ATTACHMENT 11 – STATEMENT OF FINDINGS

Brooklyn Yards
Brooklyn, NY

Special Permit Pursuant to 74-533
Zoning Lot 1
Applicant's Discussion of Findings

74-533

Reduction of parking spaces to facilitate affordable housing

In all districts in the #Transit Zone#, the City Planning Commission may permit a waiver of, or a reduction in, the number of required #accessory# off-street parking spaces for #dwelling units# in a #development# or #enlargement# that includes at least 20 percent of all #dwelling units# as

#income-restricted housing units# as defined in Section 12-10 (DEFINITIONS), provided that the Commission finds that such waiver or reduction:

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

A portion of the Development Site is currently located within the Transit Zone. As part of the Proposed Actions, the Applicant is requesting a text amendment to amend Appendix I of the Zoning Resolution, to establish Blocks 5509, 5516, and 5523 as part of the Transit Zone (the "Transit Zone Amendment").

The Applicant is requesting a Special Permit pursuant to ZR 74-533 to waive the required accessory off-street parking spaces for the non-income-restricted dwelling units on Zoning Lot 1 (Block 5727, p/o Lot 14[1]) if the Transit Zone Amendment were approved.

Zoning Lot 1 would be improved with six residential buildings containing 95 dwelling units, 29 (30 percent) of which would be permanently affordable pursuant to the Mandatory Inclusionary Housing Program. Depending on which MIH Option is used, these units would be affordable to households with incomes at or below an average 115 percent of the Area Median Income ("AMI") pursuant to Option 4 (Workforce Housing) or to households with incomes at or below an average 80 percent AMI pursuant to Option 2.

[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.

If the Transit Zone Amendment were approved, accessory off-street parking spaces would not be required for units affordable at 80 percent AMI or less ("income-restricted units"). Pursuant to the Workforce Option the Proposed Development on Zoning Lot 1 would include five income-restricted units and pursuant to Option 2 the Proposed Development 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.

The entirety of Zoning Lot 1 is located within the right-of-way of the Bay Ridge line of the Long Island Railroad (the "LIRR ROW"), with freight trains running below-grade approximately one time daily. The Proposed Development would be located on a platform that would be constructed over the LIRR ROW and provide the foundation for the Proposed Development. The location of the LIRR ROW prohibits below-grade development on Zoning Lot 1, and therefore it is not feasible to locate required accessory parking below grade, as would be typical for most new developments.

In addition, the complicated and expensive nature of constructing a new development on a platform above a functioning below-grade railroad dictates what can feasibly be constructed above-grade. The proposed residential buildings on Zoning Lot 1 would all be low-rise buildings, typically four (plus penthouse) to six stories in height. An alternative development plan that accommodated parking above-grade by creating taller buildings would have a detrimental effect on light, air and streetscape for residents of the Proposed Development and the surrounding area. Furthermore, the added weight of building materials and vehicles would raise costs to a degree that would diminish the likelihood that the Proposed Development would be constructed, meaning no housing – affordable or market-rate – would be constructed on this currently underused parcel.

Finally, due to its unusual shape, Zoning Lot 1 has limited street frontage when compared to its depth. The Proposed Development has been designed to accommodate a mixture of walk-up residential buildings and small apartment buildings, consistent with the existing and proposed built conditions of the surrounding area. These buildings have been carefully positioned to use the mid-block area of Zoning Lot 1, while also ensuring that each building has adequate street frontage. Establishing curb cuts along the limited street frontage of Zoning Lot 1 would further reduce the street frontage available to access the residential buildings. This would also reduce the street frontage available for retail along New Utrecht Avenue, which is a significant component of the Proposed Development and would activate Zoning Lot 1's streetscape adjacent to the elevated train.

(b) ***will not cause traffic congestion; and***

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.

Zoning Lot 1 is well-situated near public transit, reducing dependency on private automobiles, thereby reducing the amount of traffic that would be generated by the Proposed Development on Zoning Lot 1. Two subway stations are located within one block of Zoning Lot 1 – the 62nd Street station is located immediately west of Zoning Lot 1, at New Utrecht Avenue, with service on the D line between Coney Island and Norwood/205th Street in the Bronx via Manhattan; and the New Utrecht Avenue station is located on the block immediately south of Zoning Lot 1, with service on the N line between Coney Island and Astoria via Manhattan. The B9 bus line runs along 60th Street, with stops at 14th, 15th and 16th Avenue and provides service between Bay Ridge and Kings Plaza. The B16 bus stops approximately .25 miles north of Zoning Lot 1, at 14th Avenue and 56th Street, and provides service between Prospects-Lefferts Garden and Fort Hamilton.

In addition, a bicycle route travels north-south along 14th Avenue beginning at 60th Street, one block north of Zoning Lot 1. 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.

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

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 no longer in use (i.e., they do not lead to any parking or loading) and that 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 public transit 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.