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November 8, 2019

NOTICE OF COMPLETION OF THE TARGETED DRAFT ENVIRONMENTAL IMPACT STATEMENT

DeKalb Commons Development

Project Identification:

CEQR No. 18HPD078K ULURP Nos. 200155 HAK **Lead Agency:**

City of New York - Department of Housing

Preservation & Development (HPD)

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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 http://www1.nyc.gov/site/hpd/developers/environmental-review.page.

An Environmental Assessment Statement ("EAS") was completed on May 23, 2019. A Positive Declaration, issued on June 4, 2019, 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 June 12, 2019. A public scoping meeting was held on Tuesday July 16, 2019 at 4:00 PM at Restoration Plaza, 1368 Fulton Street, Brooklyn, NY to accept oral and written comments. Written comments on the Draft Scope of Work were accepted through July 26, 2019. The Final Scope of Work, including responses to the comments received on the Draft Scope of Work, was issued on November 8, 2019.

The proposal involves actions subject to approval by the City Planning Commission ("CPC") and Council of the City of New York pursuant to 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.

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A. PROJECT DESCRIPTION

The proposal involves an application by the City of New York – Department of Housing Preservation and Development ("HPD" or the "Applicant") on behalf of DeKalb Commons NY Housing Development Fund Corporation (HDFC) (the "Project Sponsor"), for approval of several discretionary actions subject to City Planning Commission (CPC) approval (collectively, the "Proposed Actions") to facilitate the development of new affordable housing in the Bedford-Stuyvesant neighborhood of Brooklyn, Community District (CD) 3. The Proposed Actions include designation of an Urban Development Action Area ("UDAA"), project approval of an Urban Development Action Area Project ("UDAAP"), and disposition of City-owned property. The Applicant is proposing to develop eight vacant lots with a total of three buildings containing a total of approximately 84 affordable dwelling units (DUs), plus one dwelling unit for a residential superintendent (for a total of approximately 85 DUs), and approximately 2,512 gsf of commercial space (the "Proposed Project"). The vacant sites include a total of eight tax lots and are grouped into three Development Sites in the Bedford-Stuyvesant neighborhood of Brooklyn. All eight lots are owned by HPD and would be conveyed to the Project Sponsor.

The Project Area is comprised of eight tax lots, which are grouped into three Development Sites in Bedford-Stuyvesant. Development Site 1 consists of four tax lots (Block 1774, Lots 74, 75, 76, and 77), totaling approximately 9,827 square feet (sf). All four lots are currently vacant. Development Site 1 has approximately 100 feet of frontage along the north side of DeKalb Avenue between Nostrand and Marcy Avenues. Development Site 1 is zoned R6A. Development Site 2 consists of three tax lots (Block 1779, Lot 22, 24, and 26), totaling approximately 10,983 sf. All three lots are currently vacant. Development Site 2 has approximately 109 feet of frontage along the south side of DeKalb Avenue. Development Site 2 is also zoned R6A. Development Site 3 consists of one tax lot (Block 2000, Lot 43), totaling approximately 1,786 sf. Development Site 3, which is vacant, has approximately 20 feet of frontage along the north side of Fulton Street between Spencer Place and Bedford Avenue (see Figure ES-1). Development Site 3 is zoned R7D/C2-4.

The Proposed Actions would facilitate the development of three buildings containing approximately 84 dwelling units, plus one unit for the residential superintendent (for a total of approximately 85 DUs) and 2,512 gsf of commercial space. The proposed development for each site is described in detail below and summarized in Table 1.



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Table 1: Proposed Project

Develop	ment S	ite 1						
Block	Lot	Address	Proposed Height (including mechanical bulkhead/Solar Panels	Residential GSF	Total DUs	Retail GSF	Total Proposed GSF	
1774	74, 75, 76, 77	633-639 DeKalb Avenue	80′-9″	39,604	37	-	39,604	
Development Site 2								
				Residential	Total	Retail	Total Proposed	
Block	Lot	Address	Proposed Height	GSF	DUs	GSF	GSF	
1779	22, 24, 26	648-654 DeKalb Avenue	80'-9"	44,769	45	-	44,769	
Development Site 3								
Block	Lot	Address	Proposed Height	Residential GSF	Total DUs	Retail GSF	Total Proposed GSF	
2000	43	1187 Fulton Street	55'	4,576	3	2,512	7,088	
Total 88,949 85						2,512	91,461	

Development Site 1

Development Site 1 will include a seven-story (69'-6" to roof; 80'-9" to mechanical bulkhead/solar panels) residential building located at 633-639 DeKalb Avenue. The building at Development Site 1 would be approximately 39,604 gsf and include approximately 37 DUs. The rear yard of Development Site 1 will be approximately 3,650 sf and will include an outdoor seating area, children's play area, and planted areas.

