



IN THE MATTER OF an application submitted by New York City Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, to create a definition, a use and, in designated areas, a special permit for self-service storage facilities and to establish APPENDIX J (Designated Areas in Manufacturing Districts).

An application (N 170425 ZRY) to amend the text of the Zoning Resolution was filed by the Department of City Planning (DCP) on May 19, 2017 to create a Special Permit for the development of new self-storage facilities within designated areas in Manufacturing districts (M districts). On August 3, 2017, DCP filed an application (N 170425(A) ZRY) to modify the original zoning text amendment application, pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure rules, to respond to concerns heard during the public review process. The modified zoning text amendment would permit new self-storage development as-of-right within designated areas in M districts only if the proposed building is mixed-use and contains industrial space. On November 1st, 2017, DCP withdrew the original zoning text amendment application. The subject of this report is the modified zoning text amendment (N 170425(A) ZRY).

BACKGROUND

Industrial businesses are an important economic generator for New York City. They provide essential services such as building construction and maintenance; food and beverage distribution; bus, taxi and air transportation; freight management; waste disposal; and recycling services. According to data from the Quarterly Census of Employment and Wages collected by the New York State Department of Labor, in 2016, industrial businesses employed 524,000 people.

Industrial businesses are mostly located in manufacturing (M) districts. In 2006, the most active industrial areas (M districts) were designated as Industrial Business Zones by a Boundary Commission pursuant to state law, while some less active or inactive M districts were rezoned by the City to allow for residential development. Industrial Business Zones (IBZs) function as key industrial areas that accommodate and encourage a range of industrial jobs and activities. Industrial

businesses in IBZs are served by City-selected nonprofit organizations and may be eligible for tax incentives, financing tools and workforce development programs.

An analysis of employment data completed by DCP in 2016 showed employment growth in M districts outside Manhattan, in both industrial and non-industrial sectors, between 2010 and 2014. However, IBZs outperformed other M districts in retaining, and to a certain extent growing, the industrial job base. The Mayor's announcement of a 10-point Industrial Action Plan in November 2015, which included the proposed zoning text amendment, specifically targeted IBZs, since these are areas especially well-suited to industrial activity and growth.

Industrial businesses face many challenges establishing themselves, remaining and growing in New York City, due both to market conditions as well as limitations on the supply of the types of space they seek. Given the specific neighborhood and infrastructure requirements of industrial businesses, there is a limited amount of land area appropriate for their activities: areas zoned for manufacturing, adequately buffered from residential areas and with access to major truck routes are limited. Siting options are further constrained by the fact that industrial businesses typically seek preexisting buildings that suit their needs, such as wide column spacing, high ceilings, loading docks, and heavy floor loads. Smaller start-up businesses might initially lease spaces between 500 square feet and 6,000 square feet, but there is limited creation of such space, because subdividing larger buildings can require significant investment. Furthermore, once businesses grow and are ready to expand, larger spaces of up to 30,000 square feet are also difficult to find. Brokers have said that despite the significant demand for spaces in this size range, the market has not responded by creating new space, due to the limits on rents that industrial businesses are willing or able to pay.

Self-storage

Self-storage, also known as mini-storage, is a business model in which space is rented to individuals under a lease or rental agreement, usually on a month-to-month basis, specifically for the purpose of storing property. In no case may a self-storage unit be used for residential purposes. The tenant, a household or a business, has sole access to the storage unit, which could be a room, a container or a locker. Unlike a warehouse operator or a moving business, which becomes a bailee

of the entrusted goods, self-storage operators do not enter a bailment relationship. Accordingly, a self-storage operator's liability for the stored goods is limited by the signing of a rental lease agreement and the establishment of a landlord and tenant relationship with the customer.

In January 2017, New York City had approximately 240 self-storage facilities. Although conversions still account for the majority of existing self-storage facilities in the city, they are becoming less prevalent, with the majority of newly opening self-storage facilities being purpose-built. New York City has seen a significant increase in self-storage facilities, which can be attributed to several factors. The city is large and very densely populated. Residents tend to live in small apartments, which often cannot accommodate all of their belongings. Furthermore, partially due to the high rate of renter- versus owner-occupied households, there are many households moving in, out and around the city. Finally, many New Yorkers have high incomes, affording them the option of renting a self-storage unit on a monthly basis.

Purpose of Proposed Zoning Text Amendment

Self-storage development detracts from the City's economic development objectives for IBZs for several reasons. It is a low job-generating use that primarily serves household rather than business needs. Self-storage also utilizes land that could otherwise be available for industrial uses. Recent new self-storage facilities in M districts (30 facilities) were built on lots with an average size of 49,500 square feet, and conversions in M districts (42 facilities) have an average built area of 111,000 square feet. Lots and buildings of such size provide important siting opportunities for many industrial businesses, which often require sites large enough to accommodate horizontal operations, off-street loading and vehicle fleet parking. Moreover, they are in limited supply in New York City. Interviews with industrial businesses conducted by DCP, as part of its studies of industrial areas, indicated that one of the reasons industrial business were finding it difficult to remain in New York City was the challenge of finding appropriate sites for expansion due to low industrial vacancy.

Self-storage facilities are also typically sited along arterial highways and designated truck routes that are ideal for industrial expansion. Sixty-five self-storage facilities have been developed in IBZs; all are within a half-mile of a Designated Truck Route, and over 75 percent are within 500

feet of a Designated Truck Route. These sites near truck routes are crucial locations for truck-dependent businesses in wholesale, freight and logistics, construction and other industries. Self-storage facilities have also been developed on sites near transit, which could be ideal for businesses with more employees, many of whom depend on reliable public transportation options to get to work.

Considering all of the above, self-storage stands out as a low-density employment use when compared to other storage and warehousing businesses, which tends to occupy large sites along designated truck routes, in a context where such large sites are increasingly scarce. Almost one quarter of new construction permits issued for large sites in IBZs are for self-storage developments. An analysis of new building permits issued by the Department of Buildings between 2010 and the end of 2016 for new construction on sites larger than 20,000 square feet in IBZs shows that a total of 44 new building permits were issued, of which 10, or 23 percent, were for self-storage facilities. Given the City's numerous measures to support industrial businesses in IBZs, and the fact that industrial employment has been growing in IBZs since 2010, the use of such sites for self-storage detracts from the City's economic development objectives.

Original Zoning Text Amendment Application

Currently, self-storage facilities are classified in zoning as Use Group 16D, either as warehouses or moving and storage offices, and are permitted as-of right in all M districts and C8 districts. With the enactment of this proposal, self-storage would remain in Use Group 16D, but would be specifically defined in the Zoning Resolution. The proposed definition is as follows:

Self-service storage facility

A "self-service storage facility" is a moving or storage office use or a warehouse use listed in Use Group 16D, for the purpose of storing personal property, and where such:

- (a) facility is partitioned into individual, securely subdivided space for lease; or
 - (b) facility consists of enclosed or unenclosed floor space which is subdivided by secured bins, boxes, containers, pods or other mobile or stationary storage devices;
- and

- (c) floor spaces or storage devices are less than 300 square feet in area and are to be leased or rented to persons or businesses to access, store or remove property on a self-service basis.

A CPC special permit would be required for the defined self storage use in proposed Designated Areas in M districts, which cover a portion of M districts and represent the City's target areas for the realization of economic development objectives encouraging industrial job growth.

The findings of the proposed special permit would require the CPC to evaluate whether a lot is appropriate for self-storage considering the economic development objectives of the City and whether it would be impractical to establish a conforming industrial use on such a site, based on a set of criteria. In making its determination, the CPC would consider such factors as:

- a) The size and configuration of the zoning lot and its suitability for an industrial use;
- b) The design and arrangement of an existing building proposed for conversion to self-storage and the extent to which it lends itself to industrial uses;
- c) Proximity to arterial highways and designated truck routes, and the capacity and configuration of local streets providing access to the lot, for truck-movement-serving industrial uses;
- d) Accessibility of the proposed location to rail and bus transit serving employees of an industrial use;
- e) The need to undertake environmental remediation work on the lot;
- f) The level of investment or visible signs of disinvestment in industrial uses occurring within the contiguous Designated Area in M district within the last five years.
- g) Potential for conflicts of future industrial uses with existing uses in the surrounding areas, including conforming or nonconforming residences, schools, other community facilities and public open space.

Existing self-storage facilities could continue to operate as legal non-conforming uses. Extensions and enlargements of such grandfathered self-storage facilities would be permitted within the original zoning lot and the reconstruction of a grandfathered self-storage facility to the previously existing FAR, should it be damaged or destroyed, would be permitted.

Designated Areas in M districts

Since IBZs were created for a tax program, and are not defined in the Zoning Resolution, zoning boundaries need to be established to define the applicability of the special permit. Therefore, the Department of City Planning proposes to incorporate IBZ boundaries as text maps, referring to these areas as Designated Areas in Manufacturing districts. The Department of City Planning analyzed the existing IBZ boundaries on a case-by-case basis, and in very limited cases, rationalized them to ensure that the proposed boundaries would be consistent with zoning practices.

There are 21 proposed Designated Areas: five in the Bronx, seven in Brooklyn, six in Queens and three in Staten Island. These areas are listed below.

Borough	Name of Designated Area in M District	Community Districts
Bronx	Port Morris	1, 2
Bronx	Hunts Point	2
Bronx	Zerega	9, 10
Bronx	Bathgate	3, 4, 6
Bronx	Eastchester	10, 12
Brooklyn	Brooklyn Navy Yard	2
Brooklyn	Southwest Brooklyn	6, 7
Brooklyn	Flatlands/Fairfield	5, 16, 17, 18
Brooklyn	East New York	5, 16
Brooklyn/Queens	Ridgewood	BK 4 / QN 5
Brooklyn	Williamsburg/Greenpoint	1
Brooklyn	North Brooklyn	1, 4
Queens	Maspeth	2, 5

Queens	Long Island City	1, 2
Queens	Woodside	2
Queens	Steinway	1
Queens	Jamaica	9, 12
Queens	JFK	10, 12, 13
Staten Island	North Shore	1
Staten Island	West Shore	1, 2
Staten Island	Rossville	3

Modified Zoning Text Amendment Application

On August 3, 2017, the Department of City Planning filed a modified application (N 170425 (A) ZRY). The modified application was developed in response to City Planning Commission concerns and public comments, and considers additional changes to the Zoning Resolution in order to facilitate the co-location of self-storage and industrial uses in Designated Areas in M Districts, as defined above.

The comments include that the proposed special permit was too restrictive, that insufficient consideration had been given to self-service storage facilities’ role serving residents and small businesses alike, and that the restriction on self-storage in IBZs could potentially cause an increase in self-storage development in M and C8 districts outside of IBZs, which are often closer to residential areas. Other issues relate to the findings of the proposed CPC special permit, which were viewed as being vague, open to multiple interpretations and problematic because they are oriented less toward the suitability of the self-storage use and more toward the potential industrial uses for a given location. Comments also include that the restriction of self-storage would not necessarily lead to growth in industrial businesses or employment, since other non-industrial uses continue to be permitted as-of-right in these areas.

The modified application would permit self-storage facilities as-of-right in Designated Areas in M districts provided that at least 20,000 square feet of ground floor space is dedicated to specified semi-industrial and industrial uses. Several modifications of floor area, off-street parking and off-street loading provisions are also proposed; those would facilitate the proposed set-aside of ground-floor space for industrial use. The industrial ground floor requirement could be modified

or waived by applying for a CPC special permit. Compared to the original application, the modified application would reduce the potential for adverse impacts on the self-storage industry, while still supporting the goal of maintaining adequate future siting opportunities for more job-intensive industrial uses in the Designated Areas in M districts.

The modified application clarifies the definition of self-service storage facility as proposed in the original application to facilitate interpretation:

Self-service storage facility

A “self-service storage facility” is a moving or storage office, or a warehouse use establishment, as listed in Use Group 16D, for the purpose of storing personal property, and where ~~such~~:

- (a) such facility is partitioned into individual, securely subdivided space for lease; or
- (b) such facility consists of enclosed or unenclosed floor space which is subdivided by secured bins, boxes, containers, pods or other mobile or stationary storage devices; and
- (c) such floor spaces or storage devices ~~are~~ less than 300 square feet in area ~~and~~ are to be leased or rented to persons or businesses to access, store or remove property on a self-service basis.

The modified application also proposes changes to the CPC special permit findings, considering that the special permit would only apply when modifying or waiving the industrial ground floor requirement. The findings of the proposed special permit would require the CPC to evaluate whether a lot is appropriate for self-storage in light of the economic development objectives of the City, and whether it would be impractical to provide the required industrial ground floor. In making its determination, the Commission would consider such factors as:

- a) The size and configuration of the zoning lot and its suitability to include the industrial ground floor requirement;

- b) The design and arrangement of an existing building proposed for conversion to self-storage and its suitability to include the industrial ground floor requirement;
- c) Proximity to arterial highways and designated truck routes, and the capacity and configuration of local streets providing access to the lot, for the industrial uses occupying the required ground floor industrial space;
- d) Accessibility of the proposed location to rail and bus transit serving employees of an industrial use;
- e) The need to undertake environmental remediation work on the lot;
- f) The level of investment or visible signs of disinvestment for uses permitted in the required industrial ground floor, occurring within the contiguous Designated Area in M district within the last five years.
- g) Potential for conflicts of the industrial uses occupying the required ground floor industrial space with existing uses in the surrounding areas, including conforming or nonconforming residences, schools, other community facilities and public open space.

The modified application proposes the following zoning text changes applicable to the development or enlargement of the self-service storage portion of the building:

- Required depth of loading berths for self-storage use is reduced to 37 feet from 50 feet. Self-storage customers are typically limited to small two-axle trucks that can be driven without special licenses. Those vehicles can easily be accommodated in shorter loading berths of 37 feet.
- For existing buildings, a change of use to self-storage from another use in Use Group 16D shall not be considered a change of use for purposes of applying the requirements of Section 44-52 (Required Accessory Off-Street Loading Berths). This maintains the current situation, in which self-storage is not separately defined and thus, conversions to self-

storage are not considered a change of use that would trigger additional required off-street loading.

The modified application proposes the following zoning text changes applicable to the ground floor industrial space in the case of development or enlargement of a self-storage facility in a Designated Area in an M district:

- The required industrial space could be dedicated to manufacturing, semi-industrial or industrial uses in Use Groups 11A, 16A, 16B, 16D, 17 and 18; art studios in Use Group 9A; and/or photographic or motion picture production studios, radio or television studios in Use Group 10A.
- In M1-1, M1-2, M1-4, M2-1, M2-3, M3-1, M3-2 districts, the number of required off-street loading berths shall instead be those specified for M1-3, M1-5, M1-6, M2-2 and M2-4 districts. This effectively waives the required second loading berth should the industrial space exceed 25,000 square feet, and reflects the practical difficulty of providing an adequately-sized ground floor industrial space, multiple 50-foot-deep loading bays for the industrial use, and ground floor loading and lobby facilities for a self-storage facility. The loading berth requirements applicable to the ground floor industrial space are thus:

Floor Area (in square feet)	Required Berths
First 15,000	None
Next 25,000	1
Next 40,000	1
Each additional 80,000 or fraction thereof	1

- The parking for the required industrial use shall amount to one per 2,000 square feet of floor area or one per three employees, whichever will require a lesser number of spaces, regardless of the use occupying the required industrial floor area and the underlying zoning requirements. This is, as a practical matter, the required amount of parking for a warehouse use and other uses in Parking Requirement Category G, as well as for a Use Group 17A contractor's establishment. Manufacturing uses and wholesale establishments, both important potential users of this required industrial space, are subject to higher parking

requirements (one space per 1,000 square feet and one space per 600 square feet, respectively) even though their employment densities are similarly low and auto use by workers is also expected to be low. As with loading, sizable amounts of required off-street parking cannot as a practical matter be accommodated, given other uses required on the ground floor level.

- In M1-1 districts, up to 20,000 square feet of the required industrial floor area may exceed the 1.0 FAR cap in underlying zoning. This would permit a wider range of practical lot sizes for the mixed-use alternative in these low-FAR districts. M1-1 districts already allow FARs greater than 1.0 for enlargements of existing manufacturing buildings (ZR Section 43-121) and for community facility uses (ZR Section 43-122).
- The floor to ceiling height of the ground floor industrial space would need to be at least 15 feet, and one third of the industrial space would have required floor to ceiling heights of at least 23 feet. This results in a more usable industrial facility.

ENVIRONMENTAL REVIEW

The original application (N 170425 ZRY), in conjunction with the modified application (N 170425(A) ZRY), 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 17DCP119Y. The lead agency is the City Planning Commission.

It was determined that the original application may have a significant effect on the environment and that an environmental impact statement would be required. A Positive Declaration was issued on March 1, 2017, and distributed, published and filed. Together with the Positive Declaration, a Draft Scope of Work for the Draft Environmental Impact Statement (DEIS) was issued on March 1, 2017. A public meeting on the Draft Scope of Work for the DEIS was held on March 30, 2017, and the Final Scope of Work for the DEIS was issued on May 19, 2017.

A DEIS was prepared and a Notice of Completion for the DEIS was issued on May 19, 2017. Pursuant to SEQRA regulations and the CEQR procedures, a joint public hearing was held on the

DEIS on August 23, 2017 in conjunction with the public hearing on the related Uniform Land Use Procedure (ULURP) item (N 170425 ZRY) and the modified application (N 170425(A) ZRY). A Final Environmental Impact Statement (FEIS) reflecting the comments made during the public hearing on the DEIS was completed, and a Notice of Completion for the FEIS was issued on October 20, 2017.

The original application as analyzed in the FEIS identified significant adverse impacts with respect to socioeconomic conditions (effects on specific industries), hazardous materials, and historic and cultural resources (archaeology). In addition, the FEIS analyzed the modified application (N 170425(A) ZRY), called the A-text Alternative, as an alternative to the original application. Moreover, the FEIS considered a new alternative, reflective of the Commission's modifications discussed herein. This alternative, reflecting the Commission's modifications, was included as the Modified A-text Alternative in Chapter 23 of the FEIS, "Alternatives." For the impact categories for which the original application identified significant adverse environmental impacts, the modified application would result in the same impacts with the exception of socioeconomic effects on the self-storage industry. Regarding the new alternative accounting for the Commission's modifications, the analysis concludes that the modifications would not have any new or different significant adverse impacts than those previously identified for the modified application.

Impacts

Socioeconomic conditions (Effects on specific industries)

Original Application (Proposed Action)

It can be expected that the original application would effectively reduce the number of sites available to developers of self-storage that meet these developers' market-based selection criteria. Overall, the original application reduces the amount of land viable for self-storage development in 27 Community Districts.

In both oral and written statements submitted to DCP, representatives of the self-storage industry have stated that their industry would be negatively affected by the original application. Furthermore, New York City already is the most undersupplied major metropolitan market nationwide, according to a report from CBRE. Given that the original application could

potentially diminish the self-storage industry's ability to satisfy market demand, the consideration that the supply of self-storage in NYC is already lower than in other major metropolitan markets in the US intensifies the potential for a significant adverse impact on the self-storage industry.

It is not possible to quantitatively estimate the impact of the original application on the self-storage industry, due to uncertainty in development trends until the Build Year. Yet, based on available information and statements from the industry, it cannot be excluded that the proposed CPC Special Permit could hamper the self-storage industry's ability to grow in New York City. As such, it is determined that the original application has the potential to result in significant adverse impacts related to business conditions in the self-storage industry.

Modified Application (A-text Alternative)

The modified application is likely to result in somewhat fewer new self-storage facilities than if no new zoning regulations were considered, since the required industrial ground floor space still represents an additional hurdle to self-storage development. However, the modified application provides some additional siting opportunities for self-storage compared to the original application, by proposing an as-of-right framework with specific conditions for the siting of self-storage facilities in Designated Areas in M districts. This as-of-right framework is less restrictive and presents less of a disincentive to the development of self-storage facilities than the original application. Furthermore, the proposed modified application considers several modifications of floor area, off-street parking and off-street loading provisions: these provisions would facilitate the proposed set-aside of floor space for manufacturing, semi-industrial and industrial uses. Accordingly, it is expected that the modified application would reduce the original application's potential for a significant adverse environmental impacts on Socioeconomic Conditions related to the self-storage industry.

Alternative reflective of the Commission's modifications (Modified A-text Alternative)

Compared to the original application and the modified application, the alternative reflective of the Commission's modifications provides some additional siting opportunities for self-storage, by proposing a less restrictive as-of-right framework with specific conditions for the siting of self-storage facilities in Designated Areas in M districts. This as-of-right framework presents

less of a disincentive to the development of self-storage development facilities than both applications, because it offers provisions for the siting of self-storage facilities on small sites and includes provisions that make the locational requirements associated with the industrial space more flexible. Furthermore, the alternative reflective of the Commission's modifications considers the same floor area, off-street parking and off-street loading provisions as the modified application, which facilitate the proposed set-aside for manufacturing, semi-industrial and industrial uses. Accordingly, it is expected the alternative reflective of the Commission's modifications, would reduce both the original application and the modified application's potential for a significant adverse environmental impacts on Socioeconomic Conditions related to the self-storage industry. Yet, because the required industrial floor space still represents an additional hurdle to development, it is projected that the alternative reflective of the Commission's modifications would not fully mitigate the original application's potential to result in significant adverse impacts related to business conditions in the self-storage industry.

Historic and cultural resources (archaeology)

Original Application (Proposed Action)

The original application has the potential to result in significant adverse impacts to archaeological resources as it may result in deeper in-ground disturbance. While the potential impacts of the provisions are expected to be limited and unlikely, it is not possible to conclude where and to what extent additional in-ground disturbance might occur. As such, the possibility of significant impacts on archaeological resources cannot be eliminated.

Modified Application (A-text Alternative)

The modified application has no new or different significant adverse impacts than those identified for the original application related to historic and cultural resources.

Alternative reflective of the Commission's modifications (Modified A-text Alternative)

The alternative reflective of the Commission's modifications has no new or different significant adverse impacts than those identified for the original application related to historic and cultural resources.

Hazardous materials

Original Application (Proposed Action)

The assessment concluded that the original application would likely result in additional in-ground disturbance that could occur on sites where hazardous materials exist. The extent of this potential impact is expected to be limited, however. The original application itself is not expected to induce development on sites where development would not have otherwise been possible thereby limiting the potential for additional in-ground disturbance. It is also not anticipated to increase building footprints. It could, however, result in deeper excavation compared to the No Action scenario as the building heights under the With Action condition are anticipated to be slightly taller. Given the land uses in the area, and their associated potential for hazardous materials, this would result in the potential for significant adverse hazardous materials impacts. These potential impacts would be unmitigated.

Modified Application (A-text Alternative)

The modified application has no new or different significant adverse impacts than those identified for the original application related to hazardous materials.

Alternative reflective of the Commission's modifications (Modified A-text Alternative)

The alternative reflective of the Commission's modifications has no new or different significant adverse impacts than those identified for the original application related to hazardous materials.

PUBLIC REVIEW

On May 22, 2017, the original application (N 170425 ZRY) was duly referred to the Community Boards, Borough Presidents, and Borough Boards for information and review in accordance with the procedures for referring non-ULURP matters.

Community Board Review

Summary Table of votes on the original application (N 170425 ZRY):

Community Boards in favor: 11 (+ 1 CB who was not referred to)

Community Boards in favor with conditions: 3

Community Boards opposed with conditions: 1

Community Boards opposed: 3

Community Boards who did not vote: 9

		Vote				
Borough	CB	Yes	Yes w. cond.	No w. cond.	No	Comment
Bronx	1					
Bronx	2		X			Condition that the special permit apply to all of Community District 2 and not just the proposed Designated Areas in M districts.
Bronx	3					
Bronx	4					
Bronx	6					
Bronx	9					
Bronx	10	X				
Bronx	12	X				

Brooklyn	1				X	Further study needs to be conducted to show how the negative effects on businesses and private residents can be addressed and ameliorated
Brooklyn	2	X				The proposal will have limited impact in Community District 2 because the only IBZ within the district is located at the Brooklyn Navy Yard, which is highly unlikely to extend a lease to a self-storage facility.
Brooklyn	4	X				
Brooklyn	5		X			Condition to include distance requirements between self-storage facilities and implement standards of transparency to alert the Community Board as to the contents of approved storage units.
Brooklyn	6		X			Condition to expand Special Permit requirement to all M zones, not just Designated Areas in M districts, and also subjecting hotels and other non-industrial uses to the Special Permit requirement.
Brooklyn	7					
<i>Brooklyn</i>	<i>10</i> <i>*</i>	X				
Brooklyn	16	X				
Brooklyn	17	X				
Brooklyn	18					
Queens	1			X		Conditions that the CPC Special Permit be eliminated and replaced by a requirement for manufacturing floor space in new self-storage buildings in IBZs amounting to 30% of floor area, accompanied by a prohibition of new self-storage buildings in IBZs on sites that would displace active manufacturing uses and jobs.
Queens	2	X				
Queens	5	X				
Queens	9					
Queens	10					
Queens	12	X				
Queens	13				X	Government regulation on business
Staten Island	1	X				
Staten Island	2	X				

Staten Island	3				X	Proposal singles out industry and restricts the entire industry's growth. Self-Storage in Staten Island serves residents that live in small homes and is a necessity for small businesses. Discretionary actions overburden City Planning's examiners, and add financial costs/ time delays to applicants. The proposal will force developers to seek C-8 zones, which are closer to residential areas.
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* Not referred, CB not within study area
 No Vote

Bronx Community Board 2, as stated in a letter dated June 30th, 2017, considered the original application on June 28, 2017, voting unanimously to adopt a resolution recommending approval of the original application (N 170425 ZRY) with the condition that the special permit apply to all of Community District 2 and not just the proposed Designated Areas in M districts.

Bronx Community Board 10, as stated in a letter dated June 23rd, 2017, held a public hearing on the original application (N 170425 ZRY) on June 13, 2017, and on that date, by a vote of 24 in favor, none opposed, and one abstention, recommended approval of the application and forwarding to the full Board for vote. On June 15, 2017, the full Board adopted a resolution recommending approval of the application.

Bronx Community Board 12, as stated in a letter dated August 22nd, 2017, considered the original application (N 170425 ZRY) on June 22, 2017 and, by a vote of 31 in favor, none opposed, and with no abstentions, it adopted a resolution recommending approval of the application.

Bronx Community Boards 1, 3, 4, 6 and 9 did not consider the original application (N 170425 ZRY).

Brooklyn Community Board 1, as stated in a letter dated June 14th, 2017, held a public hearing on the original application (N 170425 ZRY) on June 6, 2017. On June 13, 2017, by a vote of 34 in favor, none opposed, and with no abstentions, it adopted a resolution to disapprove the application.

Brooklyn Community Board 2, as stated in a letter dated July 9th, 2017, considered the original application (N 170425 ZRY) and on June 26, 2017, it adopted a resolution recommending approval of the application. As stated in a letter dated August 21st, 2017, Brooklyn Community Board 2 requested an extension of the deadline to revise the modified application, scheduled for public hearing on August 23rd, 2017.

Brooklyn Community Board 4, as stated in a letter dated July 8th, 2017, held a public hearing on the original application (N 170425 ZRY) on June 21, 2017, and on that date, by a vote of 35 in favor, none opposed, and with no abstentions, adopted a resolution recommending approval of the application.

Brooklyn Community Board 5, as stated in a letter dated July 11th, 2017, considered the original application (N 170245 ZRY) on June 28, 2017, and by a vote of 30 in favor, none opposed, and with no abstentions, it adopted a resolution recommending approval of the application with conditions including “changes in boundaries to allow for greater distances between storage facilities” and “standards of transparency to alert the Community Board as to the contents of approved storage units”.

Brooklyn Community Board 6, as stated in a letter dated July 24th, 2017, considered the original application (N 170425 ZRY) on July 6, 2017, by a vote of 10 in favor, one opposed, and with no abstentions, it adopted a resolution recommending approval of the application with conditions related to expanding the Special Permit requirement to all M zones, not just Designated Areas in M districts, and subjecting hotels and other non-industrial uses to the Special Permit requirement.

Brooklyn Community Board 10 was not referred the original application (N 170425 ZRY) because the Community District does not include any Designated Areas in M districts. As stated in a letter dated July 14th, 2017, Brooklyn Community Board 10 nevertheless considered the original application and on June 19, 2017, it adopted a resolution recommending approval of the application.

Brooklyn Community Board 16, as stated in a letter dated July 31st, 2017, held a public hearing on the original application (N 170425 ZRY) on June 27, 2017, and on that date, by a vote of 11 in favor, nine opposed, and with three abstentions, adopted a resolution recommending approval of the application.

Brooklyn Community Board 17, as stated in a letter dated June 29th, 2017, held a public hearing on the original application (N 170425 ZRY) on June 21, 2017, and on that date, by a vote of 31 in favor, one opposed, and with two abstentions, adopted a resolution recommending approval of the application.

Brooklyn Community Boards 7 and 18 did not consider the original application (N 170425 ZRY).

Queens Community Board 1, as stated in a letter dated July 6th, 2017, considered the original application voted to conditionally disapprove this application (N 170425 ZRY) and on June 20, 2017, by a vote of 26 in favor, five opposed, and with no abstentions, it adopted a resolution recommending disapproval of the application unless the CPC Special Permit was eliminated and replaced by a requirement for manufacturing floor space in new self-storage buildings in IBZs amounting to 30 percent of floor area, accompanied by a prohibition of new self-storage buildings in IBZs on sites that would displace active manufacturing uses and jobs.

Queens Community Board 2, as stated in a letter dated June 5th, 2017, held a public hearing on the original application (N 170425 ZRY) on June 1, 2017, and on that date voted to adopt a resolution recommending approval of the application.

Queens Community Board 5, as stated in a letter dated July 17th, 2017, considered the original application (N 170425 ZRY) on June 14, 2017, and by a vote of 36 in favor, none opposed, and with no abstentions, it adopted a resolution recommending approval of the application.

Queens Community Board 12, as stated in a letter dated August 10th, 2017, considered the original application (N 170425 ZRY) on June 21, 2017, and by a vote of 35 in favor, none opposed, and with no abstentions, it adopted a resolution recommending approval of the application.

Queens Community Board 13, as stated in a letter dated July 7th, 2017, held a public hearing on the original application (N 170425 ZRY) on June 26, 2017, and on that date, by a vote of 36 in favor, five opposed, and with no abstentions, adopted a resolution to disapprove the application.

Queens Community Board 9 did not consider the original application (N 170425 ZRY), but, as stated in a letter dated October 18th, 2017, considered the modified application (N 170425 (A) ZRY) posterior to the formal referral period, on October 10th, 2017, and on that date, by a vote of 35 in favor, one opposed, and one abstention, adopted a resolution to disapprove the modified application.

Queens Community Boards 10 did not consider the original application (N 170425 ZRY).

Staten Island Community Board 1, as stated in a letter dated June 16th, 2017, considered the original application (N 170425 ZRY) and on June 13, 2017, by a vote of 35 in favor, one opposed, and with no abstentions, it adopted a resolution recommending approval of the application.

Staten Island Community Board 2, as stated in a letter dated June 21st, 2017, considered the original application (N 170425 ZRY) and on June 20, 2017, by a vote of 30 in favor, none opposed, and with no abstentions, it adopted a resolution recommending approval of the application.

Staten Island Community Board 3, as stated in a letter dated June 29th, 2017, held a public hearing on the original application (N 170425 ZRY) on June 14, 2017. On June 27, 2017, by a vote of 33 in favor, two opposed, and with no abstentions, it adopted a resolution to disapprove the application.

Borough President Review

The Queens Borough President held a public hearing on the original application (N 170425 ZRY) on June 12, 2017, but did not issue a recommendation.

The Brooklyn Borough President held a public hearing on the original application (N 170425 ZRY) on July 25, 2017. On August 18, 2017 the Brooklyn Borough President adopted a resolution recommending approval of the original application and the modified application with conditions. The conditions include that as-of-right self-storage development only occur on lots improved to no more than 25 percent of the permitted commercial/manufacturing floor area, and that lots larger than 20,000 square feet include an industrial ground floor, where the uses permitted in such space exclude showrooms for automobile, boat, motorcycle and trailer sales (Use Group 16) and manufacturing processes (Use Group 18) when limited to products of exclusively digital format, with accessory retail uses being limited to 100 square feet. The Borough President's recommendation further stated that future zoning map changes affecting self-storage facilities should require such self-storage facilities to provide an industrial ground floor space when realizing any enlargement rights obtained through the zoning map change. Finally, the Borough President's recommendation stated that there should be additional regulatory oversight regarding the required industrial ground floor, by requiring a qualified third party to play a role in the occupant selection process and confirmation of zoning conformance.

Borough Board Review

The Bronx Borough Board considered the original application (N 170425 ZRY) on June 22, 2017, and did not adopt a resolution.

The Brooklyn Borough Board considered the original application (N 170425 ZRY) on June 6, 2017, and did not adopt a resolution.

The Queens Borough Board considered the original application (N 170425 ZRY) on June 12, 2017, and did not adopt a resolution.

The Staten Island Borough Board did not consider the original application (N 170425 ZRY).

City Planning Commission Public Hearing

On August 9, 2017, the City Planning Commission scheduled August 23, 2017 for a public hearing on the original application (N 170425 ZRY, Calendar No. 1) and the modified application (N 170425 (A) ZRY, Calendar No. 2). The hearing was duly held on August 23, 2017 (Calendar Nos. 29 and 30). There were 13 speakers, eight speakers in opposition to both the original application and the modified application, and five speakers in opposition to the modified application.

Industrial advocates, including a representative of a nonprofit organization and representatives of some IBZ service providers, spoke in support of the original application and in opposition to the modified application, arguing that the original proposal would strengthen and help protect the IBZs. The representatives stated that self-storage facilities posed a threat to NYC's industrial economy and encouraged real estate speculation, and also stated concern that the modified application would not sufficiently signal to the market that self-storage facilities should not site in IBZs.

Industrial advocates expressed concern about potential loopholes in the requirement and stated that the requirements proposed in the modified application could be avoided by developers, since there was no proposed enforcement mechanism. They also said that the modified application did not ensure that the industrial ground floor space would be occupied or affordable.

They also argued that the modified application should not be applicable to conversions of existing buildings to self-storage and that the square footage requirement should instead be expressed as a ratio.

Industrial advocates proposed that use restrictions be expanded to include other uses such as hotels and event spaces in order to prevent the loss of businesses and stop the loss of livable wage jobs for communities.

Representatives of the self-storage industry generally spoke in opposition to both the original application and the modified application, stating that both would damage the self-storage industry and its employees. They said that the proposals, if adopted, could impair the economic viability of the industry and that reasonable and feasible alternatives should be considered based on the DEIS. They furthermore asserted that the original application amounted to a ban on self-storage facilities because potential developers would find it difficult to secure financing or provide potential investors with accurate information regarding construction timing.

Self-storage industry representatives also criticized the findings of the proposed CPC Special Permit under both the original and the modified application, for being vague, open to multiple interpretations and representing a moving target throughout the duration of the application process and at the different constituencies.

Industry representatives stated that 30 percent of the self-storage users were local businesses and that self-storage supported many businesses by providing affordable and flexible storage solutions. They further explained that the supply of self-storage in New York City was about half of the national average, that rates had increased over time and that the original application would increase costs for users. The Brooklyn Chamber of Commerce representative emphasized that there was a symbiotic relationship between small businesses, manufacturing and self-storage. Industry representatives also explained that often self-storage facilities repurpose buildings that are unoccupied and have become blights on the local community.

Self-storage industry representatives stated that the original proposal would not result in the creation of industrial space, whereas the modified application would. They described the modified application as a step in the right direction because it would provide an as-of-right option, but stated that the modified application was still in need of amendments. They explained that the modified

application presented too high of a burden on each self-storage development, keeping it from becoming viable, and that it needed to be modified further. They asserted that the industrial ground floor space requirement as proposed in the modified application was too high. They also expressed concern that mixed-use construction requirements would increase project costs and explained that the ground floor was the most valuable floor for self-storage businesses, since those units command higher rents. They expressed that the zoning should provide for more flexibility in the location of the required industrial space.

The self-storage industry representatives presented a counterproposal, supported by the Brooklyn Chamber of Commerce, in which self-storage “under 50,000 square feet should be as-of-right with no requirement; then, instead of an arbitrary square footage requirement which applies to all building sizes, requires a 10 percent ground floor manufacturing space on all new self-storage facilities more than 50,000 square feet.” They stated that the counterproposal would be financially feasible and would result in the construction of new manufacturing space.

A property owner, speaking in opposition to both the original application and the modified application, cited the difficulty of selling his warehouse due to the proposal.

There was no other testimony, and the hearing was closed.

WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW

The original application (N 170425 ZRY) 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 17-054. This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

CONSIDERATION

The Commission believes that the proposed amendments to the Zoning Resolution (N 170425 (A) ZRY), as modified herein, are appropriate.

Upon careful consideration of the extensive and thoughtful feedback during public review, and supported by the policy and planning analysis provided by the Department of City Planning, the Commission believes that the self-storage text amendment, as modified, presents a valuable tool to ensure that industrial and manufacturing businesses may continue to operate and find appropriate siting opportunities in IBZs, which are NYC's most active industrial areas.

The Commission notes the testimony both in favor of and in opposition to the original application (N 170425 ZRY) and the modified application (N 170425 (A) ZRY) at the Commission's public hearing. Written comments were received at the hearing and following the public hearing. Comments were provided by community, civic and business organizations; industrial advocates, and industry representatives. The Commission has reviewed these comments and weighed them alongside of the other recommendations and testimony in its consideration of the proposed zoning text amendment.

Regarding the original application, the Commission heard the argument advanced by industrial advocates that enacting the original application would send a strong message to self-storage operators that these facilities should not be located in IBZs. However, the Commission notes that a Special Permit provision is never intended to send such a message; it would instead require a careful consideration of whether a particular application is appropriate.

The Commission also received testimony from industry representatives, certain Community Boards and the Brooklyn Chamber of Commerce stating that introducing a CPC Special Permit for all new self-storage developments in Designated Areas in M districts could create hardship for the self-storage industry and the households and small businesses it serves. According to testimony from the public hearing, a survey of the self-storage industry in NYC completed in 2017 by industry representatives showed that more than 30 percent of the users of self-storage are local businesses, many whom access their storage unit on a daily or weekly basis. The Commission shares these concerns and acknowledges that there are reasonable and feasible alternatives to the

original application that could reduce the potential for significant impacts on the self-storage industry, while still meeting the goals and objectives of the proposal.

Furthermore, the Commission notes the testimony received from self-storage industry representatives regarding the proposed findings of the CPC Special Permit. The industry representatives stated that the findings were vague, not measurable, open to multiple interpretations and problematic in the sense that the proposed CPC Special Permit would be oriented less toward the suitability and potential impacts of the self-storage use, and more toward the potential industrial uses permitted by zoning that could also site at a given location. The Commission understands that private applicants could have difficulty demonstrating such findings, since those are related to industries beyond their expertise. Furthermore, the findings require the Commission to consider whether it would be impractical to establish any other permitted industrial or manufacturing use at such a location, which the Commission regards as a very high bar and a technically complicated finding for new self-storage development in Designated Areas in M districts. The Commission, therefore, believes that the proposal needs to be modified to address these concerns.

The Brooklyn Borough President and certain Community Boards were concerned that the original application would shift new self-storage facilities to areas where they would remain as-of-right, which are often closer to residential districts. Given that industry standards suggest that New York City is an underserved market and that the FEIS projects that the self-storage industry is expected to continue to grow, the Commission takes note of these concerns.

Furthermore, the Commission notes the testimony received from self-storage industry representatives and some Community Boards stating that the restriction of self-storage would not in itself result in the creation of industrial space, and would thus not necessarily lead to growth in industrial employment.

The Commission believes that the approach set out in the modified application, in which an as-of-right zoning option for new self-storage development and conversion in Designated Areas in M districts is contemplated, is responsive to these concerns. The modified application represents an improvement over the original application, by facilitating the creation of space serving more job-intensive industrial businesses, and provides a starting point for the additional changes that the Commission is adopting, which are described below.

Considering testimony delivered by industry representatives and the Brooklyn Chamber of Commerce, the Commission acknowledges on the one hand that self-storage partially relies on ground floor space and storage units located on the ground floor offer the highest rents, and on the other hand that modern industrial uses do not, in all cases, require only ground floor space and may benefit from occupying space on other floors that is usually rented at lower rents. Thus, the Commission seeks to facilitate the co-location of self-storage and the required industrial space, by allowing for some flexibility in the placement of the required industrial space. The Commission alters the modified application to provide that at least half of the required industrial space should be located on the ground floor, while the other half may be located either directly above or below the ground floor, as long as it benefits from direct access to the industrial space on the ground floor, as well as freight elevators and loading berths. This provision improves the feasibility of such a mixed-use building for self-storage developers and has the potential to increase the affordability of the required industrial space for industrial businesses.

Considering that the modified application does not include as-of-right options for lots that cannot accommodate 20,000 square feet of industrial space on the ground floor, the Commission adjusts the modified application to adopt rules that are appropriate to lots of all sizes. The Commission agrees with industry representatives and the Brooklyn Chamber of Commerce, who testified that small sites should be subject to different requirements, both because of the reduced feasibility of providing the required industrial space, as well as the purpose of the proposal, which has highlighted industrial businesses' need for large spaces. Since 25,000 square feet represents a lot size for which it is possible to provide both the necessary ground-level facilities for self-storage and an industrial space sized to users' needs, as well as loading and the required mechanical spaces, the Commission establishes rules that differ for lots smaller than 25,000 square feet and lots equal to or larger than 25,000 square feet.

