

A. INTRODUCTION

In accordance with the 2014 *City Environmental Quality Review (CEQR) Technical Manual*, this chapter presents and analyzes alternatives to the Proposed Project. Alternatives selected for consideration in an Environmental Impact Statement (EIS) are generally those that are feasible and have the potential to reduce, eliminate, or avoid adverse impacts of a proposed action while meeting some or all of the goals and objectives of the action.

In addition to a comparative impact analysis, the alternatives in this chapter are assessed to determine to what extent they would meet the goals and objectives of the Proposed Actions, as intended by the Applicant, which are to: continue to attract Innovation Economy uses to the Project Area; provide businesses with the ecosystem and resources they need in order to thrive in Sunset Park; broaden the permitted uses and bulk at Industry City to allow for the collaborative “Innovation Economy District” to grow; support the growth of existing businesses through the creation of two hotels at Industry City; support manufacturing uses within the Project Area by creating the necessary economic conditions for the upgrade of long-underutilized and decaying buildings; and support local workforce development and community-supporting activities.

This chapter considers the following two alternatives to the Proposed Actions:

- A No Action Alternative, which is mandated by CEQR, and is intended to provide the lead and involved agencies with an assessment of the expected environmental impacts of no action on their part. The No Action Alternative assumes that none of the Proposed Actions would be implemented, existing zoning would remain in the Directly Affected Area, and the Special Industry City District (SICD) would not be established. It is anticipated that Directly Affected Area would not experience new development under the No Action Alternative by 2027; and
- A No Unmitigated Impact Alternative, which would partially eliminate the Proposed Project’s unmitigated impacts to historic and cultural resources, transportation, and construction-period noise.

The alternatives analyses are qualitative, except in those technical areas where significant adverse impacts for the Proposed Actions have been identified. The level of analysis provided depends on a preliminary assessment of project impacts as determined by the analysis connected with the appropriate tasks. Of the two alternatives assessed in this chapter, only the No Unmitigated Impact Alternative is a quantified alternative. Quantification is accomplished by applying the same methodology used for assessment of the Proposed Actions.

PRINCIPAL CONCLUSIONS*NO ACTION ALTERNATIVE*

The significant adverse impacts related to historic resources, transportation, air quality, and noise (construction period and operational) that would occur with the Proposed Actions would not occur

with the No Action Alternative. Although some re-tenanting with conforming uses would be expected to occur at Industry City in the No Action Alternative, the Applicant believes that this alternative would fail to introduce the synergies necessary to enable the proposed “Innovation Economy District” to thrive due to the limited mix of allowable uses under existing zoning. The creation of substantial new commercial, retail, hospitality, academic, and other community facility uses (as well as new manufacturing uses) would not take place, and the establishment of the “Innovation Economy District” and its concurrent job creation would not occur. Overall, as compared to the Proposed Actions, the Applicant does not believe that the purpose and need of the Proposed Project—including improved economic activity and general improvements to the Industry City infrastructure—would be realized with the No Action Alternative.

NO UNMITIGATED IMPACT ALTERNATIVE

As described in the other chapters of this EIS, there is the potential for the Proposed Project to result in significant adverse impacts to historic and cultural resources, transportation, air quality, and noise (construction period and operational). The significant adverse impacts to air quality and operational noise could be fully mitigated with the measures identified in Chapter 20, “Mitigation”; however, the measures identified would only partially mitigate the anticipated significant adverse impacts related to historic and cultural resources, transportation (traffic, transit, and pedestrians), and construction-period noise. Therefore, the Proposed Project is anticipated to have unmitigated significant adverse impacts related to historic and cultural resources, transportation, and construction-period noise. As described in detail below, no reasonable alternative could be developed which eliminates the unmitigated impacts without substantially compromising the stated goals of the Proposed Project.

B. NO ACTION ALTERNATIVE

The No Action Alternative examines future conditions within the Directly Affected Area in the absence of the Proposed Actions. Under the No Action Alternative, none of the Proposed Actions would take place, and it is expected that no new development would occur within the Project Area.