Development Site 2

Development Site 2 will include a seven-story (69'-6" to roof; 80'-9" to mechanical bulkhead/solar panels) residential building located at 648-654 DeKalb Avenue would be approximately 44,769 gsf and include approximately 44 DUs, plus one DU for a superintendent. The rear yard of Development Site 2 would be approximately 3,260 sf and will include an outdoor seating area, children's play area, and planted areas. This building would also include an approximately 903 sf community room on the ground floor.

The buildings on Development Sites 1 and 2 would include solar panels on the roof.

Development Site 3

Development Site 3 will include one four-story (45' to roof; 55' to mechanical bulkhead) residential and commercial building located 1187 Fulton Street. The building proposed at 1187 Fulton Street would be approximately 7,088 gsf and would include approximately 3 DUs and 2,512 gsf of commercial space on the ground floor.

The Proposed Project would be completed and occupied in 2023.



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B. DESCRIPTION OF THE PROPOSED ACTIONS

SUMMARY OF THE PROPOSED ACTIONS

Urban Development Action Area Project (UDAAP)

The Development Sites 1, 2, and 3 would be designated as an Urban Development Action Area and the Proposed Project would be approved as a UDAAP.

Disposition of City Owned Property

HPD, on behalf of the project sponsor, is seeking disposition authority for eight City-owned properties within the Project Area (Block 1774, Lots 77, 76, 75, 74; Block 1779, Lots 22, 24, 26; Block 2000, Lot 43) to facilitate the construction of the Proposed Project. The disposition of these City-owned properties would be approved pursuant to the Uniform Land Use Review Procedure ("ULURP").

C. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

HPD seeks to create affordable and supportive housing throughout New York City and considers all viable City-owned parcels as potential sites for housing. HPD has actively been pursuing affordable housing opportunities throughout the Bedford-Stuyvesant neighborhood of Brooklyn. However, there are limited opportunities to create affordable housing in CD 3 on both public and private land. The Proposed Project presents HDFC and HPD an opportunity to develop new affordable housing in CD 3.

The Proposed Actions are intended to provide the flexibility needed to develop much needed affordable housing and local retail compared to what would be allowed under existing conditions. The Proposed Actions would therefore support the City's goals of promoting affordable housing development by maximizing the use of vacant City-owned land and encouraging the continued economic development of this area of Brooklyn. The Proposed Actions would help address specific needs of the local community including the provision of affordable housing units and retail and would enliven the underutilized Development Sites. The Proposed Project would provide 84 affordable DUs. Furthermore, the proposed mixed-use building on Development Site 3 would activate long-vacant City-owned site located along a major thoroughfare in close proximity to public transportation.

The Proposed Actions would help address specific needs of the local community, as well as the City at large, including the provision of affordable housing. All of the proposed 85 units would be affordable. As the Proposed Actions would facilitate the creation of affordable housing, they would further the achievement of the goals set forth by the City in Housing New York: A Five-Borough, Ten-Year Plan.

D. EIS ANALYSIS FRAMEWORK

The Proposed Actions would change the regulatory controls governing land use and development within the Project Area. The *CEQR Technical Manual* will serve as the general guide on the methodologies and impact criteria for evaluating the Proposed Actions' potential effects on the various environmental areas of analysis. The EIS assesses the reasonable worst-case impacts that may occur as a result of the Proposed Actions. In disclosing impacts, the EIS considers the Proposed Actions' potential adverse impacts on the environmental setting.



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ANALYSIS YEAR

In order to assess the potential effects of the Proposed Project, the "Future without the Proposed Actions (No-Action Condition)" and "Future with the Proposed Actions (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 Actions. The future No-Action condition identifies similar development projections for 2023 absent the Proposed Actions. The incremental difference between the With-Action and No-Action conditions serve as the basis for impact analyses.

EXISTING CONDITIONS

The Project Area is comprised of eight tax lots, which are grouped into three Development Sites in Bedford-Stuyvesant (see Figure ES-1 & Table ES-1). Development Site 1 consists of four tax lots (Block 1774, Lots 74, 75, 76, and 77), totaling approximately 9,827 square feet (sf). All four lots are currently vacant. Development Site 1 has approximately 100 feet of frontage along the north side of DeKalb Avenue between Nostrand and Marcy Avenues. Development Site 1 is zoned R6A. Development Site 2 consists of three tax lots (Block 1779, Lot 22, 24, and 26), totaling approximately 10,983 sf. All three lots are currently vacant. Development Site 2 has approximately 109 feet of frontage along the south side of DeKalb Avenue. Development Site 2 is also zoned R6A. Development Site 3 consists of one tax lot (Block 2000, Lot 43), totaling approximately 1,786 sf. Development Site 3, which is vacant, has approximately 20 feet of frontage along the north side of Fulton Street between Spencer Place and Bedford Avenue. Development Site 3 is zoned R7D/C2-4.

