



October 11, 2022 / Calendar No. 7

C 210230 ZMK

IN THE MATTER OF an application submitted by 1571 Development, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 28d:

1. changing from an R5 District to an C4-4L District property bounded by Avenue M, a line midway between McDonald Avenue and East 2nd Street, Avenue N, and McDonald Avenue;
2. eliminating from within an existing R5 District a C2-3 District bounded by Avenue M, East 2nd Street, a line 150 feet southerly of Avenue M, a line midway between McDonald Avenue and East 2nd Street, Avenue N, and McDonald Avenue;

Borough of Brooklyn, Community District 12, as shown on a diagram (for illustrative purposes only) dated May 9, 2022, and subject to the conditions of City Environmental Quality Review (CEQR) Declaration E-673.

This application was filed by 1571 Development, LLC on March 17, 2021. This application, in conjunction with the related zoning text amendment (N 210231 ZRK), would facilitate the enlargement of an existing commercial building, with approximately 104 dwelling units, 37 of which would be permanently affordable, along with ground floor commercial uses at 1571 McDonald Avenue (Block 6564, Lot 60) in the Midwood neighborhood of Brooklyn, Community District 12.

RELATED ACTIONS

In addition to the zoning map amendment (C 210230 ZMK) that is the subject of this report, the proposed project also requires action by the City Planning Commission on the following application, which is being considered concurrently with this application:

N 210231 ZRK Zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area.

BACKGROUND

The applicant seeks a zoning map amendment to change an R5 zoning district with a C2-3 overlay to a C4-4L zoning district and remove a C2-3 overlay from an R5 zoning district, as well as a zoning text amendment to establish an MIH area within a portion of the project area. The project area is located on the block bounded by McDonald Avenue to the west, Avenue N to the south, Avenue M to the north, and East Second Street to the east, and consists of 25 tax lots (Block 6564, Lots 1, 14, 15, 50, 52-58, 60, 75, 77-86, 155, and part of Lot 16). The project area contains approximately 104,935 square feet of lot area with 800 feet of frontage on McDonald Avenue, 112 feet of frontage on Avenue N, and 224 feet of frontage on Avenue M. McDonald Avenue, a 100-foot-wide corridor, and Avenues N and M, 80-foot wide streets, are all considered wide by zoning standards. The project area is comprised of the development site (Lot 60), as well as 24 lots (Lots 1, 14, 15, 50, 52-58, 75, 77-86, 155, and part of Lot 16) that are not owned by the applicant and are not expected to result in development from the proposed actions.

The development site contains approximately 31,360 square feet of lot area with 280 feet of frontage on McDonald and is improved with a one-story vacant commercial building that the applicant intends to demolish, and a one-story, plus cellar and mezzanine, commercial building, containing approximately 22,398 square feet of floor area and 37 required accessory commercial parking spaces. The existing building is occupied by a full-service spa that obtained a special permit pursuant to Zoning Resolution (ZR) Section 73-36 for a physical culture establishment (PCE) by the Board of Standards and Appeals on October 30, 2018 (Cal. No. 2017-314-BZ). Both buildings on the development site are owned by the applicant. There are two curb cuts adjacent to the building: the northernmost curb cut is a 26-foot-wide loading berth, and the other is 12 feet wide, providing access to on-site parking. Two required accessory commercial bicycle parking spaces are provided in the cellar.

Among the 24 non-applicant-owned lots, 13 contain two-story multifamily residential buildings, six contain two-story residential buildings with ground floor commercial uses, one (Lot 58) contains a two-story office building, one (Lot 16) contains a two-story adult care facility, and two (Lots 56 and 75) contain two-story industrial buildings.

The project area is located in the Midwood neighborhood and is surrounded by a mix of residential, industrial, commercial, and some community facility uses. Residential uses consist of two- to three-story attached, semi-detached, and detached houses and four- to five-story medium-density apartment buildings. The commercial uses are predominantly low to medium scale, primarily located along the McDonald Avenue commercial corridor, and include home décor and improvement stores, fast food restaurants, convenience stores, along with automotive repair shops on west side of McDonald Avenue south of the project area. Community facility uses are scattered throughout the area and include a branch of the Brooklyn Public Library, located six blocks north of the project area. The project area is located within two blocks of Washington Cemetery, a historic cemetery, and south of Sid Luckman Field, a football field used by the High School for Service and Learning, and Friends Field, a seven-acre public park.

