Brooklyn Yards
Description of Proposal
December 21, 2022

1. Introduction

This is an application submitted by Brooklyn Yards Development, LLC (the "Applicant") for a proposed development in the Borough Park neighborhood of Brooklyn, within Community Districts 11 and 12. This application is submitted with respect to Brooklyn Block 5727, Lots 14 and 19, Block 5523, Lots 1, 6, 9, 12-16, 19, 20, 22-24, 26, 28, 32, 34, 37, 38, 43, 44, 49, 54, 58, 60, 62, 64, 72-75, Block 5516, Lots 1, 4, 9-14, 33, 133, 2001-2006, 1601-1606, 1701-1706, 1801-1811, 1001-1011, 1101-1111, 1201-1276, 1301-1311, 1401-1411, 1501-1511, 1901-1911, 2101-2111, 2201-2211, 67, and Block 5509, Lots 1, 6, 8, 10, 12, 14-16, 18, 19, 21-36, 41, 48, 57, 58, 62, 64, 65, 68, 70-73 (the "Proposed Project Area") for the following actions listed below (the "Proposed Actions"). The Proposed Actions would facilitate the development of twelve residential buildings, one mixed-use building, and one commercial building (the "Proposed Development") on Block 5727, p/o Lot 14 ("Zoning Lot 1");[1] Block 5516, p/o Lots 1 and 33 ("Zoning Lot 2");[2] and Block 5509, Lots 41 and 57 ("Zoning Lot 3") (collectively, the "Development Site").

a. *Zoning Map Amendments:*
   i. Zoning Map Amendment to change an M1-1 zoning district to a C4-5 zoning district, which would include Block 5727, Lots 14 and 19 (including Zoning Lot 1);
   ii. Zoning Map Amendment to change an M1-1 zoning district to an R6 zoning district, which would include Block 5516, Lots 1 and 33 (including Zoning Lot 2);
   iii. Zoning Map Amendment to change an M1-1 zoning district to an R6 zoning district on Block 5509, Lot 57, p/o Lot 41, and Lot 48 (including part of Zoning Lot 3);
   iv. Zoning Map Amendment to change an R5 zoning district to an R6 zoning district on Block 5509, Lot 36, p/o Lot 35, and p/o Lot 41 (including part of Zoning Lot 3); and
   v. Zoning Map Amendment to establish a C2-4 commercial overlay on Block 5509, Lots 36, 48, p/o Lot 35, and p/o Lot 41 (including Zoning Lot 3).

The areas referred to in items (i) through (v), above, are referred to collectively as the "Rezoning Area," and the Rezoning Area makes up a portion of the larger Proposed Project Area.

[1] Zoning Lot 1 will only consist of that portion of Lot 14 that will be covered by a permanent platform. The Applicant intends to subdivide tax Lot 14 such that Zoning Lot 1 will comply with the ZR 12-10 definition of "zoning lot," as interpreted by the Department of Buildings.

[2] Zoning Lot 2 will only consist of that portion of Lots 1 and 33 that will be covered by a permanent platform. The Applicant intends to subdivide tax Lots 1 and 33 such that Zoning Lot 2 will comply with the ZR 12-10 definition of "zoning lot," as interpreted by the Department of Buildings.

b. *Zoning Text Amendments:*
    i. Zoning Text Amendment to Appendix F of the Zoning Resolution to establish the Rezoning Area as a Mandatory Inclusionary Housing ("MIH") area; and
    ii. Zoning Text Amendment to Appendix I of the Zoning Resolution to establish Blocks 5509, 5516, and 5523 (collectively, the "Transit Zone Expansion Area") as part of the Transit Zone.

c. *Special Permits:*
    i. Large-scale General Development
        a. Special Permit pursuant to ZR 74-743(a)(1) for bulk modifications for a Large-Scale General Development ("LSGD"), consisting of the Development Site, to distribute floor area and lot coverage without regard for zoning lot lines or district boundaries;
        a. Special Permit pursuant to ZR 74-743(a)(2) for bulk modifications to permit the location of buildings within the LSGD without regard for applicable yard and court regulations;
        b. Special Permit pursuant to ZR 74-743(a)(6) for modification of distance between legal window and lot line requirements within the LSGD; and
        c. Special Permit pursuant to ZR 74-745(a) to modify parking location requirements within the LSGD;
    ii. Zoning Lot 1
        a. Special Permit pursuant to ZR 74-681 to permit development within or over a railroad right-of-way;
        b. Special Permit pursuant to ZR 74-533 to reduce the number of required parking spaces to facilitate affordable housing; and
        c. Special Permit pursuant to ZR 74-744(b) to permit residential and non-residential uses to be arranged within a building without regard for locational requirements.
    iii. Zoning Lot 2
        a. Special Permit pursuant to ZR 74-681 to permit development within or over a railroad right-of-way; and
        b. Special Permit pursuant to ZR 74-533 to reduce the number of required parking spaces to facilitate affordable housing.
    iv. Zoning Lot 3
        a. Special Permit pursuant to ZR 74-681 to permit development within or over a railroad right-of-way.

d. *Authorizations:*
    i. Zoning Lot 1
        a. Authorization pursuant to ZR 36-72 to waive required enclosed accessory commercial bicycle parking spaces; and
        b. Authorization pursuant to ZR 25-82 to waive required enclosed accessory residential bicycle parking spaces.
    ii. Zoning Lot 2
        a. Authorization pursuant to ZR 25-82 to waive required enclosed accessory residential bicycle parking spaces.

iii. Zoning Lot 3

a. Authorization pursuant to ZR 25-82 to waive required enclosed accessory residential bicycle parking spaces.

The Proposed Development would include residential buildings ranging from four (plus penthouse) to six stories and would provide approximately 271,520 square feet of residential floor area. A two-story commercial building and a 10-story portion of the proposed mixed-use building would together contain a total of 63,582 square feet of commercial office and retail floor area. The Proposed Development would contain 270 dwelling units, of which 81 are proposed to be permanently affordable pursuant to the MIH Workforce Option. In addition, the Proposed Development would facilitate approximately 3,674 square feet (0.08 acres) of open space, comprised of an approximately 2,015 square foot publicly accessible area, an approximately 512 square foot publicly accessible area, and an approximately 1,148 square foot publicly accessible area that would include an approximately 815 square foot playground space. No other discretionary actions are being sought for the facilitation of this development.

2. Background

The Development Site has been located in an M1-1 zoning district and R5 zoning district since the adoption of the New York City Zoning Resolution (the "Zoning Resolution" or "ZR") on December 15, 1961.

With the exception of Block 5509, Lot 57, the entirety of the Development Site is within the right-of-way of the Bay Ridge line of the Long Island Rail Road (the "LIRR ROW"), owned by the Long Island Rail Road, a subsidiary of the Metropolitan Transit Authority ("MTA"). The Bay Ridge line is operated by the New York and Atlantic Railway.

The approximately 16 mile LIRR ROW extends from the 65th Street Terminal in Brooklyn to the Hell Gate Bridge in Queens[3] and has been primarily used for freight trains since 1924, with freight trains currently traveling approximately one time daily. In 2019, the Applicant acquired title to a fee above an 18.5-foot limiting plane located above the LIRR ROW at the Development Site, which was established by predecessor of interest in a deed dated March 21, 1985. The Applicant is engaged in an ongoing dialogue with the MTA to modify certain deed restrictions and negotiate certain easements necessary to effectuate the Proposed Development. Further, as required by the New York City Building Code (BC 3304.3.5), the transit authority having jurisdiction of a particular subway or tunnel is required to be notified by private developers of construction to be proposed within 200 feet of such subway or tunnel. For the Proposed Development, the MTA must review and approve plans and specifications prior to the commencement of construction, in order to grant easements within the LIRR ROW required for installation of columns and associated substructure required to support the proposed platform. This approval will confirm that the site plan and structural design of the Proposed Development do not preclude future use of, or improvements to, the LIRR ROW.

In 2007, the City Planning Commission ("CPC") approved the Dyker Heights/Fort Hamilton rezoning (C 070387 ZMK), which rezoned a 160-block area west of the Proposed Project Area, in

[3] The Bay Ridge Branch terminates at Fresh Pond Junction but continues on as the New York Connecting Railroad.

Brooklyn Community District 10. To preserve the existing scale and character of Dyker Heights' and Fort Hamilton's low-rise blocks, existing zoning districts were changed to lower-density and contextual zoning districts. As part of this rezoning, an M1-1 zoning district was rezoned to an R5B zoning district in an area west of the Proposed Project Area, across New Utrecht Avenue and 14th Avenue, to bring existing residential buildings into conformance. The resolution approving the CPC's decision was adopted by the City Council on July 25, 2007 (Res. No. 0979-2007).

In 2013, the CPC approved the Maple Lane Views rezoning, which rezoned an M1-1 zoning district to an R6A zoning district within an area directly adjacent to Zoning Lot 2 and bound by 60th Street to the north, 16th Avenue to the east, Zoning Lot 2 to the west, and 61st Street to the south (C 090154 ZMK). This site has been improved with thirteen six-story apartment buildings, rising to a maximum height of 70 feet and containing a total of 128 dwelling units. The CPC found that the R6A zoning district was appropriate given the surrounding land uses, which include nonconforming residential uses within the M1-1 zoning district and an established residential community to the north. The CPC also acknowledged the strong need for housing in this growing community. The resolution approving the CPC's decision was adopted by the City Council on February 27, 2013 (Res. No. 1667-2013).

