



November 17, 2021 / Calendar No. 5

C 200299 ZMQ

IN THE MATTER OF an application submitted by 79 Arverne Development LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 30c, by changing from an M1-1 District to an M1-2 District property bounded by the U.S. Pierhead and Bulkhead Line, a line 80 feet westerly of Beach 77th Street, Rockaway Freeway, and a line 200 feet easterly of Beach 80th Street, Borough of Queens, Community District 14, as shown on a diagram (for illustrative purposes only) dated June 7, 2021, and subject to the conditions of CEQR Declaration E-624.

This application for a zoning map amendment was filed by 79 Arverne Development LLC on March 26, 2020. The proposed action would facilitate the development of a six-story self-service storage facility at 350 Beach 79th Street in the Arverne neighborhood of Queens, Community District 14.

BACKGROUND

The applicant, 79 Arverne Development LLC, seeks a zoning map amendment from an M1-1 zoning district to an M1-2 zoning district to facilitate a new, six-story self-service storage facility at 350 Beach 79th Street. The project area is bounded by Barbadoes Basin to the north, Brandreth Creek to the west, Beach Channel Drive and Rockaway Freeway to the south, and Beach 77th Street to the east. Beach Channel Drive, Rockaway Freeway, and Rockaway Beach Boulevard act as main arteries providing vehicular access across the peninsula. The project area is also located within the one percent annual chance floodplain with a base flood elevation of ten feet.

The project area comprises Block 16100, Lots 14, 18, and 20 and portions of Lots 24, 28, 29, 33, 34, and 175. Lot 24 is a privately-owned, unimproved lot that is currently used for

parking and storage accessory to an industrial warehouse. Lots 28, 29, 33, 44, and 175 are under the jurisdiction of the New York City Department of Administrative Services and include portions of Rockaway Freeway and a portion of the shoreline along Brandreth Creek. The development site would consist of a single zoning lot comprising Lots 14, 18, and 20, all of which have been owned by the applicant since 2018. The development site contains a total lot area of approximately 107,553 square feet and is improved with a single-story, approximately 34,500 square foot building built to an FAR of 0.32. It houses seven tenants and includes light manufacturing uses ranging from carpet fabrication to conveyor belt manufacturing, employing approximately 60 total employees.

The surrounding area is characterized by a mix of industrial, community facility, residential, and commercial uses, including auto and tire repair shops, vacant land, small houses of worship, a brewery, and the Rockaway Garage, operated by the New York City Department of Parks and Recreation. Residential uses are located two blocks east of the project area along Beach 75th Street and a half mile south of the project area along Rockaway Freeway. The nearby residences include a mix of single-, two-family, and multifamily buildings ranging from one to four stories in height. Nearby institutional uses include Public School 183, a pre-kindergarten through eighth grade school serving approximately 500 students, located two blocks south, and the Rockaway YMCA, located eight blocks southeast. Nearby recreational areas include the Rockaway Freeway Dog Run, located three blocks west. Vernam Barbadoes Preserve, part of the Gateway National Recreation Area, is located directly north of the project area across Barbadoes Basin.

The project area is located approximately one-half mile from the New York City Transit A-Train Beach 67 Street station, and the Q22, Q17, and New York City Ferry Rockaway East Shuttle (RES) bus lines each have stops located four blocks south of the project area along Rockaway Beach Boulevard and Beach 77th Street. The Q22 bus provides connection between the eastern and western portions of the peninsula, the QM17 bus runs from Far Rockaway to Midtown via 6th Avenue, and the RES provides service along

Rockaway Beach Boulevard and Beach Channel Drive, connecting residents to the Rockaway ferry stop at Beach 108th Street.

The project area was originally zoned M1-1 and has remained unchanged since the adoption of the Zoning Resolution in 1961. M1-1 zoning districts permit light industrial uses such as woodworking shops, repair shops, and storage facilities as well as office space and most retail uses. M1-1 districts also allow for a maximum commercial and manufacturing FAR of 1.0 and a maximum community facility FAR of 2.40. Buildings in M1-1 districts may rise to a maximum front wall height of 30 feet or two stories, whichever is less, beyond which the maximum building height is governed by a sky exposure plane of one to one. Parking in M1-1 districts depends on use. For manufacturing or semi-industrial uses, one space must be provided for every 1,000 square feet or one space per three employees, whichever is more. For self-service storage uses, one space is required per 2,000 square feet or one space per three employees, whichever is less.

