Project Description
Innovative Urban Village (ENY CCC)
Project ID 2019K0038
February 10, 2022

1. Introduction

Innovative Urban Living, LLC (the "Applicant") respectfully requests the following actions (the "Proposed Actions") with respect to Brooklyn Block 4434, Lots 1 and 10 and Block 4430, Lot 1 within Brooklyn Community Board 5 (the "Development Site"), which is owned in fee by an affiliate of the Applicant, and Block 4431, part of Lots 70 and 100 and Block 4434, part of Lot 60 (together with the Development Site, the "Project Area"):

1. A zoning map amendment to change the existing R5 district covering the Project Area to an R7-2 district with a C2-4 commercial overlay;
2. A zoning text amendment to Appendix F of the Zoning Resolution (ZR) to designate the Project Area as a Mandatory Inclusionary Housing (MIH) area, Option 1;
3. A zoning text amendment to Appendix I of the Zoning Resolution to expand the boundary of the Transit Zone to include the Development Site.
4. A special permit pursuant to ZR 74-743(a)(2) to locate buildings within a large-scale general development at the Development Site without regard to yard, distance between buildings, and height and setback regulations;
5. A special permit pursuant to ZR 74-512 to permit a public parking garage at the Development Site with 500 spaces, including 45 spaces located on the roof of the public parking garage.

The Proposed Actions would facilitate the development of a mixed use, purpose-built development on the site of the Christian Cultural Center (the "CCC"), comprised of income-based affordable housing, a performing arts center (the "PAC"), a grocery store, local retail, and a variety of community facilities targeted to the civic, economic, educational and cultural needs of the East New York neighborhood, in addition to passive publicly-accessible open space and other active open space areas that will serve the Development Site and the surrounding neighborhood (the "Proposed Development"). The Proposed Development would include approximately 1,532,105 square feet of new residential floor area, approximately 107,253 square feet of new retail/commercial floor area, and approximately 97,876 square feet of community facility floor area including the existing CCC building, totaling approximately 1,737,234 square feet of floor area. In addition, existing open parking spaces (which are currently located in an approximately 150,000-square foot open parking lot surrounding the CCC), would be relocated into a new, approximately 191,633-square foot public parking garage (the "Garage").[1]

2. Background

The Project Area is located at the northwestern end of the peninsula between Fresh Creek and Hendrix Creek, both inlets of Jamaica Bay. It is comprised of Brooklyn Block 4434, Lots 1, 10, and part of Lot 60, Block 4431, part of Lots 70 and 100, and Block 4430, Lot 1, and is bounded by Flatlands Avenue, Louisiana Avenue, and Pennsylvania Avenue. The Development Site comprises a large majority of the Project Area and has a lot area of 10.3 acres (449,653 sf).

The Project Area was zoned R3-2 at the time of the adoption of the current Zoning Resolution in 1961, at which time the Project Area was configured as distinct blocks separated by mapped unimproved streets identified as Malta Street, Alabama Avenue, Georgia Avenue, and Sheffield Avenue on the City Map.

[1] Inclusive of the Garage, the Proposed Development would have a total floor area of approximately 1,928,867 square feet of floor area.

In 1980, the southern portion of the project block, including a small portion of the Project Area was rezoned to R5 to facilitate the development of the Vandalia Avenue housing complex (C 800248 ZMK), consisting of two ten-story residential buildings for the elderly flanking a one-story senior citizen center. In addition to the rezoning, the 1980 actions included changes to the City Map including the mapping of Dale Place between Alabama and Georgia Avenues in the Project Area and the elimination of Malta Street and portions of Alabama and Georgia Avenues from the City Map (C 800243 MMK).

The R3-2 zoning designation remained on the majority of the Development Site until 1992, when the remainder of the project block, including the remainder of the Project Area was rezoned to R5 to facilitate a proposed large-scale residential development known as Fresh Creek Estates (C 900891 ZMK). In addition to the rezoning, an amendment to the City Map was also approved at that time eliminating the mapped but unbuilt Dale Place, Alabama Avenue, Georgia Avenue, and Sheffield Avenue from within the Project Area, and widening and rounding the intersection at the southeast corner of Flatlands Avenue and Louisiana Avenue (C 900890 MMK). Special permits were also approved allowing for (i) an accessory group parking facility with a maximum capacity of 477 spaces, and (ii) the modification of front yard, street wall, height and set back, and minimum spacing regulations, together with an authorization allowing an aggregate width of street wall in excess of 185 feet (C 900892 ZSK). The Fresh Creek Estates proposal included 477 affordable housing units to be developed within three-story townhouse apartment buildings, with on-site accessory parking and interior roadways. However, the project was never realized, and the Development Site remained undeveloped until approximately 1997 when the construction of the CCC was commenced. The Development Site has remained unchanged since completion of the CCC around 2000, with the exception of at grade improvements to facilitate surface parking associated with the CCC.

Land Use Actions in the Surrounding Area. In addition to the actions noted above relating to the Vandalia Avenue housing complex, a number of zoning map amendments have occurred in the Surrounding Area (defined below) since the adoption of the 1961 Zoning Resolution.

There was a 1966 rezoning of the superblock east of Pennsylvania Avenue from an R3-2 district to C4-2 and R5 districts (CP-18730) to facilitate the construction of a housing development and shopping center. The plans for this project were subsequently abandoned, and the portion of the superblock zoned C4-2 was rezoned to R5 in 1967 (CP-19815). Later that year, the superblock to the south of Vandalia Avenue was rezoned to R5 (CP-20066). These two rezonings were undertaken in contemplation of the Spring Creek Towers (formerly Starrett City) complex developed in the early 1970s in these locations pursuant to an approval pursuant to a plan for a State-aided development also approved in 1967 (CP-20014). In 1972, a portion of the complex was rezoned from R5 to C4-3 and a C1-1 overlay was established over a separate portion to allow for the development of accessory shopping and community facilities (CP-21930) and various authorizations and special permits were granted to facilitate the large-scale residential development (CP-21931). A few years later, in 1975, the portion of the complex over which the C1-1 overlay was mapped was rezoned to C4-3 (CP-23101).

