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Uniform Land Use Review Procedure (ULURP) Application

2390 MCDONALD AVENUE – C210340ZMK | N210341ZRK

IN THE MATTER OF a private application by MTL Realty, LLC for a zoning map amendment from C8-1 to C4-4L and a zoning text amendment (Appendix F) to map a Mandatory Inclusionary Housing Area to facilitate a new 91,531 square foot, 8-story mixed-use development, with 73,948 square feet of residential area (80 DUs) and 17,582 square feet of commercial area, at 2390 McDonald Avenue in Gravesend, Community District 15, Brooklyn.

BROOKLYN COMMUNITY DISTRICT 15

RECOMMENDATION

☐ APPROVE
☒ APPROVE WITH MODIFICATIONS/CONDITIONS
☐ DISAPPROVE
☐ DISAPPROVE WITH MODIFICATIONS/CONDITIONS

RECOMMENDATION FOR: 2390 MCDONALD AVENUE – C210340ZMK | N210341ZRK

The Project Area is located within a C8-1 district that staddles McDonald Avenue, a wide (100 ft) arterial road in Gravesend in Community District 15. C8 zoning districts provide for automotive and other heavy commercial services such as automobile showrooms, car repair and tire shops, gas stations, and carwashes. The Project Area is within a corridor of light manufacturing and automotive districts that run north-south along McDonald Avenue.

The Project Area is directly adjacent to an elevated subway line along McDonald Avenue served by the MTA's F train. The Avenue U station is located near the Project Area, with the closest entrance located on the northeast corner of the same block as the Development Site.

The Project Area is also adjacent to the Old Gravesend Cemetery, founded in 1658 and designated as a landmark in 1976. Due to the proximity of this historic cemetery, the property owner is committing to a restrictive declaration regarding excavation near a sensitive archeological site. During public review, the applicant stated that a larger Project Area had originally been considered for this application, but due to the difficulty of entering into restrictive declarations with other property owners, the applicant and the Department of City Planning decided to proceed with a smaller Project Area.

The Project Area includes the entirety of the Development Site and a portion of an adjacent property (2376 McDonald Avenue) that is not within the applicant's control. The Development Site is a rectangular lot at the corner of McDonald Avenue and Village Road South with a single-story carwash facility.

The applicant proposes a zoning map amendment to a C4-4L district, a medium-density contextual commercial district intended for mid-rise development along elevated railways. C4-4L districts have an R7A residential equivalent of 4.6 FAR with Mandatory Inclusionary Housing (MIH). The applicant also proposes a zoning text amendment to map MIH Options 1 and 2.

The proposed actions would facilitate the development of an eight-story mixed-use building with ground floor commercial use. The building would include 80 dwelling units, 24 of which would be affordable if the developer pursues MIH Option 1, and 28 under MIH Option 2. The applicant is proposing a unit mix of 17 one-bedroom units, 41 two-bedroom units, and 22 three-bedroom units. None of the three-bedroom units are proposed to be income-restricted under either MIH Option 1 or 2.

The building would also include a 24' deep cellar, which would provide up to 120 parking spaces utilizing car stackers. Parking would be fully attended and require use of a car elevator to enter and exit the cellar level. Only 30 parking spaces are required under zoning for the market rate apartments; no parking is required for the MIH units as the development site is within the Transit Zone. C4-4L districts have no commercial parking requirements. During public review, the applicant stated that 80 of the proposed parking spaces would be for residential parking, pursuant to a request from CB 15 that the applicant provide a 1:1 ratio of apartments to parking spaces. The remaining 40 spaces are proposed to be used for commercial parking.

Borough President Reynoso held a public hearing for this application on Tuesday, July 16, 2024, at Brooklyn Borough Hall. One member of the public testified in opposition to the application.

Community Board Position

Community Board 15 voted to approve this application on June 25, 2024, specifically noting approval of the proposed height and number of parking spaces.

Approval Rationale

Borough President Reynoso believes the proposed actions are appropriate. The proposed C4-4L district would allow sorely needed housing in a part of the borough where few residential units, and even fewer income-restricted units, have been built. With only 32 residential units per acre,

Community District 15 is identified as a Housing Priority Area in the Borough President's *Comprehensive Plan for Brooklyn*.

