

**CITY OF NEW ROCHELLE
NORTH AVENUE CORRIDOR REZONING**

FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT

March __, 2010

Lead Agency: City of New Rochelle City Council

Prepared by: AKRF, Inc.

NORTH AVENUE CORRIDOR REZONING
FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT

Project Name: North Avenue Corridor Rezoning

Project Location: North Avenue Corridor, Burling Lane to Eastchester Road

Lead Agency: City of New Rochelle City Council
515 North Avenue
New Rochelle, NY 10801

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Date of Acceptance as Complete: March ____, 2010

This document is the Final Generic Environmental Impact Statement for the above-referenced project. Copies are available for review at the office of the Lead Agency and at the city's website: <http://www.newrochelleny.com>. Comments are solicited and may be submitted to the Lead Agency at the above address.

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Written Comments and Transcript from January 12, 2010 Public Hearing

A. INTRODUCTION

The City of New Rochelle proposes to rezone a portion of the North Avenue corridor that runs between Eastchester Road and Burling Lane and which is generally mapped within the City's Neighborhood Business (NB) and Downtown Business (DB) Zoning Districts. The Proposed Action consists of several Zoning Map and text amendments that would principally affect the existing NB zone, which would be rezoned to the new North Avenue (NA) zone. Parcels along the southern end of North Avenue would maintain their DB zoning with the exception of three parcels at the southwest corner of Rochelle Place and North Avenue. In addition, several other areas along the corridor and within the Study Area are proposed to be rezoned to a zoning district that is more appropriate for the existing land uses. Text amendments consider modifications to permitted uses and dimensional standards within the NA zone to permit a mixed-use district consistent with the overall urban pattern within the corridor. The Proposed Action involves amendments to the following sections of the City's Zoning code: §331-5, Enumeration of Districts; §331-7, Zoning Map; and §331-28, Purposes Stated, as well as new sections in the code: §331-54.1, North Avenue Zone; §331-76.1, North Avenue Zone. The City's Comprehensive Plan would also be amended as part of the Proposed Action.

This document is the Final Generic Environmental Impact Statement (FGEIS) for the Proposed Action. This FGEIS was prepared pursuant to the State Environmental Quality Review Act (SEQRA) (Article 8 of Environmental Conservation Law) and its implementing regulations (6 NYCRR Part 617). The Draft Generic Environmental Impact Statement (DGEIS), which was issued a Notice of Completeness by the City Council of the City of New Rochelle (acting as Lead Agency) on November 10, 2009, is hereby incorporated by reference.

A public hearing on the DGEIS was duly noticed and held on January 12, 2010. Written comments were accepted until January 22, 2010.

Several members of the public spoke at the public hearing, generally in favor of the Proposed Action. A copy of the transcript for the public hearing is provided as an appendix to this FGEIS. Written comments were received from the Westchester County Department of Planning and are also provided as an appendix to this FGEIS.

Pursuant to 6 NYCRR 617, the purpose of this FGEIS is to respond to public comment made during the public hearing and comment period. Chapter 2 provides responses to all substantive comments received on the Proposed Action. There have been no revisions to the Proposed Action based upon public comment.

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A. INTRODUCTION

This chapter lists all substantive comments received during the public comment period and provides a response. A public hearing was held on January 12, 2010. A written comment period was open until January 22, 2010.

B. COMMENTATORS**PUBLIC HEARING: JANUARY 12, 2010**

1. Norman Hauptman
2. Gregory Varian, Esq.

During the public hearing, speakers asked general questions about the SEQRA process and made comments about the Proposed Action but did not make specific substantive comments regarding the contents of the DGEIS. One speaker noted that he had not read the DGEIS and inquired as to whether the City Council had read the document. Another speaker noted that he felt the Proposed Action was a step in the right direction for the corridor and that the zoning amendment would allow for positive changes.

