

May 14th, 2021

NOTICE OF COMPLETION OF THE TARGETED DRAFT ENVIRONMENTAL IMPACT STATEMENT

Las Raices

Project Identification:

CEQR No. 20HPD002M
ULURP Nos. 210428PPM

Lead Agency:

City of New York - Department of Housing
Preservation & Development (HPD)
100 Gold Street
New York, NY 10038

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SEQRA Classification: Type I

Pursuant to City Environmental Quality Review ("CEQR"), Mayoral Executive Order No. 91 of 1977, and the regulations of Article 8 of the State Environmental Conservation Law, State Environmental Quality Review Act ("SEQRA"), as found in 6 NYCRR Part 617, a targeted Draft Environmental Impact Statement ("DEIS") has been prepared for the action described below. Copies of the DEIS are available for public inspection at the office of the undersigned, or for download at <https://www1.nyc.gov/site/hpd/services-and-information/environmental-review.page>.

An Environmental Assessment Statement ("EAS") was completed on February 17th, 2021. A Positive Declaration, issued on February 17th, 2021, established that the proposal may have a significant adverse impact on the environment, thus warranting the preparation of a targeted Environmental Impact Statement. A Draft Scope of Work for a targeted DEIS was issued on February 17th, 2021. A public scoping meeting was held on Wednesday, March 31st, 2021 to accept oral and written comments. Written comments on the Draft Scope of Work were accepted through April 12th, 2021. The Final Scope of Work, including responses to the comments received on the Draft Scope of Work, was issued on May 14th, 2021.

The proposal involves actions subject to approval by the City Planning Commission ("CPC") pursuant to the Uniform Land Use Review Procedure ("ULURP"). A public hearing on the targeted Draft Environmental Impact Statement (DEIS) will be held at a later date to be announced, in conjunction with the CPC public hearing pursuant to ULURP. Subsequent notice will be given as to the time and place of the public hearing. Written comments on the DEIS are requested and would be received and considered by the Lead Agency until the 10th calendar day following the close of the public hearing.

A. PROJECT DESCRIPTION

The proposal involves an application by the City of New York - Department of Housing Preservation & Development ("HPD") on behalf of Las Raices East Harlem LLC. (the "Project Sponsor"), requesting

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approval of disposition of city-owned property (the “Proposed Actions”) to facilitate the development of new affordable housing in the East Harlem neighborhood of Manhattan, Community District (CD) 11 (the “Proposed Actions”). The Proposed Actions would facilitate the development of six City-owned tax lots grouped into four separate Development Sites located at 303 East 102nd Street (Development Site A), 338 East 117th Street (Development Site B), 505-507 East 118th Street (Development Site C), and 1761 Park Avenue (Development Site D) in the East Harlem neighborhood of Manhattan, Community District 11 (the “Development Sites”).

The Proposed Actions would facilitate the construction of four new buildings containing affordable housing in the East Harlem neighborhood of Brooklyn. The Development Sites would contain a total of approximately 81 affordable dwelling units, plus two units for building superintendents (for a total of approximately 83 dwelling units), as well as approximately 10,740 gross square feet (GSF) of commercial space. The Development Sites are as follows:

Development Site A

- Development Site A is located at 303 East 102nd Street (Block 1674, Lot 104), on East 102nd Street midblock between 1st Avenue to the east and 2nd Avenue to the west. Development Site A is vacant and measures approximately 1,898 square feet (sf) in lot area. The Proposed Actions would facilitate the new construction of an approximately 8,975 GSF mixed use building that would include approximately 6 dwelling units and 2,497 GSF of community facility space. The proposed building would be approximately 5 stories. Development Site A would be redeveloped pursuant to the existing C1-5/R8A zoning district.

Development Site B

- Development Site B is located at 338 East 117th Street (Block 1688, Lot 34), on East 117th Street midblock between 1st Avenue to the east and 2nd Avenue to the west. Development Site B is currently vacant and measures approximately 2,523 GSF in lot area. The Proposed Actions would facilitate the new construction of an approximately 7,571 GSF affordable residential building that would include approximately 7 dwelling units. The proposed building would be approximately 5 stories. Development Site 2 would be redeveloped pursuant to the existing R7B zoning district.