Other historic rezonings in or partially within the Surrounding Area include:

- the mapping of a C2-2 commercial overlay on two blocks to the northeast of the Project Area along Pennsylvania Avenue in 1973 (CP-22531)
- the mapping of a C2-2 commercial overlay on the block immediately west of the Project Area 1979 (M 770445A ZMK)
- the rezoning of the areas west of Fresh Creek from R4 and R5 to a mixture of R3 (including R3X and R3-1), R4 (including R4A and R4-1), and R5 (including R5B and R5D districts) in 2009 (C 090313 MMK)

3. Description of the Surrounding Area

The area within 600 feet of the Project Area (the "Surrounding Area") is comprised of the neighborhoods of East New York to the north, east, and south and Canarsie to the southwest and west. The Surrounding Area is located partially in Brooklyn Community District 5 and partially

in Brooklyn Community District 18. Much of the Surrounding Area is located on the peninsula between Fresh Creek and Hendrix Creek, both inlets of Jamaica Bay, with the remaining areas located to the west of Fresh Creek or just north of the peninsula. The Surrounding Area includes the two major thoroughfares: Flatlands Avenue, which runs east-west and provides access to Flatbush Avenue, Utica Avenue, Ralph Avenue, Remsen Avenue, and Rockaway Parkway; and Pennsylvania Avenue, which runs north-south and includes an access point to the Shore Parkway (also known as Belt Parkway), an arterial highway to the south of the Surrounding Area. The Surrounding Area is well-served by mass transit, including the following bus lines:

- BM2 Express and BM5 Express, which are express routes that commence at Starrett City and end in Manhattan. The BM2 provides access to Downtown Manhattan while the BM5 provides access to Midtown Manhattan.
- B6, which extends from East New York to Coney Island, and provides access to the Rockaway Parkway L subway station.
- B60, which extends from East New York (starting a block from the Project Area) to Williamsburg, and provides access to the Rockaway Parkway L subway station.
- B82 and B82 Select Bus Service (SBS) which extend from Starrett City to Coney Island, and provide access door-to-door connection to the Rockaway Parkway L subway station (five stops away for B82, two stops for the B82 SBS). The B82 SBS only runs on weekdays.
- B83, which extends from Gateway Shopping Center to the Broadway Junction subway station (served by the A, C, J, L, and Z subway lines). The B83 bus line also provides access door-to-door connection to the Pennsylvania Avenue 3 subway station (an approximately 20-minute ride).
- B103 limited bus lines, which provides access to Downtown Brooklyn.

The East 105th Street and the Canarsie - Rockaway stations on the L Subway line are located to the northeast of the Surrounding Area. The stations are an approximately 15 and 20 minute walk from the Project Area, respectively, and the Canarsie - Rockaway station is directly accessible from the B82 and B82 SBS bus lines and also the B6 and B60 lines. The Pennsylvania Avenue station on the 3 Subway line is located to the north of the Surrounding Area. The portion of the Surrounding Area located to the north of Flatlands Avenue is located within a Transit Zone, as set forth in Transit Zone Map 12 in Appendix I of the Zoning Resolution. Car ownership in the Surrounding Area is approximately 0.3 cars per household, based on census tract data for the Project Area (census tract 1058.04) and Starrett City (tract 1058.01). Across the Brooklyn transit zone, there is an average of 0.47 vehicles per household, and the overall average vehicle ownership rate for the entire borough of Brooklyn is 0.57 vehicles per household.

Zoning

Zoning in the Surrounding Area is comprised of a mixture of residential and manufacturing zoning districts, with commercial overlay zones mapped to the northeast along Pennsylvania and New Jersey Avenues and to the southwest along flatlands and Louisiana Avenues as more fully described below.

Across Flatlands Avenue to the north of the Project Area is a mapped M1-1 zoning district, which is also designated as the Flatlands/Fairfield Industrial Business Zone and which is within the Transit Zone. M1-1 zones allow for manufacturing uses subject to high performance standards, and many commercial uses as of right, but most large retail uses and hotel uses are only allowed by special permit. Self-storage uses in this area also require a special permit as this area is located in the industrial business zone. Residential uses are prohibited, and the only community facility uses allowed as of right are diagnostic and ambulatory care facilities and houses of worship. M1-1 zones permit a floor area ratio of 1.0 for commercial and manufacturing uses, and an FAR of 2.4 for permitted community facility uses. M1-1 zones allow for a street wall height of the lesser of two stories and 30 feet. Above this height developments must set back at least fifteen feet from wide streets and 20 feet from narrow streets and fit within a sky exposure plane that has a vertical height of one foot for every one foot of horizontal run. Parking requirements vary depending on use in M1-1 zones and range from 1

space for every 200 sf of food store space and one space for every 300 square feet of office and retail space to 1 space for every 2,000 square feet of storage type use.

The remainder of the Surrounding Area is mapped as an R5 zoning district, with the portion north of Flatlands Avenue also within the Transit Zone. R5 districts are widely mapped in certain neighborhoods in the outer reaches of Brooklyn, Queens, and the Bronx, and permit residential and community facility uses listed in Use Groups 1 through 4. Commercial and manufacturing uses are not allowed in absence of a commercial overlay. R5 districts allow for a maximum FAR of 1.25 for most residential uses[2] and 2.0 for community facility uses. Buildings in R5 districts are subject to a front yard requirement of 10 feet[3] and side yards ranging in depth from five feet to 10% of the aggregate width of the streetwalls is required. Height and setback regulations for residential buildings permit a maximum front wall height facing the required yard of 30 feet[4]. Above this height, a setback of 15 feet is required, and within the setback distance, no portion of the building or other structure, including the apex of a roof, may penetrate a plane rising from the maximum street wall height, at 20 degrees to the horizontal. The maximum overall height of residential buildings in R5 districts is limited to 40 feet.[5] Community facility buildings are limited to a maximum street wall height of 35 feet and must thereafter fit within a sky exposure plane having a vertical run of one foot for every one foot of horizontal run. Community facility buildings in R5 zones are also subject to a side setback requirement such that any portion of a community facility building above the base height of 35 feet must be set back from a side lot line by an amount equal to one-half the height of the building. Within the Transit Zone, no parking is required for new income-restricted housing units[6]. Outside the Transit Zone, new income-restricted housing units generate a parking requirement at a rate of one space for 42.5% of units. For market-rate residential units providing parking in group parking facilities, one space is required for 85% of new dwelling units. Parking requirements for community facility uses vary depending on use.

Portions of the Surrounding Area south of Flatlands Avenue and west of Louisiana Avenue and north of Flatlands Avenue and east of Pennsylvania Avenue are also mapped with commercial overlays that extend over the R5 district designations. In particular: (i) a C2-2 commercial overlay is mapped on the east side of Pennsylvania Avenue (also known as Granville Avenue) for the two full blocks between Flatlands and Wortman Avenues; (ii) a C2-1 commercial overlay zone is mapped along Flatlands Avenue to the west of Louisiana Avenue to the US pierhead line in Fresh Creek Basin (a depth of roughly 300 feet from Flatlands); and (iii) a C2-2 commercial overlay zone is mapped on the west side of Louisiana Avenue into the Fresh Creek Basin, commencing at the prolongation of the US pierhead line at Fresh Creek basin and extending to a point 865 feet from Flatlands Avenue. For C2-2 and C2-1 area, commercial uses listed in Use Groups 5 through 9, and 14 are allowed with some limitations, and the maximum permitted FAR for commercial uses is 1.0. Community facility and residential uses are also allowed as permitted by the underlying R5 district. Within the commercial overlays, parking requirements vary depending on use. For example, within the C2-2 overlay zones, parking is required at a rate of 1 space for every 200 sf of food store greater than 2,000 square feet and 1 space for every 300 square feet of office and retail space. Within the C2-1 overlay districts, 1 space for every 100 sf of food store greater than 2,000 square feet and 1 space for every 150 square feet of office and retail space is required.

Just outside the Surrounding Area to the west of the Project Area along Flatlands Avenue is a mapped R5D zoning district with a C2-3 overlay. R5D districts are designed to serve as a transition between lower-density districts and moderate-density districts and are typically characterized by moderate-density multi-family housing. Residential, community facility, and commercial uses are permitted within this district, up to a maximum of 2.0 FAR.

