LR ITEM 3: Project Description
350 Beach 79th Street
June 2, 2021

I. Introduction

79 Arverne Development LLC (the "Applicant"), owner of the property located at 350 Beach 79th Street (Queens Block 16100, Lots 14, 18 and 20)[1] (the "Development Site") seeks a zoning map amendment to rezone (the "Rezoning") the Development Site and part of Lots 24, 28, 29, 33, 34 and 175 (altogether, the "Partial Lots," and together with the Development Site, the "Proposed Rezoning Area") from an M1-1 zoning district to an M1-2 zoning district to facilitate the development of an approximately 146,000 sf self-storage building on the Site (the "New Building")[2] in the neighborhood of Arverne, Queens Community District 14. The existing approximately 34,500 sf building on the Development Site (the "Existing Building") would remain.

II. Background

The Proposed Rezoning Area was originally zoned M1-1 district and has not changed since the adoption of the Zoning Resolution in 1961. In the past 20 years, there have been two land use actions within 600 feet of the Proposed Rezoning Area:

- C 050419 HDQ: A 2006 disposition of eight city-owned lots (Block 16100, Lots 31 and 38; Block 16103, Lots 1 and 60; Block 16104, Lots 1 and 28; Block 16105, Lot 1; and Block 16106, Lot 1) by the Department of Housing Preservation and Development ("HPD") to facilitate development of the Federal Jeans Far Rockaway Clothing Assembly and Distribution Center, a 154,000-sf facility. Development of the facility was expected to create approximately 100 new entry-level jobs, with a large percentage to be filled be local residents. However, the facility was not constructed and the land remains in City ownership.

- C 050418 MMQ: A 2006 City Map amendment to eliminate, discontinue and close all or parts of six streets within the project area of C 050419 HDQ to facilitate the development of the Federal Jeans Far Rockaway Clothing Assembly and Distribution Center.

In 2008, the City adopted the Rockaway Neighborhoods Rezoning (C 080371 ZMQ), which encompassed five neighborhoods on the Rockaway Peninsula – Far Rockaway, Edgemere and

[1] The Applicant is in the process of merging tax lots 18 and 20 into a single tax lot. On May 27, 2020, the Department of Finance ("DOF") issued tentative approval of the merger, assigning the merge lot as Lot 18. As of the date hereof, the Tax Map has not been updated to reflect the tax lot merger.

[2] The Environmental Assessment Statement associated with this application analyzes a larger, eight-story building (the "EAS Building") in order to provide a more conservative environmental analysis. Applicant intends to construct the six-story building, and not an eight-story building, in order to avoid Building Code regulations applicable to high-rise buildings (seven stories or higher) that would require additional egress and mechanicals. The EAS Building and the New Building contain approximately the same zoning square footage, but the EAS Building has a greater gross square footage due to a 10% mechanical deduction taken from the Existing Building and the EAS Building for environmental analysis purposes.

Somerville to the east of the Proposed Rezoning Area and Rockaway Beach and Rockaway Park to the west of the Proposed Rezoning Area. The Rockaway Neighborhoods Rezoning introduced contextual zoning districts into the rezoning area in order to protect the Rockaway Peninsula's low-scale housing stock, including bungalows and one- and two-family homes; create pockets of mid-density development and retail opportunities near public transit; and to address parking demand generated by new development.

The Arverne Urban Renewal Area (the "Arverne URA") is located south of the Proposed Rezoning Area, south of Beach Channel Drive/Rockaway Freeway and bounded by Beach 32nd Street to the east, the Boardwalk, Rockaway Beach Boulevard, and Hammels Boulevard to the south, and Beach 74th, Beach 81st and Beach 84th Street to the west. The Arverne URA was first enacted in 1968 to encourage development of new housing in the area, including Ocean Village, a 1,092-unit residential development completed by the New York State Urban Development Corporation in 1974, and Seaview Towers, a 460-unit residential development completed by the City in 1975. The Arverne URA was first amended in 1990 (C 900215 HUQ) to reduce the number of housing units to be developed in the area to 7,500 units. It was again amended in 2003 (C 030509 HUQ) to facilitate the development of 3,900 residential units, 770,000 sf of commercial and retail space, approximately 65 acres of parkland, a community center and a school. The goal of this second amendment was to bring economic opportunities to local residents.

