

**A. INTRODUCTION AND SUMMARY OF FINDINGS**

This chapter analyzes the Proposed Project’s potential effects on land use, zoning, and public policy. It describes the consistency of the Proposed Project with the land uses and zoning currently on the Project Site and within ½-mile of the Project Site (the “Land Use Study Area”). It also analyzes the consistency of the Proposed Project with applicable public policy documents and the goals and strategies contained therein, including the 2010 Town of Yorktown Comprehensive Plan (the “Town Comprehensive Plan”), Westchester County’s Patterns for Westchester and Westchester 2025 (the “County Plan”), and the 2019 Westchester County Housing Needs Assessment (the “Housing Assessment”).

The Proposed Project would convert a vacant, underutilized office campus into a new residential neighborhood. It would introduce a residential use in an area that is already predominantly residential. The Project Site would be rezoned from OB Research Laboratory and Office District (“OB District”) to the Town’s RSP-2 Senior Citizens District (“RSP-2 District”), a zoning district that is already mapped to the west of the Project Site, across the Taconic State Parkway, where an age-restricted (55+) community currently exists. Additionally, consistent with the public policies expressed in the above documents, the Proposed Project would result in development that is consistent with surrounding neighborhoods, preserves open space on the Project Site, provides recreational amenities to its residents, and increases and diversifies the Town’s housing stock.

**B. LAND USE****B.1. EXISTING CONDITIONS***B.1.a. Land Use Study Area*

The Project Site, located at 800 East Main Street in the Town of Yorktown, is approximately 35.5 acres and is currently improved with two office buildings that, combined, have approximately 63,617 square feet (sf) of space, as well as related surface parking, infrastructure, lighting, and landscaping (see **Figure 2-1**). The Project Site is located in the northwest corner of the hamlet of Jefferson Valley, which forms the northeastern corner of the Town and is the largest of the Town’s five hamlets. The office buildings on the Project Site are currently vacant and have been for several years. Approximately 30 percent of the Project Site (±10.74 acres) is currently developed, with the northern 70 percent of the Project Site (approximately 24.79 acres) in a forested state (see **Figure 2-2**). The Project Site is accessed by a single driveway that connects the southern portion of the Project Site to Old Route 6. The northern edge of the Project Site borders the Town of Putnam Valley (in Putnam County).

Within the Land Use Study Area, the predominant land use is residential, followed by commercial, parks and open space, community services, public services, recreation and entertainment, and vacant land (see **Figure 2-3**).

To the north and northeast, the Project Site is bordered by the Donald J. Trump State Park, a 436-acre state park that spans the towns of Yorktown and Putnam Valley (Putnam County).<sup>1</sup> The park features a mix of forest, open meadows, and wetlands, with several (unmaintained) trails. To the west, the Project Site is bordered by the Taconic State Parkway, a New York State Scenic Byway, which runs north-south within the Town. There is an approximately 150-foot-wide vegetative buffer between the Taconic State Parkway and the Project Site, which provides a natural visual screen between the parkway and Project Site, and which would remain as part of the Proposed Project (see **Figure 2-2**).

The Project Site is bordered to the southeast by a few single-family homes, and to the south by East Main Street and U.S. Route 6. Further west of the Project Site (on the western side of the Taconic State Parkway) is Trump Park Residences, a senior residential community located in the RSP-2 District. Commercial land uses are located to the southeast and southwest of the Project Site. To the southeast, these commercial uses include strip malls, a gas station, and fast casual dining establishments located along Lee Boulevard and Hill Boulevard, south of East Main Street and north of U.S. Route 6. Additionally, the Jefferson Valley Mall, a local shopping destination with over 500,000 sf of retail space anchored by Macy's and Dick's Sporting Goods, is located to the south of U.S. Route 6, but in close proximity to the other commercial uses. To the southwest, commercial uses include gas stations and fast casual dining establishments, generally located along U.S. Route 6.

South of the Project Site, across NYS Route 6, is the Town-owned, but privately operated, Par 3 golf course. South of the course is a neighborhood of predominantly detached one-family dwellings.

### *B.1.b. Town of Yorktown and Hamlets*

The area of the Town is approximately 39.3 square miles, and it had a population of 36,569 residents as of the 2020 U.S. Census. It is bordered to the west by the Town of Cortlandt, to the south by the Town of New Castle, to the east by the Town of Somers, and to the north by the Town of Putnam Valley and the Town of Carmel (Putnam County). The Town includes five hamlets: Mohegan Lake, Shrub Oak, Jefferson Valley, Crompond, and Yorktown Heights.

The Project Site is located in the northwest corner of the hamlet of Jefferson Valley. The hamlet forms the northeastern corner of the Town and is the largest of the five hamlets, with an area of approximately 7.1 square miles, and a population of 14,444 residents as of the 2020 U.S. Census, making it the largest hamlet in terms of population as well. The hamlet is predominantly residential, consisting mostly of detached single-family homes in large subdivisions, but several townhome complexes are located near the hamlet's commercial center, the Jefferson Valley Mall.

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<sup>1</sup> Donald J. Trump State Park is divided into two sections, the Indian Hill portion, a 282-acre parcel which is adjacent to the Project Site, and the French Hill portion, a 154-acre parcel which is located fully within the Town, several miles south of the Project Site, and adjacent to FDR State Park.

The hamlet of Mohegan Lake is predominantly residential and is located in the northwestern portion of the Town. It has an area of approximately three square miles of land and water (Lake Mohegan) and had a population of 5,896 residents as of the 2020 U.S. Census. Residences in the hamlet include detached single-family homes, developed in subdivisions that surround Lake Mohegan, which were originally developed as summer cottages, as well as multifamily developments on the northwestern side of the Lake. Residential development in the hamlet is concentrated around NYS Route 6.

