

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

January 2, 2024



APPLICATION NAME & NUMBER  
12 Maple Ave [2023-029]

SBL  
108.01-1-6-26

MEETING DATE  
January 8, 2024

PROPERTY ADDRESS/LOCATION  
12 Maple Avenue, Armonk

**BRIEF SUMMARY OF REQUEST**

Existing 1,700 square foot building built in the 1820s. The Applicant is proposing an addition to the structure to house a new 3,600 square foot 144 seat restaurant. The restaurant will also include an outdoor dining roof deck and porch dining.

The addition and change of use will require an off-street parking variance. The Applicant is proposing on-site valet parking and has secured permission to valet 32 additional cars at 20 Maple Avenue (across the CVS driveway) during dinner service.



PENDING ACTION:       Plan Review       Town Board Referral       Preliminary Discussion

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
CB-A2 Central Business District	Commercial/Vacant	Commercial development along NYS Route 128 and Maple Avenue	Renovation of existing building and site enhancements	0.32 acres

**PROPERTY HISTORY**

1973 – Permit issued for Real Estate Office  
2003 - Vannier Real Estate  
2005 - Julia B. Fee Real Estate  
2007 - Sotheby's International Realty

**COMPATIBILITY with the COMPREHENSIVE PLAN**

The Comprehensive Plan states the following:

- Avoid expansion of the existing retail areas in Town, focusing on enhancing them through transportation improvements, landscaping and beautification, strong site design and targeted infill housing as appropriate.

**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.

Procedural Comments

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.
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 128.
3. The Proposed Action would be classified as a Type II Action pursuant to the State Environmental Quality Review Act (SEQRA).
4. A Public Hearing for the proposed site plan will need to be scheduled.
5. The site plan should be forwarded to the Chief of Police, Fire Inspector and the Armonk 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.

Staff Notes

The Westchester County Planning Board noted that the Applicant should be commended for proposing to repurpose an underutilized structure, providing economic development while maintaining the character of the Armonk downtown.

The Westchester County Planning Board noted that the Applicant should be commended for proposing to install a green roof atop the building addition, though it is our understanding that the majority of the stormwater management system for the site would continue to utilize the existing storm drains, directing all flow off the property.

The Westchester County Planning Board noted that the Applicant should be commended for proposing a shared parking solution for the lack of available space within the development site. As development opportunities arise within the Town, transportation demand management solutions such as this will enable commercial centers to remain pedestrian friendly, while lessening the need for an increase in impermeable surfaces.

(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.

The referral was made on August 8, 2023. The Police Department expressed concerns relating to the flow of vehicles from the site to the adjacent 20 Maple Avenue via Maple Ave. In addition, the Police expressed further concern that vehicles will queue on Maple Avenue and disrupt traffic operations. The police also are concerned that the public will bypass the valet parking and utilize other parking in the hamlet.

<p>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.</p> <p>7. An outdoor dining permit, issued by the Building Department, will be required prior to utilizing any outdoor/roof area for outdoor dining.</p> <p>8. Given the proposed lack of off-street parking in the hamlet area, it is recommended that the project be referred to the Town's Traffic Consultant for review and report.</p>	<p>The referral was made on August 8, 2023. The Water and Sewer Department recommended that the applicant reconsider the grease trap location. In addition, irrigation water demand should be included in the calculations. Furthermore, the plan should be revised to depict the location of water meter, backflow preventer and appurtenances.</p> <p>The Town's Traffic Consultant noted that during the evening and on weekends 56 off-street parking spaces will be available via valet parking at the site and at 20 Maple Avenue. However, only 24 spaces will be available during the critical afternoon parking crunch in the Armonk Hamlet.</p> <p>In general, the Town's consultant believes that adequate parking will be available in and around the restaurant once all of the details of the plans are revised to the Town's satisfaction.</p>
<p><u>General Comments</u></p> <p>1. The existing 1,700 square foot building is proposed to be converted into a 3,600 square foot restaurant. The CB-A2 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).</p> <p>2. The Applicant has stated that employees will utilize street parking on Old Route 22. It is highly unlikely that employees will utilize the proposed parking as it is an 8 minute walk to the subject site from that location. The Planning Board will need to evaluate whether the information presented by the Applicant is credible.</p> <p>3. The site plan depicts a total of 15 off-street parking spaces where 48 are required. The Applicant will need to obtain an off-street parking variance from the Zoning Board of Appeals.</p> <p>4. The submitted material indicates that there might be nighttime music/dancing/party. If such uses are not associated with typical sit down dinner service, those proposed uses may require the issuance of a <a href="#">Town Board Cabaret License pursuant to Chapter 140</a>.</p> <p>5. The Applicant should be commended for taking this opportunity to improve the site's frontage along Maple Avenue by enhancing the building's architecture and providing planting in front of the building.</p> <p>6. The lighting plan should be revised to provide approximately 1 footcandle along the existing sidewalk and parking lot.</p> <p>7. The submitted site plan should be revised to note that only male Ginko trees shall be planted.</p> <p>8. The elevations should be revised to depict proposed building height (average grade to roof midpoint).</p>	<p>Subsequently, the Applicant has secured a letter of intent from the American legion to permit 9 employees to park at the American Legion property on Bedford Road.</p> <p>An off-street parking variance was granted from the Zoning Board of Appeals on December 7, 2023.</p>