Attachment 11

No. 2023K0368

783 4th Avenue

July 2024

Statement of Findings

74-533 Zoning Special Permit

Reduction of parking spaces to facilitate affordable housing

In all districts in the Transit Zone, the City Planning Commission may permit a waiver of, or reduction in, the number of required accessory off-street parking spaces for dwelling units in a development or enlargement that includes at least 20 percent of all dwelling units as income-restricted housing units as defined in Section 12-10 (DEFINITIONS), provided the Commission finds that such waiver or reduction:

(a) will facilitate such development or enlargement. Such finding shall be made upon consultation with the Department of Housing Preservation and Development;

The Proposed Development includes 257 dwelling units, of which 64 would consist of income-restricted housing units (approximately 25%) subject to the Mandatory Inclusionary Housing (MIH) program, which would facilitate the proposed maximum residential FAR of 7.2 in the area zoned R8A/C2-4 and 4.6 FAR in the area zoned R7A. The remaining 193 dwelling units would not be income-restricted at or below 80% AMI and would generate a requirement of 97 off-street accessory spaces. The proposed commercial use in the R8A/C2-4 portion of the Proposed Development would provide approximately 7,500 square feet, which requires one space per 1,000 square feet and waives out where less than 40 spaces are required. As such, 97 spaces are required in the Proposed Development. Instead – as proposed, 10 off-street spaces would be voluntarily provided for the Proposed Development. Absent the applicable parking waiver, portions of the ground floor and cellar would be required for accessory-off street parking, negatively impacting the viability of the Proposed Development and ability to provide the proposed income-restricted dwelling units.

The proposed income-restricted dwelling units would consist of 64 units averaging 60 percent AMI. The affordable units will be marketed and subsequently leased in accordance with the

guidelines of Housing Preservation and Development (HPD). As such, the proposed parking waiver, when combined with the required MIH application through HPD, would facilitate the Proposed Development.

(b) will not cause traffic congestion; and

The waiver of residential parking requirement in the Proposed Development is not anticipated to cause traffic congestion, as the area is located in a dense and walkable environment, immediately adjacent mass transit. Fourth Avenue is a wide (120 feet) north-south arterial for this area of Brooklyn, which can accommodate additional density, given the underdeveloped nature of the Development Site, which contains near-vacant and increasingly obsolescent community facility use.

In addition to the ability to handle capacity based on location along Fourth Avenue, the Development Site located in close proximity to mass transit. The New York City Transit (NYCT) R Train has a stop two blocks to the north of the Proposed Development at 25th Street and Fourth Avenue. The B63 bus runs along 5th Avenue, one block to the east with service between Bay Ridge and Cobble Hill. The B37 bus runs along Third Avenue, one block to the west, with service between Bay Ridge and Boerum Hill. There are also multiple express bus lines that run along Third Avenue, one block west, that provide service to Downtown and Midtown Manhattan.

Furthermore, based on U.S. Census ACS data for the Sunset Park West Neighborhood Tabulation Area (2017-2021), residents with no private vehicle consist of approximately 60% of the local population, compared to 54.6% in the City as a whole, which includes Manhattan. Therefore, private automobile ownership and utilization in this area is comparatively lower, and the waiver of the off-street residential parking requirement would not cause traffic congestion in this area and would facilitate much needed affordable dwelling units.

(c) will not have undue adverse effects on residents, businesses or community facilities in the surrounding area, as applicable, including the availability of parking spaces for such uses.

The proposed parking waiver for the Proposed Development's residential use would waive a 97-space requirement. 10 spaces would still be provided to aid the operations of the Proposed Development. Therefore, the Proposed Development would waive the off-street parking for the proposed residential use but would provide 10 spaces. These 10 spaces would serve to mitigate any increase in the demand for on-street parking in the immediate area, which contains residential uses, automotive service uses, a fast-food establishment and a wholesaling business. It should be

noted the nearby fast-food and wholesaling establishments provide off-street parking lots for their businesses or have internalized loading bays for operations - and it is anticipated the Proposed Development and waiver of residential parking is not anticipated to affect the operations of these businesses. Furthermore, the existing community facility use, which provided limited services for the surrounding community would be replaced with the Proposed Development.

The proposed special permit would not result in adverse effects on remaining users within surrounding area, which are primarily residential. As noted above, private automobile ownership in the area is comparatively low compared to the rest of the city, given transit access, and the Sunset Park neighborhood is a dense walkable community in close proximity to transit, with R Train service two blocks north of the Development Site at 25th Street - and numerous bus lines in close proximity. In addition, the 36th Street station is one stop south of the 25th Street subway station and contains express service with the D, N and R trains. This enables express subway access to points south in Brooklyn, as well as Manhattan, Queens and the Bronx.

Therefore, based on the above, the Development Site is in an appropriate area for a reduced parking requirement and the provision 10 spaces for the Proposed Development would not result in adverse effects on nearby residents, businesses, or community facilities.

The Commission may impose appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

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