Development Site C

- Development Site C is located at 505-507 East 118th Street (Block 1815, Lots 5 & 6), on East 118th Street midblock between Pleasant Avenue and a cul-de-sac where the street terminates. Development Site C is currently vacant and measures approximately 4,827 GSF in lot area. The Proposed Actions would facilitate the new construction of an approximately 17,310 GSF residential building that would include approximately 18 dwelling units. Development Site C would be redeveloped pursuant to the existing R7B zoning district.

Development Site D

- Development Site D is located at 1761 Park Avenue (Block 1771, Lots 1 and 2), on Park Avenue, on the corner between East 123rd street to the north and East 122nd Street to the south. Development Site D is currently vacant and measures approximately 4,852 GSF in lot area. The Proposed Actions would facilitate the new construction of an approximately 55,670 GSF mixed-use building that would include approximately 52 dwelling units and approximately 8,604 GSF of community facility space. Development Site D would be redeveloped pursuant to the existing M1-2/R8 (EHC) zoning district.



Table ES-2: Proposed Project

Development Site A									
Block	Lot	Address	Proposed Height (including mechanical bulkhead)	Stories	Residential GSF	Total DUs	Community Facility GSF	Mechanical GSF	Total Proposed GSF
1674	104	303 East 102nd Street	62'8"	5	5,471	6	2,497	1,008	8,976
Development Site B									
Block	Lot	Address	Proposed Height	Stories	Residential GSF	Total DUs	Community Facility GSF	Mechanical GSF	Total Proposed GSF
1688	34	338 East 117th Street	62'-2"	5	7,571	7	-	735	8,306
Development Site C									
Block	Lots	Address	Proposed Height	Stories	Residential GSF	Total DUs	Community Facility GSF	Mechanical GSF	Total Proposed GSF
1815	5 & 6	505 East 118th Street	70'-2"	6	16,208	18	-	1,102	17,310
Development Site D									
Block	Lots	Address	Proposed Height	Stories	Residential GSF	Total DUs	Community Facility GSF	Mechanical GSF	Total Proposed GSF
1771	1 & 2	1761 Park Avenue	142'	13	44,598	52	8,243	2,829	55,670
Total					73,848	83	10,740	5,674	90,262

PURPOSE AND NEED FOR THE PROPOSED ACTIONS

The Proposed Project would create new affordable housing development on vacant and underutilized lots in an area where a strong demand for affordable housing exists. In addition, the Proposed Project would bring further redevelopment and improvement to the neighborhood.

B. ENVIRONMENTAL ANALYSIS FRAMEWORK

In order to assess the potential effects of the Proposed Project, the “Future without the Proposed Action (No-Action Condition)” and “Future with the Proposed Action (With-Action Condition)” are analyzed for an analysis year, or “Build Year” of 2023. The future With-Action condition identifies the amount, type, and location of development that is expected to occur by 2023 as a result of the Proposed Action. The future No-Action condition identifies similar development projections for 2023 absent the Proposed Action. The incremental difference between the With-Action and No-Action conditions serve as the basis for impact analyses in this EAS.

Future without the Proposed Action (No-Action Condition)

In the 2023 future without the Proposed Action, it is expected that there would be no new development on the Development Sites and all six lots would remain as vacant or as portions of community gardens operating under temporary license agreements on an interim basis until HPD



is ready to move forward with their redevelopment.

Future with the Proposed Action (With-Action Condition)

As discussed above under “The Proposed Action”, the Proposed Action would facilitate the development of four buildings that would include a total of approximately 81 affordable DUs (plus two superintendent’s units for a total of 83 units) and approximately 10,740 gsf of community facility space. The Proposed Project is expected to take approximately 23 months to construct and would be completed and fully occupied in 2023. The net increment of approximately 83 dwelling units and approximately 11,101 gsf of community facility space will represent the basis for environmental analyses in this EAS.

