

ERIC PALATNIK, P.C.

If the instant request is approved, the Proposed Building's required thirty (30) parking spaces will be reduced to fifteen (15) spaces. This reduction in parking is not expected to create any foreseeable hazards or disadvantages to the community.

As shown on the Parking Study, the demand generated by the proposed new building will be sufficiently met by the proposed by the proposed reduced total of fifteen (15) accessory parking spaces spaces.

As shown on the parking study, the peak demand that will be generated by the proposed new building will be thirteen (13) parking spaces during the 10-11 AM; 1-2 PM; and 2-3 PM weekday hours and seven (7) spaces during the 10-11 AM; 3-4 PM and 4-5 PM Saturday hours. As such, the peak demand that will be generated by the proposal is less than the proposed fifteen (15) parking spaces.

Please note that the proposed new building will seek to waive the remaining fifteen (15) spaces pursuant to ZR § 36 - 231 at the Department of Buildings and the reduction to zero (0) is not requested as part of the instant application. However, please note that as shown on Table 4 of the Parking Study, the on street supply of parking spaces at all times exceeds the projected demand that will be generated by the proposal.

The Premises is well served by mass transit. It is located approximately one block away from the B and Q trains at the Sheepshead Bay Road Station and the B36, B4 and B49 bus stations are in close proximity to the Premises.

The parking demand that will be generated by the proposed uses will be sufficiently met by the proposed fifteen (15) total parking spaces on the Premises. The surrounding uses will not be adversely affected by the proposed parking reduction. The applicant will agree to any appropriate conditions with regard to the design and method of operation of the proposed development.

ERIC PALATNIK, P.C.

(b) ZR § 73-03(b) provides:

In all cases the Board shall deny a special permit whenever such proposed special permit #use# or modification of #use#, parking or #bulk# regulations will interfere with any public improvement project (including housing, highways, public #buildings# or facilities, redevelopment or renewal projects, or right-of-way for sewers, transit or other public facilities) which is approved by or pending before the Board of Estimate, Site Selection Board or the City Planning Commission as determined from the calendars of each such agency issued prior to the date of the public hearings before the Board of Standards and Appeals.

The proposal will not interfere with any public improvement project which is approved or pending before the City Council, Site Selection Board, or City Planning Commission.

(c) ZR § 73-03(c) provides:

When under the applicable findings the Board is required to determine whether the special permit #use# or modification of #use#, parking or #bulk# regulations is appropriately located in relation to the #street# system, the Board shall in its discretion make such determination on the basis of the Master Plan of Arterial Highways and Major Streets on the official City Map. Whenever the Board is required to make a finding on the location of a proposed special permit #use# or modification of #use#, parking or #bulk# regulations in relation to secondary or local #streets# and such classification of #streets# is not shown on the Master Plan, the Board in its discretion shall request the City Planning Commission to establish a report on the appropriate classification of such #street#.

Zoning Resolution Section 73-44 does not require your Board to make a finding with respect to the appropriateness of the use in relation to the street system.

(d) ZR § 73-03(d) through (g) are not applicable.

ZR § 73-44 FINDINGS

ZR § 73-44 provides in relevant part:

In the districts indicated, the Board of Standards and Appeals may permit a reduction in the number of #accessory# off-street parking spaces required by the provisions of Section 36-21 or 44-21 (General Provisions) for ambulatory diagnostic or treatment facilities listed in Use Group 4 and #uses# in parking requirement category B1 in Use Group 6, 7, 8, 9, 10, 11, 14 or 16 to the applicable number of spaces specified in the table set forth at the end of this Section, provided that the Board finds that occupancy by ambulatory diagnostic or treatment facilities listed in Use Group 4 or #uses# in parking category B1 is contemplated in good faith on the basis of evidence submitted by the applicant. In such a case the Board shall require that the certificate of occupancy issued for the #building# within which such #use# is located shall state that no certificate shall thereafter be issued if the #use# is changed to a #use# listed in parking category B unless

ERIC PALATNIK, P.C.

additional #accessory# off-street parking spaces sufficient to meet such requirements are provided on the site or within the permitted off-site radius.

REDUCED ACCESSORY OFF-STREET
PARKING SPACES REQUIRED FOR AMBULATORY DIAGNOSTIC
OR TREATMENT FACILITIES LISTED IN USE GROUP 4 AND
COMMERCIAL USES IN PARKING REQUIREMENT CATEGORY B1

Parking Spaces Required per Number of Square Feet of #Floor Area#*	Districts
1 per 400	C1-1 C2-1 C3 C4-1
1 per 600	C1-2 C2-2 C4-2 C8-1 M1-1 M1-2 M1-3 M2-1 M2-2 M3-1
1 per 800	C1-3 C2-3 C4-3 C7 C8-2

* For ambulatory diagnostic or treatment facilities listed in Use Group 4, parking spaces required per number of square feet of #floor area# or #cellar# space, except #cellar# space #used# for storage

The Premises is located in an C4-2 zoning district and your Board is empowered to reduce the number of required parking spaces to one (1) per six hundred (600) as set forth in the table above.