Based on the current leasing rates and tenant roster, it is anticipated that approximately 140,000 gross square feet (gsf) (10 percent) of the currently vacant space within the existing building stock at Industry City would be re-occupied by Innovation Economy¹ or storage/warehousing uses in the No Action Alternative. Although vacancy at Industry City is projected to decrease in the No Action Alternative, due to the limited mix of allowable uses under existing zoning the Applicant believes this alternative would fail to introduce the synergies to enable the proposed “Innovation Economy District” to thrive or be sustainable in the long-term. The creation of substantial new retail or any hotel space would not take place, and the establishment of the “Innovation Economy District” and its concurrent job creation would not occur.

The 39th Street Buildings at Industry City are significantly unimproved because they suffered damage from Superstorm Sandy that destroyed the infrastructure necessary to service them. According to the Applicant, the level of investment required to bring back basic tenant services would be greater than the revenue that can be realized with the current tenant use roster. For the purposes of this analysis, it is assumed that some ongoing upgrades to Industry City buildings,

¹ As shown in Chapter 1, “Project Description,” **Tables 1-4, 1-5, and 1-6**, manufacturing, artisanal manufacturing and office uses combined to create Innovation Economy use.

including window replacements, would continue in the No Action Alternative, but such capital investments would occur at a slower pace than with the Proposed Project and would not encompass all Industry City buildings.

The one-story building that abuts Building 9 on the west (882 3rd Avenue, Block 679, Lot 1) and the former Bush Terminal powerhouse at 2nd Avenue and 32nd Street (Block 679, Lot 1) would be demolished in the No Action Alternative, in order to accommodate new parking spaces and stacked parking. Additional stacked parking also would be created on Block 706 (Lots 20 and 101).

Overall, in the No Action Alternative the Project Area would include approximately 200,000 sf of retail, 10,000 sf of event space, 1.7 million sf of storage and warehousing uses, 2.2 million sf of Innovation Economy (approximately 1.1 million sf manufacturing, 560,000 sf artisanal manufacturing, 560,000 sf office) uses, 358,782 sf of vertical circulation/mechanical uses, a 74,824 sf Brooklyn Nets Training Facility, 828 parking spaces, and 679,960 sf of vacant or unimproved space. The overall number of employees working at Industry City would be substantially less than the future with the Proposed Actions (the With Action condition).

LAND USE, ZONING, AND PUBLIC POLICY

Current land use trends and general development patterns in both the Directly Affected Area and the Primary Study Area would be expected to continue in the No Action Alternative. It is assumed that some of currently vacant space within the existing building stock at Industry City would be re-occupied by Innovation Economy or storage/warehousing uses in the No Action Alternative. However, the creation of substantial new retail, hotel space, or community facilities would not take place, the establishment of the “Innovation Economy District” would not occur, and a large portion of the existing underutilized and vacant space would remain.

SOCIOECONOMIC CONDITIONS

Under the No Action Alternative, no new development would take place in the Project Area. The buildings to be demolished in the No Action Alternative are currently vacant; therefore, the No Action Alternative would not result in significant adverse impacts due to direct residential or business displacement. Neither the Proposed Project nor the No Action Alternative would introduce any residential uses, and thus there would be no potential for impacts related to indirect residential displacement.

While it is assumed that overall vacancy and underutilization at Industry City would continue, based on the current leasing rates and tenant roster, it is anticipated that approximately 140,000 gsf (10 percent) of the currently vacant space within the existing building stock at Industry City would be re-occupied by Innovation Economy or storage/warehousing uses in the No Action Alternative. Therefore, a discussion of indirect business displacement under the No Action Alternative is included below.

INDIRECT BUSINESS DISPLACEMENT

Neither the No Action Alternative nor the Proposed Actions are expected to result in significant adverse impacts due to indirect business displacement. Similar to the Proposed Actions, the No Action Alternative would not introduce new economic activities that would substantially alter existing economic patterns in the study area, nor would it alter the land use character of the study area. The ½-mile study area already has well-established commercial, residential, and industrial

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markets, and neither the Proposed Actions nor the No Action Alternative would substantially alter commercial real estate trends in the area.

