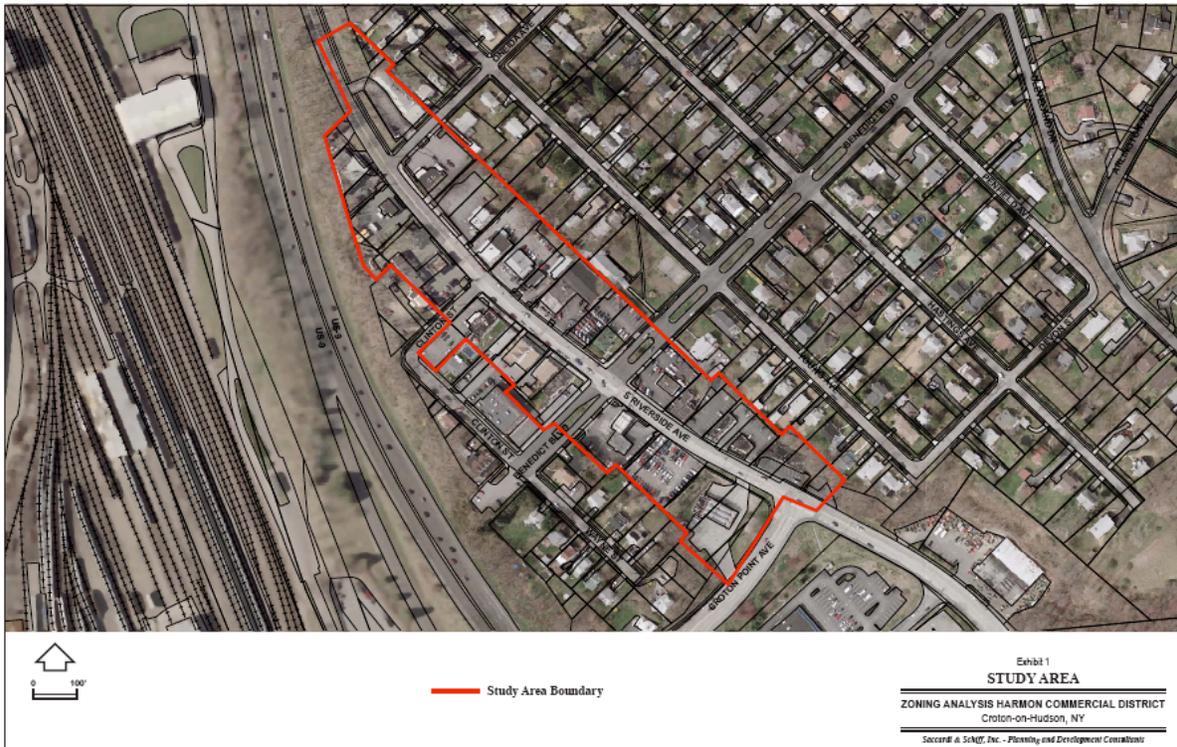


HARMON ZONING CHANGE RECOMMENDATIONS

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	
<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)	
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.

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	
<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)	
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	-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)

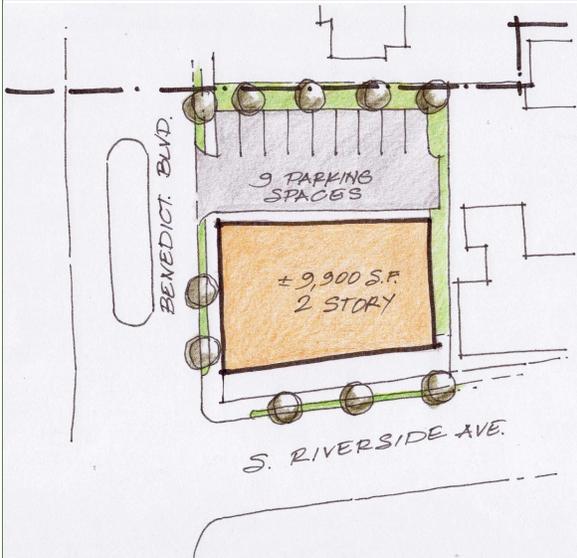


FIGURE 4A: Nappy lot at 0.8 FAR and 2 story limit.

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

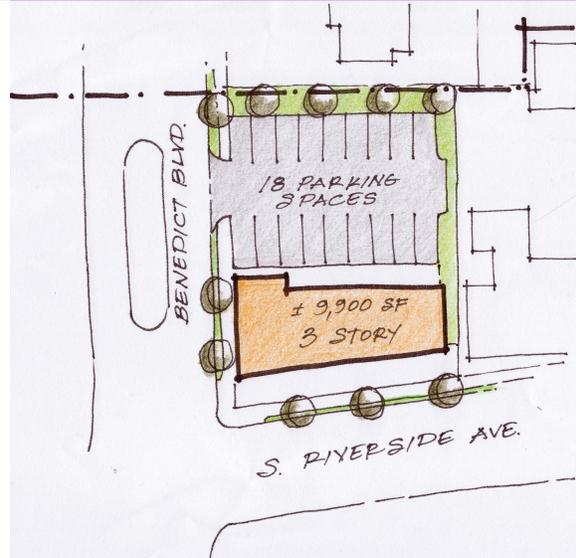


Figure 4b: Nappy lot at 0.8 FAR and 3 story limit.