In December 2017, the City Council adopted the Self-Storage Text Amendment (ULURP No. N170425AZRY), which established a requirement for a CPC special permit to develop new self-storage facilities in designated M1 zoning districts (the "Self-Storage Text Amendment"), which largely overlap with the City's Industrial Business Zones ("IBZs").

The Proposed Rezoning Area is in a manufacturing district that is not in a Designated M1 Area as noted in Appendix J of the Zoning Resolution, and therefore does not require a CPC Special Permit. The Rockaways have very little self-storage capacity – a City Planning map included in the EIS identified only one self-storage facility in the Rockaways.[3] This is significant given the Rockaways' location in the flood zone,[4] which largely eliminates the possibility of using residential cellar space for storage due to the high cost of excavation and flood-proofing below-grade spaces in the flood zone.

III. Description of the Surrounding Area

The Proposed Rezoning Area is located within an M1-1 zoning district that is mapped in the area roughly bounded by Barbadoes Basin to the north and west; Beach Channel Drive to the south; and unmapped Beach 77th Street to the east. The area east of the Proposed Rezoning Area consists of industrial uses, such as construction staging areas, auto repair centers and a truck rental establishment. Blocks further east are improved with bungalow homes north of Beach Channel Drive and parking lots between Beach Channel Drive and the above-ground subway.

[3] EIS Executive Summary page 8. Map dated December 2016.

[4] The Rockaways is a peninsula located almost entirely within the 1% annual chance flood plain, and portions of the island are located in the V Zone, which is subject to high velocity wave action. The Rockaways have been subject to storms and associated flooding for centuries, including, most recently, Hurricane Sandy in 2012.

The blocks south of the Proposed Rezoning Area and directly south of the above-ground subway consist of vacant land, and the blocks further south are improved with one- and two-family homes, multi-family residential buildings and institutional uses, and Beach Channel Playground. There is a large airport parking lot located directly west of the Proposed Rezoning Area.[5]

There are several other institutional and community facility uses in the Proposed Rezoning Area's surrounding area. Light of God International Miracle Center, a church, is located east of the Proposed Rezoning Area at 75-11 Beach Channel Drive; Bethel AME Church is located south of the Proposed Rezoning Area, at 2-15 Beach 77th Street; P.S. 183 Dr. Richard R. Green, a pre-K through eighth grade public school serving approximately 470 students, is located south of the Proposed Rezoning Area at 245 Beach 79th Street; Beach Channel Playground is located directly south of P.S. 183, between Beach 79th and Beach 80th Streets; Rockaway Freeway Dog Park is located approximately 600 feet west of the Proposed Rezoning Area.

The elevated A subway line and subway shuttle run above-ground south of the Proposed Area, with stations approximately ½ mile east of the Proposed Rezoning Area (Beach 67 St. Station – Arverne by the Sea) and ½ mile west of the Proposed Rezoning Area (Beach 90 St. Station). The Q22, QM17 and RES (Rockaway East Shuttle) buses run south of the Proposed Rezoning Area on Rockaway Beach Boulevard. The Q22 bus runs east-west on the Rockaway Peninsula; the QM17 bus runs from Far Rockaway to Midtown/57th Street via 6th Avenue; and the RES bus runs from the Rockaway ferry docks to Beach 36th Street along Beach Channel Drive.

The zoning districts mapped within the surrounding area include R4-1, R6, C2-4, and M1-1. The development site is within the M1-1 zoning district.

