



CITY PLANNING COMMISSION

September 9, 2015/Calendar No. 7

C 150330 PCQ

IN THE MATTER OF an application submitted by the NYC Police Department and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located at 31-22 College Point Boulevard (Block 4382, Lot 1) for use as a tow pound and storage facility, Borough of Queens, Community District 7

This application (C 150330 PCQ) for the site selection and acquisition of property located at 31-22 College Point Boulevard (Block 4382, Lot 1) for use as a tow pound and storage facility was filed by the New York City Police Department (NYPD) and the Department of Citywide Administrative Services (DCAS) on April 10, 2015.

BACKGROUND

The NYPD and DCAS propose the site selection and acquisition of privately-owned property for lease by the City for use by the NYPD as a tow pound and storage facility. The NYPD's Queens Tow Pound and Quartermaster facility were previously relocated to 31-22 College Point Boulevard through an emergency agreement with the City. The NYPD Queens Tow Pound vacated its former Maspeth location in August 2013 to allow for planned construction of the replacement span for the Kosciuszko Bridge. Additionally, the Quartermaster storage and distribution operations were relocated to the project site because of irreparable damage at their former Brooklyn location resulting from Superstorm Sandy.

The site selection and acquisition would facilitate the formal relocation and operation of the NYPD Tow Pound and Quartermaster storage facility at this site. Currently, all administrative and support functions related to the tow pound operations are operating out of temporary trailers that are located on the parking lot, and the NYPD's Quartermaster is currently utilizing the second floor of an existing two-story building on the site as storage space for department supplies. Quartermaster staff is only on-site on an as-needed basis during incoming deliveries and for distribution of supplies to police facilities.

The triangular-shaped site is generally bounded by 31st Avenue to the north and College Point Boulevard to the east. It is located in the southwestern portion of the Special College Point

District (CP), and it is zoned M2-1. The CP District was adopted on July 29, 2009 (N 090318 ZRQ) subsequent to the April 24, 2009 expiration of the College Point II Industrial Renewal Plan. The CP District was established to maintain a high quality business campus environment previously regulated by the Urban Renewal Plan.

Typically, M2-1 districts occupy the middle ground between light and heavy industrial areas, with business operational performance standards that are lower than required in M1 districts. However, CP District provisions apply the performance standards of an M1 district to M2-1 areas within it. The proposed tow pound and storage facility are commercial uses (Use Group 16) that are allowed in both M1 and M2 districts. In addition, while open uses are usually allowed in M2-1 districts, the CP District does not allow such uses within 300 feet of a residence district in M2-1 locations. The project site is located approximately 2,200 feet from the R5B district located at College Point Boulevard and 28th Avenue. Lastly, the CP District requires planted front yards along street frontages and regulates the size of accessory business signs.

Nearby uses are varied and generally reflect the manufacturing zoning of this portion of College Point. In the area immediately surrounding the project site, land uses are primarily low-rise manufacturing and light industrial operations, with various commercial uses interspersed. The area north of the project site contains a ConEdison facility that consists of offices, warehouses, storage and parking. The area east of the project site, across College Point Boulevard, is occupied by a window and door manufacturer. Immediately west of the project site is a large, undeveloped vacant lot, and further to the west is a recently constructed self-storage facility. To the south and west of the site are a Home Depot hardware store and a cement manufacturer. Many of these uses have a large amount of parking and accessory vehicle storage on their premises.

The privately-owned, 174,240 square-foot parcel has been owned by a printing and packaging company since 2004. Prior to that the site was vacant and owned by NYC Economic Development Corporation. Construction of the existing building on the site began in 2008, and the printing company that owns the site occupied the building from November 2011 until August 2013, when it consolidated the business's city-wide operations at its Brooklyn facility.

The property is improved with a parking lot with capacity for up to 250 vehicles and a 44,647 square foot, two-story building, which includes a mezzanine level. The second floor of the building is used for storage of supplies by the Quartermaster operation while all tow pound operations take place in the parking lot, including clerical work, which operates out of temporary trailers. The mezzanine level is currently vacant.

