tax Block 578, Lot 71 to Projected Development Site 15. At the time of the reconnaissance, this lot was occupied by a six-story parking garage. Although the potential for subsurface contamination at Lot 71 exists due to past on-site uses (historical Sanborn maps showed a filling station) as well as past and present uses in the surrounding area, the potential for significant adverse impacts would be avoided by the same measures proposed for other projected and potential development and enlargement sites as specified in (E) designations. Under the No Subdistrict B Alternative, a hazardous materials (E) designation would be applied to Tax Block 578, Lot 71 requiring that:

- Prior to construction or renovation involving subsurface disturbance or conversion from non-residential to residential use, the property owner would conduct a Phase I Environmental Site Assessment (ESA) in accordance with ASTM E1527-05.
- If required by the Office of Environmental Remediation (OER) and based on the findings of the Phase I ESA, a soil and groundwater testing protocol approved by the OER would be prepared and implemented before development-related building permits can be issued by DOB. If warranted by the findings of the subsurface investigation, site redevelopment would be conducted in accordance with an OER-approved remedial action plan (RAP) and construction health and safety plan (CHASP), with a closure report prepared following construction documenting compliance with the RAP/CHASP. Following construction, if long-term monitoring (e.g., of groundwater quality) is required by DEP, a Site Management Plan (SMP) would be prepared specifying the necessary and appropriate procedures for operation, maintenance, testing and reporting that remediation efforts, if any, have been employed.

With the implementation of these measures, the No Subdistrict B Alternative would not result in any significant adverse impacts with respect to hazardous materials.

*WATER AND SEWER INFRASTRUCTURE*

The No Subdistrict B Alternative would result in greater incremental water demand and sanitary sewage flows compared with the Proposed Action (based on the RWCDS analyzed in Chapter 10, "Water and Sewer Infrastructure"). The incremental water demand generated by the No Subdistrict B Alternative would be approximately 750,000 gallons per day (gpd) compared with the No-Action condition. This incremental water demand represents a 7 percent increase over the Proposed Action. The incremental water demand associated with the No Subdistrict B Alternative represents a 0.07 percent increase in demand on the New York City water supply system. There would be adequate water service to meet the demand generated by either the Proposed Action or the No Subdistrict B Alternative; therefore, there would be no significant adverse impacts on the city's water supply.

The incremental sanitary sewage generated by the No Subdistrict B Alternative would be approximately 389,000 gpd compared with the No-Action condition. This incremental volume in sanitary flow to the combined sewer system represents an approximately 9 percent increase over the Proposed Action, and approximately 0.17 percent of the average daily flow to the Newtown Creek Wastewater Treatment Plant (WWTP). This volume would not result in an exceedance of the Newtown Creek WWTP's capacity and, as with the Proposed Action, would not create a significant adverse impact on the city's sanitary sewage conveyance and treatment infrastructure.

The No Subdistrict B Alternative would not be expected to result in any change to impervious surfaces as compared with the Proposed Action. As discussed in Chapter 10, the incorporation of selected on-site stormwater source controls or best management practices (BMPs) will be required for future development in the Rezoning Area, as a part of the DEP site connection application process for new buildings. Potential BMPs are outlined in the BMP Concept Plan in Chapter 10. Like the Proposed Action, with the incorporation of BMPs, the No Subdistrict B Alternative would not have a significant adverse impact on the city's stormwater conveyance infrastructure.

*SOLID WASTE AND SANITATION SERVICES*

Compared with Proposed Action, the No Subdistrict B Alternative would result in slightly more solid waste (increase of approximately 142,000 lbs/week as compared with 134,000 lbs/week) over the No-Action condition. As with the Proposed Action, the No Subdistrict B Alternative would not result in significant adverse impacts on solid waste or sanitation services.

*ENERGY*

Compared with Proposed Action, the No Subdistrict B Alternative would result in slightly more energy demand (increase of approximately 228,000 million British Thermal Units [BTUs] as compared with 216,000 million BTUs) over the No-Action condition. As with the Proposed Action, the No Subdistrict B Alternative would not result in significant adverse impacts on energy systems.

*TRANSPORTATION*

Based on the trip generation assumptions detailed in Chapter 13, "Transportation," the No Subdistrict B Alternative would generate more trips (up to approximately 240 person trips and up to approximately 30 vehicle trips during peak hours) as compared with the Proposed Action (based on the RWCDS analyzed in Chapter 13) (see **Table 21-3**). With these additional trips distributed across various analysis locations within the transportation network, the individual intersections,

subway stairs, and pedestrian elements would experience minimal increases in trips and would be of comparable magnitude in terms of overall trips as the Proposed Action. Due to the additional trips, potential impacts under this alternative could be worse than those disclosed for the Proposed Action. However, given that this alternative would generate only a small number of incremental trips more than the Proposed Action, the overall impact findings and required mitigation measures are expected to be similar to those described for the Proposed Action. Impacts unmitigatable under the Proposed Action would also be unmitigatable under the No Subdistrict B Alternative. For transit, however, this alternative (despite its generation of only a limited number of additional trips) may result in a significant adverse impact at the Spring Street (C/E Lines) Station's ~~NW (unmarked)~~ northwest street-level stairway that is currently congested but would not be significantly impacted under the Proposed Action. Quantified analysis of selected analysis locations are presented below. ~~Additional quantification of potential impact findings, focusing on locations of concern and those expected to yield different impact results will be prepared for this Alternative between the Draft and Final EIS. For the Spring Street Station stairway mentioned above, if the Final EIS analysis confirms that a significant adverse impact would be expected to occur with this alternative, potential mitigation measures would be identified, in coordination with the Metropolitan Transportation Authority (MTA) New York City Transit (NYCT). In addition, the parking shortfall identified for the Proposed Action would also occur under this alternative; however, as with the Proposed Action, the parking shortfall would not constitute a significant adverse parking impact due to the magnitude of available alternative modes of transportation.~~

**Table 21-3**

**Net Trip Difference Between the No Subdistrict B Alternative and the Proposed Action**

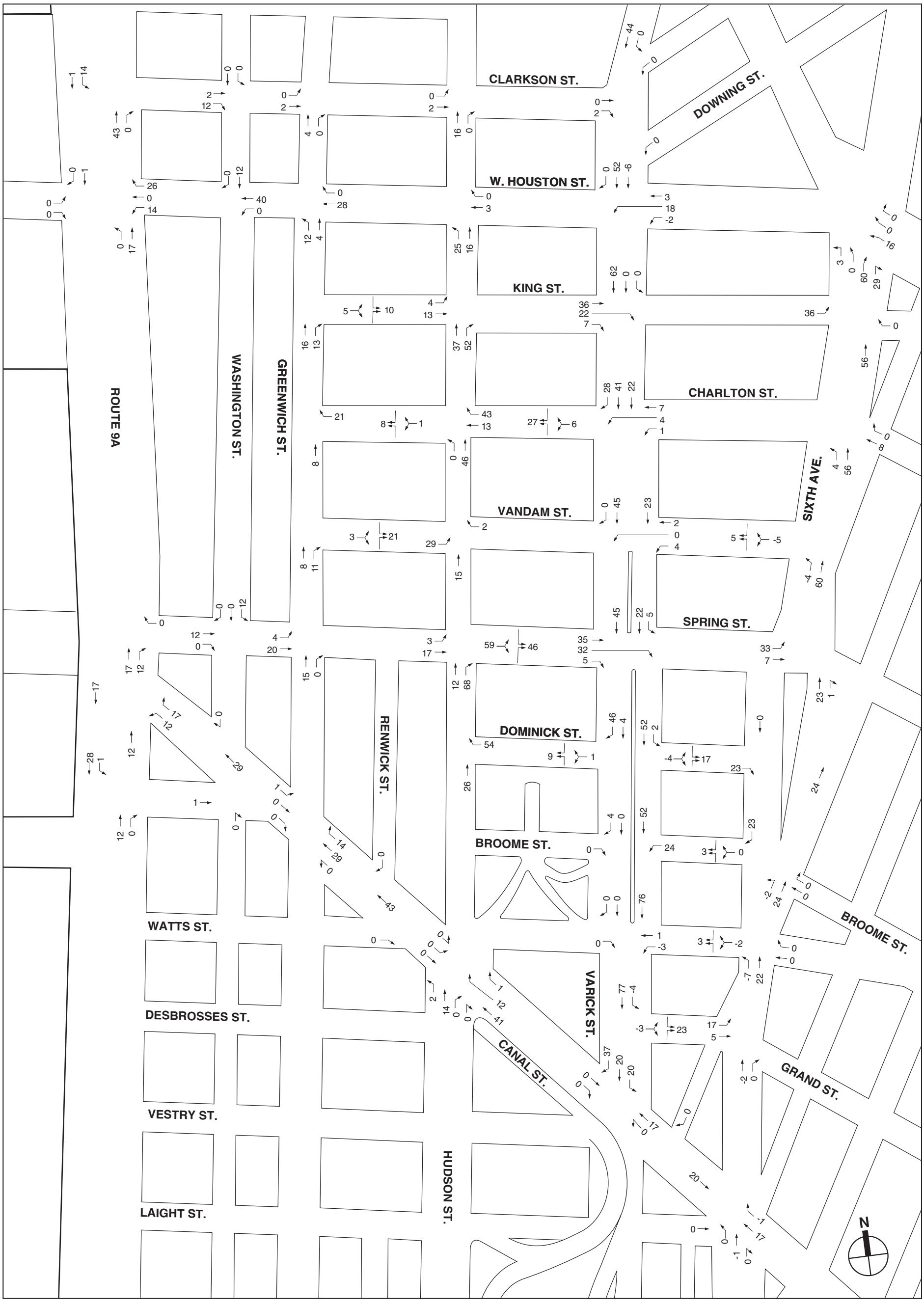
| Peak Hour | In / Out | Person Trip | | | | | | | Vehicle Trip | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Auto | Taxi | Subway | Bus | School Bus | Walk | Total | Auto | Taxi | School Bus | Delivery | Total |
| Weekday AM | In | 3 | 2 | 13 | 2 | 0 | 16 | 36 | 2 | 5 | 0 | 0 | 7 |
| | Out | 12 | 8 | 69 | 4 | 0 | 44 | 137 | 9 | 5 | 0 | 0 | 14 |
| | **Total** | 15 | 10 | 82 | 6 | 0 | 60 | 173 | 11 | 10 | 0 | 0 | 21 |
| Weekday Midday | In | 6 | 5 | 25 | 6 | 0 | 75 | 117 | 4 | 6 | 0 | 1 | 11 |
| | Out | 6 | 5 | 25 | 6 | 0 | 75 | 117 | 4 | 6 | 0 | 1 | 11 |
| | **Total** | 12 | 10 | 50 | 12 | 0 | 150 | 234 | 8 | 12 | 0 | 2 | 22 |
| Weekday PM | In | 11 | 9 | 63 | 4 | 0 | 64 | 151 | 9 | 7 | 0 | 0 | 16 |
| | Out | 5 | 4 | 28 | 3 | 0 | 47 | 87 | 4 | 7 | 0 | 0 | 11 |
| | **Total** | 16 | 13 | 91 | 7 | 0 | 111 | 238 | 13 | 14 | 0 | 0 | 27 |
| Saturday Midday | In | 8 | 7 | 41 | 4 | 0 | 59 | 119 | 6 | 9 | 0 | 0 | 15 |
| | Out | 8 | 7 | 41 | 4 | 0 | 59 | 119 | 6 | 9 | 0 | 0 | 15 |
| | **Total** | 16 | 14 | 82 | 8 | 0 | 118 | 238 | 12 | 18 | 0 | 0 | 30 |

*Traffic*

As described above, when compared to the Proposed Action analyzed in Chapter 13, "Transportation," the No Subdistrict B Alternative would result in minimally higher trip-making overall. At locations closer to Subdistrict B, the differences are more noticeable. **Figures 21-2** to **21-5** present the incremental peak hour vehicle trips resulting from the No Subdistrict B Alternative. And **Figures 21-6** to **21-9** present the No Subdistrict B Alternative traffic volumes for the weekday AM, midday, PM, and Saturday midday peak hours.

For analysis locations where favorable With-Action conditions have been projected under the Proposed Action and no notably higher trip increments are projected to result from the No Subdistrict B Alternative, the same conclusion of no potential impacts were made. At analysis locations where With-Action conditions would yield unmitigated significant adverse impacts under the Proposed Action, likewise the same conclusion of unmitigated significant adverse

12.24.12




NOT TO SCALE

Midblock Source

Midblock Sink

No Subdistrict B Alternative Net Incremental Traffic
Weekday AM Peak Hour
Figure 21-2

12.24.12

CLARKSON ST.
DOWNING ST.
W. HOUSTON ST.
KING ST.
CHARLTON ST.
VANDAM ST.
SIXTH AVE.
SPRING ST.
DOMINICK ST.
BROOME ST.
GRAND ST.
ROUTE 9A
WASHINGTON ST.
GREENWICH ST.
RENWICK ST.
WATTS ST.
DESBROSSES ST.
VARICK ST.
CANAL ST.
VESTRY ST.
HUDSON ST.
LAIGHT ST.

N

NOT TO SCALE

Midblock Source

Midblock Sink

No Subdistrict B Alternative Net Incremental Traffic
Weekday Midday Peak Hour
Figure 21-3

12.24.12

CLARKSON ST.
DOWNING ST.
W. HOUSTON ST.
KING ST.
CHARLTON ST.
VANDAM ST.
SIXTH AVE.
SPRING ST.
DOMINICK ST.
BROOME ST.
GRAND ST.
ROUTE 9A
WASHINGTON ST.
GREENWICH ST.
RENWICK ST.
WATTS ST.
DESBROSSES ST.
VARICK ST.
CANAL ST.
VESTRY ST.
HUDSON ST.
LAIGHT ST.

N

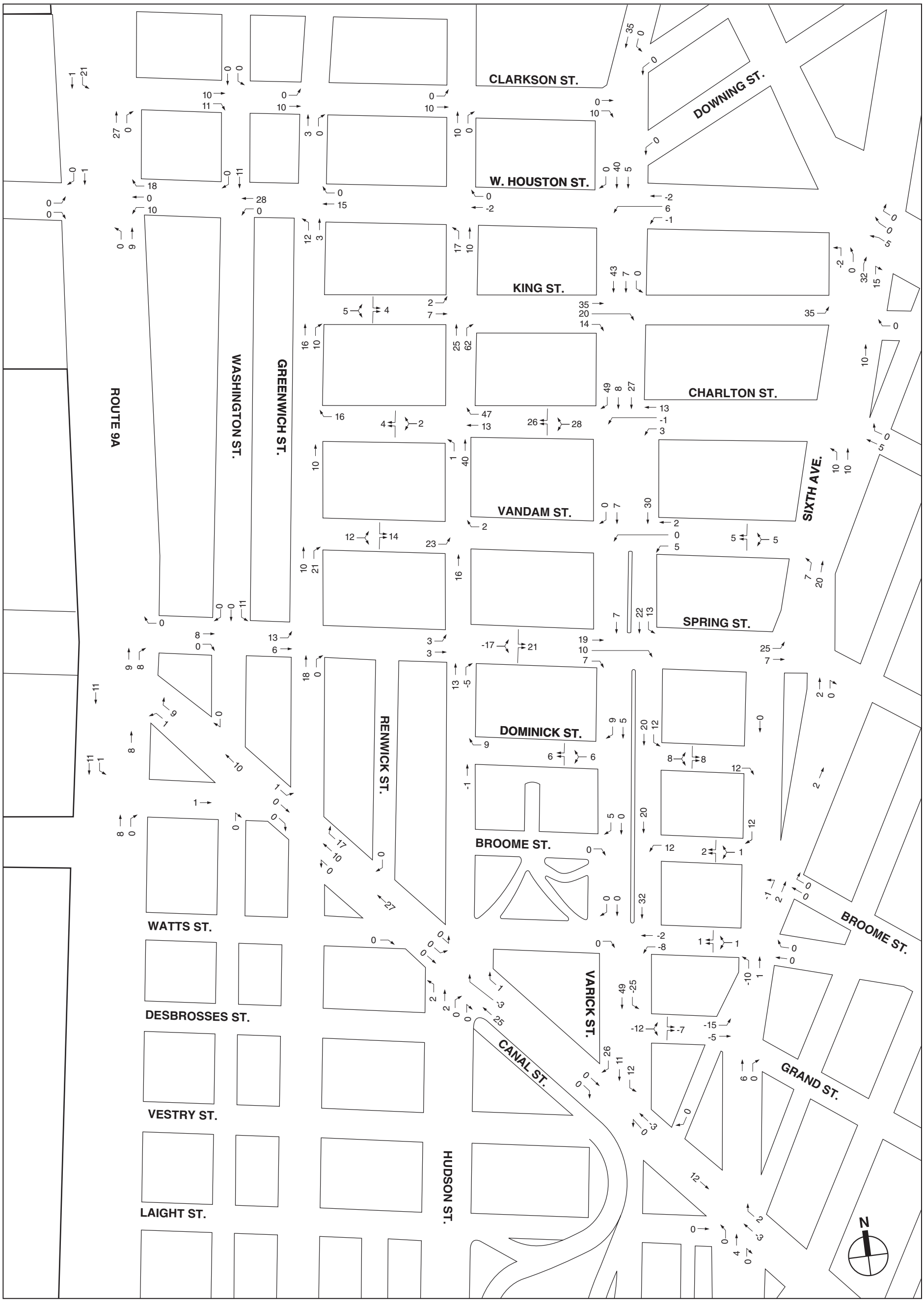
NOT TO SCALE

Midblock Source

Midblock Sink

No Subdistrict B Alternative Net Incremental Traffic
Weekday PM Peak Hour
Figure 21-4

12.24.12



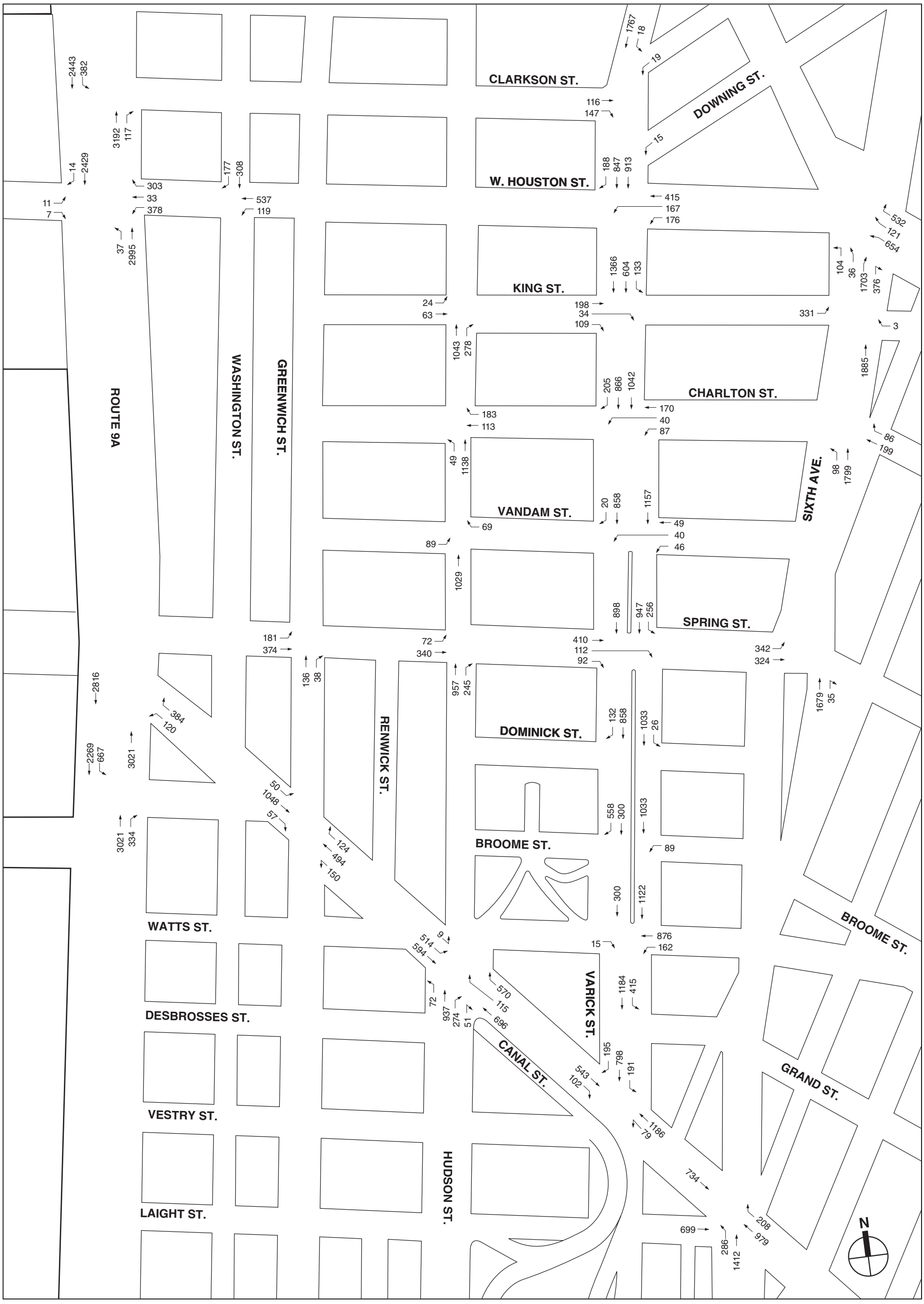

NOT TO SCALE

Midblock Source

Midblock Sink

No Subdistrict B Alternative Net Incremental Traffic
Saturday Midday Peak Hour
Figure 21-5

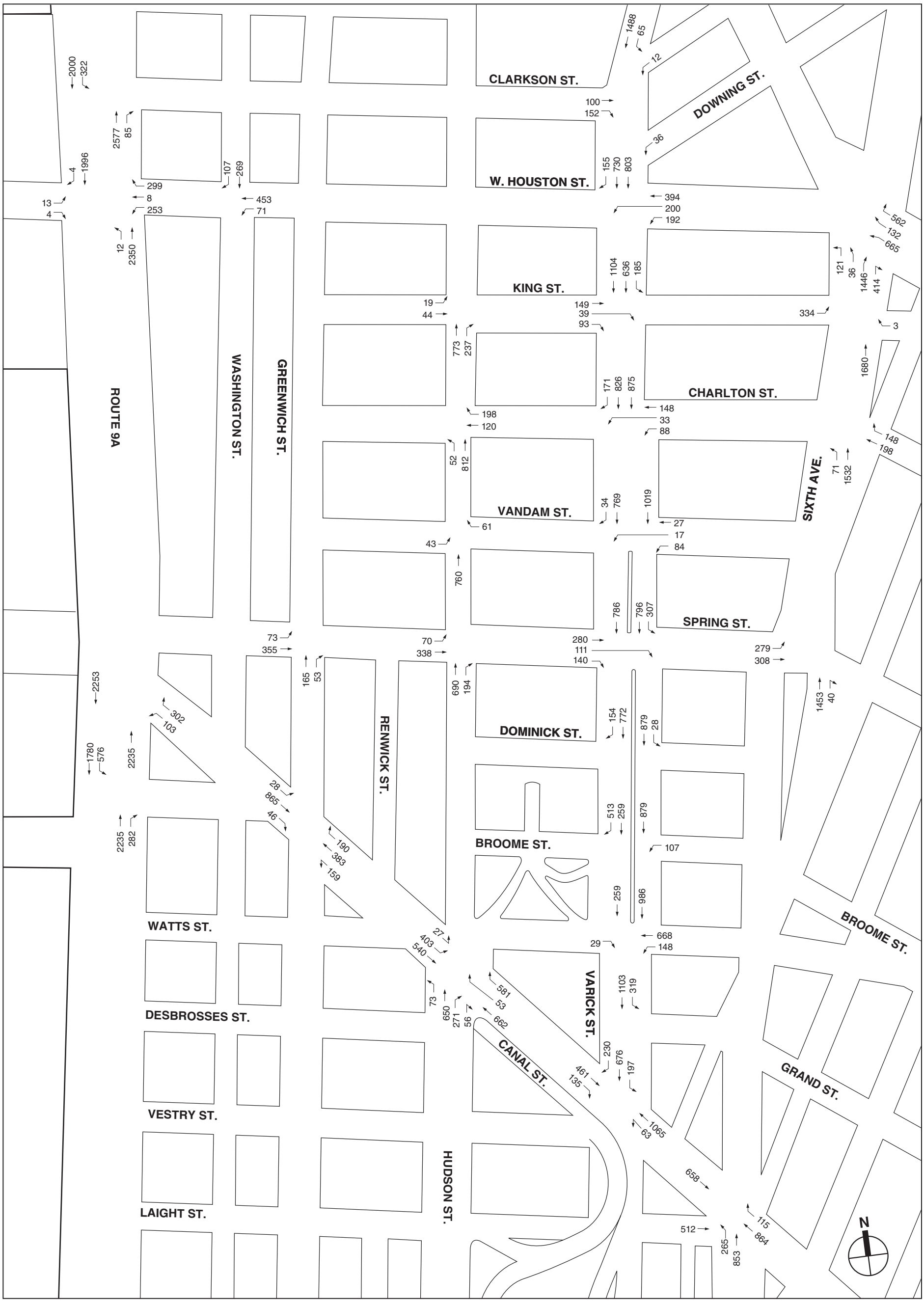
12.24.12




NOT TO SCALE

2022 No Subdistrict B Alternative Traffic Volumes
Weekday AM Peak Hour
Figure 21-6

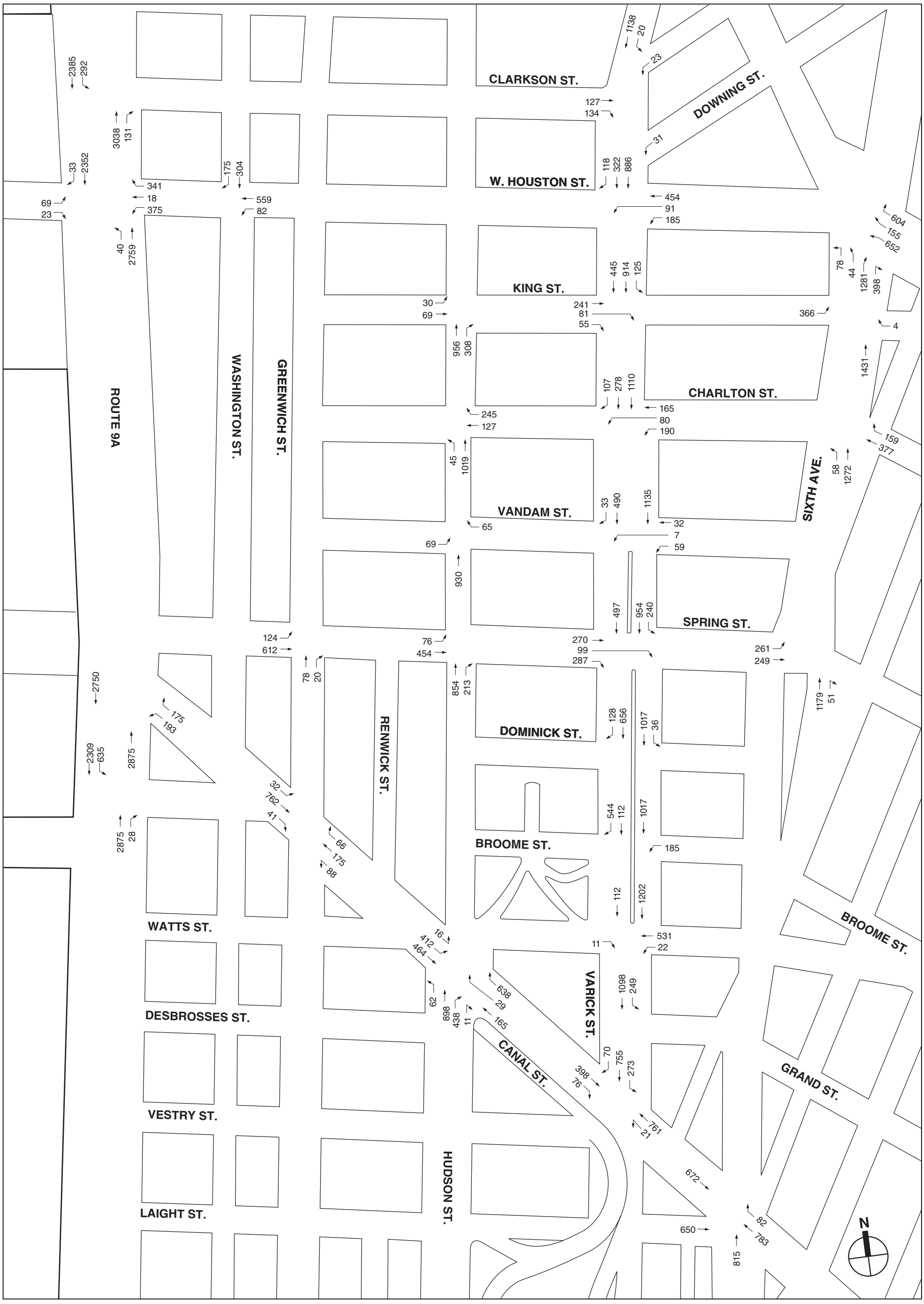
12.24.12




NOT TO SCALE

2022 No Subdistrict B Alternative Traffic Volumes
Weekday Midday Peak Hour
Figure 21-7

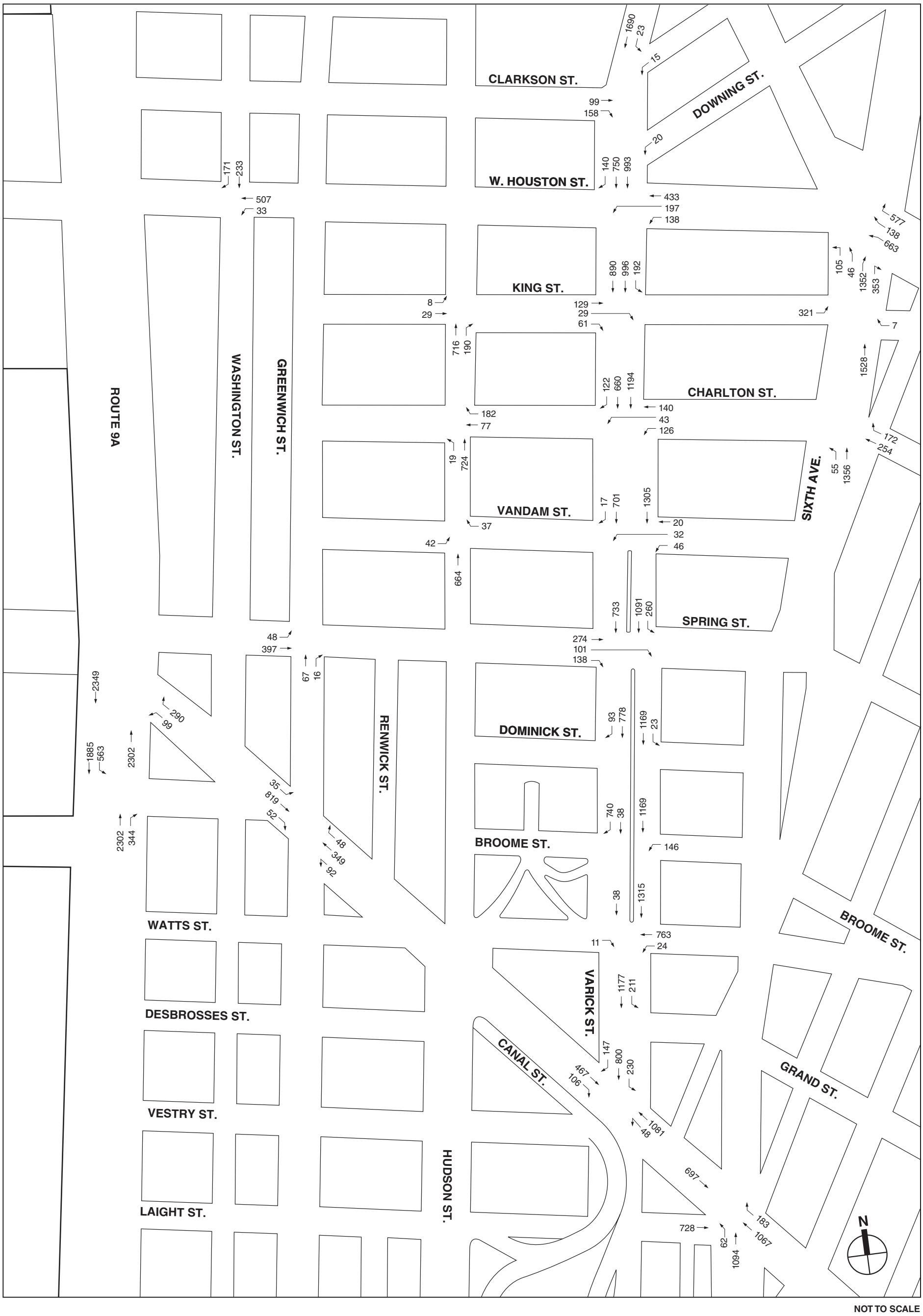
12.26.12




NOT TO SCALE

2022 No Subdistrict B Alternative Traffic Volumes
Weekday PM Peak Hour
Figure 21-8

12.26.12




NOT TO SCALE

2022 No Subdistrict B Alternative Traffic Volumes
Saturday Midday Peak Hour
Figure 21-9

impacts were made for the No Subdistrict B Alternative. At other analysis locations, quantified analyses were prepared to determine if the No Subdistrict B Alternative has the potential to result in additional traffic impacts that require mitigation or additional unmitigatable traffic impacts. The quantified analyses for these analysis locations are presented below.

For the weekday AM peak hour, the analyzed intersections that were determined to be impacted under the Proposed Action would also be impacted under the No Subdistrict B Alternative at comparable magnitudes, and the same mitigation measures as the Proposed Action would be required (see **Table 21-4**).