Possible Effects of the Proposed Action

The incremental difference between the No-Action condition and the With-Action condition on the Proposed Development Sites provides the basis by which the potential environmental effects are evaluated in the EAS. Therefore, the EAS analyzes an incremental net increase of 83 affordable dwelling units (approximately 47,719 gsf), approximately 11,101 gsf of local retail and a net reduction of approximately 6,971 sf of temporary community garden space. Also, the EAS analyzes the incremental change from sites with no buildings to new buildings as described above and with foundations and, on two sites, cellars.

Table A-4: Comparison of 2023 No-Action and With-Action Conditions

Use	Existing / No-Action	With-Action ¹	Increment
Residential (Affordable)	0 gsf 0 DUs	73,889 gsf 83 DUs	+73,889 gsf +83 DUs
Local Retail	0 gsf	11,101 gsf	+11,101 gsf
Temporary Garden Space	6,971 gsf	0 gsf	- 6,971
Population/Employment ²	Existing/No-Action	With-Action	Increment
Residents	0 residents	198 residents	+198 residents
Workers	0 workers	36 workers	+36 workers

Notes:

¹All figures are approximate and subject to change.

²Assumes 1 worker per 25 DUs and 3 workers per 1,000 gsf of local retail

C. PROBABLE IMPACTS OF THE PROPOSED ACTIONS

LAND USE, ZONING, AND PUBLIC POLICY

No significant adverse impacts on land use, zoning, or public policy, as defined by the guidance for determining impact significance set forth in the *2020 City Environmental Quality Review (CEQR) Technical Manual*, are anticipated in the future with the proposed action in the project area (the primary study area) or within a 400-foot radius (secondary study area). The proposed development resulting from the proposed action would not directly displace any land uses so as to adversely affect surrounding land uses, nor would it generate land uses that would be incompatible with land uses, zoning, or public policies



in the secondary study area. The proposed action would not substantially hinder the achievement of any Waterfront Revitalization Program (WRP) policy and the analysis found the project consistent with the WRP policies. The proposed action, with these beneficial elements, would not result in any significant adverse impacts to land use, zoning, or public policy.

OPEN SPACE

The proposed action would result in a direct significant adverse open space impact, due to project-generated incremental shadows on Jackie Robinson Community Garden, as identified in the shadows analysis in **Chapter 4, “Shadows.”** Apart from this, the proposed action would not result in any other significant adverse open space impacts. According to the *CEQR Technical Manual*, a proposed action may result in a significant adverse impact on open space resources if (a) there would be direct displacement/alteration of existing open space within the study area that has a significant adverse effect on existing users (*Direct Effect*); or (b) it would reduce the open space ratio and consequently overburden existing facilities or further exacerbate deficiency in open space (*Indirect Effect*). The *CEQR Technical Manual* also states “if the area exhibits a low open space ratio indicating a shortfall of open space, even a small decrease in the ratio as a result of the action may cause an adverse effect.” A five percent or greater decrease in the open space ratio is considered “substantial,” and a decrease of less than one percent is generally considered to be insignificant unless open space resources are extremely limited. The open space study area analyzed in this chapter is located in an area that is considered neither “well-served” nor “under-served” by open space as defined in the *CEQR Technical Manual Appendix: Open Space Maps*.

In New York City, local open space ratios vary widely, and the median ratio at the Citywide Community District level is 1.5 acres of open space per 1,000 residents. As a planning goal, a ratio of 2.5 acres per 1,000 residents represents an area well-served by open spaces, and is consequently used as an optimal benchmark for residential populations in large-scale plans and proposals. Ideally, this would comprise 0.50 acres of passive open space and 2.0 acres of active open space per 1,000 residents.

Direct Effects

According to the *CEQR Technical Manual*, a proposed action may result in a significant adverse direct impact on open space resources if there would be direct displacement/alteration of existing open space within the study area and would have a significant adverse effect on existing users, or an imposition of noise, air pollution emissions, odors, or shadows on public open space that may alter its usability. However, the proposed action would not result in any direct air quality or noise effects to area open spaces.