Testimony regarding the modified application from industrial advocates, self-storage industry representatives and the Brooklyn Chamber of Commerce stated that the required industrial space should represent a ratio of storage to industrial space, rather than the proposed fixed amount of a minimum 20,000 square feet. The Commission agrees that requiring a ratio of the lot size for the required industrial space presents a more rational approach. Thus, the Commission alters the modified application so that on large lots, defined as lots equal to or larger than 25,000 square feet,

new self-storage shall include an industrial floor space component equivalent to 50 percent of the lot area. Some industry representatives proposed that the required industrial floor area apply only on sites larger than 50,000 square feet and be equivalent to 10 percent of the lot area. The Commission regards such a requirement as insufficient, creating only insignificant amounts of industrial space, and thus not meeting the City's objectives to support job creation and industrial growth.

The Commission changes the modified application so that on small lots, defined as lots smaller than 25,000 square feet, floor space equivalent to 50 percent of the lot area may be provided in the form of large self-storage units, defined as units equal to or larger than 100 square feet, because units of these sizes are typically rented by businesses. The Commission believes that no industrial space should be required on small lots, but that along with the business-oriented self-storage option described above, owners of small lots may retain the option to follow the conditions that are proposed for as-of-right self-storage development on large lots in Designated Areas in M districts.

The Commission concurs with the importance of allowing a wide range of uses within the required industrial floor space, which will enable property owners and managers of self-storage facilities to occupy the space and find tenants in the short and long-term. Consistent with the modified application, the required industrial space could be dedicated to manufacturing, semi-industrial or industrial uses in Use Groups 11A, 16A, 16B, 16D, 17 and 18; art studios in Use Group 9A; and/or photographic or motion picture production studios, radio or television studios in Use Group 10A. The Commission emphasizes that the required industrial space must be dedicated to job intensive uses, which include production, repair, wholesaling and distribution, and heavy services suitable to industrial areas. Accessory office and retail uses, provided that they are truly accessory, are considered appropriate, since many industrial companies successfully incorporate these accessory uses into their business models.

The Commission agrees that the 15-foot floor-to-ceiling height requirement for the required industrial space is appropriate, because such a height is often a necessity for industrial businesses. The Commission deems the requirement, included in the modified application, to provide floor to ceiling heights of at least 23 feet for one third of the industrial space, as impractical, given that the Commission is altering the modified application to allow for a portion of the required industrial space to be located directly above or below the ground floor.

In order to further increase the range of practical lot sizes, where the required industrial space could be accommodated, the Commission adopts the provision in the modified application specifying that in M1-1 zoning districts with a permitted FAR of 1.0, within Designated Areas in M districts, up to 20,000 square feet of the required industrial floor area may exceed the FAR cap. In regard to testimony delivered by industry representatives and the Brooklyn Chamber of Commerce requesting the industrial floor area increase be applicable in all zoning districts within Designated Areas in M districts, the Commission concludes that zoning districts with a permitted FAR of more than 1.0 have sufficient floor area to accommodate both the self-storage use and the required industrial space on lots of typical sizes.

The Commission concurs that modified application's reduction of the underlying accessory parking requirements for the uses that would occupy the required industrial floor space is appropriate, since this would facilitate the proposed floor area set-aside for the industrial use and the required lobby and loading areas for self-storage without requiring undue set-asides of lot area for parking. In those zoning districts where off-street parking is required, any use occupying the required industrial space shall require parking amounting to one space per 2,000 square feet of floor area, or one space for every three employees, whichever would require a smaller number of spaces.

For these same reasons, the Commission agrees that reducing the size of the required loading berths serving the self-storage use is appropriate, given that self-storage customers typically arrive in vehicles trucks that can be driven without special licenses and that can easily be accommodated in shorter loading berths of 37 feet. The Commission further supports the reduced number of required loading berths serving the required industrial floor space in M1-1, M1-2, M1-4, M2-1, M2-3, M3-1, and M3-2 districts.

For existing buildings, a change of use to self-storage from another use in Use Group 16D shall not be considered a change of use for the purposes of applying the requirements for accessory off-street loading berths. This maintains the current situation, in which self-storage is not a separately defined use and thus conversions to self-storage are not considered a change of use requiring additional off-street loading.

Given the abovementioned concerns about the findings of the proposed CPC Special Permit, which remain unaddressed by the modified application, the Commission considers that the regulatory

mechanism to modify, reduce or waive the required industrial space for new self-storage facilities in Designated Areas in M districts needs to be adjusted. The Commission believes that a more rational approach would involve an analysis of the financial feasibility of constructing and maintaining the required industrial space. Such analyses fall under the expertise of the Board of Standards and Appeals (BSA). Accordingly, the Commission modifies the modified application to include a BSA Special Permit to modify, reduce or waive the industrial space requirement for large sites and the business-oriented self-storage requirement for small sites, if the requirement creates financial hardship, with no reasonable possibility that a self-storage facility in accordance with the requirements would bring a reasonable return. Altering the proposed CPC Special Permit to a BSA Special Permit furthermore addresses the Commission's concerns regarding circumstances where a self-storage owner or operator would be unable to find a qualifying tenant, since the BSA has the expertise to evaluate the reasonableness of such assertions.

The Commission incorporates IBZs into the Zoning Resolution as Designated Areas in M districts, to [acknowledge these areas as the city's most important industrial areas, where job-intensive industrial businesses need to be provided](#) with appropriate siting opportunities. The Commission concurs with testimony regarding the importance of vigilant enforcement, in order to ensure that the City's goals and objectives are met, and considers that the enforcement of the proposed amendments to the Zoning Resolution (N 170425 (A) ZRY), as modified herein, by the relevant City agencies, most notably the Department of Buildings, is key to the success of the proposal. The Commission furthermore calls upon the Department of Small Business Services, which contracts [with the nonprofit organizations servicing businesses in IBZs, to work to assure that these organizations have the resources to support the objectives of this zoning text amendment.](#)

RESOLUTION

RESOLVED, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on October 20, 2017, with respect to this application (CEQR No. 17DCP119Y), the City Planning Commission finds that the requirements of Part 617, New

York State Environmental Quality Review, have been met and that, consistent with social, economic and other essential considerations:

1. From among the reasonable alternatives available, the action to be approved, as modified with the modifications adopted herein, analyzed in Chapter 23, “Alternatives” of the FEIS as the Modified A-text Alternative, is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable.

The report of the City Planning Commission, together with the FEIS, constitute the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to Section 617.11(d) of the SEQRA regulations; and be it further

RESOLVED that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action is consistent with WRP policies; and be it further

RESOLVED, by the City Planning Commission, pursuant to Section 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 as follows:

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

Matter within # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution.

ARTICLE I GENERAL PROVISIONS

Chapter 2 Construction of Language and Definitions

* * *

12-10 DEFINITIONS

* * *

Industrial floor space

“Industrial floor space” is #floor area# or #cellar# space, excluding mechanical space and common space such as hallways, lobbies or stairways, with a minimum clear height from floor to ceiling of 15 feet, and allocated to one or more of the #manufacturing#, semi-industrial or industrial #uses# listed in Use Groups 9A (limited to art studios), 10A (limited to photographic or motion picture production studios and radio or television studios), 11A, 16A, 16B, 16D (other than a #self-service storage facility#), 17 or 18.

* * *

Self-service storage facility

A “self-service storage facility” is a moving or storage office, or a warehouse establishment, as listed in Use Group 16D, for the purpose of storing personal property, where:

- (a) such facility is partitioned into individual, securely subdivided space for lease; or
- (b) such facility consists of enclosed or unenclosed floor space which is subdivided by secured bins, boxes, containers, pods or other mobile or stationary storage devices; and
- (c) such floor space or storage devices are less than 300 square feet in area and are to be leased or rented to persons or businesses to access, store or remove property on a self-service basis.

* * *

**ARTICLE III
COMMERCIAL DISTRICT REGULATIONS**

**Chapter 2
Use Regulations**

* * *

**32-10
USES PERMITTED AS-OF-RIGHT**

* * *

**32-25
Use Group 16**

C8

Use Group 16 consists of automotive and other necessary semi-industrial #uses# which:

- (1) are required widely throughout the city; and

- (2) involve offensive noise, vibration, smoke, dust, or other particulate matter, odorous matter, heat, humidity, glare, or other objectionable influences, making such #uses# incompatible with #residential uses# and other #commercial uses#.

* * *

D. Heavy Service, Wholesale, or Storage Establishments

Carpet cleaning establishments [PRC-F]

Dry cleaning or cleaning and dyeing establishments, with no limitation on type of operation, solvents, #floor area# or capacity per establishment [PRC-F]

Laundries, with no limitation on type of operation [PRC-F]

Linen, towel or diaper supply establishments [PRC-F]

Moving or storage offices, with no limitation as to storage or #floor area# per establishment [PRC-G]*

Packing or crating establishments [PRC-G]

Photographic developing or printing with no limitation on #floor area# per establishment [PRC-C]

Trucking terminals or motor freight stations, limited to 20,000 square feet of #lot area# per establishment [PRC-G]

Warehouses [PRC-G]*

Wholesale establishments, with no limitation on #accessory# storage [PRC-C]

E. #Accessory Uses#

* In designated areas within #Manufacturing Districts#, as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, a #self-service storage facility# is subject to the provisions of Section 42-121 (Use Group 16D self-service storage facilities).

* * *

ARTICLE IV MANUFACTURING DISTRICT REGULATIONS

Chapter 2 Use Regulations

* * *

**42-10
USES PERMITTED AS-OF-RIGHT**

* * *

**42-12
Use Groups 3A, 6A, 6B, 6D, 6F, 7B, 7C, 7D, 7E, 8, 9B, 9C, 10A, 10B, 10C, 11, 12A, 12C, 12D, 12E, 13, 14 and 16**

M1 M2 M3

Use Group 3A shall be limited to Museums that are ancillary to existing Motion Picture Production Studios or Radio or Television Studios, provided they are located within 500 feet of such studios and do not exceed 75,000 square feet of #floor area#.

Use Groups 6A except that food stores, including supermarkets, grocery stores or delicatessen stores, shall be limited to 10,000 square feet of #floor area# per establishment, 6B, 6D, 6F, 7B, 7C, 7D, 7E, 8, 9B, 9C, 10A, 10B, 10C, 11, 12A, 12C, 12D, 12E, 13, 14 and 16 as set forth in Sections 32-15 to 32-23, inclusive, and Section 32-25.. However, in Community District 1, in the Borough of the Bronx, in M1-4 Districts, food stores, including supermarkets, grocery stores or delicatessen stores, shall be limited to 30,000 square feet of #floor area# per establishment.

Use Group 10A shall be limited to depositories for storage of office records, microfilm or computer tapes, or for data processing; docks for ferries; office or business machine stores, sales or rental; photographic or motion picture production studios; and radio or television studios.

In the #Manhattan Core#, automobile rental establishments, #public parking garages# and #public parking lots# in Use Groups 8C and 12D are subject to the provisions of Article I, Chapter 3, and in the #Long Island City area#, as defined in Section 16-02 (Definitions), #public parking garages# and #public parking lots# in Use Groups 8C and 12D are subject to the provisions of Article I, Chapter 6.

In designated areas within #Manufacturing Districts#, as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, a #self-service storage facility# is subject to the provisions of Section 42-121 (Use Group 16D self-service storage facilities).

**42-121
Use Group 16D self-service storage facilities**

Use Group 16D #self-service storage facility# shall, in designated areas within #Manufacturing Districts# as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, be limited to establishments that provide an #industrial floor space# as defined in Section 12-10 (DEFINITIONS) or “business-sized” storage space as specified in paragraph (b)(2) of this Section.

- a) On a #zoning lot# greater than or equal to 25,000 square feet in area, a #self-service storage facility# shall provide #industrial floor space# that is:
 - (1) equal in #floor area# or #cellar# space to 50 percent of the #lot area#;
 - (2) located below the level of the third #story#, with at least 50 percent of such #industrial floor space# located on the ground floor where such ground floor #story# is located within five feet of #curb level#, or #base plane#, as applicable and the remaining #industrial floor space# located on a level that is immediately above or below such #story#; and
 - (3) provided with access to freight elevators and the #accessory# off-street loading berth required for such #industrial floor space# in accordance with the provisions of Section 44-586 (Regulations for permitted or required loading berths for zoning lots containing self-service storage facilities in designated areas).

- b) On a #zoning lot# that on [date of adoption] is less than 25,000 square feet in area, a #self-service storage facility# shall provide:
 - (1) #industrial floor space# as specified in paragraph (a) of this Section; or
 - (2) #floor area# or #cellar# space containing securely subdivided space for lease within such #self-service storage facility#, where each subdivided space is not less than 100 square feet in area, and with a minimum clear height of 8 feet. Such spaces shall be categorized as “business-sized” for the purposes of this Section. The total area of such business-sized storage space shall be equal in #floor area# or #cellar# space to 50 percent of the #lot area#.

The Board of Standards and Appeals may permit a #self-storage service facility# that does not meet the requirements of paragraphs (a) and (b) of this Section pursuant to Section 73-37 (Self-Service Storage Facilities in Designated Areas Within Manufacturing Districts).

Any #self-service storage facility# existing on [date of adoption] located in a designated area within #Manufacturing Districts#, as shown on the maps in APPENDIX J, shall be considered a conforming #use#, provided that the owner of such #self-service storage facility# has filed documentation satisfactory to the Department of Buildings that it existed on [date of adoption] and

met the definition of #self-service storage facility# set forth in Section 12-10 (DEFINITIONS). Any #enlargement# or #extension# to an existing conforming facility need not provide #industrial floor space# or #business-sized storage, as applicable, provided there is no increase in #lot area#. In the event that a #building# for which satisfactory documentation has been filed with the Department of Buildings is damaged or destroyed by any means, such #building# may be reconstructed on the same #zoning lot# and continue as a #self-service storage facility# without providing #industrial floor space# or #business-sized storage, as applicable, provided that the #floor area# of such reconstructed #self-service storage facility# does not exceed the #floor area# permitted pursuant to the provisions of Section 43-10 (FLOOR AREA REGULATIONS), inclusive.

Any #self-service storage facility# existing on [date of adoption] that does not file such documentation satisfactory to the Department of Buildings pursuant to the provisions of this Section shall be considered #non-conforming# and subject to the provisions of Article V (NON-CONFORMING USES AND NON-COMPLYING BUILDINGS) of this Resolution.

* * *

**42-30
USES PERMITTED BY SPECIAL PERMIT**

* * *

**42-31
By the Board of Standards and Appeals**

In the districts indicated, the following #uses# are permitted by special permit of the Board of Standards and Appeals, in accordance with standards set forth in Article VII, Chapter 3.

* * *

M1 M2 M3
Sand, gravel or clay pits

M1 M2 M3
#Self-service storage facilities# in designated areas within #Manufacturing Districts#, as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, that do not meet the requirements of paragraphs (a) and (b) of Section 42-121 (Use Group 16D self-service storage facilities)

M1
#Schools#, provided they have no living or sleeping accommodations

* * *

**Chapter 3
Bulk Regulations**

* * *

**43-10
FLOOR AREA REGULATIONS**

* * *

43-123

Floor area increase for an industrial space within a self-service storage facility

In M1-1 Districts in designated areas, as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, for any #zoning lot# containing a #self-service storage facility# that meets the requirements of paragraphs (a) or (b)(1) of Section 42-121 (Use Group 16D self-service storage facilities), the maximum permitted #floor area# for #commercial# or #manufacturing uses# on the #zoning lot# pursuant to the provisions of Section 43-12 (Maximum floor area ratio), inclusive, may be increased by a maximum of 50 percent of the #lot area# or up to 20,000 square feet, whichever is less.

* * *

**Chapter 4
Accessory Off-street Parking and Loading Regulations**

* * *

**44-20
REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR MANUFACTURING,
COMMERCIAL OR COMMUNITY FACILITY USES**

* * *

**44-28
Parking Regulations for Residential Uses in M1-1D Through M1-5D Districts**

* * *

**44-29
Parking Regulations for Zoning Lots Containing Self-Service Storage Facilities in Designated Areas**

M1-1 M1-2 M1-3 M2-1 M2-2 M3-1

In the Districts indicated, in designated areas within #Manufacturing Districts#, as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, the

provisions of Section 44-21 (General Provisions) are modified as set forth in this Section for all #uses# within the #industrial floor space#.

For any #zoning lot# containing a #self-service storage facility# that meets the requirements of paragraphs (a) or (b) (1) of Section 42-121 (Use Group 16D self-service storage facilities), #accessory# off-street parking spaces, open or enclosed, shall not be required for #uses# within #industrial floor space#, where all such #uses# occupy less than 10,000 square feet of #floor area# or have fewer than 15 employees. For #industrial floor space# on such #zoning lots# where such #uses#, in total, occupy at least 10,000 square feet of #floor area# or have 15 or more employees, #accessory# off-street parking spaces, open or enclosed, shall be required for all #uses# within the #industrial floor space# at the rate of one space per 2,000 square feet of #floor area#, or one space per three employees, whichever will require a lesser number of spaces.

* * *

**44-50
GENERAL PURPOSES**

* * *

**44-58
Additional Regulations for Permitted or Required Berths**

* * *

**44-586
Regulations for permitted or required loading berths for zoning lots containing self-service storage facilities in designated areas**

M1-1 M1-2 M1-3 M2-1 M2-2 M3-1

In the Districts indicated, in designated areas within #Manufacturing Districts#, as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, the provisions of Sections 44-52 (Required Accessory Off-street Loading Berths) and 44-581 (Size of required loading berths) are modified as set forth in this Section.

For any #zoning lot# containing a #self-service storage facility# that meets the requirements of paragraphs (a) or (b)(1) of Section 42-121 (Use Group 16D self-service storage facilities), all required #accessory# off-street loading berths for a #self-service storage facility# shall have a minimum length of 37 feet. The dimensions of off-street loading berths shall not include driveways, or entrances to or exits from such off-street loading berths.

The number of #accessory# off-street loading berths required for #uses# occupying #industrial floor space# shall be as set forth in the following table:

<u>#Floor Area# (in square feet)</u>	<u>Required Loading Berths</u>
<u>First 15,000</u>	<u>None</u>
<u>Next 25,000</u>	<u>1</u>

<u>Next 40,000</u>	<u>1</u>
<u>Each additional 80,000 or fraction thereof</u>	<u>1</u>

Additional loading berths shall not be required for a change of #use# within an existing #building# from Use Group 16D to a #self-service storage facility#.

* * *

**ARTICLE VII
ADMINISTRATION**

**Chapter 3
Special Permits by the Board of Standards and Appeals**

* * *

**73-00
SPECIAL PERMIT USES AND MODIFICATIONS**

* * *

**73-11
General Provisions**

Subject to the general findings required by Section 73-03 and in accordance with the provisions contained in Sections 73-12 to ~~72-36~~ 73-37, inclusive, the Board of Standards and Appeals shall have the power to permit special permit #uses#, and shall have the power to impose appropriate conditions and safeguards thereon.

* * *

**73-36
Physical Culture or Health Establishments**

* * *

**73-37
Self-service Storage Facilities in Designated Areas Within Manufacturing Districts**

On #zoning lots# in designated areas within #Manufacturing Districts#, as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, the Board of Standards and Appeals may modify the requirements of paragraphs (a) or (b) of Section 42-121 (Use Group 16D self-service storage facilities), permitting #self-service storage facilities# provided the Board finds that:

- (a) such requirements create practical difficulties, with no reasonable possibility that a #development#, #enlargement#, or #conversion# on the #zoning lot# in strict compliance with the provisions of Section 42-121 (Use Group 16D self-service storage facilities) will bring a reasonable return, and that a reduction or modification of these requirements is therefore necessary to enable the owner to realize a reasonable return from such #development#, #enlargement#, or #conversion# on the #zoning lot#; and

(b) the reduction or modification of such requirements is the minimum necessary to afford relief.

The Board may prescribe additional appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

* * *

APPENDIX J – Designated Areas Within Manufacturing Districts

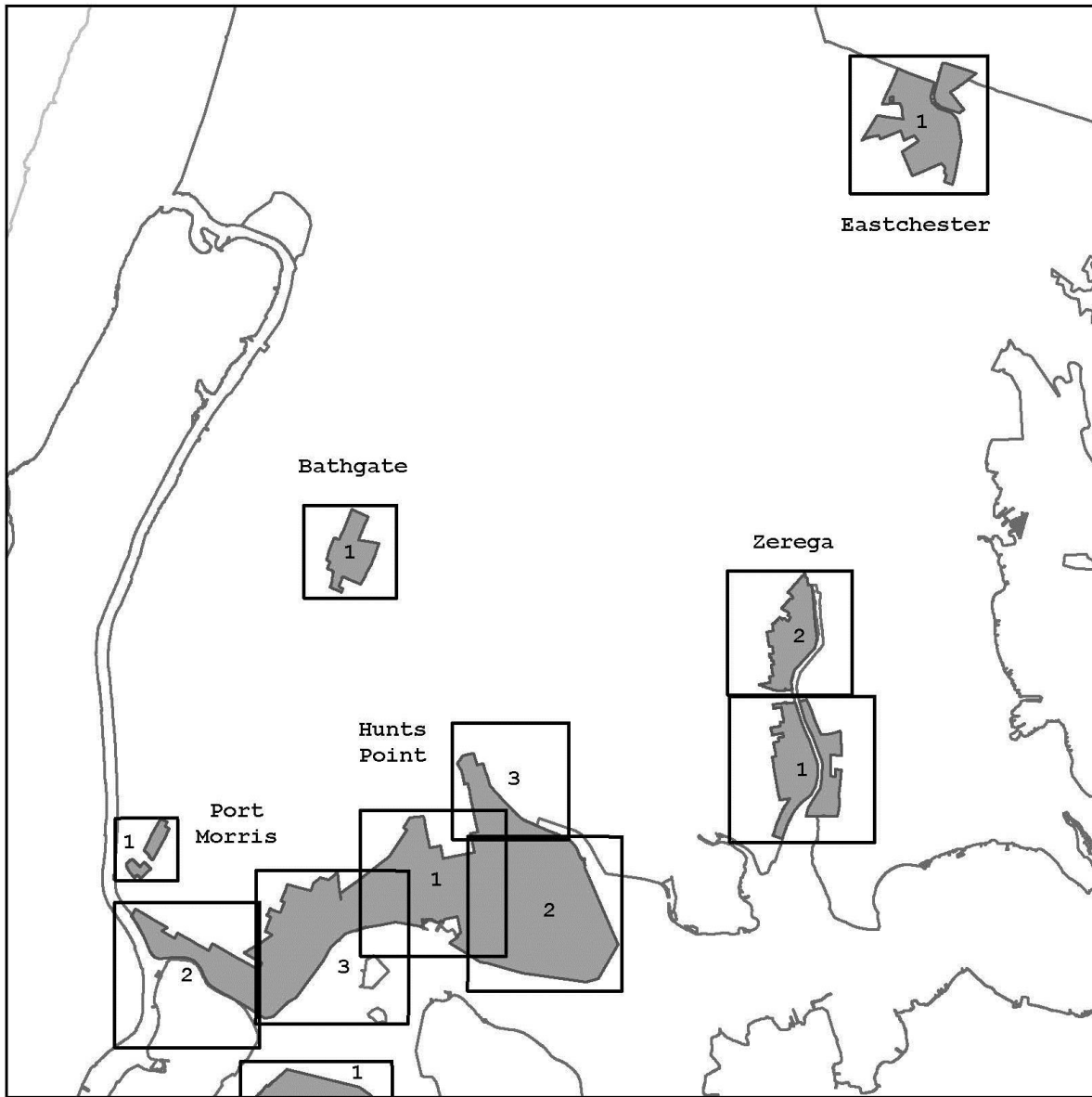
The boundaries of certain designated areas within #Manufacturing Districts# are shown on the maps in this APPENDIX, and include areas in the following Community Districts:

<u>Borough</u>	<u>Community Districts</u>	<u>Name of Designated Area in M District</u>	<u>Map No</u>
<u>The Bronx</u>	<u>1, 2</u>	<u>Port Morris</u>	<u>Maps 1-3</u>
<u>The Bronx</u>	<u>2</u>	<u>Hunts Point</u>	<u>Maps 1-3</u>
<u>The Bronx</u>	<u>9, 10</u>	<u>Zerega</u>	<u>Maps 1, 2</u>
<u>The Bronx</u>	<u>3, 4, 6</u>	<u>Bathgate</u>	<u>Map 1</u>
<u>The Bronx</u>	<u>10, 12</u>	<u>Eastchester</u>	<u>Map 1</u>
<u>Brooklyn</u>	<u>2</u>	<u>Brooklyn Navy Yard</u>	<u>Map 1</u>
<u>Brooklyn</u>	<u>6, 7</u>	<u>Southwest Brooklyn</u>	<u>Maps 1-5</u>
<u>Brooklyn</u>	<u>5, 16, 17, 18</u>	<u>Flatlands/Fairfield</u>	<u>Maps 1-4</u>

<u>Brooklyn</u>	<u>5, 16</u>	<u>East New York</u>	<u>Maps 1, 2</u>
<u>Brooklyn/Queens</u>	<u>BK 4/QN 5</u>	<u>Ridgewood</u>	<u>Map 1</u>
<u>Brooklyn</u>	<u>1</u>	<u>Williamsburg/Greenpoint</u>	<u>Map 1</u>
<u>Brooklyn/Queens</u>	<u>BK 1, 4/QN 2</u>	<u>North Brooklyn/Long Island City/Maspeth</u>	<u>Maps 1-3</u>
<u>Queens/Brooklyn</u>	<u>QN 2, 5/BK 1</u>	<u>Maspeth/North Brooklyn</u>	<u>Maps 1-4</u>
<u>Queens</u>	<u>1, 2</u>	<u>Long Island City</u>	<u>Maps 1-4</u>
<u>Queens</u>	<u>2</u>	<u>Woodside</u>	<u>Map 1</u>
<u>Queens</u>	<u>1</u>	<u>Steinway</u>	<u>Maps 1, 2</u>
<u>Queens</u>	<u>9, 12</u>	<u>Jamaica</u>	<u>Maps 1-4</u>
<u>Queens</u>	<u>10, 12, 13</u>	<u>JFK</u>	<u>Maps 1-3</u>
<u>Staten Island</u>	<u>1</u>	<u>North Shore</u>	<u>Maps 1-5</u>
<u>Staten Island</u>	<u>1, 2</u>	<u>West Shore</u>	<u>Maps 1-3</u>
<u>Staten Island</u>	<u>3</u>	<u>Rossville</u>	<u>Map 1</u>

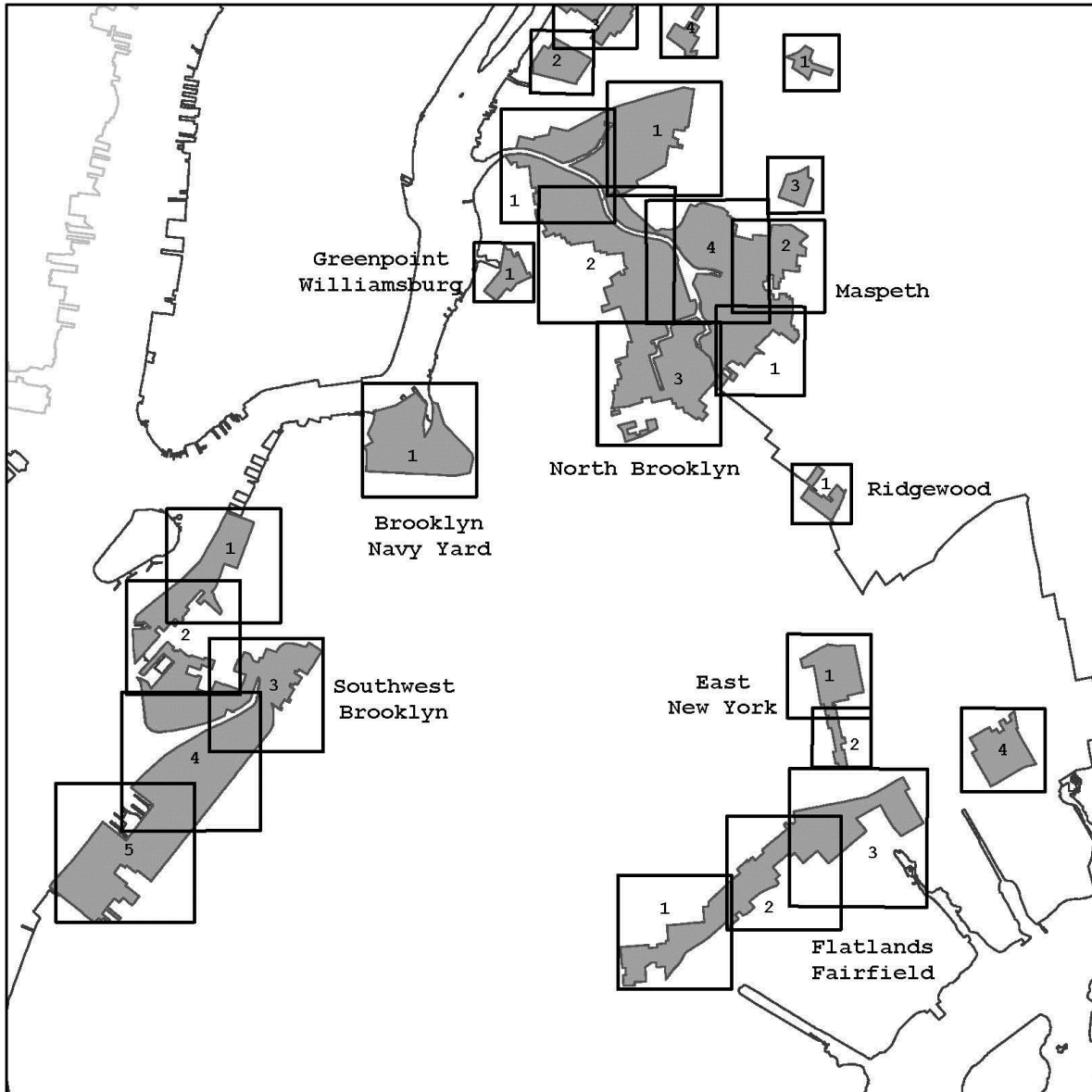
INDEX MAPS OF DESIGNATED AREAS

The Bronx



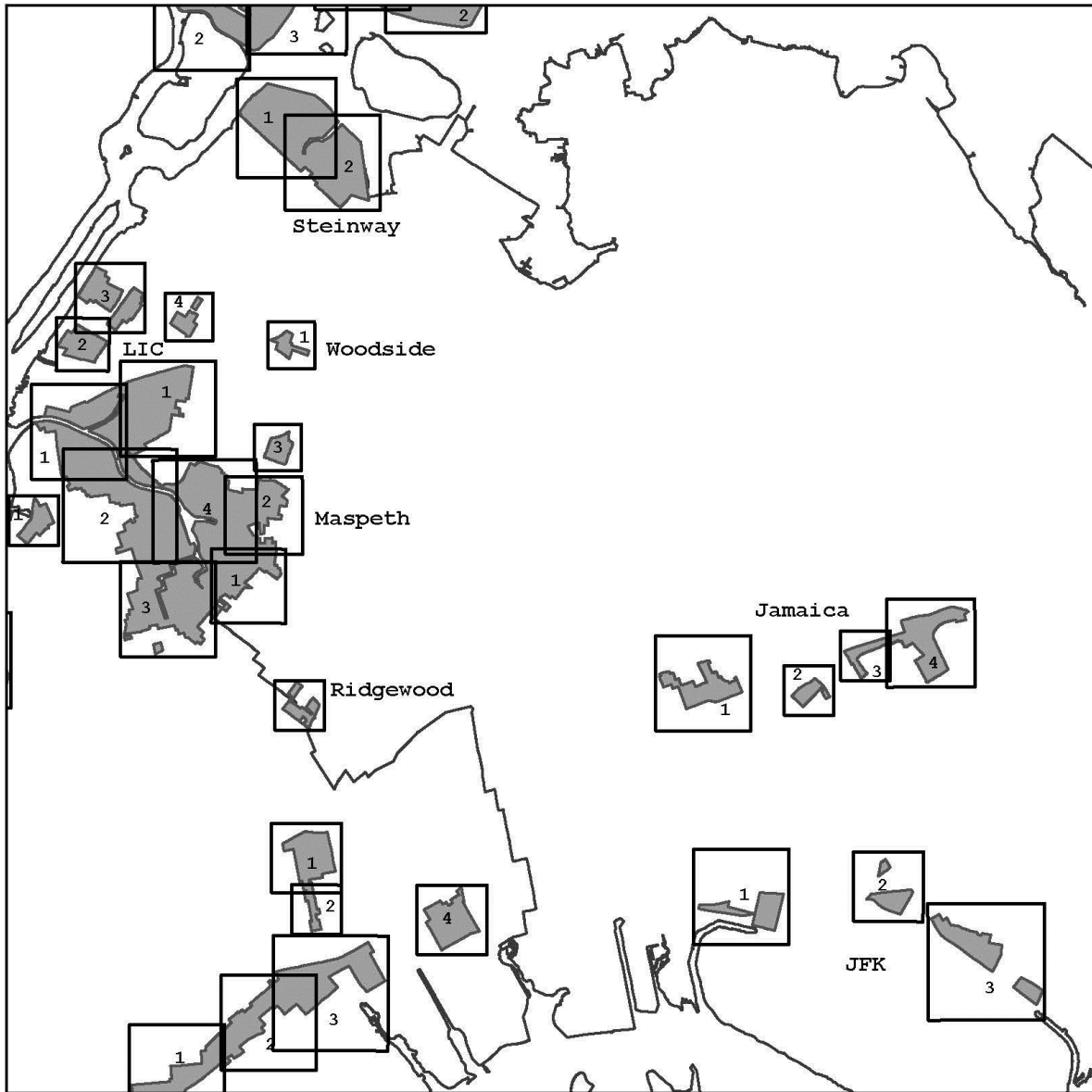
The numbers on this Index Map correspond with the map numbers for this borough.

Brooklyn



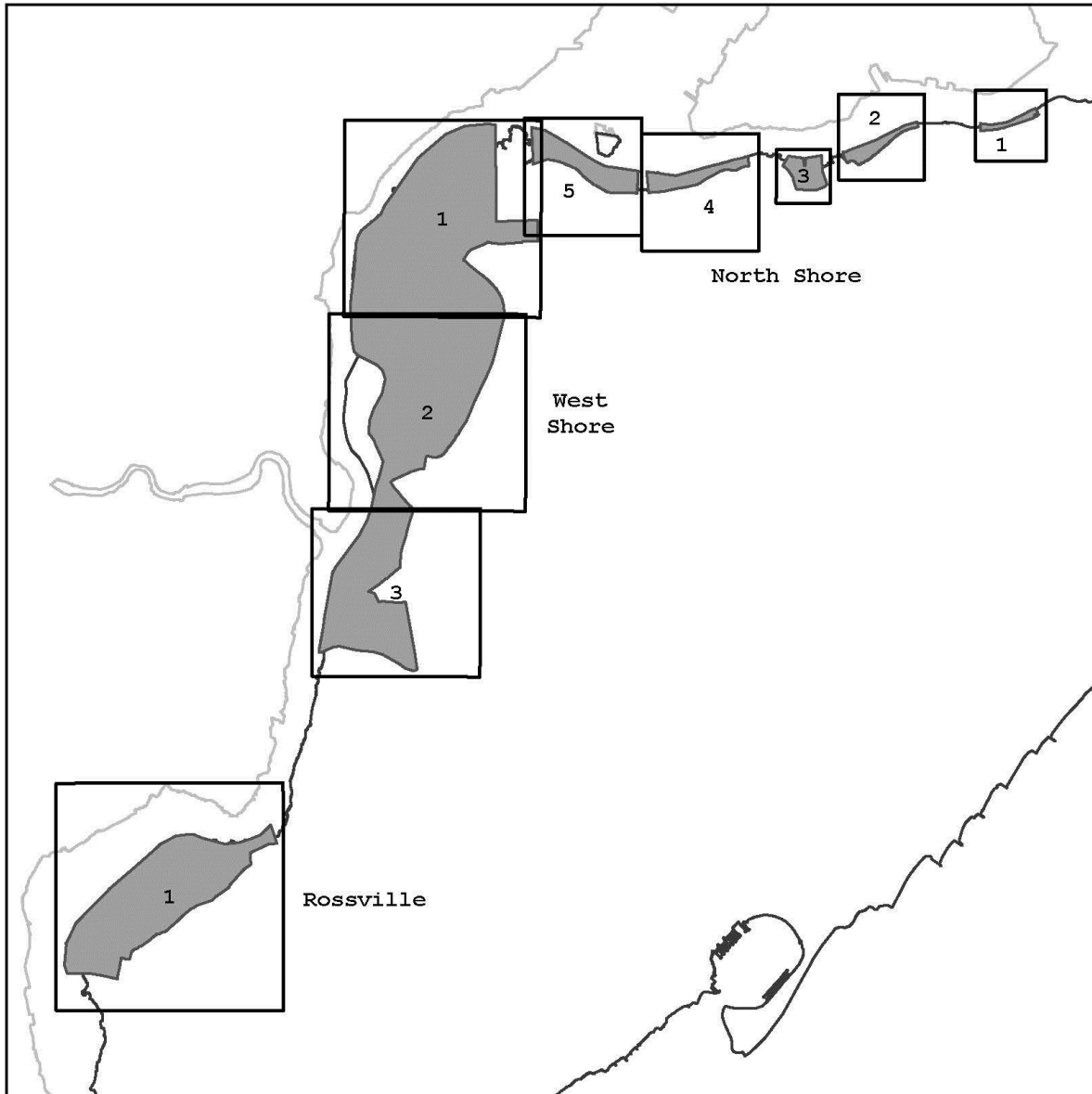
The numbers on this Index Map correspond with the map numbers for this borough.

Queens



The numbers on this Index Map correspond with the map numbers for this borough.

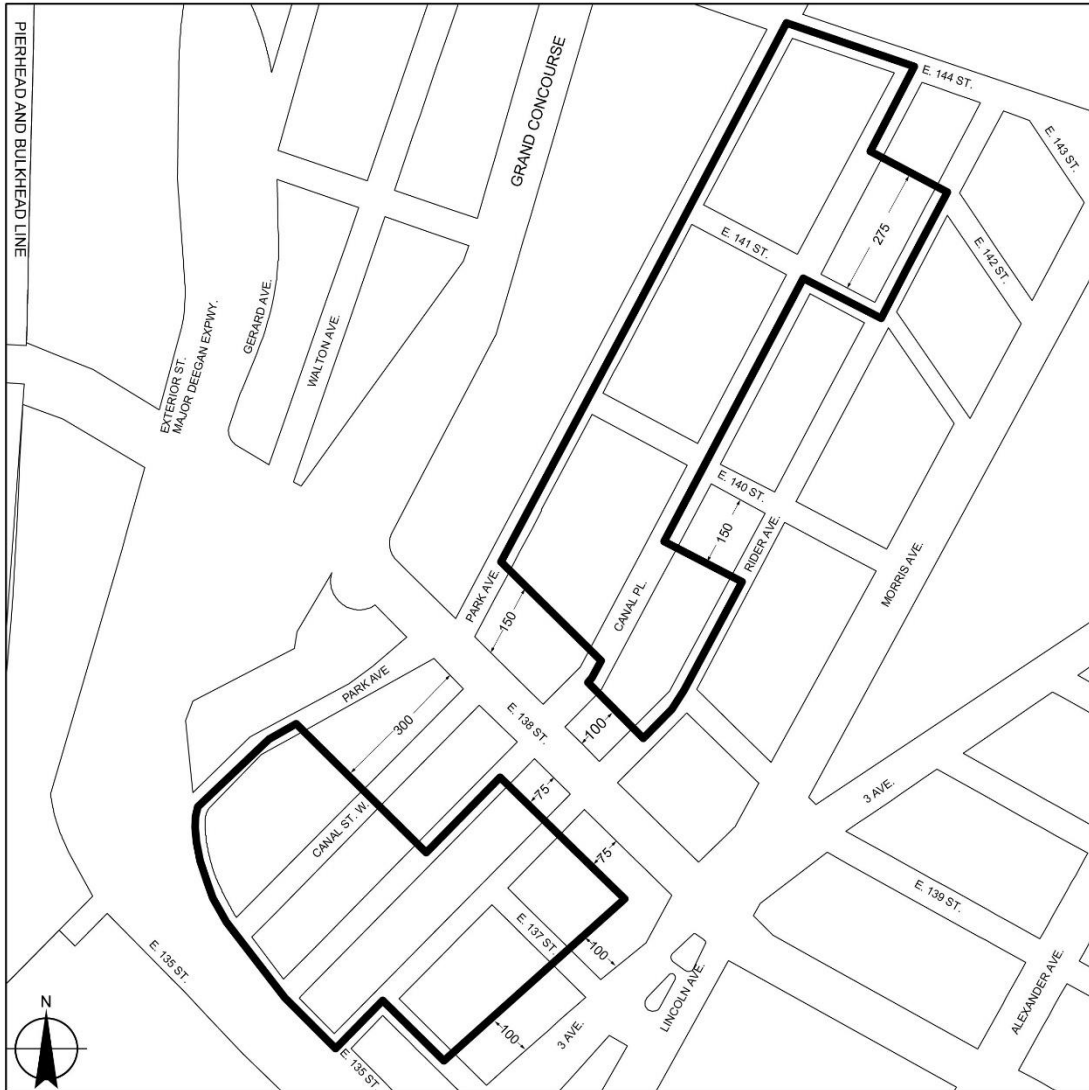
Staten Island



The numbers on this Index Map correspond with the map numbers for this borough.