## Table 21-4
## No Subdistrict B Alternative 2022 No-Action, With-Action, and Mitigation Conditions Level of Service Analysis Weekday AM Peak Hour

| Intersection | 2022 No-Action | | | | 2022 No Subdistrict B Alternative | | | | | 2022 Mitigation | | | | Mitigation Measures |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Lane Group | v/c Ratio | Delay (sec) | LOS | Lane Group | v/c Ratio | Delay (sec) | LOS | | Lane Group | v/c Ratio | Delay (sec) | LOS | |
| **West Street (Route 9A) & Clarkson Street** | | | | | | | | | | | | | | |
| Northbound | TR | 0.84 | 18.6 | B | TR | 0.85 | 19.1 | B | | TR | 0.86 | 20.0- | B | Shift 1 second of green time from the NB/SB phase to the SB left-turn phase. |
| Southbound | L | 1.14 | 149.3 | F | L | 1.18 | 165.8 | F | + | L | 1.15 | 152.0 | F | |
| | T | 0.82 | 18.6 | B | T | 0.82 | 18.6 | B | | T | 0.83 | 19.5 | B | |
| | Intersection | | 26.5 | C | Intersection | | 28.0 | C | | Intersection | | 28.0 | C | |
| **West Street (Route 9A) & Canal Street North** | | | | | | | | | | | | | | |
| Westbound | L | 0.52 | 61.9 | E | L | 0.58 | 64.8 | E | | L | 0.55 | 62.4 | E | Shift 1 second of green time from NB/SB phase to the WB phase. |
| | LR | 1.01 | 124.6 | F | LR | 1.06 | 137.6 | F | + | LR | 1.00 | 121.1 | F | |
| | R | 1.02 | 127.4 | F | R | 1.07 | 142.3 | F | + | R | 1.02 | 126.5 | F | |
| Northbound | T | 0.77 | 9.7 | A | T | 0.78 | 9.8 | A | | T | 0.78 | 10.4 | B | |
| Southbound | T | 0.52 | 5.9 | A | T | 0.52 | 6.0 | A | | T | 0.53 | 6.4 | A | |
| | Intersection | | 15.5 | B | Intersection | | 16.7 | B | | Intersection | | 16.2 | B | |
| **Hudson Street & King Street** | | | | | | | | | | | | | | |
| Eastbound | LT | 0.17 | 21.3 | C | LT | 0.22 | 21.9 | C | | LT | 0.23 | 23.5 | C | Shift 2 seconds of green time from the EB phase to the NB phase. |
| Northbound | TR | 0.93 | 31.8 | C | TR | 1.03 | 53.6 | D | + | TR | 0.99 | 40.3 | D | |
| | Intersection | | 31.1 | C | Intersection | | 51.2 | D | | Intersection | | 39.1 | D | |
| **Varick Street & West Houston Street** | | | | | | | | | | | | | | |
| Westbound | L | 0.74 | 30.5 | C | L | 0.78 | 33.3 | C | | L | 0.84 | 40.4 | D | Shift 2 seconds of green time from the WB phase to the SB phase. |
| | T | 0.55 | 21.0 | C | T | 0.55 | 21.0 | C | | T | 0.58 | 23.0 | C | |
| Southbound (East Lanes) | T | 0.83 | 28.8 | C | T | 0.83 | 28.5 | C | | T | 0.79 | 25.2 | C | |
| Southbound (West Lanes) | TR | 1.01 | 53.7 | D | TR | 1.07 | 74.9 | E | + | TR | 1.02 | 56.1 | E | |
| | Intersection | | 37.1 | D | Intersection | | 45.6 | D | | Intersection | | 38.6 | D | |
| **Varick Street & King Street** | | | | | | | | | | | | | | |
| Eastbound | = | = | = | = | = | = | = | = | | T | 0.38 | 23.4 | C | 1) Install No Standing 7AM-10AM Monday-Friday sign on the south side of the EB approach for approximately 100 feet from the intersection to provide a EB right-turn lane;<br>2) Shift 2 seconds of green time from the EB phase to the SB phase. |
| | TR | 0.65 | 29.2 | C | TR | 0.81 | 38.1 | D | | = | = | = | = | |
| | = | = | = | = | = | = | = | = | | R | 0.47 | 26.7 | C | |
| Southbound (East Lanes) | LT | 0.61 | 17.7 | B | LT | 0.62 | 18.0 | B | | LT | 0.59 | 16.3 | B | |
| Southbound (West Lanes) | T | 1.02 | 52.6 | D | T | 1.07 | 68.4 | E | + | T | 1.03 | 52.2 | D | |
| | Intersection | | 38.7 | D | Intersection | | 49.0 | D | | Intersection | | 37.5 | D | |
| **Varick Street & Charlton Street** | | | | | | | | | | | | | | |
| Westbound | LT | 0.73 | 34.1 | C | LT | 0.77 | 36.6 | D | | LT | 0.79 | 39.3 | D | Shift 1 second of green time from the WB phase to the SB phase. |
| Southbound (East Lanes) | T | 0.80 | 22.9 | C | T | 0.81 | 23.6 | C | | T | 0.80 | 22.2 | C | |
| Southbound (West Lanes) | TR | 0.92 | 33.6 | C | TR | 1.01 | 49.8 | D | + | TR | 0.98 | 43.4 | D | |
| | Intersection | | 28.9 | C | Intersection | | 36.8 | D | | Intersection | | 33.7 | C | |
| **Varick Street & Spring Street** | | | | | | | | | | | | | | |
| Eastbound | = | = | = | = | = | = | = | = | | = | = | = | = | Install No Parking 7AM-10AM Monday through Friday sign on the east side of the SB approach from Vandam Street to Spring Street. |
| | TR | 0.73 | 34.1 | C | TR | 0.80 | 37.9 | D | | TR | 0.80 | 37.9 | D | |
| | R | 0.61 | 33.2 | C | R | 0.76 | 42.8 | D | | R | 0.76 | 42.8 | D | |
| Southbound (East Lanes) | LT | 1.00 | 46.1 | D | LT | 1.06 | 63.4 | E | + | LT | 0.98 | 40.3 | D | |
| Southbound (West Lanes) | T | 0.44 | 13.5 | B | T | 0.46 | 13.8 | B | | T | 0.46 | 13.8 | B | |
| | Intersection | | 32.7 | C | Intersection | | 41.6 | D | | Intersection | | 31.4 | C | |
| **Avenue of the Americas & West Houston Street** | | | | | | | | | | | | | | |
| Westbound | T | 0.71 | 27.0 | C | T | 0.73 | 27.4 | C | | T | 0.77 | 30.4 | C | Shift 2 seconds of green time from the WB phase to the NB phase. |
| | R | 0.76 | 30.5 | C | R | 0.76 | 30.5 | C | | R | 0.81 | 35.0+ | D | |
| Northbound | LTR | 1.04 | 55.1 | E | LTR | 1.09 | 73.8 | E | + | LTR | 1.04 | 51.4 | D | |
| | Intersection | | 44.4 | D | Intersection | | 56.1 | E | | Intersection | | 43.9 | D | |
| **Avenue of the Americas & Spring Street** | | | | | | | | | | | | | | |
| Eastbound | L | 0.82 | 38.0 | D | L | 0.98 | 65.8 | E | + | L | 0.89 | 44.2 | D | Shift 3 seconds of green time from the NB phase to the EB phase. |
| | T | 0.46 | 19.4 | B | T | 0.47 | 19.6 | B | | T | 0.44 | 17.2 | B | |
| Northbound | TR | 0.81 | 21.5 | C | TR | 0.82 | 21.9 | C | | TR | 0.89 | 27.7 | C | |
| | Intersection | | 23.4 | C | Intersection | | 27.9 | C | | Intersection | | 28.6 | C | |
| **Hudson Street & Spring Street** | | | | | | | | | | | | | | |
| Eastbound | LT | 0.86 | 44.4 | D | LT | 0.90 | 50.1 | D | + | LT | 0.87 | 45.4 | D | Shift 1 second of green time from the NB phase to the EB phase. |
| Northbound | TR | 0.84 | 23.2 | C | TR | 0.91 | 28.9 | C | | TR | 0.93 | 32.0 | C | |
| | Intersection | | 28.6 | C | Intersection | | 34.2 | C | | Intersection | | 35.4 | D | |

**Notes:** L = Left Turn, T = Through, R = Right Turn, DefL = Defacto Left Turn; LOS = Level of Service
+ Denotes a significant adverse traffic impact

As shown in **Table 21-5**, for the weekday midday peak hour, the analyzed intersections that were determined to be impacted under the Proposed Action would also be impacted under the No Subdistrict B Alternative at comparable magnitudes, and the same mitigation measures as the Proposed Action would be required.

**Table 21-5**
**No Subdistrict B Alternative**
**2022 No-Action, With-Action, and Mitigation Conditions Level of Service Analysis**
**Weekday Midday Peak Hour**

| Intersection | 2022 No-Action | | | | 2022 No Subdistrict B Alternative | | | | | 2022 Mitigation | | | | | Mitigation Measures |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Lane Group | v/c Ratio | Delay (sec) | LOS | Lane Group | v/c Ratio | Delay (sec) | LOS | | Lane Group | v/c Ratio | Delay (sec) | LOS | | |
| **West Street (Route 9A) & West Houston Street** | | | | | | | | | | | | | | | |
| Eastbound | L | 0.06 | 32.4 | C | L | 0.06 | 32.5 | C | | | | | | | No significant adverse impact |
| | R | 0.01 | 31.7 | C | R | 0.01 | 31.7 | C | | | | | | | |
| Westbound | L | 0.34 | 37.1 | D | L | 0.35 | 37.3 | D | | | | | | | |
| | LT | 0.36 | 37.5 | D | LT | 0.37 | 37.8 | D | | | | | | | |
| | R | 0.97 | 84.6 | F | R | 0.98 | 87.4 | F | | | | | | | |
| Northbound | L | 0.10 | 52.5 | D | L | 0.10 | 52.5 | D | | | | | | | |
| | T | 0.87 | 29.8 | C | T | 0.87 | 29.9 | C | | | | | | | |
| Southbound | T | 0.96 | 40.6 | D | T | 0.96 | 40.6 | D | | | | | | | |
| | R | 0.01 | 14.6 | B | R | 0.01 | 14.6 | B | | | | | | | |
| | Intersection | | 38.0 | D | Intersection | | 38.3 | D | | | | | | | |
| **Varick Street & Spring Street** | | | | | | | | | | | | | | | |
| Eastbound | | | | | | | | | | | | | | | Shift 1 second of green time from the SB phase to the EB phase. |
| | TR | 0.75 | 35.7 | D | TR | 0.77 | 37.1 | D | | TR | 0.75 | 35.2 | D | | |
| | R | 0.73 | 43.4 | D | R | 0.83 | 56.3 | F | + | R | 0.77 | 48.0 | D | | |
| Southbound (East Lanes) | LT | 0.95 | 35.9 | D | LT | 0.96 | 37.4 | D | | LT | 0.98 | 42.3 | D | | |
| Southbound (West Lanes) | T | 0.56 | 21.2 | C | T | 0.56 | 21.2 | C | | T | 0.57 | 22.3 | C | | |
| | Intersection | | 31.9 | C | Intersection | | 33.4 | C | | Intersection | | 35.1 | D | | |

**Notes:** L = Left Turn, T = Through, R = Right Turn, DefL = Defacto Left Turn; LOS = Level of Service
+ Denotes a significant adverse traffic impact

As shown in **Table 21-6**, for the weekday PM peak hour, the analyzed intersections that were determined to be impacted under the Proposed Action would also be impacted under the No Subdistrict B Alternative at comparable magnitudes, and the same mitigation measures as the Proposed Action would be required, except for the intersection of Avenue of the Americas and Charlton Street/Prince Street. This intersection would not be impacted under the Proposed Action but would be impacted under this alternative. The significant adverse impact at the westbound approach at this intersection under this alternative could be mitigated by shifting one second of green time from the northbound phase to the westbound phase.

As shown in **Table 21-7**, for the Saturday midday peak hour, the intersection of Varick Street and Vandam Street would not be impacted under the Proposed Action but would be impacted under the No Subdistrict B Alternative. The significant adverse impact at the southbound through/right-turn (west lanes) of this intersection could not be mitigated. This same unmitigatable impact was similarly identified for the weekday PM peak hour under both this alternative and the Proposed Action. For the intersection of Varick Street and Spring Street under this alternative, the eastbound (through-right and right-turn) and southbound (east lane left-through) lane groups would experience significant adverse impacts at comparable

## Table 21-6
## No Subdistrict B Alternative
## 2022 No-Action, With-Action, and Mitigation Conditions Level of Service Analysis
## Weekday PM Peak Hour

| Intersection | 2022 No-Action Lane Group | v/c Ratio | Delay (sec) | LOS | 2022 No Subdistrict B Alternative Lane Group | v/c Ratio | Delay (sec) | LOS | | 2022 Mitigation Lane Group | v/c Ratio | Delay (sec) | LOS | | Mitigation Measures |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **West Street (Route 9A) & Clarkson Street** | | | | | | | | | | | | | | | |
| Northbound | TR | 0.88 | 20.8 | C | TR | 0.89 | 21.1 | C | | TR | 0.90 | 23.4 | C | | Shift 2 seconds of green time from the NB/SB phase to the SB left-turn phase. |
| Southbound | L | 0.80 | 72.2 | E | L | 0.89 | 84.4 | F | + | L | 0.84 | 75.2 | E | | |
| | T | 0.80 | 17.4 | B | T | 0.80 | 17.5 | B | | T | 0.81 | 19.1 | B | | |
| | Intersection | | 21.7 | C | Intersection | | 22.7 | C | | Intersection | | 24.2 | C | | |
| **West Street (Route 9A) & West Houston Street** | | | | | | | | | | | | | | | |
| Eastbound | L | 0.74 | 88.9 | F | L | 0.75 | 91.2 | F | | L | 0.71 | 83.2 | F | | Shift 1 second of green time from the NB/SB phase to the EB/WB phase. |
| | R | 0.09 | 47.2 | D | R | 0.09 | 47.2 | D | | R | 0.09 | 46.3 | D | | |
| Westbound | L | 0.70 | 65.6 | E | L | 0.71 | 66.6 | E | | L | 0.69 | 64.3 | E | | |
| | LT | 0.76 | 69.8 | E | LT | 0.77 | 71.0 | E | | LT | 0.75 | 68.2 | E | | |
| | R | 1.21 | 177.9 | F | R | 1.24 | 188.2 | F | + | R | 1.20 | 173.4 | F | | |
| Northbound | L | 0.45 | 80.9 | F | L | 0.45 | 80.9 | F | | L | 0.45 | 80.9 | F | | |
| | T | 0.88 | 28.5 | C | T | 0.89 | 28.8 | C | | T | 0.89 | 30.0 | C | | |
| Southbound | T | 0.92 | 33.0 | C | T | 0.92 | 33.0 | C | | T | 0.93 | 34.8 | C | | |
| | R | 0.05 | 12.1 | B | R | 0.05 | 12.1 | B | | R | 0.05 | 12.5 | B | | |
| | Intersection | | 43.6 | D | Intersection | | 44.7 | D | | Intersection | | 44.6 | D | | |
| **West Street (Route 9A) & Canal Street South** | | | | | | | | | | | | | | | |
| Northbound | T | 0.97 | 36.2 | D | T | 0.97 | 36.8 | D | | | | | | | No significant adverse impact |
| | R | 0.04 | 13.0 | B | R | 0.04 | 13.0 | B | | | | | | | |
| Southbound | L | 0.64 | 34.4 | C | L | 0.64 | 34.4 | C | | | | | | | |
| | T | 1.05 | 59.8 | E | T | 1.05 | 62.2 | E | | | | | | | |
| | Intersection | | 45.3 | D | Intersection | | 46.6 | D | | | | | | | |
| **Hudson Street & Charlton Street** | | | | | | | | | | | | | | | |
| Westbound | TR | 0.85 | 45.4 | D | TR | 1.04 | 84.4 | F | + | TR | 0.91 | 48.2 | D | | Shift 4 second of green time from the NB phase to the WB phase. |
| Northbound | LT | 0.78 | 20.3 | C | LT | 0.81 | 21.4 | C | | LT | 0.88 | 28.5 | C | | |
| | Intersection | | 26.6 | C | Intersection | | 39.1 | D | | Intersection | | 34.0 | C | | |
| **Washington Street & West Houston Street** | | | | | | | | | | | | | | | |
| Westbound | LT | 0.52 | 19.4 | B | LT | 0.54 | 19.6 | B | | LT | 0.55 | 20.5 | C | | Shift 1 second of green time from the WB phase to the SB phase. |
| Southbound | TR | 0.92 | 45.9 | D | TR | 0.96 | 51.7 | D | + | TR | 0.93 | 46.4 | D | | |
| | Intersection | | 30.4 | C | Intersection | | 33.0 | C | | Intersection | | 31.2 | C | | |
| **Avenue of the Americas & Charlton Street/Prince Street** | | | | | | | | | | | | | | | |
| Westbound | TR | 1.03 | 70.4 | E | TR | 1.04 | 75.1 | E | + | TR | 1.02 | 66.8 | E | | Shift 1 second of green time from the NB phase to the WB phase. |
| Northbound | LT | 0.58 | 16.8 | B | LT | 0.59 | 16.9 | B | | LT | 0.60 | 17.9 | B | | |
| | Intersection | | 32.5 | C | Intersection | | 34.0 | C | | Intersection | | 32.3 | C | | |

**Notes:** L = Left Turn, T = Through, R = Right Turn, DefL = Defacto Left Turn; LOS = Level of Service
+ Denotes a significant adverse traffic impact

## Table 21-7
## No Subdistrict B Alternative
## 2022 No-Action, With-Action, and Mitigation Conditions Level of Service Analysis
## Saturday Midday Peak Hour

| Intersection | 2022 No-Action Lane Group | v/c Ratio | Delay (sec) | LOS | 2022 No Subdistrict B Alternative Lane Group | v/c Ratio | Delay (sec) | LOS | | 2022 Mitigation Lane Group | v/c Ratio | Delay (sec) | LOS | | Mitigation Measures |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Varick Street & Vandam Street** | | | | | | | | | | | | | | | |
| Westbound | LT | 0.22 | 20.1 | C | LT | 0.26 | 20.7 | C | | | | | | | Unmitigated |
| Southbound (East Lanes) | T | 0.92 | 31.9 | C | T | 0.95 | 34.9 | C | | | | | | | |
| Southbound (West Lanes) | TR | 1.16 | 122.4 | F | TR | 1.17 | 127.5 | F | + | | | | | | |
| | Intersection | | 62.4 | E | Intersection | | 65.6 | E | | | | | | | |
| **Varick Street & Spring Street** | | | | | | | | | | | | | | | |
| Eastbound | | | | | | | | | | | | | | | 1) Install No Standing 1PM-7PM Saturday sign on the north side of the EB approach for approximately 100 feet from the intersection to provide an additional EB right-turn lane; 2) Install No Parking 1PM-4PM Saturday sign on the east side of the SB approach from Vandam Street to Spring Street; Unmitigated (southbound tunnel approach) |
| | TR | 1.22 | 167.5 | F | TR | 1.34 | 212.5 | F | + | TR | 1.00 | 88.9 | F | | |
| | R | 1.36 | 240.3 | F | R | 1.73 | 399.1 | F | + | R | 1.16 | 147.0 | F | | |
| Southbound (East Lanes) | LT | 1.03 | 54.9 | D | LT | 1.09 | 73.5 | E | + | LT | 1.01 | 46.6 | D | | |
| Southbound (West Lanes) | T | 1.15 | 118.6 | F | T | 1.16 | 123.3 | F | + | T | 1.16 | 123.3 | F | + | |
| | Intersection | | 101.0 | F | Intersection | | 128.7 | F | | Intersection | | 80.9 | F | | |

**Notes:** L = Left Turn, T = Through, R = Right Turn, DefL = Defacto Left Turn; LOS = Level of Service
+ Denotes a significant adverse traffic impact
(1) Varick Street and Spring Street - unmitigated intersection (eastbound approach mitigated; southbound approach [east lanes] mitigated; southbound approach [west lanes] impact unmitigated).

magnitudes and require the same mitigation measures as the Proposed Action. In addition, this intersection's southbound west lane through lane group under this alternative would experience a

significant adverse impact that would not occur with the Proposed Action. Similar to the weekday PM peak hour for this alternative and the Proposed Action, this impact also could not be mitigated. It should be noted however, that New York City Police Department (NYPD) Traffic Enforcement Agents (TEAs) are typically positioned further downstream on Varick Street overriding traffic signals to facilitate traffic flow along the Varick Street corridor during traffic peak hours.

*Transit*

As discussed above, the No Subdistrict B Alternative is expected to result in minimally higher trip-making by subway than the Proposed Action. Since the analysis presented in Chapter 13, "Transportation," showed that most station stairways and control area elements would operate at acceptable levels with the Proposed Action, it is anticipated that with the minimally higher trip-making associated with this alternative, these analysis locations would continue to operate favorably and no additional analyses would be warranted. At the C/E train Spring Street (unmarked) stairway on the northwest (NW) corner of Avenue of the Americas and Spring Street, however, Chapter 21, "Alternatives," of the DEIS disclosed the potential for a significant adverse impact at this location during the weekday AM peak period. A detailed analysis of this station element was prepared and is presented below.

As summarized in **Table 21-8**, as the result of an increase in 4 riders assigned to this stairway over the number of riders generated by the Proposed Action during the peak 15 minutes in the weekday AM peak hour, this stairway would deteriorate within LOS F to a volume-to-capacity (v/c) ratio of 1.91. Compared with the No-Action service levels (LOS F, v/c ratio of 1. 84), the width incremental threshold (WIT) for this stairway was calculated to be 2.13 inches, which is greater than the *CEQR Technical Manual* WIT impact threshold of 2.0 inches (for stairway v/c ratios of 1.60 and up in the With-Action condition; see **Table 13-15**), a condition constituting a significant adverse impact under the *CEQR Technical Manual*. It should be noted that there is another stairway a block north on the south side of Vandam Street that is projected to operate at acceptable levels. This stairway connects to the same southbound C/E train platform via a different control area and serves the same subway riders as the NW stairway on the north side of Spring Street. It is possible that, with increased ridership, more passengers would choose to use the less congested stairway to access and egress from this station, such that the actual future usage of the NW stairway may not rise to the projected level described above to result in a significant adverse impact.

**Table 21-8**
**No Subdistrict B Alternative**
**2022 With-Action Condition Subway Stairway Analysis**

| Stairway | Width (ft.) | Effective Width (ft.) | 15-Minute Pedestrian Volumes | | Surging Factor | Friction Factor | V/C Ratio | LOS |
|---|---|---|---|---|---|---|---|---|
| | | | Down | Up | | | | |
| **Weekday AM Peak 15 Minutes** | | | | | | | | |
| Spring Street Station (C/E Lines) Spring Street and Avenue of the Americas Entrance | | | | | | | | |
| NW (unmarked) | 5.0 | 4.0 | 37 | 832 | 0.75 | 1.00 | 1.91 | F+ |
| **Weekday PM Peak 15 Minutes** | | | | | | | | |
| Spring Street Station (C/E Lines) Spring Street and Avenue of the Americas Entrance | | | | | | | | |
| NW (unmarked) | 5.0 | 4.0 | 112 | 229 | 0.75 | 0.90 | 0.77 | C |

**Notes:**
+Denotes a significant stairway impact
Capacities were calculated based on rates presented in the *CEQR Technical Manual.*
Surging factors are only applied to the exiting pedestrian volume (*CEQR Technical Manual*).
**V/C = [Vin / (150 * We * Sf * Ff) ]+ [Vx/ (150 * We * Sf * Ff)],** where
Vin = Peak 15-minute entering passenger volume; Vx = Peak 15-minute exiting passenger volume
We = Effective width of stairs
Sf = Surging factor (if applicable); Ff = Friction factor (if applicable)

However, assuming the projected significant adverse impact would occur, the mitigation measure necessary under CEQR to address this impact would be to widen the NW stairway to an effective width of 60 inches from its current effective width of 48 inches. With this mitigation measure in place, the stairway would operate at LOS E with a v/c ratio of 1.53 during the weekday AM peak period (see **Table 21-9**). However, because this stairway is already congested under existing conditions (LOS E with a v/c ratio of 1.68; see **Table 13-24**), the Metropolitan Transportation Authority (MTA) New York City Transit (NYCT) has indicated that a stairway widening at this location would need to involve widening the effective width of the existing stairway from 48 inches (4 feet) to 90 inches (7.5 feet) to provide for three pedestrian lanes of 30 inches each. In addition, according to NYCT, an Americans with Disabilities Act (ADA)-compliant elevator would need to accompany a new or widened stairway as is required by federal laws. The cost of implementing this mitigation measure is estimated at approximately between 5 and 10 million dollars. This potential mitigation measure is discussed below, as well as two additional potential mitigation measures provided by NYCT.

**Table 21-9**
**No Subdistrict B Alternative**
**2022 Mitigated With-Action Condition Subway Stairway Analysis**

| Stairway | Width (ft.) | Effective Width (ft.) | 15-Minute Pedestrian Volumes | | Surging Factor | Friction Factor | V/C Ratio | LOS |
|---|---|---|---|---|---|---|---|---|
| | | | Down | Up | | | | |
| **Weekday AM Peak 15-Minutes** | | | | | | | | |
| Spring Street Station (C/E Lines) Spring Street and Avenue of the Americas Entrance | | | | | | | | |
| NW (unmarked) | 6.0 | 5.0 | 37 | 832 | 0.75 | 1.00 | 1.53 | E |

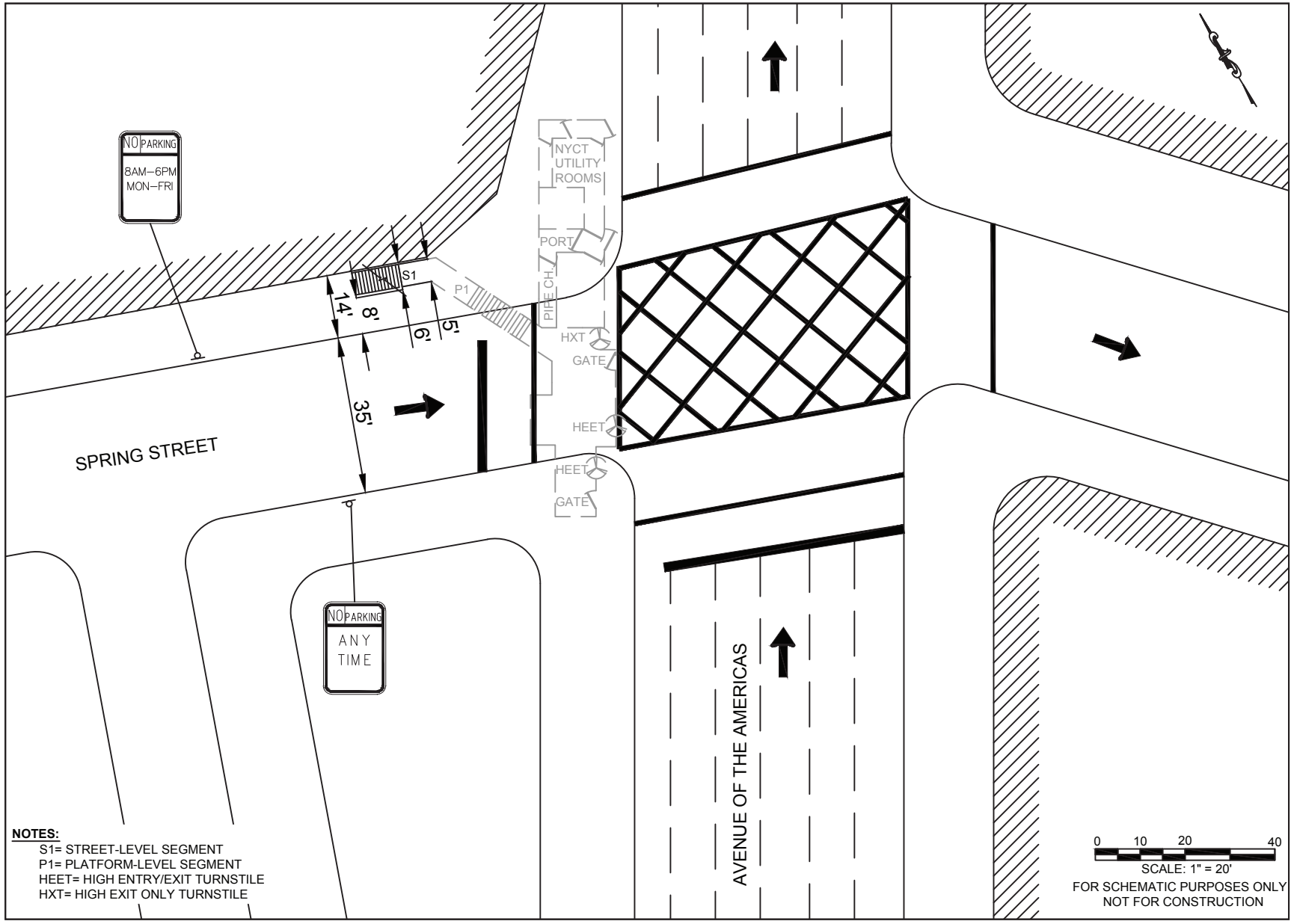
**Notes:**
Capacities were calculated based on rates presented in the *CEQR Technical Manual*.
Surging factors are only applied to the exiting pedestrian volume (*CEQR Technical Manual*).
V/C = [Vin / (150 * We * Sf * Ff) ]+ [Vx/ (150 * We * Sf * Ff)]
Where
Vin = Peak 15-minute entering passenger volume; Vx = Peak 15-minute exiting passenger volume
We = Effective width of stairs
Sf = Surging factor (if applicable); Ff = Friction factor (if applicable)

As illustrated in **Figure 21-10**, the current sidewalk on which the existing NW stairway is located is approximately 14 feet wide. The existing NW stairway consists of a street-level segment (S1) and a platform-level segment (P1) and has an effective width of 4 feet and an actual wall-to-wall width of 5 feet. At the sidewalk level, the NW stairway occupies approximately 6 feet of physical space on the sidewalk, accounting for the sidewalk-level stairway enclosure. As a result, there is approximately 8 feet of available sidewalk space (14-foot wide sidewalk minus 6-foot wide stairway equals 8 feet). As detailed in Chapter 13, "Transportation," taking into account buffer areas (e.g., the shy distance from the curb or fixed objects to a pedestrian—in this case one foot each from the north curb of Spring Street and the stairway enclosure, for a total of 2 feet), the effective width for this sidewalk section and that analyzed for the Spring Street north sidewalk segment between Varick Street and the Avenue of the Americas is 6 feet (8 feet of available sidewalk space minus 2 feet of shy distance equals 6 feet of effective width for pedestrian flow).

A widening of the NW stairway from an effective width of 4 feet to 7.5 feet would require additional space at the sidewalk level both for the 3.5 feet of additional effective width and to allow for an additional railing for the wider stairway. In total, the widened NW stairway would occupy approximately 4 additional feet of the existing sidewalk; the sidewalk-level stairway enclosure would increase from 6 feet to 10 feet. As a result, there would be approximately 4 feet of available sidewalk space (14-foot wide sidewalk minus 10-foot wide stairway equals 4 feet). Accounting for buffer areas, as discussed above, there would be 2 feet of effective width remaining for pedestrian flow (4 feet of available sidewalk space minus 2 feet of shy distance equals 2 feet of effective width for pedestrian flow).

As shown in Table 13-59 in Chapter 13, "Transportation," this sidewalk was projected to serve up to 607 pedestrians in the peak 15 minutes and operate at LOS D (6.74 PMF) during the weekday PM peak period under the 2022 With-Action condition. A reduction of the existing effective width of 6 feet to 2 feet to accommodate the widened 10-foot stairway would deteriorate the service level of this sidewalk to LOS F (20.2 PMF), which would constitute a significant adverse pedestrian impact. Considering the extent of the impact in relation to the adverse effects of the stairway widening on the existing sidewalk, which would in turn require a

1.9.13




Below ground subway elements

Elements above ground

Existing Conditions
C/E Line Northwest Staircase and Control Area
Figure 21-10

sidewalk widening that DOT has determined would affect roadway capacity on Spring Street, DOT has determined this mitigation option to be impracticable.

NYCT provided two additional mitigation options for consideration: (1) a splayed stairway option and (2) a south side stairway option. The splayed stairway option involves maintaining the width of the existing NW stairway's street-level segment (S1), widening the platform-level segment (P1), and connecting it with a splayed stairway elsewhere near the intersection corner, likely along Avenue of the Americas. Because the main entrance to the retail use in the adjacent building feeds into the intersection corner, this splayed stairway would likely require a short corridor connection to a street-level landing further north away from the intersection corner along the building line. Similar to the mitigation option discussed in the previous page, an ADA-compliant elevator would need to accompany a new or widened (or in this case, splayed) stairway as is required by federal laws. This elevator would take up an area of approximately 10 feet by 10 feet. Based on the station overlay[1] illustrated in **Figure 21-10**, the placement of this elevator would likely need to be along the Avenue of the Americas curb adjacent to or within the intersection's corner. In addition, major relocation of NYCT below-grade utilities may be required to provide room for the elevator pit and connection to the fare control area. If no available space can be identified within the current layout, additional excavation of below-ground space could be required. Further, other underground utilities and sidewalk reconstruction would need to be investigated and engineered to accomplish the construction of the splayed stairway and the ADA-compliant elevator. This mitigation option is also expected to require the closure of the Spring Street subway access to southbound C/E trains during construction for an estimated 6 to 12 months. Since the alternative subway access on Vandam Street would already operate near capacity, rendering the Spring Street access unavailable would shift the demand to the Vandam Street access, resulting in it becoming substantially over capacity, and compromise this station's ability to serve existing and future subway riders. In addition, the cost of implementing this mitigation measure is estimated at approximately between 5 and 10 million dollars. Considering the extent of the impact in relation to the adverse effects of this mitigation option, albeit temporary, on sidewalk operations and station access, the implementation of this mitigation option would also be impracticable.