Zoning Resolution Section 73-44, entitled, "*Reduction of Parking Spaces for Ambulatory Diagnostic or Treatment Facilities Listed in Use Group 4 and Uses in Parking Requirement Category B1,*" authorizes your Board to approve the request, provided that the applicant demonstrates that the use is demonstrated in good faith. The instant applicant agrees to this condition as shown in the enclosed affidavit of good faith.

Additionally, the applicant further understands that, should the instant application be approved, the Certificate of Occupancy shall state that "*no certificate shall thereafter be issued if the use is changed to a use listed in parking requirement category B unless additional accessory off-street parking spaces sufficient to meet such requirements are provided on the site or within the permitted off-site radius.*"

CONCLUSION

It is for all of the foregoing reasons that we respectfully submit that the instant application should be granted in all respects.

Respectfully Submitted,

Eric Palatnik, Esq.

EPDSCO, Inc.

55 Watermill Lane, Suite 200, Great Neck, NY 11021, Tel: 718.343.0026 Fax: 516.487.2439

January 26, 2016

Commissioner's
Board of Standards and Appeals
40 Rector Street, 9th Floor
New York, N.Y. 10006

Re: BSA Cal. No. 258-15BZ
2619 East 16th Street
Brooklyn

Dear Commissioner's,

Reference is made to the above application, which has not yet been calendared for hearing.

The following parking demand analysis has been prepared for a proposed mixed-use building to be located at 2619 East 16th Street, which is between Avenue Z and Sheepshead Bay Road in Borough of Brooklyn.

The proposed five (5) story building would contain 4,004 gross square feet of ambulatory diagnostic/treatment health care space on 1st and 2nd floors and 4,987 square feet of Use Group 6 commercial office space on the 3rd, 4th and 5th floors. Under current zoning, a total of 30 off-street parking spaces are required, however, the applicant proposes to reduce the parking requirement and provide a total of 15 on-site parking spaces, and thereafter seek a waiver from the Building Department to eliminate the requirement for the remaining 15 parking spaces.

The following parking demand analysis estimated the peak demand for the proposed land use(s), the results of which concluded that the total parking demand to be generated at its peak, would be below 15 parking spaces. Additionally, a weekday on-street parking survey was conducted in the immediate parking study area (1/4 of mile radius/5 to 6 minutes walking distance), as is detailed below.

The analysis findings indicate that parking demand would only reach a maximum of 13 and 7 parking spaces in Weekday and Saturday peak parking demand periods, respectively.

Parking Demand

In order to estimate the parking demand associated with the proposed land use(s), an hourly parking accumulation analysis has been prepared for a typical Weekday and Saturday. The parking demand trip generation factors utilized are summarized in **Table 1**, and the projected hourly parking demand is summarized in **Tables 2 and 3** for both the Weekday and Saturday, respectively.

Parking Supply

The proposed mixed-use development would not provide any accessory on-site parking spaces. An on-street parking survey was performed on Tuesday, November 24, 2015, between the hours of 8AM and 6PM in order to provide the surrounding parking conditions, as is described below.

The parking area surveyed, which generally covers all of the streets located within a ¼ mile radius of the project site, is listed below:

- Avenue Z b/w East 14th and 15th Streets, North/South Curbsides Parking.
- Avenue Z b/w East 15th and 16th Streets, North/South Curbsides Parking.
- Avenue Z b/w East 16th and 17th Streets, North/South Curbsides Parking.
- Avenue Z b/w East 17th and 18th Streets, North/South Curbsides Parking.
- Avenue Z b/w East 18th and 19th Streets, North/South Curbsides Parking.
- Jerome Avenue b/w East 17th and 18th Streets, North/South Curbsides Parking.
- Jerome Avenue b/w East 18th and 19th Streets, North/South Curbsides Parking.
- Sheepshead Bay Road b/w East 14th and 15th Streets, North/South Curbsides Parking.
- Sheepshead Bay Road b/w East 15th and 16th Streets, North/South Curbsides Parking.
- Sheepshead Bay Road b/w East 16th and 17th Streets, North/South Curbsides Parking.
- East 19th Street b/w Avenue Z and Jerome, East/West Curbsides Parking.
- East 18th Street b/w Avenue Z and Jerome, East/West Curbsides Parking.
- East 17th Street b/w Avenue Z and Jerome, East/West Curbsides Parking.
- East 16th Street b/w Avenue Z and Sheepshead Bay, East/West Curbsides Parking.
- East 15th Street b/w Avenue Z and Sheepshead Bay, East/West Curbsides Parking.
- East 14th Street b/w Avenue Z and Sheepshead Bay, East/West Curbsides Parking.

