IUV Parking Garage Substantial Compliance II
Project Description

1. Introduction

This is an application by Innovative Urban Living, LLC (the "Applicant") seeking confirmation by the NYC Department of City Planning ("DCP") that minor updates (the "Design Update") to the previously approved plans to reflect the shifting of the parking garage footprint located on Brooklyn Block 4430, Lot 1 within the Large-Scale General Development ("LSGD") comprised of Brooklyn Block 4434, Lots 100, 1 and 10 and Block 4430, Lot 1 within Brooklyn Community Board 5 (the "Development Site"), are in substantial compliance with a special permit pursuant to then-applicable Section 74-512 of the Zoning Resolution of the City of New York ("ZR" or "Zoning Resolution") under Application No. C 220314 ZSK (the "74-512 Special Permit").

2. Approvals to be Modified

a. Prior Approvals

The Development Site obtained approvals, which were part of a series of zoning actions granted by the City Planning Commission (the "CPC") on October 11, 2022:

- C 220311 ZSK - Pursuant to ZR Section 74-743(a)(2) of the Zoning Resolution to modify the side and rear yard regulations of Section 23-40 (Yard Regulations, Section 23-50 (Additional Yard Regulations), Section 33-30 (Other Special Provisions for Rear Yards), and 35-50 (Modification of Yard Regulations), height and setback requirements of Sections 23-66 (Height and Setback Requirements for Quality Housing Buildings, 23-69 (Special Height Limitations), and the minimum distance between buildings regulations of Section 23-711 (Standard minimum distance between buildings), was approved by the City Planning Commission with modifications on October 11, 2022 (Cal. No. 16) and by the City Council on November 22, 2022 (Res. No. 403), on which date said Resolution of Approval became effective (the "74-743 Special Permit"); and

- C 220314 ZSK - Pursuant to ZR Section 74-512 of the Zoning Resolution to allow an unattended public parking garage with a maximum capacity of 500 spaces within a proposed 7-story garage building, and to permit some of such spaces to be located on the roof of such public parking garage, was approved by the City Planning Commission on October 11, 2022 (Cal. No. 15) and by the City Council on November 22, 2022 (Res. No. 404), on which date said Resolution of Approval became effective; and

- C 220312 ZMK - Zoning map amendment changing from an R5 District to an R7-2 District and establishing within the proposed R7-2 District a C2-4 District, was approved by the City Planning Commission on October 11, 2022 (Cal. No. 13) and by the City Council on November 22, 2022 (Res. No. 401), on which date said Resolution of Approval became effective; and

- C 220313 ZRK - Zoning text amendment to modify Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area and modifying Appendix I for the purpose of expanding the Transit Zone, was approved by the City Planning Commission on October 11, 2022 (Cal. No. 14) and by the City Council on November 22, 2022 (Res. No. 402), on which date said Resolution of Approval became effective.

In connection with the LSGD, a restrictive declaration was executed on March 27, 2024 and recorded on April 2, 2024 at CRFN 2024000081736.

b. Subsequent Review

On December 31, 2025, DCP determined that reconfiguration and re-design of the garage layout were in substantial compliance with the 74-512 Special Permit under Application No. N 260159 CSK (the "2025 Determination").

Concurrently with this request, the Applicant is seeking a substantial compliance determination from DCP that the updates to the envelope of Building 5 permitted by applying the zoning controls currently in effect, are in substantial compliance with the 74-743 Special Permit.

c. Findings and Determinations Made Pursuant to 74-512 Special Permit

Pursuant to ZR Section 74-512:

(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;

(b) that such use is so located as to draw a minimum of 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;

(d) that the streets providing access to such use 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

(f) Not Applicable.

3. Design Update

In connection with a substantial compliance determination request of the 74-743 Special Permit with respect to Building 5, the Applicant is seeking a minor change in the envelope of the Garage to allow for construction of a standard rectangular garage structure. This required a shift in the envelope at the front of the Garage to the west by 22 feet to accommodate a stair bulkhead and elevator access to the garage structure.

The Design Update would allow for a better configuration at the westernmost corner of the garage structure. This would also reduce the overall cost of construction of the garage facility.

4. Affected Drawings

The Design Update would supersede the approved drawings listed in the CPC report under Application No. C 220314 ZSK and drawings approved under the 2025 Determination, as follows:

74-512 Special Permit Drawings

Dwg No.	Title	Last Revised Date
P-000	Public Parking Garage Plan – Zoning Lot	05/09/2022
P-100	Enlarged Public Parking Garage Plan	05/09/2022
P-101	Enlarged Public Parking Garage Plan – Level 1	05/09/2022
P-102	Enlarged Public Parking Garage Plan – Level 2 & 3	05/09/2022
P-103	Enlarged Public Parking Garage Plan – Level 4 & 5	05/09/2022
P-104	Enlarged Public Parking Garage Plan – Level 6 & 7	05/09/2022
P-105	Enlarged Public Parking Garage Plan – Roof	05/09/2022

2025 Determination Drawings

Dwg No.	Title	Last Revised Date
P-000	Public Parking Garage Plan – Zoning Lot	12/23/2025
P-100	Enlarged Public Parking Garage Plan	12/23/2025
P-101	Enlarged Public Parking Garage Plan – Level 1	12/23/2025
P-102	Enlarged Public Parking Garage Plan – Level 2 & 3	12/23/2025
P-103	Enlarged Public Parking Garage Plan – Roof	12/23/2025

Design Update Drawings

Dwg No.	Title	Last Revised Date
P-000	Public Parking Garage Plan – Zoning Lot	4/17/2026
P-100	Enlarged Public Parking Garage Plan	4/17/2026
P-101	Enlarged Public Parking Garage Plan – Level 1	4/17/2026
P-102	Enlarged Public Parking Garage Plan – Level 2 & 3	4/17/2026
P-103	Enlarged Public Parking Garage Plan – Roof	4/17/2026

5. Conclusion

As discussed herein, the Applicant respectfully requests a determination that the Design Update is in substantial compliance with the 74-512 Special Permit.