

VILLAGE OF IRVINGTON

PLANNING BOARD

85 MAIN STREET

IRVINGTON, NEW YORK 10533

TEL: (914) 591-8335 • FAX: (914) 591-5870



To: Irvington Board of Trustees

From: Irvington Planning Board

Date: August 11, 2014

Re: **ASTORBUCK PROPOSED ZONING CHANGE**

The Board of Trustees referred the application to the Planning Board for its recommendation. At its August 6, 2014 meeting, the Planning Board discussed the Astorbuck proposal and determined that in order to assist the Planning Board in reaching an informed recommendation concerning the proposed rezoning, the following comments/questions needed to be addressed. These comments/requests for additional information may be considered the Planning Board's input to a scoping phase for the environmental review of the proposed rezoning. Additional information may be requested in the future. The Planning Board members are available to address any questions regarding this memo. Thank you for providing the Planning Board the opportunity to comment on this rezoning matter.

Proposal Description:

The proposal is for the rezoning of certain parcels designated on the Irvington Tax Assessment Map as Volume 2, Sheet 07A, Block 230, Lots 16 through 25 (hereafter referred to as "Subject Property") fronting on South Buckhout Street and situated in the 1F-5 residential zoning district. Lots 16 through 24 are owned by the Applicant and Lot 25 is owned by the Village of Irvington. The Applicant also owns certain parcels west of and abutting the rear of the Subject Property that front on an easement extension of S. Astor Street and are designated as Volume 2, Sheet 07A, Block 230, Lots 1 through 6 (hereafter referred to as "2 Astor"). There is a vacant building located on 2 Astor. The Applicant also owns the lot and building directly north of the Subject Property. The building on that lot, formerly known as the Trent Building, is referred to in the Applicant's submission as the Stanford White Building at 50 South Buckhout Street (hereafter referred to as "50 Buckhout"). Two Astor and 50 Buckhout are zoned B Business.

The Applicant proposes to use the Subject Property to construct a parking lot for 43 vehicles for use by the businesses at 50 Buckhout. Per the Applicant's submission, there are currently "approximately 70 spaces" on the 50 Buckhout property. Also, per the Applicant's submission, the 50 Buckhout building contains 125,000 square feet of floor space. The Applicant notes in its submission that the number of spaces it provides on-site is "woefully inadequate" (Applicant's term) and the Applicant, at the Village's request, leases 60 spaces from Metro North Railroad (hereafter referred to as "MNR") to supplement its parking. The Applicant does not provide any other information regarding the 2 Astor building and property.

The Applicant has submitted a petition statement, a Part 1 Full Environmental Assessment Form, several survey maps, a proposed site plan, a section drawing through the property and an

artist's rendering of the view of the proposed parking lot from the east side of S. Buckhout Street.

Comments Regarding the EAF:

1. There seem to be some inconsistencies in the size of the area of disturbance as described in various parts of the EAF. In D.1. Proposed and Potential Development, question b., the total acreage to be physically disturbed is 2.67 acres, yet the total acreage of the site of the proposed action is 2.6 acres. In D.2. Project Operations, question e., Will proposed action disturb more than one acre and create stormwater runoff... The answer given is “no”, which appears contradictory to D.1.b. The Applicant needs to clarify these seeming inconsistencies.
2. D.2. Project Operations, question l., *ii*. Hours of operation “during operations” Monday to Friday : 8 am to 6 pm. Considering that there is a restaurant and yoga studio in the building that operate on the weekend and the evening, why would the parking lot not be in operation during weekend hours? Are there other uses in the building open on the weekends or evening that might also use the lot?
3. D.2. Project Operations, question n., *i*. and *ii*. Will the proposed action have outdoor lighting and will proposed action remove existing natural barriers that could act as a light barrier or screen? The stanchion lights at Scenic Hudson Park as well as the lights from other structures and buildings not now visible from S. Buckhout Street will likely become visible to the residents on S. Buckhout Street once the trees are removed from the Subject Property. The Applicant needs to show how these potential impacts can be mitigated.
4. E.1. a. Existing land uses adjoining and near the project site. There are residences abutting the Subject Property to the south and directly across the street. Residential (suburban) needs to be checked.
5. E.1.b. Land Uses and Cover Types on the Project Site. It appears from aerial photos and the plans and survey submitted by the Applicant that nearly the entire Subject Property is undeveloped, yet the Applicant notes that 1.82 acres of the building site is covered by impervious surfaces and .57 acres is forested. The Applicant needs to provide further information as to how the acreages in table b. on page 9 were calculated and how they relate to the acreages in D.1.b.
6. E.2.e.and f. Natural Resources On and Near Project Site—The drainage status of project site soils and slope percentages need to be reviewed. The provided percentages do not add to 100% and the boxes are not appropriately checked.