As discussed below, while the direct effects open space assessment shows that the proposed action would result in the displacement of two existing community gardens located on Development Site C (Pleasant Village Community Garden) and Development Site D (Jackie Robinson Community Garden), portions of the community gardens would remain. Pleasant Village Community Garden would remain on the 0.38-acre Lot 2. Jackie Robinson Community Garden would remain on the 0.05-acre Lot 5. Furthermore, the displacement of these community gardens is consistent with the terms of the temporary license agreements under which they have operated as interim facilities until they would be developed pursuant to HPD plans. In addition,



these gardens have limited public hours and as such are not accounted for in the quantitative analysis pursuant to CEQR guidance and therefore, their elimination would not affect open space ratios calculated for the indirect effects analysis. Additionally, there are several community gardens in the surrounding area, as documented in this chapter. Therefore, the direct displacement of portions of Pleasant Village Community Garden and Jackie Robinson Community Garden would not constitute a direct significant adverse open space impact.

As discussed in **Chapter 4, “Shadows,”** the proposed action would result in significant adverse impacts related to shadows on one open space resource: the Jackie Robinson Community Garden. The lead agency, in consultation with the NYC Department of Parks and Recreation (DPR), has determined that this also constitutes a significant adverse open space impact due to the direct effects of project-generated incremental shadows. The shadows analysis concludes that given the duration and extent of incremental shadow, the use and character of the community garden could be altered and the health of trees, flowers, and other plantings could be affected adversely by new project-generated shadows.

Indirect Effects

According to the *CEQR Technical Manual*, a proposed action may result in a significant adverse indirect impact on open space resources if it would reduce the open space ratio and consequently result in the overburdening of existing facilities or further exacerbating a deficiency in open space. The proposed action would introduce a net increase of an estimated 198 new residents over the No-Action condition, which does not exceed the 200-resident CEQR screening threshold. However, an open space analysis was conducted for the residential (1/2-mile) study area due to the closeness of the project to the threshold combined with the sensitivity of open space concerns for the proposed action. The quantitative assessment shows that the proposed action would result in the study area’s open space ratio decreasing by approximately 0.1 percent. This change in the study area’s open space ratio would be below the CEQR impact threshold of one percent for areas that are extremely lacking in open space, as indicated by very low open space ratios, and therefore, would not result in significant adverse impacts.

SHADOWS

The proposed action would result in significant adverse impacts related to shadows. On the March 21/September 21, May 6/August 6, and June 21 representative analysis days, portions of the Jackie Robinson Community Garden would receive less than four- to six-hours of direct sunlight. Given the variety of plants, trees, and flowers in the garden, including those that produce food such as fruit-bearing trees, the reduction in direct sunlight due to project-generated incremental shadows would significantly impact the health of these species, and the viability of the vegetation in the garden would potentially be threatened and could result in significant adverse shadow impacts. Therefore, project-generated incremental shadows on Jackie Robinson Community Garden as a result of the proposed action would be considered a significant adverse impact, in accordance with *CEQR Technical Manual* methodology.



TRANSPORTATION

A detailed transportation analysis was conducted and determined that the proposed action would not result in significant adverse transportation impacts. Each of the Development Sites would generate significantly less than 2020 *CEQR Technical Manual* analysis threshold of 50 vehicle trips during each of the analysis peak hours. Similarly, the Development Sites would each generate fewer than 200 subway and bus trips during each of the analysis peak hours. Therefore, further quantified traffic and transit analyses are not warranted. As per the *CEQR Technical Manual*, a detailed parking assessment is not needed if the threshold for traffic analysis is not exceeded. Additionally, the Development Sites would generate less than 200 pedestrian trips during each analysis peak hour, therefore no significant impacts would occur.

AIR QUALITY

HVAC Analysis

The proposed sites are located more than 400 feet from one another and therefore, could not impact each other. As such, no project-on-project analysis was warranted. However, each building's HVAC system individually could impact nearby taller existing buildings. Therefore, a project-on-existing analysis was conducted. A screening-level analysis determined that, with the LDA requirements, the potential HVAC impacts of the proposed development on these nearby taller buildings would not be significant.

