

**New York State Urban Development Corporation
d/b/a Empire State Development**

**KINGSBORO PSYCHIATRIC CENTER MIXED-USE PROJECT
(Land Use Improvement and Residential Project)**

**General Project Plan
Adopted October 19, 2023**

I. BACKGROUND

The New York State Urban Development Corporation d/b/a Empire State Development (“ESD”) is adopting this General Project Plan (“GPP”) for the proposed Kingsboro Psychiatric Center Mixed-Use Project (the “Project”) in the neighborhood of East Flatbush in Brooklyn, New York. ESD, in collaboration with New York State Homes and Community Renewal (“HCR”), is sponsoring the Project as a Land Use Improvement and Residential Project pursuant to the New York State Urban Development Corporation Act (the “UDC Act”).

The Project is part of the State of New York’s Vital Brooklyn Initiative, a comprehensive community development program that provides affordable housing and other amenities to help address chronic social, economic, and health disparities in Central Brooklyn, one of the most underserved areas in the State. The Vital Brooklyn Initiative is a model for community development and wellness, breaking down barriers to health and wellbeing through eight integrated areas of investment: affordable housing; open space and recreation; healthy food; education; economic empowerment; community-based violence prevention; community-based health care; and resiliency. This targeted initiative leverages State programs and resources to empower New Yorkers in Central Brooklyn to improve their wellbeing.

The proposed Project will redevelop a site consisting of approximately 7.2 acres (the “Project Site”) on the westernmost portion of the parcel located at 681 Clarkson Avenue, Brooklyn, New York 11203 (Brooklyn Tax Block 4833, Lot 1). The Project Site and property to the east, consisting of the remainder of the Block 4833, Lot 1 and Block 4617, Lot 1, comprise the campus of the Kingsboro Psychiatric Center (“KPC”), operated by the New York State Office of Mental Health (“OMH”). The portion of the KPC campus to the east of the Project Site includes numerous institutional buildings and facilities that are actively used and maintained by OMH to provide essential psychiatric care to people with serious mental illness. Conversely, the Project Site currently is comprised of five aging and outmoded buildings that were built in the 1930s, including three substandard and underutilized buildings that no longer serve the essential needs of KPC and two buildings currently used as single-adult men’s homeless shelters that are operated by the New York City Department of Homeless Services (“NYCDHS”) and a private entity. The Project Site also contains unused vacant space where a former KPC building was demolished.

To address the substandard and underutilized conditions on the Project Site and redevelop it in accordance with goals and objectives of the Vital Brooklyn Initiative, ESD will acquire the Project Site from its current owner, the People of the State of New York (“State”) acting by and through the Dormitory Authority of the State of New York (“DASNY”), as the successor to the Facilities Development Corporation (pursuant to Public Authorities Law §1699-f), and reconvey the Project Site to a private developer to facilitate its redevelopment into a mixed-use complex with affordable and supportive residential housing, two new homeless shelters to replace the two outmoded ones on the Project Site, and other uses including community facilities, a grocery store, and publicly accessible open space, which will serve residents on the Project Site and the surrounding community. The Project provides a unique opportunity to make the surplus State-owned property available for other uses that will better serve the needs of the community while avoiding the carrying costs and potential liabilities to the State associated with holding title to depreciating and obsolete facilities.

The conditionally designated development team, which ESD selected in July 2021 through a competitive Request for Proposals (“RFP”), consists of Douglaston Development LLC, Breaking Ground Housing Development Fund Corporation, Almat Urban LLC, Andrew Velez Construction, Inc., Jobe Development Corp., and the Brooklyn Bureau of Community Service. The Project Site will be purchased and developed over time in three phases, in accordance with the GPP, by corporate entities formed and controlled by various members of the development team. (The conditionally designated development team and such corporate entities are referred to hereinafter as the “Developer.”) The final phase of the Project is anticipated to be completed and fully occupied in 2031.

