



## ***MEMORANDUM***

-----

**To:** Chairman Parkinson & Members of the Planning Board  
**From:** Patrick Cleary, AICP, CEP, PP, LEED AP  
**Date:** June 16<sup>th</sup>, 2020 Planning Board Meeting  
**Re:** Centro Larchmont, Mixed-Use Building, 108-114 Chatsworth Avenue – (Block 6, Lot 409) – Site Plan, Special Permit and SEQR Reviews

-----

The following memorandum addresses the Site Plan and Special Permit applications submitted by Elk Chatsworth LP, for property located at 108-114 Chatsworth Avenue. The material reviewed consisted of a cover letter from HKP, correspondence from Elk Homes, Traffic and Parking Study from Kimley Horn, school impact summary letter from Kimley Horn, SWPPP prepared by Bibbo Associates, a full EAF and the following plans:

- G000 Zoning Cover Sheet, prepared by Perkins Eastman, dated April 30, 2020.
- AS101 Architectural Site Plan, prepared by Perkins Eastman, dated April 30, 2020.
- A101 Basement and Ground Floor Plans, prepared by Perkins Eastman, dated April 30, 2020.
- A102 Second and Third Floor Plans, prepared by Perkins Eastman, dated April 30, 2020.
- A103 Fourth and Fifth Floor Plans, prepared by Perkins Eastman, dated April 30, 2020.
- A104 Roof Construction Plan, prepared by Perkins Eastman, dated April 30, 2020.
- A201 Exterior Elevations, prepared by Perkins Eastman, dated April 30, 2020.
- A202 Exterior Elevations, prepared by Perkins Eastman, dated April 30, 2020.
- A301 Building Sections, prepared by Perkins Eastman, dated April 30, 2020.
- A302 Building Sections, prepared by Perkins Eastman, dated April 30, 2020.
- L-1 Landscape Plan, prepared by Perkins Eastman, dated May 1, 2020.
- EX-1 Existing Conditions Plan, prepared by Bibbo Associates, LLP, dated March 13, 2019, last revised April 30, 2020.
- SP-1 Site Plan, prepared by Bibbo Associates, LLP, dated March 13, 2019, last revised April 30, 2020.
- D-1 Details, prepared by Bibbo Associates, LLP, dated March 13, 2019, last revised April 30, 2020.
- N-1 Neighboring Properties Plan, prepared by Bibbo Associates, LLP, dated March 13, 2019, last revised April 30, 2020.

### **PROPOSED PROJECT:**

The proposal involves the redevelopment of an existing 11,070 square foot parcel fronting on Chatsworth Avenue that currently supports a vacant one-story commercial building, to accommodate a new 5-story mixed use building including 2,450 square feet of retail space on the ground floor and 14 apartments

on the 2<sup>nd</sup> through 5<sup>th</sup> floors. The apartments would consist of 5 – 3-bedroom units, 8 – 2-bedroom units and 1 – 1-bedroom unit which would be designated as an Affordable Affirmatively Furthering Fair Housing (AFFH) unit. 25 off-street parking spaces are provided within the ground floor level of the building, accessed via an existing easement to Wendt Avenue. Various building amenities are proposed including a fitness area, enclosed bike storage, a rooftop terrace and live roof planting area. New stormwater management facilities and utility connections are also proposed along with associated site improvements.

**SITE PLAN REVIEW COMMENTS:**

**1. Use:**

The site is located in the RC – Retail Center Commercial District. The proposed development is classified as a Public Amenity Supplemented Mixed-Use Development, and permitted subject to the approval of a Special Permit by the Village Board and the recently adopted zoning criteria set forth in §381-51 N. Refer to Special Permit review comments below.

**2. Dimensional Compliance:**

While the site is located in the RC - Retail Center Commercial District, the RC dimensional regulations are superseded by those established for a Public Amenity Supplemented Mixed-Use Development. The following table documents the proposed project’s compliance with both the RC and the PAMUD dimensional regulations:

<b>Zoning Provision</b>	<b>RC Zone</b>	<b>PAMUD Zone</b>	<b>Proposed</b>
Minimum Lot Area	1,000 sq ft	10,000 sqft	11,070 sqft
Minimum Lot Width	20’	40’	100’
<b>Principal Building Setbacks:</b>			
Front Yard	N/A	0’	0’
Side Yard (One)	N/A	0’	0’
Side Yard (Both)	30’	0’	0’
Rear Yard	15’	0’	0’
<b>Coverage</b>			
Principal Building Coverage	80%	100%	85.8%
Accessory Building Coverage	10%	N/A	N/A
<b>Maximum Height</b>			
Principal Building Height (Stories)	2 stories	4 stories <sup>(1)</sup>	5 stories <sup>(2)</sup>
Principal Building Height (Feet)	25 feet	50 feet	49’ 7” feet

