

**BRONX BOROUGH PRESIDENT'S RECOMMENDATION
ULURP APPLICATION NOS:**

**C 230070 MMX- 1400 STORY AVENUE CITY MAP CHANGE
C 230145 ZSX- 1400 STORY AVENUE (YORK STUDIOS)**

DOCKET DESCRIPTION

C 230070 MMX

IN THE MATTER OF an application submitted by BR-2012 Realty LLC pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code for an amendment of the City Map involving:

- 1) The elimination, discontinuance and closing of a portion of Story Avenue between Bronx River Avenue and the U.S. Pierhead and Bulkhead Line;
- 2) The adjustment of grades and block dimensions necessitated thereby;

Including authorization of any acquisition or disposition of real property related thereto, in accordance with Map No. 13147 dated February 13, 2023, and signed by the Borough President.

Related Applications: C 230145 ZSX, N 230142 ZAX, N 230143 ZAX, N 230144 ZCX

C 230145 ZSX

IN THE MATTER OF an application submitted by BR-2012 Realty LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to the Section 62-837(a) of the Zoning Resolution to modify the height and setback of Section 62-34 (Height and Setback Regulation on Waterfront Blocks) to facilitate the development of a 4-story commercial building, on property located at 1400 Story Avenue (Block 3621, Lots 1, 8, 200 and the proposed to be demapped portion of Story Avenue*), in an M1-1 District, Borough of The Bronx, Community District #9.

*Note: Story Avenue, between Bronx River Avenue and the U.S. Pierhead and Bulkhead Line, is proposed to be demapped under a concurrent related application for a City Map Change (C 230070 MMX).

Plans for this proposal are on file with the City Planning Commission and may be seen on the Zoning Application portal at <https://zap.planning.nyc.gov/projects/2021X0335>, or the Department of City Planning, 120 Broadway, 31st Floor, New York, N.Y. 10271-0001.

Related Applications: C 230070 MMX, N 230142 ZAX, N 230143 ZAX, N 230144 ZCX

BACKGROUND

Entrance to the existing York Studio's Michaelangelo Campus is located on the south side of Story Avenue, at the foot of Bronx River Avenue. A steel girder fence rising approximately eight feet, blocks and separates access to the unbuilt portion of Story Avenue at this intersection. This campus is defined by an exterior parking lot composed of 115 vehicular parking spaces. Existing development includes a building approximating thirty feet in height, offering 175,000 square feet and includes five studios. The site is secured by steel picket fencing and gate approximating a height of eight feet.

The current campus located at 1410 Story Avenue (Block 3622, Lot 18) approximates 176,000 square feet. In 2016 to facilitate construction of this facility, the Chairperson of the City Planning Commission certified that this site was exempt from visual corridor requirements pursuant to Section 62-51 of the Zoning Resolution (ZR).

Both ULURP applications now being considered pertains to the 263,270 square feet of vacant property. It is bounded by:

- Story Avenue on the north (unbuilt) and Bronx River Avenue
- Lafayette Avenue on the south (unbuilt)
- Colgate Avenue to the east
- The Bronx River to the west

C 230070-1400 Story Avenue City Map Change

Approval of this application will amend the City Map by demapping an unbuilt portion of Story Avenue, between Bronx River Avenue on the east and the Bronx River on the west. This section of Story Avenue is approximately 177 feet long and 80 feet wide, approximating 13,520 square feet. It is owned by the New York City Department of Transportation (DOT). It is currently being used for vehicular storage by a towing company located adjacent to this area's northern boundary, (Block 3646, Lot 1). Pending approval of this application the applicant seeks to acquire the southern half of the demapped section of Story Avenue (approximately 40 feet wide) to create a single waterfront zoning lot. The northern half (approximately 40 feet wide) would be made available to the adjacent lot owner.

The Development Site currently consists of approximately 263,370 square feet, (Block 3621, Lots 1, 8 and 200) of vacant property. Of this total, 41,478 square feet are submerged under water. In addition, 21,704 square feet of property is located within a tidal wetland adjacent area and is therefore subject to New York State Department of Environmental Conservation regulations.

Pursuant to the approval of this application, the total Development Site will approximate 270,130 square feet. The Development Site includes 291 feet of frontage on Lafayette Avenue, which, while mapped, is in fact an unpaved area and secured by fencing. This defines the southern boundary of the Development Site. On the west, the site offers 1,089 feet of frontage on the Bronx River. Approval of this application will facilitate development of the next and final phase of the York Studios Michaelangelo Campus and will include access to the public waterfront abutting the

Bronx River. Vehicular access to the York Studio Michaelangelo Campus will remain on Story Avenue. This site is zoned M1-1.