Port Morris

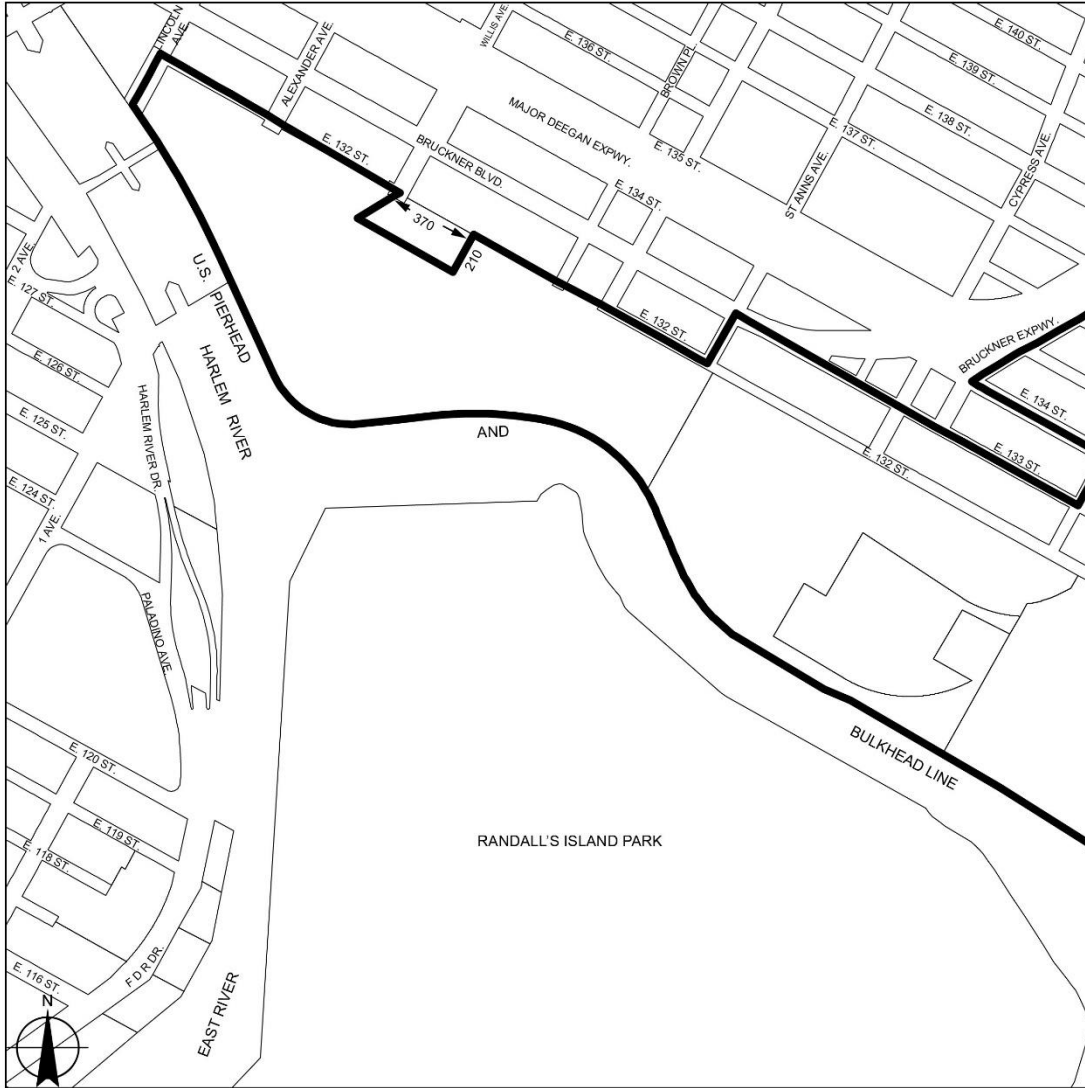
Map 1



Portion of Community District 1, The Bronx

Port Morris

Map 2



Portion of Community District 1, The Bronx

Port Morris/Hunts Point

Map 3



Portions of Community Districts 1 and 2, The Bronx

Hunts Point

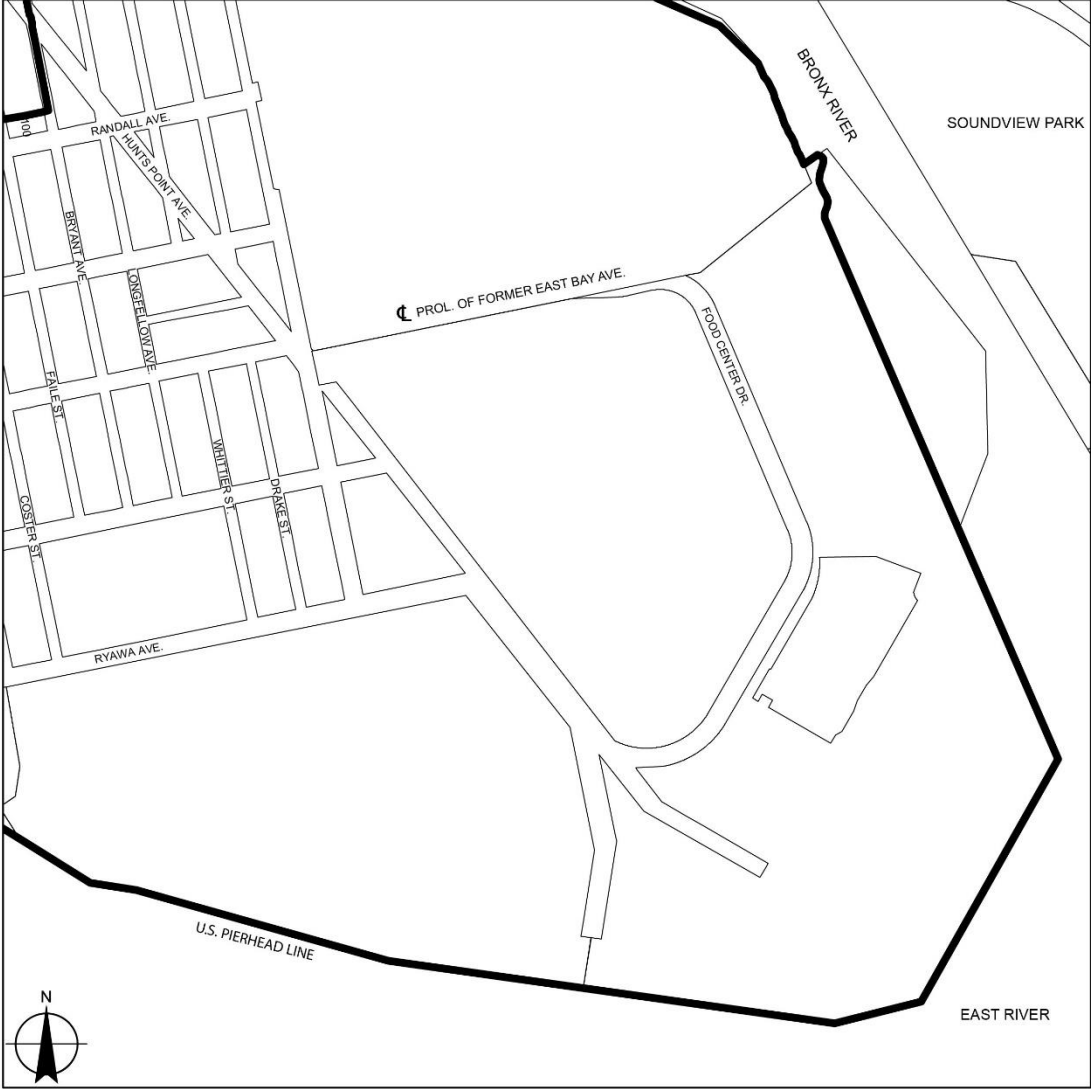
Map 1



Portion of Community District 2, Bronx

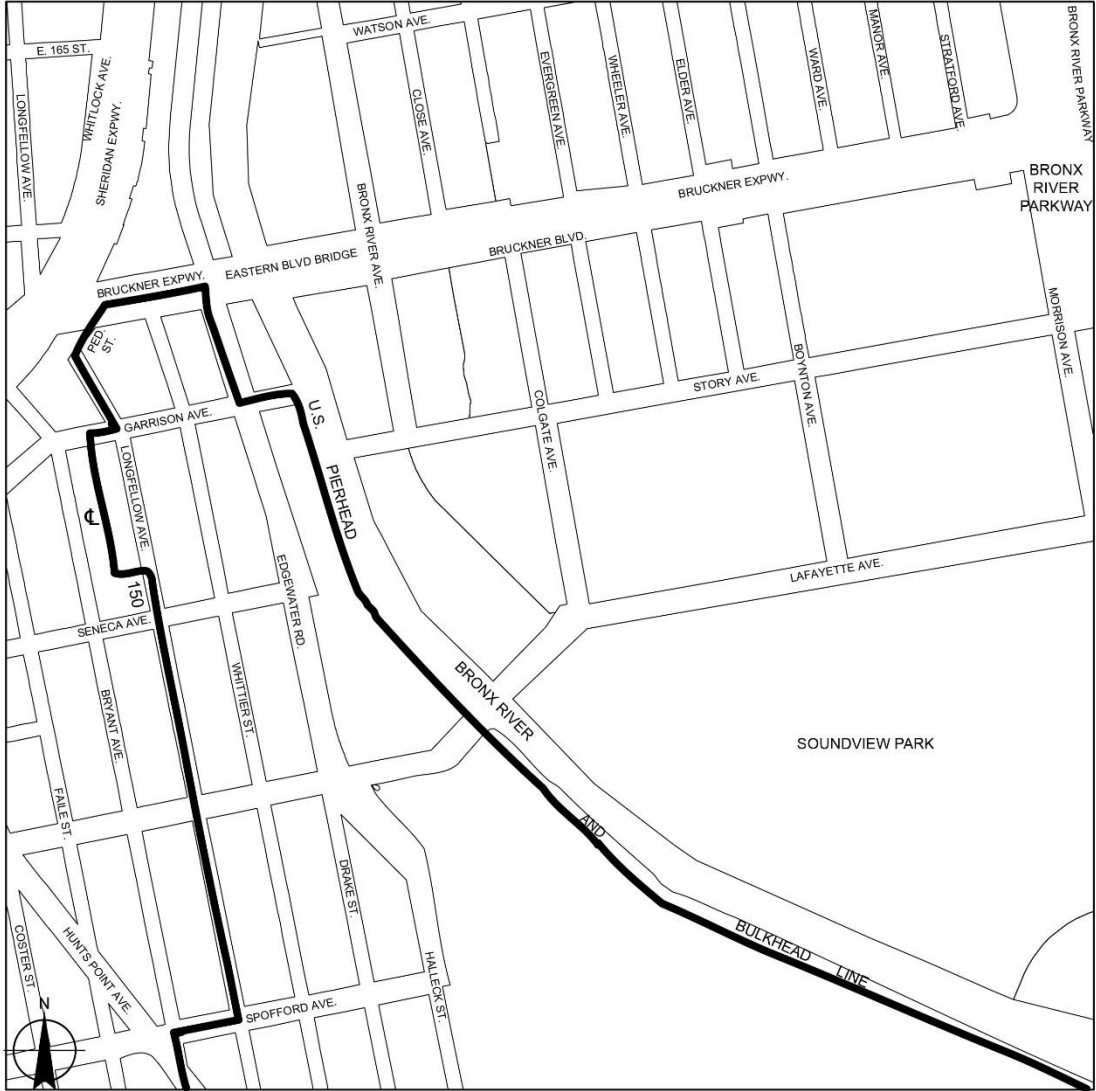
Hunts Point

Map 2



Portion of Community District 2, The Bronx

Hunts Point
Map 3



Portion of Community District 2, The Bronx

Zerega

Map 1



Portion of Community District 9, The Bronx

Zerega

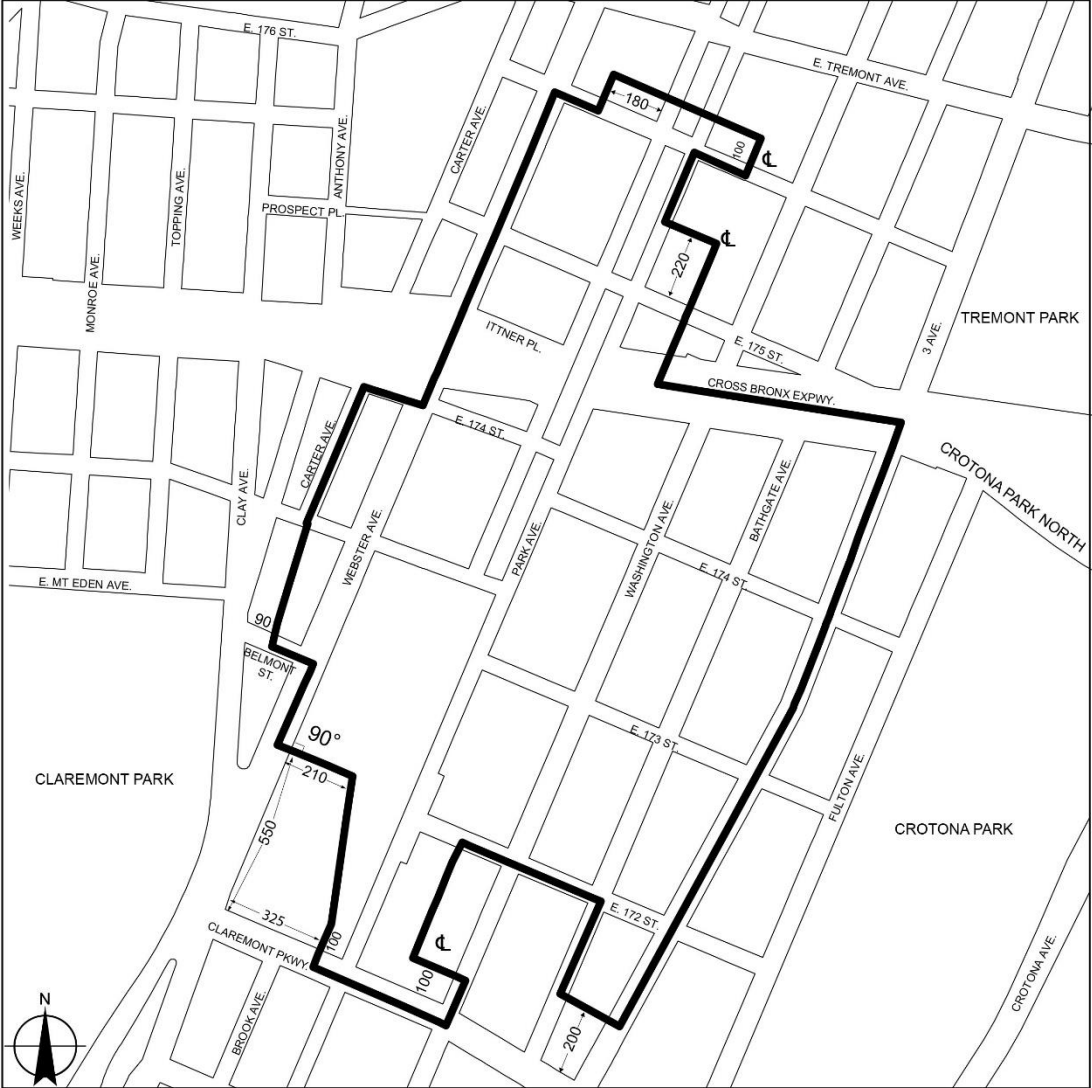
Map 2



Portions of Community Districts 9 and 10, The Bronx

Bathgate

Map 1



Portion of Community Districts 3, 4, and 6, The Bronx

Eastchester

Map 1



Portions of Community Districts 10 and 12, The Bronx

Brooklyn Navy Yard

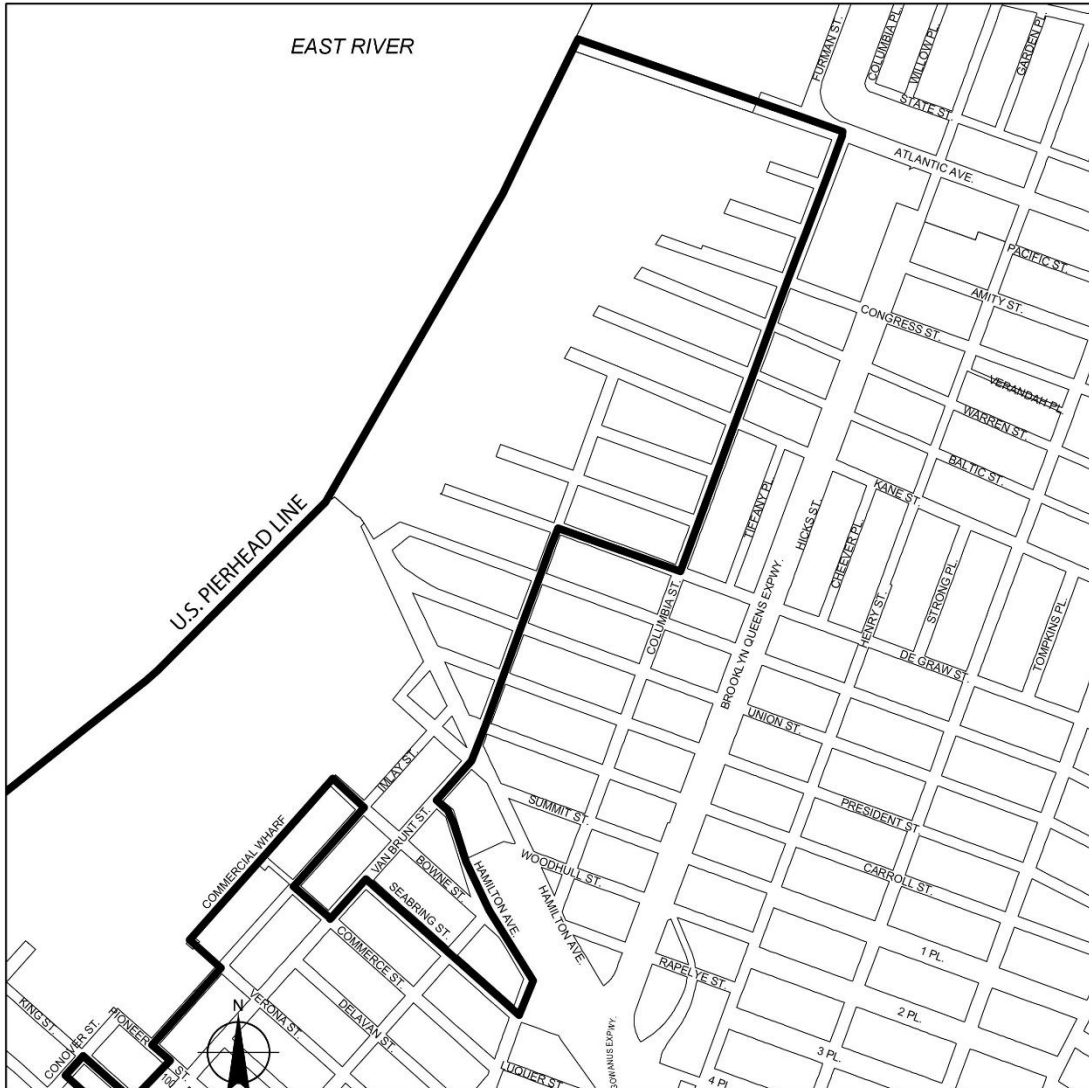
Map 1



Portion of Community District 2, Brooklyn

Southwest Brooklyn

Map 1



Portion of Community District 6, Brooklyn

Southwest Brooklyn

Map 2



Portion of Community District 6, Brooklyn

Southwest Brooklyn

Map 3



Portions of Community Districts 6 and 7, Brooklyn

Southwest Brooklyn

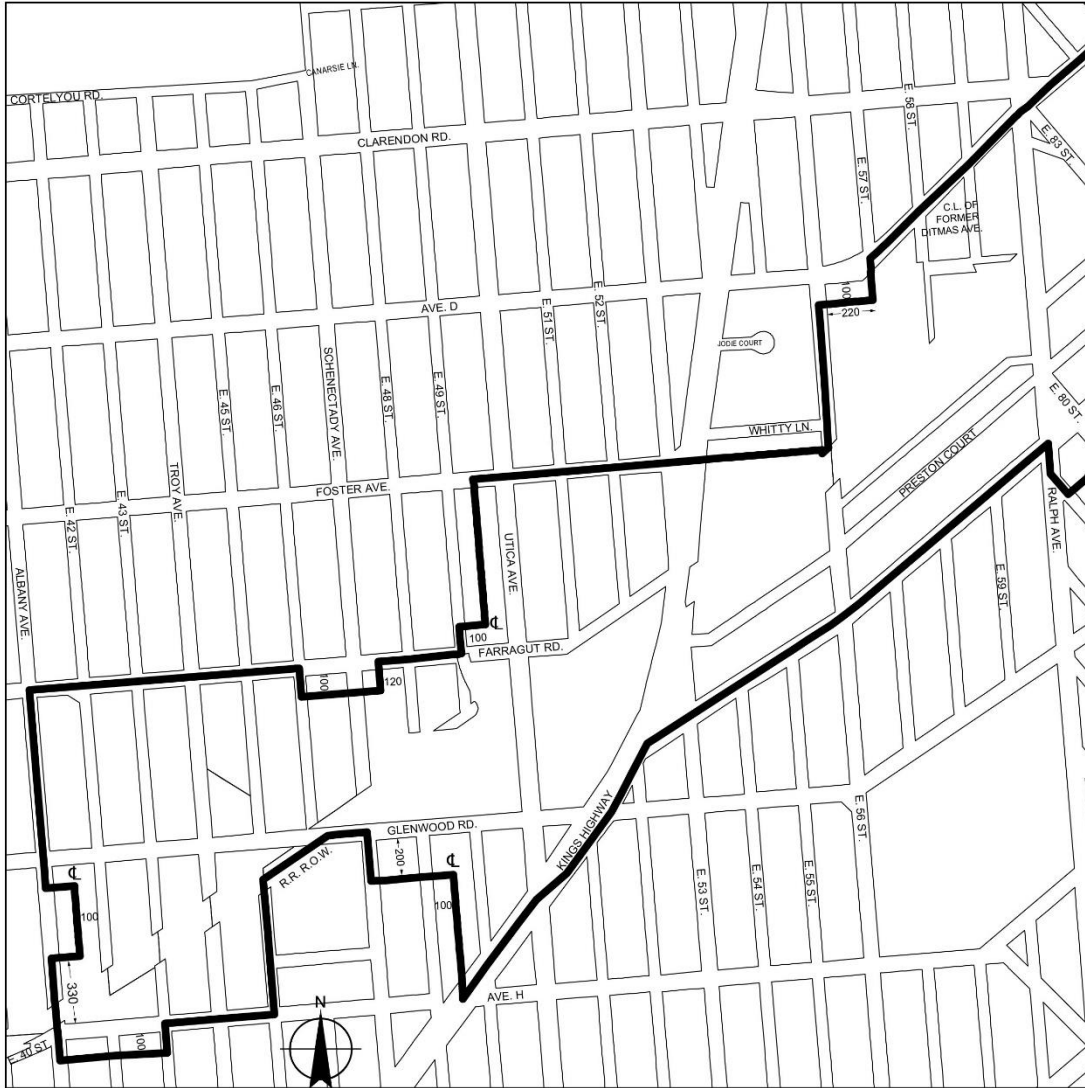
Map 5



Portion of Community District 7, Brooklyn

Flatlands/Fairfield

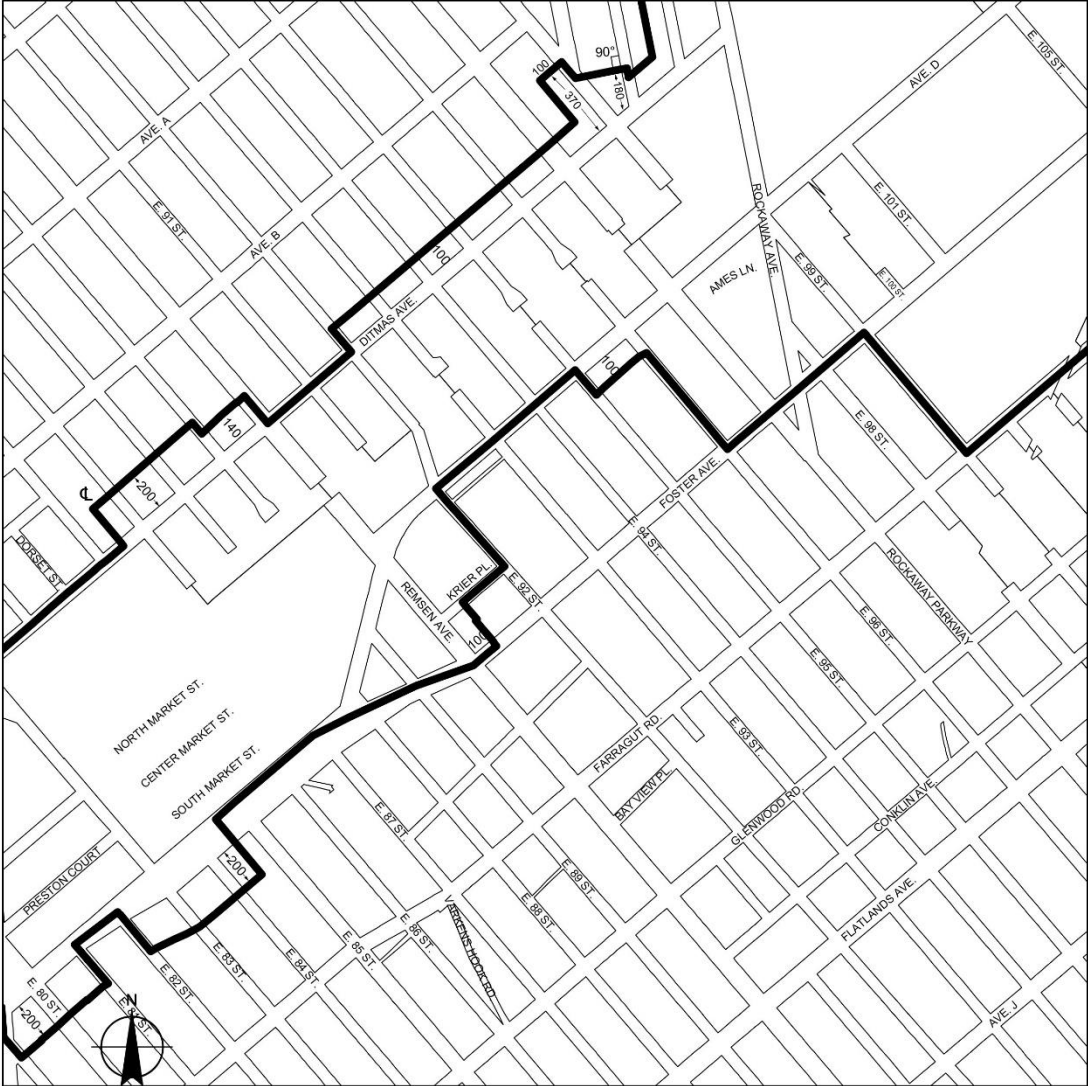
Map 1



Portions of Community Districts 17 and 18, Brooklyn

Flatlands/Fairfield

Map 2



Portions of Community Districts 17 and 18, Brooklyn

Flatlands/Fairfield