- (1) A partial 5<sup>th</sup> story may be permitted in accordance with §381-51 N. (9) provided however, such it is set back by at least 25% of the depth of the building from the Chatsworth Avenue façade of the story below it, and is no more than 60% of the square footage of the story below it and is no more than 13 feet in height.
- (2) The partial 5<sup>th</sup> story complies with the provisions of §381-51 N. (9) noted above.

**3. Affordable Affirmatively Furthering Fair Housing (AFFH)**

The proposal involves the provision of one AFFH unit. The applicant must document compliance with the AFFH requirements set forth in §381-45 of the Zoning Code. Compliance with these requirements will be established as site plan approval conditions.

**4. Off-Street Parking Zoning Requirement:**

The off-street parking requirement for this site consists of the combination of the requirements for the proposed retail and multi-family uses:

- Multi-Family Dwellings = 1.25/dwelling unit
- Retail = 1 space/250 sqft of gross floor area

Residential - 14 DU x 1.25 = 17.5 spaces

Retail – 2,450 sqft/250 = 9.8 spaces

Total Spaces Required = 28 spaces

The site plan indicates that 25 off-street parking spaces are proposed. **A 3-space parking deficiency exists.**

This site is located within the RC Zoning District where a payment in lieu of required parking is an option, per §381-65. Additionally, §381-62 B. (3) provides credit for existing parking spaces utilized for a prior use.

**5. Parking Lot Configuration:**

- The site plans do not include dimensions for the parking spaces or travel aisles. These dimensions must be added to the plans. The spaces scale off between 7.5’ to 8’ in width and 18’ in depth. §381-61 A. establishes a minimum parking stall size as 8’ x 18’. Clarification is required.
- Clarification is required to ensure that columns of other structural elements do not encroach into the minimum required parking stall dimensions.
- Clarification of the “Automated Parking Spaces” should be provided. It is understood that this system incorporates a lift so two cars can occupy the area of a single parking space.
  - Where and how large is the lift equipment? Does this equipment encroach into the required parking stall area? Specifications of the equipment is requested.

- Is the space below and space on the lift above assigned to a single tenant?
  - How is the space above on the lift accessed if a car is parked below? Who jockeys the vehicles?
  - Where is the bottom car placed while the car above on the lift is lowered?
  - Is a parking attendant required to operate this system? If so, will this attendant be available 24/7/365?
  - Clarify why the number of parking spaces is not doubled through the use of the automated parking spaces. 2 spaces are provided above 3 spaces on the north side and 8 spaces are provided above 9 on the south side. The use of this system should be maximized.
- Ideally, the last parking spaces in a parking garage should have a back-up “hammerhead” space to accommodate the back-up maneuver. Without an understanding of the location of columns and lift equipment, it is unknown if some additional backup space could be reclaimed from pedestrian aisles, or other areas.
  - The proposed parking spaces are arrayed along a double loaded, two-way travel aisle. While not a zoning dimensional requirement, the typical minimum dimension for a two-way travel aisle is 24’. 23’ 2” is proposed.
  - Would expanding the automated parking system on the north side to include spaces 2 and 3, free up additional space to address some of the challenges noted above?

## **6. Vehicle Access:**

Vehicular access to the parking garage is proposed through an existing easement that runs along the western edge of the site, across the Gaita property located to the south, between an existing two-story commercial building and the Chase bank parking lot, where it connects to Wendt Avenue.

- A copy of the easement should be provided to the Planning Board Attorney for review.
- The existing driveway within the easement is 10’ in width. It should be noted that while this is an existing driveway easement that served the prior use of the site, its width is insufficient for even one way traffic for a mixed-use building (a 12’ wide driveway would typically be required for one-way traffic), but this driveway will serve two-way traffic, where a 24’ wide driveway would typically be required.

Measures should be provided to alleviate two-way traffic conflicts within this shared driveway, such as mirrors, traffic control lights, signage, etc. For example, similar to systems used in urban parking garages, when a vehicle passes the garage exit, a red light is triggered preventing a vehicle from entering the driveway at Wendt Avenue. Without such measures, the inevitable vehicle conflicts will require vehicles to back down the driveway. The Gaita building also shares the use of this driveway, complicating access concerns.

