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TOWN OF CLARKSTOWN
PLANNING BOARD AND TOWN BOARD
NARRATIVE SUMMARY

DPM NANUET SELF STORAGE
AMENDED SITE PLAN
SPECIAL PERMIT
Tax Lot 59.17-1-41 & 42

This is an application for amended site plan approval to allow the redevelopment of the former Huffman Koos furniture store building at 14 and 20 North Middletown Road, Nanuet.

Existing Conditions

The site is located on the East side of North Middletown Road, approximately 335 feet North of New York State Route 59. The intersection of North and South Middletown Roads and Route 59 is a major commercial center for both the Town of Clarkstown and the County of Rockland.

The parcel consists of two tax lots, with a combined lot area of 2.37± acres (103,265sf). It is located in an RS (Regional Shopping) zoning district. The site has approximately 441.6 feet of frontage on North Middletown Road, and is served by three existing access driveways to North Middletown Road.

There is an existing two-story, 21 foot tall building on the site, originally built as a Huffman Koos furniture store. The interior of the building contains a main selling floor at grade level, and a partial mezzanine on the upper level. The building has a footprint of 40,100 square feet, yielding a gross floor area of 66,450sf (main level plus mezzanine).

Most of the remainder of the site is paved and used as a parking area or vehicular access. Loading areas are located at the rear (East) of the building.

The building is surrounded on three sides by commercial/retail uses, consistent with the RS zoning district. To the North are two small strip shopping centers. Across North Middletown Road is Rockland Plaza, a large regional shopping center, a small strip center and a gas station. South of the site is a single tenant retail building, beyond which is the town's Korean War Veteran's Memorial, at the corner of Route 59. East of the site is St. Anthony's Roman Catholic Church and Cemetery.

The Nauraushaun Brook, a county-regulated stream, passes to the South of the site, through the Korean War Veteran's Memorial. The western half of the site is within the 100 year flood plain of the Brook.

The area is served by Transport of Rockland bus routes 93 and 59, as well as commuter bus services. There are sidewalks throughout the area. All utilities are available in North Middletown Road.

The site was originally approved for a furniture store (then known as Huffman & Boyle) in the mid-1960s. In 1969, an addition was approved in connection with Building Permit application #69-504. The addition required, and received, variances reducing the rear yard from the required 50 feet to 15 feet, and reducing the number of required parking spaces. The addition was built to conform to the approved variances, and there have been no additions or demolitions since that time.

The site has been largely vacant or underutilized since Huffman Koos closed the store in July 2004. Since then, it has been used primarily for seasonal businesses, such as Halloween costume sales and a farmer's market.

Proposal

The applicant, DPM Nanuet Self Storage, LLC, is a unit of DealPoint Merrill, LLC, a Los Angeles-based developer and manager of commercial properties. It currently has over two million square feet of office and retail assets around the country. The applicant has a contract to purchase property from the current owner, Nanuet Management, Inc.

The applicant proposes to convert the building into a mini-warehouse. Mini-warehouses are allowed in the RS district by special permit of the Town Board.

No exterior construction, other than erection of a garbage enclosure and repairs of the driveways and parking areas as needed, is proposed. The configuration of the site will remain exactly as it is now. All construction will be interior to the building, although the facade will be renovated and updated. The applicant intends to create a full second level, increasing the total building floor area to 80,200sf, of which approximately 78,500sf will consist of storage units (along with corridors and stairwells). There will be a 2,300sf office/reception area on the lower level.

Mini-warehouses are low-intensity uses. The applicant does not expect a significant number of vehicle trips to be generated by this use, and certainly far fewer trips than would be generated by retail usage. In its experience, a facility of this size will generate an average of 20 trips per day, with more on weekends and fewer on weekdays. This expectation is reflected by the Zoning Code, which requires no parking spaces for that portion of the building attributed to storage. (§ 290-17.S[10]). For this reason, the applicant does not intend to submit a traffic study.