The hamlet of Shrub Oak is located directly east of Mohegan Lake. Shrub Oak has an area of approximately 1.6 square mile and had a population of 2,143 residents as of the 2020 U.S. Census. It is bounded by the Taconic State Parkway to the east, and the Westchester County/Putnam County border to the north. The Trump Park Residences senior community is located in the hamlet of Shrub Oak.

The hamlet of Crompond is located directly south of Mohegan Lake and Shrub Oak (its northern border is the southern border of those hamlets) and is southwest of the Project Site. The hamlet has an area of approximately 2.4 square miles and had a population of 2,330 as of the 2020 U.S. Census. The hamlet is bisected by U.S. Route 202, along which there are a variety of commercial developments, but aside from those commercial uses, the hamlet is predominantly residential.

The hamlet of Yorktown Heights is the smallest of Yorktown’s five hamlets, with an area of approximately 0.9 square miles, and a population of 1,884 residents as of the 2020 U.S. Census. Located several miles southeast of the Project Site, and to the east of FDR State Park, the hamlet of Yorktown Heights is one of the main commercial centers in the Town, and includes a variety of shopping centers, restaurants, and medical and professional offices. Outside of the commercial center, there are residential neighborhoods composed primarily of detached single-family homes.

## **B.2. THE FUTURE WITHOUT THE PROPOSED PROJECT**

The demand for professional office space in a corporate park setting has declined since its peak in the 1980s. This trend is evidenced by the repurposing and redevelopment of corporate office buildings throughout Westchester County. According to CBRE, in the second quarter of 2023, commercial office leasing activity in Westchester County was 32 percent below the five-year quarterly average, and down 43 percent from the prior quarter.<sup>2</sup> In the third quarter of 2023, commercial office leasing activity was 43 percent below the five-year quarterly average, and down 19 percent from the prior quarter.<sup>3</sup> This trend started prior to the Covid-19 Pandemic, and was likely exacerbated by the Covid-19 Pandemic.

Additionally, the professional services and investment marketing company Colliers noted in its *Q2 2022 Westchester County Office Report* that, “Lower quality and outdated traditional office stock in Westchester County faces the prospect of obsolescence and potential adaptive re-use to multifamily or medical.”<sup>4</sup> In its *Q2 2023 Westchester County Office Report*, Colliers noted that the “Westchester County [office market] experienced

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<sup>2</sup> <https://www.cbre.com/insights/figures/westchester-county-office-figures-q2-2023>

<sup>3</sup> <https://www.cbre.com/insights/figures/westchester-county-office-figures-q3-2023>

<sup>4</sup> <https://www.colliers.com/en/research/new-york/westchester-county-office-market-snapshot-q2-2022>

115,275 sf of negative new absorption,” and that “high quality office buildings with modern amenities in prime locations are positioned well for capturing future demand [but] conversely, tertiary and lesser quality buildings have been struggling as office occupiers shift their focus.”<sup>5</sup>

Given the reasonably expected continuing decline in office demand, in the future without the Proposed Project, the land use of the Project Site (as a vacant commercial office campus) would not change, and the existing commercial office buildings and related infrastructure would remain. Within the Land Use Study Area, there is a residential project currently proposed at 670 East Main Street, which would result in the removal of an existing single-family home, and the construction of four, two-story, three-bedroom townhouses.<sup>6</sup> Otherwise, it is anticipated that in the future, land uses within the Land Use Study Area would remain as they currently exist.

### **B.3. THE FUTURE WITH THE PROPOSED PROJECT (THE “BUILD CONDITION”)**

In the future with the Proposed Project, the Project Site would be converted from a vacant office campus into an age-restricted (55+) residential community. This use is consistent with surrounding residential land uses, including Trump Park Residences, a similarly-age restricted condominium development in the RSP-2 District just west of the Project Site across the Taconic State Parkway.

The Proposed Project would have 250 residential units, with 200 rental units in 12 buildings (of varying building types), and 50 for-sale townhouses. A total of 383 parking spaces would be provided. Much of the development would take place within the previously developed footprint of the existing office buildings and the development would be served by the existing access driveway. The Proposed Project would include large areas of open space, some programmed, to encourage passive and active recreation on the Project Site. Recreational amenities would include walking trails, tennis courts, a swimming pool, and pickleball courts.

In the Applicant’s opinion, the Proposed Project, including its residential, parking, and open space components, is consistent with adjoining land uses. The proposed residential use is consistent with the Trump Park Residences west of the Project Site, and the residential neighborhoods to the east and south of the Project Site, and would not introduce new land uses that do not presently exist within the surrounding area. The development of the Project Site would retain the overall mixed residential and commercial land use character of the Land Use Study Area and the Proposed Project would be an appropriately scaled and sited residential community. The proposed residential use is consistent with the nearby Donald J. Trump State Park. The residential use is a lower intensity use than office use (i.e., fewer vehicle trips), and the Proposed Project would retain a significant wooded buffer between it and the Park. As discussed in Chapter 3, “Visual and Community Character,” the Proposed Project would not be visible from trails within the State Park, owing to thick vegetation and the intervening distance and topography, thereby not impacting potential views from the Park. The Proposed Project is also consistent with the adjacent Taconic State Parkway, which in addition to being a four-lane divided

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<sup>5</sup> <https://www.colliers.com/en/research/new-york/westchester-county-office-market-snapshot-q2-2023>

<sup>6</sup> <https://www.yorktownny.org/planning/670-east-main-street>

highway, is a NYS Scenic Byway. The forested buffer buffering between the Parkway and the Project Site would remain, and while limited portions of the Project's buildings would be visible from the Parkway, this would be consistent with other developments along the Parkway as well as the Site's current condition.

**B.4. MITIGATION**

As the Proposed Project would create a residential community in an area that is already predominantly residential, and would not have significant adverse impacts to viewsheds (see Chapter 3, "Visual and Community Character") or on the adjacent Donald J. Trump State Park (see Chapter 8, "Community Facilities"), it would not result in any significant adverse land use impact. Therefore, no mitigation measures are proposed.

