



Planning Board

Stanley H. Kellerhouse Municipal Building
One Van Wyck Street
Croton-on-Hudson, NY 10520-2501

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STEVEN KRISKY
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GEOFFREY HAYNES
Attorney
JAMES STAUDT

Village Engineer
DANIEL O'CONNOR, P.E.

Secretary
RONNIE ROSE

TO: Mayor Pugh and the Board of Trustees

FROM: Robert Luntz, Chairman of the Planning Board

RE: Referrals from the Village Board regarding proposed Local Law Introductory 9-2019
And Local Law Introductory 10-2019 (the "Draft Laws")

DATE: November 20, 2019

At its regularly scheduled meetings on October 29, 2019 and November 12, 2019, the Planning Board of the Village of Croton-on-Hudson reviewed the referral from the Village Board regarding Local Law Introductory 9 of 2019 and Local Law Introductory 10 of 2019 (the "Draft Laws") to amend the Zoning chapter of the Village Code to modify certain provisions for the Municipal Place Gateway Overlay Zoning District and the North Riverside area of the Village.

The Planning Board reviewed the proposed zoning amendments as stipulated in Section 230-180 and made the following determination regarding Local Law Introductory 9-2019:

1. Concerning a proposed amendment to or change in text of the chapter:

- a) Whether such change is consistent with the aims and principles embodied in the chapter as to the particular districts concerned:
 - i) Such changes are consistent with the C-2 district for Local Law Introductory 9-2019.
- b) Which areas and establishments in the Village will be directly affected by such change and in what way will they be affected.
 - i) The Planning Board stated that it is self-evident as to which areas and establishments will be affected as these areas are shown in the Municipal Place Gateway and North Riverside Neighborhood Zoning Study. However, the Planning Board strongly recommends that a parking and traffic study be conducted as part of any development proposal.
- c) The indirect implications of such change in its effect on other regulations.
 - i) There are no indirect implications to regulations.
- d) Whether such proposed amendment is consistent with the aims of the Comprehensive Plan of the Village.
 - i) Local Law Introductory 9-2019 is consistent with the 2017 update of the Comprehensive Plan.
 - ii) The Planning Board pointed out that the DPW facility in the Gateway is not consistent with the aims of the Comprehensive Plan.

In addition to the review of as stipulated in Section 230-180, the Planning Board makes the following recommendations for Local Law Introductory 9-2019:

1. In Section 230-20.5F: Building orientation: The Planning Board expressed concern that by stating that “new buildings shall be oriented with the building front facing the street and situated close to the front property line to create a more continuous street wall”, that this language would preclude townhouse development. If the Village Board is considering townhouses, this specific language should be changed. The design guidelines are not conducive for townhouses and it is recommended that Section 230-20.5F of the design guidelines be modified so as to include the possibility of townhouse development.
2. In Section 1. Section 230-20.3B (4) in which it states “In the Municipal Place Gateway district area, on any *lot* in the C-2 District *having frontage on Municipal Place*”, the Planning Board notes that in the following sections, the wording is not consistent with the first section. The Planning Board recommends that the usage or wording should be made consistent throughout the local law so that it is clear that lots have frontage, not buildings. For example, at Croton Commons, the building does not front on Municipal Place, but part of the property lot fronts on Municipal Place.
 - a. Section 230-20.4B: “With the exception of ~~buildings~~ (lots) within the C-1 Zoning district in the Municipal Place Gateway area *fronting on Municipal Place*”
 - b. Section 230-20.4B: “With the exception of ~~buildings~~ (lots) within the C-2 Zoning district in the Municipal Place Gateway area *fronting on Municipal Place*”
 - c. Section 230-20.4B: “Maximum height for buildings within the C-2 Zoning District in the Municipal Place Gateway area (on lots) *fronting on Municipal Place*”
3. In Section 1(4)(b)[1]: Revise to read: Maximum floor area ratio (FAR) shall be “0.8” not “.8”.
4. In Section 230-20.3B(4)(c), “Open Space”, the Planning Board recommends that the following be added:
 - a. The Planning Board suggests that the Village Board may want to consider adding “at least” to the sentence below:

“Design of the public space shall include *at least* the following elements.”
5. The Village Board might want to consider adding the following for more flexibility:

That, the Board of Trustees may reduce the open space area to no less than 9% based on amenities or improvements proposed above those specified above.
6. In Section 2C: The Planning Board recommends that the Village Board carefully consider the long-term consequences of creating an *exception* of the exceedance of 8,000 square feet of gross floor area for buildings within the C-2 Zoning District in the Municipal Place Gateway area fronting on Municipal Place. The Planning Board recommends not creating an exception for 8,000 square feet of gross floor area for buildings in the Municipal Place Gateway area on lots fronting on Municipal Place. However, the Planning Board was in favor of providing an exception for 20,000 square feet buildings.

This suggestion would preclude the possibility of a “big box” store being constructed on a redeveloped Auto Park site, while still permitting larger buildings there.