Map 3



Portions of Community Districts 5, 16, and 18, Brooklyn

Flatlands/Fairfield

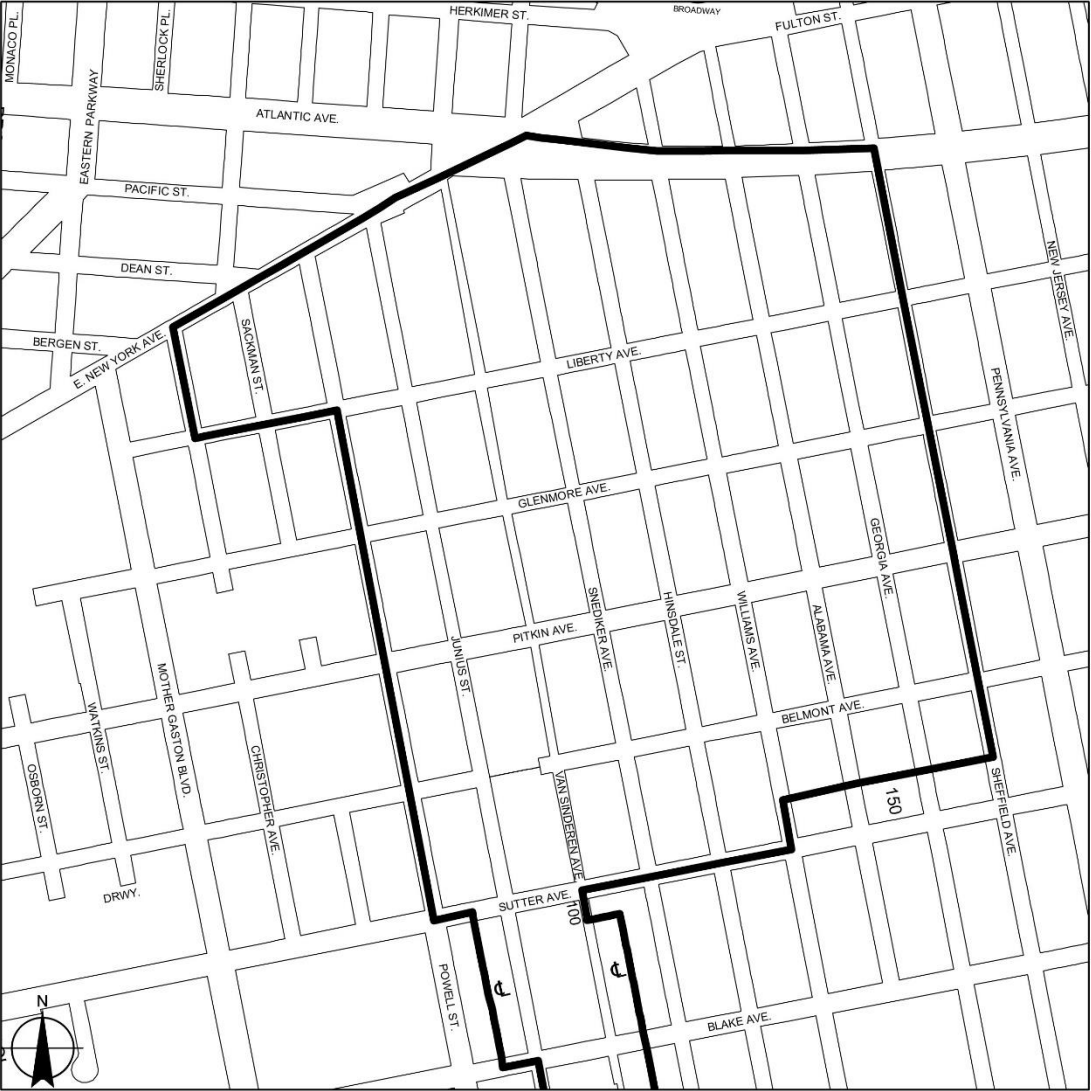
Map 4



Portion of Community District 5, Brooklyn

East New York

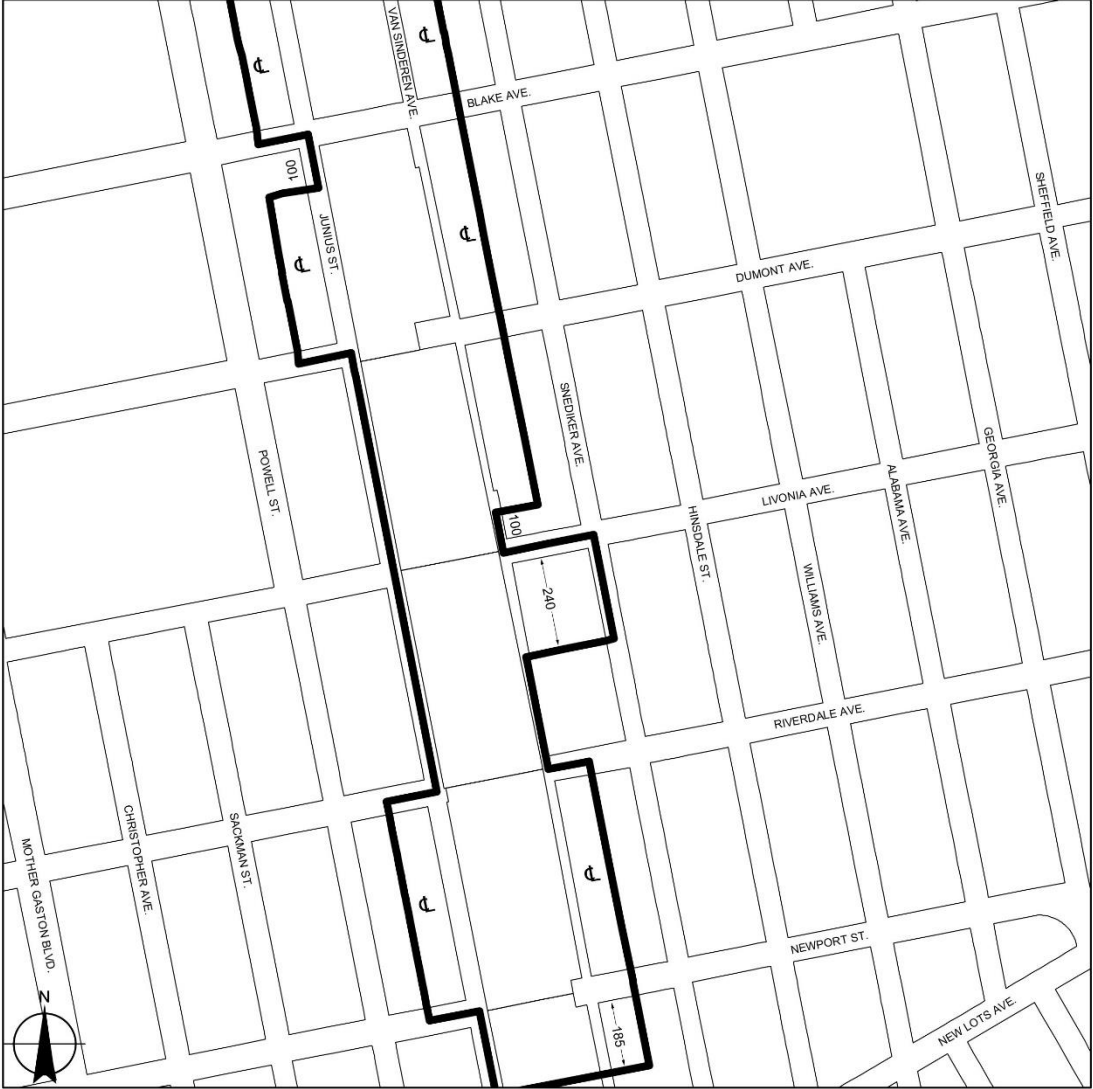
Map 1



Portion of Community District 5, Brooklyn

East New York

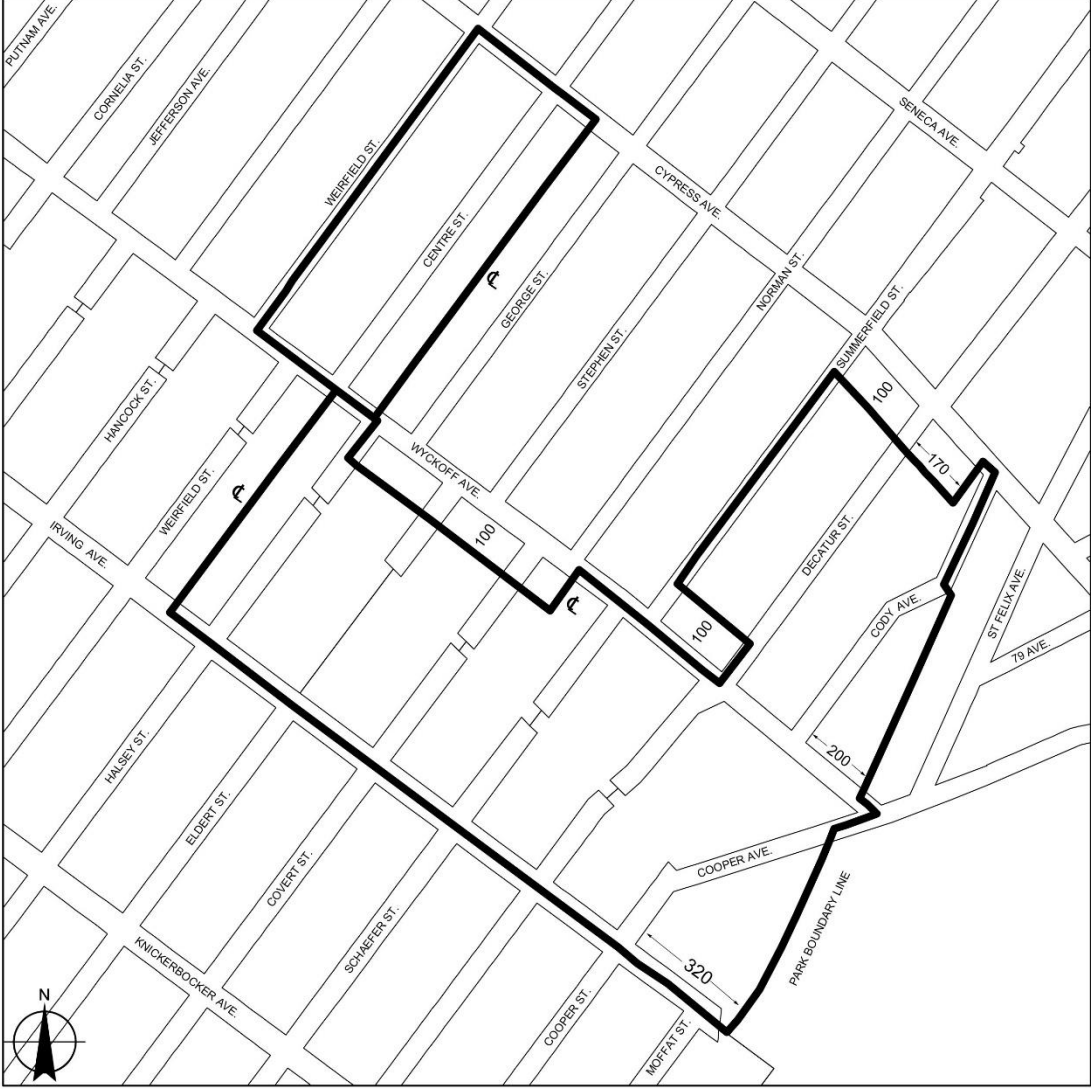
Map 2



Portions of Community Districts 5 and 16, Brooklyn

Ridgewood

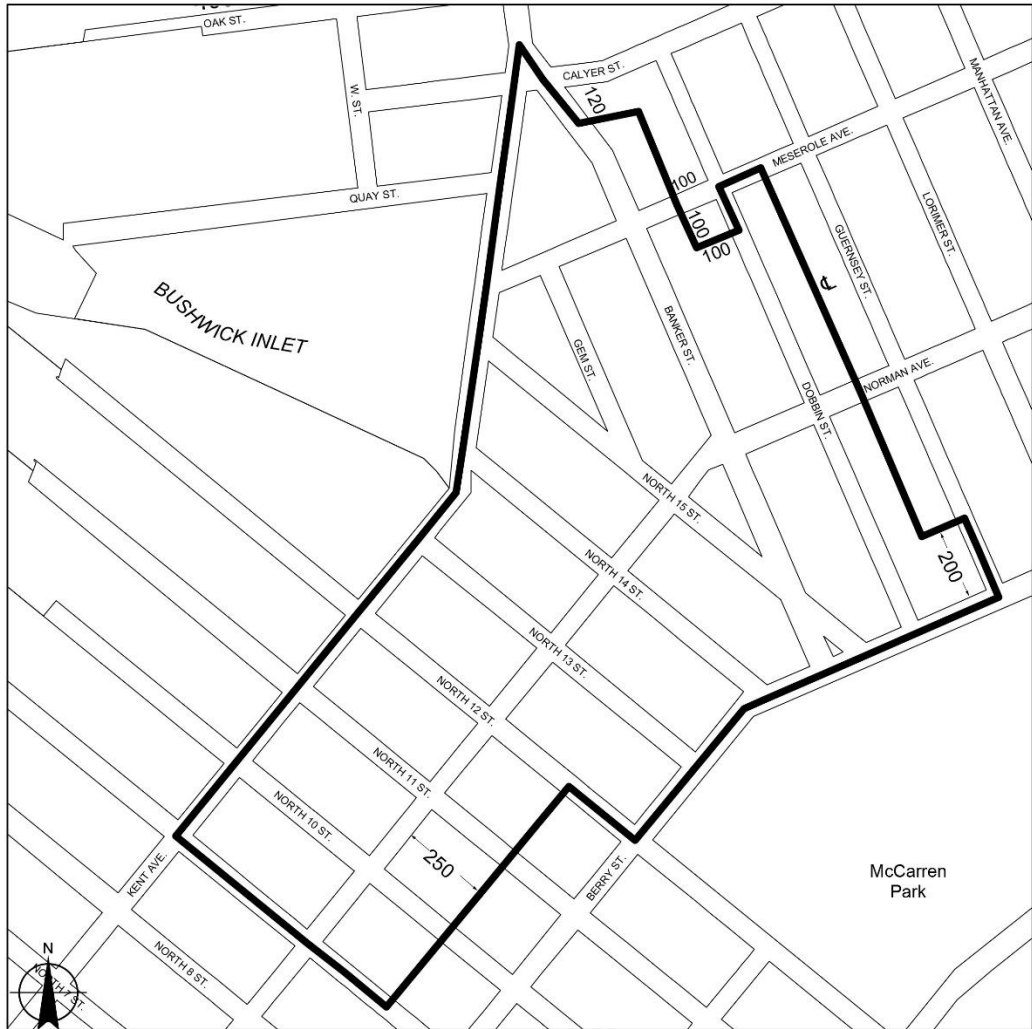
Map 1



Portions of Community District 4, Brooklyn and Community District 5, Queens

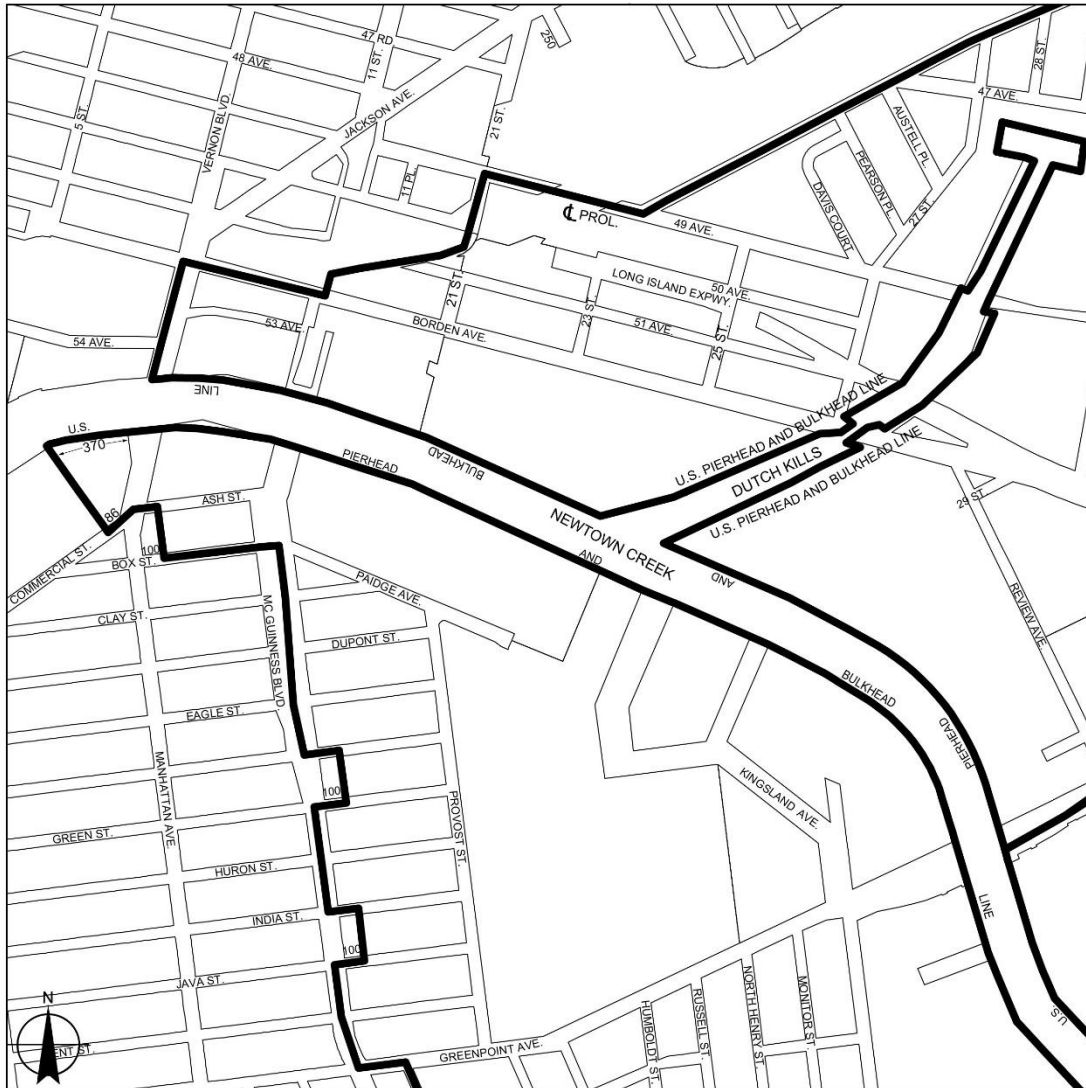
Williamsburg/Greenpoint

Map 1



Portion of Community District 1, Brooklyn

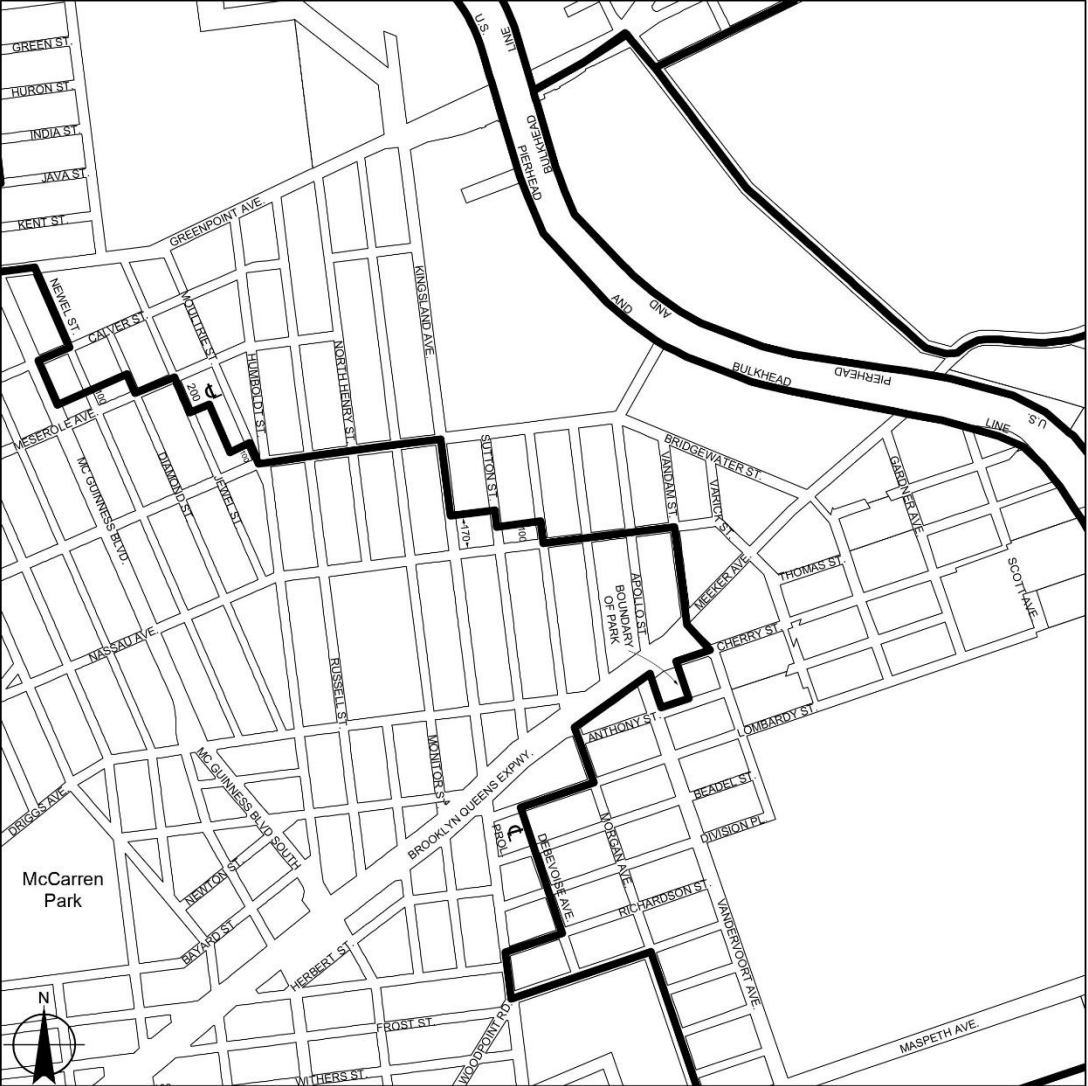
North Brooklyn/Long Island City
Map 1



Portions of Community District 1, Brooklyn
and Community District 2, Queens

North Brooklyn/Maspeth

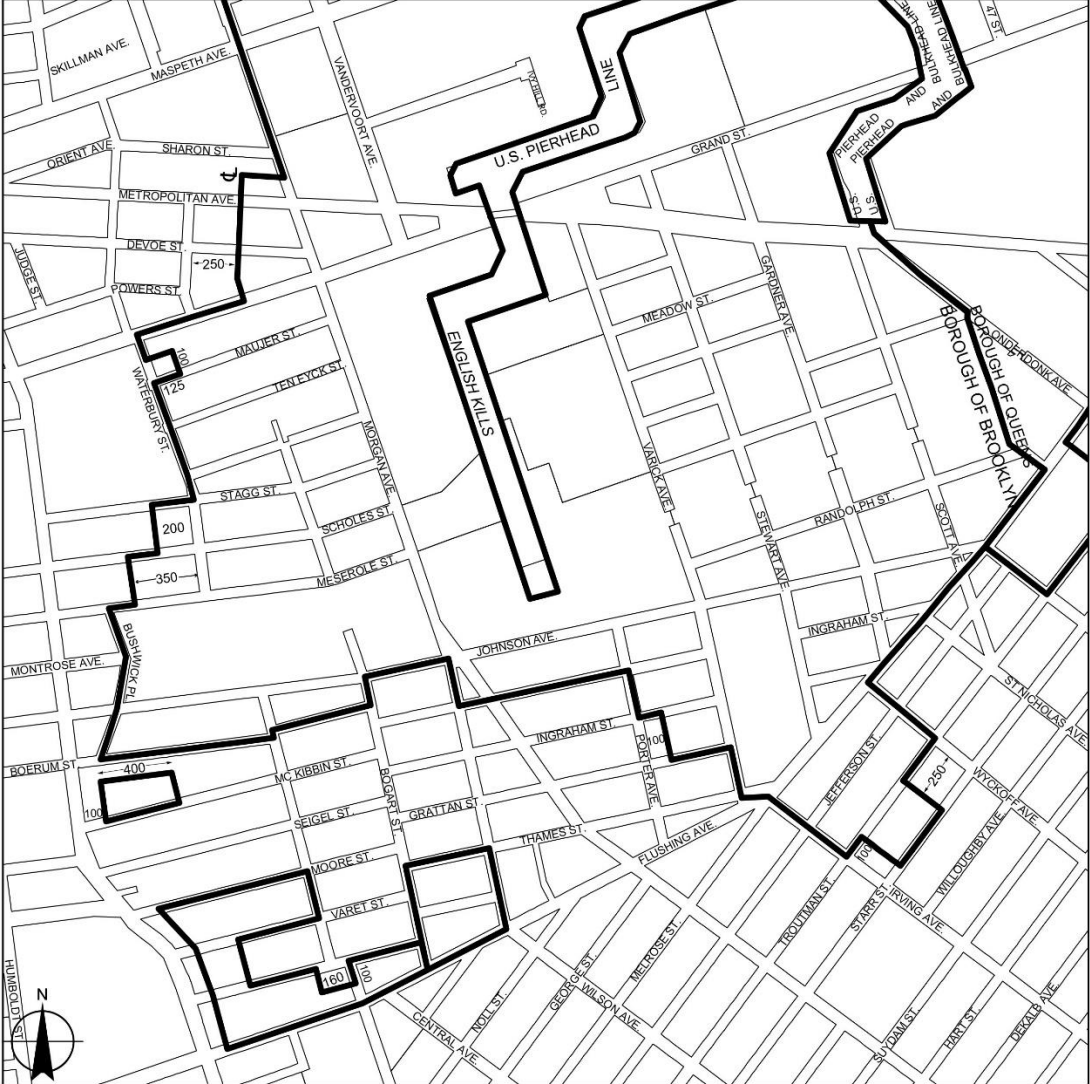
Map 2



Portions of Community District 1, Brooklyn
and Community District 2, Queens

North Brooklyn

Map 3



Portions of Community District 1, Brooklyn
and Community District 4, Queens

Maspeth

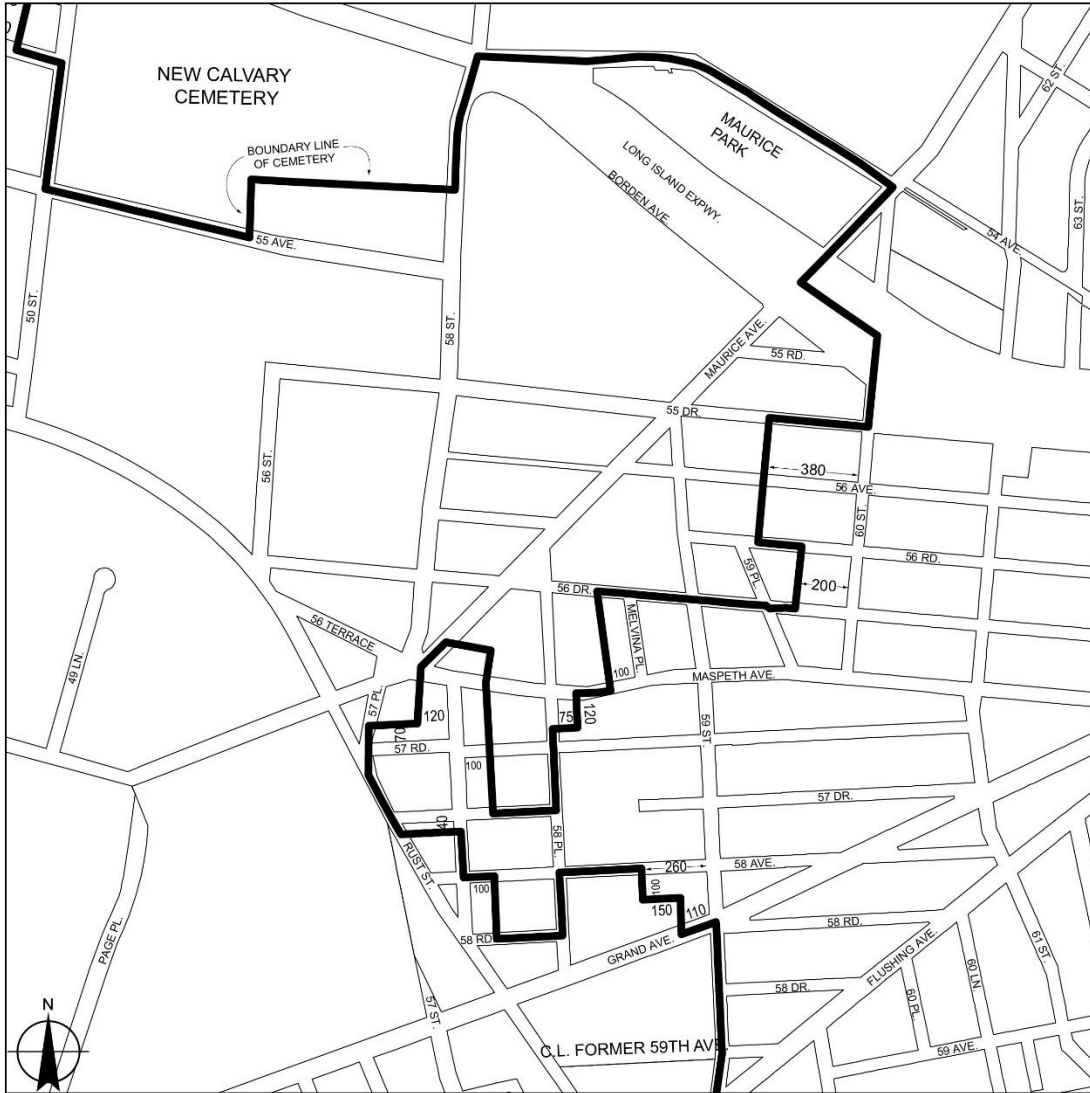
Map 1



Portion of Community District 5, Queens

Maspeth

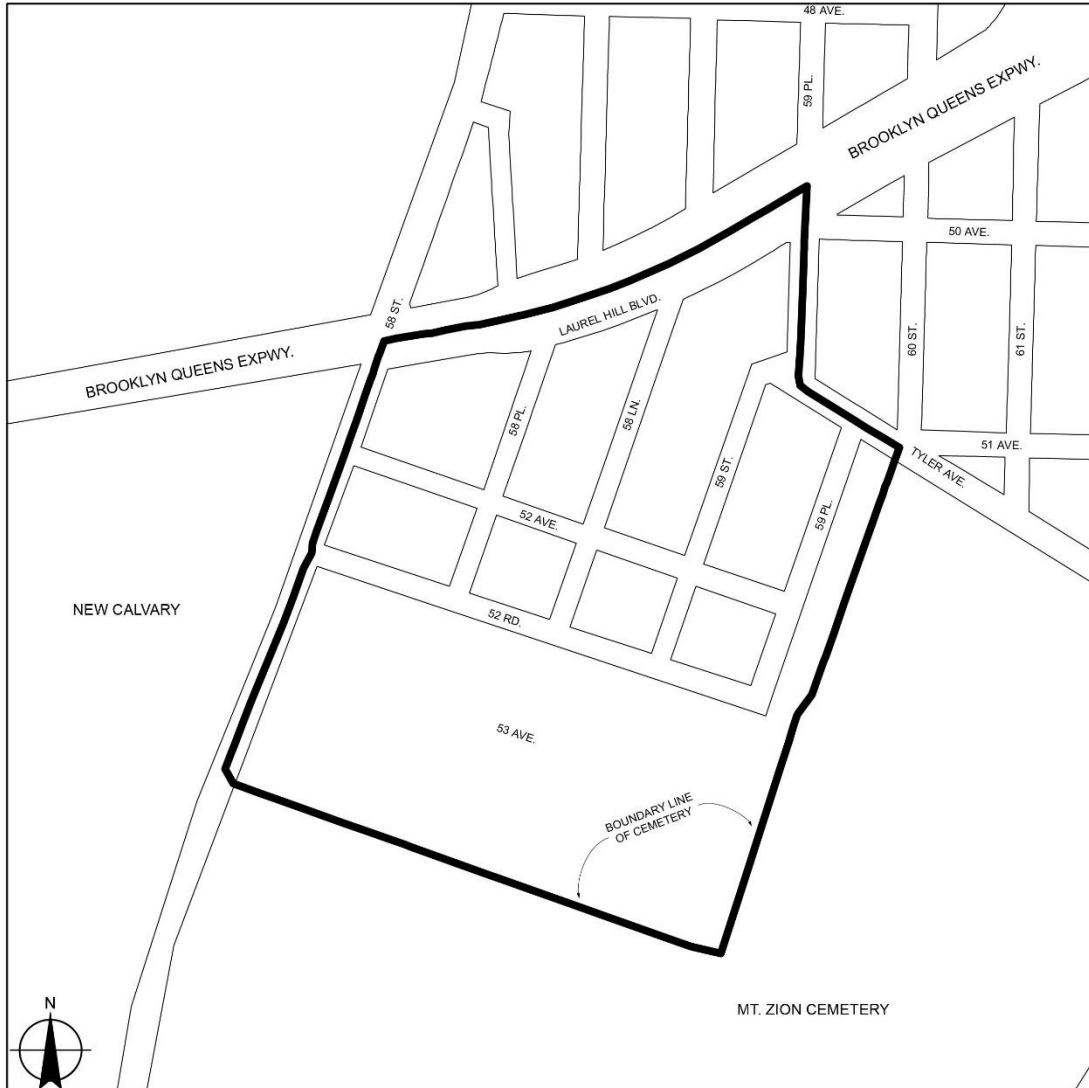
Map 2



Portions of Community Districts 2 and 5, Queens

Maspeth

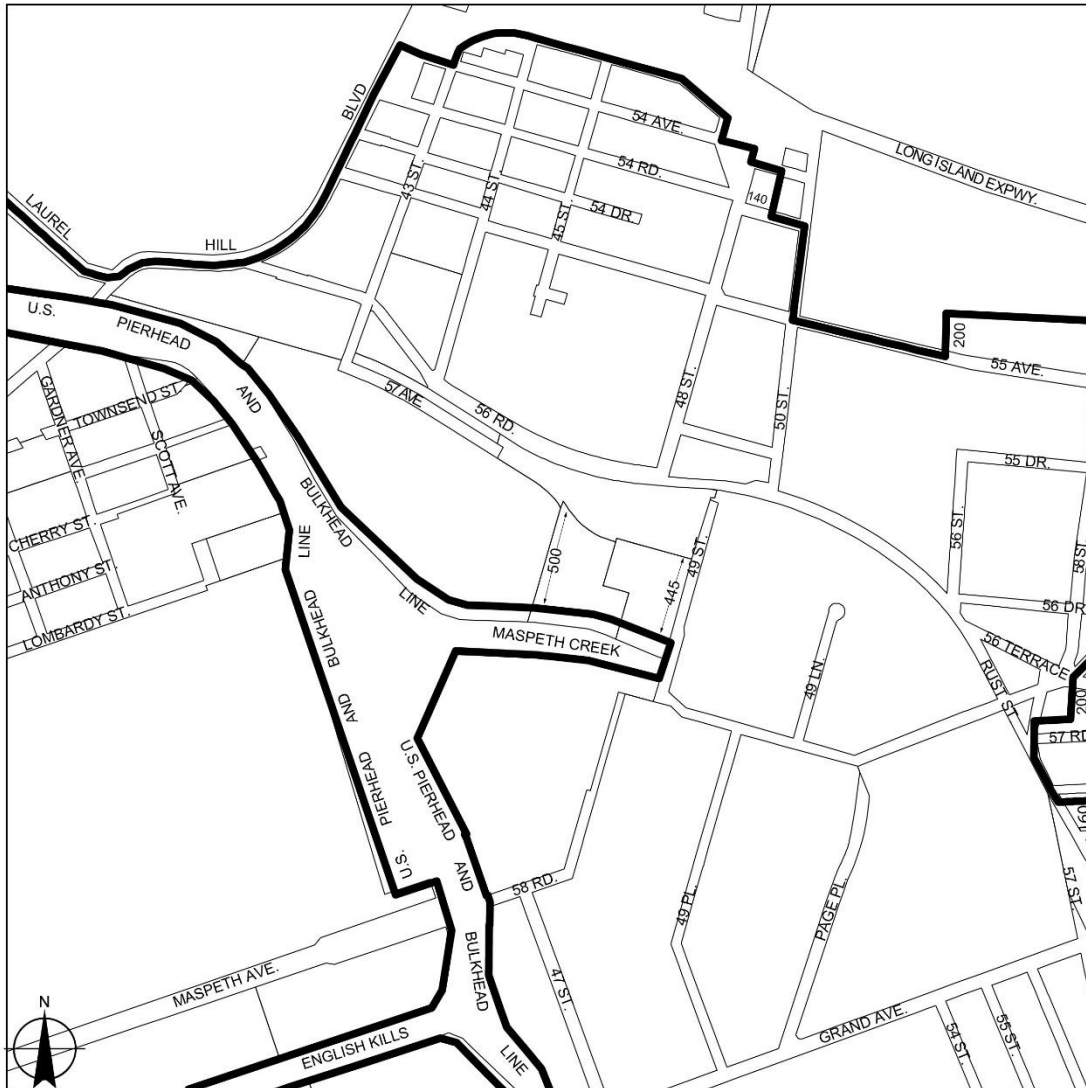
Map 3



Portion of Community District 2, Queens

Maspeth/North Brooklyn

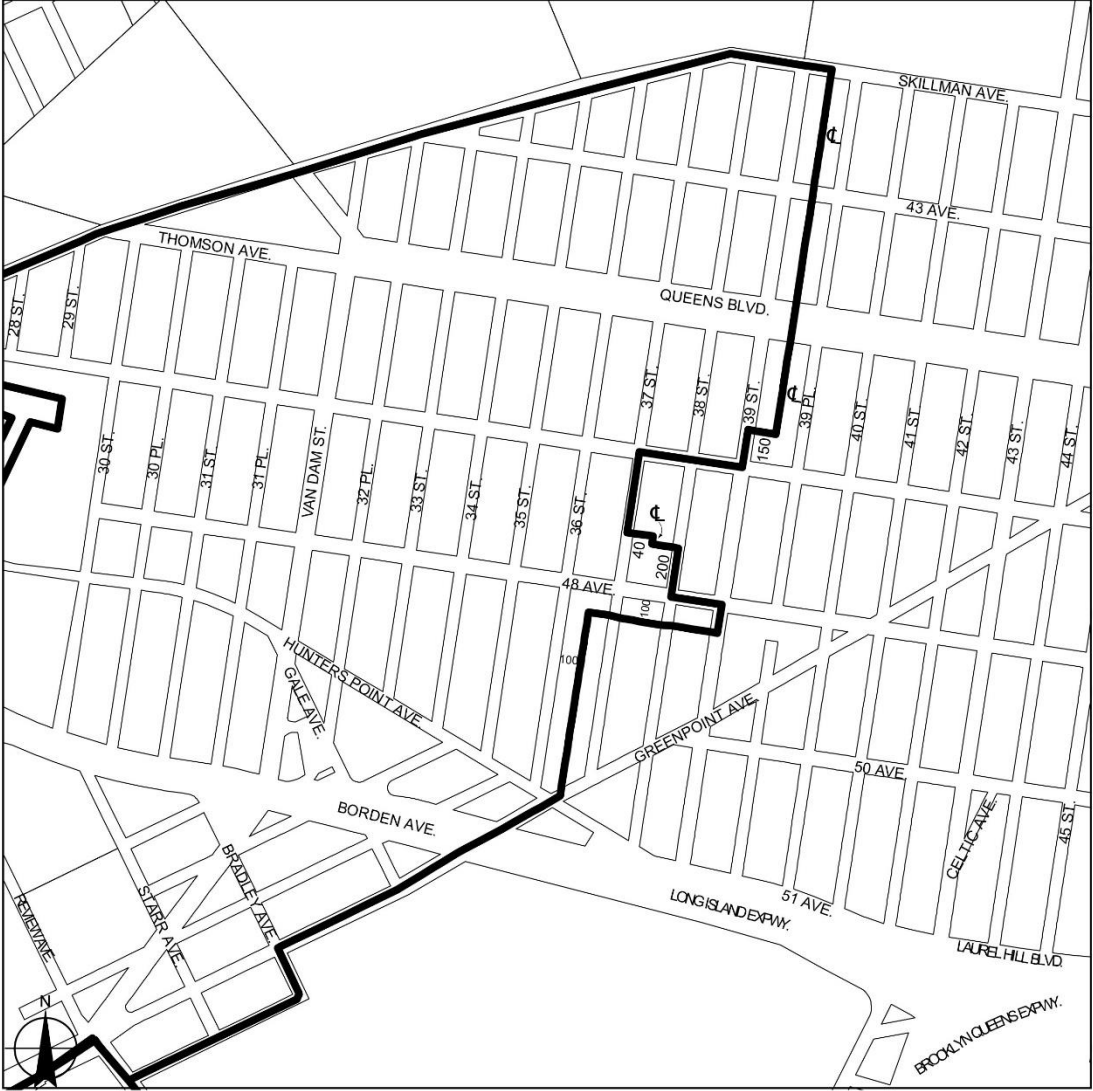
Map 4



Portions of Community Districts 2 and 5, Queens
and Community District 1, Brooklyn

