341 10th Street Rezoning
Community District 6
Brooklyn, NY
May 5, 2023

Discussion of Findings in Support of Special Permit Pursuant to ZR § 74-532

Stellar 341 LLC (the "Applicant") requests, among other actions, a special permit pursuant to ZR § 74-532 (Reduction or waiver of parking requirements for accessory parking) for a parking waiver to facilitate a LSGD of two new seventeen- and nineteen- story mixed-use buildings with approximately 319 new dwelling units, including a set aside of at least 25 percent for permanently affordable units pursuant to the Mandatory Inclusionary Housing ("MIH") program. The Proposed Development will replace existing underutilized surface parking lot at 341 10th Street in the Park Slope neighborhood within Brooklyn Community District 6. This special permit will: (1) reduce the number of required accessory parking spaces for the existing development from 189 spaces to 39 spaces and (2) waive all the required accessory parking spaces (approximately 112 spaces) for the new market rate dwelling units.

> *ZR § 74-532*
> *Reduction or waiver of parking requirements for accessory group parking facilities*
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> *The City Planning Commission may, in conjunction with an application for a #large-scale residential development# or #large scale general development# in the #Transit Zone# seeking a #bulk# modification, reduce or waive the number of required #accessory residential# off-street parking spaces, including any spaces previously required for an existing #building# on the #zoning lot#, provided the Commission finds that:*
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> > *(a) where the applicant is seeking a reduction of parking spaces required by Section 25-23 (Requirements Where Group Parking Facilities Are Provided), such reduction will facilitate the creation or preservation of #income-restricted housing units# in such #large-scale residential development# or #large-scale general development#. Such finding shall be made upon consultation with the Department of Housing Preservation and Development;*

The proposed parking waiver would permit construction of affordable housing on existing underutilized parking lots without requiring the provision of replacement parking in cost-prohibitive subsurface parking levels. The proposed waiver of the existing underutilized parking spaces will facilitate the creation of income-restricted housing units by allowing the Proposed Development to concentrate available financial resources on the production of affordable housing rather than parking. As this development is located within the Transit Zone, parking is required for fifty percent of market-rate dwelling units, but no parking is required for new affordable housing units. In addition, the MIH program requires that at least twenty-five percent of the floor area in the new buildings is permanently affordable.

The proposed waiver in parking significantly contributes to the financial feasibility of the project. Parking is expensive to provide and would impose costs that this affordable development could not recover through project revenues. Replacing the required parking would make it more difficult to finance the affordable housing and would reduce the amount of affordable housing that could be built with available funding.

> *(b) the anticipated rates of automobile ownership for residents of such #large-scale residential development# or #large-scale general development# are minimal and that such reduction or waiver is warranted;*

The anticipated rates of automobile ownership for residents of the proposed LSGD are minimal. Approximately 50% of 115 existing parking spaces are utilized by residents of the building According to the U.S. Census Bureau American Community Survey (ACS) 2016-2020 Five-Year Estimates, the vehicle availability for households in the census tract that includes the LSGD are less than the Brooklyn borough average of approximately 44.3 percent. The vehicle availability for households in census tract 139 is approximately 43.5 percent.

The modal splits used in the Environmental Assessment Statement ("EAS") reflect this low vehicle availability. The modal splits were based on census tract 139 and the surrounding census tracts 117, 121, 137, 141.01, 149.01, 151, and 153. The modal splits assumed for the proposed residential use are 13 percent automobile, 1 percent taxi, and the remaining 86 percent as either public transit or walking, including 73 percent subway, 1 percent bus, and 12 percent walking.

In addition, the Proposed Development is located within the Transit Zone. Transit Zone boundaries are mapped to encompass neighborhoods that are dense, proximate to public transportation options, and where car ownership rates are lowest. The Transit Zone geography is not based specifically on the accessibility of transit, nor does it assume public transportation use. The Transit Zone encompasses the City's densest neighborhoods, where, despite topographical or transit accessibility challenges, car-ownership characteristics among the low-income and low-income senior populations are consistent with those elsewhere within the Transit Zone. The CPC noted that car ownership rates among low-income households within the Transit Zone are 18 percent, while ownership rates among low-income senior households are even lower, only five percent. Within the Transit Zone, no off-street parking spaces are required to be built for income-restricted housing units. Discretionary actions, such as ZR § 74-532, allow for the removal of parking spaces that were previously required, or the reduction of spaces that would normally need to be built for certain other housing types. The Department of City Planning used surveys, discussions with operators of these facilities, and testimony at the public hearing from numerous local non-profit housing groups, affordable housing developers and senior groups to support the assertion that many off-street parking spaces in affordable housing and affordable senior housing are underutilized, due to a combination of low car ownership rates and the high cost of parking off-street.[1]

[1] Zoning for Quality & Affordability CPC Report, Calendar No. 3, February 3, 2016 (N 160049 ZRY).