The site has good vehicular transportation access. College Point Boulevard, a designated truck route, runs along the eastern edge of the project site. It is a wide, two-way north-south arterial that serves as the major connection between College Point and downtown Flushing. It is improved with exclusive left turn lanes at the approaches of intersections. On-street parking is prohibited at all time periods, Monday through Sunday. Running north of the site, 31st Avenue connects College Point Boulevard to the Whitestone Expressway. The Whitestone Expressway is a limited access, multi-lane highway with adjacent service roads running on either side of it. The expressway begins north of the Whitestone Bridge and terminates at the Van Wyck Expressway interchange at Linden Place.

The Q65 bus line connects the project site to the No. 7 subway terminal in downtown Flushing. The Q65 travels along College Point Boulevard and stops at 31st Avenue across the street from the project site.

The proposed project would renovate the interior of the existing two-story building for long-term use by the NYPD for tow pound and Quartermaster operations, including a new redemption center where members of the public will come to redeem their vehicles. The proposed project would not expand the footprint or the height of the existing building. The proposed project will continue to utilize the existing parking lot for tow pound operations. It will contain a total of 229 spaces, allocating 72 parking spaces for NYPD vehicles and 157 parking spaces for towed vehicles. The NYPD's vehicular access to the tow pound will be primarily from an existing curb-cut on College Point Boulevard that serves a driveway along the southern side of the site. Public access to the site will be from the entry facing 31st Avenue.

For security purposes, the tow pound would be staffed 24 hours a day. It will be open to the public Monday through Friday from 8 AM to 10 PM, and on Saturday from 8 AM to 3 PM. Staffing related to tow pound operations would consist of approximately 60 people in three shifts, including tow truck operators and on-site NYPD personnel. The Quartermaster facility will continue to be staffed on an as-needed basis during incoming deliveries and for distribution of supplies to police facilities. It is anticipated that the proposed project would allow for the formal relocation and operation of the tow pound and Quartermaster facilities at this location by the end of 2015.

The site selection and acquisition process has been reviewed under the “Fair Share” criteria for the location of the City Facilities Statement of Needs for FY 2014-2015.

ENVIRONMENTAL REVIEW

This application (150330 PCQ) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and 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 15NYP002Q. The lead agency is the New York City Police Department.

After a study of the potential impacts of the proposed action, a negative declaration was issued on April 9, 2015.

UNIFORM LAND USE REVIEW

This application (C 150330 PCQ) was certified as complete by the Department of City Planning on May 4, 2015 and was duly referred to Community Board 7 and the Borough President, in accordance with Title 62 of the rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Community Board 7 held a public hearing on this application (C 150330 PCQ) on June 22, 2015 and, on that date, by a vote of 29 in favor and 14 opposed with no abstentions, adopted a resolution recommending approval of the application.

Borough President Recommendation

This application (C 150330 PCQ) was considered by the Borough President, who issued an approval of the application on July 23, 2015 with the following conditions:

That as promised, the NYPD staff, official and towed vehicles are always contained within the tow pound facility;

The operations of the facility should not be conducted on the surrounding streets;

If the total capacity for vehicles has been reached all other vehicles should be diverted to other facilities.

City Planning Commission Public Hearing

On July 15, 2015 (Calendar No. 4), the City Planning Commission scheduled August 5, 2015 for a public hearing on this application (C 150330 PCQ). The hearing was held on August 5, 2015 (Calendar No. 22). There were six speakers, who spoke in support of the application, and one speaker opposed.

The speakers who spoke in support of the application included representatives from DCAS, the NYPD, the project site owners, and a traffic consultant for the applicant. A local resident spoke in opposition.

