

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

July 19, 2023



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

SBL  
108.01-1-6-26

MEETING DATE  
August 7, 2023

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.

<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 128.</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 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.</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/roof area for outdoor dining.</li> <li>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.</li> </ol>	<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.</p>
<u>General Comments</u> <ol style="list-style-type: none"> <li>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).</li> <li>2. 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.</li> <li>3. 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>.</li> <li>4. It appears that the Applicant is counting 33 seats associated with the outdoor dining terrace/bar and 21 seats on the front porch. If these areas are not enclosed, then these seats should not be counted toward the off-street parking requirement as outdoor dining does not have an off-street parking requirement associated with that use.</li> <li>5. The ground level standing bar should be revised to assign "seats" to the locations where bar patrons will occupy the standing bar. It seems as though 8 "seats" should be assigned to this area.</li> <li>6. The Applicant should quantify the restaurant operation impacts with respect to water and sewage generation.</li> <li>7. 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.</li> </ol>	

8. The Applicant should submit the access easement to utilize the CVS driveway to add to the official record for this project.
9. The site plan should be revised to depict a trash enclosure detail. The Applicant should demonstrate that the trash enclosure is large enough to accommodate the waste and recycling needs of the proposed uses on the site.
10. The Applicant should indicate whether any commercial vehicles are proposed to be parked on the site. If so, the site plan should depict such vehicles on the site plan (those spots should not be counted as part of the off-street parking provided on the site).
11. The Applicant should submit a lighting plan in accordance with Section 355-45.M of the Town Code.
12. The Applicant should submit a landscaping plan with plant schedule (name, size, quantity) for review. Parking lot landscaping should be included where possible.
13. The Applicant should submit elevations for review. The elevations should depict proposed building height (average grade to roof midpoint).