While economic activity and job growth at Industry City would continue under both the Proposed Actions and the No Action Alternative, it would happen at a far slower pace under the No Action Alternative. As described above, in the No Action Alternative the Project Area is projected to include approximately 200,000 sf of retail (an increase of 128,165 sf over existing conditions), 1.7 million sf of storage and warehousing uses (an increase of 320,672 sf over existing conditions), and 2.2 million sf of Innovation Economy uses (an increase of 179,921 sf over existing conditions). In addition, capital investments under the No Action Alternative would be slower than with the Proposed Actions, causing vacancy levels and occupancy by low-employment storage/warehousing uses to remain high. There would be comparably fewer new jobs under the No Action Alternative. The anticipated beneficial effects of the Proposed Actions would not occur under the No Action Alternative. These include the renovation and re-tenanting of space within existing Industry City buildings; the introduction of a flexible range of permitted use groups and various densities to allow Industry City to respond to trends and the market; and the upgrading of Industry City infrastructure to meet the spatial needs of current and future manufacturing and Innovation Economy tenants.

Like the Proposed Actions, the No Action Alternative would not significantly affect business conditions in any industry or any category of business within or outside of the study area.

In summary, as with the Proposed Actions, the No Action Alternative would not result in any significant adverse socioeconomic impacts.

OPEN SPACE

Like the Proposed Actions, the No Action Alternative would not result in significant adverse impacts on open space. As the No Action Alternative would introduce fewer non-residents to the Project Area than the Proposed Actions, the open space ratios for the non-residential study area in the No Action Alternative would generally be slightly higher than those in the With Action condition.

SHADOWS

Under the No Action Alternative, there would be no new development in the Project Area and all existing structures would remain, with the exception of the one-story building that abuts Building 9 on the west (882 3rd Avenue, Block 679, Lot 1) and the former Bush Terminal powerhouse at 2nd Avenue and 32nd Street (Block 679, Lot 1) would be expected to be demolished. Therefore, the No Action Alternative would not result in any significant adverse shadows impacts on sunlight-sensitive resources.

HISTORIC AND CULTURAL RESOURCES

The No Action Alternative would result in the demolition of the one-story building that abuts Building 9 on the west (882 3rd Avenue, Block 679, Lot 1) and the former Bush Terminal powerhouse at 2nd Avenue and 32nd Street (Block 679, Lot 1), which are within the boundaries of the State and National Register of Historic Places (S/NR)-eligible Bush Terminal Historic District.

In the No Action Alternative, ongoing upgrades to Industry City buildings, including window replacements, would continue in the No Action Alternative, but the pace of such capital

investments would occur at a slower pace than with the Proposed Project. Similar to the Proposed Actions, it is assumed that window replacements would be in-kind (multi-light windows) that fit contextually with the original buildings' designs or three-over-three windows or large single-pane windows along the ground floors.

URBAN DESIGN AND VISUAL RESOURCES

Like the Proposed Actions, the No Action Alternative would not result in significant adverse impacts on urban design, view corridors, and visual resources. No new buildings would be developed within the Project Area in the No Action Alternative, and the one-story building that abuts Building 9 on the west and the former Bush Terminal powerhouse would be demolished. The demolition of these buildings is anticipated to accommodate new parking spaces and stacked parking. Ongoing upgrades to Industry City buildings, including window replacements, would continue in the No Action Alternative, but the pace of such capital investments would occur at a slower pace than with the Proposed Project.

VIEW CORRIDORS AND VISUAL RESOURCES

Pedestrian views to the Project Area from immediately adjacent streets and sidewalks would remain the same for most of the Project Area, except looking north along 2nd and 1st Avenues, and adjacent to Block 679, Lot 1, and Block 706, Lots 20 and 101, with the elimination of the one-story building and the addition of stacked parking. The demolition of the former Bush Terminal powerhouse would remove a visual resource, its prominently visible stacks.

Stacked parking would be created alongside the west side of the three-story factory building on Block 706, Lot 20. The western façades of Buildings 19 and 20 would still be partially visible from 39th and 41st Streets, and 1st Avenue. Looking north and south along 2nd Avenue, pedestrian views would include most of the Bush Terminal buildings located in the Project Area except the former Bush Terminal powerhouse. The former Bush Terminal powerhouse and the one-story addition west of Building 9 on Block 679, Lot 1 would be replaced with a combination of surface and stacked parking. The rear façade of Building 10 and 9 would become more visible along 32nd Street, 2nd Avenue, and 33rd Street. Looking south down 2nd Avenue, pedestrian views would continue to include the northern façade of Building 8 and distant views of Buildings 19, 22 through 24, and 26. Distant and partial views of the Lower Manhattan and Downtown Brooklyn skylines would remain unchanged.

