

## 3.21 ALTERNATIVES TO THE PROPOSED ACTION

### INTRODUCTION

The purpose of the alternatives analysis is to examine reasonable alternatives to the proposed action that avoid or reduce action-related significant adverse impacts but which may still allow for the achievement of the stated goals and objectives of the proposed action. The proposed action would result in unmitigated significant adverse effects related to Community Facilities (e.g., day care facilities), Historic Resources, and Traffic (see Chapter 3.23, “Unavoidable Adverse Impacts”). Three alternatives to the proposed action were considered in the Draft EIS: a No-Action Alternative, a No-Impact Alternative, and a Lower Density Alternative. It is worth noting that like the proposed action, the No-Action Alternative would result in a significant adverse impact to publicly funded day care facilities, as they would be overburdened with or without the proposed action; otherwise, the No-Action and No-Impact alternatives would not result in significant adverse impacts. The No-Action and No-Impact alternatives would not meet project goals, however, and therefore are not feasible alternatives to the proposed action. The Lower Density Alternative would result in significant adverse impacts to Community Facilities, Historic Resources and Traffic, similar to those impacts resulting from the proposed action.

In accordance with the Lower Concourse Rezoning and Related Actions Final Scoping Document, this chapter includes the analysis of three alternatives as discussed below. A fourth alternative was added for the Final EIS in response to comments on the Draft EIS and modifications to the proposed action actively under consideration by the CPC. This alternative, known as the Canal/Rider Retention Alternative, is summarized following the other three alternatives below.

#### *No-Action (As-of-Right) Alternative*

Consideration of a No-Action Alternative is required under CEQR. The No-Action (As-of-Right) Alternative examines future conditions within the proposed rezoning area but assumes the absence of the proposed action. This alternative provides a baseline for the evaluation of impacts associated with the proposed action. As such, description of the No-Action Alternative is included within each of the technical analysis areas covered in Chapters 3.1 to 3.20.

#### *No-Impact Alternative*

The No-Impact Alternative examines a scenario in which the density and program design of the proposed action is changed specifically to avoid the potential significant adverse impacts associated with the proposed action. The proposed action would result in potential significant impacts (identified in Chapters 3.1 to 3.20) related to traffic, air quality and noise as well as community facilities (day care facilities); all impacts except for the impact to day care and certain impacts associated with traffic would be mitigated with the proposed action. Traffic analyses indicate that there is no rezoning action that would result in no traffic impacts, and consequently, there is no feasible no-impact alternative, as described more fully in this chapter; consequently, the No-Impact

Alternative would not meet the objectives of the proposed action and therefore would not be a feasible alternative to the proposed action.

*Lower Density Alternative*

Comments received during the public scoping process requested analysis of an alternative that would have additional commercial rezoning options along the Grand Concourse and retain, to a greater extent than the proposed action, the industrial character of blocks east of Park Avenue that would host mixed-use development under the proposed action. In response, a Lower Density Alternative has been identified that would replace the proposed C6-2A District on the Grand Concourse with a C4-4D District, maintain M1-2 zoning on three RWCDs projected sites east of Park Avenue, and allow continuation of an industrial use (Use Group 16C) on one waterfront site. This Lower Density Alternative would result in lower commercial floor area ratio (FAR) on the Grand Concourse than the proposed action, with the same allowable FAR for residential and community facility development as the proposed action. Lastly, the Lower Density Alternative would not permit residential development or conversions in the area between Canal Place and Rider Avenue between East 140<sup>th</sup> and East 142<sup>nd</sup> Streets, which would otherwise be zoned for mixed-use development under the proposed action. This area would remain zoned M1-2. The Lower Density Alternative would result in 276 fewer residential units than projected for the proposed action.

The full benefits of establishing a new mixed-use community with affordable housing and promoting contextual development on waterfront and upland blocks in the rezoning area would not be realized under the Lower Density Alternative to the extent that they would under the proposed action. Under the Lower Density Alternative, only three of four projected RWCDs sites facing the waterfront would be developed with mixed-use development.

*Canal/Rider Retention Alternative*

In response to comments received on the Draft EIS (see Chapter 3.26, “Responses to Comments on the Draft Scope of Work and Draft Environmental Impact Statement”) and modifications to the proposed action actively under consideration by the CPC, a new alternative has been defined and evaluated for the Final EIS. This alternative, known as the Canal/Rider Retention Alternative, is summarized below.

In response to concerns expressed by the Bronx Borough President’s Office and the New York Industrial Retention Network (NYIRN), one full block and two block portions between Canal Place and Rider Avenue would not be rezoned, thereby retaining their M1-2 zoning. The blocks where the Canal/Rider Retention Alternative rezoning action would differ from the proposed action are located in the area to the east of the Metro-North Railroad right-of-way between approximately East 140<sup>th</sup> Street and approximately East 144<sup>th</sup> Street (portions of Block 2340). Under the proposed action, this area would be rezoned to MX (M1-4/R6A), permitting continued development of new manufacturing uses but also allowing residential development and limiting new community facility development to a lower bulk compared to existing zoning. Under the new Canal/Rider

Retention Alternative, these blocks would remain zoned M1-2, with no future residential development permitted.

Also in response to comments on the Draft EIS, food stores would be permitted as-of-right up to 30,000 sf within M1-4 zoning districts in Bronx Community District 1. Under the proposed action food stores of any size would be permitted as-of-right within these zoning districts. The provisions of this alternative would be consistent with an upcoming City-wide proposal on local supermarkets.

In addition, under this alternative the regulations of the Special Harlem River Waterfront District (SHRWD) would allow Use Group 16C uses to be developed on Projected Development Site #4 (Block 2349 Lot 15) in addition to the uses permitted under the proposed actions, and some of the urban design regulations would be modified to accommodate Use Group 16C use on this site. Under the proposed action Use Group 16C would not be permitted and the site would be subject to the full range of the waterfront zoning rules and regulations of the SHRWD. Under the proposed action, the site is projected to be developed with residential and commercial development. Under this alternative, the property owner, Con Edison, would have the flexibility to develop a small accessory building on the site to provide restrooms, showers and lockers for its employees. These modifications do not change the overall goals or objectives of the proposal or development of the waterfront area.

Lastly, due to information coming to light subsequent to the publication of the Draft EIS regarding an existing sewer easement, certain provisions of the SHRWD would be modified under this alternative specific to Projected Development Site #1 (Block 2349, Lot 15) to allow more flexibility in the design of the site. The modification would allow for the necessary accommodation to address the existing sewer easement that bisects the property and to allow open parking under the elevated Major Deegan Expressway. The projected use and density of the site would remain the same as that found under the proposed action.

Under this alternative, three RWCDs projected development sites that would otherwise be created as a result of the proposed action would not be realized. An overall reduction in residential development (approximately 99 fewer dwelling units including nine fewer affordable units) and two fewer projected office conversion sites would be expected with the new Canal/Rider Retention Alternative compared to the proposed action, which would allow manufacturing loft conversions. In addition, Projected Development Site #4 could result in two different development scenarios under the future With-Action condition (see the RWCDs table in Appendix O, "Canal/Rider Retention Alternative: Proposed Zoning Text Amendments, RWCDs Table, and (E) Designations"). One option is as an industrial use with 10,000 sf of floor area or, as was defined in the proposed action, a mixed residential/commercial use with 177 dwelling units and 40,907 sf of commercial space.

The Canal/Rider Retention Alternative preserves the intent of the proposed action by allowing for redevelopment of vacant and underutilized sites in a more targeted

approach. The sites that will retain the M1-2 zoning have a larger concentration of jobs and firms than those that will be rezoned. Although not identified as a significant adverse impact on businesses, the potential for secondary displacement of the manufacturing uses that exist on these blocks would be lesser under this alternative compared to the proposed action due to possible lower land values and, therefore, possibly fewer potential effects related to development pressure. Overall the Canal/Rider Retention Alternative strikes a balance between mixed-use and manufacturing with a more targeted approach and allows more flexibility for two development sites along the Harlem River while maintaining the overarching vision for the waterfront. It also provides incentives for the development of food stores in a manner that is consistent with overall Citywide policy.

### Comparison of Alternatives

The total net number of dwelling units and amount of projected development would vary with each of the identified alternatives. The RWCDs table for the Lower Density Alternative is presented in Appendix C and the RWCDs table for the Canal/Rider Retention Alternative is presented in Appendix O of this Final EIS.

For each of the technical areas presented in this EIS, the anticipated effects of the proposed action are compared to those that would result from each of the alternatives. The purpose of this analysis, as set forth by the *City Environmental Quality Review (CEQR) Technical Manual*, is to provide decision makers with the opportunity to consider reasonable alternatives or planning scenarios that could achieve the goals and objectives of the proposed action and that could potentially reduce or eliminate significant adverse impacts identified in the EIS.

#### 3.21.1 NO-ACTION ALTERNATIVE

Consideration of the No-Action Alternative mandated by CEQR provides the lead agency with an assessment of the consequences of not selecting the proposed action or any of the “Build” alternatives. As analyzed under “Future Without the Proposed Action” in Chapters 3.1 through 3.20, the No-Action Alternative also provides a baseline against which impacts of the proposed action may be compared.

The No-Action Alternative assumes that the proposed zoning changes and actions facilitating the redevelopment of multiple parcels within the proposed Lower Concourse rezoning area, as well as modifications to food store regulations in M1-4 Districts in Bronx Community District 1, would not be implemented. In addition, the No-Action Alternative assumes no zoning text amendments to establish the new Special Harlem River Waterfront District (SHRWD) and Harlem River Waterfront Access Plan (WAP); and no related amendments to the zoning map or zoning text to change underlying zoning districts to indicate SHRWD boundaries; no modification of food store regulations within M1-4 Districts in Community District 1, or promulgation of the Inclusionary Housing program in the proposed rezoning area. No amendments to

the City Map would be implemented to establish a park between the Harlem River and Exterior Street south of approximately East 146<sup>th</sup> Street and north of approximately East 144<sup>th</sup> Street. The No-Action Alternative would not require any discretionary actions.

Under the No-Action Alternative, existing zoning controls would remain in place. The rezoning area would experience some growth in commercial office and warehouse/manufacturing uses. The decline of industrial uses in the rezoning area would continue, resulting in a high degree of vacant and underutilized land and buildings. Development in the future without the proposed action is expected to consist primarily of automotive service, warehouse, and personal self-storage facilities, a continuation of recent development trends. In the absence of the proposed action, new development would not include new residential development, and the waterfront area would not be enhanced or upgraded.

As-of-right development would occur on 14 of the 31 projected development sites identified by DCP in the rezoning area under the No-Action Alternative. In total, the as-of-right development without the proposed action would consist of 1,195 square feet (sf) of retail space; 598,351 sf of office space; and 53,990 sf of community facility space along with a decrease of 128,254 sf of warehouse/manufacturing space. A total of 227 parking spaces would be expected to occur on 14 of the 31 RWCDs sites.

In addition to the projected development on 14 sites in the proposed rezoning area described above, there are ten known development sites in the vicinity of the proposed rezoning area that are expected to be developed in the No-Action Alternative independent of the proposed action. The ten development sites would result in 479 dwelling units and would also contain a total of 1,000,000 sf of retail floor area, 280,000 sf of community facility space and 2,617 parking spaces. The largest of these is the Gateway Center at Bronx Terminal Market retail development (now under construction) that will bring major new retail development and associated amenities to the formerly industrial portions of the South Bronx waterfront, just north of the proposed rezoning area. No construction of affordable housing would be anticipated in the rezoning area under the No-Action Alternative.

The effects of the No-Action Alternative are summarized below, according to each of the technical areas prescribed by CEQR, and they are compared to respective effects, if any, attributable to the proposed action.

### **Land Use, Zoning, and Public Policy**

Current land use trends and general development patterns within the rezoning area would continue under the No-Action Alternative. The area would remain mostly industrial in character with numerous vacant and underutilized buildings. Limited, discrete redevelopment which comprises recent growth trends would continue in accordance with existing zoning. To date, there has been little development supporting

an active street life character, nor has new housing development occurred within the rezoning area.

Certain benefits expected to result from the proposed action would be notable: the introduction of market-rate and affordable housing units to an area that has sufficient mass transit access; the activation of area streetscapes with mixed-use development, serving to enliven the area during day and evening hours; opening up access to the Harlem River; facilitating establishment of new food stores; and facilitating the redevelopment of vacant or underutilized lots. None of these benefits associated with the proposed action would be achieved under the No-Action Alternative.

As with the proposed action, no significant adverse land use, zoning or public policy impacts would be attributable to the No-Action Alternative. However, the No-Action Alternative would not meet the land use, zoning and public policy goals of the proposed actions and its SHRWD.

### **Socioeconomics**

Future socioeconomic conditions with the No-Action Alternative would not include the substantial increase in the number of households and residential population that would otherwise result from the proposed action, specifically as a result of the mapping of mixed-use zoning districts. The creation of affordable housing through use of Inclusionary Housing would also not occur in the rezoning area under the No-Action Alternative.

Under the No-Action Alternative, the socioeconomic study area would experience a continuation of socioeconomic trends of the last decade. Development in the future without the proposed action is expected to consist of automotive service, warehouse, and personal self-storage facilities. In the RWCDs, DCP has identified 31 projected development sites within the rezoning area. Under the No Action Alternative, additional as-of-right development totaling 1,195 sf of retail space, 598,351 sf of office space, and 53,990 sf of community facility space would occur, along with a decrease of 128,254 sf of warehouse/manufacturing space. A total of 227 parking spaces would be expected to occur on 14 of the 31 RWCDs sites.

Incremental increases in commercial and residential rents and property values would not occur in the No-Action Alternative to the extent they would under the proposed action. The direct displacement of five residential units as a result of the proposed action would not occur under the No-Action Alternative, and low income households in unprotected units in the rezoning and socioeconomic primary study area would not be subject to indirect displacement pressures as a result of development generated by the proposed action.

With regard to business conditions the No-Action Alternative assumes the conversion of industrial and vacant space in the rezoning area to office space by 2018, a likely scenario

given rising rents and a decrease in industrial employment in the area and citywide. An estimated 2,992 employees would be expected with the development of nearly 600,000 sf of office space under this alternative. This estimate, however, is based only on known or anticipated future commercial developments and does not account for continued decreases in manufacturing employment or continued growth in other employment sectors.

It is likely that manufacturing employment would continue to decrease under the No-Action Alternative as a result of RWCDS development in the rezoning area, and in the primary socioeconomic study area, similar to recent trends in the Bronx, which experienced an 18 percent decline in manufacturing employment between 1990 and 2000 and growth within the retail and services industries. Manufacturing and industrial employment in the project area is expected to be replaced with office-based employment in the services industries as well as retail employment. Direct and indirect business displacement effects would be lower than under the proposed action. Significant adverse impacts in these areas, as well as significant adverse impacts on specific industries, would not be anticipated.

With regard to housing and population levels under the No-Action Alternative, the socioeconomic study area is expected to gain approximately 2,577 housing units between 2008 and 2018 without the proposed action. This estimate is based on the number of building permits filed with the NYC Department of Buildings between 2000 and 2008 in the primary study area. Almost none of the projected growth would be anticipated to occur in the proposed action area. Of the 2,577 units, 479 will be constructed by the New York City Housing Development Corporation in four distinct projects that are either under construction currently, or closing on their construction loans by the end of 2008.

Assuming that these new units would have an average household size of 2.81 persons per household and that vacancy rates would remain at their 2000 levels, the 2,577 new units would be expected to house approximately 6,714 residents, bringing the total population in the socioeconomic study area to 71,671 in 2018.