The first speaker in support of the application was the Assistant Director of Leasing and Asset Management from DCAS. She clarified that the applicant was seeking approval to acquire property through a 20-year lease by the City for use by the NYPD as a tow pound and storage facility. She described the site, stating it was improved with a two-story (with mezzanine) building constructed in 2011 and a large accessory parking lot. She stated the site would meet NYPD requirements for the Queens Tow Pound, and that the use would not require the

expansion of the existing building on the project site. She emphasized that all tow pound operations, including NYPD employee parking, would be contained on the site. The speaker also stated that the owners and the NYPD would provide new fencing and landscaping along the site frontages. She stated that the siting of the tow pound facility received an endorsement from the Board of Trade for the College Point area, and that the facility has been in operation for two years without any material incident or concern.

The second speaker was the NYPD Deputy Director who oversees Citywide field operations. He stated that the tow pound is an enforcement violation tow pound. In describing the operations, he stated that a traffic manager is on site to oversee the daily operations and ensure that all commitments are met. He stated a private security guard is on the site to maintain security while the facility is closed. With regard to capacity, the speaker stated that operations are at approximately 60 percent to 70 percent capacity. He explained that approximately 48 to 60 cars are towed daily and that approximately 83 percent of vehicles are redeemed the same day. He described the planned building interior improvements, which will include locker rooms for the employees, a muster room, equipment room and a public vehicle redemption center.

The third and fourth speakers were the co-owners of the property. They stated that the project also had the support of the College Point Board of Trade. They believed the project would enhance the area and contribute to a more secure environment. They explained that their printing and packaging company occupied the building on the premises for three years, but realized that their business could operate efficiently by consolidating their operations at their Brooklyn location.

The fifth speaker was the applicant's traffic consultant who spoke in support of the application, noting that the existing open parking area with the proposed parking space striping provided adequate parking for towed vehicles, NYPD employees and tow trucks.

The sixth speaker was an NYPD representative for Facilities Management. He addressed the steps being taken for providing improved landscaping and fencing and new signage to meet the Special College Point District requirements.

A Community Board 7 resident spoke in opposition to the application. He claimed that the tow pound use was non-compliant with the special district provisions, and he stated that the tow pound use should not be exempt from enclosure requirements. He also believed that the tow pound failed to meet two of the three stated objectives of the Special College Point District.

Waterfront Revitalization Program Consistency Review

This application 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 13, 1999 and by the New York State Department of State on May 28, 2002, 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 14-026. This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

CONSIDERATION

The City Planning Commission believes that the application (C 150330 PCQ) for the site selection and acquisition of property for use as a tow pound and storage facility by the New York City Police Department is appropriate.

The Commission notes the proposed facility is located in an M2-1 zoning district within the Special College Point District. The Commission further notes the tow pound and storage uses are in conformance with zoning regulations governing land uses within the Special College Point District and in M2-1 districts. Specifically, the Commission notes that because this is an M2-1 zoning district, and the Tow Pound is located more than 300 feet beyond a residence district, open use of this type is permitted. The Commission believes the tow pound and storage uses will be compatible with the manufacturing, storage and auto-related uses in the immediate vicinity of the project site. The Commission notes that the proposed open parking use on the subject site is a conforming use since the site is located farther than 300 feet away from the nearest residence district.

The Commission notes the project will not result in any new construction nor will it change the footprint of the existing two-story building that currently occupies the site. The Commission believes the planned improvements to the property, including new landscaping along the site's frontages, will further enhance the area.

The Commission understands the concerns raised by the Queens Borough President and has been assured by representatives of DCAS and NYPD that the project site will be adequate to meet the needs of the tow pound and storage facility and that operations will be contained within the boundaries of the project site. The Commission notes the project site meets the criteria for the relocation of the Queens Tow Pound outlined in the Citywide Statement of Needs for Fiscal Years 2014-2015 which lists a minimum lot area of approximately 169,000 square feet, proximity to public transportation, capacity for approximately 60 employees and parking for approximately 200 vehicles. The Commission believes the site is suitable for the tow pound and storage facility in terms of size, capacity and availability of transportation access to the public.

