ATTACHMENT 11 – STATEMENT OF FINDINGS

Brooklyn Yards
Brooklyn, NY

Special Permit Pursuant to 74-745
Applicant's Discussion of Findings

74-745
Modification of parking and loading regulations

For a large-scale general development the City Planning Commission may permit:

(a) Modification of location requirements

When a large-scale general development includes two or more zoning lots, the Commission may permit required or permitted accessory off-street parking spaces, bicycle parking spaces or loading berths to be located anywhere within a large-scale general development without regard for zoning lot lines, provided that the Commission shall find:

(1) Such off-street parking spaces, bicycle parking spaces and loading berths will be conveniently located in relation to the use to which such spaces or berths are accessory;

The Proposed Development would include fourteen buildings located over three separate zoning lots. 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[1] and 128[2] 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 (Block 5516, p/o Lots 1 and 33),[3] contrary to the location requirements of ZR 25-51.

Zoning Lot 3 is directly north of Zoning Lot 2. They are separated only by 60th Street. As part of the Proposed Development, a private landscaped pathway would be provided, which would create a pedestrian network that links the three zoning lots to one another and links the Proposed Development to the adjacent streets. This private landscaped pathway would provide pedestrian access from Zoning Lot 2 to the open parking area within Zoning Lot 3. Residents would exit the

[1] Based on Option 2, with 30 percent of residential units affordable at 80 percent AMI.
[2] 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.
[3] Zoning Lot 2 will only consist of that portion of Lots 1 and 3 that will be covered by a permanent platform. The Applicant intends to subdivide tax Lots 1 and 3 such that Zoning Lot 2 will comply with the ZR 12-10 definition of "zoning lot," as interpreted by the Department of Buildings.

private landscaped pathway on Zoning Lot 2 at 60th Street, directly across from Zoning Lot 3, and enter the private landscaped pathway on Zoning Lot 3 through an arched opening of the apartment building on Zoning Lot 3. This private landscaped pathway would provide a safe and convenient means of access to the open parking area for the residents of the buildings that would be located on Zoning Lot 2.

(2) such location of off-street parking spaces, bicycle spaces and loading berths will result in a better site plan; and

Zoning Lot 2 is located entirely within the Long Island Bay Ridge line right-of-way (the "LIRR ROW"), which cuts diagonally through Block 5516 between 15th Avenue and 61st Street to west, and 60th Street to the east. As a result of the presence of this below-grade rail infrastructure, the required accessory off-street parking spaces for Zoning Lot 2 cannot be located in a cellar or basement area, where such spaces would typically be located, and would need to be located at or above ground level, above the platform that would be constructed over the LIRR ROW. Because of the complications and expenses of constructing over a platform, the amount of density that can be accommodated on the Development Site is restricted and the Proposed Development would be predominantly comprised of low-rise residential buildings, typically four (plus penthouse) to six- stories in height. Using above-grade area on the platform to provide surface or structured parking on Zoning Lot 2 would reduce the number of dwelling units that could be built, both market-rate and income-restricted pursuant to the Mandatory Inclusionary Housing Program.

Furthermore, because of the irregular shape of Zoning Lot 2, access to street frontage is limited. The Proposed Development has been designed to accommodate a mixture of walk-up residential buildings and small apartments buildings, consistent with the existing and proposed built conditions of the surrounding area. These buildings have been carefully positioned to utilize the mid-block area of Zoning Lot 2, while also ensuring that each building has adequate access to street frontage. Utilizing the limited street frontage of Zoning Lot 2 to provide curb cuts to access accessory off-street parking areas would severely compromise the site plan.

Locating the required accessory parking on Zoning Lot 3 will result in a better site plan. Zoning Lot 3 is the only part of the Development Site that includes terra firma (Block 5509, Lot 57). As a result of the increased design flexibility resulting from the inclusion of Lot 57, an open parking area would be provided on Zoning Lot 3. 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. The open parking area would be screened by the adjacent building located on Lot 48 and by the proposed two-story retail building on Lot 41.

(3) such location of off-street parking spaces, bicycle parking spaces and loading berths will not unduly increase the number of spaces in any single block, draw excessive traffic through local streets, or otherwise adversely affect traffic conditions in the surrounding area.

The Proposed Development is not expected to negatively affect traffic conditions in the surrounding area. As discussed in detail in the Environmental Assessment Statement (EAS), no intersection in the vicinity of the Project Area is projected to experience an incremental increase of 50 or more trips at any point in the day. Therefore, significant adverse traffic impacts are not

expected to occur under the Proposed Actions, and a detailed traffic analysis is not warranted based on the *CEQR Technical Manual* guidance.

The streets that bound Zoning Lot 3 are adequate to handle the traffic resulting from the location of the open parking area. Zoning Lot 3 is bounded by 16th Avenue, to the east, which is 80 feet wide and carries two-way traffic. To the south, Zoning Lot 3 is bounded by 60th Street, which is 80 feet wide and carries two-way traffic. To the north , Zoning Lot 3 is bound by 59th Street, which is 60 feet wide and carries one-way traffic.

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

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