In 2008, the city adopted the Rockaway Neighborhoods Rezoning (C 080371 ZMQ), which encompassed five neighborhoods and 280 blocks. The rezoning sought to reflect established development patterns in lower density residential areas and to provide for moderate growth opportunities at select locations along major commercial corridors and near transit. The project area remained unchanged, but a large R3-2 zoning district approximately four blocks east was rezoned to low-to-moderate density contextual districts, including R4-1, R4A, R5D, and R5A.

The Arverne Urban Renewal Area (URA) is located one block south of the project area and is bounded by Rockaway Freeway to the north, Beach 32nd Street to the east, the Rockaway Beach Boardwalk, Rockaway Beach Boulevard and Hammels Boulevard to the south, and Beach 74th, Beach 81st and Beach 84th Street to the west. The Arverne URA, last amended by the City Council on November 3, 2003, (C 030509 HUQ) consists of 308 blocks and was first enacted in 1968 to encourage development of new housing in the area, which has resulted in the construction of multiple housing developments

including, most recently, Arverne by the Sea. The development contains 2,300 total dwelling units, half of which have been made affordable to low- and middle-income households. Arverne East (C 210070 ZMQ, N 210071 ZRQ, N 210069 HNQ) was adopted by the City Council on March 25, 2021 and is located adjacent to Arverne by the Sea. The development will provide 1,600 dwelling units, 43 percent of which will be reserved for low- and middle-income households.

The applicant proposes to develop a six-story, approximately 145,986 square foot self-service storage facility comprising approximately 960 storage units that would serve individuals and small business owners on the Rockaway peninsula and surrounding area. The proposed development would also include a ground floor parking lot containing 34 spaces, though only six would be required by zoning. Parking would be accessed via an existing 27-foot-wide curb cut along Beach Channel Drive at Beach 79th Street, and five loading berths would be provided for self-service storage customers, accessible from the same curb cut. The ground floor lobby would be dry flood-proofed, and the building would be elevated to 15.5 feet, above the base flood elevation of ten feet, in accordance with Appendix G of the Building Code. The proposed development would have an FAR of 1.68 and rise to a total height of 75 feet. The existing manufacturing building on the development site would not be redeveloped as a result of the proposed action and would remain unchanged.

In December 2017, the New York City Council adopted the Self-Storage Text Amendment (N 170425 (A) ZRY), which established a required City Planning Commission (CPC) special permit to develop new self-service storage facilities in designated M1 zoning districts. The text amendment was intended to impose appropriate restrictions on new self-service storage facilities within New York City's most active industrial areas to promote the future availability of siting opportunities for industrial and job-intensive uses. The proposed rezoning area is not within the designated manufacturing districts in Appendix J of the Zoning Resolution and does not require a special permit for the development of self-service storage facilities.

When the Self-Storage Text Amendment was adopted in 2017, the Environmental Impact Statement (EIS) identified only one self-service storage facility in the Rockaways, and the number of facilities has not grown since then. The same facility identified in the EIS, located approximately one-half mile west of the project area, is the still the only self-service storage facility on the peninsula. The 106-02 Rockaway Beach Boulevard Rezoning (C 180395 ZMQ) was certified on April 5th, 2021 and would facilitate the second self-service storage facility on the peninsula, which would be located approximately one mile west of the project area.

To facilitate the proposed development, the applicant seeks a zoning map amendment from an M1-1 to an M1-2 zoning district. M1-2 zoning districts permit light industrial and commercial uses like those allowed in M1-1 zoning districts, such as woodworking shops, repair shops, wholesale services, and self-service storage facilities, and permit a maximum manufacturing FAR of 2.0. Buildings within M1-2 zoning districts require an initial setback of 20 feet along a narrow street and 15 feet along a wide street and may rise to a maximum front wall height of 60 feet or four stories, whichever is less, beyond which the maximum building height is governed by a sky exposure plane of 3.7 to one. For self-service storage uses, one parking space is required per 2,000 square feet or three employees, whichever is less. The proposed action would result in an increase in maximum permitted manufacturing FAR from 1.0 to 2.0.