Reasonable Worst-Case Development Scenario (RWCDS)

In order to assess the possible effects of the Proposed Actions, a reasonable worst-case development scenario (RWCDS) for the Development Sites was established for both Future No-Action and Future With-Action conditions. The incremental difference between the Future No-Action and Future With-Action conditions will serve as the basis of the impact category analyses in the EIS. For conservative analysis purposes, the Proposed Project is assumed to be the RWCDS for the Development Sites and is therefore evaluated in this analysis.

Future without the Proposed Actions (No-Action Condition)

In the 2023 future without the Proposed Actions, it is expected that there would be no new development on the Development Sites and all eight lots would remain vacant.

Future with the Proposed Actions (With-Acton Condition)

As discussed above under "The Proposed Actions", the Proposed Actions would facilitate the development of three buildings that would include a total of approximately 84 affordable DUs, plus one DU for a superintendent, and approximately 2,512 gsf of commercial space. The Proposed Project is expected to take approximately 18-21 months to construct and would be completed and fully occupied in 2023. The net increment of approximately 85 dwelling units and approximately 2,512 gsf of commercial space will represent the basis for environmental analyses.



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Possible Effects of the Proposed Actions

Table 2 below provides a comparison of the No-Action and With-Action scenarios identified for analysis purposes of the Proposed Actions.

Table 2
Comparison of No-Action and With-Action Development Scenarios

Use	No-Action Scenario	With-Action Scenario	Increment
Residential – Affordable Housing		85 DUs (88,949 gsf)	85 DUs (88,949 gsf)
Local Retail		2,512 gsf	2,512 gsf
Vacant Land	22,596 sf	0	-22,596 sf
Population/Employment ¹	No-Action Scenario	With-Action Scenario	Increment
Residents		204 residents	204 residents
Workers		7 workers	7 workers

Notes

As shown, the incremental (net) change that would result from the Proposed Actions is the addition of 85 affordable DUs (88,949 gsf) and 2,512 gsf of local retail.

E. PROBABLE IMPACTS OF THE PROPOSED ACTIONS

The Proposed Actions have the potential to result in a significant adverse impact related to Shadows. The impact and measures proposed to mitigate them are discussed below.

The June 4, 2019 EAS and Positive Declaration identified several technical areas in which the Proposed Actions would not result in significant adverse impacts and therefore do not require further analysis in the EIS. Therefore, the EIS is "targeted" in that it has a detailed focus on those CEQR technical areas that could not be screened out at the EAS level. As per the EAS, the CEQR technical areas that did not warrant further analysis in the EIS are: Land Use, Zoning, & Public Policy; Socioeconomic Conditions; Community Facilities; Open Space; Historic & Cultural Resources; Urban Design & Visual Resources; Natural Resources; Hazardous Materials; Water & Sewer Infrastructure; Solid Waste & Sanitation Services; Energy; Transportation; Air Quality; Green House Emissions; Noise; Public Health; Neighborhood Character; and Construction. The CEQR technical area that was analyzed through the EIS and summarized below is Shadows.

SHADOWS

The shadows analysis assesses the potential for the Proposed Actions to result in incremental shadows long enough to reach any nearby publicly accessible open spaces or other sunlight-sensitive resources. According to the City Environmental Quality Review (CEQR) Technical Manual, a shadows assessment is required if a proposed action would result in structures (or additions to existing structures) of 50 feet in height or greater, or those that would be located adjacent to, or across the street from, a sunlight sensitive resource. As discussed in Chapter 1, "Project Description," the Proposed Actions would facilitate the development of new buildings greater than 50 feet in height adjacent to an open space resource (Kosciuszko Pool). As such, a detailed shadows analysis was prepared to determine the potential for the Proposed Actions to result in significant adverse impacts on sunlight-sensitive resources.



¹ Assumes 2.41 persons per affordable DU (based on 2011-2015 U.S. Census data for Brooklyn Community District 3), 3 workers per 1,000 sf commercial space.