The second additional mitigation option would involve building a stairway connection to the south side of Spring Street. Based on the station overlay illustrated in **Figure 21-10**, the connection could be made adjacent to the station's control area. With this new connection, an ADA-compliant elevator is expected to be constructed adjacent to the new stairway on the south side of Spring Street. The actual locations of the street-level opening and the elevator could be placed on the existing sidewalk, which is approximately 15 feet wide. As a result of the stairway and elevator occupying sidewalk space, it is expected that SoHo Square, an adjacent public open space, would be utilized for pedestrian circulation. Effects on NYCT and other underground utilities are likely to be less disruptive as compared to the other two options described above and subway access to southbound C/E trains from Spring Street could likely be maintained while this new connection is under construction. However, disruption to roadway traffic on Spring Street, albeit temporary, would be expected to facilitate the tunneling or cut-and-cover excavation of this connection to the south side of the street. In addition, DPR has determined that the construction of a second staircase in this location would alter the character of the adjacent SoHo

[1] A portion of the station plan provided by NYCT for the Spring Street Station was cropped to depict the relevant below-ground station elements.

Square open space. SoHo Square is currently popular for passive recreational use. The placement of a new transit access stairway and elevator in the sidewalk area along the square's northern perimeter would result in pass-through foot traffic to and from the new transit access facilities across from and on portions of SoHo Square. This would alter the character of the open space to function more as a sidewalk extension rather than for existing passive recreation use. The effect would be a reduction in the amount of usable open space in an area which has existing deficiencies that are adversely impacted by the Proposed Action. Furthermore, the cost of implementing this mitigation measure is estimated at approximately between 5 and 10 million dollars. Considering the extent of the impact in relation to the scope of this mitigation, as well as the adverse effects of this mitigation option on the adjacent public open space and temporary disruptions it may have during construction on Spring Street traffic, the implementation of this mitigation option would also be impracticable.

It is possible that NYCT may in the future further explore the above or other options to improve existing and projected service levels at the Spring Street access to the southbound C/E trains. However, given the three options described above have been determined to be impracticable, the projected significant adverse impact for the NW stairway at the C/E Spring Street Station would remain unmitigated.

*Pedestrians*

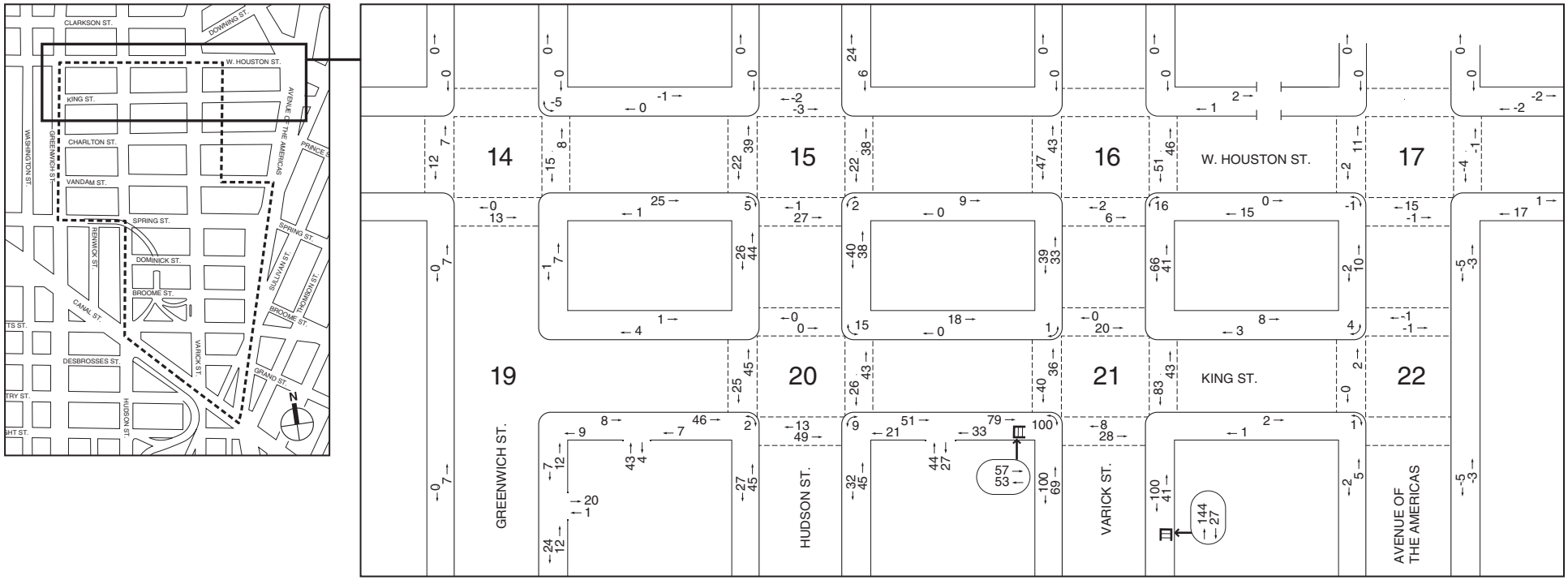
As presented in Chapter 13, "Transportation," all analyzed pedestrian elements are projected to operate favorably under the Proposed Action except for the north crosswalk of Avenue of the Americas and Spring Street and the north crosswalk of Varick Street and Spring Street, which are projected to be impacted under the Proposed Action. With the minimally higher trip-making under the No Subdistrict B Alternative, the analyzed pedestrian elements projected to operate favorably under the Proposed Action would continue to operate favorably under the No Subdistrict B Alternative. **Figures 21-11A** to **21-14B** present the incremental peak hour pedestrian trips resulting from the No Subdistrict B Alternative. Quantified analyses of the two impacted crosswalks described above for the No Subdistrict B Alternative are presented below.

The No Subdistrict B Alternative weekday AM, midday, PM, and Saturday midday peak 15-minute pedestrian volumes are presented in **Figures 21-15** to **21-18**. With greater incremental trips, the No Subdistrict B Alternative is expected to result in slightly elevated impacts over those of the Proposed Action at the above crosswalks (see **Table 21-10**).

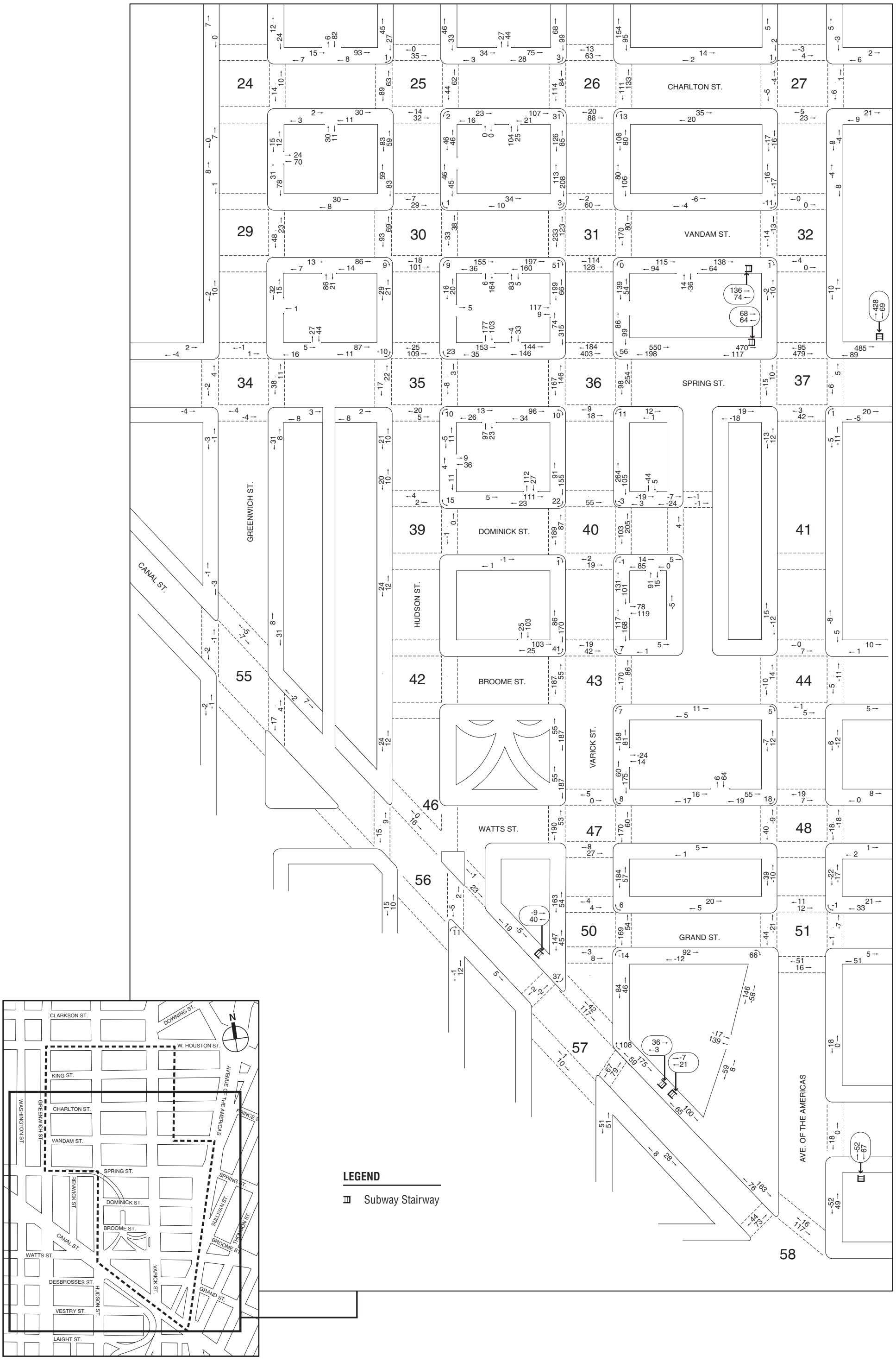
**Table 21-10**
**No Subdistrict B Alternative**
**2022 With-Condition Crosswalk Analysis**

| Intersection No. | Location | Crosswalk | Street Width (feet) | Crosswalk Width (feet) | Conditions with conflicting vehicles | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | AM | | | Midday | | | PM | | | Saturday | | |
| | | | | | 2-way Volume | SFP | LOS | 2-way Volume | SFP | LOS | 2-way Volume | SFP | LOS | 2-way Volume | SFP | LOS |
| 1 | Sixth Avenue and Spring Street | North | 60.0 | 15.0 | 568 | 21.6 | D | 448 | 27.3 | C | 687 | 16.0 | D+ | 382 | 32.6 | C |
| 5 | Varick Street and Spring Street | North | 59.0 | 14.0 | 450 | 17.9 | D+ | 376 | 20.7 | D | 554 | 12.7 | E+ | 312 | 25.6 | C |

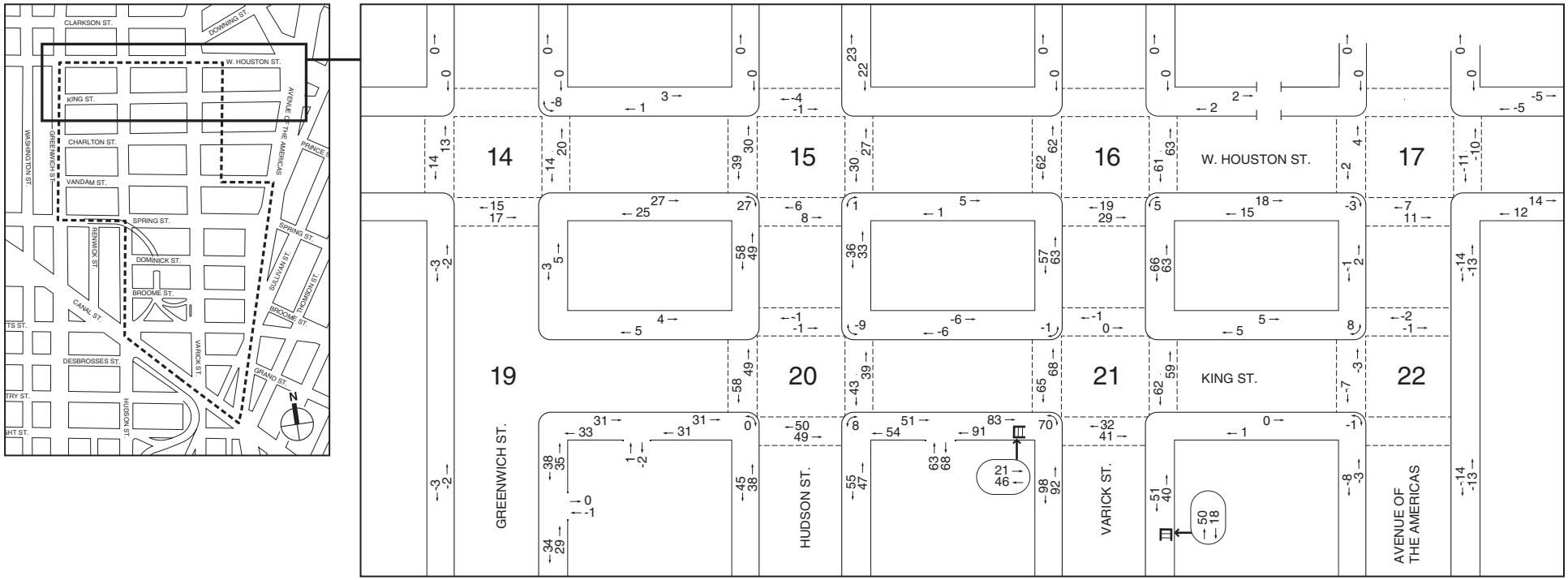
**Notes:**
+Denotes a significant crosswalk impact
SFP = square feet per pedestrian



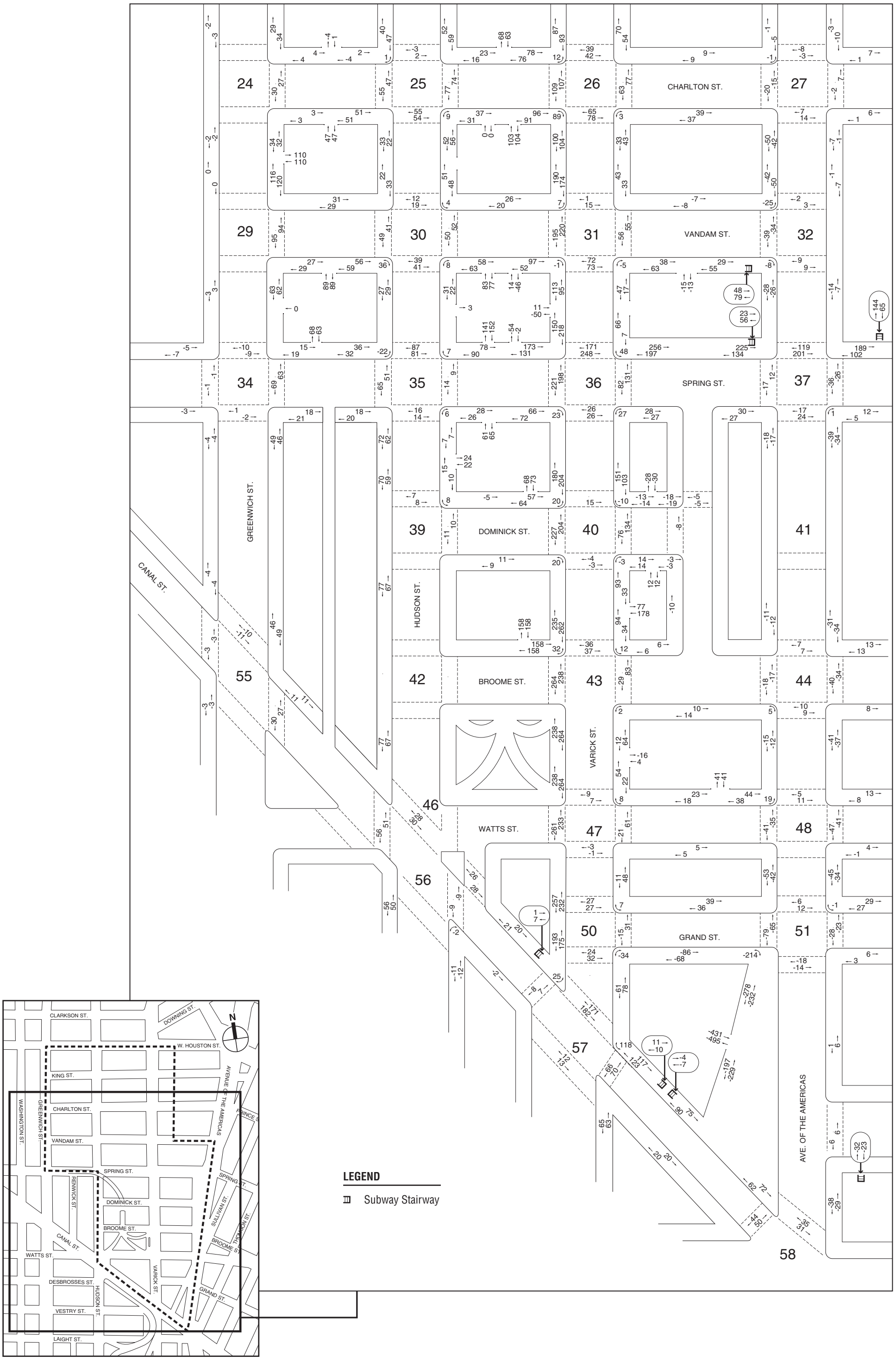

# No Subdistrict B Alternative Net Incremental Pedestrian Volumes
## Weekday AM Peak Hour
Figure 21-11A



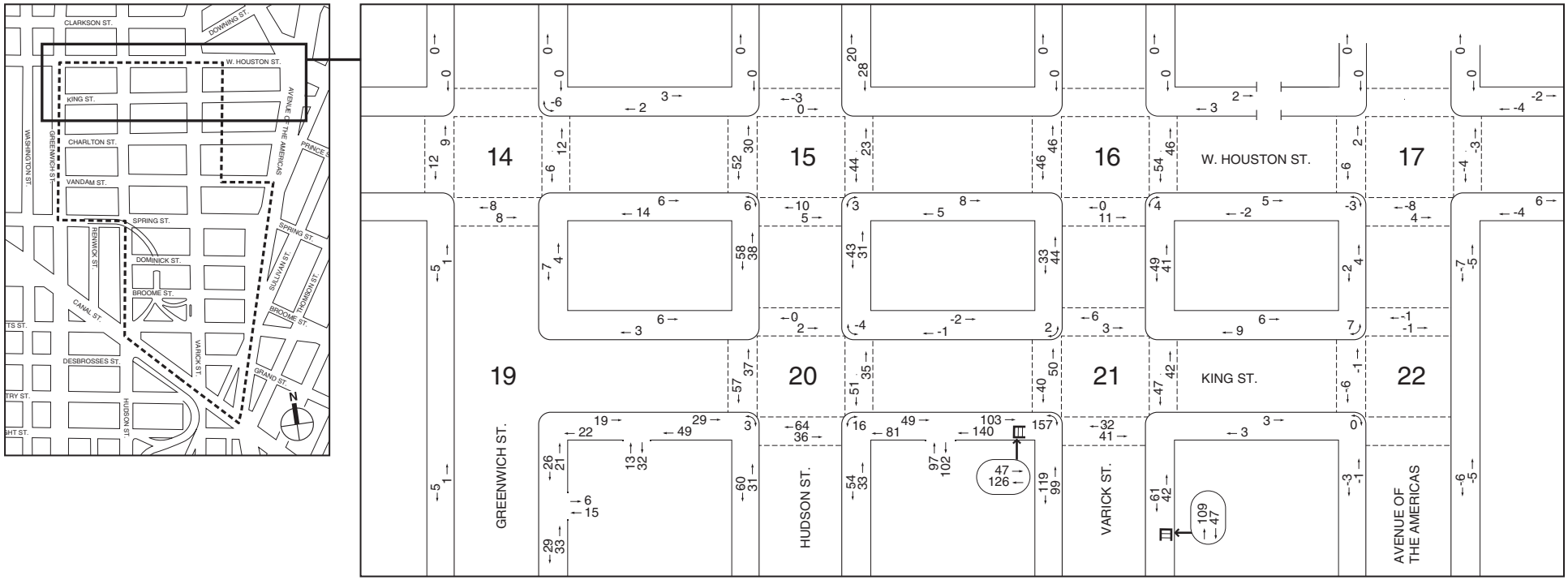

No Subdistrict B Alternative Net Incremental Pedestrian Volumes
Weekday AM Peak Hour
Figure 21-11B



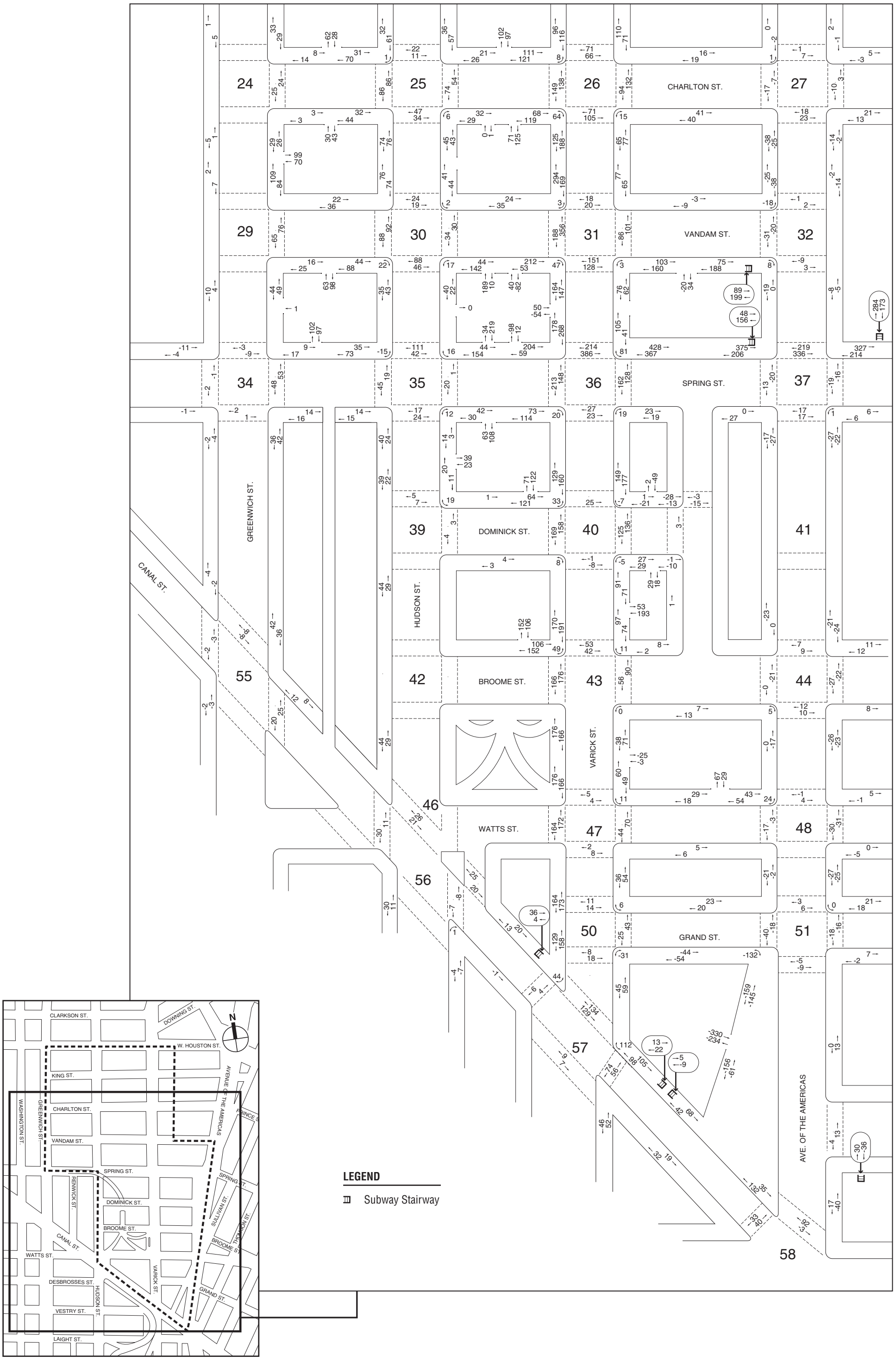

## No Subdistrict B Alternative Net Incremental Pedestrian Volumes
## Weekday Midday Peak Hour
Figure 21-12A



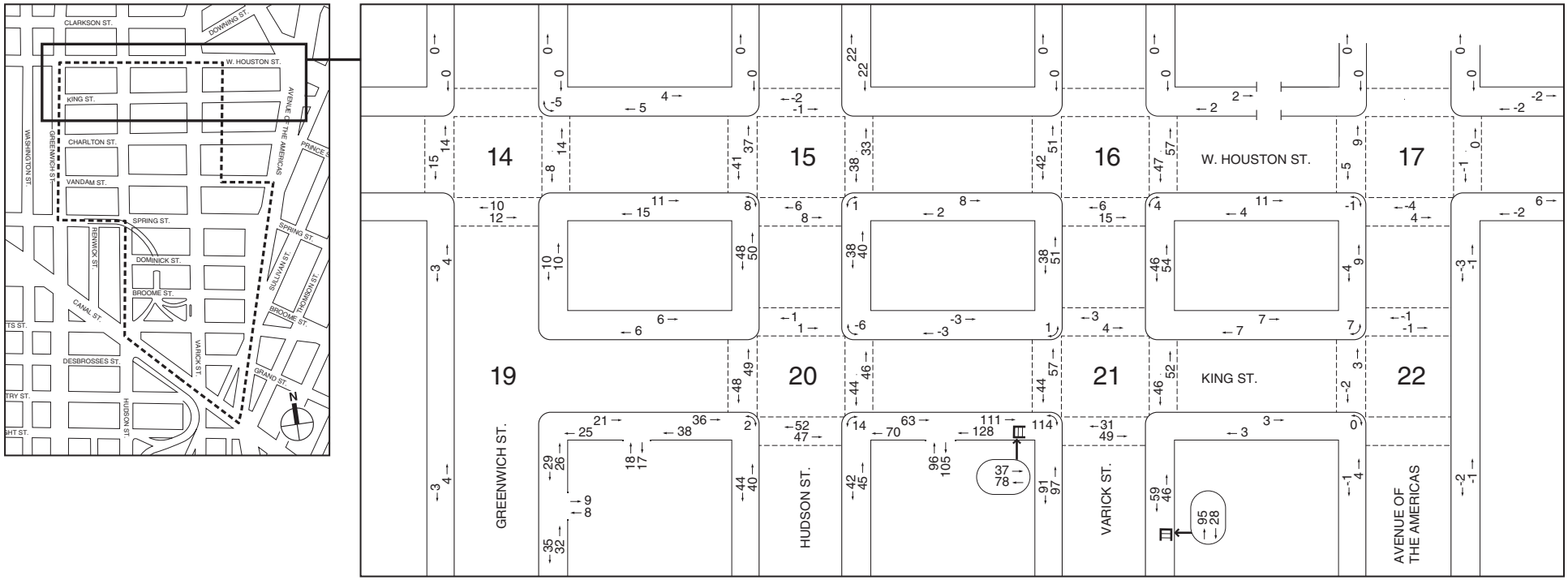

No Subdistrict B Alternative Net Incremental Pedestrian Volumes
Weekday Midday Peak Hour
Figure 21-12B



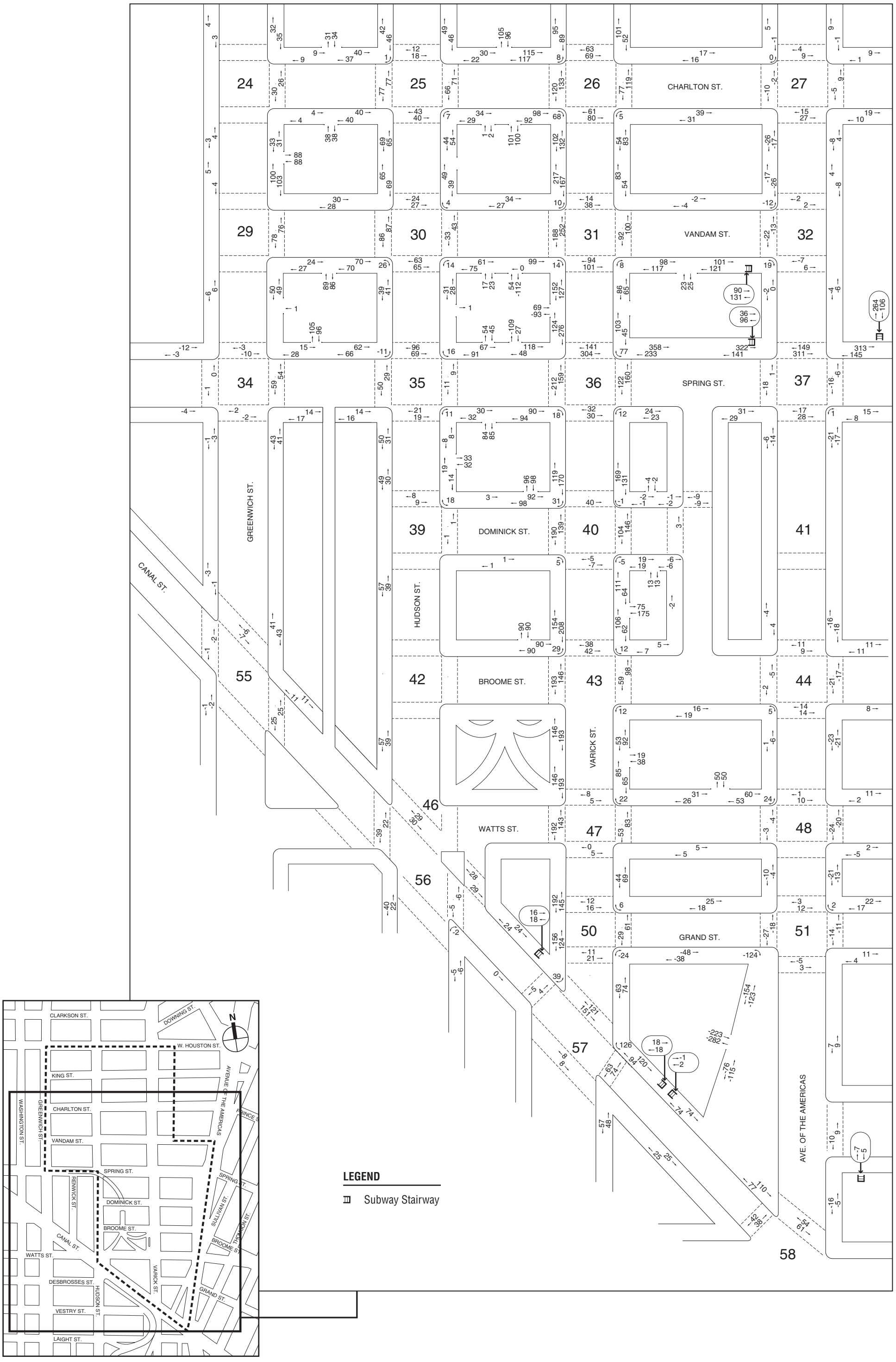

# No Subdistrict B Alternative Net Incremental Pedestrian Volumes
## Weekday PM Peak Hour
Figure 21-13A




No Subdistrict B Alternative Net Incremental Pedestrian Volumes
Weekday PM Peak Hour
Figure 21-13B