II. LOCATION OF THE PROJECT SITE

The Project Site is located in the East Flatbush section of Brooklyn (Kings County), New York (see Figure 1, “Project Location”). It comprises approximately 313,632 sf (+/- 7.2 acres) of Lot 1 on Block 4833 located on the westernmost portion of the KPC. The Project Site is bordered by Winthrop Street to the north, Clarkson Avenue to the south, and Albany Avenue to the west. The eastern portion of the Project Site, which does not have street frontage, adjoins the remaining portion of the KPC campus. The KPC campus currently comprises all of Block 4833 and most of Block 4617, which is located east of Block 4833 and situated on the eastern side of Troy Avenue between Winthrop Street to the north and Clarkson Avenue to the south. Parcels on the eastern side of Block 4617, situated on the western side of Utica Avenue, are privately owned and currently are used for various commercial purposes. The portion of the campus located within the Project Site currently is surrounded by perimeter fencing and developed with five existing buildings, an internal driveway network, and landscaped areas. Two L-shaped buildings built in the 1930s and located on the western edge of the Project Site abutting Albany Avenue are used as single-adult men’s homeless shelters – the Kingsboro STAR, a 221-bed shelter operated by NYCDHS and Kingsboro MICA, a 143-bed shelter operated by the Salvation Army (as contracted by NYCDHS). Two of the other three buildings on the Project Site are former garages that are

located on the north side of the Project Site, adjacent to Winthrop Street, that OMH now uses for storage. The fifth building on the Project Site is located between the two shelter buildings and is not actively used due to deteriorated conditions. The central portion of the Project Site is a lawn that had formerly been the site of a now demolished KPC building and is currently utilized for vehicle storage by the New York State Office of General Services (“OGS”).

Access to these buildings is provided by the internal driveway network of the KPC campus that traverses Block 4833. One of these driveways is a horseshoe-shaped road with entrance and egress points on Clarkson Avenue. Landscaping and overgrowth, such as trees, lawns, meadow, and bushes, are present throughout the Project Site. Wrought-iron fencing with brick columns separates the Project Site from the surrounding streetscapes of Clarkson Avenue, Albany Avenue, and Winthrop Street. The Project Site’s eastern edge is defined by chain-link fencing separating it from the remainder of the KPC campus on the same block. The portion of the KPC campus to the east of the Project Site includes 19 buildings, an internal driveway network, landscaped areas, and surface parking facilities that serve as the KPC, providing comprehensive psychiatric care to people with serious mental illness, including crisis residence for discharged patients, transitional residences, and family care programs.

The Project Site is located among a large concentration of healthcare institutions in Brooklyn, near Kingsbrook Jewish Hospital, Kings County Hospital, the State University of New York (“SUNY”) Downstate Hospital, and KPC, which currently operates and will continue to operate on the remainder of the KPC campus, east of the Project Site. Residential neighborhoods consisting of attached and semi-detached residences, as well as some multifamily buildings, are located to the north and south of the Project Site.

III. PROJECT DESCRIPTION

The Project will provide:

- Up to approximately 1,033,039 sf of residential space, including between 992 and 1,090 new units of affordable housing, of which approximately 9 percent will be homeownership units;
- Two new state-of-the-art single-adult men’s homeless shelters, which will fully replace the existing 364 beds currently available at the Project Site;
- Approximately 8,092 sf of commercial space, which is anticipated to be utilized as a grocery store;
- Approximately 63,071 sf of community facility space, including an 1199 SEIU (Service Employees International Union) United Healthcare Workers East facility, an emergency food provider, a ballet studio, and social service space;
- Approximately 15 parking spaces; and
- 2.80 acres of open space, of which approximately 2.16 acres will be publicly accessible.

See Project Site Plan annexed hereto as Exhibit A.

All proposed Project buildings will be equipped with exclusively electric heating, ventilation, and air conditioning systems and utilize passive house design techniques.