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One sunlight-sensitive resource would experience significant adverse shadows impacts: the Kosciuszko Pool. This open space resource features an outdoor pool which measures two hundred thirty feet by one hundred feet, a spray pool, a baby pool, bleachers, and a bathhouse. The open space also features pipe sculptures for climbing, which are incorporated into the design of the bathhouse, and a large mushroom sculpture.

Project-generated shadows would fall on the Kosciuszko Pool on the December 21, March 21/September 21, May 6/August 6, and June 21 analysis days. The long afternoon duration and of incremental shadow on the pool would significantly affect the user experience on the June 21 and May 6/August 6 analysis days.

Incremental shadow durations on the outdoor pool would range from one hour and 54 minutes on the May 6/August 6 representative analysis day and three hours and 10 minutes on the June 21 representative analysis day. The maximum area of incremental shadow coverage that would cover the outdoor pool would be approximately 11,865 sf, or approximately 51.6 percent of added coverage (on June 21). Given the long duration of the incremental shadow during the summer months, the incremental shadow from the Proposed Project would significantly affect the user experience of the pool on these analysis days. Therefore, the Proposed Project would result in a significant adverse shadows impact at one sunlight sensitive open space resource.

F. MITIGATION

Incremental shadows cast by the Proposed Project would be substantial enough in extent and/or duration to significantly affect the Kosciusko Pool on all four of the representative analysis days. Incremental shadow durations would range from two hours and 22 minutes on December 21 to five hours and 40 minutes on June 21.

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; and undertaking additional maintenance to reduce the likelihood of species loss. Potential mitigation measures for the shadow's 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.

G. ALTERNATIVES

No-Action Alternative

The No-Action Alternative examines future conditions within the Development Sites but assumes the absence of the Proposed Actions (i.e., none of the discretionary approvals proposed as part of the Proposed Actions would be adopted). Under the No-Action Alternative by 2023, existing zoning and land uses within the Development Sites would remain unchanged. It is anticipated that the Development Sites



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would remain vacant. 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 Actions."

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

No Significant Adverse Impacts Alternatives

The No Significant Adverse Impacts Alternative examines a scenario in which the density and other components of the Proposed Actions are changed specifically to avoid the significant adverse impacts associated with the Proposed Actions. The Proposed Actions would result in significant adverse impacts related to shadows that may not be able to be mitigated.

As detailed below, in order to result in no significant adverse impacts, the height of the proposed building on Development Site 2 would have to be reduced to 23' 6". Therefore, the development of a residential building would not be feasible under this proposed alternative. As such, the benefits expected to result from the Proposed Actions – including promoting affordable housing development by maximizing the use of vacant City-owned land – would not be realized under this alternative, and the No Signiant Adverse Impact Alternative would fall short of the objectives of the Proposed Actions.

H. UNAVOIDABLE SIGNIFICANT ADVERSE IMPACTS

As discussed in Chapter 2, "Shadows," the Proposed Actions would result in a significant adverse shadow impact on Kosciuszko Pool. Incremental shadows on the Kosciuszko Pool would occur on all four representative analysis days, with durations ranging from 2 hours and 22 minutes to 5 hours and 40 minutes, which may have the potential to affect the enjoyment of this publicly accessible open space resource.

The CEQR Technical Manual identifies potential mitigation strategies for incremental shadow impacts on open space resources which may include, but are not limited, 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 or eliminate the project's shadow impacts will 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 impacts would not be fully mitigated, the Proposed Actions could have an unmitigated significant adverse shadows impact on the Kosciusko Pool.

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I. GROWTH-INDUCING ASPECTS OF THE PROPOSED ACTION

The term "growth-inducing aspects" generally refers to "secondary" impacts of a proposed action that trigger further development outside the directly affected area. The 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).

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 approximately 85 dwelling units and approximately 2,512 gsf of commercial 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 rezoning area. The Proposed Actions 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 Actions would result in more intensive land uses on the Development Sites. However, it is not anticipated that the Proposed Actions 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, industrial and community facility uses, the Proposed Actions would not create the critical mass of uses or populations that would induce additional development outside the Development Sites. Moreover, the Proposed Actions do not include the introduction of new infrastructure or an expansion of infrastructure capacity that would result in indirect development. Therefore, the Proposed Actions would not induce significant new growth in the surrounding area.

J. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT 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 Actions. 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.

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 Actions. 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



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components of project-generated development. These are considered irretrievably committed because their reuse for some other purpose would be highly unlikely.

The proposed development under the Proposed Actions 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 Actions 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 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 Actions 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 Actions (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 Actions 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 Actions. The Proposed Actions 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 of residential core.

Date: 11/8/2019

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