

To: Croton Village Board of Trustees

Cc: Janine King, Village Manager  
Linda Whitehead, Village Attorney

From: Frank Fish, FAICP  
Noah Levine, AICP

Subject: BFJ response to comments on the proposed zoning for Municipal Place and North Riverside

Date: December 31, 2019

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Attached please find our response to comments and questions which the Board of Trustees requested we address, including the Planning Board's memo. Our attached response includes a one page summary of our recommendations, which is included at the end of the memo.

## **1. Size Restrictions for Parcels on Municipal Place**

All three of the parcels that front on Municipal Place are large enough to accommodate a mid-sized commercial use that might be considered to be desirable to the community (such as a Trader Joes or DeCiccós). The Planning Board expressed the view that the 8,000 sq ft limitation on any individual commercial tenant should be kept in the proposed zoning. Excluding the restriction of 8,000 square feet provides a little more flexibility for potential development. We understand that the Village is concerned about the potential for big-box retail (which typically exceeds 30,000 square feet). As a result, we would recommend that a 15,000 sq ft limit be established. This will effectively prohibit big boxes but will allow uses such as Trader Joe's which are usually in the 12,000-15,000 sq ft range.

## 2. Explanation of Residential Build-out Scenario for Katz Property

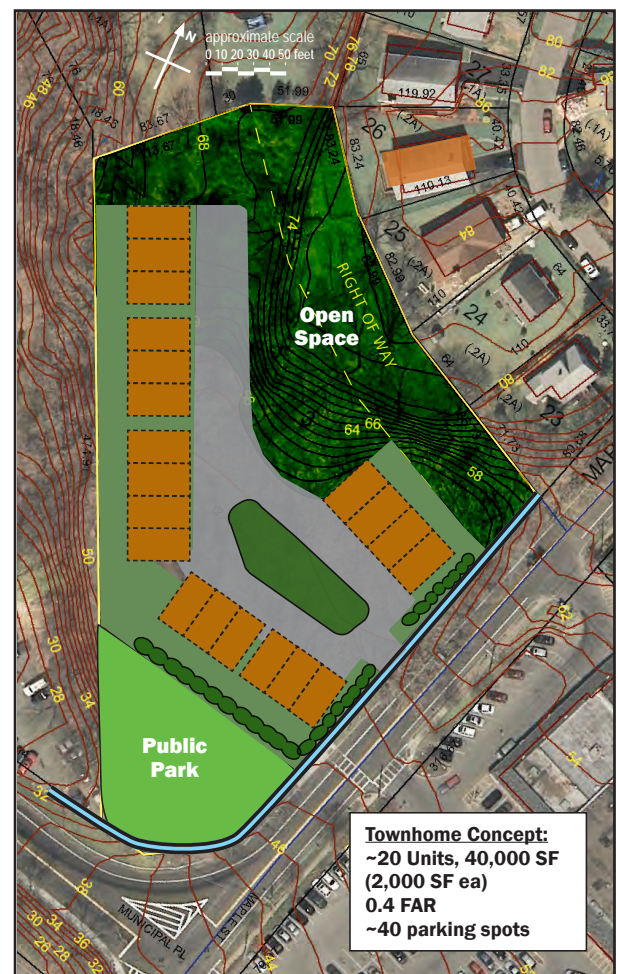
There were questions regarding the analysis of the number of units that could be built on the Katz property. The number of units that could be accommodated is largely dependent on whether parking is provided at grade or structured. It is reasonable to assume that an at-grade parking scenario is far more likely as the cost to build structured parking is not justified in today's real estate market. Preliminary layouts of housing by BFJ Planning indicate that around 40-45 units could be provided with a multi-family building. This layout was provided in the study and is shown below in Figure 1. The layout assumes a building of approximately 42,000 square feet and an average unit sizes of 1,000 square feet (including residential areas and common areas), which is a reasonable assumption. Naturally, if the apartment mix were skewed towards smaller apartments, there could be a slightly larger number of units.