Land Use.

[2] "Affordable independent housing for seniors" is permitted to an FAR of 1.95.
[3] For residential uses, if a building is set back more than ten feet from the adjoining street line, it must be set back at least 18 feet to provide adequate room for a parking space.
[4] On corner lots, this 30 foot maximum street wall height applies only one street frontage.
[5] Affordable independent housing for seniors are subject to somewhat more flexible height and setback controls.
[6] Except where such units are located in an affordable independent residence for seniors.

As described below, land uses in the Surrounding Area include a variety of low-rise and taller residential buildings, including a number of multi-building housing projects, community facility space, neighborhood retail, and one and two story commercial, warehouse, and auto repair buildings, open spaces, and utility buildings.

Much of the southern and eastern portions of the Surrounding Area, is occupied by Spring Creek Towers (formerly Starrett City), a 140-acre affordable housing complex opened in 1974 that contains over 5,800 residential units in 46 towers-in-the-park buildings ranging in height between 10 and 20 stories. The complex includes a community center, two schools, a self-sustaining utility plant, and indoor and outdoor athletic facilities for the residents. The Spring Creek Towers project also includes 4,600 accessory parking spaces, of which, approximately 2,400 are rented by Spring Creek tenants. To the east of Spring Creek Towers along Hendrix Creek is the New York City Department of Environmental Protection's 26th Ward Wastewater Treatment Plant. To the southeast of the Spring Creek Towers is large grocery store, located just outside the Surrounding Area.

A 1980s one-story commercial complex with restaurants, a bank, local retail uses and a supermarket is located just west of the Project Area across Louisiana Avenue. The complex is comprised of two tax lots under separate ownership. Just south of these commercial complexes are several three-story one and two family buildings.

In addition to Spring Creek Towers, the Surrounding Area includes a number of other affordable housing properties. Immediately south of the Development Site are the New York City Housing Authority's (NYCHA) Vandalia Avenue complex, consisting of two ten-story residential buildings for the elderly flanking a one-story senior citizen center, and Council Towers development, comprised of three 12-story buildings which provide assisted living housing for low-income seniors.[7] Northwest of the Project Area just outside the Surrounding Area is the 65-acre, 1,600-unit Breukelen Houses complex, which extends from East 103rd Street to Louisiana Avenue and consists of 30 tower in the park buildings of three or seven stories in height. Also just outside the Surrounding Area to the northeast is NYCHA's 21-building Linden House complex also with tower in the park buildings which range in height between 8 and 16 stories. These surrounding NYCHA housing developments were generally built between the 1950s and 1970s.

The northern portion of the Surrounding Area north of Flatlands Avenue between Louisiana and New Jersey Avenues includes low-rise, primarily one-story commercial, warehouse, and automotive service buildings constructed in the 1950s and 1960s. Businesses in this area include used car sales, auto repair, auto parts stores, transportation and busing businesses, and self-storage, along with mixed retail and commercial businesses. Also within this portion of the Surrounding Area is the Spring Creek Library, at the corner of Flatlands Avenue and New Jersey Avenue.

Historic Resources. There are no notable historic resources in the Surrounding Area.

Open Space. The primary open space within the Surrounding Area are the Breukelen Ballfields at the northwest corner of Flatlands and Louisiana Avenues, a 16.16-acre mapped[8] City Park containing baseball fields, handball courts, children's playgrounds, spray showers, and public restrooms. In addition to this asset, portions of the Fresh Creek Nature Preserve borders the creek's east and west sides at within and just beyond the western edge of the Surrounding Area and are accessible to the public for passive recreation uses such as birdwatching. While not open to the public generally, Spring Creek Towers includes a variety of outdoor recreation spaces for its tenants, including active play areas for children with seating, basketball, gardens and plantings. South of Spring Creek Towers is the Shirley Chisholm State Park, a recently-created open space offering 10 miles of biking and hiking trails, waterfront access, picnicking, fishing, free bike rentals, and guided bird walks.

[7] A narrow strip of this development of varying widths no greater than approximately 15 feet at its widest is located within the Project Area.
[8] Park established pursuant to CP-10513 on April 14, 1954.

Other Land Use Policies. The entirety of the Project Area and Surrounding Area is designated as a FRESH Zone. West of Louisiana Avenue, the FRESH designation allows for discretionary tax incentives to encourage the development of FRESH grocery stores. East of Louisiana Avenue, both zoning and tax incentives are available.

The Flatlands/Fairfield Industrial Business District is mapped in the Surrounding Area north of Flatlands Avenue between Louisiana and Pennsylvania Avenues. Industrial Business Zones (IBZs) are areas where expanded business services are available for industrial and manufacturing businesses. This designation fosters high-performing business districts by creating competitive advantages over locating in areas outside of New York City.

4. Description of the Project Area

The Project Area is bounded by Flatlands Avenue (a wide street with a width of approximately 110 feet) to the north, Pennsylvania Avenue (a wide street with a width of roughly 120 feet) to the east, Louisiana Avenue (a narrow street with a width of roughly 70 feet) to the west, and an irregular boundary on its southern edge located 245 feet north of Vandalia Avenue within 256 feet of Louisiana Avenue, then to depths ranging from 550 feet, 370 feet and 295 feet from Flatlands Avenue moving west to east across the Project Area. The Project Area encompasses the northern portion of the block bounded by Flatlands Avenue, Pennsylvania Avenue, Louisiana Avenue, and Vandalia Avenue and includes the beds of several formerly mapped but unbuilt streets that, as noted above, were eliminated from the City Map in the 1980's and 1990's.

Like much of the Surrounding Area, the Project Area is currently mapped within an R5 district. As described above, residential and community facility uses are permitted in R5 zones, limited to a maximum FAR of 1.25 for most residential uses[9] and 2.0 for community facility uses. Lot coverage is limited to 55% for residential uses and limited to 60% for corner lots and 55% for interior lots for community facility uses.

The Project Area is comprised of the entirety of the Development Site and a narrow strip of land located along the southern boundary of the Development Site, and also includes the adjoining beds of Pennsylvania, Flatlands, and Louisiana Avenues, to their centerlines. The strip of land varies in width from 0 inches where it is coincident with the southwest corner of the Development Site to approximately 15 feet, 6 inches and is unimproved except for paving and landscaped areas associated with the Vandalia Houses and Council Towers development to the south.

The Development Site runs along the full length of Flatlands Avenue from Louisiana Avenue to Pennsylvania Avenue to a depth as measured from Flatlands Avenue of up to approximately 597 feet, 6 inches along Louisiana, a depth of approximately 369 feet, 6 inches in the midblock, and a depth of approximately 291 feet along Pennsylvania Avenue. Overall the Development Site has a lot area of approximately 10.3 acres, or 449,653 square feet. Approximately 562,066.25 square feet of residential floor area is permitted at the Development Site under the present zoning controls, and 899,306 square feet is allowed for community facility uses.

The Development Site is currently improved with an approximately 90,000 square foot (0.2 FAR) two story non-denominational house of worship (the "CCC") constructed from approximately 1997 to 2000, which is situated on the western portion of the Development Site.

