

Village of Croton-on-Hudson, NY
Harmon/South Riverside Gateway Overlay District
Proposed Zoning Amendments

Environmental Assessment Form Report

Prepared on Behalf of:

Village of Croton-on-Hudson
Board of Trustees

Saccardi & Schiff, Inc.

July 15, 2010

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I. INTRODUCTION

a. Proposed Action

The Village of Croton-on-Hudson is proposing to adopt Local Law Introductory No. 3-2010 which would repeal Local Law No. 4-2009 and enact zoning code provisions substantially similar to those which were included in local law No. 4-2009. This process is being undertaken to avoid the expense of litigating alleged procedural errors in the enactment of local law No. 4-2009. As compared to the zoning code provisions in place prior to the enactment of Local Law No. 4-2009, this Action would make certain revisions to the zoning code to expand the Harmon/South Riverside Gateway Overlay District, and to modify the previously existing gateway and related regulations in this area to encourage commercial development by facilitating market rate mixed use of properties. This report evaluates the impacts of the zoning changes in accordance with the provisions of the New York State Environmental Quality Review Act (SEQRA). This action, which is being contemplated by the Village Board of Trustees, is referred to as the “Proposed Action” in this environmental report. The draft local law introductory No. 3-2010, outlining the specific proposed amendments, is included in Appendix A.

A summary of the proposed revisions compared to the previously existing (pre-Local Law No. 4-2009) Harmon/South Riverside (H/SR) Gateway Overlay district regulations is listed below.

- **For new mixed use development** in the Harmon/South Riverside gateway district:
 - Increase FAR (floor area ratio) in mixed use buildings from 0.4 FAR to 0.8 FAR;
 - Permit mixed use without a special permit in the overlay district;
 - In mixed use buildings, residential would be permitted on the third floor (within the roofline and the existing 35-foot height limit);
 - Front setback from street shall be 15-20 feet;
 - In mixed use buildings, at least 50% ground floor must be commercial and face street front, at least 60% of front facade facing street must be glass; second floor either residential or non-residential permitted, 3rd floor residential only;
 - Parking requirements for mixed use: 1 space per residential unit plus 1 additional space for each bedroom in excess of 1; (no change to parking requirements for non-residential space);
 - Corner lots shall be deemed to have two fronts;
 - Planning Board may waive side yard setback requirements providing there is otherwise adequate access to parking areas;
 - Pre-existing buildings proposed for mixed use may not utilize 0.8 FAR or add third story occupancy unless otherwise area compliant and have 10-20 feet front yard;
 - New retail uses in C-2 zone in gateway district shall not require special permit as part of mixed use;
 - Mixed use buildings shall be subject to additional design guidelines as adopted by Village Board.
 - Front setback requirements will encourage parking in the rear of buildings.

- **Expand the Overlay Area:** Expand the Harmon/South Riverside Gateway Overlay District (H/SRGD) to include commercial areas along both sides of South Riverside, extended up to approximately 200 feet north of Oneida Avenue. Total area of original Harmon gateway and expansion area (including roads) is approximately 11.7 acres.

b. History and Purpose of Proposed Action

The rezoning law has evolved from recommendations by the Harmon Business Development Committee (HBDC), a citizen committee appointed by the Village Board with the goal of coming up with recommendations to address the increasing vacancies in the Harmon/South Riverside Gateway (H/SRG), enhance streetscape of Harmon, improve pedestrian circulation, and gain flexibility for property owners on South Riverside Avenue. All of the Committee's recommendations are proposed to encourage redevelopment and reduce vacancies that exist in the Harmon commercial area. Rationale and background behind these recommendations that lead to the Proposed Action are described in "Harmon Zone Change Recommendations" (8/26/08) put together by the HBDC (attached as Appendix B). This rationale includes the examination of what factors might encourage or discourage a property owner from investing in a commercial lot in the Harmon area.

The Environmental Assessment Form (EAF) for the Proposed Action, Parts 1 and 2, are included in Section IV of this report. EAF Parts 1 and 2 are the first step in the State Environmental Quality Review (SEQR) process, and are designed to assist the Lead Agency (in this case, the Croton Village Board of Trustees) in determining whether the Proposed Action may have a significant effect on the environment.

The EAF Part 3 includes more detail regarding potential areas of impact identified in EAF Part 2, as described in the following narrative.

II. ENVIRONMENTAL ASSESSMENT FORM PART 3: EVALUATION OF THE IMPORTANCE OF IMPACTS

This EAF Part 3 has been prepared to provide additional and updated information regarding potentially large impacts or issues of community controversy. For each of the following topics, the impact is described, and a discussion is provided. With this information, the Lead Agency (Village Board of Trustees) will decide whether the Proposed Action may have a significant adverse impact on the environment.

With the proposed Harmon/South Riverside Gateway (H/SR) Overlay zoning amendments, potential impacts to be studied within this EAF Part 3 narrative report include: land use and zoning; aesthetic and historic resources; traffic; parking; and community resources including schools, taxes and community services. In this report, the existing conditions and potential impacts to these areas will be discussed. Since this is a proposed zoning amendment, as opposed to a specific construction project proposal,

some assumptions have to be made to evaluate the potential impacts of the proposed zoning, if it were in place.

The Village of Croton-on-Hudson has been considering possible ways to encourage revitalization and lessen commercial vacancies in the Harmon area for quite some time, starting in 2007. The Harmon Business Development Committee (HBDC) was formed by the Village Board to study and provide recommendations on this issue. However, the Gateway Overlay Zoning has been in place on the southern portion of the area for a longer time (since 2004). As previously noted, the Proposed Action calls for an expansion of the overlay district.

The concept of the Gateway Overlay District has existed in Croton since its description in the EAF prepared for the Comprehensive Plan and map in 2002. In 2003, a Draft Generic Environmental Impact Statement (DGEIS) was prepared for the Gateway zoning (of which one location is the Harmon/South Riverside Gateway area). A Final GEIS (FGEIS) was compiled in 2004, followed by Gateway SEQR Findings in March 2004.

These documents investigated the existing conditions and potential impacts of adoption of a gateway overlay district law “to establish standards that will upgrade the image and function of gateway areas, strengthen the overall visual identity of the village, and improve linkages to adjacent residential neighborhoods”¹ in three separate gateway areas of Croton, one of which was Harmon/South Riverside. The Village Board of Trustees found that after their consideration of the facts and conclusions studied in the GEIS (including land use, zoning, air quality, noise, vegetation and wildlife, community facilities and services, transportation, historic and visual resources, socioeconomics and neighborhood character), that the gateway law was consistent with social, economic and other essential considerations, and the initial gateway law was adopted.

The currently proposed zoning amendments and expansion of the district boundary stem from recommendations of the HBDC that were presented in July 2008, supported by professional studies on property utilization (Saccardi & Schiff, Inc., July 2008) and commercial market (Danth, 2008).

The proposed zoning amendments will be reviewed by the Village of Croton-on-Hudson Planning Board, and the Village of Croton-on-Hudson Waterfront Advisory Committee (WAC). The WAC will advise whether it believes the action is consistent with the LWRP policies.

In addition, the proposed zoning amendments will be reviewed by Westchester County Planning, and they will comment on the proposed zoning amendments regarding consistency with **Westchester 2025**, the County’s planning guidance document.

¹ Adoption of Gateway Overlay District Legislation, Findings Statement (dated 3/15/04)

a. Land Use and Zoning
i. Existing Conditions

The primary land uses in the gateway area include retail, auto-related business, restaurants, office and personal service establishments. Several mixed use buildings (mix of commercial and apartments) are currently in use in the Harmon/South Riverside area. The H/SRGD and expansion area also have vacant and underutilized parcels, as indicated on Exhibit 6. In this case, vacant parcels are defined as those upon which there is no active land use. There are vacant parcels with buildings (that are not leased or being used) and vacant parcels without buildings. There are also lots which have buildings that are partially vacant, these are indicated as underutilized/partially vacant.

Adjacent land uses to the east (outside the H/SRGD and proposed expansion area), along Young Avenue, are primarily single family residential, along with Good Shepherd church. Adjacent land uses to the west along Clinton Street and Wayne Street are primarily single family residential, but also include the Harmon fire house, EMS and public parking areas. Beyond this area to the west is Route 9, the MTA rail yards and railroad tracks and then the Hudson River. These surrounding land uses are indicated on Exhibit 2, Aerial Photograph and Exhibit 4, Existing Land Use.

Original zoning in the study area was C-2 (General Commercial), with the southern portion of the study area also covered by the Harmon/South Riverside Gateway Overlay District (H/SRGD). This is described on Exhibits 1 and 3 (Location Map and Zoning). C-2 district regulations currently allow a maximum building floor area ratio (FAR) of 0.5 within a maximum of two stories.

The commercial “Gateways” indicated in the Village of Croton-On-Hudson Code are the major commercial entry points to the Village from surrounding roads. The Harmon/South Riverside gateway is the entry point to the Village from Route 9, the train station and Croton Point Avenue. (See Exhibit 2, Aerial Photograph).

Within the original gateway overlay area, gateway regulations limited parcels to a maximum FAR of 0.35 for single use buildings and 0.40 for multiple use buildings (and multiple use buildings require a special permit). The Code states that, with certain exceptions, uses within the gateway area shall correspond to permitted and special permit uses in the underlying zoning district.

For this analysis, 39 tax parcels are included; 22 within the proposed expansion area and 17 within the original H/SRGD.² The original H/SRGD parcels and proposed expansion

² For consistency with previous studies, this EAF uses the same parcel identification as the maps in the July 2008 **Property Utilization Analysis** prepared by Saccardi & Schiff, Inc.; which had numbering for the 36 tax parcels included in that Study Area. That was the same Study Area used in the **Harmon Zoning Change Recommendations** (August 2008) presentation to the Village Board by the Harmon Business Development Committee (HBDC). Existing parcels in the H/SRGD on Croton Point Avenue were not included in that HBDC Study Area (since they were already in the Gateway District and are not on South Riverside Avenue) and are numbered 37, 38 and 39 for purposes of this report.

area are indicated on Exhibit 5, Parcel Identification with Photographs. List of the affected parcels, their tax lot number and existing land uses are included in Tables 1 and 2 below.

All of the parcels in the gateway expansion area have frontage on South Riverside Avenue except for a tax parcel on Clinton Street that is used for parking for a South Riverside Avenue Japanese restaurant (parcel 16), and an isolated parcel behind the Luk Oil station that has no street frontage (parcel 17). Final list of parcels to be included in the Harmon Gateway is attached to the draft Local Law Introductory which is included in Appendix A.

Table 1
Parcels Proposed to be Added
To Original Harmon/So. Riverside Gateway Overlay District
(Tax Map Section 79.13)

Parcel ID	Block/lot	Lot Size (sf)	Current use
1	1/9	13,333	Professional Office (Croton Professional Building – dentist, law, insurance)
	1/5	840	These parcels are included as part of the professional office at the north end of South Riverside Avenue
	1/6	900	
	1/7	350	
2	1/60	14,473	Restaurant (Umami)
3	1/61	7,160	Mixed Use (restaurant and 1 apartment)- renovations to Anton’s underway (site plan approved for expansion and improvements)
4	1/62	11,276	
5	1/63	12,692	Mixed use (Laundromat, Mexigo, second floor apartments)
6	1/64	12,614	Mixed use (Coco Nails, second floor apartments)
7	1/65	8,287	Taxi stand (J&S taxi/airport)/residential apartments
8	1/66	16,240	Vacant parcels (with buildings - former Croton Dodge)-application for special permit for vintage auto repair/sales is pending with Village (as of June 2010)
9	1/68	7,765	
10	1/69	8,270	Nail salon (Perfect 10 Nails) – 73 Benedict Boulevard
11	1/70	10,099	Convenience Store
12	1/71	5,981	Mixed Use (with partially vacant building -first floor: vacant commercial/thrift shop, upper floor apartments)
13	1/72	8,517	Mixed use (first floor: insurance, florist, hair; upper floor apartments)
14	1/73	2,670	Deli (LaMonica’s Salumeria)
15	1/74	10,318	Restaurant (Japanese steakhouse restaurant)
16	1/75	5,262	Parking (for Japanese restaurant)
17	1/85	4,055	Gas station (LukOil)
18	1/86	22,150	
19	1/87	11,342	Vacant with building (office/parking -formerly Westchester Coach & Limo Ltd)
20	1/88	5,167	Auto Body shop (Atro Collision Center)
21	1/89	5,734	
22	1/90	2,100	
Total to be added to original H/SRGD¹		207,605 sf	

¹Source: Appendix 2, List of Affected Parcels, and Harmon Business Development Committee, Zoning Change Recommendations (July 2008); with updates in the field from Saccardi & Schiff, Inc. (2010)

Table 2
Parcels already within the
Harmon/So. Riverside Gateway Overlay District
(Tax Map Section 79.13)

Parcel ID ¹	Block/lot	Lot Size (sf)	Current use
23	2/21	1,920	Gas station (Gulf)
24	2/22	12,284	
25	2/22.1	14,556	
26	2/23	13,591	Vacant parcels (no buildings-former auto storage)
27	2/24	2,925	
28	2/25	18,286	Auto related-underutilized parcel (with buildings - Oil City gas station; currently no gas distribution operations, maybe some auto repair operations continuing)
29	2/26	12,436	Vacant parcel (with buildings- formerly Nappy's motor vehicle repair)
30	2/27	7,424	Partially vacant parcel (two buildings-vacant professional office; apartment over garage currently occupied)
31	2/28	6,596	Vacant parcel (parking lot for mixed use on 2/27)
32	2/29	6,463	Restaurant (Kiko's-opened spring 2010)
33	2/30	8,550	Hair salon (Sonny Abbott's)
34	2/31	6,410	Veterinarian office/apartment
35	2/32	6,999	
36	2/33	4,064	Professional office (Podiatrist)
Subtotal ¹		128,190 sf	
Croton Point Avenue frontage parcels:			
37	2/18; 2/19; 2/20 have merged into one lot	16,883	Three family residential; has Certificate of Occupancy for 3 apartments; vehicular access from Wayne Street, not Croton Point Avenue
38	2/6	10,600	Deli (Good to Go Deli)
39	2/5	12,300	Office/commercial (Franzoso Contracting)
Total in Original H/SRGD		167,973 sf	

¹Source: Appendix 2, List of Affected Parcels, and Harmon Business Development Committee, Zoning Change Recommendations (July 2008); with updates from Saccardi & Schiff, Inc. (2009).

The concept of the Gateway Overlay districts was described in the Village's **Comprehensive Plan Update** (January 2003). The Gateway Overlay district law was a direct outcome of that Comprehensive Plan update, and has been in the village code since 2004, after study of the proposed amendments by the village starting in 2003. As previously noted, that study included a **Draft Generic Environmental Impact Statement** (DGEIS, October 2003), **Final Generic Environmental Impact Statement** (FGEIS, January 2004) and SEQR Findings (March 2004) supporting the Gateway Overlay District legislation. (Full list of environmental review documents relating to the Gateway Overlay is located on the Village website: www.crotononhudson-ny.gov).

The Village has a **Local Waterfront Revitalization Program** (LWRP) which was adopted in 1992 and incorporates the entire village within its boundaries. The Village's Coastal Assessment Form (CAF) is provided in Section V and will be reviewed by the Croton-on-Hudson Waterfront Advisory Committee (WAC) for consistency with LWRP policies. The Harmon gateway area of the village is identified as part of the principal commercial areas, as part of the Center Village Section of the LWRP (LWRP, pages II-12, 13).

The **Comprehensive Plan** (January 2003) is a planning document intended to guide “*the immediate and long range protection, enhancement, growth and development of the Village*”³. As stated in the Comprehensive Plan (“The Plan”), the four commercial centers in the Village (of which Harmon is one) play a dual role, as sources of retail and services for residents as well as defining the image of the Village. The Harmon/South Riverside area is noted in The Plan as having a concentration of auto-related uses, and numerous personal service establishments. It is accessible to pedestrian from neighborhoods and the railroad station, but it is noted that sidewalks need improvement. The Plan also states that “*this area lacks a strong architectural identity. Building form, façade design and site landscaping vary from one property to another. Utility poles and overhead wires on the east side of South Riverside dominate the landscape. In addition, many of the sidewalks are lined by unscreened surface parking lots*”⁴.

Regarding residential development in the village, detached, single family owner-occupied homes are the dominant housing type. This includes the established residential neighborhood of Harmon which is adjacent to the commercial area of the H/SRGD. According to the **Comprehensive Plan**, the demand for appropriately sized, affordable housing for aging Village residents, young couples without children, and Village personnel is growing. The Comprehensive Plan states that the Village should examine ways to encourage lower cost, smaller sized, single or multi-family dwellings in order to maintain the demographic diversity of the Village.⁵

Village-wide recommendations from The Plan that apply to the H/SRGD include:

- Maintain economic diversity
- Preserve the historic character of Croton on Hudson
- Improve the visual quality of Croton on Hudson
- Improve commercial areas
- Enhance the pedestrian connections within the Village
- Improve traffic flow and parking

Gateway Districts are specifically described as a planning strategy to mark a sense of arrival and connection to the community, and establish an image for the community. The Harmon/South Riverside Gateway District (H/SRGD) was specifically identified due to its strategic location on Route 9A and its accessibility to the railroad station.

³ **Comprehensive Plan: Village of Croton On Hudson**, (January 2003) page 2.

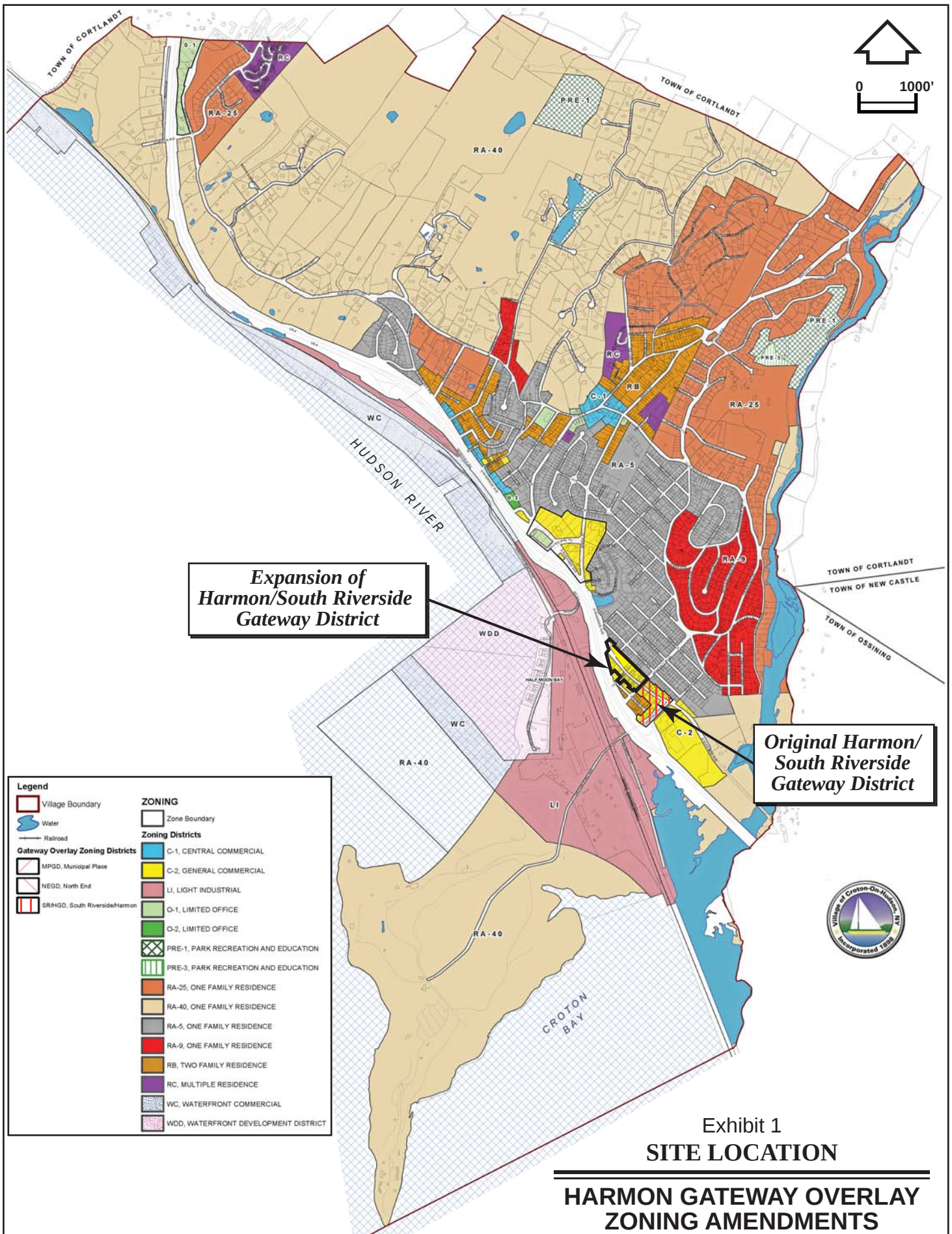
⁴ **Comprehensive Plan: Village of Croton On Hudson**, (January 2003) page 67.

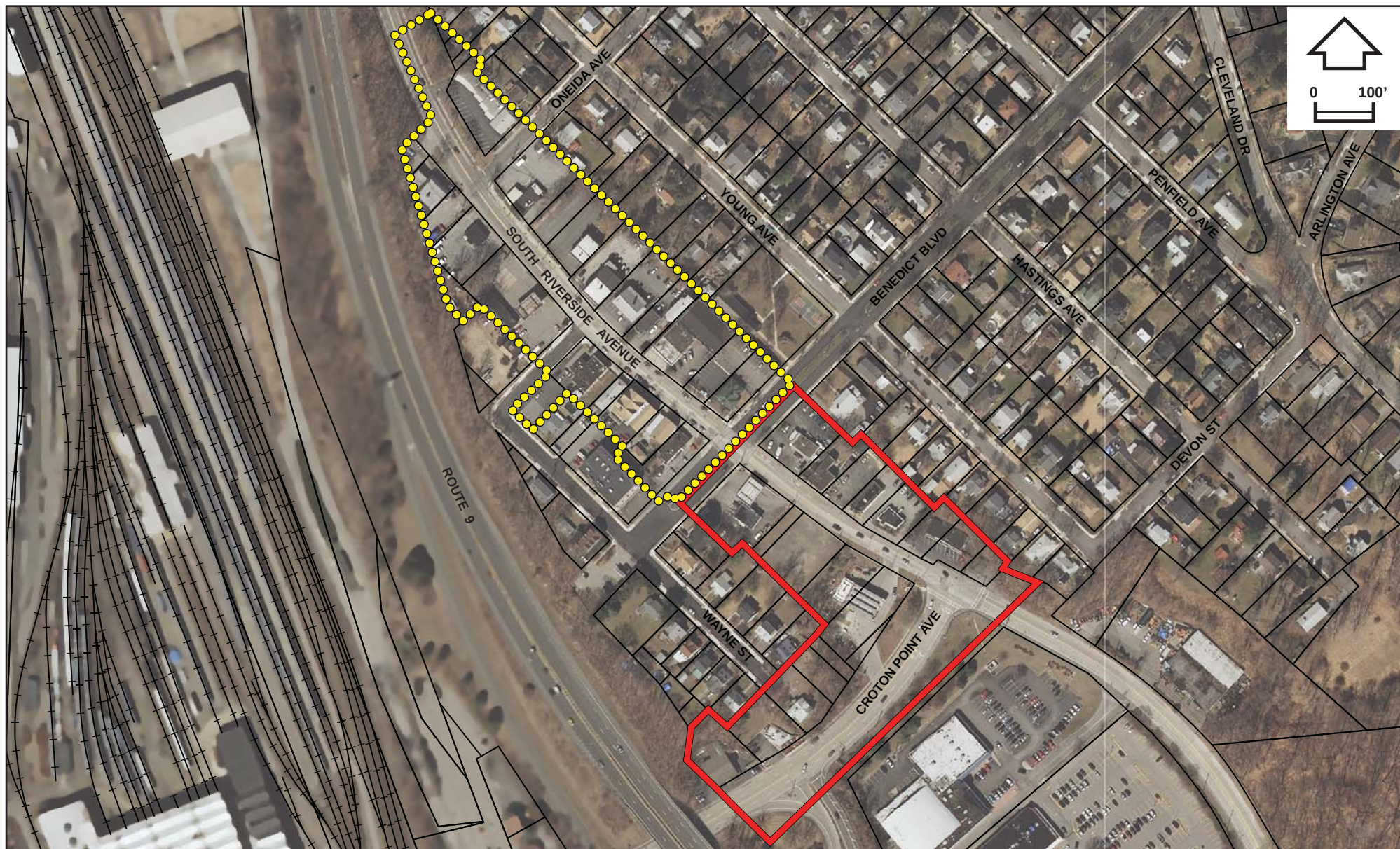
⁵ **Comprehensive Plan: Village of Croton On Hudson**, (January 2003) page 46.

Specific Plan recommendations for the H/SRGD include (an illustrative plan describing the H/SRGD improvements is provided in the Comprehensive Plan as Figure 4.5):

- Streetscape improvements (including sidewalks, landscaping, street trees, reducing curb cuts, reducing overhead utility lines)
- Pedestrian and bicycle link improvements
- Reinforcing gateway identity (signage, streetscape features)

In 2009, the Village prepared a **Bicycle/Pedestrian Master Plan**. This plan has an overall goal of maintaining and improved the quality of life and safety of those who walk and ride bicycles in the village. The original Harmon/South Riverside Gateway area, specifically the intersections of Croton Point Avenue and South Riverside, is an important connector leading to the train station for commuters and is identified as such in the report.

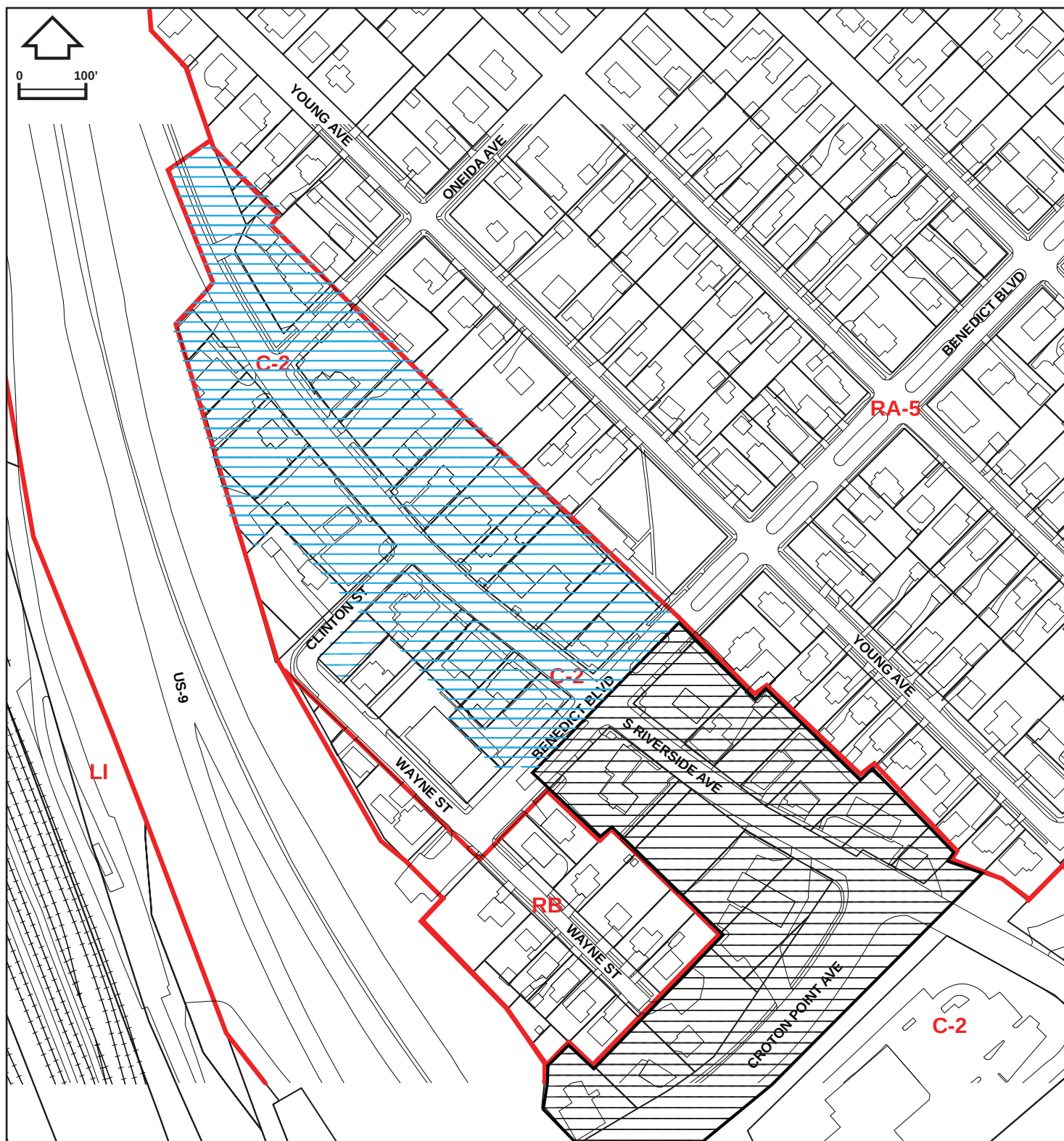




- Original Harmon/South Riverside Gateway District
- Expansion of Harmon/South Riverside Gateway District

DATE: July 2010
SOURCE: Village of Croton-on-Hudson GIS

Exhibit 2
AERIAL PHOTOGRAPH
HARMON GATEWAY OVERLAY
ZONING AMENDMENTS
Croton-on-Hudson, New York
Saccardi & Schiff, Inc. - Planning and Development Consultants



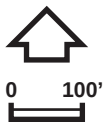
- C-2** General Commercial
- LI** Light Industrial
- RA-5** One-Family Residence
- RB** Two-Family Residence
- Zoning District Boundary
- H/SRGD (Harmon/South Riverside Gateway District)
- Expansion of H/SRGD

Exhibit 3
ZONING

**HARMON GATEWAY OVERLAY
ZONING AMENDMENTS**
Croton-on-Hudson, New York

DATE: July 2010
SOURCE: Village of Croton-on-Hudson GIS

Saccardi & Schiff, Inc. - Planning and Development Consultants



- Auto-Oriented Use
- Commercial
- Community Services
- Light Industrial
- Mixed Use
- Van Cortlandt Manor
- Office
- Restaurant or Deli
- Single-Family Residential
- Multi-Family Residential
- Vacant

- H/SRGD (Harmon/South Riverside Gateway District Overlay)
- Expansion of H/SRGD

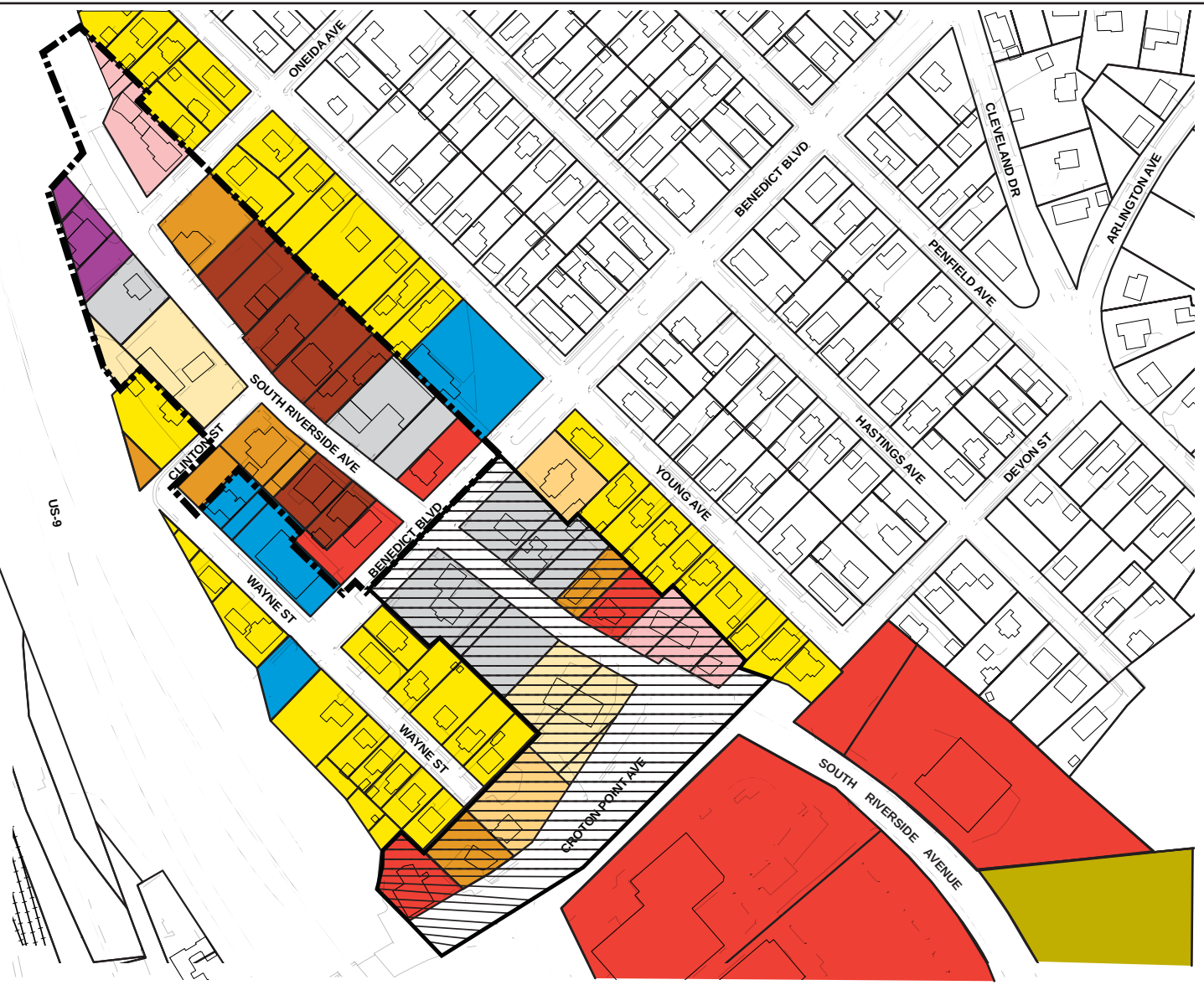
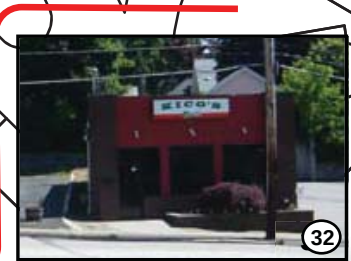
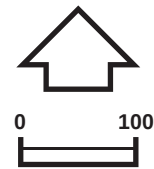


Exhibit 4
EXISTING LAND USE

**HARMON GATEWAY OVERLAY
ZONING AMENDMENTS**

Croton-on-Hudson, New York

Saccardi & Schiff, Inc. - Planning and Development Consultants



- Original Harmon/South Riverside Gateway District
- Expansion of Harmon/South Riverside Gateway District
- Parcel Identification Number

Exhibit 5
PARCEL IDENTIFICATION
WITH PHOTOGRAPHS
HARMON GATEWAY OVERLAY
ZONING AMENDMENTS
Croton-on-Hudson, New York



ii. Impact Analysis and Assumptions (for all Scenarios evaluated in EAF Part 3):

Since the Proposed Action being analyzed is a zoning amendment, and not an actual construction project, there are many possibilities for the level of future development. In order to evaluate potential impacts, therefore, certain assumptions of level of redevelopment had to be made. For the purpose of this report, three potential development scenarios were contemplated.

Calculations for redevelopment potential for redevelopment parcels were taken from Tables 1 and 2 of the July 2008 “Property Utilization Study” prepared by Saccardi & Schiff, Inc. The following assumptions are from that July 2008 study, and apply to all of the redevelopment scenarios described here, as analyzed with the parameters of the draft law:

- Parcels would be redeveloped with new mixed-use buildings using the maximum potential development under the proposed gateway overlay zoning amendments (up to 0.8 FAR, including three stories within 35-foot maximum building height).
- For all redeveloped mixed use parcels, it was assumed that 50 percent of the ground floor would be dedicated to non-residential uses; therefore 50 percent of the area of the footprint equals the area for non-residential uses; and the footprint area was multiplied by two and a half (2.5) in order to achieve the residential space area. *(Note: This is the assumption that was made for this analysis in order to be conservative with respect to residential impacts, even though in the proposed zoning amendments, the second floor could have either residential or non-residential uses. Also, the first floor could be 100% commercial)*
- It was assumed that the *gross average size* of the residential units would be 1,000 square feet each. This area gives room to deduct for common spaces (e.g., hallways, stairwells), as well as account for a potential mix of one and two bedroom units.
- For residential uses, it was assumed that 1 parking space is required for each unit, plus one additional space for each bedroom in excess of 1.
- For non-residential uses, the Village zoning code requires 1 parking space for each 250 square feet of retail/commercial space or 1 parking space for each 300 square feet of office/daycare space in the C-2 zone. Since the potential mixed use buildings could have either of these uses in the future, the calculations presented average these two parking requirements at 1 parking space for each 275 feet of commercial space. *(The required number of parking spaces is rounded up to the nearest whole parking space).*

Scenario #1: Likely Anticipated Level of Development

(46 residential units/10,323 sf commercial)

This scenario assumes that a certain level of redevelopment would occur in the near term⁶, including the significantly underutilized or vacant parcels of land in the Harmon Gateway and proposed expansion area at the time of this analysis (June 2010). As with all of the scenarios, this assumes new development proposals that would be brought

⁶ “near term” defined in this context is approximately 1-5 years.

before the Village Planning Board by private parties/land owners (no publicly-owned properties are involved). This scenario assumes that 11 of the parcels (all vacant or underutilized) will be redeveloped as mixed-use buildings using the maximum potential development under the proposed amendments to the gateway overlay zoning. In some cases, it assumes combination of parcels that are directly adjacent to each other. The one exception to this assumption of complete redevelopment is parcel 12, which is an existing, partly vacant building and is assumed not to be re-constructed, but for the existing vacancies to be filled within that structure.