ENVIRONMENTAL REVIEW

This application (C 200299 ZMQ) 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 designated CEQR number is 20DCP138Q. The lead agency is the Department of City Planning.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on June 7, 2021, which includes an (E) designation (E-624)

related to hazardous materials and air quality to avoid the potential for significant adverse impacts. The requirements of the (E) designation are described in the Environmental Assessment Statement and Negative Declaration.

WATERFRONT REVITALIZATION PROGRAM

This application (C 200299 ZMQ) was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 30, 2013 and by the New York State Department of State on February 3, 2016, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981, (New York State Executive Law, Section 910 et. Seq.). The designated WRP number is 18-091.

The action was determined to be consistent with the policies of the WRP.

UNIFORM LAND USE REVIEW

This application (C 200299 ZMQ) was certified as complete by the Department of City Planning on June 7, 2021 and duly referred to Queens Community Board 14 and the Queens Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Community Board 14 held a public hearing on this application (C 200299 ZMQ) on September 9, 2021 and on that date, by a vote of 14 in favor, with 12 opposed and five abstentions, recommended disapproval of the application with the following conditions:

“The adjoining civic associations opposed up zoning the board did have some environmental concerns regarding its location directly adjacent to Jamaica bay”

Borough President Recommendation

The Queens Borough President held a public hearing on the application (C 180395 ZMQ) on September 24, 2021, and on October 18, 2021 issued a recommendation to approve the application with the following conditions:

“To address potential traffic safety issues entering the project site at Beach 79th Street, the applicant should work closely with the Department of Transportation to assess safe entry onto the site and consider measures that would be needed to assure safe entry onto the site. These measures might include a 4-way traffic light, jersey barriers, or any method DOT finds that would best ensure traffic safety at that intersection.”

City Planning Commission Public Hearing

On October 6, 2021 (Calendar No. 1), the Commission scheduled October 20, 2021 for a public hearing on this application (C 180395 ZMQ). The hearing was duly held on October 20, 2021 (Calendar No. 26). There were four speakers in favor of the application.

A representative for the applicant described the density, bulk, parking, and ground floor programming of the proposed mixed-use development. She noted that approximately 950 self-storage units would be constructed, and she explained the conversations the applicant has had with local civic associations and DOT regarding the project.

The applicant explained the need for self-storage in the area based on market analysis and his history of self-service storage development in other parts of the region. He also spoke to outreach efforts with the Hammels Tenant Association in order to hire locally.

The environmental consultant described the Department of Environmental Conservation (DEC) and Department of Environmental Protection (DEP) requirements on the waterfront site, including a 50-foot setback from the tidal wetlands and mitigative plantings along the shore that will absorb stormwater runoff. He also described the permeable pavers that will be used in the driveway between both buildings to decrease ponding and flooding.

A tenant of the existing industrial building spoke about how the new building will provide improvements to the entire site, including better security and self-service storage for tenants.

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

CONSIDERATION

The Commission believes that this application for a zoning map amendment (C 200299 ZMQ) is appropriate.

The Commission appreciates that the proposal seeks to keep jobs within the Rockaways by preserving approximately 60 light manufacturing jobs within the existing 34,500-square-foot building on-site. The proposed M1-2 district will facilitate the additional development of a self-service storage facility in the manufacturing district.

A manufacturing zoning district, rather than a residential zoning district, is better suited to project area because of the existing light industrial tenants on the development site as well as proximity to busy major thoroughfares. Beach Channel Drive and the elevated A-Train rail line serve as a buffer between the nearby residences and manufacturing uses.

