

ATTACHMENT 11: APPLICANT'S DISCUSSION OF FINDINGS

Premises: **Block 5147 Lots 37 and 39**
45-52 Kissena Boulevard
Flushing, New York

ZR § 25-35

Waiver for Locally Oriented Houses of Worship

R1 R2 R3 R4 R5

In the districts indicated, the requirements set forth in Sections 25-31 (General Provisions) and 25-32 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements) shall not apply to a house of worship, provided the Chairperson of the City Planning Commission certifies that:

- (a) seventy-five percent or more of the congregants of such house of worship reside within a three-quarter mile radius of the house of worship;*

The Hindu Center Temple has 851 members, a majority of which live within a three-quarter mile radius of the house of worship located at the Premises. Included with this application are the following materials:

1. An affidavit of Giri Chhabra, the President of Hindu Center, Inc., which attests to the number and name of the Hindu Center Temple's members;
2. List of the Hindu Center's congregants (attached to the affidavit of Giri Chhabra as Exhibit A); and
3. A series of maps, which plot the residences of those members living within a ¾-mile radius of the Hindu Center Temple.¹

Of the Hindu Temple's 851 members, 668 or 78.49% live within a ¾-mile radius of the house of worship. Therefore, this application satisfies the finding of ZR § 25-35(a) since 78.49% exceeds the minimum 75% of congregants that must live within a ¾-miles radius.

- (b) the number of spaces required pursuant to this Section is less than the number of spaces listed in the table in Section 25-33 (Waiver of Requirements for Spaces Below Minimum Number); and*

In R3-2 zoning districts, Zoning Resolution § 25-31 requires that one parking space be provided for every ten persons of the Persons Rated Capacity for the largest room of assembly in the house of worship.

ZR § 25-35 sets forth the method for determining the number of parking spaces required pursuant to this Section. The text of ZR § 25-35 regarding this calculation is as follows:

For purposes of determining the number of spaces required pursuant to this Section, the product of the actual percentage of congregants living within a three-quarter mile radius of the house of worship, computed for the purposes of paragraph (a) of this Section, multiplied by the persons-rated capacity of the largest room of assembly, shall be subtracted from the persons rated capacity of the largest room of assembly.

This calculation effectively reduces the persons rated capacity of the largest room to account for those members of the congregation that live within a ¾-mile radius of the house of worship and are therefore likely to walk to the house of worship. The

¹ Those members not living within a ¾-mile radius of the house of worship are not shown on the maps submitted herewith.

calculation for determining the adjusted Persons Rated Capacity can be summarized by the following formula:

$$\text{Adjusted PRC} = \text{PRC} - (\text{PRC} \times \%)$$

In the formula, % is the percentage of congregants that live within $\frac{3}{4}$ mile radius of the house of worship, and PRC is the persons rated capacity of the house of worship's largest room of assembly. The percentage of congregants living within a $\frac{3}{4}$ mile radius of the Hindu Center Temple is 78.49% and the persons rated capacity of the Temple's largest room of assembly is 230. Thus:

$$\begin{aligned} \text{Adjusted PRC} &= 230 - (230 \times 78.49\%) \\ \text{Adjusted PRC} &= 230 - 180.53 \\ \text{Adjusted PRC} &= 49.47 \end{aligned}$$

The adjusted Persons Rated Capacity is then used in determining the number of spaces required and whether the parking waiver in ZR § 25-33 is applicable. The calculation of parking spaces based on the Adjusted Persons Rated Capacity is shown below.

$$\begin{aligned} \text{No. of Spaces} &= \text{Adjusted PRC} \div 10 \\ \text{No. of Spaces} &= 49.47 \div 10 \\ \text{No. of Spaces} &= 4.9 \text{ (rounded to 5)} \end{aligned}$$

The above calculation reduces the number of spaces required in light of the percentage of congregants living within a $\frac{3}{4}$ mile radius to 5 spaces. The reduced number of spaces must then be applied to the waiver provisions of ZR § 25-33 to determine if the waiver is applicable, thus satisfying ZR § 25-35(b).