Given the concern about the number of units, we would recommend reducing the FAR from 0.8 to 0.5, which is the FAR in the underlying C-2 district. Both a multi-family and a townhouse development can be reasonably built out within the existing C-2 FAR of 0.5. The layout shown has an FAR of 0.42.

For townhomes, the number of units would be less (between 20-25 units) depending on the size of unit and also assumes surface parking. A rough sketch of this scenario is shown in Figure 2. The 20 units shown assumes unit sizes of 2,000 square feet. Parking will be a key limit on the number of townhomes. The layout of the site is also limited due to the steep topography.



**Figure 1: Build-out concept 1 – Multi-family building**



**Figure 2: Build-out concept 2 - Townhouses**



## 3. Expansion of 50-foot buffer at Katz Property

The public raised the issue of potential impacts to views from upland properties and requested the Board consider extending the 50 foot buffer. The existing zoning text provides for a 50 foot vegetated buffer for the properties along Wells Avenue. It was asked that this buffer also include the properties along Beekman Avenue. This seems to be reasonable. The modified buffer area is shown in Figure 3. These buffer areas are not considered to be attractive locations for development due to the steep slopes. This buffer is located on both the Katz property and the Croton Auto Park property.

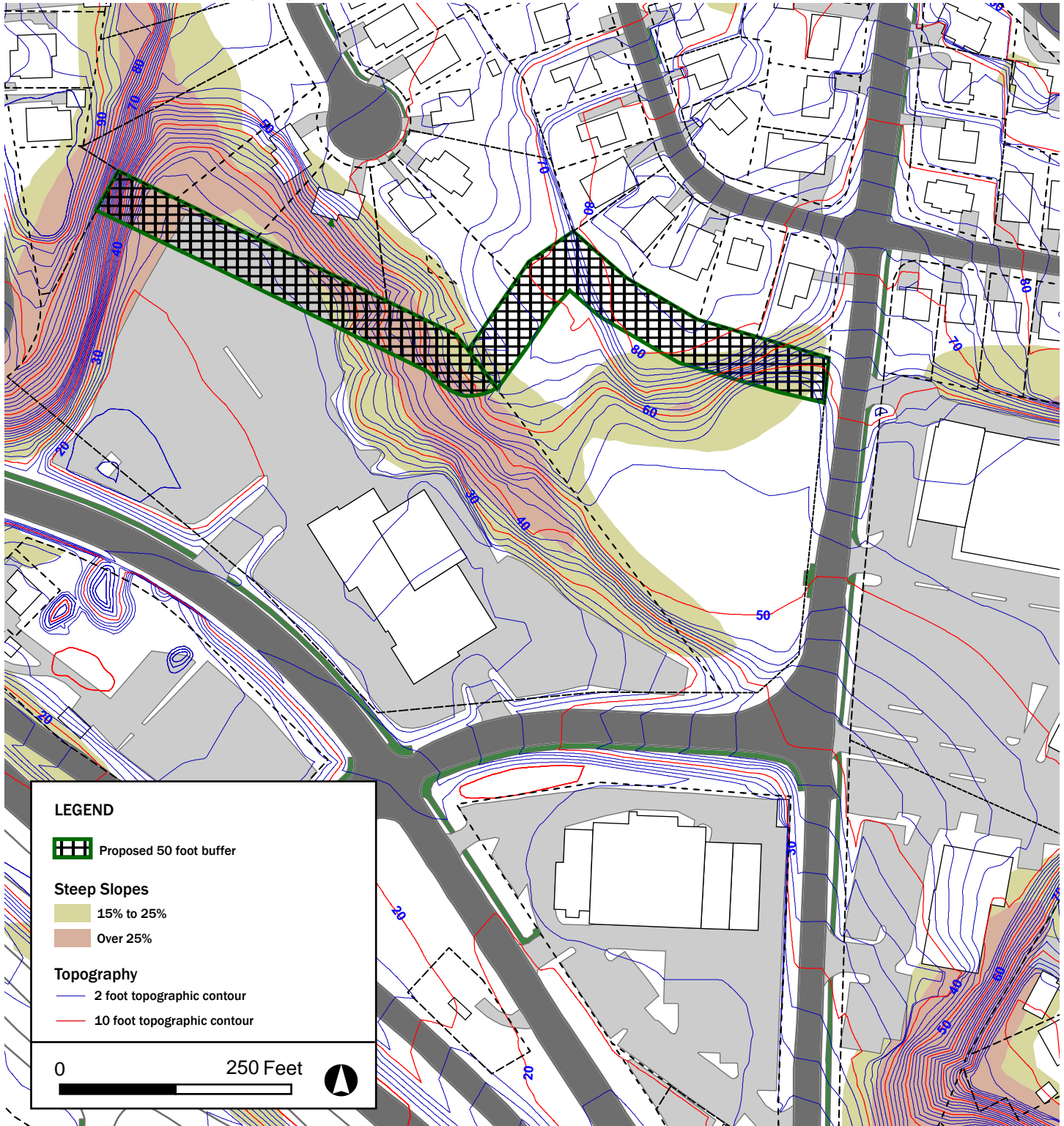
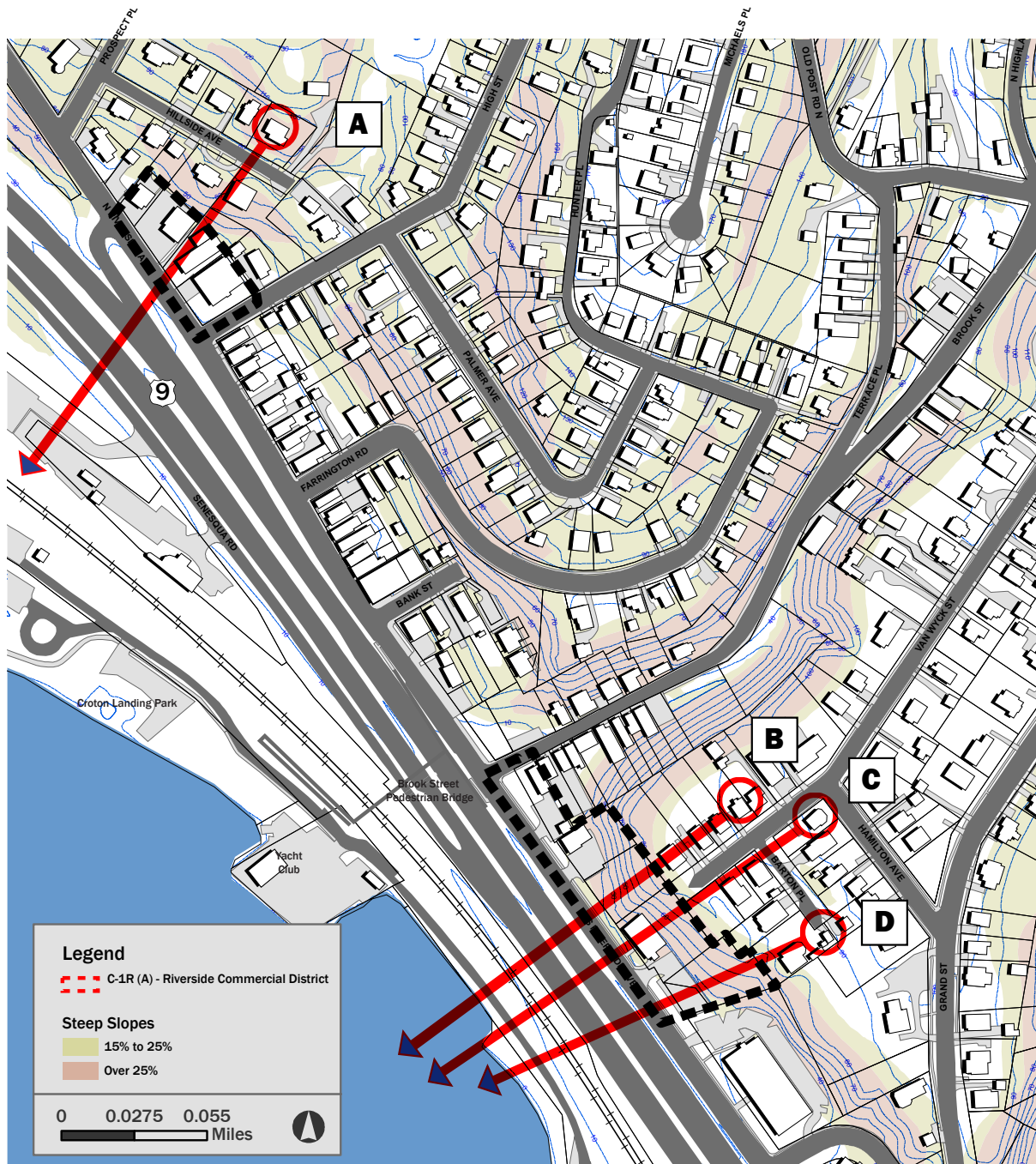