The project area is located within the Transit Zone and is well-served by public transit. The elevated tracks of the F subway line run along McDonald Avenue, with a stop directly in front of the project area (Avenue N station) with entrances at either end of the block. The area is also served by multiple bus lines: the B9 bus services runs along Avenue N, connecting Bay Ridge to Marine Park with a stop on 60th Street; the B6 bus service runs along Bay Parkway with a stop on McDonald Avenue, connecting Gravesend to East New York; and the B82 bus service runs along Kings Highway with a stop on McDonald Avenue, connecting Bensonhurst to Spring Creek.

The project area is located within the Special Ocean Parkway District (OP), mapped east of McDonald Avenue to Coney Island Avenue. Established in 1977, the intent of the special district was to preserve the character of the surrounding area. The OP limits new community facility developments and enlargements to the residential bulk regulations of the underlying zoning district and requires all new developments fronting on Ocean Parkway to have 30-foot landscaped unobstructed front yards.

East of McDonald Avenue is an R5 (OP) zoning district, with a C2-3 commercial overlay generally along McDonald Avenue. Further to the east is the Subdistrict Area, which is generally bounded by the Long Island Railroad tracks to the north, McDonald Avenue to the west, Coney Island Avenue to the east, and Avenue V and Gravesend Neck Road to the south. Additionally,

an R6A (OP) zoning district is mapped to the northeast of the project area, and an M1-1 zoning district is mapped to the south of the project area. R5 zoning districts are non-contextual residential zoning districts with a maximum floor area ratio (FAR) of 1.25 for residential uses and 2.0 for most community facility uses. The C2-3 commercial overlay permits a maximum FAR of 1.0 of commercial use when paired with an R5 zoning district. Above a height of 30 feet, a 15-foot setback is required from the street wall of a development before rising to a maximum height of 40 feet. Within the Subdistrict Area, the maximum permitted FAR is 1.5 and the only permitted uses are single- and two-family detached and semi-detached residences and community facility uses.

The R6A(OP) zoning district is a contextual residential zoning district where Quality Housing bulk regulations are mandatory, with a maximum FAR of 3.0 and height of 70 feet (75 feet with a qualifying ground floor). Developments in the R6A zoning district that front upon Ocean Parkway must comply with special yard, parking, and landscaping requirements as set forth in the OP regulations. The M1-1 zoning district is a low-density manufacturing district, typically characterized by light manufacturing and warehouse uses with a maximum FAR of 1.0 for commercial and industrial uses and 2.4 for community facility uses. M1-1 zoning districts do not permit residential use. The height of a development may not exceed 30 feet, or two stories, whichever is less, before setting back and complying with sky exposure plane regulations.

West of and along McDonald Avenue is a C8-2 zoning district, an R6 zoning district with a C1-3 overlay, and an M1-1 zoning district. Additionally, an R4-1 zoning district is mapped southwest of the project area. C8-2 zoning districts are commercial zoning districts intended to facilitate automotive and other heavy commercial uses with a maximum commercial FAR of 2.0 and community facility FAR of 4.8. The height of a development may not exceed 60 feet, or four stories, whichever is less, before setting back and complying with sky exposure plane regulations. C8-2 districts do not permit residential uses. R6 zoning districts are non-contextual zoning districts with a maximum FAR for height factor residential buildings of 2.43. The maximum FAR for quality housing buildings is 2.2 on narrow streets and 3.0 on wide streets. The maximum FAR for most community facility uses is 4.8. The height of a development may not exceed 55 feet on narrow streets or 75 feet on wide streets for Quality Housing buildings (height factor buildings are subject to sky exposure plane regulations). Portions of the R6 zoning

district that front upon McDonald Avenue contain a C1-3 overlay, permitting an FAR of 2.0 when paired with an R6 zoning district. The R4-1 zoning district is a contextual residential zoning district that permits one- and two-family detached and semi-detached houses with a maximum FAR of 0.75. The perimeter wall of a development may rise to 25 feet, before slopping or being set back to a maximum building height of 35 feet.

