



## **Keeping an eye on New York City building safety and other site development updates - by Joe Deal**

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Some researchers predict redevelopment and overall construction activity will remain strong in the New York City market over the next few years. But what comes before the shiny façades, hip new restaurants and boutique shops is years of complex permitting operations and a detailed planning process.

Diving into a few of the regulations that create safe buildings, one area to evaluate, is the significant uptick in requests for FDNY Rooftop Variances, not only for solar panel installations, but general roof related work. John McDonald, (FDNY Lt., retired) head of Bohler Engineering's NY Fire Prevention Services, said this requirement is instated to ensure the FDNY has adequate access to and clearances to navigate around the roof. With roofs having everything from antennae, solar panels, mechanical equipment, fixed furniture, gardens and more, these obstacles, and the associated permits, can affect something as simple as a sign or equipment installation.

Building owners and managers are continuing to take measures to achieve sprinkler, exit sign and photo-luminescent compliance in office buildings of more than 100 ft. in height. McDonald also noted that July of 2017 marks 24 months left to comply with Local Law 26 of 2004, a reminder for all to work toward. Architect/engineer interim reports are due July of 2018 with final certifications issued July of 2019. Landlords who plan on filing extensions based on an undue hardship, and comply with all other requirements (interim reports, approvals, permits etc.), must file by July 1, 2018.

Looking at site developments, one of the zoning changes being monitored relates to the Garment District. This area of Manhattan, home to many manufacturing companies over the years, has regulated measures to protect the manufacturing uses, but may now see some significant changes in the future. According to New York City Economic Development Corp. information, edits would include removal of the current 1:1 preservation requirements, a limit on construction of new hotels through a special permit process and possible new height and/or setback requirements. Also to note, the NYCEDC plan calls for relocating the Garment District to Brooklyn.

New York's City's self-storage market is disrupting traditional, costly retail storage options. Although commonly associated to store collectibles or "extra" household items, these units are increasingly popular for retailers as they offer an alternate and discounted solution to the high cost of in-store space for stowing backroom superfluous goods.

Recently there have been calls for changes related to the approval process of self-storage units in

manufacturing zones, which in turn, would potentially impact development. For example, this past May, the New York City Department of City Planning began to review a zoning text amendment that would establish procedures for a new special permit for all new self-storage development in designated areas. The special permit would establish a case-by-case, site-specific review to ensure that the development of self-storage does not diminish future siting opportunities for industrial, more job-intensive businesses. The findings would require the City Planning Commission to evaluate whether a lot or building would be optimal for conforming to a modern-day industrial use. In such a case where the proposed self-storage development would represent a lost opportunity for the future of a more job-intensive industrial business, the special permit would most likely not be granted. For those self-storage projects already in the approval process, a foundation would need to be completed to continue. A process is expected to be in place to address projects with a building permit, but not yet started.

As the New York City Department of Buildings (DOB) continues to roll out additional portions of its “DOB NOW” initiative, it is imperative for developers and contractors to accurately and efficiently register in the updated system. This allows teams to schedule inspections, check review status, join virtual appointments, access documents and increase the ability to make more informed decisions and be more thoroughly involved in projects throughout their lifecycle. If clients are not involved in the daily operations of this process, it can be difficult to navigate the system and benefit from timely updates, changes and overall efficiencies. With the nuances and complexity of the procedures, getting access to the information and working with a team who knows the details of the system can significantly impact project schedule and cost.

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