This scenario includes redevelopment of the following underutilized lots on the east side of South Riverside Avenue:

- Former Croton Dodge and adjacent parking (combined parcels 8, 9)
- Former Nappy Auto (parcel 29)
- Vacant underutilized office buildings/garage/apartment (parcels 30-31)

On the west side of South Riverside Avenue:

- Now inactive Oil City gas station (parcel 28)
- Vacant lots (combined parcels 27, 26) - former auto storage.
- Underutilized/partially vacant building (parcel 12) north of convenience store (no new construction - keep existing structure, fill vacancies)
- Now vacant commercial lot, formerly Westchester Coach (parcel 19)

The parcels described above are identified on Exhibit 7, Scenario #1, and a summary of the build-out under this scenario (using proposed law and described assumptions) is included in Table 3 below:

Table 3
Scenario #1- Likely Anticipated Level of Development

Parcel #	Lot Area (sf)	Non-Residential space (sf) ¹	Non-Residential parking ¹	Residential Units ¹	Residential Parking	Total parking required
8-9 (former Croton Dodge)	24,005	2,304	9	10	15	24
29 (former Nappy)	12,436	1,399	5	6	9	14
30-31 (vacant office/garage/apt)	14,020	1,785	6	8	12	18
26-27 (auto storage lots)	16,516	1,797	7	8	12	19
28 (vacant Oil City)	18,286	1,512	5	7	11	16
12 ³ (Ex. bldg)	5,981	±840	3 ³	4	6	9
19 (former Westch. Coach)	11,342	686	2	3	6	9
Totals	102,586	10,323 sf	53	46	71	109

¹ Taken from Table 2 in property utilization study prepared by Saccardi & Schiff, Inc. in July 2008, except for data for parcel 12. Assumes 50% one-bedroom and 50% two-bedroom units for parking calculations.

² As per proposed zoning amendments; 1 parking space for each unit, 1 additional parking space for each additional bedroom

³For parcel 12, assumes proposed re-use of existing structure ($\pm 1,680$ sf footprint), meeting of requirements of proposed amendments, with exception of parking (waiver of parking requirements for this lot is permitted in existing Code)



Exhibit 7

SCENARIO #1: LIKELY LEVEL OF DEVELOPMENT

HARMON GATEWAY OVERLAY ZONING AMENDMENTS Croton-on-Hudson, New York

Scenario #2: Theoretical Maximum (100% build-out: all individual lots)
(145 residential units/39,604 sf commercial)

This scenario assumes that every parcel in the entire study area would be redeveloped with new mixed use structures on each individual parcel. As a theoretical maximum, this scenario assumes that all of the privately-owned vacant, underutilized and occupied parcels (parcels in both original gateway and proposed expansion area) would be redeveloped with mixed-use buildings using the maximum potential development and be required to meet the on-site parking requirements as per the proposed gateway overlay zoning amendments. It assumes the level of redevelopment as described in Table 4 (using only individual parcel development) of the property utilization study prepared by Saccardi & Schiff, Inc. dated July 2, 2008 and parameters of the proposed draft law. Potential development on parcels 37, 38, 39 (Croton Point Avenue parcels already in the H/SRGD) was calculated separately using the same methodology. This describes 100% build-out, where new mixed use development would occur not just on the unused or vacant parcels of land, but on all of the parcels, regardless of their land use now.

As with all of the scenarios, this one assumes new development proposals brought before the Village Planning Board by private parties/land owners, as well as the assumptions described in this section. The chance of Scenario #2 (or #3) occurring, even over a long period of time (5-20 years), is highly unlikely. This is because these scenarios envision redevelopment of the entire gateway area as mixed use; with new construction (including demolition/replacement/upgrade of all existing structures); at the maximum possible level of development.

The parcels are identified on Exhibit 8, Scenario #2, and a summary of build-out under this scenario is included in Table 4 below:

Table 4
Scenario #2-All Mixed Use-All Individual Parcels

Parcel	Non-residential space (sf)¹	Non-Residential parking¹	Residential Units¹	Residential Parking^{1,2}	Total parking required (1.5/unit)²
1	800	3	3	5	8
2	1389	5	6	9	14
3	687	2	3	5	7
4	1082	4	5	8	12
5	1218	4	6	9	13
6	1210	4	6	9	13
7	795	3	3	5	8
8	1559	6	7	11	17
9	745	3	3	5	8
10	793	3	3	5	8
11	1237	4	6	9	13
12	199	1	0	0	1
13	599	2	2	3	5
14	262	1	1	2	3
15	1016	4	5	8	12
16	518	2	2	3	5
17 ³	371	1	1	2	3
18	2026	7	10	15	22
19	686	2	3	5	7
20	476	2	2	3	5
21	528	2	2	3	5
22	194	1	0	0	1
23	120	0	0	0	0
24	767	3	3	5	8
25	909	3	4	6	9
26	1479	5	7	11	16
27	318	1	1	2	3
28	1511	5	7	11	16
29	1399	5	6	9	15
30	945	3	4	6	9
31	839	3	4	6	9
32	399	1	1	2	3
33	961	3	4	6	9
34	352	1	1	2	3
35	384	1	2	3	4
36	223	1	2	3	3
37	4,502	16	9	14	30
38	2,826	10	5	8	18
39	3,280	12	6	9	21
totals	39,604 sf	139	145	227	366

¹ Taken from Table 2 in property utilization study prepared by Saccardi & Schiff, Inc. in July 2008, except for parcels 37, 38, 39 which were calculated separately using the same methodology

² As per zoning amendments; 1 parking space for each unit, 1 additional parking space for each additional bedroom. Rounded up to two-bedroom units if odd number of residential units is provided.

³ Note: Parcel 17 has no street frontage



Scenario #3: Theoretical Maximum (100% build-out with some combined parcels)
(146 residential units/38,723 sf commercial)

This scenario assumes that the entire H/SRGD and proposed expansion area would be redeveloped with new mixed use structures, with combination of some adjacent lots to provide larger development parcels. As a theoretical maximum (just as with Scenario #2), this scenario assumes that all of the privately-owned vacant, underutilized and occupied parcels (all parcels listed within existing district and proposed expansion) would be redeveloped with mixed-use buildings using the maximum potential development and meeting the on-site parking requirements as per the proposed gateway overlay zoning amendments. It assumes the level of redevelopment as described in Table 2 of the property utilization study prepared by Saccardi & Schiff, Inc. dated July 2, 2008. Potential development on parcels 37, 38, 39 (Croton Point Avenue parcels already in the H/SRGD) was calculated separately using the same methodology as the July 2008 Study. This describes demolition of existing land uses and 100% build-out with new construction, and further assumes some parcels would be joined and developed together on a site plan.

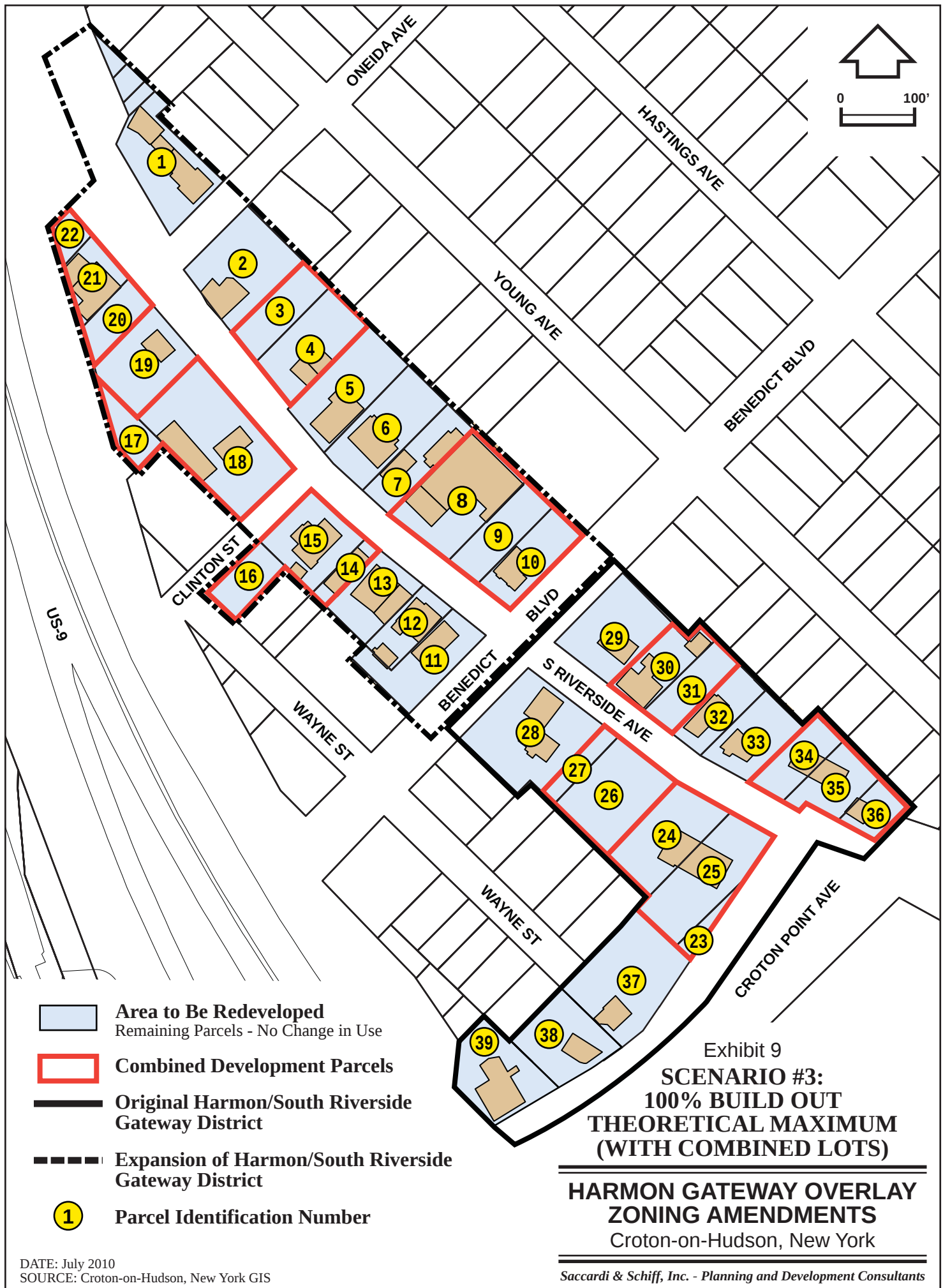
As with all of the scenarios, this scenario assumes new development proposals brought before the Village Planning Board by private parties/land owners, as well as the assumptions described at the end of this section. This scenario is theoretical, and for the same reasons as Scenario #2, is considered highly unlikely to occur. The combined parcels are identified on Exhibit 9, Scenario #3, and a summary of the build-out under this scenario is included in the Table 5 below:

Table 5
Scenario #3- Theoretical Maximum
(100% build-out with some combined parcels)

Parcel	Non-residential space (sf)¹	Non-Residential parking¹	Residential Units¹	Residential Parking¹	Total parking required (1.5/unit)²
1	800	3	3	5	8
2	1389	5	6	9	14
3-4	1769	6	8	12	18
5	1218	4	6	9	13
6	1210	4	6	9	13
7	795	3	3	5	8
8-9-10	3098	11	13	20	31
11	1237	4	6	9	13
12	199	1	0	0	1
13	600	2	2	3	5
14-15-16	1797	7	8	12	19
17-18	2397	9	11	17	26
19	686	2	3	5	7
20-21-22	1199	4	5	8	12
23-24-25	909	3	8	12	15
26-27	1797	7	8	12	19
28	1511	5	7	11	16
29	1399	5	6	9	14
30-31	1785	6	8	12	18
32	399	1	1	2	3
33	961	3	4	6	9
34-35-36	960	3	4	6	9
37	4,502	16	9	14	30
38	2,826	10	5	8	18
39	3,280	12	6	9	21
totals	38,723 sf	136	146	283	419

¹ Taken from Table 2 in property utilization study prepared by Saccardi & Schiff, Inc. in July 2008, except for parcels 37, 38, 39 calculated separately using the same methodology

² Rounded up to two-bedroom units if odd number of residential units is provided



Summary:

Summary comparison of the estimated build-out figures for development scenarios #1, 2, 3 is presented below.

Table 6
Summary Comparison
of Scenarios #1, 2, 3

	# Residential units	Commercial/retail (SF)	Total parking
Scenario #1 (likely scenario-redevelopment of underutilized or vacant parcels)	46	10,323 sf	109
Scenario #2 (Theoretical Maximum-full build-out: all individual lots)	145	39,604 sf	336
Scenario #3 (Theoretical Maximum-full build-out: combination of some parcels)	146	38,723 sf	419

Alternative Scenario Not Analyzed

(with assumptions of common ownership and common parking lots)
(208 residential units/43,726 sf commercial)

This unrealistic scenario was discussed in the Saccardi & Schiff, Inc. study (dated July 2008; Table 1 of that report). It assumes assemblage of private lands into larger parcels. This 2008 report states that this scenario is theoretical and not really achievable, and describes the assumptions that would be required for this level of development to occur. As described in that study, this scenario is not considered in any way a viable alternative or development scenario, based on the characteristics and assumptions made to arrive at these development numbers (it is a theoretical mathematical maximum). For instance, in order for this scenario to occur, the following would have to take place:

- All parcels developed to the maximum FAR, with several assumed combined parcels. (Due to configuration of lots, maximum FAR is not achievable on all parcels, since on-site parking is a requirement).
- In addition, 23 on-street parking spaces on South Riverside would have to be available to contribute to the parking requirements of the new mixed use buildings. (On-site parking could not be accommodated on many of these parcels when utilizing the maximum FAR).

Therefore, this scenario was not analyzed further for impacts. This extreme build-out would require the village to waive many key land use requirements that this zoning amendment seeks to enforce, including: parking requirements, open space requirements, and setbacks.

iii. Potential Impacts- Land Use and Zoning:

The land uses in the proposed expansion of gateway area are primarily commercial, with some residential that currently exists in the form of apartments in commercial (mixed use) buildings. The underlying zoning district would remain the same (C-2, General Commercial). By expanding the gateway district to include the South Riverside business area of Harmon, it expands the gateway regulations to encompass most of the C-2 area. (The only C-2 areas excluded are the lots zoned C-2 on Clinton and Wayne Streets, as shown in Exhibit 3).

This extension of the Harmon/South Riverside Gateway overlay district and proposed amendments includes design parameters that are intended to improve the “walkability” of the area and encourage commercial activity on the first floor street level. The stated purpose of the Gateway Overlay District is to “establish standards that upgrade the image and function of the gateway areas, strengthen the overall visual identity of the Village and improve pedestrian linkages to adjacent residential neighborhoods”.⁷ One of the primary intents of the gateway overlay ordinance (approved in 2004) was to encourage development that is appropriate to the small-scale character of the village. This intent is still valid for the proposed amendments to the Harmon/South Riverside Gateway District since it encourages maintaining a village scale character of development.

Proposed zoning changes are outlined in draft law, which is contained in Appendix A. Proposed amendments to the Gateway Overlay, in comparison to the prior code, are described in Table 7 below.

⁷ Village of Croton-on-Hudson Code, Article IVA, Section 230-20.1C

Table 7
Zoning Comparison

	Prior Code		Proposed amendments Within Harmon Gateway Overlay^{1,3}
	C-2 without gateway overlay (proposed expansion area)	C-2 with gateway overlay (existing gateway area)	
FAR (floor area ratio)	0.5 FAR	0.35 FAR single use 0.40 FAR multiple use	0.8 FAR for mixed use
Mixed Use	Permitted with special permit		Mixed use permitted without special permit. Retail permitted in new mixed use without special permit.
Maximum Building Height	35 feet (2 story)		35 feet (residential permitted in a 3 rd story within roofline in mixed use building)
Maximum front setback from street	10 feet		15- 20 feet for mixed use. For pre-existing structures, if area compliant, 10-15 foot setback may be permitted by Planning Board.
Limitations on uses by floor	In mixed use buildings (with special permit): o Ground floor commercial o Upper floors residential ²		In mixed use buildings: o Ground floor ▪ at least 50% must be commercial use and face street frontage ▪ At least 60% of front façade facing street must be glass o Second Floor—either residential or non-residential permitted o Third floor – residential only
Off-Street Parking Requirement	Residential: 2 spaces per unit Commercial: 1 per 250 sf of retail/service floor area 1 per 300 sf of office/daycare floor area		Residential: 1 parking space per unit plus 1 additional parking space for each bedroom in excess of one Commercial: (same as C-2)
Corner Lots:			Any building located on a street corner shall be deemed to have building fronts on each of the intersecting streets which form the corner.

¹ Only proposed changes are listed, other regulations remain the same.

² See Village Code

³ Parcels to be included (by tax lot) are attached to Introductory Law in Appendix A

The increase in FAR to 0.80 and allowing a third story within existing 35 foot height limit would only be available to mixed use developments where the proposed site plan met all other regulations in the code, including parking requirements⁸. In other words, if a proposed mixed use building used a 0.8 FAR, but parking requirements for this level of development could not be achieved on that lot, then it would not meet the code, and a less dense development would result.

Design regulations for the Harmon/South Riverside gateway overlay would remain the same as in the existing code, but would be extended to the proposed expansion area. This includes requirements for open space, landscaped areas, buffers of trees, signage, glare, lighting and

⁸ Except where parking regulation is otherwise permitted to be waived by the Planning Board as part of site plan approval, such as the west side of South Riverside Avenue between Benedict Boulevard and Clinton Street (Village Code Section 230-35).

building orientation (Section 230-20.5). Design guidelines specific to Harmon/South Riverside (Section 230-20.6) will also be extended to the expanded H/SRGD area. These guidelines are specific to the Harmon area, and are intended to enhance the small-scale character of the district and improve connections between the train station and the Harmon/South Riverside shopping area.

Land uses adjacent to the study area (primarily residential to the east and west) will still be adjacent to a C-2 district, but with the gateway overlay extended, the specific gateway regulations will apply to all of the parcels described in the draft law (see Tables 1 and 2). This means that the more stringent landscape, buffer and screening requirements with the gateway overlay would be required of any new mixed use development, and this should be a beneficial impact to adjacent residences.

The original gateway and related regulations required a special permit for mixed use applications and retail use on the first floor. It is noted that issuance of a special permit is not the same as a zoning change or zoning variance. Elimination of the special permit requirements simply eliminates one more step in the approval process, which should expedite this process and help meet the village objectives for the revitalization of this area. However, the village still has review authority over applications in the form of site plan approval, and applicants have to satisfy the requirements of the underlying zoning (C-2) and the overlay district to gain approval.

As described previously, the adoption of the Harmon gateway amendments is a zoning change, and does not propose any new development. However, in order to analyze a level of potential impact, assumptions were made and three development scenarios were evaluated. Using the assumptions and scenarios described previously, if developed with mixed use as described in Scenario #1 (likely Anticipated Level of Development), the study area could generate approximately 10,323 sf of new commercial uses and up to 46 residential units.

If developed with mixed use structures as described in Scenario #2 or #3 (100% build-out scenarios), the existing H/SRGD and expansion area could contain a total of approximately 38,723 to 39,604 sf of commercial uses and ± 145 -146 residential units. It is noted that, since Scenarios 2 and 3 represent full build out to a maximum level, the amount of existing development including retail, commercial, restaurant, service uses and residential uses would need to be factored out of that total to arrive at an amount of *new* development. Hence, the development assumptions for the scenarios are conservative.

According to the study prepared by Danth, Inc. (July 2008), the Harmon area could market up to 16,000 sf of commercial space, but only 2,000 sf of the current space meets the quality standards that attract tenants. Therefore, approximately 14,400 sf of new commercial space could be supported if the size, price and quality of the space were right. There is also demand for an additional 3,000 sf of small professional office or studio space. Therefore, the level of commercial development estimated in Scenario #1 could be absorbed in the existing market demand, and 46 new apartments would be located within the Harmon area. This scenario is considered to be realistic, as a likely build-out over time, since it encompasses parcels that are currently underutilized or vacant.

With Scenarios #2 and #3 (the 100% build out scenarios), the level of commercial development would be higher than what the Danth study estimated could be absorbed by the market, therefore, these scenarios could create land use impacts and would very likely draw demand from other commercial areas in the village, counter to the objectives of this Proposed Action. Similarly, these two scenarios estimate up to 146 apartments total (without subtracting the existing apartments), three times the amount in Scenario #1. The probability of Scenarios #2 or #3 occurring, even over an extended period of time, is considered unlikely. These scenarios envision redevelopment of the entire gateway and expansion area, with new construction (tear down of all existing structures) at the maximum possible level of development; all in new mixed use structures.

The intent of the Proposed Action is to encourage and expand upon recommendations and improvements for the Harmon/South Riverside Gateway Overlay District that are presented in the Comprehensive Plan. In addition, new mixed use structures that include residential apartments would encourage lower cost, smaller sized, multi-family dwellings as described and recommended in the Comprehensive Plan. Therefore, the Proposed Action is considered to be consistent with the Comprehensive Plan as described within this EAF Report.

Proposed Action will be reviewed by the Croton on Hudson Waterfront Advisory Committee for consistency with LWRP policies. Potential impacts to the LWRP are not anticipated to be significant.

In terms of the Proposed Action's impacts on existing land uses, it is noted that this level of assumed development includes several parcels that are adjacent to the existing single family homes on Young Avenue, as well as some adjacent residential structures on Wayne Street. Since new development in the expanded area would now carry with it the restrictions and guidelines of the Gateway Overlay District, these adjacent land uses will have more protections than currently with the C-2 zone alone (landscape screening, buffers, lighting, design review, etc).

b. Aesthetic and Historic ResourcesExisting Conditions

The South Riverside/Harmon Gateway and its proposed expansion area comprises approximately 3 blocks of South Riverside Avenue, as well as a portion of Croton Point Avenue, and is primarily built up with two-story, small-scale commercial structures (see Exhibit 5, Parcel Identification with Photographs). There are a few vacant parcels (without buildings), but most of those vacant parcels are paved, and many are being used for parking or storage. (See Exhibit 4, Existing Land Use and Exhibit 6, Vacant and Underutilized Parcels). The existing buildings are comprised of a mix of architectural styles and materials, including brick, stucco, and wood frame. Although generally one and two story, some three-story buildings are found in the block of South Riverside Avenue between Benedict Boulevard and Clinton Street. The west side of this block, in its existing condition, is more pedestrian friendly, with wide sidewalks, street furniture, street trees, fewer curb cuts, storefronts with glass windows, etc. Original zoning would permit new structures up to 35 feet in height in the C-2 zone, and this parameter is not proposed to be changed.

Many other portions of the South Riverside Avenue frontage are less pedestrian-friendly, with large expanses of asphalt and frequent curb cuts, parking lots in front of the buildings, and a lack of street trees. The gateway area also contains overhead utility lines, and has limited landscaping. These features detract from the aesthetic quality of the area, and were described as such in the Gateway Districts DGEIS (2003). Proposals for improvement of this gateway area were shown in Figure 4.5 of that DGEIS⁹, and included a Gateway Feature, a Gateway Sign, sidewalk improvements (on Croton Point Avenue) as well as sidewalk improvements, street tree planting, reducing curb cuts and providing planting to screen auto storage areas and long term placement of utilities underground on South Riverside Avenue.

The expansion of the original Harmon/SR Gateway Area is located approximately 1,500 feet from the Hudson River at its closest point (the north end at the intersection of South Riverside and Oneida Avenue). The gateway area is higher in elevation than the lands closer to the river and Route 9, however, direct views to the river and adjacent shores from South Riverside Avenue or Croton Point Avenue are blocked in most locations by existing buildings, structures and trees.

The photographs in the following exhibits document the specific conditions in the field today along South Riverside Avenue (as of May 2010). Even though these photographs were taken when trees are in leaf, these photographs indicate that some seasonal views to the Hudson River maybe potentially available in only a few places to a pedestrian along South Riverside Avenue, but open views to the river are primarily blocked by existing buildings and vegetation. One can potentially see partial, seasonal (winter) views of the river if looking west from South Riverside Avenue down Croton Point Avenue. Photographs of potential views from this portion of South Riverside, as well as from Croton Point Avenue are included in Exhibit 10, Photograph Key and Exhibit 11, Photographs of Views toward the River (Photographs 1 – 18).

⁹ DGEIS, BFJ, Figure 4.5

Within the original H/SR Gateway District, Photographs 1 through 6 indicate views looking in the direction of the Hudson River from South Riverside Avenue. Photograph 1 is the view in the direction of the river from South Riverside Ave/Croton Point Avenue intersection. Photograph 2 shows the Gulf gas station and its canopy over the pumps. Photograph 3 shows the vacant lots between the Gulf station and the now vacant Oil City station. As can be seen, the trees in the distance are higher than any of the surrounding buildings. Photograph 4 is the view toward the now vacant Oil City, with its structures and canopy. Photograph 5 is a view directly down the length of Benedict Boulevard, from South Riverside. The firehouse and commercial buildings are visible on the right side of the photograph, as well as the existing vegetation and overhead utility lines. Photograph 6 shows the view of same street, from a point looking out of the Harmon/SR gateway district toward the Harmon Firehouse.

Inside the expansion area of the Harmon/SR gateway, photographs 7 through 12 show views in the direction of the river from South Riverside Avenue. Photograph 7 indicates the view toward the existing 2-1/2 mixed use story buildings. Photographs 8 and 9 show a deli and restaurant, both one-story, and the vegetation in the distance on the hillside behind them. A seasonal view of the river may be possible looking between these two buildings. Photograph 10 is a view directly down the length of Clinton Street, from South Riverside Avenue toward the river. On the right of the photograph, Luk Oil and a residential property (that is outside the H/SRGD) and overhead utility lines are visible, and parking for the Japanese restaurant is visible on the left of the photograph. Photograph 11, looking toward the river, shows the Luk Oil station and its canopy, as well as the existing residential structure and tree line in the distance. Photograph 12 shows the view toward the river with the now vacant Westchester Coach lot, the one story structure, and treeline in the distance. Photograph 13 is the view down Oneida Ave toward South Riverside Avenue, including the auto body shop, and surrounding tree line; as well as existing office buildings which are visible on the right of the photograph. Photograph 14 is the view along South Riverside to the north, looking outside the gateway (not toward the river).

Photographs 15-18 are views toward the river, from areas outside the H/SRGD. Photograph 15 is a view from the residential area adjacent to the district – from the intersection of Benedict Boulevard and Young Avenue. The rear of 73 Benedict Boulevard within the district (Perfect Nails/former Harmon sales office) is visible on the right. Neither the Harmon fire house nor the parking lot at the end of Benedict Boulevard are clearly visible from this distance. Photograph 16 is taken outside the gateway district, further south on South Riverside Avenue, just past Croton Point Avenue. These are some of the commercial buildings between the Harmon/SR gateway and Van Cortlandt Manor. It shows the view over the top of the parking and retail areas on that corner, with a view of the Hudson River in the distance, beyond the retail buildings. Photograph 17 is taken from a residential property on Wayne Street, outside the district, where the river is visible. Photograph 18 is the end of Benedict Boulevard, used as a parking lot, looking toward the river. Due to the vegetation, no view to the river is available here from street level.

Outside the gateway district, in many other parts of Croton-on-Hudson, especially further south on South Riverside Avenue, and along Route 9, there are views of the River and western shore lands. Although windows in upper floors of existing buildings on the west side of South Riverside Avenue may afford some views of the River, this analysis focuses on views from

publically available vantage points (i.e., streets), recognizing that both the existing and proposed zoning allows buildings of 35 feet in height.

According to the Village Local Waterfront Revitalization Program (LWRP) report from 1992, *“Along South Riverside Avenue from Shop-Rite Plaza at the south end to its intersection with Route 129 to the north, the proliferation of commercial establishments has taken on a negative visual appearance. The great variety of buildings in this area have become, in many cases, shabby and dilapidated...”* (LWRP, page II-25). This description includes the areas of South Riverside Avenue outside the gateway on either end, but also includes the Harmon/SR area. These statements were made in 1992, however, and some conditions have changed, and the photographs of the views from South Riverside Avenue included in this report represent current conditions (Exhibit 11, Photographs 1 - 15).

Van Cortlandt Manor, a national historic landmark, is located outside of the Harmon/South Riverside Gateway district, approximately 500 feet south of Croton Point Avenue, on the north, south and west sides of South Riverside Avenue (see Exhibit 12, Van Cortlandt Manor Location). Since there are several large commercial establishments on parcels between the Croton Point Avenue end of the gateway district and the gated entrance to this historic site (retail stores, gym, supermarket, equipment rental, etc.), it is not considered to be contiguous. The gated entry to the Manor is substantially separated from the Gateway Overlay District by these commercial properties. However, one of the reasons the Harmon/SR Gateway district is considered important is that it is also the gateway to the entrance of this historic site, and therefore important to the character of the Village of Croton-On-Hudson. Regarding Van Cortlandt Manor’s relationship to the gateway district, the design guidelines aim to create a more attractive setting for this entry to the Village and to Van Cortlandt Manor.

Van Cortlandt Manor historic site contains a restored stone manor house, a brick ferry house, gardens and grounds open to the public from roughly May to December. There are visitor activities and programs revolving around life of a patriot family living in the years just after the American revolution. Members of the Van Cortlandt family first arrived to the area in 1638, and began acquiring land as early as 1677. The manor house and immediate grounds remained in the property of a direct heir of Stephanus Van Cortlandt until 1945¹⁰. This historic property is now managed by Historic Hudson Valley and serves tourists that travel from around the area to see the historic site.

Within the expansion area of the H/SRGD there is a site with local history: the former Harmon Real Estate office (73 Benedict Boulevard). Located on the corner of Benedict Boulevard and South Riverside Avenue, this structure is privately owned, and is currently the location of an existing business, Perfect Nails, directly adjacent to the former Croton Dodge. This structure is not listed on the State or National Register of historic places, but a designation was sought by the Croton Historical Society (application filed in the fall of 2009). After being evaluated by the State Historic Preservation Office (SHPO)¹¹, in the opinion of the SHPO, the structure is not eligible for listing since it no longer resembles its historic appearance.

¹⁰ *Van Cortlandt Manor*, compiled by Lee Northshield, from Croton on Hudson Historical Society (www.crontononhudson.org)

¹¹ SHPO, in New York State, is the New York State Office of Parks, Recreation and Historic Preservation

According to the documents submitted by the Croton Historical Society¹², the structure, also referred to as the Clifford B. Harmon building, is one story, with a gabled roof, and now contains vinyl siding, with a stone and brick chimney (see Exhibit 13 for photographs). This building was the first constructed on the 500-acre property developed by Clifford Benedict Harmon (as a member of Wood, Harmon & Co.) in approximately 1900, to be used as the real estate sales office for the residential lots being sold in the Harmon area¹³.

Potential Impacts-Aesthetic and Historic Resources:

The Proposed Action includes amendments to the existing Harmon/South Riverside gateway district, as well as an expansion in gateway overlay area. The amendments that supplement the existing code include visual/aesthetic considerations including the requirement for 60% of the commercial façade to be glass (to encourage retail, and pedestrian activity) and to encourage the parking in the rear of buildings, allowing wider sidewalks and potentially street furniture, street trees, etc. along the sidewalks. The permitted building height is not changed from that in the previously existing code (maximum 35 feet), therefore that aspect of the streetscape will not be impacted beyond what could be constructed today. Residential development is permitted within the roofline of a three story building (maximum 35 height). There is precedent for this in some existing buildings in the area now. Although the FAR is increased from 0.35-0.4 to 0.8, with the building height remaining the same, along with parking requirements on existing small lots, it is not anticipated that a significant number of lots will be redeveloped with structures built to the maximum height.

The intent of the Proposed Action is to encourage development whereby the design standards are intended to maximize visual appeal and pedestrian experience. The DGEIS prepared for the original gateway overlay design regulations (now adopted into the Code) described the visual character of the area and the intent to improve the aesthetics of the gateway to the Village. The visual features analyzed in the DGEIS included curb cuts, open space, signage, lighting, building orientation, sidewalks. Design regulations for these features have been implemented into the code, and none of those regulations are proposed to be amended with the Proposed Action.

As described previously, the adoption of the Harmon gateway amendments would not create any new development per se. However, using the assumptions and scenarios described previously, if developed with mixed use as described in Scenario #1 (likely Anticipated Level of Development), the study area could contain approximately 10,323 sf of new commercial uses and up to 46 residential units. This level of development includes parcels that are adjacent to the existing single family homes on Young Avenue, as well as some adjacent structures on Wayne Street. The new development described in Scenario #1 would likely comprise 3 story (with maximum height 35 feet) buildings on the vacant and underutilized sites.

If developed with mixed use as described in Scenario #2 or #3 (100% build-out scenarios), the study area could contain approximately 38,723 – 39,604 sf of *total* commercial uses and 145-146

¹² From attachments to letter from Joyce Finnerty, former Village Historian, to Mayor and Village Board, dated 10/26/09

¹³ *Clifford Harmon's New City*, The Croton Historian, Winter 1996.

total residential units.

The original gateway overlay design regulations (now adopted into the Code) were intended to create a more attractive setting for the gateway area to the Van Cortlandt Manor (through landscaping, sidewalk improvements, etc.), and the current proposed amendments are also intended to enhance the Harmon area visually, and are estimated to create a positive impact on the neighborhood and entrance to the historic site in the vicinity.

The new zoning amendment was intended to keep the scale of new development within existing maximums. There is no change proposed in existing screening/buffering requirements for this gateway area. Where commercial or mixed use is adjacent to residential uses, landscape buffers are required. The intent is for the front (and corners, if applicable) of the commercial and mixed use buildings to be for pedestrian circulation and shopping, and the rear for parking, with a minimum of curb cuts onto the street. The amendments provide for the Planning Board to reduce or waive side yard setback requirements during site plan review to encourage unified streetscapes. The intent of these proposed amendments is to have an overall positive impact to the gateway area and the village.

Views to River:

Although the extension of the Harmon/SR gateway district is in relatively close proximity of the Hudson River (± 1500 to 2500 feet), given the fact that most of the expansion of the gateway area is built up, or where vacant, the river not visible due to existing trees, blocking existing views toward the river is not anticipated to be a significant impact. As mentioned previously, the Proposed Action is a zoning amendment, not a construction project, and the zoning would allow for the same building height as currently permitted. However, it is possible that a site that is now vacant or underutilized could get approval for a larger building up to 35 feet in height, but this could also happen without the new zoning. Although plans for new mixed use structures that meet new zoning requirements would not require a special permit, they would still require review and site plan approval from the Village. This process would evaluate aesthetic concerns along with zoning compliance and engineering.

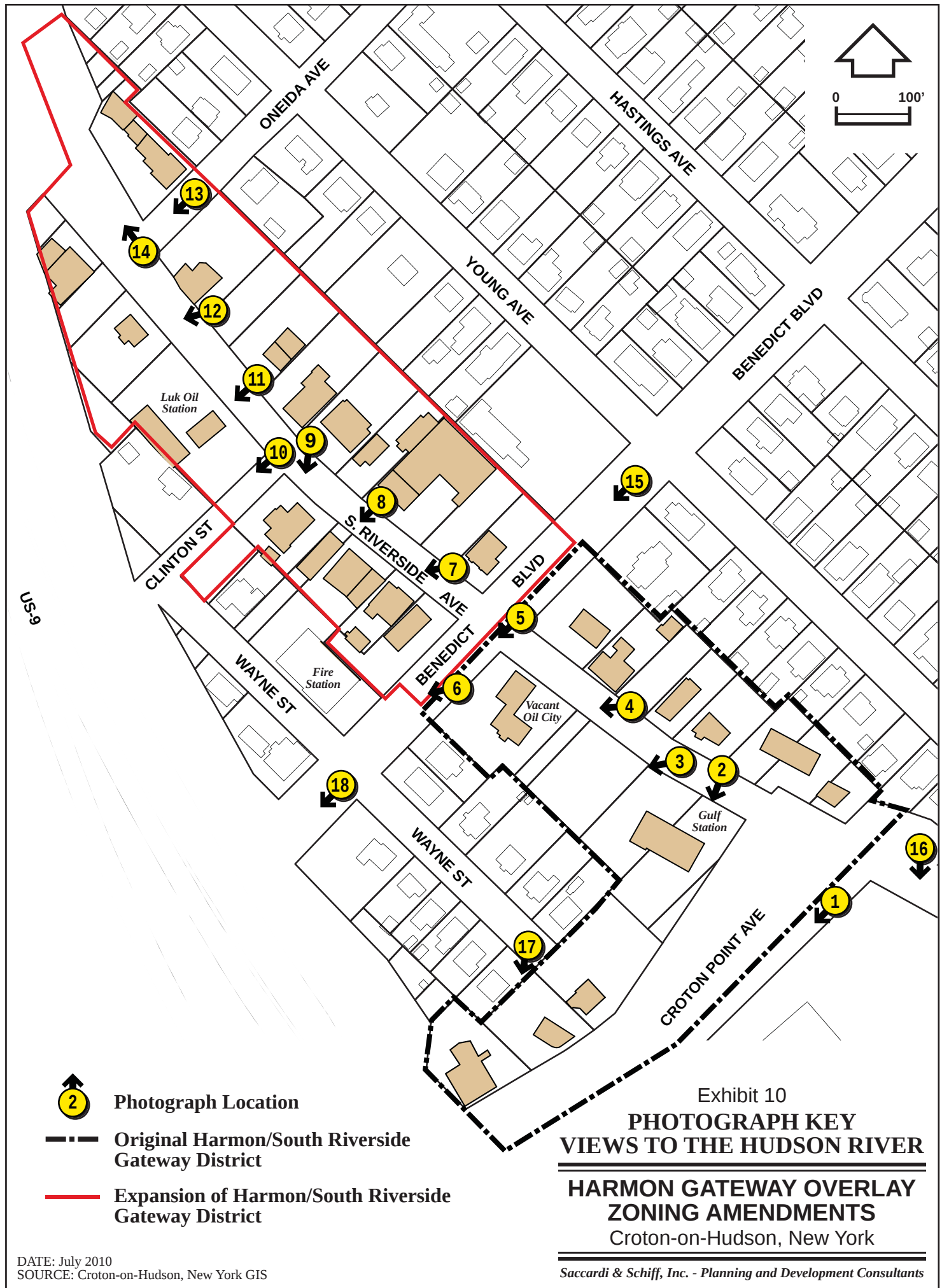
Character of area relative to Van Cortlandt Manor:

The impact of the proposed zoning amendments to the character of area relative to Van Cortlandt manor/gateway entry is not anticipated to be significant. The intent of the proposed amendments is the same as that of the original gateway zoning – to enhance the aesthetic character of the gateway, making it more attractive for visitors to the Manor and the Village. Proposals indicated in the DGEIS (Figure 4.5), such as landscaping, screening, sidewalk improvements, gateway signage, etc. still would apply with the proposed zoning amendments.

