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February 3, 2023

Michael J. Schiliro, Supervisor
and Members of the Town Board
Town of North Castle
15 Bedford Road
Armonk, New York 10504

Re: 113 King Street & Associated Properties
Amendment to Zoning Petition

Honorable Supervisor and Members of the Town Board:

On behalf of Airport Campus I-IV (“Petitioner” or “Applicant”), we hereby submit this amendment to their Zoning Petition which is currently pending before your Board.

On September 29, 2022, we filed an amendment to the Applicant’s Zoning Petition to request that the entire Site be rezoned to R-MF-SCH, the Town’s senior age-restricted residential zone. The Applicant’s September submission outlined a plan for reuse of the southern office building for 50 age-restricted multi-family apartments and construction of 125 new age-restricted townhouses including affordable units.

The Applicant’s multifamily project was generally well received in comparison to the Applicant’s mixed use plan of development for the Site. In a November 21, 2022 letter from the Town Planner to your Board, one modification to the proposed multifamily rezoning was identified for further consideration, as follows:

“The Town Board has previously discussed the desirability of potentially entertaining an alternative that would provide 125 market rate fee simple townhouses placed in the R-MF-A zoning district (Residential Multi-Family) and placing the two-bedroom age-restricted apartments within the R-MF-SCH zoning district (Multi-Family Residential Senior Citizen Housing).”

We understand this modification was identified based on a Town preference for fee simple taxation of any townhome units.

On December 14, 2022, the property owner and development team appeared before your Board to present the plan and discuss the suggested rezoning modification as outlined in the Town Planner's November 21st letter. At that meeting, a majority of the Town Board members expressed a preference for fee simple taxation of market rate townhomes and the reuse of the existing 100,000 s.f. office building for 50 age restricted units. The School District subsequently acknowledged to the Town that it could accommodate school aged children anticipated from the townhome portion of the project and that, overall, the modified proposal was a "good compromise".

In light of the foregoing, the Applicant hereby amends its Zoning Petition to add for Town Board consideration an alternative that incorporates both R-MF-SCH and R-MF-A rezoning for the Site. An updated pFEIS is also enclosed which highlights how under this alternative 4.5 acres would be zoned R-MF-SCH and 34.3 acres zoned R-MF-A. A summary of the benefits and exhibits associated with this multifamily alternative are enclosed for your consideration.¹ Upon rezoning, the Applicant would proceed with a subdivision application to create lots implementing this overall plan and Toll Brothers' acquisition and development of townhomes with an average livable area of 2,500-sf.

There is one additional item we touched on at the December 14th meeting that relates to the Town's preferred approach. If the Site were zoned entirely R-MF-SCH or entirely R-MF-A, the total number of multifamily units for the project are permitted under the Town's Code. Incorporating both zones for portions of the Site though, as preferred by the Town, affects the density and dimensional calculations for the R-MF-SCH district.

As such, as part of petitioning for the Town Board's preferred rezoning approach, and to clarify Section 355-27B(2) of the Town Code as applied to this project and Site, we hereby incorporate a proposed minor text amendment into the amended Zoning Petition. Section 355-27B(2) would be amended to add a fourth sentence to that Section, as follows:

"...Any conversion of an existing office building to multifamily senior citizen use shall not have a required FAR in the R-MF-SCH zoning district and the Town Board shall set and determine the dimensional standards and design considerations for any such conversion at the time of rezoning and notwithstanding requirements set forth in other sections of the Zoning Code."

This language would continue to preserve Town Board legislative rezoning discretion over establishing any R-MF-SCH sites in the community. The text addition would further facilitate reuse and conversion of existing office building space that may be part of any site ultimately rezoned to R-MF-SCH.

¹ The R-MF-SCH/R-MF-A plan outlining the zoning designations is also attached.

Finally, as noted in September, the Applicant anticipates petitioning this Town Board to extend the water district to incorporate the Site. A new water line is being constructed by Westchester Joint Water Works (“WJWW”) from the County Airport to the end of New King Street. The Applicant continues to coordinate with WJWW, County and Town officials on the design of a water line extension to the Site and has confirmed it is viable for a municipal water supply. Additionally, the project engineers have designed a modest above-ground holding tank behind the proposed parking structure in order to address relevant fire control regulations for the project development at the Site as shown on the subdivision plan.²

We hereby request that this amended Zoning Petition to rezone the 38-acre property to both the R-MF-SCH and the R-MF-A zones, as well as the minor zone text clarification to Section 355-27B(2) of the Code, be formally accepted at your next Town Board meeting. We would request that at the Town Board’s February 8th meeting, the amended Zoning Petition be referred to the Town Planning Board, the County Planning Board, and your consultants and that the ongoing review of the pFEIS by your consultants, as updated with this filing, be continued.