**C. ZONING**

**C.1. EXISTING CONDITIONS**

The Project Site is within the Town's OB Research Laboratory and Office District ("OB District") (see **Figure 2-4**). Principal permitted uses in the OB District include laboratories devoted exclusively to research, product development and testing, engineering development and sales development, as well as offices for professional or business use (including executive, engineering, accounting, scientific, research and development, educational, statistical and financial purposes).<sup>7</sup> The OB District has a minimum lot area of 20 acres and a permitted floor area ratio (FAR) of 0.10. Each lot must have at least 500 feet of frontage on an existing public street. Maximum allowable building heights in the OB District are three stories or 45 feet, and the third story may not exceed 35 percent of the entire ground floor area of the building.

Within the Land Use Study Area, and within the Town of Yorktown, there are 13 other zoning districts: C-1 Commercial Shopping Center District, C-2 Commercial Hamlet Center District, C-4 Commercial General District, CR Commercial Recreation District, CRC Commercial Regional Center District, O Office District, R-3 Multifamily Residential District, R1-10 One-Family Residential District, R1-20 One-Family Residential District, R1-80 One-Family Residential District, R-160 One-Family Residential District, R1-200 One-Family Residential District, and RSP-2 Senior Citizens District (see **Figure 2-4**).

The Town's R1-200 One-Family Residential District is a single-family residential district that permits one single-family dwelling per lot, with a minimum lot size of 200,000 sf. The district is mapped to the west of the Project Site, near the western edge of the Land Use Study Area, where it includes large areas of forested land.

The Town's R1-160 One-Family Residential District is a single-family residential district that permits one single-family dwelling per lot, with a minimum lot size of 160,000 sf. The district is mapped directly to the east of the Project Site, where it includes a neighborhood of single-family homes, as well as a portion of the Donald J. Trump State Park.

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<sup>7</sup> Town Code §§ 300-21(C)(14), and 300-105.

## 800 East Main Street Redevelopment

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The Town's R1-80 One-Family Residential District is a single-family residential district that permits one single-family dwelling per lot, with a minimum lot size of 80,000 sf. The district is mapped in one small area to the south of the Project Site, near the southern edge of the Land Use Study Area, comprised of undeveloped forested land along Shrub Oak Brook.

The Town's R1-20 One-Family Residential District is a single-family residential district that permits one single-family dwelling per lot, with a minimum lot size of 20,000 sf. The district is mapped to the west of the Project Site (between an RSP-2 District and R1-200 One Family Residential District), where it includes a small neighborhood of single-family homes along two streets, as well as to the south of the Project Site, south of Shrub Oak Brook, where it is comprised of a larger subdivision of single-family homes.

The Town's R1-10 One-Family Residential District is a single-family residential district that permits one single-family dwelling per lot, with a minimum lot size of 20,000 sf. The district is mapped in one part of the Land Use Study Area, to the southwest of the Project Site, where it straddles U.S. Route 6.

In all of these residential districts the maximum building height is 35 feet, the minimum floor area ranges from 800 sf to 1,200 sf, and the permitted building coverage ranges from 10 percent (in the R1-200 One-Family Residential District) to 25 percent (in the R1-10 One-Family Residential District).

The Town's R-3 Multi-Family Residential District is a multi-family residential district that permits up to 12 units per acre, with a minimum lot size of 3,630 sf. Depending on the number of units per acre developed on a lot, the permitted FAR ranges from 0.20 to 0.23. Within the Land Use Study Area, the R-3 Multifamily Residential District is mapped in two areas, the larger of which is located southeast of the Project Site along East Main Street, and includes two multifamily condominium developments (Surrey Court and Coach N Four Manor), and the smaller of which is located southwest of the Project Site at 3675 Old Yorktown Road, and includes one multifamily development (the Courtyard).

The Town's RSP-2 District is a senior citizens district with a minimum lot area of five acres. This zoning district permits one unit per 2,200 sf, provided the dwelling unit is no larger than a "3-room living unit" or "2-bedroom apartment," and one unit per 10,000 sf, if the dwelling unit is a "4-room living unit" or larger, or a unit with more than two bedrooms. The maximum permitted FAR is 0.35 and the maximum height is 45 feet.<sup>8</sup> The RSP-2 district is mapped directly to the west of the Project Site, on the western side of the Taconic State Parkway, where the Trump Park Residences development is located. Additionally, several smaller parcels throughout the Town are mapped RSP-2.

The Town's C-1 Commercial Shopping Center District and C-2 Commercial Hamlet Center District are commercial zoning districts. The C-1 Commercial Shopping Center District has a minimum lot area of 80,000 sf and a maximum building height of 30 feet, while the C-2 district has no minimum lot area and a maximum building height of 35 feet. Both districts have a maximum permitted FAR of 0.30. Permitted principal uses in both

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<sup>8</sup> In all multifamily districts, the floor area ratio (usable) and the lot area is calculated on the basis of net area, which is determined by subtracting from the gross area of the site all wetlands and controlled areas defined in Chapter 178 of the Town Zoning Code.

districts include retail stores, banks, restaurants, professional and business offices, personal service establishments, and government buildings.

The Town's C-4 Commercial General District is a commercial zoning district with no minimum lot area, a maximum building height of 35 feet, and a maximum permitted FAR of 0.30. Permitted principal uses in the district include most of those uses permitted in the C-1 Commercial Shopping Center District and C-2 Commercial Hamlet Center District, as well as movie theatres, parking garages and veterinary hospitals.