C. COMMENTS AND RESPONSES

Comment 1: Consistency with Westchester 2025. The County Planning Board recognizes the proposed rezoning's consistency with *Westchester2025 - Context for County and Municipal Planning and Policies to guide County Planning* adopted by the County Planning Board on May 6, 2008, with regard to the strengthening of downtown centers and the enhancement of transportation corridors. By replacing a zoning district which prohibits residential uses with one that encourages ground floor commercial with "above-the-store" residential, the City will be laying the groundwork for the creation of a vibrant, mixed use area that will allow residents to walk to shopping, employment areas, government offices and the city's transit hub. The promotion of higher density will also mean more support for new businesses to locate along the corridor, which can ultimately establish this portion of North Avenue as a vibrant compliment and gateway to the continued redevelopment of the downtown core on the south side of the New England Thruway, which has historically been a barrier between the downtown and the North Avenue area. Furthermore, reinvestment along the North Avenue Corridor may also increase the feasibility of alternative forms of transportation such as walking and bicycling since, encouraging local residents to live healthy lifestyles and possibly reducing automobile use, thereby leading to a reduction in environmental concerns.

As part of the proposed rezoning, we recommend that the City consider the concept of creating neighborhood nodes at regular intervals along this commercial corridor, perhaps one for every district. in the study. These nodes should have a complete set of neighborhood stores and services so that residents living in the surrounding areas along the corridor would have an opportunity to obtain most their basic everyday needs within walking distance.

Response: In developing the plan for North Avenue, the City considered a range of options that would allow different density alternatives. Given the existing development pattern and the fragmented ownership of the corridor it was determined that targeted locations for development/redevelopment could not rationally be identified to create nodes or anchors to development in specific areas. It is the City's intention that the smaller individually owned parcels along the North Avenue Corridor be redeveloped over time to create a strong mixed-use corridor that serves the residential neighborhoods adjacent to the corridor. The City also intends for the Proposed Action to allow for development that complements the character of the existing districts as described in the DGEIS. Specifically, any new development is intended to complement and enhance existing nodes within the corridor such as Iona College, City Hall, and the Intermodal Transportation Center.

Comment 2: Density Bonus Alternatives. We support the use of a floating overlay zone to provide density bonuses to developers in certain situations. Allowing for density bonuses can help bring the higher residential density necessary to support a reinvented commercial district. The density bonuses can also promote more opportunities for transit-oriented development along the corridor since it is near the New Rochelle transit center and served by Bee-Line routes 45, 45Q and 61. With respect to the proposed density bonus provisions, we have the following concerns:

Revise Qualifications for Eligibility. The draft GEIS presents a set of qualifications for the density bonus overlay zone which are vaguely defined and, to a significant extent, represent planning principles that should be pursued with every development project, not just projects seeking density bonuses. For example, the City should require green building elements and architectural excellence as standards for all developments, and not use such standards as justification to allow bigger developments. Instead, we recommend that City look to other qualifications for increased density, such as the provision of fair and affordable housing above what is required or the provision of community or public amenities on a development site. As discussed above, the development of a neighborhood node with a full complement of locally oriented goods and services, could also be a potential qualification for a density bonus. We also recommend the establishment by the City of design guidelines for projects seeking density bonuses.

We disagree with the concept of granting a density bonus if additional public parking is provided beyond the City's parking requirement as we are concerned that this will lead to the creation of either surface or structured parking

consuming street frontage along North Avenue which will diminish the potential to create a vibrant streetscape.

Allow Density Bonus in DB District Near Transit Center. The City's Zoning Ordinance already allows for a density bonus in the DB district provided that the site is located in the City's Central Parking Area. However, because the "transportation district" at the southern end of the study area is outside of the Central Parking Area, it is ineligible for this bonus. Given that the "transportation district" has the highest potential for transit oriented development along this corridor, we recommend that the existing downtown density bonus; provisions apply so as to permit the opportunity for a greater number of people to live closer to the transit center. As now proposed, higher density would be permitted further away in the NA district (through bonuses) than would be allowed adjacent to the transit center.