The CCC building has a footprint of approximately 56,050 square feet and is set back approximately 90 feet, 6 inches from Louisiana Avenue at its closest point and 129 feet from Flatlands Avenue. Paved parking areas containing 385 spaces surround the CCC building on all sides on the western portion of the Development Site except in the northwest quadrant, which is occupied by a fenced, landscaped, entry plaza leading to the CCC building. The CCC building and paved parking areas are accessed from one curb cut on Flatlands Avenue opposite Alabama Avenue and two curb cuts on Louisiana Avenue.

[9] "Affordable independent housing for seniors" is permitted to an FAR of 1.95.

The eastern portion of the Development Site is unimproved and used for overflow parking when necessary for services and for other events. Prior to the pandemic, the overflow parking area was used by churchgoers on Sunday with a capacity of between 350 and 440 spaces, and was vacant at other times. In the past two years, since the start of the pandemic, the unpaved lot has not been needed as a result of the increase in the number of congregants attending service virtually. The eastern portion of Development Site has on occasion been occupied by temporary uses associated with the CCC and for roughly the past year, for school bus parking.

The CCC serves as a "third place" for people to gather in worship, prayer, learning, and community service, with approximately 12,000 members attending in-person[10] on a regular basis and over 60,000 individuals attending virtually at different times. The primary space in the CCC building is a large worship center which currently has a capacity of approximately 3,800 persons. Other spaces in the building are used for the CCC's youth ministry, children's ministry, and kindergarten. In addition to the main worship center, the CCC building includes a lobby space, which can double as a banquet space, a chapel, a number of classrooms and conference rooms, a café space which is used as a public gathering space, and a meditation space. Throughout the CCC building are a number of religious historical artifacts and works of art and architecture which highlight Christian history as well as showcase symbols of faith and tradition of other religions.

All of these spaces are made available to the public, community groups, city agencies, and businesses in the area on a regular basis and for a wide range of purposes consistent with the values of the CCC, including for worship, weddings, funerals, baby dedications, counseling, graduations (ex. for the FDNY), banquets (ex. an interfaith meeting of 150 clergy), organization meetings (ex. Alcoholics Anonymous), organizational needs (ex. large training orientations, employment application screening center), and vocational training (construction, electrical, plumbing, and culinary). The CCC also uses its capacity virtually, through its administration and virtual teachings for the New School of Biblical Theology.

The CCC serves as a center to the surrounding community not only through its gospel and by providing a physical gathering space, but also through its support of the community at large. In particular, the CCC's largest community impact is through its food assistance program, which fed over 100,000 people per year in the last two years, including through home delivery to seniors and emergency response to disasters such as Hurricane Sandy, where the CCC provided food and also blankets and generators to those in need. Among its many community service accomplishments, the CCC has provided a computer lab to a local school, provided backpacks of school supplies to children in the neighborhood, and rebuilt homes in New Orleans. The CCC also leverages its capacity, including its roughly 1,500 volunteers, to assist smaller churches in their ministries, by raising money through corporate sponsorships, and by joining forces with other existing organizations to provide community services locally and abroad. The Proposed Development, will increase the CCC's capacity to respond to the needs of the community and further these efforts.

5. Description of the Proposed Development

The Applicant is proposing to redevelop the surface parking and overflow areas on the Development Site with a vibrant mixture of community facility, commercial, and residential uses targeted at creating a sustainable, affordable neighborhood anchored by the presence of the CCC and targeted at addressing a number of economic, social, educational and cultural needs of the neighborhood. Overall, the Proposed Development would locate 10 new buildings in the Development Site, while maintaining the CCC building, including eight predominantly residential buildings, a performing arts center (the "PAC") and a public parking garage to accommodate the parking needs of the CCC and the other commercial and community facility uses in the Proposed Development. A publicly accessible open space network would complement the new development and create a neighborhood amenity, and a private street network would be introduced to minimize traffic on the surrounding streets and invite the community into the Development Site. A description of each component follows.

[10] Prior to COVID.

a. *Residential Program*

The eight predominately-residential buildings will contain approximately 2,050 dwelling units in total. All of these dwelling units will be affordable to households with a range of incomes between 30 percent and 100 percent of the area median income (AMI), with 75% of the units targeted for households with incomes at or below 80 percent of the AMI. The range of income levels will allow residents to remain within the development as their economic status improves. Each residential building will contain between approximately 179 and 315 dwelling units.

The proposed residential buildings would front on each of the perimeter avenues and on the private streets introduced on the eastern end of the Development Site, creating a strong street presence and allowing for opportunities for local retail in the base of the buildings. The buildings will have undulating roofline to provide visual interest, with maximum heights ranging from 12 to 15 stories. The residential buildings would range in maximum height from approximately 128.72 to 160.87 feet, with heights ranging between approximately 19.79 and 154.84 feet within 10 feet of Flatlands Avenue, heights ranging between 20.87 and 160.87 feet within 10 feet of Pennsylvania Avenue, and heights ranging between 114.17 and 134.17 feet within 15 Louisiana Avenue. Each residential building will have a variety of roof heights and base heights to break up the scale of each building and provide visual interest within and surrounding the Development Site. On the interior of the Development Site, several of the buildings will include maisonette units with multiple entrances, establishing a lower scale near the interior streets before stepping up to the full height of the buildings.

Portions of the street wall of each building along Flatlands and Building 7 and 8 along Louisiana Avenue will be recessed a minimum of five feet at a height no higher than the roof of the second floor. The proposed heights are reflective of other buildings in the Surrounding Area, including the adjacent Spring Creek Towers, but by locating the buildings at the street line rather than in "the tower in the park" form of Spring Creek Towers, the Proposed Development will bring life and activity to the surrounding streets. Organizing the residential buildings in this manner also allows for the center of the Development Site to be devoted to the Central Quad and community facility core described below.

Accessory residential parking would be located mostly below-grade, with some portions located at ground level, screened from view by active ground floor uses. Residential parking will be located in the in the cellars of Buildings 1 and 2 and accessed by a single ramp located in Building 2. Similarly, Buildings 3 and 4 will contain sub-grade residential parking, which will be accessed via a ramp located in Building 4. The ramps will be located off of the private street system, which will connect to Flatlands and Pennsylvania Avenues. Residential parking will also be provided in the cellar of Building 9 and 10, as well as at the ground level tucked behind commercial and community facility uses, and be accessed via the private street system which connects to Louisiana Avenue. Parking for the residential portion of the Proposed Development would be pursuant to zoning as modified by the proposed zoning text amendment, which would require a minimum of 256 spaces based on the anticipated residential program. It is anticipated that approximately 386 spaces would be provided between the three garages.

b. Local Retail Program

The residential buildings will contain ground floor commercial and community facility uses facing outward, including a grocery store and local retail shops fronting on the perimeter avenues to activate the streetscape. Transparency requirements along frontages facing the surrounding streets will ensure visual interest to the surrounding neighborhood. These retail elements are intended to provide opportunities for local businesses along the public and private street frontages which will address the everyday needs of residents of the Proposed Development as well as the surrounding community, including medical, pharmacy, fresh groceries, dining, and personal services. The

proximity of the retail to the residential uses will provide a walkable experience, limiting the need for vehicular transportation to access such uses.

c. Community Facility Program

The CCC building would remain at its current location and would continue to be the dominant feature of the Development Site to serve its parishioners and the surrounding community. The CCC would also be part of a multi-faceted community facility program, including anticipated uses such as:

- An approximately 16,005 square foot performing arts center (PAC), located directly south of the Central Quad which will contain a performance space, meeting spaces for community gatherings and meetings, lobby, and support spaces to facilitate performances including plays, musical events, and speakers.
- A 24-hour[11] daycare facility containing approximately 11,950 square feet of floor area, located to the east of the Central Quad, within Building 4. The daycare will serve residents of the Proposed Development and the surrounding community and will have an outdoor playground, located to the rear of Building 4.
- An approximately 13,675 sf vocational training facility to be located within the CCC which will build upon CCC's existing vocational training efforts by providing a dedicated educational space that will allow for the opportunity to provide skills and workforce training to members of the community. Collaboration with local labor groups will be pursued to provide trainees with opportunities for workforce hiring.

