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TO:
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July 8, 2017

**Response Statement to the
Draft Scope of Work for Preparation of an Environmental Impact Statement
80 Flatbush Avenue
SEQR/CEQR No. 17ECF001K**

Comments pertain to the following areas:

**ANALYSIS FRAMEWORK FOR ENVIRONMENTAL REVIEW
Table 1: THE COMPARISON OF NO ACTION and WITH ACTION SCENARIOS**

The table is incomplete and unbalanced. Any consideration of this project must present adequate information to allow government and taxpayers to balance such alleged benefits against the costs of attaining them.

There should be a **Comparison of tax Benefits to the developer/Costs to the public**, for each year of tax reduction attendant to each alternate option of this project:

- As if the project is built as of right, with no government support.
- As if the project is built as of right, with customary J-51 and inclusionary program discounts
- As if the project is built as proposed, but with only the Khalil Gibran High School reconstructed as a 'new school', with growth potential and with appropriate facilities added.
- As if the project is built as proposed, including the value of the taxes that ECF will collect, and transfer to another agency to build-out the interiors of the schools.

Additionally, **there should be information added revealing:**

- The value of taxes that ECF will collect as PILOTS, to run the schools thereafter, if any.
- The projected cost of ECF's debt servicing for building and running the school facilities, and the end date of the debt, if any, compared to having the ordinary public authority build the schools out of public taxes, without resorting to a private partnership as the ECF agency proposes.

As all tax reductions obviously reduce the fund of public monies otherwise available to future NYC and NYS budgets, property taxes lost to abatements, exclusions, inclusions, zoning changes or any other government inducements to develop land in NYC are an identifiable cost to the public. One can be sure developers know the value of their tax reductions, as well as the value of any up-zoning.

The Community should have the opportunity to understand if gaining the structural envelopes for a rebuilt high school and new primary school on this site is worth the cost of all the tax abatements and/or incentives being assured to this project, including an up-zoning to allow a 3x increase in FAR, and what looks (see **Illustration, Figure 4**) like the inclusion of the small triangle north of Schermerhorn Street as a free but very valuable attractive entrance plaza.

The community also notes that the alleged benefit is only the shells, or envelopes for the schools, not readily functional schools. Another authority will do those build-outs, at an additional cost of tax revenue to the public, mentioned by the ECF and locally known as as PILOTS (Payments In Lieu Of Taxes).

C. SCOPE OF WORK

TASK 2: LAND USE, ZONING AND PUBLIC POLICY

The proposed study area of a 400-foot radius will not adequately inform the government or public enough about the impact of this project upon existing or future land use, infrastructure or policy trends.

The 400-foot radius study area should be increased to at least one-half mile, or 2,640-feet, which is merely 2-1/2 times the height of the proposed tower at 3rd Ave & State St. A 400-foot radius is less than half the height of the proposed 986-foot tower! It is inconceivable that the study area should be smaller than the shadow cast by the proposed project. Based on height alone, this is absurd.

A 400-foot radius distorts the facts because it eliminates every other school in Boerum Hill from the analysis, at least 4 on Pacific Street alone: Brooklyn High School of the Arts, The Math & Science Exploratory (middle) School, primary schools PS 38 and PS 261, as well as Brooklyn Heights Montessori School, the Mary McDowell Friends School and just a block further, The Boerum Hill School for International Studies.

AND, based on recent re-zoning and policy decisions, the roadways surrounding this project have seen major changes in traffic patterns that have not been adequately considered when proposing a primary school, doubtless requiring school bus service, on this site:

- Changes to traffic patterns have been approved as a public policy to induce other developers to build high in the same area as this proposed project. Many developments have been realized; several will be completed soon, others within your study time of 2025.
- Fourth Avenue, heading north, was truncated at (Times Plaza's new pedestrian build-out) Atlantic Ave to either a right turn, allowing traffic to cross Flatbush to Atlantic Ave going east and Flatbush Ave going south, or to make a left turn to 3rd Ave.
- 3rd Ave was designated as the 'truck route' going to the East River Bridges, and was made one-way north at Atlantic Ave, to handle the additional traffic from Fourth Ave.
- Hanson Place was truncated at Flatbush Ave. No longer a useful option to get from the crossroads into Ft Greene, it was made into a pedestrian walkway when the Williamsburg Bank building was adapted for residential use.
- The Times Plaza pedestrian plaza, at the crossroads, is still being studied for future configuration.
- The public parks along 3rd Ave, abutting Fulton St and Lafayette, are being enlarged into pedestrian plazas, further squeezing traffic into single lanes.
- Fourth Ave is being proposed to have a dedicated bike lane built, in each direction.
- Neck-downs, dedicated bike lanes, dedicated Citibike and (newly proposed) car-share businesses are eroding space for traffic movement on all the streets surrounding this proposed project.

The proposal to include a primary school within the scope of the project, a school that doubtless will require school bus service, neglects to consider the local traffic movement and impossibly complicated patterns that have been, and continue to be, devised for this congested area, especially given the designation of 3rd Ave as the only viable truck route from the south. This is not a viable location for any primary school.

PROPOSED PROJECT ILLUSTRATIVE RENDERINGS

The Developer's Figures 4 and 5 and 7 are incorrect, misleading, incomplete and/or over-reaching.

Neither State St nor Schermerhorn St should be privatized, or become pedestrian plazas, to accommodate this development.

- State St, between 3rd Ave and Flatbush Ave, is a short, narrow residential street. It should not be turned into an office and apartment building loading zone, plus a school bus waiting stop, plus an underground parking lot entrance.
- Schermerhorn St, between 3rd Ave and Flatbush Ave, is a small commercial street, the only right turn onto Flatbush Ave from 3rd Ave., and it's the short but crucial connector to Flatbush Ave from the rest of Schermerhorn St, a major Downtown Brooklyn commercial thoroughfare.

Schermerhorn St looks like it is being privatized, or made into a plaza in the developer's plans:

- **Proposed Site Plan: Figure 4:** The building footprint encompasses the triangle made by Schermerhorn, Flatbush and 3rd Avenues. Unlike the other 3 sides, the proposed building footprint is presented without a discrete sidewalk on the Schermerhorn Street side. This looks very much like there is a plan already approved to take the street for a plaza, truncating Schermerhorn St at 3rd Ave to make the entrance to the new development look better, and be more 'valuable', at the expense of traffic movement into and out of our low-rise community.
- **Proposed Building Elevations: Figure 5:** The developer's elevation schematics has eliminated the view from Schermerhorn Street, and
- **Flatbush Avenue Looking South, Figure 7:** It is unclear as to whether Schermerhorn St is pictured there as a thru street, or a plaza.

Respectfully Submitted by:
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JULY 10, 2017

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