



George M. Janes
& Associates

250 E. 87th Street

New York, NY 10128

Tel: 646.652.6498

george@georgejanes.com

Industry City

7/17/2019

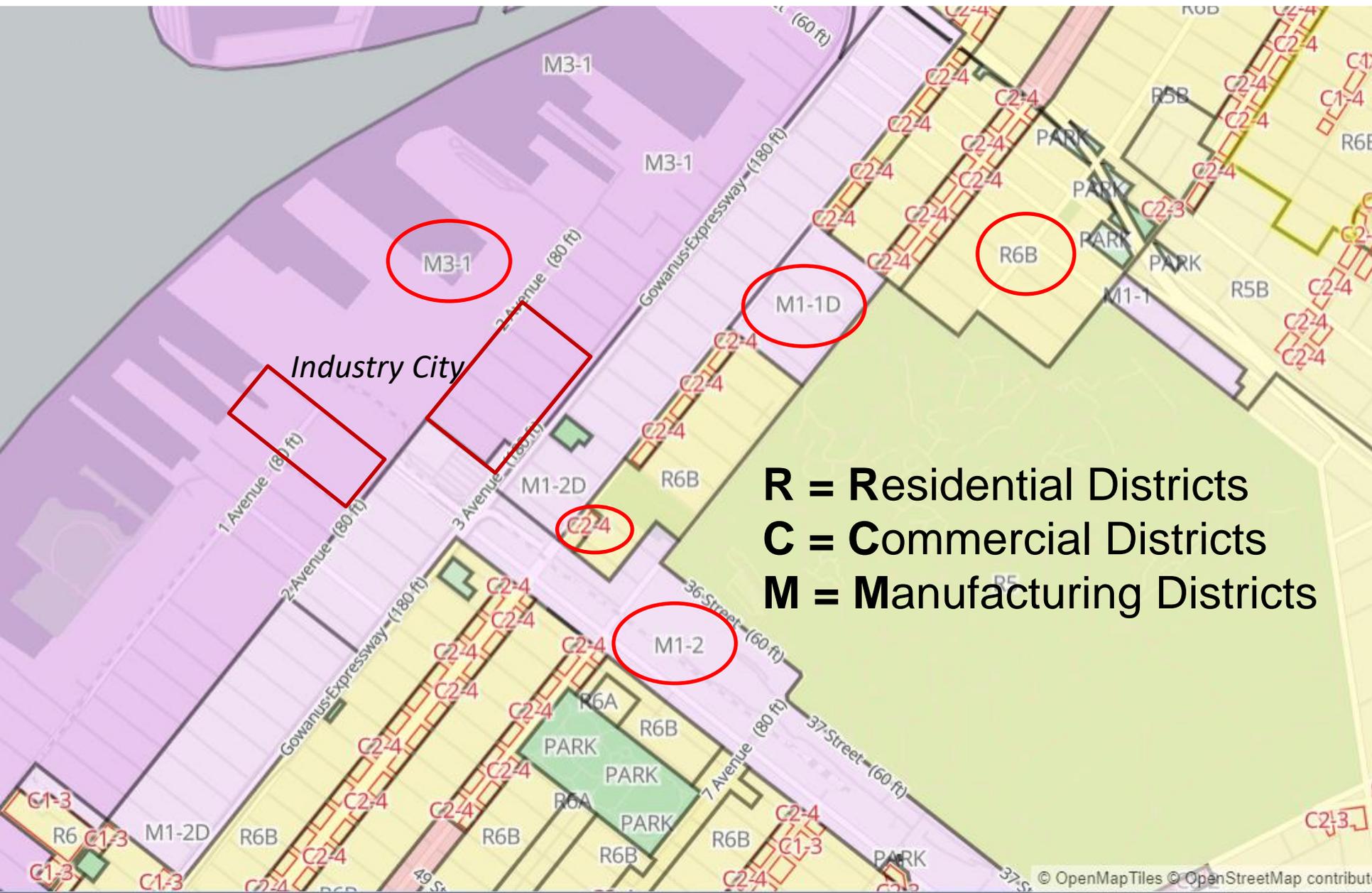
Today

- The basics of zoning: what does zoning do?
- The rezoning application for Industry City: what are they planning to do?
- The Community Board's role in a rezoning

All rezoning applications will come through the Community Board in the City's Uniform Land Use Review Procedure (ULURP)

- During this process, the CB will hold a public hearing, hear from the public and provide a recommendation
- The CB vote is not binding, but you are first and you set the tone
- Industry City is here for a zoning change. But what is zoning and why should you care?