The applicant proposes to enlarge the existing building to develop an 11-story mixed-use building with 104 dwelling units, 37 of which would be permanently affordable, as well as an approximately 27,712 square feet of commercial use. The proposed development would have an FAR of 4.58, totaling approximately 143,712 square feet of floor area. The building would rise to approximately 108 feet in height, flanked by two 10-story portions, each approximately 88 feet in height. The horizontal enlargement for the commercial portion to the north of the existing building would be two-stories, 80-feet wide, approximately 23 feet in height, and set back five feet.

Seventy-two required accessory parking spaces would provided, 35 of which are required accessory residential parking spaces and 37 of which are required accessory commercial parking spaces pursuant to the PCE Special Permit for the existing building. Of the 35 required accessory residential parking spaces, 17 would be located in the second story of the horizontal and the remainder would be located in the third story, adjacent to the elevated subway. In addition to the two existing curb cuts, an additional 10-foot-wide curb cut is proposed on the northern portion of the development site to service the residential parking. A total of 54 required accessory bicycle parking spaces would be provided in the cellar, 51 of which are required accessory residential bicycle parking spaces and three of which are required accessory commercial bicycle parking spaces.

To facilitate the proposed development, the applicant requests a zoning map amendment to change an R5 zoning district with a C2-3 overlay to a C4-4L (OP) zoning district bounded by McDonald Avenue, and a line midway between McDonald Avenue and East Second Street, between Avenue N and Avenue M, and eliminate a C2-3 overlay from an R5 zoning district (OP) bounded by East Second Street, a line midway between McDonald Avenue and East Second

Street, and a line 150 feet south of Avenue M, and a zoning text amendment to designate a new MIH area.

The C4-4L zoning district is a contextual, commercial district that permits residential, community facility, and commercial uses typically adjacent to elevated transit. It has at a residential equivalent of an R7A zoning district, which allows a maximum residential FAR of 4.6 (with Inclusionary Housing) and generally facilitates seven- to nine-story buildings. A maximum FAR of 4.0 is permitted for commercial and community facility uses. For lots fronting elevated train lines, C4-4L districts requires a five-foot street wall setback and requires a 15-foot setback between 25 feet or two stories and 65 feet or six stories. The maximum building height permitted is 115 feet or 11 stories with a qualifying ground floor. Maximum lot coverage is 65 percent for interior and through lots and 100 percent on corner lots. Parking is required for 50 percent of the non-income-restricted units within the Transit Zone and parking is not required for general retail and service uses and community facilities.

The applicant also proposes a zoning text amendment to Appendix F of the Zoning Resolution to designate an MIH area coterminous with the project area. The proposed text amendment would map MIH Options 1 and 2. Option 1 requires that 25 percent of residential floor area be set aside for permanently affordable housing units for household with incomes averaging 60 percent of the Area Median Income (AMI), with 10 percent of the residential floor area set aside for households with incomes averaging 40 percent of the AMI. Option 2 requires that 30 percent of residential floor area be set aside for permanently affordable housing units for residents with incomes averaging 80 percent of the AMI. Applicant is proposing to utilize Option 2 that would result in 37 permanently affordable apartments.

ENVIRONMENTAL REVIEW

This application (C 210230 ZMK), in conjunction with the application for the related action (N 210231 ZRK), was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead is the City Planning Commission. The designated CEQR number is 21DCP194K.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on April 5, 2022. The Negative Declaration included an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-673). The requirements of the (E) designation are described in the Environmental Assessment Statement and Negative Declaration.

UNIFORM LAND USE REVIEW

This application (C 210230 ZMK) was certified as complete by the Department of City Planning on May 9, 2022 and duly referred to Brooklyn Community Board 12 and the Brooklyn Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b), along with the related application for a zoning text amendment (N 210231 ZRK), which was referred in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

Community Board 3 held a public hearing on this application (C 210230 ZMK) on June 7, 2021 and, on that date, by a vote of nine in favor, 17 opposed, and six abstaining, adopted a resolution recommending disapproval of the application.