Other Comments—Astorbuck Rezoning Proposal

1. The zone change does not appear to be consistent with the recommendations for the Subject Property in the 2003 Comprehensive Plan. (See 2003 Comprehensive Plan, Future Land Use map, page 81). Designating the Subject Property as mixed use and rezoning it to a B Business use appears to be an intrusion of commercial uses into an established residential neighborhood. The Applicant needs to explain how the proposed rezoning is consistent with the goals and objectives of the Comprehensive Plan and how any adverse impacts from the proposed rezoning and development would be mitigated.

2. It is accepted zoning practice to create zoning district boundaries along rear or side lot lines whenever possible, in order to minimize the potential for creating incompatible uses facing each other on the same street (e.g., a commercial use facing residential uses, or an industrial use facing an institutional use). The Applicant needs to explain how the proposed non residential uses will be compatible with the existing residential uses and/or how any adverse impacts to the residential neighborhood can be mitigated.
3. The existing tree and understory growth on the Subject Property provides a visual buffer between the single family residences on S. Buckhout Street and the Trent Building, 1 S. Astor Street, 2 S. Astor Street and Scenic Hudson Park. The proposed removal of the 100 +/- trees on the Subject Property will eliminate this visual buffer. While the proposed development may create some views of the Hudson River from upper floors of the houses on S. Buckhout Street, it appears that the first floor and street level views will be of the roofs and upper floors of 1 and 2 S. Astor Street. How does the Applicant intend to mitigate these potential impacts?
4. According to the site plan submitted by the Applicant, the proposed parking lot will require the construction of retaining walls ranging in height from 9 feet to about 21 feet on the west side of the Subject Property facing the rear of the buildings at 1 and 2 S. Astor Street. What will be the visual impact of these walls from 1 and 2 S. Astor Street and the surrounding area?
5. How will stormwater runoff from the new impervious surfaces be treated and handled?
6. How and for what purpose did the Village acquire Lot 25? If for open space, there could be an issue with alienation of park land if the property is used for another purpose.
7. How many sq. ft. of useable space are in the Trent Building?
8. How many sq. ft. of space are currently occupied?
9. What are the types of businesses currently occupying the Trent building by number of square feet?
10. How many off-street parking and loading spaces are required for the Trent Building based on the existing zoning and uses currently in the building?
11. How many sq. ft. are there in the vacant building at 2 S. Astor Street?
12. What are the plans for 2 S. Astor Street and how will parking be provided for that building?
13. Does 2 S. Astor Street have any parking spaces or room for spaces on its lot? If so, how many?
14. How many spaces will be lost on the Trent Building site or Village-owned property by creating the proposed parking lot; and what will be the net gain in parking spaces if the proposed lot is constructed?
15. What happens to the spaces being rented from MNR if the proposed parking is approved? If the lease with MNR is terminated, what impact will that have on the total number of parking spaces available for the Trent Building and 2 S. Astor? How will the loss of the MNR spaces affect the ability of Astorluck to meet the parking requirements under the zoning ordinance?
16. Is there any provision in the zoning ordinance that would prevent the Applicant from constructing a non residential building on the Subject Property at some future date if the zone change is approved?