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d. Publicly Accessible Open Space

A network of publicly accessible open spaces will be built on the Development Site as part of the Proposed Development.

A primary open space and organizing element for the projects as a whole is the "Central Quad" a landscaped, approximately 22,800 sf public accessible open space that will be located roughly in the center of the site. Central Quad would be located to the east of the CCC and north of the PAC, and would be visible and accessible from Flatlands Avenue with views highlighted by an arcade with a depth no less than 20 feet and at least 12 feet in height. The Central Quad would be open to the public at regular hours and is envisioned as a central gathering and programming space for both the Proposed Development and the community at large (ex. by providing a venue for family-oriented outdoor concerts and celebrations of holidays). The Central Quad is expected to be used for public gatherings, such as outdoor performances, holiday markets, art installations, a farmers market, and other outdoor events. During non-events, the space would be used by project residents and neighbors as a place to sit, relax, read, and meet friends and neighbors.

In addition to the Central Quad, a more formal landscaped and paved approximately 14,600-sf entry plaza will be located at the corner of Louisiana and Flatbush Avenues. This amenity will include plantings and seating and, like the Central Quad, would be open during regular hours. This amenity will also serve as the primary access point for pedestrians coming to the CCC for services or other events.

Finally, an approximately 11,800 square foot outdoor playground adjacent to Building 4 will offer residents of the Proposed Development and the surrounding community an active recreation space for children. It is expected that this amenity will be open between the hours of dawn and dusk.

[11] Subject to review by the Office of Children and Family Services, Administration for Children's Services, and other agencies.

e. Public Parking Garage

A 7-story 500 space managed parking garage with rooftop parking will be in the southwest corner of the site near the CCC and PAC.[12] The Garage will serve as a replacement to the surface parking that exists today - allowing for the vibrant reuse envisioned by the Proposed Development and will provide both the needed parking for the CCC as well as the required parking[13] for the commercial and community facility uses included in the Proposed Development. At times when the full capacity of the Garage is not needed the roof will be used as an additional active open space providing recreational play space for the public. The entrance to the Garage is set well back from Louisiana Avenue and will be accessed by a private driveway to avoid queueing and unnecessary congestion on the surrounding streets.

f. Private Street System

A privately-owned, publicly accessible street system would be introduced into the Development Site aligned with the adjoining street grid to invite people into the Proposed Development and create a more walkable environment. The private street system will break up the superblock, providing the opportunity to move away from the tower-in-the-park form of development predominant in nearby areas and instead introduce a building form that better engages the streets and that invites public access into the site by blurring the boundary between the publicly and privately owned property along the new street system. The private streets will be built to DOT standards and will provide vehicular and pedestrian access to the eastern half of the Development Site at all times. The private streets on the western portion of the Development Site wrapping around the northern and western edges of the Central Quad are expected to be used for vehicular traffic only during periods where there are services or other high activity uses at the CCC. At other times these streets will closed to cars but remain open for pedestrians, providing another amenity for the community.

g. Phasing

It is anticipated that the Proposed Development will be constructed in several phases, during which time the CCC will remain operational. Phase 1A will consist of Buildings 1 and 2, located in the easternmost portion of the Development Site adjacent to Pennsylvania Avenue. Buildings 3 and 4, located just west of Phase 1A, and the Garage will be constructed in Phase 1B, which is currently contemplated to occur following Phase 1A. During this time, sufficient parking for CCC will be provided on the paved parking lot. Upon completion of the Garage, congregants and visitors to the CCC will be able to utilize the Garage for parking, with access provided via the existing paved parking lot, allowing for construction of the later phases while maintaining necessary parking for CCC services. Phase 2A and Phase 2B, which may be constructed in any order or simultaneously, will include Building 5 and Building 6 located to the north of the CCC along Flatlands Avenue, and the PAC and quad, respectively. Phase 2B will also include the construction of the final leg of the private streets providing permanent access between the Garage and Louisiana and Flatlands Avenues. Building 7 and 8 (which is a single building with two portions) located to the west of the CCC along Louisiana Avenue will be constructed in Phase 3A and Building 9 and 10 (which is also a single building with two portions) at the southwestern corner of the Development Site adjacent to the Garage will be constructed in Phase 3B.

In total, the Proposed Development is anticipated to include approximately 1,532,105 square feet (3.41 FAR) of new residential floor area and approximately 2,050 dwelling units, approximately 107,253 square feet (0.24 FAR) of new retail/commercial floor area, and

[12] During church services, vehicles will be able to leave the Garage via a secondary access provided on Flatlands Avenue.
[13] Based on the anticipated community facility and commercial program, the total number of required parking spaces for the proposed community facility and commercial program is 114 spaces but would need to comply with ZR 36-21 if the program mix changes.

approximately 97,876 square feet (0.22 FAR) of community facility floor area including the existing CCC, totaling approximately 1,737,234 square feet (3.86 FAR) of floor area, and approximately 175,113 square feet of publicly accessible open space, inclusive of the Private Street Network. The new public parking garage will add an additional approximately 191,633 square feet (0.43 FAR), for a total floor area on the Development Site of approximately 1,928,867 square feet, for a total FAR on the Development Site of 4.29.

The Proposed Development would expand the City's current affordable housing stock by introducing 2,050 affordable units across the Proposed Development. Moreover, the Proposed Development would expand facilities currently serving study area residents through the construction of the PAC, a trade school, and a daycare. In doing so, the Proposed Development would be supportive of several city policies for promoting affordable housing, including Housing New York 2.0, and OneNYC 2050.

The Proposed Development is focused on meeting the needs of a significant portion of the population in East New York and in Brooklyn at large by providing workforce housing at the very low, low, and moderate income housing brackets. According to the U.S. Census Bureau's 2019 American Community Survey data, a three person household in Brooklyn Community District 5 (East New York & Starrett City) has a median income of $56,347, approximate to the 50% AMI band set by the NYC HPD. Utilizing this data point as a reference, the Proposed Development will fill the need for affordable housing in the area by providing housing within the 30%-100% AMI band, with 50 percent of units at 60 percent of AMI or less. 25 percent of units will be provided at 80 percent of AMI or less and 25 percent of units at 100 percent of AMI or less.