Long Island City

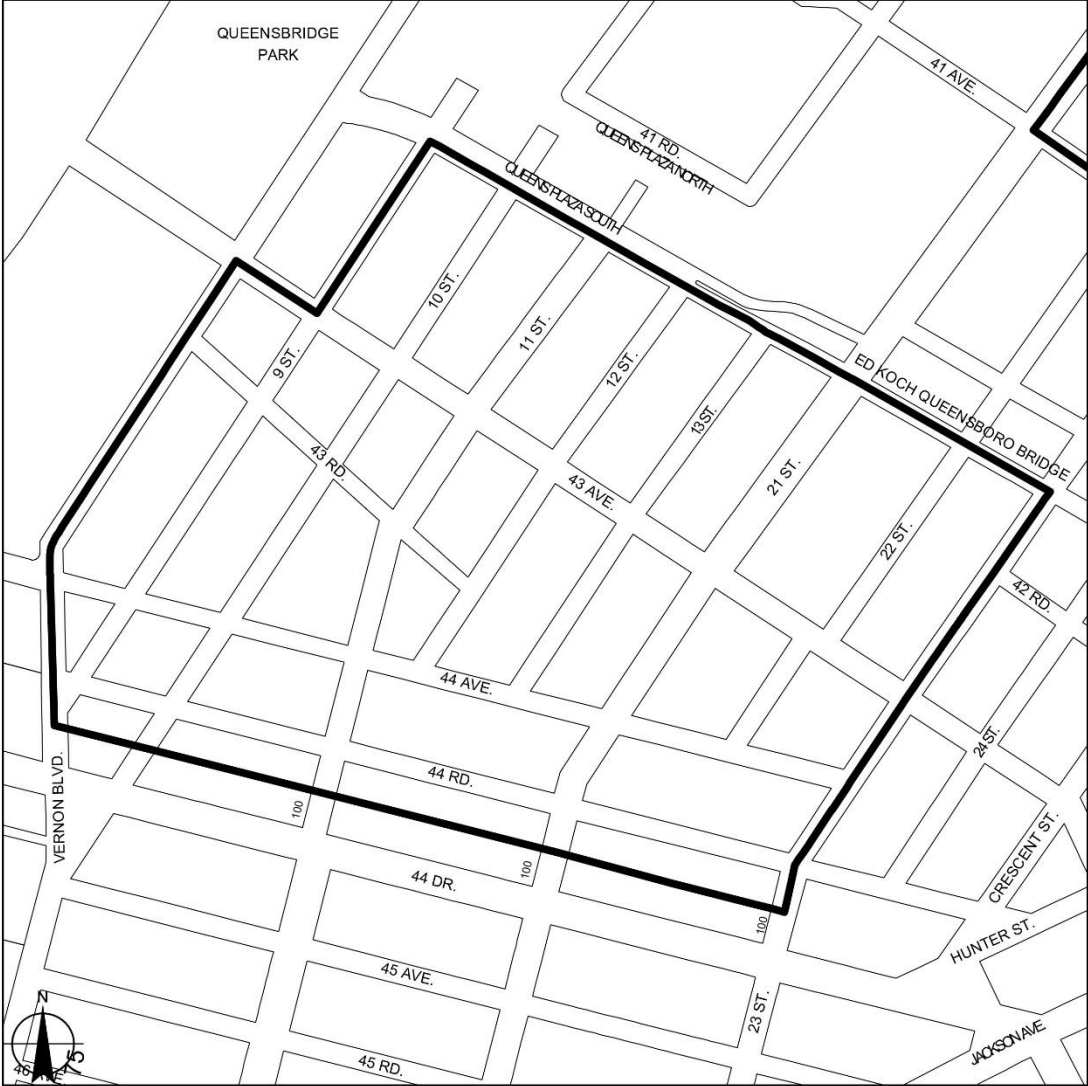
Map 1



Portion of Community District 2, Queens

Long Island City

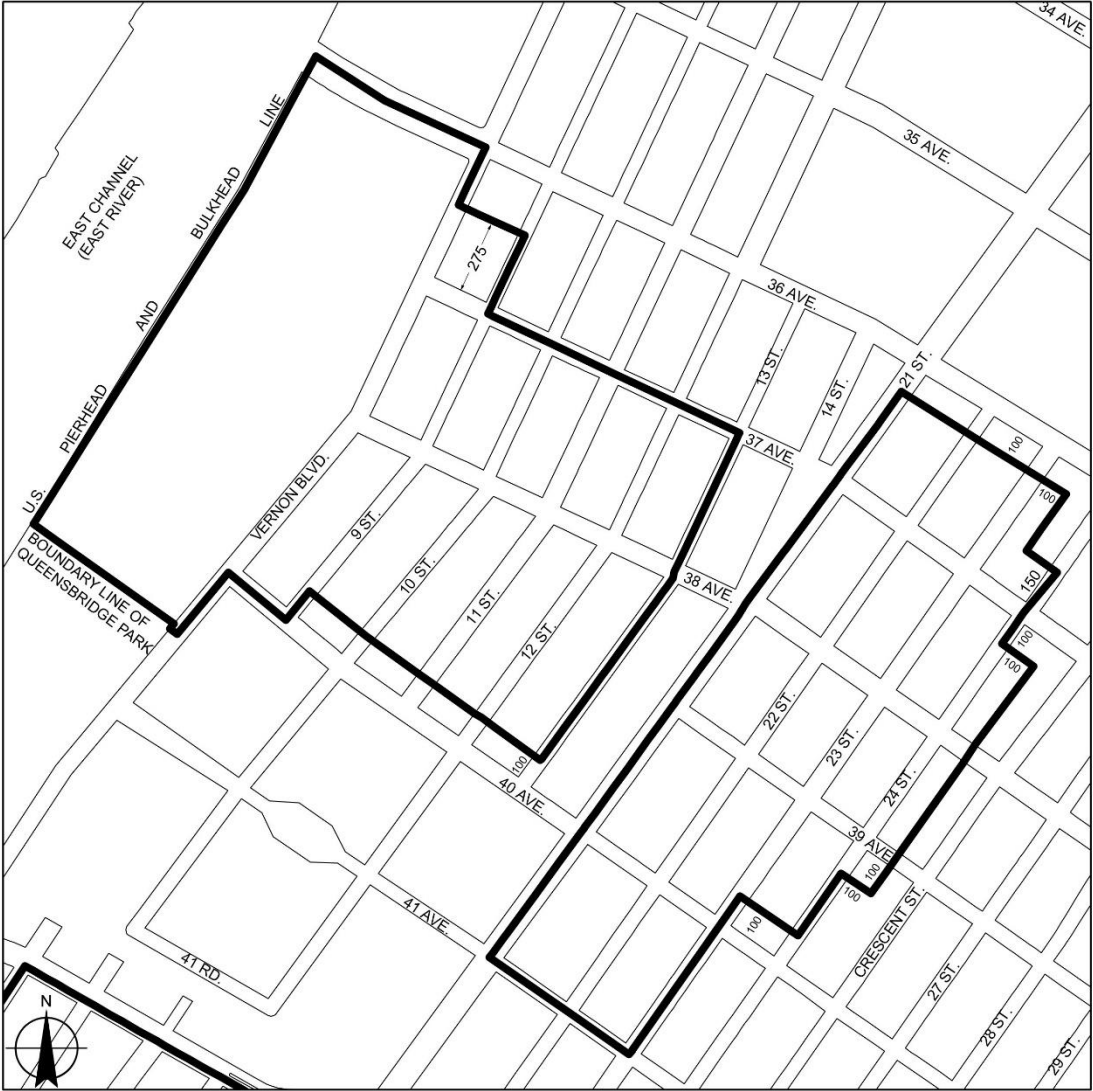
Map 2



Portion of Community District 2, Queens

Long Island City

Map 3



Portion of Community District 1, Queens

Long Island City

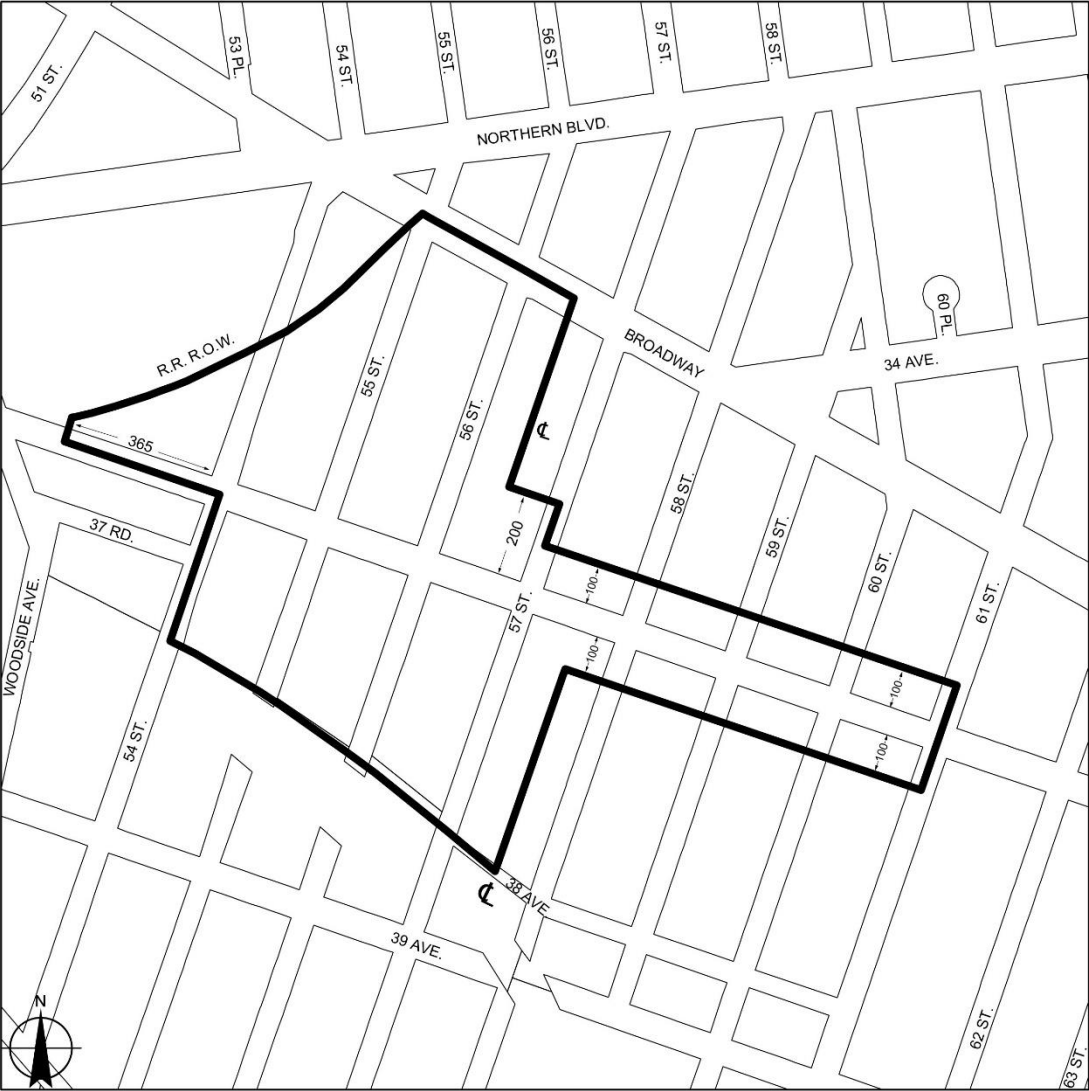
Map 4



Portion of Community District 1, Queens

Woodside

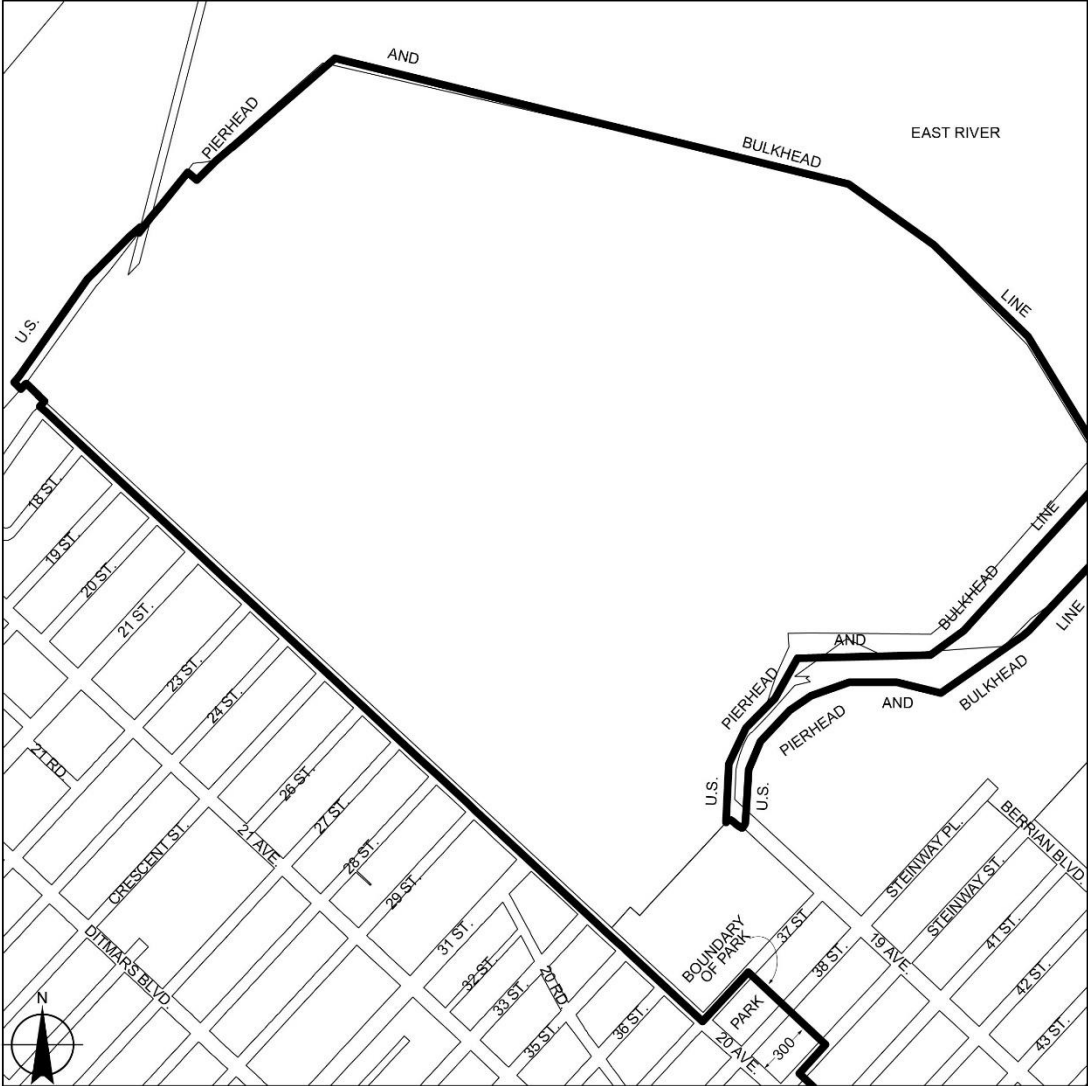
Map 1



Portion of Community District 2, Queens

Steinway

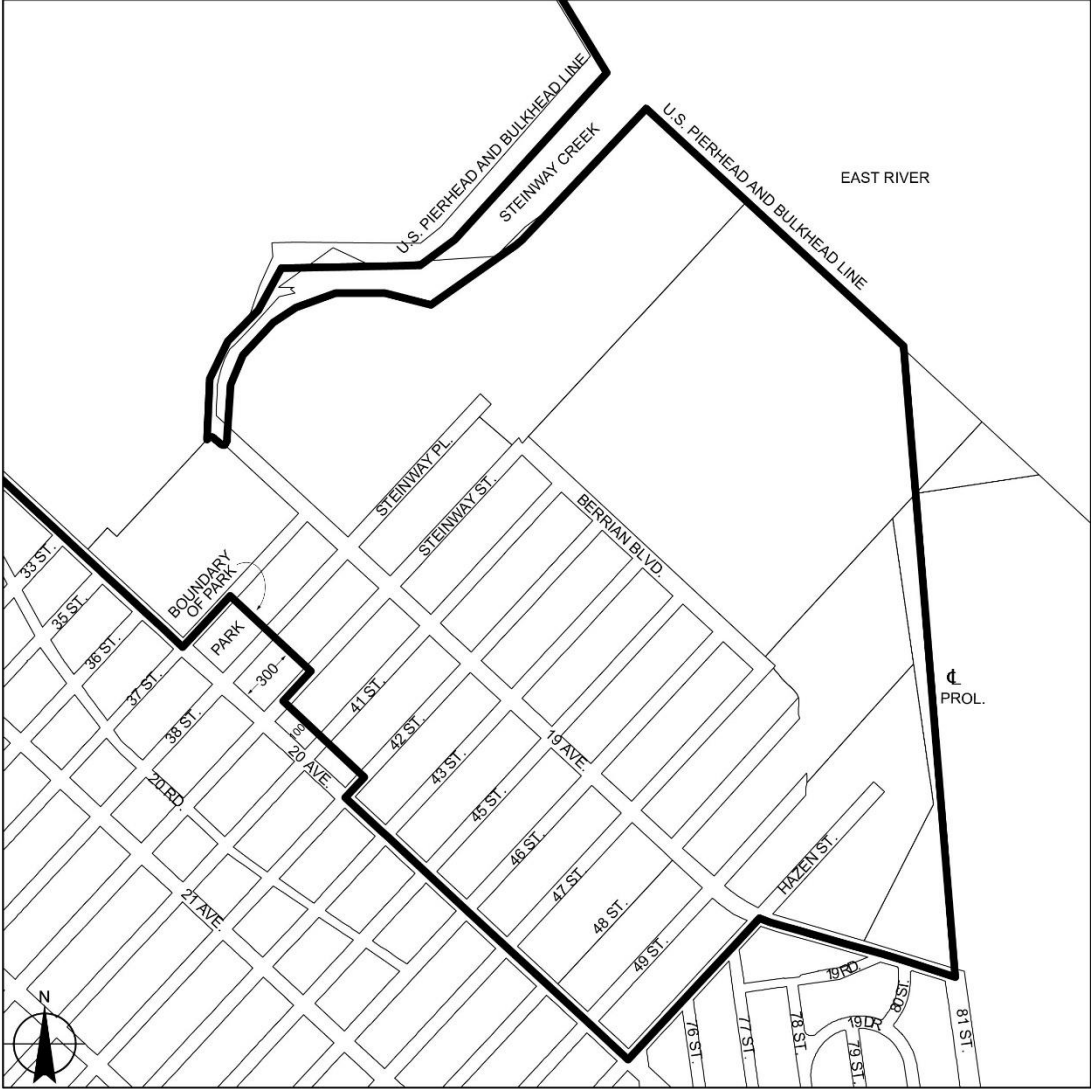
Map 1



Portion of Community District 1, Queens

Steinway

Map 2



Portion of Community District 1, Queens

Jamaica

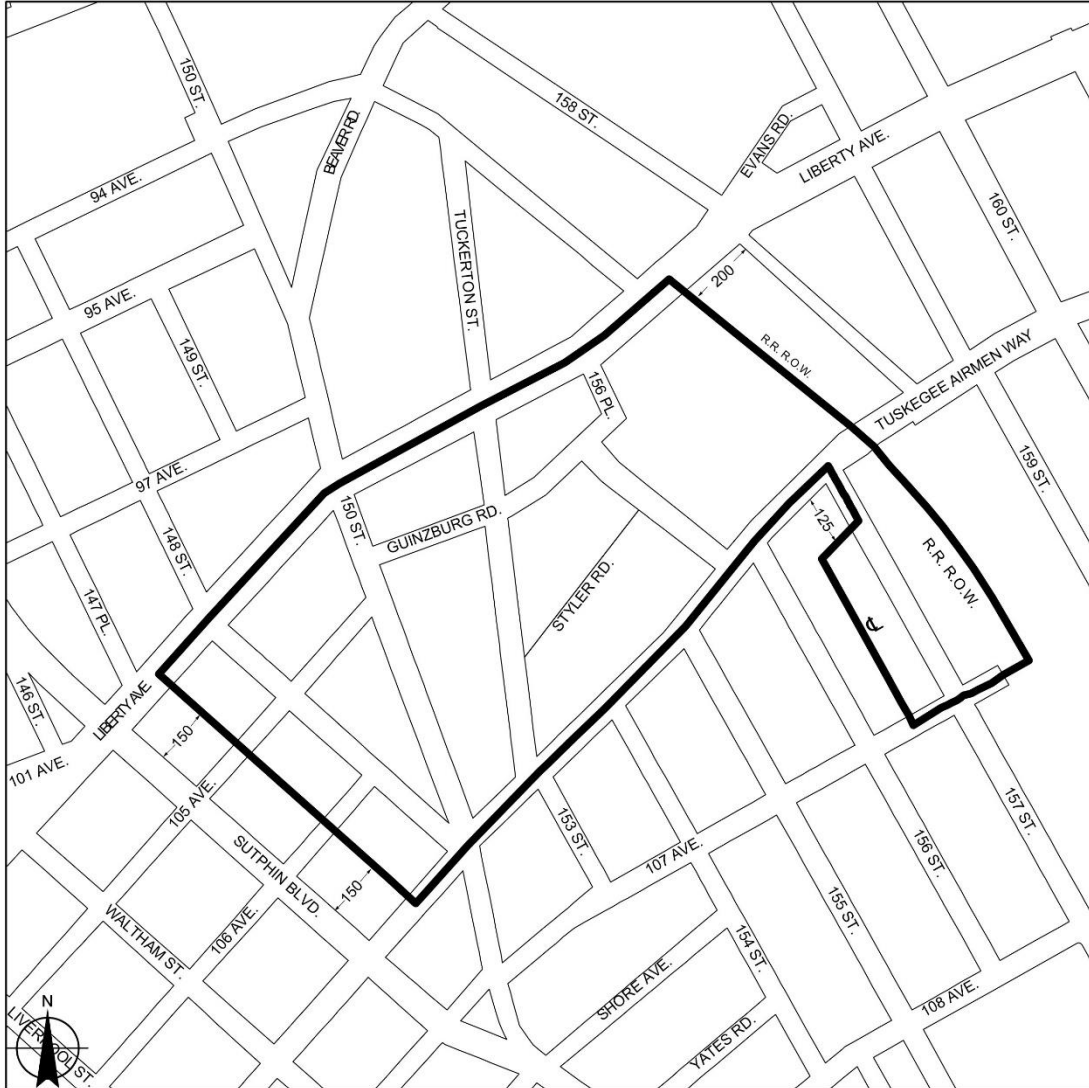
Map 1



Portion of Community District 9, Queens

Jamaica

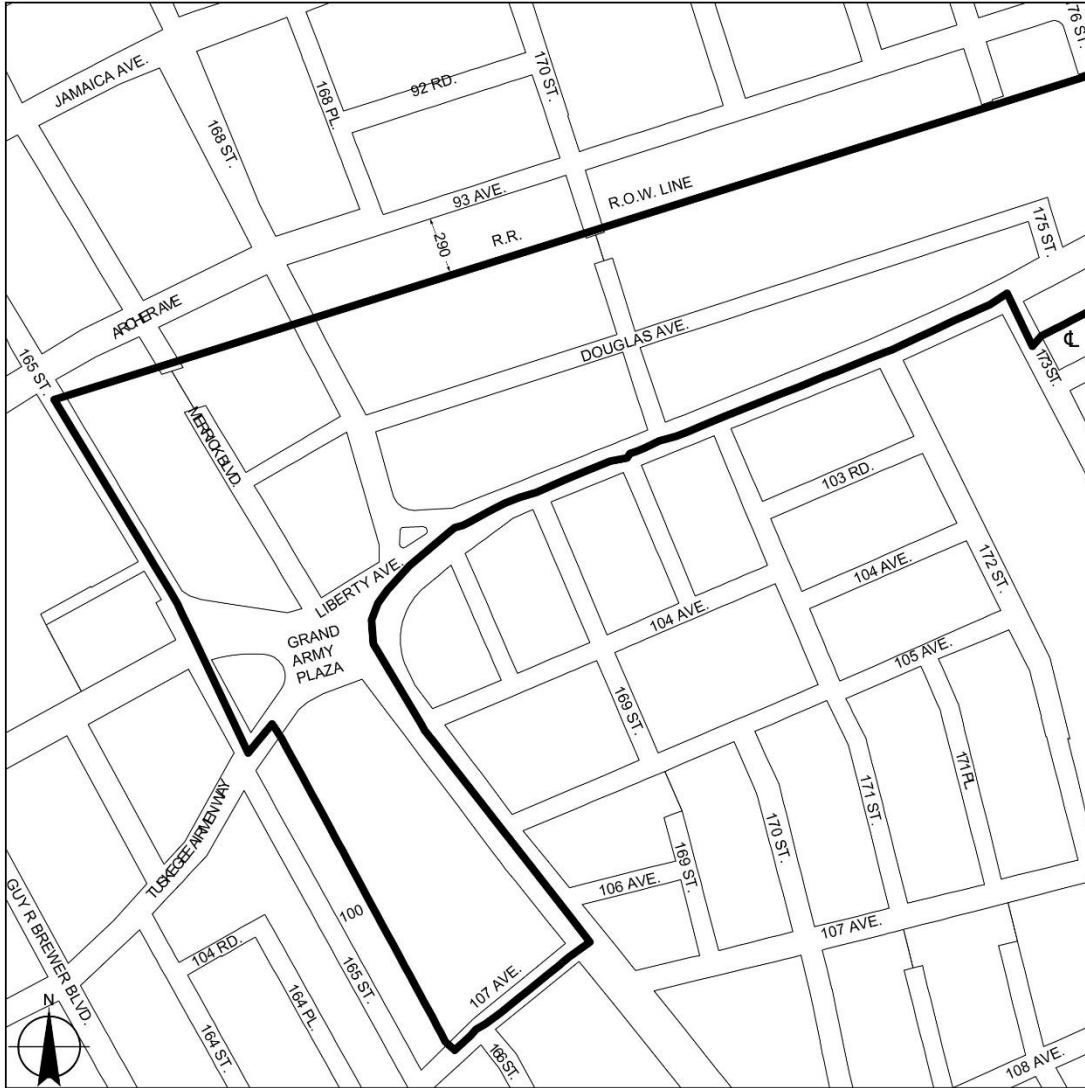
Map 2



Portion of Community District 12, Queens

Jamaica

Map 3



Portion of Community District 12, Queens

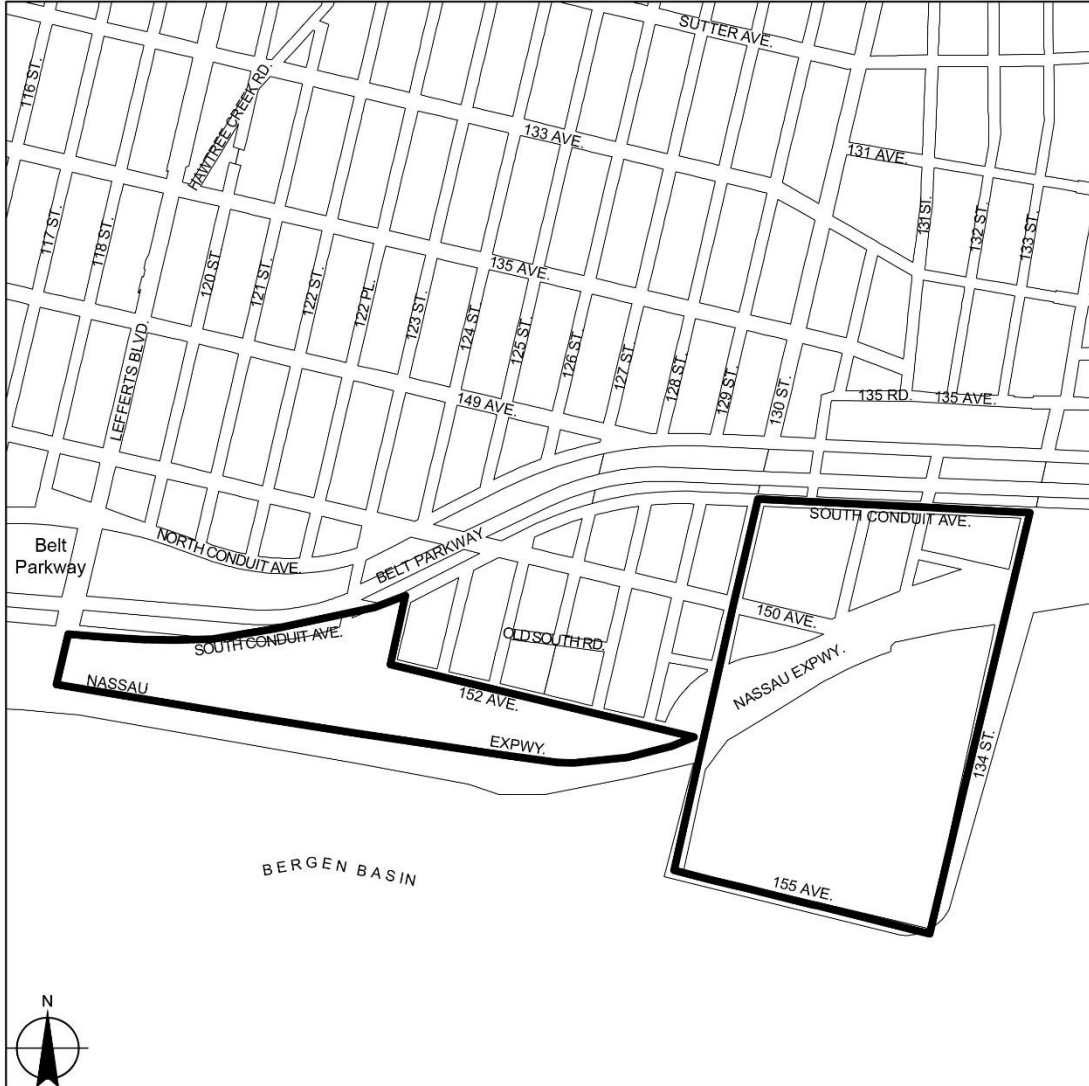
Jamaica

Map 4



Portion of Community District 12, Queens

JFK
Map 1



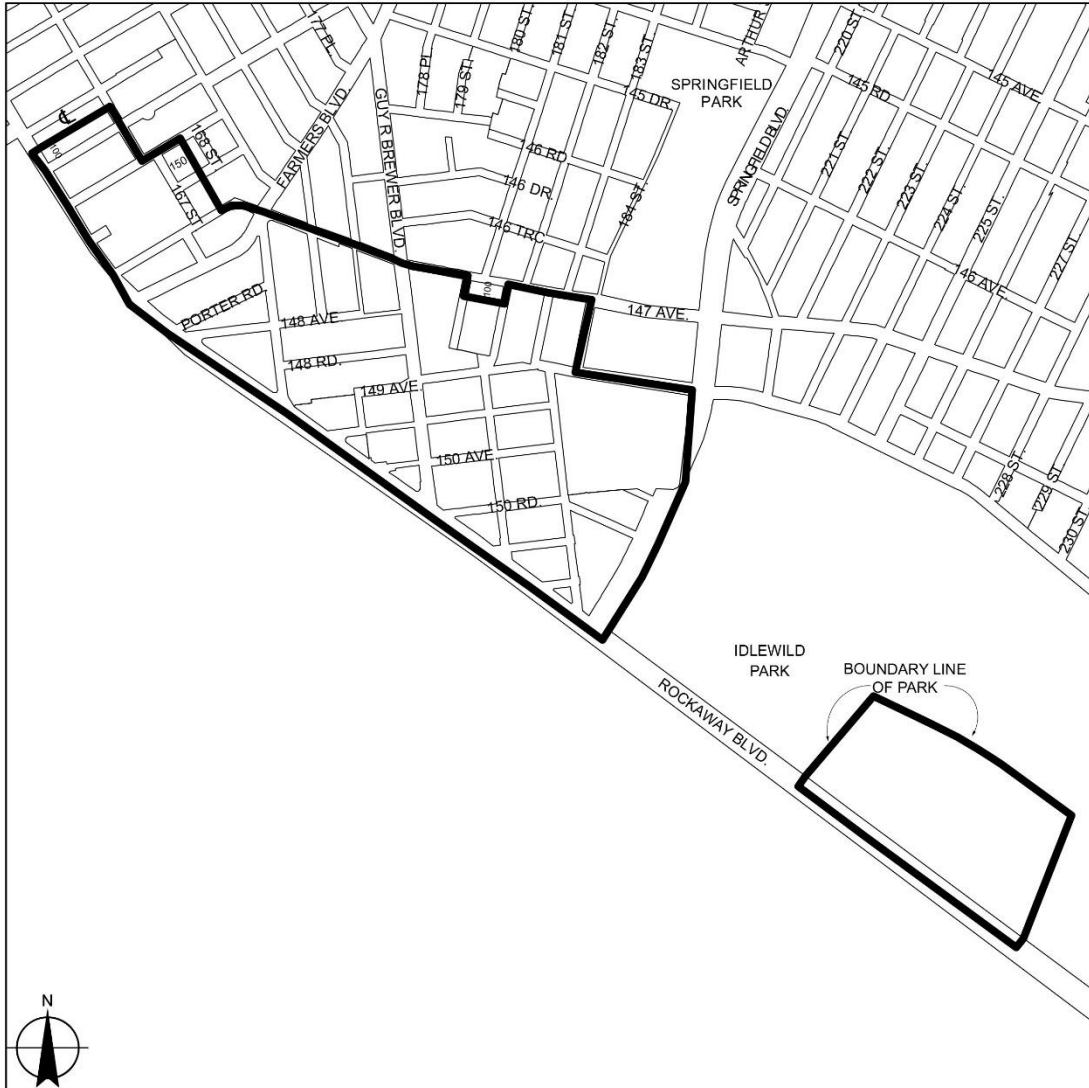
Portion of Community District 10, Queens