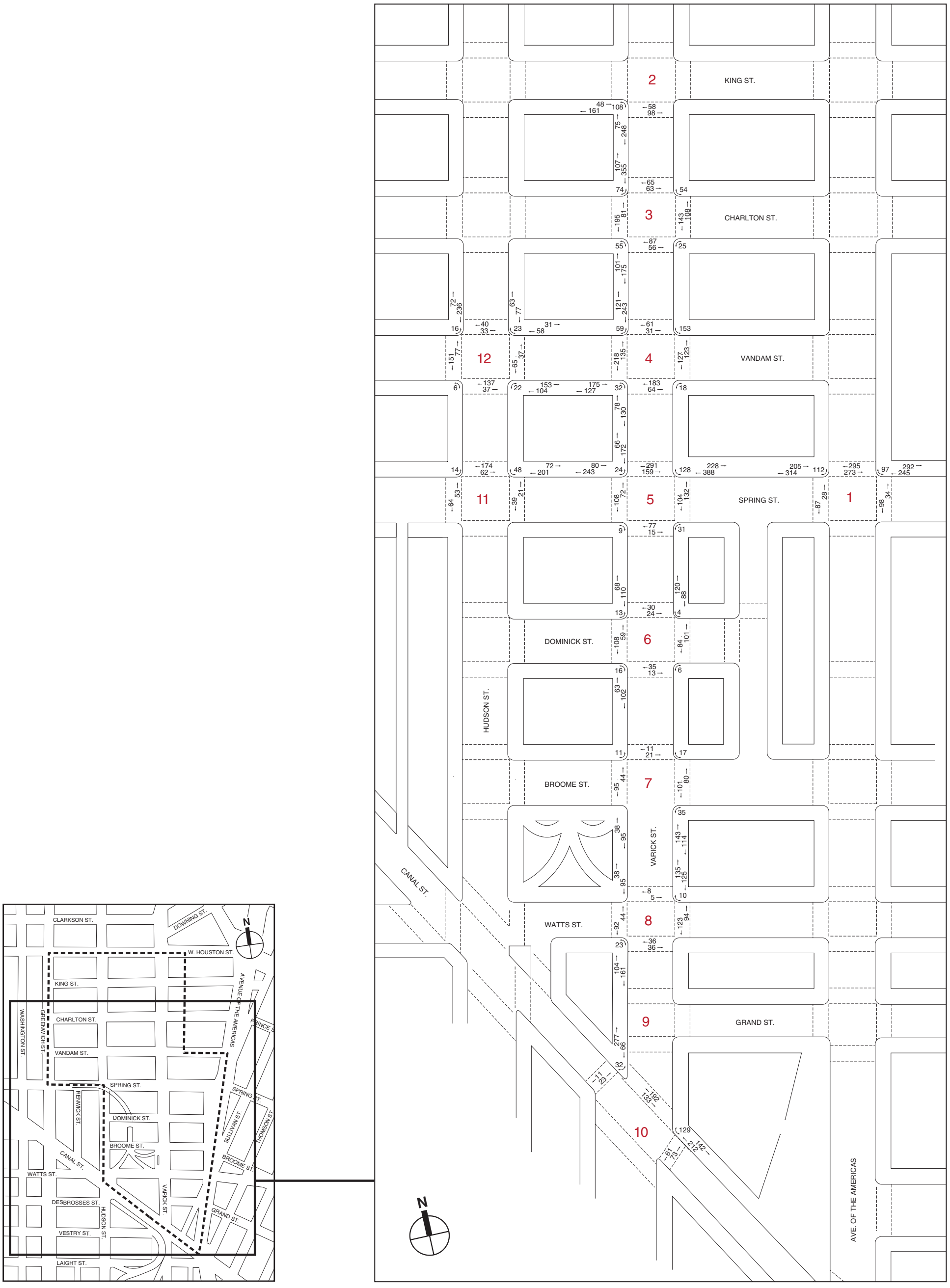



# No Subdistrict B Alternative Net Incremental Pedestrian Volumes
## Saturday Peak Hour
Figure 21-14A



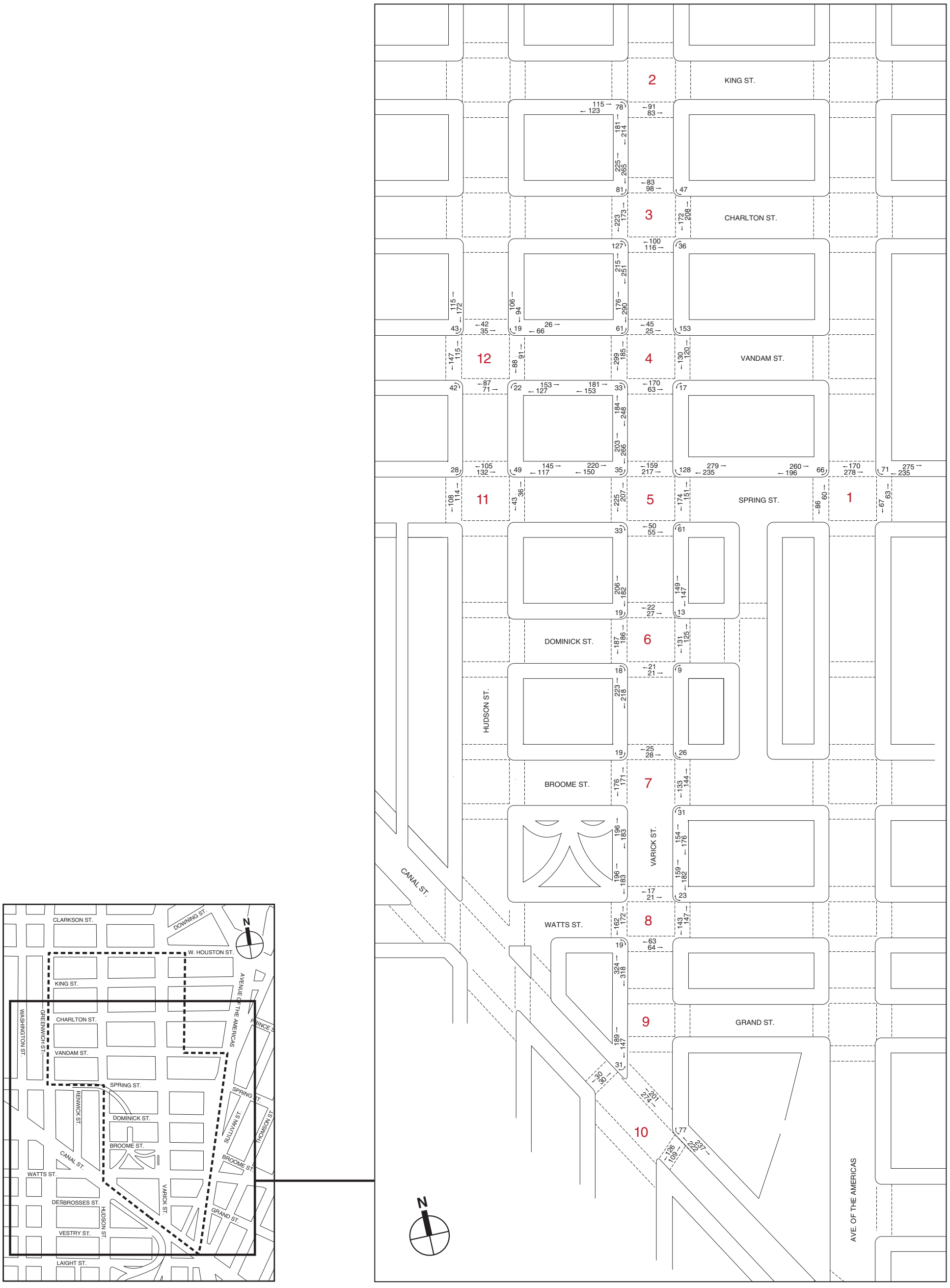

No Subdistrict B Alternative Net Incremental Pedestrian Volumes
Saturday Peak Hour
Figure 21-14B

1.10.13



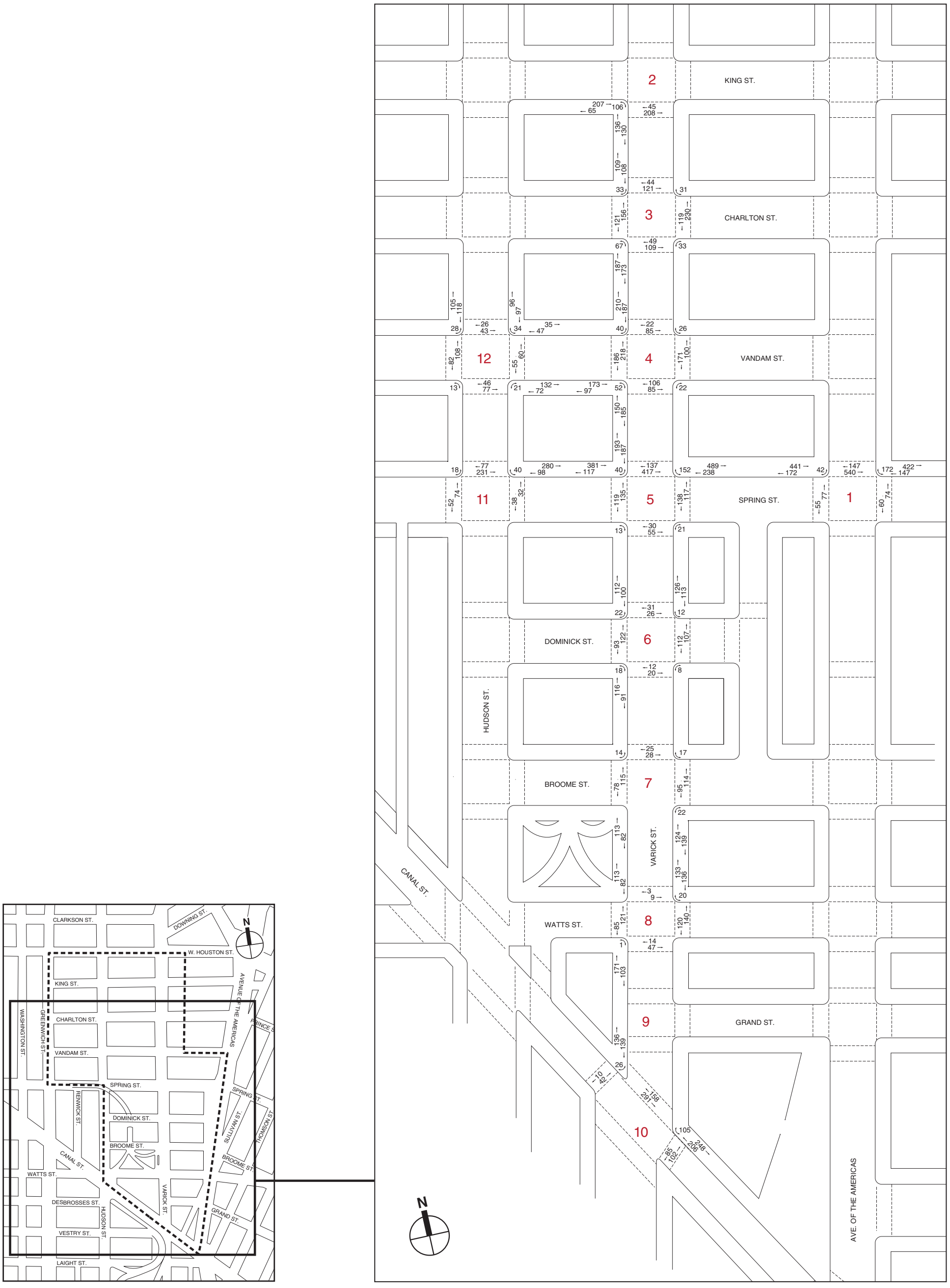

2022 No Subdistrict B Alternative Pedestrian Volumes
Weekday AM Peak 15 Minutes
Figure 21-15

1.10.13



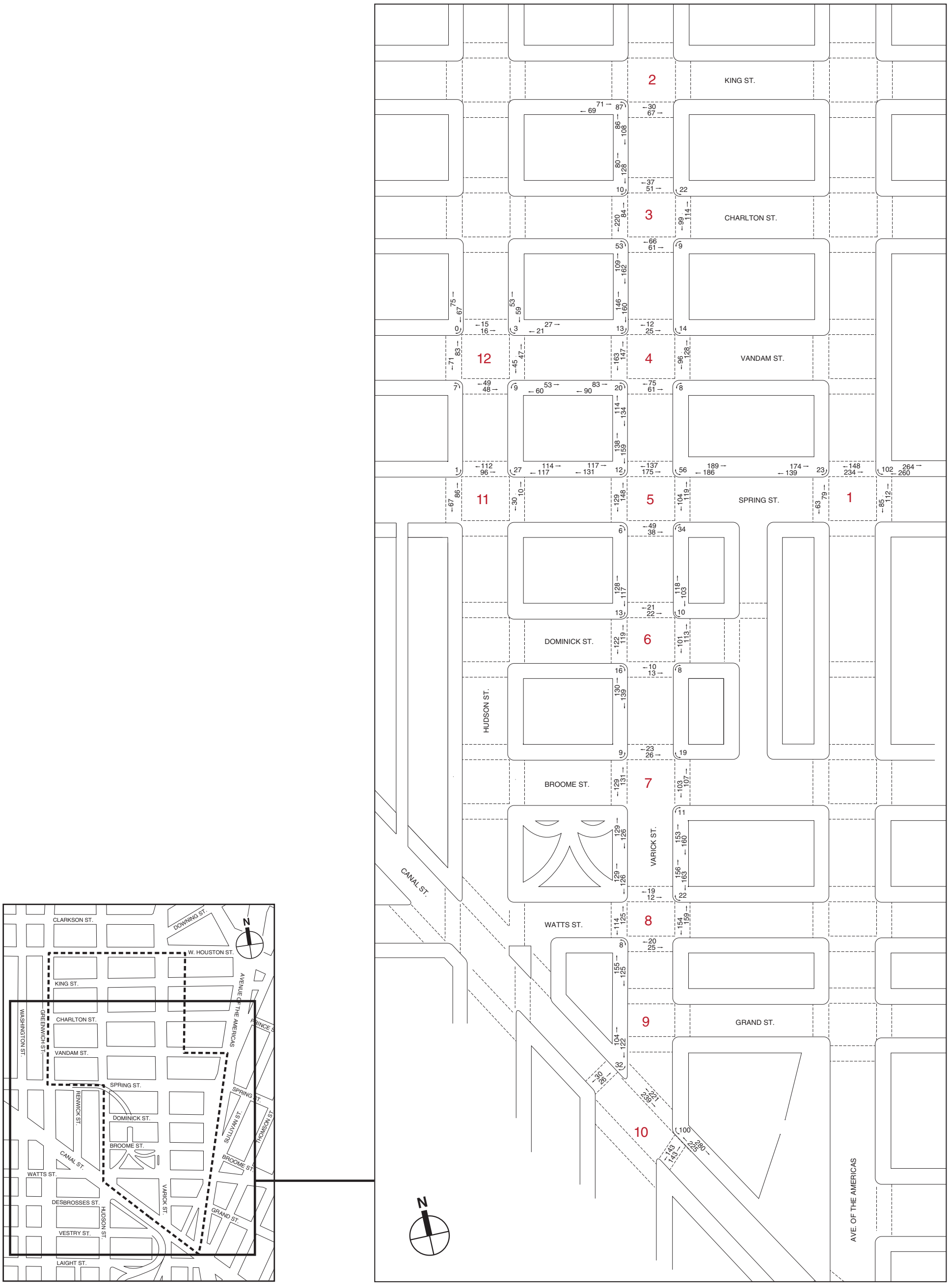

2022 No Subdistrict B Alternative Pedestrian Volumes
Weekday Midday Peak 15 Minutes
Figure 21-16

1.10.13




2022 No Subdistrict B Alternative Pedestrian Volumes
Weekday PM Peak 15 Minutes
Figure 21-17

1.10.13




2022 No Subdistrict B Alternative Pedestrian Volumes
Saturday Peak 15 Minutes
Figure 21-18

As summarized in **Table 21-11**, a 4.5-foot widening (the same as recommended for the Proposed Action) would be required to mitigate the projected significant adverse pedestrian impact at the Varick Street and Spring Street intersection's north crosswalk, while a 3-foot widening (0.5-foot greater than recommended for the Proposed Action) would be required to mitigate the projected significant adverse pedestrian impact at the Avenue of the Americas and Spring Street intersection's north crosswalk.

**Table 21-11**
**No Subdistrict B Alternative**
**2022 No-Action, With-Action, and Mitigated With-Action Conditions**
**Crosswalk Analysis**

| Location | Mitigation Measures | No-Action | | With-Action | | Mitigated With-Action | |
|---|---|---|---|---|---|---|---|
| | | SFP | LOS | SFP | LOS | SFP | LOS |
| **Weekday AM Peak 15-Minutes** | | | | | | | |
| Avenue of the Americas and Spring Street – North Crosswalk | No Significant Adverse Impact | 31.8 | C | 21.9 | D | 28.2 | C |
| Varick Street and Spring Street – North Crosswalk | Widening by 4.5 feet to 18.5 feet | 30.0 | C | 18.1 | D | 24.2 | C |
| **Weekday PM Peak 15-Minutes** | | | | | | | |
| Avenue of the Americas and Spring Street – North Crosswalk | Widening by 3 feet to 18 feet | 21.4 | D | 16.2 | D | 19.9 | D |
| Varick Street and Spring Street – North Crosswalk | Widening by 4.5 feet to 18.5 feet | 19.1 | D | 12.8 | E | 17.6 | D |
| **Note:** SFP = square feet per pedestrian. | | | | | | | |

As described above, intersection operations would alter with the implementation of the recommended traffic mitigation measures. These measures would include changes to existing signal timings and lane utilizations. A review of the effects of these changes on pedestrian circulation and service levels at intersection corners and crosswalks showed that they would not alter the conclusions made for the pedestrian impact analyses, nor would they result in the potential for any additional significant adverse pedestrian impacts.

*Parking*

Compared to the Proposed Action, the No Subdistrict B Alternative would displace an additional 183-space public parking facility for a total displacement of approximately 992 public parking spaces. The No Subdistrict B Alternative would also include an additional 11 accessory parking spaces for a total of 641 off-street accessory parking spaces. As presented in **Table 21-12**, accounting for the displacement of the public parking spaces, the addition of the accessory parking spaces, and the parking demand generated from background growth, No-Action projects, and the No Subdistrict B Alternative, the With-Action parking utilization is expected to increase to 68 percent overnight and to a weekday midday peak of 120 percent in the ¼-mile off-street parking study area; this represents a parking shortfall of 616 spaces. Similar to the Proposed Action, it is expected that the excess demand of 616 spaces resulting from the No Subdistrict B Alternative during the weekday midday period could be accommodated with a slightly longer walking distance beyond the ¼-mile radius. Furthermore, as stated in the *CEQR Technical Manual*, a parking shortfall resulting from a project located in Manhattan does not constitute a significant adverse parking impact, due to the magnitude of available alternative modes of transportation.

**Table 21-12**
**No Subdistrict B Alternative**
**Existing and With-Action Condition Parking Supply and Utilization**

| | Weekday AM | Weekday Midday | Weekday PM | Weekday Overnight | Saturday Midday |
|---|---|---|---|---|---|
| Existing Public Parking Supply | 4,021 | 4,110 | 3,985 | 3,284 | 3,476 |
| Existing Public Parking Demand | 2,032 | 3,048 | 2,095 | 1,049 | 1,846 |
| Existing Public Parking Utilization | 51% | 74% | 53% | 32% | 53% |
| Existing Public Parking Supply | 4,021 | 4,110 | 3,985 | 3,284 | 3,476 |
| Displaced Public Parking Supply Total [(1)] | -992 | -992 | -917 | -747 | -520 |
| With-Action Public Parking Supply Total | 3,029 | 3,118 | 3,068 | 2,537 | 2,956 |
| No-Action Background Incremental Demand | 41 | 62 | 43 | 21 | 37 |
| No-Action Projects Total Parking Demand | 200 | 279 | 128 | 132 | 135 |
| RWCDS 2 Incremental Parking Demand | 1,071 | 986 | 952 | 1,175 | 770 |
| RWCDS 2 Accessory Parking Spaces | 641 | 641 | 641 | 641 | 641 |
| RWCDS 2 Incremental Parking Demand Accommodated by Accessory Parking | 641 | 641 | 641 | 641 | 641 |
| RWCDS 2 Incremental Parking Demand Accommodated by Public Parking | 430 | 345 | 311 | 534 | 129 |
| RWCDS 2 Incremental Public Parking Demand | 671 | 686 | 482 | 687 | 301 |
| With-Action Public Parking Demand Total | 2,703 | 3,734 | 2,577 | 1,736 | 2,147 |
| With-Action Public Parking Utilization | 89% | 120% | 84% | 68% | 73% |
| With-Action Available Spaces (Shortfall) | 326 | (616) | 491 | 801 | 809 |

**Note:** (1) Total parking displacement is not the same for all peak periods since not all surveyed parking facilities are available during all time periods, see **Table 13-42** in Chapter 13, "Transportation."
**Sample Calculation:**
RWCDS 2 Incremental Public Parking Demand = No-Action Background Incremental Demand + No-Action Projects Total Parking Demand + RWCDS 2 Incremental Parking Demand Accommodated by Public Parking
Weekday AM RWCDS 2 Incremental Public Parking Demand = 41 + 200 + 430 = 671

*AIR QUALITY*

The No Subdistrict B Alternative would generate slightly higher vehicular trips than the Proposed Action. However, it is not expected that the additional traffic would result in a significant air quality impact given that maximum predicted concentrations with the Proposed Action are well below applicable air quality standards. With respect to the proposed parking garages, vehicle emissions inside the garages would be mechanically vented. The concentrations resulting from the emissions within the parking garages and from on-street traffic would be in compliance with the applicable standards and thresholds. Therefore, like the Proposed Action, no significant adverse air quality impacts would result from the proposed parking garages under the No Subdistrict B Alternative.

Under the No Subdistrict B Alternative, Projected Development Sites 5 and 15 and Potential Development Sites 22 and 23 would be taller. Therefore, a refined air quality analysis was undertaken to determine if these sites would impact other proposed developments or if other proposed developments would impact these sites. Based on this analysis, it was determined that under the No Subdistrict B Alternative, the (E) designation for ~~Potential~~ Projected Development Site 5 would remain the same. ~~Site 22 as specified under the Proposed Action would no longer be required.~~ The (E) designations for Projected Development Site 15 and Potential Development Site ~~23~~ 22 as specified ~~under the Proposed Action would remain the same~~ under the No Subdistrict B Alternative would still require a restriction on fuel type (natural gas) and the use of low $NO_x$ (30ppm burners) but would not require a restriction on stack location. ~~At Projected Development Site 15, the (E) designation under the No Subdistrict B Alternative would require only the restriction on the use of fuel to natural gas (and no restrictions on stack or the use of low $NO_x$ burner equipment).~~ At Potential Development Site 23, the (E) designation under the No Subdistrict B Alternative would require a different restriction on stack location.

None of the projected developments in the modified program under the No Subdistrict B Alternative would be affected by existing large sources and commercial, institutional and

residential developments. Therefore, the conclusions regarding these existing sources would remain the same under the No Subdistrict B Alternative.

The emissions from existing industrial sources would be the same with the No Subdistrict B Alternative. Therefore, as with the Proposed Action, the No Subdistrict B Alternative would not result in any significant adverse air quality impacts from industrial sources.

*GREENHOUSE GAS EMISSIONS*

Compared with the Proposed Action, the No Subdistrict B Alternative would result in more residential and ground floor retail space. These uses would result in GHG emissions from energy use and transportation greater than those identified for the Proposed Action in Chapter 15, "Greenhouse Gas Emissions." As with the Proposed Action, the development would occur in an area with excellent access to public transit and would be consistent with sustainable land-use planning and smart-growth strategies, which aim to reduce the carbon footprint of new development. As with the Proposed Action, with the No Subdistrict B Alternative, the Applicant would commit to designing all new development on projected development sites under the Applicant's control (Projected Development Sites 1 through 4, and to the extent practicable, the Applicant's Projected Enlargement Site 1) to meet current standards for the USGBC's LEED Silver certification. As such, specific measures would be incorporated into the design and construction of each new development to qualify for the LEED Silver rating, which would decrease the potential GHG emissions. Therefore, like Proposed Action, the No Subdistrict B Alternative would be consistent with the city's emissions reduction goal, as defined in the *CEQR Technical Manual*.

*NOISE*

Under the No Subdistrict B Alternative, it is anticipated that Projected Development Sites 5 and 15 and Potential Development Sites 22 and 23 would consist of additional residential and retail development and would generate more vehicular trips to the sites. As discussed above under "Transportation," the increase in vehicular traffic is expected to be small and, as with the Proposed Action, the No Subdistrict B Alternative would not result in any mobile source noise impacts. Building attenuation requirements at all sites would be the same as with the Proposed Action, with the exception of Projected Development Site 15, which would be expanded to include Block 578 Lot 71 under the No Subdistrict B Alternative. Thus, under the No Subdistrict B Alternative, attenuation requirements for Block 578 Lot 71 would be 31 dBA on all façades.

*NEIGHBORHOOD CHARACTER*

As discussed above, Subdistrict B has been included as part of the Proposed Action to discourage demolition of existing buildings and preserve the lower scale of the existing built context within the proposed Subdistrict B boundaries. Under the No Subdistrict B Alternative, the reduced maximum permitted floor area (of 5.4 FAR bonusable to 7.2 FAR under the Inclusionary Housing Program) and the contextual height and setback regulations of C6-2A districts (including a maximum height of 120 feet) would not apply to new development within this area.

Compared with the Proposed Action, the No Subdistrict B Alternative would result in additional development on Projected Development Sites 5 and 15 and Potential Development Sites 22 and 23, consisting of 179 more residential units on projected development sites and a slight increase in retail space. Similar to the Proposed Action, these increases in residential and retail space

resulting from the No Subdistrict B Alternative would serve to create a vibrant mixed-use neighborhood. The No Subdistrict B Alternative would also introduce a mix of retail and community facility uses to the study area, and would result in a larger residential population than the Proposed Action. This residential population would support the increase in retail use and serve to activate the neighborhood's street life. Similar to the Proposed Action, the No Subdistrict B Alternative would introduce limits on building height, while also establishing contextual streetwall and setback requirements that would result in reduced height limits on the midblocks. However, by eliminating Subdistrict B, this alternative would not preserve the lower scale of the existing built context within this area. Thus, while the No Subdistrict B Alternative would not as achieve the goal of the Proposed Action to preserve the urban design character within this area, neither the Proposed Action nor the No Subdistrict B Alternative would result in a significant adverse impact on the urban design in the neighborhood.

As under the Proposed Action, the No Subdistrict B Alternative would result in significant direct and indirect adverse impacts to open space. However, as open space is not a defining element in the area, these impacts are not expected to affect neighborhood character. The No Subdistrict B Alternative would result in similar effects on traffic as compared with the Proposed Action, which would be similar to those in the high activity urban neighborhoods defining the traffic study area and would not be out of character with the surrounding neighborhood. Like the Proposed Action, under the No Subdistrict B Alternative there could potentially be significant adverse construction-related impacts to potential historic architectural resources and to archaeological resources. These impacts would not result in adverse impacts to neighborhood character, and the No Subdistrict B Alternative would not have any adverse visual or contextual impacts on the majority of architectural resources in the area or on any listed resources.

Overall, the No Subdistrict B Alternative would result in similar effects compared with the Proposed Action, and, like the Proposed Action, would create a vibrant, mixed-use neighborhood in Hudson Square while preserving its essential character. The No Subdistrict B Alternative would result in a greater increase in the residential population in the study area than the Proposed Action. Like the Proposed Action, under the No Subdistrict B Alternative, this population would be served by retail and community facility uses, and would enliven the streetscape of the area. Therefore, like the Proposed Action, the No Subdistrict B Alternative would not result in any significant adverse impacts to neighborhood character.

*CONSTRUCTION*

The No Subdistrict B Alternative would result in additional development and taller buildings on Projected Development Sites 5 and 15 and Potential Development Sites 22 and 23. This additional development could result in slightly longer construction duration for these sites. Nonetheless, because the Proposed Action and the No Subdistrict B Alternative would result in the same amount of development on all sites in the Rezoning Area except for those within Subdistrict B, it is expected that the overall construction activities and conceptual schedule would be similar.

Both the No Subdistrict B Alternative and the Proposed Action could result in significant adverse construction impacts related to transportation (traffic and pedestrians) and historic architectural and archaeological resources. With respect to traffic, the construction traffic analysis provided in Chapter 18, "Construction," examines two peak years, 2016 and 2019. As discussed above, the No Subdistrict B Alternative would result in additional development and taller buildings on Projected Development Sites 5 and 15 (The construction analysis provided in

Chapter 18, "Construction," assesses the effects of construction activities on projected development and enlargement sites). According to the conceptual construction schedule described in Chapter 18, Projected Development Site 5 would be under construction from 2015 to 2016 and Projected Development Site 15 would be under construction in 2021; thus, only Projected Development Site 5 would be under construction during one of the peak construction years analyzed (2016).

Under the No Subdistrict B Alternative, Projected Development Site 5 would have the same footprint but would result in an additional 58 dwelling units (approximately 47,000 square feet of floor area) as compared with the Proposed Action. Although this development site could be somewhat larger under the No Subdistrict B Alternative, overall construction activity at this site would be substantially similar under this Alternative and the Proposed Action, and the additional floor area would not result in a substantial increase in peak hour construction vehicle trips. As noted in Table 18-15 of Chapter 18, with the Proposed Action, there would be approximately 161 construction vehicle trips in 2016 as compared to 374 operational vehicle trips in 2022. Under the No Subdistrict B Alternative, the number of construction trips and operational trips would both increase slightly, but the modest increase in the size of Projected Development Site 5 would not increase the number of construction trips in 2016 such that it would exceed the number of operational trips in 2022. Therefore, with the nominal increase that would result under the No Subdistrict B Alternative the conclusion remains the same as with the Proposed Action—the construction trips would be less than the overall operational trips and therefore the potential transportation impacts during peak construction without Subdistrict B would be within the envelope of significant adverse traffic impacts identified for the With-Action condition in the transportation analysis. Similarly, traffic and pedestrian mitigation measures identified for the Proposed Action could be implemented during construction before full build-out of the No Subdistrict B Alternative, at the discretion of NYCDOT to address actual conditions experienced at that time.

As with the Proposed Action, under the No Subdistrict B Alternative the Applicant would prepare and implement a CPP for the potential architectural resources within 90 feet of its projected development and enlargement sites. However, as with the Proposed Action, construction under the No Subdistrict B Alternative on sites not controlled by the Applicant could result in significant adverse construction-related impacts on up to **one known architectural resource (specifically, 131 Avenue of the Americas** ~~three buildings within the proposed South Village Historic District~~**) and** 6 potential architectural resources due to their locations within 90 feet of sites that may be developed under the either the No Subdistrict B Alternative or the Proposed Action.

As with the Proposed Action, the No Subdistrict B Alternative would not result in significant adverse construction impacts with respect to air quality, noise, hazardous materials, transit, open space, socioeconomic conditions, community facilities, and land use and neighborhood character. For the Applicant's projected development and enlargement sites, the No Subdistrict B Alternative would include the use of equipment with the same extensive emission controls and noise abatement measures that would be provided with the Proposed Action.

*PUBLIC HEALTH*

The No Subdistrict B Alternative, like the Proposed Action, would not result in any significant adverse public health impacts associated with construction or operation of the new development on any development sites.

*MITIGATION*

As discussed above and in Chapter 1, "Project Description," the Applicant has proposed a modification to the proposed zoning text amendment, pursuant to ULURP No. 120381(A)ZRM, that would eliminate the Subdistrict B regulations from the proposed Special District zoning text and in their place the general Special District bulk regulations would apply. The No Subdistrict B Alternative would result in the same significant adverse impacts with respect to open space; shadows; historic resources; and construction impacts related to transportation (traffic and pedestrians) as under the Proposed Action and would be mitigated to the same extent. With respect to transportation, the No Subdistrict B Alternative would result in additional significant adverse impacts as compared with the Proposed Action. The potential mitigation measures for the No Subdistrict B Alternative are as follows:

- *Community Facilities*—There is the potential for a significant adverse impact to public elementary schools if substantial residential development occurs in the Rezoning Area before the proposed public elementary school on Projected Development Site 1 is constructed. In order to address the potential significant adverse impact on elementary schools, the Applicant will enter into Restrictive Declarations, recorded against the development sites it owns or controls, pursuant to which the Applicant would agree that it would not apply for building permits with respect to any such development sites prior to the development of Projected Development Site 1, unless, at the time a building permit is sought for a building on one of the Applicant-owned or controlled development sites, the total number of residential units built, under construction, or the subject of a pending or issued building permit, inclusive of the units proposed for such development site, falls below a unit count set forth in the Restrictive Declaration. For this purpose, the unit count would be sufficiently low to minimize the potential for an impact on public elementary schools to occur prior to the development of Projected Development Site 1.
- *Open Space*— Both the Proposed Action and No Subdistrict B Alternative would result in a significant adverse impact to open space in the residential study area as a result of the decrease in the total open space ratio and active open space ratio. The significant adverse impact on open space would be partially mitigated by means of restrictive declarations requiring a financial contribution by the Applicant towards the improvement of active open space, with a principal focus upon improvements to the Tony Dapolito Recreation Center operated by DPR that would enhance its ability to attract additional members from the community and increase its potential utilization. The scope of those and/or other improvements to open space would be developed by DPR in consultation with the community.
- *Shadows*—No feasible mitigation measures for the significant adverse shadow impacts on Trump SoHo Plaza and SoHo Square were identified; therefore, these impacts would unmitigated.
- *Historic and Cultural Resources (Archaeological Resources)*—Since none of the six potential and projected development sites identified as archaeologically sensitive are under the Applicant's control, future development on these properties would be as-of-right development, and there are no mechanisms available through CEQR to require that such development undertake archaeological field testing to determine the presence of archaeological resources (i.e., Phase 1B testing) or mitigation for any identified significant resources through avoidance or excavation and data recovery (i.e., Phase 2 or Phase 3 archaeological testing). As-of-right development that is anticipated to occur as a result of the

either the Proposed Action or No Subdistrict B Alternative on properties not controlled by the Applicant could result in unmitigated significant adverse impacts on archaeological resources.

- *Historic and Cultural Resources (Architectural Resources)*—Construction of projected and potential development and enlargement sites not controlled by the Applicant could potentially result in construction-related impacts to 6 potential architectural resources due to their location within 90 feet of such development and enlargement sites. As-of-right development that is anticipated to occur as a result of either the Proposed Action or No Subdistrict B Alternative on properties not controlled by the Applicant could result in unmitigated significant adverse construction-related impacts on architectural resources.
- *Transportation (Traffic)*—The No Subdistrict B Alternative would have the potential for significant adverse impacts at 20 intersections. Fourteen of the 20 intersections would be impacted during the weekday AM peak hour, 3 of the 20 intersections during the weekday midday peak hour, 15 of the 20 intersections during the PM peak hour, and 6 of the 20 intersections during the Saturday midday peak hour. Standard mitigation measures (including primarily signal timing changes and daylighting) would fully mitigate most significant adverse traffic impacts. Out of the 20 impacted traffic intersections, impacts at 11 intersections could not be fully mitigated during one or more analysis peak hours, including 2 intersections during the weekday AM peak hour, 10 intersections during the weekday PM peak hour, and 6 intersections during the Saturday midday peak hour.
- *Transportation (Transit)*—The No Subdistrict B Alternative would result in a significant adverse impact at the C/E train Spring Street (unmarked) stairway on the northwest (NW) corner of Avenue of the Americas and Spring Street during the weekday AM peak period. Potential mitigation measures to address this impact would be to widen the NW stairway to an effective width of 90 inches from its current effective width of 48 inches, or to construct a splayed staircase on the northwest corner of Spring and Avenue of the Americas or on the south side of Spring Street. However, as discussed below, considering the projected impact at this stairway would barely exceed the *CEQR Technical Manual* impact threshold and that the potential mitigation measures may result in a significant adverse pedestrian impact, implementing the mitigation measures described above has been determined to be not practicable; hence, the projected impact for this stairway would be unmitigated. Each of these potential mitigation measures would also need to be accompanied by an Americans with Disabilities Act-compliant elevator. The cost of implementing the stairway and elevator mitigation measure is estimated at approximately $5 to $10 million. Considering the extent of the impact in relation to the adverse effects the mitigation options may have on traffic and pedestrian operations, as well as on public open space, implementing the mitigation measures described above has been determined to be not practicable; hence, the projected impact for this stairway would be unmitigated.
- *Transportation (Pedestrian)*—The No Subdistrict B Alternative would have the potential for significant adverse impacts at the north crosswalk of Avenue of the Americas and Spring Street during the PM peak hour and the north crosswalk of Varick Street and Spring Street during the AM and PM peak hours. These significant adverse impacts could be fully mitigated with the following: widening of the north crosswalk of Avenue of the Americas and Spring Street from the existing 15 feet to 18 feet; widening of the north crosswalk of Varick Street and Spring Street from the existing 14 feet to 18.5 feet.
- *Construction (Traffic and Pedestrians)*—The cumulative operational and peak construction traffic increments would be lower than the full operational traffic increments associated with

the No Subdistrict B Alternative in 2022. Nonetheless, because existing and No-Action traffic conditions at some of the study area intersections through which construction-related traffic would also travel were determined to operate at unacceptable levels during commuter peak hours, it is possible that significant adverse traffic impacts could occur at some or many of these locations during construction. The construction traffic impacts could be mitigated with the same measures recommended to mitigate impacts associated with the operational traffic. However, there is potential for the same unmitigated adverse traffic impacts during construction as with the operation traffic (i.e., 2 intersections during the weekday AM peak hour, 10 intersections during the weekday PM peak hour, and 6 intersections during the Saturday midday peak hour). With respect to pedestrians, because the full build-out of the No Subdistrict B Alternative is expected to result in crosswalk impacts at two intersections—north crosswalk of Avenue of the Americas and Spring Street and north crosswalk of Varick Street and Spring Street, as discussed above, the same or lesser significant adverse pedestrian impacts could occur during construction prior to the full build-out of the No Subdistrict B Alternative. Accordingly, the same crosswalk widenings recommended to mitigate the pedestrian impacts for the No Subdistrict B Alternative could be advanced to mitigate the same impacts during construction.