NATURAL RESOURCES

Similar to the Proposed Actions, the No Action Alternative would not result in any significant adverse impacts to natural resources. Under the No Action Alternative, no new development would occur; some of the existing buildings in the Project Area are assumed to become occupied by conforming uses. No significant changes to natural resources are anticipated.

HAZARDOUS MATERIALS

Unlike the Proposed Actions, in the No Action Alternative no new development would occur; some of the existing buildings in the Project Area are assumed to become occupied by conforming uses. Overall, the No Action Alternative would not result in significant adverse impacts to Hazardous Materials as the amount of soil disturbance would likely be less than in the With Action condition; however, absent the Proposed Actions, the controls on any potential soil disturbances would not be as stringent. Specifically, the (E) Designation that would be placed for all privately

owned lots where soil disturbing activities are anticipated under the Proposed Actions would not be established in the No Action Alternative.

While the Project Area does not currently present a hazard to people or the environment, and would continue to not present a hazard to people or the environment in the No Action Alternative, any construction involving soil disturbance could potentially increase pathways for human exposure to any subsurface hazardous materials present. Such soil disturbance would likely not be conducted in accordance with all of the procedures described in Chapter 8, “Hazardous Materials.” However, should petroleum tanks and/or petroleum spills be identified (e.g., during excavation for new foundations), legal requirements (including those of the New York State Department of Environmental Conservation [DEC]) would need to be followed, as would applicable regulatory requirements prior to demolition relating to asbestos-containing materials (ACMs) and relating to disturbance and handling of suspect lead-based paint (LBP). Off-site disposal of excess soil/fill would also need to be conducted in accordance with Federal and State requirements.

WATER AND SEWER INFRASTRUCTURE

Neither the Proposed Actions nor the No Action Alternative would result in significant adverse impacts on the City’s water supply, wastewater treatment, or stormwater conveyance infrastructure. Under the No Action Alternative, no new buildings would be developed and two existing buildings would be demolished. As a result, the No Action Alternative would generate less demand on the City’s water supply and wastewater treatment infrastructure than the Proposed Actions. Similar to the Proposed Actions, the incorporation of selected best management practices (BMPs) would be required as part of the New York City Department of Environmental Protection (DEP) site connection application process for any potential new buildings.

ENERGY

Neither the Proposed Project nor the No Action Alternative would result in significant adverse impacts with respect to the transmission or generation of energy. Like the Proposed Project, the No Action Alternative would generate increased demands on New York City’s energy services, but the demand generated under the No Action Alternative would be considerably less than for the Proposed Actions. Overall, under both the Proposed Project and the No Action Alternative, the annual increase in demand would represent a negligible amount of the City’s forecasted annual energy requirements for 2027.

TRANSPORTATION

Under the No Action Alternative, traffic volumes in the study area would be expected to increase as a result of background growth and other planned development in the study area. Thus, the overall levels of service would be expected to deteriorate in the No Action Alternative as compared to existing conditions, since the anticipated traffic increases from various nearby commercial, manufacturing/industrial, and mixed-use development projects would be substantial.

The No Action Alternative would not result in the significant adverse traffic, transit, and pedestrian impacts identified for the Proposed Project. It should be noted, however, that in the With Action condition, most of the Proposed Project’s traffic impacts could be mitigated with readily implementable traffic improvement measures—including signal timing and phasing changes, parking regulation changes and lane restriping—and many locations would not be impacted at all. Similarly, the majority of pedestrian crosswalk locations would not be impacted in the With Action condition, or could be mitigated with crosswalk widenings and signal timing

modifications. Under the No Action Alternative, there would be no significant impacts on subway and bus transit or the Gowanus Expressway. Under the Proposed Project, bus transit impacts could be mitigated, while mitigation measures could not be identified for subway impacts at the 36th Street subway station (four stairways). Under the Proposed Project, the northbound Gowanus Expressway would be significantly impacted during the weekday AM and midday peak hours and would remain unmitigated, but would not be impacted during the weekday PM and Saturday midday peak hours and southbound Gowanus Expressway would not be impacted during all four peak hours analyzed.

Neither the No Action Alternative nor the Proposed Project would result in any significant adverse parking impacts.

