

STAFF REPORT - TOWN OF NORTH CASTLE PLANNING DEPARTMENT

January 18, 2023



APPLICATION NUMBER & NAME
#2022-024 – 825 N. Broadway – Site
Plan Approval

SBL
122.12-4-29

MEETING DATE
January 30, 2023

PROPERTY ADDRESS/LOCATION
825 N. Broadway, NWP

BRIEF SUMMARY OF REQUEST

The subject property is an existing gasoline filling and convenience store use in the CB Zoning District. The Applicant is seeking site plan approval to renovate the interior of the existing building, replace the existing fueling pumps and replace the underground fuel storage tanks.



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	Gasoline and Convenience Store	Commercial Development Along NYS Route 128;	See above	0.5 acres

PROPERTY HISTORY	COMPATIBILITY with the COMPREHENSIVE PLAN
- Existing gasoline and service station	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

1. Once all staff and consultant's comments are addressed, the Planning Board should give consideration to approving the requested permits.

<p><u>Procedural Comments</u></p> <ol style="list-style-type: none"> 1. The application for site plan approval requires referral 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. 2. The Proposed Action would be classified as a Type II Action pursuant to the State Environmental Quality Review Act (SEQRA). 3. A Public Hearing for the proposed site plan will need to be scheduled. 4. 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. 5. 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. 6. Any new signage would require referral to the Architectural Review Board pursuant to Section 355-16(3) of the Town Code. 	<p><u>Staff Notes</u></p> <p>The referral was made on May 24, 2022.</p> <p>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 North Castle Police Department in a May 29, 2022 letter recommends that the Planning Board restrict left turns from the site onto NYS Route 22 given similar restrictions at other gas stations along NYS Route 22 and the changed traffic patterns resulting from changes at the Sir John's Plaza intersection.</p>
<p><u>General Comments</u></p> <ol style="list-style-type: none"> 1. The Planning Department has concerns with the proposed site circulation and access. The existing configuration does not permit cars to circulate around the pumps. Therefore, if an open pump is available, it can't be accessed if a car is located at any of the other pumps. The pump adjacent to the building should be removed and the existing curb adjacent to North Broadway should be reconfigured to permit cars to circulate. 2. The Applicant should take this opportunity to aesthetically improve the design of the building and site. It is recommended that the Planning Board and the Architectural Review Board work closely with the Applicant to maximize quality design standards. 3. A photometric plan should be submitted for review. The plan shall clearly demonstrate conformance with Section 355-15.N and Section 355-45.M of the Town Code. 	<p>Proposed access to the pumps should be reconsidered and modified so as to provide circulation around the pumps. As proposed, the layout does not conform to Section 355-45.A of the Town Code which requires that the site provide an adequate, convenient and safe vehicular and pedestrian circulation system, so that traffic generated by the development will be properly handled both within the site and in relation to the adjoining street system.</p> <p>The Planning Board at the May 29, 2022 meeting suggested that the new canopy be smaller in size in an effort to improve the aesthetics of the site. While Plan G-1 was revised to reference aesthetic improvements, plans should be submitted to the Planning Board and ARB detailing those improvements at this time.</p> <p>In addition, the response memo to the Planning Board states that a new canopy is proposed, but the new note on G-1 states that the canopy is proposed to remain. Demolition note states that canopy, building and pumps are proposed to be removed. The Applicant shall provide some clarification.</p> <p>The lighting plan should clearly depict all lighting fixtures on the site, including on or under the proposed canopy. Particular attention should be paid to how bright the area under the canopy will be. It is recommended that no more than 12 foot-candles be provided under the canopy.</p>

4. The site plan should be revised to depict any proposed signage – free standing, building mounted and others. The Applicant should submit an exhibit depicting conformance with Section 355-16 of the Town Code.
5. It is recommended that all existing and proposed American boxwoods along N. Broadway be removed from the site and replaced with low flowering plants or another low growing alternative.

The signage plan should clearly depict any newly proposed signage, on pumps, building mounted, freestanding or on the proposed canopy.

American boxwoods grow to a height of 10 to 12 feet. Pruning is required to maintain lower heights. Given the potential to significantly impair sight lines, it is recommended that an alternative plant be provided in this location.