- *Conceptual Analysis (Traffic)*—New hotel construction that could occur as-of-right after the "residential development goal" is met could result in unmitigated significant adverse traffic impacts. Under the hotel development scenario, the impacts identified at study area intersections along the Varick Street corridor would worsen (with those at Charlton, Vandam, Spring, and Dominick Streets likely realizing the greatest effects), and the impacts identified at three intersections along Hudson Street (at Canal, Charlton, and King Streets) would worsen. For intersections farther away from the sites selected for the hotel development scenario, the projected traffic increases would be more dispersed and would have lesser effects on the operating levels of these intersections.

## D. MIDBLOCK SPECIAL PERMIT ALTERNATIVE

### DESCRIPTION

In response to public scoping comments requesting a special permit to allow bulk modifications on uniquely narrow blocks to facilitate the full development of the allowable FAR, a Midblock Special Permit Alternative has been analyzed. Under this alternative, the proposed Special District text would include a special permit to allow height and setback waivers for midblock sites (i.e., sites on narrow streets beyond 100 feet of their intersection with a wide street) located on blocks with narrow north-south street-to-street depth (i.e., 180 feet or less). All blocks south of Spring Street in the Rezoning Area (Blocks 226, 227, 477, 491, 578, and 579) have a narrow north-south street-to-street depth. Application for the special permit would be subject to discretionary approval of the New York City Planning Commission (CPC), and any environmental impacts associated with such action would be assessed and disclosed to the public pursuant to separate CEQR review. Nevertheless, this alternative generically assesses the potential environmental impacts that could result from the use of this special permit within the Rezoning Area.

Under the Midblock Special Permit Alternative, the special permit would allow waivers of height and setback regulations only; there would be no change to the permitted uses, FAR, location of streetwall or rear yard requirements in the proposed Special District text. Under this alternative, the special permit would not be available to sites located within either Subdistrict A

or Subdistrict B. The special permit would allow a waiver of the currently proposed 185-foot building height limit that applies to narrow streets, but it is expected that such waiver would not allow buildings taller than 210 feet. The special permit would also allow a waiver of the currently proposed base height before setback (minimum 60 feet and maximum 125 feet) that applies to narrow streets; however, this alternative would maintain the streetwall requirement at the street line, as required under the Proposed Action. Like the Proposed Action, this alternative would also institute zoning controls designed to preserve Hudson Square's essential character and would prevent out-of-scale hotel development. As with the Proposed Action, the Midblock Special Permit Alternative would include construction of a new 444-seat public elementary school on Projected Development Site 1, subject to approvals and requirements of the SCA.

*DEVELOPMENT PROGRAM*

The Midblock Special Permit Alternative would result in the same projected and potential development, conversion, and enlargement sites as the RWCDS for the Proposed Action. However, this alternative could facilitate different base and building heights on certain projected and potential development and enlargement sites than what has been assessed for the Proposed Action. Under this alternative, it is assumed that the special permit would be pursued by any projected or potential development or enlargement site that meets the following criteria: (1) is located on the midblock of Block 226, 227, 477, 491, 578, or 579, (2) is not located within Subdistrict A or B, and (3) is projected to be developed with new construction or enlargement of more than a 1- to 2-story penthouse addition.

Based on these criteria, only Projected Development Site 12 would be expected to utilize the special permit. Under the RWCDS for the Proposed Action, Projected Development Site 12 is not expected to be able to develop the full 12.0 FAR under the narrow street bulk regulations and is instead expected to be developed to 10.8 FAR.[1] Under the Midblock Special Permit Alternative, Projected Development Site 12 could utilize the special permit waiver for height and setback to construct a building or buildings up to 210 feet in height and achieve the full 12.0 FAR on the site. This would result in an increase of 24 residential units, including 6 affordable units, and 4 accessory parking spaces as compared with the Proposed Action (see **Table 21-13**).

**Table 21-13**
**Development Program Comparison—Proposed Action and Midblock Special Permit Alternative**

| Site | Proposed Action[1] | Midblock Special Permit Alternative[1] | Difference |
|---|---|---|---|
| Projected Development Site 12 | 165,802 gsf residential; 198 DUs (46 affordable); 15,175 gsf retail; 43 accessory parking spaces | 186,393 gsf residential; 222 DUs (52 affordable); 15,175 gsf retail; 47 accessory parking spaces | 20,591 gsf residential; 24 DUs (6 affordable); 0 gsf retail; 4 accessory parking spaces |

**Notes:**
DU = Dwelling unit
1. Under the Proposed Action and the Midblock Special Permit Alternative, there is no difference between RWCDS 1 and RWCDS 2 on Projected Development Site 12.

[1] In response to comments on the Draft Scope regarding ability of midblock sites to utilize 12 FAR**,** the analysis closely studied potential building massings on midblock development sites and found that all but one, Projected Development Site 12, could be built to 12 FAR under the proposed bulk controls.

## MIDBLOCK SPECIAL PERMIT ALTERNATIVE COMPARED WITH THE PROPOSED ACTION

*LAND USE, ZONING, AND PUBLIC POLICY*

The Midblock Special Permit Alternative would result in the same effects on land use, zoning, and public policy as the Proposed Action, except that it would include a special permit to allow height and setback waivers for midblock sites located on blocks with narrow north-south street-to-street depth. Like the Proposed Action, any additional development and modified height and setback regulations associated with the Midblock Special Permit Alternative would not result in any significant adverse impacts to land use, zoning, or public policy. As with the Proposed Action, this alternative would not directly displace any land uses so as to adversely affect surrounding land uses, nor would it generate land uses that would be incompatible with land uses, zoning, or public policy in either the primary or the secondary study areas. The Midblock Special Permit Alternative would also not create land uses or structures that would be incompatible with the underlying zoning, nor would it cause any existing structures to become non-conforming.

The Midblock Special Permit Alternative would result in a negligible increase in the residential population and, like the Proposed Action, would further the Proposed Action's goal of creating an active mixed-use neighborhood, while preserving its existing built context and commercial uses. As with the Proposed Action, this alternative would: incentivize the development of new affordable housing; allow a greater range of cultural and community facility uses; result in a new public school; and implement specific provisions regulating demolition and conversions of existing buildings, as well as height limits as appropriate, to preserve the essential character of the neighborhood.

Because the use of the midblock special permit for height and setback waivers would require review by the CPC, adverse impacts on land use, zoning, and public policy that could result from a specific development proposal would be assessed and disclosed to the public under and pursuant to a separate environmental review. Additional analyses would be conducted at the time that any site-specific application for a special permit is made.

*SOCIOECONOMIC CONDITIONS*

The Midblock Special Permit Alternative would result in the same direct residential and business displacement as the Proposed Action and would therefore not result in any significant adverse impacts due to direct displacement.

The Midblock Special Permit Alternative would result in a small increase in the number of residential units in the study area, but this increase would not result in different socioeconomic impacts compared with the Proposed Action. Therefore, like the Proposed Action, the Midblock Special Permit Alternative would not result in any significant adverse impacts due to indirect residential displacement.

The Midblock Special Permit Alternative would introduce the same amount of retail space as the Proposed Action, and therefore would not result in any significant adverse impacts due to indirect business displacement or effects on specific industries.

*COMMUNITY FACILITIES AND SERVICES*

*Indirect Effects on Public Elementary, Intermediate, and High Schools*

The Midblock Special Permit Alternative could result in the overall development of 3,347 new residential units by 2022, which is an incremental increase of 24 residential units compared with the Proposed Action (based on the RWCDS analyzed in Chapter 4, "Community Facilities"). As a result, the Midblock Special Permit Alternative would result in a greater number of new public school students as compared with the Proposed Action. The Midblock Special Permit Alternative would generate demand for approximately 402 elementary school seats, 134 intermediate school seats, and 201 high school seats.[1] By comparison, the Proposed Action would generate demand for approximately 399 elementary school seats, 133 intermediate school seats, and 199 high school seats.

As with the Proposed Action, the Midblock Special Permit Alternative would include construction of a new 444-seat public elementary school on Projected Development Site 1, subject to approvals and requirements of the SCA. The new elementary school seats that would be provided would accommodate all demand for elementary school seats generated by either the Proposed Action or the Midblock Special Permit Alternative. Under the Midblock Special Permit Alternative, the deficit of elementary school seats would decrease from ~~1,025~~670 in the No Action condition to ~~983~~628, and the elementary school utilization rate would be ~~126~~ 115 percent (the same as with the Proposed Action). The Midblock Special Permit Alternative would not increase the elementary school utilization rate in CSD 2/Sub-District 2; rather, the elementary school utilization rate would decrease by ~~five~~ three percentage points as compared with the No-Action condition. Therefore, like the Proposed Action, the Midblock Special Permit Alternative would not result in any significant adverse impacts to elementary schools.

As with the Proposed Action, the opening of a new public school requires the provision of adequate public funding within the SCA/DOE budget to fit-out the space and operate the school, which is outside of the Applicant's control. Similar to conditions with the Proposed Action, if ~~1,388~~1,529 residential units or more are developed in the Rezoning Area before a public elementary school is operational, the Midblock Special Permit Alternative would result in a significant adverse impact to elementary schools in CSD 2/Sub-District 2.

The small increase in intermediate and high school students introduced under the Midblock Special Permit Alternative would result in substantially the same conditions at these schools as under the Proposed Action. Therefore, like the Proposed Action, the Midblock Special Permit Alternative would not result in any significant adverse impacts to intermediate or high schools.

*Indirect Effects on Libraries*

The Midblock Special Permit Alternative would result in approximately 44 new residents in the study area by 2022 as compared with the Proposed Action. This additional population would result in a negligible change in the catchment area population and holdings per branch compared with the Proposed Action. Therefore, like the Proposed Action, the Midblock Special Permit Alternative would not result in any significant adverse impacts to public libraries.

[1] Based on student generation rates listed in Table 6-1a of the *CEQR Technical Manual* (0.12 elementary students, 0.04 intermediate school students, and 0.06 high school students per residential unit in Manhattan).

*Indirect Effects on Childcare Services*

Compared with the Proposed Action, the Midblock Special Permit Alternative would result in an additional six affordable housing units, which would introduce one additional child eligible for publicly funded child care. Like the Proposed Action, the Midblock Special Permit Alternative would not result in any significant adverse impacts on child care facilities.

*Police and Fire Protection Services*

Like the Proposed Action, the Midblock Special Permit Alternative would not result in any significant adverse impacts to police or fire protection services, as it would not affect the physical operations of, or direct access to and from, a precinct house or fire station, nor would it create a sizeable new neighborhood where none existed before.

*OPEN SPACE*

The Midblock Special Permit Alternative would result in similar impacts to open space as the Proposed Action. The Midblock Special Permit Alternative would not remove or alter any existing publicly accessible open spaces, nor would it result in any significant adverse impacts on any open spaces due to noise or air quality. The Midblock Special Permit Alternative would result in similar impacts to open space due to shadows as compared with the Proposed Action.

The Midblock Special Permit Alternative would result in the same indirect impacts to open space as the Proposed Action. Within the non-residential study area, similar to the Proposed Action, the ratio for passive open space would decrease by 0.6 percent under the Midblock Special Permit Alternative and would still remain higher than the city's planning goal of 0.15 acres per 1,000 workers. Within the residential study area, under the Midblock Special Permit Alternative, the passive open space ratio would decrease by approximately 9.1 percent, the same decrease as under the Proposed Action. However, this ratio would still remain above the city's planning goal of 0.5 acres per 1,000 workers. The total and active open space ratios would also each decrease by approximately 9.1 percent as a result of the Midblock Special Permit Alternative, the same decrease as with the Proposed Action. As with the Proposed Action, the total and active open space ratios in the residential study area would remain lower than the city's guidelines under the Midblock Special Permit Alternative, resulting in a significant adverse impact to open space in the residential study area. Measures to mitigate this significant adverse impact would be similar to those described for the Proposed Action.

*SHADOWS*

Like the Proposed Action, the Midblock Special Permit Alternative would result in significant adverse shadow impacts on two publicly accessible open spaces, Trump SoHo Plaza and SoHo Square. As the anticipated development at Projected Development Site 2 would be the same under both the Proposed Action and the Midblock Special Permit Alternative, this development would result in the same significant adverse shadow impacts to Trump SoHo Plaza and SoHo Square. The same measures would be necessary to mitigate the significant adverse impact under this alternative.

With the Midblock Special Permit Alternative, development on Projected Development Site 12 could reach up to 210 feet in height and have different setbacks than allowed under the Proposed Action, if developed pursuant to a special permit. However, at this height Projected Development Site 12 would not result in substantially more shadows on any nearby open spaces or other sun-sensitive resources on any of the representative analysis days. The Midblock

Special Permit Alternative would not result in any additional significant adverse shadow impacts as compared with the Proposed Action.

Given that the construction of such a building on Projected Development Site 12 would require a special permit from the CPC, adverse impacts due to shadows that could result from such development on Projected Development Site 12 would be assessed and disclosed to the public under and pursuant to a separate environmental review. Additional analyses would be conducted at the time that any site-specific application for a special permit is made.

*HISTORIC AND CULTURAL RESOURCES*

*Archaeological Resources*

Like the Proposed Action, the Midblock Special Permit Alternative would result in development on six potential and projected development sites identified as archaeologically sensitive. As noted in Chapter 7, "Historic and Cultural Resources," Projected Development Site 12 (Block 579, Lot 11) was identified as archaeologically sensitive. If Projected Development Site 12 were developed pursuant to a special permit, this would be a discretionary action requiring a separate environmental review, which would ensure that any additional archaeological investigations or mitigation for any identified significant resources through avoidance or excavation and data recovery requested by the Landmarks Preservation Committee be completed. As with the Proposed Action, development of the remaining five archaeologically sensitive sites under the Midblock Special Permit Alternative could result in unavoidable significant adverse impacts on archaeological resources.

*Architectural Resources*

Under the Midblock Special Permit Alternative, as with the Proposed Action, construction on projected and potential development and enlargement sites not controlled by the Applicant could result in significant adverse construction-related impacts on up to ~~1~~ **one known architectural resource** ~~(~~**(specifically, the S/NR-eligible building at 131 Avenue of the Americas**~~three buildings within the proposed South Village Historic District~~**) and** 6 potential architectural resources. Like the Proposed Action, the Midblock Special Permit Alternative would not result in any significant adverse visual or contextual impacts to historic and cultural resources.

If Projected Development Site 12 were developed pursuant to a special permit, this would be a discretionary action requiring a separate environmental review. Through the CEQR process, the preparation and implementation of a CPP would be required for any architectural resource located within 90 feet, and there would be no significant adverse construction-related impacts on historic and cultural resources due to the construction of Projected Development Site 12 pursuant to a special permit. Therefore, under this alternative the construction of Projected Development Site 12 would not have the potential to result in a significant adverse construction-related impact on the potential architectural resource at 278 Spring Street. However, the construction of other projected development and enlargement sites would have the potential to result in significant adverse construction-related impacts to this potential resource. Therefore, the Midblock Special Permit Alternative would result in the same significant adverse impacts to architectural resources as the Proposed Action.

*URBAN DESIGN AND VISUAL RESOURCES*

Similar to the Proposed Action, the Midblock Special Permit Alternative would introduce limits on building height, while also establishing contextual streetwall and setback requirements and reduced height limits on the midblocks. However, by including a special permit to allow height and setback waivers for midblock sites located on blocks with narrow north-south street-to-street depth, this special permit could result in a different massing on Projected Development Site 12, if it is developed pursuant to the special permit. Specifically, Projected Development Site 12 could be developed with a building up to 210 feet in height and with different setbacks than required under the Proposed Action. It is not anticipated that any significant adverse impacts would result from this alternative; however, given that a special permit would be required from the CPC, adverse impacts on urban design and visual resources that could result from a specific development proposal would be assessed and disclosed to the public under and pursuant to a separate environmental review.

*HAZARDOUS MATERIALS*

Under the Midblock Special Permit Alternative, the footprints of the projected and potential development and enlargement sites would be the same as those of the Proposed Action and, therefore, this alternative would result in the same construction activities that could increase pathways for human exposure. Under the Midblock Special Permit Alternative, the potential for significant adverse impacts would be avoided by the same measures specified in (E) designations as proposed under the Proposed Action. With the implementation of these measures, the Midblock Special Permit Alternative, like the Proposed Action, would not result in any significant adverse impacts with respect to hazardous materials.

*WATER AND SEWER INFRASTRUCTURE*

With 24 additional residential units, the Midblock Special Permit Alternative would result in a negligible increase in incremental water demand and sanitary sewage flows compared with the Proposed Action (based on the RWCDS analyzed in Chapter 10, "Water and Sewer Infrastructure"). There would be adequate water service to meet the demand generated by either the Proposed Action or the Midblock Special Permit Alternative; therefore, there would be no significant adverse impacts on the city's water supply. Likewise, the negligible increase in sanitary sewage flows under this alternative would not result in an exceedance of the Newtown Creek WWTP's capacity and, as with the Proposed Action, would not create a significant adverse impact on the city's sanitary sewage conveyance and treatment infrastructure.

The Midblock Special Permit Alternative would not be expected to result in any change to impervious surfaces as compared with the Proposed Action. As discussed in Chapter 10, the incorporation of selected on-site stormwater source controls or best management practices (BMPs) will be required for future development in the Rezoning Area, as a part of the DEP site connection application process for new buildings. Potential BMPs are outlined in the BMP Concept Plan in Chapter 10. Like the Proposed Action, with the incorporation of BMPs, the Midblock Special Permit Alternative would not have a significant adverse impact on the city's stormwater conveyance infrastructure.

*SOLID WASTE AND SANITATION SERVICES*

With 24 additional residential units, the Midblock Special Permit Alternative would result in a negligible increase in incremental solid waste compared with the Proposed Action. As with the

Proposed Action, the Midblock Special Permit Alternative would not result in significant adverse impacts on solid waste or sanitation services.

*ENERGY*

With 24 additional residential units, the Midblock Special Permit Alternative would result in a negligible increase in incremental energy demand compared with the Proposed Action. As with the Proposed Action, the Midblock Special Permit Alternative would not result in significant adverse impacts on energy systems.

*TRANSPORTATION*

Based on the trip generation assumptions detailed in Chapter 13, "Transportation," the Midblock Special Permit Alternative would generate more trips (up to approximately 20 person trips and up to approximately 6 vehicle trips during peak hours) as compared with the Proposed Action (based on the RWCDS analyzed in Chapter 13) (see **Table 21-14~~5~~**). With these additional trips distributed across various analysis locations within the transportation network, the individual intersections, subway stairs, and pedestrian elements would experience minimal increases in trips and would be of comparable magnitude in terms of overall trips as the Proposed Action. As with the Proposed Action, this alternative would likewise result in impacts of comparable magnitude and similar mitigation measures would be needed to mitigate those impacts. Impacts unmitigatable under the Proposed Action would also be unmitigatable under the Midblock Special Permit Alternative. In addition, the parking shortfall identified for the Proposed Action would also occur under this alternative; however, as with the Proposed Action, the parking shortfall would not constitute a significant adverse parking impact due to the magnitude of available alternative modes of transportation.

**Table 21-~~5~~14**

**Net Trip Difference Between the Midblock Special Permit Alternative and the Proposed Action**

| Peak Hour | In / Out | Person Trip | | | | | | | Vehicle Trip | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Auto | Taxi | Subway | Bus | School Bus | Walk | Total | Auto | Taxi | School Bus | Delivery | Total |
| Weekday AM | In | 0 | 0 | 1 | 0 | 0 | 1 | 2 | 0 | 1 | 0 | 0 | 1 |
| | Out | 2 | 1 | 9 | 0 | 0 | 4 | 16 | 1 | 1 | 0 | 0 | 2 |
| | **Total** | 2 | 1 | 10 | 0 | 0 | 5 | 18 | 1 | 2 | 0 | 0 | 3 |
| Weekday Midday | In | 0 | 0 | 3 | 0 | 0 | 1 | 4 | 0 | 0 | 0 | 0 | 0 |
| | Out | 0 | 0 | 3 | 0 | 0 | 1 | 4 | 0 | 0 | 0 | 0 | 0 |
| | **Total** | 0 | 0 | 6 | 0 | 0 | 2 | 8 | 0 | 0 | 0 | 0 | 0 |
| Weekday PM | In | 1 | 1 | 8 | 0 | 0 | 4 | 14 | 1 | 1 | 0 | 0 | 2 |
| | Out | 0 | 0 | 4 | 0 | 0 | 2 | 6 | 1 | 1 | 0 | 0 | 2 |
| | **Total** | 1 | 1 | 12 | 0 | 0 | 6 | 20 | 2 | 2 | 0 | 0 | 4 |
| Saturday Midday | In | 1 | 1 | 5 | 0 | 0 | 3 | 10 | 1 | 2 | 0 | 0 | 3 |
| | Out | 1 | 1 | 5 | 0 | 0 | 3 | 10 | 1 | 2 | 0 | 0 | 3 |
| | **Total** | 2 | 2 | 10 | 0 | 0 | 6 | 20 | 2 | 4 | 0 | 0 | 6 |

*AIR QUALITY*

The Midblock Special Permit Alternative would generate slightly higher vehicular trips than the Proposed Action. However, it is not expected that the additional traffic would result in a significant air quality impact given that maximum predicted concentrations with the Proposed Action are well below applicable air quality standards. With respect to the proposed parking garages, vehicle emissions inside the garages would be mechanically vented. The concentrations resulting from the emissions within the parking garages and from on-street traffic would be in

compliance with the applicable standards and thresholds. Therefore, like the Proposed Action, no significant adverse air quality impacts would result from the proposed parking garages under the Midblock Special Permit Alternative.

Under the Midblock Special Permit Alternative, Projected Development Site 12 could be up to 210 feet tall. Therefore, a refined air quality analysis was undertaken to determine if this site would impact other proposed developments or if other proposed developments would impact this site. Based on this analysis, the (E) designation for Projected Development Site 12 as specified under the Proposed Action would remain the same under the Midblock Special Permit Alternative.

None of the projected developments in the modified program under the Midblock Special Permit Alternative would be affected by existing large sources and commercial, institutional and residential developments. Therefore, the conclusions regarding these existing sources would remain the same under the Midblock Special Permit Alternative.

The emissions from existing industrial sources would be the same with the Midblock Special Permit Alternative. Therefore, as with the Proposed Action, the Midblock Special Permit Alternative would not result in any significant adverse air quality impacts from industrial sources.

As noted above, additional analyses regarding Projected Development Site 12 would be conducted at the time that any site-specific applications for special permits are made.

*GREENHOUSE GAS EMISSIONS*

Compared with the Proposed Action, the Midblock Special Permit Alternative would result in slightly more residential space. These uses would result in GHG emissions from energy use and transportation slightly greater than those identified for the Proposed Action in Chapter 15, "Greenhouse Gas Emissions." As with the Proposed Action, the development would occur in an area with excellent access to public transit and would be consistent with sustainable land-use planning and smart-growth strategies, which aim to reduce the carbon footprint of new development. As with the Proposed Action, with the Midblock Special Permit Alternative, the Applicant would commit to designing all new development on projected development sites under the Applicant's control (Projected Development Sites 1 through 4, and to the extent practicable, the Applicant's Projected Enlargement Site 1) to meet current standards for the USGBC's LEED Silver certification. As such, specific measures would be incorporated into the design and construction of each new development to qualify for the LEED Silver rating, which would decrease the potential GHG emissions. Through the special permit process, the city could potentially require similar measures at Projected Development Site 12, which is not under the Applicant's control. Therefore, like Proposed Action, the Midblock Special Permit Alternative would be consistent with the city's emissions reduction goal, as defined in the *CEQR Technical Manual*.

*NOISE*

Under the Midblock Special Permit Alternative, it is anticipated that Projected Development Site 12 would contain additional residential development and would generate slightly more vehicular trips. As discussed above under "Transportation," the increase in vehicular traffic is expected to be small and, as with the Proposed Action, the Midblock Special Permit Alternative would not result in any mobile source noise impacts. Building attenuation requirements at all projected development and enlargement sites would be the same with the Midblock Special Permit Alternative as with the Proposed Action. As noted above, additional analyses regarding Projected Development Site 12 would be conducted at the time that any site-specific applications for special permits are made.

*NEIGHBORHOOD CHARACTER*

Compared with the Proposed Action, the Midblock Special Permit Alternative would result in an additional 24 residential units on Projected Development Site 12. In addition, the building on Projected Development Site 12 could potentially be taller and have different setbacks than under the Proposed Action. Similar to the Proposed Action, these increases in residential and retail space resulting from the Midblock Special Permit Alternative would serve to create a vibrant mixed-use neighborhood. The Midblock Special Permit Alternative would also introduce a mix of retail and community facility uses to the study area, and would result in a slightly larger residential population than the Proposed Action. This residential population would support the increase in retail use and serve to activate the neighborhood's street life.

Similar to the Proposed Action, the Midblock Special Permit Alternative would introduce limits on building height and establish contextual streetwall and setback requirements. Unlike the Proposed Action, the Midblock Special Permit Alternative would allow for height and setback waivers for midblock sites but it is expected that such height waiver would not exceed 210 feet. Future use of the special permit would be subject to review by the CPC, and would be subject to separate discretionary approval and any environmental impacts associated with such action would be assessed and disclosed to the public pursuant to separate environmental review.

Overall, the Midblock Special Permit Alternative would result in similar effects compared with the Proposed Action, and, like the Proposed Action, would create a vibrant, mixed-use neighborhood in Hudson Square while preserving its essential character. The Midblock Special Permit Alternative would result in a slightly greater increase in the residential population in the study area than the Proposed Action. Like the Proposed Action, under the Midblock Special Permit Alternative, this population would be served by retail and community facility uses, and would enliven the streetscape of the area. Therefore, like the Proposed Action, the Midblock Special Permit Alternative would not result in any significant adverse impacts to neighborhood character.

*CONSTRUCTION*

The Midblock Special Permit Alternative would result in additional residential floor area and a taller building with potentially different setbacks on Projected Development Site 12. This additional development could result in only a slight change, if any, to the overall construction duration for this site. Because the Proposed Action and the Midblock Special Permit Alternative would result in the same amount of development on all sites in the Rezoning Area except for Projected Development Site 12, the overall construction activities and conceptual schedule would be similar.

Both the Midblock Special Permit Alternative and the Proposed Action could result in significant adverse construction impacts related to transportation (traffic and pedestrians) and historic architectural and archaeological resources.

As with the Proposed Action, the Midblock Special Permit Alternative would not result in significant adverse construction impacts with respect to air quality, noise, hazardous materials, transit, open space, socioeconomic conditions, community facilities, and land use and neighborhood character. For the Applicant's projected development and enlargement sites, the Midblock Special Permit Alternative would include the use of equipment with the same extensive emission controls and noise abatement measures that would be provided with the Proposed Action.

*PUBLIC HEALTH*

The Midblock Special Permit Alternative, like the Proposed Action, would not result in any significant adverse public health impacts associated with construction or operation of the new development on any development sites. More detailed analysis of public health, if necessary, would be performed at such time as any site-specific applications for special permits are made.

# E. NO SUBDISTRICT B WITH MIDBLOCK SPECIAL PERMIT ALTERNATIVE

## DESCRIPTION

As discussed above, this EIS considers a No Subdistrict B Alternative and a Midblock Special Permit Alternative in response to public scoping comments. To assess the potential impacts of both of these alternatives together, a No Subdistrict B With Midblock Special Permit Alternative has been analyzed.

This alternative would include the same changes as under the No Subdistrict B Alternative and the Midblock Special Permit Alternative. Under this alternative, the only subdistrict in the Special District would be Subdistrict A. The zoning regulations (i.e., FAR, building height, base heights, etc.) proposed for wide and narrow streets in the Rezoning Area (not including Subdistricts A and B) would extend throughout the entire Rezoning Area, except for Subdistrict A, as described in more detail above in Section C, "No Subdistrict B Alternative."

In addition, under this alternative the Special District text would include a special permit to allow height and setback waivers for midblock sites (i.e., sites on narrow streets beyond 100 feet of their intersection with a wide street) located on blocks with narrow north-south street-to-street depth (i.e., 180 feet or less). All blocks south of Spring Street in the Rezoning Area (Blocks 226, 227, 477, 491, 578, and 579) have a narrow north-south street-to-street depth. Application for the special permit would be subject to discretionary approval of the CPC, and any environmental impacts associated with such action would be assessed and disclosed to the public pursuant to separate CEQR review. Nevertheless, this alternative generically assesses the potential environmental impacts that could result from the use of this special permit within the Rezoning Area.

Under the No Subdistrict B With Midblock Special Permit Alternative, the special permit would allow waivers of height and setback regulations only; there would be no change to the permitted uses, FAR, location of the streetwall or rear yard requirements in the proposed Special District text. Under this alternative, the special permit would not be available within Subdistrict A. The special permit would allow a waiver of the currently proposed 185-foot building height limit that applies to narrow streets, but it is expected that such waiver would not allow buildings taller than 210 feet. The special permit would also allow a waiver of the currently proposed base height before setback (minimum 60 feet and maximum 125 feet) that applies to narrow streets; however, this alternative would maintain the streetwall requirement at the street line, as required under the Proposed Action.

Like the Proposed Action, this alternative would also institute zoning controls designed to preserve Hudson Square's essential character and would prevent out-of-scale hotel development. As with the Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would include construction of a new 444-seat public elementary school on Projected Development Site 1, subject to approvals and requirements of the SCA.

*DEVELOPMENT PROGRAM*

Under this alternative, the elimination of Subdistrict B and the inclusion of a midblock special permit would allow for greater development potential in the Rezoning Area compared with the Proposed Action.

*Changes to Development Program Due to Elimination of Subdistrict B*

The elimination of Subdistrict B would increase the development potential within that area. Applying the same set of specific development site criteria and assumptions as assumed under the RWCDS for the Proposed Action, the elimination of Subdistrict B would result in changes to the anticipated development on Projected Development Sites 5 and 15 and Potential Development Sites 22 and 23 within the Rezoning Area (see **Table 21-156**). On Projected Development Site 5 and Potential Development Sites 22 and 23, the increased development potential is attributed to the increased allowable FAR. For Projected Development Site 15, because the built FAR on Block 578, Lot 71 is less than 50 percent of the maximum permitted FAR with the elimination of Subdistrict B, Projected Development Site 15 would consist of an assemblage between Lots 71 and 75 under this alternative. Thus, the increased development potential on Projected Development Site 15 is attributed to both the larger development site and increased allowable FAR.

**Table 21-615**

**Development Program Comparison—Proposed Action and No Subdistrict B With Midblock Special Permit Alternative**

| Site | Reason for change to development program | Proposed Action[1] | No Subdistrict B With Midblock Special Permit Alternative[1] | Difference (as compared with either RWCDS 1 or RWCDS 2)[1] |
|---|---|---|---|---|
| Projected Development Site 5 | Elimination of Subdistrict B | 62,691 gsf residential; 74 DUs (17 affordable); 8,962 gsf retail; 17 accessory parking spaces | 110,079 gsf residential; 132 DUs (31 affordable); 8,962 gsf retail; 28 accessory parking spaces | 47,388 gsf residential; 58 DUs (14 affordable); 0 gsf retail; 11 accessory parking spaces |
| Projected Development Site 12[2] | Assumed to pursue midblock special permit | 165,802 gsf residential; 198 DUs (46 affordable); 15,175 gsf retail; 43 accessory parking spaces | 186,393 gsf residential; 222 DUs (52 affordable); 15,175 gsf retail; 47 accessory parking spaces | 20,591 gsf residential; 24 DUs (6 affordable); 0 gsf retail; 4 accessory parking spaces |
| Projected Development Site 15 | Elimination of Subdistrict B | 24,874 gsf residential; 30 DUs (7 affordable); 3,556 gsf retail; 0 accessory parking spaces | 126,485 gsf residential; 151 DUs (35 affordable); 8,899 gsf retail; 0 accessory parking spaces | 101,611 gsf residential; 121 DUs (28 affordable); 5,343 gsf retail; 0 accessory parking spaces |
| | | | **Difference, Projected Development Sites** | **169,590 gsf residential; 203 DUs (48 affordable); 5,343 gsf retail; 15 accessory parking spaces** |
| Potential Development Site 22 | Elimination of Subdistrict B | 44,122 gsf residential; 52 DUs (12 affordable); 6,308 gsf retail; 11 accessory parking spaces | 77,474 gsf residential; 92 DUs (21 affordable); 6,308 gsf retail; 19 accessory parking spaces | 33,352 gsf residential; 40 DUs (9 affordable); 0 gsf retail; 8 accessory parking spaces |
| Potential Development Site 23[2] | Elimination of Subdistrict B and assumed to pursue midblock special permit | 37,255 gsf residential; 44 DUs (10 affordable); 5,326 gsf retail; 10 accessory parking spaces | 65,416 gsf residential; 78 DUs (18 affordable); 5,326 gsf retail; 17 accessory parking spaces | 28,161 gsf residential; 34 DUs (8 affordable); 0 gsf retail; 7 accessory parking spaces |
| | | | **Difference, Potential Development Sites** | **61,513 gsf residential; 74 DUs (17 affordable); 0 gsf retail; 15 accessory parking spaces** |

**Notes:** DU = Dwelling unit

1. Under the Proposed Action and the No Subdistrict B With Midblock Special Permit Alternative, there is no difference between RWCDS 1 and RWCDS 2 on Projected Development Sites 5, 12, and 15 and Potential Development Sites 22 and 23.
2. If Projected Development Site 12 and Potential Development Site 23 pursue the midblock special permit, it is assumed that they could be up to 210 feet in height.