Industrial Source Analysis

A review of the NYCDEP database identified four (4) possible nearby existing industrial facilities. The permits for these facilities are PR008416, PB001011, PB046511, and PB517103. A review of these permits determined that the first three of these permits are for minor combustion installations or emergency generators. As such, these permits are not for industrial sources with toxic air pollutants. In addition, the fourth permit (Permit # PB517103) is for a dry-cleaning facility and, based on recent NYCDEP recommendations, dry cleaning facilities with 4th-generation emission control equipment are currently heavily regulated and do not require an air quality analysis. Based on this review, it was concluded that there are no industrial sources with toxic air emissions within 400 feet of the study area that have the potential to significantly impact the proposed developments and, as such, no industrial source analysis is warranted.

Large Emission Source Analysis

The analysis conducted employed the procedures and methodologies prescribed in the *CEQR Technical Manual* to determine whether the impacts of nearby large emission source emissions on the proposed developments could be significant. Potential impacts of the NO₂, PM_{2.5}, PM₁₀, and SO₂ emissions from Metropolitan Hospital's boilers on Site A with both natural gas and fuel oil were estimated, and the results compared with the 24-hour/annual PM_{2.5} *CEQR* significant impact criteria and applicable National Ambient Air Quality Standards (NAAQS) (i.e., the 1-hour/annual NO₂, 1-hour SO₂, and 24-hour PM₁₀ NAAQS). The result of dispersion analysis for both types of fuels is that PM_{2.5} impacts are less than *CEQR* significant impact criteria, and total



PM_{2.5}, PM₁₀, NO₂, and SO₂ concentrations are below the applicable NAAQS. Therefore, it is concluded that Metropolitan Hospital's boiler emissions, firing either natural gas or fuel oil #2, would not significantly impact the proposed development.

Updated Project Dimensions

Subsequent to the completion of the air quality analysis, the dimensions of the buildings were modified slightly. With one exception, the differences in building heights between those evaluated in this report and the final design are less than 1 inch. The only exception is Site D, which was 134-feet tall but is now 142-feet tall. However, Site D was and still is taller than the nearby existing buildings and would therefore not cause any significant air quality impacts. As such, the small changes in building heights in the final design would not measurably affect the results of this analysis.

As a result of this analysis, restriction on stack locations and fuel type via a Land Disposition Agreement (LDA) would be imposed on Sites A. This will ensure that no adverse air quality impact would occur. There would be no LDA requirements for Development Sites B, C, and D. The LDA for Development Site A will include (1) restrictions on the location and minimum stack heights for any residential/community facility developments on Block 1674 Lot 104, and (2) the exclusive use of natural gas in the HVAC systems, as follows:

Development Site A

Any new development on Block 1674, Lot 104 must exclusively use natural gas as the type of fuel for HVAC systems and hot water boiler, and ensure that the heating, ventilating and air conditioning and hot water equipment stack is located on the bulkhead at the height of at least 65 feet above grade and at least 30 feet from the closest window or air intake of the nearby building to avoid any potential significant adverse air quality impacts.

NOISE

In the future with the proposed actions, the predicted peak period L₁₀ values at the receptor locations would range from a minimum of 58.82 dBA to a maximum of 83.02 dBA. When compared to the future without the proposed action, the relative increases in noise levels are expected to be well below 3.0 dBA at all analyzed receptor locations. Therefore, no significant adverse mobile source noise impacts due to action-generated vehicular traffic would occur.

Based on predicted future With-Action exterior noise levels and *CEQR Technical Manual* criteria, With-Action noise levels at Receptor Locations 1 and 2 would remain in the "Marginally Acceptable" CEQR Noise Exposure category and Receptor Location 3 would remain in the "Acceptable" CEQR Noise Exposure category, and, as such, no special noise attenuation measures beyond standard construction practices would be required for residential or community facility uses on any of the frontages at Development Sites A, B or C in order to achieve the required residential or community facility interior noise level of 45 dBA or lower. However, Receptor Locations 4 and 5 would fall in the "Clearly Unacceptable" and "Marginally Unacceptable" CEQR Noise Exposure categories, respectively, and, as such, would require a minimum of 40 dBA attenuation on any western-facing (Park Avenue) frontages and a minimum of 36 dBA attenuation on any southern-facing (East 122nd Street) frontages at Development Site D.