R4-1

An R4-1 zoning district is located within 600 feet of the Proposed Rezoning Area, bounded by the Cross Bay Parkway to the west; Decosta Road, Java Place and Rockaway Freeway to the south; Beach 80th Street to the east; and Jamaica Bay to the north. R4-1 zoning districts permit one and two family detached and semidetached houses with an FAR of 0.75 plus a 20% attic allowance. R4-1 zoning districts allow for a maximum 2.0 FAR for community facilities. Required open space and maximum lot coverage is determined by yard requirements. Residential buildings in R4-1 zoning districts are generally required to provide a 10-foot front yard and 30-foot rear yard, and a minimum 8-foot open area must be provided between residential buildings on adjacent zoning lots, as the lots' shared side lot line. Buildings in an R4-1 district may rise to 25 feet before sloping or being setback to maximum building height of 35 feet. In R4-1 districts, one parking space is required for every residential dwelling unit.

R6

The area south of the Proposed Rezoning Area's M1-1 zoning district is a large R6 zoning district, roughly bounded by Hammels Boulevard, Sunrise Avenue, Beach Channel Drive/Rockaway Freeway and Rockaway Beach Boulevard to the north; the Rockaway Beach

[5] It is unclear from City records and Google Maps whether this parking lot is currently legal and operational.

Boardwalk to the south; Beach 90th Street to the west and Rockaway Beach (at Beach 56th Place) to the east. R6 districts are medium-density residential districts with either Height Factor or Quality Housing bulk regulations. R6 zoning districts allow for development of up to 4.8 FAR, for community facility use. Under Height Factor regulations the maximum permitted floor area ratio ("FAR") for residential uses ranges from 0.78 to 2.43 and building heights are set within a sky exposure plane starting at 60 feet. Quality Housing regulations permit an FAR of 3.0 within 100 feet of a wide street and 2.2 FAR beyond 100 feet of a wide street. Buildings in IHDA or MIH areas may construct up to 2.42 FAR beyond 100 feet of a wide street and 3.6 FAR within100 feet of a wide street pursuant to Inclusionary Housing requirements. Quality Housing buildings in an R6 district can have up to 65 percent lot coverage within 100 feet of a wide street or 60 percent beyond 100 feet of a wide street (except corner lots, which can have 100 percent lot coverage). In an R6 district in Queens Community Board 14, parking is required for 85 percent of dwelling units.

C2-4 Commercial Overlay

There is a C2-4 commercial overlay mapped on the southern 150 feet of the block bounded by Hammels Boulevard/Sunrise Avenue to the north, Beach 79th Street to the east, Rockaway Beach Boulevard to the south and Beach 80th Street to the west, allowing for local retail and service commercial uses. Parking requirements in a C2-4 zoning district are based on use; for example, one space must be provided for every 1,000 sf of general retail uses. A building in a C2-4 overlay in an R6 district that did not contain residential floor area could contain up to 2.0 FAR of commercial use. Such building could have a maximum base height of 60 feet or four stories, whichever is less, before setting back 20 feet from a narrow street or 15 feet from a wide street. Such building could then continue to rise pursuant to a sky exposure plane of 2.7:1 on a narrow street or 5.6:1 on a wide street.

M1-1

The entire Proposed Rezoning Area is currently in an M1-1 zoning district. M1 zoning districts are light manufacturing districts where most commercial uses and several community facility uses, such as ambulatory diagnostic or treatment health facilities and places of worship, are permitted as of right. The maximum FAR in M1-1 districts is 1.0 for commercial and manufacturing uses and 2.4 FAR for community facility uses. In M1-1 districts, buildings can have a maximum front wall height of 30 feet (or two stories, whichever is less) and then must set back 20 feet from a narrow street or 15 feet from a wide street. Maximum building heights are governed by a sky exposure plane and tower regulations do not apply. Parking in M1-1 districts depends on use. For example, parking for manufacturing or semi-industrial uses must be provided at a rate of 1 space per 1,000 sf or 1 space per 3 employees, whichever is more, and parking for storage facilities must be provided at a rate of 1 space per 2,000 sf or 1 space per 3 employees, whichever is less.