Impact on Harmon sales building (73 Benedict Boulevard):

Although the Harmon building may be considered locally significant, it is not designated as a historic site or landmark by state or federal agencies. It is privately owned, and technically it could be demolished or redeveloped now, outside the gateway area, since it has no protected status. The proper method to address potential impacts of demolition or redevelopment of this building would be to protect this structure by designating it as historic. However, this has not been accomplished as of this date. A letter from the former village historian to the Village Board

and Mayor (dated 10/26/09) suggests other uses, including use as a tourist information center and/or museum for Croton. This is currently a privately owned property, and the property owner would have to propose and gain approval for those uses to make those suggestions occur.





View of Croton Point Avenue (opposite Gulf gas station), looking southwest toward Route 9.



View south across South Riverside Avenue toward Gulf gas station with canopy on corner of Croton Point Avenue.



View northwest across South Riverside Avenue toward vacant lots and now-vacant Oil City gas station.



View northwest across South Riverside Avenue toward now-vacant Oil City gas station.



View from the intersection of South Riverside Avenue and Benedict Boulevard, looking southwest down Benedict Boulevard toward Wayne Street. Firehouse and commercial buildings visible to right.



View southwest on Benedict Boulevard toward buildings just outside the H/SRG District (firehouse and residential structure on Wayne Street).



View southwest toward existing 2 1/2-story mixed-use buildings on South Riverside Avenue. Firehouse visible behind other buildings.



View southwest toward one-story deli building on South Riverside Avenue directly opposite former Croton Dodge. (Mixed-use building on left; Japanese restaurant on right).



View southwest toward mixed-use building, deli and Japanese restaurant on South Riverside Avenue.



View southwest from the intersection of South Riverside Avenue and Clinton Street, looking directly down Clinton Street. Japanese restaurant parking on left; Luk Oil gas station on right.



View southwest toward Luk Oil gas station on South Riverside Avenue.



View southwest toward now-vacant one-story structure and parking areas on South Riverside Avenue.



View southwest down Oneida Avenue toward intersection of Oneida Avenue and South Riverside Avenue.



View northwest on South Riverside Avenue, leaving north end of H/SRG District. Oneida Avenue on right; auto body shop on left.



Outside H/SRG District; view southwest toward the gateway district from the intersection of Benedict Boulevard and Young Avenue.



Outside H/SRG District; view south from South Riverside Avenue (south of its intersection with Croton Point Avenue). View of Hudson River in distance, beyond retail buildings.



Outside H/SRG District; view south from a residence on Wayne Street. Views of Hudson River in distance.



Outside H/SRG District; view looking southwest at the intersection of Benedict Boulevard and Wayne Street; Benedict Boulevard street-end is used as a parking lot.



- Original Harmon/South Riverside Gateway District
- Expansion of Harmon/South Riverside Gateway District
- - - - - Van Cortlandt Manor

DATE: July 2010
SOURCE: Village of Croton-on-Hudson GIS

Exhibit 12
**VAN CORTLANDT MANOR
LOCATION**

**HARMON GATEWAY OVERLAY
ZONING AMENDMENTS**
Croton-on-Hudson, New York

Saccardi & Schiff, Inc. - Planning and Development Consultants



73 Benedict Boulevard as viewed from South Riverside Avenue.



Rear of 73 Benedict Boulevard (view from parking lot).



73 Benedict Boulevard as viewed from Benedict Boulevard.



73 Benedict Boulevard as viewed from vacant parcel on southeast side of Benedict Boulevard.

Exhibit 13
**PHOTOGRAPHS OF
 73 BENEDICT BOULEVARD**

**HARMON GATEWAY OVERLAY
 ZONING AMENDMENTS**
 Croton-on-Hudson, New York

c. Growth and Character of Community

i. Schools

Existing Conditions

Croton Harmon School District school facilities are all located in the Village of Croton-on-Hudson, and the district consists of 95% of the Village of Croton-on-Hudson, as well as some portions of the Towns of Cortlandt and Yorktown. School taxes are collected by the municipalities for the school district (in this case, school taxes are collected by the Town of Cortlandt). In May 2010, Croton-Harmon School District approved a \$43.86 million spending plan (which will raise taxes 1.64 percent).

A total of 1,774¹⁴ students in the district (2009-10) attend one of the three schools: Carrie E. Tompkins Elementary School (grades K-4), Pierre Van Cortlandt Middle School (grades 5-8) and Croton-Harmon High School (grades 9-12). Enrollments by school (2008) at these facilities are listed below¹⁵:

Carrie E. Tompkins Elementary: 657 students
Pierre Van Cortlandt Middle School: 568 students
Croton-Harmon High School: 561 students

According to the June 2009 Demographic Study (Ross Haber Associates, Inc.), 4.1 percent of the respondents of the census in the district send their children to private and/or parochial schools.

Croton-Harmon School District has a new Superintendent of Schools as of the 2009-2010 school year, Dr. Edward Fuhrman. A demographic study was recently undertaken by the school district (prepared by Ross Haber Associates, Inc., June 2009). This study included a census study (surveys completed by residents) and enrollment projections. For the census that was undertaken, 32 percent of the residential population of the district, by residence, returned the forms (5,100 forms were mailed out). The report states that this return rate is “lower than optimal but this is still useful information”.

The census study elicited information about school age children, as well as other demographic data such as ethnicity and home ownership. The largest percentage of families reported having two children, with families having one child being the second largest.¹⁶ The median age for homeowners/renters (approximately 90 percent home owners and 10 percent renters) was in the 41-55 range, and this was also the largest group having children attending school. The report indicates that there is a decline in the number of pre-school aged children living in the district (consistent

¹⁴ Westchester County School Boards Association **Facts & Figures** (2009-2010) .

¹⁵ Telephone communication with Croton Harmon School District business office, August 2009

¹⁶ Table 3, Demographic Study for Croton-Harmon Union Free School District, Ross Haber Associates, Inc., June 2009.

with current migration patterns, housing availability and housing market). The census indicates that the overwhelming majority stated they had *no* intention of moving away from the district, and the population of the district seems very stable.

The five-year projections indicate that overall enrollment will continue to grow, although at a slower rate than the previous five years. Enrollment projections indicate the total enrollment in the district to increase to a peak of 1,801 students in 2010-11, then decrease again to 1,791 students through the year 2012-13, after which it may increase again to a total enrolment of 1,806¹⁷ students in 2013-14.

The Harmon/South Riverside area contains some apartments now, and as of fall 2009, there are 9 school age children living there now (at four separate addresses), ranging from kindergarten to 8th grade.¹⁸

The school district also provided actual numbers of students that reside in Bari Manor, for reference. According to Ed Fuhrman¹⁹, Superintendent of Schools, 25 school-age children live in the 82 apartments in Bari Manor, which has 1, 2 and 3 bedroom apartments. Of this total, 11 students are in grades K to 4; 4 students are in grades 5 to 8; 9 students are in grades 9-12 and one is “ungraded” (special education). Since Bari Manor includes 3 bedroom units, it’s student generation ratio is expected to be higher than apartments in mixed use buildings with mostly one- and some two-bedroom units. (See Chapter III. Residential Market Factors).

Potential Impacts to Schools

Although the zoning amendments will not create any new development, three potential development scenarios were analyzed to give estimates of impact of both a likely build-out and a theoretical maximum build-out for the area, using all new, mixed-use development. Detailed descriptions of these scenarios are included in the previous sections (see Land Use and Zoning).

Scenario #1 – (Likely Level of Development): In order to estimate the number of potential public school children that would be added to the district with Scenario #1 (46 residential units), standard planning multipliers were used. According to Rutgers University Center for Urban Policy Research, approximately 4 new students (K-12) would be generated by 46 one-bedroom apartments with rents over \$1,000/month (see Table 8 below). If an equal mix of 1 and 2 bedroom units were used, the Rutgers multipliers indicate that the 46 apartments in Scenario #1 could generate approximately 8 new students, which would be added to the 9 school age children living there now.

Any new school children generated by private development in the Harmon area would not be generated all at once, and any new school population would be spread

¹⁷ Table 4, Demographic Study for Croton-Harmon Union Free School District, Ross Haber Associates, Inc., June 2009.

¹⁸ Communication with Ross Haber Associates, 10/6/2009.

¹⁹ Phone conversation with Mr. Edward Fuhrman, 9/14/09

out over the 13 grade levels. (School taxes are discussed below).

Table 8
Estimated Number of School Children
(Scenario #1)

	# units	Multiplier (Schoolchildren/unit)	Total school children generated
Scenario #1: Likely Level of Development (All 1 BR units)	46	x 0.08 ¹	4 children
Scenario #1: Likely Level of Development (50/50 mix 1 BR and 2 BR)	23 23	x 0.08 ¹ x 0.23 ²	2 children <u>6 children</u> 8 new children in H/SRGD

Source: Rutgers University, Center for Urban Policy Research, Residential Demographic Multipliers (June 2006)

¹ One-Bedroom rental apartment units, more than \$1,000/month

² Two-Bedroom rental apartment units, over \$1,100/month

Scenarios #2 and #3 – (100% build-out: theoretical maximum): According to the same source, a range of approximately 12 to 23 students (K-12) would be generated by ±145-146 apartments, assuming either all one-bedroom units, or an equal mix of 1 and 2 bedroom units (see Table 9 below). It is noted that the full implementation of these two scenarios is highly unlikely, as described previously.

Table 9
Estimated Number of School Children
(Scenarios #2-3, 100% Theoretical build out)

	# units	Multiplier (Schoolchildren/unit)	Total school children generated
Scenario #1: Likely Level of Development (All 1 BR units)	146	x 0.08 ¹	12 children
Scenario #1: Likely Level of Development (50/50 mix 1 BR and 2 BR)	73 73	x 0.08 ¹ x 0.23 ²	6 children <u>17 children</u> 23 total children in H/SRGD

Source: Rutgers University, Center for Urban Policy Research, Residential Demographic Multipliers (June 2006)

¹ One-Bedroom rental apartment units, more than \$1,000/month

² Two-Bedroom rental apartment units, over \$1,100/month

ii. Taxes

To estimate taxes generated, the specific new uses, number and size of residential units and market value of new mixed use buildings are required. In speaking with the Village of Croton Tax Assessor and the Town of Cortlandt Tax assessor²⁰, these factors would be required to provide an estimate of future tax revenues. Since the Proposed Action is a zoning amendment and not a specific project, the potential redevelopment scenarios analyzed in this EAF will again be used to the extent possible. The Village taxes are roughly one-third of the taxes on any given mixed use property, with the Town of Cortlandt collecting the other two-thirds, for the school district, town and county.

²⁰ Phone communication with tax assessors, fall 2009

The Harmon Business Development Committee's report in August 2008 summarized their presentation on the Harmon zoning recommendations, including a preliminary discussion of potential impact on village taxes. Since future market values are not known, the current redevelopment scenarios are analyzed below, using the same assumptions for a tax analysis that were used in the HBDC report. For the fiscal 2008-09 year, the HBDC report indicated that the total village property taxes on these 36 parcels in the Harmon/South Riverside Gateway study area (which total approximately 328,019 sf in area) was about \$145,490.

Table 10
Tax Estimates (Village and School Taxes)

	Existing Condition¹	Scenario #1²	Scenario #2	Scenario #3
Commercial Area (sf)	53,817	10,323	39,604	38,723
Residential units	NA	46	145	146
Residential (sf)	9,716	46,000	145,000	146,000
Total Area (sf)	63,533	56,323	184,604	184,723
Average property tax per sf (08-09 rates)	\$2.29	\$2.29	\$2.29	\$2.29
Annual Total: Village Property Tax Revenue	\$145,490.57	\$128,979 (\$274,469 total buildout ²)	\$422,743	\$423,015
Annual Total: School Tax Revenue ³	\$247,075	\$219,006 (\$466,081 total build out ²)	\$717,817_	\$718,279

¹ From **Harmon Zoning Change Recommendations** (HBDC, August 2008)

² Scenario #1 assumes redevelopment on 9 parcels, and **was combined** with revenues for existing development to compare with full build-out scenarios 2 and 3.

³ School tax rate (1.698) was extrapolated from HBDC report

The tax revenue for Scenario #1 indicates only the *new mixed use* development. Since Scenario #1 assumes redevelopment on 9 parcels, therefore the numbers in this column of the table were only partial revenues, so they were added to existing revenues to come up with a total to compare with full build-out scenarios 2 and 3.

Scenarios #2 and #3 indicate full build-out of the existing H/SRGD and proposed expansion area, including an increase in residential space which would result in greatly increased tax revenues. It should be noted that in any case, potential build-out of the H/SRGD area would be a gradual process over time, and each site plan would be reviewed by the planning board for conformance to all the regulations. It is noted again that the full implementation of scenarios #2 and #3 is highly unlikely.

It is anticipated that the school tax revenue in all redevelopment scenarios would offset the costs of potential new students to the district, especially considering the gradual increase in the school population. The estimated cost figure of \$14,873 per new student was used, utilizing *The Croton-Harmon Union Free School District Official Budget Document, Appropriations and Revenues for the 2010-2011 school year*. According to the school district's report, the total budget for the 2010-2011 school year is \$43,860,828 which represents nearly \$24,724 per student for the total of 1,774 students in the district. This number, however, includes both capital and

administrative costs, which would not be affected by the increase of a modest number of additional students. Utilizing the budget's program costs of \$31,412,192 divided by the total enrollment (1,774 students) equals \$17,706 per student. Additionally, the budget revenues are comprised of property taxes and other revenues, with a non-property tax total of \$7,212,624, representing 16 percent of the total revenues. Hence, the property taxes required to meet the program costs of each new student is \$14,873 ($\$17,706 \times .84$). It is noted that the costs used are average costs for all students, including special needs students.

Using these figures, the cost of the new students would range from \$59,492 to \$118,984 for Scenario #1 (from 4 to 8 school children) compared to school taxes of \$219,600 generated. In Scenario #1, more than 15 additional students would be the point where costs would not be completely covered by taxes generated. Even if state aid and other revenues were not included, using the cost per student of $\$17,706 \times 8$ students, costs would total \$141,648, still well below the tax revenues generated.

Costs would range from \$178,476 to \$342,079 for Scenario #3 (from 12 to 23 school children) compared to school taxes of \$717,279 generated. In Scenarios #2-3, more than 48 additional students would be the point where costs would not be completely covered by taxes generated. It is noted again that the full implementation of Scenarios #2 and #3 is highly unlikely.

iii. Community Services

The Harmon/South Riverside Gateway area is an established commercial district, with water, sewer, police, fire and waste disposal services available at the present time. According to the Village Engineer, the village's infrastructure in this area of the Village is in good condition with adequate capacity, as described below.

The water main in this vicinity was recently replaced. According to the Village Engineer²¹, the majority of the area is served by a looped system and is adequate to serve the existing and likely future potential development. There is one area of the overlay district that is on a dead-end water line (properties on South Riverside from Benedict Avenue south toward the Shop Rite). Plans have been prepared to address this by providing a loop that would connect this area to the dead end line on Wayne Avenue, providing a looped water main for this area as well. Also, the Village has plans to drill an additional well to provide extra water supply village-wide.

The sanitary sewer in this vicinity is contained in a large main which runs under South Riverside and has ample capacity for expansion²². Sanitary waste from most of the area flows north to the Westchester County pump station on Municipal Place, and the flow is currently under design capacity. A small portion of the area (south of Benedict Avenue in the area of Kiko restaurant, Sonny Abbott's) flows via gravity to the county line. According to the Village Engineer²⁴, there are a few septic systems

²¹ Phone communication with Village Engineer Daniel O'Connor, 6/14/10

²² P. 34, Harmon Zoning Change Recommendations (HDBC 8/26/08)

in the existing overlay district: on the 3 parcels along Croton Point Avenue, as well as a few on South Riverside Avenue (veterinarian, podiatrist). These properties could easily be connected to the public sewer system. According to the Village Engineer, there is adequate capacity.

Potential Impacts

Since no new development is proposed, no direct impacts on community services and facilities will be created by the zoning amendments. Based on the condition and capacity of the village infrastructure in this area, short term development in the area is not likely to raise costs village-wide for infrastructure or services.

In the longer term, new mixed use development permitted with an increase in FAR in this area could bring some incremental level of impact, gradually over a period of time, if maximum theoretical build-out were achieved. The village water supply and county sanitary sewer system is adequate to serve the existing and likely future potential development (Scenario #1). It is noted again that the full implementation of Scenarios #2 and #3 is highly unlikely. In all cases, infrastructure needs will be looked at for individual projects as site plans for those applications are reviewed.

Population increase with the “likely” potential development (Scenario #1, all 1 BR units) would be 77 new residents (see Table 11). If an equal mix of 1- and 2-bedroom units was assumed, population could increase to up to 93 new residents with Scenario #1.

Table 11
Estimated Population
Scenario #1 (Likely Level of Development)

	# units	Multiplier (people/unit)	Total population generated
Scenario #1: Likely Level of Development (all 1 BR)	46	x 1.67 ¹	77 people
Scenario #1: Likely Level of Development (50/50 mix 1 BR and 2 BR)	23 23	x 1.67 ¹ x 2.31 ²	39 <u>54</u> 93 total new residents in H/SRGD

Source: Rutgers University, Center for Urban Policy Research, Residential Demographic Multipliers (June 2006)

¹ One-Bedroom rental apartment units, over \$1,000/month

² Two-Bedroom rental apartment units, over \$1,100/month

With Scenarios #2 and #3 (100% build-out, with all parcels in the entire district redeveloped with mixed use, using assumptions described in that theoretical maximum) approximately 245 to 291 people could inhabit the H/SRGD area. Since this is a 100% build out, this would be the total population in the H/SRGD with proposed expansion, whereas the Scenario #1 is additional development replacing vacant and underutilized parcels. (See Table 12 below, and descriptions of scenarios under Land Use and Zoning). The likelihood of the theoretical maximum development (Scenarios #2 and #3) being achieved is not considered high, and any level of redevelopment is anticipated to be gradual over time, not causing significant impacts to infrastructure.

Table 12
Estimated Population
Scenarios #2-3 (theoretical 100% build out)

	# units	Multiplier (people/unit)	Total population generated
Scenarios #2 and #3 (100% build-out: theoretical maximum (all 1 BR)	146	x 1.67 ¹	245 people
Scenarios #2 and #3 (100% build-out: theoretical maximum (mix 1 and 2 BR)	73 73	x 1.67 ¹ x 2.31 ²	122 <u>169</u> 291 total residents in H/SRGD

Source: Rutgers University, Center for Urban Policy Research, Residential Demographic Multipliers (June 2006)

¹ One-Bedroom rental apartment units, over \$1,000/month

² Two-Bedroom rental apartment units, over \$1,100/month

d. Traffic and Parking

Existing Conditions

The RBA Group prepared traffic and parking studies to accompany a previously submitted EAF Part 3 Report, which are included in Appendix C (two reports, dated September 2009 and October 2009²³). These studies still apply to the current Proposed Action, with some refinements, described below. However, it is noted that the traffic and parking studies analyzed all potential development scenarios equally, and by focusing on the maximum potential impacts created by Scenarios #2 and #3 which are not likely to occur (theoretical maximum 100% build out) the conclusions are thereby very conservative.

The H/SRGD is approximately ¼-mile west of U.S. 9 and the Croton-Harmon train station (which serves both Metro-North and Amtrak passengers) and around ½-mile west of the Hudson River. Due to the proximity of the train station to the proposed study area, there is a steady stream of traffic along South Riverside Avenue during the weekday AM and PM peak periods. In addition, there are numerous pedestrians who walk to, from, and through the gateway area during these periods. Despite the surge of traffic during the peak commuter periods, however, traffic volumes along the local streets are generally light because most vehicles travel along U.S. 9, rather than the local streets.

Traffic Volumes: Existing traffic volumes along South Riverside Avenue are highest during the weekday AM peak period and typically higher south of Benedict Boulevard than north of Benedict Boulevard. Based on 2008 data from the **Croton Harmon Parking Facility Study**²⁴, the highest traffic volumes in the proposed rezoning area were 1,030 vehicles per hour (vph-222 northbound, 808 southbound) during the weekday AM peak hour.

Existing Parking: An inventory of on- and off-street parking supply in the H/SRGD study area was conducted in July 2009 by The RBA Group. Based on that inventory, there were approximately 280-300 existing off-street parking spaces. In addition, there were approximately 27 on-street parallel parking spaces. Parking spaces were not metered, but were signed for 2-hour parking. It is noted too that there is a municipal parking lot on the west end of Benedict Boulevard, just outside of the proposed rezoning area, which provides 15 off-street parking spaces.

Potential Impacts-Traffic and Parking

Traffic and parking conditions were examined for Scenarios #1 through #3, as described previously in this EAF and in the traffic report in Appendix C²⁵.

²³ The RBA Group reports were conducted in 2009 for a previous review of the zoning law, and still apply to the current EAF Part 3 Report as noted herein.

²⁴ **Croton Harmon Parking Facility Vehicular, Pedestrian and Bicycle Study**, The RBA Group, 2008.

²⁵ The RBA Group also developed another Scenario #5, in which the entire first floor of the development was commercial, with residential units being built on the second and third floors (98 residential units; 53,348 square feet of commercial space; further details are contained in the report in Appendix C).

Trip Generation: The number of trips generated by each redevelopment scenario were calculated using rates published in the Institute of Transportation Engineers (ITE) **Trip Generation Manual, 7th Edition**. The Proposed Action would allow a combination of residential and commercial space, and it was assumed that the commercial space would include office, restaurant, and general retail uses. The distribution of office to restaurant to retail space was calculated based on existing uses and projected demand as provided in the Village's *Harmon Zoning Change Recommendations* and the Commercial District Retail Study (Danth). The resulting commercial distribution used was 34 percent office, 30 percent restaurant, and 36 percent general retail space.

Trip generation was calculated for the weekday AM and PM and Saturday peak hours of the adjacent street network, and a 15 percent reduction in residential trips due to the proximity of the study area to the transit station was also applied. The resulting numbers of entering, exiting, and total trips are provided in Table 1 in the traffic report in Appendix C. Since the Scenarios evaluated in the current Proposed Action have changed slightly, Table 13 below provides adjusted numbers, showing the slight increase in trips based on the current Proposed Action (9% increase for residential uses and 8% increase for retail, office, and restaurant).

Table 13
Trip Generation

	Residential¹	Retail²	Restaurant²	Office²	total
Scenario #1-AM	25	4	3	7	39
PM	29	14	24	5	72
SAT	31	18	33	2	84
Scenario #2-AM	62	12	9	17	100
PM	77	43	71	16	207
SAT	74	56	103	5	238
Scenario #3-AM	62	12	8	16	98
PM	77	41	69	16	203
SAT	74	55	99	4	232

¹ Adjusted for current scenarios: 9% higher than Table 1 in The RBA Group report (September 2009)

² Adjusted for current scenarios: 8% higher than Table 1 in The RBA Group report (September 2009)

It is expected that the greatest number of trips will be generated for Scenario #2, for which the square footage of commercial development would be highest. The trip generation for this scenario is greatest for the Saturday peak hour during which retail and restaurant uses would be most utilized. However, trip generation for the scenario is also high during the weekday PM peak hour when background traffic volumes along South Riverside Avenue would be higher. For this reason, it is anticipated that the weekday PM peak hour would be the critical traffic period in the study area.

It was found from the trip generation calculations that the commercial, retail and restaurant trips are the most critical, so the proportion of office and retail space was adjusted accordingly.

Traffic Analysis: A comparison of the No Build and Build analysis results indicates that there would be little impact to traffic conditions on the study area roadways due to the proposed zoning amendments. For Scenario #1 (42-46 units), there would be no need for mitigation, as there would be no degradation in traffic operations from the No Build to Build conditions. During the weekday AM peak hour, for Scenarios #2 and #3, traffic operations for the southbound movement at the intersection of South Riverside Avenue and Benedict Boulevard would deteriorate slightly. None of these scenarios is considered realistic or likely to occur. However, should a specific site plan in the future present a need, conditions could be addressed by adding a second southbound approach lane (i.e., implementing a southbound left-turn/through lane and a southbound through/right-turn lane) at the intersection. This would require the removal of 6 on-street parking spaces, but should be compensated for by a surplus of parking spaces created by the redevelopment.

Parking Generation: Parking generation totals were calculated by land use for the weekday and Saturday peaks using the ITE ***Parking Generation Manual, 3rd Edition*** (Parking Generation Manual). The maximum numbers of parking spaces required are provided in Table 3 in The RBA Group's report in Appendix C. Parking is most needed on a weekend.

The number of parking spaces needed based on the zoning amendment's assumptions is sufficient to accommodate calculated parking needs for Scenario #1. For Scenarios #2 and #3, number of parking spaces needed based on the zoning amendment's assumptions would be sufficient to accommodate calculated parking needs although some level of shared parking accommodation may be necessary (amount would vary depending upon specifics of proposed redevelopment). Actual parking demand for particular projects would be addressed in site plan review of those individual projects. Since Scenarios #2 and #3 are not anticipated to be achievable in their entirety, parking impacts are not anticipated to be significant.

The residential parking ratio in the proposed zoning (1 space per unit plus 1 additional space for each addition bedroom in excess of one) would be a sufficient minimum zoning standard for the range of uses anticipated, with final reviews subject to site plan approval. Any applicants seeking redevelopment with mixed use on parcels in the gateway area would have to demonstrate how they would meet parking requirements, and accommodate that parking on the site.

III. RESIDENTIAL MARKET FACTORS

Identification of competitive housing supply in the market area

For this study, information on available apartments for rent was taken from listings on Craigslist.com, the Penny Saver periodical, through listings on the Multiple Listing Service (MLS) for the dates of April 19, 2010 through June 17, 2010, and from Westchester Residential Opportunities, Inc.

Within the Village of Croton-on-Hudson, there are several single-unit apartments available for rent. There is also one garden apartment complex called Bari Manor Apartments located on Old Post Road South. The 82 apartments within this complex include studios, one, two and three-bedroom units. The rent at Bari Manor ranges from: \$883 - \$1,130 for studios (410 sf); \$1,079 for one-bedrooms (465-900 sf); \$1,594 for two-bedrooms (860-1140 sf); and \$1,688 for three-bedrooms (1025 sf). The studios and one-bedroom apartments have one bathroom and the two- and three-bedroom apartments have 1.5 bathrooms. Another apartment complex in the village is Van Wyck Towers on Grand Street which is a 6-story building that has a total of 35 one, two and three bedroom market rate rental units.

The available market-rate single-unit apartments are located in various areas of the Village, and are generally accessory apartments or are located on either the top or bottom floor of a two-family home. The rents for these units are generally higher than those noted above, and vary based on the factors such as washer/dryer, dishwasher, air conditioning, garage parking and location of the unit. The average monthly rental price for a one-bedroom apartment in the area is approximately \$1,100, for a two-bedroom apartment approximately \$1,500, and for a 3+ bedroom apartment approximately \$2,800.

In addition to Bari Manor and single-unit apartments, there is age-restricted and income restricted housing in the Village. Symphony Knoll is an 11 unit (3-story) complex on Mt. Airy Road, which is affordable senior citizen housing, adjacent to 12-unit Mt. Airy Woods, another income-restricted complex. Symphony Knoll has eight units at 650 sf and three at 800 sf; rents will range from \$793 to 975 per month, plus utilities. Another example is Springvale Apartments, an apartment complex for persons aged 55 and older located just north of the Village.

According to the Westchester Residential Opportunities, Inc., in the 4th quarter of 2006, average advertised rents in the Village of Croton (by bedrooms) were: studio \$880; one-bedroom \$1,100; two bedroom \$1,725; and three bedroom \$1,975. Average rent during the same time period for the entire county was higher (except for two bedroom units): studio \$900; one-bedroom \$1,270; two bedrooms \$1,645; and three bedrooms \$2,031. Of the estimated 342,532 households in the county, 40 percent rent, and demand for rental units is relatively strong, especially with contributing factors such as tighter credit standards for homebuyers and the housing

market slump.²⁶ The Harmon Zoning Change Recommendations report (HBDC, 2008) indicated that local real estate agents had reported a strong market for good one-bedroom units within a 5 minute walk to the train station.

Evaluation of the Attractiveness of Potential New Housing

As described previously, the Proposed Action involves a zoning amendment, so no new housing is directly proposed. However, mixed use structures would be a permitted use within guidelines of the regulations, and with that could come additional apartments in the Harmon/South Riverside Gateway study area. There are a number of apartments in the study area at this time, in mixed use buildings (upstairs or behind commercial establishments).

It is anticipated, based on the location on a primarily commercial street (close to conveniences and shopping), but also within walking distance to Metro-North Rail Station and Route 9, that residential units would appeal primarily to commuters, singles and young professionals, and perhaps empty nesters. Given the location, it would be less likely to attract families who tend to prefer quieter areas with more open space around the units.

Given that there are no real market precedents in Croton for owner-occupied residential in mixed use buildings, it is not likely that residential units would be owner-occupied (condominiums). Investing in a residential purchase in a primarily commercial area, the purchaser may be skeptical as to the resale value of such a unit. Moreover, the limited number of units that could be developed on any individual site would not provide prospective purchasers with the comfort level gained by having a more substantial number of other homeowners nearby. Furthermore, developers typically do not seek to build condominium developments with only a few units due to financial considerations.

Conclusions Regarding Potential Marketability

Given the above, a mix of studio, one and a limited number of two-bedroom residential units within mixed use structures in the primarily commercial area (convenient to shops and services) and also within walking distance to the train station is considered to be viable for the Harmon/South Riverside Gateway area. Given the relatively small size of most of the lots in the study area, in addition to coverage and parking requirements, units would likely range in size from ±800 sf to ±1,100 sf (average 1,000 sf), and rent from \$850 to \$1400/month.

²⁶ “Apartment market still strong, analysts say”, Westchester County Business Journal, September 15, 2008

IV. ENVIRONMENTAL ASSESSMENT FORM – PARTS 1 AND 2

The Environmental Assessment Form (EAF) for the Proposed Action, Parts 1 and 2, are attached in this section. This document is the first step in the State Environmental Quality Review (SEQR) process, and is designed to assist the Lead Agency (in this case, the Croton Village Board of Trustees) in determining whether the Proposed Action may have a significant effect on the environment. The EAF Part 1 contains project information, and EAF Part 2 contains a preliminary assessment of Project Impacts and their magnitude.

The preceding EAF Part 3 report (Section II) includes more detail regarding potential areas of impact identified in EAF Part 2.

617.20
Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: ☐ Part 1 ☐ Part 2 ☐ Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- ☐ A. The project will not result in any large and important impact(s) and, therefore, is one, which **will not** have a significant impact on the environment; therefore **a negative declaration will be prepared.**
- ☐ B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore **a CONDITIONED negative declaration will be prepared.***
- ☐ C. The project may result in one or more large and important impacts that may have a significant impact on the environment; therefore **a positive declaration will be prepared.**

*A Conditioned Negative Declaration is only valid for Unlisted Actions

Repeal and enactment of Harmon/South Riverside Gateway Overlay District Zoning Amendments

Name of Action

Croton-on-Hudson Village Board

Name of Lead Agency

Abraham Zambrano

Print or Type Name of Responsible Officer in Lead Agency

Village Manager- Croton-on Hudson

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from responsible officer)

Date

PART 1--PROJECT INFORMATION

Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

Name of Action Repeal and enactment of Harmon/South Riverside Gateway Overlay District Zoning Amendments and expansion of overlay area		
Location of Action (include Street Address, Municipality and County) Portions of Croton Point Avenue and South Riverside currently in H/SRGD as well as expansion of existing Harmon/South Riverside Gateway District including commercial (C-2) lots on the east and west sides of South Riverside Avenue between Croton Point Avenue and a point 200 feet north of Oneida Avenue, Village of Croton-on-Hudson, County of Westchester.		
Name of Applicant/Sponsor Village Board of Trustees	Business Telephone (914) 271-4848	
Address Municipal Building, 1 Van Wyck St.		
City/PO Croton-on-Hudson	State NY	Zip Code 10520
Name of Owner (if different) (N/A)	Business Telephone ()	
Address		
City/PO	State	Zip Code
Description of Action Repeal and enactment of amendments to H/SRGD and related zoning law provisions and expansion of area included in the Harmon/South Riverside Gateway Overlay District (H/SRGD) portion of the Village Code. (See further description in EAF Part 3).		

Please Complete Each Question--Indicate N.A. if not applicable

A. SITE DESCRIPTION

Physical setting of overall project, both developed and undeveloped areas.

- Present land use: ☒ Urban ☐ Industrial ☒ Commercial ☐ Residential ☐ Rural (non-farm)
☐ Forest ☐ Agriculture ☒ Other Office, retail, automotive related and service businesses
- Total acreage of project area: ±11.7 * acres *(original gateway overlay and expansion area combined).

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	<u>0.0</u> acres	<u>0.0</u> acres
Forested	<u>0.0</u> acres	<u>0.0</u> acres
Agricultural (Includes orchards, cropland, pasture, etc.)	<u>0.0</u> acres	<u>0.0</u> acres
Wetland (Freshwater or tidal as per Articles 24,25 of ECL)	<u>0.0</u> acres	<u>0.0</u> acres
Water Surface Area	<u>0.0</u> acres	<u>0.0</u> acres
Unvegetated (Rock, earth or fill)	<u>0.0</u> acres	<u>0.0</u> acres
Roads, buildings and other paved surfaces*	<u>±11.7 *</u> acres	<u>±11.7 *</u> acres
Other (Indicate type) _____	<u>0.0</u> acres	<u>0.0</u> acres

*includes small areas of landscaping, lawns, street trees, planted islands, etc.
- What is predominant soil type(s) on project site? UvB (Urban land -Riverhead complex)
 - Soil drainage: ☒ Well drained 100 % of site ☐ Moderately well drained % of site ☐ Poorly drained % of site
 - If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? N/A acres (See 1 NYCRR 370).
- Are there bedrock outcroppings on project site? ☐ Yes ☒ No
 - What is depth to bedrock? 5 feet+ (in feet)

5. Approximate percentage of proposed project site with slopes: ☒ 0-15% 95 % ☒ 15-25% 5 % ☐ 25% or greater ___%
6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or the National Registers of Historic Places? ☐ Yes ☒ No*
- *None on H/SRGD site or substantially contiguous; but Van Cortlandt Manor, which is listed on the National Register of Historic Places and is a National Historic Landmark, is located in the vicinity of the H/SRGD with its entrance on South Riverside Avenue, approximately ± 500 feet from Croton Point Avenue to the southeast.
7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? ☐ Yes ☒ No
8. What is the depth of the water table? 6 feet+ (in feet)
9. Is site located over a primary, principal, or sole source aquifer? ☐ Yes ☒ No
10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? ☐ Yes ☒ No
11. Does project site contain any species of plant or animal life that is identified as threatened or endangered? ☐ Yes ☒ No
12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations) ☐ Yes ☒ No
Describe _____
13. Is the project site presently used by the community or neighborhood as an open space or recreation area? ☐ Yes ☒ No
If yes, explain _____
14. Does the present site include scenic views known to be important to the community? ☐ Yes ☒ No*
- * It is noted that the Village is located in the Hudson Highlands scenic area of statewide significance and LWRP notes scenic views from South Riverside Drive. However, no significant vistas are apparent from the H/SRGD (See EAF Part 3 for site photos.)
15. Streams within or contiguous to project area: None (surface drainage) a. Name of Stream and name of River to which it is tributary: Hudson River to the west and Croton River to the east
16. Lakes, ponds, wetland areas within or contiguous to project area: none
a. Name _____ b. Size (In acres) _____
17. Is the site served by existing public utilities? ☒ Yes ☐ No
a) If Yes, does sufficient capacity exist to allow connection? ☒ Yes ☐ No
b) If Yes, will improvements be necessary to allow connection? ☐ Yes ☒ No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☒ No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? ☐ Yes ☒ No* *CEAs in the vicinity: Croton Point Park CEA, Hudson River CEA and County/State parkland CEA
20. Has the site ever been used for the disposal of solid or hazardous wastes? ☐ Yes ☒ No

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate) **It is noted that the proposed action is a zoning amendment, not a construction project; therefore many responses are not applicable (N/A).*
- a. Total contiguous acreage owned or controlled by project sponsor $\pm 11.7^*$ acres* (original gateway overlay and expansion area).
- b. Project acreage to be developed: N/A acres initially; N/A acres ultimately.
- c. Project acreage to remain undeveloped N/A acres.
- d. Length of project, in miles: N/A (if appropriate).
- e. If the project is an expansion, indicate percent of expansion proposed N/A%.
- f. Number of off-street parking spaces existing N/A; proposed N/A.
- g. Maximum vehicular trips generated per hour N/A (upon completion of project).
- h. If residential, Number and type of housing units:
- | | One Family | Two Family | Multiple Family | Condominium |
|------------|------------|------------|-----------------|-------------|
| Initially | _____ | _____ | <u>N/A</u> | _____ |
| Ultimately | _____ | _____ | <u>N/A</u> | _____ |
- i. Dimensions (in feet) of largest proposed structure N/A height; N/A width; N/A length
- j. Linear feet of frontage along a public thoroughfare project will occupy is? N/A
2. How much natural material (i.e., rock, earth, etc.) will be removed from the site? N/A.
3. Will disturbed areas be reclaimed? ☐ Yes ☐ No ☒ N/A
- a. If yes, for what intended purpose is the site being reclaimed? _____

- b. Will topsoil be stockpiled for reclamation? ☐ Yes ☐ No
c. Will upper subsoil be stockpiled for reclamation? ☐ Yes ☐ No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? N/A acres.
5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project? ☐ Yes ☒ No
6. If single-phase project: Anticipated period of construction N/A months, (including demolition).
7. If multi-phased:
a. Total number of phases anticipated N/A (number).
b. Anticipated date of commencement phase 1 _____ month _____ year, (including demolition).
c. Approximate completion date of final phase _____ month _____ year.
d. Is phase 1 functionally dependent on subsequent phases? ☐ Yes ☐ No
8. Will blasting occur during construction? ☐ Yes ☐ No ☒ N/A
9. Number of jobs generated: during construction? N/A; after project is complete? N/A.
10. Number of jobs eliminated by this project? N/A.
11. Will project require relocation of any projects or facilities? ☐ Yes ☐ No ☒ N/A
If yes, explain _____
12. Is surface liquid waste disposal involved? ☐ Yes ☐ No ☒ N/A
a. If yes, indicate type of waste (sewage, industrial, etc.) and amount _____
b. Name of water body into which effluent will be discharged _____
13. Is subsurface liquid waste disposal involved? ☐ Yes ☐ No ☒ N/A Type _____
14. Will surface area of an existing water body increase or decrease by proposal? ☐ Yes ☒ No
Explain _____
15. Is project, or any portion of project, located in a 100-year flood plain? ☐ Yes ☒ No
16. Will the project generate solid waste? ☐ Yes ☐ No ☒ N/A
a. If yes, what is the amount per month? _____ tons.
b. If yes, will an existing solid waste facility be used? ☐ Yes ☐ No
c. If yes, give name _____; location _____
d. Will any wastes **not** go into a sewage disposal system or into a sanitary landfill? ☐ Yes ☒ No
e. If Yes, explain _____
17. Will the project involve the disposal of solid waste? ☐ Yes ☒ No
a. If yes, what is the anticipated rate of disposal? _____ tons/month.
b. If yes, what is the anticipated site life? _____ years.
18. Will project use herbicides or pesticides? ☐ Yes ☐ No ☒ N/A
19. Will project routinely produce odors (more than one hour per day)? ☐ Yes ☐ No ☒ N/A
20. Will project produce operating noise exceeding the local ambient noise levels? ☐ Yes ☐ No ☒ N/A
21. Will project result in an increase in energy use? ☐ Yes ☐ No ☒ N/A
If yes, indicate type(s) _____.
22. If water supply is from wells, indicate pumping capacity N/A gallons/minute.
23. Total anticipated water usage per day N/A gallons/day.
24. Does project involve Local, State or Federal funding? ☐ Yes ☒ No If yes, explain: _____

25. Reviews and Approvals Required:**Type****Submittal Date**

Village Board	☒ Yes ☐ No	<u>zoning amendment</u>
Village Planning Board	☐ Yes ☒ No	<u>referral and review</u>
Village Zoning Board	☐ Yes ☒ No	
County Health Department	☐ Yes ☒ No	
Other Local Agencies	☐ Yes ☒ No	<u>Waterfront Advisory Comm.- consistency review for LWRP</u>
Other Regional Agencies	☐ Yes ☒ No	<u>Westchester County Planning Board – referral</u>
State Agencies	☐ Yes ☒ No	
Federal Agencies	☐ Yes ☒ No	

C. ZONING AND PLANNING INFORMATION

- Does proposed action involve a planning or zoning decision? ☒ Yes ☐ No
If Yes, indicate decision required: ☒ zoning amendment ☐ zoning variance ☐ special use permit ☐ subdivision
☐ site plan ☐ new/revision of master plan ☐ resource management plan ☐ other
- What is the zoning classification(s) of the site? C-2 (General Commercial); southern portion of the area also has the overlay of Harmon/South Riverside Gateway District
- What is the maximum potential development of the site if developed as permitted by the present zoning?
(see EAF Part 3)
- What is the proposed zoning of the site? Same (C-2): with Harmon/South Riverside Gateway District overlay expanded to entire area; and with proposed amendments to H/SRGD F.A.R. and other amendments
- What is the maximum potential development of the site if developed as permitted by the proposed zoning?
(see EAF Part 3)
- Is the proposed action consistent with the recommended uses in adopted local land use plans? ☒ Yes ☐ No
- What are the predominant land use(s) and zoning classifications within a 1/4 mile radius of proposed action?
Zoning: C-2, RA-5, RB (two family residence). Land Use: residential, vacant land, retail, office, personal service, fire house, auto-related uses, gas stations, restaurants, religious.
- Is the proposed action compatible with adjoining/surrounding land uses within a 1/4 mile? ☒ Yes ☐ No
- If the proposed action is the subdivision of land, how many lots are proposed? N/A
a. What is the minimum lot size proposed? N/A
- Will proposed action require any authorization(s) for the formation of sewer or water districts? ☐ Yes ☒ No
- Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)?
☐ Yes ☐ No ☒ TBD (See EAF Part 3)
a. If yes, is existing capacity sufficient to handle projected demand? ☐ Yes ☐ No ☒ TBD
- Will the proposed action result in the generation of traffic significantly above present levels? ☐ Yes ☐ No ☒ TBD (See EAF Part 3)
a. If yes, is the existing road network adequate to handle the additional traffic? ☐ Yes ☐ No ☒ TBD

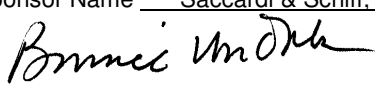
D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are, or may be, any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name Saccardi & Schiff, Inc. Date July 15, 2010

Signature  Title Vice President, Saccardi & Schiff, Inc.