AIR QUALITY

In the No Action condition, it is expected that no new development would take place within the Project Area. It is assumed that some of currently vacant space at Industry City would be re-occupied by storage/warehousing, Innovation Economy, or retail uses, and the overall number of employees working at Industry City would be substantially less than the With Action condition. Therefore, emissions from heating and hot water systems and project-generated traffic in the No Action Alternative would be similar to existing conditions. The Proposed Actions would result in a greater amount of development, and therefore the emissions from the heat and hot water systems associated with the Proposed Actions would cumulatively be greater than the emissions from the heat and hot water systems in the No Action Alternative; however, under the No Action Alternative, the controls measures provided in the proposed (E) Designations would not be implemented.

GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

GREENHOUSE GAS EMISSIONS

In the No Action Alternative, no new development would take place within the Project Area. While it is assumed that overall vacancy and underutilization at Industry City would decrease under the No Action Alternative, the creation of substantial new retail or any hotel space would not take place and the establishment of the Innovation Economy District, and its concurrent job creation, would not occur. Therefore, greenhouse gas (GHG) emissions associated with land uses in the Project Area under the No Action Alternative would be less than those generated under the Proposed Actions.

RESILIENCE TO CLIMATE CHANGE

The resilience challenges associated with future increases in sea level rise and its potential impact on future severe storm levels and normal high tide inundation, and the City's response to those challenges, would be the same for the No Action Alternative and the Proposed Actions. Those sea level rise resiliency measures and adaptive strategies intended to address climate change impacts for the Proposed Actions (e.g., retrofitting existing buildings with flood protection features, elevating critical infrastructure, restricting use of ground floors) would also be completed during any renovation or retenancing that would occur under the No Action Alternative. Both scenarios would result in a comparable reduction of the risk posed by climate change impacts.

NOISE

In the No Action Alternative, traffic volumes would increase slightly in the area due to a general decrease in vacancy and underutilization at Industry City, as well as background traffic growth. However, these increases in traffic would not result in substantial changes in noise levels, and noise levels under the No Action Alternative would be comparable to existing noise levels. The significant adverse noise impact that would occur at 166 41st Street (a residential building) in the With Action condition (from additional vehicular traffic utilizing the proposed parking garage at Building 21) would not occur in the No Action Alternative; however, it should be noted that the absolute noise levels at this location would be typical of areas near highly trafficked roadways in New York City and would be considered “marginally acceptable” according to CEQR Technical Manual noise exposure criteria. Additionally, any Innovation Economy uses introduced at Industry City under the No Action Alternative would not constitute newly introduced noise receptors and consequently would not require specific levels of façade attenuation per CEQR noise exposure guidance; in comparison, in the With Action condition an (E) Designation would be established to require that buildings constructed pursuant to the Proposed Actions have between 28 and 40 dBA of window/wall attenuation to meet *CEQR Technical Manual* interior noise level requirements. As a result, and similar to the Proposed Actions, the No Action Alternative would not result in significant adverse impacts.

PUBLIC HEALTH

Neither the Proposed Actions nor the No Action Alternative would result in significant adverse public health impacts. Under the No Action Alternative, no unmitigated significant adverse impacts would occur in the areas of hazardous materials, air quality, noise, or construction, and thus there would be no significant adverse public health impacts associated with the No Action Alternative.

NEIGHBORHOOD CHARACTER

According to the *CEQR Technical Manual*, a proposed action could have a significant adverse neighborhood character impact if it would have the potential to affect the defining features of the neighborhood, either through the potential for a significant adverse impact in any relevant technical area, or through a combination of moderate effects in those technical areas. While the No Action Alternative would result in the demolition of two buildings within the S/NR-eligible Bush Terminal Historic District, it is not anticipated to affect the defining features of the neighborhood, and therefore would not result in any impacts with respect to neighborhood character.