JFK
Map 2



Portion of Community District 12, Queens

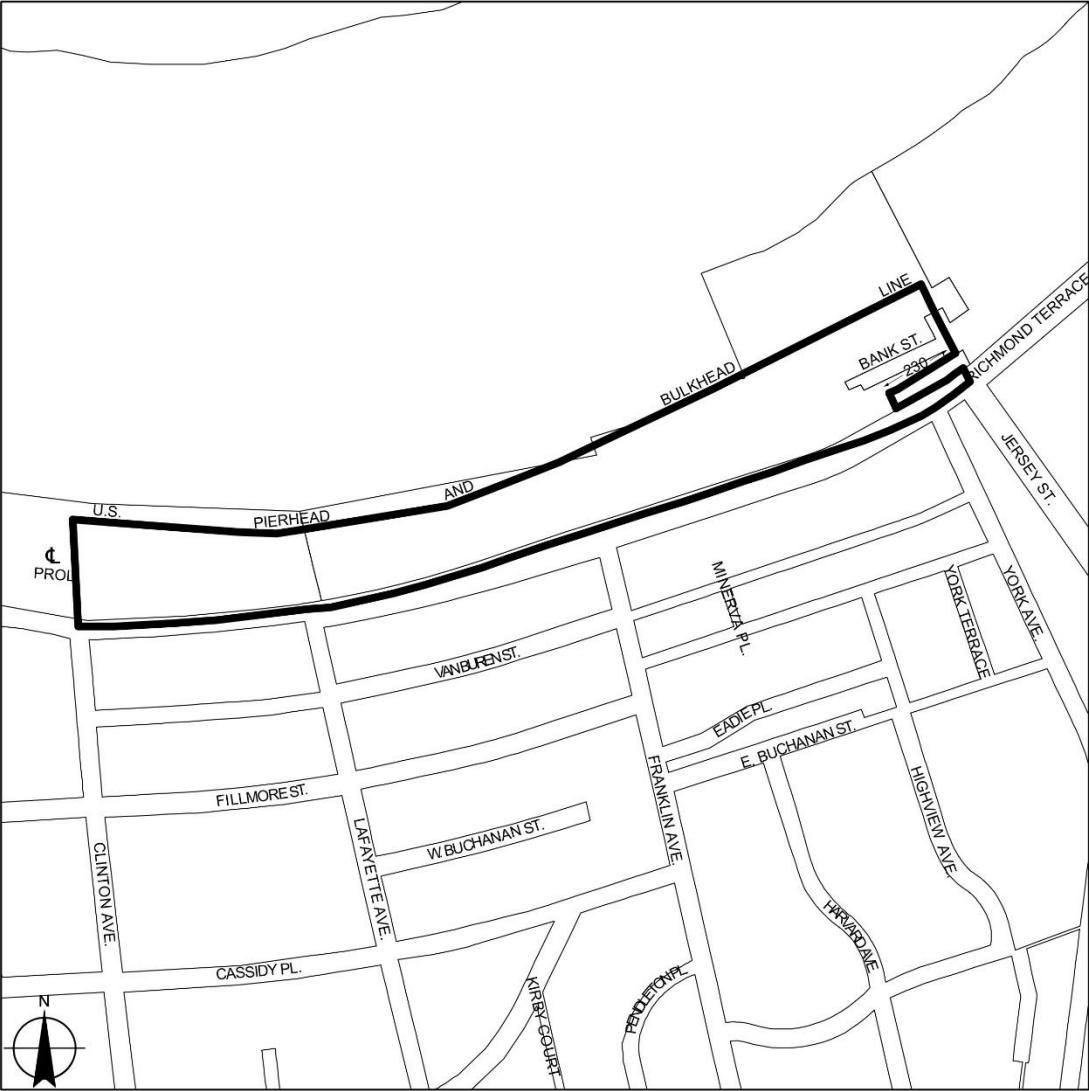
JFK
Map 3



Portion of Community District 13, Queens

North Shore

Map 1



Portion of Community District 1, Staten Island

North Shore

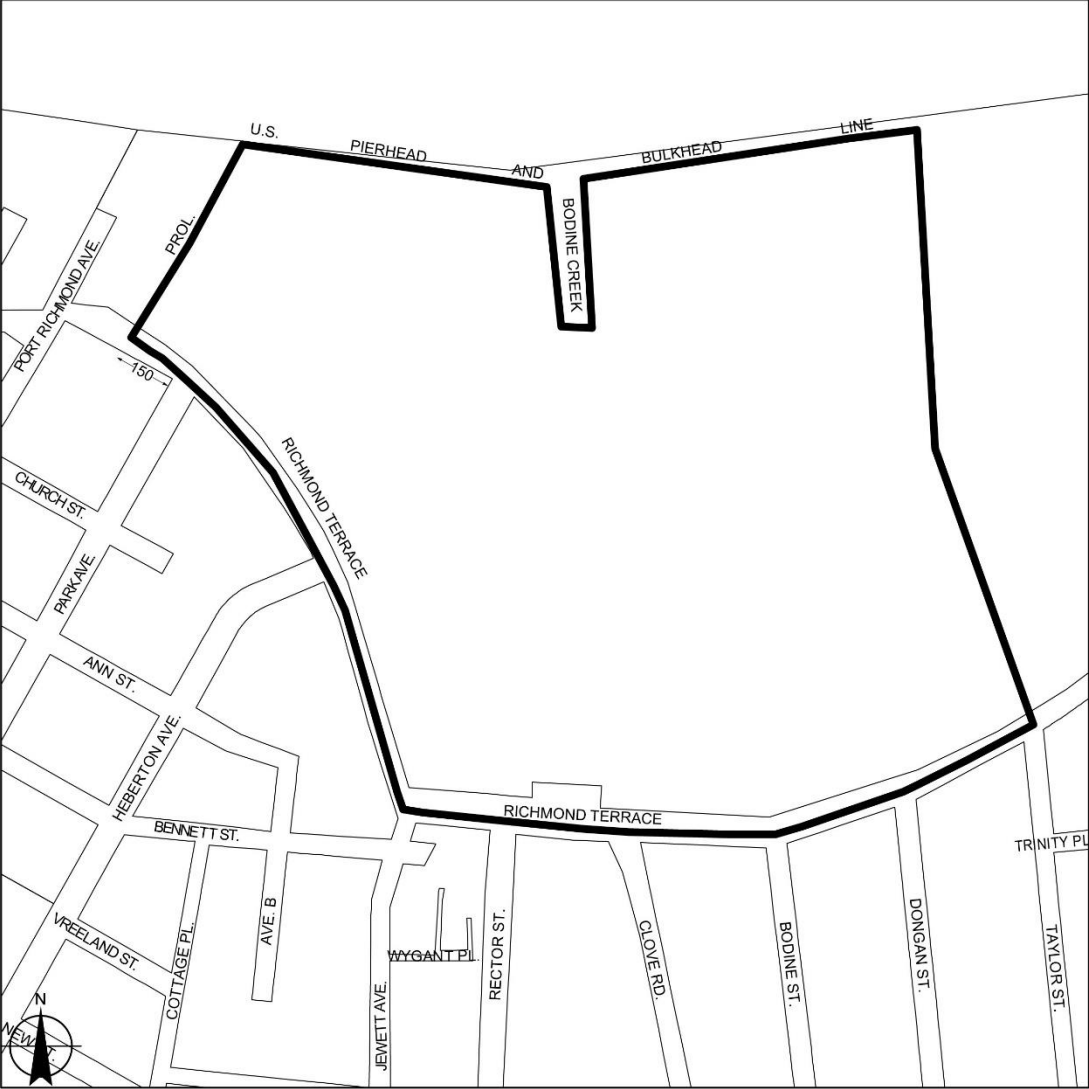
Map 2



Portion of Community District 1, Staten Island

North Shore

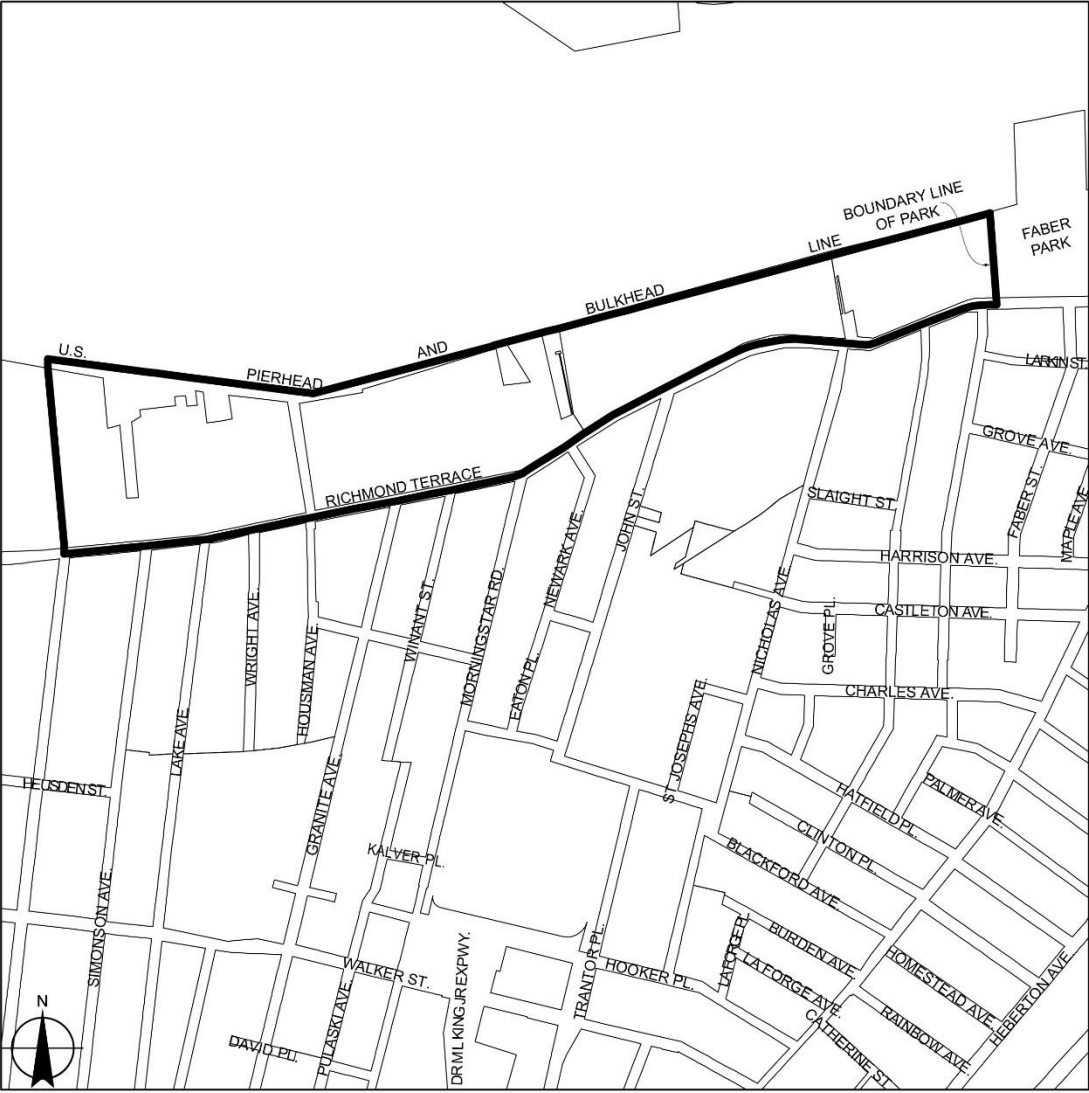
Map 3



Portion of Community District 1, Staten Island

North Shore

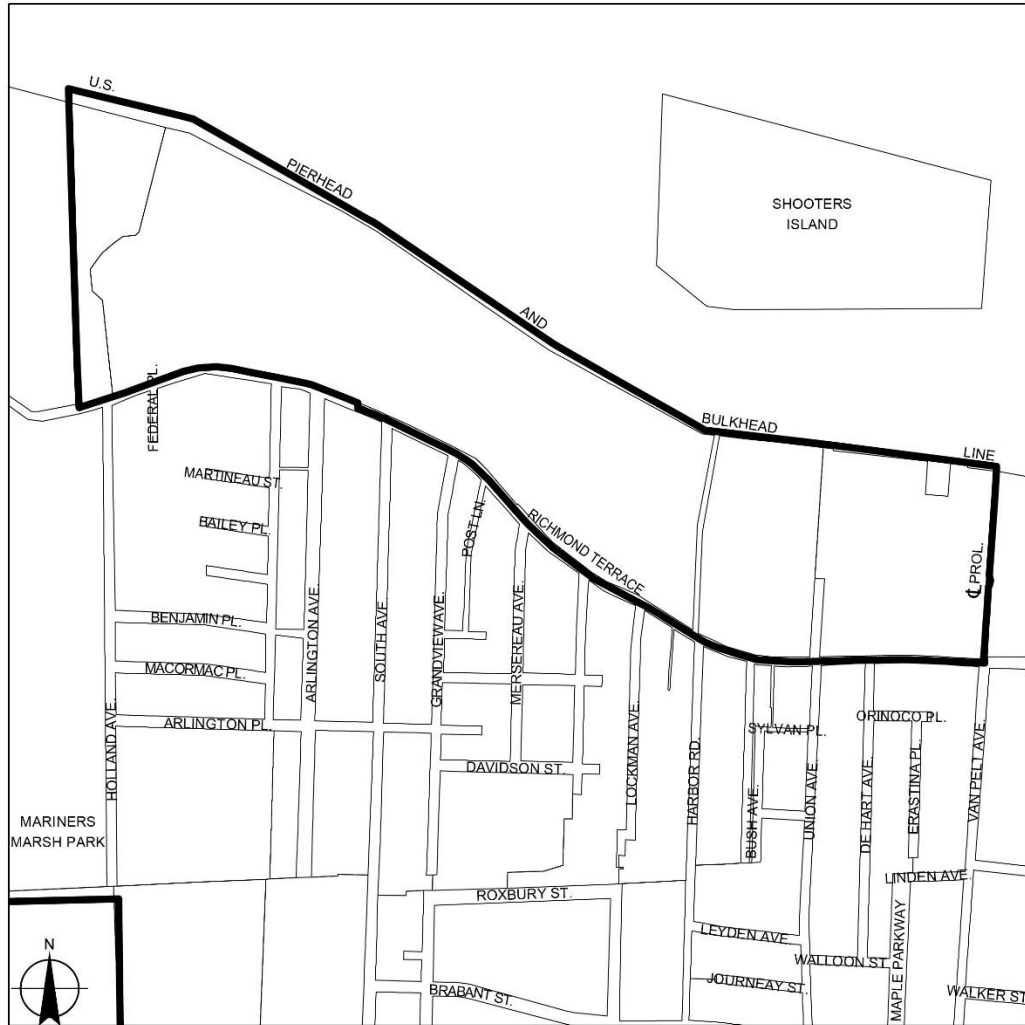
Map 4



Portion of Community District 1, Staten Island

North Shore

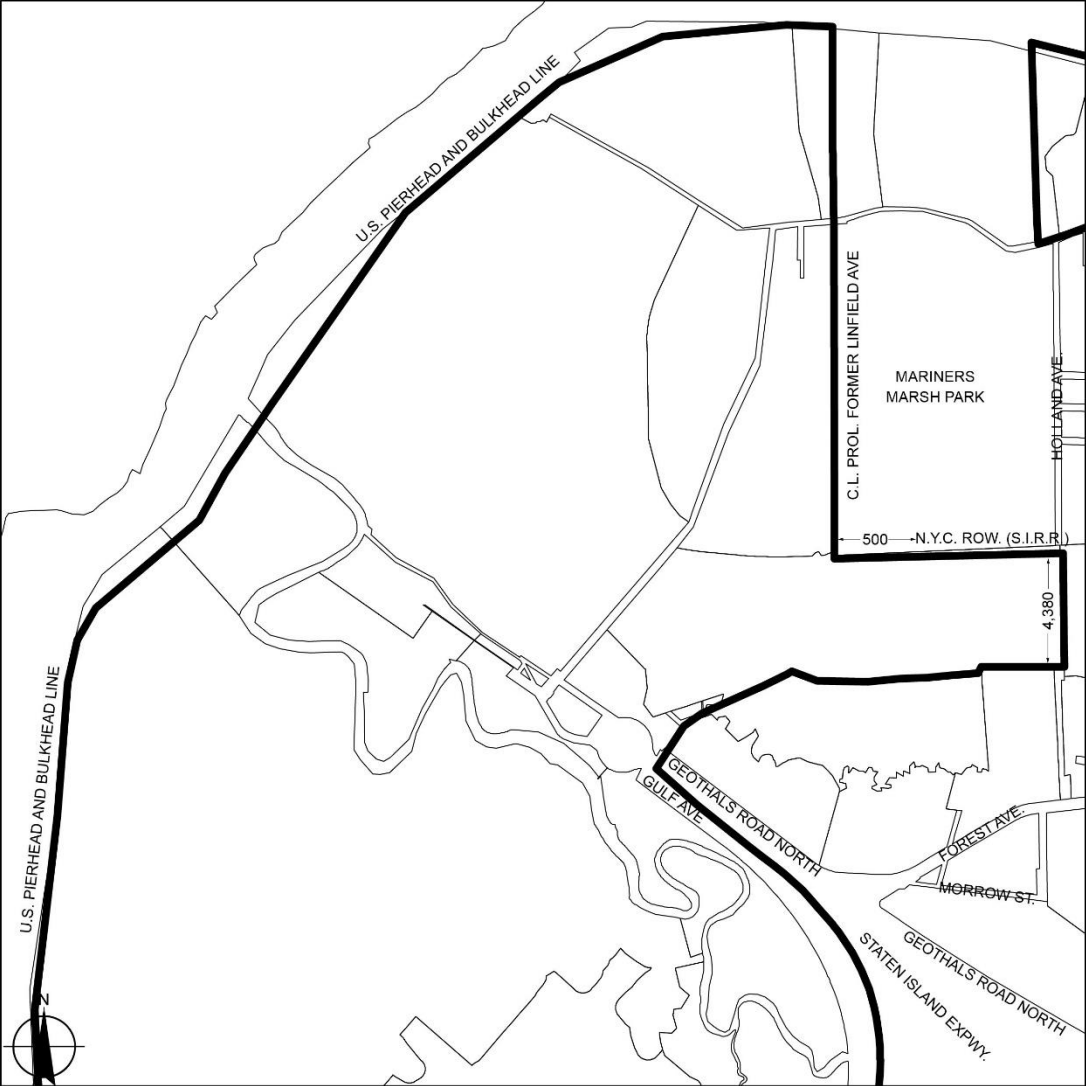
Map 5



Portion of Community District 1, Staten Island

West Shore

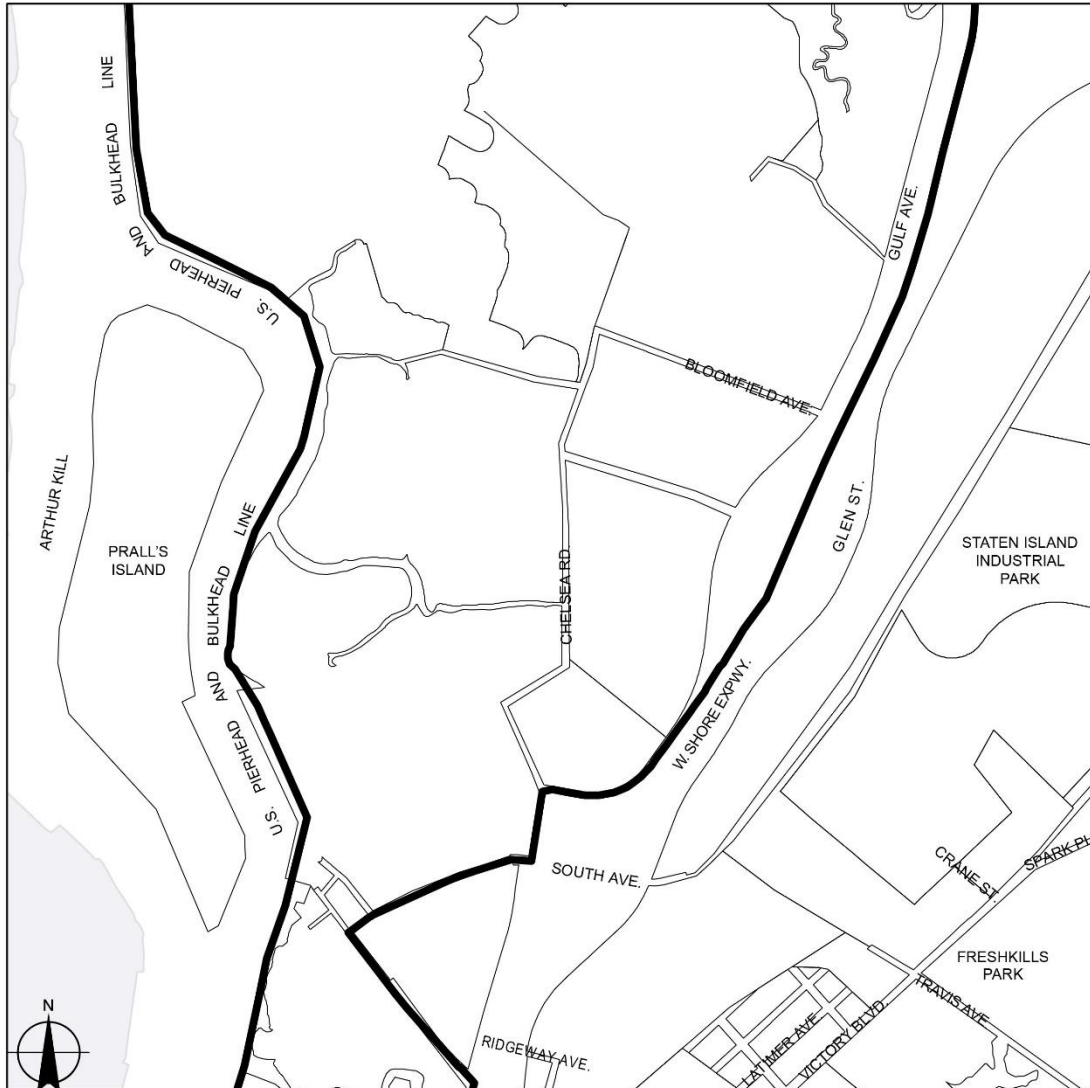
Map 1



Portion of Community District 1, Staten Island

West Shore

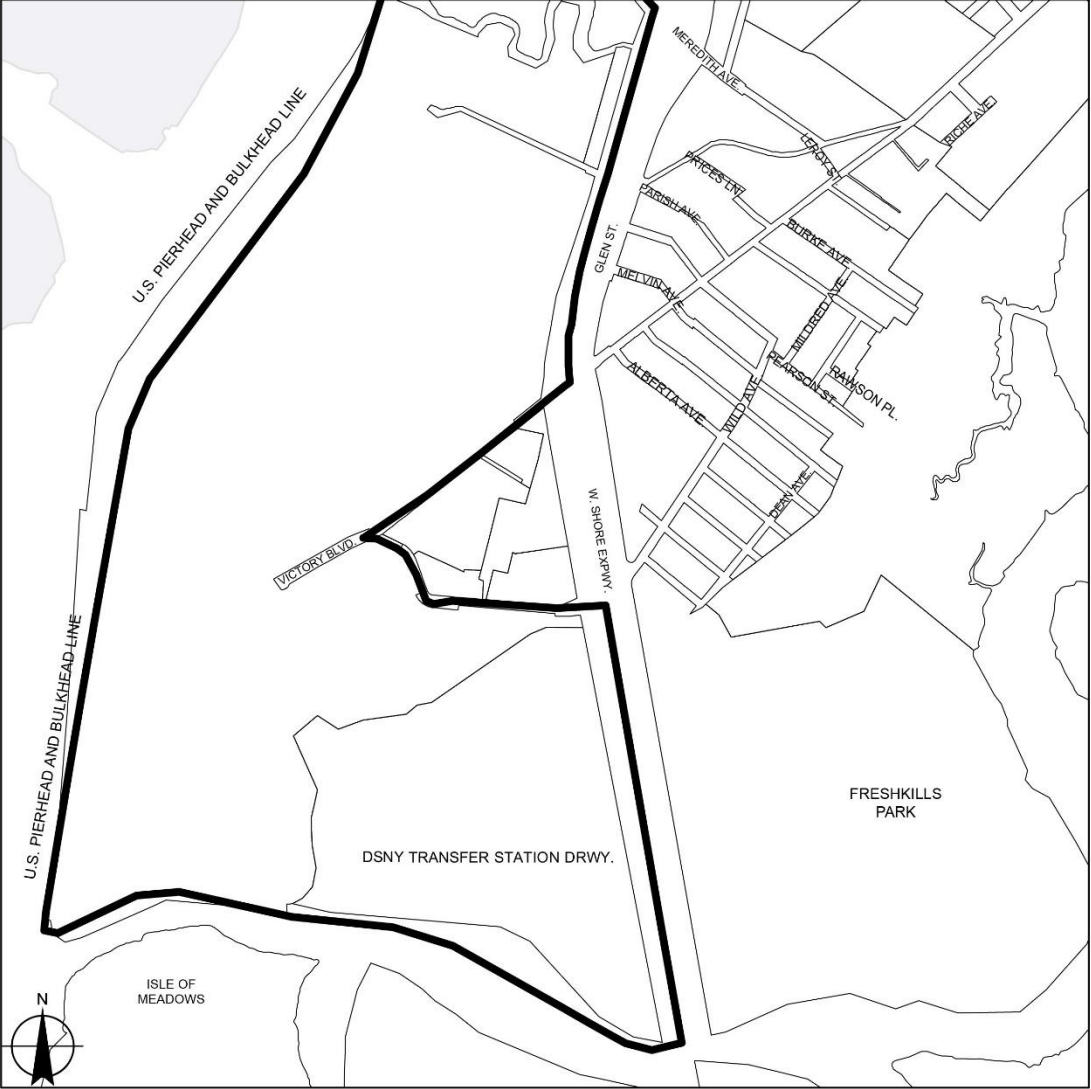
Map 2



Portion of Community District 2, Staten Island

West Shore

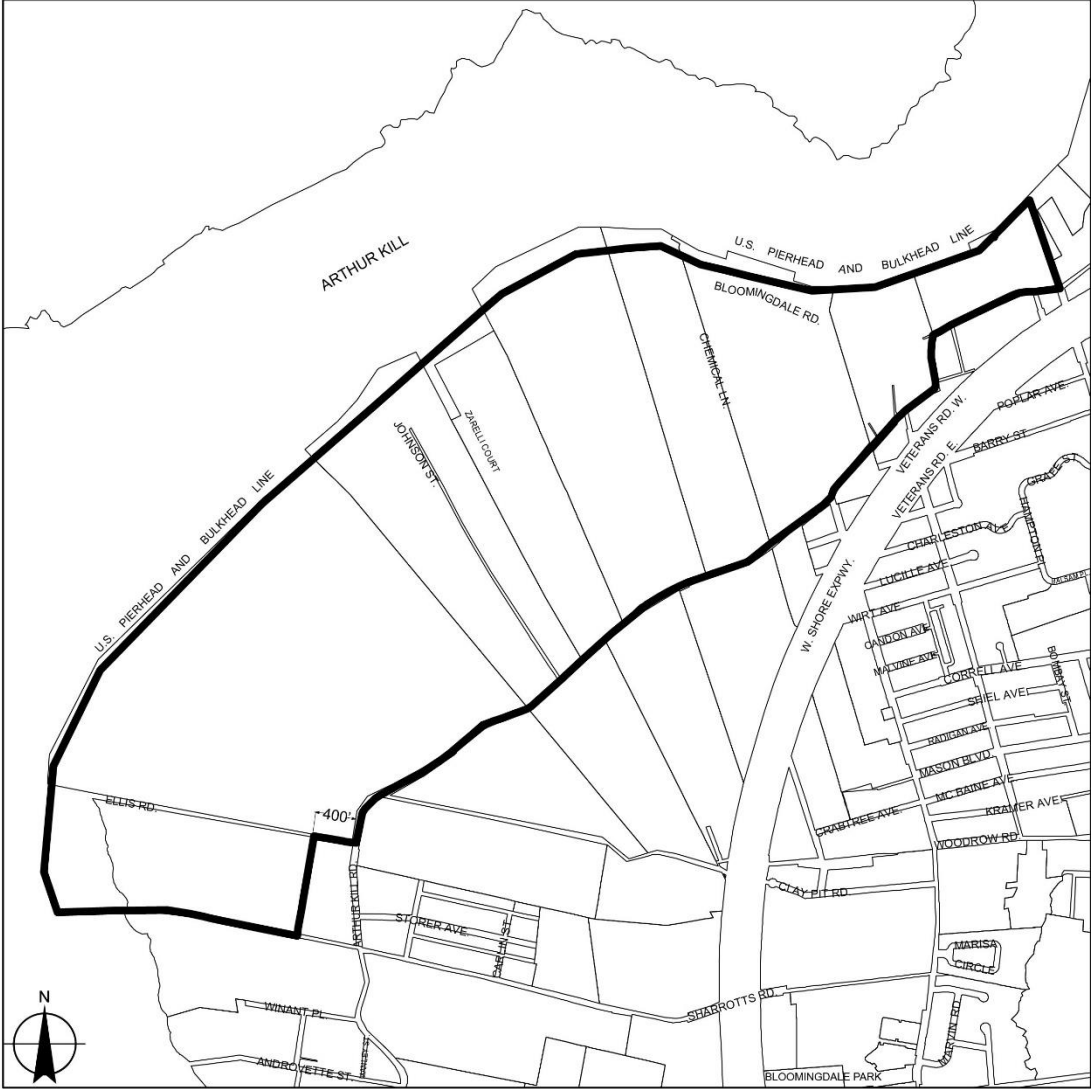
Map 3



Portion of Community District 2, Staten Island

Rossville

Map 1



Portion of Community District 3, Staten Island

The above resolution (N 170425 (A) ZRY), duly adopted by the City Planning Commission on November 1, 2017 (Calendar No. 10), 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.

MARISA LAGO, *Chair*

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

JOSEPH I. DOUEK, RICHARD W. EADDY

CHERYL COHEN EFFRON, ANNA HAYES LEVIN,

ORLANDO MARIN, LARISA ORTIZ, *Commissioners*

ALFRED C. CERULLO, MICHELLE R. DE LA UZ, *Commissioners*, voting “No”



Email/Fax transmittal

TO: Brooklyn Borough Board Distribution	FROM: Borough President Eric L. Adams
DATE: August 18, 2017	CONTACT: Inna Guzenfeld – Land Use Coordinator Phone: (718) 802-3754 Email: inna.guzenfeld@brooklynbp.nyc.gov
ULURP Recommendation: SELF-STORAGE TEXT AMENDMENT – 170425 ZRY & 170425 (A) ZRY	NO. Pages, Including Cover: 18

Attached is the recommendation report for ULURP application 170425 ZRY & 170425(A) ZRY. If you have any questions, please contact Inna Guzenfeld at (718) 802-3754.

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Brooklyn Borough President Recommendation
CITY PLANNING COMMISSION
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CalendarOffice@planning.nyc.gov



INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicant's representatives as indicated on the Notice of Certification.

APPLICATION #: SELF-STORAGE TEXT AMENDMENT – 170425 ZRY & 170425 (A) ZRY

An application submitted by the New York City Department of City Planning (DCP) proposing a citywide zoning text amendment to establish a special permit under the jurisdiction of the City Planning Commission (CPC) for all new self-storage development in the proposed "designated areas" (approximately 40 percent of the land area where such use is currently permitted as-of-right)." Such areas are defined by their location within manufacturing districts, largely coinciding with Industrial Business Zones (IBZs), and would be established as text maps.

The primary intent of this proposal is to establish a framework to conduct a case-by-case, site-specific review to ensure that development of self-storage facilities does not occur on sites that should remain available to more job-intensive industrial uses. Existing self-storage facilities within the newly proposed "Designated Areas" would be able to continue operating as legal non-conforming uses. Self-storage would remain as an as-of-right use in C8 zoning districts and in manufacturing districts outside of designated areas (approximately 60 percent of the land area where such use is currently permitted as-of-right).

BROOKLYN COMMUNITY DISTRICTS NO. 1-18

BOROUGH OF BROOKLYN

RECOMMENDATION

APPROVE
 APPROVE WITH
MODIFICATIONS/CONDITIONS

DISAPPROVE
 DISAPPROVE WITH
MODIFICATIONS/CONDITIONS

SEE ATTACHED

August 18, 2017

BROOKLYN BOROUGH PRESIDENT

DATE

RECOMMENDATION FOR: SELF-STORAGE TEXT AMENDMENT – 170425 ZRY & 170425

(A) ZRY

An application submitted by the New York City Department of City Planning (DCP) proposing a citywide zoning text amendment to establish a special permit under the jurisdiction of the City Planning Commission (CPC) for all new self-storage development in the proposed “designated areas” (approximately 40 percent of the land area where such use is currently permitted as-of-right). Such areas are defined by their location within manufacturing districts, largely coinciding with Industrial Business Zones (IBZs), and would be established as text maps. The proposal’s primary intent would be to establish a framework to conduct a case-by-case, site-specific review to ensure that development of self-storage facilities does not occur on sites that should remain available to more job-intensive industrial uses. Existing self-storage facilities within the newly proposed “designated areas” would be able to continue operating and be enlarged as legal non-conforming uses. Self-storage would remain as an as-of-right use in C8 zoning districts and in manufacturing districts outside of designated areas (approximately 60 percent of the land area where such use is currently permitted as-of-right).

On July 25, 2017, Brooklyn Borough President Eric L. Adams held a public hearing on the proposed zoning text amendment. Four speakers testified on this item: two in support and two in opposition.

Speakers in support represented the Association for Neighborhood and Housing Development (ANHD), the Business Outreach Center Network (BOCNET), and Evergreen. They expressed support for the zoning text amendment because it creates community oversight for self-storage.

The ANHD representative expressed support for New York City’s 2015 “10-Point Industrial Action Plan.” He noted that the Industrial Jobs Coalition supports DCP’s proposal as a foundation for much-needed use group reform in industrial areas and a means to ensure that these areas are preserved for job-intensive uses. This measure would help reduce speculation and thus enable industrial users to afford their spaces.

The representative from BOCNET, the industrial service provider for the Flatlands-Fairfield IBZ, stated that manufacturing businesses are at risk of displacement due to high rents and limited available space within IBZs such as the North Brooklyn IBZ. The representative referenced a 50,000 square foot (sq. ft.) storage facility in the Flatlands-Fairfield IBZ, which had taken over space that had been previously provided more than 20 living wage jobs when occupied by two steel fabricators, a commercial distributor, and a shipping company.

The Evergreen representative noted that by not being a restricted use, self-storage has driven up the cost of industrial land, driving out job-rich small manufacturers. Evergreen believes that the proposal contains a discrepancy between IBZs and designated areas in manufacturing districts (M districts), which led to certain North Brooklyn IBZ blocks being left out of the text.

Speakers in opposition included a developer of self-storage facilities and an industry representative from the New York Self-Storage Association (NYSSA). Among the points expressed by the developer were that the industry serves a wide range of local businesses and it is very difficult to find suitable sites in the C8 districts and M districts outside of the designated areas. The developer expressed support for an alternative that would allow as-of-right storage development in IBZs on sites of 50,000 sq. ft. or less but require that self-storage facilities provide space for manufacturing on larger sites.

The industry representative referenced a finding in DCP’s Draft Environmental Impact Statement (DEIS) that the proposal would prohibit self-storage development in almost half of the feasible areas where

self-storage would be permitted as-of-right. NYSSA intends to provide a report showing that self-storage users include a significant number of small businesses. The NYSSA statement noted that the proposal would provide a disincentive to further self-storage development on sites of more than 4,700 acres where such use is now permitted as-of-right.

Both speakers discussed the burden associated with the time and resources required to obtain a special permit. They took issue with the proposal singling out self-storage, arguing that the proposal would not achieve its ostensible aim of promoting industrial use because other commercial uses are still permitted as-of-right in industrial areas. Moreover, they claim that industrial businesses and residents rely on self-storage as an affordable alternative to warehouse space.

In response to Deputy Brooklyn Borough President Diana Reyna's inquiry regarding the reason for the significant spike in the number of storage facilities built in 2016 (within and outside IBZs), the DCP representative noted that the increase represents 10 facilities, containing approximately 1,100,000 sq. ft., but did not offer insight to the cause of such an increase. Deputy Borough President Reyna expressed that, in addition to counting the number of facilities, DCP should study the growth of self-storage by square footage.

In response to Deputy Borough President Reyna's inquiry as to whether DCP counts existing facilities that have been converted into self-storage, the representative stated that the study only includes self-storage facilities that were built on vacant land or replaced demolished buildings, as it is very difficult to obtain data about conversions.

In response to Deputy Borough President Reyna's inquiry regarding the distribution of storage units that are rented by residents versus small businesses, the representative stated that such data are not publicly available, though NYSSA has agreed to provide this information to DCP.

In response to Deputy Borough President Reyna's inquiry regarding what steps DCP has taken to address possible indirect harm to small businesses that rely on self-storage, the representative stated that while DCP has heard testimony from a handful of businesses, it has not collected enough data to study the issue quantitatively. As such, DCP cannot exclude the possibility that the proposed action will indirectly affect small businesses.

In response to Deputy Borough President Reyna's inquiry regarding the scope of the proposed action, given that in 2015, DCP was also looking to include hotels in its zoning text amendment, the representative stated that when hotels and self-storage were initially combined as a study, it was determined that hotels required a more complex investigation. DCP elected to separate the two projects and intends to begin the ULURP process for the hotel component in the fall.

In response to Deputy Borough President Reyna's inquiry as to the projected growth of self-storage facilities in areas outside the city's Industrial Business Zones (IBZs) where they are permitted as-of-right, DCP stated that its analysis points to an overall reduction in storage facilities throughout the city, and a growth rate of eight self-storage facilities per year on a citywide basis outside of the IBZs.

In response to Deputy Borough President Reyna's inquiry regarding the observed increase in the number of self-storage facilities built in IBZs, and the possibility that this trend is related to the scarcity of other manufacturing-zoned land in New York City, stemming from rezonings in manufacturing areas, DCP stated that its study assumed that the proportion of self-storage development in IBZs to non-IBZ areas would be consistent with what it had been in the past decade. However, DCP acknowledged that more self-storage facilities have been developed in IBZs in the last two years.

Borough President Adams received written statements in support of the zoning text amendment prior to and during the ULURP hearing from the Fifth Avenue Committee (FAC) and the Southwest Brooklyn Industrial Development Corporation (SBIDC). These statements emphasized the need to provide additional protections for the City's already threatened industrial areas. FAC recommended disclosure regarding the number and quality of the jobs that would be created by a self-storage facility compared to a manufacturing use. SBIDC expressed concern about the proposed special permit, regarding properties that are "suboptimal for modern-day industrial use," and noted that many successful industrial facilities are not classically optimal.

Subsequent to the hearing, DCP submitted documentation confirming that no blocks were left out of the North Brooklyn IBZ, as per Evergreen's concern.

Subsequent to the hearing, Borough President Adams received a reference report from NYSSA noting that up to 30 percent of self-storage facilities are occupied by commercial and small business clients. A late-winter 2017 survey confirmed that 27 percent of more than 300 clients were businesses. The survey found that construction and manufacturing businesses represented 20 percent of those sampled; businesses ranged from sole practitioners to firms employing more than 50 persons; 68 percent of businesses visit the facility on a weekly basis, with some visiting daily, and affordability and location are very important to business clientele. Finally, self-storage facilities are often developed on sites that are abandoned, blighted, or generate little revenue.

Consideration

Brooklyn Community Boards (CB) 2, 4, 10, 16, and 17 approved or expressed support for the proposed zoning text amendment. CB 5 approved the application subject to a requirement of greater distance between facilities, as well as greater transparency regarding the stored content. CB 6 approved the application subject to self-storage facilities being required to obtain a special permit to locate in any M district (not just designated areas), and other non-industrial uses such as hotels also being regulated by special permit. CB 1 disapproved the proposed zoning text amendment with conditions, seeking further study of the effects that the zoning text amendment would have on businesses and residents who utilize self-storage facilities.

DCP has stated that self-storage facilities conflict with the City's objectives of facilitating economic development and growth. Self-storage facilities are identified as a low job-generating use that primarily serves households, as opposed to small businesses. The zoning text amendment intends to impose restrictions on new self-storage facilities within IBZs to ensure that future development sites do not impede opportunities for industrial uses that are more job-intensive. The proposed restrictions would apply to newly established "Designated Areas" in manufacturing regions comprising M1, M2, and M3 districts in the Bronx, Brooklyn, Queens, and Staten Island that overlap with IBZs.

According to DCP, industrial businesses situated within IBZs have accounted for an increase of industrial employment since 2010 and exemplify the most active industrial areas in New York City. Self-storage facilities appear to deter opportunities for employment growth by occupying land that could be utilized by industrial and labor-intensive businesses. Industrial businesses include activities such as construction, distribution, film production, logistics, manufacturing, transportation, utilities, and wholesale operations. According to the DEIS, the proposed zoning text amendment would secure the future availability of sites for businesses within IBZs and thus support the City's plans for economic growth. Furthermore, the zoning text change was initiated as one of the objectives in Mayor Bill de Blasio and the City Council's 10-Point "Industrial Action Plan" to advance industrial sector training and workforce development opportunities for New Yorkers.

According to DCP, most self-storage facilities are developed on sites located within IBZ boundaries that provide an appropriate land context for industrial uses. Considering New York City's density along with its narrow transportation grid, DCP notes that there is a limited supply of land for truck-intensive uses. Most of these "designated areas" are in proximity to truck routes, and are typically located away from conflicting uses such as commercial, community, and residential facilities. Moreover, according to DCP, "Designated Areas" are geographically appropriate for industrial uses as these businesses may produce emissions, noise, odors, or traffic congestion. Finally, proximity to major highways and truck routes is an important location factor for industrial businesses.

With the proposed text amendment, a special permit would be required for a self-storage use in the proposed designated areas in M districts. The special permit would encompass a framework to perform an analysis and review to confirm the development of self-storage facilities does not occur on land that is appropriate for industrial, more job-intensive uses.

Currently, self-storage facilities are characterized in the New York City Zoning Resolution (ZR) as as storage offices or warehouses permitted as-of-right in all M districts and the C8 district (Use Group 16D).

Borough President Adams recognizes the need to protect spaces designated for industrial businesses to further Brooklyn's economic growth and, in turn, generate jobs for the wider community. Though DCP has identified self-storage facilities as potentially hindering land use opportunities for industrial uses, Borough President Adams recognizes that there may be valid concerns related to the impacts of the proposed zoning text amendment on small businesses.

According to information presented, self-storage facilities provide smaller businesses and institutions cost-effective solutions for convenient warehousing. A recent field survey conducted by the Parkside Group interviewed customers at storage facilities located in diverse IBZs in the Bronx, Brooklyn, and Queens. Based on this study, approximately 30 percent of self-storage users are businesses that employ more than 900 people throughout the city. Common business types consist of arts and crafts, construction and manufacturing, merchandise, non-profit organizations, and retail. These businesses rely on self-storage to house equipment and merchandise that are crucial to their operations. For instance, small construction firms depend on self-storage to house tools and equipment that can be accessed by workers. The report claims that self-storage is essential for non-profit institutions that have typically limited capital and require affordable solutions to continue serving community needs. In addition, 47 percent of businesses that were surveyed are owned by minorities and/or women.

While the impact on businesses is more obvious, it is possible that this proposal could impact residential users as well. Given the cost of securing housing in New York City, some households find it more economical to live in smaller spaces while keeping a portion of their possessions at a self-storage facility. Tenants who depend on self-storage services are identified as homeless families and/or families in transition, retirees, soldiers, and students who are most likely to fall into low- and very-low income demographics, and are often rent-burdened. These tenants utilize self-storage as an affordable way to maintain their possessions during a transitional phase of their lives. If the proposed text amendment were to result in a reduction in the growth of the self-storage industry, and a corresponding increase in rental fees based on supply and demand, there could be potential impacts for city residents who depend on such facilities to manage possessions that cannot be accommodated in their apartments.

Moreover, self-storage has not been deemed an appropriate use in areas outside the proposed designated area within the city's M districts. The resolutions of CBs 5, 6, and 8 discuss further

limiting self-storage beyond the scope of the proposed text amendment. There are areas undergoing zoning discussions where self-storage would not likely remain a desired use. These include Bushwick, the northern section of Gowanus, the area of Crown Heights that is part of CB 8's manufacturing initiative, known as M-Crown, and stretches of Empire Boulevard and Utica Avenue where there have been discussions about changing the zoning.

In addition, an ongoing ULURP application seeks to upzone a residential district in order to facilitate the demolition and displacement of a self-storage facility in Downtown Brooklyn. This would accommodate residential development on both Prince and Tillary streets by reducing the supply of self-service storage.

Subsequent to Borough President Adams' public hearing, DCP submitted a modified version of the proposed text amendment for consideration by the CPC. The modified version was issued in response to concerns expressed during the public engagement process. It was noted that removal of as-of-right status in designated M districts could be too restrictive, leading to increased self-storage development in the remaining permitted areas, which are often closer to residential neighborhoods.

The modified proposal would allow self-storage to be developed as-of-right in M districts provided that a minimum specified amount of ground-floor space is set aside for more job-intensive industrial uses. The modification calls for at least 20,000 sq. ft. of ground-floor space in ZR Use Groups associated with industrial use as well as art studios and studios for film production, photography, radio, or television. Other aspects would address ceiling heights, loading and parking requirements, and a floor area exemption in the M1-1 district.

An analysis by the Office of the Brooklyn Borough President indicates that it is possible for new facilities to be constructed on sites of 13,500 sq. ft. or greater. For facilities built in the proposed designated areas within Brooklyn's M districts, the smallest self-storage site was 18,500 sq. ft. For facilities built outside such areas, the smallest site was 13,545 sq. ft, with several others not exceeding 20,000 sq. ft. Based on available data since 2003, self-storage developers have paid lower prices for vacant land in designated areas in M districts, ranging from \$50 to \$167 per sq. ft. By contrast, sites in M and C8 districts outside the designated areas within M districts were more expensive, with prices of \$47 to \$278 per sq. ft.

Borough President Adams is concerned that too many Brooklyn residents are currently unemployed or underemployed. It is his policy to promote economic development to create more employment opportunities. According to averaged data from 2008 to 2012, double-digit unemployment remains a pervasive reality in many of Brooklyn's neighborhoods, with more than half of our community districts experiencing poverty rates of 25 percent or greater.

Borough President Adams believes that the proposed zoning text change may have a detrimental impact on people employed by small businesses. However, if modified according to the mixed use option, the proposal could assist in addressing this employment crisis through the provision of more floor area for industrial businesses.

It is Borough President Adams' policy to support land use actions that facilitate utilization of permitted floor area for a wider range of job-generating uses as a means to provide needed employment opportunities for varied skill sets. Borough President Adams supports the development of floor area for manufacturing use groups. He further supports such actions that establish reasonable need-based car parking and truck-loading berth requirements.

Borough President Adams generally supports establishing self-storage as a use and designating areas within M districts to limit certain uses and as-of-right development of self-storage facilities in such designated areas. However, he believes that further modifications to DCP's proposal are warranted. To the extent that a zoning lot is already developed, these include allowing smaller sites and sites with ground-floor commercial/industrial use to be developed as-of-right, while further restricting allowable use and the extent of accessory use; having adequate oversight measures to confirm such commercial/industrial occupancy, and placing limitations on enlarging non-conforming self-storage facilities. In addition, Borough President Adams believes this is an appropriate opportunity to call for the advancement of zoning changes to support urban agriculture.

Restricting As-of-Right Development in Designated Areas Within Manufacturing Districts

Under the DEIS for the proposed zoning text amendment, it is anticipated that 11 new self-storage facilities would be built in the designated areas, and 70 new self-storage would be developed in M and C8 districts outside the designated areas by the build year. In response to concerns that the proposed text amendment might excessively impact the self-storage industry and its user base, providing additional siting opportunities for self-storage would partially mitigate the significant adverse impacts disclosed in the DEIS.

The DEIS provides for two options to minimize such impacts. These include allowing self-storage to remain as-of-right on sites up to 20,000 sq. ft. and for larger sites to be developed as-of-right if the ground floor is utilized primarily for industrial use. Subsequently, DCP issued a modification alternative to the proposal to allow the CPC to consider the mixed use alternative with more specific consideration regarding permitted ceiling heights, loading and parking requirements, and use, as well as a floor area exemption in the M1-1 district.

While providing more as-of-right options might address certain concerns, it does not address the possibility that increasing the number of potential sites in designated areas within M districts might result in the displacement of industrial firms that require reasonably affordable rents, in line with what such tenants would typically pay. As noted, testimony provided during Borough President Adams' public hearing disclosed an example in which a suitable industrial building in East New York saw its occupancy change from a job-intensive operation to a self-storage facility. Though it has been represented that self-storage facilities are typically developed on underutilized and vacant land, it is clear that the example cited should be prevented. Borough President Adams believes there is a need for protective measures that might preclude the loss of sound industrial business space when a landlord can derive greater profits by renting to self-storage companies.

In order to avoid losing more active industrial buildings to self-storage development, Borough President Adams believes that there should be additional restrictions before considering alternatives that would allow self-storage to retain as-of-right status in designated areas with M districts. Specifically, he believes that sites developed with building improvements in excess of 25 percent of the permitted floor area should not be re-developed for self-storage use.

Therefore, as a condition to continue to allow a limited as-of-right option for self-storage development in designated areas with M districts, Borough President Adams believes the CPC should advance a text modification to the City Council that precludes zoning lots improved to more than 25 percent of the permitted commercial/manufacturing floor area from being considered for any modified as-of-right status.

Smaller Site Exemption

Borough President Adams acknowledges that there is concern that, as initially proposed, the self-storage text amendment might result in an increased frequency and number of highly visible self-

storage facilities developed in proximity to residential areas. The DEIS disclosed that the proposed text amendment may increase the rate of self-storage development in M districts outside the designated areas within M districts, and in C8 districts, which communities may find undesirable for aesthetic reasons. An enhanced probability that self-storage developers would be more aggressive in securing sites in both types of districts rather than risk an attempt to obtain a special permit resulting in disapproval is a valid concern. While self-storage facilities provide a useful service, the buildings tend to be a point of concern for residential neighborhoods because of the way their typical building exteriors stand out and detract from a neighborhood's streetscape. Self-storage has been or might be highly visible along stretches of Atlantic Avenue, Coney Island Avenue, Empire Boulevard, McDonald Avenue, New Utrecht Avenue, Third Avenue, and Utica Avenue — major corridors that could end up with more self-storage facilities if the proposal were adopted without modification.

In addition, Borough President Adams has heard concerns that a reduced development pace of self-storage facilities in what have been proposed as designated areas with M districts might have indirect impacts on small businesses that require access to conveniently located self-storage facilities to support their operations. There is a lack of understanding, on the City's part, of the indirect effect on the small businesses that are allegedly increasing their dependency on proximate affordable storage as part of their business plan. The potential impacts on small businesses of limiting the number and location of self-storage facilities have not been adequately evaluated or understood. If self-storage grows too slowly or within a limited geography, the result may be an increase in operational costs for small businesses that could lead to failure and a loss of jobs. This calls for careful consideration of potential impacts of restricting as-of-right status for self-storage facilities in the designated areas within M districts.

To some extent, the small site option in the DEIS would provide an outlet for self-storage facilities to remain as-of-right as for new development in the designated areas within M districts. Borough President Adams would support limiting zoning lots in designated areas to 20,000 sq. ft. or less, provided that any such zoning lot is not already developed to more than 25 percent of the allowable floor area, as noted in a previous section. Two such sites exist in the proposed designated areas within M districts in Brooklyn.

Therefore, in order to continue to allow a limited as-of-right option for self-storage development in designated areas with M districts, Borough President Adams believes that the CPC should advance a text modification to the City Council that allows zoning lots improved to no more than 25 percent of the permitted commercial/manufacturing floor area to remain as-of-right when such zoning lot does not exceed 20,000 sq. ft.

Mixed-Use Alternative

In addition to the concerns raised above, Borough President Adams acknowledges that restricting self-storage facilities in designated areas within M districts does not guarantee that such zoning lots would otherwise be developed for industrial occupancy or use. There would remain many lucrative as-of-right options for self-storage facilities.

One especially appealing aspect of the Mixed Use Alternative is the requirement to develop floor area for specific commercial and industrial uses. The allowance would achieve at least 20,000 sq. ft. of floor area on a ground floor to be limited to occupancy use groups listed in ZR 12-10 as defined for an industrial ground floor. Under the Mixed Use Alternative, the DEIS projects that up to 20 sites in Designated M Areas would be redeveloped with mixed industrial and self-storage facilities by the build year. In that case, nearly 200,000 sq. ft. would be established for commercial/industrial use according to the industrial ground-floor use limitation. Moreover, though some additional development may shift

to more optimal sites in M and C8 districts outside of Designated Areas, the DEIS projects that this would happen at a very small number of sites.

The DEIS assumes that this option may result in fewer sites being available for larger scale construction, transportation, and wholesale businesses. It also assumes that the type of industrial tenants most compatible for such space would be smaller scale, less truck-dependent manufacturing uses. The text modification includes a reduction in loading and parking requirements, as well as the length of such loading berths to better suit establishments expected to occupy the designated industrial ground floor. While such a modification to the text proposal might diminish siting opportunities for larger industrial businesses, Borough President Adams believes that this would be outweighed by the potential to create new space for smaller scale industrial and light manufacturing businesses.

Therefore, in order to continue to allow a limited as-of-right option for self-storage development in designated areas with M districts, Borough President Adams believes the CPC should advance a text modification to the City Council. Such modification would allow zoning lots improved to no more than 25 percent of the permitted commercial/manufacturing floor area to remain as-of-right when a zoning lot contains a designated industrial ground floor as per ZR 12-10, where such use-restricted area is no less than 20,000 sq. ft. As further modified, ground-floor use would be restricted to industrial use, but for lobby and vertical circulation and permitted ground-floor industrial use, including accessory retail, subject to regulatory oversight, including compliance and recordation.

Appropriate Industrial Ground Floor Use for a Mixed-Use Self-Storage Option

The proposed section, ZR 12-10, provides a definition for an industrial ground floor when part of a self-storage facility, and lists the permitted use groups. By establishing a list of permitted uses, the proposal appears to draw from the recently established Industrial Business Incentive Area (IBIA) as part of ZR Section 74-961's zoning text, which promotes opportunities for listed manufacturing uses to compete more effectively in the real estate market and secure space in the designated areas within M districts.

Unlike the IBIA, the proposed text contains the opportunity to have showrooms for automobile, boat, motorcycle, or trailer sales. Such uses, when not supported by a service department, might be more financially lucrative for landlords and, as a result, deny others listed in ZR Section 12-10 the opportunity to occupy floor area achieved through the mixed-use alternative. In addition, technological improvements have transformed certain traditional manufacturing space into office-like space. Certain firms now limit production to the digital format product supported by desktop computer work stations, similar to office space, and are thus able to compete with more traditional office uses when renting floor area. As a result, occupancy by digital format producers would also deny other listed ground-floor uses the opportunity to occupy restricted floor area.

Given the possibility that the City Council and CPC would approve modifications to the self-storage amendment to allow circumstances in which such facilities would remain as-of-right based on a mixed-use development option, it is important that the list of ground-floor uses be improved in order to guarantee that the building's floor area is set aside for permitted ground-floor uses. As digital format production facilities are more akin to commercial uses and capable of paying office rents, it would diminish the benefit of the industrial ground-floor use restriction to include these showrooms and digital production among the permitted uses.

Therefore, should the City Council and CPC modify the text to allow self-storage to be permitted as-of-right when a development includes required industrial ground-floor area, Borough President Adams believes it is appropriate to modify the ZR Section 12-10 definition of an industrial ground-

floor permitted uses to exclude showrooms for automobile, boat, motorcycle, or trailer sales from Use Group 16, and processes limited exclusively to digital production from Use Group 17, in order to maintain the availability and integrity of such spaces for industrial businesses.

Extent of Accessory Retail as Part of an Industrial Ground Floor Use

One of DCP's alternatives that would allow self-storage to remain as-of-right in the designated areas within M districts calls for the provision of industrial use of the ground floor. Having such ground-floor use becomes less useful in advancing floor area for industrial use without placing limitations on accessory use that may also utilize such floor area. There has been a trend toward certain uses listed in Use Groups 11A, 16, 17, and 18 — beverage producers or breweries — in which an accessory section is set aside for retail or dining establishments. For example, the Chelsea Market has an interior retail street where one can purchase freshly-baked goods from a small accessory retail section off the main baking production area. There are also breweries that contain accessory beer halls and/or restaurants. With the ongoing trend of artisanal food and beverage production, an accessory sales component often provides important synergy and financial viability. However, other manufacturing uses, such as metal fabrication and woodworking, do not lend themselves to accessory retail. This places such uses at a disadvantage because the permitted uses profit from accessory retail, eating, or drinking components, and would likely be able to pay higher rents with these additional revenue sources. Furthermore, if such accessory retail and/or eating and drinking floor space were of excessive size, it would seem to undermine the amendment's intent to establish opportunity for industrial ground-floor occupancy. Should the proposed zoning text amendment permit as-of-right status in which the ground floor is essentially required to accommodate the permitted uses in the defined industrial ground floor, additional clarification would be needed regarding the extent to which such accessory operations could occupy portions of ground-floor area intended for permitted industrial use.

Recognizing this potential concern, Borough President Adams seeks to clearly define the extent that floor area would be allotted for supporting accessory retail operations. He believes that it is appropriate to apply a modified proposed ZR Section 12-10 industrial ground floor, as a mechanism to limit the accessory retail operations of the permitted uses, specifically for Use Groups 6A, 6C, 7B, 7D, 8B, 8C, 10A, and 12, by permitting up to 100 sq. ft., without regard to the size of the Required Industrial Use floor area, though not more than 1,000 sq. ft. based on such uses occupying not being more than 10 percent of floor area per establishment.

Therefore, should the City Council and CPC modify the text to allow self-storage to be permitted as-of-right when a development includes provided industrial ground floor as per ZR 12-10, further modified by recommendations provided in this report, Borough President Adams believes the amendment should adequately restrict further floor area of any accessory retail use (Use Groups 6A, 6C, 7B, 7D, 8B, 8C, 10A, and 12) to 100 sq. ft. without regard to the size of the floor area in an industrial ground floor. However, this restriction should be no more than 1,000 sq. ft., based on such retail area comprising no more than 10 percent of floor area per establishment.

Non-Conforming Self-Storage Facilities in Designated Areas Within Manufacturing Districts

Typically, when zoning changes result in legal uses no longer being permitted, the resulting non-conforming uses are not permitted to be enlarged as-of-right. The proposed self-storage zoning text amendment would allow non-conforming self-storage facilities to be enlarged in the designated areas within M districts provided that such facilities exist on the date of the zoning change based on filed documentation that is satisfactory to the New York City Department of Buildings (DOB) and that enlargement would not create or increase non-compliant building bulk.

Borough President Adams notes that many manufacturing districts in Brooklyn warrant a reconsideration of the allowable density as a means to increase opportunity for industrial use floor area. Many such districts are mapped solely to allow the development to match the lot size. Brooklyn's other M districts are limited to development double the lot size due to low Floor Area Ratio (FAR).

Borough President Adams believes that, to the extent that rezoning to permit more density is appropriate, it may be possible to create a significant amount of acreage for allowable uses in these M districts. However, if such rezoning were to be adopted in the designated areas within M districts without further text modification, existing self-storage facilities could be significantly enlarged as-of-right without providing opportunities for floor area with use restrictions in the defined industrial ground floor.

Borough President Adams believes that, in order to advance public policy and leverage zoning changes that result in additional commercial/industrial floor area, there should be instances in which such enlargement results in floor area with use restrictions in an industrial ground floor. Specifically, where a self-storage facility has an existing building footprint or enlargement on the same zoning lot that would result in a ground floor of at least 20,000 sq. ft., ground-floor occupancy should limit self-storage use to lobby and vertical access, while restricting ground-floor occupancy to those use groups noted in the definition of industrial ground floor.

Therefore, should the City Council and CPC modify the text to allow self-storage to be as-of-right when a development includes a designated industrial ground floor, Borough President Adams believes the proposed ZR Section 52-47 Non-Conforming Self-Storage Facilities in Designated Areas Within Manufacturing Districts should add a subsection that addresses enlargement rights obtained through a zoning map change subsequent to the effective date of adoption, as a means to secure floor area for an industrial ground floor.

Regulatory Oversight of Uses in an Industrial Ground Floor

The mixed use alternative would allow self-storage to remain as-of-right in the designated areas within M districts as long as there would be the provision of uses as listed in ZR Section 12-10 for an industrial ground floor. There is a precedent in the ZR to require compliance and recordation as a mechanism to ensure the integrity of such industrial ground-floor use based on the recently established Required Industrial Use space. ZR Section 74-962 (d) was established as part of the City Council's approval of land use actions that facilitated office development at 25 Kent Street in the Williamsburg section of Brooklyn Community District 1 (CD 1).

Borough President Adams believes that regulatory oversight, through compliance and recordation standards, is an essential requirement to achieve stringent enforcement and provide adequate monitoring of Required Industrial Use floor area. Any modification to the self-storage zoning text proposal to allow such use to remain as-of-right in designated areas within M districts should be conditioned on the establishment of monitoring and reporting procedures, as well as signage, prior to permitting legal occupancy of self-storage floor area.

The special permit that defines and requires Required Industrial Use largely succeeds in setting appropriate standards to utilize for self-storage. One aspect of that section deals with compliance by a designated third-party reporting agent. Borough President Adams believes that such third-party reporting agent should be retained to select uses permitted to occupy an industrial ground floor and ensure zoning conformance for those tenants.

Brooklyn has several well-established non-profit organizations that provide business solutions in the borough's IBZs. These include BOCNET, Evergreen, the Greenpoint Manufacturing and Design Center (GMDC), the North Brooklyn Development Corporation (NBDC), SBIDC, and the Local

Development Corporation of East New York (LDCENY). These non-profit organizations would be appropriate candidates for such third-party reporting roles as self-storage developers seek to comply with the permitted uses for an industrial ground floor.