- Is it possible to utilize a portion of the Gaita parking lot to create “pull-off” which would allow vehicles to pass without the need to back down the driveway?
- Turning templates are required to demonstrate that the turning radius from the driveway to and from the garage, can be safely navigated. It is noted that the garage opening is shown as 19 ½’ in width. This appears to be a very tight turning radius.
- A pedestrian door is proposed on the southwest corner of the building, that would open into the 10’ driveway, creating a potential area of conflict with vehicles. Is it possible to relocate this door to the east side of the garage so it exists onto the pedestrian walkway?

#### **7. Building Service Access:**

A trash enclosure is proposed at the terminus of the 10’ driveway, a distance of 178’ from Wendt Avenue. This is a long distance to require a refuse truck to back up.

Do any options exist to relocate the trash enclosure closer to the street?  
Is access from the Village parking lot possible?

#### **8. Chatsworth Avenue Building Frontage and Streetscape:**

- The site plans are inconsistent regarding the depiction of the number of entrances into the retail space on Chatsworth Avenue (2 or 1). The street level, ground floor appearance and functional operation of this area is critically important to integrating this new building into the Chatsworth Avenue streetscape.
- Clarify that the overhead utility lines along the site’s frontage will be relocated underground.
- It is noted that two sets of bicycle racks will be installed in the sidewalk in front of the building. Verify that adequate clearance will be maintained for pedestrian circulation (and ADA compliance) when the racks contain parked bikes.
- As the bike racks will be installed in the public right-of-way, the type and design of the racks must be approved by the Village. Who will be responsible for the maintenance of the bike racks?

- The existing sidewalk, granite curbing, street lights and relatively new street trees are all in good condition. How will these features be protected during construction? Is replacement anticipated?
- It is noted that at least 3 separate utility service connections are required across the sidewalk. Will the existing sidewalk need to be cut and excavated? Is patching required? Ensuring a uniform sidewalk appearance is important.
- Are any other utility, building or structural appurtenances proposed within the sidewalk right-of-way, such as vents, vaults, Bilco doors, boxes, etc.?

**9. Accessory Architectural Features:**

Clarify the awnings proposed above the windows along Chatsworth Avenue. How far will these awnings extend into the right-of-way? What is the height from the sidewalk to the awning? Are any columns, posts or brackets required to support the awnings? What awning materials are proposed?

Clarification is requested regarding the presence of any other architectural features that may extend off the building and encroach into the Chatsworth Avenue right-of-way, the pedestrian walkway of access easement.

**10. Utilities:**

The project will be served by public sewer and water services located in Chatsworth Avenue. A natural gas service connection is also proposed to the existing gas line in Chatsworth Avenue.

- The applicant must document that adequate capacity exists to accommodate the projects water demand and sewage generation within the existing systems.
- Clarify the gas connection. Presumably, the new building has an increased gas demand above the prior use. How is this addressed under the current Con Ed gas moratorium?
- The proposed location of electric, telephone, cable and any other utilities should be indicated on the plans.
- Are any wireless telecommunication facilities proposed at this location?

**11. Stormwater Management:**

The proposed development must comply with the provisions of the New York State Stormwater Management Design Manual. The proposed stormwater management plan involves a subsurface infiltration drywell system and a green roof area.

Review and comment by the Village Consulting Engineer is required.

**12. Site Lighting:**

No new exterior site lighting is depicted on the site plan. Clarify if any exterior lighting is proposed, including building wall mounted lighting, garage lighting, signage lighting. Details are required.

**13. Signage:**

The project rendering depicts sign locations. It is unclear if these are specific locations or simply illustrative. Clarification is requested.

**14. Landscaping:**

No ground level landscaping is proposed. The applicant intends to preserve the existing street trees located on Chatsworth Avenue.

Landscaping is proposed around the perimeter to the roof deck. The applicant describes this area as a “live roof planting area.” Clarify if this planting area is at the deck level, or enclosed within planters.

The plantings consist of ground cover, aster and two species of fountain grass, which do not appear to be native to Westchester County. It is always preferable to utilize native species, whenever possible.

Is irrigation proposed? Clarification is requested.

**15. Demolition and Construction Management Plan:**

In accordance with the requirements of §381-68 E., a Demolition Management Plan is required to be reviewed and approved by the Planning Board as part of the site plan approval.

It is recommended that this plan also incorporate construction management protocols as well. Equipment storage and staging, construction worker parking, site security, all issues of concern given the small size of the site, and its location in the heart of the business district.