In 2020, the CPC approved the 1501-1555 60th Street rezoning, which rezoned an M1-1 zoning district to an R7A zoning district with a C2-4 commercial overlay and designated the rezoning area as an MIH area (C 200086 ZMK, N 200087 ZRK). The application was adopted with a modified rezoning boundary by the City Council on January 6, 2021 (Res Nos. 1530-2021 and 1531-2021). The rezoning area is generally located along the midblocks on the north and south sides of 60th Street and is bounded by the Development Site to the east and south. The rezoning is facilitating the construction of three mixed-use buildings, two of which would be seven stories at approximately 75 feet in height, and one of which would be eight stories at approximately 85 feet in height. The development would contain a total of approximately 102 dwelling units. Given its location along a wide street which has high foot and vehicular traffic, and due to its proximity to transit access, the CPC found that a medium-density residential district was appropriate at this location. Whereas the previous M1-1 zoning district would not have allowed for housing, the CPC found that the R7A zoning district was appropriate because it would facilitate the creation of a substantial number of new homes in a community well-served by transit that is particularly in need of new housing. In addition to the mixed-use character of the area, the CPC also noted that the C2-4 commercial overlay was appropriate to facilitate non-residential ground-floor use along 60th Street.

In 2021, the CPC approved the 16th Avenue Rezoning, which sought to rezone an R5 zoning district with a C2-2 commercial overlay to a C4-4A zoning district and designate the rezoning area as an MIH area (C 200062 ZMK, N 200063 ZRK) to facilitate the construction of a five-story commercial office building. The proposed rezoning was generally bounded by 58th Street to the north, 16th Avenue to the east, 59th Street to the south, and a line 100 feet westerly of 16th Avenue. The CPC deemed the rezoning appropriate as a means to support walk-to-work opportunities. The CPC also supported the increased density associated with a C4-4A, given the proposed location along a wide street characterized by a mix of uses. On February 25, 2021, the City Council adopted resolutions disapproving the CPC's decision (Res. No. 1552-2021, Res. No. 1553-2021) citing the

proposed development as being out of context with the character of the surrounding residential area.

In addition to the various CPC approvals, a number of Board of Standards and Appeals ("BSA") variances have been granted adjacent to the Proposed Project Area, as follows:

a. 1402 - 1406 59th Street (Block 5713, Lots 8 and 10 / 112-01-BZ) - 2001
    i. ZR 72-21 variance to allow enlargement of an existing UG 4 community facility use in a non-complying building (side yards, off-street parking) in an R5 district.
b. 1559 59th Street (Block 5502, Lot 54 / 375-02-BZ) - 2003
    i. ZR 72-21 variance to allow a new UG 4 house of worship and rectory in a non-complying building (FAR, side yards, front yard, lot coverage, front wall height, narrow outer court, sky exposure plane) in an R5 district.
c. 1685 60th Street (Block 5510, Lot 150 / 111-03-BZ) - 2004
    i. ZR 72-21 variance to allow construction of 3-story, 3-family non-complying UG 2 residential building (FAR, open space ratio, lot coverage, front yard, building height) in an R5 district.
d. 1687 60th Street (Block 5510, Lot 149 / 112-03-BZ) - 2004
    i. ZR 72-21 variance to allow construction of 3-story, 3-family non-complying UG 2 residential building (FAR, open space ratio, lot coverage, front yard, building height) in an R5 district.
e. 1689 60th Street (Block 5510, Lot 148 / 113-03-BZ) - 2004
    i. ZR 72-21 variance to allow construction of 3-story, 3-family non-complying UG 2 residential building (FAR, open space ratio, lot coverage, front yard, building height) in an R5 district.
f. 1691 60th Street (Block 5510, Lot 147 / 114-03-BZ) - 2004
    i. ZR 72-21 variance to allow construction of 3-story, 3-family non-complying UG 2 residential building (FAR, open space ratio, lot coverage, front yard, building height) in an R5 district.
g. 1693 60th Street (Block 5510, Lot 47 / 115-03-BZ) - 2004
    i. ZR 72-21 variance to allow construction of 3-story, 3-family non-complying UG 2 residential building (FAR, open space ratio, lot coverage, front yard, building height) in an R5 district.
h. 1380 62nd Street (Block 5733, Lot 36 / 291-03-BZ) - 2005
    i. ZR 72-21 variance for UG 2 residential in an M1-1 district (split lot with R5 zoning).
i. 1533 60th Street (Block 5509, Lots 64, 65, and 68 / 375-04-BZ) - 2005
    i. ZR 72-21 variance to allow expansion of a jewelry manufacturer/wholesaler in an non-complying building (FAR, rear yard, street wall height, parking) in an M1-1 district.
j. 6101-6123 16th Avenue (Block 5524, Lot 1 / 138-04-BZ) - 2005
    i. ZR 73-19 special permit to allow UG 3 school without sleeping accommodations in an M1-1 district.
k. 1402 59th Street (Block 5713, Lots 8 and 10 / 112-01-BZII) - 2006

i. Extension of time for above-referenced variance (see "a.") to obtain CO for above variance; amendment modifying bulk regulations (front wall height, front yard, side yard, lot coverage, off street parking for DUs).

l. 1380 62nd Street (Block 5733, Lots 35 and 36 / 291-03-BZII) - 2010
   i. Extension of time for above-referenced variance (see "h.").

m. 1559 59th Street (Block 5502, Lot 54 / 375-02-BZII) - 2010
   i. Extension of time for above-referenced variance (see "b.") to obtain CO; amendment to modify plans.

n. 1536 62nd Street (Block 5530, Lot 19 / 93-11-BZ) - 2012
   i. ZR 73-19 special permit to allow conversion of third and fourth floor of a factory/warehouse building to a UG 3 school in an M1-1 district.

o. 1621 –1629 61st Street (Block 5517, Lot 85 / 242-12-BZ) - 2013
   i. ZR 72-21 variance to allow construction of an existing UG 4A house of worship in a non-complying building (height, setback, sky exposure plane, rear yard, parking) in an M1-1 district.

p. 1690 60th Street (Block 5517, Lot 39 / 55-13-BZ) - 2013
   i. ZR 72-21 variance to allow the enlargement of an existing school with sleeping accommodations in a non-complying building (FAR, wall height, sky exposure plane, side yard setback) in an R5 district.

q. 1514 57th Street (Block 5496, Lot 12 / 121-13-BZ) - 2013
   i. ZR 72-21 variance to allow a UG 4 house of worship in a non-complying building (front yard, side yards, rear yard) in an R5 district.

r. 6101 16th Avenue (Block 5524, Lot 1 / 30-14-BZ) - 2017
   i. ZR 72-21 variance to allow enlargement of an existing UG 3 school in an M1-1 district.

s. 1462 62nd Street (Block 5734, Lot 45 / 2016-4179-BZ) - 2018
   i. ZR 73-19 special permit to legalize UG 3 school.

t. 1690 60th Street (Block 5517, Lot 39 / 55-13-BZII) - 2018
   i. Extension of above-referenced variance (see" p.") to allot additional time to complete construction.

3. Description of Surrounding Area

The Proposed Project Area is located in Brooklyn Community Districts 11 and 12 within the Borough Park neighborhood. Borough Park is bordered by Sunset Park to the west, Dyker Heights and Bensonhurst to the south, Flatbush and Kensington to the east, and Greenwood Cemetery to the north. The Proposed Project Area is located on the southern edge of Borough Park.

With the exception of the northern half of Block 5509, the Proposed Project Area and the areas to the immediate west, south, and southeast are primarily located in an M1-1 zoning district. This M1-1 zoning district extends from Fourth Avenue to 17th Avenue, roughly between 59th Street and 63rd Street.

The M1-1 zoning district is a low-density manufacturing district, typically characterized by light manufacturing and warehouse uses. The M1-1 zoning district does not permit residential use. The maximum FAR for commercial and industrial uses is 1.0 and the maximum FAR for most community facility uses is 2.4. The total FAR may not exceed the highest FAR of the constituent

uses. The height of a development may not exceed 30 feet, or two stories, whichever is less, before setting back and complying with sky exposure plane regulations.

South, east, and north of the M1-1 zoning district is an R5 zoning district, which also includes the northern half of Block 5509 of the Proposed Project Area. Portions of this R5 zoning district contain a C2-2 commercial overlay: one extends for a depth of 150 feet from 16th Avenue on the block immediately north of the Proposed Project Area (Block 5502) and the other extends for a depth of 100 feet from New Utrecht Avenue south of the Proposed Project Area (Block 5748).

An R5 zoning district is a non-contextual zoning district. The maximum base FAR for residential buildings is 1.25 and the maximum FAR for most community facility uses is 2.00. The C2-2 commercial overlay permits 1.0 FAR of commercial use when paired with an R5 zoning district. The total FAR may not exceed the highest FAR of the constituent uses. Above a height of 30 feet, a setback of 15 feet is required from the street wall of a development before rising to a maximum height of 40 feet. Additionally, in R5 zoning districts, optional regulations may be used to develop infill housing in predominantly built-up areas. On sites that qualify for infill housing, a higher FAR of 1.65, greater bulk, and more dwelling units are permitted.

Directly adjacent to a portion of the Rezoning Area on Block 5516 is an R6A zoning district, which was mapped along the eastern portion of the block pursuant to the Maple Lane Views rezoning, discussed above. Just north of the Proposed Project Area on Block 5516 is an R7A zoning district within a designated MIH area, with a C2-4 commercial overlay, which was mapped pursuant to the 1501-1555 60th Street rezoning, discussed above.