Therefore, should the City Council and CPC modify the text to allow self-storage to be permitted as-of-right when a development includes an industrial ground floor, Borough President Adams believes that the amendment must adequately provide for regulatory oversight of the permitted use within the industrial ground floor. Such oversight should include compliance and recordation standards as per ZR Section 74-962 (d), further modified to require the third-party reporting agent be involved in the selection process to ensure zoning compliance for potential occupants who meet the definition of Required Industrial Use.

Promoting Urban Agriculture Use

Borough President Adams and Council Member Rafael L. Espinal Jr. recently introduced legislation at the City Council calling for DCP to create a comprehensive urban agriculture plan for the city. This bill proposes to catalogue existing and potential urban agriculture spaces; identify potential land use policies to promote the expansion of these practices across the city, and analyze the zoning resolution, building code, and fire code to promote the industry, among other actions.

While DCP's application to regulate self-storage development in IBZs is an appropriate step toward expanding opportunities for industrial employment, Borough President Adams believes that it is equally appropriate for DCP to advance zoning regulations that might lead to greater employment in urban agriculture. Advancing urban agriculture can be achieved through utilization of the extensive number of properties featuring flat roofs with unimpeded access to sunlight for greenhouses, and by best leveraging community facility floor area in M districts.

The ZR identifies agricultural use as an open use community facility, Use Group 4B, which includes uses such as greenhouses, nurseries, and truck gardens. When otherwise enclosed, per Use Group 17C. Miscellaneous Uses, urban agriculture is listed as agriculture, including greenhouses, nurseries, or truck gardens. As a Use Group 17C use, enclosed urban farming remains in direct competition with other uses permitted as-of-right in M districts, which might be a deterrent to the growth of enclosed urban agriculture.

Currently, state-of-the-art urban farming practices include, but are not limited to, aeroponics, aquaponics, and hydroponic farming. In addition, enclosed vertical farms are no longer just vertical strands of crops but now include horizontal stacked trays with integrated lighting on the bottom of a tray serving the crops being grown in the tray directly below. Such horizontal trays appear to be capable of being stacked to significant heights with service aisles functioning as lifts to provide access to the crop trays.

One means to maximize opportunity for such modern practices is to modify Use Group 4B when applicable to community facility use in M districts, to allow such use to be enclosed. There is a significant amount of underutilized community facility FAR available in M1 and M2 districts, including the FAR of 6.5 in the M1-4. Consideration given to redefine agricultural uses as an enclosed use would then permit the utilization of additional floor area for community facility use when limited to urban farming use. As such stacking systems do not have standard floor height limitations, as is the case for stacked automated garage parking systems, consideration would need to be given to determine how much vertical stacking would be defined as a floor for zoning

floor area purposes. For the M3 districts, there should be consideration to modify rooftop greenhouses as a permitted obstruction pursuant to ZR Section 75-01 (b) to expand the use beyond the cultivation of plants, to also include aquaponics cultivation.

In order to promote appropriate urban agriculture use — inclusive of aeroponics, aquaponics, and hydroponic technologies — pursuant to its maximum community FAR, DCP should undertake an initiative to modify the ZR, as warranted, to amend Section 22-14 Use Group 4B. Open Uses, Section 42-10 Uses Permitted As-Of-Right, Section 43-122 Maximum Floor Area Ratio for Community Facilities, and Section 75-01 (b) Greenhouse Certification. Furthermore, the DOB should issue a Zoning Determination to clarify zoning floor area calculations for stacked vertical indoor urban farming systems.

Recommendation

Be it resolved that the Brooklyn borough president, pursuant to sections 197-c of the New York City Charter, recommends that the City Planning Commission (CPC) and the City Council approve this application with the following conditions:

1. That New York City Zoning Resolution (ZR) Section 32-25 and Section 42-12 Uses Permitted As-Of-Right, Use Group 16D. Heavy Service, Wholesale, or Storage Establishments, as it pertains to designated areas within M Districts, and self-storage facilities should be given consideration to remain as-of-right if the following conditions are met:
 - a. That such zoning lot is improved to no more than 25 percent of the permitted commercial/manufacturing floor area and that such zoning lot:
 - i. Not exceed 20,000 square feet (sq. ft.), or
 - ii. Contain a designated industrial ground floor as per ZR Section 12-10, where such use restricted area is no less than 20,000 sq. ft. with no other ground-floor zoning floor area except for lobby and vertical circulation, as further modified:
 1. To preclude from the ZR Section 12-19 definition of industrial ground-floor permitted uses, showrooms for automobile, boat, motorcycle, and trailer sales from Use Group 16, and manufacturing processes in Use Group 18 when limited to product of exclusively digital format.
 2. To further restrict accessory retail use (Use Groups 6A, 6C, 7B, 7D, 8B, 8C, 10A, and 12) to 100 sq. ft. without regard to the size of the permitted use within the industrial ground floor, though no more than 1,000 sq. ft. based on such use occupying no more than 10 percent of floor area per establishment
2. That proposed ZR Section 52-47 Non-Conforming Self-Storage Facilities in Designated Areas Within Manufacturing Districts include a new subsection (c) that such enlargement rights obtained through a zoning map change subsequent to the effective date of adoption of Use Group 16D's establishment of self-storage facilities, where such existing building footprint or enlargement on the same zoning lot would result in a ground floor of at least 20,000 sq. ft., that ground-floor occupancy restrict self-storage use to the lobby and vertical access and otherwise restrict industrial ground-floor occupancy as defined in ZR Section 12-10 as further modified:

- a. To preclude showrooms for automobile, boat, motorcycle, or trailer sales from Use Group 16, and manufacturing processes in Use Group 17 when limited to product exclusively of digital format
 - b. To further restrict accessory retail use (Use Groups 6A, 6C, 7B, 7D, 8B, 8C, 10A, and 12) to 100 square feet without regard to the size of the floor area contained in an industrial ground floor, though no more than 1,000 sq. ft. based on not being more than 10 percent of floor area per establishment
3. That as a means to adequately provide regulatory oversight of industrial ground-floor use for as-of-right self-storage facilities with ground floors in excess of 20,000 sq. ft., there be a compliance and recordation requirement as per ZR Section 74-962 (d), as further modified, requiring the qualified third-party reporting agent to play a role in the occupant selection process and confirm zoning conformance for such potential occupant being a Required Industrial Use.

Be It Further Resolved:

That in order to promote appropriate urban agriculture use — inclusive of aeroponics, aquaponics, and hydroponic technologies — the New York City Department of City Planning (DCP) should undertake an initiative to modify the ZR, as warranted, to amend ZR Section 22-14 Use Group 4B. Open Uses, Section 42-10 Uses Permitted As-Of-Right, Section 43-122 Maximum Floor Area Ratio for Community Facilities, and Section 75-01 (b) Greenhouse Certification. Furthermore, the New York City Department of Buildings (DOB) should issue a Zoning Determination to clarify zoning floor area calculations for stacked vertical indoor urban farming systems.

Bronx Community Board #2

Borough President Ruben Diaz, Jr.

1029 East 163rd St.

Bronx, NY 10459

718-328-9125 • 718-991-4974 Fax

E-mail: brxcb2@optonline.net



Roberto Crespo
Chairperson



Ralph Acevedo
District Manager

June 30th 2017

Marisa Lago, Chairwoman
City Planning Commission
22 Reade Street
New York NY 10007

RE: N 170425 ZRY – Proposed Self-Service Storage Facility Text Amendment

Dear Chair Lago:

At the June 28th, 2017 General Board meeting, Bronx Community Board 2 voted unanimously to approve the text amendment to create a special permit for self-storage facilities in designated areas in M districts in the Hunts Point's Industrial Business Zone (IBZ) with the condition that the special permit apply to all of the boundaries' of Community District 2 Residential and Industrial.

Should you have any questions or need further information, please feel free to contact District Manager Ralph Acevedo at (718) 328 9125 or at ralacevedo@cb.nyc.gov

Sincerely,

A handwritten signature in blue ink, appearing to read "Roberto Crespo", with a large, sweeping flourish underneath.

Roberto Crespo
Chairman

A handwritten signature in blue ink, appearing to read "Rafael Acevedo", with a large, sweeping flourish underneath.

Rafael Acevedo
District Manager

From: BX10@cb.nyc.gov<<mailto:BX10@cb.nyc.gov>> (CB)
Sent: Friday, June 23, 2017 9:57 AM
To: Carol Samol (DCP) <CSAMOL@planning.nyc.gov<<mailto:CSAMOL@planning.nyc.gov>>>
Cc: Christine Camilleri (DCP) <CCamilleri@planning.nyc.gov<<mailto:CCamilleri@planning.nyc.gov>>>
Subject: ULURP # N170425ZRY Zoning Text Amendment

Ms. Samol:

On June 13, 2017, Bronx Community Board #10 held a public hearing which resulted in the resolution below.

“Resolved... at the request of Bronx Community Board #10 that ULURP # N170425ZRY in which NYC Planning proposes a zoning text amendment to require a CPC Special Permit for new self-storage facilities within Designated Areas in M districts, which represent New York City’s most active industrial area, to promote future availability of siting opportunities for industrial, more job intensive uses, be forwarded to the full Board for approval.”

The Resolution passed with a vote of (24) in favor and (1) abstention.

The Board is interested in having this subject presented to a larger audience, in a town hall forum, and in cooperation with the surrounding Community Boards, 9, 10, 11, 12, who would also be affected by this amendment.

Matt Cruz
District Manager

Bronx Community Board #10
3165 E. Tremont Avenue
Bronx, NY 10461
(718) 892-1161

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Ruben Diaz, Jr.
Borough President

BRONX COMMUNITY BOARD No. 10

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Martin A. Prince
Chairperson

BRONX COMMUNITY BOARD #10 MEETING

June 15, 2017 at 7:00 P.M.

Providence Rest

3304 Waterbury Avenue

Bronx, NY 10465

PRESENT: H. Acampora, T. Accomando, R. Baez, R. Barbarelli, R. Bieder, J. Boiko, P. Cantillo, Col. W. Chin, A. Chirico, L. Council, M. Davila, T. Franklin, I. Guanill-Elukowich, D. Hunt, M. Johnson, R. Lifrieri, D. Lock, K. Lynch, J. Marano, J. McQuade, J. Misiurski, M.J. Musano, J. Onwu, L. Popovic, M. Prince, A. Ponder, N. Sala, T. Salimbene, R. Sawyer, N. Semaj-Williams, P. Sullivan, M. Velazquez, (total # present = 32)

The following Board member came in late and left early but was present for the Elections: J. Onwu

The following Board member left early but was present for the Elections: N. Semaj-Williams

ABSENT: V.M. Gallagher, C. Papastefanou, J. Robert, R. Rodriguez, N. Rosario, J. Russo, S. Woods
(total # absent = 7)

Community Liaisons:

Mark Gjonaj – Member, NYS Assembly

Dan Hogle - Office of State Senator Jeffrey Klein

Kenneth Burgos - Office of Council Member Annabel Palma

Josh Peacock – Mayor’s Center for Faith & Community Partnerships, Small Business Services

Josephine Crisotomo – ThriveNYC, Office of NYC Human Resource Administration

Mariela Salazar – Montefiore Health Systems

Zenobia Garland – Phipps Town and Country Residence

Robert Wirsing - Bronx Times Reporter

Board #10 Staff:

Tom Lucania - Office of Bronx Borough President Ruben Diaz Jr.,

Matt Cruz, District Manager

Susan Duffey, Kristine Lozada, CB #10 Staff

Chairman Martin Prince began the meeting at 7:00 p.m. with the Pledge of Allegiance.

The above Community Liaisons were introduced and thanked for coming.

PUBLIC PARTICIPATION SECTION:

- 1 – J. Crisostomo, Engagement Specialist, Thrive NYC: discussed the mental health awareness effort by the Mayor’s Office; training for individuals interested in careers as peer specialists mental health. Contact information: www.thriveatwork.nyc, 212-780-1400
- 2 – E. Sementilli, Director, Pelham Bay Community Improvement and Safety Organization Inc.: Mr. Sementilli discussed the importance of tonight’s election and problems with current leadership; urged Board members to vote for a change.
- 3 – J. Bellini, St. Paul Avenue: Mr. Bellini read a statement outlining his concerns about increased traffic volume/congestion and its effect on the Pelham Bay community, squatters on St. Paul Avenue, and the Pelham Grand residence. Mr. Bellini feels that the community has been neglected by the electeds and community board.
- 4 – J. Peacock, Small Business Services, jpeacock@sbs.nyc.gov, (212) 788-2958: Mr. Peacock is part of the Mayor’s Center for Faith and Community Partnerships. The Mayor's Clergy Advisory Council has catalyzed key partnerships between citywide and neighborhood based community leaders, leading to initiatives that have improved the lives of many New Yorkers.
- 5 – L. Giraldi, Throgs Neck resident: Ms. Giraldi complained about street conditions and the unreliability of the #8 bus.
- 6 – N. Thomas, Co-op City, Building 29 Association: Ms. Thomas’s concern is the traffic issues with the Bay Plaza Mall as well as the proposed plans for the Baychester Mall in CB #12. Ms. Thomas would like Community Board #10 to be more vocal in opposing the Mall.
- 7 – S. Dougherty, shaun@crescentgrill.com, 718-729-4040: advised the community about a New York Diocese Reconciliation Program for victims of sexual abuse, www.childsexabuse.org
- 8 – P. Hamilton Johnson: Ms. Hamilton-Johnson echoed the same concerns as Ms. Thomas (#6 above) concerning the Baychester Square Mall. She also added that there is a 12% vacancy rate in the Bay Plaza Mall and has reached out to the Borough President and City Planning. She would like Community Board #10 to be more vocal in opposing the Mall.
- 9 – N. Joye, resident of Co-op City: interested in adult literacy programs within the community and would like to find out what resources are available
- 10 – N. Sweeting, resident of Co-op City, Section 5: Mr. Sweeting wants to see new leadership on CB #10, and he added that there are problems in Section 5.
- 11 – M. Pricoli, former Board member: Mr. Pricoli spoke of his respect to the Board leadership and members. Mr. Pricoli informed the community about the Disability Pride Parade scheduled for 7/9/17; he added that HHC is laying off employees and continues to do so.
- 12 – J. Cerini, owner of Bronx Tax Man Services: Mr. Cerini addressed the community about the property located at 3250 Westchester Avenue; he’d like the community to take a more active role in having building plans scaled down. He also addressed the issue of a 40-day time frame with

OPWDD and proposed group residences, and would like the community to have more information on the disabilities of potential residents going into these residences.

- 13 – Mark Gjonaj, member of NYS Assembly: Assemblyman Gjonaj thanked the Board and community for their efforts and is looking forward to working with and empowering the community. He acknowledged the concerns with the Health and Hospital Corporation. He works closely with Assemblyman Benedetto and Senator Klein on issues affecting their respective Boards.

A motion to close the Public Participation Session was made by Mr. Cantillo, seconded by Mr. Sullivan and unanimously approved by all.

The elections for the positions of Chair, 1st Vice Chair, 2nd Vice Chair, Secretary and Treasurer were held. Prior to the start of the election, Mr. Bieder withdrew his nominations for Chair and Treasurer. The results are as follows:

<u>Chair:</u>	M. Prince	(11)	P. Sullivan	(19)	(1) Abstention	(8) Absent
<u>1st Vice Chair:</u>	T. Accomando	(9)	J. Marano	(21)	(1) Abstention	(8) Absent
<u>2nd Vice Chair:</u>	J. Boiko	(9)	I. Elukowich	(22)	(1) Abstention	(7) Absent

The two positions below were unchallenged, a show of hands affirmed the vote as follows:

<u>Secretary:</u>	P. Cantillo	(31)	(1) Abstention	(7) Absent
<u>Treasurer:</u>	M. Velazquez	(31)	(1) Abstention	(7) Absent

A motion to accept the revised Minutes from the May 18, 2017 Bronx Community Board #10 meeting was made by Mr. Cantillo, seconded by Mr. Sullivan, and unanimously approved by all.

BOROUGH PRESIDENT’S REPORT: Mr. Lucania

Additional information can be found about the topics noted below on the Borough President’s website: bronxboropres@nyc.gov.

Mr. Lucania thanked Mr. Prince for his service, congratulated Mr. Sullivan on his election as Chair and welcomed Mr. Cruz as District Manager.

He noted that Orchard Beach has opened for the season, fireworks will be on June 29, 2017 at 9:00 p.m. Plans for the reconstruction of the Pavilion will be reviewed. The joint effort with the Mayor, Parks Commissioner, Borough President’s Office and the electeds was announced; it will be a 1.4 acre future park on the Hutchinson River adjacent to Co-op City with land donated by Riverbay.

Chairman Prince acknowledged the following representatives from the electeds offices as well as Ms. Garland from Phipps Town & Country Residence and Ms. Salazar from Montefiore Health Systems.

Dan Hogel, Office of State Senator Klein: 718-822-2049, tickets and wristbands are available for the June 29, 2017 Fireworks Event at Orchard Beach.

Kenneth Burgos, Office of Council Member Palma: Rain barrel giveaway, call to RSVP at 718-792-1140.

DISTRICT MANAGER REPORT: Mr. Cruz

Mr. Cruz reminded the community and Board members that CB #10 is an NYC Agency and procedures will be followed. He noted that no one should distribute the personal email of any Board member unless permission is granted. He also stressed that meetings are not forums for electioneering.

COMMITTEE REPORTS

EXECUTIVE COMMITTEE: Mr. Prince

The Committee met on May 1 and June 5, 2017. The following resolution was voted on at the June 5, 2017 meeting.

“**Resolved**...at the request of the Executive Board of Bronx Community Board #10 that the motion to table the discussion concerning office personnel to October 2017 be forwarded to the full Board for approval.”

A motion to accept the Resolution was made by Mr. Sullivan, seconded by Mr. Bieder and voted on by a majority of members with (1) abstention. ***The Resolution passed.***

“**Resolved**...at the request of the Executive Board of Bronx Community Board #10 that an evaluation form be used on an annual basis to review the District Manager, and that this be forwarded to the full Board for approval.”

A motion to table this Resolution to September was made by Mr. Sullivan, seconded by Mr. Bieder and unanimously approved by all.

A copy of the evaluation form will be attached to the June 15, 2017 minutes.

HOUSING/ZONING COMMITTEE: Mr. Sullivan

On June 13, 2017 a Public Hearing was held on the matters below. These items do not have to be voted on at the full Board meeting because there was a quorum at the Public Hearing. Below are the resolutions and voting results.

“**Resolved**...at the request of Bronx Community Board #10 that ULURP # C 160253 MMX, Map Change on modification of legal grades on Westchester Ave between Waters Place and the Hutchinson River Parkway East Service Road be forwarded to the full Board for approval.”

Mr. Bieder made a Motion to approve the ULURP; which was seconded by Mrs. Lock and **unanimously approved by all.**

“Resolved... at the request of Bronx Community Board #10 that ULURP # N170425ZRY in which NYC Planning proposes a zoning text amendment to require a CPC Special Permit for new self-storage facilities within Designated Areas in M districts, which represent New York City’s most active industrial area, to promote future availability of siting opportunities for industrial, more job intensive uses, be forwarded to the full Board for approval.”

The resolution was approved by a majority of Board members, with one abstention. ***The Resolution passed.***

More discussion to be held in the early Fall with the NYC Department of City Planning.

Unique People Services is a 27 year old housing agency that houses individuals that have special needs and cannot house themselves. Yvette Brisset-Andre is the Executive Director/CEO. The agency had clients speak with the Board and community members about their daily life and the ability to live close to family members due to Unique People Services’ placement.

There was a Motion to approve the proposed group home by Mr. Cantillo and seconded by Mr. Accomando.

“Resolved...at the request of Bronx Community Board #10, that the Unique People Services proposal for a group residence at 2717 Gifford Avenue, Bronx, NY 10465 for six developmentally disabled young women be forwarded to the full Board for approval.”

The vote is as follows: 4 yes, 17 no, and 3 abstentions. ***The Resolution did not pass.***

ECONOMIC DEVELOPMENT COMMITTEE: Mr. Accomando

The Committee met on June 6, 2017. There were resolutions for renewal and new liquor licenses which will be presented at the full Board meeting because there was no quorum on June 6, 2017.

A floor motion concerning Made In Puerto Rico follows:

“Resolved...at the request of Bronx Community Board #10 that a letter be written to the NY State Liquor Authority advising that in 2015 the Board rejected Made in Puerto Rico’s request for a liquor license and that this be forwarded to the full Board for its approval.”

A motion to accept the Resolution was made by Mr. Sullivan, seconded by Mr. Bieder, and approved by a majority of members with one abstention. ***The Resolution passed.***

For Renewals:

“Resolved...at the recommendation of the Economic Development Committee of Bronx Community Board #10, that the following establishments have agreed to comply with the best management practice standards contained within the Stipulations, by signing them, and to further agree to attend ATAP training, and that their compliance be sent to the State Liquor Authority, along with the Resolution and the vote, and copies placed in the Board’s file.”

*Ohana Restaurant, 500 City Island Ave, 10464, between Beach & Cross Sts, License #1166692, which expires on 07/31/17.

*Ohana Restaurant, 500 City Island Ave, 10464, between Beach & Cross Sts, License #1277313, which expires on 07/31/17.

*Lobster House, 691 Bridge St, 10464, between City Island & Minnieford Aves, License # 1219742, which expires on 06/30/17.

*Caridad Restaurant, 1436 Williamsbridge Rd, 10461, between St Raymond's & Halperin Aves, License #1117731, which expires on 6/30/17.

*Giovanni's Restaurant, 3209 Westchester Ave, 10461, between Wilkinson & Continental Aves, License # 1003953, which expires on 07/31/17.

*Sapito's, 3168 E Tremont Ave, 10461, between Waterbury Ave & Latting St, License # 1162594, which expires on 07/31/17.

*Honey's Thai Pavilion, 3036 Westchester Ave, between Hobart & St Theresa Aves, License #1287273, which expires on 07/31/17.

*Paddy's on the Bay, 50 Pennyfield Ave, 10465, between Bevy & Alan Pls, License # 1250871, which expires on 07/31/17.

A motion to accept the Resolution was made by Mr. Sullivan, seconded by Mr. Lynch and unanimously approved by all. ***The Resolution passed.***

For Renewals:

“**Resolved**...at the recommendation of the Economic Development Committee of Bronx Community Board #10, that the following establishments have agreed to comply with the best management practice standards contained within the Stipulations, by signing them, and to further agree to attend ATAP training, and that their compliance be sent to the State Liquor Authority, along with the Resolution and the vote, and copies placed in the Board's file:”

*Don Coqui, 565 City Island Ave, 10464, between Cross 7 Bridge Sts, License #1268490, which expires on 04/30/2019.
(NYPD Noise Complaints)

A motion to table the vote was made by Ms. Velazquez because of a Certificate of Occupancy issue. Prior to the vote on the above Resolution, discussions were held about sound and parking as well as the Occupancy. The Certificate of Occupancy matter has been resolved. Mr. Sullivan noted that Don Coqui has already received its renewal and if this is not voted on the “old” stipulations will remain in place. It was noted that Mr. Paul Gjonaj has reached out to the City Island Civic Association to start an on-going dialogue with the Association to address concerns/complaints; as of the current time, the Association has not returned any calls or emails. It was added that more stringent stipulations were signed by the management of Don Coqui, and the SLA had approved the renewal license in late April. As to parking, Mr. Gjonaj said that parking is run by a paid concession, and the customers are not charged for parking.

The motion made by Ms. Velazquez was not seconded.

A motion to accept the Resolution was made by Mr. Sullivan, seconded by Mr. Cantillo and approved as by a majority of Board members, with two opposed and one abstention. ***The Resolution passed.***

A recommendation was made to add a stipulation concerning parking. Another discussion began. Parking is a Department of Consumer Affairs matter, not State Liquor Authority. A motion to table the matter for a future discussion was made by Mr. Boiko and Ms. Elukowich with the following roll call results: (12) in favor, (11) against and (6) abstentions. ***The motion did not pass.***

The following New Licenses were broken down into individual Resolutions.

“Resolved... at the recommendation of the Economic Development Committee of Bronx Community Board #10, that the following establishment has agreed to comply with the best management practice standards contained within the Stipulations, by signing them, and to further agree to attend ATAP training, and that their compliance be sent to the State Liquor Authority, along with the Resolution and the vote, and copies placed in the Board’s file:

*Akshar Restaurant, 127 Westchester Ave, 10461, between Ferris Pl & E Tremont Ave, License #NEW.
Hours of Operation: Sunday-Wednesday 10:00 a.m. – 1:00 a.m.; Thursday – Saturday 10:00 a.m. – 4:00 a.m.;
Method of Operation: Disc Jockey/Recorded Music (Formerly Shanghai Red)”

A motion to accept the Resolution was made by Mr. Bieder and Ms. Baez with the following results: (15) in favor; (10) opposed and (3) abstentions. ***The Resolution passed.***

“Resolved... at the recommendation of the Economic Development Committee of Bronx Community Board #10, that the following establishment has agreed to comply with the best management practice standards contained within the Stipulations, by signing them, and to further agree to attend ATAP training, and that their compliance be sent to the State Liquor Authority, along with the Resolution and the vote, and copies placed in the Board’s file:

*3764 E Tremont Rest Group, 3764 E Tremont Ave, 10465, between Randall & Roosevelt Aves, License #NEW.
Hours of Operation: Sunday – Wednesday 12:00 p.m. – 12:00 a.m.; Thursday – 12:00 p.m. 2:00 a.m.; Friday – Saturday 12:00 p.m. 4:00 a.m.
Method of Operation: Disc Jockey/Recorded Music (Formerly Cabo)”

A motion to accept the Resolution was made by Mr. Bieder and Ms. Guanill-Elukowich with the following results: (11) in favor; (13) opposed and (3) abstentions. ***The Resolution did not pass.***

“Resolved... at the recommendation of the Economic Development Committee of Bronx Community Board #10, that the following establishment has agreed to comply with the best management practice standards contained within the Stipulations, by signing them, and to further agree to attend ATAP training, and that their compliance be sent to the State Liquor Authority, along with the Resolution and the vote, and copies placed in the Board’s file:

*Boulevard Central Bar & Grill, 2918 Bruckner Blvd, 10465, between E Tremont & Edison Aves, License #NEW.

Hours of Operation: Sunday - Friday 11:00 a.m. – 4:00 a.m., Saturday 11:00 a.m. 3:00 a.m.;
Method of Operation: Juke Box (Formerly Boulevard Tavern)”

A motion to accept the Resolution was made by Mr. Bieder and Mr. Sullivan with the following results: (23) in favor; (1) opposed and (3) abstentions. ***The Resolution passed.***

“**Resolved**...at the recommendation of the Economic Development Committee of Bronx Community Board #10, that the following establishment has agreed to comply with the best management practice standards contained within the Stipulations, by signing them, and to further agree to attend ATAP training, and that their compliance be sent to the State Liquor Authority, along with the Resolution and the vote, and copies placed in the Board’s file:

*Harlem Yacht Club, 417 Hunter Ave, 10464, between, between Ditmars & Bowne Sts, License # 1003334, which expires on 02/28/19. **(Change in ABC Officer)”**

A motion to accept the Resolution was made by Mr. Bieder and Ms. Baez with the following results: (26) in favor and (1) abstentions. ***The Resolution passed.***

The Economic Development Committee will have a meeting in July to review establishments that are applying for or renewing its liquor licenses. The following resolution was read.

“**Resolved**... at the recommendation of the Economic Development Committee of Bronx Community Board #10 that the full Board allow the Committee to forward their recommendations to the New York State Liquor Authority for the July 2017 meeting due to the time sensitive nature.”

A motion was made to forward stipulations to the full Board prior to the Summer 2017 Economic Development Committee for their review and to respond if there are objections, concerns, etc. prior to the Committee meeting. Discussion on pros and cons of having a full Board 2017 Summer meeting and/or a 2017 Summer Committee meeting began. Chairman Prince noted that it is important to have the establishments sign the new stipulations which are then forwarded to the NY State Liquor Authority. By having a Summer meeting for liquor licenses, that information can be forwarded to the NY SLA. The City Charter, Section 2800 states that there is no requirement to hold Board meetings in the months of July and August. As a result of the discussions, the Resolution was amended.

“**Resolved**... at the recommendation of the Economic Development Committee of Bronx Community Board #10 that the full Board allow the Committee to forward their recommendations to the New York State Liquor Authority for the July 2017 meeting due to the time sensitive nature, and that the Board will receive copies of all new stipulations prior to this Committee meeting. It will be up to the Board members to forward any concerns to the Committee in a timely fashion.”

A motion to accept the Resolution with an amendment with was made by Mr. Bieder, seconded by Mrs. Lock and approved by a majority of members with one abstention. ***The Resolution passed.***

YOUTH SERVICES/EDUCATION COMMITTEE: Mr. Bieder

The Committee will meet on June 19, 2017. Mr. Bieder mentioned the Best and Brightest event at Riverbay coordinated by Mr. Rod Saunders and Pastor Deborah Jenkins. He also thanked Mr. Patrick Caruso for creating the certificates. The Committee may meet over the summer to review proposals for community schools.

MUNICIPAL SERVICES COMMITTEE: Mr. Russo

The Committee met on June 13, 2017.

The following Street Activity Permits were voted on in Committee and passed.

“Resolved... at the request of the Municipal Services Committee of Bronx Community Board #10, that the following street activity permits be forwarded to the full Board for approval.”

354003	2 nd Annual Community Day Block Party Cross Bronx Expressway bet. E. Tremont and Dewey Aves.	9/17/2017	10 AM – 4:00 PM 9 AM – 4:30 PM incl. setup and breakdown	Althea Esty
355209	911 Memorial E. Tremont Ave. between Gerber Pl. and Sampson Ave.	9/11/2017	6 PM – 8 PM 5 PM – 9 PM	James McQuade
355566	Westcheser Square Back to School Giveaway Lane Ave. bet. Benson Street and E. Tremont Ave.	8/30/2017	1 PM – 4 PM 11 AM – 4 PM incl. setup and breakdown	Lisa Sorin
356196	St. Raymonds Block Party St. Raymonds Ave. bet. St. Peters Ave. and Overing St.	8/5/2017	1 PM – 7 PM 1 PM – 7:30 PM incl. setup and breakdown	Eduardo Martinez
356766	North Bronx Community BBQ Merritt Ave. bet. Tillotson and Givan Aves.	8/20/2017	11:30 AM – 7 PM 11 AM – 7:30 PM incl. setup and breakdown	Carene Lawrence
358071	Lyon Ave 5 th block party Lyon Ave. between Glebe and Castle Hill Avenues	8/19/2017	1PM – 9 PM 12:30 PM – 9 PM incl. setup and breakdown	Juana Enriquez
**358281	Metrougicare Grand Opening * and Annual Health Fair Halperin Ave. between Williamsbridge Rd. & Blondell Ave	7/13/2017 7/8/2017	10 AM – 3 PM 8 AM – 4 PM incl. setup and breakdown	Gabriela Silverio
			*Per Ms. DeSantis, SAPO Office, applicant will be changing her date to Saturday, July 8th. System would not accept date under 30 days.	
***358519	Wilcox Ave. Block Party Wilcox Ave. bet. Randall And Phillip Avenues	8/26/2017	2:30 PM – 11:30 PM incl. setup and breakdown	Michelle Covington

**358281 – Notified applicant that 8 AM start is too early; must be 9 AM.
***358519 – Notified applicant that 11:30 PM end time is too late; must be by 9 PM. Applicant had Board email request to change the time to 12 Noon to 9 PM.

A motion to accept the Resolution for street activity permits was made by Mr. Sullivan, seconded by Mr. Cantillo and unanimously approved by all. ***The Resolution passed.***

The NYC Department of Design and Construction presented plans to the Committee on the renovations to be done at 1400 Williamsbridge Road with a request for a letter of support.

“**Resolved**...at the request of Bronx Community Board #10 that the District Manager prepare a letter of support for the renovations of DOT’s headquarters at 1400 Williamsbridge Road and forward it to the Commissioner of the New York City Department of Design and Construction.”

A motion to accept the Resolution was made by Mr. Boiko, seconded by Mr. Bieder and unanimously approved by all. ***The Resolution passed.***

PARKS/RECREATION COMMITTEE: Mr. Lynch

The Committee met on June 12, 2017. Minutes are self-explanatory. The Colucci Playground project was presented by NYC Parks and Recreation which resulted in the following resolution:

“**Resolved**...at the recommendation of the Parks and Recreation Committee of Bronx Community Board #10 that the proposal presented by the NYC Department of Parks and Recreation for Colucci Park consisting of landscaping, installation of exercise equipment and seating be presented to the full Board for approval.”

A motion to accept the Resolution was made by Mr. Sullivan, seconded by Mr. Accomando and unanimously approved by all. ***The Resolution passed.***

A discussion on the proposed upgrades to the Co-op City Irrigation Project and the impact on the Little League field was also discussed with NYC Parks. In order to minimize the disruption to the Little League, work will be done in phases, starting in September.

PLANNING/BUDGET COMMITTEE: Mr. Prince for Mr. Misiurski

The Planning and Budget Committee did not meet in June.

HEALTH/HUMAN SERVICES: Bishop Rosario

The Committee met on May 25 and June 8, 2017. Minutes are self-explanatory. Mr. Cruz will consolidate the two letters written concerning the services at Weiler and Moses Campus of Montefiore Medical Center. The Committee would like to have other Community Boards involved with supporting the letter.

Public Hearing on the group home at 2717 Gifford Avenue did not pass. Ms. Guanill-Elukowich and Mr. Bieder are working with the provider to find alternate sites.

VETERANS SERVICES: Mr. Salimbene

Mr. Salimbene said the Veterans Services Committee is keeping in line with the Borough President's wish to have a Veterans Services Committee. He updated the community on the Committee's initiatives, including transportation services and Fischer House.

OLD BUSINESS:

Col. Chin discussed the opioid epidemic and how it is destroying families and communities; he would like to see more community involvement.

NEW BUSINESS:

Mr. Sullivan offered a round of applause for all officers of the Board. Mr. Prince added that the Board is headed in a good direction and there are still many issues to resolve.

Motion to close the, 2017 Community Board #10 meeting was made by Mr. Bieder, seconded by Mr. Sullivan and unanimously approved by all.

Respectfully submitted by Susan Duffy.

From: Torres, George (CB)
Sent: Tuesday, August 22, 2017 1:44 PM
To: Dana Driskell (DCP) <DDRISKE@planning.nyc.gov>
Subject: Letter of Support

August 22, 2017

Honorable Marisa Lago
Chairperson
City Planning Commission
120 Broadway, 31st Floor
New York, NY 10271

Re: Zoning Text Amendment on Self-Storage Facilities

Dear Chairperson Lago,

Please note that at the June 22, 2017 Full Board Meeting Community Board 12, the Bronx, its membership voted unanimously in support of the Self-Storage Text Amendment. There were 31 Board Members present for the vote.

Should you have any questions or concerns please feel free to contact me at the above listed phone number.

Sincerely,

William A. Hall

CC: Hon. Ruben Diaz, Jr., Bronx Borough President
Hon. Andrew Cohen, NYC Council Member, 11th Council District
Hon. Andy King, NYC Council Member, 12th Council District



COMMUNITY BOARD NO. 1

435 GRAHAM AVENUE – BROOKLYN, NY 11211

PHONE: (718) 389-0009

FAX: (718) 389-0098

Email: bk01@cb.nyc.gov

Website: www.nyc.gov/brooklyn1

HON. ERIC L. ADAMS
BROOKLYN BOROUGH PRESIDENT



RABBI ABRAHAM FERLSTEIN
FIRST VICE-CHAIRMAN

DEL TEAGUE
SECOND VICE-CHAIRPERSON

STEPHEN J. WEIDBERG
THIRD VICE-CHAIRMAN

MARIA VIERA
FINANCIAL SECRETARY

SONIA IGLESIAS
RECORDING SECRETARY

PHILIP A. CAPONEGRO
MEMBER-AT-LARGE

DEALICE FULLER
CHAIRPERSON

GERALD A. ESPOSITO
DISTRICT MANAGER

HON. STEPHEN T. LEVIN
COUNCILMEMBER, 33rd CD

HON. ANTONIO REYNOSO
COUNCILMEMBER, 34th CD

June 14, 2017

Ms. Marisa Lago, Director
NYC Department of City Planning
22 Reade Street
New York, NY 10007-1216

**RE: DCP # N170425ZRY – Proposed Self
Storage Facility Text Amendment**

Dear Ms. Lago:

Community Board No. 1 received copies of the following applications to review and provide our comments to the Department of City Planning: **DCP # N170425ZRY – Proposed Self Storage Facility Text Amendment** - The NYC Department of City Planning proposes a zoning text amendment to require a CPC Special Permit for new self-storage facilities within Designated Areas in M districts, which represent New York City's most active industrial areas, to promote the future availability of siting opportunities for industrial more job-intensive uses.

Please be advised that at the regular meeting of Brooklyn Community Board No. 1, held on June 13, 2017, the members of the board voted to support the Land Use, ULURP & Landmarks (subcommittee) Committee's report and the resolution to deny the application. Attached is a copy of the committee's report for your perusal.

The vote was as follows: 34 "YES"; 7 "NO"; 0 "ABSTENTIONS".

Working for a Better Williamsburg-Greenpoint.

Sincerely,

Dealice Fuller
Dealice Fuller
Chairperson



COMMUNITY BOARD NO. 1

435 GRAHAM AVENUE – BROOKLYN, NY 11211

PHONE: (718) 389-0009

FAX: (718) 389-0098

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HON. ERIC L. ADAMS
BROOKLYN BOROUGH PRESIDENT



RABBI ABRAHAM PERLSTEIN
FIRST VICE-CHAIRMAN

DEL TEAGUE
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MEMBER-AT-LARGE

DEALICE FULLER
CHAIRPERSON

GERALD A. KSPOSITO
DISTRICT MANAGER

HON. STEPHEN T. LEVIN
COUNCILMEMBER, 33rd CD

HON. ANTONIO REYNOSO
COUNCILMEMBER, 34th CD

June 13, 2017

LAND USE, ULURP, & LANDMARKS (subcommittee) COMMITTEE REPORT

TO: Chairperson Dealice Fuller and
CB #1 Board Members

FROM: Del Teague, Committee Chair
Trina McKeever, Landmarks Subcommittee Chair

RE: Report from meetings held on June 6 & June 7, 2017

(Please be advised that the Land Use, ULURP & Landmarks (subcommittee) Committee held a Public Hearing on the listed agenda items as follows)

WHEN: TUESDAY Public Hearing - June 6, 2017
(Attendance: Present -Teague, McKeever, McCann, Barros, Kaminski, Needelman, Rabbi Niederman, Rabbi Perlstein, Sofer, Weidberg, Weiser. Absent – Argento, Dybanowski, Viera)

WEDNESDAY Committee Meeting - June 7, 2017
(Attendance: Present -Teague, McCann, Barros, Kaminski, Needelman, Rabbi Niederman, Rabbi Perlstein, Sofer, Weidberg, Weiser. Absent – McKeever, Argento, Dybanowski, Viera)

TIME: 6:30 PM

WHERE: Swinging Sixties Senior Citizen Center
211 Ainslie Street
Brooklyn, NY 11211
(Corner of Manhattan Avenue)

(1.) DCP - CD 1 C 150278 ZMK - Pfizer Sites Rezoning: IN THE MATTER OF an application submitted by Harrison Realty LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 13b:

1. changing from an M3-1 District to an R7A District property bounded by the southwesterly centerline prolongation of Walton Street, Harrison Avenue, Gerry Street, and a line 100 feet southwesterly of Harrison Avenue;
2. changing from an M3-1 District to an R7D District property bounded by the southwesterly centerline prolongation of Walton Street, a line 100 feet southwesterly of Harrison Avenue, Gerry Street, a line 335 feet southwesterly of Harrison Avenue, Wallabout Street, a line 200 feet southwesterly of Harrison Avenue, a line 140 feet northwesterly of Wallabout Street, and a line 265 feet southwesterly of Harrison Avenue;
3. changing from an M3-1 District to an R8A District property bounded by the southwesterly centerline prolongation of Walton Street, a line 265 feet southwesterly of Harrison Avenue, a line 140 feet northwesterly of Wallabout Street, a line 200 feet southwesterly of Harrison Avenue, Wallabout Street, a line 335 feet southwesterly of Harrison Avenue, Gerry Street, Flushing Avenue, Marcy Avenue, Wallabout Street, and Union Avenue;
4. establishing within the proposed R7A District a C2-4 District bounded by the southwesterly centerline prolongation of Walton Street, Harrison Avenue, Gerry Street, and a line 100 feet southwesterly of Harrison Avenue;
5. establishing within the proposed R7D District a C2-4 District bounded by the southwesterly centerline prolongation of Walton Street, a line 100 feet southwesterly of Harrison Avenue, Gerry Street, a line 335 feet southwesterly of Harrison Avenue, Wallabout Street, and a line 200 feet southwesterly of Harrison Avenue; and
6. establishing within the proposed R8A District a C2-4 District bounded by the southwesterly centerline prolongation of Walton Street, a line 265 feet southwesterly of Harrison Avenue, a line 140 feet northwesterly of Wallabout Street, a line 200 feet southwesterly of Harrison Avenue, Wallabout Street, a line 335 feet southwesterly of Harrison Avenue, Gerry Street, Flushing Avenue, Marcy Avenue, Wallabout Street, and Union Avenue;

Mr. Raymond Levin presented on behalf of Harrison Realty LLC. He explained that the applicant is asking for Mandatory Inclusionary Housing Designation with the intent of building a development which consists of 8 residential buildings ranging from 5 to 14 stories with 404 parking spaces, and retail spaces that would accommodate mostly small local businesses, one of which is large enough to house a super market. There would be overall 1,146 residential units with 25% affordable units at the AMI average of 60%. The affordable units, totaling 287, are broken down as 5% at 100% AMI; 10% at 60% AMI; and 10% at 40% AMI. They would be integrated with and spread out among the market rate units with equal access to the amenities. In response to requests from the community, there will be no studio apartments.

