

**A. INTRODUCTION**

In accordance with the City Environmental Quality Review (CEQR), this chapter presents and analyzes alternatives to the proposed actions. As described in the 2014 *CEQR Technical Manual*, alternatives selected for consideration in an EIS are generally those which are feasible and have the potential to reduce or eliminate a proposed project's impacts considering the objectives and capabilities of the project sponsor.

This chapter considers two alternatives to the proposed actions: the No Build Alternative, in which no new development is anticipated to occur on the project site; and the No Unmitigated Significant Adverse Impacts Alternative, which considers whether a reduction in the size of the proposed enlargement to the Staten Island Mall (the Mall) would eliminate the potential for unmitigated significant adverse impacts. Other potential alternatives to the proposed actions—including lesser density alternatives—were considered, but were found not to substantively reduce the impacts of the proposed project while still meeting the project's stated purpose and need.

**PRINCIPAL CONCLUSIONS**

As described in Chapter 1, "Project Description," the proposed actions are necessary to facilitate new commercial development on the project site. It is the Applicants' opinion that the expanded retail uses on the project site would fulfill the surrounding community's demand for additional commercial goods and services, and would promote the retention of sales and economic activity within Staten Island. Also, the proposed project would occur on underutilized land within an existing concentration of retail uses. Currently, despite the commercial success of the Mall, the surface parking lots surrounding the mall are underutilized. In 2012, surveys of parking utilization found that utilization of the existing parking lots was typically 50 percent, and never exceeded 60 percent. Neither the No Build Alternative nor the No Unmitigated Significant Impacts Alternative would substantively meet the goals and objectives of the proposed project. The alternatives are summarized briefly below, followed by a more detailed chapter analysis.

***NO BUILD ALTERNATIVE***

The No Build Alternative assumes no discretionary actions would occur and that that no new development would occur on the project site. This alternative would avoid the proposed project's significant adverse traffic impacts. However, in this alternative, there would be no enlargement of the Mall, an existing commercial center that is accessible to major roadways, including Richmond Avenue and the West Shore Expressway, and that is near central Staten Island's numerous residential neighborhoods. The No Build Alternative would not meet the goals and objectives of the proposed project which is to expand retail uses on the project site which the Applicants believe would fulfill the surrounding community's demand for additional commercial goods and services, and would promote the retention of sales and economic activity within Staten Island.

*NO UNMITIGATED SIGNIFICANT ADVERSE IMPACTS ALTERNATIVE*

In order to determine the maximum density that would result in no unmitigated significant traffic impacts, sensitivity analysis was conducted to determine the With Action auto increment that the traffic network could accommodate with no potential for significant adverse impacts. It was estimated that the Mall enlargement would not be able to exceed 25,000 gross square feet (gsf) of destination retail space, and would not be able to accommodate a supermarket or movie theater, in order for the street network to have no intersections with potentially unmitigated significant adverse impacts. Specifically, the addition of fewer than five cars during all four peak periods analyzed would trigger a potential traffic impact that could not be fully mitigated on the northbound through-right lane group at the intersection of Rockland Avenue and Forest Hill Road. Due to existing congested conditions at a number of intersections, even a minimal increase in traffic would result in unmitigated significant traffic impacts at that location. Given that any new development on the project site in excess of approximately 25,000 gsf could result in unmitigated significant impacts in the area of transportation, there is no alternative that could be advanced to completely avoid such impacts without substantially compromising the Project's goals and objectives.

**B. NO BUILD ALTERNATIVE**

**DESCRIPTION OF THE NO BUILD ALTERNATIVE**

The No Build Alternative assumes that no new development would occur on the project site. Without the proposed approval of parking facility layout and relief from requirements regarding the provision of off-street accessory parking, no new development could occur on the project site, even though development on the site is far below the maximum allowable floor area ratio (FAR). Any development or enlargement on the project site, including changes to the parking site plan, would require an authorization pursuant to Zoning Resolution (ZR) Section 36-023 (which is a discretionary action and subject to environmental review) to assure that the layout of parking space is arranged and located in relation to the uses on the site so as to provide adequate ingress, egress, and circulation with respect to the abutting streets.