Borough President Recommendation

The Brooklyn Borough President held a public hearing on this application (C 210230 ZMK) and the related action (N 210231 ZRK) on July 21, 2022, and on August 18, 2022, recommended approval of the application with the following conditions:

- a. Eliminate commercial parking mandated by the BSA-PCE permit, but not required in a C4-4L district
- b. Retain a qualified non-profit administering agent for the 1571 McDonald Avenue lottery
- c. Incorporate sustainability measures, such as blue roofs, passive house design, and/or onsite energy generation

- d. Coordinate with Department of Environmental Protection (DEP), the Department of Parks and Recreation (DPR) and the Department of Transportation (DOT) to install rain gardens along McDonald Avenue as part of a Builder's Pavement Plan (BPP), in consultation with Community Board 12 (CB 12) and local elected officials
- e. Work with DOT, CB 12, and the local Council Member to implement a traffic management plan with a dedicated drop-off area, valet parking, and visible signage, as needed
- f. Retain Brooklyn-based contractors/suppliers, and provide employment opportunities to area residents”

The recommendation also advised the Department of City Planning to revise C4-4L district regulations to discourage accessory parking.

City Planning Commission Public Hearing

On August 10, 2022 (Calendar No. 1), the Commission scheduled August 24, 2022 for a public hearing on this application (C 210230 ZMK) and the related application for a zoning text amendment (N 210231 ZRK). The hearing was duly held on August 24, 2022 (Calendar No. 21). Thirteen speakers testified in favor of the application and none in opposition.

The applicant described the proposed development, including the history of the site, existing context, and the impetus of the project. An applicant representative then outlined the proposed development including the programming, height and setbacks, number of units, and affordability. They also explained that the proposed C4-4L zoning district would allow for a wider range of commercial uses and allow residential units to set back from and rise above the elevated subway. Another applicant representative detailed the increasing population density and overcrowding rates in Community Board 12, noting that community board has identified the need for more housing over the past several years. In response to community board's concerns, the applicant

representative stated the applicant intends to increase the number of units with two and three bedrooms.

The following speakers to testify were local residents who live in close proximity to the project area. They expressed the need for more housing in the neighborhood and noted that the explosive population growth in recent years has put a further strain on the need for new mixed-income housing. Other speakers also noted the design of the proposed development and that it would enhance the neighborhood and emphasized the need for larger family size units.

There were no other speakers, and the hearing was closed.

CONSIDERATION

The Commission believes that this application for a zoning map amendment (C 210230 ZMK), in conjunction with the related application for a zoning text amendment (N 210231 ZRK), is appropriate.

The proposed actions will facilitate the development of an 11-story mixed-use building with 104 dwelling units, 37 of which would be permanently affordable, as well as an approximately 27,712 square foot commercial use. The Commission notes that this project represents an opportunity for increased density on underutilized land located on a wide corridor in an area with a distinct need for market rate and permanently affordable housing. Moreover, the project area is directly adjacent to the Avenue N station of the F subway line, making it a prime location for sustainable, transit-oriented development. The Commission is pleased that the applicant intends to activate the ground floor streetscape with non-residential uses along McDonald Avenue.

The project area is currently located in an R5 zoning district with a C2-3 overlay (OP) where the inclusion of affordable housing is not required. The amendment to Appendix F will create a new MIH area coterminous with the project area, permanently requiring affordable housing at 30 percent of the residential floor area, supporting the creation of much needed affordable housing in Midwood and greater Community Board 12. The MIH text amendment is also aligned with citywide objectives outlined in *Housing New York* and *Where We Live*, New York City's housing reports that outline goals and strategies to affirmatively further the development of fair housing.

The Commission asserts that the proposed text amendment, coupled with the proposed zoning map amendment, will increase housing capacity in a transit accessible neighborhood with a strong demand to accommodate growth, while providing affordable housing opportunities.