Response:

The City considered the proposed alternatives to stimulate additional growth along the corridor and to create greater incentives for landowners to invest in their properties. However, during preparation of the DGEIS, the Common Council began focusing on the Proposed Action as a lower height and density alternative in response to feedback received from residents and concerns about traffic impacts. The Density Bonuses are recognized as a way of promoting redevelopment but the Proposed Action was selected in order to better preserve the character of the existing adjacent neighborhoods which consist primarily of lower density housing. Furthermore, the City does not wish to allow higher densities that could potentially create commercial development that may compete with the existing downtown area. With regard to eligibility criteria for the density bonuses permitted by alternatives, the notion of bonuses was created to draw on ideas adopted previously within the Downtown Density Bonus district. Specific legislation for the bonuses can be created for the NA zone if an alternative is selected.

The concept of granting a bonus for providing parking in excess of what is required by the zoning was developed with the assumption that any additional parking could be used by adjacent and nearby developments that have difficulty meeting parking requirements on their own site. This could ultimately lead to additional redevelopment of the corridor, a more unified streetscape, and a more pedestrian friendly environment as fewer curb cuts would be required to access small parking areas on individual parcels. If an alternative is selected, specific legislation considering density bonuses and parking requirements would be developed.

Upon review of existing conditions along the North Avenue Corridor, it was determined that the scale of development seen along the west side of North Avenue in the Transportation District was appropriate for that area. While some potential redevelopment opportunities were identified on the east side of North Avenue within the Transportation District, the City believes that development

made possible under the provisions of the existing DB zoning would be most appropriate to achieve the desired character for North Avenue, as a gateway into the downtown.

Comment 3: Contradictory impact of parking requirements on intent of new zoning regulations. The proposed North Avenue Zoning district would require compliance with city-wide parking standards which require that all parking be provided on site for both commercial and residential tenants. While the commercial parking requirement is typically set by square footage, the residential requirement calls for 1.5 parking spaces for each dwelling unit, plus an additional 0.25 spaces per bedroom. The draft GEIS discusses this parking requirement at length to demonstrate how an onerous parking provision will essentially reduce the theoretical build-out of the proposed rezoning by 50% since most development sites along North Avenue are incapable of providing enough space for the parking. We recommend that the parking requirement not be used as a de-facto density control to essentially reduce the density that is proposed to be increased as part of the corridor rezoning.

It is clear that the City is proposing a new North Avenue zoning district as a way to implement a vision for this corridor. Because North Avenue is a unique environment, relative to the rest of the city, we recommend that the City devise a separate parking requirement for this corridor that recognizes the walkable, smart-growth character that is being sought as well as the corridor's close proximity to transit services. While we agree that parking is necessary for commercial uses along North Avenue, we recommend that parking for residential units be reduced to no more than one space per unit, which is typical for transit-oriented developments. We point out that the City's vision for North Avenue as a higher-density mixed use corridor near mass transit is usually a primary draw for new residents seeking the ability to reduce the need for multiple cars (and the associated costs of multiple car ownership) within their household. Reducing the required parking in this situation would bring the parking requirement more in line with actual need and could encourage more transit use by the new residents.

Response: Parking is not intended to serve as a density control. The City believes that heights of 3 stories with an FAR of 2.0 is the most appropriate height/density combination to encourage development of a mixed-use corridor that is also compatible with adjacent neighborhoods. However, the City also recognizes that this height/density may be difficult to achieve given the desired level of parking and the existing parcel and block configurations. While there may be challenges in developing certain lots, there is also a recognized potential to develop parcel assemblages that could accommodate the maximum densities at the required levels of parking.