The Jefferson Valley Mall is in the Town's CRC Commercial Regional Center District, which is a commercial zoning district that permits building in accordance with a plan of development as approved by the Town Board. The minimum lot area is 35 acres, and permitted uses include retail stores and shops, professional and business offices, personal service establishments, restaurants, movie theatres, and health clubs. Building coverage may not exceed 20 percent of the site, and the maximum permitted FAR is 0.40.

The Town's O Office District is an office district with no minimum lot area, a maximum building height of 35 feet, and a maximum permitted FAR of 0.30. Permitted uses include professional and business offices, post offices, banks, health clubs, dance studios, government buildings, and furniture showrooms.

Additionally, to the north of the Project Site, in the Town of Putnam Valley, there are four zoning districts within ½-mile of the Project Site: R-1 Medium Density Residence District, R-2 Moderate Density Residence District, R-3 Low Density Residence District, and PD Preservation District (see **Figure 2-4**).

The R-1 Medium Density Residential District is a medium-density residential district. The district covers existing concentrated population centers and provides for residential areas with single-family and two-family homes, and townhouses.<sup>9</sup> Permitted uses in the R-1 Medium Density Residence District include single-family residences (detached and cluster) and multifamily residences, as well as libraries, municipal buildings, and public schools, among others. The minimum lot size is 1 acre, and the maximum FAR is 0.40. The district is mapped in the northeast portion of the Land Use Study Area.

The R-2 Moderate Density Residence District is a moderate-density residential district. The district includes land that is generally located adjacent to areas of concentrated population, and provides for residential areas developed with single-family detached and semi-attached units.<sup>10</sup> Permitted uses in the R-2 Moderate Density Residence District include single-family residences (detached and cluster) and multifamily residences, as well as libraries, municipal buildings, and public schools, among others. The minimum lot size is 2 acres, and the maximum FAR is 0.25. The district is mapped to the north of the Project Site.

The R-3 Low Density Residence District is a low-density residential district.<sup>11</sup> Permitted uses in the R-3 Low Density Residence District include single-family residences (detached and cluster), as well as libraries, municipal buildings, and public schools,

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<sup>9</sup> Putnam Valley Zoning Code § 165-12(D).

<sup>10</sup> Putnam Valley Zoning Code § 165-12(C).

<sup>11</sup> Putnam Valley Zoning Code § 165-12(B).

among others. The minimum lot area is 3 acres, and the maximum FAR is 0.15. The district is mapped in the northwest portion of the Land Use Study Area.

The PD Preservation District provides for permanent open space or very low density/intensity recreational uses. Permitted uses are limited and include municipal buildings, public schools, parks and recreation services, farm operations, and animal husbandry. The minimum lot size is ten acres, and the district is mapped north of the Project Site, on the western side of the Taconic State Parkway.

**C.2. THE FUTURE WITHOUT THE PROPOSED PROJECT**

Roc-Shrub Oak Associates is considering a multifamily development with up to 150-units on certain parcels southwest of the intersection of U.S. Route 6 and the Taconic State Parkway that are currently in the “O,” Office, zone. The project would require a change to the Site’s current zoning, potentially through the creation of an Overlay Zoning District.

In the future without the Proposed Project, the rezoning of the Project Site to RSP-2 District would not occur, and the Project Site would not be redeveloped for residential uses. This “No Action” alternative is discussed in more detail in Chapter 17, “Alternatives.”

While the Town’s Comprehensive Plan does not include a specific chapter devoted to zoning analysis, Chapter 2 of the Town Comprehensive Plan (Land Use) includes certain zoning-related suggestions, including a Proposed Land Use Map. The principal zoning goals advanced in the Town Comprehensive Plan are that regulations for commercial zoning districts should be updated and that upzoning should be undertaken in many residential areas throughout the Town (page 2-3).

The Town adopted the Proposed Land Use Map in February 2011. Some of the changes implemented based on Comprehensive Plan and Proposed Land Use Map include the renaming of certain zoning districts, consolidating industrial zones, creating the C-2R Commercial Hamlet Center District to allow for residential apartments above first-floor commercial uses, rezoning the Project Site from OB-1 to OB, rezoning C-2 parcels in the hamlet of Yorktown Heights to C-2R, and downzoning certain residential properties (through Local Law Nos. 1 and 2 of 2011).

**C.3. THE FUTURE WITH THE PROPOSED PROJECT**

To accommodate the Proposed Project, the Applicant has petitioned the Town Board for an amendment to the Town Zoning Map to rezone the Project Site from the OB District to the RSP-2 District, and for amendments to the regulations of the RSP-2 District to permit increased density and increased building height (see Chapter 1, “Project Description,” for additional discussion of the proposed zoning amendments). The rezoning would nominally reduce the amount of available commercial land in the Town for future commercial opportunities.

**C.4. MITIGATION**

As the rezoning of the Project Site to RSP-2 District would permit a residential community in an area with current residential development, the Proposed Project would not result in any significant adverse zoning impact. Therefore, no mitigation measures are proposed.



## D. PUBLIC POLICY

### D.1. EXISTING CONDITIONS

As required by the adopted DEIS Scoping Document, this section analyzes the consistency of the Proposed Project with the following public policy documents: the Town Comprehensive Plan, the County Plan, and the Westchester County Housing Needs Assessment. It is the Applicant's opinion that the Proposed Project is consistent with the relevant public policies described in those documents, as discussed in Section D.3, below.

#### *D.1.a. Town of Yorktown Comprehensive Plan (2010)*<sup>12</sup>

The Town Comprehensive Plan was adopted by the Town Board on June 15, 2010, following eight years of work by the Town Board, Planning Department, Comprehensive Plan Task Force, Town staff, and interested businesses and associations located in the Town. The Town Comprehensive Plan presents the Town's land use vision for its future, and provides, in pertinent part, that:

- “[The Town should have] strong neighborhoods that have a balance of developed areas and open space.”
- “Yorktown's five hamlet business centers should be vital centers of community life, with a mix of retail, office, civic, and a diversity of residential uses.”
- “Development should be carefully balanced with natural resources conservation, scenic and historic preservation, and promotion of recreational opportunities.”