Furthermore, as the maximum predicted L_{dn} noise levels at Receptor Location 2 (Development Site B) would fall within the “Normally Unacceptable” category defined by the U.S. Department of Housing and Urban Development (HUD), a minimum of 25 dBA of attenuation is needed along any northern-facing (East 117th Street) frontages at Development Site B. Additionally, as the maximum predicted L_{dn} noise levels at Receptor Locations 4 and 5 (Development Site D) would both fall within the “Unacceptable” category defined by HUD, a minimum of 36 dBA and 31 dBA of attenuation would be needed along any western- (Park Avenue) and southern-facing (East 122nd Street) frontages at Development Site D, respectively.¹

Both the CEQR and HUD noise attenuation measures would be required through provisions contained in the Land Disposition Agreement (LDA) between HPD and the project sponsor.² With implementation of the attenuation levels discussed below, the Proposed Project would not result in any significant adverse noise impacts related to noise attenuation.

PUBLIC HEALTH

The proposed action is not expected to result in unmitigated significant adverse impacts in the following technical areas that contribute to public health: operational air quality, construction-related air quality, operational noise, water quality, or hazardous materials. The proposed action could result in unmitigated significant adverse shadows and open space related impacts. Therefore, a preliminary assessment of public health was conducted. As detailed therein, while the proposed action would result in significant adverse unmitigated impacts related to shadows on one open space, the potential for these impacts to occur is expected to be limited and would not significantly affect public health. Therefore, no significant adverse public health impacts are expected as a result of the proposed action.

NEIGHBORHOOD CHARACTER

The proposed action would not result in significant adverse impacts associated with neighborhood character. The proposed action would permit the development of affordable housing at four development sites in East Harlem, which would remain underutilized absent the proposed action. The proposed project would support the City’s goals of promoting affordable housing development by maximizing the use of vacant and underutilized land.

As described in the EIS and summarized herein, the proposed action would not result in significant adverse impacts in the areas of land use, zoning, and public policy; socioeconomic conditions; historic and cultural resources; urban design and visual resources; or noise. The

¹ It should be noted that the HUD attenuation requirement described above would only be required in the event the Proposed Project include federal sources of funding. In addition, any CEQR attenuation requirements exceeding those required by HUD at a particular receptor would supersede the HUD requirement as it would satisfy both the CEQR and HUD requirements at that receptor. Therefore, in regards to Development Site D, the CEQR requirement for both the western (40 dBA) and southern (36 dBA) frontages would supersede the HUD requirements for those same frontages (36 dBA and 31 dBA, respectively).

² Absent the federal sources of funding, the Proposed Project would only be required to provide the noise attenuation levels pursuant to CEQR.



significant adverse shadows impacts that would occur as a result of the proposed action would not affect any defining feature of neighborhood character, nor would a combination of moderately adverse effects (related to any of the above-mentioned technical analysis areas) affect such a defining feature. Although significant adverse impacts would occur with respect to shadows and open space, the impact would not result in significant change to one of the determining elements of neighborhood character. In addition, while incremental vehicle volumes introduced as a result of the proposed action would increase noise levels adjacent to the development sites, the increases would not be perceptible to individuals (i.e., would be less than 3.0 dBA) and therefore, would not alter the character of the surrounding neighborhood.

D. MITIGATION

Incremental shadows cast by the Proposed Project would be substantial enough in extent and/or duration to significantly affect the Jackie Robinson Community Garden on all four of the representative analysis days. Incremental shadow durations would range from 2 hours and 22 minutes on December 21 to 5 hours and 40 minutes on June 21. As disclosed in **Chapters 3 and 4, “Open Space” and “Shadows,”**, respectively, this would constitute a shadows impact on an open space resource.