The R6A zoning district is a contextual zoning district where the Quality Housing regulations are mandatory. The maximum FAR for quality housing buildings is 3.0. The maximum FAR for most community facility uses is also 3.0. The total FAR may not exceed the highest FAR of the constituent uses. The height of a development may not exceed 70 feet (or 75 feet with a qualifying ground floor).

The R7A zoning district is a contextual zoning district where the Quality Housing regulations are mandatory. Within MIH areas, the maximum FAR for quality housing buildings is 4.6. The maximum FAR for most community facility uses is 4.0. The C2-4 commercial overlay permits 2.0 FAR of commercial use when paired with an R7A zoning district. The total FAR may not exceed the highest FAR of the constituent uses. The height of a development may not exceed 90 feet (or 95 feet with a qualifying ground floor) with the provision of affordable housing units on-site pursuant to MIH.

West and south of the M1-1 zoning district is an R5B zoning district that was mapped pursuant to the Dyker Heights/Fort Hamilton rezoning, discussed above. C2-3 commercial overlays are mapped within the R5B along the portions of several blocks fronting 13th Avenue and 14th Avenue, extending for a depth of 100 feet.

The R5B zoning district is a contextual zoning district that permits detached and semi-detached buildings. The maximum residential FAR is 1.35. The C2-3 commercial overlay permits 1.0 FAR of commercial use when paired with an R5 zoning district. The total FAR may not exceed the

highest FAR of the constituent uses. The perimeter wall of a development may rise to 30 feet, before sloping or being set back to a maximum building height of 33 feet.

A single C8-1 zoning district is located on the block northeast of the Proposed Project Area (Block 5503) and extends for a depth of 150 feet from 16th Avenue. The C8-1 zoning district is a commercial district intended to facilitate automotive and other heavy commercial uses. The C8-1 zoning district does not permit residential uses and performance standards are imposed for certain semi-industrial uses. The maximum FAR for commercial use is 1.0. The maximum FAR for community facility use is 2.40. The total FAR may not exceed the highest FAR of the constituent uses. The height of a development may not exceed 30 feet, or two stories, whichever is less, before setting back and complying with sky exposure plane regulations.

The Proposed Project Area's surrounding area has a mixed-use character with commercial, community facility, manufacturing, and residential uses throughout.

Adjacent to a portion of the Rezoning Area on the eastern portion of Block 5516 is a series of 13 six-story residential buildings, built as a single development facilitated by the Maple Lane Views rezoning, as described above. This development houses approximately 112 dwelling units and provides 64 off-street parking spaces. On the western portion of Block 5516 and the southern portion of Block 5509, a mixed-use development facilitated by the 1501-1555 60th Street rezoning is proposed. This development is proposed to contain three buildings. Two of the buildings proposed on Block 5509 will be seven stories. The third building on Block 5516 will be eight stories. In total, the development will provide 102 dwelling units, 32 of which will be permanently affordable pursuant to MIH. The development further seeks to provide a total of 71 accessory off-street parking spaces.

The area to the north, south, and west of the Proposed Project Area is generally characterized by residential buildings, with community facility uses scattered throughout, reflective of the R5 and R5B zoning districts. The community facility uses in this area are primarily religious institutions, schools, and houses of worship. Older apartment buildings between four and six-stories in height, are located north of the Proposed Project Area, along 14th, 15th and 16th Avenue. Mid-blocks in this area contain a combination of two and three-story semi-detached and attached residences.

The area to the immediate south of the Proposed Project Area along 15th Avenue contains community facility uses, office uses, some non-conforming residential uses, and a higher concentration of light industrial/manufacturing, warehouse, and automotive uses before returning to a predominance of residential uses. Just south of the Proposed Project Area on Block 5516 is the two-story District 20 Pre-K Center Z112 located at 1423 62nd Street. Adjacent to and south of the Proposed Project Area are one- and two-story light manufacturing uses including a bakery and cooking equipment warehouse and a glass and mirror showroom and warehouse. Further south along 15th Avenue is a four-story yeshiva serving the local Jewish community, and a three-story and penthouse storage and office facility.

New Utrecht Avenue and further east along 16th Avenue contain a more mixed-use character, with a diverse combination of commercial, community facility, manufacturing, and residential uses. Mixed-use buildings along these avenues contain ground floor retail with residential use above. Notable community facility uses include the New York Police Department's 66th precinct, located

at the corner of 16th Avenue and 59th Street, and the four-story SEEALL Academy, a New York City Public School serving grades Pre-K through 8 and located at 5601 16th Avenue.

The area is well served by mass transit. Within a quarter-mile radius, and less than two blocks from the Development Site, are entrances to two subway stations and a bus line. The D subway line runs along New Utrecht Avenue with the nearest station entrance directly west of the Development Site, at New Utrecht Avenue and 14th Avenue (62nd Street Station). The N subway line (and, selectively, the Q/W lines) runs east/west south of the Development Site, with the nearest entrance directly south of the Development Site, on 62nd Street, between 14th and 15th Avenues (the New Utrecht Avenue Station). The D subway line provides local and express service between Coney Island in the south and Downtown Brooklyn, Manhattan, and the Bronx in the north. The N subway line provides service between Queens and Manhattan in the north and Coney Island in the south. Recent renovations at this complex have allowed for transfers between the two lines, and the station recently became fully accessible with the installation of elevators between platforms, thereby improving the overall level of service. According to MTA's average weekday ridership data, this station was used approximately 4,736 times per day in 2019, an increase of 1.3% from 2018.[4] While overall ridership fell significantly in 2020 due to the outbreak of the coronavirus pandemic, ridership began to increase in 2021, returning to 45% of 2019's ridership numbers.[5]

The B9 bus line, which provides service between Bay Ridge in the west and Kings Plaza in the southeast, runs along 60th Street, with stops at 14th, 15th, and 16th Avenues in front of the Development Site and connects the Development Site with additional transit options. The B8 bus line provides service between Bay Ridge and Brownsville running along 18th Avenue, with stops at 62nd Street, 60th Street, and 58th Street, approximately an 8-minute walk from the eastern end of the Development Site. The B16 bus provides service between Bay Ridge and Prospect Lefferts Gardens, running along 56th Street and 14th Avenue, with stops at New Utrecht Avenue and at the intersection of 56th Street and 14th Avenue, approximately a 6-minute walk from the western end of the Development Site. According to MTA's ridership data, the B8 and B9 buses are among the most used in Brooklyn, with approximately 18,036 and 13,857 average weekday trips in 2019, respectively.

The Transit Zone encompasses a large portion of Community Districts 11 and 12. Adjacent to the Proposed Project Area, the Transit Zone is generally bounded by 15th Avenue to the east, 54th Street to the north, and 62nd Street to the south. A portion of the Development Site – Block 5727 – is mapped within the Transit Zone, as identified on Map 13 and Map 14 of Appendix I of the Zoning Resolution. Within the Transit Zone, special parking provisions apply. Accessory off-street parking spaces are not required for income-restricted housing units developed after March 22, 2016, while parking requirements for market-rate housing units continue to apply pursuant to underlying district regulations.

A bicycle route travels north-south along 14th Avenue and begins at 60th Street, one block to the north of the Development Site. The bicycle route connects to points north in Brooklyn and merges into a separated bicycle route at Church Avenue that extends north-south along Ocean Parkway.

[4] https://new.mta.info/agency/new-york-city-transit/subway-bus-ridership-2019. As of April 13, 2022.
[5] https://new.mta.info/agency/new-york-city-transit/subway-bus-ridership-2021. As of November 28, 2022.

4. Description of the Proposed Project Area

The Proposed Project Area consists of four blocks (Blocks 5727, 5523, 5516, and 5509) generally bounded by New Utrecht Avenue to the west, 59th Street to the north, 16th Avenue to the east, and 62nd Street to the south. Within the Proposed Project Area, the LIRR ROW traverses three of the four blocks at a curved angle below grade. The railroad is actively used for the transportation of goods via freight cars along the Bay Ridge Branch of the Long Island Rail Road (approximately one trip per day). The line is operated by the New York and Atlantic Railway. The LIRR ROW is an open rail cut approximately 20 feet below street level.[6] The LIRR ROW has varying widths across the Proposed Project Area, ranging from approximately 101 feet along New Utrecht Avenue to approximately 162 feet along 60th Street. To allow for vehicular and pedestrian circulation, 15th Avenue and 60th Street maintain a continued grade with adjacent roadways, bridging over the LIRR ROW. The MTA is currently studying the feasibility of adding passenger service along the LIRR ROW in the form of new passenger trains, light rail or bus service to be known as the Interborough Express or "IBX." The Proposed Development would not hinder development or operations of the IBX.

The Proposed Project Area is comprised of the Transit Zone Expansion Area and the Rezoning Area, as described below. The Proposed Project Area is predominately located within an M1-1 zoning district, with the exception of the northern portion of Block 5509, which is located in an R5 zoning district.

Transit Zone Expansion Area[7]

While the existing Transit Zone currently includes the entirety of Block 5727, the Transit Zone Expansion Area is comprised of Blocks 5523, 5516, and 5509.

Block 5523 is bounded by 61st Street to the north, 15th Avenue to the west, 62nd Street to the south, and 16th Avenue to the east. Block 5523 is predominantly improved with one-story buildings that contain light industrial and auto-related uses. The western half of Block 5523 contains a cluster of non-conforming two-story residential buildings (Lots 13-15, 22-23, and 72-75). Each of these buildings contains between approximately two and four dwelling units. Additionally, a two-story mixed-use building (Lot 20) and two parking facilities (Lots 12 and 26) front 61st Street.