IV. Description of the Proposed Rezoning Area

The Proposed Rezoning Area is located in the Arverne neighborhood of the Rockaway Peninsula, in Queens Community Board 14. It is bounded by Barbadoes Basin to the north, a

creek to the west, private property to the east, and by Rockaway Freeway Park to the south, except for a 40-foot wide area along the southern lot line of Lot 18, which serves as access from the Development Site to Rockaway Freeway and the city street system. The Proposed Rezoning Area consists of:

1. The Development Site (Block 16100, Lots 14, 18 and 20) (350 Beach 79th Street), a 107,553 sf lot (the existing uses on the Development Site are described in the following section);

2. The Partial Lots, comprised as follows:

    - An approximately 2,570 sf portion of Block 16100, Lot 24, which is a 29,325 sf lot currently used as a construction staging area;
    - An approximately 3,645 sf portion of Block 16100, Lot 28, which is owned by the City and is improved with Rockaway Freeway and the above-ground A-Train Subway;
    - An approximately 1,235 sf portion of Block 16100, Lot 29, which is part of Rockaway Freeway Park;
    - An approximately 1,300 sf portion of Block 16100, Lot 33, which is part of Rockaway Freeway Park, except that 40-foot portion adjacent to Lot 18, which serves as the Development Site's street access, as explained herein;
    - An approximately 4,700 sf portion of Block 16100, Lot 34, which is owned by the City and is improved with Rockaway Freeway and the above-ground A-Train Subway; and
    - An approximately 9,600 sf portion of Block 16100, Lot 175, which is owned by the City and is vacant land (comprised of Brandreth Creek).

The Proposed Rezoning Area is located in the 1% annual chance flood plain A Zone. The base flood elevation at the Proposed Rezoning Area is 10 feet above grade.

V. Description of the Proposed Development Site

The Development Site is Block 16100, Lots 14, 18 and 20 and is known by the address 350 Beach 79th Street. It is a flag lot with 40 feet of frontage on Rockaway Freeway. The Development Site shares an approximately 365-foot boundary with Barbadoes Basin. The Development Site is bounded to the west by a creek running off of Barbadoes Basin (the "Creek").

The Development Site is improved with the Existing Building, an approximately 34,500 sf building on Lot 14, which is used for light manufacturing. The tenants[6] in the building are:

Tenant Entity Name	**Type of Business**
UC Workroom Inc.	Carpet and rug installation, restoration and fabrication
Craft for Kids	Toy manufacture
Excel Conveyor	Conveyor belt manufacture
Priyma Furniture	Furniture manufacturer
Halo Productions	Lighting for events
Bosque Woodshop	Custom wood cabinetry
M&K Protection Pads	Manufacturer of padding to protect walls and elevators (for example, the padding a building would hang in an elevator while someone is moving in or out of a building)

The remainder of the Development Site is used as a driveway (the area that makes up Lot 18) and an area formerly used as a construction staging area and now vacant (the area that makes up Lot 20). Parking is currently provided in open areas on the Development Site, but parking spaces are unmarked. Approximately 8-10 cars park at the Development Site on a given weekday. The Applicant acquired the Development Site in January 2018.

The Development Site has access to the City's mapped street system via a 40-foot area between the Development Site and Rockaway Freeway.[7] This 40-foot area aligns with Lot 18, also known as Kane Avenue. Kane Avenue is an unmapped street, used as a private driveway, that makes up a portion of the Development Site.

VI. Description of the Proposed Development

The Rezoning would facilitate development of a new six-story building on the Development Site on Lot 20 (the "New Building"). The Owner proposes to use the New Building for Use Group 16D self-storage uses. The Existing Building will not be altered.[8] There is currently ample space for parking on the Development Site, but there are no marked parking spaces.