As with the proposed action, no significant adverse socioeconomic impacts would be attributable to the No-Action Alternative. However, the No-Action Alternative would not meet the goals and objectives of the proposed actions.

### **Community Facilities and Services**

Under the No-Action Alternative, it is anticipated that the community facilities study area will experience an incremental addition of 479 dwelling units that are expected to generate 187 new elementary students, 77 new intermediate school students, and 91 new high school students. Elementary schools in this half-mile radius study area are expected to operate below capacity in 2018 absent the proposed action. Total elementary enrollment in the study area would be approximately 7,729, with a utilization rate of 89

percent. Overall, elementary schools in Community School District (CSD) 7 are expected to collectively operate at 82 percent capacity. Intermediate schools in the half-mile study area are expected to operate with an enrollment of 1,883 students, and at 52 percent capacity in 2018 absent the proposed action. This change in population would be relatively small and is not expected to overburden library services at either the Mott Haven or Melrose branch libraries. The projected No-Action development is expected to generate another 206 children under age six who would potentially be eligible for publicly funded day care. This would represent a nine percent increase in demand on day care centers within the study area, which are already operating at 103 percent of their capacity. In the No-Action Alternative, day care and Head Start centers within one mile of the study area would continue to operate above capacity, as they do in the existing condition.

The change in population would be relatively small and is not expected to overburden library services at either the Mott Haven or Melrose branch libraries. For health care services, there would be adequate capacity to support the existing population and the No-Action Alternative growth. The NYPD and FDNY would continue to adjust their allocation of personnel as needs arise.

In the No Action Alternative, the demand for publicly funded day care would continue to increase, and the shortfalls in the number of available slots would be exacerbated; otherwise, no significant adverse impact to community facilities and services would occur under this alternative. However, the No-Action Alternative would not meet the goals and objectives of the proposed actions.

### **Open Space**

Under the No Action Alternative, the projected population increase of 5,073 residents plus the 1,641 additional residents associated with identified development projects completed by 2018 would add 6,714 new residents to the residential study area for a total population of 71,671 residents in 2018. There would be total worker population of 28,301 in the residential study area in 2018 under the No Action Alternative. Combining the 71,671 No Action residential population with the 28,301 No Action worker population would yield approximately 99,972 combined residents and workers within the residential study area.

Seven open space resources would be added to the existing inventory of publicly accessible open space within the residential study area in the No Action Alternative; three of the seven open spaces would be developed within the non-residential study area. Four of the seven open spaces would be associated with the new Yankee Stadium development project, one as a part of the Gateway Center project (to be developed by DPR), one as a part of the new Melrose Commons Site 5 residential project, and one as part of the Mott Haven School Campus. All of the proposed parkland associated with the new Yankee Stadium development project would be completed prior to 2018. The new Yankee Stadium open spaces consist of the River Avenue pocket parks (#26 and #27), waterfront esplanade (#28), and the Harlem River waterfront public open space

(#29). Both pocket parks are located outside of the non-residential study area. The Yankee Stadium development project also includes the development of two open spaces just outside the study area; a primarily active (though with some passive space) open spaces resource on the south side of 161<sup>st</sup> Street, the site of the existing stadium, and a portion of Macomb's Dam Park (existing) will be improved with active open space atop a parking garage.

The Gateway Center project would include a new waterfront open space resource (#30), to be constructed on Piers 4 and 5, just to the south of the Yankee Stadium open spaces at the northwest portion of the non-residential and residential study areas along the waterfront.

Melrose Commons Site 5 (#31) would be developed as part of the Melrose Commons Urban Renewal Area, which is expected to include 63 new dwelling units at the northeast portion of the residential study area; although neither would be open to the public on a regular basis, they are included here to facilitate a qualitative discussion of open space and are not included in the quantitative analysis of open space resources. The proposed Mott Haven School Campus (#32) would include an outdoor plaza and athletic fields on the east side of the campus. Both of these open space resources would be located outside the non-residential study area.

In the No-Action Alternative, the available active open space ratio in the residential study area would be 0.36 acres per 1,000 residents, an increase of 0.05 acres from existing conditions. The passive open space ratio for the residential study area would be 0.28 acres per 1,000 residents, or an increase of 0.02 acres over existing conditions. The recommended weighted average ratio would also increase to 0.40 acres per 1,000 combined resident and worker populations. The total open space ratio for residents in the No-Action Alternative is 0.64 acres per 1,000 residents in the residential study area and 0.22 acres per 1,000 residents in the non-residential study area. The recommended open space ratio is 2.5 acres per 1,000 residents and 0.15 acres of passive open space per 1,000 non-residents. The total open space acreage is less than the recommended for the residential study areas.

As with the proposed action, open space ratios would fall short of DCP goals. However, the open space assets that would be developed in the No-Action Alternative would provide a qualitative enhancement to open space resources in the study area, and as with the proposed action, the decline in open space ratios would be ameliorated by various open space resources located just outside the open space study area including the existing St. Mary's Park, Joyce Kilmer Park, and the replacement active open spaces associated with the Yankee Stadium development project. Ballfields proposed as a part of the Yankee Stadium development project would provide a new source of active open space, and pedestrian paths and bikeways would connect to open space resources from beyond the study area. New passive open spaces developed as part of the Gateway Center, within the residential study area, would provide new passive recreational opportunities. These new passive open spaces would allow strolling and observation opportunities along the Harlem River, with new paths and benches situated within

them. Nonetheless, the No-Action Alternative would not meet the goals and objectives of the proposed action.

### **Shadows**

Anticipated developments under the No-Action Alternative that are relevant to the analysis of shadow impacts due to their light sensitive components include the open spaces associated with the Gateway Center at Bronx Terminal Market project, the Mott Haven School Campus, the Yankee Stadium project, and the Manhattan Waterfront Greenway. New shadows cast on shadow-sensitive resources under the No-Action Alternative by known developments would include incremental shadows on Macombs Dam Park and a newly proposed waterfront park north of East 149<sup>th</sup> Street that is to be constructed as a result of the four-story Gateway Center at Bronx Terminal Market retail development. However, these incremental shadows would not meet any of the criteria that would lead to a significant adverse shadow impact based on shadow coverage. Likewise, new development associated with the proposed action would result in no significant impacts related to shadow effects on sunlight sensitive resources.

As with the proposed action, no significant adverse shadows impacts would be attributable to the No-Action Alternative. However, the No-Action Alternative would not meet the goals and objectives of the proposed action.

### **Historic Resources**

Under the No-Action Alternative, no historic resources would be directly affected by No-Action development on identified projected or potential RWCDS sites. However, some development as a result of new construction of other known educational, housing and retail facilities is expected to occur in the future without the action. The two major new construction projects are the Gateway Center at Bronx Terminal Market and the Mott Haven School Campus, both located to the north of the rezoning area. The development of the Gateway Center at Bronx Terminal Market will include the restoration and reuse of Building D, part of the former Terminal Market, and the complex's sole remaining historic resource.

Under the No-Action Alternative, none of these developments and conversions would directly affect listed or eligible historic resources. One historic resource, Public School 31, is located across the street and within 90 feet of RWCDS projected development site #7, which is expected to be developed in the future without the proposed action as classrooms and office space for Hostos Community College. As a listed New York City landmark, Public School 31 is subject to construction protection plans under *TPPN 10/88* and therefore is not expected to be adversely affected by nearby construction. No additional historic resources are located either on, or within 90 feet of, projected development sites under the future without the proposed action. Therefore, the future without the proposed action would not be expected to cause inadvertent construction-related effects to historic resources through adjacent construction. Similarly, LPC has

determined that the proposed action would not result in significant adverse effects to historic resources.

As with the proposed action, no significant adverse historic resources impacts would be attributable to the No-Action Alternative. However, the No-Action Alternative would not meet the goals and objectives of the proposed action.

### **Urban Design and Visual Resources**

The non-residential RWCDS development projected under the No-Action Alternative would improve urban design conditions in the rezoning study area to the extent that it would replace vacant land and fill in certain gaps in the streetwall as RWCDS sites are built out. The built environment would become slightly more dense as a result of anticipated growth in the No-Action Alternative (e.g., without the proposed rezoning) and some vacant space in the rezoning study area would likely be reused. However, development that would occur in the future without the proposed action would not be part of an overall zoning strategy that seeks to create incentives for new mixed-use development and to balance new building form with the built scale and character of the area. Development within the rezoning study area from construction on RWCDS sites would likely continue to be characterized by single-use industrial and office development, and utilitarian self storage facilities that would not be expected to enhance urban design conditions, as opposed to the specific contextual envelopes that would be required for development on those sites under the proposed action. Industrial and office development along East 138<sup>th</sup> Street likely would not foster an active streetscape, and the development of industrial space on the Harlem River likely would not include public access or accommodation of view corridors.

Outside the rezoning area, planned parkland improvements will benefit urban design conditions with the addition of landscaping improvements, enhanced open space, and associated streetscape improvements. Three parkland projects are expected to occur by 2018 just north of the primary study area, in addition to the Bronx Terminal Market Waterfront Park. These include the River Avenue Pocket Parks project, with two parks proposed at the northeast and southeast corners of River Avenue and East 157<sup>th</sup> Street as part of the redevelopment of Yankee Stadium.

Other than the multiple blocks covered by the Gateway Center at Bronx Terminal Market project, changes of block form and arrangement are not anticipated area under the No-Action Alternative, and significant adverse impacts on natural features and topography are also not expected.

Significant adverse impacts to existing views of visual resources are not anticipated in the No-Action Alternative. Development of RWCDS sites is expected to enhance visual conditions in the rezoning area, replacing land now used for parking and underutilized sites with new, non-residential development.

Waterfront views of the Harlem River from public locations such as the Madison Avenue Bridge would not be obstructed, although industrial expansion on RWCDs Site #4 would increase the density of the Waterfront subarea, replacing partial views of the Harlem River from Exterior Street through privately owned vacant land with views of industrial or warehouse development. Views of the Harlem River waterfront from public places in the rezoning study area are expected to continue to be impeded by lack of access and fenced industrial uses west of Exterior Street.

The primary study area developments under the No-Action Alternative would also include site-specific visual improvements that are not anticipated to have substantial negative effects on views of visual resources. New waterfront parkland will provide opportunities for public access and waterfront views. Rehabilitation and reuse of Building D of the Bronx Terminal Market will improve visual conditions of this long-vacant building that is eligible for listing in the National Register of Historic Places. According to the *FEIS for the Gateway Center at Bronx Terminal Market* (New York City Office of the Deputy Mayor for Economic Development and Rebuilding, December 7, 2005, CEQR #04DME017X), views from Exterior Street [in the southern portions of the urban design study area] to the Harlem River waterfront would be improved with the addition of public open space as a result of the Gateway Center project, and the Mott Haven School complex would visually enhance the streetscape by replacing a vacant lot with active use.

As with the proposed action, no significant adverse impacts to urban design would be attributable to the No-Action Alternative. However, the No-Action Alternative would not meet the goals and objectives of the proposed action.

### **Neighborhood Character**

The No-Action alternative would not result in the benefits to neighborhood character associated with the proposed action, as it would not include beneficial mixed-use development, new public waterfront access, and changes to building envelopes and use placements that would relate new buildings to the existing context of the street. With respect to socioeconomic character, the No-Action Alternative would include a continuation of the trends that have resulted in the area being a largely underutilized industrial area with little residential population and limited economic growth. With respect to traffic, increased congestion and reductions in levels of service would be expected to be present at most intersections under the No Action scenario, and with that, the noise would be escalated as well, although the changes would not meet a perceptible level of difference given the relatively high ambient noise levels in the area created by highway and rail infrastructure.

As with the proposed action, no significant adverse impacts to neighborhood character would be attributable to the No-Action Alternative. However, the No-Action Alternative would not meet the goals and objectives of the proposed action.

## Natural Resources

As the upland areas of the study area are generally urbanized and largely devoid of natural resources, future No-Action conditions within upland portions of the study area would not result in significant adverse impacts on the condition of natural resources. No substantial change in the Harlem River is expected to occur; failing bulkheads in the study area may undergo in-kind replacement or repair as waterfront sites are developed. Because the shoreline in the study area is composed of structural components that includes segments in poor to critical condition, it is likely that some of these areas will need to be rehabilitated in order to maintain the existing adjacent land uses, potentially requiring temporary disturbance of a very small area of shoreline aquatic habitat. Groundwater conditions and the status of the floodplain and coastal resources are not expected to change from existing conditions. With regard to wildlife, no change in the status of site utilization by wildlife is expected to occur. The occasional utilization of the rezoning area by transient avian species and the function of the Harlem River as a passage for aquatic species are expected to continue under the No-Action Alternative.

Under the No-Action Alternative, no development within wetland areas would occur. As a result of another no-action project, tidal wetland adjacent area disturbance is anticipated as a result of development of public open space to be developed on the waterfront north of East 149<sup>th</sup> Street related to the Gateway Center at Bronx Terminal Market retail development. According to the *Final Environmental Impact Statement (FEIS) for the Gateway Center at Bronx Terminal Market*, this off-site disturbance would include replacement of existing, disturbed and sparsely vegetated adjacent area with landscaped public open space, which would not be expected to have significant impacts, and which could have a beneficial ecological effect on the adjacent area. No changes to existing site conditions within the rezoning area as they relate to wetlands would occur under the No-Action Alternative.

As with the proposed action, no significant adverse impacts to Natural Resources would be attributable to the No-Action Alternative. However, the No-Action Alternative would not meet the goals and objectives of the proposed action.

## Hazardous Materials

With the No-Action Alternative, as-of-right construction under current zoning would occur with less regulatory oversight than with the proposed action, such that residual contamination could potentially be encountered by construction workers or the general public. However, it may be assumed that all construction and required removal or handling of hazardous materials would be conducted in accordance with applicable state and federal requirements, thereby minimizing the potential for exposure.

The proposed action would involve more sites that potentially have hazardous material issues that would otherwise remain undisturbed under the No-Action Alternative.

However, as the proposed action contemplates the inclusion of (E) designations, the opportunity for increased exposure to hazardous materials would be foreclosed.

With the proposed (E) designations, development sites that may contain hazardous materials are required to perform subsurface investigations, tank removals, remediation, asbestos abatement, and prepare construction health and safety plans in accordance with a NYCDEP approved, site specific, Sampling and Remediation Work Plans. Under the No-Action Alternative, some of these requirements would be met through the applicable state and federal requirements as well as local laws regarding asbestos and lead paint abatement. Under the No-Action alternative, however, there would be no agreements between NYCDEP and the owning agency for the appropriate remediation of City-owned sites prior to development.

As with the proposed action, no significant adverse impacts to hazardous materials would be attributable to the No-Action Alternative. However, the No-Action Alternative would not meet the goals and objectives of the proposed action; furthermore, the proposed action would provide the DCP and NYCDEP greater involvement in development of certain properties to ensure the safe handling and disposal of hazardous materials.

### **Waterfront Revitalization Program**

According to the *Final Environmental Impact Statement (FEIS) for the Gateway Center at Bronx Terminal Market*, development in the Coastal Zone associated with the Gateway Center at Bronx Terminal Market project and its associated off-site waterfront open space north of East 149<sup>th</sup> Street is expected to be consistent with the City's ten Waterfront Revitalization Program (WRP) coastal policies and the WRP's guiding principles of maximizing benefits derived from economic development, environmental preservation, and the public use of the waterfront while minimizing conflicts among these objectives.