Block 5516 is bounded by 60th Street to the north, 15th Avenue to the west, 61st Street to the south, and 16th Avenue to the east. The LIRR ROW traverses Block 5516 at a curved angle between 15th Avenue and 60th Street. East of the LIRR ROW, thirteen six-story apartment buildings, facilitated by the Maple Lane Views rezoning, have been constructed. West of the LIRR ROW, a new 8-story mixed-use building will be developed on Lot 14, which was facilitated by the 1501-1555 60th Street rezoning. To the west of this new development are three existing two-story walk-up residential buildings that each contain two dwelling units (Lots 11-13), a few mixed-use buildings with ground floor retail and residential use above (Lots 9-10), and a one-story building containing an auto repair shop (Lot 4).

[6] Depth below street level varies throughout the LIRR ROW.
[7] Data available from New York City's ZoLa database is used to describe the sites in the Proposed Project Area.

Block 5509 is bounded by 59th Street to the north, 15th Avenue to the west, 60th Street to the south, and 16th Avenue to the east. The LIRR ROW traverses the eastern end of Block 5509 at a curved angle between 60th Street, 59th Street and 16th Avenue. The northern half of Block 5509, west of the Development Site, comprises a mix of two- to three-story multifamily walk-up residential buildings and attached one- and two-family buildings, each typically containing between one and three dwelling units. Lots 58, 64, 65, 68, and 70, which all front 60th Street, will be the site of two new seven-story mixed-use buildings that were facilitated by the 1501-1555 60th Street rezoning. West of this new development are existing two-story residential walk-up buildings (Lots 71 and 72), a one-story industrial building (Lot 73), and a two-story commercial building containing a furniture store (Lot 1).

Rezoning Area

The Rezoning Area spans Blocks 5727, 5516, and 5509. It includes the entire Proposed Development Site, which is described in greater detail in the following section, and lots adjacent to the Proposed Development Site. The lots within the Rezoning Area are described as follows:

Block 5727, Lot 19 is improved with a two-story 6,650 square foot (1.10 FAR) auto-repair shop. Block 5727, Lot 14, part of which comprises Zoning Lot 1, is improved with the LIRR ROW, situated roughly 18'6" below-grade.

Block 5516, Lot 1 is improved with the LIRR ROW, situated roughly 18'6" below-grade. Block 5516, Lot 33 is also part of the LIRR ROW. Parts of Lots 1 and 33 comprise Zoning Lot 2.

Block 5509, Lot 35 is improved with a one-story 4,651 square foot (0.89 FAR) residential building. Only a portion of Lot 35, approximately 377 square feet, is located within the Rezoning Area. Block 5509, Lot 36 is improved with a three-story 3,064 square foot (0.68 FAR) walk-up apartment building. Block 5509, Lot 41 is part of the LIRR ROW and is part of Zoning Lot 3. Block 5509, Lot 48 is improved with a two-story 7,650 square foot (0.5 FAR) building that contains a furniture store. Block 5509, Lot 57, part of Zoning Lot 3, is improved with a one-story 2,432 square foot (0.36 FAR) auto repair shop, an unenclosed automotive junk yard, and a non-conforming one-family dwelling unit.

5. Description of the Proposed Development Site

Within the Proposed Project Area, the Development Site is comprised of the following blocks and lots: Block 5727, p/o Lot 14; Block 5516, p/o Lots 1 and 33; and Block 5509, Lots 57 and 41. With the exception of Block 5509, Lot 57, which is the only piece of terra firma, the Development Site is entirely within the LIRR ROW. The Development Site will comprise three separate zoning lots. Collectively, the parcels total approximately 105,278 square feet in lot area, which would consist entirely of a permanent platform over the LIRR ROW.

The LIRR ROW is an open rail cut, approximately 20 feet below street level. Currently, the LIRR operates a frieght line within the LIRR ROW, making approximately one trip per day. The MTA is studying the feasibility of adding passenger service within the LIRR ROW. There is one

access point (for authorized personell only) to the LIRR ROW located at the Development Site, on the east side of Zoning Lot 1.

Zoning Lot 1 extends diagonally between New Utrecht Avenue and 15th Avenue along the northern portion of Block 5727, with approximately 101 feet of frontage along New Utrecht Avenue to the west (a wide street of 80 feet in width), approximately 327 feet of frontage along 61st Street to the north (a narrow street of 60 feet in width), and approximately 95 feet of frontage along 15th Avenue to the east (a wide street of 80 feet in width). Zoning Lot 1 will comprise approximately 43,594 square feet of lot area, all of which will consist of permanent platform over the LIRR ROW.

To accommodate vehicular and pedestrian circulation over the LIRR ROW, the street grid jogs along 61st Street as it approaches 15th Avenue from the west, transitioning between Zoning Lot 1 and Zoning Lot 2.

Zoning Lot 2 is located one block northeast of Zoning Lot 1 and extends diagonally across Block 5516 from the corner of 61st Street and 15th Avenue to the midblock of 60th Street between 15th and 16th Avenues. The lot has approximately 82 feet of frontage along 15th Avenue to the west (a wide street 80 feet in width), approximately 179 feet of frontage along 61st Street to the south (a narrow street 60 feet in width), and approximately 161 feet of frontage along 60th Street to the north (a wide street with a width of 80 feet). Zoning Lot 2 will comprise approximately 34,738 square feet of lot area, all of which will consist of a permanent platform over the LIRR ROW. A one-story existing garage building on Block 5516, Lot 4 encroaches on the rail cut north of Zoning Lot 2 (the "Encroachment"). The Applicant owns the fee above this rail cut and is analyzing legal and financial strategies that would allow removal of the Encroachment. [8]

Zoning Lot 3 is located one block north of Zoning Lot 2 and extends diagonally along the eastern portion of Block 5509, with approximately 155 feet of street frontage along 60th Street to the south (a wide street with a width of 80 feet), approximately 120 feet of frontage along 16th Avenue to the east (a wide street 80 feet in width), and approximately 17 feet of frontage along 59th Street to the north (a narrow street 60 feet in width). Zoning Lot 3 will comprise approximately 26,946 square feet of lot area. Of this total, 20,843 square feet will be a permanent platform over the LIRR ROW and 6,103 square feet will comprise of terra firma. Lot 57 is currently improved with a one-story 2,432 square foot (0.36 FAR) auto-repair shop, which would be demolished as part of the Proposed Development. Lot 57 also contains a curb cut that is proposed to be removed.

6. Description of the Proposed Development

The Applicant proposes to improve the Development Site as one integrated project with fourteen new buildings that would contain a total of 335,102 square feet of floor area (3.18 FAR). Of this total, approximately 63,582 square feet of floor area (0.60 FAR) would comprise of commercial use and approximately 271,520 square feet of floor area (2.58 FAR) would comprise of residential use. The Proposed Development would contain 270 dwelling units, including 81 affordable

[8] If the Applicant is unable to find a legal or financial solution for the removal of the Encroachment, the Proposed Development's dwelling units would be reduced by four (two in each of Buildings 9 and 10) due to legal light and air requirements.

dwelling units pursuant to the MIH Workforce Option. The development will provide accessory parking for 40 vehicles on Zoning Lot 3.

The Proposed Development would consist of three different building typologies that would blend with the fabric of the existing and proposed adjacent buildings. With the exception of a portion of one building on Zoning Lot 3, all of the buildings would be constructed on a permanent platform over the LIRR ROW, providing the foundation for the Proposed Development. Given the complications and expenses of constructing the platform, the Proposed Development would be predominantly four (plus penthouse)-to-six story walk-up and small elevator buildings. These building types can be constructed from lighter weight materials than high-rise buildings. By constructing less weight on the platform, development of the platform itself is simplified and the project becomes financially feasible while remaining structurally sound.

The platform would be set at 22' above the top of rail, which is the approximate elevation of the adjacent street grade, providing for a seamless integration with the existing vehicular and pedestrian circulation, and with the existing neighborhood. The design intent is to use different materials to create visual interest and to relate the buildings to the nearby built environment.

The Proposed Development would include a private landscaped pathway, designed in the vein of traditional 17th and 18th century mews, which would create a pedestrian network that links the three zoning lots to one another and links the Proposed Development to the adjacent streets (the "Landscaped Pathway"). Access to the Landscaped Pathway would be provided through gated entrances, which, in some locations, would be located within an arched opening of a building, and in others would be adjacent to the street. The width of the Landscaped Pathway would vary, but a minimum width of 7' 6" would be maintained throughout. Raised planters, stoop gardens, and a perforated parapet wall would adjoin the Landscaped Pathway. Seating would be provided in certain locations, ensuring that the Landscaped Pathway also functions as an outdoor amenity space for residents to enjoy.

The Proposed Development would include approximately 3,674 square feet (0.08 acres) of public open space, which would be comprised of an approximately 2,015 square foot publicly accessible area on Zoning Lot 1 providing landscaping and seating adjacent to New Utrecht Avenue; an approximately 512 square foot publicly accessible area providing landscaping and seating on Zoning Lot 2's 61st Street frontage; and an approximately 1,148 square foot publicly accessible area that would include an approximately 815 square foot play area adjacent to Building 14, along Zoning Lot 2's 60th Street frontage.