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

Part 2 – PROJECT IMPACT AND THEIR MAGNITUDE

Responsibility of Lead Agency

General Information (Read Carefully)

- In completing the form, the reviewer should be guided by the question: Have my responses and determinations been reasonable? The reviewer is not expected to be an expert environmental analyst.
- The Examples provided are to assist the reviewer by showing types of impacts and, wherever possible, the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- The number of examples per question does not indicate the importance of each question.
- In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read carefully)

- Answer each of the 20 questions in PART 2. Answer **Yes** if there will be **any** impact.
- Maybe** answers should be considered as **Yes** answers.
- If answering **Yes** to a question then check the appropriate box (column 1 or 2) to indicate the potential size of the impact. If impacts threshold equals or exceeds any examples provided, check column 2. If impact will occur, but threshold is lower than example, check column 1.
- Identifying that an Impact will be potentially large (column 2) does not mean that it is also necessarily **significant**. Any large impact must be evaluated in Part 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- If reviewer has doubt about size of the impact, then consider the impact as potentially large and proceed to PART 3.
- If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the **Yes** box in column 3. A **No** response indicates that such a reduction is not possible. This must be explained in Part 3.

IMPACT ON LAND

- Will the proposed action result in a physical change to the project site?
☐ Yes ☐ No

Examples that would apply to column 2

- Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.
- Construction on land where the depth to the water table is less than 3 feet.
- Construction of paved parking area for 1,000 or more vehicles.
- Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.
- Construction that will continue for more than 1 year or involve more than one phase or stage.
- Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.
- Construction or expansion of a sanitary landfill.
- Construction in a designated floodway.
- Other impacts: _____

- Will there be an effect to any unique or unusual land forms found on the site? (i.e. cliffs, dunes, geological formations, etc.) ☐ Yes ☐ No
- Specific land forms: _____

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No

IMPACT ON WATER

3. Will the proposed action affect any water body designated as protected?
☐ Yes ☒ No

Examples that would apply to column 2

- Developable area of site contains a protected water body.
- Dredging more than 100 cubic yards of material from channel of a protected stream.
- Extension of utility distribution facilities through a protected water body.
- Construction in designated freshwater or tidal wetland.
- Other Impacts: _____

4. Will proposed action affect any non-protected existing or new body of water?
☐ Yes ☒ No

Examples that would apply in column 2

- A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease.
- Construction of a body of water that exceeds 10 acres of surface area.
- Other impacts: _____

5. Will Proposed Action affect surface or groundwater quality or quantity?
☐ Yes ☒ No

Examples that would apply to column 2

- Proposed Action will require a discharge permit.
- Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.
- Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity.
- Construction or operation causing any contamination of a water supply system.
- Proposed Action will adversely affect groundwater.
- Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.
- Proposed Action would use water in excess of 20,000 gallons per day.
- Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.
- Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons.
- Proposed Action will allow residential uses in areas without water and/or sewer services.
- Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.
- Other impacts:

6. Will proposed action alter drainage flow or patterns, or surface water runoff?
☐ Yes ☒ No

Examples that would apply to column 2

- Proposed Action would change flood water flows.

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
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☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No

- Construction activity would excavate or compact the soil profile of agricultural land.
- The proposed action would irreversibly convert more than 10 acres of agricultural land or if located in an Agricultural District, more than 2.5 acres of agricultural land.
- The proposed action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g., cause a farm field to drain poorly due to increased runoff).
- Other impacts:

IMPACTS ON AESTHETIC RESOURCES

11. Will proposed action affect aesthetic resources? ☒ Yes ☐ No
(if necessary, use the Visual EAF Addendum in Section 617.20, Appendix B.)

Examples that would apply to column 2

- Proposed land uses, or project components obviously different from, or in sharp contrast to current surrounding land use patterns, whether man-made or natural.
- Proposed land use, or project components visible to users of aesthetic resources which will eliminate, or significantly reduce, their enjoyment of the aesthetic qualities of that resource.
- Project components that will result in the elimination, or significant screening, of scenic views known to be more important to the area.
- Other impacts: The visual impacts of development under the proposed zoning amendments are expected to be positive to improve visual character of the village

IMPACTS ON HISTORIC AND ARCHEOLOGICAL RESOURCES

12. Will proposed Action impact any site or structure of historic, prehistoric or paleontological importance? ☐ Yes ☒ No

Examples that would apply to column 2

- Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places.
- Any impact to an archeological site or fossil bed located within the project site.
- Proposed Action will occur in an area designated as sensitive for archeological sites on the NYS Site Inventory.
- Other impacts: Harmon Real Estate office (not a designated historic resource) is within proposed expansion area. Proximity to Van Cortlandt Manor to H/SRGD separated by shopping center development

IMPACT ON OPEN SPACE AND RECREATION

13. Will proposed action affect the quantity or quality of existing or future open spaces or recreational opportunities? ☐ Yes ☒ No

Examples that would apply to column 2

- The permanent foreclosure of a future recreational opportunity.
- A major reduction of an open space important to the community.
- Other impacts:

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☒	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☒	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☒	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No

- [illegible]

- Proposed Action to locate within the CEA?
- Proposed Action will result in a reduction in the quantity of the resource?
- Proposed Action will result in a reduction in the quality of the resource?
- Proposed Action will impact the use, function or enjoyment of the resource?
- Other impacts: _____

- Alteration of present patterns of movement of people and/or goods.
- Proposed Action will result in major traffic problems.
- Other impacts: Potential increase in traffic and parking due to development with implementation of zoning amendments

- The proposed action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.)
- Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use.
- Other impacts: _____

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☒	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☒	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☐	☐	☐ Yes ☐ No
☒	☐	☐ Yes ☐ No

Part 3 - EVALUATION OF THE IMPORTANCE OF IMPACTS

Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

Instructions

Discuss the following for each impact identified in column 2 of Part 2:

1. Briefly describe the impact.
2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).
3. Based on the information available, decide if it is reasonable to conclude that this impact is **important**.

To answer the question of importance, consider:

- The probability of the impact occurring
- The duration of the impact
- Its irreversibility, including permanently lost resources of value
- Whether the impact can or will be controlled
- The regional consequence of the impact
- Its potential divergence from local needs and goals
- Whether known objections to the project relate to this impact.

(Continue on attachments)

SEE EAF PART 3 REPORT

V. COASTAL ASSESSMENT FORM (CROTON-ON-HUDSON)

The Village of Croton-on-Hudson has a Local Waterfront Revitalization Plan (LWRP), the limits of which include the entire village. The Proposed Action is subject to consistency review with the LWRP, as determined by the Village's Waterfront Advisory Committee (WAC).

Village of Croton-on-Hudson

COASTAL ASSESSMENT FORM

A. INSTRUCTIONS (Please print or type all answers)

1. *Applicants, or in the case of direct actions (city, town, village) agencies, shall complete this CAF for proposed actions which are subject to the consistency review law. This assessment is intended to supplement other information used by a (city, town, village) agency in making a determination of consistency.*
2. *Before answering the questions in Section C, the preparer of this form should review the policies and explanations of policy contained in the Local Waterfront Revitalization Program (LWRP), a copy of which is on file in the (city, town, village) clerk's office. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the coastal area.*
3. *If any question in Section C on this form is answered "yes", then the proposed action may affect the achievement of the LWRP policy standards and conditions contained in the consistency review law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to making a determination that it is consistent to the maximum extent practicable with the LWRP policy standards and conditions. If an action cannot be certified as consistent with the LWRP policy standards and conditions, it shall not be undertaken.*

B. DESCRIPTION OF SITE AND PROPOSED ACTION:

1. Type of (city, town, village) agency action (check appropriate response):
 - a) Directly undertaken (e.g. capital construction, planning activity, agency regulation, land transaction) Repeal and enactment of Harmon/South Riverside Gateway (H/SRG) Overlay District Zoning Amendments
 - b) Financial assistance (e.g. grant, loan, subsidy) _____
 - c) Permit, approval, license, certification _____
 - d) Agency undertaking action Croton-on-Hudson Village Board of Trustees
2. Describe nature and extent of action: Repeal and enactment of amendments to H/SRG Overlay District and related zoning law provisions and expansion of area included in the Harmon/South Riverside Gateway Overlay District portion of the Village Code. Intent of the proposed amendments is to encourage commercial redevelopment and facilitate market rate mixed use development.
3. Location of actions: Area includes portions of Croton Point Avenue and South Riverside Avenue currently in H/SRGD as well as expansion of existing Harmon/South Riverside Gateway District including commercial (C-2) lots on the east and west sides of South Riverside Avenue between Croton Point Avenue and a point 200 feet north of Oneida Avenue, Village of Croton-on-Hudson, County of Westchester.
(street or site description)

4. Size of site: ±11.7 acres
5. Present land use: Office, auto-related uses, retail, service businesses, restaurants, residential, vacant lands
6. Present zoning classification: C-2 (General Commercial) and Harmon/South Riverside Gateway Overlay District on southern portion of area
7. List and describe any unique or unusual land forms within or contiguous to the project site (i.e. bluffs, dunes, swales, ground depressions, other geological formations):
None
8. Percent of site which contains slopes of 15% or greater: ±5%
9. List and describe streams, lakes, ponds or wetlands existing within or contiguous to the project area. Give name and size of each if available:
- a) Name: None
- b) Size (in acres): N/A
10. If an application for the proposed action has been filed with the (city, town, village) agency, the following information shall be provided:
- a) Name of applicant: N/A
- b) Mailing address: _____
- c) Telephone number: (area code) (_____) _____
- d) Application number, if any: _____
11. Will the action be directly undertaken, require funding or approval by a state or federal agency? NO X YES _____
- If yes, which state or federal agency? _____

C. COASTAL ASSESSMENT:

(Check either "yes" or "no" for each of the following questions)

- | | <u>YES</u> | <u>NO</u> |
|--|------------|------------------------|
| 1. Will the proposed action be located in, or contiguous to, or have a potentially adverse effect upon any of the resource areas identified on the coastal area map: | _____ | <u>X</u> |
| a) Significant fish or wildlife habitats? | _____ | <u>X</u> |
| b) Scenic resources of local or statewide significance? | _____ | <u>X*</u> |
| | | *see EAF Part 3 report |
| c) Important agricultural lands? | _____ | <u>X</u> |
| d) Natural protective features in an erosion hazard area? | _____ | <u>X</u> |

If the answer to any question above is "yes", please explain in Section D any measures which will be undertaken to mitigate any adverse effects.

	<u>YES</u>	<u>NO</u>
2. Will the proposed action have a significant effect upon:		
a) Commercial or recreational use of fish and wildlife resources?	_____	<u>X</u> _____
b) Scenic quality of the coastal environment?	_____	<u>X*</u> _____
		*see EAF Part 3 report
c) Development of future or existing water dependent uses?	_____	<u>X</u> _____
d) Operation of the State's major ports?	_____	<u>X</u> _____
e) Land or water uses within a small harbor area?	_____	<u>X</u> _____
f) Stability of the shoreline?	_____	<u>X</u> _____
g) Surface or groundwater quality?	_____	<u>X</u> _____
h) Existing or potential public recreation opportunities?	_____	<u>X</u> _____
i) Structures, sites or districts of <u>historic</u> , archeological or cultural significance to the (city, town, <u>village</u>), State or nation?	_____	<u>X*</u> _____
		*see EAF Part 3 report
3. Will the proposed action involve or result in any of the following:		
a) Physical alteration of land along the shoreline, land under water or coastal waters?	_____	<u>X</u> _____
b) Physical alteration of two (2) acres or more of land located elsewhere in the coastal area?	_____	<u>X</u> _____
c) Expansion of existing public services or infrastructure in undeveloped or low density areas of the coastal area?	_____	<u>X</u> _____
d) Energy facility not subject to Article VII or VIII of the Public Service Law?	_____	<u>X</u> _____
e) Mining, excavation, filling or dredging in coastal waters?	_____	<u>X</u> _____
f) Reduction of existing or potential public access to or along the shore?	_____	<u>X</u> _____
g) Sale or change in use of publicly-owned lands located on shoreline or under water?	_____	<u>X</u> _____
h) Development within a designated flood or erosion hazard area?	_____	<u>X</u> _____
i) Development on a beach, dune, barrier island or other natural feature that provides protection against flooding or erosion?	_____	<u>X</u> _____
j) Construction or reconstruction of erosion protective structures?	_____	<u>X</u> _____
k) Diminished surface or groundwater quality?	_____	<u>X</u> _____
l) Removal of ground cover from the site?	_____	<u>X</u> _____

	<u>YES</u>	<u>NO</u>
4. Project <i>(N/A-zoning amendment, not project)</i>		
a) If project is to be located adjacent to shore: <i>(N/A-not adjacent to shore)</i>		
1. Will water-related recreation be provided?	_____	_____
2. Will public access to the foreshore be provided?	_____	_____
3. Does the project require a waterfront site?	_____	_____
4. Does it supplant a recreational or maritime use?	_____	_____
5. Do essential public services and facilities presently exist at or near the site?	_____	_____
6. Is it located in a flood prone area?	_____	_____
7. Is it located in an area of high erosion?	_____	_____
b) If the project site is publicly owned: <i>(N/A-all privately owned)</i>		
1. Will the project protect, maintain and/or increase the level and types of public access to water-related recreation resources and facilities?	_____	_____
2. If located in the foreshore, will access to those and adjacent lands be provided?	_____	_____
3. Will it involve the siting and construction of major energy facilities?	_____	_____
4. Will it involve the discharge of effluent from major steam electric generating and industrial facilities into coastal facilities?	_____	_____
c) Is the project site presently used by the community neighborhood an open space or recreation area?	_____	<u>X</u>
d) Does the present site offer or include scenic views or vistas known to be important to the community?	_____	<u>X</u>
e) Is the project site presently used for commercial fishing or fish processing?	_____	<u>X</u>
f) Will the surface area of any waterways or wetland area be increased or decreased by the proposals?	_____	<u>X</u>
g) Does any mature forest (over 100 years old) or other locally important vegetation exist on this site which will be removed by the project?	_____	<u>X</u>
h) Will the project involve any waste discharges into coastal waters?	_____	<u>X</u>
i) Does the project involve surface or subsurface liquid waste disposal?	_____	<u>X</u>
j) Does the project involve transport, storage, treatment or disposal of solid waste or hazardous materials?	_____	<u>X</u>

	<u>YES</u>	<u>NO</u>
k) Does the project involve shipment or storage of petroleum products?	_____	<u>X</u> _____
l) Does the project involve discharge of toxic hazardous substances or other pollutants into coastal waters?	_____	<u>X</u> _____
m) Does the project involve or change existing ice management practices?	_____	<u>X</u> _____
n) Will the project affect any area designated as a tidal or freshwater wetland?	_____	<u>X</u> _____
o) Will the project alter drainage flow, patterns or surface water runoff on or from the site?	_____	<u>X</u> _____
p) Will best management practices be utilized to control storm water runoff into coastal waters?	_____	<u>X</u> _____
q) Will the project utilize or affect the quality or quantity of sole source or surface water supplies?	_____	<u>X</u> _____
r) Will the project cause emissions which exceed federal or state air quality standards or generate significant amounts of nitrates or sulfates?	_____	<u>X</u> _____

D. REMARKS OR ADDITIONAL INFORMATION.

For questions answered “yes” in Section C, explain methods you will undertake to reduce adverse effects. Review the LWRP to see if the project is consistent with each policy. List policies the project is not consistent with and explain all mitigating actions.

(Add any additional sheets necessary to complete this form)

See EAF Part 3 Report for details on description of proposed action and potential impacts.

E. SUBMISSION REQUIREMENTS.

The final version of this form shall be sent to the Department of State (*New York State Dept. of State, Coastal Management Program, 162 Washington Avenue, Albany, NY 12231*) if any question in Section C is answered “yes” and either of the following conditions is met.

- Section B.1 (a) or B.1 (b) is checked **OR**
- Section B.1 (c) and B.11 is answered “yes”

=====

If assistance or further information is needed to complete this form, please contact the Village Engineer at (914) 271-4783.

Preparer's Name: Bonnie Von Ohlsen

Title: Vice President

Agency: Saccardi & Schiff, Inc., Planning Consultants for Village of Croton-on-Hudson

Telephone No.: (914)761-3582 E-mail: bvonohlsen@saccschiff.com

Date: July 15, 2010

APPENDIX

APPENDIX A:
Draft Local Law Introductory No. 3-2010 and List of Parcels

A LOCAL LAW TO AMEND THE PROVISIONS OF THE VILLAGE OF CROTON-ON-HUDSON GATEWAY OVERLAY ZONING DISTRICT, AND CERTAIN ZONING LAW PROVISIONS RELATED THERETO, BY REPEALING LOCAL LAW NO. 4 OF THE YEAR 2009 AND ENACTING PROVISIONS TO EXPAND THE AREA OF, AND MODIFY THE ZONING REGULATIONS FOR, THE HARMON/SOUTH RIVERSIDE GATEWAY AREA

Be it enacted by the Board of Trustees of the Village of Croton-on-Hudson as follows:

Section 1. Local Law Number 4 of the year 2009, adopted by the Board of Trustees of the Village of Croton-on-Hudson on November 16, 2009, is hereby repealed in its entirety, and the provisions hereof are intended to supersede the provisions of Local Law Number 4 of the year 2009 in their entirety.

Section 2. Section 230-20.2.A.(1) of the Code of the Village of Croton-on-Hudson is hereby amended to read as follows:

(1) Harmon/South Riverside, consisting of certain lots located on Croton Point Avenue, South Riverside Avenue and Clinton Street. A list of the specific parcels included in the Harmon/South Riverside area is set forth in the Table of Zoning Map Amendments located at the end of this chapter which table and map are hereby amended to include the parcels described in the schedule hereto. This area is an important link to the train station via Croton Point Avenue and to the Harmon neighborhood. It also provides a connection with the historic Van Cortlandt Manor to the south.

Section 3. Section 230-20.3 of the Code of the Village of Croton-on-Hudson is hereby amended to read as follows:

Section 230-20.3. Use regulations for all Gateway areas, and special area, bulk and parking regulations for the Harmon/South Riverside Gateway area.

A. The uses permitted in the Gateway District areas shall correspond to the permitted and special permit uses set forth in the underlying zoning district. In addition, the following uses, when not otherwise authorized in the underlying zone, shall be permitted:

(1) Permitted Principal Use. In the Harmon/South Riverside area mixed use shall be a permitted principal use subject to the parameters and requirements set forth below:

a. Notwithstanding any other provision of this Chapter to the contrary, for the purposes of this Article (IVA), mixed use shall mean a combination of residential dwelling units and other permitted and/or special permit uses provided, however,

i. At least 50 percent of the area of the first floor of any mixed use building must be used for non-residential use. Residential uses may not be located in the

portion of a building's first floor which is immediately inside the building's front facade, it being the intention of this law that first floor front building facades, and the building areas immediately inside first floor front building facades, will be used for non-residential purposes. It is the further intention of this law that any first floor residential space will be located "behind" first floor non-residential space as viewed from the street/sidewalk adjacent to the building front. For the purpose of this subparagraph buildings located on street corners shall be deemed to have building fronts on each of the intersecting streets which form the street corner.

ii. There shall be no percentage restrictions on the amount of residential versus non-residential space on the second floor of a mixed use building.

iii. The third floor of a mixed use building may only be used for residential dwelling unit purposes.

b. Notwithstanding any provisions of Section 230-20.4 or any other provisions of this Chapter to the contrary, the following area and bulk regulations shall apply to mixed use buildings in the Harmon/South Riverside Gateway area. To the extent that contrary area/bulk regulations are not specified in this subsection, they shall be as otherwise provided in this Code:

i. Maximum floor area ratio (FAR) shall be .8.

ii. Maximum height shall be 35 feet/3 stories. Provided, however, the third story must be constructed within the roofline of the building.

iii. The minimum front yard setback shall be 15 feet. The maximum front yard setback shall be 20 feet. In accordance with the general provisions of this Chapter, corner lots shall be deemed to have front yards on each of the intersecting streets which form the corner.

iv. The Planning Board shall have the authority in conducting Site Plan review to reduce or waive side yard setback requirement(s) of the underlying zone provided there is otherwise adequate access to parking areas.

v. With the exception described below, pre-existing buildings which do not meet the front yard setback required herein (15-20 feet) or any of the other area requirements of this Chapter (e.g. rear yard setback) shall not be permitted to have an FAR of .8 nor to add third story residential occupancy. They shall be governed by the FAR and story limitations of their underlying zone. Provided, however, pre-existing buildings which are otherwise area-compliant, but whose front yard setback is between ten and twenty feet (instead of the required fifteen to twenty feet) shall be permitted to have an FAR of .8 and third story residential occupancy.

c. Design Regulations. In addition to any other design regulations provided in this Code, the following design guidelines shall apply to mixed use buildings in the Harmon/South Riverside Gateway area:

i. The street level façade of the front of any building shall consist of at least sixty percent transparent glass to facilitate visibility into the building's first floor

commercial premises and a retail streetscape look. For the purpose of this subparagraph buildings located on street corners shall be deemed to have building fronts on each of the intersecting streets which form the corner.

ii. Mixed use buildings in the Harmon/South Riverside Gateway area shall be subject to such additional design guidelines as may be adopted by resolution of the Board of Trustees from time to time.

d. Parking. Notwithstanding any other provision of this Code to the contrary, for mixed use buildings in the Harmon/South Riverside Gateway area there shall be provided for each residential dwelling unit: one parking space plus one additional parking space for each bedroom in the unit in excess of one bedroom. (Examples: studio apartment – 1 space; 1 bedroom apartment – 1 space; 2 bedroom apartment – 2 spaces). The parking for non-residential space shall be as otherwise required by this Chapter.

(2) Special Permit Uses.

In addition to the special permit uses permitted in the underlying zoning district, the following uses, when not otherwise authorized in the underlying district, shall be permitted by special permit granted by the Village Board of Trustees in all Gateway District areas:

(a) Farmers' market, greenmarkets or garden centers.

B. Prohibited uses. Notwithstanding uses otherwise permitted by the underlying zoning district, the following uses shall be prohibited in all the Gateway District areas:

(1) Commercial parking lots.

(2) Automobile storage lots.

(3) Drive-through windows for commercial establishments.

(4) Automobile or other vehicle dealerships.

(5) Fast food restaurants.

Section 4. The introductory paragraph of Section 230-20.4.A. of the Code of the Village of Croton-on-Hudson is hereby amended to read as follows:

A. Maximum allowable floor area ratio. With the exception of mixed use development in the Harmon/South Riverside area, the maximum floor area ratio (FAR) standards that shall be adhered to for new development shall be the FAR listed for the underlying zone or the following, whichever is more restrictive.

Section 5. There is hereby added to Section 230-42.1 of the Code of the Village of Croton-on-Hudson a new Section G to read as follows:

G. The provisions of this Section 230-42.1 shall not apply to properties located in the Harmon/South Riverside Gateway Overlay area. Regulations governing Harmon/South Riverside Gateway Overlay area “mixed use” buildings (as defined in Section 230-20.3A(1)a.) are contained in Article IVA of this Chapter.

Section 6. Section 230-17A.(1) of the Code of the Village of Croton-on-Hudson is hereby amended to read as follows:

A. Permitted uses. No building or premises shall be used and no building or part of building shall be erected which is arranged, intended or designed to be used, in whole or in part, for any purpose, except the following:

(1) Any use permitted in a Commercial C-1 District, as set forth in Section 230-16A, and subject to the regulations therefore, but for properties not within the Harmon/South Riverside area of the Gateway Overlay District no retail stores shall be permitted except by special permit of the Village Board of Trustees. Such retail stores in all former C-1 Districts prior to the date of the adoption of this section shall be deemed to have special permits; however, any retail store with a current special permit requiring periodic renewal shall continue to require renewal in accordance with its terms.

Section 7. There is hereby added to Section 230-20.5 of the Code of the Village of Croton-on-Hudson a new Section G to read as follows:

G. Unified Parking Lot Design. Notwithstanding any other provision of this Chapter, the Planning Board shall have the authority in conducting site plan review to waive such open space, design guideline and parking lot buffer, screening and landscaping requirements as it deems advisable to encourage and foster the joint use of, and common access to, parking lots located on adjoining properties.

Section 8. Section 230-51C of the Code of the Village of Croton-on-Hudson is hereby amended to read as follows:

C. Location and ownership of required accessory parking facilities. Required accessory parking spaces, open or enclosed, may be provided upon the same lot as the use to which they are accessory or elsewhere, provided that all spaces therein are located within 500 feet walking distance of such lot. In all cases, such parking spaces shall conform to all the regulations of the district in which they are located, and in no event shall such parking spaces be located in any residence district unless the uses to which they are accessory are permitted in such districts or by special permit of the Board of Appeals. Unless otherwise approved by the Planning Board, such spaces shall be in the same ownership as the use to which they are accessory and shall be subject to deed restriction, filed with the County Clerk, binding the owner and his heirs and assigns to maintain the required number of spaces available either:

or

- (1) Throughout the existence of such use to which they are accessory;
- (2) Until such spaces are provided elsewhere.

Section 9. If any clause, sentence, paragraph, section, Article or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Local Law, nor the remainder of any clause, sentence, paragraph, section, Article or part hereof.

Section 10. This Local Law shall take effect immediately upon filing with the Secretary of State.

LIST OF PARCELS included in Harmon South Riverside Gateway Overlay Zone		
SECTION	BLOCK	LOT
79.13	1	5
79.13	1	6
79.13	1	7
79.13	1	9
79.13	1	60
79.13	1	61
79.13	1	62
79.13	1	63
79.13	1	64
79.13	1	65
79.13	1	66
79.13	1	68
79.13	1	69
79.13	1	70
79.13	1	71
79.13	1	72
79.13	1	73
79.13	1	74
79.13	1	75
79.13	1	85
79.13	1	86
79.13	1	87
79.13	1	88
79.13	1	89
79.13	1	90
79.13	2	5
79.13	2	6
79.13	2	18
79.13	2	19
79.13	2	20
79.13	2	21
79.13	2	22
79.13	2	22.1
79.13	2	23
79.13	2	24
79.13	2	25
79.13	2	26
79.13	2	27
79.13	2	28
79.13	2	29
79.13	2	30
79.13	2	31
79.13	2	32
79.13	2	33

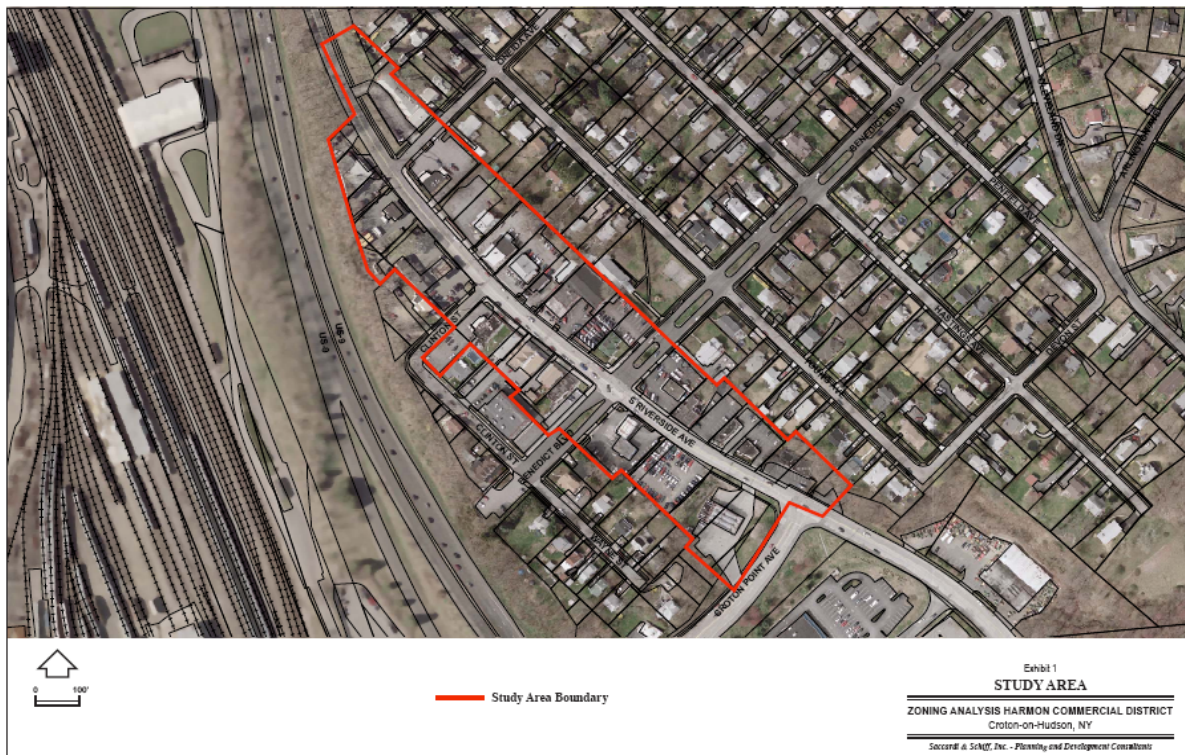
APPENDIX B:
Harmon Zoning Change Recommendations,
Harmon Business Development Committee (August 26, 2008)

HARMON ZONING CHANGE RECOMMENDATIONS

August 26, 2008

PRESENTATION TO BOARD OF TRUSTEES OF THE VILLAGE OF CROTON-ON-HUDSON, NEW YORK

BY HARMON BUSINESS DEVELOPMENT COMMITTEE



Related Studies:

Property Utilization Analysis, Saccardi & Schiff, Inc. (July 2008, 17 pages)

The Croton-on-Hudson Harmon Commercial District Retail Study, Danth, Inc. (July 2008, 18 pages)

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EXECUTIVE SUMMARY

On July 14, 2008, the committee made a formal presentation to the Village and public at a Work Session of the Board of Trustees. This written report, the Harmon Zoning Change Recommendations, summarizes all the material presented that evening and other information the committee felt may be helpful as the community deliberates the proposed changes. The changes are summarized in a table on the next page.

Current underlying General Commercial C-2 District regulations in Croton-on-Hudson allow a maximum building floor area to parcel area ratio of 0.5 with a maximum of two stories. Parcels in the C-2 Gateway Overlay are zoned for lower density than the non-Gateway parcels. Gateway regulations limit parcels to a maximum allowed floor to area ratios (FAR) to 0.35 for single use buildings and 0.40 for multiple use buildings. Mixed occupancy anywhere in the village's commercial zones requires a special permit, i.e. anywhere in the Central Commercial C-1 or General Commercial C-2 District whether or not a parcels lies with a Gateway Overlay zone. (See Village Mixed Occupancy Code (§ 230-42.1.).)

The Harmon Business Development Committee recommends removing the special permit threshold and allowing mixed use of commercial ground floors with residential above as of right within the Harmon Gateway area. The committee recommends expansion of the Harmon Gateway from its current roster of 14 parcels to include the 22 parcels that form the core of the business district between Croton Point Avenue and 200 feet past Oneida on South Riverside Avenue. Further, the committee recommends a suite of new regulations that would allow a higher maximum floor to area ratio of 0.80 and up to 3 story buildings of which the two upper stories must be residential, provided the proposed building meets all of the following conditions.

The increase of FAR to 0.80 and allowing a third story for residential use would only be available to developments whose site plans meet all the other planks in the zoning change recommendations. The property would have to lie within the expanded Harmon Gateway. It would have to adhere to all the existing code requirements for maximum height (35 feet) and rear and side setbacks, and screening. It would have to demonstrate it could accommodate all the needed parking requirements of the new regulations. It would have to house a minimum of 50% of 1st floor as commercial tenant space and this commercial space must face the street. It would have to meet a maximum setback from curb (or lot line) 15 to 20 feet. It would have to demonstrate all new street level space fronting on the sidewalk have at least 60% of the street facades be window (glass).

EXECUTIVE SUMMARY

TABLE OF FINAL HARMON ZONING RECOMMENDATIONS

These 9 recommendations form a set of interlocking, mutually reinforcing code conditions to stimulate better development in the Harmon study area.

Shift Mixed Occupancy Use to Permitted as of right Use in the Gateway Overlay Zone:

1. Remove the requirement for a special use permit for parcel developments that meet ALL of the requirements below.
 - *The goal is lowering the barriers to entry for development that comply with all of the pedestrian-friendly neighborhood shopping district requirements below.*

Geographic Scope for the Zoning Changes:

2. Expand the existing Gateway Overlay Zone to include all the parcels facing South Riverside from Croton Point Avenue to approximately 200 ft past Oneida. (See Appendix 2 for a list of parcels).
 - *The goal is simultaneously unifying the code for similar parcels while introducing as simple an update to the code adoption as possible.*

The Following Conditions will Apply ONLY to Mixed Occupancy Uses Located in the Gateway Overlay Zone:

3. Increase maximum allowable Floor to Area (FAR) from current values to a uniform 0.8 value.
4. Allow a third story within roofline for residential use only.
5. Leave the maximum building height in current code at 35 feet.
6. Require 2 parking spaces per residential unit and allow, 1 of 2 residential spaces to count toward commercial parking requirements in the existing base code.
7. Require that a minimum of 50% of 1st floor be commercial and that the commercial space must face the street.
 - *The goal is a coordinated, flexible set of use parameters that work well in conjunction with each other, while protecting the village from negative impacts.*

Sidewalk Design Standards to Maximize Visual Appeal and Pedestrian Experience:

8. Establish a maximum setback from curb (or lot line) 15 to 20 feet: New buildings will be nearer to the curb, while allowing for ample sidewalk width for pedestrians, plantings and sidewalk cafe arrangements.
 - *The goal is no fewer than 15 feet of depth between the building and the curb and no more than 20 feet.*
9. Require all new street level space fronting on the sidewalk to have at least 60% of their facades covered by glass.
 - *The goal is to maximize visibility for first floor commercial tenants, with 60% glass area as a well-established minimum , and for the district to be read as retail orientied.*

BACKGROUND

In the early summer of 2007, a group of local residents with different professional backgrounds in property planning, development and village affairs began to meet. The members of the group shared a common concern about the number of “for rent” and “for sale” signs in Harmon business district in the Village of Croton-on-Hudson, New York. The underlying question for the group was whether any proactive steps could be taken by the village to attract good, new businesses to the district. The land in the district is primarily in private hands, with the exception of the Harmon Firehouse. So any incentives would have to combine the levers of the marketplace with those of the village. By the fall of 2007 after several formal and informal input meetings with business owners and neighbors, the committee had hammered out sufficient ideas to present to the Village Board of Trustees. After screening resumes of potential members, the Village formalized the group as the Harmon Business Development Committee and appointed its members officially as an ad hoc committee.