Existing zoning controls would remain in place in the rezoning area under the No-Action Alternative. In the No-Action RWCDs, DCP identified three projected development sites within the coastal zone portion of the rezoning area. By 2018, it is expected that the coastal zone would have new as-of-right development totaling approximately 395,000 square feet of office space and approximately 125,268 square feet of light industrial space on three sites. The coastal zone area would otherwise remain much the same in terms of its physical character and structural conditions. No waterfront access or amenity would be created within the rezoning area under the No-Action Alternative, whereas RWCDs developments under the proposed action would be required to provide public access, and a change in the City Map would occur that would map new waterfront parkland.

As with the proposed action, no significant adverse impacts to the WRP would be attributable to the No-Action Alternative. However, the No-Action Alternative would not meet the goals and objectives of the proposed action; further, unlike the No-Action Alternative, the proposed action would create a new waterfront esplanade,

thus revitalizing the waterfront in such a ways as to promote waterfront public access and views.

### **Infrastructure**

In both the No-Action Alternative and the proposed action, anticipated growth in the proposed rezoning area would result in additional demand for water and increase wastewater production. Water consumption associated with the projected development sites would total approximately 442,200 gpd (0.44 mgd). This represents an increase from the existing conditions of approximately 89,600 gpd (0.09 mgd) or approximately 25 percent over the existing water demand for these projected development sites. Additional sanitary discharges to the Wards Island WPCP would be within the 53 mgd available capacity of the plant under the No-Action Alternative and the Wards Island WPCP would continue to operate within its 275 mgd design capacity. Stormwater runoff would continue to be collected and directed through the existing combined sewer system and then conveyed to the Wards Island WPCP for treatment. Assuming conservatively that there will be no changes to the size of the impermeable surface within the study area in the No-Action condition, no significant change in stormwater runoff would be expected. No significant change in the frequency or duration of CSO events would be expected as a result of development within the study area under the No-Action Alternative.

As with the proposed action, no significant adverse impacts to infrastructure would be attributable to the No-Action Alternative. However, the No-Action Alternative would not meet the goals and objectives of the proposed action.

### **Solid Waste and Sanitation Services**

It is estimated that the 31 projected development sites would generate approximately 76 tons of solid waste per week under the No-Action Alternative. This is approximately two tons per week more than under existing conditions. The majority of the solid waste produced would be removed by private carters.

Although the development projected in the No-Action condition would increase the volumes of solid waste and recyclables generated, it would neither affect the delivery of these services, nor would it place a significant burden on the City's solid waste management services (both public and private) because the increase makes up less than 0.1 percent of the non-residential waste stream collected daily. In addition, the proposed action would not conflict with, or require amendments to, the City's Solid Waste Management Plan. As with the proposed action, no significant adverse impacts to solid waste and sanitation services would be attributable to the No-Action Alternative. However, the No-Action Alternative would not meet the goals and objectives of the proposed action.

## Energy

It is estimated that as-of-right development on 14 of the 31 projected development sites under the No-Action Alternative would use approximately 79,392 billion BTUs of energy annually, compared to an incremental increase of approximately 507.48 billion BTUs in annual energy use associated with the proposed action. This annual incremental demand on an hourly basis would represent a small fraction of the City's forecasted peak summer load of 13,085 MW in 2018, as well as an infinitesimal amount of the City's forecasted annual energy requirements for 2018, and – similar to the proposed action – is therefore not expected to result in a significant additional load.

As with the proposed action, no significant adverse impacts to energy would be attributable to the No-Action Alternative. However, the No-Action Alternative would not meet the goals and objectives of the proposed action.

## Traffic and Parking

Future 2018 traffic levels on study area roadways under the No-Action Alternative are expected to increase due to future development both within and outside the study area, as well as due to overall growth, although increases in traffic would be lower than future conditions with the proposed action. A background growth rate of 0.50 percent per year (as recommended by the *CEQR Technical Manual*) is projected for future traffic volumes, for a total increase in traffic due to general growth of 5.0 percent by 2018. Traffic generated by the residents of the 479 new dwelling units expected to be constructed within one-half-mile of the rezoning area would be included in this background growth. Some traffic projected to be generated by the Gateway Center at the Bronx Terminal Market project, the Mott Haven Campus development and the East 161<sup>st</sup> Street rezoning action would also be expected to use study area roadways. Traffic expected to be generated by RWCDs new development within the rezoning area would also add traffic to the local roadway network under the No-Action Alternative.

Roadway modifications are anticipated under the No-Action Alternative. Most of the improvements and modifications to study area roadways currently planned over the study horizon to 2018 focus on Exterior Street and the Major Deegan Expressway (MDE) as part improvements associated with the Gateway Center at the Bronx Terminal Market project, and through planned NYSDOT improvements to the MDE in the Lower Concourse study area. NYSDOT plans to rehabilitate and widen the MDE Viaduct (BIN 1-06680-9) and associated ramps between East 138<sup>th</sup> Street and the Macombs Dam Bridge, among other MDE improvements. Just outside of the rezoning area, NYSDOT's bicycle program is adding a Class 2 bicycle lane on Willis Avenue. This action will result in the removal of a southbound lane on Willis Avenue from East 135<sup>th</sup> Street to Third Avenue. Future bicycle paths (Class 1) are proposed on Harlem River bridges and routes (Class 2) on East 149<sup>th</sup>, East 143<sup>rd</sup>, East 138<sup>th</sup> and Exterior Streets, Morris/Third Avenue, and Alexander Avenue, although final geometries have not been determined. Other roadway modifications have been proposed in the study area as part of mitigation measures for other projects, primarily through striping and signal timing changes.

Regarding traffic intersection Levels of Service (LOS), notable deteriorations in AM peak hour LOS in comparison to existing conditions area expected under the No-Action Alternative for 15 study area intersections compared to existing conditions, although not to the extent that would be expected with the proposed action. Notable deteriorations in LOS would be expected at 11 intersections in the PM peak hour period, and at two intersections in the Saturday peak hour.

With regard to parking resources, the utilization of both off-street and on-street parking facilities in the study area would increase under the No-Action Alternative due to the area's background growth (5.0 percent over existing demand by 2018). Additionally, as-of-right retail, office, warehouse/manufacturing and academic-related development will further increase daytime parking demand.

Midday parking demand in the study area is projected to increase by nearly 950 spaces, largely due to the projected development of nearly 600,000 square feet of office space, and approximately 300,000 square feet of manufacturing/warehouse and community facility space in the rezoning area by 2018. A shortfall of over 700 midday spaces is projected. Overnight, however, little increase in demand is anticipated as the development anticipated in the study area absent the proposed action would generate primarily weekday daytime parking demand.

In contrast to the proposed action, no unmitigatable significant adverse impacts to traffic would be attributable to the No-Action Alternative. However, the No-Action Alternative would not meet the goals and objectives of the proposed action.

### **Transit and Pedestrians**

Transit and pedestrian projections for the No-Action Alternative are based on the application of a 0.50 percent annual background growth rate on existing volumes, projected over 10 years, plus the pedestrian and transit trips projected to be generated by the No Build projects, less any trips generated by displaced uses in the rezoning area.

With regard to future No-Action condition subway station operations, passenger volumes are expected to increase minimally at the 138<sup>th</sup> Street/Grand Concourse station, while levels of service would remain unchanged from existing conditions. However, passenger volumes are expected to increase appreciably at the 149<sup>th</sup> Street/Grand Concourse station by 2018 due to the additional development projected to occur within this station's service area. Peak 15 minute passenger volumes are projected to increase by approximately 35 percent and 60 percent during the AM and PM peak hours. Levels of service are projected to deteriorate to LOS D and LOS C at the fare control turnstiles and during the AM and PM peak hours, respectively. Stairway levels of service are projected to remain at LOS A.

Although transit bus line haul operation passenger volumes are forecast to increase due to background growth and bus trips generated by specific developments under the No-

Action Alternative, all routes are expected to remain under capacity at their peak load point.

Regarding street level pedestrian operations, all sidewalks are expected to continue to operate at LOS A or LOS B. However, the projected increase in pedestrian activity at the southwest corner of the intersection of East 149<sup>th</sup> Street with the Grand Concourse, which is largely due to trips to and from the subway station, would cause pedestrian space levels to deteriorate to LOS D during the midday peak hour. Likewise, operations of the west and south crosswalk would also operate at LOS D during the midday peak hour.

### **Conclusion**

Unlike the proposed action that would change the zoning map applicable to the proposed rezoning area to include commercial districts, Special Mixed Use Districts, and conventional manufacturing districts, existing zoning controls would remain in place under the No-Action Alternative. The rezoning area would experience some growth in commercial office and warehouse/manufacturing uses and the decline of industrial uses in the rezoning area would continue. While the proposed action would allow new mixed-use development, residential conversions and affordable housing, development in the future under the No-Action Alternative would be expected to consist primarily of automotive service, warehouse, and personal self-storage facilities, a continuation of recent development trends. In the absence of the proposed action, new development would not include new residential development, and a vibrant, mixed-use community would not be created. The waterfront area would not be enhanced or upgraded; new open spaces along the waterfront would not be created.

The demand for publicly funded day care would continue to increase, and the shortfalls in the number of available slots would be exacerbated. There would be no potential for impacts to historic resources, as the North Side Board of Trade Building would not be adjacent to a development site or potentially affected by vibration or contextual alterations, unlike the proposed action. Traffic levels of service would continue to degrade. In sum, the No-Action Alternative would not meet the purpose and need of the proposed action, would still be subject to several similar types of impacts or reductions in levels of services, and would not result in the creation of a new, transit-oriented mixed-use community.

#### **3.21.2 NO-IMPACT ALTERNATIVE**

It is the City's practice to include, whenever feasible, a No-Impact alternative that avoids, without the need for mitigation, all significant environmental impacts of the proposed action. The No-Impact Alternative examines a scenario in which the density and program design of the proposed action is changed specifically to avoid the potential significant adverse impacts associated with the proposed action.

The proposed action would result in potential significant impacts (identified in Chapters 3.1 to 3.20) related to historic resources, traffic, and community facilities (publicly funded day care facilities). Significant adverse impact would remain unmitigated for impacts associated with traffic at three intersections, and one historic resource (North Side Board of Trade). Publicly funded day care facilities would continue to be overburdened, although offsets would occur based on a number of factors.

Traffic analysis has revealed that there is no rezoning alternative that would not result in traffic impacts. Traffic analyses indicate that a reduction in development program of 89 percent would eliminate traffic impacts during the AM peak period. However, this reduction would not be adequate to mitigate impacts for the midday analysis period; for that period, the development program of the proposed action would need to be reduced by 94 percent to avoid impacts. When tested for the PM peak hour, at the East 149<sup>th</sup> Street/River Street intersection, an increment of one additional vehicle would increase the delay by 3+ seconds for a LOS F movement (the NB Exterior Street left turn). According to CEQR procedure, because the delay in the No-Action condition was under 120 seconds, the “fewer-than-5-vehicle rule” does not apply, and therefore, the significant adverse impact cannot be avoided. Consequently, there is no “no impact” alternative, and this would therefore not be a feasible alternative to the proposed action.

To avoid the proposed action’s direct impacts, construction under this alternative would have to be avoided on all projected RWCDs sites with the exception of only a relative small amount. Additionally, development on larger potential development sites in areas where the traffic network is constrained, such as along the waterfront, would have to be avoided.

A rezoning involving no new development for the proposed action area is not considered feasible given the number of projected development sites in the area. In addition, such an alternative would not address the goals and objectives of the proposed action. Therefore, for analysis purposes, a No-Impact Alternative is not feasible and is not analyzed in detail in the EIS.

### **3.21.3 LOWER DENSITY ALTERNATIVE**

Comments received during public scoping process requested analysis of an alternative that would have additional commercial rezoning options along the Grand Concourse and retain, to a greater extent than the proposed action, the industrial character of blocks east of Park Avenue that would host mixed-use development under the proposed action. In response, a Lower Density Alternative has been identified that would replace the proposed C6-2A District on the Grand Concourse with a C4-4D District, maintain M1-2 zoning on three RWCDs projected sites east of Park Avenue, and allow the continuation of an industrial use on one waterfront site. This Lower Density Alternative would result in a lower commercial floor area ratio (FAR) on the Grand Concourse than the proposed action, with the same allowable FAR for residential and community facility development as the proposed action. Lastly, the Lower Density Alternative

would not permit residential development or conversions in the area between Canal Place and Rider Avenue between East 140<sup>th</sup> and East 142<sup>nd</sup> Streets, which would otherwise be zoned for mixed-use development under the proposed action. This area would remain zoned M1-2. The Lower Density Alternative would result in 276 fewer residential units than projected for the proposed action.

Under the proposed action, the zoning on all or portions of four blocks generally located along the Grand Concourse south of East 144<sup>th</sup> Street, north of East 138<sup>th</sup> Street, and between Walton Avenue and the Metro-North Railroad right-of-way would change from M1-2 to C6-2A. The proposed C6-2A District would change the allowable uses in this area; it would facilitate new residential development with a maximum FAR of 7.2 and new commercial development with a maximum FAR of 6.0. All new development would be required to be built to the streetwall within a contextual envelope with a maximum height of 120 feet.

Similar to the proposed action, new development under this Lower Density Alternative would be required to build to the streetwall within a contextual envelope with a maximum building height of 120 feet. RWCDS site #16 would be the only site in the proposed C4-4D District to be developed differently compared to the proposed action, with a smaller amount of hotel development projected. In addition, RWCDS site #4 that is projected with residential/retail use under the proposed action would be a Con Ed Muster Center (Use Group 16C Vehicle Storage) under this alternative (continuation of Con Ed Muster Center as part of the No-Action condition for this alternative). Lastly, the Lower Density Alternative would not permit residential development or conversions on three RWCDS sites (#17, #28 and #29) between Canal Place and Rider Avenue between East 140<sup>th</sup> and East 142<sup>nd</sup> Streets, sites that would otherwise be zoned for mixed-use development under the proposed action. These three sites would retain their M1-2 zoning.

The benefits of establishing a new mixed-use community with affordable housing and promoting contextual development on waterfront and upland blocks in the rezoning area would not be realized under the Lower Density Alternative to the extent that it would under the proposed action. Under this alternative, only three of four projected reasonable worst-case development scenario sites facing the waterfront would be developed with mixed-use development.

The proposed action would result in an incremental change between the No-Build and the Build scenarios on the 31 projected development sites of 3,414 dwelling units (including 591 affordable units developed pursuant to the City's Inclusionary Housing Program), 571,162 sf of retail space, 164,285 sf of hotel space, 63,700 sf of community facility space, and 1,291 parking spaces. It would result in an incremental reduction of 598,351 sf of office space and 308,872 sf of industrial space.

Development of RWCDS sites under the Lower Density alternative would result in a reduction of development compared to the proposed action in the categories of retail, hotel, residential and industrial uses, while no change would result in the amount of

projected community facility development. The Lower Density Alternative would result in an incremental change between the No-Build and the Build scenarios on projected development sites of 3,138 dwelling units (including 547 affordable units developed pursuant to the City's Inclusionary Housing Program), 477,808 sf of retail space, 108,460 sf of hotel space, and 63,700 sf of community facility space. It would result in an incremental reduction of 494,351 sf of office space and 228,886 sf of industrial space.

The resulting difference in projected C4-4D development along the lower Grand Concourse compared to C6-2A development under the proposed action would entail a lower density of development on RWCDs site #16. This site would be the only site in the C4-4D District expected to be built with a different program of development compared to the proposed action, with anticipated hotel development reduced from 164,285 sf of hotel development under the proposed action (with an increment of 18,215 sf of retail) to 108,460 sf of hotel development (and an incremental reduction in retail of 8,900 sf) under the Lower Density Alternative.