In support of these goals, the Town Comprehensive Plan outlines specific recommendations, including “[promoting] housing for people in all stages of life, from young adults and couples, to families with children, to seniors.”

The Town Comprehensive Plan also advocates that “Yorktown should also strive for housing diversity throughout the Town [and] balance the need for housing with the community's desire to limit and better manage the negative impacts of development.” The Town Comprehensive Plan identifies a series of goals to achieve housing diversity, including:

- “Goal 5-C: In and around the five hamlet business centers, promote housing diversity in a format compatible with both commercial uses and adjacent single-family residential areas;”
- “Goal 5-E: Ensure that new homes are compatible with the character of their neighborhoods;” and
- “Goal 5-H: Protect street trees and woodland areas, particularly significant trees, in residential areas where they contributed to the character of the community.”

In discussing how the Town could improve housing and neighborhood quality of life, the Town Comprehensive Plan observes that “the supply of townhouse units, condos, apartments, and senior living is limited, some of the demand goes unmet,

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<sup>12</sup> <https://www.yorktownny.org/planning/adopted-comprehensive-plan-june-15-2010>

[and] empty-nesters often want to downsize, but have limited options for housing in Town” (page 5-25) and that “the increase in seniors (65+ years old) reflects the aging of the baby boom generation and the desire of some seniors to remain in Yorktown after their kids have moved away” (page 5-17).

In Chapter 7 (Natural Resource Conservation), the Town Comprehensive Plan recognizes that “Yorktown’s natural resources are integral to the long-term health, safety, and well-being of not only Yorktown but also neighboring towns and the region [and as such] the Town should expand efforts to preserve open space and natural resources throughout Yorktown.” (page 7-1). Relevant supporting goals include “Goal 7-C: promote sustainable development patterns, which consume less open space,” and “Goal 7-E: limit development on steep slopes and reduce the potential for soil erosion.”

Regarding parks and open space, Chapter 9 (Parks & Recreation) of the Town Comprehensive Plan advocates that “Yorktown should continue to be a recreation-oriented community, with a network of parks, athletic amenities, and greenways.” Supporting goals include “Goal 9-B: Provide a diverse range of park and recreational facilities that serve residents of all ages and physical abilities” and “Goal 9-C: Provide plentiful opportunities for both active and passive recreation in Yorktown.”

### *D.1.b. Westchester County’s Patterns for Westchester and Westchester 2025<sup>13</sup>*

The 1996 regional plan entitled “Patterns for Westchester: The Land and The People,” is still an adopted plan of the Westchester County Planning Board. However, the “Assumptions and Policies” sections have been replaced by the context and policy document that emerged from the “Westchester 2025” planning efforts, known as “2025 Context for County and Municipal Planning and Policies to Guide County Planning.” This policy document was adopted by the Westchester County Planning Board on May 6, 2008 (amended January 5, 2010) and recommends 15 policies to municipalities as guidance for their own decision-making. Of these 15 policies, eight of them have potential applicability to the Proposed Project.

- Enhance transportation corridors – Municipalities should “enhance the appropriate functions of the county’s transportation corridors” and that “sections of corridors that have been developed should be evaluated for steps needed to make these areas into efficient and attractive multi-use places.”
- Nurture economic climate – Municipalities should “nurture the economic climate of the county with use of municipal, county, state and federal resources to improve infrastructure, housing and programs that attract and support business enterprise.”
- Track and respond to trends – Municipalities should “track and evaluate trends in land use, demographics and economic factors to keep the County current and response to changes in the context for planning.”

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<sup>13</sup> <https://planning.westchestergov.com/initiatives/westchester-2025>

- Preserve natural resources – Municipalities should “preserve and protect the county’s natural resources and environment, both physical and biotic.”
- Provide recreational opportunities to serve residents – “New recreational opportunities should take into account the recreational needs of higher density population areas and the needs and interests of the county’s changing population.”
- Maintain utility infrastructure – Municipalities should “maintain safe and environmentally sound systems and policies for waste removal, collection and treatment as well as the treatment and distribution of drinking water consistent with the county’s land use policies.”
- Define and protect community character – Municipalities should “support initiatives to adapt and establish land use policies and regulations that enhance [neighborhood] character through focus on location, setting, aesthetic design and scale of development.”
- Promote sustainable technology – Municipalities should “promote reliable, sustainable energy and conservation practices while fostering green technology in all areas of land use.”

*D.1.c. Westchester County Housing Needs Assessment, and Appendix B (Town of Yorktown Municipal Housing Snapshot)<sup>14</sup>*

As explained in the executive summary of the Housing Assessment, “Affordable housing is a major contributing factor to a balanced and well-functioning county and in turn, its communities and neighborhoods [and] [t]o that end, Westchester County undertook this Affordable Housing Needs Assessment to establish a data-based foundation for the creation and preservation of affordable housing in Westchester County” (page i). The Housing Assessment examines the County’s history of housing policies, lays out a methodology for data analysis, provides findings on a wide variety of demographic, housing stock, and housing affordability issues, and provides recommendations to help the County move forward in addressing its affordable housing needs.

The Housing Assessment offers many observations applicable to the Proposed Project, including that since 2000, the Town has experienced growth in older population cohorts (at an even greater pace than the County), that there is a further need for senior housing throughout the County, and that vacant and abandoned office parks are prime candidates for reuse.

Specifically, the Housing Assessment observes the following:

- “There is a significant shortage of housing for extremely low income renters, people with disabilities, seniors, large families and the homeless” (page ii).
- “Increasing the supply of homes, both rental and homeownership, impacts the demand for existing housing. For example, the construction of senior housing, at all income ranges, frees-up existing homes for the next generation to purchase and raise their children and allows seniors to age in place

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<sup>14</sup> <https://homes.westchestergov.com/resources/housing-needs-assessment>

surrounded by their network of support, family, friends, churches, civic associations, and services such as doctors and pharmacists” (page 11).