By December 2007, the committee had arrived at preliminary recommendations that centered around making the zoning for the Riverside parcels more flexible for potential developers. At the same time, the committee recognized the need to have a professional planner independently audit the committee’s findings for any weaknesses, errors, or gaps. The committee also recommended the area be studied by a professional planner to determine the feasibility of whether or not any unmet demand for commercial space existed in Harmon. By January 2008, the Village authorized a request-for-proposal process to secure these two studies at competitive costs from experienced consultants. Two different planning firms were selected based on multiple proposals submitted, one for each of the two tasks.

By early July 2008, the two studies were finalized and forwarded to the committee. These studies both independently endorse the package of zoning changes the committee had drafted. Based on the data in these studies, the committee prepared this presentation for the public and Village Board of Trustees.

This presentation consists of three main parts: **Process and Rationale; Zoning Change Recommendations;** and **Next Steps**. This report represents the work of the members of the Harmon Business Development Committee over the past year.

This presentation opens with a description of the process the committee used and the rationale behind that analysis. This focus allowed us to examine what conditions might encourage or discourage a property owner from investing in a commercial lot in Harmon. In essence, we wanted to test the hypothesis that the existing zoning is “too restrictive.” Can the current code, amended in 2001, 2004, and 2005 by the village, be amended again to gain more flexibility for property owners and more benefits to the community?

PROCESS AND RATIONALE

The overarching premise the committee kept foremost in mind is that any changes in Harmon be good for the entire Village. Specifically, the committee rejected any potential changes that might erode other village business districts, might degrade adjacent residential areas, and weaken pedestrian safety. The committee specifically focused on ideas that might boost the overall synergies of local business areas, enhance pedestrian experience, confine parking impacts to the business district, and create high quality building stock to increase property tax revenues permanently.

A more attractive Harmon is a better draw for the rest of the village, especially the tens of thousands of visitors each year who use the Route 9 exit at Croton Point Avenue for special events at Van Cortlandt Manor or Croton Point Park. Successful business districts increases the dollars that stay in the local economy.

The committee members represented quite diverse points of view and relevant areas of expertise. The committee did find common ground early on about the questions it wanted to study about the the Harmon commercial district. Why were so few commercial properties being expanded or being upgraded? Why were so many lots increasingly vacant or underused?

Some Useful Definitions

Floor to Area Ratio (FAR) is defined as the building's entire habitable floor area divided by the surface area of the entire parcel. For example, a 400 square foot building on a 1,000 square foot lot exhibits a 0.4 FAR. Maximum FAR values are commonly set to provide an upper limit on the bulk of a building in scale with its lot. Floor-to-area ratios are used in the village to place maximum bulk on building size. This is calculated by dividing the total sum of the lot by the floor area of the buildings.

Current maximum FAR values in the village's zoning code range from 2.0 in the C-1 zone to 0.15 in the RA-40 zone (large residential lots with 40,000 minimum square feet). Actual as-built FAR values for the 36 parcels in the Harmon study area vary widely. For parcels in a General Commercial C-2 District, the maximum allowable FAR value is currently 0.5 (e.g. the former Dodge lot is one of these). For parcels in the Gateway overlay within the C-2 zone in Harmon (e.g. the Nappy garage lot is one of these), the current FAR is 0.4 if the project involves mixed uses of commercial and residential, and 0.35 if the project involves a single use (commercial only). For parcels in the Upper Village's Central C-1 Commercial 1 zone, the current maximum FAR value is 2.0. There, in other words, a building may be currently be built that has twice the area of the entire lot.

The size and location of buildings are also regulated by minimum or maximum setbacks between the building and outside edge or the parcel and maximum facade heights. The current state of "eclectic scruffiness" in the words of one long time resident and building professional in Croton stems from a rather organic and loose application of standards over the course of the twentieth century. Since 2001, as part of

adopting the Comprehensive Plan principles, the village has applied the principle of using floor to area ratios—to control building mass in scale with overall parcel size—to all the zones in the code, both commercial and residential. The experience in the village is fewer than 10 years old and has been applied most frequently to housing parcels to put a ceiling of the size of a McMansion that might be built and avoid new homes that tower over older homes next door. However, because so few commercial parcels have applied for extensive renovations of late, the FAR principle has as of yet not had an effect on the non-residential areas of the village.

Parking minimums are determined differently for commercial space than for residential units. For commercial building space, the current code requires one parking space per 250 square feet of commercial retail space and one space for 300 square feet of commercial office space. This reflects the reality that most retail businesses have higher parking turn over among patrons than office businesses do. For residential units, the current code requires two parking spaces per unit. This reflects the reality of two-car households in the region.

Open space requirements in the current code call for reserving 15% of the parcel “in its natural state or appropriately landscaped and open the air” in order “to enhance the appearance of the gateway areas and contribute to Croton’s open space character.” [Village Code §230-20.5]

Mixed-use buildings are quite common as grandfathered uses in parcels in Croton’s Upper Village and elsewhere. Mixed use simply means a building that houses more than one principal use. The existing definition in Village Code of mixed occupancy is “a building which has nonresidential use of the street level and residential use of another level or levels.” Mixed occupancy use is not allowed as of right in the village at present. The most common form of mixed use in Croton is a ground floor devoted to retail, office, or studio space, with residential units on the floors above. Currently, mixed-use buildings are prohibited in the village’s commercial zones and only allowed in the Gateway overlay zone in three commercial districts by special permit of the Village Board of Trustees. Most of Croton’s buildings that house mixed uses now are both grandfathered in the code and long predate modern parking space minimums. In other words, the mixed-use buildings in the Upper Village have high floor to area ratios, but entirely too little on site parking, because they date from the late 19th or early 20th century. The committee’s recommendations will require mixed use buildings to meet much higher parking standards than is the case now in the Upper Village. [Village Code § 230-42.1.]

Property Utilization Analysis is a common approach to determine under the extant zoning conditions how much of an actual parcel could be used by the owner to generate income (salable or rentable space). A property utilization analysis determines the amount (as a percent) of the parcel that is usable for construction after the current zoning regulations are enforced. The main zoning regulations that affect how much of the parcel may as-of-right be developed include the maximum floor-to-area ratio (FAR), mandated on-site parking spaces, and open space requirements.

Property Utilization Analysis Results

The committee applied this mathematical exercise to a number of parcels in the district, including the two which straddle the key intersection of South Riverside Drive and Benedict Boulevard, the aforementioned Nappy lot and former Dodge lot. A casual observer might assume that the maximum area of the lot that could be built on would be the total lot area minus the set aside of 15% for open space, or 85% of the lot size. This analysis for the Nappy lot showed that the percent of the land that the owner could actually develop for building and parking was not more than 47% with the as of right permitted use a single use commercial building. It was only 45% for the mixed use that currently requires the significant step of securing a special use permit. (See Figure 1)

Next the committee asked what value of FAR would such a parcel achieve higher property utilization without changing the current maximum building height or reducing the minimum parking requirements. The 35-foot maximum building height was well established in the code and was tall enough to allow for a third floor under the dormers of a roof. Indeed, the largest mixed use building in this district is a three-story 35 feet tall structure in which the second and third floors are residential and the ground floor is commercial/office space. (See Figure 1 a & b.)

Single versus Mixed Use Caveat

One big caveat is needed. The mixed occupancy of commercial and residential uses upon which the calculations are based assume the property owner succeeds in obtaining a special permit from the village to construct such a project. Mixed use projects are only possible by special permit within the Gateway Overlay district that itself encompasses only a small section of the overall C-2 zones in the village. Mixed use is not available by special permit or as-of-right in any C-2 parcels outside the designated Gateway area.

Why did the committee begin by analyzing a mixed use scenario, rather than a single as-of-right commercial use? We did analyze the impact of maximizing commercial use for lots both in the Gateway (e.g. Nappy) and outside the Gateway (e.g. Dodge) and found weak property utilization results that was only slightly stronger than for a mixed use on the same lot at the current FAR and 2 story limitations: A 2 story commercial use on the Nappy parcel at the maximum applicable FAR of 0.35 yields uses only 47% of the parcel. A 2 story mixed use on the Nappy parcel at the maximum applicable FAR of 0.4 yields uses only 45% of the parcel. A 2 story commercial use on the Dodge parcel at the maximum applicable FAR of 0.5 yields uses only 45% of the parcel. A 2 story mixed use on the Dodge parcel at the maximum applicable FAR of 0.5 yields uses only 38% of the parcel. Clearly, an owner could convert any portion of a parcel not used for the building footprint, parking, and required open space as a location for extra parking or plantings. All the recent proposals for redeveloping parcels on South Riverside that came the committee's attention included first floor commercial and at least one—and in some cases three—"upstairs" residential floors above street level. The committee wondered why developers were proposing these higher density mixed use concepts, even though mixed use requires the considerable expense of first obtaining a special use permit from the village.

FIGURE 1A: PROPERTY UTILIZATION ANALYSIS: NAPPY LOT AT CURRENT F.A.R.

A mixed use project on Nappy lot at current FAR of 0.4 shows weak utilization of only 45% of the parcel. A single commercial use at current applicable 0.35 FAR shows weak utilization of 47%. (Note. "Footprint" is the size of the foundation of the building and hence the area of the each floor.)

Nappy .4 FAR (2 stories)		Mixed Use (special permit required)	
Property Utilization	Calculation	Sq Ft	
Lot Size		11875	
Open Space Requirements	11875*.15	(1781)	
Projected Usable Lot Space		10,094.00	85%
Lot Size		11875	
Footprint	(11875*.4)/2	(2375)	
Parking	9 Commercial Parking Spots ((2375/275)*162 sq ft)	(1458)	
	6 Residential Parking Spots (3*2)	(972)	
Open Space Requirements	11875*.15	(1781)	
Actual Usable Lot Space		5,289.00	45%
Total Area of Building	11875*.4	4,750	
Nappy .35 FAR (2 stories)		Commercial Only (as of right)	
Property Utilization	Calculation	Sq Ft	
Lot Size		11,875	
Open Space Requirements	11875*.15	(1,781)	
Projected Usable Lot Space		10,094	85%
Lot Size		11,875	
Footprint	(11875*.35)/2	(2,078)	
Parking	15 Commercial Parking Spots ((2078*2 floors/275 sf/spot)*162 sf)	(2,448)	
	0 Residential Parking Spots		
Open Space Requirements	11875*.15	(1,781)	
Actual Usable Lot Space		5,567	47%
Total Area of Building	11875*.35	4,156	

FIGURE 1B: PROPERTY UTILIZATION ANALYSIS: NAPPY LOT AT NEW F.A.R.

A mixed use project on Nappy lot Nappy lot at new FAR of 0.8 shows better utilization at 79%.

Nappy .8 FAR (3 stories)		Mixed Use (special permit required now)	
Property Utilization	Calculation	Sq Ft	
Lot Size		11875.00	
Open Space Requirements	11875*.15	(1781.00)	
Projected Usable Lot Space		10,094.00	85%
Lot Size		11875.00	
Footprint	(11875*.8)/3	(3,166.67)	
Parking	12 Commercial Parking Spots ((3167/275)*162 sq ft)	(1,399.09)	
	16 Residential Parking Spots (8*2)	(2592.00)	
Open Space Requirements	11875*.15	(1781)	
Actual Usable Lot Space		6,586.00	79%
Total Area of Building	11875*.8	9,500	

FIGURE 2A: PROPERTY UTILIZATION ANALYSIS: DODGE LOT AT CURRENT F.A.R.

A mixed use project on Dodge lot at applicable FAR of 0.5 utilizes only 38% of the parcel. A single commercial use at current applicable 0.5 FAR shows weak utilization of 457%.

Dodge Lot .5 FAR (2 story max)		Mixed Use (special permit required now)		
Property Utilization	Calculation		Sq Ft	
Lot Size			16,675	
Open Space Requirements	16675*.15		(2,501)	
Projected Usable Lot Space			14,174	85%
Lot Size			16,675	
Footprint	(16675*.5)/2		(4,169)	
Parking	15 Comm. Parking Spots ((4169/275 sqft/spot)*162 sqft)		(2,456)	
	8 Residential Parking Spots (4*2)		(1,296)	
Open Space Requirements	16675*.15		(2,501)	
Actual Usable Lot Space			6,253	38%
Total Area of Building	16675*.5		8,338	
Dodge Lot .5 FAR (2 story max)		Commercial Only (as of right)		
Property Utilization	Calculation		Sq Ft	
Lot Size			16,675	
Open Space Requirements	16675*.15		(2,501)	
Projected Usable Lot Space			14,174	85%
Lot Size			16,675	
Footprint	(16675*.5)/2		(4,169)	
Parking	30 Commercial Parking Spots ((4168*2floors)/275 sf/spot)*162 sf)		(2,456)	
	0 Residential Parking Spots			
Open Space Requirements	16675*.15		(2,501)	
Actual Usable Lot Space			7,549	45%
Total Area of Building	16675*.5		8,338	

FIGURE 2B: PROPERTY UTILIZATION ANALYSIS: DODGE LOT AT NEW F.A.R.

A mixed use project on Dodge lot at new FAR of 0.8 improves to 81% utilization of the parcel.

Dodge Lot .8 FAR (3 story max)		Mixed Use (special permit required now)		
Property Utilization	Calculation		Sq Ft	
Lot Size			16,675	
Open Space Requirements	16675*.15		(2,501)	
Projected Usable Lot Space			14,174	85%
Lot Size			16,675	
Footprint	(16675*.8)/3		(4,447)	
Parking	16 Commercial Parking Spots ((4447/275)*162 sq ft)		(2,456)	
	24 Residential Parking Spots (12*2)		(3,888)	
Open Space Requirements	16675*.15		(2,501)	
Actual Usable Lot Space			10,422	81%
Total Area of Building	16675*.8		13,340	

After trying many different FAR values (0.55, 0.6, 0.7, etc), the committee found that a maximum FAR of 0.8

was optimal in that it achieved much higher property utilization for this kind of parcel without reducing space available for parking or increasing building height—79% utilization in this case.

Hence the property owner would have a building with 800 more square feet of rentable space. However, under the current parking code the number of parking spaces jumped from 15 at FAR 0.4 to 28 at FAR 0.8. Of course, the current zoning code assumes a single use building, not a building whose occupants would represent different uses (working versus living) and different time tables for when parking would be needed.

When the committee subjected the Dodge lot to the same analysis, a similar pattern emerged. For the extant zoning conditions, the Dodge lot—if redeveloped—could only use 45% of its surface area. At the same higher FAR that produced such good results for Nappy’s lot, the Dodge lot was now 81% utilized. And the higher FAR would mean the owner would have 1,112 square feet of income-producing space. (See Figure 2 a & b.)

Return on Investment Modeling Results

Having established that building floor area could be expanded without harmful parking impacts to the neighboring residential streets, the next questions the committee studied were financial. Is a financially viable to redevelop parcels under the existing code with 2008 prices for construction or income? Hence the committee applied a common return on investment (ROI) analysis to numerous parcels with two conditions to determine building size and income potential: (1) the current zoning conditions for FAR, parking, open space, etc, and (2) a mixed use of a commercial ground floor topped with a residential second floor.

The committee used very conservative assumptions about financial factors including: (1) new construction costs of \$150/sf; (2) \$24/sf rent income for commercial space; (3) \$900/month rent income for 1 bedroom apartments; (4) a 15% vacancy rate used by commercial lenders to discount rental income; (5) a “purchase” price for the land as 1/3 of the total project construction costs. The committee recognizes that construction costs would likely be higher, that rents would likely be higher, that vacancy rates for commercial spaces differ in this region from those for residential space, but these assumptions represent a start point to the financial analysis, not an end point.

The ROI numbers were sobering and may explain why so little reinvestment has occurred in Harmon. Assuming that owner finances the entire redevelopment out of existing cash with no loans, the Nappy lot would return 1.50% on the investment of over \$1 million. That poor rate of return is barely better than putting the money in one’s mattress. (See Figure 3 a & b.)

Next the committee ran an ROI in which the owner put down 20% cash—rather than 100%—and financed 80% of the project costs. Not too surprisingly, the resulting rate of return was even worse, a net negative at -2.70%. We all can think of less time-consuming, more enjoyable ways to lose money. (See Figure 3 b.)

FIGURE 3A: RETURN ON INVESTMENT MODEL: 100% CASH FOR NAPPY LOT

ROI Analysis on 100% Cash basis: Nappy lot at current FAR of 0.4 with second floor of 3 residential units.

Property Utilization	Calculation	Sq Ft	
Lot Size		11,875	
Open Space Requirements	11875*.15	(1,781)	
Projected Usable Lot Space		10,094	85%
Lot Size		11,875	
Footprint	(11875*.4)/2	(2,375)	
Parking	9 Commercial Parking Spots ((2375/275)*162 sq ft)	(1,458)	
	6 Residential Parking Spots (3*2)	(972)	
Ingress\Egress	20*95 (width of isle * property width)	(1,900)	
Open Space Requirements	11875*.15	(1,781)	
Actual Usable Lot Space		8,486	71%
Income Potential	Calculation	Amount	
Commercial Rent	2375*24 (triple net)	\$57,000	
Apartment Rent	(3* \$900) *12	\$32,400	
Gross Revenue		\$89,400	
Less			
Vacancy Rate Adjustment	89400*.15	(\$13,410)	
Utilities	1500*12	(\$18,000)	
Taxes		(\$30,000)	
Maintenance	500*12	(\$6,000)	
Insurance		(\$5,000)	
Net Profit		\$16,990	
Return on Investment	Calculation	Amount	
Construction Costs	4750*150	\$712,500	
Land Valuation	1/3 of completed value	\$356,250	
Project Cost		\$1,068,750	
RETURN ON INVESTMENT	11/692	1.50%	

These were grim numbers. With these spatial and financial analyses in hand for numerous actual parcels under existing code and conditions, the committee concluded the such poor investment prospects may be one reason so little commercial development had taken place. Conventional wisdom suggested that some of the zoning requirements were too onerous for developers to bear. One surprising finding is that some such restrictions had absolutely no measurable effect on the finances of a project. To wit, the ROI numbers are virtually the same with or without the 15% open space requirement. The big factor decreasing the financial return appeared to be the two-story limit. Another major factor that prevented proposals from even being conceived is that current zoning requires a special use permit to construct a mixed occupancy building. Developers know that obtaining a special use permit can take years and gobs of money. The parcels in Harmon are individually too small for any sane developer to risk so much time and money in seeking a special use permit, when these are routinely fail to be approved in many surrounding communities.

FIGURE 3B: RETURN ON INVESTMENT MODEL: 20% CASH FOR NAPPY LOT

ROI Analysis on 20% Cash and 80% Financed basis: Nappy lot at current FAR of 0.4 with second floor of 3 residential units.

<u>Property Utilization</u>	<u>Calculation</u>	<u>Sq Ft</u>	
Lot Size		11,875	
Open Space Requirements	11875*.15	(1,781)	
Projected Usable Lot Space		10,094	85%
Lot Size		11,875	
Footprint	(11875*.4)/2	(2,375)	
Parking	9 Commercial Parking Spots ((2375/275)*162 sq ft)	(1,458)	
	6 Residential Parking Spots (3*2)	(972)	
Ingress/Egress	20*95 (width of isle * property width)	(1,900)	
Open Space Requirements	11875*.15	(1,781)	
Actual Usable Lot Space		8,486	71%
<u>Income Potential</u>	<u>Calculation</u>	<u>Amount</u>	
Commercial Rent	2375*24 (triple net)	\$57,000	
Apartment Rent	(3* \$900) *12	\$32,400	
Gross Revenue		\$89,400	
<i>Less</i>			
Vacancy Rate Adjustment	89400*.15	(\$13,410)	
Utilities	1500*12	(\$18,000)	
Taxes		(\$30,000)	
Maintenance	500*12	(\$6,000)	
Insurance		(\$5,000)	
Interest	30 Yr Average (\$855000 Mortgage)	(\$46,784)	
Net Profit		(\$29,794)	
<u>Return on Investment</u>	<u>Calculation</u>	<u>Amount</u>	
Construction Costs	4750*150	\$712,500	
Land Valuation	1/3 of completed value	\$356,250	
Project Cost		\$1,068,750	
RETURN ON INVESTMENT	-22/789	-2.70%	

How can we affect positive change in Harmon?

The committee then asked a simple question: How can we as a village affect positive change in the Harmon commercial district? The committee concluded any plan for change should begin with reality of the financial aspects of real property development, include design strategies that have fostered high quality, long lasting spaces in comparable communities, and be good for the village as a whole.

- Improve the financial return on investment for property owners/developers.
- Develop a comprehensive and cohesive re-development design strategy to create attractive visual and spatial conditions in the district.

- Determine the commercial needs for space by likely size of spaces and types of businesses likely to seek such space.
- Streamline the mandatory village approval processes so owners and village are as efficient as possible.
- Identify potential funding sources, where applicable, for streetscape, facade or other improvements.
- Implement a district marketing campaign to reach out to likely potential developers on why Harmon would be a good investment.
- Shift to a pedestrian-oriented neighborhood shopping district from an auto-oriented district.

The first plank in this action item list is the most critical. Unless a project is likely to produce a financial return, no sane businessperson would spend the time or money to plan a new building or renovate. The financial premises the committee worked with looked at allowing mixed use and a third story.

Improving ROI: Focusing on Mixed Use

The Harmon business district exhibits a questionable, current demand for larger commercial spaces.

The larger commercial buildings in the district (defined as S. Riverside between Croton Point Avenue and Oneida) that are currently available have not yet attracted new investors, while others have been vacant or underused for some time.

Mixed use (commercial and residential in the same building) diversifies revenue streams.

The apartment vacancy rate in Croton is very low, 2% according to the Westchester County Databook 2005, while the rents for 1-bedroom units is higher in Croton (c. \$1,100/month) than in neighboring communities. Hence, it is reasonable to assume that small, attractive residential units would fill quickly, even while ground floor commercial space may not. In essence, the apartment income typically helps subsidize the commercial (retail or office) space in similar districts in the county.

Mixed use creates shared parking opportunities.

Stores or offices that are open in the daytime would have peak parking demand for clients during business hours. Residential units would have peak parking demand at night, after normal business hours. It is common elsewhere in the county for a property to be allowed to share the residential parking requirement with those needed for its commercial space for these 'time offset' reasons. Throughout these studies the area assumed per parking space was 162 square feet (9 feet wide by 18 feet deep).

Improving ROI: Why Allow Three Stories?

A third story decreases a building's potential footprint.

If two buildings of the same overall floor area are constructed on two adjoining lots, one with two floors and the other with three stories, the footprint of the latter, 3 story building will be one-third smaller on the lot. This smaller footprint:

- increases space available for parking and open areas;
- provides flexibility for the building's design and location on the lot;
- achieves greater floor area without increasing building height as the third story is the dormer floor.

A third story improves property utilization.

As indicated in the analyses in Figure 1 and 2 above with both Nappy and Dodge lots as the examples, the smaller footprint increases the amount of the lot that can be utilized.

A third story allows the current FAR values to increase.

The two-story maximum currently on the books restricts how many leasable square feet are possible on a given lot. The third story allows parcels to achieve a higher floor to area ratio. It is important to note that the current average floor to area ratio for all the 36 Harmon study area parcels is only 0.19, well below the maximum FAR of 0.4 or 0.5 that is allowed now.

A higher FAR using a third story greatly improves the return on investment.

Assuming the fixed cost of a foundation and a roof, adding a third floor is the very cost-effective way to increase revenue potential. Note in a prior figure we showed the Dodge lot would gain 1,112 square feet of income-producing space if allowed a third story. That represents approximately \$10,800 in annual apartment rent.

Reducing Building Footprint: an illustration

In the Figure 4 illustrations below, we see the same lot configured for a best-case scenario of a rear-entrance: two story building assuming a new FAR of 0.8. The same exercise produces proportionally identical results at lower FAR values, but the effect is more noticeable for larger buildings. The Saccardi and Schiff report calculates that under a hypothetical FAR of 0.8 the Nappy lot would allow a total building of c 9,900 square feet (Parcel #29 in the S & S study, Table 1: 1,658 commercial space square feet + 8,290 residential space square feet). The 2-story footprint for 9,900 square feet leaves room for just 9 parking spaces. Those same 9,900 square feet divided over three stories leaves room for 18 parking spaces.

We should note that full build out at 0.8 FAR yielding a 9,900 square feet building here would likely require 22 parking spaces, four more than the Nappy lot can provide on its own (See Grouped parking column for Parcel 29 in S & S Table 2). For that reason, the natural "on site" specific limit attainable by balancing parking spaces needed and building size for Nappy lot yields a site specific FAR of 0.67 (See final column for Parcel 29 in S & S Table 2). **(See Figures 4 a and 4 b.)**

The same arithmetic applied to the former Dodge lot (Parcels #8, 9, and 10 in the same S & S study tables above) yields room on site for 10 additional spaces (47 spaces with 3 stories versus 37 spaces possible with 2 stories). Again, note a full build out at 0.8 FAR yielding a c. 24,800+ square feet building here would likely require 9 more

FIGURE 4: THE 3 STORY FOOTPRINT YIELDS MORE PARKING

Nappy lot (Parcel 29 in S & S study tables)

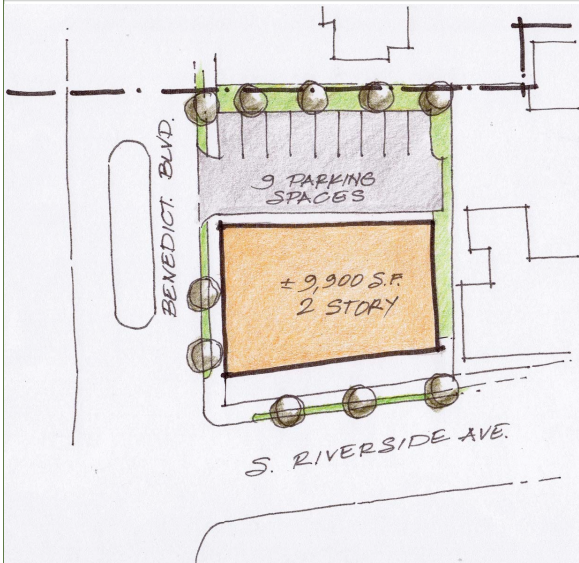


FIGURE 4A: Nappy lot at 0.8 FAR and 2 story limit.

FAR 0.8 = maximum building of c. 9,900 s.f.

Parking Spaces Possible = 9

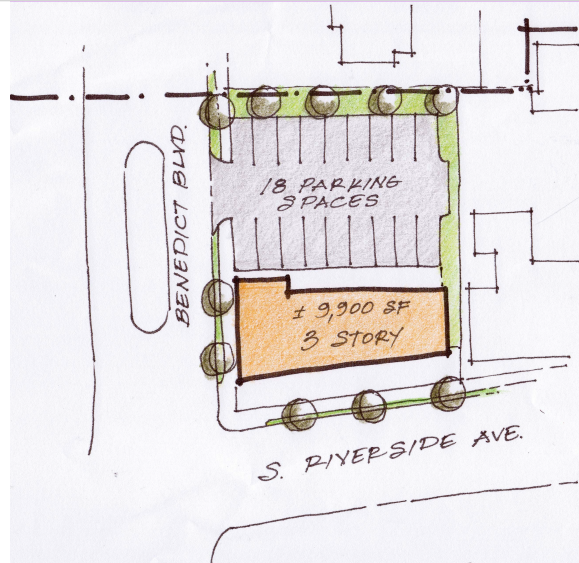


Figure 4b: Nappy lot at 0.8 FAR and 3 story limit.

FAR 0.8 = maximum building of c. 9,900 s.f.

Parking spaces possible = 18

Former Dodge lot (Parcels 8, 9, 10 in S & S study tables)

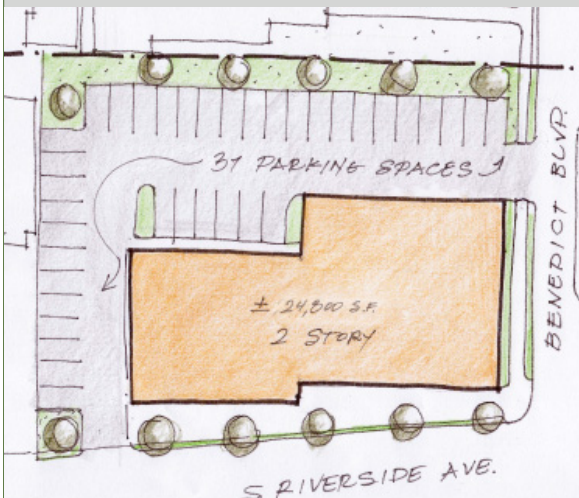


Figure 4c: Dodge lot at 0.8 FAR and 2 story limit

FAR 0.8 = maximum building of c. 24,800+ s.f.

Parking spaces possible = 37

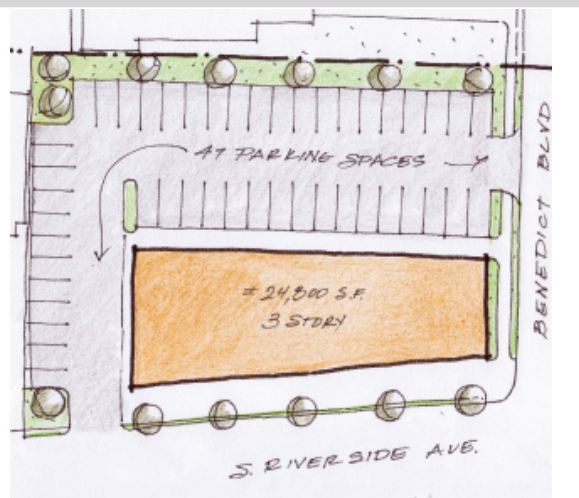


Figure 4d: Dodge lot at 0.8 FAR and 3 story limit

FAR 0.8 = maximum building of c. 24,800+ s.f.

Parking spaces possible = 47

parking spaces than these 47 (See Grouped parking column for Parcels 8-10 in S & S Table 2). For that reason, the natural “on site” specific limit attainable by balancing parking spaces needed and building size for the 3 Dodge parcels lot yields a site specific FAR of 0.66 (See final column for Parcels 8-10 in S & S Table 2). **(See Figures 4 c and 4 d.)**

Improving ROI: Shared Parking

The role of parking is critical. The committee was committed to develop ways to contain all the needed parking within the footprint of the business district and to avoid parking from spilling over onto residential side streets—as happens now. The district must be able to accommodate the needed parking for any additional businesses or residential tenants. The current parking requirements in the Commercial-2 zone would not change. To estimate the parking that new commercial space would be required to provide, the committee used an average of the two commercial zone parking standards (retail at 1 space per 250 square feet and office at 1 space per 300 square feet) of each 275 square feet of commercial space requiring one parking space (162 square feet). The residential parking space minimum would be 2 spaces per residential unit, which would also not change under the recommendations of this study.

The new shared parking formula

Current village code requires that each single family home furnish 2 off-street parking spaces, two family residence furnish 1 parking space per dwelling unit, and multiple family residence furnish 1.5 parking spaces per unit. The committee concluded that allowing a mixed use (commercial/residential) building to share parking spaces between uses to arrive at the minimum off-street quantity needed reflected both common sense and common practice. **The committee recommends each mixed use parcel’s dwelling unit furnish a minimum of 2 parking spaces and the minimum parking needs for the parcel’s commercial use—as determined by the unchanged base code formula—be allowed to count one of two residential parking spaces toward the minimum quantity produced by the base commercial parking formula. (See Appendix 4)**

Shared Parking Between Residential and Commercial Reduces Total Required Spaces and Parking Footprint.

As mentioned above, if uses for a building are mixed between commercial and residential, the experience elsewhere suggests that some residential spaces are vacated during normal business hours and vice versa. Therefore, the committee investigated the impact of allowing an owner to count one of each two residential parking spaces required toward the number of commercial parking spaces the building would need.

Common Sense Approach Minimizes District Parking Shortage Potential

If the every second residential parking space is shared with the commercial space, a new development would be required to furnish a lower minimum number parking spaces either on-site or off-site for his tenants, than without the sharing formula. The committee concluded that leaving commercial and residential minimums separately in place created an unrealistically high number of minimum parking spaces. Shared-use parking simply reflects a common-sense approach to one of the harsh realities of the current Gateway overlay code. Recall from Figure 1 a the Nappy lot at the current FAR of 0.4 yields a 2 story building of maximum 5,700 square feet, which in turn requires 9 commercial parking spaces and 6 apartment dweller spaces for a total of 15 parking spaces. While the Nappy lot can barely accommodate that now, most of the other lots the committee examined would fall short.

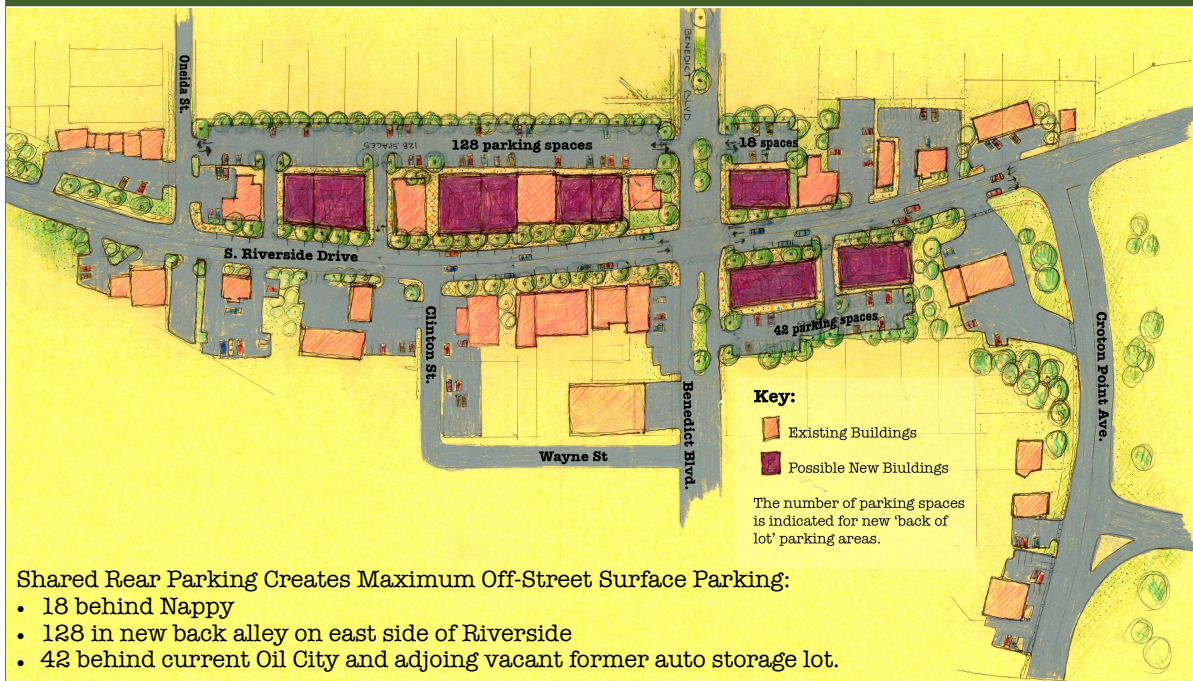
Shared Parking Provides Opportunities for Cooperation Between Property Owners

In reality, there exist today almost a half dozen arrangements among the study area's property owners to share parking. These formal and informal arrangements have evolved precisely because adjoining property owners realized the value of exploiting the "time-offset" nature of parking for mixed use buildings: a restaurant shares a lot with the neighboring office strip or a hair salon, and so on. For these reasons, the committee felt there was both ample precedent in Harmon and elsewhere to make the recommendation that new mixed use buildings be allowed to share parking between their ground floor and upstairs tenants.

Design Strategy: Rear Parking

Where is the parking best located for pedestrian safety and streetscape aesthetics? The current parking conditions on S. Riverside represent a jumble of existing lots whose narrow frontages reflect their nineteenth century beginnings, each with driveways onto the main street and the Community Development Block Grant work of the 1980s that widened the sidewalks and installed parallel parking along both sides of the street. The recommendations of this committee do not suggest any changes to the existing 'in-street' parking. However, the number of curb cuts is very high in relation to the average width of the parcels that each now must contain a driveway. One dramatic but highly effective solution is to do what other similar communities have done. Find a way to relocate vehicle access and parking to the rear of the buildings.

FIGURE 5: REAR PARKING IN HARMON: A DESIGN STRATEGY ILLUSTRATION



If lots on S. Riverside were to share parking in the rear the number of spaces created between Benedict and Oneida (128 spaces) would be greater than if each lot had its own driveway to access S. Riverside. The purple boxes here that hug the street represent possible new structures with a footprint derived from using a FAR of 0.8 for 3 story mixed use buildings at 35 feet maximum height. Note how new (purple) buildings that hug the street, create a "street wall" that helps define both the east and west side of Riverside as a pedestrian-friendly zone (as is now the case for the west side between Benedict and Clinton).

Rear Parking Enables Pedestrian Traffic and Safety

Reducing the number of times that vehicles travel across the sidewalks will increase pedestrian safety and also vehicular safety, as anyone who has been surprised by a car exiting a lot between parked cars can attest.