The Lower Density Alternative would result in a decrease in projected residential units of 276 units compared to the proposed action. Three sites between Canal Place and Rider Avenue would not be rezoned for M1-4/R6A mixed-use development but would instead remain zoned M1-2, precluding residential development (or residential conversions as under the proposed action). The remainder of the decrease in residential units would be from RWCDs site #4, which would be used for a Con Ed Muster Center under the Lower Density Alternative instead of high-rise mixed-use development with 177 dwelling units under the proposed action. The reasonable worst-case development scenario for the Lower Density alternative is included in Appendix C.

### **Land Use, Zoning, and Public Policy**

As with the proposed action, the Lower Density Alternative would not result in significant adverse land use impacts in the rezoning area or land use study area. Limiting commercial densities and permitted uses would result in lower density development on two RWCDs sites compared to the proposed action while projected residential conversions would not occur on three RWCDs sites. High-rise mixed-use development would be replaced with a low density utility use on one RWCDs site facing the waterfront (the low density utility use would also be part of the No-Action condition for this alternative).

Specifically, zoning regulations along the Grand Concourse would change from M1-2 to C4-4D in the area that is proposed for the C6-2A District under the proposed action. Similar to the proposed action, this alternative would facilitate new residential development with a maximum FAR of 7.2 and new community facility development with a maximum FAR of 6.5. However, the C4-4D District would have a lower maximum permitted commercial FAR of 3.4.

Projected development would be expected to differ under this alternative for one RWCDs site on the Grand Concourse. RWCDs site #16 would be developed with a

smaller hotel, compared to the proposed action. Residential development in mixed-use buildings would not be expected under the Lower Density Alternative on one of the RWCDS sites on the waterfront (#4) and on three conversion sites between Canal Place and Rider Avenue, between East 140<sup>th</sup> and East 142<sup>nd</sup> Streets. This would result in less land use change on these three sites, which are currently zoned for manufacturing, preserving the jobs and industrial character associated with these sites. As a result, land use changes would be lower, with future development being more consistent with the existing uses of these properties that include industrial lofts. Land use benefits from the introduction of residential use on sites #17, #28 and #29 would also not occur. In particular, RWCDS sites #17 and #28, which face a new playground associated with PS 183, would be less compatible with the adjacent open space with no “eyes-on-the-park” or 24-hour activity facing this newly refurbished open space.

The Lower Density Alternative would result in an overall decrease of 276 projected residential units compared to the proposed action, which would constitute an eight percent decrease in projected future residential development overall compared to the proposed action. While this alternative would support one of the major objectives of the proposed action in terms of revitalizing the rezoning area with new mixed-use development, the goal of creating a round-the-clock, mixed-use neighborhood would be achieved to a lesser degree than under the proposed action, with the effects of this change being most pronounced in the immediate vicinity of the sites involved. Although it would be present under the No-Action condition for this alternative, one of four future projected mixed-use sites along the waterfront (site #4) would instead be used for a utility storage and staging area (the Con Ed Muster Center), reducing the beneficial land use effects of bringing residential use to the waterfront just north of the Madison Avenue Bridge. The continued use of this site for Vehicle Storage Establishment use or utility purposes (a base for Con Ed field workers, to gather for assignments, and to allow workers to gather for head counts) would be less compatible with the role and opportunities for the waterfront envisioned under the proposed action that includes new residential development with ground floor retail uses, with a waterfront esplanade. The adjacent parcels (RWCDS sites #32 and #33) are not projected for redevelopment under future conditions with the proposed action, although mixed-use development would potentially occur on these “potential” RWCDS sites after the ten year analysis period. While the use of RWCDS site #4 for utility vehicle storage and employee support use would not be expected to create significant adverse land use effects from noise, traffic, negative visual conditions, or other features affecting land use compatibility, the expected use of this site under this alternative would be less compatible than the use of this site projected under the proposed action, with parked utility trucks expected and no coherent streetwall or building form matching other projected development on the waterfront. The Con Ed Muster Center would include parking for ten cars and 40 trucks, but no permanent structure.

As with the proposed action, no significant adverse impacts to land use would be attributable to the Lower Density Alternative.

### **Socioeconomics**

Upward pressures on commercial and residential rents resulting from the proposed action would also be expected under this alternative. However, the Lower Density Alternative would not be expected to significantly alter trends in commercial real estate and housing affordability beyond those changes already expected as a result of the proposed action, or result in significant adverse indirect displacement of businesses and institutions not already identified as a result of the proposed action. The anticipated changes in development expected on five RWCDs sites would have a negligible impact on socioeconomic conditions within the socioeconomic study area, aside from very localized effects related to the replacement of proposed action residential development on four sites with non-residential uses that would generate primarily day-time worker economic activity. There would also be lower employment and spin-off economic benefits resulting from a considerably smaller hotel on site #16.

### **Community Facilities**

With the Lower Density Alternative, the increment of additional population decreases by eight percent, or 276 units, compared to the proposed action. Overall, this would reduce demand on community facilities and services. As with the proposed action, this alternative would not result in a significant adverse impact on schools, libraries, health care services, or police or fire services. However, like the proposed action, and the No-Action Alternative as well, day care facilities would continue to be overburdened, although potential increases in demand for publicly funded day care slots would be offset by a number of factors. Private day care facilities and day care centers outside of the study area (e.g., closer to parent's place of work) are not included in the analysis in Chapter 3.3. Some of the increased day care demand would likely be offset by parents who might choose to take their children to day care centers outside of the study area (e.g., closer to work). Some of the Family Day Care Networks serve children residing in the study area could potentially absorb some of the demand. This new demand would also be considered in future ACS solicitations for contracted services. Finally, new capacity could potentially be developed as part of ACS's public-private partnership initiatives.

### **Open Space**

Neither the proposed action nor the Lower Density Alternative would result in significant adverse open space impacts. Both future worker and residential population would decrease, slightly lowering residential demand for open space. With fewer residential units than the proposed action, this alternative would reduce residential demand for open space slightly compared to the proposed action. Like the proposed action, new waterfront open spaces would be created in the form of an esplanade and a waterfront park, but there would be slightly less new open space, as the waterfront esplanade would not be created. As with the proposed action, no significant adverse impacts to open space would be attributable to the Lower Density Alternative.

## Shadows

The change in commercial FAR on some portions of the Grand Concourse would predominantly result in smaller hotel development on RWCDs site #16, and the replacement of a projected high-rise development on waterfront RWCDs site #4 with an open utility/vehicular storage use would lower the increment of additional shadows from projected new development under this alternative. However, as with the proposed action, no significant adverse impacts from shadowing would be attributable to the Lower Density Alternative.

## Urban Design and Visual Resources

The C4-4D zoning on the Grand Concourse north of East 138<sup>th</sup> Street under the Lower Density Alternative would result in less dense commercial (hotel) development on one RWCDs site (#16) compared to the proposed action. The three projected sites between Canal Place and Rider Avenue are conversion sites under both the proposed action and the Lower Density Alternative, limiting any changes to urban design or visual resources from changes in proposed zoning. Under both the proposed action and this alternative, new development on the Grand Concourse would be expected to occur pursuant to contextual regulations requiring buildings to be built at or near the street line, with mid-rise, high coverage buildings. The replacement of projected mixed-use development on RWCDs site #4 expected under the proposed action with a utility-related use that would also be present in the No-Action condition for this alternative would detract from the continuity of anticipated mixed-use development on the waterfront. The presence of open storage associated with a utility use would result in a continuation of the underutilized appearance of the waterfront that has had a negative effect on urban design conditions within the waterfront subarea. Nonetheless, as with the proposed action, no significant adverse impacts to urban design would be attributable to the Lower Density Alternative.

## Neighborhood Character

Neither the proposed action nor the Lower Density Alternative would result in significant adverse impacts on neighborhood character. Portions of the Grand Concourse where a C4-4D District would replace the proposed action's C6-2A zoning would have lower amounts of commercial use under the Lower Density Alternative. The new development would have similar effects of revitalization and introduction of beneficial development bringing jobs and activity to an area that is now underutilized, given its location at the gateway to the borough and the Grand Concourse. With the exception of RWCDs site #4, although less dense, the form of anticipated development would be similar to the proposed action in that it would involve contextual building envelopes and appropriate height limits for the Grand Concourse. This alternative would also enhance the character of the Grand Concourse with uses that would activate the street environment. The anticipated Con Ed Muster Center on site #4 under both the No-Action and With-Action condition for this alternative would detract from

neighborhood character on the waterfront on a site that would otherwise be expected to be developed with mixed-use development with public waterfront access under the proposed action, although no significant adverse impacts on neighborhood character would be expected. For the two-block stretch west of Rider Avenue where no residential development would be permitted under this alternative, future neighborhood character would reflect the existing non-residential character of this area, without enlivening the surrounding streetscape on a round-the-clock basis through new mixed-use development.

### **Hazardous Materials**

The Lower Density Alternative would have the same requirements for hazardous material remediation as would the proposed action, and (E) designations would be required. Therefore, as with the proposed action, no significant adverse impacts to hazardous materials would be attributable to the Lower Density Alternative.

### **Natural Resources**

As the upland areas of the study area are generally urbanized and largely devoid of natural resources, the Lower Density Alternative within upland portions of the study area would not result in significant adverse impacts on the condition of natural resources. For the proposed action or the Lower Density Alternative, no substantial change in the Harlem River is expected to occur; failing bulkheads in the study area may undergo in-kind replacement or repair as waterfront sites are developed. Because the shoreline in the study area is composed of structural components that includes segments in poor to critical condition, it is likely that some of these areas will need to be rehabilitated in order to maintain the existing adjacent land uses, potentially requiring temporary disturbance of a very small area of shoreline aquatic habitat. Groundwater conditions and the status of the floodplain and coastal resources are not expected to change from existing conditions. With regard to wildlife, no change in the utilization of the rezoning area by wildlife is expected to occur. The occasional utilization of the rezoning area by transient avian species and the function of the Harlem River as a passage for aquatic species are expected to continue under the Lower Density Alternative. Therefore, as with the proposed action, no significant adverse impacts to natural resources would be attributable to the Lower Density Alternative.

### **Waterfront Revitalization Program**

The only change in anticipated development in the Coastal Zone under the Lower Density Alternative compared to the proposed action would occur on RWCDs site #4. Mixed-use development with 177 residential units under the proposed action would be replaced under this alternative with a Con Ed Muster Center. This open storage and staging area would serve utility workers and would not involve substantial new construction. While there would be less physical development on this site, this use would be less compatible with the vision of the waterfront as a vibrant, mixed-use area. At this location, the proposed waterfront public walkway would back onto a utility-

related use with no significant new structures and adjacent use comprise of vehicular storage as compared to new, high-rise mixed-use development under the proposed action. The incremental increase in shadows generated by RWCDS site #4 under the proposed action, although not constituting a significant adverse impact under the proposed action, would be avoided under this alternative. Like the proposed action, the Lower Density Alternative would not be expected to have significant adverse effects on resources within the Coastal Zone. It would also not be consistent with the goals of the proposed SHRWD, however, with regard to introducing mixed-use development on RWCDS site #4; therefore, in contrast to the proposed action, the Lower Density Alternative would prove less supportive of goals and objectives of the WRP.

### **Historic Resources**

Under the Lower Density Alternative, new construction and site disturbance would occur on the same projected development sites as under the proposed action RWCDS, though at a lower density on several sites. Therefore, the same potential for disturbance of architectural resources on those sites would occur under this alternative. The one potentially eligible resource, the North Side Board of Trade building, is not directly protected through New York City Building Code or *TPPN 10/88*, and therefore, as with the proposed action, it could be adversely affected by the proposed action.

As with the proposed action, the potentially significant adverse impacts to historic resources could be avoided if the North Side Board of Trade building were to be calendared for consideration by the LPC.

### **Infrastructure**

As a result of the reduced number of residential units and overall reduction in density of anticipated future development compared to the proposed action, the Lower Density Alternative would produce marginally less demand on the City's infrastructure for water demand and wastewater generation when compared to the proposed action, though neither the Lower Density Alternative nor the proposed action would result in significant adverse impacts to infrastructure.

Similar to the proposed action, the Lower Density Alternative is anticipated to generate an increase of approximately 9.6 cubic feet per second (cfs) of stormwater runoff over the No Action conditions. Although there may not be a specified requirement for increased detention associated with the proposed action itself, stormwater Best Management Practices and sustainable design features could be incorporated into future development. These would serve to decrease the potential for an increase to CSO frequency or duration to the Harlem River. Therefore, it is expected that there would be some reduction in uncontrolled runoff from private development sites in the future with the proposed actions.

Similar to the proposed action, it is concluded that the Lower Density Alternative would not result in significant adverse impacts to the local water supply, sanitary wastewater treatment, or stormwater management infrastructure systems.

### **Solid Waste and Sanitation Services**

Demands on solid waste and sanitation would decrease to a minor extent under the Lower Density Alternative compared to the proposed action. The incremental decrease of solid waste generation with the Lower Density Alternative compared to the proposed action would be insignificant in light of the estimated 12,000 tons of residential and institutional refuse and recyclables collected by DSNY per day. As with the proposed action, no significant adverse solid waste/sanitation impacts would occur under the Lower Density Alternative.

### **Energy**

As with the proposed action, energy demand would increase, but no significant adverse energy impacts would occur under the Lower Density Alternative.

### **Traffic and Parking**

As described above, projected development for the Lower Density Alternative would differ from that of the proposed action under conditions both with and without the study area rezoning and related actions. Specifically, the Lower Density Alternative would retain existing zoning on three projected development sites (#17, #28, #29), thus excluding these three sites from No-Action and With-Action conditions. It also includes the Con Edison Muster Station in both No-Action and With-Action conditions for Site #4, reduces the size of the projected hotel and eliminates the retail development on Site #16. The Lower Density Alternative would generate fewer incremental person trips than the RWCDS of the Proposed Action as compared to the respective No-Action conditions of the RWCDS of the proposed action and the Lower Density Alternative. As indicated in Table 3.21-2, the Lower Density Alternative would generate between approximately 230 and 1,320 fewer incremental person trips than the Proposed Action for specific analysis time periods. However, a significant portion of the difference in person trips is attributable to the lesser retail floor area of the Lower Density Alternative, a large proportion of which are walk trips. Therefore, a comparison of incremental vehicle trips of the RWCDS of the proposed action and the Lower Density Alternative with each respective No-Action condition indicates that the net difference between the proposed action and Lower Density Alternative would be minimal. Fewer vehicle trips would be generated in the study area under both the No-Action and With-Action conditions of the Lower Density Alternative, but the alternative would not substantially reduce the number of significant traffic impacts identified in the study area under the Proposed Action. Cumulatively, significant traffic impacts would occur at one less intersection during the time periods analyzed, specifically at the intersection of the Grand Concourse and East 144<sup>th</sup> Street during the Saturday midday peak hour.