The mini-warehouse will operate 24 hours per day, 7 days per week. The office is typically open from 9:00am until 6:00pm, 7 days per week. Staffing is typically 1 manager, 1

assistant manager and 1 maintenance person.¹ At all times, unit renters may enter the building by entering their personal identification numbers (“PIN”) in a key pad at a building entry door. The use of PINs allows the operator to know who has entered the building, and when. In addition, there is video surveillance of the entire building.

Interior lights in the main hallways are always on. In secondary hallways, the lights are triggered by motion sensors, and are extinguished after 20 minutes without detected movement. Exterior lights are on timers, to go on 30 minutes before dark and to go off 30 minutes after daybreak.

As of this writing, the applicant has identified the following needed variance:

<u>Dimension</u>	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>
Floor Area Ratio	0.50	0.90	1.08 (resulting from completion of the second level)

Special Permit Requirements

As noted above, mini-warehouses are a special permit use which must be approved by the Town Board. The Zoning Code provides for findings to be made as a condition precedent to granting a special permit. The necessary findings are both general to all special permit uses, and specific to certain uses. The required findings and the applicant’s responses are set out below.

290-15 Special findings [for special permit uses]

A. Before granting a special permit for any use in the Use Table, Column 3, the Town Board, Planning Board or the Board of Appeals, as specified therein, shall make the following special findings (as well as any additional requirements and conditions set forth for any specific use in the Use Table and in § 290-17).

The proposed use is a “mini-warehouse” as that term is defined in Zoning Code § 290-3 (“A structure or group of structures intended for dead storage of goods or wares where individual stalls, garages or lockers are rented to different tenants and each individual unit provides less than 500 square feet of storage area.”). The mini-warehouse use is allowed by special permit from the Town Board in the RS district.

B. The proposed use as described and represented by the applicant will:

(1) Be appropriately located with respect to transportation, water supply, waste disposal, fire and police protection and other public facilities.

The proposed mini-warehouse is to be located on the East side of North Middletown Road, approximately 335 feet North of NYS Route 59. This area is a major commercial center, situated directly across from Rockland Plaza, a large shopping center, and just North of the recently redeveloped Shops at Nanuet (formerly Nanuet Mall). North Middletown Road is a

¹Each employee works 6 days a week: for 3 days there will be 2 full time employees; for 4 days all three will be on site.

county road; Route 59 is a state road. Transport of Rockland (TOR) bus service runs along both roads (TOR routes 93 and 59, respectively). There are sidewalks throughout the area.

The area is served by all utilities in North Middletown Road. There is ample access for waste disposal services, fire and police protection and other public facilities. Waste disposal will be through the Rockland County Solid Waste Management Authority. Police services are provided by the Town of Clarkstown Police Department. The main police station is located in New City, with a satellite station nearby at the Shops at Nanuet. Fire protection would be provided, initially, by the Nanuet Fire Department, located on Prospect Street, Nanuet, approximately 2/3 of a mile from the site. Mutual Aid agreements would bring in additional fire services as needed. Nanuet Community Ambulance is located at 255 South Middletown Road, Nanuet, less than two miles away.

(2) Not cause undue traffic congestion or create a traffic hazard.

Mini-warehouse uses generate significantly less traffic than do retail or other commercial uses. Based on the applicant's experience, a facility of this size will attract an average of twenty users per day. There is ample parking and driveway areas on site to prevent stacking on the public roads.

(3) Not create, at any point of determination set forth in § 290-13F, G and H any more dangerous and objectionable elements referred to in § 290-13A than is characteristic of the uses expressly permitted as of right in the same district.

Mini-warehouses do not emit odors, smoke, ash, or any other dangerous or objectionable elements. Storage of dangerous or hazardous materials will be prohibited by the operator. A copy of a typical unit lease is attached.

(4) Not adversely affect the character of or property values in the area.