Under the No Build Alternative the project site would remain in its existing condition and the proposed project would not be implemented. This condition is described earlier in Chapter 1, "Project Description," as the "future without the proposed project" or the "No Build condition," and has been used in other chapters of this EIS as the baseline against which impacts of the proposed project are measured. This section compares the potential effects of the No Build Alternative to those of the proposed project.

**NO BUILD ALTERNATIVE COMPARED WITH THE PROPOSED PROJECT**

The effects of the No Build Alternative in comparison to those of the proposed project are summarized below.

*LAND USE, ZONING, AND PUBLIC POLICY*

In the No Build Alternative, no new development or change of uses would occur on the project site. The project site is currently occupied by the existing Mall, which is a regional shopping center consisting of retail stores arranged as a mall with three department stores on the north (Macy's), south (Sears), and east sides (JCPenney) of the Mall. The project site would contain the existing 1,228,814 gsf of Use Group 6 and Use Group 10 retail uses, including department store and non-department store retail uses, restaurant and food court uses, and common space,

receiving, and service areas. The project site would also contain approximately 5,844 existing accessory parking spaces.<sup>1</sup> Based on surveys conducted by the Applicants' consultants, these spaces are currently underutilized; 2013 surveys of parking lot utilization found that, at peak holiday conditions, no more than 65 percent of parking spaces on the site were in use. The built floor area ratio (FAR) of the project site is approximately 0.33, which is below the maximum allowable FAR of 1.0.

Similar to the future with the proposed actions, under the No Build Alternative the project site would remain entirely within a C4-1 commercial zoning district, which allows commercial uses up to a maximum FAR of 1.0, residential uses of up to 1.25 FAR, and community facility uses of up to 2.0 FAR. C4-1 districts are generally mapped for outlying regional commercial centers and have high parking requirements.

Neither the proposed project nor the No Build Alternative would result in significant adverse impacts to land use, zoning, or public policy. However, unlike the No Build Alternative, the proposed project would more efficiently utilize existing on-site parking, expand retail offerings at the Mall, and generate economic development benefits for the Borough of Staten Island and the City of New York.

#### *SOCIOECONOMIC CONDITIONS*

The No Build Alternative, like the proposed project, would not result in any significant adverse impacts to socioeconomic conditions. The No Build Alternative would not add any new retail uses to the project site, and therefore would not have the potential to result in direct or indirect displacement of businesses within the surrounding area. While the proposed project's retail uses would represent a substantial addition to the ½-mile study area, they would not be new types of uses within the study area, and therefore would not introduce a new trend that could alter economic patterns and result in potential indirect business displacement due to increased rents or competition.

Unlike the No Build Alternative, the new uses introduced as a result of the proposed project would generate economic activity and better meet consumer demand by providing new, complementary retail serving the surrounding area and the borough as a whole.

#### *OPEN SPACE*

Neither the No Build Alternative nor the proposed project would remove or alter any existing publicly accessible open spaces, as there are no publicly accessible open spaces (as defined by the *CEQR Technical Manual*) within a ¼-mile area of the project site. As described in Chapter 4, "Open Space," there are three landscaped areas with benches located at Mall entrances. With these on-site resources, the existing passive open space ratio is approximately 0.23 acres per 1,000 workers, which exceeds the DCP guideline of 0.15 acres per 1,000 workers. In the No Build Alternative, the passive open space ratio would remain unchanged and would exceed DCP's guideline for passive open space. While the No Build Alternative's open space ratio would exceed DCP's guideline, the No Build Alternative would not introduce the 0.73-acre multi-use plaza and would have a lower open space ratio than the future with the proposed

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<sup>1</sup> The project site does not include the zoning lot containing the Sears or its adjacent 1,018 space parking area. Together with the Sears portion, the Mall contains approximately 1,416,585 gsf of retail uses and 6,926 parking spaces. Neither the project site's 5,844 existing parking spaces nor the Sears' 1,018 spaces include 64 spaces that straddle the project site and the Sears zoning lot.

## **Staten Island Mall Enlargement**

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project, which would have an open space ratio of 0.30 acres per 1,000 workers. Therefore, this alternative would not result in the improved open space conditions that would be realized with the proposed project.