Rear Parking Promotes Business by Increasing Foot Traffic and “Window Shopping”

Enhancing the calmness of the sidewalks by reserving them as much as possible for people on foot will increase the time that pedestrians spend on the sidewalks, and with that, the window-shopping time of these calmer pedestrians.

Rear Parking Improves Streetscape by Replacing Parked Cars with Landscaping and Green Space

Currently the majority of the parcels on the east side of S. Riverside have parking between their sidewalk and the front of the building. This is largely because the buildings are set so far away from the sidewalk. If the cars-in-front-yard and the buildings-in-back switched places on their respective lots, the sidewalk space would immediately have more attractive welcoming feel. This possible new scenario is easy to imagine since, fortuitously, the majority of the buildings the west side of S. Riverside between Benedict and Oneida already exhibit this building on front of lot condition.

Retail Advantages of a Design Strategy

A design strategy began to emerge as the spatial and financial analyses piled up. It turns out the overall goals that would foster a better business investment climate are the same as those that help shape a more attractive location for working, shopping and residing: (1) consolidating the parking for safety and aesthetics, (2) mixed use for revenue diversification, and (3) increased density where possible in the core blocks to concentrate foot traffic for all the neighboring businesses and (4) creates a “critical mass” of retail shopping destinations that attract an increased volume of customer traffic. . The short hand used below for this multi-faceted design strategy is “street wall,” a reference to creating a more or less continuous set of building facades that are no more than 20 feet from the curb and which are less frequently interrupted by wide driveways.

A Street Wall Creates More Inviting Environment for the Customer Which in Turn Boosts Retail Sales

As mentioned above, a safer, wider sidewalk facing large windows for retail or office space is simply more inviting to foot traffic. Merchants gain longer window browsing times. Customers have a chance to see more clearly the goods and services that the ground floor tenants have on display.

A Street Wall Enhances Pedestrian Experiences to Increase Cross-Shopping and Retail Synergy

If storefronts are all closer to the street, walking distance between them is both shorter, usually a straight line unimpeded by cars parked in the current front yards. This physical proximity enhances the likelihood that a customer will make more than one purchase at more than one store, for example, a gallon of milk at the deli and a bouquet of flowers at the florist. Simply put, impulse purchases rise. Similarly, the proximity also affords related but separate businesses to locate in spaces close to one another to create synergy in sharing customers. For example, when a nail salon and hair salon are next door to each other, customers

note this convenience and may shop both at one time. Similarly attorneys located near real estate offices or accountants and a host of other synergistic co-locations are possible. Convenience for the patron is rewarded with more traffic than either business might have had when far removed from each other.

A Street Wall Yields Improved Retail Layouts which Improves Operating Efficiency

Larger window display and advertising space at the street facade and a single point of entry to the office or store consolidates the efficiency of the layouts of the ground floor spaces. Another important benefit of street walls is they separate customers from back of office operations such as delivery trucks, which in a rear -parking scenario no longer block front yards or sidewalks, endangering pedestrians.

Establishing Maximum setback from curb of 15-20 feet creates a Street Wall.

Part of the unattractiveness of the S. Riverside area now is the highly irregular distances between the curb and the front of the commercial buildings. A good example of a consistent distance is the set of buildings between Benedict and Clinton on the west side of South Riverside. These all hug the sidewalk, which thanks to the earlier Community Development Block Grant work, is wide enough to accommodate street trees, a comfortable walking zone, handicapped access ramps to front doors, pedestrian benches, public garbage receptacles, and even tables and chairs in a sidewalk cafe arrangement. After measuring the setback distances of this block, the committee recommends that new buildings be setback no further than 20 feet from the curb. By contrast, the buildings on the east side of this same block exhibit a 'gap tooth' variety of setbacks from circa 20 feet on parcel. This maximum 20 foot setback will produce over time new buildings nearer to the curb, while allowing for ample sidewalk width for pedestrians, plantings and sidewalk cafe arrangements. The village may choose to define whether to measure the setback from the street curb or from the parcel lot lines. These are not always the same, nor are they consistent distances apart from one parcel the next. Whichever technical definition the village may choose, the goal is no fewer than 15 feet of sidewalk width and no more than 20 feet of sidewalk width between the building and the curb.

ZONING CHANGE RECOMMENDATIONS

After studying the district from mid-summer to late 2007, the committee had prepared a set of preliminary zoning change recommendations. In late 2007, the committee requested, and the village generously agreed, that two specific kinds of professional expertise be hired to vet the recommendations. Specifically, the committee recommended that an experienced planning firm be hired to do its own study of the property utilization for the parcel in the study area to identify any weaknesses or corrections in the committee's suggestions for zoning changes. The firm hired for this work after a request for proposal process was Siccardi and Schiff, Inc. of White Plains, New York, a firm with extensive experience in zoning and planning, including a number of Westchester communities.

The committee also strongly suggested that a retail feasibility study be undertaken, in which a retail consultant would determine, fundamentally, whether Croton could support additional retail businesses without cannibalizing other shopping districts in the Village (e.g., Upper Village). The consultant would also study what general categories of businesses are likely to be viable in Harmon, given both the demographics of the immediate area and the types of rentable spaces that might result if the zoning changes were implemented. The firm hired for this work after a request for proposal process was Danth, Inc. of Richmond Hill, New York, a firm that has undertaken numerous retail studies for suburban and urban downtown districts in the New York metropolitan area.

The resulting final zoning recommendations of the committee are summarized in the table in the Executive Summary or Appendix 1. The recommendations reflect careful consideration by the committee of the two professional studies to which the preliminary zoning recommendations were subjected.

One change the committee did make as a direct result of the two studies was to relax the amount of the first floor that must be commercial from 75% in the initial recommendations down to 50% in the final recommendations. The residential market is stronger than the commercial market. Hence, developer may wish to use some of the first floor for residential units or amenities. So the more space on a ground floor that could be residential, the more flexibility the plan leaves for varying mixes of housing and retail/ office in ground floor configurations. This requirement means that no more than 50% of first floor space be non-commercial space. The committee further recommends, as is made clear in the Danth study, that the commercial space must occupy the front of the floor facing the street facade and the residential/ non-commercial space may occupy the rear of the floor.

The Danth study also strongly recommended that the street façade of the ground floor contain at least 60% window space to boost window-shopping and visibility for commercial clients. The committee endorses this emphasis on window space as 60% minimum of the ground floor façade. Many buildings in the study area already exhibit this standard, e.g. on parcels 32 and 33.

Geographic Scope Represents a Gateway Expansion

The committee considered how to allow the village to adopt such recommendations while revising as little of the existing zoning code as possible. Any changes to the underlying Commercial-2 code would have to thread their way back to all the parcels anywhere in the village that were designated C-2. The existing Gateway, adopted by the village as an added layer of zoning conditions in 2004, covered a portion of the Harmon study area, specifically 14 of the 36 parcels. The 2004 Gateway overlay had introduced a number of concepts that sought to foster rear parking, limit curb cuts to enhance pedestrian safety, and had raised the FAR a modest amount for projects that embodied mixed use.

The committee realized that the most efficient way to introduce these recommendations to the target area, without having to change all other C-2 parcels, would be to define the changes as part of the Gateway overlay and then expand the Gateway overlay zone to encompass the 36 target parcels on South Riverside Avenue that demarcate the Harmon business district study area. Hence, the requisite plank is the recommendation to expand the current Gateway overlay in Harmon to include the 22 parcels listed in Appendix 2. The current gateway climbs the hill up Croton Point Avenue and turns onto S. Riverside but stops upon reaching the south side of Benedict Blvd. So the 22 parcels the committee recommends adding are those that begin on the north side of Benedict and South. Riverside intersection along Riverside to 200 feet past its intersection with Oneida. **(See Appendix 2: Harmon Parcel List)**

Determining Commercial Needs

The committee conducted numerous visual inspections of the study area and market research on its own into comparable commercial districts in similar communities. Although individual members of the committee stated with quite divergent viewpoints and areas of expertise, as a whole the committee reached a unanimous consensus on the following key findings:

Automobile Oriented Business Demand Weakening

Even as some ancillary automobile related business continues to operate in the Harmon area, a few major establishments have withdrawn from the area. Most notably, Croton Dodge voluntarily closed its Harmon showroom and garage to consolidate its operations at the former Kayson Chevrolet lot in the Municipal Place gateway a half-mile further north on Riverside Drive. The Nappy Auto Repair shop also voluntarily closed to consolidate its operations at its Brook Street site one mile further north on Riverside Drive.

Sub Par Commercial Space Available at Above Market Rents

The current “for rent” listings of available commercial spaces reveal a pattern of some of the key spaces being offered at rent prices that are above the likely average per square foot price available elsewhere in the 10 mile radius. Hence, likely tenants may be finding space that is less expensive in other commercial districts that also have stronger retail markets. An above market rent price may reflect the need of current

owners to meet existing mortgage payments more than an actual market based pricing strategy. In addition, several of the commercial spaces are awkwardly configured due to the ad hoc growth of the past business under prior owners over several decades. Such spaces would require extensive renovations to be brought up to par for a modern efficient continuation of the existing use. For example, some buildings currently available are located too far back from the sidewalk to be seen easily by passing motorists or pedestrians. Other available building spaces are close to the street, but lack sufficient street windows to be attractive for 'walk-in' retail or office service firms. It is telling that the only parcel that has sold recently was one that had no existing structures at all, and, thus, would be a blank slate for redevelopment without any cost for demolishing old structures.

Change of Use Would Require Extensive Renovations

In addition, several of the commercial spaces would require expensive renovations to be brought up to par for a new marketable use. For example, if a new proprietor wanted to install a restaurant or brewpub in the existing Dodge lot buildings, the cost of renovations to meet existing state code would be enormous. It would more cost effective to start over than to retrofit new code onto old, inefficient, fully depreciated buildings.

Residential Units Appear Fully Rented

However soft the market seems to be for existing built commercial space, ample evidence exists that the vacancy rate for small apartments is very low. In the words of local realtors, good one-bedroom units, whether rental or condominium, "go like hot cakes." The County Databook 2005 states the housing vacancy rate for Croton at 2% (2000 data), which is half the 4% vacancy rate of the surrounding communities. The proximity of Harmon on the Metro-North Rail Station, a five-minute walk, heightens the appeal of the area to small households who need to commute to the city. Hence, the mix of residential units upstairs that might appeal to young professionals or seniors with some ground floor commercial amenities (delis, florists, personal services, etc) seems to be quite viable in Harmon, as it is in other similar "walk to train" districts such as those in Mt. Kisco, Pleasantville, or Katonah.

Commercial Feasibility Study Findings

The Danth, Inc. study (available in full from the village) examined the commercial feasibility of the existing spaces and the potential resulting spaces if the new recommendations were implemented. The study concluded:

180 Degree Trade Radius limited the available population

The Hudson River eliminates 180 degrees of the 360 degrees of the potential trade circle encompassing Croton. While the Hudson has many attractions, it does not deliver many patrons to our doorstep, save the occasional boater.

Limited Population in 3 Mile Radius

The 3 mile trade radius has a relatively low population density, due principally to the steep river gorges and other landscape features that make this area so abundantly attractive.

Low % of Total Commuter Traffic Travels Through Harmon

While a high number of commuters use either Route 9 or the Metro-North train station each day, rather few drive past the study area on their way to or from Rt 9 or the train. Hence, the potential capture of passing motorists is quite modest compared with locations that would either be directly viewable from the Rt 9 access ramps or be positioned between the train station parking and the highway access ramps.

Harmon Lacks Characteristics Needed to Draw National Chains

Danth, Inc. also frankly concluded that the Harmon study area lacked any signature characteristics that might draw a national level chain, which compounded the low density and low flow through traffic conditions. In other words, there does not appear to be a significant landmark, view, historic establishment, or focal device at present around which to rally potential clients. Van Cortlandt Manor is historic but too distant to be a focal point. The overall architectural character of the assembled buildings is not as a whole noteworthy or significant in these 36 parcels.

Having turned up all the reasons above that might dim the commercial prospects for the Harmon study area, Danth was further constrained by the village and committee in our request that Danth avoid recommending businesses for Harmon that would compete with those already operating in the Upper Village or Municipal Place commercial districts.

The Danth study states the following that is noteworthy about general merchandise:

“there are small GAFO operations that succeed in small or medium-sized communities. Most have relatively small shops –2,000 square feet or less and annual sales under \$300,000. Nevertheless, many become very popular locally. Of late, there is also a trend for these successful small retail operations to be owned and operated by women – usually working mothers – who live in the community. Moreover, with rising fuel costs and persistently demanding time pressures, more and more working mothers are willing to sacrifice on price and selection if they can shop quickly and easily in a local shop. A key to attracting quality GAFO retail operations is to provide quality spaces at affordable rents. Affordability is a function of the amount of space and the sales of the business operation. Usually, these small retailers can afford to pay between 8% and 12% of their annual sales for rent, though in some instances they might afford 15%.”

Nonetheless, by examining local spending habits and distance to other commercial districts, Danth concluded there was demand for c. 16,000 square feet of commercial space. Of the demand for this space only about 2,000 square feet in Harmon currently meet the size, price, and quality standards that attract tenants. That means that **about 14,400 square feet of new commercial space is likely to find good tenants, if the size, price, and quality of the space is right.** Danth located a demand for just over 11,000 square feet of consumer retail space that could be housed in Harmon. And Danth estimated an potential demand for an additional 3,000 square feet of small professional office space or studio space for local residents who currently travel further away for small office space, or who work at home and would leap at the

opportunity to move to small, affordable spaces in town. Such space would tap into the small office/home office audience including professional service providers, consultants, designers, artists, writers, etc.

14,400 Sq Ft of Unmet Demand for Commercial Space

Using consumer ‘under service’ survey methodologies, Danth finds unmet demand for 14,393 square feet over and above current available suitable space. This space demand consists of 11,393 square feet of needed retail space and 3,000 square feet of needed retail prone professional office or studio space.

Specifically, the Danth study states:

“It is recommended that 8,500 square feet of GAFO (general merchandise, apparel, furniture and home furnishings, electronics and appliances, sporting goods, games, toys, models, books, music, office supplies, stationery and gifts) retailing can be viably targeted for the Harmon District as well as 4,800 square feet in food service operations, for a total of 13,300 square feet. These all are expected to be occupied by small operations.”

The Danth study also describes a transition strategy that capitalizes on unmet demand for small office space while allowing those offices to convert to retail as some point in the future. A comparatively high proportion of Croton-on-Hudson residents who are employed, 8.7%, work at home. This group represents potential renters for small local offices or studios that are retail prone space (visible from the street with front door access to the sidewalk).

“Such [retail prone] spaces may be used for non-retail purposes, but their characteristics enable them to be easily and inexpensively converted into retail uses. The retail revitalization of Harmon may take some time. Having some retail-prone spaces filled with small offices for SOHO type businesses or small studios for artists and crafts persons might enable some projects that otherwise would be stalled. They certainly would add some daytime pedestrian traffic that the district badly needs.”

Given the above constraints, Danth instituted a process to identify the kinds of smaller, non-national businesses that might relocate to Harmon. In general these businesses do not require large floor areas, operate effectively by local word of mouth and would not compete with other Croton establishments.

Types of Businesses where Adequate Demand Exists

The Danth study identified the following kinds of business categories that met two critical criteria: they appear to have unmet local consumer demand and they do not compete with or negatively impact the other commercial districts in the village. See the Danth study for more details on the gap analysis and consumer “unserved needs” analysis.

Full/Limited Service Restaurants
Women’s Apparel, Jewelry
Cell Phone Store (none nearby, usually require only 800-1,000 square feet)
High End Apparel Consignment (such as operate in Dobbs Ferry, etc)

Specialty Retail (e.g. knitting centers)
Professional Office (as small as 500 square feet)
Artist Studios (as small as 500 square feet)

Small Quality Space at Reasonable Prices (<2,000 sq ft)

The caveat on all these potential spaces from Danth was keeping the quality of the space high, while keeping the rent at market rate and offering a variety of spaces below 2,000 square feet. For example, while few SOHO offices need 2,000 square feet, four or five smaller offices might subdivide a 2,000 square feet space to enjoy a common reception area combined with private offices of circa 400 to 500 square feet each.

Planning Consultant Findings

The planning consultant, Siccardi and Schiff (S & S), reached the following conclusions after developing their own analysis of floor to area ratios, lot sizes, parking implications and the underlying C-2 zoning requirements. The current FAR of 24 parcels with the buildings among the 36 parcels is only 0.19. The FAR of all all the lots, including the 12 parcels vacant of any structure is far lower, at c. 0.12. This current FAR is well below the existing allowable FAR (which can vary between 0.35 and 0.5 depending on projected use and whether a parcel is in the Gateway).

Key Lots and Combinations of Lots can Achieve .8 FAR

Siccardi and Schiff concluded “a FAR of 0.8 would be appropriate for the Study Area”—a finding which validates the committee’s recommendation. Specifically, their report states

“increasing the FAR to 0.8 would provide a clear message to the market that development and investment in the area could achieve a high rate of utilization. While not all sites in the Study Area would be able to achieve this level of build out, allowing a FAR of up to 0.8 would send a clear message and provide incentive to the market to work creatively to maximize its return. This could occur, for example, with a developer buying more than one lot in order to achieve 0.8 FAR and provide on-site parking or working an agreement with an adjacent property owner to provide parking.”

Rear Parking District Design Strategy Key to Maximizing FAR

The S & S study states, “a FAR of 0.8 is mathematically achievable, but that parking is essentially the limiting factor in terms of increasing parcel utilization.” They propose five options to improve parking that have been effective elsewhere or have precedents in Croton already. The first and top priority is rear of parcel parking:

“a significant proportion of the parcels would find higher levels of utilization if the following options were considered: 1) Collective parking lots were located in the rear of the parcels with provision of sufficient vehicular access from South Riverside Drive;.... ”

The rear parking concept as hypothetically applied to parcels along the west side of S Riverside would (1) provide more parking than could be accommodated on the parcels individually, (2) promote a stronger pedestrian-oriented street frontage, and (3) minimize curb cuts along South Riverside Drive, reducing potential creating traffic problems and improving pedestrian flow.

FAR Should Be Used to Define District Maximum Building Size

Floor to area ratio defines the maximum building size. Some existing mixed use buildings in the target parcels currently far exceed the suggested new 0.8 FAR. By expanding the maximum possible building size from current 0.4 and 0.5 FAR to 0.8 FAR for projects that also meet the mixed use (commercial at street level with residential upstairs), maximum 35 height, maximum 15 to 20 foot front yard setback, and parking requirements, the village would be providing a significant density “bonus” for future mixed-use development.

Some Parcels will not Reach .8 FAR Due to Narrowness & Lack of Rear Access

Some parcels as currently configured lack street frontage width or have not individual likely access for rear parking, without the right to access an adjoining parcel. Should this set of zoning recommendations be adopted, such parcels can certainly be developed, as-of-right, under the current 0.4 or 0.5 FAR, depending whether they are currently in the 2004 Gateway or not. However, the parcels tend to be ones that are smaller and often abut larger parcels that have adequate street frontage or rear access. Hence, the effect of the density incentives, if adopted, may make these undersized side lot parcels more valuable to combine with adjoining parcels for redevelopment.

Impacts on the Neighborhood, Taxes, and Infrastructure

The committee recognized an obligation to examine the likely impacts of a build out on the community. The discussion below touches on the major impact considerations raised during the past year’s deliberations. For the sake of simplicity, we assumed the impact of a full build out under a new zoning code even if that would take many years.

Impact on Neighboring Residential District

It is vital to consider what impacts of these zoning changes may be on the surrounding residential neighborhoods. These impacts can be summarized into at least three categories of concerns: visual impacts, adjacency impacts, and traffic impacts.

Visual Impact

The zoning changes do not increase the current allowable building height, precisely to keep the scale of any potential new structures within the height of the existing buildings. The existing code calls for a maximum

building roofline height of thirty-five feet. These recommendations leave that 35' maximum in place. The third story available to new projects that meet all the other requirements must be designed to within the roofline as dormers, or gables, or other aesthetically pleasing design possibilities.

Adjacency Impact

Adjacency impacts can be visual, as well as aural. No homeowner wants a peaceful backyard interrupted by piercing automobile headlights, or parking lot lights or the visual blight of back of building garbage receptacles and the like. For these reasons, the committee's recommendations do not change any of the 2004 Gateway screening requirements. The 2004 Gateway front, side and rear screening requirements are stronger than those currently in place under the C-2 code. Currently 24 parcels under the weaker C-2 screening code would have to meet the more stringent 2004 Gateway screening requirements if the Gateway is expanded, as recommended, to include all 36 parcels. Property owners on Young Avenue may be the biggest benefactors of better screening of the back of lots on S. Riverside.

Specifically, the existing Commercial 2 code addresses outdoor lighting for "automobile sales and service agencies " only:

"Outdoor lighting shall be that generally necessary for security purposes. Lighting for illuminating an outdoor sales area shall be restricted to the front 1/3 of the lot depth. Said lighting shall be reduced to security lighting at the close of business. All outdoor area lighting shall be so directed that no illumination glare extend beyond the lot lines. Outdoor lighting shall be that generally necessary for security purposes. Lighting for illuminating an outdoor sales area shall be restricted to the front 1/3 of the lot depth. Said lighting shall be reduced to security lighting at the close of business. All outdoor area lighting shall be so directed that no illumination glare extends beyond the lot lines." [§230-17, B (7)(m)(6)]

In extending the Gateway's existing, additional screening condition to all 24 additional parcels, the neighbors of these parcels would gain the following screening mandates regardless of the use on the parcel:

"(3) Where a lot has frontage on a street or sidewalk, the planting of trees, shrubs and other landscaping shall be designed to provide an attractive, green buffer between the building and the sidewalk and the sidewalk and the street.

(4) A buffer of street trees, ornamental shrubs or low stone walls shall be required to screen parking areas and auto service stations from adjacent sidewalks and streets. The effectiveness of the buffer, including its width, height and length, shall be determined during site plan review by the Planning Board." [§ 230-20.5. (Gateway) Design regulations]

Nothing prevents the Board of Trustees from further strengthening the screening requirements, but the committee felt it best to simply extend the stronger screening now in the 12 Gateway parcels to the entire target area. No redevelopment proposals that would trigger the Gateway screening requirement have been proposed, let alone built. Therefore the area does not yet have a 'best practice' model of effective lawful screening to which to point. The green space and plantings at the rear of the lots in Figure 4 and Figure 5 represent site plans developed responsibly and according to the current Gateway screening regulations.

Traffic Impact

Current requirements for residential buildings in the village require a property owner to furnish from 1, 1.5, or 2 off-street parking spaces per dwelling unit. The committee recommends each residential dwelling unit in a mixed use development be required to furnish 2 off-street parking spaces. In sum, the new zoning would impose the highest existing minimum requirement for residential parking. Commercial parking space minimum requirement in the existing code requires “the greater of 1 space per 300 square feet of office floor area or 1 space per 250 square feet of retail/service floor area.” The committee recommends the code’s current base formula for commercial parking requirements remain unchanged, but that parcel be allowed to count one of each two residential unit spaces as one space available toward the minimum commercial parking needs dictated by of the existing base formula.

It is important to recognize that traffic and a higher density of business and residential units on S. Riverside will impact parking. But it is just as important to recognize that at present, there are ample negative impacts of traffic and parking from S. Riverside that routinely spill over into the surrounding residential blocks. Nothing attracts high vehicle speeds as well-lighted, flat, and empty streets as is often the case now in Harmon, after dark. Secondly, the area does see a surge of morning rush hour traffic volume at the traffic signals at Benedict Boulevard and South Riverside, as commuters seek to reach Route 9 or the Croton-Harmon train station parking lot a quarter mile away. The evening rush hour is less dense and takes place over a longer interval. But it does seem common sense, that any new Riverside residents who take the commuter train would be walking the 400 yards to the station, rather than pay for station parking, and that any new residents who need to get to Route 9 who be entering Riverside, Oneida, Benedict from newly placed curb cuts that by code must enhance visibility for drivers and avoid the backing into traffic that happens now all the time, especially on Riverside from the front of building parking lots. Finally, it is critical to recognize that many businesses on undersized parcels in Harmon, long since grandfathered, now have woefully inadequate parking accommodations. Currently on any given day, many cars that stem from the existing parcels’ businesses and residential units are parked on the surrounding residential streets. Hence any parcels proposed for redevelopment would have to demonstrate how they would house the parking for their clients.

As the sketches in Figure 4 show, a higher FAR distributed over three stories will actually allow more of the parcel’s surface area to be used for parking (and screening berms) than is now the case. As the property utilization analyses in Figures 1 and 2 show, a higher FAR and third story demonstrate the same in mathematical terms. As the higher FAR and third story shrink footprint of the building, the economics of developing the parcel improves as well as the parcel’s capacity to park more cars and plant more trees and bushes.

The committee would like to underscore the importance of continuing the Harmon district’s tradition cooperative parking arrangements. Under ideal circumstances, parking arrangements would be formal, written agreements so that responsibilities and liabilities would be clearly assigned. The potential collective

FIGURE 6: LOSING DRIVEWAYS TO GAIN SPACE: AN ILLUSTRATION

A collective parking scenario for Parcels 2-10	Current Parcel 2-10 Scenario 1: No collective for whole block and each has own driveway.	Collective Parking Scenario 2: Parcels share rear parking and two driveways onto Riverside
Number of parcels with own driveway onto Riverside	8	2
Single driveway area (12 feet wide by 50 feet)	600	600
Number of resulting driveways	8	2
Number of curb cuts disrupting foot traffic	8	2
Total area (square feet) devoted to driveways	4,800	1,200
Area gained by collective action for parking or plantings		3,600
Number of gained parking spaces that the former driveway area represents		22

parking arrangements which Siccardi and Schiff study describes (examples of which are found in Figure 5) bring two immediate benefits to the area: (1) collective parking allows mixed uses to take advantage of the time shift in parking demand peaks across different uses, (2) collective parking dramatically lowers the

FIGURE 7: A HYPOTHETICAL NEW REAR PARKING LOT IN HEART OF DISTRICT

This sketch shows the hypothetical proximity that a rear parking lot created at 44 Wayne Street would have to buildings on the opposite (east) side of South Riverside. The parcel is sandwiched between existing rear parking lots for a restaurant on S. Riverside and the firehouse on Benedict and is within 200 feet of many parcels and within 500 feet of all the parcels on the east side of S. Riverside between Benedict and Oneida.



surface area that is lost to individual driveways. For example, if 8 adjoining lots all have 50 foot long driveway from the back of their lot to Riverside, those driveways alone consume 4,800 square feet of space that can not be used for anything else (legally). If instead these 8 parcels share two access driveways (1,200 square feet) to Riverside, suddenly 3,600 square feet are available for more parking, more plantings, an outdoor cafe, or more building footprint. In other words collectively the 8 parcels gain the equivalent of 22 parking spaces, or almost 3 parking spaces apiece. Already encouraged by the existing Gateway regulation, rear parking arrangements hides the car behind the retail uses affording the front area for pedestrian shopping and circulation. (See **Figure 6.**)

The 2004 Gateway parking regulations call for self-contained parking. The Harmon zoning recommendations would further strengthen the area's capacity for parking by encouraging creative and responsible developers with flexible incentives to accommodate more parking on the same parcels. Hence, the committee concluded that the zoning changes may help reduce current traffic and parking problems while making more parking available within short distances of new buildings on Riverside.

The village could facilitate the incentives for parcel owners to cooperate on shared parking arrangements by several different means, such as by brokering discussions between multiple stakeholders. It could also consider the benefits of purchasing rear lots that could house district parking. The village-owned lot could then either be leased to adjacent owners, serve as open public parking, or some other arrangement that ensured the parking for Harmon stays in the business district and does not spillover onto the neighboring residential blocks. For example, the parcel at 44 Wayne Street contains a home at present, but, if converted to parking would lie within a 200 foot radius of many parcels on the east side of South Riverside. The lots on either side of 44 Wayne already serve as rear parking for area businesses. (**See Figure 7.**)

Impact on Real Estate Taxes

Any estimate of the financial impact of these zoning changes on village revenues is necessarily tentative. Yet the committee felt an obligation to offer an estimate of possible revenues from a build out under the proposed zoning incentives. In short, as shown in **Figure 8**, we need to recognize how underdeveloped the current parcels in this study are. As a collection, the collective FAR of the parcels with existing structures is just 0.19. Currently 12 parcels are vacant and including them lowers the total collective FAR to 0.12. Nonetheless, for the fiscal 2008-2009 year the total village property taxes on these 36 parcels, which coverage about 12 acres, is \$145,338.

Estimated Village Tax Could Revenue Increase of 174%.

Figure 8 shows data both for the current state of the 36 parcels and for two future scenarios. The data for this Figure came from the village tax roll cards for these parcels and from the tables of property utilization analysis developed in the Siccardi and Schiff study.

In Scenario #1, the committee assumed that each parcel would have to contain its own parking, which limits the floor to area ratio achievable on each parcel (see Table 2 "Site Specific" data in the S & S study). In

FIGURE 8: IMPACT ON REAL ESTATE TAXES

	<u>Today:</u>	<u>Scenario 1:</u> Maximum Lot FAR Self-Contained Parking	<u>Scenario 2:</u> 0.8 FAR for All Lots Shared/off-site parking
Total Harmon Area (parcels 1-36 in sq ft)	328,019	328,019	328,019
Commercial Space (sq ft)	53,817	29,012	43,736
Residential Space (sq ft)	9,716	145,061	218,679
Total Area of Buildings (sq ft):	63,533	174,074	262,415
Average Property Tax (\$/sq ft using village's 2008-09 rate)	\$2.29	\$2.29	\$2.29
Average Floor to Area Ratio (all parcels developed or vacant)	0.19	0.51	0.80
Maximum Additional Residential Units (1,000 sq ft each including common areas)	na	123	198
Average Value After Depreciation (all parcels 1-36)	53%	100% in year 1	100% in year 1
Average Year of Current Village Assessment (all parcels 1-36)	1987	> 2008	>2008
Annual Village Total Property Tax Revenue (all parcels 1-36)	\$145,338	\$398,629	\$600,930
Percent Increase in Village Tax Revenue		174%	313%
Estimated Annual School District Tax Revenue	\$247,075	\$677,669	\$1,021,583

this site specific self-contained parking scenario, the better situated lots with sufficient width and rear access build out up to higher FAR values and the poorly situated lots to lower FAR values for an average of FAR value of 0.51. This is higher than would ever be allowed or possible now with a 0.5 FAR ceiling on two-thirds of these parcels based on the current C-2 limit of 0.5 FAR. This 'self-contained parking scenario would generate \$398,629 in property tax revenue, a 174% increase over current revenue. The committee feels that Scenario #1 is possible over time, and more likely if adjoining parcels come under single ownership, which would facilitate the placement of parking and remove the disadvantages that some smaller parcels have as stand-alone building lots.

In Scenario #2, the committee used the data that result is every building lot is developed to a FAR value of 0.8 (see Table 1 "0.8 FAR" data in the S & S study; note: in this table the FAR of every parcel was set to 0.8). If all 36 parcels collaborated on collective parking arrangement, this could allow each lot to build out to the full 0.89 FAR value. Doing so would quadruple the square feet of ratable property and raise the tax revenue to \$600,931, using the current year rate, a 314% increase. The committee feels this scenario is unlikely, but includes it here as a maximum impact projection.

Economic Analysis Points to 1 Bedroom Units

The S & S tables also produced the estimated number of residential units that the second and dormer stories would contain: 145,061 square feet in Scenario #1 or circa 123 units (which results from assuming a 1,000 square foot apartment and rounding down to the next whole number to allow space for common areas, hallways, stairs, etc). While 1,000 square feet may sound generous, the consultant informed us it is a common yardstick for upscale, market rate 1-bedroom apartments and condos in Westchester.

A developer contemplating Harmon would skew any residential units toward those that have the highest occupancy rates, lowest turnover rates, lowest maintenance rates, least parking impact, and highest income resident pool. The kinds of units that meet those criteria are 1-bedroom apartments with amenities. These amenities may include location advantages (such as the “walk to train” attraction in Harmon) as well as built-in features such as marble counters, balcony, fireplace, kitchen islands, etc. While the committee’s initial ROI analyses used a very conservative \$900/month rental income for a residential unit. But the actual rents for high quality 1-bedroom apartments in the area are well over \$1,100 and rising. Specifically, developers of such housing elsewhere in the county have targeted two groups, especially when the location is within walking distance to trains and shopping: young professionals seeking to leave New York City for the suburbs before saving up to buy a home and older retired couples who no longer need a multi-bedroom home. In the case of the former, the younger couples typically do not yet have children and upon the arrival of a child typically move to a home. In the case of the latter empty nesters, the children are grown. Both groups are deemed to have disposable income for local purchases. And neither group is likely arrive with school age children in tow. In sum, the committee estimates the average of 2 persons per projected residential unit.

The Impact on School Population May be Quite Small

The biggest slice, by far, of local property taxes goes to the school district. About 53% of the total tax bill for most properties goes to the schools in Croton. Extrapolating up to a more complete tax picture from the numbers in **Figure 8**, the committee estimates the school district currently receives about \$247,000 in 2008-2009 from these 36 parcels. This figure excludes the parcel property taxes typically paid to the county general, refuse and sewer districts (15% of overall taxes), and town (2% of overall taxes). Under Scenario #1 for full build out with self-contained parking, the school district tax revenue would rise to an estimated \$677,000 (a 174% increase) and under the less likely Scenario #2 to an estimated annual \$1,021,000 (a 314% increase).

One significant caveat is that the committee did not have the time to canvass the Town of Cortlandt tax cards for these 36 parcels. Instead, this report assumes the assessments of the Town upon which the school district taxes are based would be quite close to Village’s assessments. One reason the committee feels the town and village assessments may be quite similar is that the average year of the most recent assessments (1987) indicates very little new development in these parcels over the past two decades. Very little activity

would have prompted new assessments by either the Town or the Village. The School District staff may wish to research this impact by using the district tax rolls managed by the town directly.

However, using the Croton-Harmon School District's own figures, the committee can offer the following analysis. While no exact measure is available to the committee for the incremental cost of adding a child to the school district, the committee thinks the out of district tuition rates are reasonable stand-ins for such a cost. In Grades K-6, monthly out of district tuition is \$1,012 or \$10,120 for a 10 month school year. In Grades 7-12, monthly out of district tuition is \$1,892.50 or \$18,925 for a 10 month school year. Hence, a blended rate is \$14,522.50 per child per school year. In Scenario #1 above, we estimate the district would see an additional \$677,000 in tax revenue. If this revenue is divided by the \$14,522.50 blended out of district tuition rate, it pays for the addition of 47 students. In Scenario #2 above, the district's revenue gain of \$1,021,000, which, when divided by \$14,522.50, pays for 70 additional students.

A significant number of school age children live in apartments located on these South Riverside parcels now and attend Croton-Harmon schools. Any significant redevelopment in Harmon would replace existing buildings. As new housing units replace the older, existing housing units, the district may experience very little net change in total number of children.

Harmon Infrastructure Capacity

Given the location of the target area and the good condition of the village's infrastructure there, there appear very little risk of a build out raising costs for fixed capital expenses.

Recent infrastructure improvements can support a full district build-out under the recommended zoning changes. From the point of view of water and sewer services, the recent Harmon water main replacement project has upgraded the services lines and connection in the area surrounding these parcels. The sanitary sewer service line is a large main running under South Riverside which has ample capacity. The Village's sidewalk program, in conjunction with the water main replacement program, has upgraded the sidewalks and curb cuts for numerous parcels in and around the district. And the much earlier Community Development Block Grant sidewalk improvement project has already upgraded the sidewalks in ample width, brick and concrete surfacing, and in attractive cast metal street light fixtures for the blocks in the target area. Hence, the village will likely incur no new infrastructure capital projects as a result of the increased building sizes. Importantly, any new work needed to adjust sidewalks, rear access, curbs, or utility conveyance would traditionally be borne by the developer of the proposed project, and not the village.

NEXT STEPS

Village Board Decision on Recommendations

The committee is making these recommendations to the Village's Board of Trustees. Any action on them lies entirely within the discretion of the Board of Trustees (BOT) and the committee has only a supporting role to play. So the next step is for the BOT to determine whether it wants to consider these potential zoning changes and, if so, how it wishes to do so. The committee's process to date has involved at least two formal public meetings with area property owners and residents. In addition, the committee met informally or in smaller groups with owners and residents on many occasions over the past 12 months to listen to concerns. The committee would be happy to hold additional public meetings to explain the rationale, process, implications and details of the recommendations, if that would help the BOT gauge public support for these zoning changes, and gather further public input about the particulars of the recommendations.

There is a very important lesson in the mutually dependent nature of the individual recommendations to each other as is evident in the examples of how parking, floor area ratio, and third story allowances work in unison. A word about the inviolability of the set of recommendations is in order. The committee tried very hard select the fewest possible actual interconnected drivers of land value and land use that have proven effective in other similar communities to bring about positive change in commercial districts. This set of recommendations is only effective as a coherent package of interlocking laws that together offer maximum flexibility for owners and the village. In other words, the committee feels very strongly the set of recommendations is just that, a coordinated toolkit, which will only be effective if adopted as a whole. **The committee is convinced the package will be totally counterproductive if one or two planks are enacted, while others are not.**

Zoning Law Change Process

State law mandates a three-step process for enacting changes to a municipality's zoning code.

Draft Zoning Changes

The village would have to write draft legislation of the specific revisions in existing code that would be minimally required to enact these recommendations. The committee took into consideration this aspect of the process and concluded that best way to adopt the recommendation and change the fewest words in the existing code would be to expand the geographic scope of the Gateway overlay zone to include the target parcels and then to amend the Gateway chapter to reflect this set of recommendations. This approach of consolidating the new changes under the Gateway article of code has two benefits. First, for these target parcels, it unifies the currently different standards: 24 parcels have General Commercial C-2 District standards [Village Code Chapter § 230-17] and 12 parcels have C-2 plus Gateway Overlay District standards [Village Code Chapter § 230-17, Article IV]. Second, it obviates the need to open the underlying Commercial

code under which the Gateway is subsumed (as Article IV). Either the village attorney and will staff prepare the draft laws or an planning consultant does in conjunction with the village staff.