The Commission recognizes that the proposed C4-4L zoning district is specifically tailored for mixed-use corridors featuring elevated subway lines and is intended to ensure that adequate light and air reach the sidewalk below the elevated rail line by establishing an appropriate distance between a building's upper floors and the subway. This is done by allowing commercial uses at lower floors, adjacent to the elevated subway, then requiring a setback, allowing the residential units to a buffer from the train platform and tracks. The zoning district also requires a five-foot street wall setback, facilitating the widening of the sidewalk.

Lastly, the Commission recognizes the borough president's condition for retention of Brooklyn-based contractors, to incorporate sustainability measures, and implement a traffic management plan, but notes that this is beyond the scope of this application.

RESOLUTION

RESOLVED, that having considered the Environmental Assessment Statement, for which Negative Declaration was issued on April 25, 2022 with respect to this application (CEQR No. 21DCP194K), the City Planning Commission finds that the actions described herein will have no significant impact on the environment; and be it further

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination and consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 28d,

1. changing from an R5 District to an C4-4L District property bounded by Avenue M, a line midway between McDonald Avenue and East 2nd Street, Avenue N, and McDonald Avenue;
2. eliminating from within an existing R5 District a C2-3 District bounded by Avenue M, East 2nd Street, a line 150 feet southerly of Avenue M, a line midway between McDonald Avenue and East 2nd Street, Avenue N, and McDonald Avenue;

The above resolution (C 210230 ZMK), duly adopted by the City Planning Commission on October 11, 2022 (Calendar No. 7), is filed with the Office of the Speaker, City Council, and the Borough President, in accordance with the requirements of Section 197-d of the New York City Charter.

DANIEL R. GARODNICK, Esq., *Chair*

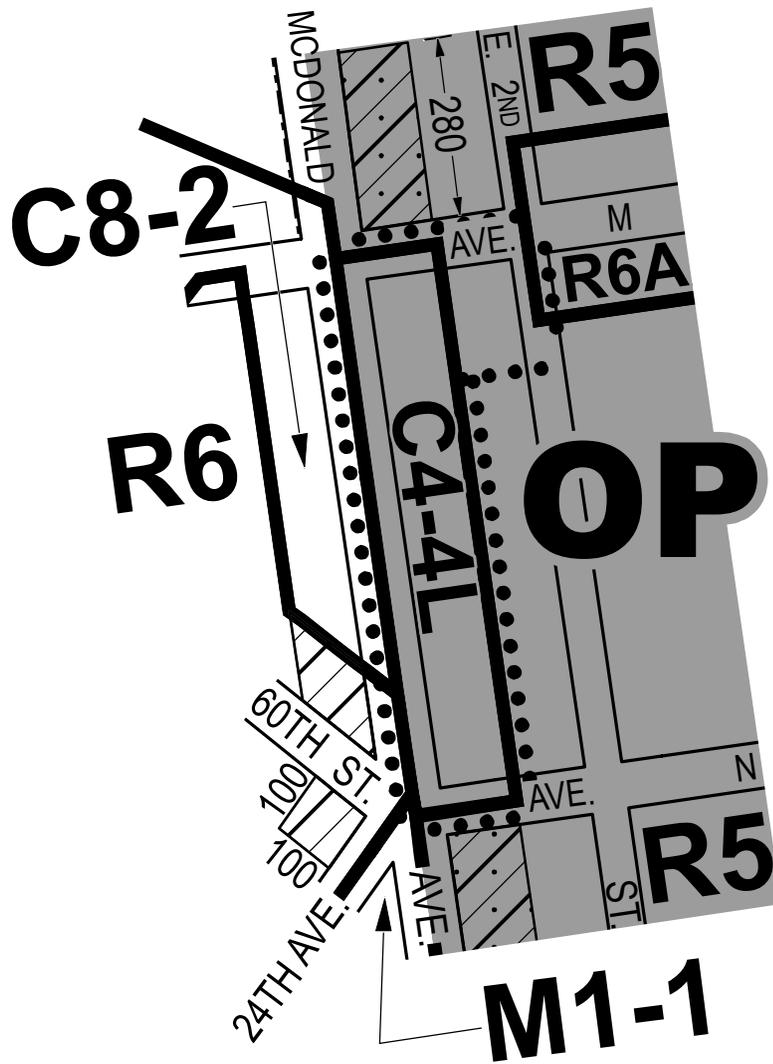
KENNETH J. KNUCKLES, Esq., *Vice Chairman*