All of the residential units developed as part of the Project will be income-restricted, with all units affordable to households earning between 40 and 80 percent of the area median income (“AMI”). Up to 764 general affordable housing units will be provided, of which approximately 337 units will be set aside for senior citizens earning up to 50 percent of the AMI. Approximately 326 supportive housing units will be provided as follows: approximately 136 units will be set aside specifically for the chronically homeless, approximately 139 units will be designated for those with serious mental illness; approximately 25 units will be designated for young adults aged 18-25. The affordable housing types and approximate number of units in each category are shown in Table 1 below:

Table 1: Affordable Housing Types and Number of Units¹

| Affordable Housing Types | Approximate Number of Units |
|---------------------------------|------------------------------------|
| General Housing | |
| General Population | 427 |
| Senior Citizen | 337 |
| Supportive Housing | |
| Chronically Homeless | 136 |
| Behavioral Health (SMI) | 139 |
| Young Adults Aged 18-25 | 25 |
| Youth Aging Out of Foster Care | 26 |
| Grand Total | Approximately 1,090 |

The Project will create two new publicly accessible privately-owned driveways, as shown on the annexed Project Site Plan. One will be a one-way private driveway that will align with 43rd Street with an entrance on Clarkson Avenue and exit on Winthrop Street. The other will be a 200-foot long, two-way cul-de-sac driveway with access to and from Winthrop Street.

It is anticipated that construction of the Project will be undertaken in three phases. Work on the first phase is projected to commence in 2024 and be completed in 2026; work on the second

¹ The above table is based on the approximate maximum number of units (1,090) that would be constructed for the Project, but the Project may include fewer total units, with an approximate minimum of 992 units. Should the Project conform to the minimum permitted unit count of 992, it would include approximately 125 Behavioral Health units (12.6% of the total), approximately 125 units for individuals/households experiencing chronic homelessness (12.6%), approximately 24 units for Young Adults Aged 18-25 (2.4%), approximately 24 units for Youth Aging out of Foster Care (2.4%), approximately 306 Senior Citizen units (30.8%), and approximately 388 units for the general population (39.1%). Should the number of housing units constructed for the Project fall between 992 and 1,090 units, the percentage of the Project’s housing allocated to the aforementioned populations would be held consistent to the extent practicable.

phase is projected to commence in 2027 and be completed in 2029; and work on the final phase is projected to commence in 2029 and be completed in 2031. Full occupancy of the residential buildings also is projected to occur in 2031.

The two existing single-adult men's homeless shelters will remain in full operation during construction of the new shelter facilities in Phase 1 of the Project. Prior to the demolition of the existing shelter structures, all services provided in existing shelter facilities will be relocated into the new shelter facilities located on the Project Site, serving the same number of residents.

* * * *

To implement the Project, ESD must override the New York City Zoning Resolution and other local laws and requirements as applicable, in accordance with the UDC Act and as discussed in Section VII below. As also discussed in Section VII below, the GPP incorporates design controls ("Design Guidelines") that will specify the parameters for permitted development of the Project in lieu of zoning or other local laws or requirements that are inconsistent with the Project.

The Project requires discretionary approvals subject to environmental review under the State Environmental Quality Review Act ("SEQRA") and its implementing regulations set forth in 6 NYCRR Part 617. Pursuant to SEQRA, ESD, as the SEQRA lead agency for the Project, has determined that the Project may have significant adverse environmental impacts and that an Environmental Impact Statement ("EIS") should be prepared. A Draft EIS ("DEIS") has been prepared and following its publication and public review and comment period, a Final EIS ("FEIS") will be prepared.