The 2,015 square foot publicly accessible area on Zoning Lot 1 would be accessible to the public at all hours from the sidewalk along New Utrecht Avenue, thereby enlivening the pedestrian experience.[9] This area would contain movable cafe tables and chairs, and a 327 square foot planting area with small trees. The 512 square foot publicly accessible area on Zoning Lot 2 would feature circulation paths, an approximately 120 square foot planting area, and fixed benches for public use. The 815 square foot play area (part of the 1,148 square foot publicly accessible area)

[9] This privately owned, publicly accessible open space is not required pursuant to the Zoning Resolution, but is classified as a "privately owned public space" pursuant to Section 25-114(a) of the New York City Administrative Code.

on Zoning Lot 2 would feature elements such as creative climbing, sliding, or spinning areas. The hours of operation and maintenance standards of all publicly accessible areas would be memorialized in a restrictive declaration, and clear, visible signage would be provided in compliance with standards and specifications outlined in the Zoning Resolution. The Applicant, or any future owner of the Proposed Development, would retain responsibility for the maintenance of the publicly accessible areas, ensuring adequate management of litter and pests, lighting levels, and general upkeep or replacement of furnishings and vegetation as needed.

In addition to supporting the City's affordable housing goals, the Proposed Development would support Mayor Eric Adams's economic recovery plan by investing in emerging job hubs. The proposed 10-story commercial office use would aid in the advancement of the existing commercial corridor along New Utrecht Avenue by providing much-needed office space for the local community.[10]

The three Zoning Lots that comprise the Proposed Development are described in more detail below:

Zoning Lot 1

Zoning Lot 1 would contain a total of seven buildings, all of which would be constructed on a permanent platform. A total of 95 dwelling units would be provided, of which approximately 29 would be affordable pursuant to the MIH Workforce Option. Approximately 163,427 square feet of floor area (3.76 FAR) would be located on Zoning Lot 1.

The proposed program for each of the seven buildings on Zoning Lot 1 is as follows:

> **Building 1:** A 10-story portion of Building 1 would provide office use and would set back approximately 27 feet from New Utrecht Avenue, providing space for the publicly accessible area discussed above. It could rise to a maximum height of 176 feet.[11] A two-story portion of Building 1, approximately 41 feet in width and 30 feet in height, would contain retail use and be located at the New Utrecht street line. Building 1 would contain approximately 58,978 square feet of commercial floor area (1.35 FAR). Entrance to the retail portion is provided directly from New Utrecht Avenue, while entrance to the office portion is set back from New Utrecht Avenue, within the publicly accessible area. The adjacent six-story portion of Building 1 would contain residential units comprising approximately 44,694 square feet of floor area (1.03 FAR) and rising to approximately 65 feet in height. An approximately 23 foot wide portion of Building 1 would front 61st Street, providing its residential entrance, and the remainder would be located in the mid-block area. Building 1 would contain 41 dwelling units. Building 1 would have a total of 103,672 square feet of floor area (2.38 FAR).

[10] As referenced in "Rebuild, Renew, Reinvent: A Blueprint for New York City's Economic Recovery" accessed via https://www1.nyc.gov/office-of-the-mayor/news/119-22/mayor-adams-rebuild-renew-reinvent-blueprint-nyc-s-economic-recovery#/0 on 05/17/22.

[11] The Applicant proposes an envelope with an additional 30 feet of height from the proposed illustrative building to permit the bulkhead to be partially enclosed by building walls.

Building 2: Building 2 would be a four-story, plus penthouse, attached residential walk-up building located along 61st Street that would contain approximately 10,380 square feet of floor area (0.24 FAR) and rise to approximately 55 feet in height. Building 2 would contain nine dwelling units.

Building 3: Building 3 would be a four-story, plus penthouse, attached residential walk-up building located along 61st Street that would contain approximately 10,368 square feet of floor area (0.24 FAR) and rise to approximately 55 feet in height. Building 3 would contain nine dwelling units.

Building 4: Building 4 would be a four-story, plus penthouse, attached residential walk-up building located along 61st Street that would contain approximately 10,345 square feet of floor area (0.24 FAR) and rise to approximately 55 feet in height. Building 4 would contain nine dwelling units.

Building 5: Building 5 would be a four-story, plus penthouse, attached residential walk-up building located along 61st Street that would contain approximately 10,220 square feet of floor area (0.23 FAR) and rise to approximately 55 feet in height. Building 5 would contain nine dwelling units.

Building 6: Building 6 would be a four-story, plus penthouse, attached residential walk-up building located along 61st Street that would contain approximately 9,401 square feet of floor area (0.22 FAR) and rise to approximately 55 feet in height. Building 6 would contain nine dwelling units.

Building 7: Building 7 would be a four-story, plus penthouse, attached residential walk-up building located along 61st Street that would contain approximately 9,041 square feet of floor area (0.21 FAR) and rise to approximately 55 feet in height. Building 7 would contain nine dwelling units.

An open area that varies in width would be provided from the lot line south of Buildings 2 through 6. Because of the irregular configuration of Zoning Lot 1, this open area would be classified as a part of a required rear yard. The Landscaped Pathway would be located in a portion of this area, providing pedestrian circulation from New Utrecht Avenue to 15th Avenue. Access to the Landscaped Pathway would be provided through arched openings in Building 1 and Building 7.

No required accessory off-street parking spaces or required enclosed bicycle parking spaces would be provided on Zoning Lot 1. However, the Proposed Development would include covered bicycle parking in the arched openings of Building 1 and Building 7, and within the publicly accessible area fronting on New Utrecht Avenue, which would accommodate parking for a total of 40 bicycles (to be memorialized as part of the LSGD plan). These 40 unenclosed bicycle spaces would be provided in lieu of the 29 enclosed bicycle parking spaces that would otherwise be required (21 residential and 8 commercial).

Zoning Lot 2

Zoning Lot 2 would contain a total of five buildings, all of which would be constructed on a permanent platform. A total of 117 dwelling units would be provided, of which approximately 35 would be affordable pursuant to the MIH Workforce Option. Approximately 112,506 square feet of floor area (3.24 FAR) would be located on Zoning Lot 2.

The proposed program for each of the five buildings on Zoning Lot 2 is:

> **Building 8:** Building 8 would be a four-story, plus penthouse, attached residential walk-up building located at the intersection of 15th Avenue and 61st Street that would contain approximately 10,922 square feet of floor area (0.31 FAR) and rise to approximately 55 feet in height. Building 8 would contain nine dwelling units.
>
> **Building 9:** Building 9 would be a four-story, plus penthouse, attached residential walk-up building located along 61st Street that would contain approximately 10,130 square feet of floor area (0.29 FAR) and rise to approximately 55 feet in height. Building 9 would contain nine dwelling units.
>
> **Building 10:** Building 10 would be a four-story, plus penthouse, attached residential walk-up building located along 61st Street that would contain approximately 10,750 square feet of floor area (0.31 FAR) and rise to approximately 55 feet in height. Building 10 would contain nine dwelling units.
>
> **Building 11:** Building 11 would be a six-story residential elevator building. It would rise to a height of approximately 65 feet, it would comprise a total of 71,514 square feet of floor area (2.06 FAR). Building 11 would contain 53 feet of frontage on 60th Street where the residential entrance would be sited, and the remainder of the building would be located in the mid-block area. Building 11 would contain 82 dwelling units.
>
> **Building 12:** Building 12 would be a four-story, plus penthouse, attached residential walk-up building located along 60th Street that would contain approximately 9,190 square feet of floor area (0.26 FAR) and rise to approximately 55 feet in height. Building 12 would contain eight dwelling units. The 1,148 square foot publicly accessible area, which would include the 850 square foot public playground area, would be adjacent to the building.

An open area that varies in width would be provided from the lot line north of Buildings 10 through 11, and an additional open area would be provided from the lot line south of Building 12. Because of the irregular configuration of Zoning Lot 2, these open areas would be classified as part of a required rear yard. The Landscaped Pathway would be located in a portion of the southern open area, providing pedestrian circulation from 61st Street to 60th Street. Access to the Landscaped Pathway would be provided from the PAA and residential entry area along 61st Street and an arched opening in Building 12.

No required accessory off-street parking spaces or required enclosed bicycle parking are proposed on Zoning Lot 2. However, the Proposed Development would include covered accessory bicycle parking in the arched opening of Building 12, which would accommodate parking for a total of 12 bicycles (to be memorialized as part of the LSGD plan). These 12 unenclosed bicycle spaces would

be provided in lieu of the 41 enclosed residential bicycle parking spaces that would otherwise be required, and additional bicycle parking spaces would be provided on Zoning Lots 1 and 3.

Zoning Lot 3

Zoning Lot 3 would contain a total of two buildings, one of which would be constructed entirely on a permanent platform and the other of which would be located partially on terra firma. A total of 58 dwelling units would be provided, of which approximately 17 would be affordable pursuant to the MIH Workforce Option. A total of approximately 59,169 square feet of floor area (2.19 FAR) would be located on Zoning Lot 3.

The proposed program for each of the two buildings on Zoning Lot 3 is:

> **Building 13:** Building 13 would be a six-story, plus bulkhead and partial cellar, elevator building located along 60th Street that would contain approximately 54,565 square feet of residential floor area (2.02 FAR) and rise to a maximum height of approximately 65 feet. Building 13 would contain approximately 58 dwelling units and would be located partially on terra firma.
>
> **Building 14:** Building 14 would be a two-story retail building located at the corner of 16th Avenue and 59th Street that would contain approximately 4,604 square feet of floor area (0.17 FAR) and rise to approximately 30 feet in height.

A 30-foot rear yard would be provided along the rear lot line north of Building 13. The Landscaped Pathway would provide pedestrian access for the residents from 61st Street to this rear yard through an arched opening in Building 13.

