

From: [Gayle](#)
To: ["North Beach Local"](#)
Subject: RE: Prohibit & Limit Nuisance Business

Ariana,

I did some research. The city does prohibit certain types of businesses in certain commercial zones. Also some business have distance separation rules: example cannabis dispensary 1200 ft., bars 300 ft away from a religious institution.

Today I rode my bike through N Beach. I love the vibe! Also, I saw for the first time the renovated Ocean Park. Love the shade. Feels like I'm in a jungle.

Thank you for your feed back on the ordinance, very helpful.

Regards,
Gayle Durham
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From: North Beach Local <nobefacts@gmail.com>
Sent: Wednesday, April 19, 2023 8:16 PM
To: Gayle <gayle@cfsystems.com>
Subject: Re: Prohibit & Limit Nuisance Business

Hi- let me see and intersperse line by line so that we brainstorm

RE: At Planning Board April 25 file:///C:/Users/Gayle/Desktop/PB23-0585_-_Staff_Report_Ordinance_-_4-25-2023-1.pdf

What do you think about this proposal?

I believe it is illegal to discriminate against lines of businesses. try that one with a gun store- they'll sue you immediately (and the law maker will lose- it has happened). this is an abusive ordinance that just counts on these businesses not even finding out.

Anyway- what's wrong with vitamine stores? we dont have any - if we had many- but why ban stores that do not even exist???

let the market take care of this. if there are no people needing those services, there wont be any check cashing stores. They do no harm. Also think that north beach is a bank desert. there's only a chase bank in town center in the entire North Beach, 63rd to 88.

I get a yes or no vote, that's it. I can't vote for just part of the ordinance.

ok

it needs to be a NO -

i continue to intersperse

What do you think?

CITY STAFF ANALYSIS

There are still several commercial districts in North Beach (CD-1, CD-2, TC-1, 2 and 3) where certain nuisance uses are allowed in some form. To regulate these uses within these additional commercial districts, the attached Land Development Regulation (LDR) amendment establishes a new overlay known as the North Beach Commercial Character Overlay, and applies to all areas located north of 63 rd Street.

Who decides what is nuisance use?

The following uses are prohibited within the entirety of the proposed overlay:

- Tobacco and vape dealers;
- Occult science establishments;
- Tattoo studios;
- Vitamin stores;
- Pawn Shops; and
- Souvenir and T-shirt stores.

This is so illegal that will only stand because nobody will sue.

Tobacco and vape shops - who cares? And cigar stores with smoking in the back are ok???? .

Occult science- ok i say let's ban churches. This is freedom of cult and religion and speech!!

Tattoo studios- many artists run tattoo studios. I see no reason to ban them.

Vitamin stores- i am at a loss here. I've never used one, but so? how are they harmful?

Pawn shops. same. why not?

Souvenir and t-shirt stores? no? why not?

this is arbitrary .it is illegal.

Other uses have been identified as potentially problematic, particularly when there is an over-concentration of such uses, as the character of commercial areas and the quality of life of residents can be negatively impacted. These uses include package liquor stores, check cashing stores, and convenience stores. However, some of these uses do serve a useful purpose, and provide residents with necessary goods and services. In order to prevent an over-concentration of these types of uses, the following limits on the total number of uses permitted within the overlay is proposed:

- No more than 6 package liquor stores.
- No more than 4 check cashing store .
- No more than 15 convenience stores

These numbers are arbitrary. they need to be substantiated. Liquor stores are also wine stores. in any neighborhood in NYC you have one in every corner. Its nice! And 15 bodegas in the whole north beach is really very little- and i have yet to find someone who opposes them.

Gus manassis plans to open a tobacco and vape store in north beach- i believe he just rented the locale on 71st. He didnt believe me when i told him yesterday that he better hurries up. He said they would also sell liquor. i said fernandez wants to ban that too. He didnt believe me.

i dont see anything positive.

At present, we really need more bodegas. In fact Paula King wanted one or two there out in Crespi.