The plan calls for the buildings to have private open spaces between them, and a 65-foot-wide green space which will be privately developed and maintained, but open to the public.

The applicant estimates occupancy by November 2019.

In response to questions and concerns raised by speakers and residents, regarding whether there will be local hiring and prevailing wages, the applicant has committed in writing to hire local workers for both the construction and operation of the development and to pay prevailing wages to service workers at the new site. The applicant has also committed to give the Community Board prior notice of the opening of the affordable housing lottery and to market the affordable units directly to the public. Additionally, the applicant commits to working with local organizations to get the word out about the opportunity to apply for the affordable housing.

Recommendation: The committee voted unanimously to approve the application with the incorporation of the above commitments which have been made in writing by the applicant.

The committee noted the critical need for permanent affordable housing in the area in which the proposed site is located, especially considering the absence of the creation of any new affordability in that area for many years. In addition, the committee noted the ongoing federal lawsuit that threatens to take away community preference with affordable housing. That threat makes it wise and in the community's best interests to move ahead expeditiously with getting our residents placed in affordable units.

(2.) DCP # N170425ZRY – PROPOSED SELF STORAGE FACILITY TEXT

AMENDMENT- The NYC Department of City Planning proposes a zoning text amendment to require a CPC Special Permit for new self-storage facilities within Designated Areas in M districts, which represent New York City's most active industrial areas, to promote the future availability of siting opportunities for industrial more job-intensive uses. (See Attached Documents)

Ms. Kerensa Wood presented. Ms. Wood explained that the motivation for this proposal is the growth and resurgence of industry in North Brooklyn. When asked about the effect such a requirement would have on self-storage units, she said a new unit would have to go through a whole ULURP process, which could take up to 2 years without any guarantee of success.

There was testimony in opposition to the city's proposal by both individuals and a representative of Safe N Lock Self-Storage Company. The opponents argued that the city's plan would pose an unfair, perhaps fatal, burden on small businesses, especially the burgeoning on-line business community, which use the economical and moderate size self-storage spaces to store inventory. The representative of Safe N Lock Self-Storage stated that a recent citywide survey shows that businesses account for 30%, perhaps 40%, of self-storage users and they include non-profit

organizations, manufacturers, home renovation contractors and mom-and -pop retailers, as well as NYC agencies like the Dept. of Homeless Services helping families in transition.

Opponents also argued that working and middle class residents who rely on self-storage as their only affordable storage option in this space constrained city often cannot afford the larger more expensive spaces offered by warehouses, which will not be affected by the proposal.

Opponents also noted that this board has been urging the city to enact a requirement for hotels to obtain special permits. It was argued that the hotels, which also take up large space in manufacturing areas, have presented an untenable burden on our infrastructure.

Recommendation: The committee voted unanimously to disapprove the zoning text amendment until further study is conducted to show how the above negative effects on our businesses and private residents can be addressed and ameliorated, if the zoning text amendment is enacted.



CITY OF NEW YORK
Community Board No. 2

350 JAY STREET - 8TH FL.

BROOKLYN, N.Y. 11201

(718) 596-5410 FAX (718) 852-1461
cb2k@nyc.rr.com

ERIC ADAMS
Borough President

SHIRLEY A. M^oRAE
Chairperson

ROBERT PERRIS
District Manager

July 9, 2017

Marisa Lago, Chairperson
City Planning Commission
120 Broadway, 31st Floor
New York, NY 10271

Dear Chairperson Lago:

I am writing to inform you that Community Board 2 reviewed and made a determination on the "Self-Storage Text Amendment," N 170425 ZRY, as proposed by the Department of City Planning (DCP).

The board's Land Use Committee received a presentation from Mr. Anand Amin, a city planner in the Brooklyn borough office of DCP, on the proposal to regulate self-storage facilities by introducing a special permit to allow development in designated districts that are coterminous with Industrial Business Zones (IBZ).

The proposal, which will allow for the optimal use of property in Industrial Business Zones, will have limited impact in Community District 2 because the only IBZ within the district is located at the Brooklyn Navy Yard, which is highly unlikely to extend a lease to a self-storage facility.

Following the presentation and discussion, the Land Use Committee of Community Board 2 voted seven in favor, one opposed, one abstention (7-1-1) to recommend that the community board support the zoning text amendment. On June 26, 2017, the executive committee, acting on behalf and with the authorization of Community Board 2, voted unanimously (9-0-0) to ratify the land use committee's recommendation to support the "Self-Storage Text Amendment."

Thank you for the opportunity to comment.

Sincerely,

Shirley A. M^oRae

Marisa Lago, Chairperson
City Planning Commission
July 9, 2017
Page 2

cc: Hon. Eric L. Adams
 Brooklyn Borough President
Hon. Stephen Levin
 New York City Councilmember
Winston Von Engel, Brooklyn Borough Director
Anand Amin, City Planner
 Department of City Planning
David Ehrenberg, President & CEO
 Brooklyn Navy Yard Development Corporation

SAM^c : CAC



CITY OF NEW YORK
Community Board No. 2

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ERIC ADAMS
Borough President

SHIRLEY A. M^CRAE
Chairperson

ROBERT PERRIS
District Manager

August 21, 2017

OFFICE OF THE
CHAIRPERSON

AUG 28 2017

OFFICE OF THE
CHAIRPERSON

AUG 28 2017

Marisa Lago, Chair
City Planning Commission
120 Broadway, 31st Floor
New York, New York 10271

30108

Dear Chair Lago:

I am writing with regard to N 170425 ZRY (A), the Self-Storage Text Amendment as amended and submitted by the Department of City Planning on August 4, 2017. A public hearing on the amended language is scheduled for August 23, 2017.

The original version of the text amendment was referred out for 60 days on May 22, 2017 and in a letter dated July 9, 2017, I provided the City Planning Commission with the determination of Brooklyn Community Board 2.

The borough presidents of the Bronx, Brooklyn, Queens and Staten Island and the 27 affected community boards have been given only 19 days to review the revised text amendment. Further, this short period occurred when most community boards were on summer recess. I request that the deadline for comment be extended so that the affected community boards can, if they individually so choose, schedule presentations and public hearings on the amended text following their return from recess.

Please consider this letter as my testimony and have it entered into the hearing record and provided to your fellow commissioners.

Thank you for the opportunity to comment.

Sincerely,

Shirley A. M^CRae

cc: see following page

Marisa Lago, Chair
City Planning Commission
August 21, 2017

cc: Hon. Eric L. Adams
Brooklyn Borough President
Hon. Stephen Levin
New York City Council
Winston Von Engel, Brooklyn Borough Director
Anand Amin, City Planner
Kerensa Wood, City Planner
Department of City Planning
Chairpersons
Bronx Community Boards 1-4, 6, 9, 10 and 12
Brooklyn Community Boards 1, 4-7, and 16-18
Queens Community Boards 1, 2, 5, 9, 10, 12 and 13
Staten Island Community Boards 1-3
David Ehrenberg, President
Brooklyn Navy Yard Development Corporation

SAM^c:RP

Application #: **N 170425 ZRY**

Project Name: *Self-Storage Text Amendment*

CEQR Number:

Borough(s): Brooklyn

Community District Number(s): 4

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

SUBMISSION INSTRUCTIONS

- Complete this form and return to the Department of City Planning by one of the following options:
 - EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
 - MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
 - FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

IN THE MATTER OF a zoning text amendment to establish restrictions on new self-storage facilities within the Industrial Business Zones to ensure that their development does not unduly limit future siting opportunities for more job-intensive, industrial uses. The proposed restrictions would apply within newly established "Designated Areas" in Manufacturing districts, which largely coincide with Industrial Business Zones (IBZs).

Applicant(s): NYC Department of City Planning 120 Broadway, 31st Floor New York, NY 10271		Applicant's Representative: Beth Lebowitz, DCP 212-720-3325
Recommendation submitted by: Brooklyn Community Board 4		
Date of public hearing: June 21, 2017		Location: 195 Linden Street, Brooklyn, NY 11221
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		<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>
Date of Vote: June 21, 2017		Location: 195 Linden Street, Brooklyn, NY 11221
RECOMMENDATION		
<input checked="" type="checkbox"/> Approve	<input type="checkbox"/> Approve With Modifications/Conditions	
<input type="checkbox"/> Disapprove	<input type="checkbox"/> Disapprove With Modifications/Conditions	
Please attach any further explanation of the recommendation on additional sheets, as necessary.		
Voting		
# In Favor: 35	# Against:	# Abstaining:
		Total members appointed to the board: 50
Name of CB/BB officer completing this form Celestina Leon	Title District Manager	Date 8/7/2017



COMMUNITY BOARD 5, BROOKLYN

404 Pine Street, 3rd Floor • Brooklyn, New York 11208

Telephone: 929-221-8261 Fax: 718-827-7374

Email: Bk05@cb.nyc.gov

Website: www.brooklyn5.org

Honorable Eric L. Adams

Brooklyn Borough President

Andre T. Mitchell, Chairman



Melinda Perkins, District Manager

July 11, 2017

NYC Department of City Planning
Brooklyn Office
16 Court Street, Suite 705
Brooklyn, New York 11241

**RE: Self-Service Storage Facility Text Amendment
#170425 ZRY**

To Whom It May Concern,

This is an official notification of support from Brooklyn, Community Board 5 (CB5) on the Self-Service Storage Facility Text Amendment for IBZ districts.

The NYC Department of City Planning presented to the Land Use Committee on the Text Amendment. The Committee recommended approval to the full Board with the following amendments:

- Afford changes in boundaries to allow for greater distances between storage facilities
- Implement standards of transparency to alert Community Board as to the contents of approved storage units

The Public General Board Meeting was held on June 28th, 2017 at P.S. 13 located at 557 Pennsylvania Avenue in Brooklyn New York. The Board Members of CB5 had a recognized quorum of its membership and voted in favor of the application for the Self-Storage Facility Text Amendment; with the amendments recommended by the Land Use Committee. The Board vote was as follows:

30 Members Present **Yes: 30** **No: 0** **Abstain: 0**

If you require any additional information, please contact the District Office.

Respectfully Yours,

Andre T. Mitchell

Brooklyn, Community Board 5 Chair Person



THE CITY OF NEW YORK **COMMUNITY BOARD SIX**

Eric Adams
Borough President

Sayar Lonial
Chairperson

Craig Hammerman
District Manager

July 24, 2017

Marisa Lago, Director
Department of City Planning
120 Broadway, 31st Floor
New York, New York 10271

Dear Director Lago:

I am writing to advise you that at its July 6, 2017 Executive Committee meeting, Brooklyn Community Board 6 adopted the following resolution related to Land Use Review Application number N170425 ZRY, commonly referred to as the proposed Self-Storage Facility Text Amendment:

Department of City Planning Land Use Review Application N170425 ZRY
Proposed Self-Storage Facility Text Amendment

After hearing a presentation from the applicant at their meeting on June 19, 2017, our Economics, Waterfront, Community Development & Housing Committee chair reported the details of Land Use Review Application number N170425 ZRY to our Executive Committee on July 6, 2017. The Executive Committee, acting on behalf of and with authority granted by the Community Board's bylaws, accepted a motion to conditionally support the application in question. The motion was ratified by a vote of ten in favor, one opposed, and zero abstentions.

Our support for Land Use Review Application number N170425 ZRY is conditional based on two modifications. First, Community Board 6 would like to see Self-Storage facilities require a Special Permit in all M zones, not just Industrial Business Zones. Second, we would like to see Hotels and other non-industrial uses added to the list of businesses that require a Special Permit.

As always, thank you for the opportunity to comment on this important matter.

Sincerely,

Sayar Lonial
Chairperson



Community Board Ten

8119 5th Avenue • Brooklyn, NY 11209
(718) 745-6827 • Fax (718) 836-2447
BK10@cb.nyc.gov
www.bkcb10.org

LORI WILLIS
Vice Chairperson
JAYNEMARIE CAPETANAKIS
Secretary
SANDY VALLAS
Treasurer

DORIS N. CRUZ
Chair

JOSEPHINE BECKMANN
District Manager

July 14, 2017

'17 JUL 25 AM 10:33

Mr. Robert Dobruskin, Director
New York City Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Re: Self-Storage Text Amendment, CEQR No.
17DCP119Y; ULURP No. N170425 ZRY


Dear Mr. Dobruskin:

At a duly publicized meeting of Brooklyn Community Board Ten held on June 19, 2017, members voted overwhelmingly in support of the proposed DCP Self-Storage Text Amendment, CEQR No. 17DCP119Y; ULURP No. N170425 ZRY.

Please see the attached Zoning and Land Use Committee Report which details the reasons for Community Board 10's support of the Self-Storage Text Amendment at this time.

Please do not hesitate to contact me if you need further information. Thank you for your attention

Sincerely,



Josephine Beckmann
District Manager

JB:dg
Enc.

cc: Borough President Eric L. Adams
Council Member Gentile
Jeremy Laufer, DM – CB 7, Brooklyn

ERIC L. ADAMS, BOROUGH PRESIDENT

Introduction

The ZALUC Committee Meeting met at 7:00 on June 15, 2017 at the CB 10 District Office. The Committee did meet in quorum.

Topic #1

The Bay Ridge Parkway 400 Block Association returned to the Zoning Committee in seek of a letter of recommendation from the Board in favor of designating Bay Ridge Parkway between 4th and 5th Avenue an Historic District by the NYC Landmarks Preservation Commission. The Committee first discussed this matter at our May Committee meeting, but asked that all property owners on the block be notified and invited to speak at our ZALUC meeting before the committee made any recommendations. Prior to the June meeting, both the Block Association and CB 10 reached out to all property owners inviting them to attend or submit comment. About 10 owners attended our meeting all in favor of landmarking, and no comments were submitted it the Board in favor or against.

At the June meeting, Kelly Carroll, a local Bay Ridge resident and Director of Advocacy and Community Outreach from the Historic Districts Council made a presentation. HDC has been working with the Block Association and is in favor of landmark status. NYC Landmarks Law is the strongest preservation law in the Country, and HDC believes designation is the best way to preserve this full block of limestone rowhouses from changes by future developers. HDC stated that presently Landmarks favors smaller historic districts rather than full community ones. HDC believes that once the 400 Block is granted landmark status, it could serve as a blueprint for other worthy blocks in Bay Ridge to also seek designation.

The residents present discussed that the Block Association is firmly in support and are eager to move the process along. Should Landmarks accept the application, the Commission would hold its own outreach, and public hearings before voting on the designation.

The Committee discussed the request for support and unanimously voted on a motion to issue a letter of support to the Landmarks Preservation Commission in favor of granting landmark status to Bay Ridge Parkway between 4th and 5th Avenue. The vote was done in quorum.

Topic #2

The Committee reviewed a Citywide Self Storage Text Amendment that has been initiated by the Department of City Planning. The Amendment would introduce a Special

Permit under the jurisdiction of the City Planning Commission for all new self-storage development in designated Manufacturing districts. This would allow for a case by case full public review process including CB input to ensure that the development of self-storage does not diminish future siting opportunities for industrial, more job-intensive businesses.

None of the proposed areas are in CB10, but they are in neighboring CB 7 along the Sunset Park waterfront area. Even though it does not affect CB 10 now, the Brooklyn Borough Board is scheduled to vote on this in July and the Committee believed we should take a position.

The Committee discussed the Text Amendment and felt that instituting a special permit and a public review process was a good thing for self-storage units. We were concerned as to how CB 7 felt about this Amendment and at the time of our meeting we did not have knowledge as to CB 7's position. The Committee unanimously supported a motion to support the Text Amendment subject to an inquiry as to CB 7's position. Should CB7's position differ from ours, we would follow CB7's lead.

Following the meeting the we learned that CB 7 has not yet discussed or taken a close look yet. Thus, the motion as it stands would be to fully support the text amendment as presented by the Department of City Planning.

The Meeting was adjourned at 8:10PM

Respectfully Submitted:



Brian J. Kaszuba

Committee Chair Zoning and Land Use Committee

Committee Members Attending:

Josephine Beckman, DM

Brian Kaszuba, ZALUC Chair

Ann Falutico

Brian Walsh

Steve Harrison

Brian Kieran

Dean Rasinya

Susan Pulaski

Application #: **N 170425 ZRY**

Project Name: **Self Storage Text Amendment**

CEQR Number:

Borough(s): Brooklyn

Community District Number(s): 16

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

SUBMISSION INSTRUCTIONS

- Complete this form and return to the Department of City Planning by one of the following options:
 - EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
 - MAIL:** Calendar Information Office, City Planning Commission, Room 2E, 22 Reade Street, New York, NY 10007
 - FAX:** (212) 720-3356 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

The New York City Department of City Planning (DCP) proposes a zoning text amendment to require a CPC Special Permit for new self-storage facilities within Designated Areas in M districts, which represents New York City's most active industrial areas, to promote the future availability of siting opportunities for industrial, more job-intensive uses.

Applicant(s): NYC Department of City Planning 120 Broadway, 31st Floor New York, New York 10271		Applicant's Representative: Beth Lebowitz 212-720-3263
Recommendation submitted by: Brooklyn Community Board 16		
Date of public hearing: June 27, 2017		Location: 444 Thomas S. Boyland Street
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		<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>
Date of Vote: June 27, 2017		Location: 444 Thomas S. Boyland Street
RECOMMENDATION		
<input checked="" type="checkbox"/> Approve	<input type="checkbox"/> Approve With Modifications/Conditions	
<input type="checkbox"/> Disapprove	<input type="checkbox"/> Disapprove With Modifications/Conditions	
Please attach any further explanation of the recommendation on additional sheets, as necessary.		
Voting		
# In Favor: 11 # Against: 9 # Abstaining: 3 Total members appointed to the board: 41		
Name of CB/BB officer completing this form Genese Morgan	Title Chairperson	Date 7/31/2017

N170425ZRY – Self-Storage Text Amendment

At its public meeting held on June 27, 2017, Community Board #16 voted 11-in favor, 9-against, and 3-abstentions on the self-storage text amendment to establish restrictions on new self-storage facilities within the Industrial Business Zone to ensure that their development will not limit future siting opportunities for industrial businesses.

Application #: **N 170425 ZRY**

Project Name: **Self-Storage Text Facility Amendment**

CEQR Number:

Borough(s): Brooklyn

Community District Number(s): 17

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

SUBMISSION INSTRUCTIONS

- Complete this form and return to the Department of City Planning by one of the following options:
 - EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
 - MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
 - FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

IN THE MATTER OF an application submitted by

NYC Department of City Planning proposed Zoning Text Amendment to require a CPC Special Permit for new self-storage facilities within New York City's most active industrial areas.

Please see attached letter from CB17

Applicant(s):		Applicant's Representative:	
Recommendation submitted by:			
Date of public hearing: June 21, 2017		Location: SUNY Downstate Medical Center 395 Lenox Road	
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		<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>	
Date of Vote: June 21, 2017		Location: SUNY Downstate Medical Center 395 Lenox Road	
RECOMMENDATION			
<input checked="" type="checkbox"/> Approve	<input type="checkbox"/> Approve With Modifications/Conditions		
<input type="checkbox"/> Disapprove	<input type="checkbox"/> Disapprove With Modifications/Conditions		
<u>Please attach any further explanation of the recommendation on additional sheets, as necessary.</u>			
Voting			
# In Favor: 31	# Against: 1	# Abstaining: 2	Total members appointed to the board: 47
Name of CB/BB officer completing this form	Title	Date	
Sherif Fraser	District Manager	6/29/2017	



The City of New York

30590

COMMUNITY BOARD 17

4112 Farragut Road, Brooklyn, NY 11210
Tel: (718) 434-3072 Fax: (718) 434-3801

Executive Officers

Barrington Barrett
Chairperson

Rodrick F. Daley
First Vice Chair

Terrance La Pierre
Second Vice Chair

June Persaud
Treasurer

Judith Destin
Secretary

June 28, 2017

Sherif Fraser
District Manager

OFFICE OF THE
CHAIRPERSON

JUL 06 2017

Ms. Marisa Lago
Director
Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Re: Proposed Self-Storage Facility Text Amendment N 1704425 ZRY

Dear Ms. Lago:

Community Board 17's General Board Meeting and Public Hearing was held on Wednesday, June 21, 2017 at SUNY Downstate Medical Center, located at 395 Lenox Road, Brooklyn, NY 11203.

At the meeting, the members of Community Board 17 voted to **APPROVE** City Planning's proposal for a special permit for the following action item:

- **Proposed Self-Storage Facility Text Amendment – N 170425 ZRY:** NYC Department of City Planning proposed Zoning Text Amendment to require a CPC Special Permit for new self-storage facilities within New York City's most active industrial areas:

YES - 31 NO - 1 ABSTAIN - 2

Sincerely,

Barrington Barrett
Chairperson
Community Board 17

Valarie S. Hollingsworth
Chairperson
Land Use Committee



City of New York Community Board #1, Queens

The Pistilli Grand Manor
45-02 Ditmars Boulevard, LL Suite 1025
Astoria, N.Y. 11105
Tel: 718-626-1021, Fax: 718-626-1072
E-mail: qn01@cb.nyc.gov

Melinda Katz
Borough President, Queens
Vicky Morales
Director, Community Boards
Norma Nieves-Blas
Chairperson
Florence Koulouris
District Manager

EXECUTIVE BOARD

Norma Nieves-Blas
Chairperson

First Vice Chairperson
Jean Marie D'Alleva
Second Vice Chairperson
Richard Khuzami
Third Vice Chairperson
Edward Babor
Executive Secretary
Thomas Ryan
Sergeant-at-Arms

COMMITTEES & CHAIRPERSONS

Access and Disability
Daniel Aliberti
Airport
RoseMarie Poveromo
Capital/Expense & Budget/Planning
Norma Nieves-Blas
Community & Economic Development
Thomas Ryan
Consumer Affairs
John C.V. Katsanos
Education/Library
Danielle Tharrington
Environmental Protection
Antonella Di Saverio
Health/Senior Services
Judy Trilivas
Housing
RoseMarie Poveromo
Land Use & Zoning
Gerald Caliendo
Elizabeth Erion
Legal, Legislative & Parliamentary
John C.V. Katsanos
Office Staff
Joseph Risi
Parks/Recreation & Cultural Services
Richard Khuzami
Public Relations
Katie Ellman
Public Safety
Antonio Meloni
Street Festivals/Special Events
Ann Bruno
Transportation
Robert Piazza
Youth Services
Jose Batista

July 6, 2017

Honorable Marisa Lago, Chair
City Planning Commission
120 Broadway
New York, New York 10271

Re: N 170425 ZRY
Proposed Self-Service Storage Facility Text Amendment

Dear Chair Lago,

At its monthly meeting on June 20, 2017. Community Board 1 Queens (CBIQ) voted 26 in favor, 5 opposed with 0 abstentions on the motion to disapprove the Proposed Self-Service Storage Facility Text Amendment (N 170425 ZRY) in its current form, modifying the proposed text in the following manner:

1. Eliminate the CPC Special Permit requirement for new self-storage buildings in IBZs;
2. Require a set-aside of 30% of floor area in new self-storage buildings in IBZs to be occupied by a permitted manufacturing use, certified by the Department of Buildings (DOB) during its plan approval review;
3. Prohibit new self-storage buildings in IBZs from developing on sites that would displace active manufacturing uses and jobs certified by DOB during its review.

Background and Comment

On June 7, 2017 representatives of the Department of City Planning presented ULURP application N 170425 ZRY to the Land Use and Zoning Committee of CBIQ. The application proposes to amend the Zoning Resolution to require self-service storage facilities, now permitted as of right in manufacturing districts, to seek a CPC Special Permit in order to locate within designated Industrial Business Zones (IBZs).

BOARD MEMBERS (cont.)

Rose Anne Alafogiannis
George Alexiou
Loren Amor
Joan Asselin
Avninder Aujla
Giselle Aida Burgess
Edwin Cadiz
Mackenzi Farquer
Dean O. Feratovic
Evie Hantzopoulos
Amy Hau
Helen Ho
Pauline Jannelli
Vanessa Jones-Hall
George Kalergios
Nancy Konipol
Jerry Kril
Melanie La Rocca
Frances Luhmann-McDonald
Prabir Mitra
Stella Nicolaou
Mary O'Hara
Yawne Robinson
Manuel Salce
Rodolfo Sarchese
Nancy Silverman
Dominic Stiller
Andre Stith
Marie Torniali
Rod Townsend

The intent of the text amendment is to prevent a low job-generating use from occupying sites in specific manufacturing areas that could otherwise be appropriate for industrial uses that are more job-intensive.

After review and discussion, the Committee prepared its recommendation and motion for vote that was presented to CBIQ at its monthly meeting. The major objections were:

- The proposed text does not acknowledge the market demand for self-storage;
- Self-storage is a permitted use in manufacturing districts and should not have special restrictions;
- The special permit process takes two years to complete and is burdensome to property owners;
- The proposed text prevents property owners from keeping a site economically viable and generating a return.

The Board fully supports the intent of the text amendment: to protect and preserve manufacturing jobs for the city's economic well-being and, in the case of storage facilities, help restrict a use that kills a community's street life. However, the Board believes this attempt will not reach that end.

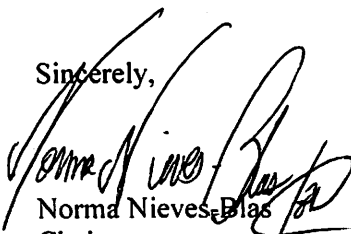
The City and public and private economic organizations have dropped the ball in their efforts to attract manufacturing and other trending business north of Queens Plaza. A more proactive approach is needed in marketing the Dutch Kills and Ravenswood areas for industrial uses and business especially those associated with Cornell/Technion that is directly accessible from these neighborhoods.

The City also has the ability to introduce economic incentives by way of property tax exemptions, tax rebates or additional floor area when jobs are generated in new construction or altered warehouse/office space.

CBIQ acknowledges that job protection is paramount in IBZs and that active manufacturing uses with large numbers of jobs have positive economic benefits on local businesses in the surrounding community. But this text amendment seems to be an overreaching regulation that will ultimately have little effect on generating new manufacturing jobs.

The Board's recommendation is meant to continue opportunities for new space and manufacturing jobs in IBZs without placing a burden on a property owner.

Sincerely,



Norma Nieves-Blas
Chairperson

cc: Honorable Costa Constantinides
Honorable Jimmy Van Bramer
Mr. Irving Poy, Borough President's Office
Mr. John Young, DCP
Ms. Joy Chen, DCP



Melinda Katz
Queens Borough President

Community Board No. 2

43-22 50th Street, 2nd Floor
Woodside, New York 11377

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Fax (718) 533-8777

Email qn02@cb.nyc.gov

www.nyc.gov/queenscb2

Denise Keehan-Smith
Chairwoman

Debra Markell Kleinert
District Manager

June 5, 2017

Marisa Lago, Director
Department of City Planning
City Planning Commission
Calendar Information Office
120 Broadway, 31st Floor
New York, NY 10271

RE: **Proposed Self-Storage Facility Text Amendment – N 170425 ZRY**

Dear Ms. Lago:

On June 1, 2017, Community Board 2 held a public hearing concerning the Proposed Self-Storage Facility Text Amendment N 170425 ZRY.

At that meeting with a quorum present, a motion was made and seconded in support of the application for the Proposed Self-Storage Facility Text Amendment - N 170425 ZRY. The vote was all in favor with none opposed and no abstentions.

If you have any questions, please contact CB 2 at (718) 533-8773.

Sincerely,

Debra Markell Kleinert
District Manager

DMK/mag

cc: Honorable Joseph Crowley, US Congress
Honorable Carolyn B. Maloney, US Congress
Honorable Grace Meng, US Congress
Honorable Nydia M. Velazquez, US Congress
Honorable Michael Gianaris, NY State Senate
Honorable Brian Barnwell, NYS Assembly
Honorable Michael DenDekker, NYS Assembly
Honorable Catherine T. Nolan, NYS Assembly

Honorable Elizabeth Crowley, NYC Council Member
Honorable Jimmy Van Bramer NYC Council Member, Majority Leader
Honorable Daniel Dromm, NYC Council Member
Honorable Melinda Katz, Queens Borough President of the Borough of Queens
Honorable Melva Miller, Deputy Borough President
Irving Poy, Queens Borough President's Office
John Young, Department of City Planning
Alexis Wheeler, Department of City Planning
Nick Guertin, Department of City Planning
Joe Nocerino, Queens Borough President's Office
Denise Keehan-Smith, Chairwoman, Community Board 2
Lisa Deller, Chair, Land Use Committee CB 2

DCP Proposed Self-Storage Text Amendment



Community Board No. 5

Borough of Queens
Ridgewood, Maspeth, Middle Village and Glendale
61-23 Myrtle Avenue • Glendale, NY 11385
(718) 366-1834
Fax (718) 417-5799
E-mail: qnscb5@nyc.rr.com



Vincent Arcuri, Jr.
Chairperson

Gary Giordano
District Manager

July 17, 2017

City Planning Commission
Calendar Information Office
120 Broadway (31st Floor)
New York, New York 10271

Re: Recommendation for No Objection
Application #: N 170425 ZRY
Proposed Self-Service Storage Facility Text Amendment

At our regular monthly meeting of Wednesday, June 14, 2017, the members of Community Board 5, Queens adopted the recommendation of their Zoning and Land Use Review Committee stating that the Board have No Objection to the Proposed Self-Service Storage Facility Text Amendment, as proposed by the N.Y. City Dept. of City Planning.

The vote regarding this matter was: 36 in favor of No Objection, -0- opposed, -0- abstaining and -0- not voting.

Considering that within the Community District 5, Queens area there is the Maspeth Industrial Business Zone and the South of Myrtle Avenue, Ridgewood IBZ, we thank the Department of City Planning and the City Planning Commission for their efforts to safeguard manufacturing areas in our city.

Sincerely,

Gary Giordano
District Manager

CC: John Young, Queens Director, NY City Dept. of City Planning
Hon. Melinda Katz, Borough President of Queens
Hon. Elizabeth Crowley, City Council Member
Hon. Antonio Reynoso, City Council Member
V. Arcuri, W. Sanchez and T. Renz of CB5Q

City of New York



COMMUNITY BOARD NO.9

Queens Borough Hall
120-55 Queens Boulevard, Room 310-A
Kew Gardens, NY 11424

(718) 286-2686
Fax (718) 286-2685
Meeting Hotline (718) 286-2689
Email: communitybd9@nyc.rr.com
Website: www.nyc.gov/queenscb9

Raj Rampershad, Chairperson * Lisa Gomes, District Manager * Melinda Katz, Borough President

October 18, 2017

NYC Department of City Planning
The Calendar Officer
120 Broadway
New York, NY 10271-3100

Re: N170425 (A) ZRY-Proposed A-Text for the Self-Service Storage Facility Text Amendment

At its meeting on Tuesday, October 10, 2017, Community Board 9Q voted to Oppose the Self-Storage Text Amendment. The Vote was 35 in favor, 1 opposed, 1 abstention and 1 not present. Please see the attached CB9Q Resolution.

Sincerely,

A handwritten signature in blue ink, appearing to read "Raj Rampershad".

Raj Rampershad
Chairperson

Cc: QBP Melinda Katz, Council Member Karen Koslowitz, Council Member Eric Ulrich, Council Member, Elizabeth Crowley

October 10, 2017

Opposed

Queens Community Board 9 opposes the **amended** self-storage text amendment (A text) put forth by the New York City Department of City Planning in August. The reasons for our opposition are as follows.

1) From special permit to as-of-right use

The initial proposal of May 22, 2017 required a Special Permit to construct a self-storage facility within newly established "designated areas" in manufacturing zoning districts. A special permit triggers a formal public review process (ULURP) during which an application can be carefully considered and, if necessary, revised. A special permit was put forth to ensure that M zones were being used for their utmost industrial purpose, that is to provide, in an increasingly expensive city, areas where manufacturing and manufacturing jobs could be established

Under the A text filed in August by City Planning, self-storage facilities would be permitted as-of-right in designated areas in manufacturing districts, provided that a minimum specified amount of ground floor space (20,000 square feet) is set aside for more job-intensive industrial uses. The amended text elaborates upon a mixed-use alternative to the proposed action presented in the Draft Environmental Impact Statement (DEIS). **This is not a minor modification of what was initially proposed; it is a major modification.**

2) FAR exemption leads to zoning violation

In addition, the A text would provide for a 20,000 square-foot floor area exemption allowing the required industrial floor area to exceed the 1.0 FAR cap in M1-1 districts, resulting in a larger structure than zoning would normally allow. The 20,000 square-foot bonus requires further explanation.

3) Public hearing held prior to CB9 notice

Moreover, the public review process for this major change was held on August 23. Yet CB9 received notice of this public hearing on **August 28**. As one of only 27 community boards out of the total of 59 that contain zones that can accommodate industrial uses and self-storage establishments, were we alone about being totally uninformed about this change and this public hearing?

We appreciate that as-of-right development may seemingly provide a very clear path for an applicant, but it also permits and facilitates uses that are not always the right uses in areas which may abut residential areas. The attached maps show the one large section in Board 9 which would be affected by this text amendment.



Community Board 12
The City of New York
Borough of Queens

Jamaica, Hollis, St. Albans, South Ozone Park, and Springfield Gardens

90-28 161st Street
 Jamaica, New York 11432
qn12@cb.nyc.gov
www.nyc.gov/qcb12

(718) 658-3308
 Fax (718) 739-6997

Melinda Katz
 BOROUGH PRESIDENT

Adrienne Adams
 CHAIRPERSON

Vicky Morales Casella
 DIRECTOR OF COMMUNITY BOARDS

Yvonne Reddick
 DISTRICT MANAGER

August 10, 2017

1. Application # N170425 ZRY submitted by the Department of City Planning regarding a proposed self-service storage facility text amendment. The proposed zoning text amendment would introduce a special permit under the jurisdiction of the City Planning Commission for all new self-service storage facilities in newly established designated areas within manufacturing districts, which largely coincide with industrial business zones, in order to ensure that the development of self-service storage facilities does not unduly limit future sitting opportunities for more job intensive, industrial uses.

Vote taken at Board Meeting on June 21, 2017

Place of Meeting: Robert Ross Johnson Family Life Center
 172-17 Linden Blvd
 St. Albans, NY

37 Members Present

35 Members Approved

0 Members Opposed

0 Members abstained

35 Voted

Two (2) members left before the vote was taken

Signature of CB officer completing this form

Title

Date

Yvonne Reddick

District Manager

8/10/17



Queens Community Board 13

219-41 Jamaica Avenue
Queens Village, NY 11428
718.464.9700
Fax: 718.254.2739
qcb13.org



Melinda Katz
Borough President

Vicky Morales-Casella
Director of
Community Boards

Clive Williams
Chairman

Mark McMillan
District Manager

July 7, 2017

Marisa Lago
Chairperson
City Planning Commission
120 Broadway
New York, NY 10271

Re: **Self-Storage Text Amendment**
Application # N 170425ZRY
CEQR Number: 17DCP119Y

Dear Chairperson Lago:

On June 12, 2017, Scott Solomon from DCP attended the QCB13 Land Use Committee meeting and presented on the Self-Storage Text Amendment. The Land Use Committee voted to make a recommendation of support for the Amendment to the full Board. At the General Board meeting [that was also the Public Hearing], Ari Goldman from Safe N' Lock Self Storage presented the self-storage industry position. A vigorous debate among Board Members ensued regarding government regulation on business. Another industry representative stated that "the industry" were in negotiations with CPC on a compromise that would not require the "Special Permit" to build.

The membership voted overwhelmingly against the Text Amendment, 5 yes, 36 no; the membership was open to the possibility of revisiting the issue if there was new information after the summer recess.

Very truly yours,

Mark McMillan
District Manager

C: Richard Hellenbrecht

City of New York

1 Edgewater Plaza, Suite 217 • Staten Island, New York 10305

Tel: 718-981-6900

Fax: 718-720-1342

Community Board No. 1

June 16, 2017

Mr. Len Garia-Duran, Director
130 Stuyvesant Place, 6th Floor
Staten Island, NY 10301
lgarcia@planning.nyc.gov

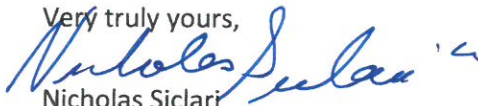
Re: N 170435 ZRY – Proposed Self-Service Storage Facility Text Amendment

Dear Mr. Duran:

On June 13, 2017 Community Board #1 approved the Proposed Self Storage Facility Text Amendment as submitted by a vote of 35-1-0.

If you need any further information or have any questions please do not hesitate to call or e-mail.

Very truly yours,


Nicholas Siclari
Chairman


Vincent Accornero
Land Use Chairman

NS:VA



DANA T. MAGEE
CHAIR

DEBRA A. DERRICO
DISTRICT MANAGER

THE CITY OF NEW YORK
Community Board 2
BOROUGH OF STATEN ISLAND

460 BRIELLE AVENUE
STATEN ISLAND, NEW YORK 10314
718-317-3235
FAX: 718-317-3251

June 21, 2017

Ms. Yvette Gruel
City Planning Commission
Calendar Information Office, Room 2E
120 Broadway, 30th Floor, Corridor C/D
New York, New York 10271

Re: City Planning Self-Storage Text Amendment

Dear Ms. Gruel,

On Tuesday, June 20, 2017, at the regular monthly of the Full Board at Community Board 2, a representative of the New York City Department of City Planning presented the proposed zoning text amendment to require a CPC Special Permit for new self-storage facilities within New York City's most active industrial areas, to promote the future availability of siting opportunities for industrial, more job-intensive uses.

Community Board 2 had no objection to the Self-Storage Text Amendment.

Board Members' Vote: 30-In Favor; 0-Opposed; 0-Abstentions

Thank you for taking the Board's comments into consideration.

Sincerely,

A handwritten signature in cursive script that reads "Dana T. Magee".

Dana T. Magee
Chair

Application #: **N170425ZRY**

Project Name: **Self-Svc. Storage Facility Text Amend**

CEQR Number:

Borough(s): Staten Island

Community District Number(s): 3

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

SUBMISSION INSTRUCTIONS

- Complete this form and return to the Department of City Planning by one of the following options:
 - EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
 - MAIL:** Calendar Information Office, City Planning Commission, Room 2E, 22 Reade Street, New York, NY 10007
 - FAX:** (212) 720-3356 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

IN THE MATTER OF an application submitted by The NYC Department of City Planning proposing a citywide zoning text amendment to establish a Special Permit under the jurisdiction of CPC for all new self-storage development in the proposed "Designated Areas" in Manufacturing districts.

Applicant(s): NYC Department of City Planning 120 Broadway, 31st Floor New York, NY 10271		Applicant's Representative: Beth Lebowitz NYC Dept. of City Planning, Zoning Division 120 Broadway, 31st Floor New York, NY 10271	
Recommendation submitted by: Staten Island Community Board 3			
Date of public hearing: June 14, 2017		Location: 1243 Woodrow Road, S.I., N.Y. 10309	
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		<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>	
Date of Vote: June 27, 2017		Location: 1075 Woodrow Road, S.I. N.Y. 10309	
RECOMMENDATION			
<input type="checkbox"/> Approve		<input type="checkbox"/> Approve With Modifications/Conditions	
<input checked="" type="checkbox"/> Disapprove		<input type="checkbox"/> Disapprove With Modifications/Conditions	
Please attach any further explanation of the recommendation on additional sheets, as necessary.			
Voting			
# In Favor: 33		# Against: 2	
# Abstaining:		Total members appointed to the board: 47	
Name of CB/BB officer completing this form Frank Morano		Title Chairman of the Board	Date 6/29/2017



BOROUGH OF STATEN ISLAND
COMMUNITY BOARD #3
 1243 Woodrow Road - 2nd Floor
 Staten Island, NY 10309
 Telephone: (718) 356-7900 Fax: (718) 966-9013
 Website: www.nyc.gov/sicb3

June 30, 2017

N170425ZRY – Proposed Self-Storage Text Amendment

EXPLANATION OF RECOMMENDATION

Community Board 3 opposes the proposal for the Self-Storage Text Amendment:

- The city should not single out one industry and impose a ban that restricts the entire industry’s growth.
- Self-Storage in Staten Island mainly serves local working middle-class residents that live in apartments and smaller homes.
- For Small business and non-for-profits that cannot afford conventional warehouse space self-storage is a necessity; their livelihood and community contributions depend on affordable space.
- The proposal would require yet another Special Permit process which is contrary to City’s Planning’s pitch to us during The Special Districts Zoning Text presentation that discretionary actions overburdens City Planning’s examiners, and adds financial costs and time delays to applicants.
- Restricting self-storage in IBZs will force developers to seek C-8 zones. In Staten Island most C-8 zones are adjacent to or surrounded by residential homes which is undesirable in dense residential communities.
- The city does not have to punish self-storage to attract manufacturing, If M zones in IBZ’s are lucrative and advantageous to a manufacturing use then developers will be attracted to them.