Figure 3: Proposed 50 foot buffer at Katz Property

## Proposed C-1RB District (on South Riverside Ave and North Riverside Ave)

### 4. View Shed Analysis

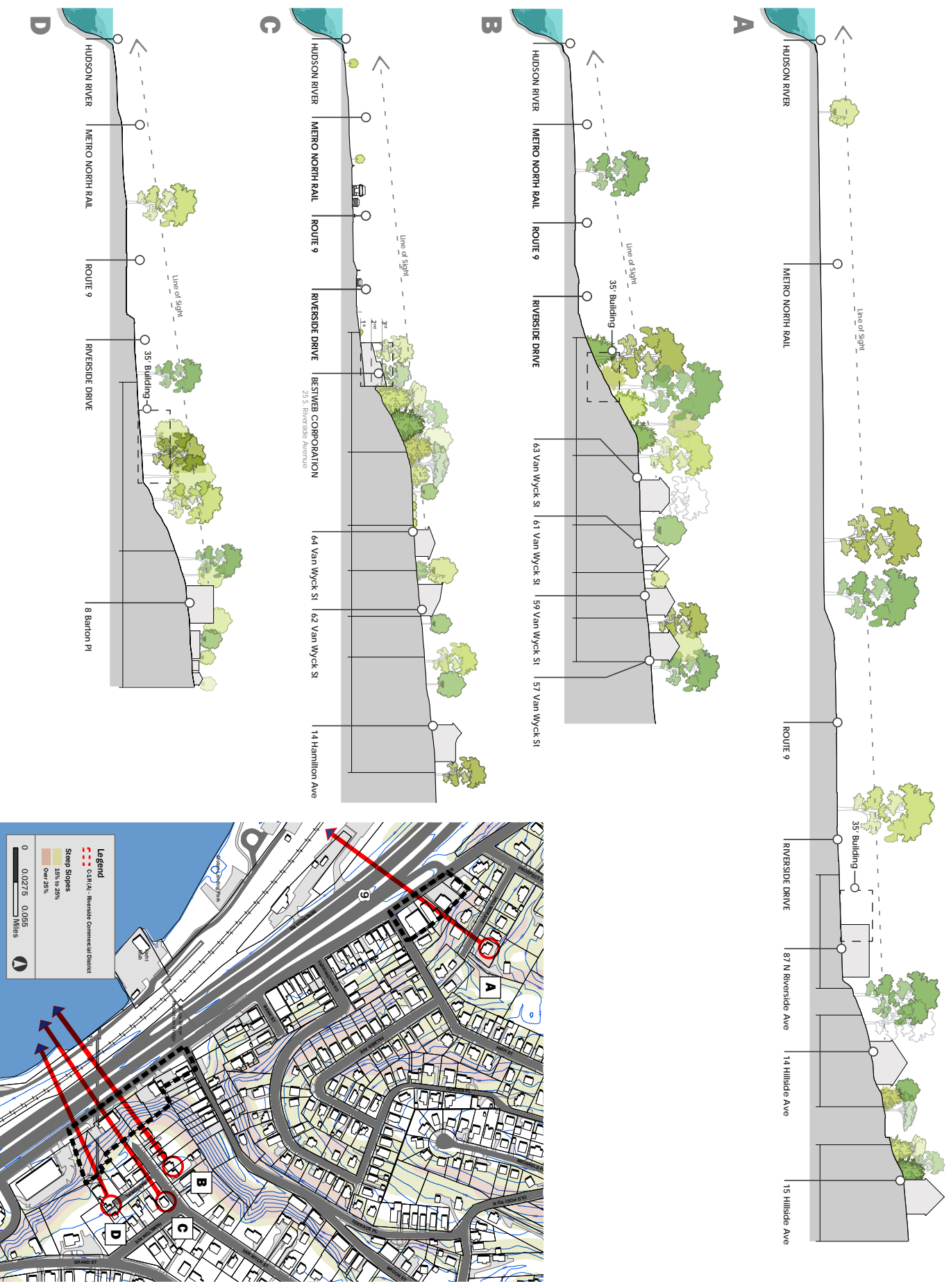
The Board of Trustees asked that additional diagrams be provided to show views from additional upland areas (see Figure 4 for the location of these upland areas). The sections provided in Figure 5 show that the buildable areas along Route 9A are generally tucked under a steep slope with a 40-50 foot elevation change. This slope is also vegetated. The dashed boxes at each of the sites shows building with a height of 35 feet. As shown, building to the existing allowed height of 35 feet would not impact existing views from upland properties. It is important to note that the maximum building height of 35 feet will not change from what is allowed in the existing zoning district.