The Commission acknowledges the zoning concerns raised by the resident who spoke in opposition at the public hearing, yet the Commission maintains that the tow pound use conforms to zoning regulations governing land use within the Special College Point District. The Commission notes that open uses are allowed on the subject site since it is located approximately 2,200 feet – more than 300 feet – away from a residence district. With regard to the concern that the tow pound failed to meet the stated objectives of the Special College Point District, the Commission acknowledges that this project will not satisfy a specific purpose of the Special District with regard to the retention of high performance manufacturing establishments. In this regard, the Commission encourages the City to continue to pursue this important objective. However, the Commission does believe that this facility will help support an existing underutilized building, provide landscaped yards that will maintain a high quality campus environment, and serve the general welfare of city residents.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the proposed action described herein will have no significant impact on the environment; 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 197-c of the New York City Charter, based on the environmental determination and the consideration described in this report, the application submitted by the New York City Police Department (NYPD) and the Department of Citywide Administrative Services (DCAS), for the site selection and acquisition of property located at 31-22 College Point Boulevard (Block 4382, Lot 1) for use as a tow pound and storage facility, Borough of Queens, Community District 7, is approved.

The above resolution (C 150330 PCQ), duly adopted by the City Planning Commission on September 9, 2015 (Calendar No. 7), 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.

CARL WEISBROD, *Chairman*
KENNETH J. KNUCKLES, *Esq.*, *Vice Chairman*
RAYANN BESSER, **IRWIN G. CANTOR, P.E.**,
ALFRED C. CERULLO, III, **MICHELLE R. DE LA UZ**,
JOSEPH I. DOUEK, **RICHARD W. EADDY**, **CHERYL COHEN EFFRON**,
ANNA HAYES LEVIN, **ORLANDO MARIN**, **LARISA ORTIZ**,
Commissioners

Queens Borough President Recommendation

APPLICATION: ULURP# C150330PCQ

COMMUNITY BOARD: Q07

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by New York City Police Department (NYPD) and the Department of City Wide Administrative Services (DCAS), pursuant to Section 197(c) of the NYC Charter, for acquisition (lease) of a privately owned property for its borough-wide tow pound and city-wide Quartermaster operations in an M2-1 district located at 31-22 College Point Boulevard, Block 4382 Lot 1, Zoning Map 10a, College Point, Borough of Queens.

PUBLIC HEARING

A Public Hearing was held in the Borough President's Conference Room at 120-55 Queens Boulevard on July 16, 2015 at 10:30 A.M. pursuant to Section 82(5) of the New York City Charter and was duly advertised in the manner specified in Section 197-c (i) of the New York City Charter. The applicant made a presentation. There was one (1) speaker in opposition. There were no other speakers. The hearing was closed.