In addition, up to 100 homeownership units will be provided through the HPD Open Door program at the moderate income band. In total the Proposed Development would include approximately 2,050 units of 100% rent-stabilized, intergenerational, income-based housing. The units provided would be a diverse mix of unit types, including 2-bedroom and 3-bedroom residences and would be coupled with requisite resources to allow members of the community to thrive.

The Proposed Development would be consistent with Housing New York 2.0's goal of creating more homes for seniors by providing up to 200 units for seniors. In addition the Proposed Development would further the plan's goal of building protections against displacement in fast-changing neighborhoods by providing mixed-income dwelling units at a range of income bands, allowing residents to remain in the community, even if their economic health changes. Finally, the Proposed Development would be constructed on the currently vacant and underutilized lots on the eastern portion of the Development Site, furthering the plan's goal of unlocking the potential of vacant lots.

The Proposed Development would support several of the initiatives outlined in OneNYC 2050 as well, including the initiative to ensure all New Yorkers have access to safe, secure, and affordable housing. Additionally, the Proposed Development would include publicly accessible open space consisting of: a plaza on the corner of Flatlands and Louisiana Avenues, the Central Quad anchored by the PAC and the CCC. These amenities would be supportive of the plan's goal of increasing access to open spaces and cultural resources in the City. Finally, the Proposed Development would support the plan's goal of providing access to nutritious foods across all communities in order to promote positive health outcomes by introducing commercial space that would be allocated to a new grocery store on the Development Site. This would provide an opportunity for residents onsite and in the surrounding area to purchase healthy foods.

6. Actions Necessary to Facilitate the Project

The following Proposed Actions are requested to facilitate the Proposed Development.

Zoning Map Amendment. A zoning map amendment is proposed to change the existing R5 district to an R7-2 district with a C2-4 commercial overlay in the Zoning Amendment Area. As described above, the existing R5 zoning does not allow for commercial uses, limiting possibilities for local retail and economic opportunity for small business owners.

The C2-4 commercial overlay will address this need by allowing for a range of commercial uses at the Development Site, including a grocery store and local retail to serve residents of the Proposed Development and the surrounding neighborhoods.

In addition, the R5 zoning does not allow for sufficient density to create the integrated residential, local retail, and community facility development at the proposed affordable income levels envisioned for the Development Site. The rezoning from an R5 district to an R7-2 district would allow for an increase in the development potential in the Development Site from 1.25 FAR for residential to 4.6 FAR in an MIH district, and from 2.0 for community facility use to 6.5 FAR. This would allow for a sufficient number of dwelling units and tenants to provide a nearby customer base for the local retail uses envisioned for the Proposed Development, supporting the economic viability of this important component of the Proposed Development while also allowing sufficient density to accommodate the strong community facility core central to the Proposed Development. The increase in density will also facilitate the broad range of affordable units envisioned for the Proposed Development, with the higher AMI units helping to subsidize the low and very low income units. The Proposed Development contemplates an FAR of 4.29 including the Garage[14], and floor area allowed by the R7-2 zoning aligns with the Proposed Development in a manner appropriate to the area. The Rezoning Area is immediately adjacent to two wide streets, including one providing direct access to the Shore Parkway, and has good access to mass transit and is an appropriate area for the additional density being proposed, and without resulting in additional development potential that would occur with a higher density zone, such as an R8 district.

The proposed Zoning Map Amendment would also modify height and setback and yards controls in the Rezoning Area to establish a dynamic street wall presence within the Project Area in buildings with heights reflective of other residential buildings in the surrounding area. In particular, under Quality Housing and MIH controls and in absence of the additional land use actions being proposed, the proposed R7-2 zoning would require that (i) buildings be located at the street rather than separated from the streets by a front yard, (ii) buildings have a minimum base height of 40 feet and a maximum height of 75 feet before setback rather than a maximum street wall height of 30 feet; and (iii) a maximum building height of 135 feet and 13 stories where affordable is provided on site, instead of a maximum height of 40 feet.[15] While the other land use actions seek some adjustment to these street wall controls to make the building configuration even more dynamic, the general bulk controls for R7-2 districts are appropriate for the area by bringing uses and building heights already in the area out to the street line, lending to their accessibility, providing more activity and eyes on the streets, and promoting a more pedestrian-friendly environment.

In addition to the rationales noted above, R7 zones have been introduced into the broader neighborhood outside of the Surrounding Area in recent years in limited areas to further multi-use projects with a large component of affordable housing. Specifically, the Linden Boulevard rezoning and related actions allowed for an FAR of approximately 4.52 and the Ebenezer Plaza rezoning and related actions allowed for an FAR of approximately 5.14 and 5.14 at its two sites. These projects provide a precedent for the current proposal by introducing additional density in targeted areas with proximity to wide streets and mass transit options. Like those actions the proposed zoning map amendment would promote the development of new multi-building development with a range of uses, including residential development with a mandatory affordable housing component, local retail and community facility uses compatible with the existing land use patterns in the area.

Zoning Text Amendments: In order to further the Proposed Development, the Applicant requests two zoning text amendments:

1) Appendix F: In connection with the Zoning Map Amendment, the Applicant requests an amendment to Appendix F of the Zoning Resolution (Inclusionary

[14] FAR exclusive of the Garage would be 3.86.
[15] Within 25 feet of an adjoining R5 district, buildings are limited to a maximum height of 55 feet within 100 feet of a wide street and 45 feet beyond 100 feet of a wide street

Housing Designated Areas and Mandatory Inclusionary Housing Areas) to establish the Zoning Amendment Area as an MIH area - Option 1, ensuring the Proposed Development's commitment to affordable housing and consistent with the policy goals of the City's Housing New York: A Five Borough, Ten-Year Plan.

The amendment to Appendix F of the Zoning Resolution would permit the Applicant to develop the Proposed Development in accordance with the MIH program. The MIH program requires that permanently affordable housing be provided within new residential developments, enlargements, and conversions from non-residential to residential use within the mapped MIH area. Within this area, all housing developments, enlargements and conversions that meet the criteria set forth in the MIH program must comply with the requirements of option one, described below:

- Option 1: 25 percent of the residential floor area shall be provided as housing affordable to households at an average of 60 percent of the Income Index (AMI), with no unit targeted at a level exceeding 130 percent of AMI.

The zoning text amendment would make the Zoning Amendment Area subject to Option 1. The project will restrict the income levels to less than that allowed under Option 1 to a maximum of 100% AMI, with 50 percent of units at 60 percent of AMI or less, 25 percent of units at 80 percent of AMI or less, and 25 percent of units at 100 percent of AMI or less. The non-MIH units would be income-based affordable housing through various city and state programs for very low, low, and moderate income residents. The income bands for the affordable housing units in excess of the MIH requirement, as well as the applicable programs for the senior/supportive housing units, will remain subject to the availability of capital subsidy and other public capital sources at the time of construction. Designation of the Development Site as an MIH area will ensure that affordable units and any future development within the MIH area are permanently affordable.