The proposed use will redevelop an existing building, originally built as a Huffman-Koos furniture store. The exterior will be renovated and updated in consultation with the Architecture and Landscaping Commission. Currently the site is vacant and moribund. Since the closing of the furniture store, the site has been used by various temporary retailers, most notably a seasonal costume store and a farmers' market. The advent of a permanent, low intensity tenant will upgrade this area.

(5) Not otherwise impair the public health, safety, morals, convenience, comfort, prosperity and other aspects of the general welfare of the town.

Mini-warehouse uses are low intensity uses that serve the needs of the community for individual additional storage of household goods.

(6) Comply with all other regulations applicable to such use.

Comment noted.

290-17 Additional requirements for certain special permit uses.

S. Mini-warehouse, subject to the following conditions:

(1) Interior driveways serving storage areas shall be not less than 30 feet wide if units are located on both sides of the driveway and not less than 20 feet wide if units are located only on one side. Concrete curbing shall be installed along all edges of paved areas that do not abut buildings.

There is an existing parking lot on the site, along the westerly and southerly walls of the existing building. Driveways allow for 360° circulation around the building. There will be no units having direct exterior access. The two-way driveway (running North-South, parallel to North Middletown Road) is 25.5 feet wide. The one way driveways (running East-West, parallel to Route 59 on both the North and South ends of the building) are 14 feet wide at their narrowest. In order to properly accommodate fire vehicles, the angled parking spaces at the southerly end of the site are to be removed and replaced with a travelway. All paved areas have curbing.

(2) Office or administrative areas related to the mini-warehouse are permitted accessory uses as part of the mini-warehouse site. At least one off-street parking space shall be provided for each 150 gross square feet of office or administrative area.

2,300 square feet of office/reception area² is proposed for the use, yielding a required complement of nine parking spaces. The site contains 34 proposed parking spaces, which is ample for customer and staff use.

(3) At least one off-driveway loading area of twelve by thirty-three (12 x 33) feet shall be provided at each elevator or passageway to a second story of a storage area.

The latest floor plan (9-22-2014) shows loading doors on the West, South and East sides of the building. Off-driveway loading areas are provided adjacent to each of these positions. There are two exit-only doors on the North and East sides of the building, which do not require loading areas.

(4) Site fencing and screening shall be provided as required by the Planning Board. Colors of structures and signs shall be neutral or earth tones, as required by the Planning Board.

Requirement noted.

(5) Not more than one dwelling and two parking spaces may be provided for a full-time caretaker or live-in manager.

There will be no dwelling on the premises.

(6) All structures shall meet the setback requirements of the zoning district applicable to the property.

The structures are existing. No changes to the building footprint are proposed.

(7) Site plan approval is required from the Planning Board.

Requirement noted.

²The 2,300 square feet of office/reception space includes 230sf of office area (2 spaces) and 2,070sf of office storage, bathrooms, the manager's office, and the reception office. If counted as retail space, at 1 parking space per 300sf of gross floor area, the yield is 7 parking spaces.

(8) Retail sales or service may be permitted in a separate freestanding building no larger than 4,000 square feet. Retail sales shall be limited to those items supporting the mini-warehouse use, including, for example, moving pads, cartons, hand trucks, trailer hitches and similar materials.

No freestanding building exists on the site, and none is proposed. Any retail sales (e.g., cartons, packing tape, locks) or service will be located within the main building.

(9) The maximum overall height of the mini-warehouse shall not exceed two stories or 24 feet.

The building is an existing building, 21 feet high. The existing building contains a mezzanine, which functions as a partial second story. The proposed use will have a full interior second story.

(10) There shall be no parking requirements for a miniwarehouse use except as set forth in Subsection S(2) and (5) aforesaid.

Requirement noted. There are 34 proposed spaces (reduced from the existing 51 spaces). As noted above, the applicant expects an average of twenty visits per day, and has a total of three employees at the site. Even if all twenty-three people come to the site at once, there is more than enough available parking.

Relief requested

The applicant requests a negative declaration and referral to the Zoning Board of Appeals and the Town Board for consideration of the necessary approvals.

Dated: October 15, 2014
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Attorney for Applicant