New York City is broken into zoning districts placed on a map

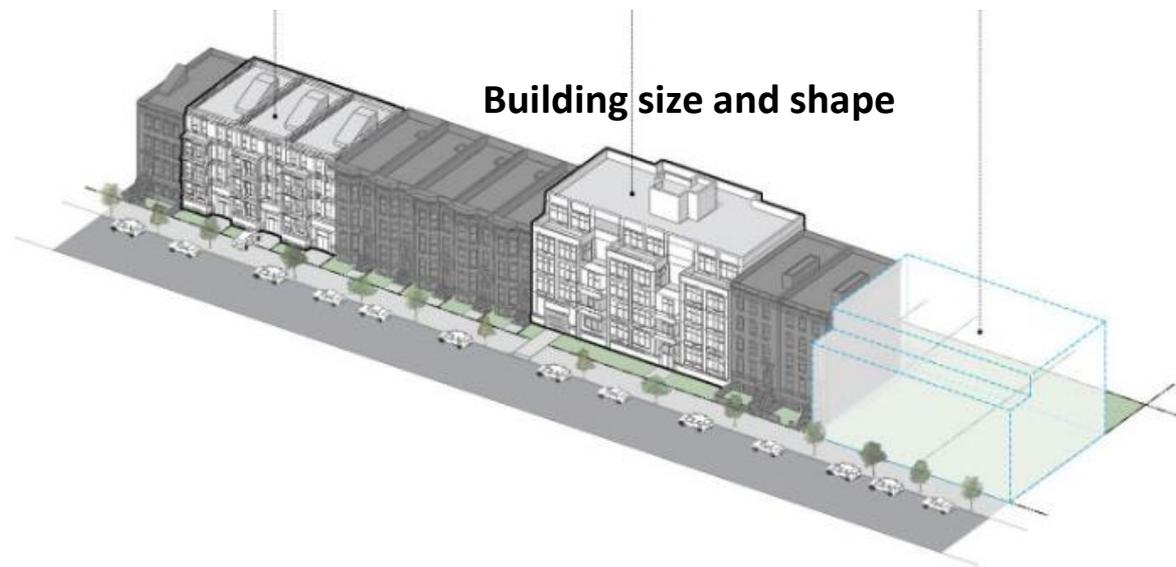


Industry City

R = Residential Districts
C = Commercial Districts
M = Manufacturing Districts

Zoning districts regulate the USE, FORM, and INTENSITY (density) of buildings

Group	Type of Use
1 & 2	Residential
3 & 4	Community Facilities
5 - 9	Commercial / Local Retail & Services
10 - 11	Regional Shopping Centers/Amusement
12 - 15	Waterfront / Recreation
16	General Services / Heavy Automotive
17 - 18	Manufacturing



NYC's zoning resolution is 4,000 pages and is full of exceptions, special rules and districts, but generally . . .

M3-1 Heavy industry Power plants, but also offices!

M1-2 Light industry Warehouses, but also auto repair or stores

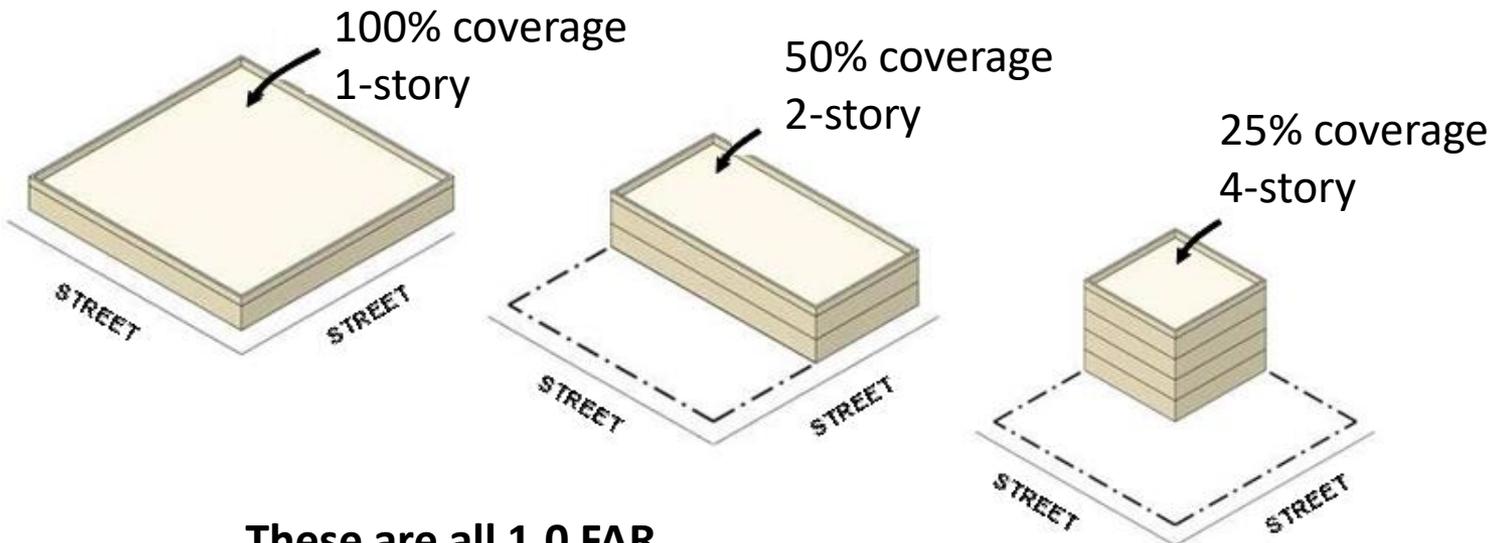
R6B Residential Residential, but also schools and hospitals