Thank you for your consideration.

Very truly yours,

Anthony F. Veneziano, Jr.

ANTHONY F. VENEZIANO, JR.

AFV/kj
Encls.

² The Applicant has engineered for a pump at the terminus of the water line proposed for extension to the Site in the event the Town and Water District elect to pursue further extension of water lines to other properties along Route 120 or in the Hamlet.

113 KING STREET, ARMONK, NY
DESCRIPTION OF AMENDED ZONING PETITION & PROJECT

PROJECT DESCRIPTION

The Applicant proposes to repurpose and redevelop approximately 38.8 acres of contiguous property known as “Airport Campus” (Proposed Project) located at 113 King Street in the Town of North Castle, Westchester County, New York (Project Site).

The Proposed Project would adaptively repurpose the southernmost of the two existing three-story office buildings on the Project Site as a multifamily residential building with approximately 50 two-bedroom, age-restricted (55+) units. Parking for the multifamily building would be accommodated in a new, approximately 51-space surface parking lot and a new, 2-story, approximately 60-space parking structure. Additional residential uses would be introduced to the north and east of the repurposed office building in the form of 125 attached, two-story, three-bedroom, townhouses. To facilitate development of the Proposed Project, the Project Site’s existing 29-foot tall, two-story, approximately 316-space parking garage and the 37.5-foot tall, three-story, approximately 161,000 square foot northern office building will be removed.

To redevelop the Project Site as a residential community, the Applicant has amended its Zoning Petition to request that the Town Board map a portion of the Project Site (4.48 acres) around the office building slated for reuse within the Town’s existing Multifamily-Senior Citizen Housing (R-MF-SCH) Zoning District, and the remaining portion of the Project Site (34.30 acres) within the Town’s Residential Multifamily (R-MF-A) Zoning District.

PROJECT PURPOSE

The Proposed Project would activate an area of the Town that was historically a mix of office and single-family residential uses which, over the last 15-20 years, has seen limited interest from corporate office tenants and has been lacking a traditional neighborhood identity. Changing market conditions have put significant pressure on large office campus parcels in Westchester and the broader region. Since its acquisition of the property in 2015, the Applicant has been marketing the property to potential tenants, to date without success. The purpose of the Proposed Project is to provide a solution to these challenges with respect to the Project Site, consistent with the Town’s 2018 Comprehensive Plan, and in a way that minimizes the impacts and maximizes the benefits to the Town. As part of the 2018 Comprehensive Plan process, the Town considered current market conditions with respect to office campuses such as the Project Site. The Project Site is specifically referenced in several places in the Town’s 2018 Comprehensive Plan, with respect to both its locational importance and the need to expand its development potential to accommodate a mix of infill development including, but not limited to, residential uses.

FISCAL BENEFITS TO THE COMMUNITY

The Proposed Project would stabilize the tax revenue generated by the Site by introducing a stable, in-demand, consistent tax-generating use. It would generate approximately \$3.33 million in annual property tax revenue to the various taxing jurisdictions, including approximately \$541,705 for the Town of North Castle and \$2.25 million for the Byram Hills Central School District (BHCS), which is an increase of approximately \$1.80 million per year for these two districts from the current property taxes paid by the Project Site, and an overall increase approximately \$2.08 million per year.

The Proposed Project would introduce new public school-age children to the BHCS. However, the increase in property tax revenue would cover the potential increase in costs to the district, as confirmed by the BHCS.

To the extent the Proposed Project results in any *de minimis* increase in emergency service calls to the Project Site (as compared to calls made to the occupied office campus), it will generate \$541,705 per year in tax revenue for the Town, and \$60,403 for the Fire District, which could be utilized to offset any impacts of the Proposed Project on the Town's emergency service resources. Overall, the Proposed Project would more than cover the potential increase in Town costs associated with the development, consistent with the low-impact nature of the use proposed.

EXHIBITS

See Enclosures



Source: JMC 2023



Preferred Alternative - Proposed Zoning



Source: Toll Brothers 2022

Conceptual Architectural Designs - Townhouses