LEILA BOZORG,

ALFRED C. CERULLO, III, ANTHONY CROWELL, Esq.,

RASMIA KIRMANI-FRYE, JUAN CAMILO OSORIO, RAJ RAMPERSHAD,
Commissioners

LEAH GOODRIDGE, *Commissioner, ABSTAINING*



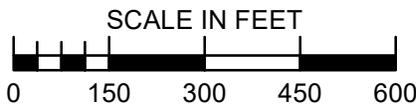
CITY PLANNING COMMISSION
 CITY OF NEW YORK
 DIAGRAM SHOWING PROPOSED
ZONING CHANGE
 ON SECTIONAL MAP

22d
 BOROUGH OF
BROOKLYN

S. Lenard
 S. Lenard, Director
 Technical Review Division



New York, Certification Date:
 May 09, 2022



NOTE:

-  Indicates Zoning District Boundary
-  The area enclosed by the dotted line is proposed to be rezoned by eliminating a C2-3 from within an existing R5 District and by changing an R5 District to a C4-4L District.
-  Indicates a C1-3 District
-  Indicates a C2-3 District
-  Indicates a Special Ocean Parkway District (**OP**)



COMMUNITY/BOROUGH BOARD RECOMMENDATION

Project Name: 1571 McDonald Avenue Rezoning	
Applicant: 1571 Development, LLC	Applicant's Primary Contact: Vivien Krieger
Application # 210230ZMK	Borough:
CEQR Number: 21DCP194K	Validated Community Districts: K12

Docket Description: IN THE MATTER OF an application submitted by 1571 Development, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22d: 1. eliminating from within an existing R5 District a C2-3 District bounded by Avenue M, East 2nd Street, a line 150 feet southerly of Avenue M, a line midway between McDonald Avenue and East 2nd Street, Avenue N, and McDonald Avenue; and 2. changing from an R5 District to an C4-4L District property bounded by Avenue M, a line midway between McDonald Avenue and East 2nd Street, Avenue N, and McDonald Avenue; Borough of Brooklyn, Community District 12, as shown on a diagram (for illustrative purposes only) dated May 9, 2022, and subject to the conditions of CEQR Declaration E-673.
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Please use the above application number on all correspondence concerning this application

RECOMMENDATION: Unfavorable			
# In Favor: 9	# Against: 17	# Abstaining: 6	Total members appointed to the board: 35
Date of Vote: 6/28/2022 4:00 AM		Vote Location: 5901 13th Avenue, Brooklyn, NY 11219	

Please attach any further explanation of the recommendation on additional sheets as necessary

Date of Public Hearing: 5/23/2022 10:30 PM	
Was a quorum present? Yes	<i>A public hearing requires a quorum of 20% of the appointed members of the board but in no event fewer than seven such members</i>
Public Hearing Location:	5910 13th Avenue, Brooklyn, NY 11219 & Zoom

CONSIDERATION:		
Recommendation submitted by	BK CB12	Date: 7/21/2022 12:43 AM



Brooklyn Borough President Antonio Reynoso

Brooklyn Borough Hall
209 Joralemon Street, Brooklyn, NY 11201

City Planning Commission
120 Broadway, 31st Floor, New York, NY 10271
calendaroffice@planning.nyc.gov

Uniform Land Use Review Procedure (ULURP) Application

1571 McDONALD AVENUE REZONING – 210230 ZMK, 210231 ZRK

An application by 1571 Development, LLC pursuant to sections 197-c and 201 of the New York City Charter affecting 25 tax lots fronting McDonald Avenue, Avenue M, East 2nd Street, and Avenue N. The applicant seeks a zoning map amendment to change the project area from R5/C2-3 to C4-4L, and a zoning text amendment to establish a Mandatory Inclusionary Housing (MIH) area. These actions would enable a horizontal and vertical enlargement of an existing one-story commercial building in Brooklyn Community District 12 (CD 12). The resultant mixed-use development would rise to 11 stories with ground-floor commercial space, extensive accessory parking on the second and third story, and 104 units on the floors above. Approximately 37 units would be affordable pursuant to MIH Option 2.

