May 23, 2024

**To: Hanif Yazdi**
**Department of City Planning**
**Brooklyn Office**
**16 Court Street, 7th Floor**
**Brooklyn, New York 11241**

**Re: DCP Review – 2023K0359 – Draft Land Use Package [v1] Comments**

**Project Name: 58 Nixon Court II**

Dear Mr. Yazdi:

We have prepared a revised Land Use filing (*Filed Land Use Application v1),* in response to comments received by the Department of City Planning (DCP) on 04/03/2023. This memo includes the requested changes and responses. In addition, a summary is outlined below on urban design changes to the proposal, in response to *City of Yes for Economic Opportunity*.

| **Department of City Planning** | | | |
|---|---|---|---|
| **#** | **Document** | **Required / Recommended** | **Comments** |
| | Land Use Form | **Required** | Land Use form has been updated per the 4/3/23 comments. |
| | Project Description ("LR3") | **Required** | LR3 has been updated per the 4/3/23 comments |
| | Owner's Authorization | **Required** | Owners' authorization has been updated and submitted for 2024. |
| | Illustrative Materials | **Recommended** | The illustrative plans have been updated per the comments below from Urban Design. Changes made are outlined in red. |

- ***Ground floor plan / site plan:***
  - *Please review applicable Streetscape Regulations (ZR 32-30) in the proposed City of Yes for Economic Opportunity text amendment (in public review): https://www.nyc.gov/assets/planning/download/pdf/plans-studies/city-of-yes/economic-opportunity/zoning-text-modified-by-cpc.pdf*

- *Explore ways to mitigate the unenclosed parking and mechanical areas by incorporating sidewalk-level planted buffers*

The design has been updated to provide a buffer in front of the open parking area facing Shore Parkway. Along Nixon Court, we have provided an opaque glass wall in the area under the building footprint and an 8' high fence and gate for the entrance / exit and along the side lot line.

- *Parking access and maneuverability appear to be very constrained. Anticipate and plan for impacts on the Nixon Court sidewalk and street frontage.*

There will be an attendant to park the cars and a reservoir space to accommodate anyone waiting to come in. The driveway aisle provided behind the stackers has sufficient space to maneuver the cars in and out.

- The at-grade planted area at the intersection is successful. Ensure ample circulation space and visual access to the retail entrance and consider shifting the shade tree to the east and adding a bench/seat wall across from the retail space.

We relocated the tree in question. There is already a walkway and bench fronting the retail store side door.

- ***Floodproofing:***
  - *Please consider "futureproofing" the building lobby and retail spaces by accounting for a higher level of protection than the proposed 1' DFE***.**

The design has been updated, which include the elevation DFE of the building another 12 inches, a total of 2' above the base flood elevation as per new code requirements. We are unable to raise it any further, due to the shape of the site and the need for a ramp for handicap accessibility.

- ***Facade design / massing:***
  - *Attempts should be made to avoid a "flat" facade. Incorporate shadow lines, pronounced vertical articulation, and changes in materiality to break down the massing.*

Due to site being triangular and not large, setbacks cannot be provided to articulate the façade since the rooms will then become inefficient; however, we have different color materials, pronounced vertical metal molding and glass, which we believe articulates the façade without setbacks.

- *Large extents of blank walls are proposed along the Shore Parkway frontage. Please propose blank wall mitigation strategies and refer to streetscape mitigations outlined in https://zr.planning.nyc.gov/article-iii/chapter-7#37-362 for potential solutions.*

The proposed blank wall along Shore Parkway will have a mural in lieu of the living wall areas originally shown on rendering.

- ***Request for additional materials - CPC presentation purposes (optional but recommended):***
    - *Once the comments above are addressed, please provide a pedestrian-level perspective view for CPC presentation purposes*

Revised renderings have been provided with this submission.

Sincerely,
Eric Palatnik, P.C.