

MEMO TO: Mayor Pugh and the Village Board of Trustees

FROM: Chairman Luntz, Planning Board

RE: 485 South Riverside Avenue

DATE: November 12, 2020

At its regularly scheduled meeting on November 10, 2020, the Planning Board of the Village of Croton-on-Hudson reviewed the referral from the Village Board regarding a special permit use application for a Motor Vehicle Auto Repair Shop at 485 South Riverside Avenue.

The Planning Board reviewed the application according to the following goals as stated in Section 230-58 of the Village Code:

*A. The accessibility of all proposed structures to fire and police protection.*

This property is accessible to fire and police protection.

*B. The compatibility of the location, size and character of the proposed use with the orderly development of the zoning district in which it is located and with that of adjacent properties in conformity with the zoning district applicable to such properties.*

The Planning Board discussed the development goals of the Village in the area in which this property is located. Members cited the convenience of the train station within walking distance (Transit Oriented Development), the newly renovated ShopRite store across the street, and the recent construction projects nearby of mixed-use buildings (commercial and residential) in the gateway overlay district. It was their belief that 485 South Riverside Avenue (known also as 425 South Riverside) although not in the gateway district, would offer an excellent development opportunity to further the Village's goal to increase the number of all-residential or mixed-use buildings. It appears to the Planning Board that the Village is moving away from uses like auto repair in this area, most notably at 379 South Riverside Avenue and Happy Hearts Daycare Take Two (365 South Riverside Avenue).

The Planning Board expressed concerns that this use might impede the kind of development that the Village is striving for, however, the Planning Board recognized that although there may be longer term goals for this area in the village, the property owner is trying to work within the current zoning district guidelines. The Planning Board also noted that there is a current business (Straddles Gymnastics) that has been successful in operating at this location and continues to lease the space in the building. The Planning Board also recognized that it has been difficult to rent this property location especially during these challenging times. Two of the Planning Board members stated that they did not want to impede a new business owner from starting a new business, and that there exist four gas stations (two of these with auto repair shops) in the area. The owner of the property stated that the proposed lease was three years with an option to renew.

*C. The safety, convenience and congruity with the normal traffic of the neighborhood and of the pedestrian and vehicular traffic generated by the proposed use, taking into particular*

*account the location and size of such use, the nature and intensity of operations involved in or conducted in connection therewith, its site layout and its relation to access streets.*

The Planning Board agreed that there was no safety or traffic problems given there is a fenced-in area for the vehicles needing auto repair on the property. The Planning Board noted that there is an incongruity of having an auto repair shop next to a children's gymnastics center, but the Village Engineer noted that when Straddles Gymnastics had been relocated to this building, the property owner had provided for all safety requirements between his ET Equipment repair area and that the two areas had the appropriate fire-rated and ventilation separation between the two areas.

- D. The compatibility of the location and height of buildings, the location, nature and height of walls and fences and the nature and extend of landscaping on the site with adjacent land and buildings and their appropriate development.*

The Planning Board agreed that there are no proposed changes with respect to the current building in terms of location and height. The Planning Board cited the fence as being unattractive but given that it was an existing fence the site is not changing in any way.

- E. The preservation of ecological or environmental assets of the site or adjacent lands.*

The Planning Board agreed that this factor is not applicable to this application.

Based on their discussion, the Planning Board, by a 3-2 majority, recommends that the Village Board not issue a special permit for this use and consider changing the zoning in this area to allow zoning that is similar to the nearby South Riverside/Harmon Gateway Overlay District or the North Riverside C-1RB Zoning District (allowing three stories, maximum 35 feet and either complete multi-family building or allowing apartments on the first floor).

Two of the Planning Board members recommend that the special permit be issued and that the Village Board consider a sunset clause that would require renewal after three years.