

PUBLIC HEARING NOTICE
PROPOSED AMENDMENT TO CHAPTER 331, "ZONING"
RE: USES IN COMMERCIAL AND INDUSTRIAL DISTRICTS – LSR-1
LARGE SCALE RETAIL DISTRICT

NOTICE is hereby given that the Council of the City of New Rochelle, New York, will hold a Public Hearing pursuant to Chapter 331 of the Code of the City of New Rochelle, Section 237-m of the General Municipal Law of the State of New York, and Sections 277.61 and 277.71 of the County Administrative Code, on Wednesday, November 9, 2016, at 7:00 P. M., in the Council Chamber, City Hall, 515 North Avenue, New Rochelle, New York, on a proposed amendment to the City's Zoning Code, Chapter 331, as follows:

ORDINANCE AMENDING SECTION 331-5, ENUMERATION OF DISTRICTS, AMENDING ARTICLE VIII, USES IN COMMERCIAL AND INDUSTRIAL DISTRICTS BY ADDING SECTION 331-58.1, LSR-1, LARGE SCALE RETAIL DISTRICT, AMENDING ARTICLE IX, DIMENSIONAL AND OTHER REQUIREMENTS BY ADDING SECTION 331-74.1, LSR-1, LARGE SCALE RETAIL DISTRICT, AND AMENDING SCHEDULE OF DIMENSIONAL REGULATIONS, NON-RESIDENCE DISTRICTS, OF CHAPTER 331, ZONING, OF THE CODE OF THE CITY OF NEW ROCHELLE (70 NARDOZZI PLACE).
(revised)

BE IT ORDAINED by the City of New Rochelle:

Section 1. Section 331-5, Enumeration of Districts, is hereby amended by adding the following:

§ 331-5. Enumeration of districts.

The City of New Rochelle is hereby divided into the following classes of districts:

Commercial/Industrial Districts

Large Scale Retail District-5 story LSR-1

Section 2. Article VIII, Uses in Commercial and Industrial Districts, is hereby amended by adding the following section:

§ 331-58.1. LSR-1 - Large Scale Retail District

- A. Permitted principal uses.
 - 1. Large scale retail facilities.
 - 2. Stores and shops exclusively for sales at retail or the performance of customary personal services.
 - 3. Business, professional, or governmental offices.
 - 4. Houses of worship.
 - 5. National brand retail establishment, including accessory fully enclosed storage, repair, servicing, and customizing or merchandise sold by the national brand retailer and other complementary accessory uses, which accessory uses shall not constitute more than 40% of the total gross floor area of the establishments.
 - 6. Enclosed tennis, squash, handball and/or racquetball court facility.
 - 7. Indoor wall or rock-climbing facility.
 - 8. Restaurants and Carry-Out Restaurants.
 - 9. Banks.
 - 10. Health Clubs.
 - 11. Self-Storage facilities.
 - 12. Municipal facilities.
 - 13. Outdoor storage of motor vehicles.
 - 14. Motor vehicle dealership.

- B. Permitted accessory uses.
 - 1. Uses and structures which are clearly incidental and customarily accessory to the permitted principal use on the lot on which they are located.

- C. Uses allowed by special permit. (See Article XII for body having jurisdiction to issue special permit.)
 - 1. Greenhouses, nurseries, and arboretums as regulated by § 331-96.
 - 2. Public utility uses as regulated by § 331-106.
 - 3. Cellular antennas and associated facilities as regulated by § 331-99 of this chapter.
 - 4. Day-care centers, as regulated by § 331-113.6.
 - 5. Cabarets accessory to a restaurant use as regulated by § 331-113.2.

Section 3. Article IX, Dimensional and Other Requirements, is hereby amended by adding the following section:

§ 331-74.1. LSR-1 - Large Scale Retail District (1)

A. Dimensional requirements.

1. Maximum building height shall be 40 feet, in an urban renewal area, otherwise 50 feet, and 100 feet if the property is more than 200 feet from a residential use.
2. Maximum permitted floor area ratio (FAR) shall be 1.0. FAR may be increased to 4.0 if the property is more than 200 feet from a residential use.
3. Maximum permitted lot coverage shall be 95% for all buildings and 100% for all impervious surfaces.

B. Signs in the LSR-1 District. Notwithstanding any provision of Chapter 270 of the City Code, in the LSR-1 District, signs for any permitted use in any building or group of buildings operated as a unified, single commercial development may be located on any lot within such unified, single commercial development, regardless of the ownership of such lots.

C. Parking in the LSR-1 District.

The Planning Board may grant an application for shared parking if it determines that the peak demand for all uses is sufficiently distinct so that there will rarely be an overlap of parking demand.

1. Notwithstanding any provision of this Chapter, in the LSR-1 District, where a building or group of buildings are operated as a unified, single commercial development, up to one-third of the required number of parking spaces for any use or uses on any lot on which the development is located may be provided on an adjacent lot on which the development is located, provided that total number of required parking spaces shall not be reduced thereby, regardless of the ownership of such lots. The continued availability of such parking spaces for the uses served shall be assured by a legal instrument, in form and substance satisfactory to the Corporation Counsel, which shall be recorded in the Westchester County Clerk's office.

2. Parcels with two or more uses. Notwithstanding any provision of this Chapter, in the LSR-1 District, where it can be demonstrated to the satisfaction of the Planning Board that one or more uses in any building or group of buildings operated as a unified, single commercial development will be generating a demand for parking spaces primarily during

periods when the other use or uses is not or are not in operation, the Planning Board, upon recommendation by the Commissioner of Development, may reduce the total parking requirement by up to fifteen (15) percent which, when in its judgment, will prevent frequent parking on the street by persons working at or visiting the development.

Section 4. Schedule of Dimensional Regulations, Non-Residence Districts, is hereby amended as follows:

<u>District/Use</u>	<u>Maximum Dimensional Regulations</u>					<u>Minimum Dimensional requirements</u>		
	<u>Floor Area Ratio</u>	<u>Building Height</u>		<u>Coverage</u>		<u>Yards</u>		
		<u>Stories</u>	<u>Feet</u>	<u>Buildings</u>	<u>Impervious Surfaces</u>	<u>Front (feet)</u>	<u>Side (feet)</u>	<u>Rear (feet)</u>
<u>LSR-1 Large Scale Retail</u>	4.0	5	*	[80] 95%	100%	---	---	---

* Height is regulated by 331-74.1

Matter [bracketed] deleted.
 Matter underlined added.

All persons interested are invited to attend said Public Hearing or submit written communications to the City Clerk at or before the Public Hearing.

By order of the City Council dated October 4, 2016 pursuant to Resolution 197.

Bennie F. Giles, III, City Clerk