**SPECIAL PERMIT REVIEW COMMENTS:**

The proposed development is classified as a Public Amenity Supplemented Mixed-Use Development, and permitted subject to the approval of a Special Permit by the Village Board.

The following review addresses the project's compliance with the Special Permit requirements established in §381-51 N (shown in *italics*).

1. *10,000 square foot minimum lot area; 40-foot minimum lot width; 0-foot front yard, 0-foot side yards, 0-foot rear yard, 100% principal building coverage, maximum number of stories: 4, principal building maximum height: 50 feet from existing grade along the Chatsworth Avenue frontage of the subject property; provided, however, the Village Board may allow a partial additional story as provided in Section 381-51.N. Within these maximums,*

*coverage, height and story limitations will be set by the Village Board on a case-by-case basis as part of the Special Permit process.*

The project complies with the applicable dimensional regulations. The project proposes a partial 5<sup>th</sup> floor.

- 2. A Public Amenity Supplemented Mixed-Use Development shall be located within the RC - Retail Center zoning district.*

As noted above, the site is located in the RC zoning district.

- 3. The proposed Public Amenity Supplemented Mixed-Use Development shall be designed, occupied and utilized in a manner that results in a substantial enhancement to the Village's business district, as determined by the Village Board.*

This determination shall be made by the Village Board. The proposal provides for 2,450 square feet of retail space on the ground floor which, with the exception of the residential lobby, provides for a continuous commercial building frontage and streetscape.

- 4. The site shall be located to the east side of Palmer Avenue and west of Vanderburgh Avenue, with frontage on Chatsworth Avenue.*

This locational requirement is complied with.

- 5. The site shall be a minimum of 10,000 square feet in area.*

The site is 11,070 square feet in area. The minimum lot area requirement is complied with.

- 6. A minimum of 50% of the first floor's gross floor area (exclusive of off- street parking) shall be occupied by retail, restaurant, theater, food establishment or group fitness class uses. A minimum of 70% of a Chatsworth Avenue building's street level frontage shall be occupied by the above stated non-residential uses. No first floor (street level) residential dwelling units are permitted to front on the Chatsworth Avenue street frontage, and if provided on the first floor of the building, must be located so as to not face the Chatsworth Avenue street frontage. The only residential component permitted to front on the Chatsworth Avenue street level street frontage is a lobby entrance.*

- The gross floor area of the ground floor is 4,700 square feet. The 2,540 square feet of retail space equals 52.1%, which complies with the minimum requirement.
- The retail frontage amounts to 73.9% of the total building frontage, which complies with the minimum requirement.
- No first-floor residential units are proposed.



- The only residential element of the project on the Chatsworth Avenue frontage is a 23' wide lobby.
7. *To be eligible for the Special Permit, an applicant shall provide, in addition to other public enhancements, (and in addition to the off-street parking required for the building) a public amenity of municipal parking. The requirement to provide an enhancement to municipal parking and other public amenities can be satisfied by an in-kind contribution or fee in lieu to be set by the Village Board during the Special Permit process, commensurate with the zoning density benefits that are achieved.*

The applicant is in the process of addressing this requirement with the Village Board.

8. *If there is municipal parking adjacent to the applicant's property which does not have adequate pedestrian access to Chatsworth Avenue, one public amenity shall be an improved accessway of a width and design to be determined by the Village Board and Planning Board in the Special Permit/Site Plan process which shall include it being designed to meet, at a minimum, ADA requirements, provided through the applicant's property to Chatsworth Avenue, to be dedicated for public use. Appropriate easements or other property rights shall be granted and/or exchanged to facilitate this requirement.*

The proposed project includes the provision of an 8' wide public walkway along the east side of the building. The walkway is proposed to be stamped concrete. The detail of this walkway should be provided to the Planning Board to review.

The walkway widens to approximately 10' as it intersects the Chatsworth Avenue sidewalk. Is there an opportunity to insert street furniture or landscaping in this wider portion of the walkway?

9. *The applicant may be required to provide to the Village other public amenities, such as infrastructure improvements, as the Village Board deems commensurate with the zoning density benefits that are achieved by the applicant.*

The applicant is in the process of addressing this requirement with the Village Board.

