

PUBLIC HEARING NOTICE
PROPOSED AMENDMENT TO CHAPTER 331, "ZONING"
RE: ZONING MAP-SITE SPECIFIC CONTROLS
CR-1. COLLEGE AND COLLEGE RELATED USES
(IONA COLLEGE)

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, September 14, 2011, at 7:30 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 ORDINANCE #81 OF 2002 BY REVISING THE
SITE-SPECIFIC CONTROLS PREVIOUSLY ADOPTED BY CITY COUNCIL
WHICH WILL NOW GOVERN ALL DEVELOPMENT ON BLOCK 1556,
LOT 158.

BE IT ORDAINED by the City Council of the City of New Rochelle:

Section 1. The Zoning Map, forming part of the 1955 New Rochelle Zoning Ordinance of the City of New Rochelle, and amended in 2001, is hereby further amended so that the property described on the Official Tax Assessment Map of the City of New Rochelle as Lot 158 in Block 1556, bounded by North Avenue, Mayflower Avenue and Summit Avenue, is hereby changed "NB-NEIGHBORHOOD BUSINESS" TO CR-1 COLLEGE AND COLLEGE RELATED USES"

Section 2. The following site specific restrictions and conditions are hereby imposed upon Lot 158 in Block 1556 in furtherance of specifically implementing particular site controls within a CR-1, College and College Related Uses zoning classification.

- a. Uses allowed by Right: Lot 158 in Block 1556 shall be used for dormitory buildings, housing a maximum number of [696] students as permitted by all applicable local and state regulations, [without] not including resident advisors, and classrooms, auditoriums, faculty offices laboratories and lecture halls, off-street parking and recreation.
- b. Maximum Floor Area Ratio: 1.45
- c. Maximum Height of Building: 100 Feet (Roof shall not exceed 100 Feet above average curb grade at North Avenue)
- d. Maximum Length of Building: 300 Feet
- e. Maximum Coverage of Lot: 29.10%

- f. Lot Dimensions: Lot dimensions of Lot 158 on Block 1556 shall remain as currently configured.
- g. Minimum Side Yard: 5 Feet, except when abutting a C-1 Zone, in which case, 0 Feet
- h. Minimum Rear Yard: Not applicable
- i. Minimum Front Yard: 0 Feet
- j. Minimum off-street parking: 150 spaces, at grade on campus
- k. Open Space / Buffers: Exhibit B, (West Campus Plan) shall control in terms of building location, rear buffer zone, bulk and dimensions, parking lot locations, dimensions and access.

Exhibit B shall serve as basis for site plan application

l. Iona College shall work with the City of New Rochelle to adjust the signal timing at the intersection of North Avenue at Fifth Avenue/Coligni Avenue, so as to provide one second of additional green time to the eastbound/westbound phase, as described in the DEIS. All expenses involved in implementing this mitigation measure shall be borne by Iona College.

m. Iona College shall submit a site plan application to the City of New Rochelle Planning Board to expand the Beechmont Avenue parking lot by 115 parking spaces (resulting in a net increase of 87 spaces in the on-campus parking capacity, when accounting for the loss of 28 existing spaces at the new dormitory site). The Beechmont Avenue parking lot expansion, if approved by the City Planning Board, shall be placed into operation prior to the opening of the new dormitories. This parking lot shall be restricted to use by Iona College faculty and staff, as enforced by means of suitable controlled access measures.

n. Iona College shall implement and enforce a policy whereby freshman and sophomore students living on-campus are prohibited from bringing motor vehicles to the campus. This policy shall remain in effect indefinitely into the future. The penalties for violation of this policy shall be sufficiently severe so as to effectively deter infractions, and shall include, but shall not be limited to the following:

- i. Disciplinary Reprimand. Verbal or written warning that additional violations may result in more severe disciplinary action.
- ii. Disciplinary Probation. Assigned through a specific period; future violations while on probation may result in dismissal from Residential Life. This is a

period of time where the individual must prove they can live in a community without violating policy. Any violation of policy that occurs while one is on probation, is a violation of the sanction.

iii. Suspension of Privileges. Specific privileges (i.e. guest privileges) are revoked for an assigned period of time, usually ranging from two weeks to the entire semester of academic year.

iv. Fine. Fines up to \$500 may be imposed for various infractions, and must be paid by a specified date.

v. Suspension from the Residence Halls. Requires that the resident temporarily remove himself/herself from all residence halls within 24 hours for an assigned period; alternate housing must be secured without the assistance from any College office. No portion of a resident's room and board fees or security deposit is refundable, if suspended from Residential Life.

vi. Permanent separation of the student from Iona College.