Commerical overlays Neighborhood Commercial Neighborhood stores, but also residences and offices

M1-1D Industry and residential Light industry, but also residential!

Zoning measures intensity by Floor Area Ratio or FAR

- FAR is the ratio of LOT size to BUILDING size
 - 10,000 SF lot * 2.0 FAR = 20,000 SF building
 - 10,000 SF lot * 5.0 FAR = 50,000 SF building
- FAR doesn't tell us how tall a building will be, just how large:



These are all 1.0 FAR

Industry City is zoned M3-1



Industry City is zoned M3-1



Industry City is zoned M3-1



Industry City is zoned M3-1



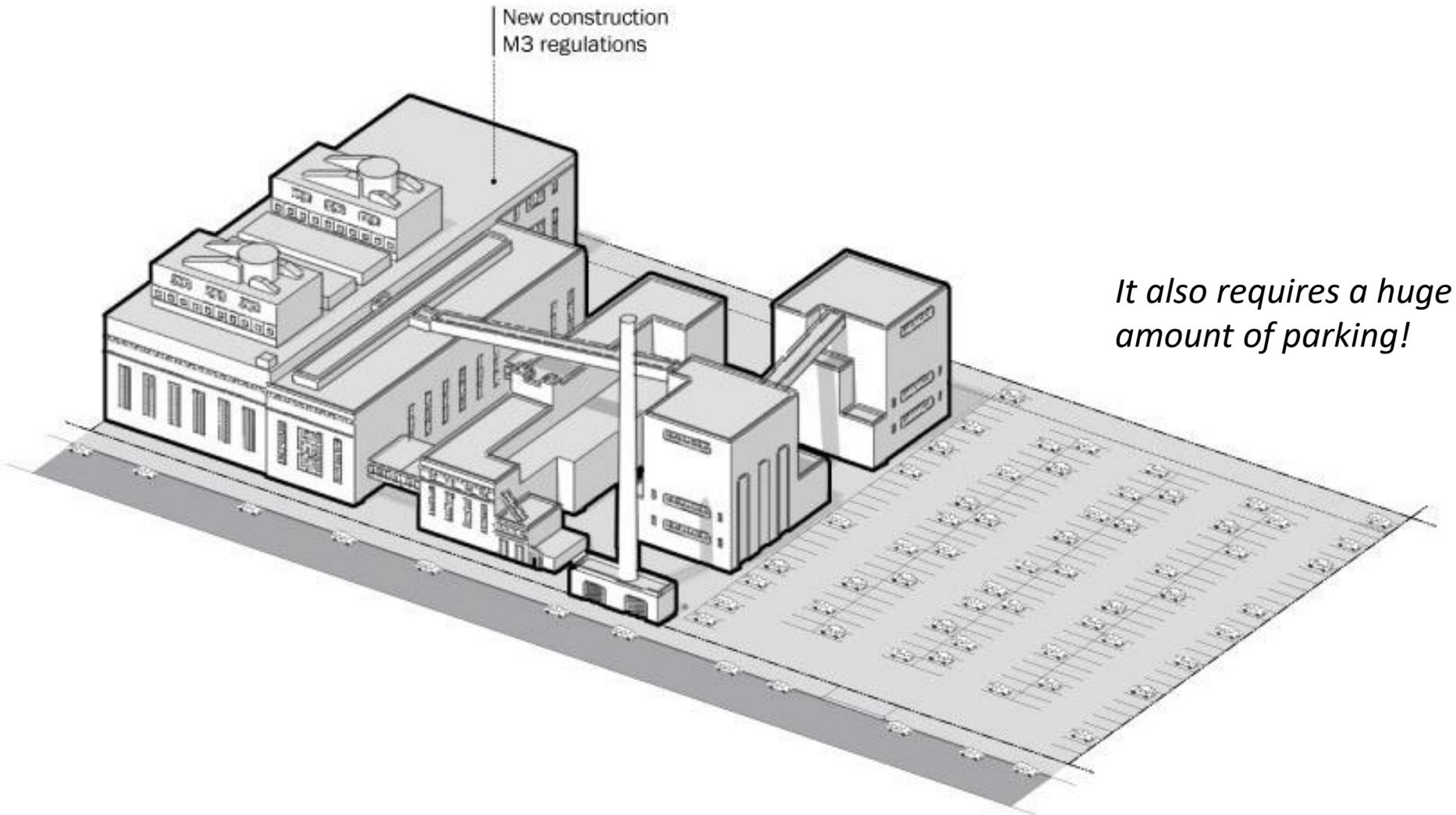
M3-1 is a horrible fit for the current buildings: They're way too big for an M3-1 and don't have enough parking



Existing M3-1 = 2.0 FAR!