**Table 3.21-1: Peak Hour Incremental Trips Comparison  
Lower Density Alternative with Proposed Action**

Analysis Time Period	Proposed Action <sup>1</sup>	Lower Density Alternative <sup>1</sup>	Net Difference
<b>Person Trips</b>			
AM	2796	<u>2565</u>	<u>-231</u>
Midday	8189	<u>6869</u>	<u>-1320</u>
PM	6088	<u>5343</u>	<u>-745</u>
Saturday Midday	6932	<u>6009</u>	<u>-923</u>
<b>Vehicle Trips<sup>2</sup></b>			
AM	-37	<u>-8</u>	<u>+29</u>
Midday	189	<u>194</u>	<u>+5</u>
PM	287	<u>296</u>	<u>+9</u>
Saturday Midday	944	<u>876</u>	<u>-68</u>
<sup>1</sup> Total incremental change in person and vehicle trips compared to the <u>specific No-Action condition for each alternative</u> <sup>2</sup> Auto, taxi and truck combined			

As in the proposed action, for all analyzed peak hours (weekday AM, midday and PM; Saturday midday; Game Day weekday PM; and Game Day Saturday midday), there would be unavoidable adverse impacts at the intersection of East 149th Street at Exterior Street and River Avenue. For weekday AM, midday, PM and Game Day weekday PM there would be unavoidable adverse impacts at the intersection of East 149th Street and Morris Avenue. For weekday AM and Saturday midday there would be unavoidable adverse impacts at East 138th Street at Exterior Street. For weekday midday, PM and Saturday midday there would be unavoidable adverse impacts at the intersection of East 138th Street at Third Avenue and Morris Avenue, and for weekday PM and Saturday midday there would be unavoidable adverse impacts at East 135th Street at Madison Avenue. Analysis indicated that no significant parking impacts would occur as a result of implementation of the Proposed Action. Slightly lower overnight parking demand in the study area could occur under the Lower Density Alternative due to the lower number of dwelling units projected by 2018 for this alternative.

### Transit and Pedestrians

The lower person trips projected generated by the Lower Density Alternative, compared to the Proposed Action, could result in lower pedestrian volumes on certain pedestrian elements in the study area as well as a slightly lower volume of bus and subway passengers. As with the Proposed Action, no significant adverse impacts to transit or pedestrians would result from the Lower Density Alternative.

## **Air Quality**

The Lower Density Alternative, like the proposed action, would not result in significant adverse impacts from mobile source pollution, and no violations of the National Ambient Air Quality Standards (NAAQS) are predicted to occur with respect to mobile sources or parking facilities. Increases in diesel traffic that would be associated with the Lower Density Alternative would be slightly less than those of the proposed action, and the PM<sub>2.5</sub> screening results for the proposed action would still apply; significant PM<sub>2.5</sub> impacts would not occur with this alternative or the proposed action.

The Lower Density Alternative would require all except one of the (E) designations described for the proposed action to avoid significant adverse air quality impacts with respect to proposed HVAC systems. The (E) designation on Projected Site #4 would be eliminated since this site would no longer have a building on it and therefore it would not affect adjacent sites #32 and #33. Projected Site #16 would still have potential to affect adjacent sites #51 and #52, and the (E) designation would still be required. Sites #26 and #28 would retain their M1-2 zoning and their building heights would be the same as under the proposed action (60 feet and 125 feet, respectively). However, buildings on those sites could still affect adjacent site #66 and Projected Site #17, respectively, and they would continue to require (E) designations. As with the proposed action, pollutant emissions from existing large residential and industrial sources would not result in any impacts under the Lower Density Alternative.

## **Noise**

Compared to the proposed action, the changes with the Lower Density Alternative would be minor relative to their impact on noise, and are not expected to result in any significant increases in local ambient noise or doubling of traffic at any roadway or intersection such that a significant adverse impact would occur. With respect to the need for noise attenuation, the (E) designations would be the same as required for the proposed action, with the exception of Site #4, which would no longer establish residential noise-sensitive uses, and Sites #26 and #28, which would remain in manufacturing use. Site #17 would still require the same (E) designation for noise attenuation, as it would under the proposed action.

## **Construction Impacts**

A decrease in duration and magnitude of construction activities would be expected on Sites #4 and #16 compared to the proposed action. Because of the lower amount of development anticipated, temporary construction disruptions would decrease when compared to the proposed action. Neither this alternative nor the proposed action would result in significant adverse impacts on air quality, noise, traffic, or transit during construction.

## **Public Health**

The Lower Density Alternative would not result in significant adverse public health impacts, as it would not significantly impact the various technical areas that comprise public health, namely, air quality, hazardous materials, solid waste management, and noise. Similar to the proposed action, the Lower Density Alternative would also incorporate the noise attenuation, air quality, and hazardous materials testing and remediation requirements due to the proposed (E) designations.

## **Mitigation**

Mitigation or other protective measures applicable under the Lower Density Alternative would be similar to those that would be implemented with the proposed action for potential impacts associated with hazardous materials, traffic, and noise.

Regarding the potential for impacts associated with Hazardous Materials under the proposed action, the proposed action provides for the pre-emptive assignment of (E) designations as a means of offsetting any potential for significant adverse impacts associated with hazardous materials. (E) designations will be incorporated as part of the proposed action for all privately owned sites.

In addition to the privately owned sites, the proposed action would provide for the reuse of a 2.26-acre parcel adjacent to the north of projected development site #2 as a public park. Environmental concerns related to past and present usage of the site were identified for this site. The City is committed to completion of Phase II Environmental Site Assessment (ESA) for the park site. The Phase II ESA and testing protocols will be submitted for review and approval to the NYCDEP. Once the approved testing is completed, the City will complete the recommended remediation at the park site prior to the initiation of work. With these provisions in place, no significant adverse impacts are expected.

The proposed action would not result in significant adverse impacts related to noise. However, as part of the proposed action, (E) designations would be placed on the zoning map for all of the projected and potential development sites to avoid the potential for significant adverse noise impacts. Residential, commercial and community facility development on lots mapped with an (E) designation would be required to provide sufficient noise attenuation to maintain interior noise levels of 45 dBA or lower, and the proposed action would not result in significant adverse noise impacts. Similarly, (E) designations would be mapped for the Lower Density Alternative, resulting in effective noise attenuation.

## **Unavoidable Adverse Impacts**

The Lower Density alternative would have some unavoidable adverse impacts, like those of the proposed action. As noted above, there would be unavoidable impact to

publicly funded day care that would be offset by a number of factors, but there would be no other impacts to community facilities.

The one historic resource, the North Side Board of Trade building, is not directly protected, and therefore, as with the proposed action, it could be adversely affected by the Lower Density Alternative. Therefore, this historic resource impact would be unavoidable.

Like the proposed action, the Lower Density Alternative would result in some unavoidable traffic impacts. For all analyzed peak hours (Weekday AM, Midday and PM; Saturday Midday; Game Day Weekday PM; and Game Day Saturday Midday), there would be unavoidable adverse impacts at East 149<sup>th</sup> Street, at Exterior Street and River Avenue. For Weekday AM and Saturday Midday, there would be unavoidable adverse impacts at East 138<sup>th</sup> Street at Exterior Street, and for Weekday PM and Saturday Midday, there would be unavoidable adverse impacts at East 135<sup>th</sup> Street at Madison Avenue.

### **Conclusion**

The Lower Density Alternative would replace the proposed C6-2A District from the proposed action on the Grand Concourse north of East 138<sup>th</sup> Street with a proposed C4-4D District. In this area, it would facilitate new residential development with a maximum FAR of 7.2 and new community facility development with a maximum FAR of 6.5, similar to the proposed action. However, it would have a lower maximum permitted commercial FAR of 3.4. Similar to the proposed action, new development would be required to build along the streetwall within a contextual envelope with a maximum building height of 120 feet. In addition, this alternative would allow one industrial use on one waterfront site, resulting in the replacement of anticipated mixed-use development on RWCDS site #4 with continued use of this site as a Con Ed Muster Center. Lastly, this alternative would retain the manufacturing zoning between Canal Place and Rider Avenue between East 140<sup>th</sup> and East 142<sup>nd</sup> Streets. The Lower Density Alternative would result in a decrease in projected residential units of 276 units compared to the proposed action.

The only anticipated change resulting from the mapping of the C4-4D District under the Lower Density Alternative would be a decrease in the size of a projected hotel on RWCDS site #16, located on the east side of the Grand Concourse north of East 138<sup>th</sup> Street. The resulting lower density building on site #16 would still be compatible from a land use, urban design, and neighborhood character perspective, and would have lesser demands on infrastructure and utilities. The new construction would still adhere to contextual design principles.

The replacement of a high-rise mixed-use building on waterfront RWCDS site #4 with the continuation of utility use related to vehicular storage would support Con Ed field workers. While the utility use facing the waterfront would be less compatible with the surrounding future uses west of Exterior Street and would detract somewhat from the

community character of the waterfront compared to conditions with the proposed action, no significant land use or neighborhood character impacts would be anticipated, although a segment of waterfront esplanade would not be created along site #4. Infrastructure, open space and other population-related effects would be similar to the proposed action. The benefits of mixed-use development in terms of enlivening the streetscape with round-the-clock activity and introducing ground floor retail use would not occur on one of four of the RWCDs waterfront sites otherwise projected for mixed-use development under the proposed action. The benefits of establishing a new mixed-use community with affordable housing and promoting contextual development on waterfront and upland blocks in the rezoning area would not be realized under the Lower Density Alternative to the extent that it would under the proposed action. Under the Lower Density Alternative, only three of four projected RWCDs sites facing the waterfront would be developed with mixed-use development.

The Lower Density Alternative would also retain the industrial character and functions of the Canal/Rider area, by eliminating the possibility of residential development on three RWCDs sites that would otherwise be expected to experience conversions for mixed-use development. This would retain industrial jobs associated with these sites, while precluding the reuse of these buildings for residential development. The Lower Density Alternative would not effectively avoid the significant adverse impacts that would be associated with the proposed action.

#### **3.21.4 CANAL/RIDER RETENTION ALTERNATIVE<sup>1</sup>**

In response to comments received on the Draft EIS (see Chapter 3.26, “Responses to Comments on the Draft Scope of Work and Draft Environmental Impact Statement”) and modifications to the proposed action actively under consideration by the CPC, a new alternative has been defined and evaluated for the Final EIS.

Comments received during and after the public hearing on the Draft EIS requested analysis of an alternative that would retain the manufacturing zoning on blocks located between Canal Place and Rider Avenue between approximately East 140<sup>th</sup> Street and approximately East 144<sup>th</sup> Street (a portion of Block 2340). Under the proposed action, this area would be rezoned to MX (M1-4/R6A), permitting continued development of new manufacturing uses, but also allowing residential development and limiting new community facility development to a lower bulk compared to the existing zoning. Under the Canal/Rider Retention Alternative that has been newly evaluated in this Final EIS this area would not be rezoned and would retain its M1-2 zoning. Consequently, no residential development would be permitted on one full block and two block portions between Canal Place and Rider Avenue, comprising lots that are generally more solidly industrial in character than other areas proposed for mixed-use rezoning in the remainder of the rezoning area.

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<sup>1</sup> Section 3.21.4, “Canal/Rider Retention Alternative,” is new to the FEIS.

Also in response to comments on the Draft EIS, food stores would be permitted as-of-right up to 30,000 sf within M1-4 zoning districts in Bronx Community District 1. Under the proposed action, food stores of any size would be permitted as-of-right within these zoning districts. The provisions of this alternative would be consistent with an upcoming Citywide proposal on local supermarkets.

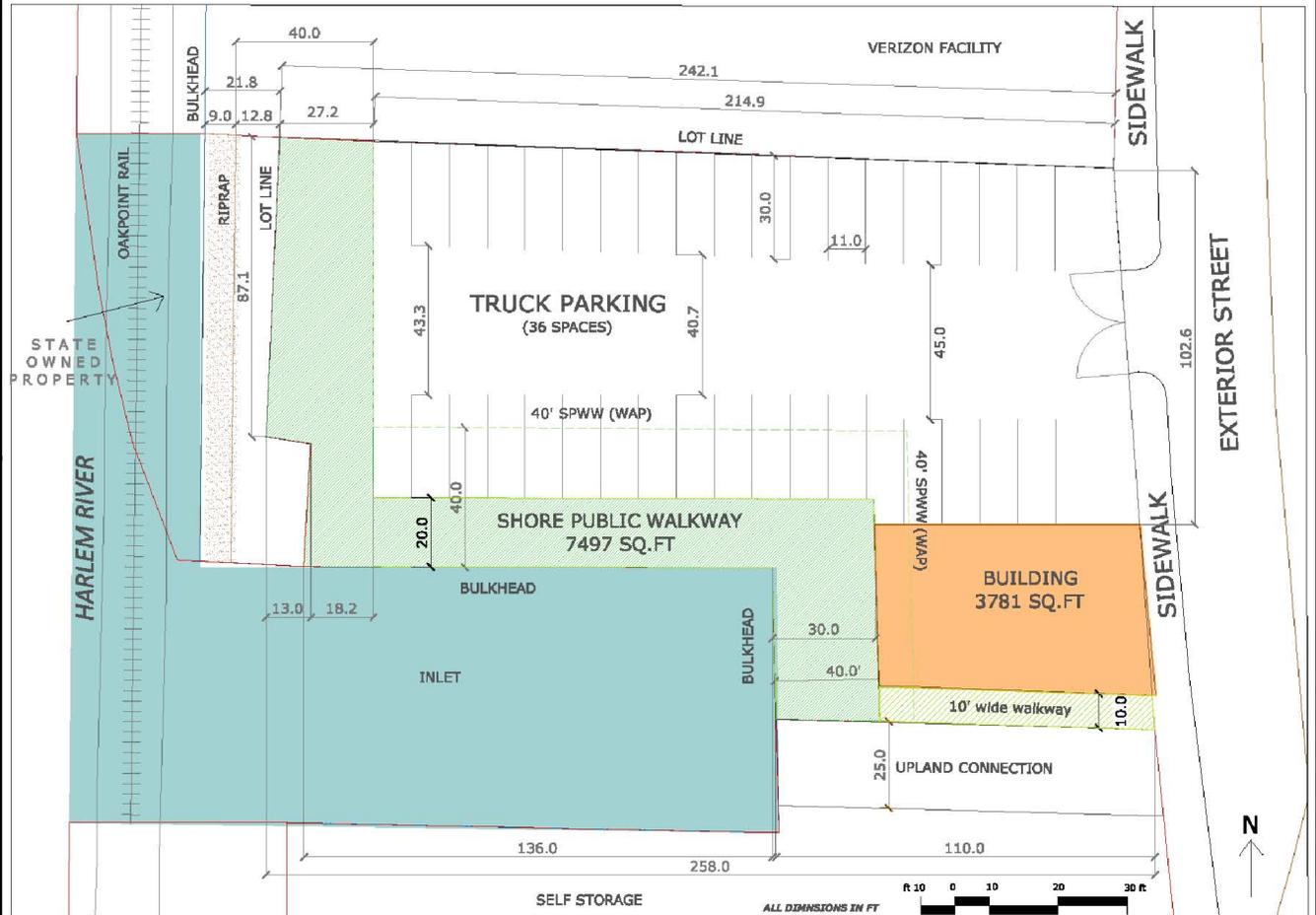
In addition, under this alternative the regulations of the SHRWD would allow Use Group 16C uses to be developed on Projected Development Site #4 (Block 2349 Lot 15) in addition to the uses permitted under the proposed actions, and some of the urban design regulations would be modified to accommodate Use Group 16C use on this site. Under the proposed action Use Group 16C is not permitted and the site was projected to be developed with residential and commercial development, subject to the full range of the waterfront zoning rules and regulations of the SHRWD. Under this alternative the property owner, Con Edison, would have the flexibility to develop a small accessory building on the site to provide restrooms, showers and lockers for its employees (see Figure 3.21-1). These modifications do not change the overall goals or objectives of the proposal or development of the waterfront area.

Lastly, due to information coming to light subsequent to the publication of the Draft EIS regarding an existing sewer easement, certain provisions of the SHRWD would be modified under this alternative specific to Projected Development Site #1 (Block 2349, Lot 15) to allow more flexibility in the design of the site. The modification would allow for the necessary accommodation to address the existing sewer easement that bisects the property and to allow open parking under the elevated Major Deegan Expressway (see Figure 3.21-2). The projected use and density of the site would remain the same as that found under the proposed action.