CONSTRUCTION

Under the No Action Alternative, no new development is expected to take place in the Project Area. The No Action Alternative would result in the demolition of the one-story building that abuts Building 9 on the west (882 3rd Avenue, Block 679, Lot 1) and the former Bush Terminal powerhouse at 2nd Avenue and 32nd Street (Block 679, Lot 1), which are within the boundaries of the S/NR-eligible Bush Terminal Historic District. Under the No Action Alternative, this demolition would occur as-of-right, and no mechanisms would be in place to require additional measures beyond building code that would be provided with the Proposed Project to protect resources that are not listed on S/NR or New York City Landmarks (NYCL). It is anticipated that such resources would be offered some protection through New York City Department of Buildings

(DOB) controls governing the protection of adjacent properties from construction activities; however, the protections to avoid construction-related damage to historic structures under *Technical Policy and Procedure Notices (TPPN) #10/88* would not be required for the Bush Terminal Historic District buildings within 90 feet of the demolition site, as these are not listed on the S/NR.

As the amount of construction activity under the No Action Alternative would be less as compared with the Proposed Actions, the No Action Alternative would not generate as much temporary construction disruption to the surrounding community. The amount of soil disturbance would likely be less than in the With Action conditions; however, absent the Proposed Actions, the controls on any potential soil disturbances would not be as stringent. Specifically, the (E) Designation that would be placed for all privately owned lots where soil disturbing activities are anticipated under the Proposed Actions would not be established in the No Action Alternative. Construction noise under the No Action Alternative also would be less than in the With Action condition. In the With Action condition (including renovation and re-tenanting), construction of the Gateway Building and Building 21 would result in significant adverse noise impacts at the academic uses in Industry City Buildings 9 and 10 and the residential building at 968 3rd Avenue that would be only partially mitigated by the proposed mitigation measures (i.e., offers of window air-conditioning units to allow for the maintenance of a closed window condition and the provision of additional window/wall attenuation and alternate means of ventilation at newly introduced academic spaces). At receptors other than these two locations, construction noise in the With Action condition would be intermittent and of limited duration, and interior noise levels would generally not exceed recommended interior noise levels, according to *CEQR Technical Manual* noise exposure guidelines for extended periods. Since the predicted significant adverse construction noise impacts in the With Action condition are associated with construction that would not occur in the No Action Alternative, noise produced by construction associated with the No Action Alternative would not rise to the level of a significant adverse impact.

C. NO UNMITIGATED IMPACTS ALTERNATIVE

In order to identify a No Unmitigated Impact Alternative, the full range of impacts identified for the Proposed Project was considered to determine what avoidance measures would be required for the different types of impacts.

The Proposed Actions' identified significant adverse impacts on air quality and operational noise could be fully mitigated with the measures identified in Chapter 20, "Mitigation;" however, the measures identified would only partially mitigate the anticipated significant adverse impacts related to historic and cultural resources, transportation (traffic, transit, and pedestrians), and construction-period noise. Therefore, these technical areas are considered below.

HISTORIC AND CULTURAL RESOURCES

As discussed in Chapter 20, "Mitigation," the Proposed Actions would result in a significant adverse impact to the Bush Terminal Historic District. In the Baseline and Overbuild Scenarios, the Proposed Project would demolish the three-story factory building on Block 706, Lot 20, which is located within the boundaries of the S/NR-eligible Bush Terminal Historic District and is considered a contributing resource to the district. The Applicant will consult with the New York City Landmarks Preservation Commission (LPC) to develop and implement appropriate mitigation measures to partially mitigate this impact. Mitigation measures are expected to include Historic American Buildings Survey (HABS) documentation of the factory building. In order to

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fully mitigate this impact, the building would need to be retained, and thus the proposed Building 21 could not be developed, substantially compromising the goals of the Proposed Project.

In its comment letter dated December 13, 2018, LPC determined that the scale of the proposed Gateway Building and Building 11 appear out of context with the neighboring Finger Buildings within the Bush Terminal Historic District. In order to conform to the Secretary's Standards and Guidelines for new construction in a historic district, LPC recommended that the maximum building height of the new buildings match or be within 1-2 stories higher than the Finger Buildings. LPC also recommended that the proposed Gateway Building and Building 11 be compatible with the significant design features of the Finger Buildings—flat roofs with pedimented rooflines that produce a regular rhythm along the street—by reducing uneven bulk and massing at the roof levels and introducing some reference to the existing rhythm, size, and shape of the pedimented roofs.