A typical new M3-1 development



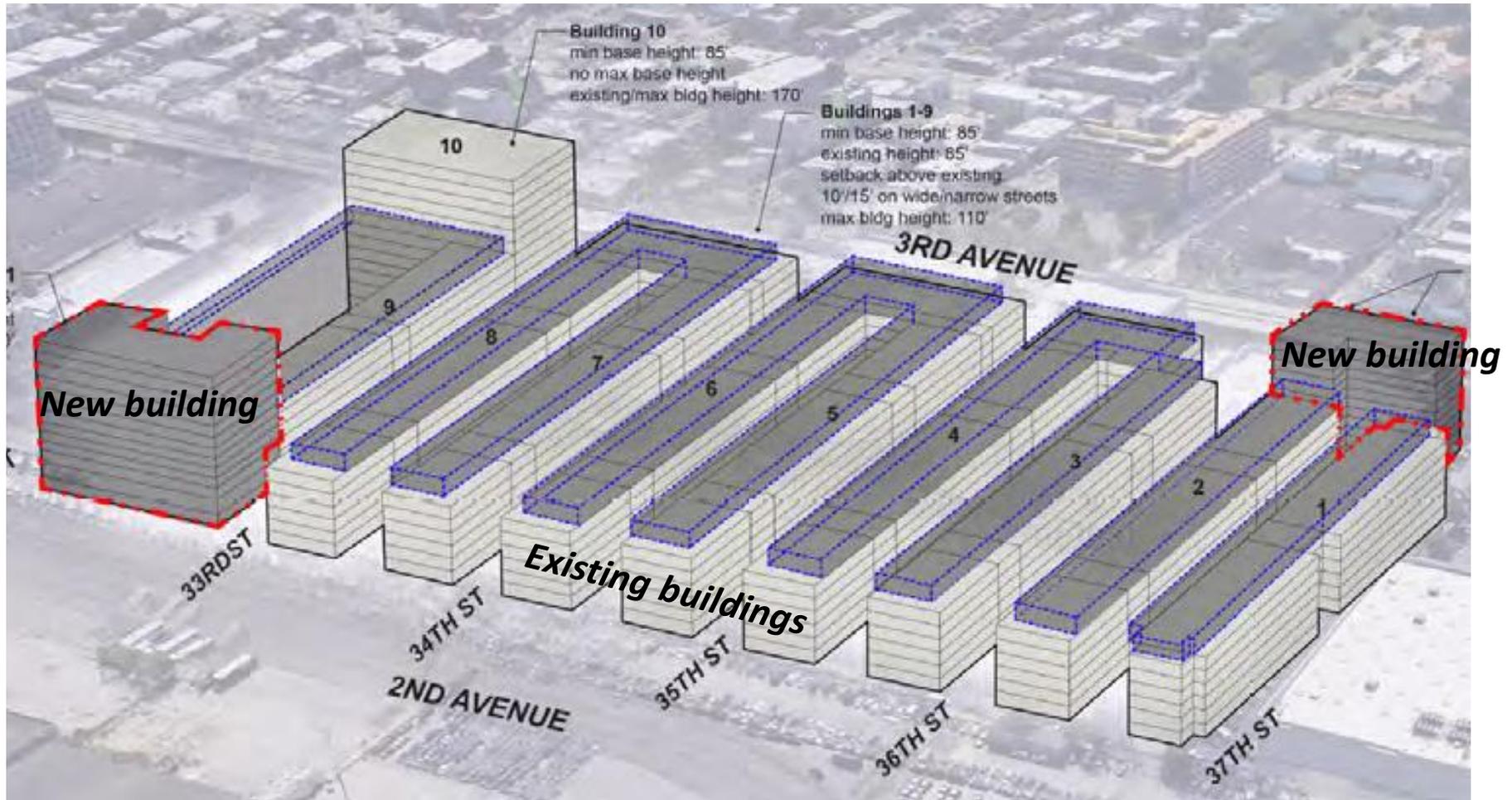
This means that the existing buildings are “non-complying”