Under this alternative, three RWCDs projected development sites that would otherwise be created as a result of the proposed action would be removed from the rezoning. An overall reduction in residential development (approximately 99 fewer dwelling units including nine fewer affordable units) and two fewer projected office conversion site would be expected with the new Canal/Rider Retention Alternative compared to the proposed action, which would allow manufacturing loft conversions. In addition, Projected Development Site #4 could result in two different development scenarios under future With-Action conditions (see the RWCDs table in Appendix O). One option is as an industrial use with 10,000 sf of floor area or, as was defined in the proposed action, a mixed residential/commercial use with 177 dwelling units and 40,907 sf of commercial space (see the RWCDs table in Appendix O for further details).

The Canal/Rider Retention Alternative (see Figure 3.21-3) preserves the intent of the proposed action by allowing for redevelopment of vacant and underutilized sites in a more targeted approach. The sites that will retain the M1-2 zoning have a larger concentration of jobs and firms than those that will be rezoned. Although not identified as a significant adverse impact on businesses, the potential for secondary displacement of the manufacturing uses that exist on these blocks would be reduced under this alternative compared to the proposed action due to possible lower land values and,

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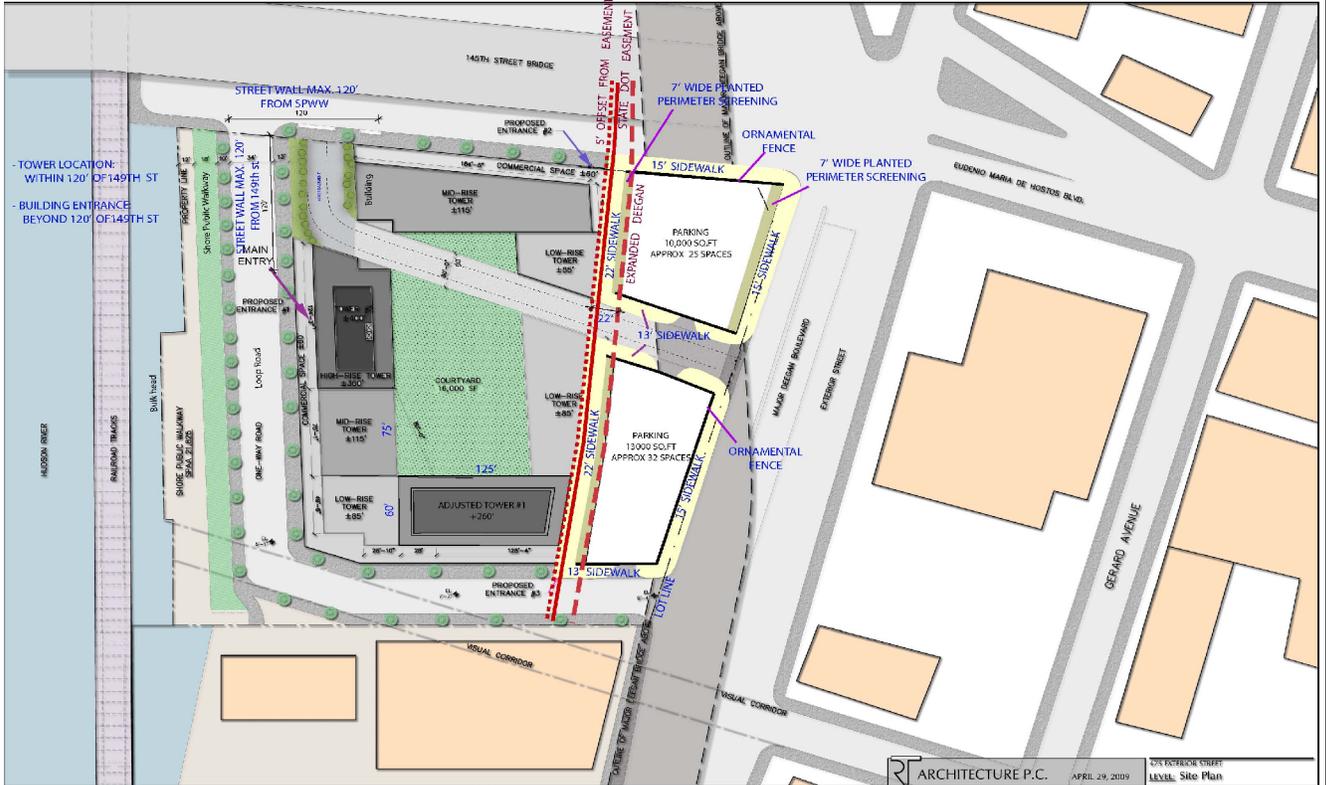
**Figure 3.21-1: Illustrative Site Plan for Projected Development Site #4**

*Lower Concourse Rezoning and Related Actions EIS*

*NYC Department of City Planning*

Source: NYC Department of City Planning, 2009  
 \*This figure has been added for the FEIS.

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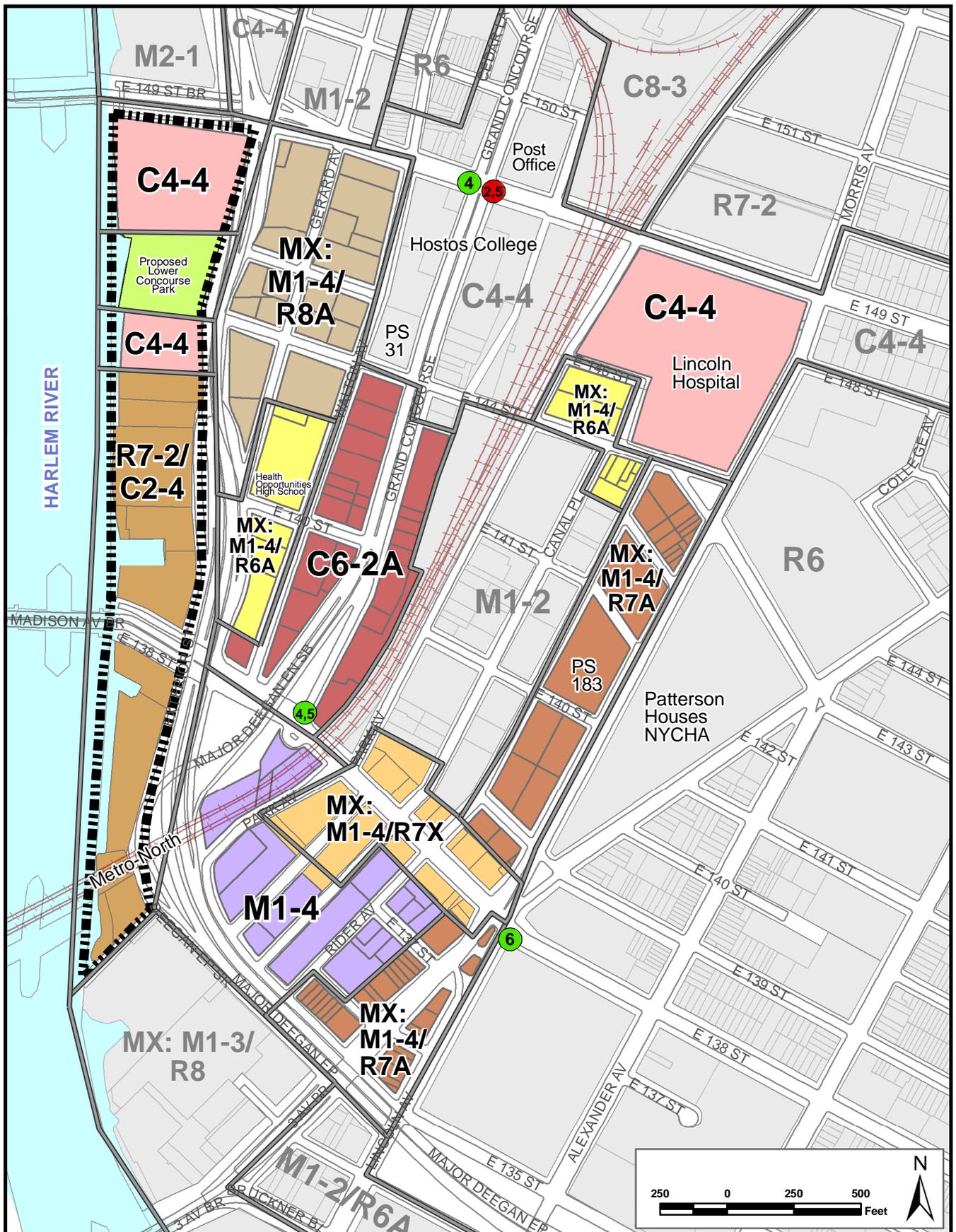
**Figure 3.21-2: Illustrative Site Plan for Projected Development Site #1**

*Lower Concourse Rezoning and Related Actions EIS*

NYC Department of City Planning

Source: RT Architecture P.C.; NYC Department of City Planning, 2009  
 \*This figure has been added for the FEIS.

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**Legend**

- M1-2 Existing Zoning
- M1-2 Proposed Zoning
- Proposed Special Harlem River Waterfront District

Source: NYC Department of City Planning, 2009;  
 NYC Department of City Planning MapPLUTO 2006  
 \*This figure has been added for the FEIS.

**Figure 3.21-3: Canal/Rider Retention Alternative**

*Lower Concourse Rezoning and Related Actions EIS*

NYC Department of City Planning

therefore, possibly fewer potential effects related to development pressure. Overall the Canal/Rider Retention Alternative strikes a balance between mixed-use and manufacturing with a more targeted approach. It allows for more flexibility for two development sites along the Harlem River while maintaining the overarching vision for the waterfront, and provides incentives for the development of food stores in a manner that is consistent with overall Citywide policy.

Development of RWCDs sites under the Canal/Rider Retention Alternative would result in a reduction of retail and residential development compared to the proposed action, while no change would result in the amount of projected community facility development. The Canal/Rider Retention Alternative would result in an incremental change between the No-Build and the Build scenarios on projected development sites of 2,878 dwelling units (including 547 affordable units developed pursuant to the City's Inclusionary Housing Program), 660,308 sf of retail space, and 63,700 sf of community facility space. Because one of the three proposed action projected development sites is expected to be converted to 104,000 sf of office space from manufacturing/storage use under a No-Action Scenario that maintains its M1-2 zoning, the Canal/Rider Retention Alternative would result in slightly more office space, with a net incremental reduction of 494,351 sf of office space whereas the proposed action would result in a net incremental reduction of 598,351 sf of office use. The Canal/Rider Alternative would result in a net incremental reduction of 228,886 sf of industrial space, whereas the proposed action would result in a net incremental reduction of 308,872 sf of industrial space. Under this alternative there would be two fewer office conversion sites than under the proposed action.

Three RWCDs projected sites located between Canal Place and Rider Avenue that would otherwise be developed under the proposed action would be eliminated from the rezoning under this alternative. Projected site #29, located on the north side of East 140<sup>th</sup> Street, and projected sites #28 and #17, both located north of East 141<sup>st</sup> Street, would retain their underlying M1-2 zoning, eliminating the potential for residential development (including residential conversions) on these sites. As a result, the Canal/Rider Retention Alternative would result in a decrease in projected residential units of 99 units (including nine fewer affordable units) compared to the proposed action. The RWCDs for the Canal/Rider Retention Alternative is included in Appendix O.

### **Land Use, Zoning, and Public Policy**

As with the proposed action, the Canal/Rider Retention Alternative would not result in significant adverse land use impacts in the rezoning area or land use study area. Eliminating one block and two block portions from the proposed rezoning would retain the industrial character of Rider Avenue and Canal Place to a greater extent than the proposed action, which would result in redevelopment and conversions of industrial loft buildings in this area for residential and mixed-use development. However, this modification represents a more targeted approach to mixed-use zoning and manufacturing by segregating the properties most vulnerable to displacement and

allowing vacant and underutilized properties that are owner occupied to redevelop . Existing land uses present on the parcels that would not be rezoned are primarily industrial and manufacturing, with the building south of East 140<sup>th</sup> Street containing an existing warehouse/manufacturing building that is expected to be converted to office use under future conditions without the proposed action (No-Action condition). This land use pattern would be expected to continue in the future under the Canal/Rider Retention Alternative instead of having these non-residential uses on these three blocks being partly replaced with mixed-use development, as would be expected under the proposed action.

Maintaining these enclosed, mostly industrial uses would be compatible with surrounding uses, including industrial parcels on M1-2 zoned blocks adjacent to the west, as well as future potential mixed-use development and the Paul Robeson Playground (Middle School 203 Playground) adjacent to the east. All other aspects of this alternative would be similar to the proposed action. It would result in similar land use effects, primarily entailing the introduction of residential and mixed-use development in areas that are now industrial, and the introduction of contextual building forms and loft conversions elsewhere where new development would occur on rezoned blocks located east of the Major Deegan Expressway. Changes expected on the waterfront blocks that would introduce mixed-use development and parkland would also be the same as under the proposed action.

As stated above, the zoning for the blocks that would be eliminated from the rezoning action under this alternative would remain M1-2. The M1-2 district permits a maximum FAR of 2.0 for commercial and manufacturing uses, and a maximum FAR of 6.5 for community facility uses. Aside from the change in comparison to the proposed action that would eliminate the potential for residential development on certain blocks between Canal Place and Rider Avenue, the amount of permissible future community facility development would increase on these blocks compared to the proposed action's MX (M1-4/R6A) zoning in this area, which would limit community facility development to a maximum FAR of 3.0. Establishing the MX: M1-4/R6A District along certain blocks would establish a framework for redevelopment that would be compatible with those lots that will retain their M1-2 zoning.

This alternative and the otherwise anticipated office conversion on RWCDS projected site #29 would result in less land use change on these blocks than the proposed action. However, land use benefits from the introduction of retail and residential use on sites #17 and #28, and residential use on site #29 would also not occur. In particular, residential redevelopment and conversion of manufacturing buildings would not be expected on RWCDS sites #17 and #28, which face a new playground (Paul Robeson Playground, or M.S. 203 Playground). While not adversely affecting the playground, continued manufacturing/storage uses located across the street would be less compatible with the adjacent open space, with no "eyes-on-the-park" after business hours. Projected redevelopment of RWCDS site #17 under the proposed action would entail a greater density than would be permitted under this alternative, with the MX (M1-4/R6A) zoning of the proposed action on this site allowing a maximum residential

FAR of up to 3.6 FAR, whereas the existing M1-2 District does not permit residential and has a maximum FAR for manufacturing uses of up to 2.0 FAR.

Overall, this alternative supports one of the major objectives of the proposed action in terms of revitalizing the rezoning area with new mixed-use development, the goal of creating an around-the-clock, mixed-use neighborhood would be achieved with a more targeted approach than under the proposed action.

With regard to public policy, while no significant adverse impacts from the proposed action were identified in the Draft EIS related to effects on industry and manufacturing – either through direct or indirect business displacement – by removing an industrial area of several blocks from the proposed rezoning action this alternative would be consistent with desired policies of the Office of the Bronx Borough President as indicated in his comments on the Draft EIS that seek to address the potential for higher values of land associated with mixed-use rezonings of industrial areas. According to testimony of Acting Borough President Earl Brown, such mixed-use rezonings of industrial land can create incentives for owners of industrial properties to sell their property regardless of whether there are active industrial tenants present. The Acting Borough President’s comments on the Draft EIS, found in Appendix N, state that “increasing floor area ratios for residential, commercial and community facility uses to more than double that of manufacturing further skews the relative real estate values, with consequent impacts on affordability for industry.” At the block and lot level this alternative would prevent conversions of several manufacturing buildings to partial residential use.