The *CEQR Technical Manual* identifies several measures that could mitigate significant adverse shadow impacts on open spaces, including modifying the height, shape, size or orientation of a proposed development in order to eliminate or reduce the extent and duration of incremental shadow on the resource; relocating sunlight-sensitive features within an open space to avoid sunlight loss; relocating or replacing vegetation; undertaking additional maintenance to reduce the likelihood of species loss; and sharing spaces such as building roofs or rear yards. Potential mitigation measures for the shadows and open space impacts are being explored by the Applicant in consultation with the New York City Department of Parks and Recreation (DPR), and will be refined between the DEIS and FEIS. If feasible mitigation measures are identified, the impacts would be considered partially mitigated. As the significant adverse shadows impact would not be fully mitigated, the Proposed Actions would result in unmitigated significant adverse shadows impacts to this resource. Generally, shadows impacts (including those on open spaces) that result from the proposed actions have been found to be unavoidable if modifying the building envelope is infeasible.

E. ALTERNATIVES

No-Action Alternative

The No-Action Alternative examines future conditions within the development sites, but assumes the absence of the proposed action (i.e., the discretionary approval proposed as part of the proposed action would not be adopted). Under the No-Action Alternative by 2023, existing land uses within the development sites would remain unchanged. It is anticipated Development Sites A and B would remain vacant and Development Sites C and D would remain as portions of Pleasant Village Community Garden (Development Site C) and Jackie Robinson Community Garden (Development Site D) operating under



temporary license agreements with HPD that permits community garden groups to use these sites on an interim basis until HPD is ready to move forward with their redevelopment. Redevelopment of the development sites would not be possible without the disposition of City-owned property. The technical chapters of this EIS have described the No-Action Alternative as “the Future Without the Proposed Action.”

The significant adverse impacts anticipated for the proposed action would not occur under the No-Action Alternative. However, the No-Action Alternative would not meet the goals of the proposed action. The benefits expected to result from the proposed action – including promoting affordable housing development by maximizing the use of vacant City-owned land and encouraging the continued economic development of East Harlem – would not be realized under this alternative, and the No-Action Alternative would fall short of the objectives of the proposed action.

No Significant Adverse Impacts Alternative

The No Significant Adverse Impacts Alternative examines a scenario in which the density and other components of the proposed action are changed specifically to avoid the significant adverse impacts associated with the proposed action. There is the potential for the Proposed Project to result in unmitigated significant adverse impacts related to shadows. Overall, in order to eliminate all unmitigated significant adverse impacts, the Proposed Project would have to be modified to a point where the principal goals and objectives would not be realized.

F. UNAVOIDABLE ADVERSE IMPACTS

As discussed in **Chapter 4, “Shadows,”** the proposed action would result in a significant adverse shadow impact on Jackie Robinson Community Garden, which is also an open space impact. On the March 21/September 21, May 6/August 6, and June 21 representative analysis days, portions of the Jackie Robinson Community Garden would receive less than four- to six-hours of direct sunlight daily, i.e., the minimum necessary for the survival of sunlight-sensitive vegetation, which would result in significant adverse impacts.

The *CEQR Technical Manual* identifies potential mitigation strategies for incremental shadow impacts on open space resources which may include, but are not limited to, relocating, replacing or monitoring vegetation for a set period of time; undertaking additional maintenance to reduce the likelihood of species loss; or providing for replacement facilities on another nearby site. Other potential mitigation strategies include the redesign or reorientation of the open space site plan to provide for replacement facilities, vegetation, or other features. Feasible and practical measures to reduce the project’s shadow impacts will continue to be explored in consultation with the New York City Department of Parks and Recreation (DPR) between the DEIS and FEIS. If feasible mitigation measures are identified, the impacts would be considered partially mitigated. As the significant adverse shadows and open space impacts would not be fully mitigated, the Proposed Actions would result in unmitigated significant adverse shadows impacts to this resource.