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)

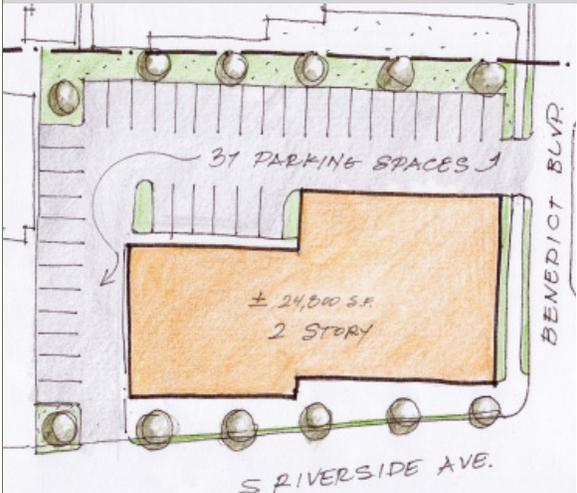


Figure 4c: Dodge lot at 0.8 FAR and 2 story limit

FAR 0.8 = maximum building of c. 24,800+ s.f.
 Parking spaces possible = 37

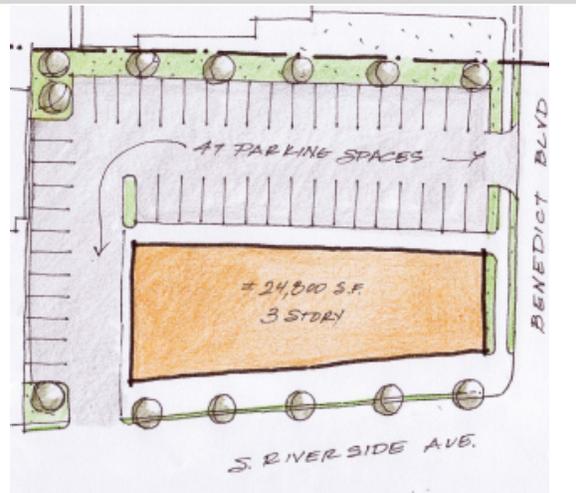


Figure 4d: Dodge lot at 0.8 FAR and 3 story limit

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.

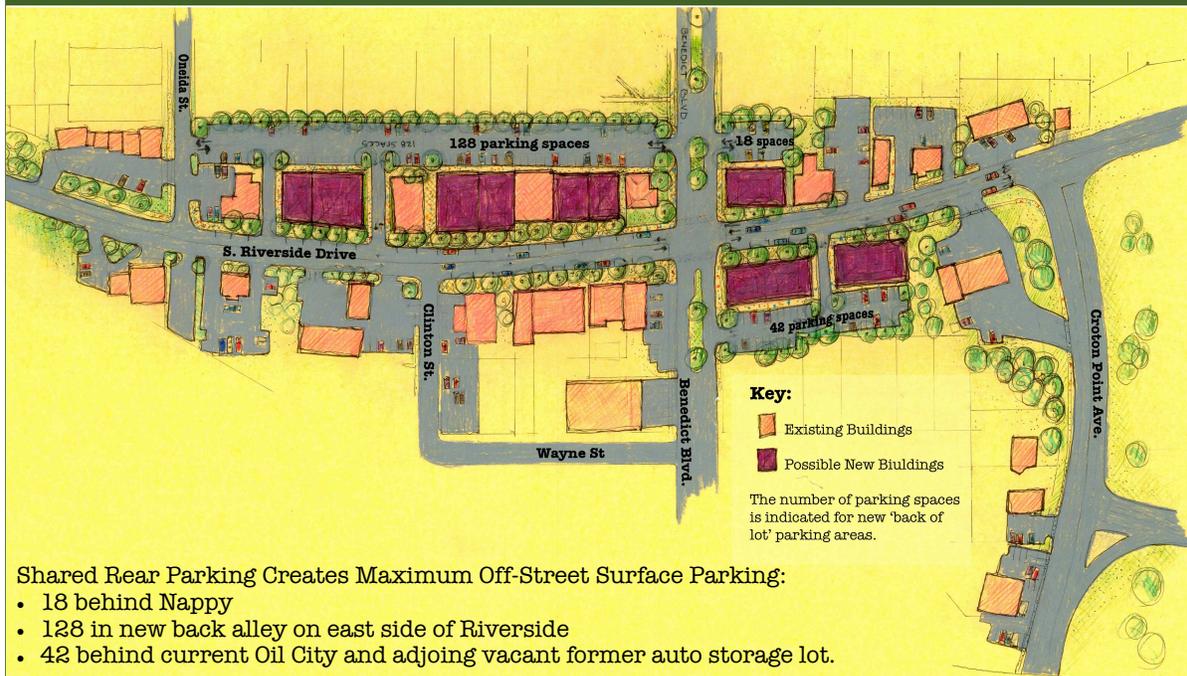
Shared Parking Provides Opportunities for Cooperation Between Property Owners

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 stud 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 #	Section: 79.13		Lot Size	Estimated Current Taxes	Current Use
(in S & S study)	Block	Lot	(Sq Ft)	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		Lot Size	Estimated Current Taxes	Current Use
	Block	Lot	(Sq Ft)	Rate/\$M: \$232.26 (2008-09)	
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'	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	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 LI 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.