BROOKLYN COMMUNITY DISTRICT 12

RECOMMENDATION

APPROVE
 APPROVE WITH
MODIFICATIONS/CONDITIONS

DISAPPROVE
 DISAPPROVE WITH
MODIFICATIONS/CONDITIONS

BROOKLYN BOROUGH PRESIDENT

August 17, 2022

DATE

RECOMMENDATION FOR: 1571 McDONALD AVENUE REZONING – 210230 ZMK, 210231 ZRK

An application by 1571 Development, LLC pursuant to sections 197-c and 201 of the New York City Charter affecting 25 tax lots fronting McDonald Avenue, Avenue M, East 2nd Street, and Avenue N. The applicant seeks a zoning map amendment to change the project area from R5/C2-3 to C4-4L, and a zoning text amendment to establish a Mandatory Inclusionary Housing (MIH) area. These actions would enable a horizontal and vertical enlargement of an existing one-story commercial building in Brooklyn Community District 12 (CD 12). The resultant mixed-use development would rise to 11 stories with ground-floor commercial space, extensive accessory parking on the second and third story, and 104 units on the floors above. Approximately 37 units would be affordable pursuant to MIH Option 2.

Brooklyn Borough President Antonio Reynoso held a remote public hearing on this Uniform Land Use Review Procedure (ULURP) application on July 21, 2022. There were no speakers on this item.

Community Board Position

Community Board 12 (CB 12) disapproved this application on June 28, 2022.

The Borough President received two testimonies in opposition from area residents, who cited lack of adequate neighborhood infrastructure and capacity to support the proposed development.

Approval Rationale

Borough President Reynoso believes that the applicant's proposed density on McDonald Avenue between avenues M and N is appropriate and beneficial, given its proximity to elevated train and the C8-2 district mapped across the street. Establishing an MIH area over most of the block would promote affordable housing construction in a Transit Zone near jobs and amenities.

While Borough President Reynoso generally supports this application, he questions the rationale for building 72 parking spaces adjacent to a train station. The existing one-story commercial base is a 22,398 sf spa facility built pursuant to a 2017 Board of Standards and Appeals (BSA) special permit for a Physical Culture Establishment (PCE) in an R5/C2-3 district. As part of the special permit terms, the applicant agreed to construct 37 accessory parking spaces on the roof.

This ULURP application would add 8 stories of apartments and 35 accessory residential spaces, one for every two market-rate apartments, as required in a C4-4L district, which has an R7A residential equivalent (MIH units built in a ZR Transit Zone are exempt from parking requirements). However, as health and fitness facilities are permitted in C4-4L districts as-of-right, the spa would no longer be bound by the BSA special permit, or its parking stipulation.

Borough President Reynoso recognizes the high demand for parking in the surrounding neighborhood. However, he is concerned about CD 12's low rental vacancy rate and limited supply of income-restricted housing. Recent studies have shown that structured parking drives up the cost of multi-family housing in cities, with a \$50,000 premium per-unit. Such costs are typically passed on to residents and may be burdensome for renters in new buildings.

Moreover, community members have expressed concern that the garage would be underutilized, as is the case with other new developments in CD 12. The Borough President believes that this is a likely scenario and that above-ground parking provision at 1571 McDonald Avenue would yield fewer, and less affordable, MIH units. However, there is an opportunity to achieve a meaningful reduction by eliminating the commercial parking, which would no longer be required if the rezoning is approved. Relinquishing the full 37 spaces could yield a dozen additional apartments and provide more affordable housing for families. The Borough President strongly encourages the applicant to seek such redress, which relieve a cost burden for the developer, and increase the project's public benefit.

The Borough President believes that the applicant should only furnish parking as mandated by zoning for the market-rate units. Furthermore, as the C4-4L district was created to incentivize medium-density development along elevated rail lines, he believes that its 50% accessory parking requirement should be reduced and/or eliminated, to accommodate provision of greater and more affordable housing. Beyond this position, Borough President Reynoso seeks to maximize the project's public purpose via non-profit administering agent, resilient and sustainable design, and a commitment to local employment.