The cluster of structures known as the Finger Buildings is composed of nine six-story structures rising to 85 feet in height, and Building 10, which is 12 stories tall and rises to 170 feet. The proposed special permit would allow the proposed new Gateway Building and Building 11 to rise to maximum building heights of 170 feet, consistent with the height of existing Building 10, which is on the same block as the proposed Building 11 and would provide a complimentary bookend to the lower-height buildings in the middle of the block. The proposed Gateway Building, like the existing Building 10, would be oriented along 3rd Avenue, and would be similar in height and bulk in views along this corridor. In order to meet LPC's maximum building height recommendations, the height of the proposed Gateway Building and Building 11 would need to be reduced to approximately 95 to 105 feet.

While the majority of the square footage anticipated in the Proposed Project would be located within existing Industry City buildings, certain uses and users would require space newly constructed to their needs, as the existing buildings present certain limitations for users who need purpose-built space. The Gateway Building and Building 11 provide the opportunity for the Proposed Project to create purpose-built ground-up space for hotel uses (in the Gateway Building) and academic uses (in Building 11), both of which the Applicant believes are critical to the success of the project. The modifications to these two new buildings recommended by LPC would substantially reduce the Proposed Project's ability to develop these new uses within Industry City.

Reducing the height of Building 11 from 170 feet to 95 feet would result in a loss of between six and eight stories and a reduction of approximately 228,536 to 304,715 gsf of the total proposed building size (495,162 gsf). As the proposed academic uses in this purpose-built building would be above a base of ground-floor retail and parking, almost all of this reduction would come from the proposed 386,546 gsf of academic uses. As it is anticipated that purpose-built space will be critical to the needs of potential academic institutions—especially with respect to developing auditoriums, lecture rooms and other large-group gathering spaces—an approximate 50 percent reduction in purpose-built academic space would substantially compromise Industry City's ability to attract sufficient academic uses. As such, with these significant modifications to floor area, the proposed academic use in Building 11 would be reduced to an extent such that the goals and purposes of the Proposed Actions would not be met, which include substantially increasing the academic presence at Industry City; allowing the Innovation Lab to expand on a variety of continuing education services and technology and vocational programs targeted towards business growth needs going forward; helping spur entrepreneurship; and providing local residents with the necessary tools to take advantage of the more than 15,000 innovation jobs expected to be generated through the redevelopment of Industry City.

Reducing the height of the Gateway Building from 170 feet to 95 feet would also result in a loss of between six and eight stories and a reduction of approximately 91,200 to 121,600 gsf of the total proposed building size (182,400 gsf). Purpose-built space will be critical to the needs of a potential hotel user, especially with respect to developing minimally efficient conference and meeting room space. In order to achieve the synergies required to meet the goals and objectives of the Proposed Actions, the Applicant seeks to build a full-service hotel at this location with sufficient amenities and meeting/conference room space to serve the business needs of the many companies occupying space at Industry City in the With Action condition. The recommended reduction in the size of the Gateway Building that would be necessitated to avoid the contextual impact on the Finger Buildings would render hotel development on this site infeasible. As such, the proposed hotel use at Industry City would be reduced to such an extent (i.e., by the 223 rooms projected for this site, as well as meeting and conference room space) that the goals and purposes of the Proposed Actions would not be met. Specifically, the goals which would not be met include: support existing businesses as they grow, providing prospective workers, clients, partners, and visitors with direct access to the companies they are visiting as well as to the greater Innovation Economy uses within the Project Area; fill a gap in the market for business-oriented hotels with meeting facilities; and provide ample space for conferences and events hosted by potential academic partners. Therefore, reducing the height of the proposed Gateway Building and Building 11 to the extent recommended by LPC would substantially compromise the goals of the Proposed Project.

In its letter dated December 13, 2018, LPC also provided comments on the potential texture and materials of the new buildings based on their review of illustrative renderings. However, the materials and articulation of the new building would not be regulated by the Proposed Actions. LPC recommends that the color, linearity, and bulkiness of the facades of the new buildings and additions provide a harmonious contrast with the historic buildings that is still differentiated from the historic buildings, and compatible with the light and medium colored concrete facades; for example, the use of board form concrete is identified as more compatible with the color and materials of the Finger Buildings than black zinc and blackened and weathered steel. Therefore, in order for the proposed buildings and rooftop additions to be more contextual with the historic district buildings, LPC's recommendations regarding texture and materials would need to be considered at such time as the proposed buildings and additions are being designed.