The modification to the zoning text amendment would limit the size of food store developments to 30,000 square feet without requiring a special permit, and modification of the SHRWD regulations related to the form of potential development on two RWCDs projected development sites, would also not be expected to result in significant adverse land use impacts. Limiting the size of food store developments that would otherwise not be permitted under existing zoning would be consistent with the existing density of M1-4-zoned portions of the rezoning area while still promoting the development of these needed facilities.

The SHRWD text modification would affect the form of development on RWCDs development site 1 while not altering the size or anticipated use of projected development on that site. Certain provisions of the SHRWD would be modified specific to projected development site 1 to accommodate an existing sewer easement that bisects the property and to allow open parking under the elevated Major Deegan Expressway. This SHRWD text modification would still result in beneficial mixed-use development that would be appropriate for that waterfront site directly south of the 145<sup>th</sup> Street Bridge abutting the proposed park. For Projected Development Site #4, Use Group 16C would become a conforming use to allow flexibility in the use of the property. Some of the urban design regulations would be modified to accommodate this proposed use. This modification would allow the property owner, Con Edison, the flexibility to develop a small accessory building on the site to provide restrooms, showers and

lockers for its employees. These modifications do not change the overall goals or objectives of the proposal or development of the waterfront area.

Overall the Canal/Rider Retention Alternative strikes a balance between mixed-use and manufacturing with a more targeted approach and allows for more flexibility for two development sites along the Harlem River. It maintains the overarching vision for the waterfront and provides incentives for the development of food stores in a manner that is consistent with overall Citywide policy. As with the proposed action, no significant adverse impacts to land use, public policy or zoning would be attributable to either the proposed action or the Canal/Rider Retention Alternative.

### **Socioeconomics**

Although not expected to result in significant socioeconomic impacts, upward pressures on commercial and residential rents resulting from the proposed action would also be expected under this alternative. The Canal/Rider Retention Alternative would not be expected to significantly alter trends in commercial real estate and housing affordability beyond those changes already expected as a result of the proposed action; nor would the alternative result in significant adverse indirect displacement of businesses and institutions not already identified as a result of the proposed action. As indicated in Chapter 3.2, employment in manufacturing in the primary study area is expected to decline in the future, consistent with borough- and citywide trends. With the reduction in anticipated conversions of industrial parcels to residential or mixed-use development, manufacturing jobs would be preserved to a greater extent than with the proposed action on several sites. However, overall manufacturing employment in the socioeconomic study area would be expected to decline further irrespective of the proposed action or this alternative.

Specific industrial parcels that would no longer be considered mixed-use conversion sites under this alternative include a woodworking, distribution and chemical storage and manufacturing use on projected site #17 and a printing and artist loft building that also contains storage on projected site #28. A furniture assembly and moving company business located on projected site #29 is expected to be converted to office use in the future with or without implementation of either the proposed action or the Canal/Rider Retention Alternative. Businesses on RWCDs *potential* development sites located within the area to be excluded from rezoning include a construction firm and warehouse operations on potential site #69; a warehouse on potential site #73; and, office space on potential site #74. It should be noted that none of the products or services provided by businesses on these projected or potential development sites are unique to the city or the region, and that similar products and services are offered at other locations borough- and city-wide.

The anticipated changes in development expected under the RWCDs for this alternative would have a negligible impact on socioeconomic conditions within the socioeconomic study area, aside from very localized effects related to the retaining industrial and office jobs on sites where non-residential uses currently generate primarily day-time worker

economic activity. Based on standard employee generation multipliers<sup>2</sup>, two RWCDs projected development sites (#17 and #28) would be expected to retain their total of 134 estimated manufacturing jobs under this alternative that would otherwise be displaced through anticipated conversions to residential and retail use under the proposed action. One RWCDs projected site that houses a manufacturing/storage business (site #29) would be expected to see a decrease in manufacturing jobs, but an overall increase in employment through conversion to office space, with the estimated number of employees on that site totaling 168 employees under the proposed action, versus 347 employees under the Canal/Rider Retention Alternative.

The modification of the zoning text amendment under the proposed action that would limit as-of-right food store development to 30,000 square feet in Bronx Community District #1 without requiring a special permit would not result in significant adverse business impacts. This aspect of the Canal/Rider Retention Alternative would result in somewhat reduced benefits to residents related to increased options for food stores given that larger M1-4 sites in the rezoning area could potentially be developed with larger Food Stores than 30,000 square feet under the proposed action (up to a maximum allowable FAR for commercial uses in M1-4 Districts of 2.0). While still potentially providing residents with expanded options for food shopping similar to the proposed action, the likelihood of larger-size food stores being developed in the future would decrease.

As with the proposed action, no significant adverse impacts to socioeconomic conditions would be attributable to either the proposed action or the Canal/Rider Retention Alternative.

### **Community Facilities**

With a decrease in the amount of projected residential development by 99 units and an average household size of 2.42 persons per dwelling unit, this alternative would be expected to generate approximately 240 fewer new residents than the proposed action. This change in RWCDs residential development would include nine fewer affordable dwelling units. Overall, this would slightly reduce demand on community facilities and services, compared to the proposed action. As with the proposed action, this alternative would not result in a significant adverse impact on schools, libraries, health care services, or police or fire services. However, like the proposed action and the No-Action Alternative, day care facilities would continue to be overburdened, although potential increases in demand for publicly funded day care slots would be offset by a number of factors. Private day care facilities and day care centers outside of the study area (e.g., closer to a parent's place of work) are not included in the analysis in Chapter 3.3. Some of the increased day care demand would likely be offset by parents who might choose to take their children to day care centers outside the study area (e.g., closer to work). Some of the Family Day Care Networks that

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<sup>2</sup> Estimated employees based on one employee per 500 sf of industrial space and one employee per 300 sf of office space.

serve children residing in the study area could potentially absorb some of the demand. This new demand would also be considered in future ACS solicitations for contracted services, and new capacity could potentially be developed as part of ACS's public-private partnership initiatives.

### **Open Space**

Neither the proposed action nor the Canal/Rider Retention Alternative would result in significant adverse open space impacts. Future residential population would decrease, slightly lowering residential demand for open space compared to the proposed action. Like the proposed action, new waterfront open spaces would be created in the form of an esplanade and a waterfront park. As with the proposed action, no significant adverse impacts to open space would be attributable to the Canal/Rider Alternative.

The new Paul Robeson School Playground (Middle School 203 Playground) on Rider Avenue located between East 141<sup>st</sup> Street and East 142<sup>nd</sup> Street, which would otherwise face mixed-use development to the west in converted loft buildings under the proposed action, would continue to face non-residential buildings housing warehouse/manufacturing space under the Canal/Rider Retention Alternative. Although this change would not result in significant adverse impacts, it may by comparison to the proposed action slightly decrease the perception of security for the users of this playground after hours. In contrast, the proposed action would contribute to enhanced safety for users of this open space by introducing around-the-clock residential use within these manufacturing/warehouse buildings.

### **Shadows**

No increases in shadow effects are anticipated under this alternative compared to the proposed action. Retaining the M1-2 zoning on portions of Block 2340 under this alternative would generate slightly less shadow, particularly for RWCDs #17 that would remain unchanged under this alternative, but that would be redeveloped with 43 dwelling units and 13,281 sf of retail use under the proposed action, with a maximum FAR of 3.6. As with the proposed action, no significant adverse impacts from shadowing would be attributable to the Canal/Rider Retention Alternative.

### **Urban Design and Visual Resources**

The blocks under the Canal/Rider Retention Alternative that differ as compared to the proposed action are located in the Canal/Rider Urban Design subarea and the Waterfront subarea. The Canal/Rider subarea is mostly industrial and is generally characterized by low- and mid-rise, high coverage buildings, some with distinct façade ornamentation (see Figure 3.21-4 below). The three visual resources that are present in the Canal/Rider subarea (North Side Board of Trade Building, Graham Triangle and Ryan Triangle) are not visible from the blocks that would have different zoning than under the proposed action (eastern portions of block 2340). The Waterfront subarea is

characterized by low-scale manufacturing uses including self-storage and parking. The modifications to projected development site #1 do not affect height or bulk. The change on projected development site #4 would result in a low-scale building that is consistent with the existing built form in the area. Under the proposed action this site is constrained and therefore projected with a much shorter building and smaller tower than most of the other sites. Overall, these modifications are consistent with the goals and objectives of the waterfront and allow for greater design flexibility of these sites as compared to the proposed action.



**Figure 3.21-4: Rider Avenue industrial loft building (Block 2340) to be retained in M1-2 District under Canal/Rider Retention Alternative.**

Compared to the proposed action, eliminating one full block and two block portions from the rezoning action under this alternative would not affect visual resources, as the nearest visual resources to these blocks are separated by intervening blocks, and projected development would largely consist of industrial loft conversions. While five of the six projected and potential RWCDs development sites on these blocks would result in residential, office and retail conversions (with the proposed action), with no anticipated new construction or building extensions, future building bulk features of these blocks under the Canal/Rider Retention Alternative would not be expected to change significantly in comparison to the proposed action. The change to projected site #4 would result in a much smaller building, which would alter the varied skyline achieved under the proposed action. Overall, this change would not have a significant impact. Urban design features also include building use and type, and some change would be expected as a result of the elimination of residential conversion potential. RWCDs site #28 would not be converted for residential and retail use as would be the case under the proposed action, but would instead remain in use for manufacturing and storage. RWCDs site #17 would remain unchanged, with its 18,750 sf of manufacturing

space remaining, and would not be redeveloped with a mix of residential and retail use with a maximum 3.6 FAR, as is projected to occur on this site under the proposed action. RWCDs site #4 would be developed with a low-scale building with a reduced shore public walkway.

As shown in the photograph above, some of the industrial buildings present on the one full block and two block portions that would be removed from the rezoning under this alternative are articulated 19<sup>th</sup> century industrial loft buildings with windows that are blocked or gated in some cases, detracting from the urban design quality of their surroundings. Under the proposed action, residential conversion of these industrial lofts would enliven the streetscape, with the windows of residences expected to be more open to the street, and the presence of future residents providing an enhanced sense of security for pedestrians on Rider Avenue and Canal Place as a result of having around-the-clock “eyes-on-the-street.” This positive aspect of the proposed action related to the urban design character of these three blocks would not occur under the Canal/Rider Retention Alternative,. While no significant adverse impacts on urban design and visual conditions would be anticipated, certain benefits of the proposed action related to urban design conditions and the context of the Paul Robeson Playground (M.S. 203 Playground), located on the east side of Rider Avenue, would not be realized as fully under this alternative. However, the architectural features of the buildings in areas where the rezoning action would change in comparison to the proposed action would be expected to remain unchanged, maintaining the historic 19<sup>th</sup> century industrial character of the Canal/Rider Urban Design subarea.

As with the proposed action, no significant adverse impacts to urban design would be attributable to the Canal/Rider Retention Alternative.

### **Neighborhood Character**

Neither the proposed action nor the Canal/Rider Retention Alternative would result in significant adverse impacts on neighborhood character. The blocks in the Canal/Rider subarea where the rezoning proposal would differ from the proposed action would maintain their historic, 19<sup>th</sup> century character, and would remain non-residential in use and appearance. The lower amount of future residential development compared to the proposed action would not significantly change the resulting impacts on overall neighborhood character in the rezoning area resulting from the proposed action, with the rezoning area still benefiting from the effects of revitalization and introduction of beneficial development bringing jobs, new residents and activity to an area that is now underutilized. No significant adverse impacts on neighborhood character would be expected. For the blocks between Canal Place and Rider Avenue where no residential conversions would be permitted, future neighborhood character would reflect the existing non-residential character of this area, and establishing the MX district on portions of blocks provides the framework to guide future mixed-use development in this area.

As with the proposed action, no significant adverse impacts to neighborhood character would be attributable to either the proposed action or the Canal/Rider Retention Alternative.

### **Hazardous Materials**

The Canal/Rider Retention Alternative would have the same requirements for hazardous material remediation as would the proposed action, and (E) designations would be required. However, since one area between Canal Place and Rider Avenue would retain its existing industrial zoning under this alternative, the six development sites associated with that area would not receive (E) designation if the Canal/Rider Retention Alternative was adopted (see the hazardous materials (E) designation table in Appendix O). Although these sites would not have a (E) designation for hazardous materials placed on them, there would be no new residents introduced on these sites or redevelopment activity that would result in ground disturbance on these sites. Therefore, as with the proposed action, no significant adverse impacts due to hazardous materials would be attributable to the Canal/Rider Retention Alternative.

### **Natural Resources**

The blocks where a change in future development types would be expected under the Canal/Rider Retention Alternative in comparison to the proposed action are within upland areas of the study area that are fully developed and devoid of natural resources. Changes expected from future conditions under both this alternative and the proposed action would entail use conversions of existing buildings only. Therefore, as with the proposed action, no significant adverse impacts to natural resources would be attributable to the Canal/Rider Retention Alternative.

### **Waterfront Revitalization Program**

While the Canal/Rider Retention Alternative proposes a change in use on Projected Site #4, this change would not adversely affect the development in the Coastal Zone. While the development of an accessory building for Use Group 16C differs from the mixed-use building under the proposed action, the development would provide a reduced shore public walkway and public access to the waterfront area. Therefore, overall this alternative would be supportive of goals and objectives of the Waterfront Revitalization Program and would not be expected to result in significant adverse impacts on resources within the Coastal Zone.

### **Historic Resources**

Under the Canal/Rider Alternative, new construction and site disturbance would be expected to occur on the same projected development sites as under the proposed action RWCDS with the exception of three sites, which would not be rezoned and which, in any case, do not contain historic or archaeological resources and are not adjacent or in the immediate vicinity of historic or archaeological resources. Therefore, the same

potential for disturbance of architectural or historic resources would occur under this alternative. The one potentially eligible resource, the North Side Board of Trade building, is not directly protected through the New York City Building Code or *TPPN 10/88*, and therefore, as with the proposed action, it could be adversely affected by both the proposed action and the Canal/Rider Retention Alternative.

As with the proposed action, the potentially significant adverse impacts to historic resources could be avoided if the North Side Board of Trade building were to be calendared for consideration by the LPC.

### **Infrastructure**

As a result of the reduced number of residential units and overall reduction in residential density of anticipated future development compared to the proposed action, the Canal/Rider Retention Alternative would produce marginally less demand on the City's infrastructure for water demand and wastewater generation when compared to the proposed action, though neither this Alternative nor the proposed action would result in significant adverse impacts to infrastructure. The modification to the SHRWD zoning text amendment related to RWCDs site #1 would address potential conflicts between existing utility lines and future anticipated mixed-use development on RWCDs projected site #1, resulting in a potential benefit related to infrastructure in comparison to the proposed action.

The future condition with the Canal/Rider Retention Alternative would not generate additional increases in impervious surfaces compared to the proposed action. Therefore, similar to the proposed action, the Canal/Rider Retention Alternative is anticipated to generate an increase of approximately 9.6 cubic feet per second (cfs) of stormwater runoff over the No Action conditions. Although there may not be a specified requirement for increased detention associated with this increase itself, stormwater Best Management Practices and sustainable design features could be incorporated into future development. These would serve to decrease the potential for an increase to CSO frequency or duration to the Harlem River. Therefore, it is expected that there would be some reduction in uncontrolled runoff from private development sites in the future with the Canal/Rider Retention Alternative, similar to the proposed action.

Similar to the proposed action, it is concluded that the Canal/Rider Retention Alternative would not result in significant adverse impacts to the local water supply, sanitary wastewater treatment, or stormwater management infrastructure systems.