- Zoning would not allow these buildings to be built today
- No expansions or additions are allowed, even internally
- If they are destroyed by fire or disaster, they cannot be rebuilt as they are today
- *It is reasonable for owners of non-complying buildings to seek zoning changes for compliance*

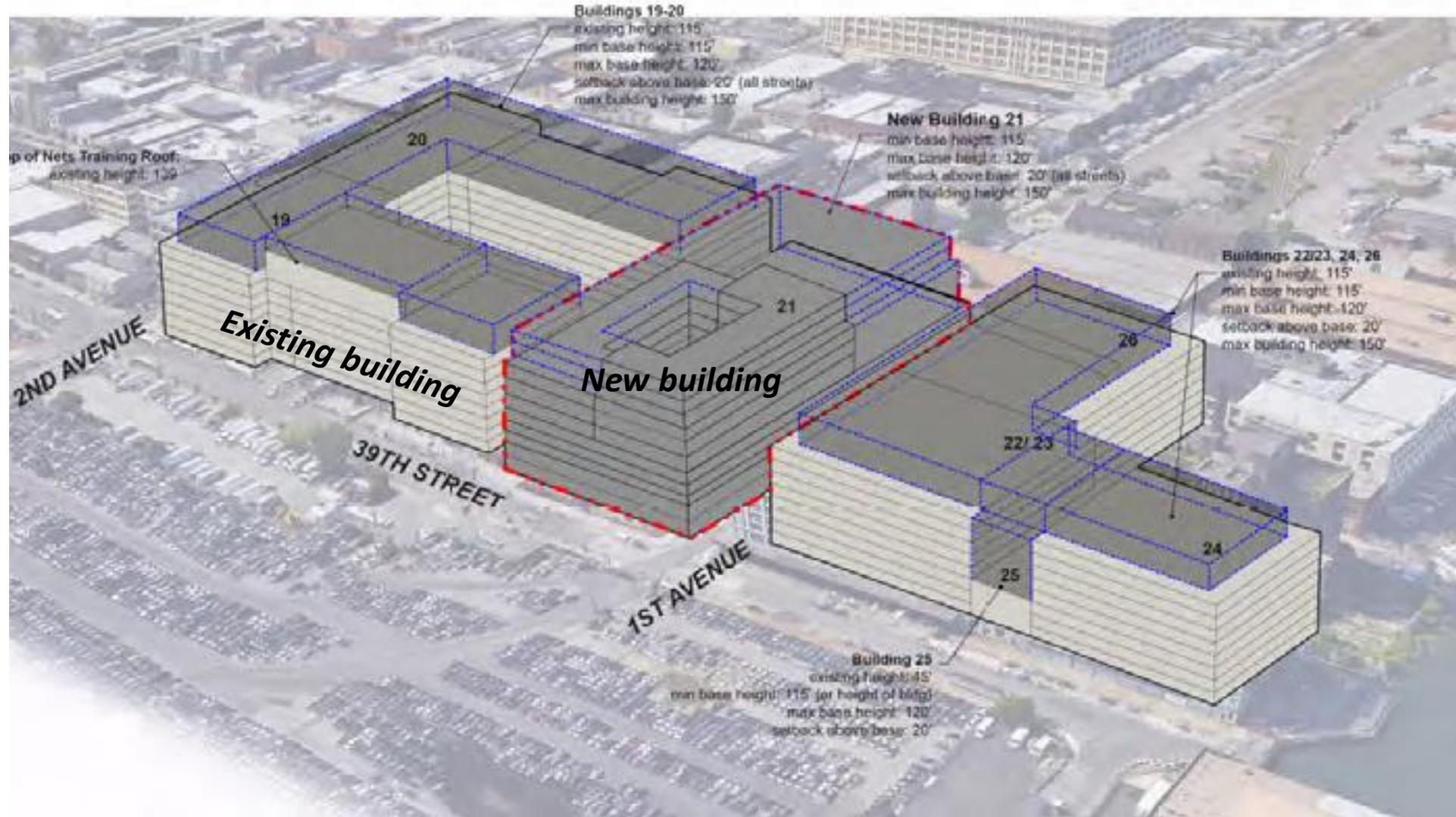
The proposal would bring compliance, but also more . . .