IV. PURPOSE AND NEED FOR THE PROJECT

The Project will facilitate the reuse of unused and underutilized property to: (i) provide affordable housing to the significantly underserved Central Brooklyn neighborhood of East Flatbush, including supportive housing and housing for senior citizens; (ii) provide new state-of-the-art facilities to serve the residents and programs of the two existing single-adult men's homeless shelters that will be replaced; and (ii) improve wellness and economic opportunities for residents of the Project's buildings and the surrounding community. As part of the Vital Brooklyn Initiative, the Project will leverage State programs and resources to improve individual, family and community wellness and health. The Project also will improve economic opportunities in Central Brooklyn, an area of New York State that has long suffered from disinvestment and marginalization that have hindered the wellbeing of its residents. Residents experience measurably higher rates of health problems, limited access to healthy foods or opportunities for active recreation, and high rates of violence and crime. The Project will help to ameliorate these conditions by creating a health-centered community that provides open space, walkable access to retail destinations, and proximity to a large concentration of healthcare facilities, including Kingsbrook Jewish Medical Center, Kings County Hospital, SUNY Downstate Hospital, and KPC.

The Project will provide multiple public benefits, including but not limited to:

A. Elimination of Substandard/Insanitary Conditions (as defined by the UDC Act)

Absent the Project, the Project Site would remain largely unused and underutilized, which has resulted in substandard conditions that will worsen over time. Such conditions also hamper and impede sound economic growth and development and impair or arrest the sound growth of the area surrounding the Project Site. In accordance with the UDC Act, the Project will eliminate “substandard and insanitary conditions” and/or the proliferation of any such conditions in the future by (1) demolishing obsolete buildings that are either unoccupied or underutilized; (2) constructing affordable and supportive housing with space for community facilities and related services; (3) replacing two outmoded homeless shelters with two modern shelter buildings with equivalent bed space; (4) providing commercial space that is anticipated to be used as a grocery; and (5) transforming the existing underutilized open space into an attractive and well-maintained publicly accessible open space. All of the foregoing Project components will positively transform the Project Site and not only benefit on-site residents, but the community and the City as a whole.

B. Job retention and creation

The Project is expected to create approximately 3,700 construction jobs and 389 permanent jobs.

C. Affordable housing

The Project will facilitate the construction of affordable and supportive housing, including housing for senior citizens, in a significantly underserved portion of Central Brooklyn. The Project will significantly contribute to meeting local demands for quality affordable housing for low-income households and supportive housing for residents who receive publicly funded support and services.

D. Replacement of existing homeless shelters

The two existing single-adult men’s homeless shelters on the Project Site, which have a total of 364 beds, will be fully replaced with two new state-of-the-art shelter facilities that will serve the same population and contain the same number of beds as the existing facilities.

E. Mixed uses that will serve the neighborhood and enhance the general tax base

In addition to affordable housing, the Project will provide mixed-use facilities including commercial space that is anticipated to be used as a grocery store and community facility spaces, including an 1199 SEIU facility, an emergency food provider, a ballet studio, and social service space. Transferring the underutilized Project Site from public to private ownership will facilitate the redevelopment of the Project Site for productive uses that

will both directly benefit the immediate community and provide tax revenues (including sales taxes and employee income taxes) that will support the City and State as a whole.

F. Interim construction benefits

Construction of the Project will create direct benefits resulting from expenditures on labor, materials and services, and indirect benefits due to expenditures by material suppliers, construction workers and others engaged in construction of the Project.

V. **SUMMARY OF ESSENTIAL BUSINESS TERMS**

A. Property Acquisition and Disposition of the Project Site

ESD will acquire fee title to the Project Site from DASNY pursuant to the transfer requirements set forth in Subdivision 13 of Section 5 of the Facilities Development Corporation Act and reconvey title to the Developer. Additionally, the City of New York's reversionary interest in the Project Site, which would be triggered by use of the site for purposes other than State hospital purposes, will be terminated, released, modified, and/or disposed by the City in consideration of the Project's replacement of the two existing shelter facilities on the Project Site.