### *URBAN DESIGN AND VISUAL RESOURCES*

The No Build Alternative, like the proposed project, would not result in significant adverse impacts on the urban design, view corridors, or visual resources within a 400-foot study area. However, unlike the proposed project, the No Build Alternative would not result in improvements to the pedestrian experience or to the landscaped areas throughout the project site. With the proposed project, retail uses and a new parking structure would replace existing surface parking, resulting in a slight reduction in the size of the parking field as viewed by pedestrians. In addition, the proposed project would plant an estimated 427 new trees, primarily in areas including the perimeter of the proposed parking structure, as well as within and along the edges of various parking areas. The proposed project also would enhance the main Mall entry point on Richmond Avenue with new trees and the creation of a multi-use plaza. The plaza would be designed with paving, landscaping, and lighting so that it may function as a pedestrian plaza to be used for public events including holiday fairs, greenmarkets, and cultural events.

As a result, compared to the proposed project, the No Build Alternative would not enhance the existing streetscape and pedestrian environment in the project site and study area.

### *NATURAL RESOURCES*

The No Build Alternative, like the proposed project, would not result in significant adverse impacts to groundwater, floodplains, water quality, aquatic biota, wetlands, terrestrial natural resources, and threatened or endangered species within the project site or the surrounding area.<sup>2</sup> With the No Build Alternative, land cover type and human activity would not differ from the present, as the project site would remain a developed commercial center with parking lots and manicured lawns. As such, natural resources within the project site would remain unchanged from the existing condition. The vegetation and ecological communities of the project site would remain largely unchanged in the No Action Scenario because of the frequency of mowing and other maintenance activities already occurring within the mowed lawn and mowed lawn with trees found within the project site. Because land cover type and the patterns and levels of human activity within the study area are not expected to change under the No Build Alternative, wildlife species using the project site are not expected to change; the same species of wildlife currently present are expected to remain. The parking areas and patches of manicured lawn with shade trees within the project site will continue to support the same communities of urban-adapted, generalist wildlife such as rock dove, house sparrow, and Norway rat. As under existing conditions and in the future with the proposed project, with the No Build Alternative the project site would not support threatened or endangered species. With the proposed project, land cover type and levels of human activity would increase slightly, but would not adversely affect the wildlife present on the project site and within the study area, with possible increases in the numbers of some of the species currently present.

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<sup>2</sup> The study area for terrestrial natural resources, and floodplains consisted of the project site and the area within 400 feet of the project site. Threatened, endangered, and special concern species were evaluated within a half-mile of the project site.

For the portion of the study area outside the project site, under the No Build Alternative, similar to the proposed project the runoff from the project site would continue to be discharged to the stormwater outfalls within Fresh Kills Park. With the No Build Alternative and the proposed project, natural resources within this portion of the study area would be expected to be as described for the existing condition.

#### *HAZARDOUS MATERIALS*

Unlike the proposed project, there would be no construction on the project site in the No Build Alternative. Without excavation and construction on the project area, there would be no potential for exposure to subsurface contaminants. As such, there would be no potential for human or environmental exposure and therefore no potential for significant adverse impacts. Legal requirements, including requirements for petroleum storage tank maintenance and managing ACM, LBP and PCBs, would continue to be applicable.

Unlike in the proposed project, the potential subsurface contamination on the project site identified by previous Phase I Environmental Site Assessments would not be further investigated by a Phase II Subsurface Investigation in accordance with an NYC Department of Environmental Protection (NYCDEP)-approved Work Plan. Further, any such contamination uncovered by the Phase II Investigation would not be remediated through an NYCDEP-or New York City Mayor's Office of Environmental Remediation (OER)-approved Remedial Action Plan (RAP) during the construction phase of the proposed project.

With a RAP, a Health and Safety Plan (HASP), and a Construction Health and Safety Plan (CHASP) in place, the proposed project, like the No Build Alternative, would not cause any significant adverse impacts.

#### *WATER AND SEWER INFRASTRUCTURE*

The No Build Alternative would not result in any increased demand on New York City's water supply and would not result in any change in wastewater and sanitary sewage generation. Neither the No Build Alternative nor the proposed project would result in any significant adverse impacts on the City's water supply, wastewater, or stormwater conveyance and treatment infrastructure.

#### *SOLID WASTE AND SANITATION SERVICES*

Unlike the proposed project, the No Build Alternative would not generate additional solid waste. However, neither the No Build Alternative nor the proposed project would result in significant adverse impacts on solid waste and sanitation services.