CONSIDERATION

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

- The applicant is requesting approval for site selection and acquisition (20-year lease) of a privately owned property for the NYPD boroughwide tow pound and citywide Quartermaster operations;
- The site is an approximately 4-acre irregularly shaped lot that is developed with a 65,937 sf two-story and mezzanine mixed-use building (warehousing and commercial/retail) and a 157-space accessory parking lot. Currently, the NYPD Quartermaster is utilizing the 28,550 sf on 2nd floor for storage of NYPD supplies. The staff for Quartermaster operations visits on an as-needed basis for delivery and distribution of supplies. NYPD ancillary tow pound operation has been utilizing the parking lot and second floor of the building under an emergency license agreement with the property owner since 2013. All administrative and support functions related to NYPD tow pound operations are currently operating out of temporary trailers located in the parking lot. The entrance and exit to the facility is on College Point Boulevard;
- The application proposes continued use of the existing tow pound and Quartermaster operations on the site. If the proposed lease is approved, the temporary trailers would be removed and all operations and administrative functions of the tow pound would be moved into the 28,294 sf first floor of the existing building which would be renovated for the use. Removal of the trailers and restriping the lot would result in capacity for a total of 229 cars including towed vehicles, tow trucks, employee vehicles and semi-trucks. An existing chain-link fence on the perimeter will be replaced with an approved fence design and site perimeters will be landscaped;
- The Queens tow pound is one of four pounds throughout the city that provides essential services in maintaining traffic flow and pedestrian safety. The hours of operation are 5:00 am to 8:00 pm for field deployment. The tow pound is open to the public Monday through Friday from 8:00 am to 10:00 pm and on Saturday from 8:00 am to 3:00 pm and closed on Sunday. The facility is staffed 24 hours a day for security purposes. Staffing for the tow pound operation would consist of approximately 60 people daily in three shifts including tow truck operators and all on-site NYPD personnel. Employees park on premises within the facility. The facility is serviced by a private security firm 24 hours 7 days a week. NYPD indicated that approximately 40-60 vehicles are towed and reclaimed on the average weekday and approximately 25 on Saturday. NYPD notes that most cars are reclaimed on the same day;
- The site is located in the College Point Corporate Park which is also a Special District. The property is generally bounded by 31st Avenue to the north and College Point Boulevard to the east. College Point Boulevard is a major north-south arterial and 31st Avenue serves as an east-west street connecting College Point Boulevard which provides access to the Whitestone Expressway. The site is served by local bus services and located 0.8 miles from the closest subway station. The new Police Academy is currently open and under further construction a short distance to the northeast of the site. The surrounding area is predominantly developed with business and industrial facilities and municipal uses such as an MTA bus depot, a marine transfer station, and a Con Edison facility.
- The former Queens tow pound Maspeth location had to be vacated to accommodate reconstruction of the Kosciuszko Bridge. A total of five sites were identified within Queens as possible options for tow pound operations. Four other sites were considered and eliminated for various reasons. The NYPD's Quartermaster warehouse and distribution facility was relocated to the site under emergency conditions because the former facility was irreparably damaged as a result of super-storm Sandy;

- At the monthly CB 7 meeting of the full board, the Land Use Committee made a motion to disapprove the application on the basis that the community board is already overburdened by numerous NYPD facilities and that the neighborhoods around those facilities are negatively affected by the parking of official and private police vehicles on the streets of the adjacent areas. The members of CB 7 defeated the motion to disapprove the application by a vote of fourteen (14) in favor and twenty-nine (29) against and none (0) abstaining on the motion at a public hearing held on June 22, 2015. At the public hearing, many area residents and some board members who live in the area spoke in support of the application stating that the current tow pound operation has minor impacts on the neighborhood and traffic while any other types of allowable businesses in this district would bring more traffic and environmental impacts into the area;
- At the Borough President's Land Use Public Hearing, there was a speaker who spoke against the application and submitted a minority opinion from CB 7 land use committee. There was also one (1) written statement in support of the application submitted by the College Point Board of Trade, Inc.. Representatives on behalf of the NYPD made assurance that the operations and vehicles of the tow pound facility would be fully kept on the site. The NYPD also submitted a letter that outlined responses they had received from the Department of Transportation regarding requested College Point Corporate Park area street improvements. All of the requests had been considered. With a few exceptions all of the requests became projects that have been implemented, completed or in varying stages of design for implementation. Requests that were not implemented were deemed to be unfeasible by both the State and City Departments of Transportation.

RECOMMENDATION

The College Point Corporate Park is an important center of activity that is vital to the Queens and New York City industrial and manufacturing sector of the economy. For that reason it was overseen as an industrial Urban Renewal Area for thirty years and is now mapped as the Special College Point District. The special district designation is meant to maintain the highest operating standards, support the resident businesses and to buffer the effects of the operation of the College Point Corporate Park from the nearby residential neighborhoods.

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

- That as promised, the NYPD staff, official and towed vehicles are always contained within the tow pound facility;
- The operations of the facility should not be conducted on the surrounding streets;
- If the total capacity for vehicles has been reached all other vehicles should be diverted to other facilities.


PRESIDENT, BOROUGH OF QUEENS


DATE