B. Deed(s) and Restrictive Declaration(s)

ESD either will acquire the entire Project Site from DASNY and dispose the portions of the site to the Developer that are required for each Project phase, or undertake separate acquisitions and reconveyances of Project Site segments in accordance with Project phasing and other Project-related needs. In addition, ESD and the Developer will enter into one or more restrictive declarations (each a "Restrictive Declaration") that will be recorded against the Project Site and run with title to the land. The Restrictive Declaration(s) will provide covenants by the Developer, which will be enforceable by ESD, to ensure that all phases of the Project are constructed in accordance with the GPP, Design Guidelines, commitments set forth in the FEIS to avoid or mitigate significant adverse environmental impacts, and other applicable Project requirements. If necessary, a separate Restrictive Declaration will be recorded for portions of the Project Site that may be subdivided and devoted to a particular Project phase or phases.

C. Financial Terms

1. In accordance with the Facilities Development Corporation Act, the purchase price for the Project Site ("Purchase Price") "shall be deemed to be an amount determined to be in the public interest and agreed upon between the Commissioner of the Office of Mental Health and the Commissioner of the Division of Housing and Community Renewal...." N.Y. Unconsolidated Laws § 4405(13)(b).

2. ESD will convey to DASNY the full Purchase Price, less costs and fees, which shall be used to retire any outstanding bonds related to the Project Site, and any remaining proceeds shall be deposited into the Mental Health Reinvestment Fund.

Further:

3. Developer will fund all out-of-pocket, third-party expenses incurred by ESD in connection with the Project, including consultant, counsel and environmental expenses. Developer has executed a Cost Agreement with ESD committing to fund these expenses and has maintained an imprest account with ESD per the Cost Agreement.
4. Developer shall be responsible for all costs of due diligence and other preliminary work by Developer.
5. Developer will pay to ESD a one-time, all-cash, non-contingent administrative fee equal to the cost of ESD's direct and actual documented staff time on the Project, capped at one million dollars (\$1,000,000), at the time of the real estate transaction ("Closing").

D. Construction

1. Developer will commence construction promptly after Closing.
2. Once construction commences, Developer will use best efforts to diligently pursue construction of the Project through substantial completion.

E. Project Financing

Developer will use its best efforts to diligently apply for financing from both private and public sources in such amounts and types as are necessary to develop and construct the Project. HCR will assist with facilitating public financing to support the Project.

VI. UDC ACT SECTION 10(c), 10(a) AND 10(g) FINDINGS; PUBLIC PURPOSE

ESD, pursuant to Section 10 of the UDC Act, makes the findings set forth below. The findings are supported and complemented by the determinations and statements of fact described in the Draft Environmental Impact Statement and in the *Kingsboro Psychiatric Center Mixed-Use Project Conditions Survey*, dated September 2023 (the "Conditions Survey"), which was prepared on behalf of ESD by STV Inc.

A. **Land Use Improvement Project Findings: UDC Act Section 10(c)**

(1) The area in which the Project is to be located is a substandard or insanitary area or is in danger of becoming a substandard or insanitary area and tends to impair or arrest sound growth and development of the municipality.

Considered as a whole, the Project Site is substandard, significantly underutilized and characterized by blighted and substandard conditions or is in danger of becoming a substandard or insanitary area that, without the Project, could impair or arrest the sound growth and development of the East Flatbush section of Brooklyn and surrounding areas of the City. The conclusion that the Project Site is substandard or insanitary, as those terms are used in the UDC Act and have been interpreted by New York case law, is supported by the Conditions Survey, which found the following conditions at the Project Site that inhibit and would continue to inhibit its development and productive use without ESD's intervention:

- Deficiencies related to the physical condition of the structures and grounds comprising the Project Site;
- Visual deficiencies associated with minimally maintained and underutilized areas that are visually isolated and discontinuous with the remainder of the KPC campus;
- Property that could be utilized to provide better care for the homeless population currently served at the Project Site, as well as to address the needs of the surrounding community and provide more robust public benefits;
- Functionally obsolete buildings and site layout to meet the needs of the homeless and mentally ill populations which the property is currently intended to serve; and
- Unique challenges to redevelopment related to the property's deed restriction and status as a historically eligible resource.