- Remove (de-map) a portion of 40th Street
- Change zoning from M3-1 to M2-4 to allow more density (about 20% more than existing buildings, about 150% more than M3-1)
- Allow for 3 new buildings and additions (up to 1,300,000 SF more)
- Add ~1,800 parking spaces
- Allow for a wider range of uses including:
 - **Hotels**
 - Large-scale retail (e.g. large department stores like Target)
 - Libraries
 - Colleges
 - Museums & art galleries
 - All uses allowed in M1 (many stores and services, not otherwise allowed)

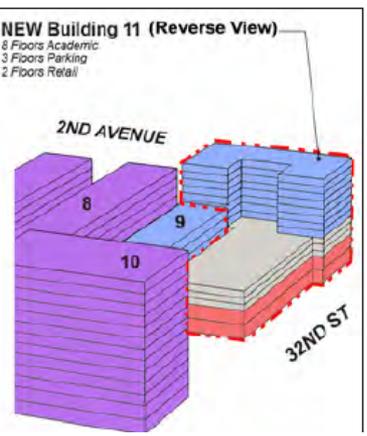
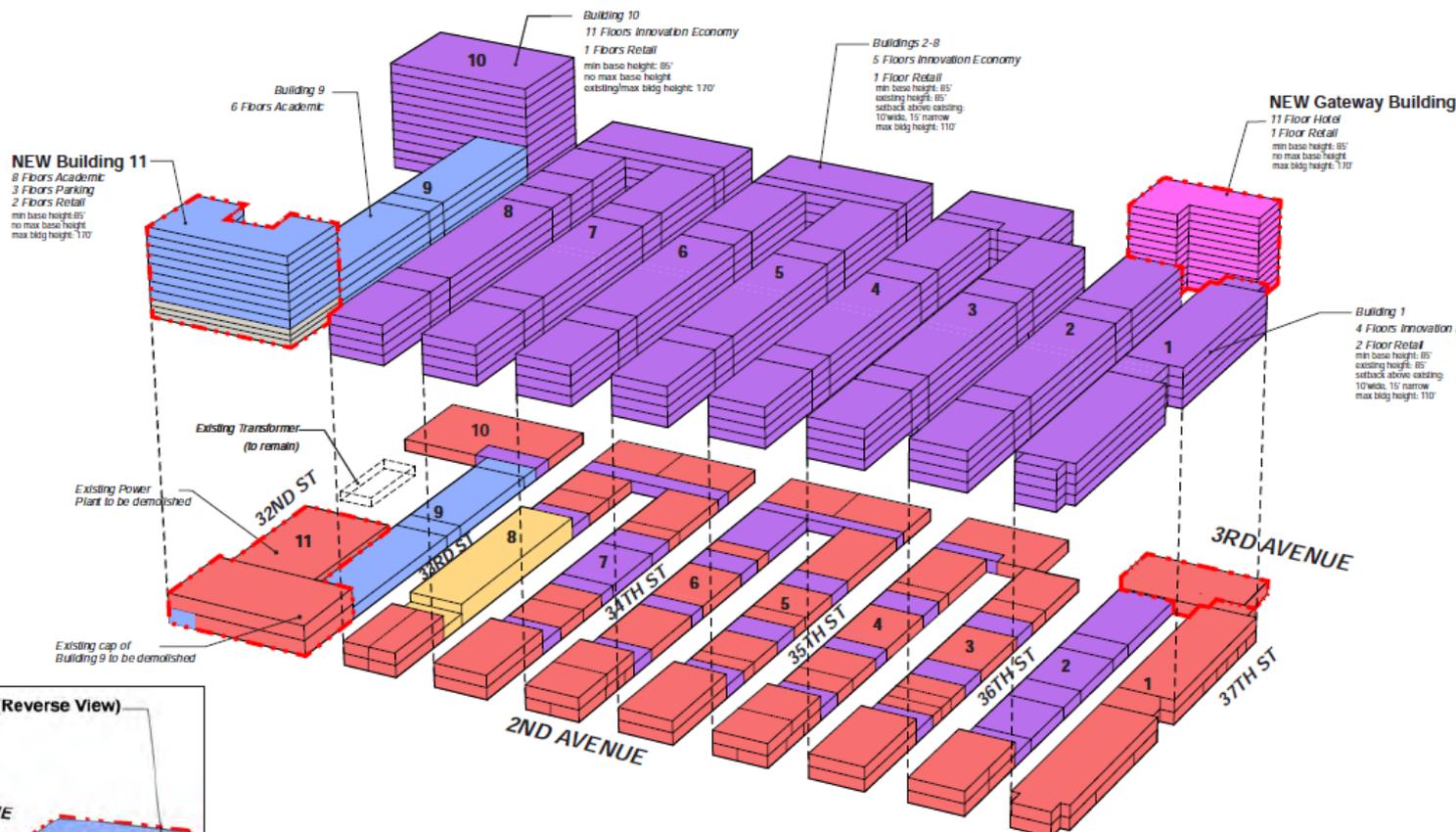
The proposal summary: Finger Buildings