SEQRA Process

Any zoning changes must undergo the State Environmental Quality Review Act process. This process involves examining any likely environmental impacts that could result from a change in zoning. Again, the village or a consultant would prepare the SEQRA documents and forward them to the appropriate authorities at the state and county level.

Public Hearings

Once zoning changes are drafted as amendments to existing code and those are confirmed to pass the environmental impact standards, these proposed changes are proposed as Local Laws that must undergo a Public Hearing before adoption. Of course, at anytime throughout this process the village could hold informal public hearings to gather feedback and raise awareness on this set of recommendations, before the required 'capital letter' Public Hearing. The BOT may adopt the recommendations only after the close of a Public Hearing, which by law must be announced to the public in advance. Taken together, all these mandatory steps usually do not take fewer than 4 or 5 months and can take up to a year or more.

District Marketing Campaign

Once enacted, the density incentives in the recommendations will only be effective if owners and potential developers know about them. Hence, a Harmon District marketing campaign that targets appropriate potential owners and developers would help spread the word. Any such effort would entail working closely with the existing owners and other local commercial real estate and development professionals. The good news is—despite the limitations mentioned in the Danth study—the proximity of the Harmon District to terrific rail connections and the overall 'village in a park' appeal of Croton constitute strong location attributes for developers to take into consideration.

Approval Process Streamlining

While the wheels of the public sector may grind more slowly than in the private sector, given the duty to engage all the stakeholders in the public realm, the committee believes the Village could work to establish some guidelines that might help reduce the time and effort required for the approval of a new commercial development or significant renovation. The Village is to be commended for taking steps in this direction in recent years. Applicants find the Village Engineer's office extremely helpful. But, nonetheless, the process is often most confusing at the start, when it may not be apparent to which boards the applicant would submit proposals first. The committee would like to support any effort to continue cutting red tape in the future.

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APPENDIX 1: FINAL HARMON ZONING RECOMMENDATIONS

APPENDIX 1: FINAL HARMON ZONING RECOMMENDATIONS

These 9 recommendations form a set of interlocking, mutually reinforcing code conditions to stimulate better development in the Harmon study area.

Shift Mixed Occupancy Use to Permitted as of right Use in the Gateway Overlay Zone:

1. Remove the requirement for a special use permit for parcel developments that meet ALL of the requirements below.
 - *The goal is lowering the barriers to entry for development that comply with all of the pedestrian-friendly neighborhood shopping district requirements below.*

Geographic Scope for the Zoning Changes:

2. Expand the existing Gateway Overlay Zone to include all the parcels facing South Riverside from Croton Point Avenue to approximately 200 ft past Oneida. (See Appendix 2 for a list of parcels).
 - *The goal is simultaneously unifying the code for similar parcels while introducing as simple an update to the code adoption as possible.*

The Following Conditions will Apply ONLY to Mixed Occupancy Uses Located in the Gateway Overlay Zone:

3. Increase maximum allowable Floor to Area (FAR) from current values to a uniform 0.8 value.
4. Allow a third story within roofline for residential use only.
5. Leave the maximum building height in current code at 35 feet.
6. Require 2 parking spaces per residential unit and allow, 1 of 2 residential spaces to count toward commercial parking requirements in the existing base code.
7. Require that a minimum of 50% of 1st floor be commercial and that the commercial space must face the street.
 - *The goal is a coordinated, flexible set of use parameters that work well in conjunction with each other, while protecting the village from negative impacts.*

Sidewalk Design Standards to Maximize Visual Appeal and Pedestrian Experience:

8. Establish a maximum setback from curb (or lot line) 15 to 20 feet: New buildings will be nearer to the curb, while allowing for ample sidewalk width for pedestrians, plantings and sidewalk cafe arrangements.
 - *The goal is no fewer than 15 feet of depth between the building and the curb and no more than 20 feet.*
9. Require all new street level space fronting on the sidewalk to have at least 60% of their facades covered by glass.
 - *The goal is to maximize visibility for first floor commercial tenants, with 60% glass area as a well-established minimum , and for the district to be read as retail oriented.*

APPENDIX 2: LIST OF AFFECTED PARCELS¹

APPENDIX 2A: PARCELS TO BE ADDED TO GATEWAY OVERLAY ZONE

Parcel # (in S & S study)	Section: 79.13 Block	Lot Size Lot	Estimated Current Taxes (Sq Ft)	Current Use Rate/\$M: \$232.26 (2008-09)
1	1	9	13,333	\$7,944 Professional Office
2	1	60	14,473	\$5,923 Restaurant
3	1	61	7,160	\$1,126 Vacant
4	1	62	11,276	\$3,856 Vacant
5	1	63	12,692	\$5,679 Mixed Use
6	1	64	12,614	\$4,454 Mixed Use
7	1	65	8,287	\$3,507 Taxi Stand/Apts
8	1	66	16,240	\$11,868 Vacant
9	1	68	7,765	\$1,312 Vacant
10	1	69	8,270	\$3,983 Nail Salon
11	1	70	10,099	\$5,807 Convenience Store
12	1	71	5,981	\$4,285 Vacant
13	1	72	8,517	\$9,987 Mixed Use
14	1	73	2,670	\$2,166 Deli
15	1	74	10,318	\$6,683 Restaurant
16	1	75	5,262	\$441 Parking
17	1	85	4,055	\$105 Vacant
18	1	86	22,150	\$10,980 Gas Station
19	1	87	11,342	\$2,520 Limo/Car Service
20	1	88	5,167	\$0 Auto Storage
21	1	89	5,734	\$6,149 Auto Body Shop
22	1	90	2,110	\$0 Auto Storage
subtotal:			205,515	\$98,775

¹ See the parcel map in Appendix 3 for the location of parcels 1-36 in Harmon's business district. For sake of simplicity, throughout this report we use the parcel numbers as assigned by Siccardi and Schiff to refer to specific sites.

APPENDIX 2B: PARCELS IN THE CURRENT GATEWAY OVERLAY ZONE

Parcel # (in S & S study)	Section: 79.13 Block	Lot Lot	Lot Size (Sq Ft)	Estimated Current Taxes Rate/\$M: \$232.26 (2008-09)	Current Use
23	2	21	1,920	\$0	N/A
24	2	22	12,284	\$9,221	Gas Station
25	2	22	14,556	\$0	Gas Station
26	2	23	13,591	\$2,276	Vacant
27	2	24	2,925	\$453	Vacant
28	2	25	18,286	\$6,364	Gas Station
29	2	26	12,436	\$4,877	Auto Storage
30	2	27	7,424	\$5,284	Professional Office
31	2	28	6,596	\$2,532	Parking
32	2	29	6,463	\$4,088	Vacant
33	2	30	8,550	\$3,339	Hair Salon
34	2	31	6,410	\$6,283	Veterinarian/Apt.
35	2	32	6,999	\$0	Veterinarian/Apt.
36	2	33	4,064	\$1,846	Professional Office
subtotal:			128,190	\$59,744	
total			328,019	\$145,338	

APPENDIX 3: STUDY AREA MAP²

APPENDIX 3: THE STUDY AREA MAP

The study area in the Harmon section of Croton-on-Hudson, New York, upon which the committee focussed its attention includes 36 parcels that face South Riverside Drive between Croton Point Avenue to the south with its access to Route 9/9A and two hundred feet beyond Oneida Avenue to the north, where the topography plunges downhill toward the Duck Pond and Municipal Place area. The red borders on some hypothetical clusters of parcels here indicate those for which one consultant examined the impacts on parking and floor to area ratio of combining lots if they developed jointly. (Source S & S study)



² See Exhibit 3, Siccardi & Schiff study for the complete map and scale.

APPENDIX 4: VILLAGE CODE SUMMARY TABLE³

ZONING

230 Attachment C

Village of Croton-on-Hudson Area and Bulk Schedule

Note: This schedule is presented for the convenience of the reader. The text of the Zoning Ordinance should be consulted for detailed district requirements. Relevant specific sections include Article IV, District Use Regulations; Article VI, District Bulk and Parking Regulations; Article VII, Supplementary Regulations; and Article VIII, Off-Street Parking, Driveways and Loading Facilities.

[Added 1-31-2005 by L.L. No. 1-2005]

District	Code Text Section	Minimum Lot Area (square feet)	Minimum Lot Width (feet)	Minimum Lot Depth (feet)	Minimum Yards (feet)			Habitable Floor Area (square feet)	Floor Area Ratio ¹	Maximum Height (stories/feet)	Building Coverage	Required Off-Street Parking
					Front	Side One/Both Yards	Rear					
RA-40	\$230-33	40,000	150	200	50	30/80	40	Per d.u.: 1,400 Main floor: 880	0.15	2.5/35	20%	2 per d.u. ²
RA-25	\$230-33	25,000	125	150	40	20/50	30	Per d.u.: 1,200 Main floor: 880	0.20	2.5/35	25%	2 per d.u.
RA-9	\$230-33	9,375	75	125	25	12/30	30	Per d.u.: 1,000 Main floor: 880	0.40	2.5/35	35%	2 per d.u.
RA-5	\$230-33	5,000	50	100	15	8/20	25	Per d.u.: 880 Main floor: n/a	0.55	2.5/35	40%	2 per d.u.
RB: One-Family Residence	\$230-34	5,000	50	100	20	8/20	25	Per d.u.: 880 Main floor: n/a	0.60	2.5/35	40%	2 per d.u.
RB: Two-Family Residence ³	\$230-34	2,500 square feet per d.u.	75	100	20	12/30	30	Per d.u.: 600 Main floor: n/a	0.60	3/35	40%	1 per d.u.
RC: One-Family Residence	\$230-34	9,375	75	125	25	12/30	30	Per d.u.: 1,000 Main floor: 880	0.40	2.5/35	35%	2 per d.u.
RC: Multiple Residence	\$230-34	Total: 4 acres Per d.u.: 3,000 square feet	200	200	40	25/50	30	Per d.u.: 600	0.55	2/30	30%	1.5 per d.u.

230 Attachment C:1

04 - 01 - 2005

³ The table in this appendix is reprinted verbatim from the Village Zoning Code 230 Attachment C:1 (04 - 01 - 2005).

CROTON-ON-HUDSON CODE

District	Code Text Section	Minimum Lot Area (square feet)	Minimum Lot Width (feet)	Minimum Lot Depth (feet)	Minimum Yards (feet)			Floor Area Ratio (FAR)	Maximum Height (stories/feet)	Required Off-Street Parking
					Front	Side One/ Both Yards	Rear			
O-1	§230-35	—	100	100	20	10	20 ⁴	0.40	2.5/35	The greater of 1 space per 300 square feet of office floor area or 1 space per employee
O-2	§230-36	1 acre	150	150	25	25	25	0.40	25 feet	Minimum of 1 space per 300 square feet of building
C-1	§230-35	—	25	—	—	None required; 10 feet minimum if provided ⁵	None required; 10 feet minimum if provided ⁶	2.0	2/35	The greater of 1 space per 300 square feet of office floor area or 1 space per 250 square feet of retail/service floor area
C-2	§230-35	—	50	—	10	None required; 10 feet minimum if provided	None required; 10 feet minimum if provided	0.50	2/35	The greater of 1 space per 300 square feet of office floor area or 1 space per 250 square feet of retail/service floor area

ZONING

District	Code Text Section	Minimum Lot Area (square feet)	Minimum Lot Width (feet)	Minimum Lot Depth (feet)	Minimum Yards (feet)			Floor Area Ratio (FAR)	Maximum Height (stories/feet)	Building Height Ratio	Required Off-Street Parking
					Front	Side One/Both Yards	Rear				
L1 ¹	\$230-37	3 acres	200	200	50	30/80	35	0.5	3/40 (subject to both requirements)	½ the distance to the nearest lot line (subject to story and height limitations)	1 space per employee (cumulative for all uses on lot)
WC ⁸	\$230-38	1 acre	100	200	25	30/80	20	0.5	1/20 (subject to both requirements)	—	0.5 space per patron (maximum customer capacity); 1 space per employee (cumulative for all uses on lot)
PRE-1	\$230-39	—	—	—	50	25	50	—	12 feet	—	—
PRE-2	\$230-39	—	—	—	50	25	50	—	35 feet	—	—
PRE-3	\$230-39	—	—	—	50	25	50	—	35 feet	—	—

NOTES:

- ¹ See Article VI, district Bulk and Parking Regulations, § 230-33B for calculation of FAR for oversized and undersized lots.
- ² Per d.u. - per dwelling unit.
- ³ Usable open space requirement for RB two-family and RC multiple-family residence: 400 square feet per d.u.
- ⁴ O-1 rear yard requirement for lots within 25 feet of residence district boundary: 30 feet (§ 230-35).
- ⁵ C-1 and C-2, side yard requirement for lots within 25 feet of residence district boundary: 10 feet (§ 230-35).
- ⁶ C-1 and C-2, rear yard requirement for lots within 25 feet of residence district boundary: 30 feet (§ 230-35).
- ⁷ Any yard in L1 district within 25 feet of residence district boundary: 50 feet (§ 230-37); waterfront setback from mean high water line: 100 feet.
- ⁸ Required waterfront access in WC districts: 25 feet. See § 230-38 for additional WC area and bulk regulations.

Two short sections of existing village Zoning Ordinance appear below that would need to be modified. Many more sections would need to be examined to adopt the recommendations in this presentation. However, by aggregating the affected parcels under an expanded Gateway Overlay zone in Harmon, the proposed code changes are consolidated in the Gateway section (Article IV) and related articles. In other words, the main body of the underlying Commercial 1 or Commercial 2 chapters would need very little change, if any.

The specific Gateway Overlay section regulating area and bulk is reprinted below. The zoning change recommended in this report would replace "0.40" with "0.80" in clause A (2) below.

§ 230-20.4. Area and bulk regulations.

A. Maximum allowable floor area ratio. The maximum allowable floor area ratio (FAR) standards that shall be adhered to for new development shall be the FAR listed for the underlying zone or the following, whichever is more restrictive:

- (1) For single-use properties, that is, a property proposed for only one principal permitted use: 0.35.
- (2) For multi-use properties, including combinations of retail and office, retail and residential uses or office and residential: 0.40.

B. Maximum building square footage. The maximum permissible square footage for any single building shall not exceed 20,000 square feet. This requirement is imposed in order to encourage a compact urban design of the gateway.

C. Maximum permitted square footage for any single commercial use. The maximum permissible square footage for any single commercial use by any single occupant or tenant shall not exceed 8,000 square feet of gross floor area.

The specific code section regulating non-street level dwelling units is reprinted below. The committee anticipates that clause B may need to be amended.

§ 230-42.1. Mixed occupancy. [Added 7-7-1993 by L.L. No. 4-1993; amended 6-13-1995 by L.L. No. 7-1995; 1-31-2005 by L.L. No. 1-2005]

Dwelling units may be permitted on the non-street-level story of buildings having nonresidential use on the street level, subject to the issuance of a special permit from the Board of Trustees and in accordance with the following conditions:

A. Mixed occupancy shall be permitted in Central Commercial C-1 and General Commercial C-2 Districts only and in buildings which conform to the New York State Uniform Fire Prevention and Building Code for the proposed mixed occupancy.

B. The nonresidential use in a mixed-occupancy building shall be limited to the street level and shall not exceed 5,000 square feet.

C. The residential and nonresidential uses in a mixed-occupancy building shall have separate means of access (this is, the entrance/exit for residential use shall not be through the nonresidential use of the building and vice versa), except that the Board of Trustees may, at its discretion, approve the use of a common lobby or plaza.

D. The nonresidential use of the building shall be provided with the number of parking spaces required by § 230-35 herein. In addition, two parking spaces per dwelling unit shall be provided for the residential use of the building. The requirement of this subsection may be waived by the Board of Trustees for buildings existing on the date of adoption of this section if there is insufficient area for parking on the site of a mixed-occupancy building.

E. All utility, storage, service and parking areas on the site of the mixed-occupancy building shall be screened by means of landscaping and/or fencing to the extent deemed necessary and practical by the Board of Trustees in order to minimize the impact of these areas upon the residential use of the building.

F. Residential use shall not be permitted in buildings housing motor vehicle sales and service agencies, motor vehicle service stations, manufacturing, animal hospitals, bowling alleys or any other use deemed by the Board of Trustees to be incompatible with the residential use of the building.

APPENDIX C:

Traffic and Parking Study
(The RBA Group, September 2009)

Harmon Zoning Amendments - Parking Study Amendment
(The RBA Group, October 2009)

Village of Croton-on-Hudson

HARMON ZONING AMENDMENTS TRAFFIC AND PARKING IMPACTS

September 2009

Prepared by:



Harmon Zoning Amendments Traffic and Parking Impacts

Introduction

The Harmon Rezoning study area is in the Village of Croton-on-Hudson approximately ¼-mile west of U.S. 9 and the Croton-Harmon train station (which serves both Metro-North and Amtrak passengers) and around ½-mile west of the Hudson River. Due to the proximity of the train station to the proposed rezoning area, there is a steady stream of traffic along S. Riverside Avenue adjacent to the rezoning area during the weekday AM and PM peak periods. In addition, there are numerous pedestrians who walk to, from, and through the study area during these periods. Despite the surge of traffic during the peak commuter periods, however, traffic volumes along the local streets are generally light because most vehicles travel along U.S. 9, rather than the local streets. The lack of substantial pass-by traffic, as well as high rental rates, in the proposed rezoning area has provided little incentive for development, resulting in long-term vacancies along S. Riverside Avenue. The proposed rezoning is, therefore, a concerted effort by the Village to work within the physical limitations and operational realities of the area to encourage development that will revitalize the economy and improve the appearance of the Harmon Rezoning study area.

As part of the rezoning, the Village proposes to increase allowed land uses and FARs, which would result in increased traffic volumes and parking demand in the immediate area. Concerns were expressed by the community regarding the adequacy of the local streets to accommodate the increased traffic volumes and of the zoning provisions to provide necessary parking for the increased demand. To address these concerns, The RBA Group has conducted a traffic and parking study for the proposed rezoning. The results of the traffic and parking analysis and discussions of the potential impacts for the various development scenarios are provided below.

Existing Conditions

Traffic Volumes

The Harmon Rezoning study area comprises the lots on either side of S. Riverside Avenue between Croton Point Avenue and a point 200 feet north of Oneida Avenue. Based on 2001 information provided by Westchester County, the average annual daily traffic volume (AADT) along S. Riverside Avenue between Benedict Boulevard (in the middle of the rezoning area) and Hudson Street (north of the rezoning area) was approximately 8,700 vehicles. Manual turning movement counts that were conducted in 2008 as part of The RBA Group's *Croton Harmon Parking Facility Vehicular, Pedestrian and Bicycle Study* (Croton Harmon Parking Facility study) indicate that the AADT along S. Riverside Avenue between Croton Point Avenue and just north of Benedict Boulevard was approximately 9,500 vehicles. Traffic volumes along S. Riverside Avenue are highest during the weekday AM peak period and typically higher south of Benedict Boulevard than north of Benedict Boulevard. Based on 2008 data from the Croton Harmon Parking Facility study, the highest traffic volumes in the proposed rezoning area were 1,030 vehicles per hour (vph – 222 northbound, 808 southbound) during the weekday AM peak hour.

Parking

An inventory of on- and off-street parking supply in the Harmon Rezoning study area was conducted in July 2009. Based on the inventory, there were approximately 300 existing off-street parking spaces in the area (262 counted plus room for approximately 20 spaces each in two vacant lots). In addition, there were approximately 27 on-street parallel parking spaces. These spaces were not metered but were signed for 2-hour parking with no parking allowed from 4 to 6 a.m. on Tuesdays on the north side and on Fridays on the south side. It should be noted, too, that, although outside of the proposed Harmon Rezoning overlay area, there is a municipal lot on the west end of Benedict Boulevard, immediately west of the rezoning area, which provides 15 off-street parking spaces.

Future Conditions

Traffic and parking conditions were examined for Scenarios #1 through #3, as described below. Scenario #4 is not being evaluated due to the unlikelihood that of all of the required components to achieve the scenario would occur.

Scenario #1: Likely Anticipated Level of Development

- 42 residential units
- 9,498 square feet of commercial space
 - 3,419 square feet of retail
 - 2,850 square feet of restaurant
 - 3,229 square feet of office

Scenario #2: Theoretical Maximum – 100% Build-Out with No Combined Parcels

- 125 residential units
- 28,996 square feet of commercial space
 - 10,438 square feet of retail
 - 8,699 square feet of restaurant
 - 9,859 square feet of office

Scenario #3: Theoretical Maximum – 100% Build-Out with Some Combined Parcels

- 126 residential units
- 28,115 square feet of commercial space
 - 10,121 square feet of retail
 - 8,435 square feet of restaurant
 - 9,559 square feet of office

One of the assumptions in the development of all the scenarios is that 50 percent of the ground floor would be dedicated to non-residential uses. However, current code recommendations are that “at least 50 percent” of the ground floor be commercial, such that all of the ground floor *could* be commercial. Thus, to better evaluate the proposed rezoning, it was decided to develop a Scenario #5, in which the entire first floor of the development would be commercial, with residential space only on the second and third floors.

Scenario #5: Ground Floor 100% Commercial Development

98 residential units

53,348 square feet of commercial space

21,737 square feet of retail

10,986 square feet of restaurant

20,625 square feet of office

Trip Generation

The number of trips generated by each proposed rezoning scenario were calculated using rates published in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 7th Edition* (Trip Generation Manual). The proposed rezoning would allow a combination of residential and commercial space. It was assumed that the commercial space would include office, restaurant, and general retail uses, which exist today and for which there is still a demand in the future, as discussed in the Danth, Inc. *The Croton-On-Hudson Harmon Commercial District Retail Study* (Commercial District Retail Study). The distribution of office to restaurant to retail space was calculated based on existing uses and projected demand as provided in the Village's *Harmon Zoning Change Recommendations* and the Commercial District Retail Study. The resulting commercial distribution was 34 percent office, 30 percent restaurant, and 36 percent general retail space.

Trip generation was calculated for the weekday AM and PM and Saturday peak hours of the adjacent street network, and a 15 percent reduction in residential trips due to the proximity of the rezoning area to the transit station was also applied. The resulting numbers of entering, exiting, and total trips are provided in Table 1. As shown in the table, it is expected that the greatest number of trips will be generated for Scenario #2, for which the square footage of commercial development would be highest. The trip generation for this scenario is greatest (220 vehicles – 123 in, 97 out) for the Saturday peak hour during which retail and restaurant uses would be most utilized. However, trip generation for the scenario is also high (192 vehicles – 112 in, 80 out) during the weekday PM peak hour when background traffic volumes along S. Riverside Drive would be higher. For this reason, it is anticipated that the weekday PM peak hour would be the critical traffic period in the area with the proposed Harmon Rezoning.

Since it has been found from the above trip generation calculations that the commercial retail and restaurant trips are the most critical, it was decided to develop trip generation volumes for a Scenario #5, assuming the ground floor 100 percent commercial and the second and third floors residential. Since restaurant space generates more traffic than any other retail use, the amount of proposed restaurant space was capped at the existing plus latent demand, and the magnitudes of office and retail space were adjusted accordingly. The resulting entering, exiting, and total trips are provided in Table 2.

TABLE 1 Trip Generation Given Scenarios														
Rezoning Scenario	Pk Hr	Residential (LUC 221)			Retail (LUC 820)			Restaurant (LUC 931)			Office (LUC 710)			TOTAL
		In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Scenario #1 Likely	AM	5	18	23	2	2	4	2	1	3	5	1	6	36
	PM	18	9	27	6	7	13	15	7	22	1	4	5	67
	SAT	15	13	28	9	8	17	18	13	31	1	1	2	78
Scenario #2 Theor Max (No Combined Lots)	AM	12	45	57	7	4	11	4	4	8	14	2	16	92
	PM	46	25	71	19	21	40	44	22	66	3	12	15	192
	SAT	37	31	68	27	25	52	56	39	95	3	2	5	220
Scenario #3 Theor Max (Some Combined Lots)	AM	12	45	57	7	4	11	4	3	7	13	2	15	90
	PM	46	25	71	32	6	38	43	21	64	3	12	15	188
	SAT	37	31	68	27	24	51	54	38	92	2	2	4	215

Note: LUC = Land Use Code

LUC 221 = Low-Rise Apartment, LUC 710 = General Office Building, LUC 820 = Shopping Center, LUC 931 = Quality Restaurant

TABLE 2 Trip Generation New Scenario														
Rezoning Scenario	Pk Hr	Residential (LUC 221)			Retail (LUC 820)			Restaurant (LUC 931)			Office (LUC 710)			TOTAL
		In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Scenario #5 Ground Floor 100% Commercial	AM	10	37	47	14	9	23	5	4	9	28	4	32	111
	PM	37	20	57	39	43	82	56	27	83	5	26	31	253
	SAT	30	26	56	57	52	109	70	49	119	5	4	9	293

As shown in the table, the number of trips that would be generated for Scenario #5 would be 20 to 40 percent greater during the peak hours than for the same peak hours for Scenario #2. To determine whether adequate traffic and parking capacity will be provided as currently recommended in the rezoning, traffic volumes for the original and new scenarios will be evaluated further.

Traffic Analysis

To determine the impact of increased traffic volumes from the rezoning on the local roadway network, a quick “test” of the future traffic volumes was conducted. A comparison of future No Build traffic conditions with future Build traffic conditions was made. The future No Build conditions are the future design year conditions without the proposed rezoning, and the future Build conditions are the future design year conditions with the proposed rezoning. For purposes of this analysis, it was conservatively assumed that the future design year (i.e., the future year by which full redevelopment with the rezoning would occur) would be 2029 (2009 + 20 years).

Future No Build traffic volumes were developed by increasing the 2008 traffic volumes in the Croton Harmon Parking Facility study by a 1 percent per year compounded growth rate. This reflected increases in background traffic growth that would be expected to occur with or without the rezoning. Future Build traffic volumes were developed by adding the trips that were generated by the rezoning to the No Build network. The weekday AM and PM peak-hour models of the S. Riverside Avenue and Croton Point Avenue roadway networks that were developed for the Croton Harmon Parking Facility study were then evaluated with the 2029 No Build and Build volumes.

A comparison of the No Build and Build analysis results indicates that there would be little impact to traffic conditions on the study area roadways due to the proposed rezoning. During the weekday AM peak hour, for Scenarios #2, #3, and #5, traffic operations for the southbound movement at the intersection of S. Riverside Avenue and Benedict Boulevard would deteriorate slightly. However, conditions could be mitigated by adding a second southbound approach lane (i.e., implementing a southbound left-turn/through lane and a southbound through/right-turn lane) at the intersection. This would require the removal of around 6 on-street parking spaces, but should be compensated for by a surplus of parking spaces created by the rezoning.

It should be noted that for the likely Scenario #1, there would be no need for mitigation, as there would be no degradation in traffic operations from the No Build to Build conditions.

Parking Generation

Parking generation totals were calculated by land use for the weekday and Saturday peaks using the ITE *Parking Generation Manual, 3rd Edition* (Parking Generation Manual). The maximum numbers of parking spaces required are provided in Table 3. As shown in the table, the greatest need for parking is on weekdays. Of the original scenarios, it is Scenario #2, which allows the greatest commercial usage, that requires the most parking (345 spaces). Similar to the trip generation for the scenarios, though, assuming that all of the ground floor is commercial space as in Scenario #5 results in significantly greater parking demand.

TABLE 3						
Required Number of Parking Spaces						
Rezoning Scenario	Time Period	Residential (LUC 221)	Retail (LUC 820)	Restaurant (LUC 931)	Office (LUC 710)	TOTAL
Scenario #1 - Likely	WKDY	51	11	44	10	116
	SAT	52	11	50	0	113
Scenario #2 - Theor Max (No Combined Lots)	WKDY	150	32	134	29	345
	SAT	153	32	150	0	335
Scenario #3 - Theor Max (Some Combined Lots)	WKDY	152	31	130	28	341
	SAT	155	31	146	0	332
Scenario #5 - Ground Floor 100% Commercial	WKDY	118	66	170	59	413
	SAT	120	65	189	0	374

Note: TOTAL = sum of the maximum numbers of parking spaces needed for each land use. This TOTAL does not account for shared parking.

In the parking demand calculations for the various scenarios, it is assumed that the proposed rezoning would require 2 parking spaces per residential dwelling unit (as required in the Village code) and 1 parking space for each 275 feet of commercial space. In addition, to account for shared parking, it is assumed that half of the commercial spaces will be provided by the residential spaces. This results in a required 116, 345, and 341 parking spaces for Scenarios #1, #2, and #3, respectively – and using the same methodology, 413 parking spaces for Scenario #5. The number of parking spaces needed based on the rezoning assumptions is sufficient (or very close to sufficient) to accommodate calculated parking needs for Scenarios #1, #2, and #3 (as shown above). A complete shared parking analysis follows to ensure for the original scenarios and to evaluate for the new scenario whether proposed rezoning parking assumptions are adequate.

Shared Parking Analysis

For mixed-use development, such as that proposed in the Harmon Rezoning study area, it is possible that the parking demands for individual land uses will peak at differ times such that the total parking required is actually less than the sum of the maximum parking demand for each individual land use. For example, the peak parking demand for an office typically occurs in the morning when employees have arrived at work, while the peak parking demand for residences typically occurs in the evening after residents have returned home from work; therefore, it is possible that some parking that serves residents at night can be “shared” and used for office personnel during the day.

To provide a more realistic assessment of the parking that is needed in the proposed rezoning area, a shared parking analysis was conducted for each development scenario. The weekday AM and PM shared parking calculations for Scenarios #1, #2, #3, and #5 are provided in Tables 4 through 11. It should be noted that the parking distributions for each land use were obtained from the Parking Generation Manual. In addition, the parking use for residential development was increased by 15 percent throughout the day to account for the proximity of the proposed rezoning area to the Croton Harmon train station (i.e., Due to the proximity of the train station, many residents in the area would walk to the train station and leave their cars parked at home, rather than drive; therefore, there would be more residential spaces occupied throughout the day than in a non-transit area).

As shown in the tables, the peak shared parking demand for Scenarios #1, #2, and #3 would occur in the evenings – 6 to 7 p.m. on weekdays and 7 to 8 p.m. on Saturdays. For Scenario #5, for which the entire ground floor would be commercial, the peak parking demand would occur midday from 12 to 1 p.m. In all cases, the critical parking demand would be on the weekends.

Based on the shared parking analysis, the total number of parking spaces actually required in the rezoning area would be 106 for Scenario #1 (6 fewer than the 112 calculated with the proposed rezoning assumptions), 314 for Scenarios #2 and #3 (27 to 31 fewer than the approximately 345 spaces calculated with the rezoning assumptions), and 346 (44 less than the 347 parking spaces calculated with the rezoning assumptions) for Scenario #5.

A detailed examination of the shared parking residential versus commercial demands suggests that the proposed rezoning parking demand assumptions may need to be modified. One issue is that the Village

TABLE 4 Scenario #1 - Likely Weekday Shared Parking Analysis										
Time of Day	Residential		Commercial						Total Parking Spaces Utilized	% of Available Spaces Utilized (112 Total)
			Retail		Restaurant		Office			
	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used		
12 AM	100	59		0		0		0	59	53%
1AM	100	59		0		0		0	59	53%
2AM	100	59		0		0		0	59	53%
3AM	100	59		0		0		0	59	53%
4AM	100	59		0		0		0	59	53%
5AM	96	57		0		0		0	57	51%
6AM	92	54		0	24	11	6	1	66	59%
7AM	68	40	5	1	42	19	56	6	66	59%
8AM	41	25	18	2	54	24	86	9	60	54%
9AM	34	20	38	5	73	33	97	10	68	61%
10AM	32	19	53	6	81	36	100	10	71	63%
11AM	31	19	86	10	100	44	98	10	83	74%
12PM	30	18	100	11	100	44	87	9	82	73%
1PM	31	19	98	11	100	44	75	8	82	73%
2PM	33	20	91	11	51	23	84	9	63	56%
3PM	37	22	86	10	40	18	87	9	59	53%
4PM	44	26	81	9	40	18	75	8	61	54%
5PM	59	35	57	7	79	35	43	5	82	73%
6PM	69	41	69	8	81	36	18	2	87	78%
7PM	66	39	82	10	62	28		0	77	69%
8PM	75	44	70	8	63	28		0	80	71%
9PM	77	46	42	5	60	27		0	78	70%
10PM	92	54	10	2	46	21		0	77	69%
11PM	94	56		0	42	19		0	75	67%

Notes: To achieve a more realistic distribution of restaurant parking space utilization in the study area, the hourly distribution for a high-turnover (sit-down) restaurant (LUC 932) was used instead of that for a quality restaurant (LUC 931).

To fill in hourly distribution gaps for residential parking space utilization, percentages were taken from the hourly distribution for rental townhomes (LUC 224).

To better reflect traffic and parking operations as observed in the Croton Harmon Parking Facility study, the residential parking space utilization for the weekday AM peak period was modified slightly (i.e., adjusted to reflect activity earlier in the morning).