- “Seniors who are living on a fixed income and unable to maintain their home may be in need of affordable rental housing and possibly housing with supportive services or assisted living” (page 39).
- From 2000 to 2017, the County experienced growth in older population cohorts, including 45-64 (26.5 percent growth), 65-74 (23.8 percent growth), 75-84 (7.9 percent growth), and 85+ (44.4 percent growth), while witnessing a decline in younger population cohorts, including 30-44 (18.9 percent decline) (page 39).
- From 2000 to 2017, the Town experienced growth in older population cohorts that outpaced that of the County, including 45-64 (30.7 percent), 65-74 (40.5 percent), 75-84 (35.1 percent growth), and 85+ (48.3 percent growth), while experience declines in younger cohorts, including those under 19 (18.4 percent decline) and 30-44 (36.5 percent decline) (page 39).
- “Westchester County has witnessed a substantial increase in its aging population [since 2000]. Although there have been recent affordable senior housing complexes built in the northern portion of the county, the demographic shifts above indicate there is additional need for senior housing” (page 44).
- In discussing adaptive reuse of underutilized property, the Housing Assessment concludes, regarding commercial office parks: “The office parks built in the 1970s through the 1990s were once thriving centers of activity and economic development. As technology advanced, the amount of office space required by tenants decreased and simultaneously telecommuting became more of a business norm. As a result, many parks became obsolete and eventually became vacant. These vacant and abandoned office parks are ripe for adaptive reuse.”

The Housing Assessment also includes an Appendix B, “Municipal Housing Snapshots-Towns,” which provides a more detailed examination of the Town. Observations applicable to the Proposed Project include:

- In the Town (as of 2017), of 13,074 housing units, 85 percent are owner-occupied and 15 percent are renter-occupied, compared to 62 percent owner-occupied and 38 percent renter-occupied for the County.
- In the Town, there is a net housing demand of 2,085 affordable housing units for renters and owners (based on housing problems inclusive of substandard conditions, severely overcrowded, and severely cost burdened).
- Households that pay more than 30 percent of their income for housing are considered to be cost burdened, and those that pay more than 50 percent of their income for housing are considered to be extremely cost burdened. In the Town, 44.9 percent of renters live in cost burdened and extremely cost burdened housing, and 36.5 percent of owners live in cost burdened and extremely cost burdened housing. At the County level, 50.9 percent of renters live in cost burdened and extremely cost burdened housing, and 35.5 percent of owners live in cost burdened and extremely cost burdened housing.

**D.2. THE FUTURE WITHOUT THE PROPOSED PROJECT**

There are currently no known public policy initiatives affecting the future use of the Project Site. Without the Proposed Project, additional senior housing would not be provided on the Project Site.

**D.3. THE FUTURE WITH THE PROPOSED PROJECT**

*D.3.a. Consistency with Town Comprehensive Plan*

Consistent with the Town Comprehensive Plan, the Proposed Project would increase housing diversity in the Town by adding to the limited stock of age-restricted housing, providing a viable option for existing residents wishing to downsize and remain in the Town. The Proposed Project would be compatible with the surrounding neighborhood, introducing compatible residential use (in place of the existing commercial use) into an area that includes various residential neighborhoods, such as the age-restricted Trump Park Residences community, a commercial center (The Jefferson Valley Mall), and is close to the hamlet center of Jefferson Valley. Furthermore, the Proposed Project would preserve approximately 6.25 acres of woodland areas on the northern portion of the Project Site (while removing 11.65 acres elsewhere on the Project Site), and would concentrate development in the areas of the Project Site that are currently improved, further reducing the need for tree clearing, thereby retaining some of the wooded character of the Project Site.

The Town Comprehensive Plan observed that “the supply of townhouse units, condos, apartments, and senior living is limited, some of the demand goes unmet, [and] empty-nesters often want to downsize, but have limited options for housing in Town.” The Proposed Project directly addresses to this, by increasing the supply of housing for seniors.

The Proposed Project promotes sustainable development, as encouraged by the Town Comprehensive Plan, by repurposing an already commercially developed site as a residential neighborhood. The Proposed Project has been sited to minimize development on steep slopes, thereby reducing the potential for soil erosion and runoff to adjacent properties.

In alignment with the goal of encouraging the Town to remain a “recreation-oriented community,” the Proposed Project would include large areas of open space, some programmed, to encourage passive and active recreation on the Project Site. Recreational amenities would include walking trails, tennis courts, a swimming pool, pickleball courts, and an exercise room.

It should be noted that the 2010 Town Comprehensive Plan identified the Project Site in Policy 4-63, which suggested the Town “promote corporate or multi-tenant office development in select locations near major entrances to the Taconic Parkway and Route 6” (page 4-33). The economic realities of corporate office parks in the region have evolved dramatically since the Town Comprehensive Plan’s adoption approximately 15 years ago, and the Project Site is no longer viable as an office campus. Therefore, other components of the Town Comprehensive Plan were consulted to inform the Applicant’s redevelopment proposal for the Project Site.

