

**STAFF REPORT - TOWN OF NORTH CASTLE PLANNING DEPARTMENT**

October 28, 2021



APPLICATION NAME & NUMBER  
873 N. Broadway Site Plan #2021-037

SBL  
122.12-4-27

MEETING DATE  
November 8, 2021

PROPERTY ADDRESS/LOCATION  
873 N Broadway, North White Plains

**BRIEF SUMMARY OF REQUEST**

Proposed adaptive reuse of an approximately 3,435 square foot commercial building at 873 North Broadway with a new restaurant and accessory brewing operation and tap room. Improvements include interior renovations to accommodate restaurant space on the upper level fronting on North Broadway. The lower level is proposed to be renovated for the 10-barrel brewing operation with small tap room.

The existing paved parking area in the rear will provide 21 off-street parking spaces and 1 loading space accessed from Washington Place by an easement over the adjacent property.

No grading or building expansion is being proposed. The Applicant proposes to replace approximately 210 s/f of paved area along the rear of the building with pavers where a small outdoor seating area will be located. The Applicant also proposes a new landscaped sidewalk along North Broadway, raised planters, and benches for seating in the front of the property.

The building exterior will be updated with a repainted facade, new branded signage, awnings, and wall sconces.



PENDING ACTION:             Plan Review             Town Board Referral             Preliminary Discussion

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
CB Central Business District	Commercial/Vacant	Commercial development along NYS Route 22	Renovation of existing building and site enhancements	0.39 acres

**PROPERTY HISTORY**

Previously established car repair garage.  
  
Planning Board previously approved a site plan for the establishment of a green dry cleaner on the property.

**COMPATIBILITY with the COMPREHENSIVE PLAN**

The Comprehensive Plan states the following:

- In North White Plains, the emphasis should be on improving the Route 22 corridor (see Chapter 6) to enhance the attraction and viability of retail.

**STAFF RECOMMENDATIONS**

- Once all staff and consultant's comments are addressed, the Planning Board should give consideration to approving the requested permits.
- The Planning Board will need to determine whether the project is compatible with the Comprehensive Plan.

<u>Procedural Comments</u>	<u>Staff Notes</u>
<ol style="list-style-type: none"> <li>1. Pursuant to Section 12-18(1) of the Town Code, all site development plans submitted to the Planning Board are required to be referred to the Architectural Review Board (ARB) for review and comment.</li> <li>2. The application for site plan approval will need to be referred to the Westchester County Planning Board, pursuant to § 239-m of New York State General Municipal Law (GML). This referral is required because the subject site is located within 500 feet of NY Route 22.</li> <li>3. The Proposed Action would be classified as a Type II Action pursuant to the State Environmental Quality Review Act (SEQRA).</li> <li>4. A Public Hearing for the proposed site plan will need to be scheduled.</li> <li>5. The site plan should be forwarded to the Chief of Police, Fire Inspector and the North White Plains Fire Chief so that they may make any pertinent recommendations to the Planning Board including, but not limited to, the designation of no-parking zones, emergency vehicle access or any other issued deemed important to providing emergency services.</li> <li>6. The site plan should be forwarded to the Sewer and Water Department so that they may make any pertinent recommendations to the Planning Board the capacity of the sewer and water infrastructure to handle the proposed amount of effluent and water demand.</li> <li>7. An outdoor dining permit, issued by the Building Department, will be required prior to utilizing any outdoor/sidewalk area for outdoor dining.</li> </ol>	<p>The required referral was made on October 15, 2021.</p> <p>(9) construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities;</p> <p>The referral was made on October 15, 2021.</p> <p>The referral was made on October 15, 2021.</p>
<p><u>General Comments</u></p> <ol style="list-style-type: none"> <li>1. The 3,435 square foot former dry cleaner building is proposed to be converted into a 1,720 square foot restaurant and 1,715 square foot accessory brewing area and tap room. The CB Zoning District permits “restaurants, taverns, cafes, bakeries not exceeding 5,000 square feet of floor area”(via CB-A principal use reference) as well as “any accessory buildings or uses customarily incident to a permitted use” (via CB-B accessory use reference).  The Planning Board at the October 14, 2021 meeting determined that the proposed accessory brewing area and tap room is a use customarily incident to the permitted restaurant use.</li> <li>2. The site plan depicts a total of 20 off-street parking spaces where 46 are required. The Applicant will need to obtain an off-street parking variance from the Zoning Board of Appeals.</li> <li>3. The Applicant has preliminarily quantified water/wastewater impacts as a maximum daily use of approximately 2,300 gpd. On days when brewing will occur, an additional 500-1,000 gpd may be used.</li> <li>4. The Applicant should be commended for taking this opportunity to make improvements to the site’s frontage along North Broadway by making improvements to the building’s architecture, providing planters in front of the building and by providing a new sidewalk along the property’s frontage.</li> </ol>	<p>Since the proposed brewing area and tap room are less than 50% of the area devoted to the principal restaurant use and given the submitted documentation demonstrating that the brewing component is integral to the restaurant operation, the Planning Department does not have any concerns labeling the brewing area and tap room as a permitted accessory use to the permitted principal restaurant use.</p> <p>The Applicant has proposed utilizing valet parking during peak parking demand as well as renting 5-7 spaces at the adjacent 11 Washington Place E. site for staff.</p>

5. The site plan reflects land that the NYSDOT will take as part of the proposed sidewalk improvements. The Applicant should provide any NYSDOT taking documents to the Town for review.
6. The Applicant is required to obtain NYSDOT approval for the proposed plant material proposed within the NYS Route 22 ROW.
7. At the October 14, 2021 Planning Board meeting, the Applicant noted that a commercial van associated with the on-site operations will be stored on the property. The site plan should be revised to depict the location of the proposed commercial van storage.