C 230145 ZSX-1400 Story Avenue (York Studios)

Approval of this application will facilitate development of a four-story television and film studio (Use Group 10A), located at 1400 Story Avenue (Block 3621, Lots 1, 8 and 200) also referred to as the York Studios Michaelangelo Campus. This new building will total approximately 181,306 square feet (FAR 0.67) and rise approximately sixty feet. It will be situated on a north-south parallel to the Bronx River, and will be adjacent to the existing building located at 1410 Story Avenue. It will offer:

- Five studio stages
 - 3 @ 15,000 square feet
 - 2 @ 18,000 square feet
- Talent rooms
- Wardrobe, hair and makeup facilities
- Offices
- Parking for 255 vehicles (140 cellar level & 115 surface parking lot)
- 1-acre waterfront public access area on the Bronx River

Pending the timely approval of these applications, construction will commence in 2024 and conclude in 2026. Total development cost will approximate \$100 million.

Pedestrian and vehicular access will remain at the current location being the intersection of Story Avenue and Bronx River Avenue.

Owing to this site's proximity to the Bronx River waterfront it is subject to waterfront zoning regulations, Article VI, Chapter 2. This public access area will be landscaped and include space for seating and passive recreation. Highlights include:

- 41,736 square feet of open space
- 453 linear feet of seating
- 25,406 feet of planted area
- Two bike racks accommodating 18 bicycles
- Three sets of trash and recycling receptacles
- Tables and chairs for passive recreation
- Park lighting that will satisfy illumination standards set by the City DOT
- A landscaped buffer between open space areas and the building's façade
- An internal roadway providing pedestrian and vehicular access between the existing 1410 Story Avenue and the proposed 1400 Story Avenue.

This area will be accessible from Story Avenue via an upland connection and the northern end of the site. At the southern end the site offers. A mapped, unbuilt section of Lafayette Avenue defines the southern boundary of this site. This boundary offers 291 feet of frontage on Lafayette Avenue. It is anticipated that the northern boundary of Soundview Park be extended to include a

total of 17,683 square feet of what is currently the unbuilt portion of Lafayette Avenue. Pursuant to a Memorandum of Understanding, this section will remain under the ownership of the Department of Transportation and remain mapped. In consultation with the Department of Parks and Recreation, this area will be landscaped and maintained by the Applicant.

Approval of this application will modify the following Zoning Resolutions:

1. **C 230145 ZSZ** - A special permit pursuant to ZR Resolution Section 62-837(a) to modify bulk regulations to permit the proposed building height of 60 feet and 4 stories.
2. **N 230142 ZAX** - ZR Section 62-822(a) to modify the visual corridor and waterfront publican access area requirements:
 - a. ZR Section 62-56, to permit upland connections to be located at intervals along the shore public walkway in excess of 600 feet;
 - b. ZR Section 62-56 (a)(1), to reduce the width of the required upland connection entry area;
3. **N 230143 ZAX** - ZR Section 62-822(b) to modify certain waterfront public access area requirements:
 - a. ZR Section 62-62(a) to allow more than 20 percent of the circulation path to be located beyond 10 feet of the shoreline;
 - b. ZR Section 62-64(b)(1), to allow a paved area of less than 70 percent along the upland connection entry area frontage adjoining a public sidewalk;
 - c. ZR Section 62-64(d), to waive seating within the upland connection;
 - d. ZR Section 62-65(c)(2), to allow the use of steel picket fencing with a height greater than 36 inches between the Applicant owned- sight and waterfront public access area; and
 - e. ZR Section 62-651(d) to allow gates with a height greater than 4 feet located between the Applicant-owned site and waterfront public access area and a gate opening where less than 70 percent of the total waterfront public access area, in aggregate, would be free of obstruction;
4. **N 230144 ZCX** - A certification pursuant to ZR Section 62-811(b) by the Chairperson of the City Planning Commission certifying that a site plan has been submitted showing compliance with the provisions of ZR Section 62-50 and 62-60; and

Development to the north is typified by one- and two-story industrial buildings pursuant to the manufacturing district zoning designation (M1-1). An R6 designation is located east of Colgate Avenue and is a mix of medium- to high-rise buildings approximating 12- to 20-story tower-in-the-park style residential buildings. Soundview Park, approximating 205 acres is located on the south side of Lafayette Avenue. The Bronx River is immediately west of the site and is inaccessible as there is a significant grade change from the river to the lots. Retail activity is found on Westchester Avenue and has the Elder Avenue 6-train stop approximately ½ mile away. Bus transit via the Bx 5 operates on Story Avenue.

ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION

These application were reviewed pursuant to SEQR and CEQR and received a Negative Declaration. The City Planning Commission certified both applications as complete on February 13, 2023.

BRONX COMMUNITY DISTRICT PUBLIC HEARING

A public hearing was called by Bronx Community Board #9 on March 16, 2023. A unanimous vote recommending approval of these applications with modifications/conditions was 29 in favor, zero opposed, zero abstaining.

BOROUGH PRESIDENT'S PUBLIC HEARING

A virtual public hearing was convened by the Bronx Borough President on April 20, 2023. Representatives of the applicant was present and spoke in favor of these applications. No other speakers sought to offer testimony and the hearing was closed.

BRONX BOROUGH PRESIDENT'S RECOMMENDATION

The entertainment industry has a long and distinguished history in New York City. From Broadway theaters to smaller community auditoriums, from Radio City and The Bronx's Paradise Theater to the most modest size movie houses, creating entertainment is a multi-billion dollar industry in our great city that employs thousands of New Yorkers through direct and indirect good-paying jobs.

With the addition of new technology, specifically streaming digital content, there is a huge demand in the movie and television industries, creating a new "golden age" of content creation. With production in such high demand, studio space for filming is crucially important to ensure production companies don't need to leave New York City to get the studio space they need. Therefore, if our Bronx-based York Studio facility is to remain competitive and attract the most lucrative productions, I believe we must approve this project.

I support the conditions that were unanimously supported by Bronx Community Board #9, that include local hiring, union jobs, supporting MWBE and MWCEA, supporting local community programs, ensuring full-time security, and limiting filming street parking permits. Hiring Bronx residents and Bronx based companies while ensuring that all salaries are "living wage" will always be a requirement for my support. As this project will create a significant private sector investment, it is essential that the money invested will have a direct benefit to Bronx residents.

I recognize that a significant aspect of the application pertains to the site's proximity to the Bronx River waterfront and there are proposed modifications to these waterfront public access regulations. The one requested variance of the proposal that has brought up some concerns is the height of the security fence and gate. I certainly agree that a three-foot fence and four-foot gate, as are the maximum heights permitted by the current zoning regulations, offers little, if any, security. Just as important, is that the [soon-to-be] demapped Story Avenue street-end offers an inviting and accessible space for the community to be able to access the Bronx River waterfront,

as well as the new connection to Soundview Park. If this site had an entirely new development, I would propose the maximum height of the fence and gate be a more reasonable six-feet in height, rather than the currently proposed eight-feet. However, with the existing Michaelangelo campus containing an existing eight-foot fence that fronts both Story Avenue to the north and Colgate Avenue to the east, the proposed eight-foot fence and gate would match the existing fence and makes sense for this specific proposal. I trust that York Studios will do their part in meeting the requirements that the gates are open during the day and the waterfront space is safe, well-maintained, and inviting to the public.

The existing York Studio building is a 30-foot gray concrete building and the proposed new building will be 30- to 60-feet of gray concrete as well. I would like to see both the proposed and existing York Studios buildings doing something creative with the existing concrete facades that face the community and the Bronx waterfront. These blank spaces could include some form of art or mural or greenery that will make the buildings visually appealing and further add to the character of the local neighborhood.

Finally, I want to ensure the connection between the waterfront public area and Soundview Park creates a seamless connection. The proposal shows two connections, one running along the mapped but unbuilt portion of Lafayette Avenue and connecting directly to Colgate Avenue; the other connection would create a new pathway into the park that connects to the existing pathway further south. While there is still some logistical work that needs to be finalized with several agencies before these connections can be made, this work needs to be prioritized and shovel-ready for when the proposed York Studio development begins so these park connections can be made in conjunction with the development. This timing is important because York Studios has agreed to help provide resources during the build-out and the city needs to make sure they're not missing out on a public-private partnership opportunity.

Overall, I am happy to see the expansion of York Studios and I recommend approval of the applications.