G. GROWTH-INDUCING ASPECTS OF THE PROPOSED ACTIONS



The term “growth-inducing aspects” generally refers to “secondary” impacts of a proposed action that trigger further development outside the directly affected area. The 2020 *City Environmental Quality Review (CEQR) Technical Manual* indicates that an analysis of the growth-inducing aspects of a proposed action is appropriate when the project: (1) adds substantial new land use, residents, or new employment that could induce additional development of a similar kind or of support uses, such as retail establishments to serve new residential uses; and/or (2) introduces or greatly expands infrastructure capacity (e.g., sewers, central water supply).

The goal of the proposed action, as noted in **Chapter 1, “Project Description,”** is to create opportunities for new affordable housing development on vacant lots in an area where a strong demand for affordable housing exists.

As detailed in **Chapter 1, “Project Description,”** the incremental change between the No-Action and With- Action conditions that would result from the Proposed Actions would be a net increase of 83 dwelling units and approximately 10,740 gsf of community facility space.

The projected increase in residential population is likely to increase the demand for neighborhood services, ranging from community facilities to local goods and services retail. This would enhance the growth of local commercial corridors in the area. The proposed action could also lead to additional growth in the City and State economies, primarily due to employment and fiscal effects during construction on the development sites and operation of these developments after their completion. However, this secondary growth would be expected to occur incrementally throughout the region and is not expected to result in any significant impacts in any particular area or at any particular site.

The proposed action would result in more intensive land uses on the development sites. However, it is not anticipated that the proposed action would generate significant secondary impacts resulting in substantial new development in nearby areas. As the surrounding areas have a well-established residential market and a critical mass of non-residential uses, including retail, public facilities and institutions, and community facility uses, the proposed action would not create the critical mass of uses or populations that would induce additional development outside the development sites. Moreover, the proposed action does not include the introduction of new infrastructure or an expansion of infrastructure capacity that would result in indirect development. Therefore, the proposed action would not induce significant new growth in the surrounding area.

H. IRREVERSIBLE AND IRRETRIEVEABLE COMMITMENTS OF RESOURCES

Resources, both natural and man-made, would be expended in the construction and operation of developments projected to occur as a result of the proposed action. These resources include the building materials used in construction; energy in the form of gas and electricity consumed during construction and operation of project-generated development by various mechanical and processing systems; and the human effort (time and labor) required to develop, construct, and operate various components of project-generated development. These are considered irretrievably committed because their reuse for some other purpose would be highly unlikely.

The proposed developments under the proposed action also constitutes a long-term commitment of land resources, thereby rendering land use for other purposes highly unlikely in the foreseeable future. However, the land use change that would occur as a result of the proposed action would be compatible in terms of use and scale with existing conditions and trends in the area as a whole. None of the development sites possess any natural resource values, and the sites



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are in large part developed or have been previously developed. It is noted that funds committed to the design, construction/renovation, and operation of proposed developments under the proposed action would not be available for other projects. However, this is not a significant adverse fiscal impact or a significant adverse impact on City resources.

In addition, the public services provided in connection with the proposed developments under the proposed action (e.g., police and fire protection, public education, open space, and other city resources) also constitute resource commitments that might otherwise be used for other programs or projects. However, the proposed action would enliven the area and produce economic growth that would generate substantial tax revenues providing a new source of public funds that would offset these expenditures.

The commitments of resources and materials are weighed against the benefits of the proposed action. The proposed action would promote new permanently affordable residential development, encourage mixed-use development on key corridors, enhance and revitalize major thoroughfares through new economic development, and protect neighborhood character.

Matthew Juliana

Matthew Juliana, AICP

Director, Environmental Planning

City of New York - Department of Housing Preservation and Development

Date: 05/14/2021

Cc:

Melissa Auton (HPD)

Veanda Simmons (HPD)

Joan Huang (HPD)

Hilary Semel (MOEC)

Olga Abinader (DCP)

Gale Brewer (Manhattan Borough President)

Jonathan Cruz (MDG Development)

Laura Davis (Philip Habib and Associates)

Jeff Reuben (Philip Habib and Associates)