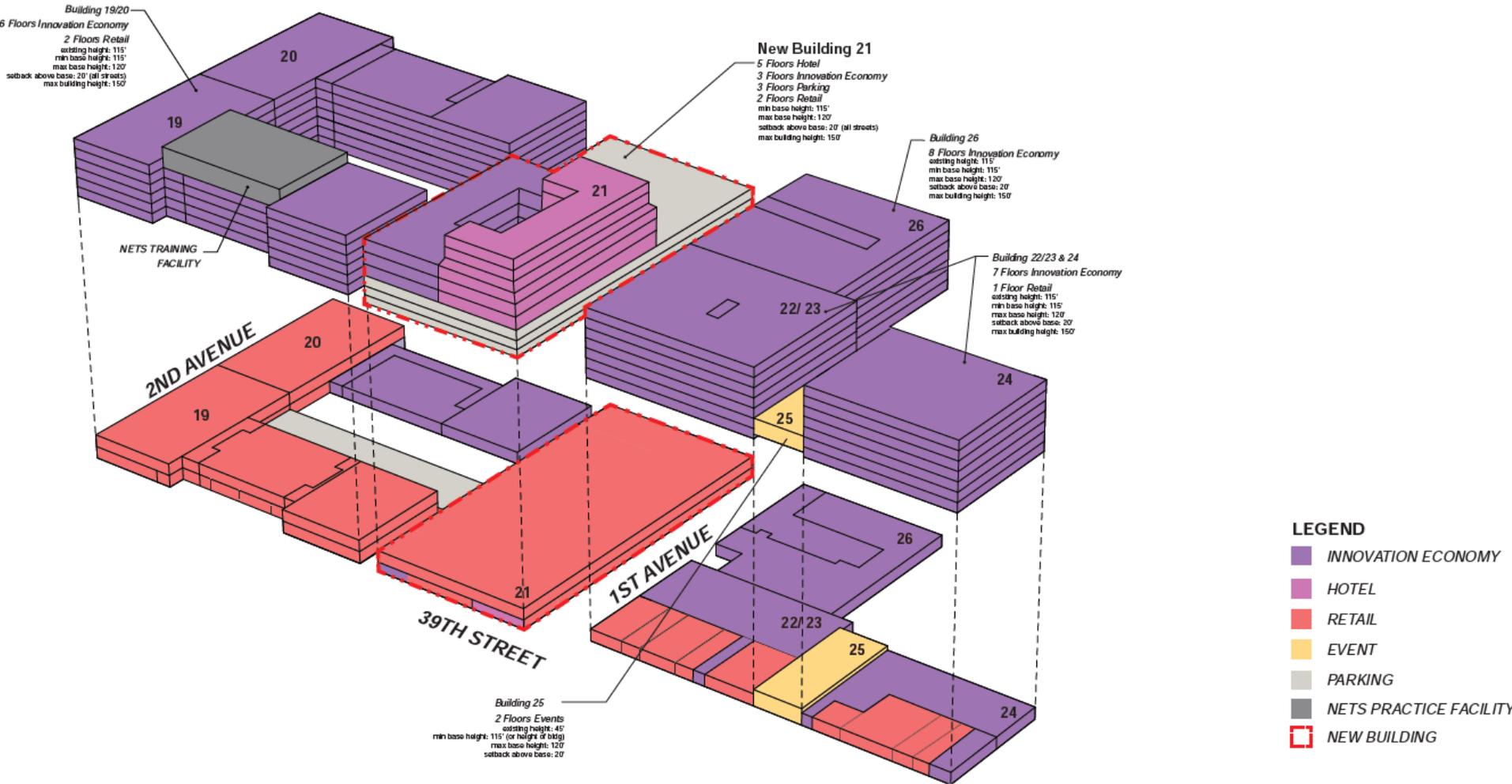
The proposal summary: 39th Street



The proposal summary: Finger Buildings, use



The proposal summary: 39th Street Buildings, use



New uses are a big part of this proposal

- But there are limits . . .
 - Hotels would require a special permit
 - No more than 900,000 SF for retail uses
 - No more than 625,000 SF for museums/educational uses
 - Most retail limited to the lower two floors
- The 1,520,000 SF that could be used for retail/museums/education is about 29% of the current size of Industry City
- That's about the size of the currently vacant space
- These uses will produce more jobs: about 6,000 additional workers at this site

In sum, the actions would allow:

- 1) More flexible uses: They can tenant out to most non-residential uses
- 2) More uses that provide more on-site services: makes all their space more attractive, one stop for all needs
- 3) More flexible building form: They can get waivers for standard height and setback
- 4) Huge parking garages that normally need special approvals/waivers
- 5) More floor area (especially from the de-mapped street!)