2) Appendix I: The Applicant also requests a zoning text amendment to Appendix I of the Zoning Resolution (Transit Zone) to expand the boundary of the Transit Zone to include the Development Site. The Development Site is immediately adjacent to the Transit Zone boundary today and has a range of transit options serving the Project Area, including the East 105th St and Canarsie-Rockaway Parkway stops on the L and the Pennsylvania Avenue stop on the 3, all located within a mile of the Project Area. The Project Area is also served by the BM2 Express, BM5 Express, B6, B60, B82, B82SBS, B83, and B103LTD bus lines, providing local and express service throughout Brooklyn, Manhattan, and Queens including to the local subway stations. In addition to the mass transit service, and it is anticipated that the Proposed Development would provide shuttle bus service to and from the East 105th Street and Pennsylvania Avenue stations.

Car ownership in the Surrounding Area is approximately 0.3 cars per household, based on census tract data for the Project Area (census tract 1058.04) and Starrett City (tract 1058.01). Across the Brooklyn transit zone, there is an average of 0.47 vehicles per household - well above the car ownership statistics in the vicinity of the Development Site - and the overall average vehicle ownership rate for the entire borough of Brooklyn is 0.57 vehicles per household. The Proposed Development is intended to include a shared car and electric vehicle program, which together are intended to both reduce the need for car ownership and increase sustainability.

The proposed change in boundaries will reflect the mass transit options already serving the Development Site and car ownership data in the area, will

promote more sustainable forms of transportation, and will avoid the unnecessary costs of building parking in excess of anticipated demand by residents in an affordable housing project.

Special Permit Pursuant to ZR 74-743(a)(2): The Applicant requests a special permit pursuant to ZR 74-743(a)(2) to locate buildings within a large-scale general development without regard to yard, distance between buildings, and height and setback regulations to allow for the centralized community-centered core and street-oriented residential buildings envisioned by the Proposed Development.

- Yards. The Development Site is comprised of a series of corner lot, through lot, and interior lot areas and would require a series of yards adjacent to the common lot line with the neighboring property even though a significant setback exists between the common lot line and the adjoining buildings. In particular, the following modifications are being requested:

  - A waiver of ZR 35-54 and ZR 23-51, which require a side yard along the common side lot line to the south with a minimum depth of 8 feet, at:
    - a portion Building 9 and 10 within 8 feet of the adjoining southern lot line, commencing at a height of 0 feet and rising to a height of 113.48 feet for a length of 63 feet and a height of 23 feet for the remaining length of 37 feet.
    - a portion of Building 2 within 8 feet of the adjoining southern lot line, commencing at a height of 0 feet and rising to a height of 119.77 feet for a length of 63 feet and a height of 23 feet for the remaining length of 115 feet.

  - A waiver of ZR 33-303 which requires a rear yard of 20 feet for commercial uses, at:
    - portions of the Garage within 20 feet of the lot line, commencing at a height of 23 feet and rising to a height of 87.03 feet and with a length of 201 feet along the southern portion of the lot line adjoining the Garage and a length of 123 feet along the eastern portion of the lot line.
    - portions of the PAC within 20 feet of the lot line, commencing at a height of 23 feet and rising to a height of 49.45 feet, with a length of 38 feet, 6 inches along the eastern portion of the lot line adjoining the PAC and 64 feet along the southern portion of the lot line and an additional 20 feet of length, as measured in a westerly direction from the intersection of the southern and eastern portions of the lot lines adjoining the PAC.

  - A waiver of ZR 23-471 and 23-543, which require a rear yard of 30 feet for residential uses, at:
    - portions of Building 4 within 30 feet of the lot line, commencing at a height of 0 feet, except where non-residential uses are proposed at the ground floor, in which case the waiver will commence above such non-residential uses, and rising to a height of 28 feet, 9 inches for a length of 20 feet and a height of 108 feet, 9 inches for the remaining length of 63 feet.

  Waiving side and rear year requirements along the common property line allows for the location of the PAC adjacent to the southern property line in the center of the Proposed Development and the introduction of the Central Quad as a significant community open space in front of the PAC. The modifications to yard controls will also allow for the Garage to be located in proximity to the PAC and the CCC while allowing it to have a rational floor plate for maneuvering and limiting its overall height. On the eastern and western ends of the Development Site, the yard waiver for Building 2, Building 4, and Building 9 and 10 will allow

for the location of private streets accessing Pennsylvania Avenue and Louisiana Avenue, without a reduction in residential floor area.

As a result of the requested modifications, buildings in the Proposed Development will be located between 30 and 77 feet from the adjoining buildings to the south. These distances are generally well in excess of the 8 to 30 feet of open space that would typically be required as a result of yard requirements, but because most of this distance is on the property to the south, the modification is required.

Accordingly, the Applicant requests a modification of the rear yard requirements of Zoning Resolution Section 23-47 (Minimum Required Rear Yards) and Section ZR 33-303 (For zoning lots with multiple rear lot lines) and the special side yard requirements of ZR 35-54 and ZR 23-51 (Special Provisions for Yards Adjacent to R1 Through R5 Districts) to eliminate yard requirements along portions of the southern boundary of the Development Site as described in this section.

- Distance between buildings. In order to introduce a residential presence along Louisiana Avenue and Flatlands Avenue and at the same time maintain the CCC in its existing location, limited modifications to the requirements of Zoning Resolution Section 23-711 (Standard minimum distance between buildings) are requested between the CCC building and each of Buildings 7 and 8, Building 9 and 10, Building 6, and Building 5. More particularly, waivers are requested between the CCC and:

    - Building 7 and 8, for a length of 156 feet, where a distance of 50 feet is required for a window to wall condition and a distance of 40 feet is required for a wall to wall condition, to allow a minimum distance between buildings of 30 feet, 6 inches.
    - Building 9 and 10, for a length of 158 feet, where a distance of 50 feet is required for a window to wall condition, to allow a minimum distance between buildings of 48 feet.
    - Building 6, for a length of approximately 53 feet, where a distance of 50 feet is required for a window to wall condition, to allow a minimum distance between buildings of 36 feet, 6 inches.
    - Building 5, for a length of 21 feet, where a distance of 50 feet is required for a window to wall condition, to allow a minimum distance between buildings of 39 feet, 6 inches.

The modifications will allow for reasonable residential floor plates for the buildings surrounding the CCC while at the same time allowing for articulation of the residential building forms from the adjoining streets. Without the waivers, residential buildings would either not be located along the frontages surrounding the CCC, or would have to be built as inefficient single loaded buildings, adding to the cost and reducing the number of affordable units. Because of the low height of the CCC, the waivers will only apply to the lower 43 feet of the buildings. Moreover, the CCC's low height will allow for substantial light and air to each of the buildings where a modification is requested that is well beyond what a taller building set further away from the surrounding buildings but in the same location as the CCC would provide.