*D.3.b. Consistency with Westchester 2025*

In the Applicant's opinion, the Proposed Project is consistent with the policies in the County Plan as discussed below:

- **Enhance transportation corridors** – U.S. Route 6 is an important transportation corridor that generally runs east/west through the northern portion of the Town. As part of the Proposed Project, improvements would be made to the E. Main Street & U.S. Route 6 intersection and the adjacent East Main Street & Old Route 6 intersection. Both intersections would be signalized, eastbound turning lane would be extended to 300 feet, a northbound right turn lane would be added at the E. Main Street & Old Route 6 intersection, and southbound left turn at E. Main Street & U.S. Route 6 would be restricted. These improvements are subject to review and approval by the Town and/or NYSDOT.
- **Nurture economic climate / Track and respond to trends** – While these two policies are separated in the County Plan, they are both applicable to Proposed Project's development assumptions in similar ways. The County has recognized that there is decreased demand for corporate office park development and increased demand for mixed-use infill development, including a diverse housing stock. The Proposed Project responds to this trend, replacing an underutilized, vacant office campus ripe for adaptive reuse with a residential community.
- **Preserve natural resources** – The large size of the Project Site, and proximity to natural resources, including Donald J. Trump State Park, provide opportunities for preservation of natural resources. The Proposed Project would preserve approximately 6.25 acres as undeveloped woodland in the northern portion of the Project Site, and approximately 9.4 acres would be common open space for residents of the community to use at their leisure. Additionally, by concentrating development within the footprint of the existing office buildings and associated improvements, disturbance to currently unimproved areas on the Project Site would be reduced. In total, 11.65 acres of undisturbed area is being developed as part of the Proposed Project.
- **Provide recreational opportunities to serve residents** – The Proposed Project would include recreational amenities for residents, including pickleball courts, approximately 0.9 miles of walking trails, a swimming pool, a putting green, picnic areas, tennis courts, an amphitheater, an exercise room, activities room, and a spa.
- **Maintain utility infrastructure** – To accommodate development of the Proposed Project, the Applicant would retain the existing water and sewer connections that serve the Project Site, and make any necessary upgrades. The Proposed Project would utilize two water service connections, allowing water service to be looped within the Project Site, and providing continuous water supply in the event of a disruption. To the extent extensions to the sanitary system are required, the design and construction of extensions will meet all applicable Town, County, and State requirements.
- **Define and protect community character** – Consistent with the aspirations of the Town Comprehensive Plan, the Proposed Project would promote

housing diversity (by introducing for-rent and for-sale units) in a format compatible with the character of the Land Use Study Area, including adjacent residential areas. The Proposed Project would make use of an existing large-format developed pad and site. The height and size of the buildings of the Proposed Project would align with the Town Comprehensive Plan’s goal of encouraging scenic preservation, as the new residential buildings would be occluded from the Taconic State Parkway by the existing vegetative barrier which would remain, and would generally be below the tree line. Furthermore, the Proposed Project would protect and improve neighborhood quality of life by providing a housing option for empty-nesters that want to downsize and remain in the Town.

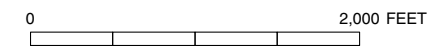
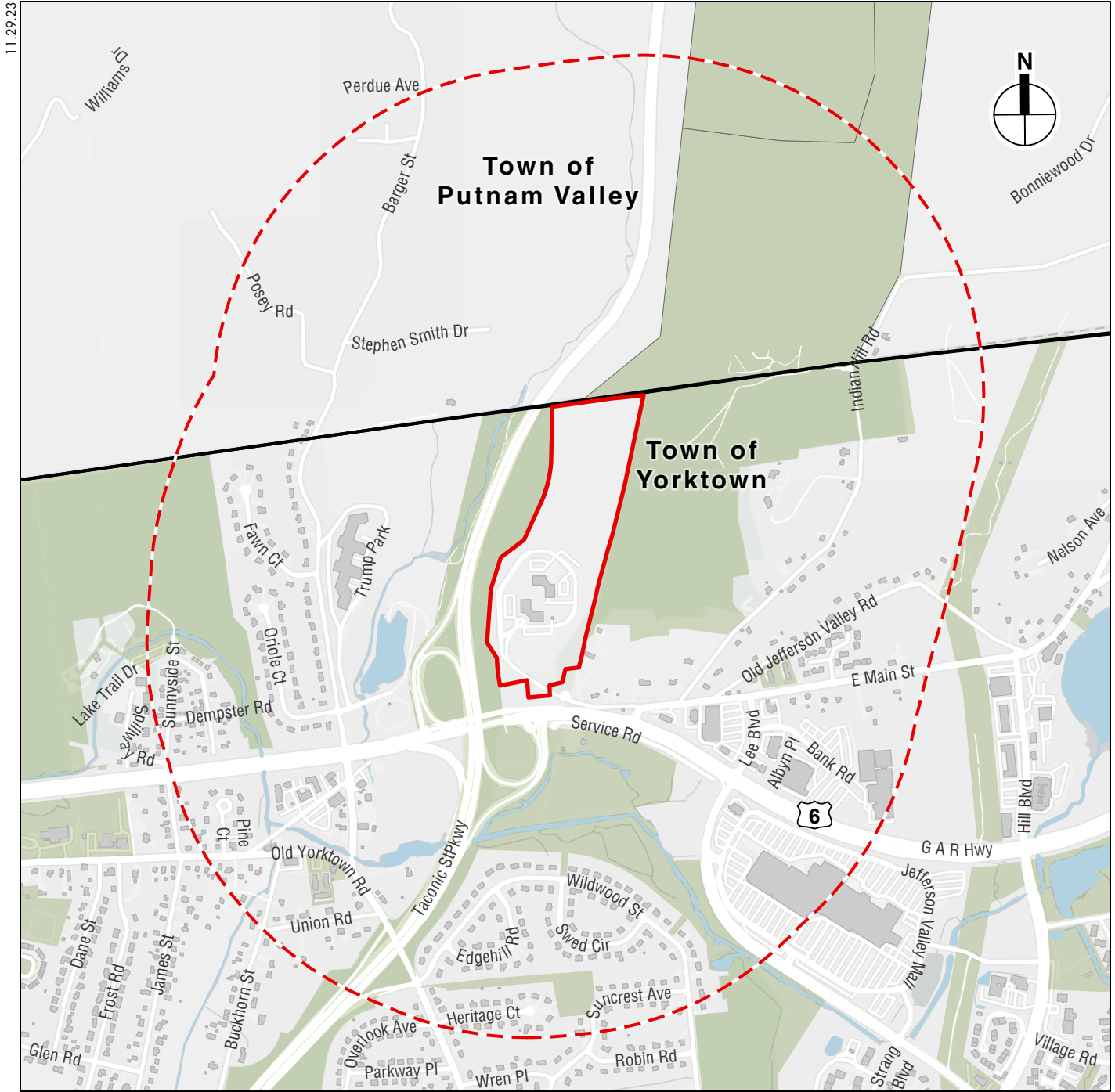
- **Promote sustainable technology** – The Proposed Project would incorporate sustainable building practices and green technologies, to the extent practicable, including LED interior and exterior lighting, “right-sized” HVAC systems, and the use of activity-sensing and photovoltaic sensing lighting controls, where appropriate. The Proposed Project would include Electric Vehicle chargers at various locations within the Project Site.