**Figure 4: Steep Slopes and Viewshed Analysis**



Figure 5: Viewshed Analysis



## 5. Consideration of a Rear Yard Setback to Restrict Development on Slopes in C-1RB areas

The Board of Trustees heard some concerns from upland properties that rear yard setbacks may be needed to buffer upland areas from potential C-1RB development. As seen in Figure 6, there is a steep vegetated slope between the upland areas and the flat areas along South Riverside Avenue. The steep slope is located within the rear portion of the properties along South Riverside Avenue. At the former hardware store (25 Riverside Avenue), the sloped area from the building to the property line is 75 feet in depth.

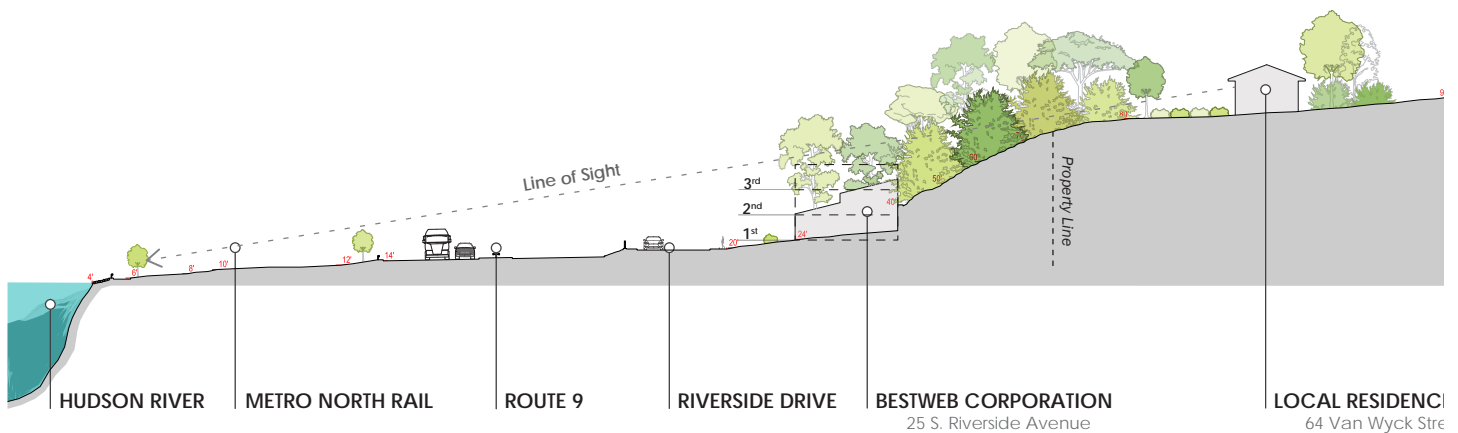


Street view (25 S. Riverside Avenue)

The most effective way to limit encroachment onto this slope is the existing steep slope ordinance. If a development sought to build into the slope, unless the encroachment was minimal, the applicant would have to obtain a steep slope permit from the Planning Board. The steep slope ordinance has 16 review standards provided in §195-3.