TRANSPORTATION

TRAFFIC

As discussed in Chapter 20, "Mitigation," the Proposed Project would result in significant adverse traffic impacts at a total of 14 intersections (during the various analysis periods) within the study area that could not be fully mitigated with standard traffic capacity improvement measures. Because of existing congestion, substantial increases in projected background vehicle trips, and background roadway improvement projects in the area, even a modest increase in project-generated traffic would result in unmitigated impacts. A sensitivity analysis determined that, for the weekday PM peak hour, the Proposed Project would have to be reduced by 86 percent (to approximately 440,000 sf of new development, rather than the proposed 3,141,676 sf) in order to reduce incremental vehicle trips at these locations to levels that could be fully mitigated. Such a substantial reduction in the development program would prevent the construction of new purpose-built buildings, eliminate the proposed academic and hotel uses as well as almost all supportive retail, much of the new Innovation Economy (manufacturing, artisanal manufacturing, and office)

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use, and the vast majority of proposed additional jobs, and thus would substantially compromise the goals of the Proposed Project of revitalizing Industry City. Thus no reasonable alternative could be developed to completely avoid unmitigated traffic impacts without substantially compromising the goals of the Proposed Project.

TRANSIT

As discussed in Chapter 20, “Mitigation,” should measures to fully mitigate transit impacts not be identified between the DEIS and FEIS, then the Proposed Project would result in unmitigated significant adverse impacts at three subway station elements at the 36th Street subway station during the weekday AM and PM peak hours: the P3 and P4 stairways, which connect the mezzanine to the station platforms, and the S3 stairway, which connects the street surface to the mezzanine. A fourth subway station element, the M1A/M1B mezzanine stairway, which connects the S1 and S3 stairways to the fare control area, would be impacted only during the weekday PM peak hour. A sensitivity analysis was conducted at the impacted stairway elements for the weekday AM and PM peak hours. It was determined that the Proposed Project would have to be reduced by 60 percent (to approximately 1,257,000 sf of new development, rather than the proposed 3,141,676 sf) in order to reduce incremental trips at the P4 stairway during the weekday PM peak hour to levels that would not result in significant adverse impacts and thus would not require mitigation to the subway station elements.

PEDESTRIANS

The Proposed Project would result in significant adverse pedestrian impacts at a total of 16 pedestrian elements (during the various analysis periods) within the study area that could not be mitigated with standard pedestrian capacity improvement measures. A sensitivity analysis was performed at pedestrian elements at the intersection of 2nd Avenue and 39th Street for the weekday midday peak hour, when pedestrian traffic is highest at this intersection. It was determined that the Proposed Project would have to be reduced by 83 percent (to approximately 534,000 sf of new development, rather than the proposed 3,141,676 sf) in order to reduce incremental trips at the south crosswalk to levels that could be fully mitigated.

Thus, overall, considering all transportation modes, an increase in development of just 14 percent of the Proposed Project would be the determinant of the size of a project that would not create unmitigated significant impacts. Such a substantial reduction in the development program—from the proposed 3,141,676 sf of development down to approximately 440,000 sf—would prevent the construction of new purpose-built buildings and would eliminate the proposed academic and hotel uses as well as almost all supportive retail, much of the new Innovation Economy (manufacturing, artisanal manufacturing, and office) use, and the vast majority of anticipated additional jobs. Thus, such a reduction would substantially compromise the goals of the Proposed Project of revitalizing Industry City by creating an “Innovation Economy District,” which would drive the economics of the rehabilitation rather than public subsidies or the development of housing.

CONSTRUCTION-PERIOD NOISE

The Proposed Project would result in significant adverse construction noise impacts at the academic uses in Industry City Buildings 9 and 10 and the residential building at 968 3rd Avenue. The proposed mitigation measures (i.e., offers of window air-conditioning units to allow for the maintenance of a closed window condition) would partially mitigate significant project impacts (and substantially reduce construction-related noise levels) at these locations. However, absent the

implementation of additional mitigation measures and/or refined analyses which demonstrate lower noise levels during construction, there is no feasible alternative that could fully avoid these impacts. Even accounting for the types of measures incorporated into the Proposed Project to reduce construction noise, any building construction comparable to that included in the Proposed Project (i.e., multi-year construction at a single building location including substantial below-grade excavation) would have the potential to result in unmitigated significant adverse impacts at these two locations. *