An open parking area would be provided on Zoning Lot 3, which would contain 40 required accessory off-street parking spaces. Parking would be attended. Of this total, 19 would be required off-street parking spaces accessory to the residential use on Zoning Lot 2 and 21 would be required accessory off-street parking spaces accessory to the residential use on Zoning Lot 3.[12] The entrance to the open parking area would be located along 16th Avenue, and accessed by a proposed curb cut that would be 12 feet in width.

Of Zoning Lot 3's 30 required enclosed bicycle parking spaces, 21 would be provided on the ground floor of Building 13. Additional bicycle parking would be provided in the arched opening of Building 13, which would accommodate parking for another 21 bicycles (to be memorialized as part of the LSGD plan).

7. Actions Necessary to Facilitate the Proposed Development

Approval of the following land use actions is necessary to facilitate the Proposed Development:

b. *Zoning Map Amendments:*

[12] Assumes the MIH Workforce Option.

i. Zoning Map Amendment to change an M1-1 zoning district to a C4-5 zoning district, which would include Block 5727, Lots 14 and 19 (including Zoning Lot 1);
ii. Zoning Map Amendment to change an M1-1 zoning district to an R6 zoning district, which would include Block 5516, Lots 1 and 33 (including Zoning Lot 2);
iii. Zoning Map Amendment to change an M1-1 zoning district to an R6 zoning district on Block 5509, Lot 57, p/o Lot 41, and Lot 48 (including part of Zoning Lot 3);
iv. Zoning Map Amendment to change an R5 zoning district to an R6 zoning district on Block 5509, Lot 36, p/o Lot 35, and p/o Lot 41 (including part of Zoning Lot 3); and
v. Zoning Map Amendment to establish a C2-4 commercial overlay on Block 5509, Lots 36, 48, p/o Lot 35, and p/o Lot 41 (including Zoning Lot 3).

c. *Zoning Text Amendments:*
i. Zoning Text Amendment to Appendix F of the Zoning Resolution to establish the Rezoning Area as a Mandatory Inclusionary Housing ("MIH") area; and
ii. Zoning Text Amendment to Appendix I of the Zoning Resolution to establish Blocks 5509, 5516, and 5523 (collectively, the "Transit Zone Expansion Area") as part of the Transit Zone.

d. *Special Permits:*
i. Large Scale General Development
a. Special Permit pursuant to ZR 74-743(a)(1) for bulk modifications for a LSGD, consisting of the Development Site, to distribute floor area and lot coverage without regard for zoning lot lines or district boundaries;
b. Special Permit pursuant to ZR 74-743(a)(2) for bulk modifications to permit the location of buildings within the LSGD without regard for applicable yard and court regulations;
c. Special Permit pursuant to ZR 74-743(a)(6) for modification of distance between legal window and lot line requirements within the LSGD; and
d. Special Permit pursuant to ZR 74-745(a) to modify parking location requirements within the LSGD.
ii. Zoning Lot 1
a. Special Permit pursuant to ZR 74-681 to permit development within or over a railroad right-of-way;
b. Special Permit pursuant to ZR 74-533 to reduce the number of required parking spaces to facilitate affordable housing; and
c. Special Permit pursuant to ZR 74-744(b) to permit residential and non-residential uses to be arranged within a building without regard for locational requirements.
iii. Zoning Lot 2
a. Special Permit pursuant to ZR 74-681 to permit development within or over a railroad right-of-way; and
b. Special Permit pursuant to ZR 74-533 to reduce the number of required parking spaces to facilitate affordable housing.

iv. Zoning Lot 3
    a. Special Permit pursuant to ZR 74-681 to permit development within or over a railroad right-of-way.

e. *Authorizations:*
    i. Zoning Lot 1
        a. Authorization pursuant to ZR 36-72 to waive required enclosed accessory commercial bicycle parking spaces; and
        b. Authorization pursuant to ZR 25-82 to waive required enclosed accessory residential bicycle parking spaces.
    ii. Zoning Lot 2
        a. Authorization pursuant to ZR 25-82 to waive required enclosed accessory residential bicycle parking spaces.
    iii. Zoning Lot 3
        a. Authorization pursuant to ZR 25-82 to waive required enclosed accessory residential bicycle parking spaces.

Zoning Map Amendment

The proposed zoning map amendment would change an existing M1-1 zoning district to a C4-5 zoning district and an R6 zoning district, a portion of which would have a C2-4 commercial overlay. The proposed zoning map amendment would also change an existing R5 zoning district to a R6 zoning district with a C2-4 commercial overlay. The zoning map amendment would facilitate the Proposed Development.

The C4-5 zoning district is proposed to be mapped on the northern portion of Block 5727, which comprises Lots 14 and 19. C4 zoning districts are typically mapped along local commercial corridors, allowing for intermediary commercial uses that are not considered low-density or typical of dense central business districts. The proposed C4-5 district would enhance the mix of uses already located along New Utrecht Avenue, a neighborhood commercial corridor with a varied array of uses. Currently, several office uses are situated along 15th Avenue and New Utrecht Avenue at a low-scale density – generally between one and three stories. The proposed C4-5 zoning district would permit multi-story office use, which is in great demand in Borough Park, at a density that would not be permitted under the existing M1-1 zoning district.

The proposed density is appropriate to meet the demand for offices in the neighborhood, while simultaneously maintaining industrial opportunities in the neighborhood. The height permitted pursuant to C4-5 zoning would allow for construction of offices fronting on New Utrecht Avenue above the above-grade subway, creating desirable office space with natural light. Furthermore, the proposed C4-5 zoning district would permit residential and mixed-uses at a residential equivalent of an R7-2 zoning district, thereby encouraging residential growth adjacent to an existing commercial corridor that is well-served by transit. This would further promote the City's goal to support walk-to-work opportunities, as referenced in the recently approved 16th Avenue Rezoning.

An R7-2 zoning district is a non-contextual zoning district, and a mixed-use or residential development may use Quality Housing or Height Factor regulations. The Proposed Development

on Zoning Lot 1 would use the Quality Housing regulations. With the provision of affordable housing pursuant to MIH, the maximum residential FAR permitted is 4.60 for the portion of the zoning lot within 100 feet of a wide street, and 3.60 for the portion of the zoning lot beyond 100 feet of a wide street. The R7-2 zoning district permits 100 percent lot coverage on corner lots and 65 percent lot coverage on interior and through lots. The C4-5 zoning district permits a commercial FAR of 3.40 and a community facility FAR of 6.50. The total FAR may not exceed the highest FAR of the constituent uses. No parking is required for commercial uses and most community facility uses. Parking for market rate residential units must be provided for 50 percent of the dwelling units. No parking is required for income-restricted dwelling units within the Transit Zone.

Within designated MIH areas, for buildings using the Quality Housing regulations, the minimum base height in the proposed C4-5 zoning district is 40 feet, the maximum base height is 75 feet, and the maximum building height is 135 feet (13 stories maximum). Above the maximum base height, a building must set back at least 10 feet from wide streets and 15 feet from narrow streets. Commercial buildings may rise to a height of 60 feet, or four stories, whichever is less, before setting back and adhering to a sky exposure plane.

The C4-5 zoning district would allow for the development of Building 1 through Building 7 on Zoning Lot 1, which would contain 58,978 square feet of commercial office and retail use, and 104,449 square feet of residential use. Building 1 would rise to a maximum height of 176 feet, before stepping down to a 65-foot tall building segment. The remaining buildings would rise to a height of 55 feet.

The R6 zoning district is proposed to be mapped on Block 5516, Lots 1 and 33 and Block 5509, Lots 57, 41, 48, 36, and part of Lot 35. The proposed R6 district is appropriate because it would close the gap between the adjacent residential zoning districts and would eliminate the last vestige of outmoded manufacturing zoning. The R6 zoning district would facilitate medium density residential use at a scale consistent with the existing walk-up and small apartment building development in the area. Additionally, the R6 zoning district would encourage residential growth in a transit-rich area where housing is in great demand. The proposed C2-4 commercial overlay would be mapped on Block 5509 for a depth of 100 feet from 16th Avenue, which would further enhance the commercial character of 16th Avenue.

The R6 zoning district is a non-contextual district and a development may use the Quality Housing or Height Factor regulations. The residential buildings of the Proposed Development on Zoning Lots 2 and 3 would use the Quality Housing regulations. The maximum residential FAR permitted with the provision of affordable housing pursuant to MIH, which would be required in the Rezoning Area, is 2.42 on narrow streets and 3.6 within 100’ of wide streets. The maximum FAR for most community facility uses is 4.8. The R6 zoning district permits 100 percent lot coverage on corner lots and 65 percent lot coverage on interior and through lots. The C2-4 commercial overlay permits commercial uses at 2.0 FAR when mapped within an R6 zoning district. The total FAR may not exceed the highest FAR of the constituent uses. Parking for market rate residential units must be provided for 50 percent of the dwelling units. No parking is required for income-restricted dwelling units within the Transit Zone, which is proposed to be extended to include Block 5516 and Block 5509. Commercial parking requirements vary by use, with general retail

typically requiring one space per 1,000 square feet of floor area, and is waived when less than 40 spaces are required.

For quality housing residential buildings within designated MIH areas, the minimum base height is 40 feet, the maximum base height is 65 feet, and the maximum building height is 115 feet (11 stories maximum). Above the maximum base height, a building must set back at least 10 feet from wide streets and 15 feet from narrow streets. Commercial buildings may rise to a height of 60 feet, or four stories, whichever is less, before setting back and adhering to a sky exposure plane.