The Conditions Survey states that because of the foregoing deficiencies associated with the current Project Site, opportunities for redevelopment of the Project Site in the absence of the proposed Project would be extremely limited, and not anticipated to occur in the foreseeable future. The Conditions Survey further stated that:

- In the absence of the proposed Project, it is anticipated that the substandard and insanitary conditions present at the Project Site would persist into the future and potentially further deteriorate. This deterioration of structures correlates to the underutilization of the existing structures, such that without repair, decreased utilization of the already limited built floor area on the campus may reasonably be expected in the future.
- The Project Site would remain largely underutilized with the continued use of the existing obsolete homeless shelters and no new development. Further, such conditions would hamper or impede sound economic growth and development and impair or arrest the sound growth of the area surrounding the Project Site.

- Thus, in the future without the proposed Project, the substandard and insanitary conditions at the Project Site would be expected to persist, and potentially worsen. Further, the poor conditions of the Project Site combined with the sustained unmet community needs for affordable housing, open space and other resources will support ongoing threat of deterioration to community health, safety, and general welfare. In absence of other plans for the Project Site, choosing not to implement the proposed Project would allow for the continued impairment of the sound growth and development of the Project Site, the surrounding Brooklyn neighborhood, and the municipality.

Redevelopment of the Project Site will help arrest these conditions and promote community wellbeing and social and economic development by constructing up to 1,090 new units of affordable and supportive housing, with approximately 9 percent of the affordable units being homeownership units; creating a neighborhood that is health-based and centered around open space; providing walkable access to new commercial space including an anticipated new grocery store and new community facilities, in addition to providing easy access to existing medical facilities nearby.

Reuse of the Project Site for the Project will prevent the Project Site from further becoming vacant, unused, substandard, and insanitary, and from impairing or arresting sound growth and development of the area, which without the Project could occur due to the following: (a) DASNY, the Property owner, does not have the need or resources to improve the Project Site; (b) OMH does not have a need or purpose to devote public resources to rehabilitate and reuse the substandard buildings on the Project Site that it owns and manages; (c) the two current shelter buildings on the Project Site are substandard and even if, in the unlikely event, the extensive renovations needed to renovate them were practicable financially feasible, such renovations would require permanent reduction in the population served and long-term temporary displacement of the shelter residents, whereas the Project's shelter replacement plan will allow shelter residents to remain in the existing buildings until construction of the new shelter buildings achieving the full existing capacity on the Project Site is completed.

(2) The Project consists of a plan or undertaking for the clearance, replanning, reconstruction and rehabilitation of such area and for recreational and other facilities incidental or appurtenant thereto.

The Project is a comprehensive redevelopment initiative to create a new neighborhood of affordable and supportive housing with appurtenant mixed-uses including commercial space, community facility space, and publicly accessible open space for recreation and leisure. The Project will clear, replan, reconstruct, and rehabilitate the Project Site with affordable and supportive housing and the other appurtenant mixed uses described above.

(3) The plan or undertaking affords maximum opportunity for participation by private enterprise, consistent with the sound needs of the municipality as a whole.

The Project will be constructed by a private developer, and the new residential space, shelters, and appurtenant commercial space and community facilities will be operated and managed by private entities. The Project has been planned with input from the community and elected officials to ensure that it is consistent with the sound needs of the surrounding neighborhoods and the City as a whole.

B. Residential Project Findings: UDC Act Section 10(a)

(1) There exists, in the area in which the Project is to be located, or in an area reasonably accessible to such area, a need for safe and sanitary housing accommodations for persons or families of low income, which the operations of private enterprise cannot provide.