There is not a concentration of self-service storage facilities in the surrounding area. Only one self-service storage facility is located on the Rockaway Peninsula, approximately a half-mile west of the project area. The proposed 106-02 Rockaway Beach Boulevard Rezoning (C 180395 ZMQ), which was certified on April 4, 2021, would facilitate the second self-service storage facility in the Rockaways and would be located approximately one mile west of the project area. The Commission believes that, in an area that was devastated by Hurricane Sandy in 2012, the development will support nearby residents by providing flood-proofed storage space. Many homes have been elevated or retrofitted to be flood-resilient in accordance with Appendix G of the Building Code, which eliminates usable subgrade storage space. As a result, residents do not have space to store personal items or construction materials used for rebuilding their

homes. The self-service storage facility will allow residents to store and rebuild in their community.

RESOLUTION

RESOLVED, that having considered the Environmental Assessment Statement, for which a Negative Declaration was issued on June 7, 2021 with respect to this application (CEQR No. 20DCP138Q), the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

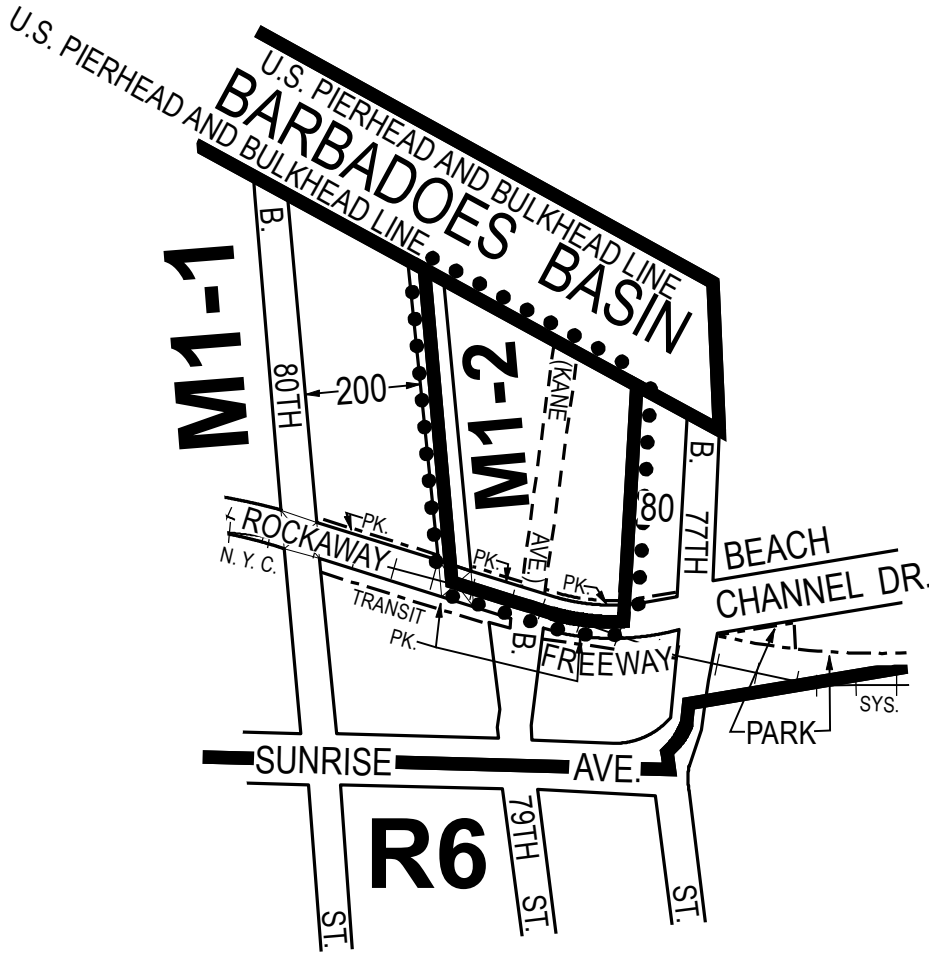
RESOLVED, that the City Planning Commission, acting as the City Coastal Commission, having reviewed the waterfront aspects of this action, finds that it will not substantially hinder the achievement of any WRP policy and hereby determines that this action is consistent with WRP policies; and be it further

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 the 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. 30c, by changing from an M1-1 District to an M1-2 District property bounded by the U.S. Pierhead and Bulkhead Line, a line 80 feet westerly of Beach 77th Street, Rockaway Freeway, and a line 200 feet easterly of Beach 80th Street, Borough of Queens, Community District 14, as shown on a diagram (for illustrative purposes only) dated June 7, 2021, and subject to the conditions of CEQR Declaration E-624.