In addition to the waivers between the adjoining residential buildings and the CCC, the following three modifications to distance between building controls are also being requested between certain of the other buildings as follows:

a) A modification to distance between buildings for Building 5 and Building 6 to reduce the separation from the 60 feet that would be required under zoning where the facing walls both have legal windows to 50 feet. This modification would apply to an approximately 50 foot width of the buildings, and is the result of providing a wide visual

connection between Flatlands Avenue and the PAC on the east side of Building 5, which prevents Building 5 from being located further away from Building 6. Building 6 is similarly constrained by the publicly accessible entrance plaza located to its east.

b) A modification is also requested between Building 4 and the PAC to reduce the distance between building requirement of 50 feet to 34'-6" for an approximately 45'-0" width of Building 4 to an elevation of 28.72 feet. This minor adjustment will allow the maisonette portion of Building 4 to align with the private street system and at the same time allow the PAC to be situated at the core of the LSGD adjacent to the Central Quad and Garage, within the site line of the major entry portal at Flatlands and Georgia Avenue.

c) A modification is also requested at the upper levels of portions of Building 9 and 10 to allow for a variation in the roof plane for these portions of the building, by allowing two portions of the building to be separated from one another at the upper floors by 39'-0" rather than the 60'-0" typically required where there are legal windows on each frontage and the height of the walls is in excess of 50 feet in height.

- Height and Setback. While the proposed R7-2 district provides an appropriate density for the Development Site and the Proposed Development, R7-2 MIH developments are subject to a prescribed set of height and setback controls that do not allow for the dynamic street wall presence and variation in heights envisioned for the Proposed Development. As noted above, MIH developments are limited to a height of 75 feet within 10 feet of a wide street and 15 feet of a narrow street and an overall building height of the lesser of 135 feet or 13 stories, and a minimum base height of 40 feet is required. Additionally, within 25 feet of an adjoining R5 district, buildings are limited to a maximum height of 55 feet within 100 feet of a wide street and 45 feet beyond 100 feet of a wide street.

  While portions of each building within the Proposed Development will comply with the minimum and maximum base height and maximum building height limitations, in order to provide for an active streetscape and visual interest along surrounding streets, each building will require waivers in other areas. In particular:

  - Building 1 will require a minimum base height waiver along Pennsylvania Avenue for lengths of 43 feet and 10 feet and along Flatlands Avenue for lengths of 10 feet and 84 feet, 6 inches. Additionally, Building 1 will require a waiver of the maximum base and maximum building height, allowing for portions of Building 1 to rise to a heights of 140.87 feet and 160.87 feet and 15 stories.

  - Building 2 will require a waiver of the maximum building height and maximum base height, allowing portions of Building 2 within 25 feet of the adjoining R5 district and within 10 feet of Louisiana Avenue, respectively to rise up to a height of 119.77 feet, and a waiver of the maximum building height to allow a portion of Building 2 to rise to an overall building height of up to 139.77 feet.

  - Building 3 will require a minimum base height waiver along Flatlands Avenue for a length of 170 feet. Additionally, Building 3 will require a waiver of the maximum building height, allowing for a portion of Building 3 to rise to a height of 139.79 feet and a waiver of maximum building height and maximum base height to allow a portion of the building to rise to a height of 149.79 feet and 14 stories. Building 3 will also need a waiver of the maximum base height regulations to allow a portion of the building within 10 feet of Flatlands Avenue to rise to a height of 99.79 feet.

- Portions of Building 4 will require a waiver of the maximum building height within 25 feet of the adjoining R5 district, to allow these portions of Building 4 to rise to a height of 98.72 feet and 108.72 feet.

- Building 5 will require a minimum base height waiver along Flatlands Avenue for lengths of 51 feet and 41 inches. Additionally, Building 1 and another portion of Building 5 to rise to a height of 152.75 feet and 15 stories.

- Building 6 will require a minimum base height waiver along Flatlands Avenue for lengths of 20 feet and 97 feet. Additionally, Building 6 will require a waiver of the maximum base and maximum building height, allowing for a portion of Building 6 to rise to a height of 154.84 feet and 14 stories, a waiver of maximum building height to allow a portion of Building 6 to rise to a height of 134.84 feet, and a waiver of the maximum base height to allow a portion of Building 6 to rise to a height of 114.84 feet.

- Building 7 and 8 will require a waiver of minimum base height requirements along Louisiana Avenue for a length of 127 feet. Building 7 and 8 will also require a waiver of maximum base height regulations, allowing for heights within 15 feet of Louisiana Avenue of up to 134.17 feet.

- Building 9 and 10 will require a waiver of the maximum base height, allowing for portions of the building to rise to a height of 133.48 feet and 113.48 feet. Building 9 and 10 will also require a waiver of the maximum building height within 25 feet of the adjoining R5 district, to allow a portion of the building to rise to a height of 113.48 feet.

- The PAC will require a waiver of the maximum building height within 25 feet of the adjoining R5 district, to allow a portion of the PAC to rise to a height of 49.45 feet.

- The Garage will require a waiver of the maximum building height within 25 feet of the adjoining R5 district, to allow a portion of the Garage to rise to a height of 87.03 feet.

The modification of height and setback controls allows for buildings with a dynamic and varied profile with building elements ranging from seven to fifteen stories creating visual interest throughout the project. The higher elements also allow for the introduction of the Central Quad to the center of the Project Area surrounded by the lower scale core anchored by the CCC and the PAC, which is anticipated to have a maximum height of approximately 50 feet. The modifications also facilitate the introduction of the private street network through the Development Site designed to draw people into the site, as well as the extensive additional publicly accessible areas that will be provided as a result of the Proposed Development, including a landscaped approach to the CCC, located at the northwest corner of the site, the Central Quad, and an outdoor playground. As noted in the description of the Surrounding Area, there are numerous taller residential buildings in the nearby area, with heights up to 20 stories. The waivers being requested for the Proposed Development are consistent with and in many cases lower than these nearby buildings.

The modifications to building heights adjacent to the R5 district to the south will allow for buildings with heights within this area ranging from 49.45 to 113.15 feet, which are comparable to the roughly 98 to 130-foot tall buildings adjacent to the Development Site. Accordingly, a modification to Zoning Resolution Sections 23-693 (Special provisions applying adjacent to R1 through R6B Districts), and 23-66 (Height and Setback Requirements for Quality Housing Buildings), and 35-65 (Height and Setback Requirements for Quality Housing

Buildings) is requested to permit modifications of minimum and maximum base height before setback and maximum building height controls.

Special Permit Pursuant to ZR 74-512: The Applicant requests a special permit pursuant to ZR 74-512 to permit a public parking garage with 500 spaces, 45 of which will be located on the roof of the public parking garage. The Garage will be located adjacent to the CCC and PAC and accessed via private streets within the Proposed Development which connect to main roads, such that traffic accessing the Garage does not need to pass through existing lower-scale residential areas. This special permit will allow for a public parking garage that will be a sufficient size to serve the 12,000 members of CCC who regularly attend[16] services in-person, visitors to the PAC, and other community facility and commercial uses that are part of the Proposed Development, and will consolidate the existing surface parking into an enclosed facility allowing for the productive use of the Development Site for the Proposed Development.

7. Conclusion

The Proposed Actions would facilitate development of a 10.3-acre residential community and cultural hub. The Proposed Development would be configured around The Central Quad, which will serve as a central gathering and programming space for both the Proposed Development and the community at large, and would provide a variety of commercial and community facility uses. The Proposed Development would also contain affordable housing at a range of income levels, which will allow residents to remain within the development as their economic status improves. The Applicant respectfully requests that the CPC approve the zoning map amendment, zoning text amendments, and special permits described herein.

[16] Prior to COVID.