There is a dire and well-documented need for affordable housing in the City of New York, and the Central Brooklyn area in which the Project will be located is particularly underserved with affordable housing resources. While wages for the City's renters have stagnated over the past two decades, average monthly rents for apartments not subject to rent control, and the costs of land and construction for residential developments in the private marketplace, have increased dramatically.

The private market alone is not able to meet the need for affordable housing, and accordingly, governmental entities at all levels must work together to help meet the crisis. ESD's collaboration with HCR to implement the Project and other projects proposed under the State's Vital Brooklyn Initiative will help address the need for safe and sanitary housing accommodations for persons and families of low income, including people with special needs, which private enterprise alone cannot provide.

(2) The Project has been approved as a project of a housing company pursuant to the provisions of the private housing finance law.

Certain housing components of the Project will be developed by Developers approved as Housing Development Fund Corporations created pursuant to Article XI of the Private Housing Finance Law.

C. UDC Act Section 10(g)

There is a feasible method for the relocation of families and individuals displaced from the Project area into decent, safe and sanitary dwellings, which are or will be provided in the Project area or in other areas not generally less desirable in regard to public utilities and public

and commercial facilities, at rents or prices within the financial means of such families or individuals, and reasonably accessible to their places of employment.

The current occupants of the Project Site reside in two single-adult men's homeless shelters, namely, Kingsboro STAR, a 221-bed shelter operated by NYCDHS, and Kingsboro MICA, a 143-bed shelter operated by the Salvation Army, as contracted by NYCDHS. All residents of the two existing shelters will be allowed to remain in their current residences until the two new shelters, are constructed and made ready for occupancy. The new shelters, collectively, will have the same 364-bed capacity as the two existing shelters. Consequently, no off-site residential relocation will be required under UDC Act Section 10(g).

VII. OVERRIDES OF ZONING AND OTHER LOCAL REGULATION; DESIGN GUIDELINES; APPLICATION OF NEW YORK CITY CONSTRUCTION CODES

It is not feasible or practicable to construct the Project in accordance with existing zoning, which would restrict the Project from delivering an optimal amount of affordable and supportive housing and other amenities necessary to fulfill the Project's stated public purpose and need. Therefore, in order to implement the Project, ESD will override all inconsistent provisions of the New York City Zoning Resolution and other inconsistent local laws and requirements, as applicable, in accordance with the UDC Act and implement development and design controls and other requirements in lieu of local zoning.

Currently, the Project Site is mapped with an R5 medium-density residential zoning district. This general residence district provides for lower densities than those proposed for the Project; it allows for a variety of housing types including three-story and four-story attached houses and small apartment houses as well as community facilities. The R5 residential zoning district mapped over the Project Site extends south from Winthrop Street and also encompasses the entire KPC campus, the majority of the NYC HHC Kings County Hospital Center, and the largely residential areas south of Clarkson Avenue. The area north of Winthrop Street and the Project Site, which is developed with residential buildings and a portion of the NYC HHC Kings County Hospital Center, is mapped with an R6 zoning district. R6 districts permit a diverse range of medium-density building types and allows community facilities as-of-right.

Through this GPP, and as authorized by the UDC Act, ESD would override the New York City Zoning Resolution to the extent necessary to support development of the Project Site as envisioned by the proposed Project. While the Project would comply with open space and lot coverage restrictions and would be partially compliant with yard and parking requirements under the Zoning Resolution, it would allow for greater overall floor area and density than would be allowed as-of-right with existing zoning and would not comply with height and setback regulations. Specifically, the proposed Project would introduce approximately 8,092 sf of commercial space, which is not allowed under the Project Site's current zoning, and increase overall floor areas for residential and community facility above the maximum floor areas for such uses that the proposed

Project could accommodate under current zoning. Residential densities for the proposed Project also would be greater than what is allowed under current zoning. The Project would include an amount of floor area approximately equivalent to an R7 zoning district. The massing of certain buildings would deviate from the height and setback requirements, partly to accommodate a central 2.16-acre publicly accessible open space and to provide an appropriate distribution of bulk across the large block.