*Changes to Development Program Due to Midblock Special Permit*

The midblock special permit under this alternative could facilitate different base and building heights on certain projected and potential development and enlargement sites than what has been assessed for the Proposed Action. Under this alternative, it is assumed that the special permit would be pursued by any projected or potential development or enlargement site that meets the following criteria: (1) is located on the midblock of Block 226, 227, 477, 491, 578, or 579, (2) is not located within Subdistrict A, and (3) is projected to be developed with new construction or enlargement of more than a 1- to 2-story penthouse addition.

Based on these criteria, only Projected Development Site 12 and Potential Development Site 23 would be expected to utilize the special permit. Under the RWCDS for the Proposed Action, Projected Development Site 12 is not expected to be able to develop the full 12.0 FAR under the narrow street bulk regulations and is instead expected to be developed to 10.8 FAR. Under the No Subdistrict B With Midblock Special Permit Alternative, Projected Development Site 12 could utilize the special permit waiver for height and setback to construct a building or buildings up to 210 feet in height and achieve the full 12.0 FAR on the site. Likewise, Potential

Development Site 23, which is not expected to be able to develop the full 12.0 FAR under the narrow street bulk regulations without Subdistrict B, could utilize the special permit waiver for height and setback to construct a building up to 210 feet in height and achieve the full 12.0 FAR on the site.

*Overall Change to Development Program*

Overall, the No Subdistrict B With Midblock Special Permit Alternative would result in changes to the development program of Projected Development Sites 5, 12, and 15 and Potential Development Sites 22 and 23. The development programs of Projected Development Sites 5 and 15 and Potential Development Site 22 would change due only to the elimination of Subdistrict B. The development program of Projected Development Site 12 would change due to the assumption that it would pursue development under the midblock special permit. The development program of Potential Development Site 23 would change due to both the elimination of Subdistrict B and the assumption that it would pursue development under the midblock special permit.

Consistent with the analysis approach throughout this EIS, potential development sites are assessed for site-specific impacts only, such as those related to shadows, historic and cultural resources, urban design, hazardous materials, air quality (stationary sources), and noise (building attenuation). The analyses of density-related impacts (such as socioeconomic conditions, community facilities, open space, and traffic and parking, and transit and pedestrians) associated with the No Subdistrict B With Midblock Special Permit Alternative only considers the additional development on Projected Development Sites 5, 12, and 15.

On the projected development sites, the No Subdistrict B With Midblock Special Permit Alternative would result in an increase of 203 residential units, including 48 affordable units; 5,343 gsf of retail use; and 15 accessory parking spaces as compared with the Proposed Action (see **Table 21-~~15~~16**). It should be noted that 24 units, including 6 affordable units, would be achievable only with the utilization of special permit, which would be subject to a separate environmental review.

## NO SUBDISTRICT B WITH MIDBLOCK SPECIAL PERMIT ALTERNATIVE COMPARED WITH THE PROPOSED ACTION

*LAND USE, ZONING, AND PUBLIC POLICY*

The No Subdistrict B With Midblock Special Permit Alternative would result in an additional 203 residential units and 5,343 gsf of retail use on the projected development sites, compared with the Proposed Action (based on the RWCDS that was analyzed in Chapter 2, "Land Use, Zoning and Public Policy"). There would also be standard wide and narrow street heights in the Subdistrict B area, and an additional lot (Block 578, Lot 71) would be added to Projected Development Site 15.

Like the Proposed Action, the additional development and waivers for height and setback regulations associated with the No Subdistrict B With Midblock Special Permit Alternative would not result in any significant adverse impacts to land use, zoning, or public policy. As with the Proposed Action, this alternative would not directly displace any land uses so as to adversely affect surrounding land uses, nor would the modified program generate land uses that would be incompatible with land uses, zoning, or public policy in either the primary or the secondary study areas. This alternative would also not create land uses or structures that would be incompatible with the underlying zoning, nor would it cause any existing structures to become non-conforming.

Instead, the No Subdistrict B With Midblock Special Permit Alternative would result in a modestly higher residential population with commercial uses that would further the Proposed Action's goal of creating an active mixed-use neighborhood, while preserving its existing built context and commercial uses. As with the Proposed Action, this alternative would: incentivize the development of new affordable housing; allow a greater range of cultural and community facility uses; result in a new public school; and implement specific provisions regulating demolition and conversions of existing buildings, as well as height limits as appropriate, to preserve the essential character of the neighborhood. Like the Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would not result in any significant adverse land use impacts.

Because the use of the midblock special permit for height and setback waivers would require review by the CPC, adverse impacts on land use, zoning, and public policy that could result from a specific development proposal would be assessed and disclosed to the public under and pursuant to a separate environmental review. Additional analyses would be conducted at the time that any site-specific application for a special permit is made.

*SOCIOECONOMIC CONDITIONS*

The No Subdistrict B With Midblock Special Permit Alternative would result in the same direct residential displacement as the Proposed Action and would still fall well below the 500-resident threshold warranting an assessment under the *CEQR Technical Manual*. Therefore, like the Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would not result in any significant adverse impacts due to direct residential displacement.

Along with the 88 businesses that would be displaced with the Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would result in the displacement of one additional business—a parking garage on Projected Development Site 15. The parking garage is estimated to provide employment to approximately three employees. The displacement of the

garage would increase the number of displaced employees from 629 with the Proposed Action to 632 in the No Subdistrict B With Midblock Special Permit Alternative, which represents a 0.002 percent increase and would therefore not be considered a significant adverse impact. The direct business displacement resulting from the No Subdistrict B With Midblock Special Permit Alternative would not be large enough to substantially alter the socioeconomic character of the neighborhood, and there would be no significant adverse impacts due to direct business displacement.

The No Subdistrict B With Midblock Special Permit Alternative would introduce an additional 155 market rate residential units to the study area as compared with the Proposed Action. While this would represent an increase in new residents compared with the Proposed Action, this increase would not be substantial enough to initiate a trend toward increasing rents in the area. In addition, there is no substantial potentially at-risk population in the socioeconomic conditions study area. As is the case in the Proposed Action, even if the No Subdistrict B With Midblock Special Permit Alternative were to contribute to the existing trend toward increased rents in the study area, it would not result in any significant adverse impacts due to indirect residential displacement.

Since the ½-mile study area already contains more than 7.7 million square feet of retail space, the additional 5,343 gsf of retail introduced by the No Subdistrict B With Midblock Special Permit Alternative as compared with the Proposed Action would not introduce an amount of retail space that would alter or accelerate commercial market trends. The No Subdistrict B With Midblock Special Permit Alternative would increase the overall number of residential units by 203 units compared with the Proposed Action. The additional units expected to be introduced by the No Subdistrict B With Midblock Special Permit Alternative would represent a continuation of an existing trend toward more residential development in the study area. The new units are not expected to change the character of the neighborhood and are therefore would not result in any significant adverse impacts due to indirect business displacement.

Like the Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would not result in any significant adverse impacts due to adverse effects on either the creative arts industry or the hospitality and tourism industry.

*COMMUNITY FACILITIES AND SERVICES*

*Indirect Effects on Public Elementary, Intermediate, and High Schools*

The No Subdistrict B With Midblock Special Permit Alternative would result in the overall development of 3,526 new residential units by 2022, which is an incremental increase of 203 residential units compared with the Proposed Action (based on the RWCDS analyzed in Chapter 4, "Community Facilities"). As a result, the No Subdistrict B With Midblock Special Permit Alternative would result in a greater number of new public school students as compared with the Proposed Action. The No Subdistrict B With Midblock Special Permit Alternative would generate demand for approximately 423 elementary school seats, 141 intermediate school seats, and 212 high school seats.[1] By comparison, the Proposed Action would generate demand for approximately 399 elementary school seats, 133 intermediate school seats, and 199 high school seats.

[1] Based on student generation rates listed in Table 6-1a of the *CEQR Technical Manual* (0.12 elementary students, 0.04 intermediate school students, and 0.06 high school students per residential unit in Manhattan).

As with the Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would include construction of a new 444-seat public elementary school on Projected Development Site 1, subject to approvals and requirements of the SCA. The new elementary school seats that would be provided would accommodate all demand for elementary school seats generated by either the Proposed Action or the No Subdistrict B With Midblock Special Permit Alternative. Under the No Subdistrict B With Midblock Special Permit Alternative, the deficit of elementary school seats would decrease from ~~1,025~~670 in the No Action condition to 649~~1,004~~, and the elementary school utilization rate would be ~~127~~ 116 percent (as compared with ~~126~~ 115 percent with the Proposed Action). Like the Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would not increase the elementary school utilization rate in CSD 2/Sub-District 2; rather, the elementary school utilization rate would decrease by approximately 2.5~~four~~ percentage points as compared with the No-Action condition. Therefore, like the Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would not result in any significant adverse impacts to elementary schools.

As with the Proposed Action, the opening of a new public school requires the provision of adequate public funding within the SCA/Department of Education (DOE) budget to fit-out the space and operate the school, which is outside of the Applicant's control. Similar to conditions with the Proposed Action, if ~~1,388~~1,529 residential units or more are developed in the Rezoning Area before a public elementary school is operational, the No Subdistrict B With Midblock Special Permit Alternative would result in a significant adverse impact to elementary schools in CSD 2/Sub-District 2.

~~The greater number of intermediate school students generated under the No Subdistrict B With Midblock Special Permit Alternative would decrease the surplus of intermediate school seats in the study area but such schools would continue to operate with a surplus of seats. Therefore, like the Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would not result in any significant adverse impacts to intermediate schools.~~As with the Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would not result in a significant adverse impact on public intermediate schools. With the Proposed Action, CSD 2/Subdistrict 2 would operate at approximately 100 percent capacity, with a small deficit of 2 seats at the intermediate school level. The greater number of intermediate school students generated under the No Subdistrict B With Midblock Special Permit Alternative would result in a small deficit of 10 seats, and intermediate schools in the subdistrict would operate at 101 percent utilization; however, this would not constitute a significant adverse impact. The need for intermediate seats in the study area in 2022 would be approximately equal to the number of seats provided, and therefore the delivery of intermediate school services would be adequate. Furthermore, as discussed in Chapter 4, "Community Facilities," CSD 2 operates under an intermediate school choice policy, which means that students are not restricted to geographically proximate middle school facilities.Thus, neither the Proposed Action nor the No Subdistrict B With Midblock Special Permit Alternative would result in a significant adverse impact on intermediate schools.

The No Subdistrict B With Midblock Special Permit Alternative would introduce a greater number of high school students compared with the Proposed Action. However, high schools in Manhattan would continue to operate with a surplus of seats. Therefore, like the Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would not result in any significant adverse impacts to high schools.

*Indirect Effects on Libraries*

The No Subdistrict B With Midblock Special Permit Alternative would result in 6,623 new residents in the study area by 2022, an increase of 374 residents as compared with the Proposed Action (based on the RWCDS analyzed in Chapter 4, "Community Facilities"). As a result, the number of new users that would utilize existing public libraries would increase, but this increase would not affect the delivery of library services. Therefore, the population introduced by the No Subdistrict B With Midblock Special Permit Alternative would not impair the delivery of library services in the study area and, like the Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would not result in any significant adverse impacts on public libraries.

*Indirect Effects on Childcare Services*

The No Subdistrict B With Midblock Special Permit Alternative would result in the development of 727 affordable units by 2022, which is an additional 48 units compared with the Proposed Action (based on the RWCDS analyzed in Chapter 4, "Community Facilities"). The No Subdistrict B With Midblock Special Permit Alternative would introduce 84 children who would be eligible for public child care, as compared with 78 children introduced by the Proposed Action.

With the addition of these 84 children, child care facilities in the study area would operate at 102 percent utilization, with a deficit of ~~29~~ 65 slots under the No Subdistrict B With Midblock Special Permit Alternative. Under this alternative, the utilization rate of public child care facilities would increase 4.23 ~~65~~ percentage points over the No-Action condition, compared with ~~4.32~~3.93 percentage points for the Proposed Action. Although child care facilities in the study area would operate with a small deficit of seats, the increase in the utilization rate due to the alternative would be less than five percent, which is the CEQR threshold for a significant adverse impact. Therefore, like the Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would not result in a significant adverse impact on public child care facilities.

*Police and Fire Protection Services*

Like the Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would not result in any significant adverse impacts to police or fire protection services, as it would not affect the physical operations of, or direct access to and from, a precinct house or fire station, nor would it create a sizeable new neighborhood where none existed before.

*OPEN SPACE*

The No Subdistrict B With Midblock Special Permit Alternative would result in similar open space impacts as the Proposed Action. This alternative would not remove or alter any existing publicly accessible open spaces, nor would it result in any significant adverse direct impacts on any open spaces due to noise or air quality. The No Subdistrict B With Midblock Special Permit Alternative would also result in similar impacts to open space due to shadows as compared with the Proposed Action.

The No Subdistrict B With Midblock Special Permit Alternative would result in the same indirect impacts to open space as the Proposed Action. Within the non-residential study area, similar to the Proposed Action, the ratio for passive open space would decrease by 0.6 percent under the No Subdistrict B With Midblock Special Permit Alternative and would still remain

higher than the city's planning goal of 0.15 acres per 1,000 workers. Within the residential study area, under the No Subdistrict B With Midblock Special Permit Alternative, the passive open space ratio would decrease by approximately 9.6 percent as compared with a 9.1 percent decrease under the Proposed Action. However, this ratio would still remain above the city's planning goal of 0.5 acres per 1,000 workers. The ratio of total and active open space to residents would also decrease by 9.6 percent under the No Subdistrict B With Midblock Special Permit Alternative, as compared with a 9.1 percent decrease with the Proposed Action. As with the Proposed Action, the total and active open space ratios in the residential study area would remain lower than the city's guidelines under the No Subdistrict B With Midblock Special Permit Alternative, resulting in a significant adverse impact to open space in the residential study area. Measures to mitigate this significant adverse impact would be similar to those described for the Proposed Action.

*SHADOWS*

Like the Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would result in significant adverse shadow impacts on two publicly accessible open spaces, Trump SoHo Plaza and SoHo Square. As the anticipated development at Projected Development Site 2 would be the same under both the Proposed Action and the No Subdistrict B With Midblock Special Permit Alternative, this development would result in the same significant adverse shadow impacts to Trump SoHo Plaza and SoHo Square. The same measures would be necessary to mitigate the significant adverse impact under this alternative.

With the No Subdistrict B With Midblock Special Permit Alternative, the anticipated development at Projected Development Sites 5, 12, and 15 and Potential Development Sites 22 and 23 would be taller than with the Proposed Action; however, they would not result in substantially more shadows on any nearby open spaces or other sun-sensitive resources on any of the representative analysis days. The No Subdistrict B With Midblock Special Permit Alternative would not result in any additional significant adverse shadow impacts as compared with the Proposed Action.

*HISTORIC AND CULTURAL RESOURCES*

*Archaeological Resources*

Like the Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would result in development on six potential and projected development sites identified as archaeologically sensitive. As noted in Chapter 7, "Historic and Cultural Resources," Projected Development Site 12 (Block 579, Lot 11) and Potential Development Site 23 (Block 578, Lots 77 and 79) were identified as archaeologically sensitive. If Projected Development Site 12 and Potential Development Site 23 were developed pursuant to a special permit, this would be a discretionary action requiring a separate environmental review, which would ensure that any additional archaeological investigations or mitigation for any identified significant resources through avoidance or excavation and data recovery requested by the Landmarks Preservation Committee be completed. As with the Proposed Action, development of the remaining four archaeologically sensitive sites under the No Subdistrict B With Midblock Special Permit Alternative could result in unavoidable significant adverse impacts on archaeological resources.

The No Subdistrict B With Midblock Special Permit Alternative also projects development on Block 578, Lot 71 as part of Projected Development Site 15. The redevelopment of Block 578, Lot 71 is not projected to occur under the Proposed Action. However, in comment a letter dated

December 16, 2008, LPC determined that this lot has no archaeological sensitivity. Therefore, the No Subdistrict B With Midblock Special Permit Alternative would not result in any additional significant adverse impacts to archaeological resources due to the development of Block 578, Lot 71.

*Architectural Resources*

Under the No Subdistrict B With Midblock Special Permit Alternative, as with the Proposed Action, construction on projected and potential development and enlargement sites not controlled by the Applicant could result in significant adverse construction-related impacts on up to ~~1~~ **one known architectural resource (specifically, the S/NR-eligible building at 131 Avenue of the Americas**~~three buildings within the proposed South Village Historic District~~**) and** 6 potential architectural resources. Like the Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would not result in any significant adverse visual or contextual impacts to historic and cultural resources.

If Projected Development Site 12 and Potential Development Site 23 were developed pursuant to a special permit, this would be a discretionary action requiring a separate environmental review. Through the CEQR process, the preparation and implementation of a Construction Protection Plan (CPP) would be required for any architectural resource located within 90 feet, and there would be no significant adverse construction-related impacts on historic resources due to the construction of Projected Development Site 12 and Potential Development Site 23 pursuant to a special permit. Therefore, under this alternative the construction of Projected Development Site 12 would not have the potential to result in a significant adverse construction-related impact on the potential architectural resource at 278 Spring Street. However, the construction of other projected development and enlargement sites would have the potential to result in significant adverse construction-related impacts to this potential resource.

As noted above, the No Subdistrict B With Midblock Special Permit Alternative also projects development on Block 578, Lot 71 as part of Projected Development Site 15. In a letter dated May 7, 2012, LPC determined that the building located on Block 578, Lot 71 does not appear to be a potential architectural resource. There would be no construction-related impacts to potential architectural resources located within 90 feet of Block 578, Lot 71 as a result of development on that parcel. Therefore, the No Subdistrict B With Midblock Special Permit Alternative would result in the same significant adverse impacts to architectural resources as the Proposed Action.

*URBAN DESIGN AND VISUAL RESOURCES*

Similar to the Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would introduce limits on building height, while also establishing contextual streetwall and setback requirements and reduced height limits on the midblocks. However, by eliminating Subdistrict B, this alternative would allow maximum building heights in the lower scale area bounded by Watts, Hudson, and Dominick streets and Avenue of the Americas that would be the same as those throughout the entire proposed Rezoning Area. Thus, the No Subdistrict B With Midblock Special Permit Alternative would not meet the same goal and objective as the Proposed Action of preserving the lower scale urban design character within this area. In addition, by including a special permit to allow height and setback waivers for midblock sites located on blocks with narrow north-south street-to-street depth, this special permit could result in a different massing on Projected Development Site 12 and Potential Development Site 23, if they are developed pursuant to the special permit. Specifically, Projected Development Site 12 and Potential Development Site 23 could be developed with buildings up to 210 feet in height

and with different setbacks than required under the Proposed Action. It is not anticipated that any significant adverse impacts would result from this alternative; however, given that a special permit would be required from the CPC, any adverse impacts on urban design and visual resources that could result from a specific development proposal would be assessed and disclosed to the public under and pursuant to a separate environmental review.

*HAZARDOUS MATERIALS*

Under the No Subdistrict B With Midblock Special Permit Alternative, the footprints of the projected and potential development and enlargement sites would be the same as those of the Proposed Action except for the addition of Tax Block 578, Lot 71 to Projected Development Site 15. At the time of the reconnaissance, this lot was occupied by a six-story parking garage. Although the potential for subsurface contamination at Lot 71 exists due to past on-site uses (historical Sanborn maps showed a filling station) as well as past and present uses in the surrounding area, the potential for significant adverse impacts would be avoided by the same measures proposed for other projected and potential development and enlargement sites as specified in (E) designations. Under the No Subdistrict B With Midblock Special Permit Alternative, a hazardous materials (E) designation would be applied to Tax Block 578, Lot 71 requiring that:

> Prior to construction or renovation involving subsurface disturbance or conversion from non-residential to residential use, the property owner would conduct a Phase I ESA in accordance with ASTM E1527-05.
>
> If required by the Office of Environmental Remediation (OER) and based on the findings of the Phase I ESA, a soil and groundwater testing protocol approved by the OER would be prepared and implemented before development-related building permits can be issued by DOB. If warranted by the findings of the subsurface investigation, site redevelopment would be conducted in accordance with an OER-approved remedial action plan (RAP) and CHASP, with a closure report prepared following construction documenting compliance with the RAP/CHASP. Following construction, if long-term monitoring (e.g., of groundwater quality) is required by DEP, an SMP would be prepared specifying the necessary and appropriate procedures for operation, maintenance, testing and reporting that remediation efforts, if any, have been employed.

With the implementation of these measures, the No Subdistrict B With Midblock Special Permit Alternative would not result in any significant adverse impacts with respect to hazardous materials.

*WATER AND SEWER INFRASTRUCTURE*

The No Subdistrict B With Midblock Special Permit Alternative would result in greater incremental water demand and sanitary sewage flows compared with the Proposed Action (based on the RWCDS analyzed in Chapter 10, "Water and Sewer Infrastructure"). The incremental water demand generated by the No Subdistrict B With Midblock Special Permit Alternative would be approximately 758,000 gallons per day (gpd) compared with the No-Action condition. This incremental water demand represents an 8 percent increase over the Proposed Action. The incremental water demand associated with the No Subdistrict B With Midblock Special Permit Alternative represents a 0.07 percent increase in demand on the New York City water supply system. There would be adequate water service to meet the demand generated by either the Proposed Action or the No Subdistrict B With Midblock Special Permit Alternative; therefore, there would be no significant adverse impacts on the city's water supply.

The incremental sanitary sewage generated by the No Subdistrict B With Midblock Special Permit Alternative would be approximately 394,000 gpd compared with the No-Action condition. This incremental volume in sanitary flow to the combined sewer system represents an approximately 10 percent increase over the Proposed Action, and approximately 0.17 percent of the average daily flow to the Newtown Creek WWTP. This volume would not result in an exceedance of the Newtown Creek WWTP's capacity and, as with the Proposed Action, would not create a significant adverse impact on the city's sanitary sewage conveyance and treatment infrastructure.

The No Subdistrict B With Special Permit Alternative would not be expected to result in any change to impervious surfaces as compared with the Proposed Action. As discussed in Chapter 10, the incorporation of selected on-site stormwater source controls or BMPs will be required for future development in the Rezoning Area, as a part of the DEP site connection application process for new buildings. Potential BMPs are outlined in the BMP Concept Plan in Chapter 10. Like the Proposed Action, with the incorporation of BMPs, the No Subdistrict B With Midblock Special Permit Alternative would not have a significant adverse impact on the city's stormwater conveyance infrastructure.

*SOLID WASTE AND SANITATION SERVICES*

Compared with Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would result in slightly more solid waste (increase of approximately 143,000 lbs/week as compared with 134,000 lbs/week) over the No-Action condition. As with the Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would not result in significant adverse impacts on solid waste or sanitation services.

*ENERGY*

Compared with Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would result in slightly more energy demand (increase of approximately 231,000 million BTUs as compared with 216,000 million BTUs) over the No-Action condition. As with the Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would not result in significant adverse impacts on energy systems.

*TRANSPORTATION*

Based on the trip generation assumptions detailed in Chapter 13, "Transportation," the development that would be allowed without further additional discretionary approvals under the No Subdistrict B With Midblock Special Permit Alternative would generate the same number of trips over the Proposed Action (based on the RWCDS analyzed in Chapter 13) as the No Subdistrict B Alternative discussed above and would result in the same potential for impacts as that alternative. As noted above, additional development potential on Projected Development Site 12 can be achieved only via the utilization of the special permit, also discussed above. The additional development resulting from the utilization of the special permit (approximately 24 residential units) would generate a nominal amount of additional person and vehicle trips (see **Table 21-~~5~~14** above). In addition, the utilization of the special permit for any eligible sites under the No Subdistrict B With Midblock Special Permit Alternative would be subject to a separate environmental review.

*AIR QUALITY*

Under the No Subdistrict B With Midblock Special Permit Alternative, certain developments would be taller. In some cases, the development would be taller due to the elimination of Subdistrict B (Projected Development Sites 5 and 15 and Potential Development Site 22), and in other cases due to the potential use of the midblock special permit (Projected Development Site 12 and Potential Development Site 23). Therefore, a refined air quality analysis was undertaken to determine if these sites would impact other proposed developments or if other proposed developments would impact these sites. Based on this analysis, it was determined that under the No Subdistrict B With Midblock Special Permit Alternative, ~~the (E) designation for Potential Development Site 22 as specified under the Proposed Action would no longer be required. The (E) designations for Projected Development Sites 5 and 12 and Potential Development Site 23 as specified under the Proposed Action would remain the same under the No Subdistrict B With Midblock Special Permit Alternative. At Projected Development Site 15, the (E) designation under the No Subdistrict B With Midblock Special Permit Alternative would only require the restriction on the use of fuel to natural gas (and no restrictions on stack location or the use of low $NO_x$ burner equipment).~~the (E) designation for Projected Development Site 5 would remain the same. The (E) designations for Projected Development Site 15 and Potential Development Site 22 as specified under the No Subdistrict B With Midblock Special Permit Alternative would still require a restriction on fuel type (natural gas) and the use of low $NO_x$ (30ppm burners) but would not require a restriction on stack location. At Potential Development Site 23, the (E) designation under the No Subdistrict B With Midblock Special Permit Alternative would require a different restriction on stack location.

None of the projected developments in the modified program under the No Subdistrict B With Midblock Special Permit Alternative would be affected by existing large sources and commercial, institutional and large scale residential developments. Therefore, the conclusions regarding these existing sources would remain the same under the No Subdistrict B With Midblock Special Permit Alternative.

The emissions from existing industrial sources would be the same with the No Subdistrict B With Midblock Special Permit Alternative. Therefore, as with the Proposed Action, this alternative would not result in any significant adverse air quality impacts from industrial sources.

As noted above, additional analyses regarding Projected Development Site 12 and Potential Development Site 23 would be conducted at the time that any site-specific applications for special permits are made.

*GREENHOUSE GAS EMISSIONS*

Compared with the Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would result in more residential and ground floor retail space. These uses would result in GHG emissions from energy use and transportation greater than those identified for the Proposed Action in Chapter 15, "Greenhouse Gas Emissions." As with the Proposed Action, the development would occur in an area with excellent access to public transit and would be consistent with sustainable land-use planning and smart-growth strategies, which aim to reduce the carbon footprint of new development. As with the Proposed Action, with the No Subdistrict B With Midblock Special Permit Alternative, the Applicant would commit to designing all new development on projected development sites under the Applicant's control (Projected Development Sites 1 through 4, and to the extent practicable, the Applicant's Projected Enlargement Site 1) to meet current standards for the USGBC's LEED Silver certification. As

such, specific measures would be incorporated into the design and construction of each new development to qualify for the LEED Silver rating, which would decrease the potential GHG emissions. Through the special permit process, the city could potentially require similar measures at Projected Development Site 12 and Potential Development Site 23, which are not under the Applicant's control. Therefore, like Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would be consistent with the city's emissions reduction goal, as defined in the *CEQR Technical Manual*.

*NOISE*

Under the No Subdistrict B With Midblock Special Permit Alternative, it is anticipated that Projected Development Sites 5, 12, and 15 and Potential Development Sites 22 and 23 would consist of additional residential and retail development and would generate more vehicular trips to the sites. As discussed above under "Transportation," the increase in vehicular traffic is expected to be small and, as with the Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would not result in any mobile source noise impacts. Building attenuation requirements at all sites would be the same as with the Proposed Action, with the exception of Projected Development Site 15, which would be expanded to include Block 578 Lot 71 under the No Subdistrict B With Midblock Special Permit Alternative. Thus, under this alternative, attenuation requirements for Block 578 Lot 71 would be 31 dBA on all façades.

As noted above, additional analyses regarding Projected Development Site 12 and Potential Development Site 23 would be conducted at the time that any site-specific applications for special permits are made.

*NEIGHBORHOOD CHARACTER*

Compared with the Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would result in additional residential and retail development. Similar to the Proposed Action, these increases in residential and retail space would serve to create a vibrant mixed-use neighborhood. The No Subdistrict B With Midblock Special Permit Alternative would introduce a larger residential population to the study area than the Proposed Action, which would support the increase in retail and serve to activate the neighborhood's street life.

Similar to the Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would introduce limits on building height, while also establishing contextual streetwall and setback requirements that would result in reduced height limits on the midblocks. However, by eliminating Subdistrict B, this alternative would not preserve the lower scale of the existing built context within this area. Unlike the Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would allow for height and setback waivers for midblock sites but it is expected that such height waiver would not exceed 210 feet. Future use of the special permit would be subject to review by the CPC, and would be subject to separate discretionary approval and any environmental impacts associated with such action would be assessed and disclosed to the public pursuant to separate environmental review.

Overall, the No Subdistrict B With Midblock Special Permit Alternative would result in similar effects compared with the Proposed Action, and, like the Proposed Action, would create a vibrant, mixed-use neighborhood in Hudson Square while preserving its essential character. The No Subdistrict B With Midblock Special Permit Alternative would result in a greater increase in the residential population in the study area than the Proposed Action. Like the Proposed Action, under the No Subdistrict B With Midblock Special Permit Alternative, this population would be

served by retail and community facility uses, and would enliven the streetscape of the area. Therefore, like the Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would not result in any significant adverse impacts to neighborhood character.

*CONSTRUCTION*

The No Subdistrict B With Midblock Special Permit Alternative would result in additional development and taller buildings on Projected Development Sites 5, 12, and 15 and Potential Development Sites 22 and 23. This additional development could result in slightly longer construction duration for these sites. Nonetheless, because the Proposed Action and the No Subdistrict B With Midblock Special Permit Alternative would result in the same amount of development on all sites in the Rezoning Area except for those within Subdistrict B and those that could utilize the midblock special permit, it is expected that the overall construction activities and conceptual schedule would be similar.

Both the No Subdistrict B With Midblock Special Permit Alternative and the Proposed Action could result in significant adverse construction impacts related to transportation (traffic and pedestrians) and historic architectural and archaeological resources.

As with the Proposed Action, under the No Subdistrict B With Midblock Special Permit Alternative the Applicant would prepare and implement a CPP for the potential architectural resources within 90 feet of its projected development and enlargement sites. However, as with the Proposed Action, construction under the No Subdistrict B With Midblock Special Permit Alternative on sites not controlled by the Applicant could result in significant adverse construction-related impacts on up to **one known architectural resource (specifically, 131 Avenue of the Americas** ~~three buildings within the proposed South Village Historic District~~**) and** 6 potential architectural resources due to their locations within 90 feet of sites that may be developed under the either the No Subdistrict B With Midblock Special Permit Alternative or the Proposed Action.

As with the Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would not result in significant adverse construction impacts with respect to air quality, noise, hazardous materials, transit, open space, socioeconomic conditions, community facilities, and land use and neighborhood character. For the Applicant's projected development and enlargement sites, the No Subdistrict B With Midblock Special Permit Alternative would include the use of equipment with the same extensive emission controls and noise abatement measures that would be provided with the Proposed Action.

*PUBLIC HEALTH*

The No Subdistrict B With Midblock Special Permit Alternative, like the Proposed Action, would not result in any significant adverse public health impacts associated with construction or operation of the new development on any development sites. More detailed analysis of public health, if necessary, would be performed at such time as any site-specific applications for special permits are made.

## F. MODIFIED MIDBLOCK SITE ALTERNATIVE

During the public review of the Draft Scope of Work for the DEIS, a property owner, Edison Properties, raised two comments related to their properties within the Rezoning Area and provided specific modifications to the Special District zoning text (modifications to the proposed zoning text provided in **Appendix 8**). The first comment requests that the EIS study the

elimination of storage as a use subject to restrictions on conversion/demolition. The proposed zoning controls under the Proposed Action do not require the preservation of a particular use, but rather require the preservation of a pre-existing amount of non-residential use of any kind that is otherwise permitted in the Rezoning Area. Therefore, storage use could be changed to a use with a higher employment rate such as offices. The proposed zoning control is consistent with ~~DCP's policy~~the goals and objectives of the proposal with respect to preservation of existing non-residential uses in manufacturing districts and is based on the precedent established by the M1-6D district that was recently mapped in an existing manufacturing district in midtown Manhattan, with a similar goal of preserving non-residential uses while allowing for limited new residential development. Thus, the requested modification to the Special District zoning text, to eliminate storage as a use subject to restrictions on conversion/demolition, is not consistent with the goals and objectives of the Proposed Action.