#### *TRANSPORTATION*

Under the No Build Alternative, it is expected that existing uses on the project site would remain. Although the No Build Alternative would not result in any of the travel demand associated with the proposed project (and would therefore not generate any new vehicular trips), traffic volumes in the study area would be expected to increase as a result of background growth and planned development. The overall levels of service would be expected to deteriorate in the No Build Alternative as compared to the existing conditions since traffic increases can be anticipated from two major projects nearby—one approximately 53,000-square-foot retail development and one 128-unit housing development.

The No Build Alternative would not result in the significant adverse traffic impacts identified for the proposed project, which would occur at a number of intersections. As described in Chapter

## Staten Island Mall Enlargement

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10, “Transportation,” with the proposed project there would be the potential for significant adverse impacts at 14 intersections during the weekday midday peak hour, at 26 intersections during the weekday PM peak hour, and at 24 intersections during both the Saturday midday and PM peak hours. Some of these impacts could be mitigated: totals of ~~129~~, ~~2216~~, ~~1511~~, and ~~1712~~ intersections could be fully mitigated in the weekday midday, weekday PM, Saturday midday, and Saturday PM peak hours, respectively. In addition, ~~two~~one, ~~one~~zero, ~~four~~one, and ~~four~~three intersections could be partially mitigated in the weekday midday, weekday PM, Saturday midday, and Saturday PM peak hours, respectively. However, unlike the No Build Alternative, with the proposed project ~~4~~, ~~three~~10, ~~five~~12, and ~~three~~9 intersections would remain unmitigated in the weekday midday, weekday PM, Saturday midday, and Saturday PM peak hours, respectively.

The No Build Alternative would not result in the unmitigated and partially mitigated significant adverse impacts caused by the proposed project. However, unlike the proposed project, the No Build Alternative would not introduce new retail to the project site, which would serve to better meet consumer demand and generate economic and fiscal benefits for the Borough of Staten Island and the City of New York.

Neither the No Build Alternative nor the proposed project would result in any significant adverse impacts on transit, parking, or pedestrian spaces.

### *AIR QUALITY*

The No Build Alternative would not result in emissions from vehicle trips generated by the proposed project or the proposed parking facilities. The No Build Alternative also would not result in incremental emissions from new heat and hot water systems associated with the proposed project. However, with the proposed project, any incremental emissions from mobile sources would be below the corresponding guidance thresholds and ambient air quality standards, and there would be no potential for significant adverse air quality impacts from heating and hot water systems for the proposed project. Therefore, neither the No Build Alternative nor the proposed project would result in significant adverse air quality impacts.

### *GREENHOUSE GASES*

Unlike the proposed project, the No Build Alternative would not result in an increase in energy use, fuel consumption, or vehicle trips, and would therefore not result in the 33,000-metric-ton increase in greenhouse gas emissions that would result from the proposed project. However, the proposed project would be consistent with PlaNYC GHG emissions reduction goals, and would incorporate sustainable design and construction measures.

### *NOISE*

Like the proposed project, the No Build Alternative would not result in an increase of noise levels exceeding 1 dBA by 2019. While the current conditions are considered “Marginally Unacceptable” under the CEQR guidelines, the No Build Alternative, like the proposed project, would not result in a significant adverse impact with respect to noise generation.

### *PUBLIC HEALTH*

Like the proposed project, the No Build Alternative would not result in any unmitigated significant adverse impacts in any of the technical areas related to public health. According to the *CEQR Technical Manual*, actions that do not result in unmitigated significant adverse impacts related to air quality, water quality, hazardous materials, or noise typically do not

warrant a public health analysis. Because the No Build Alternative does not have the potential to cause any such impacts in those areas, it can be assumed that it would not have any adverse impacts on public health.

#### *NEIGHBORHOOD CHARACTER*

Similar to the proposed project, the No Build Alternative would not change the character of the neighborhood surrounding the project site, and therefore would not result in any significant adverse impacts to neighborhood character. The character of the study area is primarily defined by its large concentration of its large concentration of heavily-trafficked, regional commercial and destination retail uses. In addition, residential uses and their supporting private open spaces and community facility uses also contribute to the neighborhood character. Given that the existing Mall retail uses on the project site already attract a significant volume of visitors, neither the proposed project nor the No Build Alternative would affect the essential character of the neighborhood.