Engaging a Non-Profit Administering Agent

An administering agent is responsible for ensuring that inclusionary housing complies with the regulatory agreement that governs the development's affordable housing plan. Borough President Reynoso believes that housing non-profits are best positioned to maximize local participation in MIH lotteries. These organizations have the means to provide targeted outreach, marketing, and education for inclusionary housing projects.

Given the increasing number of MIH applications in this part of Brooklyn, it is vital to identify qualified non-profit organizations and build their capacity to administer such developments. Therefore, prior to consideration by City Council, 1571 Development, LLC should commit to retain a non-profit administering agent for the 1571 McDonald Avenue affordable housing lottery.

Advancing Sustainability and Resiliency

Borough President Reynoso believes that energy-efficient and environmentally sustainable buildings help mitigate climate change. Local Laws 92 and 94 of 2019 require most new construction to incorporate a green roof and/or a solar installation. Developers are increasingly pursuing impactful strategies such as passive house design and onsite energy generation. Accordingly, 1571 Development, LLC should seek City and State incentives to offset costs associated with the provision of green and solar roofs. The New York State Energy Research and Development Authority (NYSERDA) manages various programs to promote efficient buildings. New York City offers the Green Roof Tax Abatement and the Green Infrastructure Grant Program, administered by DEP.

Borough President Reynoso advocates stormwater management practices that support DEP's green infrastructure strategy and reduce burdens on its wastewater treatment plants. The required Builder's Pavement Plan (BPP) for 1571 McDonald Avenue provides opportunities to install rain gardens consolidated with new street trees along the development's frontage. 1571 Development, LLC should solicit input from CB 12 and local elected officials in its implementation plan and commit to incorporate sustainability and resiliency measures at 1571 McDonald Avenue prior to review by City Council.

Minimizing Congestion and Vehicular Conflicts

In addition to significant frontage along a key transit corridor, 1571 McDonald Avenue would be built along a local truck route. With a single frontage for its commercial, parking, and residential access, the development could exacerbate conflicts between private cars and commercial/emergency vehicles. Borough President Reynoso believes that there are legitimate concerns about congestion and safety related to increased density on McDonald Avenue. Therefore, 1571 Development, LLC should work with DOT, CB 12, and the local Council Member to implement a traffic management plan with a dedicated drop-off area, valet parking, and visible signage, as needed.

Maximizing Local Jobs

According to the NYU Furman Center, double-digit unemployment remains a pervasive reality across Brooklyn, with more than half the community districts reporting poverty rates of 20 percent or higher. The ongoing COVID-19 pandemic has only exacerbated widespread job insecurity. One way to address the borough's economic crisis is to promote Brooklyn-based businesses and advocate local hiring and promote Brooklyn-based businesses. Therefore, 1571 Development, LLC should commit to retain area contractors and suppliers and provide employment opportunities to CB 12 residents.

Recommendation

Be it resolved that the Brooklyn Borough President, pursuant to sections 197-c and 201 of the New York City Charter, recommends that the City Planning Commission and City Council approve this application with the following conditions:

1. That prior to consideration by City Council, 1571 Development, LLC commit to:
 - a. Eliminate commercial parking mandated by the BSA-PCE permit, but not required in a C4-4L district
 - b. Retain a qualified non-profit administering agent for the 1571 McDonald Avenue lottery
 - c. Incorporate sustainability measures, such as blue roofs, passive house design, and/or onsite energy generation
 - d. Coordinate with Department of Environmental Protection (DEP), the Department of Parks and Recreation (DPR) and the Department of Transportation (DOT) to install rain gardens along McDonald Avenue as part of a Builder's Pavement Plan (BPP), in consultation with Community Board 12 (CB 12) and local elected officials
 - e. Work with DOT, CB 12, and the local Council Member to implement a traffic management plan with a dedicated drop-off area, valet parking, and visible signage, as needed
 - f. Retain Brooklyn-based contractors/suppliers, and provide employment opportunities to area residents

Be It Further Resolved:

1. That the Department of City Planning (DCP) revise C4-4L district regulations to discourage accessory parking provision and instead, direct private funds toward residential construction, including additional affordable housing.