A second layer of protection is a rear yard setback. The current C-1 zones provide for either 0 or 10 feet if a setback is provided. We recommend establishing a 10 foot setback for the rear yard in the C-1RB zone. We would also give the Planning Board the right to double this setback in areas where a steep slope permit is needed and provided the lot has a sufficient lot depth. Thus the Planning Board could increase the rear yard setback to 20 feet if it determines that application of the steep slope permit process does not provide a sufficient buffer, and the configuration of the lot allows for both the 15 foot setback from the sidewalk and the larger rear yard setback.

It should be noted that the baseline 10 foot rear yard setback is all that can be required for the northern section of the proposed zone due to the smaller lot depths.



Section



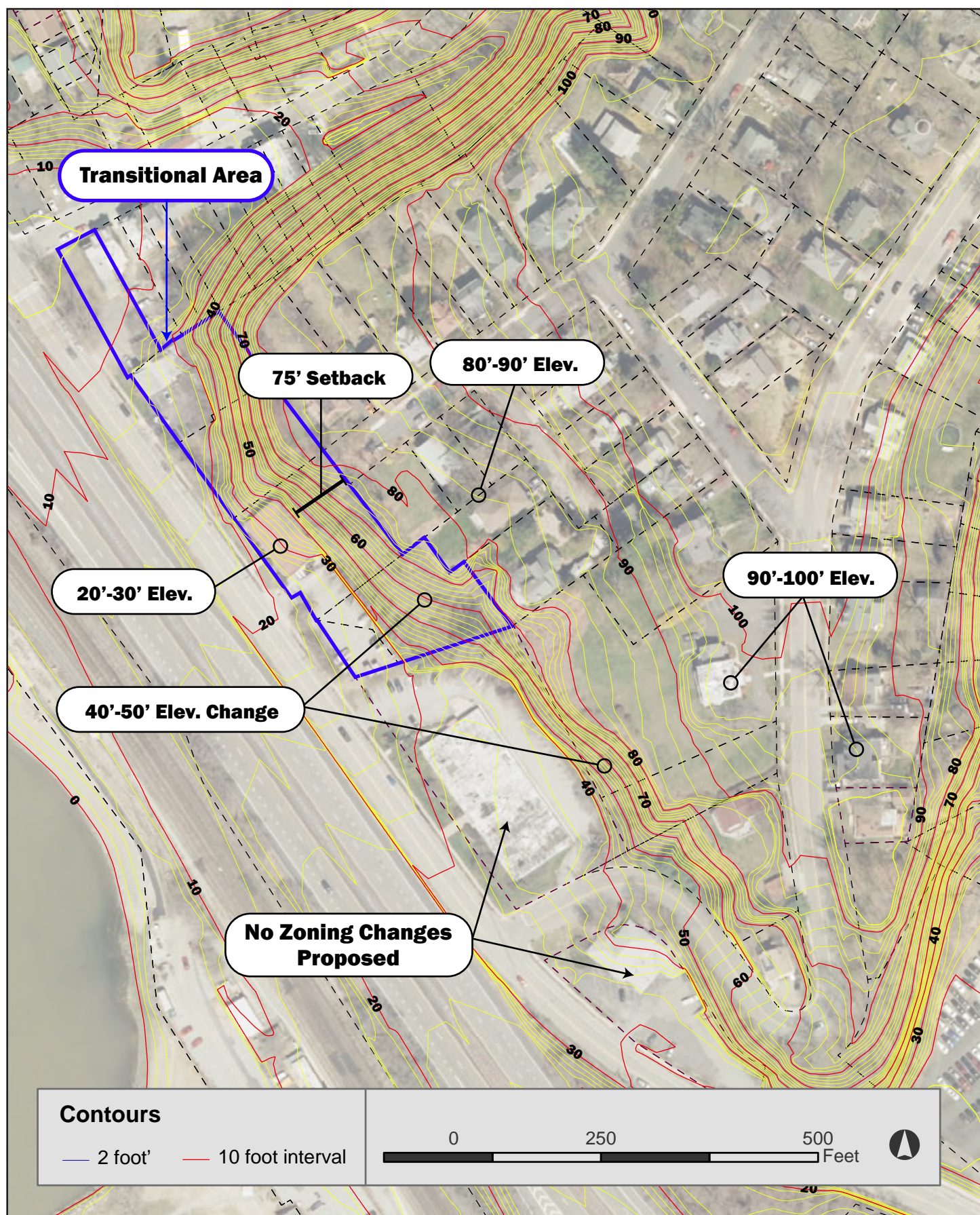


Figure 6: Elevations and South Riverside Drive



## **6. Relaxation of Open Space Requirement at Katz Property**

The draft zoning amendment has a provision which requires 10% of the site shall be used to create a publicly accessible open space at the corner of Municipal Place and Main Street. This equates to about 10,000 square feet. We agree that this percentage could be lowered somewhat based on amenities or improvements proposed. The Planning Board recommended that a 9% minimum be provided. We feel that a 1% reduction (roughly 1,000 square feet) is somewhat minimal. A 2% reduction (to 8% total) might allow developers to propose designs, materials, and amenities that are of higher quality. This reduction could be allowed at the discretion of the Village Board based upon the inclusion of additional amenities or public improvements as part of the project.

## **7. Additional Planning Board Comments**

The Planning Board recommended some additional text corrections for both proposed laws. These include a modification to language on building orientation to address a possible townhouse development, revising references to “buildings” fronting on Municipal Place to “lots” fronting municipal place, and in relation to the new districts created for North Riverside, the addition of references in other Code sections. We agree that these revisions should be made as may be determined appropriate by the Village Attorney.