ESD is adopting Design Guidelines that would establish design controls for the Project Site in lieu of zoning. The Design Guidelines will govern development of the Project Site including site planning, land uses and densities, floor area, building heights and setbacks, private streets, parking and loading, lighting, open space, and other features. The Design Guidelines, which will be implemented through this GPP and zoning overrides under the UDC Act, will foster development of more affordable and supportive housing and other new construction on the Project Site than would be permissible under current zoning. All Project components will be consistent with the Project's goals and objectives and will not be incompatible with existing development and conditions in the surrounding neighborhood. Specifically, while the Project's multi-family residential buildings with non-residential ground-floor uses such as community facility space, resident social service space, and storage space would be somewhat different than the attached and semi-detached residences located to the north and south of the Project Site, the higher-density residential buildings would be similar to those along Albany Avenue and the NYC HHC-owned multi-family residential buildings located to the west of the Project Site. The Project's new residential buildings will also be consistent with land uses in other Brooklyn neighborhoods, where apartment buildings are often found alongside one- and two-family attached housing.

The City, through the Department of City Planning, has been advised and has provided input on the proposed Project, pursuant to UDC Act Section 16(1).

Subject to the Design Guidelines and any applicable zoning overrides implemented by ESD, the New York City Building and Construction Codes will apply to all construction, buildings, structures, and infrastructure to be developed and maintained on the Project Site. The permitting authority for the purposes of the Building Code is the New York City Department of Buildings.

VIII. ENVIRONMENTAL REVIEW AND REQUIRED HEARING

ESD, acting as lead agency, determined that an EIS is necessary to be prepared pursuant to SEQRA and its implementing regulations (6 NYCRR Part 617). The DEIS for the Project is a comprehensive document that includes extensive technical analyses of potential impacts on the environment and proposes measures to mitigate identified potential significant adverse impacts of the Project.

The DEIS, prepared by ESD's consultant STV Incorporated and its team of subconsultants, has been reviewed by ESD staff ("Staff"). It is the opinion of Staff that the DEIS is satisfactory with respect to its scope, content and adequacy for purposes of SEQRA and the implementing regulations of the New York State Department of Environmental Conservation. Upon acceptance

of the DEIS by the ESD Directors, Staff will circulate and file the DEIS as required by SEQRA. Circulation of the DEIS affords an opportunity for the public and involved and interested parties to review and comment on the Project, for a statutorily required minimum period of 30 days. All substantive comments received by ESD on the DEIS shall be addressed in the FEIS where applicable. Pursuant to SEQRA, a duly noticed public hearing will be held on the DEIS. The hearing also will provide an opportunity for public comments on the Project and the proposed GPP and will satisfy ESD's statutory obligation to hold a hearing to approve the GPP.

IX. NON-DISCRIMINATION AND CONTRACTOR AND SUPPLIER DIVERSITY REQUIREMENTS

HCR's Office of Economic Opportunity & Partnership Development will be the central entity managing compliance of goals for the Project related to utilization of Minority- and Woman-Owned Business Enterprises ("MWBE") and Service-Disabled Veteran-Owned Businesses ("SDVOB"). The Developer will be required to include minorities and women in any job opportunities created, to solicit and utilize MWBE and SDVOB for any contractual opportunities generated in connection with the construction of each Project phase, and to use Good Faith Efforts (pursuant to 5 NYCRR §142.8 and 9 NYCRR § 252.2) to achieve an overall MWBE participation goal and SDVOB participation goal related to the total value of hard costs and soft costs of such construction. HCR will establish specific goals, which will be detailed in a *Minority and Women-Owned Business Utilization and Service-Disabled Veteran-Owned Business Agreement* that the Developer will enter into with HCR at the financing for each phase.

Attachments

Exhibit A: Project Site Plan