

November 12, 2008

## **POSITIVE DECLARATION**

### **Project Identification**

CEQR No. 09HPD024K  
ULURP Nos. Pending  
SEQRA Classification: Type I

### **Lead Agency**

NYC Department of Housing  
Preservation and Development (HPD)  
100 Gold Street  
New York, NY 10038  
Contact: Patrick Blanchfield  
(212) 863-5056

### **Name, Description and Location of Proposal:**

#### Gowanus Green (aka Public Place):

The proposal involves an application by HPD, on behalf of the project sponsor, Gowanus Green Partners, LLC, for several discretionary actions including zoning amendments, City map amendments, disposition of City-owned property, special permits, authorizations, and certifications (collectively, the "Proposed Action"). The Proposed Action would facilitate the redevelopment of an approximately 5.8-acre waterfront site located in the Gowanus neighborhood of Brooklyn, Community District 6.

The redevelopment of the site would result in new residential development, including a substantial amount of affordable housing, as well as local retail and community facility development and new waterfront open space. The Project Site is located on Block 471, Lots 1 and 100 and is generally bounded by Smith Street to the west, 5th Street to the north, Huntington Street to the south and the Gowanus Canal to the east. The Project Site is City-owned and under HPD jurisdiction. A portion of the site is currently leased to the operator of a concrete batching facility (the remaining portion of the Project Site is vacant).

Under the Proposed Action, the Project Site would be redeveloped with nine buildings and would contain a total of 774 dwelling units (up to approximately 525 of which would be affordable units), 40,352 square feet of neighborhood retail space, 18,818 square feet of community facility space and a 225-space parking garage which would be accessed from 5th Street. The proposed buildings would range in height from three to twelve stories. In addition, the Proposed Project would provide approximately 1.2 acres of publicly accessible open space along the Gowanus Canal. The Proposed Project has a build year of 2017.

A proposed zoning map amendment would change the zoning on the Project Site from an M3-1 zoning district to an R7-2 zoning district (with a C2-4 commercial overlay). The existing M3-1 zoning district allows manufacturing and commercial uses and has a maximum Floor Area Ratio



***Gowanus Green (aka Public Place)***

*CEQR No. 09HPD024K*

*Page 2*

(FAR) of 2.0. Parking is not required. The M3-1 district has a base height of 60 feet and the maximum building height is governed by the sky exposure plane. Residential uses are not permitted in M3-1 districts.

The proposed R7-2 zoning district allows residential uses and has a maximum FAR of 3.44. The height factor regulations encourage shorter, low-rise buildings on smaller zoning lots and taller buildings with low lot coverage on larger zoning lots. The proposed C2-4 district is mapped as a commercial overlay within residential districts and allows neighborhood retail uses. When mapped in R7-2 districts, the C2-4 overlay allows commercial development to 2.0 FAR.

The Proposed Action includes amendments to the city map to remove the *Public Place* designation on Lots 1 and 100, and to map two new streets, which include the extension of Luquer Street east of Smith Street and the creation of Canal Street south of 5th Street. In conjunction with the approval for the disposition of City-owned property, HPD is seeking project approval and designation of the Project Site as an Urban Development Action Area Project (UDAAP).

The Proposed Action includes a special permit pursuant to Zoning Resolution (ZR) Section 74-743 to modify bulk regulations for height and setback and distribution of total floor area (Section 123-662) in a General Large Scale Development. The special permit would allow the massing of the buildings to better relate to the Project Site's context along the Gowanus Canal and the adjacent neighborhood, and would increase the amount of open space. Specifically, the Proposed Project would require waivers:

- to allow the residential stories of five buildings located entirely above the maximum base height to each exceed a gross area of 8,100 square feet;
- to allow the maximum length of any story of a building that faces the shoreline and is entirely above the maximum base height to exceed 100 feet; and
- to allow the base building heights of five developments to exceed the 60-foot required base height (the proposed base heights of five buildings would be 85 feet).