## Municipal Place Gateway and North Riverside Neighborhood Zoning Study and Proposed Zoning Changes

### Summary of Recommendations:

#### **1. Tenant Size Restrictions for Parcels on Municipal Place**

The Planning Board asked that a size restriction of 8,000 sq ft for any commercial use be retained. This would eliminate the potential for big-box retail. Rather than eliminating any restriction, BFJ would recommend increasing the maximum from 8,000 sq ft to 15,000 sq ft to allow for uses like a Trader Joe's. Big box uses normally exceed 30,000 sq ft so they would be excluded.

#### **2. Concern over number of units on the Katz Property**

The memo explains the assumptions that went into the multi-family and townhouse buildout scenarios. If the Village is concerned about density, we recommend reducing the FAR from 0.8 to 0.5, which is the FAR in the underlying C-2 district, although still slightly higher than the Gateway Overlay FAR, which is 0.4 for multi-use buildings and 0.35 for single-use buildings.

#### **3. Expansion of 50-foot buffer at Katz Property**

It was asked if this buffer could also include the properties along Beekman Avenue. This seems to be reasonable and we have illustrated it. The illustration shows this buffer on both the Katz property and the Croton Auto Park property.

#### **4. View Shed Analysis**

Additional diagrams are provided to show views from upland areas. Due to the existing slopes, new development would not impact views. It is important to note that the maximum building height of 35 feet will not change under the proposed zoning.

#### **5. Consideration of a Rear Yard Setback to Restrict Development on Slopes in C-1RB areas**

There was concern about the potential for development on steep slopes in the C-1RB areas. The most effective way to limit encroachment onto this slope is the existing steep slope ordinance. A second layer of protection would be the establishment of a 10 foot rear yard setback. The Planning Board could be given the right to double this setback in steep slope areas.

#### **6. Relaxation of Open Space Requirement at Katz Property**

The Planning Board recommended that a 9% minimum be provided based upon the inclusion of additional amenities. We feel that a 1% reduction (roughly 1,000 square feet) is somewhat minimal. A 2% reduction (to 8% total) might allow developers to propose designs, materials, and amenities that are of higher quality.

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