The above resolution (C 200299 ZMQ), duly adopted by the City Planning Commission on November 17, 2021 (Calendar No. 5) is filed with the Office of the Speaker, City Council, and the Borough President in accordance with requirements of Section 197-d of the New York City Charter.

ANITA LAREMONT, *Chair*
KENNETH J. KNUCKLES, *Esq.*, *Vice-Chairman*

**DAVID J. BURNEY, FAIA; ALLEN P. CAPPELLI, Esq.,
ALFRED C. CERULLO, III, JOSEPH I. DOUEK,
RICHARD W. EADDY, ANNA HAYES LEVIN,
ORLANDO MARIN, RAJ RAMPERSHAD** *Commissioners*



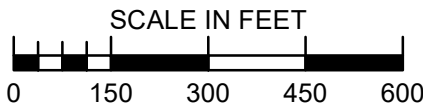
CITY PLANNING COMMISSION
 CITY OF NEW YORK
 DIAGRAM SHOWING PROPOSED
ZONING CHANGE
 ON SECTIONAL MAP

30c
 BOROUGH OF
QUEENS

S. Lenard
 S. Lenard, Director
 Technical Review Division



New York, Certification Date:
 June 07, 2021



NOTE:

- Indicates Zoning District Boundary
- The area enclosed by the dotted line is proposed to be rezoned by changing from an M1-1 District to an M1-2 District.



COMMUNITY/BOROUGH BOARD RECOMMENDATION

Project Name: Beach 79 Self Storage Rezoning	
Applicant: 79 Arverne Development LLC	Applicant's Primary Contact: Jay Segal
Application # 200299ZMQ	Borough:
CEQR Number: 20DCP138Q	Validated Community Districts: Q14

Docket Description:
 IN THE MATTER OF an application submitted by 79 Arverne Development LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 30c, by changing from an M1-1 District to an M1-2 District property bounded by the U.S. Pierhead and Bulkhead Line, a line 80 feet westerly of Beach 77th Street, Rockaway Freeway, and a line 200 feet easterly of Beach 80th Street, Borough of Queens, Community District 14, as shown on a diagram (for illustrative purposes only) dated June 7, 2021, and subject to the conditions of CEQR Declaration E-624.

Please use the above application number on all correspondence concerning this application

RECOMMENDATION: Unfavorable			
# In Favor: 14	# Against: 12	# Abstaining: 5	Total members appointed to the board: 50
Date of Vote: 9/9/2021 12:00 AM		Vote Location: Web ex	

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

Date of Public Hearing: 9/9/2021 7:15 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:	knights of Columbus hall 333 beach 90 street

CONSIDERATION: The adjoining civic associations opposed up zoning the board did have some environmental concerns regarding its location directly adjacent to Jamaica bay		
Recommendation submitted by	QN CB14	Date: 9/10/2021 10:14 AM

Queens Borough President Recommendation

APPLICATION: ULURP #200299 ZMQ

COMMUNITY BOARD: Q14

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by 79 Arverne Development LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 30c, by changing from an M1-1 District to an M1-2 District property bounded by the U.S. Pierhead and Bulkhead Line, a line 80 feet westerly of Beach 77th Street, Rockaway Freeway, and a line 200 feet easterly of Beach 80th Street, Borough of Queens, Community District 14, as shown on a diagram (for illustrative purposes only) dated June 7, 2021, and subject to the conditions of CEQR Declaration E-62.

PUBLIC HEARING

A remote Public Hearing was held via Zoom webinar and livestreamed on the Queens Borough President's website on Thursday, September 23, 2020 at 9:30 A.M. pursuant to Section 82(5) of the New York City Charter and was duly advertised in the manner specified in Section 197-c (i) of the New York City Charter. The applicant made a presentation. There were no other speakers. The hearing was closed.