7. It is noted that “attached single-family homes” is included in proposed Section 230-20.3B(4) but not Section 230.20.3B(4)(b) and should be added. For attached single family homes on the Katz site, the 0.8 FAR should be calculated with respect to the ratio that the aggregate of all building floor areas on the entire Katz property is in relation to the land area of the entire property.

The Planning Board members, with the exception of one member, were in favor of the proposed Local Law Introductory 9-2019 (4 in favor, 1 against).

The Planning Board members also want to go on the record in conveying to the Village Board their dissatisfaction with the location of the DPW vehicle washing shed and future fueling station in the Gateway area and encourages the Village Board to consider alternate possibilities. Additionally, the Planning board notes that within our own Comprehensive Plan, it advocates for this area being treated as a gateway area that should be an attractive welcoming arrival area into our beautiful village. The Planning Board was in unanimous agreement (5-0 in favor) on this specific recommendation.

The Planning Board reviewed the proposed zoning amendments as stipulated in Section 230-180 and made the following determination Local Law Introductory 10-2019:

1. Concerning a proposed amendment to or change in text of the chapter:

- a) Whether such change is consistent with the aims and principles embodied in the chapter as to the particular districts concerned:
 - i) Such changes are consistent with the C-1 district for Local Law Introductory 10-2019.
- b) Which areas and establishments in the Village will be directly affected by such change and in what way will they be affected.
 - i) The Planning Board stated that it is self-evident as to which areas and establishments will be affected as these areas are shown in the Municipal Place Gateway and North Riverside Neighborhood Zoning Study.
- c) The indirect implications of such change in its effect on other regulations.
 - i) There are no indirect implications to regulations.
- d) Whether such proposed amendment is consistent with the aims of the Comprehensive Plan of the Village.
 - i) Local Law Introductory 10-2019 is consistent with the 2017 update of the Comprehensive Plan.

2. Concerning a proposed amendment involving a change in the Zoning Map:

- a) Whether the uses permitted by the proposed change would be appropriate in the area concerned.
 - i) Zoning Map changes are proposed for the North Riverside Area and the proposed uses are appropriate.
- b) Whether adequate public school facilities and other public services exist or can be created to serve the needs of any additional residences likely to be constructed as a result of such change.
 - i) The Planning Board noted that this was discussed in the report and the public hearing and the Planning Board agreed that there would be minimal impact on schools and other public services (Police, Fire, etc.)
- c) Whether the proposed change is in accord with any existing or proposed plan in the vicinity.
 - i) The Planning Board noted that there are no such plans to date and therefore this is not applicable.
- d) The effect of the proposed amendment upon the growth of the Village as envisaged by the Comprehensive Plan.
 - i) The Planning Board note that Local Law Introductory 10-2019 is consistent with the Comprehensive Plan to promote the orderly development of the village.
- e) Whether the proposed amendment is likely to result in an increase or decrease in the total zoned residential capacity of the Village and the probable effect thereof.
 - i) The Planning Board agreed that the proposed Local Law Introductory 10-2019 is likely to increase the residential capacity of the village but the majority of the Board believed there would be no negative adverse effects with this residential increase.
 - ii) The Planning Board agreed that there could be adverse traffic impacts and reiterated the need for a parking and traffic impact study as part of any significant development proposal.

The Planning Board noted the following typos and revisions in Sections 1 and 2:

- a. This Section 1 should read 230-16.1 (not 117.1) Riverside Commercial C-1R(A) District
- b. Section 1C, and Section 2C: delete the colon marks and add periods.
- c. In Sections 1D and 2D: Delete “gasoline pumps” from the sentence: All permitted uses and all storage accessory thereto, other than off-street parking.”
- d. Section 2D: there is a footnote reference which either should reference an actual footnote or be deleted.
- e. In the Table of Permitted Uses Section 3: The Permitted Principal Use and Special Permit Uses should say Section 230-16A and 230-16B respectively. Also, the two rows should be consistent as to whether or not the code

section is listed. Also, the accessory use column should state any accessory use permitted in a C-1 district.

- f. The Planning Board recommends that the new zoning districts C-1 R(A) and C-1 R(B) be added to the following sections of the code:
- Section 230-5 Classes of districts
 - Section 230 Attachment D—add multi-family and attached single-family and code sections under Commercial zoning districts.
 - Proposed Section 230-16.1 F, Design regulation is provided for the new C-1 R(A) zoning district however a similar section on design regulations is not provided for the new C-1 R (B) zoning district. A design regulation section is also recommended for C-1 R(B) district.
 - Section 230-35 Limited Office O-1, Central Commercial C-1, General Commercial C-2 Districts
 - Section 230-42.1(A) Mixed-Occupancy
 - Section 230-43 Nonresidential buildings
 - Section 230-44 P(4) Signs

All the Planning Board members were in favor of the proposed Local Law Introductory 10-2019.

In summary, the majority of the Planning Board recommend Local Law Introductory 9-2019 and unanimously recommend Local Law Introductory 10-2019 with the specific statements and recommendations as listed herein.

cc: Janine King, Village Manager
Daniel O'Connor, P.E., Village Engineer