The second comment, raised during the scoping comment period and in a subsequent letter to the Chair of the CPC (dated March 29, 2012), requests that an alternate massing be considered for a midblock through-lot site located on Block 579, Lot 35 (Projected Development Site 12), allowing a taller building in exchange for the provision of public open space on the site. The modification to the Special District zoning text requested by Edison Properties would add the following text:

"For zoning lots located outside of Subdistricts A and B that include a through-lot fronting on two narrow streets and provide publicly accessible open areas, the Chairperson of the CPC shall allow, by certification, the height and setback regulations set forth in Section 88-33 to apply as though such zoning lot was located on a wide street, and the street wall location provisions of Section 88-33(b)(1) to apply along only one street frontage, provided that:

(a) such publicly accessible open area provides an appropriate amenity to the surrounding area;

(b) such publicly accessible open area has appropriate access, circulation, landscaping, seating, paving and lighting; and

(c) such publicly accessible open area is located along a south-facing street line as defined in Section 37-714."

An alternative, the Modified Midblock Site Alternative, is being considered in response to this comment because it would include an incentive for creating new public open space that would help offset the Proposed Action's significant adverse impact on open space. The modification to the Special District zoning text requested by Edison Properties would allow this provision to apply (through certification of the Chairperson of the CPC) to any through-lot fronting on two narrow streets. However, of the three through-lot projected development sites subject to narrow street regulations (Projected Development Sites 6, 12, and 14), only Projected Development Site 12, which is located on a block with a shorter north-south dimension, would not be able to achieve the maximum FAR of 12 under the proposed height and setback regulations. Because the proposed control is intended to afford relief to development sites that could be constrained from achieving the maximum FAR, the Modified Midblock Site Alternative is assumed to apply only to blocks with a depth of less than 180 feet, and Projected Development Site 12 is the only development site assumed to pursue a "building plus open space" development as a result of such modification to the Special District zoning text. Under this alternative, Projected Development Site 12 could be developed with a taller building with more floor area than analyzed under the Proposed Action.

The specific nature of a development proposal pursuant to this modification may vary as it relates to building height and density and the proposed public open space size and programming. However, Edison Properties has proposed the following specific proposal: construction of a 30-story, 320-foot tall residential building with ground-floor retail with frontage on Spring Street and approximately 9,750 square feet of publicly accessible, privately owned open space situated along Dominick Street programmed with both passive and active (i.e., playground equipment) uses. **Figure 21-19~~2~~** provides an illustrative massing of this proposed building.

While the Modified Midblock Site Alternative would provide a small amount of additional open space in the Rezoning Area, it would not be consistent with the Proposed Action's urban design policy goals. Specifically, the Proposed Action's special district requirements place strictly defined building envelope requirements on new developments, establish maximum building heights and mandate continuous streetwalls with setbacks above specified base heights. These controls are designed to help ensure that new developments relate to the existing scale and character found throughout the Rezoning Area. The Modified Midblock Site Alternative would not be consistent with the urban design policy goal of locating bulk on wide streets and preserving a lower-scale midblock. The proposed height limits on wide and narrow streets (320 feet and 185 feet, respectively) under the Proposed Action have been developed to reflect contextual height and setback regulations in the Rezoning Area. This alternative would allow a building substantially taller than the extant buildings on narrow streets in the Rezoning Area, and thus would not be consistent with the contextual height limits.

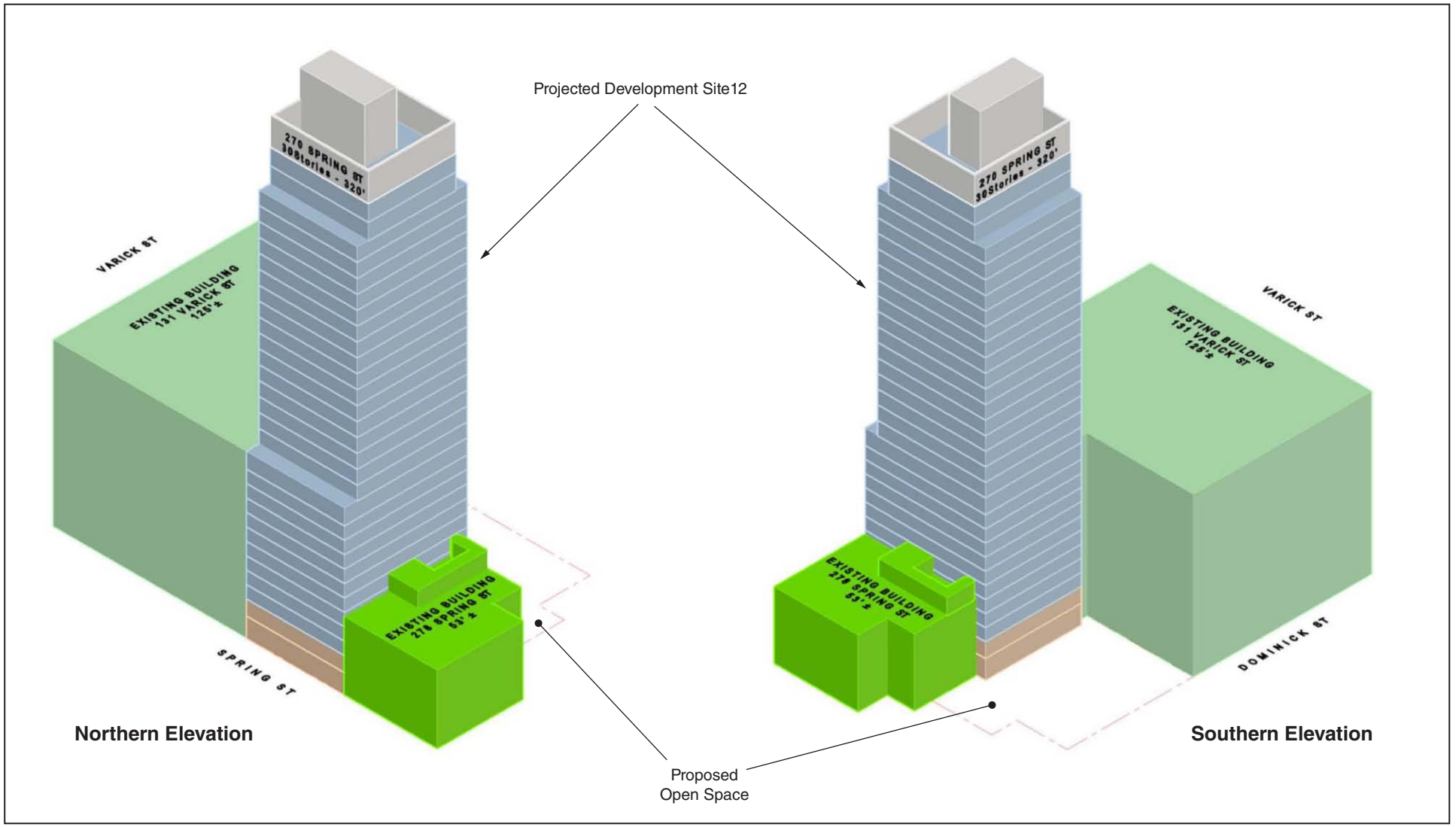
In addition, under the Modified Midblock Site Alternative, there would be a substantial gap in the streetwall along Dominick Street, which would not be consistent with the urban design policy goal of maintaining a continuous streetwall in the Rezoning Area. Under the Proposed Action, the plaza bonus that exists under the current zoning would be eliminated in order to maintain a continuous streetwall and encourage development that is more in keeping with the existing urban design and visual character of the area, as well as to facilitate a more lively, pedestrian-friendly environment and to strengthen retail activity. This alternative would allow for development similar to the existing plaza bonus, which would not be consistent with the Proposed Action's urban design goals. Moreover, although this alternative would provide a small amount of additional open space, this open space would only partially alleviate the Proposed Action's significant adverse open space impact and would compromise the urban design elements of the Proposed Action that are intended to provide for a more vibrant street life to support and enhance the commercial character of the neighborhood and to preserve the existing contextual character of the neighborhood.

Thus, this alternative would not be consistent with the Proposed Action's urban design policy goals and objectives.

## G. LOWER HEIGHT ALTERNATIVE

### DESCRIPTION

In response to public scoping comments requesting lower height limits within the Rezoning Area, a Lower Height Alternative has been analyzed. Under this alternative, the maximum building heights and base heights mandated in the Special Hudson Square District text would be modified as follows:




NOTE: Illustrative massing provided by Edison Properties

Illustrative Massing of Projected Development Site 12
Modified Midblock Massing Alternative
Figure 21-19

- On wide streets, the maximum building height would decrease from 320 feet with the Proposed Action to 180 feet (maximum base height would remain at 150 feet).
- On narrow streets beyond 100 feet of their intersection with a wide street, the maximum building height would decrease from 185 feet with the Proposed Action to 120 feet and the maximum base height would decrease from 125 feet with the Proposed Action to 85 feet.
- In Subdistrict A, the maximum building height would decrease from 430 feet with the Proposed Action to 240 feet (maximum base height would remain at 150 feet).
- There would be no change to the proposed height limits in Subdistrict B (as with the Proposed Action, the maximum building height would be 120 feet and maximum base height would be 85 feet).

The height limits for the Lower Height Alternative were selected in response to a specific public scoping comment requesting a height limit of 180 feet for wide streets. Although the commenter did not provide specific height limit reductions for narrow streets or Subdistrict A, this alternative contemplates similar proportional reductions for these areas (approximately 35 to 44 percent decrease in the height limits) to reflect the urban design policy goal of preserving a lower-scale midblock in the Rezoning Area. Given Subdistrict B's low height limits under the Proposed Action, no further reduction in height was contemplated for this area.

Under the Lower Height Alternative, only the maximum building heights and maximum base heights would be modified; there would be no change to the permitted uses, FAR, setbacks, rear yard requirements, or other bulk requirements in the proposed Special District text. Like the Proposed Action, this alternative would also institute zoning controls designed to preserve Hudson Square's essential character and would prevent out-of-scale hotel development.

*DEVELOPMENT PROGRAM*

The Lower Height Alternative would result in the same projected and potential development, conversion, and enlargement sites as the RWCDS for the Proposed Action. However, as a result of the lower height limits, the maximum FAR achievable on many projected development and projected enlargement sites (specifically, Projected Development Sites 1, 3, 6, 8, 9, 12, 14, 16, 17, 19, and Projected Enlargement Sites 1 and 2) would be reduced under the Lower Height Alternative, as shown in **Table 21-~~7~~16**. Furthermore, under the Lower Height Alternative, Projected Development Sites 2, 7, and 13 could achieve the maximum permitted FAR of 12 but would not be able to accommodate any transfer of development rights (TDRs) from adjacent properties, as was assumed under the Proposed Action. Likewise, Projected Development Site 10 would not be able to accommodate all of the TDRs from adjacent properties as was assumed under the Proposed Action. As a result, there would be a reduction in development program on the majority of projected development and enlargement sites as compared with the two development scenarios (RWCDS 1 and RWCDS 2) analyzed under the Proposed Action. With the substantial reductions in the height limit under the Lower Height Alternative, the Applicant would not utilize the floor area exemption that is available for the development of a public school in Subdistrict A. Such significant height limit reductions throughout the Rezoning Area would make it infeasible to generate sufficient revenue from the projected development and enlargement sites under the Applicant's control to cross-subsidize the development of a school. Thus, the new 444-seat public elementary school would not be developed on Projected Development Site 1.

**Table 21-~~7~~16**
**Maximum Achievable FAR—Proposed Action and Lower Height Alternative**

| Site | Proposed Action Maximum Achievable FAR | Lower Height Alternative Maximum Achievable FAR |
|---|---|---|
| Projected Development Site 1 | 9.0 (+ 2.3 exemption for school) | 9.0[1] |
| Projected Development Site 2 | 12.0 | 12.0[2] |
| Projected Development Site 3 | 12.0 | 9.1[3] |
| Projected Development Site 4 | 12.0 | 12.0 |
| Projected Development Site 5 | 7.2 | 7.2 |
| Projected Development Site 6 | 12.0 | 7.3 |
| Projected Development Site 7 | 12.0 | 12.0[2] |
| Projected Development Site 8 | 12.0 | 6.3 |
| Projected Development Site 9 | 12.0 | 11.8 |
| Projected Development Site 10 | 12.0 | 12.0[2] |
| Projected Development Site 11 | 6.6 | 6.6 |
| Projected Development Site 12 | 10.8 | 6.8 |
| Projected Development Site 13 | 12.0 | 12.0[2] |
| Projected Development Site 14 | 12.0 | 7.2 |
| Projected Development Site 15 | 7.2 | 7.2 |
| Projected Development Site 16 | 12.0 | 7.1 |
| Projected Development Site 17 | 12.0 | 10.8 |
| Projected Development Site 18 | 7.0 | 7.0 |
| Projected Development Site 19 | 12.0 | 10.7 |
| Projected Enlargement Site 1 | 10.0 | 7.8 |
| Projected Enlargement Site 2 | 10.0 | 9.8 |
| Projected Enlargement Site 3 | 6.4 | 6.4 |

**Notes:**
Sites in bold would not be able to achieve the maximum permitted FAR under the Lower Height Alternative.
[1] With the lower building height limit in Subdistrict A, the Applicant would not utilize the floor area exemption that is available for the development of a public school in Subdistrict A, and a new 444-seat public elementary school would not be developed on Projected Development Site 1.
[2] Under the Lower Height Alternative, Projected Development Sites 2, 7, and 13 could achieve the maximum permitted FAR of 12 but would not be able to accommodate any TDRs from adjacent properties as was assumed under the Proposed Action. Projected Development Site 10 would be able to accommodate only approximately 11,700 zoning square feet (zsf) of TDRs compared with the approximately 67,800 zsf of TDRs assumed under the Proposed Action. As a result, there would be a reduction in development program on these sites.
[3] Under the Lower Height Alternative, Projected Development Site 3 would achieve 9.1 FAR utilizing the sliding scale bonus.
**Sources:** Lower Height Alternative maximum achievable FAR provided by SHoP Architects.

As shown in **Table 21-~~8~~17**, as compared with the Proposed Action, the Lower Height Alternative would result in a net decrease of 886 units under RWCDS 1 or 731 units and 232 dormitory beds under RWCDS 2 (see full RWCDS tables for the Lower Height Alternative in **Appendix 8**). Thus, as compared with the Proposed Action, the Lower Height Alternative would result in up to a 27 percent reduction (or 25 percent reduction under RWCDS 2) in the number of residential units projected for the Rezoning Area. The lower height limits would restrict the number of development sites that would be able to develop enough floor area to utilize the Inclusionary Housing Program incentive. On development sites that would be able to develop enough floor area to utilize the Inclusionary Housing Program incentives, the lower height limits would limit the total amount of floor area that could be achieved (and therefore reduce the number of affordable housing units developed) as compared with the Proposed Action. As compared with the Proposed Action, the Lower Height Alternative would result in net decrease of 323 to 404 affordable dwelling units (decrease of 404 affordable units under RWCDS 1 or 323 affordable units under RWCDS 2). Thus, as compared with the Proposed Action, the Lower Height Alternative would result in up to a 59 percent reduction (or 54 percent reduction under RWCDS 2) in the number of affordable units projected for development in the Rezoning Area.

**Table 21-~~8~~17**
**Development Program Comparison—Proposed Action and Lower Height Alternative**

| Site | Proposed Action | Lower Height Alternative | Difference |
|---|---|---|---|
| Projected Development Site 1 | RWCDS 1: 381,002 gsf, including 7,274 gsf retail, 75,000 gsf school, 341 market rate dwelling units<br>RWCDS 2: *Same as RWCDS 1* | RWCDS 1: 306,759 gsf, including 19,167 gsf retail and 328 market rate dwelling units<br>RWCDS 2: *Same as RWCDS 1* | RWCDS 1:<br>*Decrease* – 13 market rate units<br>*Decrease* – 75,000 gsf school<br>*Increase* – 11,893 gsf retail<br>RWCDS 2: *Same as RWCDS 1* |
| Projected Development Site 2** | RWCDS 1: 267,386 gsf, including 11,328 gsf retail and 305 dwelling units (including 71 affordable units)<br>RWCDS 2: *Same as RWCDS 1* | RWCDS 1: 150,475 gsf, including 11,328 gsf retail and 166 dwelling units (including 39 affordable units)<br>RWCDS 2: *Same as RWCDS 1* | RWCDS 1:<br>*Decrease* – 107 market rate units<br>*Decrease* – 32 affordable units<br>RWCDS 2: *Same as RWCDS 1* |
| Projected Development Site 3 | RWCDS 1: 594,364 gsf, including 41,065 gsf retail, 51, 341 gsf office, 598 dwelling units (including 139 affordable units)<br>RWCDS 2: *Same as RWCDS 1* | RWCDS 1: 450,056 gsf, including 41,065 gsf retail, 51, 341 gsf office and 409 market rate dwelling units<br>RWCDS 2: *Same as RWCDS 1* | RWCDS 1:<br>*Decrease* – 50 market rate units<br>*Decrease* – 139 affordable units<br>RWCDS 2: *Same as RWCDS 1* |
| Projected Development Site 6 | RWCDS 1: 252,426 gsf*, including 19,004 gsf retail and 278 dwelling units (including 65 affordable units)<br>RWCDS 2: 223,575 gsf*, including 19,004 gsf retail and 204,571 dormitory (620 beds) | RWCDS 1: 154,033 gsf*, including 19,004 gsf retail and 154 market rate dwelling units<br>RWCDS 2: 163,210 gsf*, including 19,004 gsf retail and 144, 206 gsf dormitory (437 beds) | RWCDS 1:<br>*Decrease* – 59 market rate units<br>*Decrease* – 65 affordable units<br>RWCDS 2:<br>*Decrease* – 60,365 gsf dormitory (183 beds) |
| Projected Development Site 7** | RWCDS 1: 140,391 gsf, including 7,013 gsf retail and 159 dwelling units (including 37 affordable units)<br>RWCDS 2: *Same as RWCDS 1* | RWCDS 1: 93,146 gsf, including 7,013 gsf retail and 103 dwelling units (including 24 affordable units)<br>RWCDS 2: *Same as RWCDS 1* | RWCDS 1:<br>*Decrease* – 43 market rate units<br>*Decrease* – 13 affordable units<br>RWCDS 2: *Same as RWCDS 1* |
| Projected Development Site 8 | RWCDS 1: 70,990 gsf, including 5,344 gsf retail and 78 dwelling units (including 18 affordable units)<br>RWCDS 2: *Same as RWCDS 1* | RWCDS 1: 37,431 gsf, including 5,344 gsf retail and 37 market rate dwelling units<br>RWCDS 2: *Same as RWCDS 1* | RWCDS 1:<br>*Decrease* – 23 market rate units<br>*Decrease* – 18 affordable units<br>RWCDS 2: *Same as RWCDS 1* |
| Projected Development Site 9 | RWCDS 1: 169,986 gsf, including 12,797 gsf retail and 188 dwelling units (including 44 affordable units)<br>RWCDS 2: *Same as RWCDS 1* | RWCDS 1: 167,166 gsf, including 12,797 gsf retail, 184 dwelling units (including 43 affordable units)<br>RWCDS 2: *Same as RWCDS 1* | RWCDS 1:<br>*Decrease* – 3 market rate units<br>*Decrease* – 1 affordable unit<br>RWCDS 2: *Same as RWCDS 1* |
| Projected Development Site 10** | RWCDS 1:133,906 gsf, including 4,827 gsf and 154 dwelling units (including 36 affordable)<br>RWCDS 2: *Same as RWCDS 1* | RWCDS 1: 76,213 gsf, including 4,827 gsf retail and 85 dwelling units (including 20 affordable units)<br>RWCDS 2: *Same as RWCDS 1* | RWCDS 1:<br>*Decrease* – 53 market rate units<br>*Decrease* – 16 affordable units<br>RWCDS 2: *Same as RWCDS 1* |
| Projected Development Site 12 | RWCDS 1: 180,977 gsf, including 15,175 gsf retail and 198 dwelling units (including 46 affordable units)<br>RWCDS 2: *Same as RWCDS 1* | RWCDS 1: 114,641 gsf, including 15,175 gsf retail and 114 market rate dwelling units<br>RWCDS 2: *Same as RWCDS 1* | RWCDS 1:<br>*Decrease* – 38 market rate units<br>*Decrease* – 46 affordable units<br>RWCDS 2: *Same as RWCDS 1* |
| Projected Development Site 13** | RWCDS 1: 86,901 gsf, including 5,484 gsf retail and 97 dwelling units (including 23 affordable units)<br>RWCDS 2: *Same as RWCDS 1* | RWCDS 1: 72,840 gsf, including 5,484 gsf retail and 81 dwelling units (including 19 affordable units)<br>RWCDS 2: *Same as RWCDS 1* | RWCDS 1:<br>*Decrease* – 12 market rate units<br>*Decrease* – 4 affordable units<br>RWCDS 2: *Same as RWCDS 1* |

**Table 21-~~8~~17 (cont'd)**
**Development Program Comparison—Proposed Action and Lower Height Alternative**

| Site | Proposed Action | Lower Height Alternative | Difference |
|---|---|---|---|
| Projected Development Site 14 | RWCDS 1: 187,584 gsf, including 14,122 gsf retail and 207 dwelling units (including 48 affordable units)<br>RWCDS 2: *Same as RWCDS 1* | RWCDS 1: 112,910 gsf, including 14,122 gsf retail and 113 market rate dwelling units<br>RWCDS 2: *Same as RWCDS 1* | RWCDS 1:<br>*Decrease* – 46 market rate units<br>*Decrease* – 48 affordable units<br>RWCDS 2: *Same as RWCDS 1* |
| Projected Development Site 16 | RWCDS 1: 62,098 gsf*, including 4,675 gsf retail and 68 dwelling units (including 16 affordable units)<br>RWCDS 2: 55,000 gsf*, including 4,675 gsf retail and 50,325 gsf dormitory (153 beds) | RWCDS 1: 36,863 gsf*, including 4,675 gsf retail and 37 market rate dwelling units<br>RWCDS 2: 39,050 gsf*, including 4,675 gsf retail and 34,375 gsf dormitory (104 beds) | RWCDS 1:<br>*Decrease* – 15 market rate units<br>*Decrease* – 16 affordable units<br>RWCDS 2:<br>*Decrease* – 15,950 gsf dormitory (49 beds) |
| Projected Development Site 17 | RWCDS 1: 62,098 gsf, including 4,675 gsf retail and 68 dwelling units (including 16 affordable units)<br>RWCDS 2: *Same as RWCDS 1* | RWCDS 1: 55,918 gsf, including 4,675 gsf retail and 61 dwelling units (including 14 affordable units)<br>RWCDS 2: *Same as RWCDS 1* | RWCDS 1:<br>*Decrease* – 5 market rate units<br>*Decrease* – 2 affordable units<br>RWCDS 2: *Same as RWCDS 1* |
| Projected Development Site 19 | RWCDS 1: 124,195 gsf, including 9,350 gsf retail and 121 dwelling units (including 32 affordable units)<br>RWCDS 2: *Same as RWCDS 1* | RWCDS 1: 110,805 gsf, including 9,350 gsf retail and 107 dwelling units (including 28 affordable units)<br>RWCDS 2: *Same as RWCDS 1* | RWCDS 1:<br>*Decrease* – 10 market rate units<br>*Decrease* – 4 affordable units<br>RWCDS 2: *Same as RWCDS 1* |
| Projected Enlargement Site 1 | RWCDS 1: 391,871 gsf, including 3,000 gsf retail and 388,871 gsf office<br>RWCDS 2: *Same as RWCDS 1* | RWCDS 1: 300,606 gsf, including 3,000 gsf retail and 297,606 gsf office<br>RWCDS 2: *Same as RWCDS 1* | RWCDS 1:<br>*Decrease* – 91,265 gsf office<br>RWCDS 2: *Same as RWCDS 1* |
| Projected Enlargement Site 2 | RWCDS 1: 270,235 gsf, including 21,411 gsf retail, 192,699 gsf office, 54 market rate dwelling units<br>RWCDS 2: *Same as RWCDS 1* | RWCDS 1: 264,702 gsf, including 21,411 gsf retail, 192,699 gsf office, 49 market rate dwelling units<br>RWCDS 2: *Same as RWCDS 1* | RWCDS 1:<br>*Decrease* – 5 market rate units<br>RWCDS 2: *Same as RWCDS 1* |
| | | TOTAL | RWCDS 1:<br>*Decrease* – 886 dwelling units, including 482 market rate units and 404 affordable units<br>*Decrease* – 75,000 gsf school, 91,265 gsf office<br>*Increase* – 11,893 gsf retail<br>RWCDS 2:<br>*Decrease* – 731 dwelling units, including 408 market rate units and 323 affordable units<br>*Decrease* – 75,000 gsf school, 91,265 gsf office<br>*Decrease* – 76,315 gsf dormitory (232 beds)<br>*Increase* – 11,893 gsf retail |

**Notes**:
* The difference in the total gsf between RWCDS 1 and RWCDS 2 is due to assumptions regarding conversion of zoning floor area to gross floor area (a 10 percent increase from zsf to gsf is assumed for commercial uses and a 3 percent increase from zsf to gsf is assumed for residential uses).
** Under the Lower Height Alternative, Projected Development Sites 2, 7, and 13 could achieve the maximum permitted FAR of 12 but would not be able to accommodate any TDRs from adjacent properties as was assumed under the Proposed Action. Projected Development Site 10 would be able to accommodate only approximately 11,700 zoning square feet (zsf) of TDRs compared with the approximately 67,800 zsf of TDRs assumed under the Proposed Action. As a result, there would be a reduction in development program on these sites.

The Lower Height Alternative would also result in a net decrease of 91,265 gsf of office use (on Projected Enlargement Site 1). As a result of the elimination of the proposed school on Projected Development Site 1, the Lower Height Alternative would result in an additional 11,893 gsf of ground floor retail use on that site as compared with the Proposed Action.

## LOWER HEIGHT ALTERNATIVE COMPARED WITH THE PROPOSED ACTION

### *LAND USE, ZONING AND PUBLIC POLICY*

Under the Lower Height Alternative, the proposed height limits would be reduced throughout the Rezoning Area, except for within Subdistrict B, as described above. Under the Lower Height Alternative, approximately half of the projected development sites would not be able to reach the maximum permitted FAR of 12.0 and there would be a reduction in development program on the majority of projected development and enlargement sites as compared with the Proposed Action (see **Tables 21-7 and 21-8**).

As described above, this alternative would result in a substantial decrease in the overall number of residential units and the number of affordable units as compared with the Proposed Action. The decrease in the number of affordable units is proportionately greater than the overall decrease in residential units, as fewer sites would be able to utilize the Inclusionary Housing bonus with the lower height limits. In addition, as discussed above, the Applicant would not utilize the floor area exemption that is available for the development of a public school in Subdistrict A. Thus, the new public elementary school that would be built on Projected Development Site 1 under the Proposed Action would not be built under the Lower Height Alternative.

The Lower Height Alternative, like the Proposed Action, would not result in any significant adverse impacts to land use, zoning, or public policy. As with the Proposed Action, the Lower Height Alternative would allow the Rezoning Area to evolve into a more active, mixed-use neighborhood than under the existing zoning while preserving its existing built context and commercial uses, but the extent of that increased activity would be lower. The Lower Height Alternative would not achieve many of the land use objectives of the Proposed Action. The Lower Height Alternative would result in fewer new residents and variety of retail that are, under the Proposed Action, expected to enliven the area. In addition, the Lower Height Alternative is expected to result in a substantial decrease in the number of affordable housing units to be developed, compared to the Proposed Action. The Lower Height Alternative would not result in the development of a new public elementary school. As compared with the Proposed Action, the Lower Height Alternative would be less supportive of applicable public policies, such as advancing the Hudson Square Connection's stated goal of transforming the area into a major creative center, or fulfilling PlaNYC's goal with respect to creating transit-oriented development with affordable housing. Overall, the Lower Height Alternative would not result in any significant adverse impacts to land use, zoning, or public policy, but would not meet many of the land use goals and objectives of the Proposed Action, and would be less supportive of applicable public policies than the Proposed Action.

### *SOCIOECONOMIC CONDITIONS*

The Lower Height Alternative would result in the same limited direct residential displacement as the Proposed Action and would still fall well below the 500-resident threshold warranting an assessment under the *CEQR Technical Manual*. Similarly, the Lower Height Alternative would

result in the same limited business displacement as the Proposed Action. Therefore, like the Proposed Action, the Lower Height Alternative would not result in any significant adverse impacts due to direct residential displacement or direct business displacement.

As many development sites would not be able to reach the full 12.0 FAR, and there would be a reduction in development program on the majority of projected development and enlargement sites as compared with the Proposed Action, the Lower Height Alternative would result in up to a 27 percent reduction in the total number of residential units, and a larger reduction (54 to 59 percent) in the number of affordable units to be developed in the Rezoning Area. The Lower Height Alternative would introduce between 1,971 (RWCDS 2) and 2,162 (RWCDS 1) new market rate residential units to the study area, which would be 408 units (RWCDS 2) to 482 units (RWCDS 1) fewer than the Proposed Action. The Lower Height Alternative would also result in the development of 275 affordable housing units under both RWCDS 1 and RWCDS 2, which is up to 404 fewer affordable housing units as compared with the Proposed Action.

Like the Proposed Action, the Lower Height Alternative would not be expected to initiate a trend toward increasing rents in the area. In addition, there is not a substantial population in the study area potentially at risk of indirect residential displacement. Therefore, the Lower Height Alternative, like the Proposed Action, would not result in any significant adverse impacts due to indirect residential displacement.

The Lower Height Alternative would result in a slight increase in retail space as compared with the Proposed Action (as a result of the allocation of ground-floor space to retail use instead of school use on Projected Development Site 1). However, as the ½-mile study area already contains more than 7.7 million square feet of retail space, the additional 11,893 gsf of retail under the Lower Height Alternative would not alter or accelerate commercial market trends. As with the Proposed Action, the additional residential units expected to be introduced by the Lower Height Alternative would represent a continuation of an existing trend toward more residential development in the study area. The new residential and retail development introduced by the Lower Height Alternative are not expected to alter existing economic patterns and are, therefore, unlikely to result in any indirect business displacement.

Like the Proposed Action, the Lower Height Alternative would not result in any significant adverse impacts due to adverse effects on specific industries.

*COMMUNITY FACILITIES AND SERVICES*

*Indirect Effects on Public Elementary, Intermediate, and High Schools*

The Lower Height Alternative would result in the development of up to 2,437 new residential units by 2022, which is an incremental decrease of 886 residential units compared with the RWCDS analyzed for the Proposed Action (based on the RWCDS analyzed in Chapter 4, "Community Facilities"). As a result, this alternative would result in fewer new public school students; it would generate 292 elementary school students, 97 intermediate school students, and 146 high school students, compared with 399 elementary schools students, 133 intermediate school students, and 199 high school students generated under the Proposed Action. However, with the lower height limits, the proposed 444-seat elementary school would not be built on Projected Development Site 1 under this alternative.

*Elementary Schools*

Under the Lower Height Alternative, which would not increase the elementary school capacity of CSD 2/Sub-District 2 by 444 seats with a new school, the deficit of elementary school seats

would increase from ~~1,025~~670 in the No Action condition to ~~1,317~~962, compared with ~~980~~ 625 under the Proposed Action, and the elementary school utilization rate would be ~~140~~ 126 percent, compared with ~~126~~ 115 percent under the Proposed Action. Under the Lower Height Alternative, the elementary school utilization rate would increase by ~~nine~~ eight percentage points compared with the No-Action condition. Under the Proposed Action, the elementary school utilization rate would decrease by ~~5~~ three percentage points.

As noted in Chapter 4, a significant adverse impact may occur if a proposed action would result in both of the following conditions: (1) a utilization rate of the elementary schools in the sub-district study area that is equal to or greater than 100 percent in the future without the proposed action; and (2) an increase of five percentage points or more in the collective utilization rate between the future without the proposed action and future with the proposed action conditions.

As the Lower Height Alternative would increase the elementary school utilization rate by ~~nine~~ eight percentage points and the collective elementary school utilization rate would be over 100 percent, this alternative would result in a significant adverse impact to elementary schools. In comparison, the Proposed Action would not result in a significant adverse impact to public elementary schools, as the Proposed Action would facilitate the proposed development of a public elementary school on Projected Development Site 1.

*Intermediate Schools*

The smaller number of intermediate school students generated under the Lower Height Alternative would result in a surplus of ~~165~~ 34 intermediate school seats in the study area, and the intermediate school utilization rate would be ~~84~~ 96 percent. As intermediate schools in the study area would operate with a surplus of seats, the Lower Height Alternative, like the Proposed Action, would not result in any significant adverse impacts to intermediate schools.

*High Schools*

Because the Lower Height Alternative would not introduce at least 150 high school students, it would not result in a significant adverse impact to public high schools, like the Proposed Action.

*Indirect Effects on Libraries*

The Lower Height Alternative would result in 4,673 new residents in the study area by 2022, which would be 1,576 fewer residents than the Proposed Action (based on the RWCDS analyzed in Chapter 4, "Community Facilities"). As a result, the number of new users that would utilize existing public libraries would be less than under the Proposed Action. Therefore, as with the Proposed Action, the population introduced by the Lower Height Alternative would not impair the delivery of library services in the study area, and the Lower Height Alternative, like the Proposed Action, would not result in any significant adverse impacts on public libraries.

*Indirect Effects on Child Care Services*

The Lower Height Alternative would result in the development of 275 affordable units by 2022, which is decrease of 404 affordable units compared with the Proposed Action (based on the RWCDS analyzed in Chapter 4, "Community Facilities"). The Lower Height Alternative would introduce 32 children who would be eligible for public child care, as compared with 78 children introduced by the Proposed Action. As the Proposed Action would not result in any significant adverse impacts to child care services with the introduction of a larger population of children eligible for public child care, the Lower Height Alternative would also not result in any significant adverse impacts to public child care services.

*Police and Fire Protection Services*

Like the Proposed Action, the Lower Height Alternative would not result in any significant adverse impacts to police or fire protection services, as it would not affect the physical operations of, or direct access to and from, a precinct house or fire station, nor would it create a sizeable new neighborhood where none existed before.

*OPEN SPACE*

Similar to the Proposed Action, the Lower Height Alternative would result in a significant adverse impact to open space in the residential study area due to new demand for open space generated by the future residential population. Furthermore, compared with the Proposed Action, the Lower Height Alternative would result in similar direct impacts to open space due to shadows. Neither the Lower Height Alternative nor the Proposed Action would remove or alter any existing publicly accessible open spaces or result in any significant adverse impacts on any open spaces due to noise or air quality.