As described above, the proposed project has the potential to cause significant adverse traffic impacts at several intersections surrounding the project site. While many of these impacts can be fully mitigated, there is the potential for unmitigated and only partially mitigated significant adverse impacts that would not be present in the No Build Alternative. However, because the study area in the No Build Alternative would experience high volumes of visitors due to the presence of the existing Mall and other destination retail uses, the essential character of the study area would be similar to conditions with the proposed project.

#### *CONSTRUCTION IMPACTS*

Under the No Build Alternative, utility work independent of the proposed project may be required and, if it were to occur, would have an expected duration of approximately six months. The retail buildings would remain in their current condition. With or without that utility work, the No Build Alternative would not result in the numbers of additional vehicle trips or increased parking demand generated by the proposed project's construction activities. The No Build Alternative also would not result in any air pollutant emissions or increased noise levels that would be associated with the construction of the proposed project. However, similar to the No Build Alternative, the proposed project would not result in significant adverse impacts from construction activities.

### **C. NO UNMITIGATED SIGNIFICANT ADVERSE IMPACTS ALTERNATIVE**

As described in the *CEQR Technical Manual*, when a project would result in significant adverse impacts that cannot be mitigated, it is often CEQR practice to include an assessment of an alternative to the project that would result in no unmitigated impacts. This alternative demonstrates those measures that would have to be taken to eliminate all of the proposed actions' unmitigated significant adverse traffic impacts. In other words, the No Unmitigated Significant Adverse Impacts Alternative would result in the same actions as the future with the proposed actions, but considers the magnitude of development that could occur on the project site without resulting in significant adverse impacts.

As described in Chapter 17, "Mitigation," the proposed project could result in partially mitigated impacts at ~~two~~one, ~~one~~zero, ~~four~~one, and ~~four~~three intersections in the weekday midday, weekday PM, Saturday midday, and Saturday PM peak hours, respectively, as well as unmitigated significant adverse traffic impacts at 4, ~~three~~10, ~~five~~12, and ~~three~~9 intersections in

## Staten Island Mall Enlargement

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the weekday midday, weekday PM, Saturday midday, and Saturday PM peak hours, respectively. Therefore, this alternative considers whether modifications to the proposed project could be made that would allow for the mitigation of those impacts.

In order to determine the maximum density that would result in no unmitigated significant traffic impacts, a sensitivity analysis was conducted whereby the intersection with the worst No Action levels of service (in this case, Rockland Avenue and Forest Hill Road) was iteratively tested with gradually reduced numbers of build vehicles to determine the build auto increment the intersection could accommodate with no potential for significant adverse impacts. Level of service and volume-to-capacity ratios were assessed at each iteration of the model until impacts would not be significant. Using this methodology, it was estimated that the Mall enlargement would not be able to exceed 25,000 gsf of destination retail space, and would not be able to accommodate a supermarket or movie theater, in order for the street network to have no intersections with potentially unmitigated significant adverse impacts. Specifically, the addition of fewer than five cars during all four peak periods analyzed would trigger a potential traffic impact that could not be fully mitigated on the northbound through-right lane group at the intersection of Rockland Avenue and Forest Hill Road. Due to existing congested conditions at a number of intersections, even a minimal increase in traffic would result in unmitigated significant traffic impacts at that location. Given that any new development on the project site in excess of approximately 25,000 gsf could result in unmitigated significant impacts in the area of transportation, there is no alternative that could be advanced to completely avoid such impacts without substantially compromising the Project's goals and objectives.

The Applicants also considered whether lesser-density alternatives to the proposed actions could be advanced that would substantively reduce the level of traffic impacts while still meeting the project's stated purpose and need. Additional sensitivity analyses of the traffic network were conducted that reduced the project's incremental delay by a half, which is roughly equivalent to reducing the project's build program by a half (i.e., from approximately 426,000 gsf to 213,000 gsf). Under this scenario the estimated number of intersections with potential significant adverse traffic impacts would not be substantively reduced as compared to the proposed actions: 13 intersections would have significant adverse impacts in the Weekday MD peak hour (compared to 14 in the With Action Condition); 21 in the Weekday PM peak hour (compared to 26); 22 in the Saturday MD peak hour (compared to 24); and 22 during the Saturday PM peak hour. Given that this reduction in program would not substantively reduce the level of traffic impacts while still meeting the project's stated purpose and need, lesser-density alternatives were not considered further. \*