The R6 zoning district would allow for the development of Building 8 through Building 12 on Zoning Lot 2, and the R6 zoning district and C2-4 commercial overlay would allow for the development of Buildings 13 and 14 on Zoning Lot 3. Zoning Lot 2 would contain 112,506 square feet of residential use. Buildings 8, 9, and 10 would rise to a maximum height of 55 feet. Building 11 would rise to a maximum height of 65 feet, and Building 12 would step back down to a height of 55 feet. Zoning Lot 3 would contain 54,565 square feet of residential use and 4,604 square feet of commercial retail use. Building 13 would rise to a maximum height of approximately 65 feet, and Building 14 would be 30 feet.

Zoning Text Amendments

Mandatory Inclusionary Housing

Pursuant to the MIH text amendment adopted by the CPC on February 2, 2016 (N 160051 ZRY) and the City Council on March 22, 2016 (Res. No. 1022-2016), properties that are rezoned to permit greater residential bulk must be designated as MIH areas. Within MIH areas, developments, enlargements, and conversions above 10 units or 12,500 square feet are required to set aside a percentage of floor area for permanently affordable housing. The program includes four options that pair designated percentages of residential floor area with affordability levels. The Proposed Actions include a zoning map amendment from an M1-1 zoning district and an R5 zoning district to a C4-5 (R7-2 equivalent) zoning district and an R6 zoning district, both of which would permit greater residential bulk; therefore Appendix F of the Zoning Resolution must be amended to add the Rezoning Area as an MIH Area, for which the Applicant proposes to map MIH Option 1, Option 2, and the Workforce Option.

As outlined in ZR 23-154(d)(3)(i), MIH Option 1 requires that at least 25% of the new residential floor area on a zoning lot be set aside for permanently affordable housing for households making an average of 60% of the Area Median Income ("AMI"). At least 10% of this new residential floor area must be set aside for permanently affordable housing for households making an average of 40% of the AMI. This option allows for a maximum of three income bands, with no income band exceeding 130% of AMI.

Pursuant to ZR 23-154(d)(3)(ii), MIH Option 2 requires that 30% of the new residential floor area on a zoning lot be set aside for permanently affordable housing for households making an average of 80% of the AMI. This option allows for a maximum of three income bands, with no income band exceeding 130% of AMI.

The Workforce Option requires that 30% of new residential floor area on a zoning lot be set aside for permanently affordable housing for households making an average of 115% of AMI. Of that 30%, at least 5% of the residential floor area must be affordable to households at 70% of AMI, and another 5% must be affordable to households at 90% of AMI. This option allows for a maximum of four income bands, with no income band exceeding 135% of AMI. No public funding is available under this option. The Applicant has included the Workforce Option in this application because it would lead to development of permanently affordable (i.e., rent-controlled) housing for tenants such as City workers, teachers, firefighters and other members of the community.

The 81 permanently affordable apartments proposed as part of the Proposed Development would help meet the City's goals and objectives in building and preserving affordable homes for New York families.[13]

Expansion of the Transit Zone

Pursuant to the Zoning for Quality and Affordability text amendment adopted by the CPC on February 6, 2016 (N 160049 ZRY) and the City Council on March 22, 2016 (Res. No. 1023-2016), properties zoned for multifamily housing that are proximate to public transportation were designated as a Transit Zone. Within the Transit Zone, parking for new affordable housing (affordable at 80 percent AMI or less) is optional. The Transit Zone generally encompasses denser residential neighborhoods that are within one-half mile of a subway station. Pursuant to Appendix I of the Zoning Resolution, only Block 5727 of the Proposed Project Area is currently located within the Transit Zone.

The Applicant proposes an amendment to Appendix I of the Zoning Resolution to make Blocks 5523, 5516, and 5509 part of the Transit Zone. This expansion is appropriate because the Transit Zone Expansion Area is within a ½ mile to the closest subway station. The existence of numerous forms of transit in the surrounding area results in a transit-rich and walkable environment that reduces the demand for private automobile ownership and parking. The subway stations nearest the Transit Zone Expansion Area are an approximately 5-minute walk (0.3 miles) from the eastern side of Block 5523 and Block 5516, and an approximately 7-minute walk (0.4 miles) from the eastern side of Block 5509. Additionally, the B8 bus and the B9 bus provide service along 18th Avenue and 60th Street, respectively. Bus stops are approximately a 6-8 minute walk (0.4 miles) from the Development Site. With this proposed text amendment, 95 parking spaces would be required for the Proposed Development under MIH Option 2, and 128 parking spaces would be required under the MIH Workforce Option. If disapproved, 135 parking spaces would be required for the Proposed Development.

Special Permits:

LSGD Waivers

The Applicant seeks a Special Permit pursuant to ZR 74-743(a)(1) and ZR 74-743(a)(2) that would allow the distribution of floor area and lot coverage within the LSGD without regard for zoning lot boundaries and would allow for the location of buildings without regard to applicable yard

[13] https://www1.nyc.gov/assets/hpd/downloads/pdfs/about/housing-new-york-2-0.pdf. As of May 3, 2021.

regulations. The proposed modifications would promote better site planning and urban design on the irregularly shaped Development Site. Upon approval, the Applicant would enter into a Restrictive Declaration, a legally binding document that will run with the land in perpetuity, memorializing the provisions of the LSGD permit. The required findings for the LSGD Waivers are discussed in detail in the LR 11 Statement of Findings submitted as part of this application.

Floor Area: Pursuant to ZR 23-154(b), within a Mandatory Inclusionary Housing area the maximum FAR in an R6 zoning district beyond 100 feet of a wide street is 2.42 and within 100 feet of a wide street the maximum FAR is 3.6. To efficiently use the midblock portion of Zoning Lot 2, Building Eleven would be primarily located at the midblock, beyond 100 feet of a wide street. The result is that the approximately 12,615 square foot portion of Zoning Lot 2 located more than 100 feet from a wide street would not comply with the applicable 2.42 maximum FAR and would be overbuilt by 7,865 square feet. The Applicant proposes a waiver to permit the transfer of approximately 5,529 square feet of unused floor area generated by the portion of Zoning Lot 2 within 100' of a wide street and the transfer of approximately 2,336 square feet of unused floor area generated by Zoning Lot 1 (Block 5727, Lot 14) to the portion of Zoning Lot 2 located beyond 100 feet of a wide street.

Lot Coverage: Pursuant to ZR 23-153, the maximum permitted residential lot coverage on interior lot portions of a zoning lot within 100 feet of a wide street (outside the Manhattan Core) in a C4-5 (R7-2 equivalent) zoning district is 65 percent. To efficiently use the floor area available on Zoning Lot 1, and to reserve a Public Access Area on the lot's New Utrecht Avenue frontage, the Proposed Development on interior lot portions of Zoning Lot 1 would have a maximum lot coverage of 66 percent. However, the corner lot portions of Zoning Lot 1, which are permitted 100 percent residential lot coverage, would have a maximum 58 percent lot coverage.

Yards: Zoning Lots 1 and 2 each contain corner lot and interior lot portions, including long interior lot portions at the midblock. Each of these mid-block interior lot portions is a flag lot, resulting in required 30-foot rear yards on portions of the north and south of the interior lot portions, pursuant to ZR 23-47. Due to the two zoning lots' irregular shapes at the midblock, provision of these rear yards would reduce the buildable footprint of each zoning lot, making residential development infeasible at the midblock. Therefore, the Applicant proposes a waiver of and modifications to rear yard requirements, facilitating an efficient use of developable platform area.

On the north side of Zoning Lot 1, a waiver of the 30-foot residential rear yard requirement is requested. On the south side of the same zoning lot, a waiver of a portion of the 30-foot residential rear yard requirement is requested. The waiver and modification of these required rear yards would allow for development of Building 1 through Building 5, the residential components of which would receive legal light and air from its south-facing windows.

On the north side of Zoning Lot 2, a waiver of a portion of the of the 30-foot residential rear yard requirement is sought. This waiver would allow for development of Building 10 and Building 11, through the zoning lot's midblock. North-facing residential units in Buildings 10 and 11 would receive legal light and air from the modified rear yard (no legal windows would face onto the portion of the Zoning Lot where the rear yard has been fully waived). On the south side of the

same zoning lot, a waiver of a portion of the 30-foot residential rear yard requirement is requested, which would allow for the development of Building 10 through Building 12.

Legal Windows: Where yard modifications are being sought on Zoning Lots 1 and 2, the Applicant is also seeking modification of the requirement to provide 30 feet of open area between a legal window and a lot line. Provision of 30 feet between legal windows and lots lines would reduce the buildable footprint of each zoning lot to the extent that residential development would be infeasible at the midblock. Like the requested yard waivers, the requested modifications of legal light and air requirements face onto a remaining open rail cut. The Applicant owns a fee above a plane (located approximately at grade) over these rail cuts, and would record light and air easements over these fee parcels in order to ensure all legal windows in the Proposed Development front on a 30-foot open area.

LSGD Parking Location Special Permit

The Applicant seeks a Special Permit to allow required accessory off-street parking spaces to be located anywhere within the proposed LSGD without regard for zoning lot lines pursuant to ZR 74-745(a). If the proposed amendment to the Transit Zone is approved, depending on the MIH Option used (Option 2 or the Workforce Option) and the final AMI mix for the Proposed Development, between 95[14] and 128[15] parking spaces would be required for the market-rate and affordable residential units above 80 percent AMI. Pursuant to two Special Permits, the Applicant is proposing to waive a total of between 55 and 88 required residential accessory off-street parking spaces and provide 40 required residential accessory off-street parking spaces within an open parking area on Zoning Lot 3 (Block 5509, Lots 41 and 57). Of the parking spaces to be provided, between 12 and 19 would be required accessory parking spaces for residential dwelling units on Zoning Lot 2, contrary to the location requirements of ZR 25-51.