Based on the survey results as shown in Table 4, it was estimated that there are a total of 130 on-street parking spaces (parking supply) within the parking study area. The projected hourly parking demand, on-street hourly available parking supply, and the remaining on-street parking supply during the Weekday 8AM to 6PM time periods is shown in Table 4.

On-Street Parking survey-Weekday

During the Weekday peak parking demand (10AM-11AM), the proposed project would require a total of 13 parking spaces, as is summarized in Table 4. Additionally and as shown in Table 4, the projected parking demand would be accommodated by available on-street parking spaces.

Commissioner's
Board of Standards and Appeals
Re: BSA Cal. No. 258-15BZ
Page #3

Conclusion

The parking demand to be generated by the proposed project, would be sufficiently accommodated by the availability of on-street spaces located on the streets surrounding the project site.

Respectfully Submitted,

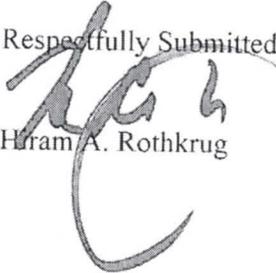

Hiram A. Rothkrug

Table 1

Parking Demand Analysis Factors

2619 East 16th Street Mixed Use Development, Brooklyn NY

Project Components Size Unit	Medical Office 4,004 gsf		Commercial Office Space 4,987 gsf	
	Weekday(1)	Saturday(1)	Weekday (2)	Saturday (2)
Daily Person Trip Rate	127	127	<i>See footnote number 2</i>	<i>Office is closed</i>
Percent Linked-Trips	0%	0%		
Auto Share	30%	30%		
Auto Occupancy Rate	1.5	1.5		
Daily Auto Trips	102	102		

Source:

(1)-NYCDOT

(2)-A parking demand survey was conducted at the existing site, 4770 White Plains road, for a 46,043 gsf of existing office use on Thursday, November 5, 2015, by EPDSCO.

Table 2

Projected Weekday Hourly Parkin Demand

2619 East 16th Street Mixed Use Development, Brooklyn NY

Time	Office (1)			Medical Office (2)			Total Accu.
	In	Out	Accu.	In	Out	Accu.	
Before 7:30AM			1	0	0	0	1
7:30-8:00 AM	0	0	1	0	0	0	1
8-9	2	0	3	4	1	3	6
9-10	3	1	5	7	4	6	11
		1	6	6	5	7	13
11-12N	1	1	6	6	7	6	12
12N-1PM	1	0	7	3	4	5	12
		1	7	6	5	6	13
		0	7	5	5	6	13
3-4	0	2	5	5	4	7	12
4-5	1	2	4	6	6	7	11
5-6	0	3	1	4	7	4	5
6-7	0	0	1	0	4	0	1
Total	11	11		52	52		

Source:

(1)-A parking demand survey was conducted at the existing site, 4770 White Plains road, for a 46,043 gsf of existing office use on Thursday, November 5, 2015, by EPDSCO.

(2)-NYCDOT

Table 3

Projected Saturday Hourly Parkin Demand

2619 East 16th Street Mixed Use Development, Brooklyn NY

Time	Office (1)			Medical Office (2)			Total Accu.
	In	Out	Accu.	In	Out	Accu.	
Before 7:30AM			0	0	0	0	0
7:30-8:00 AM	0	0	0	0	0	0	0
8-9	0	0	0	4	1	3	3
9-10	0	0	0	7	4	6	6
10-11	0	0	0	6	5	7	7
11-12N	0	0	0	6	7	6	6
12N-1PM	0	0	0	3	4	5	5
1-2	0	0	0	6	5	6	6
2-3	0	0	0	5	5	6	6
3-4	0	0	0	5	4	7	7
4-5	0	0	0	6	6	7	7
5-6	0	0	0	4	7	4	4
6-7	0	0	0	0	4	0	0
Total	0	0		52	52		

Source:

(1)-office is closed on Saturday

(2)-NYCDOT

Table 4

Projected Weekday Hourly Parking Demand and On-Street Parking Supply

Time	Parking		
	<i>Project Demand</i>	<i>On-Street Supply (1)</i>	<i>Available</i>
8-9am	6	43	37
9-10am	11	23	12
10-11am	13	15	2
11-12n	12	14	2
12n-1pm	12	14	2
1-2pm	13	15	2
2-3pm	13	15	2
3-4pm	12	18	6
4-5pm	11	18	7
5-6pm	5	32	27

Source:

(1)-Weekday on-street parking survey results, conducted by EPDSCO, Tuesday November 24, 2015.