The New Building would contain approximately 146,000 sf of floor area, which would be used for self-storage use (including a small accessory office space). The Existing Building (approximately 34,500 sf) would remain in its current envelope and be used for light industrial uses, for a total of approximately 180,500 sf on the Development Site. As noted in footnote 1, above, the Environmental Assessment Statement associated with this application is larger than the New Building, in order to provide a more conservative environmental analysis.

[6] If the Rezoning were to be approved, the Existing Building would remain a light industrial building and tenants would have the option to remain in their existing spaces.
[7] *See* CP-12587 (January 16, 1957).
[8] The Development Site will be developed as a single zoning lot. Floor area that would be attributable to Lot 14 or Lot 18, considered as if it were a single and separate zoning lot, but not used by the Existing Building, will be incorporated into the New Building.

The New Building would contain approximately 960 storage units, ranging in size from 5' by 5' to 10' by 25'. Some storage units will be weather controlled. The Applicant currently anticipates that approximately 25 percent of the storage units at the Development Site would be used by local contractors, such as electricians, landscapers, plumbing contractors, artists and artisans, and that the remainder of the units would be used by nearby residents. Dollies will be provided on-site for self-storage customers to move their belongings into their self-storage unit, and customers will use the New Building's elevators to reach upper floors.

Upon completion of the New Building, the Development Site will have 34 marked parking spaces, which includes required and permitted parking spaces, at grade, in an open area beneath the New Building. These parking spaces, which will serve the New Building and the Existing Building,[9] will be accessed by the existing curb cut at the Development Site. The New Building would be constructed pursuant to Zoning Resolution Article VI, Chapter 4 (Special Regulations Applying in Flood Hazard Areas) and Appendix G of the Building Code. The majority of the New Building would sit on approximately 15-foot "stilts" (structural columns). Building entrances at the ground floor level would be dry flood-proofed.[10] The base flood elevation for the New Building is 10 feet and the structure would be built at a design flood elevation of 11 feet.

VII. Action(s) Necessary to Facilitate the Project

In order to develop the New Building as proposed, a zoning map amendment is needed to rezone the Proposed Rezoning Area from a M1-1 district to a M1-2 district. The Development Site's current zoning allows a maximum commercial and manufacturing FAR of 1.0, while the proposed M1-2 district would allow up to 2.0 commercial and manufacturing FAR. The New Building would fully comply with the applicable M1-2 district regulations. The Rezoning would not affect the compliance of the Existing Building or the Partial Lots with bulk or other zoning regulations.

The Proposed Rezoning Area makes up a discrete area bounded by Beach Channel Drive/Rockaway Freeway and the above-ground subway to the south, a creek to the east, Barbadoes Basin to the north, and terminating parallel to Barbadoes Basin to the west. These boundaries separate the Proposed Rezoning Area from the Rockaways' low-density residential housing and more pedestrian-focused streets, allowing the area to support higher density commercial and manufacturing development without disturbing nearby uses. The uses immediately surrounding the Proposed Rezoning Area are industrial in nature and have been since before adoption of the 1961 Zoning Resolution.

Additionally, the Rezoning is appropriate because it will increase the self-storage capacity of an area severely lacking in self-storage facilities, despite its location outside of the City's Designated Areas. Furthermore, the Rezoning will incentivize development on waterfront lots long used mostly as outdoor construction storage areas. The additional bulk permitted by the

[9] Existing Building tenants will also have the option to park alongside the Existing Building.
[10] The Existing Building will not be altered to update flood proofing measures.

Rezoning will not affect nearby residential uses because the Proposed Rezoning Area is cut off from neighborhoods to the south by the Rockaway Freeway and above-ground subway.

VIII. Conclusion

Approval of the Rezoning would allow the Applicant to develop the New Building, which would increase the self-storage capacity of the Rockaways, where the threat of flooding prevents residential cellar space from being used for storage, and would promote the purpose of the Self-Storage Text Amendment by promoting development of a self-storage facility outside of the City's Designated Areas.