This can only happen through actions that must go through the Community Board in the City's ULURP process

Uniform Land Use Review Procedure (ULURP)

CITY MAP CHANGES MAPS OF SUBDIVISIONS PLATTINGS ZONING MAP CHANGES CPC SPECIAL PERMITS REVOCABLE CONSENTS FRANCHISE RFP'S MAJOR CONCESSIONS NON-CITY PUBLIC IMPROVEMENTS HOUSING AND URBAN RENEWAL PLANS LANDFILLS DISPOSITION OF REAL PROPERTY ACQUISITION OF REAL PROPERTY SITE SELECTION	DEPARTMENT OF CITY PLANNING Application and Pre-Certification	COMMUNITY BOARD	BOROUGH PRESIDENT and BOROUGH BOARD	CITY PLANNING COMMISSION	SEE FLOW CHART BELOW FOR THE PROCESS FOR CITY COUNCIL AND MAYORAL REVIEW (Charter Section 197-d)
	<ul style="list-style-type: none"> Receives application and related documents. Forwards application and documents within 5 days to CB, BP, and CC (and BB, if project affects more than one CB). Certifies application as complete. 	<ul style="list-style-type: none"> Notifies public. Holds public hearing. Submits recommendation to CPC, BP (and BB). Can waive rights on franchise RFP's and leases. 	<ul style="list-style-type: none"> BP submits recommendation to CPC or waives right to do so. BB (if project affects more than one CB) may hold a public hearing and submit recommendation to CPC or waive right to do so. 	<ul style="list-style-type: none"> Holds public hearing. Approves, modifies or disapproves application. Files approvals and approvals with modifications with City Council. Disapprovals are final, except for zoning map changes, special permits, and urban renewal plans. 	
PROCESS TAKES	No Specified Time Limit (after 6 months, applicant or BP in some cases, may appeal to CPC for certification).	60 Days	30 Days	60 Days	
<i>Clock = 1 Year</i>					
TOTAL DAYS		60 Days	90 Days	150 Days	

There are several land use actions that will come before you:

- Zoning map changes (new district and new special district)
- Zoning text changes (new text for the special district rules and new special permits)
- Special permit for bulk, use, parking and waterfront access within the special district
- Special permit for hotels
- City Map changes (e.g. De-mapping 40th Street)

You're going to get a HUGE application. It will have:

- A Land Use Application
- A Final Scope of Work for the Draft EIS
- A Draft EIS that will have 18 chapters plus appendices
- New zoning text
- Expect 1,000 pages of materials or more

- You will have 60 days to review it, hold a public hearing and draft your recommendations and schedule a vote!
- And you're all volunteers!!!

Thoughts on surviving CB land use reviews. Do's:

- Ask questions – your questions make everyone smarter
- Develop an opinion
- Discuss, learn from each other, staff and the public
- Ask for informational presentations
- Be strategic: Dig deep on issues that are important to you

Thoughts on surviving CB land use reviews. Do's:

- Make your voice heard
 - In discussion, at hearings, through resolutions
 - You speak first, you set the agenda!
- Think about impacts: Can you think of ways of making the project better? Suggest them!
- Think about community benefits: How can you get them?
- Focus on what you think is right, work to craft a detailed recommendation, and vote your opinion

Thoughts on surviving CB land use reviews. Don'ts:

- Don't think your question is stupid or redundant. Ask it!
- Don't worry about process or procedures: you have staff for that! Focus on what you think is important!
- Don't be afraid to change your mind! That's often the result of an honest discussion!
- Don't worry about being a pest or bothering people. That's a big part of your job!

Thoughts on surviving CB land use reviews. Remember:

- You are an independent New York City agency. You are an essential part of the process
- The first question the BP, CPC and your Council Members will ask is “What did the Community Board say?”
- You want a well-considered, well-written recommendation on the record
- Listen to other members and the public, be open-minded, but you are here for your opinion and your voice. Give it and use it

The ULURP will continue for about 150 days after the CB vote

- The Borough President has 30 days after the CB. His recommendation is also advisory
- Then, it goes to the City Planning Commission. The CPC has 60 days to approve it, kill it, or make changes to the proposal
- It then goes to City Council. City Council will defer to the Council Member. City Council will have 50 days to approve it, kill it, or make changes to the proposal
- The Mayor then signs or vetoes

The most important person in the room is your Council Member

- The Borough President has 30 days after the CB. His recommendation is also advisory
- Then it goes to the City Planning Commission. The CPC has 60 days to approve it, kill it, or make changes to the proposal
- It then goes to City Council. City Council will defer to **the Council Member**. City Council **will have 50 days to approve it, kill it, or make changes to the proposal**
- The Mayor then signs or vetoes

Your Council Member will be negotiating benefits and/or changes and can be an effective ally

- If there are parts of the application you hate . . .
- If there are impacts that can be mitigated . . .
- If there are benefits that you want (local hiring, affordable retail/ community space, whatever) . . .
- If there are parts you like and want to see more of . . .

Discuss with your Council Member!

Questions / Discussion



George M. Janes
& Associates

250 E. 87th Street

New York, NY 10128

Tel: 646.652.6498

george@georgejanes.com

Industry City

7/17/2019