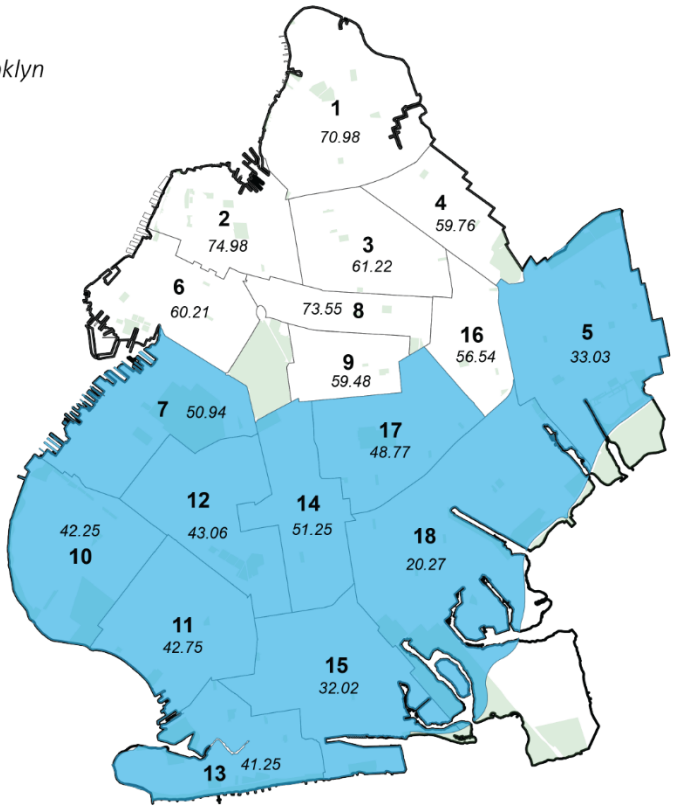
Housing Priority Areas

As identified in the Comprehensive Plan for Brooklyn

Housing Priority Areas

Community Districts with fewer than 55 residential units per acre of buildable land.

Each Community District is labeled with currently existing residential units per acre of buildable land.



As such, this application is partially in alignment with the Housing Growth and Parking Demand Management framework of the *Comprehensive Plan for Brooklyn*, particularly Recommendation 2.1.1(b), which supports proposed increases in residential density in areas where housing production has been lagging.

However, Borough President Reynoso is concerned that although the proposed development includes 22 three-bedroom units, none of these are included in the income-restricted units. The Borough President requests that at least four of the proposed three-bedroom units are included among the MIH units, even if it results in a slight reduction of total units built.

The Development Site is adjacent to the Avenue U subway station and is located within the Transit Zone. Under City of Yes for Housing Opportunity, the Development Site would be located within the "Inner Transit Zone" and thus qualify for a series of potential modest zoning bonuses. In his recommendation for City of Yes for Housing Opportunity, Borough President Reynoso proposed an expanded version of the Inner Transit Zone, with larger density bonuses that establish a new baseline for transit-oriented development around subway stations.

This application exceeds the minimum density called for in both DCP and the Borough President's versions of the Inner Transit Zone. The proposed C4-4L district has a residential equivalent of R7A, which is higher than both DCP's proposed R5 and the Borough President's proposed R6 density. Borough President believes this proposed density is appropriate, as the R6 equivalent zoning advocated for the Inner Transit Zone is a minimum. By providing more residential density directly next to a subway station, this application is partially aligned with the Housing Growth and Parking Demand Management framework of the *Comprehensive Plan for Brooklyn*.

However, while this application is aligned with the *Housing Growth* portion of this framework, it is not aligned when it comes to *Parking Demand Management*. Borough President Reynoso believes the proposed parking is not appropriate. Providing more parking spaces than dwelling units is not appropriate anywhere in the borough, and especially adjacent to a subway station. While car ownership is slightly higher in this part of the borough, this is still not a car-dependent area, and new development should not push it in that direction. A full 38.5% of CD 15 households do not have a vehicle, and a plurality of CD 15 residents commute to work by public transit, not by driving.

Borough President Reynoso is further concerned that the proposed parking relies on car stackers and, as such, would require valet service to access. The construction costs and operational expenses of these fully attended parking spaces will likely be passed on to all tenants of the building, regardless of whether they own a vehicle. The Borough President requests that the applicant reduce the amount of parking provided on site to no more than the 30 parking spaces currently required by zoning, which would obviate the need for car stackers in the cellar floor.

The excessive parking proposed for this Development Site demonstrates the need for additional parking demand management strategies. In his recommendation for City of Yes for Housing Opportunity, Borough President Reynoso requested the addition of a "flexible" parking definition that would enable property managers to tailor their parking spaces to residential and commercial demand, rather than maintaining a strict separation. The proposed Development Site would be well-suited for this strategy, and the Borough President reiterates the need for this definition in the Zoning Resolution.

Borough President Reynoso looks forward to evaluating further opportunities for transit-oriented development across the borough, while striking a balance with preserving and enhancing opportunities for industrial land and jobs.

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 conditions that:

1. The applicant reduces the proposed parking to no more than 30 residential parking spaces required by zoning as to obviate the need for car stackers and full-time staff-attended parking.
2. The applicant includes at least four three-bedroom apartments among the Mandatory Inclusionary Housing units.

July 26, 2024

BROOKLYN BOROUGH PRESIDENT