Zoning Resolution § 25-33 permits the waiver of all parking spaces provided that:

The parking requirements set forth in Sections 25-31 (General Provisions) or 25-32 (Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements) shall not apply to permitted non-residential uses if the total number of accessory off-street parking spaces required for all such uses on the zoning lot is less than the number of spaces set forth in the following table:

Number of Spaces	Districts
10	R1 R2 R3 R4 R5
25	R6 R7-1 R7B
40	R7-2 R7A R7D R7X R8 R9 R10

The maximum number of spaces that can be waived for a zoning lot located in an R3-2 zoning district is 10 spaces. The number of spaces required for the proposed house of worship based on the adjusted Persons Rated Capacity is 5. Therefore, this application satisfies the findings of ZR § 25-35(b) since the reduced parking requirement of 5 spaces is less than the 10 spaces set forth in ZR § 25-33. There are no proposed spaces as a result of this waiver.

(c) such house of worship shall not include, as an accessory use, the leasing, licensing or any other grant of permission to utilize a room or other space in such house of worship for the operation of a business engaged in serving food or beverages for functions, occasions or events.

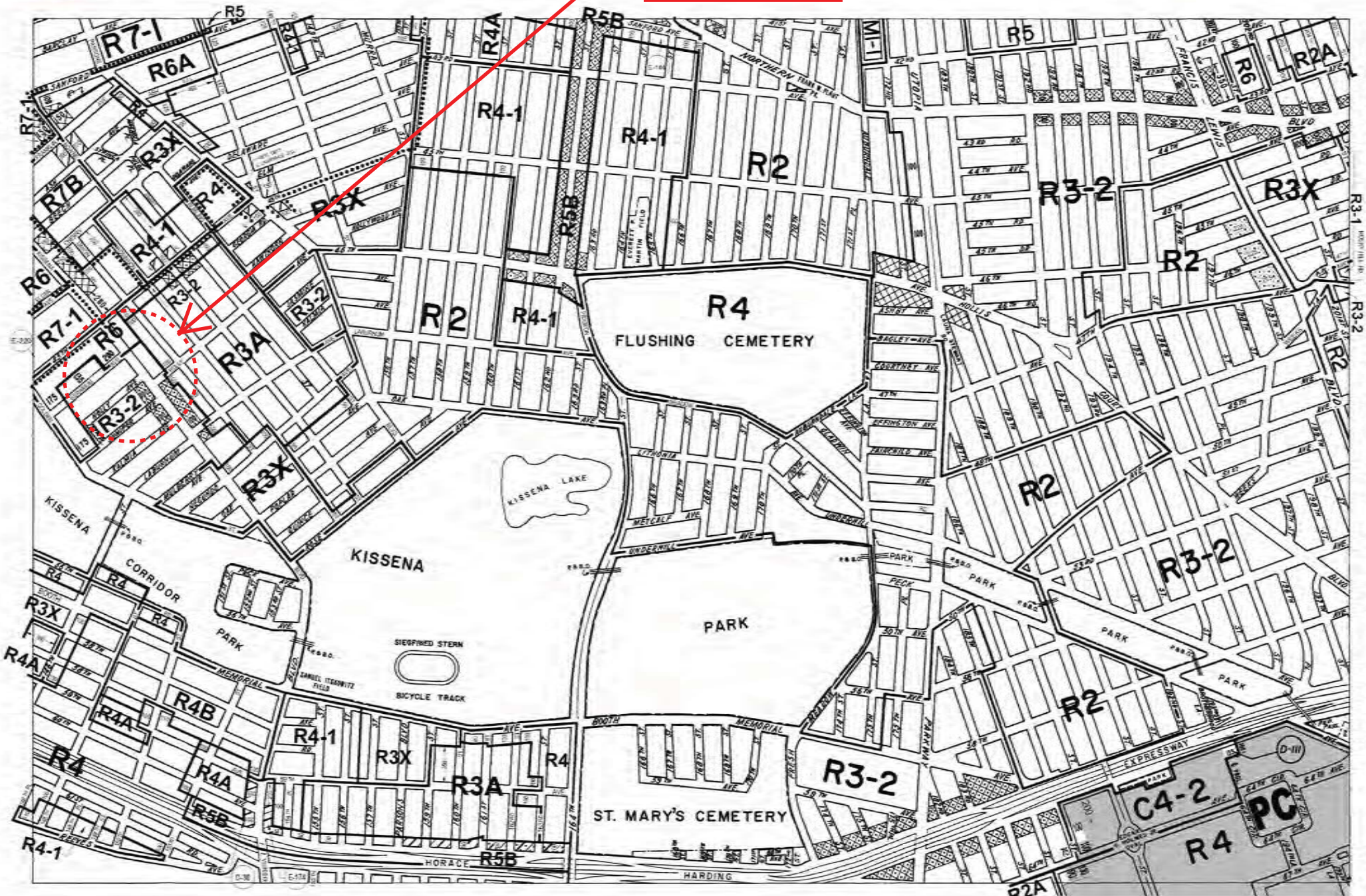
The enlarged house of worship permitted by this application will not include any accessory use that leases, licenses or grants permission to utilize a room or other space within the house of worship for the operation of a catering-related business. The affidavit of the Hindu Center's President, Giri Chhabra, specifically states as follows:

“The house of worship currently used and to be enlarged by Hindu Center, Inc. does not include as an accessory use, the leasing, licensing or any other grant of permission to utilize a room or other space in the house of worship for the operation of a business engaged in serving food or beverages for functions, occasions or events.”

As demonstrated by the foregoing, this application satisfies the findings of ZR § 25-35 because (i) more than 75% of the Hindu Center Temple's congregants live within a ¾-mile radius, (ii) the number of spaces required by ZR 25-35 falls below the threshold for a parking waiver in ZR 25-33, and (iii) the facility will not be leased, licensed or permitted to be used for the operation of a catering business.

Click blue box on map to view sketch map of proposed map change

Premises



ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

The number(s) and/or letter(s) that follows an **R**, **C** or **M** District designation indicates use, bulk, and other controls as described in the text of the Zoning Resolution.

- R – RESIDENTIAL DISTRICT
- C – COMMERCIAL DISTRICT
- M – MANUFACTURING DISTRICT

AREAS TO BE REDONE
EFFECTIVE DATES OF REDONING
11-24-2008 & 06-28-2010

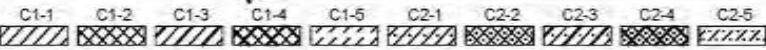
SPECIAL PURPOSE DISTRICT
The Special Purpose Districts are designated for special purposes and are described in the text of the Zoning Resolution.

- D – RESPECTIVE DECLARATION
- E – CITY ENVIRONMENTAL QUALITY REVIEW DECLARATION

MAP KEY

10a	10c	11a
10b	10d	11b
14a	14c	15a

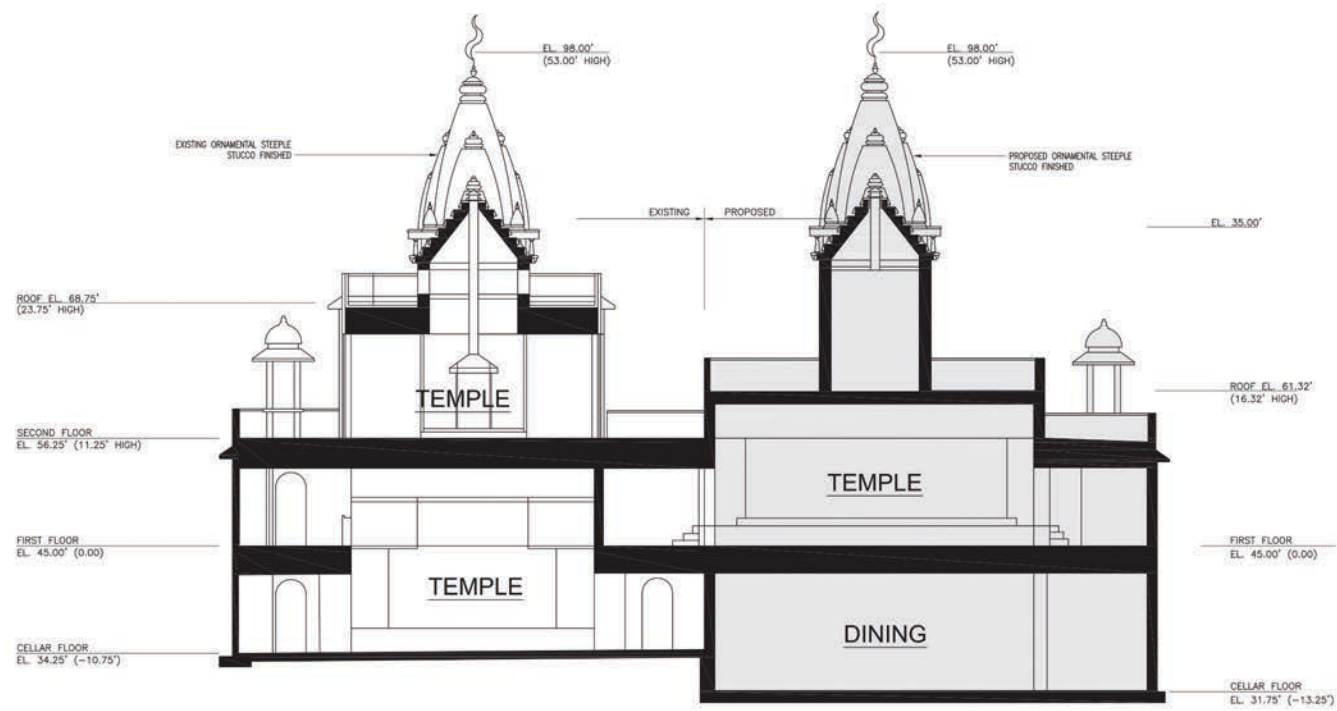
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NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: www.nyc.gov/planning or contact the Zoning Information Desk at (212) 720-3291.