An authorization pursuant to ZR Section 62-722 is required for modification of waterfront public access and visual corridor requirements. This authorization is necessary to address the constraints in the configuration of the Project Site created by waterfront zoning setback requirements and the existing off-set intersection of 5th and Hoyt Streets. Due to the narrowing of the parcel at the Hoyt and 5th Street intersection, preservation of the prolongation of 5th Street is not feasible. The Proposed Project also requires a certification pursuant to ZR Section 62-711 to ensure that the project complies with the requirements for waterfront public access of ZR Sections 62-40 and 62-60. In addition, the Proposed Project may require a text amendment to make waterfront zoning applicable to the Gowanus Canal or portions thereof.

Implementation of the Proposed Project may require additional city, state, and federal approvals. Specifically, the New York City Department of Parks and Recreation (DPR) will review and approve the proposed open space's design, layout, and furnishings. Permit approvals from the New York State Department of Environmental Conservation (DEC) will be required for



shorefront protection, new stormwater outfalls to the Gowanus Canal, and stormwater discharges. Federal approvals from the U.S. Army Corps of Engineers (ACOE) will also be required for shorefront protection and new stormwater outfalls to the Gowanus Canal.

**Statement of Significant Effect:**

HPD has determined, pursuant to 6 NYCRR Part 617.7, that the proposed action may have a significant effect on the quality of the environment as detailed in the following CEQR areas of analysis, and that an environmental impact statement will be required:

1. The action, as proposed, may result in significant adverse impacts related to land use, zoning, and public policy in the vicinity of the affected area.
2. The action, as proposed, may result in significant adverse impacts related to socioeconomic conditions in the vicinity of the affected area.
3. The action, as proposed, may result in significant adverse impacts related to community facilities and services in the vicinity of the affected area.
4. The action, as proposed, may result in significant adverse impacts related to open space in the vicinity of the affected area.
5. The action, as proposed, may result in significant adverse impacts related to shadows in the vicinity of the affected area.
6. The action, as proposed, may result in significant adverse impacts related to historic resources in the vicinity of the affected area.
7. The action, as proposed, may result in significant adverse impacts related to urban design/visual resources in the vicinity of the affected area.
8. The action, as proposed, may result in significant adverse impacts related to neighborhood character in the vicinity of the affected area.
9. The action, as proposed, may result in significant adverse impacts related to natural resources in the vicinity of the affected area.
10. The action, as proposed, may result in significant adverse impacts related to hazardous materials in the vicinity of the affected area.
11. The action, as proposed, may affect waterfront and coastal resources in the vicinity of the affected area.
12. The action, as proposed, may result in significant adverse impacts related to infrastructure in the vicinity of the affected area.



13. The action, as proposed, may result in significant adverse impacts related to solid waste and sanitation services in the vicinity of the affected area.
14. The action, as proposed, may result in significant adverse impacts related to energy in the vicinity of the affected area.
15. The action, as proposed, may result in significant adverse impacts related to traffic and parking in the vicinity of the affected area.
16. The action, as proposed, may result in significant adverse impacts related to transit and pedestrians in the vicinity of the affected area.
17. The action, as proposed, may result in significant adverse impacts related to air quality in the vicinity of the affected area.
18. The action, as proposed, may result in significant adverse impacts related to noise in the vicinity of the affected area.
19. The action, as proposed, may result in significant adverse impacts related to construction impacts in the vicinity of the affected area.
20. The action, as proposed, may result in significant adverse impacts related to public health in the vicinity of the affected area.

**Supporting Statement:**

The above determination is based on an Environmental Assessment Statement prepared for the action which finds that:

1. The Proposed Action would result in substantial changes to land use and zoning on the Project Site. The Project Site is currently zoned for manufacturing uses as a M3-1 district. Under the Proposed Action, the zoning would be changed to R7-2 residential district with a C2-4 commercial overlay, to permit the development of new residential, retail, community facility, and open space uses.
2. The Proposed Action would result in a substantial amount of new residential (and non-residential development) which may result in significant adverse impacts related to displacement.
3. The Proposed Action would place additional demands on existing community facilities and services such as elementary schools, middle schools, high schools, libraries, day care facilities, and health care facilities.
4. The Proposed Action would bring new residents and workers to the area, potentially placing additional demands on available open space resources.