CONSIDERATION

Subsequent to a review of the application and consideration of testimony received at the public hearing, the following issues and impacts have been identified:

- o The applicant is proposing a zoning map amendment changing an existing M1-1 District to an M1-2 District. The proposing zoning change (Block 16100 Lots 14, 18 and 20 parts of Lots 24, 28, 29, 33, 34 and 175) would facilitate development of the applicant's property with a new self-storage facility on Lots 14, 18 & 20. The affected partial lots include rights of way for the adjacent streets, elevated subway structure and other non-development sites;
- o The current M1-1 zoning allows a maximum commercial and manufacturing FAR of 1.0, while the proposed M1-2 District would allow up to 2.0 commercial and manufacturing FAR. The proposed new self-storage facility would be an approximately 146,000 SF building with a small accessory office space on Lot 20. The new building would contain approximately 960 storage units, ranging in size from 5' by 5' to 10' by 25'. Required and permitted parking for 34 vehicles would be provided in marked spaces in an open area beneath the new building in accordance with the flood resiliency provisions. The applicant projects that in addition to residential users of the self-storage facility there will be demand from independent small contractors for self-storage space to operate from;
- o The applicant's property (Block 16100 Lots 14, 18 & 20) is an approximately 107,553 SF site developed with an approximately 34,500 SF building on Lot 14 that would remain for continued light industrial uses. Lot 18 is an unopened mapped street that aligns with Beach 79th Street and used as a driveway providing access onto the site from Rockaway Freeway. Lot 20 is the proposed development site for the self-storage facility;
- o The proposed rezoning area is generally bounded by Beach Channel Drive/Rockaway Freeway and the elevated subway structure to the south, a creek to the east, Barbadoes Basin to the north, and terminating parallel to Barbadoes Basin to the west. The areas outside of the rezoning area are developed with low-density residential housing, vacant land and some industrial uses that predate the 1961 Zoning Resolution;
- o Community Board 14 (CB 14) voted fourteen (14) in favor, twelve (12) against, with five (5) abstentions on a motion to approve this application at the monthly meeting held on September 9, 2021. The motion to approve was determined to have failed because there was not a simple majority of votes in favor of the motion. Therefore, the CB 14 recommendation on the application was disapproval. Several concerns and issues were raised at the meeting: CB14's recent approval of another nearby 6-story self-storage facility that would meet demand in the area; not enough or proper community outreach to local groups; the lack of community benefits such as commitments to fund programs or beautify the area. There was also discussion about potential illegal and dangerous turns at Beach 79th Street from under the Rockaway Freeway to access the site. That area is marked with signage and solid yellow striping restricting traffic to an east - west direction. The only legal entrance onto the site is a right turn while driving west along Rockaway Freeway. CB 14 was concerned that the increased traffic into the project site would encourage drivers to dangerous crossings through the markings and signs rather than driving around to make the proper turn. They requested that the applicant work with DOT to ensure a 4-way stop light or a barrier be constructed.

QUEENS BOROUGH PRESIDENT RECOMMENDATION

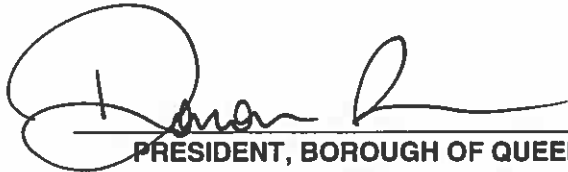
ULURP #200299 ZMQ

Page two

RECOMMENDATION

Based on the above consideration, I hereby recommend approval of this application with the following condition:

- To address potential traffic safety issues entering the project site at Beach 79th Street, the applicant should work closely with the Department of Transportation to assess safe entry onto the site and consider measures that would be needed to assure safe entry onto the site. These measures might include a 4-way traffic light, jersey barriers, or any method DOT finds that would best ensure traffic safety at that intersection.



PRESIDENT, BOROUGH OF QUEENS

10/18/2021

DATE