While the city seeks to employ smart-growth principles as suggested by the comment and encourage walkability, there are also some concerns about the unintended effects of reducing parking requirements. In particular, while reduced parking was considered as an option, the more suburban character of nearby neighborhoods could potentially be compromised as new North Avenue

residents may seek additional on-street parking in adjacent neighborhoods. Similarly, the City is also seeing similar parking issues in downtown areas where occupants of buildings with single parking spaces are utilizing other downtown parking lots. In a downtown environment, some level of difficulty in finding parking can be expected; however, it is not the City's intention to extend the downtown area onto North Avenue. As such, it was determined that the existing parking requirements, coupled with transit alternatives that provide additional options to residents was the best fit for the North Avenue Corridor.

Comment 4: Change of land uses. We support the City's efforts to shift the permitted land uses along North Avenue away from auto-oriented uses, such as gasoline stations and auto-repair shops, and towards more neighborhood oriented retail. This is particularly the case in the corridor study's "neighborhood district" which currently contains no discernible anchor use with numerous auto-oriented businesses. More neighborhood-oriented establishments will not only provide goods and services to abutting communities, but will also maximize pedestrian activity along the corridor. In furtherance of this objective, we recommend that the City add outdoor seating for restaurants as a permitted accessory use.

Response: Comment noted. The City desires to create a pedestrian friendly, mixed-use environment along North Avenue. Outdoor seating for restaurants is a use that may benefit the overall corridor and will be evaluated as the legislation for the NA zone is finalized.

Comment 5: Incorporation of green building requirements into zoning code. As noted above, we recognize and commend the City's proposal to include green building technology into development projects along the corridor. We recommend that the provisions promoting green and sustainable building design be placed in the general zoning regulations governing all development in the city and not be restricted as a justification for density bonuses along North Avenue. We also caution the City against using LEED-specific certifications as the sole basis of green building requirements. LEED is a proprietary rating system of the United States Green Building Council and it is not the only measure available for environmental sustainability in development projects. We recommend that the City use a more flexible green building requirement that can be used with any rating system, including LEED and others such as Energy-Star and Passive House certifications.

Response: The City of New Rochelle is currently developing several green and sustainability initiatives that will apply to new development throughout the City. While the Proposed Action does not include any specific legislation related to green building, it is anticipated that that such legislation will be implemented city wide later this year.

Comment 6: Improve connectivity and pedestrian safety. Because the goals of the proposed rezoning appear to be intended to create a vibrant, walkable, pedestrian oriented corridor for North Avenue, we urge the City to continue to work towards improving pedestrian safety, connectivity, and access along North Avenue. While the draft GEIS notes that streetscape improvements for North Avenue are

currently in the design process as part of a larger City project, we encourage the city to focus on traffic calming and pedestrian circulation measures with new developments to ensure that pedestrian provisions are not an afterthought. For example, the layout of the New Rochelle Transit Center, just to the south of the study area, created a less than favorable environment for pedestrians seeking to access the west side of North Avenue within the study area. These pedestrians must first cross to the east side of North Avenue, transition across several crosswalks at Garden Street, and then cross back to the west side of North Avenue, since no crosswalk crosses Station Plaza North. This type of impediment to pedestrian circulation needs to be avoided with new development along the North Avenue corridor.

Response: Improved pedestrian safety and connectivity is an ongoing goal of the City. This is evidenced through the recent streetscape improvements near Iona College and planned improvements in the Government District among other initiatives. The New Rochelle Transit Center is not located within the rezoning area for the Proposed Action but as noted in the comment, improved pedestrian mobility is intended to result in areas that are redeveloped through implementation of the Proposed Action.

Comment 7: County sewer impacts. The County Department of Environmental Facilities notes that the New Rochelle Sewer District has been under a moratorium on sewer extensions set by the New York State Department of Environmental Conservation (DEC) for some time. The additional sewage flows from potential redevelopment resulting from this rezoning will have an impact on the system. While the draft GEIS references previous efforts to offset sewage flow increases through reductions inflow/infiltration (I&I), we remind the City that additional I&I work will be necessary to accommodate future growth on North Avenue. The requirement for any new project should be a three to one ratio for sewage flow reduction for market-rate housing units and one to one for fair and affordable housing units.

Response: Comment Noted.

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