The Lower Height Alternative would add fewer workers and residents to the study area, therefore creating less demand on open space resources than the Proposed Action. As a result, within the non-residential study area the ratio of passive open space to workers would remain higher than the City's planning goal of 0.15 acres per 1,000 workers, as with the Proposed Action, and neither this alternative nor the Proposed Action would result in any significant adverse impacts to open spaces within the non-residential study area.

Within the residential study area, the ratio of passive open space to residents in the residential study area would still remain above the City's planning goal of 0.5 acres per 1,000 residents, as it would under the Proposed Action. The active open space and total open space ratios in the residential study area would each decrease by 7 percent as a result of the Lower Height Alternative. While this decrease is lower than the 9.1 percent decrease resulting from the Proposed Action, these ratios would still remain lower than the City's guideline ratios for total and active open space to residents. As a result, similar to the Proposed Action, the Lower Height Alternative would result in a significant adverse impact to open space in the residential study area. Measures to mitigate this significant adverse impact would be similar to those described for the Proposed Action.

*SHADOWS*

Similar to the Proposed Action, the Lower Height Alternative would result in significant adverse shadow impacts on two publicly accessible open spaces, Trump SoHo Plaza and SoHo Square. With the Proposed Action, the significant adverse shadow impacts on Trump SoHo Plaza and SoHo Square would result primarily from Projected Development Site 2. Under the Lower Height Alternative, Projected Development Site 2 would be up to 180 feet in height, 140 feet shorter than with the Proposed Action. However, at 180 feet, Projected Development Site 2 would still cast new shadows on Trump SoHo Plaza that would be substantial enough in extent and duration to cause significant adverse shadow impacts to users of the open space. For example, with the Lower Height Alternative, on the March 21/September 21 analysis day shadow from the 180-foot Projected Development Site 2 would eliminate the remaining area of sunlight on Trump SoHo Plaza for approximately an hour in the afternoon, and would also eliminate the remaining sunlight on SoHo Square for approximately an hour in the late afternoon. Under the Proposed Action, the Applicant will consult with DPR and DCP to develop potential mitigation measures to offset the significant adverse impact to the users of Trump

SoHo Plaza and SoHo Square. The same measures would be necessary to mitigate the significant adverse impact under this alternative.

With the Lower Height Alternative, Projected Development Site 1 would be 190 feet shorter than with the Proposed Action, but would still be tall enough to cast shadows on the adjacent Duarte Park and Grand Canal Court, located across Avenue of the Americas, which would be similar to those cast by the Proposed Action. However, as with the Proposed Action, the Lower Height Alternative would not result in significant adverse impacts to Duarte Park and Grand Canal Court.

Compared with the Proposed Action, the Lower Height Alternative would result in similar durations of incremental shadows on the Greenstreets triangle at the intersection of Avenue of the Americas and Broome and Sullivan Streets. The incremental shadow on this triangle would primarily come from the adjacent Projected Development Site 13 with both the Lower Height Alternative and with the Proposed Action.

Unlike the Proposed Action, the Lower Height Alternative would not result in any incremental shadows on Hudson River Park or the Hudson River. Neither the Proposed Action nor the Lower Height Alternative would result in significant adverse impacts on Hudson River Park or the Hudson River.

*HISTORIC AND CULTURAL RESOURCES*

*Archaeological Resources*

Like the Proposed Action, the Lower Height Alternative would result in development on six potential and projected development sites identified as archaeologically sensitive. As with the Proposed Action, development of these six sites under the Lower Height Alternative could result in unavoidable significant adverse impacts on archaeological resources.

*Architectural Resources*

Under the Lower Height Alternative, as with the Proposed Action, construction on projected and potential development and enlargement sites not controlled by the Applicant could result in significant adverse construction-related impacts on up to **one known architectural resource (specifically, the S/NR-eligible building at 131 Avenue of the Americas**~~three buildings within the proposed South Village Historic District~~**) and** 6 potential architectural resources. Like the Proposed Action, the Lower Height Alternative would not result in any significant adverse visual or contextual impacts to historic resources. Therefore, the Lower Height Alternative would result in the same significant adverse impacts to architectural resources as the Proposed Action.

*URBAN DESIGN AND VISUAL RESOURCES*

The Lower Height Alternative would introduce limits on building heights that would be lower than those of the Proposed Action, but would establish similar contextual streetwall and setback requirements. Similar to the Proposed Action, the lower building heights on both wide and narrow streets and in Subdistricts A and B would ensure that new construction on projected and proposed development and enlargement sites in the proposed Rezoning Area would have maximum building heights consistent with the existing urban design and visual character of the area and would eliminate the potential for future out-of-scale development. However, compared with the Proposed Action, the Lower Height Alternative would be less supportive of the goal of creating a vibrant mixed-use neighborhood in Hudson Square because it would introduce fewer

new residential units to support active retail uses, which would enliven streetscapes in the Rezoning Area and enhance the pedestrian experience. In addition, the lower building height in Subdistrict A under this alternative would be less consistent with the surrounding urban design context of that portion of the Rezoning Area than under the Proposed Action, which would allow a taller building to reflect the site's frontage on three wide streets (Canal Street, Varick Street, and Avenue of the Americas).

As with the Proposed Action, under the Lower Height Alternative, visual resources in the Rezoning Area including SoHo Square and Duarte Square, as well as important view corridors—such as the uninterrupted views south to downtown along Hudson and Varick Streets, views toward the Charlton-King-Vandam Historic District, views toward the Tribeca North Historic District from Canal Street, and views north toward the Greenwich Village Historic District from West Houston Street—would not change as a result of the anticipated development in the Rezoning Area. Furthermore, important view corridors in the study area, including uninterrupted views south to downtown from Avenue of the Americas and Greenwich Street, would not change as a result of anticipated development under either the Lower Height Alternative or the Proposed Action. Therefore, similar to the Proposed Action, development under the Lower Height Alternative would not result in significant adverse impacts on urban design or visual resources in the Rezoning Area and study area.

*HAZARDOUS MATERIALS*

Under the Lower Height Alternative, the footprints of the projected and potential development and enlargement sites would be the same as those of the Proposed Action and, therefore, this alternative would result in the same construction activities that could increase pathways for human exposure. Under the Lower Height Alternative, the potential for significant adverse impacts would be avoided by the same measures specified in (E) designations as proposed under the Proposed Action. With the implementation of these measures, the Lower Height Alternative, like the Proposed Action, would not result in any significant adverse impacts with respect to hazardous materials.

*WATER AND SEWER INFRASTRUCTURE*

The Lower Height Alternative would result in an incremental water demand and sanitary sewage flows that are less than the RWCDS for the Proposed Action analyzed in Chapter 10, "Water and Sewer Infrastructure" (RWCDS 2). Neither the Lower Height Alternative nor the Proposed Action would result in significant adverse impacts on the City's water and sewer infrastructure.

The incremental water demand generated by the Lower Height Alternative would be approximately 390,590 gallons per day (gpd) over the No-Action condition, compared with an incremental demand of 699,173 under the Proposed Action—a 44 percent decrease from the Proposed Action. The incremental water demand associated with the Lower Height Alternative represents a 0.04 percent increase in demand on the New York City water supply system, compared with a 0.06 percent increase in demand associated with the Proposed Action. As with the Proposed Action, there would be adequate water service to meet the demand generated by the Lower Height Alternative; therefore, neither this alternative nor the Proposed Action would result in significant adverse impacts on the city's water supply.

The incremental sanitary sewage generated by the Lower Height Alternative would be approximately 190,325 gpd over the No-Action condition, compared with an incremental demand of 358,738 under the Proposed Action. This incremental volume in sanitary flow to the

combined sewer system represents an approximately 47 percent decrease from the Proposed Action and approximately 0.08 percent of the average daily flow to the Newtown Creek WWTP, compared with 0.15 percent under the Proposed Action. This volume under the Lower Height Alternative, like the volume under the Proposed Action, would not result in an exceedance of the Newtown Creek WWTP's capacity and, as with the Proposed Action, would not create a significant adverse impact on the city's sanitary sewage conveyance and treatment infrastructure.

Like the Proposed Action, the Lower Height Alternative would increase the total amount of impervious surfaces at the projected development and enlargement sites. As discussed in Chapter 10, the incorporation of selected on-site stormwater source controls or BMPs will be required for future development in the Rezoning Area under either the Proposed Action or this alternative, as a part of the NYCDEP site connection application process for new buildings. Potential BMPs are outlined in the BMP Concept Plan in Chapter 10. With the incorporation of BMPs, the Lower Height Alternative, like the Proposed Action, would not have a significant adverse impact on the city's stormwater conveyance infrastructure.

*SOLID WASTE AND SANITATION SERVICES*

The Lower Height Alternative would result in 95,731 pounds per week of solid waste, whereas the Proposed Action would result in 133,958 pounds per week of solid waste. As with the Proposed Action, the net increments of solid waste under the Lower Height Alternative would be a minimal addition to the city's solid waste stream, and this alternative, like the Proposed Action, would not result in a significant adverse impact on solid waste and sanitation services.

*ENERGY*

The Lower Height Alternative would result in 85,215 million BTUs, whereas the Proposed Action would result in 215,558 million BTUs. Like the Proposed Action, the Lower Height Alternative would create an increased demand on energy systems including electricity and gas, but relative to the current and future capacity of these systems within New York City and the city's energy requirements, this increase in energy demand would be minor, as with the Proposed Action. Therefore, this alternative, like the Proposed Action, would not result in a significant adverse impact on energy systems.

*TRANSPORTATION*

Based on the trip generation assumptions detailed in Chapter 13, "Transportation," the Lower Height Alternative would generate fewer trips (up to approximately 1,200 person trips and up to approximately 200 vehicle trips during peak hours) as compared with the Proposed Action (based on the RWCDS analyzed in Chapter 13, "Transportation") (see **Table 21-~~9~~18**). Although the reduction in the overall trips as compared with the Proposed Action would be substantial, because numerous study area locations already operate at congested levels under existing conditions, the Lower Height Alternative would still be expected to result in significant adverse traffic and pedestrian impacts, although possibly at fewer locations and of lesser magnitudes than the Proposed Action. Some of these impacts could be mitigated with the same types of mitigation measures (i.e., signal retiming, changes to parking regulations, and crosswalk widening) as with the Proposed Action. Also, like the Proposed Action, this Alternative would not result in any significant adverse transit impacts. Nevertheless, as discussed in Chapter 20, "Mitigation," since unmitigatable significant adverse traffic impacts are anticipated to occur as

**Table 21-~~9~~18**

**Net Trip Difference Between the Lower Height Alternative and the Proposed Action**

| Peak Hour | In / Out | Person Trip | | | | | | | Vehicle Trip | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Auto | Taxi | Subway | Bus | School Bus | Walk | Total | Auto | Taxi | School Bus | Delivery | Total |
| Weekday AM | In | -72 | -21 | -173 | -14 | -17 | -415 | -712 | -54 | -35 | -1 | -4 | -94 |
| | Out | -50 | -39 | -304 | -11 | 0 | -126 | -530 | -61 | -35 | -1 | -4 | -101 |
| | **Total** | -122 | -60 | -477 | -25 | -17 | -541 | -1,242 | -115 | -70 | -2 | -8 | -195 |
| Weekday Midday | In | -15 | -12 | -97 | 1 | 0 | -2 | -125 | -16 | -13 | 0 | -4 | -33 |
| | Out | -15 | -12 | -98 | 0 | 0 | -9 | -134 | -16 | -13 | 0 | -4 | -33 |
| | **Total** | -30 | -24 | -195 | 1 | 0 | -11 | -259 | -32 | -26 | 0 | -8 | -66 |
| Weekday PM | In | -49 | -36 | -295 | -7 | 0 | -69 | -456 | -45 | -29 | 0 | -2 | -76 |
| | Out | -62 | -22 | -270 | -18 | 0 | -34 | -406 | -54 | -29 | 0 | -2 | -85 |
| | **Total** | -111 | -58 | -565 | -25 | 0 | -103 | -862 | -99 | -58 | 0 | -4 | -161 |
| Saturday Midday | In | -30 | -21 | -186 | -3 | 0 | -32 | -272 | -27 | -21 | 0 | -1 | -49 |
| | Out | -30 | -21 | -182 | -2 | 0 | -24 | -259 | -27 | -21 | 0 | -1 | -49 |
| | **Total** | -60 | -42 | -368 | -5 | 0 | -56 | -531 | -54 | -42 | 0 | -2 | -98 |

early as ~~2016~~ 2018 for the Proposed Action when only a small number of projected sites would be completed, the Lower Height Alternative is likewise anticipated to result in unmitigatable significant adverse traffic impacts, although possibly for fewer locations and/or analysis time periods. As for parking, although the parking demand generated by the Lower Height Alternative would be lower than the Proposed Action, the number of accessory parking spaces provided by the Lower Height Alternative would likewise be lower. Therefore, it is anticipated that the Lower Height Alternative would also result in a parking shortfall within ¼-mile of the Rezoning Area, as was identified for the Proposed Action. As with the Proposed Action, the parking shortfall would not constitute a significant adverse parking impact due to the magnitude of available alternative modes of transportation. Furthermore, due to an abundance of parking resources within ½-mile of the Rezoning Area, the projected parking demand is expected to be accommodated via a slightly longer walking distance, beyond the ¼-mile radius.

*AIR QUALITY*

The Lower Height Alternative would generate fewer vehicular trips than the Proposed Action. Therefore, similar to the Proposed Action, the Lower Height Alternative would not result in significant adverse impacts from mobile source emissions.

Under the Lower Height Alternative, with the exception of developments in Subdistrict B, shorter buildings would be constructed at development sites as compared with the Proposed Action. In many instances, these buildings would also have less floor area. At Projected Development Sites 2, 3, 6, 8, 12, 14, 16 and Projected Enlargement Sites 1 and 2, restrictions on placement of heat and hot water exhaust stacks could be modified for these sites under the Lower Height Alternative to be less restrictive than under the Proposed Action. However, at Projected Development Sites 1, 4, 7 and 13, and Potential Development Site 24, which did not require an (E) designation under the Proposed Action for proposed heating and hot water systems, an (E) designation would be required under the Lower Height Alternative that provides restrictions on the use of fuel to natural gas, on the placement of heat and hot water exhaust stacks, and on the use of low $NO_x$ (30ppm) burners, due to the sites' proximity to taller existing buildings. For other development sites, the Lower Height Alternative would not change the findings of the analysis conducted for the Proposed Action with respect to proposed heat and hot water systems.

Under the Proposed Action, to avoid potential significant adverse air quality from the heating and hot water systems boilers at existing large buildings (345 Hudson Street, 201 Varick Street, ~~233 Spring Street, and~~ 75 Varick Street, and from the One SoHo Square development), restrictions on operable windows and air intakes would be required for Projected Development Sites 1, 4, 6, ~~16,~~ and 19, Potential Development Site 24, and Projected Enlargement Site 2. In the Lower Height Alternative, these four existing buildings would not have the potential to result in significant adverse air quality impacts related to heat and hot water systems on Projected Development Sites 1, 4, 6, ~~16, and~~ 19, and Projected Enlargement 2. At Potential Development Site 24 ~~and Projected Enlargement Site 2~~, the restrictions on operable windows and air intakes could be modified under the Lower Height Alternative to be less restrictive than under the Proposed Action.

The emissions from existing industrial sources would be the same with the Lower Height Alternative as with the Proposed Action. Therefore, as with the Proposed Action, the Lower Height Alternative would not result in any significant adverse air quality impacts from industrial sources.

*GREENHOUSE GAS EMISSIONS*

Since the Lower Height Alternative would result in total building energy usage that would be less than half of the total energy usage generated by the Proposed Action and the number of vehicle trips and the vehicle miles traveled generated by the Lower Height Alternative would be lower than with the Proposed Action, the GHG emissions from stationary and mobile sources with this alternative would be less than with the Proposed Action. However, as described in Chapter 15, "Greenhouse Gas Emissions," the Proposed Action would be consistent with the city's emissions reduction goal. As with the Proposed Action, with the Lower Height Alternative, the Applicant would commit to designing all new development on projected development sites under the Applicant's control (Projected Development Sites 1 through 4, and to the extent practicable, the Applicant's Projected Enlargement Site 1) to meet current standards for the USGBC's LEED Silver certification. As such, specific measures would be incorporated into the design and construction of each new development to qualify for the LEED Silver rating, which would decrease the potential GHG emissions. Therefore, like Proposed Action, the Lower Height Alternative would be consistent with the city's emissions reduction goal, as defined in the *CEQR Technical Manual*.

*NOISE*

Since the Lower Height Alternative would generate less new development (i.e., floor area) than the Proposed Action, it would generate fewer vehicular trips to the Rezoning Area. However, this decrease in vehicular traffic as compared with the Proposed Action would not change the conclusion of the mobile source noise analysis, and the Lower Height Alternative, like the Proposed Action, would not result in mobile source noise impacts. Building attenuation requirements at all projected development and enlargement sites would be the same with the Lower Height Alternative as with the Proposed Action.

*NEIGHBORHOOD CHARACTER*

As discussed above, under the Lower Height Alternative, height limits would be reduced throughout the Rezoning Area, except within Subdistrict B. The Lower Height Alternative would result in development on the same projected sites as the Proposed Action, but as a result

of the lower height limits, approximately half of the sites would not be developed to the full 12 FAR, and there would be a reduction in development program on the majority of projected development and enlargement sites as compared with the Proposed Action. This would result in up to a 27 percent reduction in the total number of residential units to be developed in the Rezoning Area, and a larger reduction (54 to 59 percent) in the number of affordable units to be developed. In addition, with the lower height limits, a new school would not be developed on Projected Development Site 1 under this alternative as under the Proposed Action.

Because the Lower Height Alternative would result in similar impacts in the technical areas of open space, shadows, historic and cultural resources, and transportation, it would result in similar effects on neighborhood character as the Proposed Action. The Lower Height Alternative would result in less of an increase in the residential population than the Proposed Action, but would still serve to introduce new uses that would create a more active, mixed-use neighborhood. Likewise, this alternative would introduce the same contextual streetwall and setback requirements as the Proposed Action, along with the reduction in building heights, and is consistent with the goal of the Proposed Action to preserve the existing urban design character within the Rezoning area. Overall, like the Proposed Action, the Lower Height Alternative would not result in any significant adverse impacts to neighborhood character.

However, the Lower Height Alternative would not achieve many of the goals and objectives of the Proposed Action. The Lower Height Alternative would result in fewer new residents and variety of retail that are, under the Proposed Action, expected to enliven the area. The Lower Height Alternative would also result in a substantial decrease in the number of affordable units to be developed as compared with the Proposed Action. The Lower Height Alternative would also not result in the development of a new public elementary school to support a growing residential population, as would be provided with the Proposed Action.

*CONSTRUCTION*

The Lower Height Alternative would result in a reduction in the overall development program, as compared with the Proposed Action, which would be equivalent to a reduction in the overall anticipated development in the Rezoning Area of approximately 870,000 square feet, or a reduction of about 22 percent, as compared with the Proposed Action. This reduced amount of development would result in somewhat shorter construction durations for Projected Development Sites 1, 2, 3, 6, 7, 8, 9, 10, 12, 13, 14, 16, 17, 19 and Projected Enlargement Sites 1 and 2. At the remaining projected development and enlargement sites the anticipated development and construction would remain essentially the same as under the Proposed Action.

While the overall construction program for the Lower Height Alternative would be smaller than that of the Proposed Action, and would result in less construction-related traffic, construction of this alternative could result in intrusive construction-related effects, such as increased traffic, noise and dust that are typical of construction projects throughout the city. However, with the exception of somewhat shorter construction durations for the 16 sites that would have smaller resulting development under the Lower Height Alternative than what is expected under the Proposed Action, the overall construction sequencing would be expected to be similar to what has been developed for the Proposed Action.

Both the Lower Height Alternative and the Proposed Action could result in significant adverse construction impacts related to transportation (traffic and pedestrians) and historic architectural and archaeological resources.

As with the Proposed Action, under the Lower Height Alternative the Applicant would prepare and implement a CPP for the potential architectural resources within 90 feet of its projected development and enlargement sites. However, as with the Proposed Action, construction under the Lower Height Alternative on sites not controlled by the Applicant could result in significant adverse construction-related impacts on up to **one known architectural resource (specifically, 131 Avenue of the Americas** ~~three buildings within the proposed South Village Historic District~~**) and** 6 potential architectural resources.

As with the Proposed Action, the Lower Height Alternative would not result in significant adverse construction impacts with respect to air quality, noise, hazardous materials, transit, open space, socioeconomic conditions, community facilities, and land use and neighborhood character. For the Applicant's projected development and enlargement sites, the Lower Height Alternative would include the use of equipment with the extensive emission controls and noise abatement measures that would be provided with the Proposed Action.

*PUBLIC HEALTH*

The Lower Height Alternative, like the Proposed Action, would not result in any significant adverse public health impacts associated with construction or operation of the new development on any development sites.

## H. NO UNMITIGATED SIGNIFICANT ADVERSE IMPACT ALTERNATIVE

Based on the analysis presented in other chapters of this Draft EIS, there is the potential for significant adverse impacts for which no practicable mitigation has been identified to fully mitigate the impacts. Specifically, unmitigated impacts were identified in the areas of open space, shadows, archaeological and architectural resources, traffic, and construction traffic and pedestrians. However, as discussed below the Applicant is exploring possible measures to partially mitigate the open space and shadow impacts in consultation with the New York City Department of City Planning (DCP) and the New York City Department of Parks and Recreation (DPR). To eliminate all unmitigated significant adverse impacts, the Proposed Action would have to be modified to a point where its principal goals and objectives would not be realized.

### NO UNMITIGATED SIGNIFICANT ADVERSE IMPACT ALTERNATIVE COMPARED WITH THE PROPOSED ACTION

*OPEN SPACE*

The Proposed Action would result in significant adverse impacts to active and total open space resources in the residential study area, given the anticipated decrease in the active and total open space ratios in the residential study area and the fact that open space ratios in the study area would remain below the city guideline ratios. The Applicant is exploring possible measures to mitigate these impacts, in consultation with DCP and DPR. Absent the implementation of such measures, the Proposed Action could have an unmitigated significant adverse impact on open space.

The significant adverse open space impacts would occur with the completion of 1,768 residential units in the Rezoning Area (prior to the full build-out of the RWCDS). Eliminating the impact

would require an approximately 41 to 47 percent reduction[1] in the number of projected residential units the Proposed Action is expected to generate and would be far less than the "residential development goal" defined in the proposed special district zoning text as ~~2,233~~2,255 units. This reduction in the number of units could be accomplished in different ways, including reducing the size of the Rezoning Area or by reducing the allowable FAR within the Rezoning Area. Such a substantial reduction in the number of projected residential units would be inconsistent with meeting the goals and objectives of the Proposed Action, which seeks to introduce a sufficient residential population to the Rezoning Area so as to enliven the area and create demand for retail uses to serve residents and workers in the surrounding area. The increased vitality and active retail, in turn, is expected to facilitate a cycle of investment and improvements to area buildings, and help attract and retain the variety of commercial tenants that anchor the neighborhood.

*SHADOWS*

The Proposed Action would have the potential to result in unmitigated significant adverse impacts with respect to shadows cast from Projected Development Site 2 on two open spaces resources, Trump SoHo Plaza and SoHo Square. The Applicant will consult with DCP and DPR with respect to potential mitigation measures to offset the significant adverse shadow impacts to these open spaces. In order to substantially reduce the extent of incremental shadows and eliminate the significant adverse shadow impact on Trump SoHo Plaza, Projected Development Site 2 would need to be limited to approximately 70 feet or less in height. Likewise, to substantially reduce the extent of incremental shadows and eliminate the significant adverse shadow impact on SoHo Square, Projected Development Site 2 would need to be limited to approximately 130 feet or less in height. Such a reduction in height (from 320 feet with the Proposed Action) would substantially limit the development potential on Projected Development Site 2. Furthermore, it should be noted that although the RWCDS for the No-Action condition assumes a development on Projected Development Site 2 with a height of only 30 feet, there is no height restriction under the current zoning in the Rezoning Area. Therefore, in the No-Action condition Projected Development Site 2 could be constructed to heights as tall as or taller than the 320 foot height limit in the With-Action condition, which would result in similar shadows on Trump SoHo Plaza and SoHo Square.

The proposed height limits on wide and narrow streets (320 feet and 185 feet, respectively) under the Proposed Action have been developed in consultation with DCP, and reflect contextual height and setback regulations in the Rezoning Area. Reducing the height at Projected Development Site 2 from 320 feet to as low as 70 feet would be inconsistent with the urban design policy goal of locating bulk on wide streets and preserving a lower-scale midblock.

*HISTORIC AND CULTURAL RESOURCES*

*Archaeological Resources*

As described in Chapter 7, "Historic and Cultural Resources," portions of four projected development sites (Sites 5, 10, 12, and 13) and two potential development sites (Sites 22 and 23) were identified as archaeologically sensitive for resources associated with the 19th-century

[1] 47 percent reduction from 3,323 units projected under RWCDS 1; 41 percent reduction from 2,977 units projected under RWCDS 2.

occupation of the 20 historic lots included within those sites. The Phase 1A Archaeological Documentary Study completed in February 2012 recommended Phase 1B archaeological testing for these sites to determine the presence or absence of archaeological resources.

However, none of the six projected and potential development sites identified as archaeologically sensitive are under the Applicant's control. Future development on these properties could include as-of-right development, and there are no mechanisms available through CEQR to require that such development undertake archaeological testing to determine the presence or absence of archaeological resources or mitigation for any identified significant resources through avoidance or excavation and data recovery (i.e., Phase 2 or Phase 3 archaeological testing). Therefore, as-of-right development that is anticipated to occur as a result of the Proposed Action could result in unavoidable significant adverse impacts on archaeological resources. In order to avoid this unmitigated impact, the three blocks on which these sites are located could be eliminated from the Rezoning Area. These three blocks include Block 579 (bounded by Spring, Varick, Dominick, and Hudson Streets), Block 578 (bounded by Dominick, Varick, Broome, and Hudson Streets), and Block 477 (bounded by Avenue of the Americas, Broome, Varick, and Watts Streets). Eliminating these blocks from the Rezoning Area would separate the southernmost portion of the proposed Special District from the remainder of the Special District, and would be inconsistent with the Proposed Action's goal to create a vibrant mixed-use neighborhood throughout the Rezoning Area.

*Architectural Resources*

As described in Chapter 7, "Historic and Cultural Resources," construction on projected and potential development and enlargement sites not controlled by the Applicant could potentially result in adverse construction-related impacts to **six** known and ~~6~~ six potential architectural resources due to their location within 90 feet of such development and enlargement sites. The **six** known resources are: 32-36 Dominick Street**, the S/NR-eligible building at 131 Avenue of the Americas,** the Charlton-King-Vandam Historic District, ~~the proposed South Village Historic District (three buildings within this district are within 90 feet of a projected development site and a potential enlargement site),~~ and 310 Spring Street. The six potential architectural resources area: 278 Spring Street, 341 Hudson Street, 189 Varick Street, 180 Varick Street, 78 Vandam Street, and 431 Canal Street. These resources would be afforded limited protection under DOB regulations applicable to all buildings located adjacent to construction sites (C26-112.4); however, since the six potential resources **and one known resource—the S/NR-eligible building at 131 Avenue of the Americas**~~the proposed South Village Historic District—~~are not NYCLs or NR-listed properties, they are not afforded special protections under *TPPN #10/88*. Additional protective measures afforded under *TPPN #10/88* would only become applicable if the resources are designated or listed in the future prior to the initiation of adjacent construction. If the resources are not designated or listed, they would not be subject to *TPPN #10/88* and may, therefore, be adversely impacted by adjacent development resulting from the Proposed Action.

The *CEQR Technical Manual* identifies protective measures, such as construction monitoring, as a possible mitigation measure for construction-related significant adverse impacts to architectural resources. However, future development on properties not controlled by the Applicant would be as-of-right development, and there are no mechanisms available through CEQR to require that such protective measures are undertaken. Therefore, as-of-right development that is anticipated to occur as a result of the Proposed Action on properties not controlled by the Applicant could result in unavoidable significant adverse construction-related impacts on architectural resources. In order to avoid this unmitigated impact, the proposed

zoning changes could be limited to just the Applicant's development sites and those projected and potential development and enlargement sites which would not result in any construction-related significant adverse impacts. This would require the elimination of seven projected development sites, three potential development sites, and seven projected or potential enlargement sites from the Rezoning Area. Eliminating numerous sites from the Rezoning Area would not allow for a cohesive Special District and would be inconsistent with the Proposed Action's goal to create a vibrant mixed-use neighborhood throughout the Rezoning Area. Furthermore, this alternative would substantially reduce the number of projected residential units in the Rezoning Area and would therefore be inconsistent with the Proposed Action's goal to introduce a sufficient residential population to the Rezoning Area in order to enliven the area and help attract and retain a variety of commercial tenants.

*TRAFFIC*

As discussed in Chapter 13, "Transportation," the Proposed Action would result in significant adverse traffic impacts at ~~13~~ 14 intersections during the weekday AM peak hour, 3 intersections during the weekday midday peak hour, ~~13~~ 14 intersections during the weekday PM peak hour, and 5 intersections during the Saturday midday peak hour. A majority of the impacted lane groups/movements at the impacted intersections operate at congested levels (mid-LOS D or worse) under the existing and No-Action conditions, due in part to the high traffic volumes passing through the study area to access the Holland Tunnel. Most of the impacts could be mitigated through the implementation of traffic mitigation measures, including minor adjustments to signal timing in order to increase green time for impacted movements and changing parking regulations to prohibit parking near some intersections during certain peak time periods (known as "daylighting"). With these mitigation measures in place, all significant adverse traffic impacts could be fully mitigated except at two intersections during the weekday AM peak hour, ten intersections during the weekday PM peak hour, and four intersections during the Saturday midday peak hour. Specifically, West Street at West Houston Street and Hudson Street at Canal Street would have unmitigated significant adverse impacts during the weekday AM peak hour, Hudson Street at Canal Street and Varick Street at West Houston, King, Charlton, Vandam, Spring, Dominick, Broome, and Canal Streets and Avenue of the Americas at Canal Street/Laight Street would have unmitigated significant adverse impacts during the weekday PM peak hour, and Varick Street at King, Charlton, Dominick, and Broome Streets would have unmitigated significant adverse impacts during the Saturday midday peak hour. Therefore, the Proposed Action would result in unavoidable significant adverse traffic impacts at these intersections. ~~As described in Chapter 13, "Transportation," additional intersections may be analyzed between the Draft and Final EIS. These intersections will be selected in consultation with DCP and NYCDOT. The analysis of these additional intersections may identify additional significant adverse traffic impacts, for which mitigation measures would be identified. If feasible measures are not available to fully mitigate these impacts, they would be identified as unmitigated in the Final EIS.~~

As discussed in Chapter 20, "Mitigation," small increases in incremental project-generated traffic volumes at some of the congested lane groups/movements near the Holland Tunnel would result in significant adverse impacts that could not be fully mitigated during one or more analysis peak hour. Thus, almost any new development in the Rezoning Area could result in unmitigated traffic impacts (including as-of-right new hotel construction after the "residential development goal" is met, as contemplated in Chapter 22, "Conceptual Analysis"). No reasonable alternative could be developed to avoid such impacts without substantially

compromising the Proposed Action's stated goals, including the introduction of a sufficient residential population to the Rezoning Area in order to enliven the area and help attract and retain a variety of commercial tenants.

*CONSTRUCTION TRAFFIC*

As discussed in Chapter 18, "Construction," the potential traffic impacts during peak construction would be within the envelope of significant adverse traffic impacts identified for the With-Action condition in Chapter 13, "Transportation." Because existing and No-Action traffic conditions at some of the study area intersections through which construction-related traffic would also travel were determined to operate at unacceptable levels during commuter peak hours, it is possible that significant adverse traffic impacts could occur at some or many of these locations during construction. In order to alleviate construction traffic impacts, measures recommended to mitigate impacts associated with the operational traffic of the Proposed Action could be implemented during construction before full build-out of the Proposed Action. However, as with the With-Action condition, there could also be significant adverse traffic impacts at two intersections during the weekday AM peak hour, ten intersections during the weekday PM peak hour, and four intersections during the Saturday midday peak hour during construction that cannot be fully mitigated. Therefore, construction under the Proposed Action would result in unavoidable significant adverse traffic impacts.

As discussed above, small increases in incremental project-generated traffic volumes at some of the congested lane groups/movements near the Holland Tunnel would result in significant adverse impacts that could not be fully mitigated during one or more analysis peak hours. As discussed above and presented in Chapter 13, "Transportation," most of the impacted lane groups/movements at the unmitigated intersections operate at congested levels (mid-LOS D or worse) under the existing condition and all of them are expected to operate at congested levels under the No-Action condition, due in part to the high traffic volumes passing through the study area to access the Holland Tunnel. Specifically, the impacted lane groups/movements at the Varick Street intersections of Vandam, Spring, Dominick, and Broome Streets (which could not be mitigated during the weekday PM peak hour) and at the Varick Street intersections of Dominick and Broome Streets (which could not be mitigated during the Saturday midday peak hour) near the Holland Tunnel entrance are already projected to operate at LOS F under the No-Action condition. A negligible increase in incremental project-generated traffic volumes for the impacted lane groups/movements over the No-Action condition (fewer than ~~15~~ 20 peak hour vehicle trips during the weekday PM peak hour and ~~fewer than~~approximately 5 peak hour vehicle trips during the Saturday midday peak hour) at these intersections would result in the significant adverse impacts. Thus, almost any new development or construction-generated traffic in the Rezoning Area could result in unmitigated traffic impacts. No reasonable alternative could be developed to avoid such impacts without substantially compromising the Proposed Action's stated goals, including the introduction of a sufficient residential population to the Rezoning Area in order to enliven the area and help attract and retain a variety of commercial tenants. ✷