The vehicle availability statistics for the relevant census tract, 13 percent, reflects the low vehicle ownership in the surrounding area. The modal splits in the EAS for the proposed residential use, which assumes that only 13 percent of new residents will utilize automobiles, also reflects the general lack of vehicle ownership in the area. Finally, the fact that the existing parking lot is underutilized by residents of the Existing Building suggests a current low vehicle ownership rates for the existing buildings and that the waiver is warranted.

The area is well served by public transportation with multiple options for MTA subway and bus service. The 4th Av/10th St subway station, serving the F and G lines is located on the subject block, directly west of the Project Area at the corner of 10th Street and 4th Avenue. The 9th St subway station serving the R line is located directly north of the Project Area at the corner of 9th Street and 4th Avenue. The 7th Ave subway station serving the F and G lines is located just east of the Surrounding Area at the corner of 9th Street and 7th Avenue (this station is accessible by the B61 bus line). The Surrounding Area is also served by the following bus lines: (1) B61, which extends from downtown Brooklyn to Red Hook, and provides access to the 9 St R subway station; (2) B63, which extends from Bay Ridge to Pier 6 Brooklyn Bridge Park; and (3) B103, which extends from downtown Brooklyn to Canarsie, and provides access to the 4th Av/10th St F and G subway station.

Furthermore, the proposed LSGD incorporates urban design principles to enhance the pedestrian experience and promote a walkable community. These factors in the aggregate demonstrate the transit and pedestrian-oriented nature of the neighborhood, which support the requested parking waiver.

> *(c) such reduction of parking spaces will not have undue adverse impacts on the residents, businesses or #community facilities# in the surrounding area, including the availability of parking spaces for such #uses#; and*

The project EAS determined that, while utilization of off-street parking spaces is expected to increase due to the automobile trips generated by the Proposed Development, the additional parking demand would not result in a significant shortfall or impact. The EAS contains an inventory of off-street parking within 1/4-mile of the Project Area. The off-street survey provided an inventory of the public parking facilities and their legal capacities and utilization levels during the weekday midday and overnight periods (based on responses provided by parking attendants and visual inspections). Within 1/4-mile of the Project Area, the EAS determined that there are approximately 253 and 182 off-street parking spaces during the weekday midday and overnight, periods, respectively. Of the total number of spaces, 27 and 103 spaces were available during the weekday midday and overnight periods resulting in off-street parking utilization rates of approximately 89 and 43 percent, respectively.

Based on the existing parking supply and demand utilization, and the parking demand generated by the Proposed Development, off-street parking utilization is expected to increase to 128 and 116 percent during the weekday midday and overnight peak periods, respectively, with shortfalls of 72 and 29 spaces within 1/4-mile of the Project Area. Per the *CEQR Technical Manual,* these shortfalls would not be considered a significant shortfall or impact, since the Proposed Development is located within Parking Zone 2. Motorists could choose other modes of transportation (bicycles, subway, bus, walk, or taxi) or find off-street parking beyond a ¼-mile walk from the Project Area

> *(d) such reduction of parking spaces will result in a better site plan. In determining the amount of parking spaces to reduce or waive, the Commission may take into account current automobile ownership patterns for an existing #building# containing #residences# on the #zoning lot#, as applicable.*

The requested waiver of 150 parking spaces allows for flexibility of design and efficiency of the overall site layout. Meeting the parking requirement in the Proposed Development will require the development of subsurface parking garages, which, as noted above, would be both prohibitively costly and unproductive, since the existing parking lots remain underutilized. Whereas the existing site plan creates inactive voids in the neighborhood, the above modifications will contribute to a better site plan and a better relationship among the proposed buildings and open areas to adjacent streets, surrounding development, and adjacent open areas than would be possible without. New commercial and community facility spaces will bring additional retail and services to the neighborhood residents, and the new, denser mixed-use developments along 9th and 10th Streets will activate and enliven the streetscape. The proposed LSGD will thus benefit both the occupants of the LSGD, the neighborhood, and the City as a whole.

> *The City Planning Commission may prescribe additional conditions and safeguards to minimize adverse effects on the surrounding area.*