5. The Proposed Action could result in shadow impacts on sunlight-sensitive resources since it would allow for the development of buildings over 50 feet tall.
6. The Proposed Action would permit new development in the vicinity of an area which contains historic architectural resources. In addition, the Proposed Action would result in new in-ground disturbance which may affect archaeological resources.
7. The Proposed Action would result in the development of mixed-use buildings with different height, bulk, form and scale from existing buildings in the area and the establishment of new streets, parkland and block forms. In addition, the Proposed Action may alter the context of views to visual resources in the vicinity of the Project Site and visual resources may be obscured by future development.
8. The Proposed Action would result in new development which could alter existing neighborhood character by affecting land use, socioeconomic conditions, historic resources, urban design, traffic, and noise.
9. The Proposed Action would result in new development on the Project Site which could affect natural resources.
10. The Proposed Action would result in new residential development in areas currently zoned for manufacturing, and has the potential to result in significant adverse hazardous materials impacts.
11. The Proposed Action would allow new development which could place additional demands on infrastructure due to increased demand for utility services and the additional volume of wastewater produced.
12. The Proposed Action would result in development which would result in the generation of solid waste, and which would require sanitation services.
13. The Proposed Action would result in new development which could increase demand for energy.
14. Given the amount of new development expected to occur with the Proposed Action, it is anticipated that new peak hour vehicular trips generated by the Proposed Action would exceed the 50-trip threshold established by CEQR Technical Manual and therefore may result in potentially significant adverse impacts on traffic conditions.
15. Given the amount of new development expected to occur with the Proposed Action, it is anticipated that new transit trips generated by the Proposed Action would exceed the 200 trip threshold established by CEQR Technical Manual and therefore may result in potentially significant adverse impacts on transit facilities and pedestrian conditions.



**Gowanus Green (aka Public Place)**

CEQR No. 09HPD024K

Page 6

16. The Proposed Action would result in new development which could potentially result in air quality impacts due to increased mobile source (vehicular) and stationary source (HVAC system) emissions. The proposed action would also introduce sensitive uses to an area near industrial source emissions.
17. The Proposed Action may result in potentially significant impacts on noise levels in the area due to noise from increased vehicular traffic. In addition, it would result in the placement of new residential, community facility, and commercial uses at sites in the vicinity of potential stationary and mobile noise sources.
18. The Proposed Action would result in new development that would involve construction activities which may result in construction-related impacts.
19. The construction generated by the Proposed Action has the potential to add dust, inhalable particulates, noise and odors to the immediate environment that can adversely affect public health. Emissions from existing manufacturing uses in and around the Project Site also have the potential to impact future sensitive receptors.
21. The Draft Environmental Impact Statement (EIS) to be prepared for the proposed action will identify and describe any other potential effects on the environment pursuant to CEQR.

**Public Scoping:**

The CEQR lead agency hereby requests that the applicant prepare or have prepared, a Draft Environmental Impact Statement (DEIS) in accordance with 6 NYCRR 617.9(b) and Sections 6-08 and 6-12 of Executive Order No. 91 of 1977 as amended (City Environmental Quality Review).

A public scoping meeting will be held on Tuesday, December 16, 2008, at 5 PM at Brooklyn Borough Hall, 2<sup>nd</sup> floor auditorium (the Court Room), located at 209 Joralemon Street, Brooklyn, NY 11201. Public comments are requested with respect to issues to be addressed in the Draft Environmental Impact Statement. Written comments will be accepted by the lead agency through Friday, January 23, 2009.

This determination has been prepared in accordance with Article 8 of the Environmental Conservation Law. Should you have any questions pertaining to this Positive Declaration, you may contact me at (212) 863-5056.

Sincerely,



Patrick Blanchfield, AICP

Director of Environmental Review

New York City Department of Housing Preservation and Development