The Proposed Development would provide a significant increase to affordable housing in an area with excellent proximity to various modes of public transportation. Due to Zoning Lot 1 and Zoning Lot 2's location over the LIRR ROW, below-grade parking is not feasible. As a result, required accessory off-street parking spaces would need to be located at or above ground level. Because of the expenses and complications of constructing over a platform, the amount of density that can be accommodated on the Development Site is limited. Locating parking above grade would limit the amount of affordable housing that would be provided by reducing the above-grade floor space that can be used for residential development. Further, if all required off-street parking spaces accessory to the market-rate units across all three zoning lots were to be provided at grade, the site plan would decrease in quality. More lot area would be needed to provide at grade parking, producing an inferior site plan and a less-than-desirable urban realm.

Development within a Railroad Right-of-Way Special Permit

The Applicant seeks three Special Permits (one per zoning lot) pursuant to ZR 74-681, which are required to allow development on or over the LIRR ROW and would allow the use of the proposed

[14] Based on Option 2, with 30 percent of residential units affordable at 80 percent AMI.
[15] Based on the Workforce Option, with five percent of units affordable at 70 percent AMI, five percent affordable at 90 percent AMI and 20 percent affordable at 110 percent AMI.

permanent platform areas to generate floor area. As discussed above, Zoning Lot 1, Zoning Lot 2, and a portion of Zoning Lot 3, are located within the LIRR ROW. These proposed Special Permits would allow the construction of a permanent platform that would cover the LIRR ROW rail cut on Zoning Lot 1, Zoning Lot 2 and a portion of Zoning Lot 3 and would segregate below-grade from above-grade uses. The proposed platform has been carefully designed and engineered to accommodate both the existing alignment and proposed future alignments of possible rail expansions, per proposed clearances provided to the Applicant by the MTA, and the plans and specifications for the Proposed Development will be subject to review and approval by the MTA. The proposed platform would reduce or eliminate the existing cut that bisects this portion of Borough Park, creating cohesive uses at grade and shielding nearby residents from the majority of below-grade railroad noise. The required findings for these Special Permits are discussed in detail in the LR 11 Statement of Findings submitted as part of this application.

Parking Reduction Special Permit

The Applicant seeks two Special Permits within the existing and proposed Transit Zone pursuant to ZR 74-533 to waive (1) the accessory off-street parking requirements of ZR 25-23 for the market-rate dwelling units on Zoning Lot 1 and (2) between 22 and 44 (dependent on the MIH Option implemented) required accessory off-street parking spaced required by ZR 25-23 for the market-rate dwelling units on Zoning Lot 2.

Pursuant to the Workforce Option, Zoning Lot 1 would include five income-restricted units, and pursuant to Option 2, it would include 29 income-restricted units. As a result of the Transit Zone Amendment, between 33 and 45 accessory off-street parking spaces would be required for the market-rate residential units and residential units affordable to households with incomes above 80 percent AMI on Zoning Lot 1, and no accessory off-street parking spaces would be required for the income-restricted units. Pursuant to the Workforce Option, Zoning Lot 2 would include six income-restricted units, and pursuant to Option 2, it would include 35 income-restricted units. As a result of the Transit Zone Amendment, between 41 and 56 accessory off-street parking spaces would be required for the market-rate residential units and residential units affordable to households with incomes above 80 percent AMI on Zoning Lot 2, and no accessory off-street parking spaces would be required for the income-restricted units.

As discussed in detail in the EAS, the evening/overnight parking demand for the Proposed Development as a whole is expected to peak at 146 spaces, and daytime demand (at the peak hour between 9 and 10 a.m.) is expected to peak at 145 spaces. An open, 40-space accessory parking lot would be provided within the Proposed Development, and therefore approximately 106 vehicles would not be accommodated on-site overnight and 105 vehicles would not be accommodated during the daytime peak hour. Residents would likely use on-street parking within ½-mile radius of the Project Area. As indicated in the EAS, with 636 available curbside spaces within the ½-mile radius of the Proposed Development during the midday and 602 available curbside spaces within ½-mile radius of the Proposed Development overnight, peak parking demand could be absorbed by available on-street spaces within the parking study area.

In addition, the Applicant has identified nine curb cuts within 1/3 mile of the Development Site that are no longer in use (i.e., they do not lead to any parking or loading) and could be opened up

for on-street parking by the Department of Transportation. Furthermore, private parking garages in nearby buildings (including 1667 61st Street, 1421 61st Street and 1133 58th Street) have available monthly parking spaces that would be available to residents of the Proposed Development. Therefore, it is not expected that the Proposed Development would result in a significant adverse impact to on-street parking conditions.

Parking demand for the Proposed Development, which was calculated pursuant to CEQR Technical Manual guidance, is not reflective of a neighborhood with this amount of immediate access to transportation and an abundance of alternative off-street parking. The existence of numerous forms of transit and neighborhood walkability result in a transit-rich and pedestrian-friendly environment that reduces the demand for private automobile ownership and parking. CEQR Technical Manual guidance also does not account for commute-to-work patterns in the Development Site's surrounding area, where approximately 30 percent (three times the City-wide average) of workers walk to work. Therefore, the availability of on-street parking spaces for residents, businesses and community facilities in the surrounding area would not be adversely affected.

Location of Uses Special Permit

The Applicant seeks a Special Permit on Zoning Lot 1 pursuant to ZR 74-744(b) to allow for the residential and non-residential uses in Building 1 to be arranged without regard for the regulations set forth in ZR 32-42 (Location Within Buildings). This Special Permit would apply to each story of Building 1 – both commercial and residential uses would be located on floors one through six, and commercial uses would be located on floors seven through 10.

Building 1 will be comprised of two segments – a 10-story commercial segment fronting on New Utrecht Avenue, and a six-story residential segment fronting on 61st Street. The commercial segment would be accessed on New Utrecht Avenue, with separate entrances for the office portion of the building and the retail portion of the building. The residential portion of the building would have entrances on 61st Street and at its rear, in the mews-like open space that runs through the Proposed Development. The commercial portion of the building would not open into the residential portion of the building at any story.

Authorizations

The Applicant seeks an Authorization pursuant to ZR 36-72 to waive all eight required enclosed bicycle parking spaces accessory to the commercial retail and office use within Building 1 on Zoning Lot 1. The Applicant also seeks three Authorizations pursuant to ZR 25-82 to waive (1) all 21 required enclosed bicycle parking spaces accessory to the residential use on Zoning Lot 1; (2) all 41 required enclosed bicycle parking spaces accessory to the residential use on Zoning Lot 2; and (3) all 29 required enclosed bicycle parking spaces accessory to the residential use on Zoning Lot 3.[16]

[16] Bicycle parking is not required for buildings with fewer than ten dwelling units, and is therefore not required for the walk-up buildings, which will each contain eight to nine dwelling units.

The Proposed Development's location on a platform over the LIRR ROW prohibits below-grade development, which prevents the location of required enclosed bicycle parking spaces in a basement or cellar area, where such spaces are usually provided. Additionally, because all mechanical equipment must be located above-grade, on the first-floor, providing such enclosed bicycle parking spaces in this area is not feasible.

However, 20 covered accessory bicycle parking spaces would be located on Zoning Lot 1, in the arched passageway through Building 1, and an additional 20 bicycle parking spaces would be located within the publicly accessible area on Zoning Lot 1. On Zoning Lot 2, 12 covered accessory bicycle parking spaces would be located in an arched passageway. On Zoning Lot 3, Building 13, which is the only building located partially on terra firma, would have a partial cellar space where mechanical equipment would be located, and, as a result, would accommodate 21 required enclosed bicycle parking spaces on a portion of the ground floor. An additional 21 covered unenclosed spaces would be provided within an arched passageway through Building 13.

The Proposed Development would include 73 covered (not enclosed) bicycle parking spaces that would be memorialized as part of the LSGD plan. The proposed unenclosed spaces do not satisfy the requirements of ZR 36-73 and 25-83, but the provision of such spaces would ensure that the Proposed Development would include 94 bicycle parking spaces.

8. Conclusion

The Proposed Development would transform a portion of the LIRR ROW in Borough Park into residential and commercial uses that would enliven and enhance the surrounding area. The Proposed Development would create 270 dwelling units, of which 81 would be permanently affordable, and approximately 63,582 square feet of retail and office space. Approval of the Proposed Actions would facilitate contextual residential development in a neighborhood rich with transit access. The proposed C4-5 zoning district would facilitate retail and much needed office development along a major neighborhood corridor. The proposed C2-4 commercial overlay would activate a portion of 16th Avenue, another commercial corridor.

The Special Permits for reduction in parking to facilitate affordable housing, the Special Permit to modify parking location requirements within an LSGD, and the text amendment to make the Transit Zone Expansion Area part of the Transit Zone would facilitate transit-oriented development and enable the construction of housing units in this growing community, where housing is in great demand. In recognition of the unique site constraints, the Special Permits for location of uses within a building and bulk modifications within the proposed LSGD and Authorizations to waive enclosed bicycle parking requirements would facilitate the Applicant's ability to provide residential use at an appropriate level of density on a permanent platform above the LIRR ROW, with an efficient design above grade and a below-grade design that would preserve existing (and allow for future additional) railroad operations. The Proposed Development would provide a housing program consistent with the City's policy objectives for promoting housing production and affordability, especially in areas such as the Proposed Project Area that are well served by transit.