ZONING MAP 10d



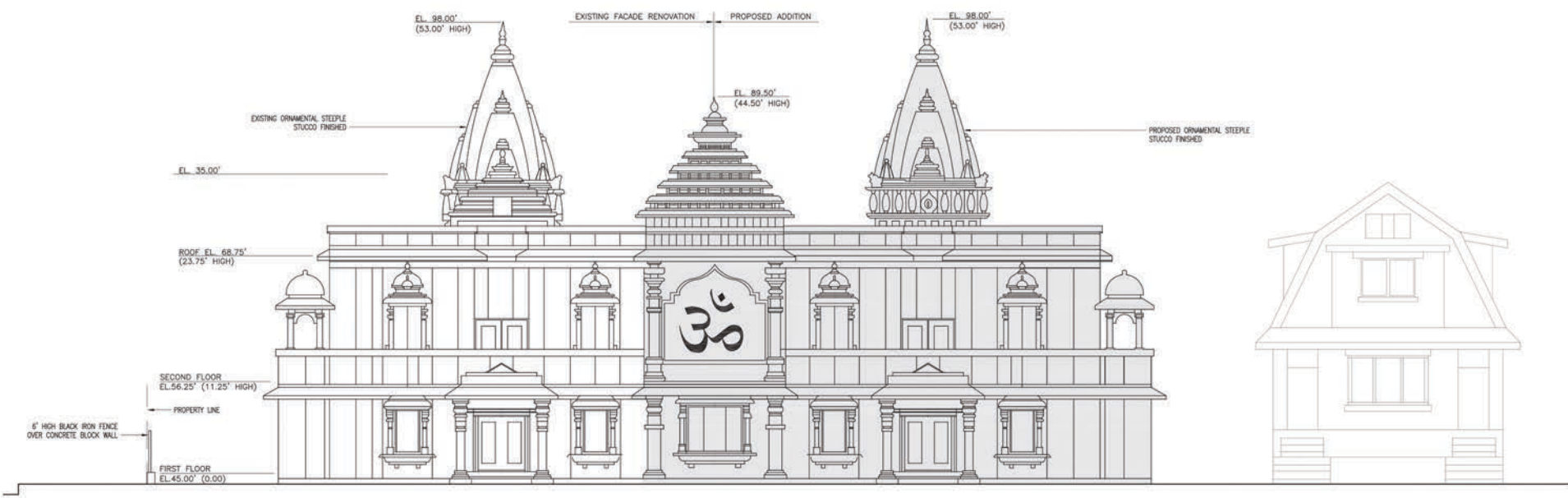
CROSS SECTION - "B - B"
 SCALE: $\frac{1}{8}" = 1'-0"$

LEGEND
 [Shaded Box] PROPOSED
 [White Box] EXISTING

Project:
**RENOVATION AND ADDITION
 HINDU CENTER INC.
 45-52 KISSENA BLVD.
 FLUSHING, NY 11355**

Drawing Title
**ARCHITECTURAL
 SECTION - 1**

SEAL & SIGNATURE	Date:
	Project No.:
	Drawn by:
	Checked by:
	DWG No.:
A-7	
CAD FILE No.:	___ OF ___



FRONT ELEVATION FROM KISSENA BOULEVARD

SCALE: 1/8"=1'-0"

LEGEND

- PROPOSED
- EXISTING

Project:
**RENOVATION AND ADDITION
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Drawing Title
**ARCHITECTURAL
 ELEVATION - 1**

SEAL & SIGNATURE

Date:	
Project No.:	
Drawn by:	
Checked by:	
DWG No.:	
A-5	
CAD FILE No.:	___ OF ___