### **Solid Waste and Sanitation Services**

Similar to the Lower Density Alternative, demands on solid waste and sanitation would decrease to a minor extent under the Canal/Rider Retention Alternative compared to the proposed action, due to the decrease in projected dwelling units. The incremental decrease of solid waste generation with the Canal/Rider Retention Alternative

compared to the proposed action would be insignificant in light of the estimated 12,000 tons of residential and institutional refuse and recyclables collected by DSNY per day. As with the proposed action, no significant adverse solid waste/sanitation impacts would occur under the Canal/Rider Retention Alternative.

### **Energy**

As with the proposed action, energy demand would increase, but no significant adverse energy impacts would occur under the Canal/Rider Retention Alternative.

### **Traffic and Parking**

Projected development for the Canal/Rider Retention Alternative would be as that of the Lower Density Alternative at Site #4, #17, #28 and #29, but retain the larger hotel and retail development of the Proposed Action on Site #16. Likewise, the Canal/Rider Retention Alternative would generate fewer incremental person trips than the RWCDs of the Proposed Action as compared to the respective No Action conditions of the RWCDs of the Proposed Action and the Canal/Rider Retention Alternative, as shown below on Table 3.21-3. Also, a comparison of incremental vehicle trips of the RWCDs of the Proposed Action and the Canal/Rider Retention Alternative with each respective No Action condition indicates that the net difference between the Proposed Action and Canal/Rider Retention Alternative would also be minimal. Slightly more vehicle trips would be generated by the Canal/Rider Retention Alternative than under the Lower Density Alternative due to the larger projected development on Site #16. However, fewer vehicle trips would be generated in the study area under both the No Action and With Action condition of the Canal/Rider Retention Alternative relative to the Proposed Action, but the alternative would not substantially reduce the number of significant traffic impacts identified in the study area. As in the Lower Density Alternative, significant traffic impacts would occur at one less intersection during the time periods analyzed, specifically at the intersection of Grand Concourse with East 144<sup>th</sup> Street during the Saturday midday peak hour.

No change in the number and locations of unavoidable adverse impacts projected to occur under the Proposed Action would occur under the Canal/Rider Retention Alternative. Analysis indicated that no significant parking impacts would occur as a result of implementation of the Proposed Action. Slightly lower overnight parking demand in the study area could occur under the Canal/Rider Retention Alternative due to the lower number of dwelling units projected by 2018 for this alternative.

**Table 3.21-2: Peak Hour Incremental Trips Comparison  
 Canal/Rider Retention Alternative with Proposed Action**

Analysis Time Period	Proposed Action <sup>1</sup>	Canal/Rider Retention Alternative <sup>1</sup>	Net Difference
<b>Person Trips</b>			
AM	2796	2675	-121
Midday	8189	7349	-840
PM	6088	5609	-479
Saturday Midday	6932	6305	-627
<b>Vehicle Trips<sup>2</sup></b>			
AM	-37	+25	+62
Midday	189	+243	+54
PM	287	+336	+49
Saturday Midday	944	+925	-19
<sup>1</sup> Total incremental change in person and vehicle trips compared to the specific No-Action condition for each alternative <sup>2</sup> Auto, taxi and truck combined Note: This table is new to the FEIS.			

### Transit and Pedestrians

The lower person trips projected generated by the Canal/Rider Retention Alternative, compared to the Proposed Action, could result in lower pedestrian volumes on certain pedestrian elements in the study area as well as a slightly lower volume of bus and subway passengers. As with the Proposed Action, no significant adverse impacts to transit or pedestrians would result from the Canal/Rider Retention Alternative.

### Noise

Compared to the proposed action, the changes with the Canal/Rider Retention Alternative would be minor relative to their impact on noise, and are not expected to result in any significant increases in local ambient noise or doubling of traffic at any roadway or intersection such that a significant adverse impact would occur. With respect to the need for noise attenuation, the (E) designations would be the same as required for the proposed action, with the exception of the sites between Canal Place and Rider Avenue that would retain their existing industrial zoning under the Canal/Rider Alternative. Although these sites would not have a (E) designation for noise placed on them under this alternative, there would be no new residents introduced on these sites (see the noise (E) designation table in Appendix O). Therefore, as with the proposed action, no significant adverse noise impacts would be attributable to the Canal/Rider Retention Alternative.

### **Construction Impacts**

An overall decrease in duration and magnitude of construction activities would be expected as the result of less projected development under the Canal/Rider Retention Alternative as compared to the proposed action. Because of the lower amount of development anticipated, temporary construction disruptions would decrease slightly when compared to the proposed action. Neither this alternative nor the proposed action would result in significant adverse impacts on air quality, noise, traffic, pedestrians or transit during construction.

### **Public Health**

The Canal/Rider Retention Alternative would not result in significant adverse public health impacts, as it would not significantly impact the various technical areas that comprise public health, namely, air quality, hazardous materials, solid waste management, and noise. Similar to the proposed action, the Canal/Rider Retention Alternative would also incorporate the noise attenuation, air quality, and hazardous materials testing and remediation requirements due to the proposed (E) designations.

### **Mitigation**

Mitigation or other protective measures applicable under the Canal/Rider Retention Alternative would be similar to those that would be implemented with the proposed action for potential impacts associated with community facilities, traffic and parking, and pedestrians. Changes to signal timing would mitigate potential pedestrian impacts and all but the unmitigatable traffic impacts (see the Traffic section above and the Unavoidable Adverse Impacts section below for discussion of unmitigatable traffic impacts).

As with the proposed action, the Canal/Rider Retention Alternative would result in a significant adverse impact on publicly funded day care facilities in the study area, warranting consideration of mitigation measures. This potential increase in demand could be offset by a number of factors, including private day care facilities and day care centers outside of the study area; absorption of students by some of the Family Day Care Networks; and, development of new capacity as part of the New York City Administration for Children's Services' public-private partnership initiatives.

All potential for impacts related to hazardous materials, air quality and noise would be effectively offset through the assignment of appropriate (E) designations to properties that could potentially be susceptible to such impacts. An (E) is designated on the appropriate Zoning Map (by block and lot) and indicates that on that site no change of use or development requiring a New York City Department of Buildings permit may be issued without approval of the New York City Department of Environmental Protection.

### **Unavoidable Adverse Impacts**

The Canal/Rider Retention Alternative would have the same unavoidable adverse impacts as those of the proposed action. As noted above, there would be unavoidable impact to publicly funded day care that would be offset by a number of factors. However, if none of the measures identified to mitigate the impact to publicly funded day care are taken, then the Canal/Rider Retention Alternative would result in an unmitigated adverse day care impact.

The one historic resource, the North Side Board of Trade building, is not directly protected, and therefore, as with the proposed action, it could be adversely affected by the Canal/Rider Retention Alternative. Therefore, this historic resource impact would be unavoidable.

The Canal/Rider Retention Alternative would result in same unavoidable traffic impacts as under the proposed action. For all analyzed peak hours (Weekday AM, Midday and PM; Saturday Midday; Game Day Weekday PM; and Game Day Saturday Midday), there would be unavoidable adverse impacts at East 149<sup>th</sup> Street, at Exterior Street and River Avenue. For Weekday AM, Midday, PM and Game Day Weekday PM there would be unavoidable adverse impacts at the intersection of East 149<sup>th</sup> Street and Morris Avenue. For Weekday AM and Saturday Midday, there would be unavoidable adverse impacts at East 138<sup>th</sup> Street at Exterior Street. For Weekday Midday, PM and Saturday Midday there would be unavoidable adverse impacts at the intersection of East 138<sup>th</sup> Street at Third Avenue and Morris Avenue, and for Weekday PM and Saturday Midday, there would be unavoidable adverse impacts at East 135<sup>th</sup> Street at Madison Avenue.

### **Conclusion**

The Canal/Rider Retention Alternative would have similar proposed zoning map amendments as the proposed action with the exception of retaining M1-2 zoning on some blocks that would otherwise be proposed for rezoning for mixed-use development. It would also generally include the same proposed zoning text amendments as the proposed action, with a number of exceptions as outlined below.

The amount of food store development in M1-4 districts in Bronx Community District 1 proposed to be permitted without requiring a Special Permit would be limited to a greater extent than with the proposed action. Food stores would be permitted as-of-right up to 30,000 sf within M1-4 zoning districts in Bronx Community District 1. Under the proposed action, food stores of any size would be permitted as-of-right within these zoning districts. The provisions of this alternative would be consistent with an upcoming Citywide proposal on local supermarkets.

In addition, under this alternative the regulations of the SHRWD would allow Use Group 16C uses to be developed on Projected Development Site #4 (Block 2349 Lot 15) in addition to the uses permitted under the proposed actions, and some of the urban

design regulations would be modified to accommodate Use Group 16C use on this site. Under the proposed action Use Group 16C is not permitted and the site was projected to be developed with residential and commercial development, subject to the full range of the waterfront zoning rules and regulations of the SHRWD. Under this alternative the property owner, Con Edison, would have the flexibility to develop a small accessory building on the site to provide restrooms, showers and lockers for its employees. These modifications do not change the overall goals or objectives of the proposal or development of the waterfront area.

Lastly, due to information coming to light subsequent to the publication of the Draft EIS regarding an existing sewer easement, certain provisions of the SHRWD would be modified under this alternative specific to Projected Development Site #1 (Block 2349, Lot 15) to allow more flexibility in the design of the site. The modification would allow for the necessary accommodation to address the existing sewer easement that bisects the property and to allow open parking under the elevated Major Deegan Expressway. The projected use and density of the site would remain the same as that found under the proposed action.

The most significant change associated with the Canal/Rider Retention Alternative compared to the proposed action involves portions of the industrial area located east of the Metro-North Railroad right-of-way. This alternative would retain the M1-2 zoning on blocks located between Canal Place and Rider Avenue between approximately East 140<sup>th</sup> Street and approximately East 144<sup>th</sup> Street (a portion of Block 2340). Under the proposed action, this area would be rezoned to MX (M1-4/R6A), permitting continued development of new manufacturing uses, but also allowing residential development and limiting new community facility development to a lower bulk, or FAR, compared to the proposed action. Under the Canal/Rider Retention Alternative that has been newly evaluated in this Final EIS, no residential development would be permitted.

The modified zoning mapping action of the Canal/Rider Retention Alternative preserves the intent of the proposed action by allowing for redevelopment of vacant and underutilized sites in a more targeted approach. The sites that will retain the M1-2 zoning have a larger concentration of jobs and firms than those that will be rezoned. Although not identified as a significant adverse impact on businesses, the potential for secondary displacement of the manufacturing uses that exist on these blocks would be reduced under this alternative compared to the proposed action due to possible lower land values and, therefore, possibly fewer potential effects related to development pressure. Overall the Canal/Rider Retention Alternative strikes a balance between mixed-use and manufacturing with a more targeted approach.

As stated above, other aspects of the Canal/Rider Retention Alternative would be equivalent to the proposed action with the exception of several modifications to the proposed zoning text amendments. The first entails a limitation on the size of the Food Store developments that would be newly permitted in M1-4 districts without requiring a Special Permit. A limit of 30,000 sf would be imposed. The second difference entails a change to the proposed zoning text amendment establishing the SHRWD that would

affect the form of development on one Projected Development Site #1. Due to an existing sewer easement, certain provisions of the SHRWD would be modified under this alternative specific to Projected Development Site #1 (Block 2349, Lot 15) to allow more flexibility in the design of the site. The modification would allow for the necessary accommodation to address the existing sewer easement that bisects the property and to allow open parking under the elevated Major Deegan Expressway. The projected density of the site would remain the same as that found under the proposed action.

Though also part of the No-Action condition for this alternative, RWCDs site #4 would be developed with a Con Edison Muster Center versus mixed-use development under the proposed action. Under this alternative the regulations of the SHRWD would allow Use Group 16C uses to be developed on Projected Development Site #4 (Block 2349 Lot 15) in addition to the uses permitted under the proposed actions, and some of the urban design regulations would be modified to accommodate Use Group 16C use on this site. These modifications do not change the overall goals or objectives of the proposal or development of the waterfront area.

By retaining the existing zoning of portions of the Canal/Rider subarea, this alternative responds to community perceptions regarding the potential real estate effects of higher land values associated with mixed-use zoning, and the potential for pressures on industry related to affordability. Under this alternative, three RWCDs projected development sites that would otherwise be created as a result of the proposed action would be removed from the rezoning. An overall reduction in residential development (approximately 99 fewer dwelling units, including nine fewer affordable dwelling units) and two fewer projected office conversion sites would be expected with the new Canal/Rider Retention Alternative compared to the proposed action, which would allow manufacturing loft conversions.

The environmental impacts and effects of the Canal/Rider Retention Alternative would be similar or lesser compared to the proposed action. Requiring a special permit for food store developments over 30,000 sf in size in M1-4 districts instead of allowing such food store development up to the maximum allowable FAR in the M1-4 District, the change to allow more flexibility in the potential future design of development on Projected Development Site #1 within the SHRWD, allowing Use Group 16C uses to be developed on Projected Development Site #4, and retaining the existing zoning and land use patterns of three manufacturing-zoned blocks that would have their M1-2 zoning retained instead of rezoned to permit mixed-use development including residential uses would still be compatible from a land use, urban design, and neighborhood character perspective, and would result in reduced demands on infrastructure and utilities. Similar to the proposed action, new construction resulting from the proposed zoning under the Canal/Rider Retention Alternative would generally still adhere to contextual design principles. Infrastructure, open space and other population-related effects would be generally similar or lesser compared to the proposed action. The benefits of mixed-use development in terms of enlivening the streetscape with round-the-clock activity and facilitating the introduction of ground floor retail use would not occur on the three

RWCDS projected development sites between Canal Place and Rider Avenue that would otherwise be projected for mixed-use development under the proposed action.

The Canal/Rider Retention Alternative would retain the industrial character and functions of the Canal/Rider area to a greater extent than under the proposed action. By eliminating the possibility of residential development on three projected RWCDS sites that would otherwise be expected to experience mixed-use development, this alternative would retain industrial jobs associated with these sites, while precluding the reuse of these buildings for residential development. Overall the Canal/Rider Retention Alternative strikes a balance between mixed-use and manufacturing with a more targeted approach and allows more flexibility for two development sites along the Harlem River while maintaining the overarching vision for the waterfront. It also provides incentives for the development of food stores in a manner that is consistent with overall Citywide policy.

Regarding traffic, the Canal/Rider Retention Alternative would generate fewer incremental person trips than the RWCDS of the proposed action as compared to the respective No-Action conditions of the RWCDS of the proposed action and the Canal/Rider Retention Alternative. Also, a comparison of incremental vehicle trips of the RWCDS of the proposed action and the Canal/Rider Retention Alternative with each respective No-Action condition indicates that the net difference between the proposed action and Canal/Rider Retention Alternative would also be minimal. Fewer vehicle trips would be generated in the study area under both the No-Action and With-Action condition of the Canal/Rider Retention Alternative relative to the proposed action, but the alternative would not substantially reduce the number of significant traffic impacts identified in the study area. No change in the number and locations of unavoidable adverse impacts projected to occur under the proposed action would occur under the Canal/Rider Retention Alternative. Analysis indicated that no significant parking impacts would occur as a result of implementation of the proposed action.

Mitigation or other protective measures applicable under the Canal/Rider Retention Alternative would be similar to those that would be implemented with the proposed action for potential impacts associated with community facilities, traffic and parking, and pedestrians. Changes to signal timing would mitigate all but the unmitigatable traffic impacts. The Canal/Rider Retention Alternative would have the same unavoidable adverse impacts as those of the proposed action.

Under the Canal/Rider Retention Alternative, the changes in actions would not result in an increase in significant adverse environmental impacts compared to the proposed action, nor would it avoid the significant adverse impacts that would be associated with the proposed action.