**Special Permit Pursuant to ZR Section 74-512**
**Innovative Urban Village (ENY CCC)**
**Project ID: 2019K0038**

**May 6, 2022**

**Applicant's Statement of Findings**

***74-512***
***In other Districts***

***In C2-1, C2-2, C2-3, C2-4, C4-1, C4-2, C4-3, C4-4, C4-5D, C7, C8-1, C8-2, C8-3, M1-1, M1-2, M1-3, M2-1, M2-2 or M3-1 Districts, the City Planning Commission may permit #public parking garages# or #public parking lots# with more than 150 spaces, provided that the applicable regulations set forth in Sections 36-53 (Width of Curb Cuts and Location of Access to the Street) or 44-43 (Location of Access to the Street), Sections 36-55 or 44-44 (Surfacing) and Sections 36-56 or 44-45 (Screening) are met. The Commission may permit some of such spaces to be located on the roof of such #public parking garage#, or may permit floor space on one or more #stories# and up to a height of 23 feet above curb level to be exempted from the definition of #floor area# as set forth in Section 12-10 (DEFINITIONS). As a condition of permitting such #use#, the Commission shall make the following findings:***

The Applicant is seeking a special permit to allow for a public parking garage (the "Garage") with more than 150 spaces and to permit some of such spaces to be located on the roof of the Garage within an R7-2 district with a C2-4 commercial overlay. Access to the Garage will be provided via a curb cut on Louisiana Avenue located approximately 377 feet south of its intersection with Flatlands Avenue and approximately 418 feet north of its intersection with Vandalia Avenue, in accordance with Section 36-53. The open rooftop parking will be screened from all adjoining zoning lots in residence districts by a wall, barrier, or fence of fire resistant material, in accordance with Section 36-56. The regulations set forth in Sections 44-43, 36-55, 44-44, and 44-45 do not apply at the Development Site.

***(a) that the principal vehicular access for such #use# is located on an arterial highway, a major #street# or a secondary #street# within one-quarter mile of an arterial highway or major #street#, except that in C5 or C6 Districts such access may be located on a local #street#;***

The principal vehicular access for the Garage will be provided on Louisiana Avenue, a secondary street via a curb cut located approximately 377 feet south of Flatlands Avenue, a major street within the meaning of the Zoning Resolution. The Garage entrance is well within a quarter mile of this major street.

***(b) that such #use# is so located as to draw a minimum of vehicular traffic to and through local #streets# in nearby residential areas;***

As stated above, the principal vehicular access to the Garage will be provided from Louisiana Avenue, at a point just south of Flatlands Avenue (a major street) and will allow vehicles access to the Garage without the need to pass through local streets in nearby residential areas. The location of the Garage will thus minimize vehicular traffic to and through local streets in nearby residential areas.

***(c) that such #use# has adequate reservoir space at the vehicular entrances to accommodate either 10 automobiles or five percent of the total parking spaces provided by the #use#, whichever amount is greater, but in no event shall such reservoir space be required for more than 50 automobiles;***

The Garage will have a total of up to 500 parking spaces. Adequate reservoir space to accommodate a number of vehicles equal to 5% of the total number of parking spaces will be provided along the private street and at the vehicular entrance to the garage.

***(d) that the #streets# providing access to such #use# will be adequate to handle the traffic generated thereby;***

Portions of the LSGD, including the portion on which the Garage is proposed, are currently used for open parking which is accessed via two curb cuts on Louisiana Avenue and one curb cut on Flatlands Avenue. The Proposed Development will relocate existing spaces into the Garage, which will also be accessed primarily via a curb cut on Louisiana Avenue, with periodic egress provided via a curb cut on Flatlands Avenue during times of peak usage.

Pennsylvania Avenue and Flatlands Avenue are key arterial roadways and feature two through travel lanes in each direction plus dedicated left and right turn lanes at selected intersections. The street configuration would provide adequate capacity for motorists traveling from the Garage. With the exception of crossings with another major street (such as at the intersection of Pennsylvania Avenue with Linden Boulevard), the through-movements along these streets would not be expected to be significantly impacted by the project as a whole. Through-vehicle traffic traveling along these streets would be expected to generally experience an acceptable traffic level of service en route to and departing from the site. Thus, the streets providing access to and from the Garage will be adequate to handle the traffic generated thereby.

***(e) that, where roof parking is permitted, such roof parking is so located as not to impair the essential character or future use or development of adjacent areas; and***

The proposed roof parking will be located on a portion of the LSGD which is currently used for open parking by visitors to the CCC. It will be located adjacent to the predominant non-residential uses of the LSGD: the CCC and the performing arts center, and at a distance of 30 feet from the nearest existing building to the south. The rooftop parking will be screened from adjacent residential buildings with a decorative wall or barrier in accordance with the Zoning Resolution. 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. Thus, the roof parking will not impair the essential character or future use or development of adjacent areas.

***(f) that, where any floor space is exempted from the definition of #floor area#, such additional floor space is needed in order to prevent excessive on-street parking demand and relieve traffic congestion.***

Not applicable

***The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including limitations on #signs# or requirements for shielding of floodlights, for locations of entrances and exits, or for setback of any roof parking areas from #lot lines#.***

***This Section shall not apply to the #Manhattan Core# where the regulations set forth in Article I, Chapter 3, shall apply, except as provided in Section 13-06 (Previously Filed or Approved Special Permits or Authorizations).***

Not applicable

***For existing #public parking garages# located within a C4-4 District in Community District 4 in the Borough of Queens where such garage facility existed before October 17, 2019, and was previously granted a special permit pursuant to this Section, the finding set forth in paragraph (c) of this Section shall not apply. In lieu thereof, the number of reservoir spaces required shall be consistent with a finding that the permitted parking facility will not create or contribute to serious traffic congestion and will not unduly inhibit vehicular traffic and pedestrian flow in the surrounding area.***

Not applicable.