o. Iona College shall undertake suitable measures to encourage alternative travel, other than by private vehicle, including, but not limited to, the provision of bicycle storage racks at the new dormitories and measures to encourage the use of mass transit.

p. The exterior building materials used in the new dormitories shall be compatible with the existing Loftus and Science buildings immediately to the rear of the project site.

q. The cantilevered bays on the new dormitories shall be painted in a suitable subdued color, consistent with the masonry on these buildings and the exteriors of nearby buildings on the campus.

r. A continuous barrier to pedestrian passage, in the form of a chain suspended from a series of bollards or other suitable means, shall be placed along the street frontage of the subject property on North Avenue so as to direct pedestrian traffic to intersection crossings and discourage jaywalking.

s. The project site shall be attractively landscaped to enhance aesthetic appeal. Particular attention shall be paid to installing and maintaining appropriate landscaping along the North Avenue frontage, on the south side of the south dormitory building, and in the central plaza area.

t. A continuous row of suitable street trees shall be placed along the sidewalk on North Avenue in front of the subject property, so as to enhance the aesthetic quality of this street frontage at the new dormitory buildings. The replacement of existing street trees shall be funded by Iona College, at an agreed-to amount, to be determined and acceptable to the Commissioner of Development, prior to the issuance of a building permit for construction.

u. Iona College shall make a significant financial contribution to the proposed North Avenue streetscape program, where North Avenue fronts Iona's two campuses.

This contribution shall be at an agreed-upon amount, to be determined and acceptable to the Commissioner of Development, above and beyond the required mitigation specified above with respect to the street trees and pedestrian barrier in front of the new dormitories.

v. Iona College shall submit an application to the City of New Rochelle Planning Board to amend the previously approved College entry way site plan, so as to incorporate the adjacent “as-built” courtyard plan, and to agree to a condition of not allowing any building expansion or new buildings to be constructed within that courtyard for a minimum of 10 years.

w. In order to ensure the safety of pedestrians traveling between the new dormitories and the main campus of Iona College on the opposite side of North Avenue, Iona College shall, at its own expense, provide a pedestrian crossing guard at the intersection of North Avenue at Summit Avenue and the main entrance to Iona College during the hours of 9:00 a.m. to 2:00 p.m. when classes are in session. This measure shall be employed by Iona College in perpetuity, unless rescinded or amended in writing by the City of New Rochelle.

x. Suitable measures shall be implemented during construction to minimize impacts to the surrounding community and ensure public health and safety. The required measures shall include, but not necessarily be limited to, measures to ensure pedestrian safety, on-site storage and staging of trucks and heavy equipment, and limiting construction to normal work day hours and avoiding construction on weekends.

y. Appropriate measures shall be implemented during construction to ensure that disturbed soils are not eroded and transported onto adjacent roadways or neighboring properties. The effectiveness of erosion and sediment control measures shall be continuously monitored, especially after significant rainfall events, and ensured through timely maintenance as necessary.

z. The College shall maintain funding of an off duty police officer in perpetuity to patrol the area in and around the new dormitory buildings, covering Thursday, Friday and Saturday evenings from 12 Midnight to 4:00 a.m., unless the funding of such services proves to be cost prohibitive in the future. In that case, the College will explore with the City Police Department alternative measures to ensure the safety of Iona’s staff and students and such alternatives will be presented to the Council for acceptance, which acceptance shall not be unreasonably withheld. Iona College shall continuously evaluate the effectiveness of its security program, including the area in and around the new dormitory buildings, and shall enhance security as needed in order to ensure the safety of its own staff and students and to minimize the impacts to the surrounding communities caused by the activities of the College and its staff and students.

aa. Iona College has represented to the City and the public that the proposed dormitory expansion project will not result in an increase in the college’s student population, but rather is intended to attract higher quality students by augmenting

opportunities for on-campus living. Given that the environmental impact analyses in the DEIS and FEIS were based on the current student population, the Findings of these analyses would be void if occupation of the new dormitory buildings caused a significant increase in the student population. Therefore, Iona College shall not allow its undergraduate student population to increase more than five (5) percent from its present level without submitting to supplemental environmental review under SEQRA. For the purposes of this Statement of Findings, the current student population is defined as being approximately 2,796[672] undergraduate students, which is specified by the DEIS (page 42) as the total number of new freshmen, sophomores, juniors and seniors enrolled at Iona College at the beginning of the fall 2000 semester.

Section 3. Section 2.a, as amended herein, shall expire on the two-year anniversary of adoption of this amended ordinance. Upon such expiration, the original Section 2.a and all other provisions shall remain as adopted in 2002, with the exception of the amendment to Section 2.aa, which is a correction to a typographical error.

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 August 9, 2011, pursuant to Resolution No. 144.

Bennie F. Giles, III, City Clerk