10. *If the Village Board determines that the public amenities being provided sufficiently exceed those the Village Board would otherwise deem adequate pursuant to subsections (6), (7), and (8) above, the Village Board are sufficient, it may, in its sole discretion, permit an additional partial story to be constructed. Provided, however, such partial story, if permitted, must be set back by at least 25% of the depth of the building*

*from the Chatsworth Avenue façade of the story below it, and can be no more than 60% of the square footage of the story below it and it shall be no more than 13 feet in height. Among the considerations/determinations to be made by the Village Board shall be that such partial story, if permitted, will not result in a significant adverse visual impact.*

The proposal includes the partial 5<sup>th</sup> floor, which is setback by 35% of the depth of the building and is 59% of the floor area of the 4<sup>th</sup> floor, and is 13' in height. These dimensions comply with the applicable requirements. The Village Board is in the process of assessing the public amenity provision.

The Planning Board should include any comments relative to visual impacts in the referral back to the Village Board.

11. *Off-street parking shall be provided in accordance with § 381-64, except that the requirement for multi-family dwellings shall be 1.25 per unit.*

As noted above, the project is deficient in required off-street parking by 3 spaces.

12. *Awnings and canopies shall be of such height, width and design as may be determined by the Village Board in its sole discretion.*

Details of the proposed awnings are required.

13. *A Public Amenity Supplemented Mixed-Use Development shall, at a minimum, comply with the following design guidelines. For good cause shown, the Village Board may grant a waiver of these guidelines upon consultation with the Planning Board.*

- a. *To maintain a unified streetscape, a minimum of 85% of the building's street façade shall be located on or within three feet (3') of the front property line.*

89% of the building frontage is within 3' of the front property line.

- b. *Ground level non-residential spaces that face Chatsworth Avenue shall have clear glass on at least 60% of their facades between 3 and 8 feet above grade.*

66% of the building façade includes clear glass.

- c. *A continuous sidewalk shall be maintained along the building's Chatsworth Avenue frontage. No more than 5% of the sidewalk's length shall be crossed by features such as driveways, alleys or service bay openings.*

The sidewalk is uninterrupted across the site's frontage.

- d. *No overhead utility wires shall be permitted along the building's principal street frontage.*

Clarification is required to document that the existing overhead utility lines will be relocated below ground.

- e. *Street trees, lighting and other streetscape features shall be provided along the street frontage consistent with the existing streetscape.*

The proposal calls for maintaining the existing street trees, street lights and streetscape features. 2 new bike racks are also proposed.

- f. *The development shall include secure enclosed bicycle storage for residents and commercial tenant employees. Additionally, a public bike rack, accommodating a minimum of 5 bikes, shall be provided for visitors and customers, and located as required by the Village Board.*

A lower level enclosed bike storage room is proposed in the building. 2 new bike racks are proposed in the Chatsworth Avenue sidewalk, each supporting 2 bikes. Is there a reason a 5<sup>th</sup> bike can't be accommodated?

- g. *A Public Amenity Supported Mixed-Use Building shall make a tangible effort to reduce its carbon footprint through employing green building measures such as those advocated by the US Green Building Council or the Green Building Institute. The building shall be built to LEED Certification standards and shall include measures such as*

- *Utilizing energy star, water sense, green seal or other similarly endorsed mechanical equipment and appliances.*
- *Utilizing sustainable building materials with a high percentage of recycled content.*
- *Utilizing construction materials with low levels of volatile organic compounds.*
- *Utilizing energy efficient windows and doors.*
- *Utilizing insulation with high R-values.*
- *Utilizing a green or low reflectivity roof.*
- *Providing electric vehicle charging stations.*

The applicant should clarify and document which, if any, of these measures are proposed.

14. *The building shall be composed of high quality, durable building materials that reflect the character of the Village, and relate harmoniously to adjacent properties.*

Further clarification is required to ensure this provision is addressed.

15. *Such other design features the Village Board may require.*

To be determined by the Village Board

16. *The granting of the special permit will not result in development which will substantially over-burden Village infrastructure (e.g. storm sewer, sanitary sewer, water supply systems) nor substantially exacerbate already overburdened infrastructure.*

To be clarified. See comment 10 above.

**SEQRA REVIEW:**

Pursuant to the provision of Section 617 of the SEQR regulations, the proposed project is classified as an Unlisted Action. The Village Board has designated its intent to serve as Lead Agency for this SEQR review.

In support of an eventual determination of significance, the applicant has submitted separate school impact and traffic studies. The project is anticipated to generate 2 school-aged children, and would result in a net reduction in peak hour vehicle trips from the sites prior commercial use.

The Planning Board should convey any project related environmental impact concerns to the Village Board.