TABLE 5
Scenario #1 - Likely
Saturday Shared Parking Analysis

Time of Day	Residential		Commercial						Total Parking Spaces Utilized	% of Available Spaces Utilized (112 Total)
			Retail		Restaurant		Office			
	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used		
12AM	95	57		0		0		0	57	51%
1AM	95	57		0		0		0	57	51%
2AM	95	57		0		0		0	57	51%
3AM	95	57		0		0		0	57	51%
4AM	95	57		0		0		0	57	51%
5AM	100	60		0		0		0	60	54%
6AM	98	59		0	15	8		0	67	60%
7AM	94	57	13	2	23	12		0	71	64%
8AM	89	54	27	3	39	20		0	77	69%
9AM	59	36	61	7	56	28		0	71	67%
10AM	71	43	75	9	100	50		0	102	91%
11AM	67	41	90	10	100	50		0	101	90%
12PM	66	40	100	11	100	50		0	101	90%
1PM	64	39	99	11	100	50		0	100	89%
2PM	64	39	98	11	53	27		0	77	69%
3PM	69	42	88	10	29	15		0	67	60%
4PM	73	44	68	8	36	18		0	70	62%
5PM	78	47	56	7	42	21		0	75	67%
6PM	80	48	73	9	53	27		0	84	75%
7PM	83	50	52	6	100	50		0	106	95%
8PM	84	51	53	6	42	21		0	78	70%
9PM	87	53	44	5	29	15		0	73	65%
10PM	89	54	29	4	30	15		0	73	65%
11PM	95	57		0	40	20		0	77	69%

TABLE 6
Scenario #2 – Theoretical Maximum (No Combined Lots)
Weekday Shared Parking Analysis

Time of Day	Residential		Commercial						Total Parking Spaces Utilized	% of Available Spaces Utilized (347 Total)
			Retail		Restaurant		Office			
	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used		
12 AM	100	173		0		0		0	173	50%
1AM	100	173		0		0		0	173	50%
2AM	100	173		0		0		0	173	50%
3AM	100	173		0		0		0	173	50%
4AM	100	173		0		0		0	173	50%
5AM	96	166		0		0		0	166	48%
6AM	92	159		0	24	33	6	2	194	56%
7AM	68	118	5	2	42	57	56	17	193	56%
8AM	41	71	18	6	54	73	86	25	175	50%
9AM	34	59	38	13	73	98	97	29	198	57%
10AM	32	56	53	17	81	119	100	29	210	61%
11AM	31	54	86	28	100	134	98	29	244	70%
12PM	30	52	100	32	100	134	87	26	243	70%
1PM	31	54	98	32	100	134	75	22	241	69%
2PM	33	57	91	30	51	69	84	25	180	52%
3PM	37	64	86	28	40	54	87	26	171	49%
4PM	44	76	81	26	40	54	75	22	177	51%
5PM	59	102	57	19	79	106	43	13	240	69%
6PM	69	120	69	23	81	109	18	6	258	74%
7PM	66	114	82	27	62	84		0	225	65%
8PM	75	130	70	23	63	85		0	238	69%
9PM	77	133	42	14	60	81		0	228	66%
10PM	92	159	10	4	46	62		0	225	65%
11PM	94	163		0	42	57		0	220	63%

TABLE 7 Scenario #2 – Theoretical Maximum (No Combined Lots) Saturday Shared Parking Analysis										
Time of Day	Residential		Commercial						Total Parking Spaces Utilized	% of Available Spaces Utilized (347 Total)
			Retail		Restaurant		Office			
	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used		
12AM	95	168		0		0		0	168	48%
1AM	95	168		0		0		0	168	48%
2AM	95	168		0		0		0	168	48%
3AM	95	168		0		0		0	168	48%
4AM	95	168		0		0		0	168	48%
5AM	100	176		0		0		0	176	51%
6AM	98	173		0	15	23		0	196	56%
7AM	94	166	13	5	23	35		0	206	59%
8AM	89	157	27	9	39	59		0	225	65%
9AM	59	104	61	20	56	84		0	208	60%
10AM	71	125	75	24	100	150		0	299	86%
11AM	67	118	90	29	100	150		0	297	86%
12PM	66	117	100	32	100	150		0	299	86%
1PM	64	113	99	32	100	150		0	295	85%
2PM	64	113	98	32	53	80		0	225	65%
3PM	69	122	88	29	29	44		0	195	56%
4PM	73	129	68	22	36	54		0	205	59%
5PM	78	138	56	18	42	63		0	219	63%
6PM	80	141	73	24	53	80		0	245	71%
7PM	83	147	52	17	100	150		0	314	90%
8PM	84	148	53	17	42	63		0	228	66%
9PM	87	154	44	15	29	44		0	213	61%
10PM	89	157	29	10	30	45		0	212	61%
11PM	95	168		0	40	60		0	228	66%

TABLE 8
Scenario #3 – Theoretical Maximum (Some Combined Lots)
Weekday Shared Parking Analysis

Time of Day	Residential		Commercial						Total Parking Spaces Utilized	% of Available Spaces Utilized (350 Total)
			Retail		Restaurant		Office			
	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used		
12 AM	100	175		0		0		0	175	50%
1AM	100	175		0		0		0	175	50%
2AM	100	175		0		0		0	175	50%
3AM	100	175		0		0		0	175	50%
4AM	100	175		0		0		0	175	50%
5AM	96	168		0		0		0	168	48%
6AM	92	161		0	24	32	6	2	163	56%
7AM	68	119	5	2	42	55	56	16	137	55%
8AM	41	72	18	6	54	71	86	25	103	50%
9AM	34	60	38	12	73	95	97	28	100	56%
10AM	32	56	53	17	81	106	100	28	101	59%
11AM	31	55	86	27	100	130	98	28	138	69%
12PM	30	53	100	31	100	130	87	25	193	68%
1PM	31	55	98	31	100	130	75	21	184	68%
2PM	33	58	91	29	51	67	84	24	208	51%
3PM	37	65	86	27	40	52	87	25	158	48%
4PM	44	77	81	26	40	52	75	21	189	50%
5PM	59	104	57	18	79	103	43	13	186	68%
6PM	69	121	69	22	81	106	18	6	243	73%
7PM	66	116	82	26	62	81		0	272	64%
8PM	75	132	70	22	63	82		0	269	67%
9PM	77	135	42	14	60	78		0	149	65%
10PM	92	161	10	4	46	60		0	165	64%
11PM	94	165		0	42	55		0	165	63%

TABLE 9 Scenario #3 – Theoretical Maximum (Some Combined Lots) Saturday Shared Parking Analysis										
Time of Day	Residential		Commercial						Total Parking Spaces Utilized	% of Available Spaces Utilized (350 Total)
			Retail		Restaurant		Office			
	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used		
12AM	95	170		0		0		0	168	49%
1AM	95	170		0		0		0	168	49%
2AM	95	170		0		0		0	168	49%
3AM	95	170		0		0		0	168	49%
4AM	95	170		0		0		0	168	49%
5AM	100	179		0		0		0	176	51%
6AM	98	175		0	15	22		0	196	56%
7AM	94	168	13	5	23	34		0	206	59%
8AM	89	159	27	9	39	57		0	225	64%
9AM	59	106	61	19	56	82		0	208	59%
10AM	71	127	75	24	100	146		0	299	85%
11AM	67	120	90	28	100	146		0	297	84%
12PM	66	118	100	31	100	146		0	299	84%
1PM	64	115	99	31	100	146		0	295	83%
2PM	64	115	98	31	53	78		0	225	64%
3PM	69	123	88	28	29	43		0	195	55%
4PM	73	131	68	22	36	53		0	205	59%
5PM	78	140	56	18	42	62		0	219	63%
6PM	80	143	73	23	53	78		0	245	70%
7PM	83	148	52	17	100	146		0	314	89%
8PM	84	150	53	17	42	62		0	228	65%
9PM	87	156	44	14	29	43		0	213	61%
10PM	89	159	29	9	30	44		0	212	61%
11PM	95	170		0	40	59		0	228	65%

TABLE 10 Scenario #5 – Ground Floor 100% Commercial Weekday Shared Parking Analysis										
Time of Day	Residential		Commercial						Total Parking Spaces Utilized	% of Available Spaces Utilized (390 Total)
			Retail		Restaurant		Office			
	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used		
12AM	100	136		0		0		0	136	35%
1AM	100	136		0		0		0	136	35%
2AM	100	136		0		0		0	136	35%
3AM	100	136		0		0		0	136	35%
4AM	100	136		0		0		0	136	35%
5AM	96	131		0		0		0	131	34%
6AM	92	125		0	24	41	6	4	170	44%
7AM	68	93	5	4	42	72	56	34	203	52%
8AM	41	56	18	12	54	92	86	51	211	54%
9AM	34	47	38	26	73	125	97	58	256	66%
10AM	32	44	53	35	81	138	100	59	276	71%
11AM	31	43	86	57	100	170	98	58	328	84%
12PM	30	41	100	66	100	170	87	52	329	84%
1PM	31	43	98	65	100	170	75	45	323	83%
2PM	33	45	91	61	51	87	84	50	243	62%
3PM	37	51	86	57	40	68	87	52	228	58%
4PM	44	60	81	54	40	68	75	45	227	58%
5PM	59	81	57	38	79	135	43	26	280	72%
6PM	69	94	69	46	81	138	18	11	289	74%
7PM	66	90	82	55	62	106		0	251	64%
8PM	75	102	70	47	63	108		0	257	66%
9PM	77	105	42	28	60	102		0	235	60%
10PM	92	125	10	7	46	79		0	211	54%
11PM	94	128		0	42	72		0	200	51%

TABLE 11 Scenario #5 – Ground Floor 100% Commercial Saturday Shared Parking Analysis										
Time of Day	Residential		Commercial						Total Parking Spaces Utilized	% of Available Spaces Utilized (390 Total)
			Retail		Restaurant		Office			
	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used		
12AM	95	132		0		0		0	132	34%
1AM	95	132		0		0		0	132	34%
2AM	95	132		0		0		0	132	34%
3AM	95	132		0		0		0	132	34%
4AM	95	132		0		0		0	132	34%
5AM	100	138		0		0		0	138	35%
6AM	98	136		0	15	29		0	165	42%
7AM	94	130	13	9	23	44		0	183	47%
8AM	89	123	27	18	39	74		0	215	55%
9AM	59	82	61	40	56	106		0	228	58%
10AM	71	98	75	49	100	189		0	336	86%
11AM	67	93	90	59	100	189		0	341	87%
12PM	66	92	100	65	100	189		0	346	89%
1PM	64	89	99	65	100	189		0	343	88%
2PM	64	89	98	64	53	101		0	254	65%
3PM	69	96	88	58	29	55		0	209	54%
4PM	73	101	68	45	36	69		0	215	55%
5PM	78	108	56	37	42	80		0	225	58%
6PM	80	111	73	48	53	101		0	260	67%
7PM	83	115	52	34	100	189		0	338	87%
8PM	84	116	53	35	42	80		0	231	59%
9PM	87	121	44	29	29	55		0	205	53%
10PM	89	123	29	19	30	57		0	199	51%
11PM	95	132		0	40	76		0	208	53%

code currently overestimates residential parking requirements and underestimates the commercial requirements. Should a developer come into the area who only wants to build commercial, it would be difficult to implement the shared parking assumption due to its proposed tie-in with residential development. Then, even if a shared parking allowance were not made, the calculation of commercial parking demand from the Village code would underestimate the need. Based on empirical information in the Parking Generation Manual, a residential land use requires approximately 1.2 parking spaces per dwelling unit, rather than 2 parking spaces per dwelling unit as utilized in the code, and 1 parking space for each 331, 65, and 352 square feet of retail, restaurant, and office space, rather than 1 parking space for each 250 square feet of retail/commercial space and 300 square feet of office/daycare as in the Village code. Another issue with implementing the shared parking by allowing commercial spaces to use residential spaces is that there would be insufficient parking during the peak periods. For Scenarios #1, #2, and #3, the deficit would only occur on Saturdays and be 12 vehicles or less, which could be accommodated on-street or in the nearby municipal lot at the west end of Benedict Boulevard. For Scenario #5, which assumes that the first floor is 100 percent commercial, however, the parking deficit would occur on weekday and Saturday middays and be as much as 55 vehicles.

Conclusion

It is not anticipated that the proposed rezoning would have a major impact on traffic operations in the study area. Based on trip generation analysis for Scenarios #1, #2, and #3, the maximum number of trips that would generated would be for Scenario #2 – 200 (123 in, 97 out) during the Saturday peak hour. These trips could be accommodated on the future roadway network by removing a few on-street parking spaces to provide two southbound lanes at S. Riverside Avenue and Benedict Boulevard. For Scenario #1, the likely scenario, no roadway improvements would be necessary.

It is recommended that the proposed parking assumptions be revised. It is recommended that the Village code be modified to require 1.2 parking spaces per residential unit and 1 parking space per 300, 65, and 350 square feet retail, restaurant, and office space. To implement shared parking, it is suggested that the calculated parking requirements be reduced by 7 percent. With these changes, it is anticipated that sufficient parking would be provided on-site during all time periods and times of day for Scenarios #1, #2, #3, and #5.

Based on parking analyses, it is suggested that a shared parking study be conducted for any development that includes office, rather than residential, space of the second floor. Since different splits of retail, restaurant, and office space can affect parking demand greatly, the combination of commercial development on the first floor and office development on the second could increase parking demand above the calculated requirement. In fact, it may be prudent to request a shared parking study for any mixed-use development, since it was found in examining Scenarios #1, #2, #3, and #5, that an additional reduction in trips (10 to 20 percent, instead of the typical 7 percent) could be taken for two of the scenarios.

Village of Croton-on-Hudson

HARMON ZONING AMENDMENTS PARKING STUDY AMENDMENT

October 2009

Prepared by:



Introduction

In September 2009, draft Part 3 of the Environment Assessment Form (EAF) report for the Village of Croton-on-Hudson's *South Riverside/Harmon Gateway Overlay District Proposed Zoning Amendments* was prepared based on a draft law that was developed in July 2009. Since then, the Village Board of Trustees has met with the Croton Planning Board and the public to discuss the EAF report and proposed zoning changes. With their input, the Village Board has prepared a revised/amended draft law.

Included in the October 2009 revised/amended draft law are a couple of modifications to the proposed parking requirements. One is that, instead of automatically requiring 2 parking spaces per residential unit for mixed use developments, the law would require 1 parking space per residential unit plus 1 additional parking space for each bedroom in excess of one (e.g., a studio or one-bedroom dwelling would require 1 parking space, while a two-bedroom dwelling would require 2 parking spaces). In addition, no allowance for shared parking is provided in the revised/amended law (i.e., it is no longer proposed that 1 of 2 residential spaces be counted toward commercial parking requirements).

In an effort to determine the impacts of the updated draft law on EAF report, it was assumed that, for each scenario in the original report, the number of residential units would be the same, with half being one-bedroom and half two-bedroom, such that the required number of parking spaces would average 1.5 per dwelling unit. It was also assumed that the average square footage for each dwelling unit (regardless of the number of bedrooms) would remain 1,000 square feet. Therefore, the areas of the residential and commercial components for all scenarios would remain the same as in the original draft EAF.

Trip Generation

Trip generation for the scenarios analyzed in the September 2009 *Harmon Zoning Amendments Traffic and Parking Impacts* was calculated by dwelling unit (not number of bedrooms) for the residential land uses and by square footage for the commercial land uses. Since neither the numbers of proposed dwelling units nor the square footages of the commercial land uses have changed, the numbers of trips that would be generated with the revised/amended zoning law are the same as those documented in the September 2009 draft EAF report. The highest number of trips would be generated by Scenario #2: The Theoretical Maximum (No Combined Lots) scenario. These would be 220 (123 entering, 97 existing) during the Saturday peak hour.

Parking Generation

Parking generation for the scenarios analyzed in the September 2009 *Harmon Zoning Amendments Traffic and Parking Impacts* was also calculated by dwelling unit (not number of bedrooms) for the residential land uses and by square footage for the commercial land uses. Since neither the numbers of proposed dwelling units nor the square footages of the commercial land uses have changed, the peak period parking demand with the revised/amended zoning law would be the same as that documented in the September 2009 draft EAF report and shown in Table 1 below.

TABLE 1 Maximum Number of Parking Spaces Required by Land Use						
Rezoning Scenario	Time Period	Residential (LUC 221)	Retail (LUC 820)	Restaurant (LUC 931)	Office (LUC 710)	TOTAL
Scenario #1 - Likely	WKDY	51	11	44	10	116
	SAT	52	11	50	0	113
Scenario #2 - Theor Max (No Combined Lots)	WKDY	150	32	134	29	345
	SAT	153	32	150	0	335
Scenario #3 - Theor Max (Some Combined Lots)	WKDY	152	31	130	28	341
	SAT	155	31	146	0	332
Scenario #5 - Ground Floor 100% Commercial	WKDY	118	66	170	59	413
	SAT	120	65	189	0	384

Parking Supply

With the revised/amended draft law, it would be required that there be:

- 1 parking space per residential dwelling unit, plus
- 1 parking space for each bedroom in excess of one,
- 1 parking space per 250 square feet of retail/commercial (including restaurants), plus
- 1 parking space per 4 seats of restaurant, and
- 1 parking space per 300 square feet of office/daycare development.

To develop the basic scenarios in the EAF, it was originally assumed that the breakdown of non-residential development would be half retail/commercial and half office/daycare, such that the non-residential land uses in the study area would require an average of 1 parking space per 275 square feet and the total parking requirements would be as provided in the October 2009 revision to the draft EAF report – 98, 297, and 291 for Scenarios #1, #2, and #3, respectively, assuming the 50/50 mix of one- and two-bedroom residences and 77, 225, and 224 for the scenarios, respectively, assuming one-bedroom residences only.

To develop more realistic trip and parking generations for the scenarios, as discussed in the September 2009 *Harmon Zoning Amendments Traffic and Parking Impacts*, however, it was decided to distinguish the commercial land uses by general retail, restaurant, and office space based on the demand for each identified *The Croton-On-Hudson Harmon Commercial District Retail Study*. The total parking requirements for Scenarios #1, #2, #3 with this breakdown and with the revised/amended draft law are as shown in Table 2 – 115, 349, and 346, respectively, assuming the 50/50 mix of one- and two-bedroom residences and 94, 286, and 283, respectively, assuming one-bedroom residences only. When compared to the maximum parking demand numbers in Table 1, the Village code requirements for retail, office, and residential parking assuming the 50/50 mix of one- and two-bedroom residences are sufficient (i.e., would provide enough parking to accommodate demand); however, the Village code requirements for restaurant and residential parking assuming one-bedroom residences only would fall short (i.e., there would be a 15- to 80-space deficit for restaurant space and a 9- to 22-space deficit for one-bedroom residences only depending on scenario and time of day).

TABLE 2 Required Number of Parking Spaces per Village Code						
Rezoning Scenario Time Period		Residential (LUC 221)	Retail (LUC 820)	Restaurant (LUC 931)	Office (LUC 710)	TOTAL
Scenario #1 - Likely	1 bdm	42	12	29	11	94
	1 & 2 bdms	63	12	29	11	115
Scenario #2 - Theor Max (No Combined Lots)	1 bdm	125	42	86	33	286
	1 & 2 bdms	188	42	86	33	349
Scenario #3 - Theor Max (Some Combined Lots)	1 bdm	126	41	84	32	283
	1 & 2 bdms	189	41	84	32	346
Scenario #5 - Ground Floor 100% Commercial	1 bdm	98	87	109	69	363
	1 & 2 bdms	147	87	109	69	412

Shared Parking

Although no allowance for shared parking is explicitly provided in the revised/amended draft law, an updated analysis was conducted to determine whether proposed parking supply requirements when accounting for shared parking would provide sufficient capacity for potential land uses. Shared parking analyses were conducted for Scenarios #1, #2, #3, and #5 based on the revised/amended draft law parking requirements. As discussed in the September 2009 *Harmon Zoning Amendments Traffic and Parking Impacts*, Scenario #5 was developed to assess the impacts of more than minimal commercial development in the mixed use buildings. The assumptions for the various scenarios, as detailed in the September 2009 *Harmon Zoning Amendments Traffic and Parking Impacts*, are provided here for clarity. The average number of seats per square foot of restaurant space was derived from information provided in the Institute of Transportation Engineer's *Trip Generation* manual.

Scenario #1: Likely Anticipated Level of Development

42 residential units
3,419 square feet of retail
、 2,850 square feet/67 seats of restaurant
3,229 square feet of office

Scenario #2: Theoretical Maximum – 100% Build Out with No Combined Parcels

125 residential units
10,438 square feet of retail
、 8,699 square feet/204 seats of restaurant
9,859 square feet of office

Scenario #3: Theoretical Maximum – 100% Build Out with Some Combined Parcels

126 residential units
10,121 square feet of retail
、 8,435 square feet/198 seats of restaurant
9,559 square feet of office

Scenario #5: Ground Floor 100% Commercial Development

98 residential units

21,737 square feet of retail

10,986 square feet/258 seats of restaurant

20,625 square feet of office

As shown in the “Proposed Law” columns of Tables 3 through 10, proposed parking requirements are sufficient to accommodate the total parking demand for all scenarios on weekdays. It should be noted, however, that it is the *combined* requirement for residential, retail, restaurant, and office space that would meet the *total* scenario demand. As discussed in the previous section, the parking requirements for restaurant and residential space assuming one-bedroom development only would fall short of the number of spaces needed. If a developer were to propose building only the one-bedroom residential piece of a mixed-use building, the 1 parking space per dwelling unit requirement would be insufficient. Assuming 1.5 parking spaces per residential development, regardless of the number of bedrooms, would be more appropriate.

As also shown in Tables 3 through 10, it is on Saturday middays and evenings when peak parking demand for all scenarios would occur. This is when the combination of residents who are home and shoppers in the area would be highest. Assuming the 50/50 mix of one- and two-bedroom residential development (for which the parking requirement averages 1.5 spaces per dwelling unit), Village parking requirements as proposed would be sufficient to accommodate *total* parking needs in the area during all time periods. This means that, if the proposed law were revised to require 1.5 parking spaces per dwelling unit regardless of the number of bedrooms, the code would provide sufficient capacity for total, residential, retail, and office needs for all scenarios examined. However, the parking code requirement for restaurant space would still be inadequate. To ensure that any developer wanting to construct only a restaurant in the study area would have sufficient parking, it is recommended that the amended/revised law’s restaurant parking requirements be modified to require 1 parking space per 75 square feet plus 1 parking space per 5 seats. With this applied, as shown in the “w Resid & Restaurant Mod” column, parking would be at a maximum 77% capacity for all scenarios (i.e., have a surplus of 31 to 156 spaces). An additional 15% credit to non-residential parking could also be applied to account for the proximity of the study area to the Croton Harmon train station. With this, as shown in the “w Addl Transit Credit” column, parking would be at a maximum 84% capacity for all scenarios (i.e. have a surplus of 20 to 103 spaces).

Conclusion

To provide sufficient total parking capacity for the examined scenarios, it is recommended that the proposed law be modified to require 1.5 parking spaces per residential dwelling unit, regardless of the number of bedrooms. This would ensure that the combination of residential, retail, restaurant, and office parking based on scenario assumptions will be at 100% capacity (i.e., within 1 parking space of capacity) or less. It would also ensure that anyone developing only one-bedroom housing within the study area would provide his share of parking for the mixed-use area.

TABLE 3 Scenario #1 - Likely Weekday Shared Parking Analysis													
Time of Day	Residential		Commercial						Total Parking Spaces Utilized	% of Available Spaces Utilized			
			Retail		Restaurant		Office			Proposed Law		w Resid & Restaurant Mods	w Addl Transit Credit
	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used		1 & 2 bdms, 115 Spaces	1 bdm, 94 Spaces	by dwelling unit, 137 Spaces	by dwelling unit, 126 Spaces
12AM	100	59		0		0		0	59	51%	63%	43%	47%
1AM	100	59		0		0		0	59	51%	63%	43%	47%
2AM	100	59		0		0		0	59	51%	63%	43%	47%
3AM	100	59		0		0		0	59	51%	63%	43%	47%
4AM	100	59		0		0		0	59	51%	63%	43%	47%
5AM	96	57		0		0		0	57	50%	61%	42%	45%
6AM	92	54		0	24	11	6	1	66	57%	70%	48%	52%
7AM	68	40	5	1	42	19	56	6	66	57%	70%	48%	52%
8AM	41	25	18	2	54	24	86	9	60	52%	64%	44%	48%
9AM	34	20	38	5	73	33	97	10	68	59%	72%	50%	54%
10AM	32	19	53	6	81	36	100	10	71	62%	76%	52%	56%
11AM	31	19	86	10	100	44	98	10	83	72%	88%	61%	66%
12PM	30	18	100	11	100	44	87	9	82	71%	87%	60%	65%
1PM	31	19	98	11	100	44	75	8	82	71%	87%	60%	65%
2PM	33	20	91	11	51	23	84	9	63	55%	67%	46%	50%
3PM	37	22	86	10	40	18	87	9	59	51%	63%	43%	47%
4PM	44	26	81	9	40	18	75	8	61	53%	65%	45%	48%
5PM	59	35	57	7	79	35	43	5	82	71%	87%	60%	65%
6PM	69	41	69	8	81	36	18	2	87	76%	93%	64%	69%
7PM	66	39	82	10	62	28		0	77	67%	82%	56%	61%
8PM	75	44	70	8	63	28		0	80	70%	85%	58%	63%
9PM	77	46	42	5	60	27		0	78	68%	83%	57%	62%
10PM	92	54	10	2	46	21		0	77	67%	82%	56%	61%
11PM	94	56		0	42	19		0	75	65%	80%	55%	60%

TABLE 4 Scenario #1 - Likely Saturday Shared Parking Analysis													
Time of Day	Residential		Commercial						Total Parking Spaces Utilized	% of Available Spaces Utilized			
	% of Parking Spaces Used	Spaces Used	Retail		Restaurant		Office			Proposed Law		w Resid & Restaurant Mods	w Addl Transit Credit
			% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used		1 & 2 bdms, 115 Spaces	1 bdm, 94 Spaces	by dwelling unit, 137 Spaces	by dwelling unit, 126 Spaces
12AM	95	57		0		0		0	57	50%	61%	42%	45%
1AM	95	57		0		0		0	57	50%	61%	42%	45%
2AM	95	57		0		0		0	57	50%	61%	42%	45%
3AM	95	57		0		0		0	57	50%	61%	42%	45%
4AM	95	57		0		0		0	57	50%	61%	42%	45%
5AM	100	60		0		0		0	60	52%	64%	44%	48%
6AM	98	59		0	15	8		0	67	58%	71%	49%	53%
7AM	94	57	13	2	23	12		0	71	62%	76%	52%	56%
8AM	89	54	27	3	39	20		0	77	67%	82%	56%	61%
9AM	59	36	61	7	56	28		0	71	62%	76%	52%	56%
10AM	71	43	75	9	100	50		0	102	89%	109%	74%	81%
11AM	67	41	90	10	100	50		0	101	88%	107%	74%	80%
12PM	66	40	100	11	100	50		0	101	88%	107%	74%	80%
1PM	64	39	99	11	100	50		0	100	87%	106%	73%	79%
2PM	64	39	98	11	53	27		0	77	67%	82%	56%	61%
3PM	69	42	88	10	29	15		0	67	58%	71%	49%	53%
4PM	73	44	68	8	36	18		0	70	61%	74%	51%	56%
5PM	78	47	56	7	42	21		0	75	65%	80%	55%	60%
6PM	80	48	73	9	53	27		0	84	73%	89%	61%	67%
7PM	83	50	52	6	100	50		0	106	92%	113%	77%	84%
8PM	84	51	53	6	42	21		0	78	68%	83%	57%	62%
9PM	87	53	44	5	29	15		0	73	63%	78%	53%	58%
10PM	89	54	29	4	30	15		0	73	63%	78%	53%	58%
11PM	95	57		0	40	20		0	77	67%	82%	56%	61%

TABLE 5														
Scenario #2 - Theoretical Maximum (No Combined Lots)														
Weekday Shared Parking Analysis														
Time of Day	Residential		Commercial						Total Parking Spaces Utilized	% of Available Spaces Utilized				
			Retail		Restaurant		Office			Proposed Law		w Resid & Restaurant Mods	w Addl Transit Credit	
	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used		1 & 2 bdms, 349 Spaces	1 bdm, 286 Spaces	by dwelling unit, 420 Spaces	by dwelling unit, 386 Spaces	
12AM	100	173		0		0		0	173	50%	60%	41%	45%	
1AM	100	173		0		0		0	173	50%	60%	41%	45%	
2AM	100	173		0		0		0	173	50%	60%	41%	45%	
3AM	100	173		0		0		0	173	50%	60%	41%	45%	
4AM	100	173		0		0		0	173	50%	60%	41%	45%	
5AM	96	166		0		0		0	166	48%	58%	40%	43%	
6AM	92	159		0		24	33	6	2	194	56%	68%	46%	50%
7AM	68	118	5	2	42	57	56	16	193	55%	67%	46%	50%	
8AM	41	71	18	6	54	73	86	25	175	50%	61%	42%	45%	
9AM	34	59	38	13	73	98	97	28	198	57%	69%	47%	51%	
10AM	32	56	53	17	81	109	100	28	210	60%	73%	50%	54%	
11AM	31	54	86	28	100	134	98	28	244	70%	85%	58%	63%	
12PM	30	52	100	32	100	134	87	25	243	70%	85%	58%	63%	
1PM	31	54	98	32	100	134	75	21	241	69%	84%	57%	62%	
2PM	33	57	91	30	51	69	84	24	180	52%	63%	43%	47%	
3PM	37	64	86	28	40	54	87	25	171	49%	60%	41%	44%	
4PM	44	76	81	26	40	54	75	21	177	51%	62%	42%	46%	
5PM	59	102	57	19	79	106	43	13	240	69%	84%	57%	62%	
6PM	69	120	69	23	81	109	18	6	258	74%	90%	61%	67%	
7PM	66	114	82	27	62	84		0	225	64%	79%	54%	58%	
8PM	75	130	70	23	63	85		0	238	68%	83%	57%	62%	
9PM	77	133	42	14	60	81		0	228	65%	80%	54%	59%	
10PM	92	159	10	4	46	62		0	225	64%	79%	54%	58%	
11PM	94	163		0	42	57		0	220	63%	77%	52%	57%	

TABLE 6														
Scenario #2 - Theoretical Maximum (No Combined Lots)														
Saturday Shared Parking Analysis														
Time of Day	Residential		Commercial						Total Parking Spaces Utilized	% of Available Spaces Utilized				
			Retail		Restaurant		Office			Proposed Law		w Resid & Restaurant Mods	w Addl Transit Credit	
	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used		1 & 2 bdms, 349 Spaces	1 bdm, 286 Spaces	by dwelling unit, 420 Spaces	by dwelling unit, 386 Spaces	
12AM	95	168		0		0		0	168	48%	59%	40%	44%	
1AM	95	168		0		0		0	168	48%	59%	40%	44%	
2AM	95	168		0		0		0	168	48%	59%	40%	44%	
3AM	95	168		0		0		0	168	48%	59%	40%	44%	
4AM	95	168		0		0		0	168	48%	59%	40%	44%	
5AM	100	176		0		0		0	176	50%	62%	42%	46%	
6AM	98	173		0	15	23		0	196	56%	69%	47%	51%	
7AM	94	166	13	5	23	35		0	206	59%	72%	49%	53%	
8AM	89	157	27	9	39	59		0	225	64%	79%	54%	58%	
9AM	59	104	61	20	56	84		0	208	60%	73%	50%	54%	
10AM	71	125	75	24	100	150		0	299	86%	105%	71%	77%	
11AM	67	118	90	29	100	150		0	297	85%	104%	71%	77%	
12PM	66	117	100	32	100	150		0	299	86%	105%	71%	77%	
1PM	64	113	99	32	100	150		0	295	85%	103%	70%	76%	
2PM	64	113	98	32	53	80		0	225	64%	79%	54%	58%	
3PM	69	122	88	29	29	44		0	195	56%	68%	46%	51%	
4PM	73	129	68	22	36	54		0	205	59%	72%	49%	53%	
5PM	78	138	56	18	42	63		0	219	63%	77%	52%	57%	
6PM	80	141	73	24	53	80		0	245	70%	86%	58%	63%	
7PM	83	147	52	17	100	150		0	314	90%	110%	75%	81%	
8PM	84	148	53	17	42	63		0	228	65%	80%	54%	59%	
9PM	87	154	44	15	29	44		0	213	61%	74%	51%	55%	
10PM	89	157	29	10	30	45		0	212	61%	74%	50%	55%	
11PM	95	168		0	40	60		0	228	65%	80%	54%	59%	

TABLE 7													
Scenario #3 - Theoretical Maximum (Some Combined Lots)													
Weekday Shared Parking Analysis													
Time of Day	Residential		Commercial						Total Parking Spaces Utilized	% of Available Spaces Utilized			
			Retail		Restaurant		Office			Proposed Law		w Resid & Restaurant Mods	
	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used		1 & 2 bdms, 346 Spaces	1 bdm, 283 Spaces	by dwelling unit, 415 Spaces	by dwelling unit, 382 Spaces
12AM	100	175		0		0		0	175	51%	62%	42%	46%
1AM	100	175		0		0		0	175	51%	62%	42%	46%
2AM	100	175		0		0		0	175	51%	62%	42%	46%
3AM	100	175		0		0		0	175	51%	62%	42%	46%
4AM	100	175		0		0		0	175	51%	62%	42%	46%
5AM	96	168		0		0		0	168	49%	59%	40%	44%
6AM	92	161		0	24	32	6	2	195	56%	69%	47%	51%
7AM	68	119	5	2	42	55	56	16	192	55%	68%	46%	50%
8AM	41	72	18	6	54	71	86	25	174	50%	61%	42%	46%
9AM	34	60	38	12	73	95	97	28	195	56%	69%	47%	51%
10AM	32	56	53	17	81	106	100	28	207	60%	73%	50%	54%
11AM	31	55	86	27	100	130	98	28	240	69%	85%	58%	63%
12PM	30	53	100	31	100	130	87	25	239	69%	84%	58%	63%
1PM	31	55	98	31	100	130	75	21	237	68%	84%	57%	62%
2PM	33	58	91	29	51	67	84	24	178	51%	63%	43%	47%
3PM	37	65	86	27	40	52	87	25	169	49%	60%	41%	44%
4PM	44	77	81	26	40	52	75	21	176	51%	62%	42%	46%
5PM	59	104	57	18	79	103	43	13	238	69%	84%	57%	62%
6PM	69	121	69	22	81	106	18	6	255	74%	90%	61%	67%
7PM	66	116	82	26	62	81		0	223	64%	79%	54%	58%
8PM	75	132	70	22	63	82		0	236	68%	83%	57%	62%
9PM	77	135	42	14	60	78		0	227	66%	80%	55%	59%
10PM	92	161	10	4	46	60		0	225	65%	80%	54%	59%
11PM	94	165		0	42	55		0	220	64%	78%	53%	58%

TABLE 8														
Scenario #3 - Theoretical Maximum (Some Combined Lots)														
Saturday Shared Parking Analysis														
Time of Day	Residential		Commercial						Total Parking Spaces Utilized	% of Available Spaces Utilized				
			Retail		Restaurant		Office			Proposed Law		w Resid & Restaurant Mods	w Addl Transit Credit	
	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used		1 & 2 bdms, 346 Spaces	1 bdm, 283 Spaces	by dwelling unit, 415 Spaces	by dwelling unit, 382 Spaces	
12AM	95	170		0		0		0	170	49%	60%	41%	45%	
1AM	95	170		0		0		0	170	49%	60%	41%	45%	
2AM	95	170		0		0		0	170	49%	60%	41%	45%	
3AM	95	170		0		0		0	170	49%	60%	41%	45%	
4AM	95	170		0		0		0	170	49%	60%	41%	45%	
5AM	100	179		0		0		0	179	52%	63%	43%	47%	
6AM	98	175		0	15	22		0	197	57%	70%	47%	52%	
7AM	94	168	13	5	23	34		0	207	60%	73%	50%	54%	
8AM	89	159	27	9	39	57		0	225	65%	80%	54%	59%	
9AM	59	106	61	19	56	82		0	207	60%	73%	50%	54%	
10AM	71	127	75	24	100	146		0	297	86%	105%	72%	78%	
11AM	67	120	90	28	100	146		0	294	85%	104%	71%	77%	
12PM	66	118	100	31	100	146		0	295	85%	104%	71%	77%	
1PM	64	115	99	31	100	146		0	292	84%	103%	70%	76%	
2PM	64	115	98	31	53	78		0	224	65%	79%	54%	59%	
3PM	69	123	88	28	29	43		0	194	56%	69%	47%	51%	
4PM	73	131	68	22	36	53		0	206	60%	73%	50%	54%	
5PM	78	140	56	18	42	62		0	220	64%	78%	53%	58%	
6PM	80	143	73	23	53	78		0	244	71%	86%	59%	64%	
7PM	83	148	52	17	100	146		0	311	90%	110%	75%	81%	
8PM	84	150	53	17	42	62		0	229	66%	81%	55%	60%	
9PM	87	156	44	14	29	43		0	213	62%	75%	51%	56%	
10PM	89	159	29	9	30	44		0	212	61%	75%	51%	55%	
11PM	95	170		0	40	59		0	229	66%	81%	55%	60%	

TABLE 9													
Scenario #5 - Ground Floor 100% Commercial													
Weekday Shared Parking Analysis													
Time of Day	Residential		Commercial						Total Parking Spaces Utilized	% of Available Spaces Utilized			
			Retail		Restaurant		Office			Proposed Law		w Resid & Restaurant Mods	w Addl Transit Credit
	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used		1 & 2 bdms, 347 Spaces	1 bdm, 298 Spaces	by dwelling unit, 502 Spaces	by dwelling unit, 449 Spaces
12AM	100	136		0		0		0	136	39%	46%	27%	30%
1AM	100	136		0		0		0	136	39%	46%	27%	30%
2AM	100	136		0		0		0	136	39%	46%	27%	30%
3AM	100	136		0		0		0	136	39%	46%	27%	30%
4AM	100	136		0		0		0	136	39%	46%	27%	30%
5AM	96	131		0		0		0	131	38%	44%	26%	29%
6AM	92	125		0	24	41	6	4	170	49%	57%	34%	38%
7AM	68	93	5	4	42	72	56	34	203	59%	68%	40%	45%
8AM	41	56	18	12	54	92	86	51	211	61%	71%	42%	47%
9AM	34	47	38	26	73	125	97	58	256	74%	86%	51%	57%
10AM	32	44	53	35	81	138	100	59	276	80%	93%	55%	61%
11AM	31	43	86	57	100	170	98	58	328	95%	110%	65%	73%
12PM	30	41	100	66	100	170	87	52	329	95%	110%	66%	73%
1PM	31	43	98	65	100	170	75	45	323	93%	108%	64%	72%
2PM	33	45	91	61	51	87	84	50	243	70%	82%	48%	54%
3PM	37	51	86	57	40	68	87	52	228	66%	77%	45%	51%
4PM	44	60	81	54	40	68	75	45	227	65%	76%	45%	51%
5PM	59	81	57	38	79	135	43	26	280	81%	94%	56%	62%
6PM	69	94	69	46	81	138	18	11	289	83%	97%	58%	64%
7PM	66	90	82	55	62	106		0	251	72%	84%	50%	56%
8PM	75	102	70	47	63	108		0	257	74%	86%	51%	57%
9PM	77	105	42	28	60	102		0	235	68%	79%	47%	52%
10PM	92	125	10	7	46	79		0	211	61%	71%	42%	47%
11PM	94	128		0	42	72		0	200	58%	67%	40%	45%

TABLE 10 Scenario #5- Ground Floor 100% Commercial Saturday Shared Parking Analysis													
Time of Day	Residential		Commercial						Total Parking Spaces Utilized	% of Available Spaces Utilized			
			Retail		Restaurant		Office			Proposed Law		w Resid & Restaurant Mods	w Addl Transit Credit
	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used	% of Parking Spaces Used	Spaces Used		1 & 2 bdms, 347 Spaces	1 bdm, 298 Spaces	by dwelling unit, 502 Spaces	by dwelling unit, 449 Spaces
12AM	95	132		0		0		0	132	38%	44%	26%	29%
1AM	95	132		0		0		0	132	38%	44%	26%	29%
2AM	95	132		0		0		0	132	38%	44%	26%	29%
3AM	95	132		0		0		0	132	38%	44%	26%	29%
4AM	95	132		0		0		0	132	38%	44%	26%	29%
5AM	100	138		0		0		0	138	40%	46%	27%	31%
6AM	98	136		0	15	29		0	165	48%	55%	33%	37%
7AM	94	130	13	9	23	44		0	183	53%	61%	36%	41%
8AM	89	123	27	18	39	74		0	215	62%	72%	43%	48%
9AM	59	82	61	40	56	106		0	228	66%	77%	45%	51%
10AM	71	98	75	49	100	189		0	336	97%	113%	67%	75%
11AM	67	93	90	59	100	189		0	341	98%	114%	68%	76%
12PM	66	92	100	65	100	189		0	346	100%	116%	69%	77%
1PM	64	89	99	65	100	189		0	343	99%	115%	68%	76%
2PM	64	89	98	64	53	101		0	254	73%	85%	51%	57%
3PM	69	96	88	58	29	55		0	209	60%	70%	42%	47%
4PM	73	101	68	45	36	69		0	215	62%	72%	43%	48%
5PM	78	108	56	37	42	80		0	225	65%	76%	45%	50%
6PM	80	111	73	48	53	101		0	260	75%	87%	52%	58%
7PM	83	115	52	34	100	189		0	338	97%	113%	67%	75%
8PM	84	116	53	35	42	80		0	231	67%	78%	46%	51%
9PM	87	121	44	29	29	55		0	205	59%	69%	41%	46%
10PM	89	123	29	19	30	57		0	199	57%	67%	40%	44%
11PM	95	132		0	40	76		0	208	60%	70%	41%	46%

Since the existing code current significantly underestimates the parking needed for restaurant developments, it is also recommended that the restaurant code be modified to require 1 parking space per 75 square feet plus 1 parking space per 5 seats. As for the one-bedroom residential development, this would ensure that anyone developing only restaurant space would provide his share of parking for the mixed-use area.

In all cases, a 15% transit credit for the parking for non-residential land uses could be applied to reduce excess parking provided. In addition, the Village could allow a detailed parking study to be conducted to reduce the parking requirements. In any case, it is recommended that the Village require a parking study be conducted by the developer to ensure that his particular mix of residential, retail, restaurant, and/or office space provides sufficient capacity, since parking demand and supply calculations vary considerably with different breakdowns of these uses.

With the parking requirements as proposed in the revised/amended draft law, there is the possibility that the requirements (especially for residential and restaurant uses) would be insufficient, such that vehicles would have to find parking on-street or in other lots. With the above modifications, the code calculations would require more parking than is realistically needed. The Village could look at this as a way to control over-development (i.e., require more parking to reduce the size of the development footprint). In addition, during the site review process, if the developer conducts a study that estimates that his development would require less than the code parking requirements, then the Village could choose to waive those parking requirements. Finally, if it becomes obvious once more development does occur in the area that the parking requirements are much too conservative, they can be revised (i.e., rather than having too little parking and needing to find it elsewhere, excess parking could be used as a credit for other sites and parking requirements for subsequent developments reduced). In addition, the proposed conservative approach to parking allows the developer to design according to code, but prove that less parking is needed so that he can reduce parking and increase his build footprint. This seems a more inviting approach to developers than allowing them to design according to code and then asking them to scale back because realistic parking requirements would not be met.