*D.3.c. Consistency with Housing Needs Assessment*

Consistent with the Housing Assessment, the Proposed Project would increase housing stock in the County, by adding to the Town’s limited supply of age-restricted (55+) housing, providing a viable option for residents wishing to downsize and remain in the Town. Increasing the housing supply would positively impact demand for existing housing, potentially freeing up existing homes for younger generations. Residents downsizing but remaining in the Town would maintain their support network of family, friends, churches, civic associations, and services, such as doctors and pharmacists. The Proposed Project is anticipated to meet current demand for market-rate senior housing.

**D.4. MITIGATION**

The Proposed Project would be consistent with the relevant public policy goals advanced by the Town Comprehensive Plan, the County Plan, and the Housing Assessment, and as such, no mitigation measures are required. \*



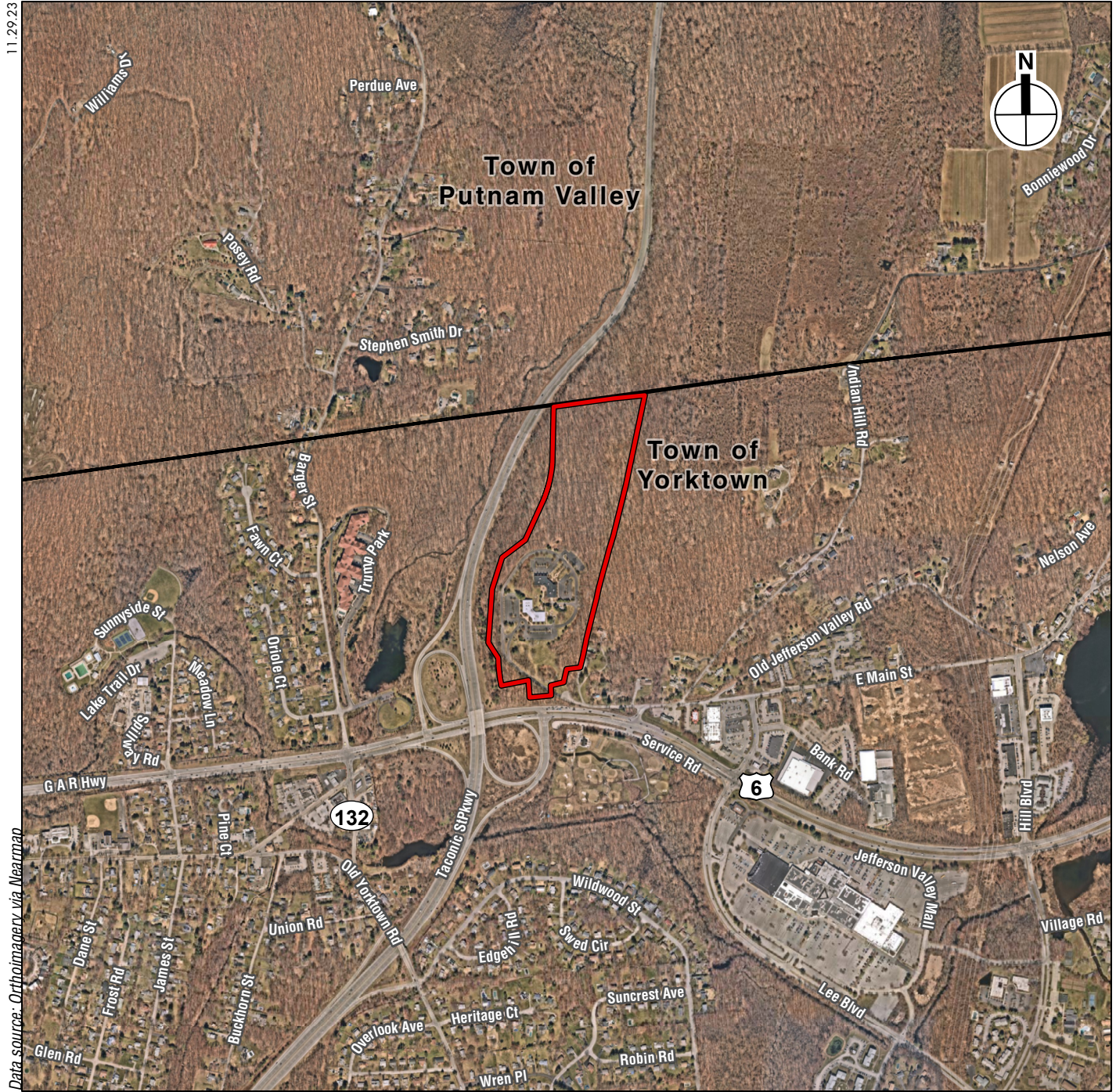
- Project Site
- Study Area (Half-mile perimeter)



**800 EAST MAIN STREET**


Project Location  
**Figure 2-1**



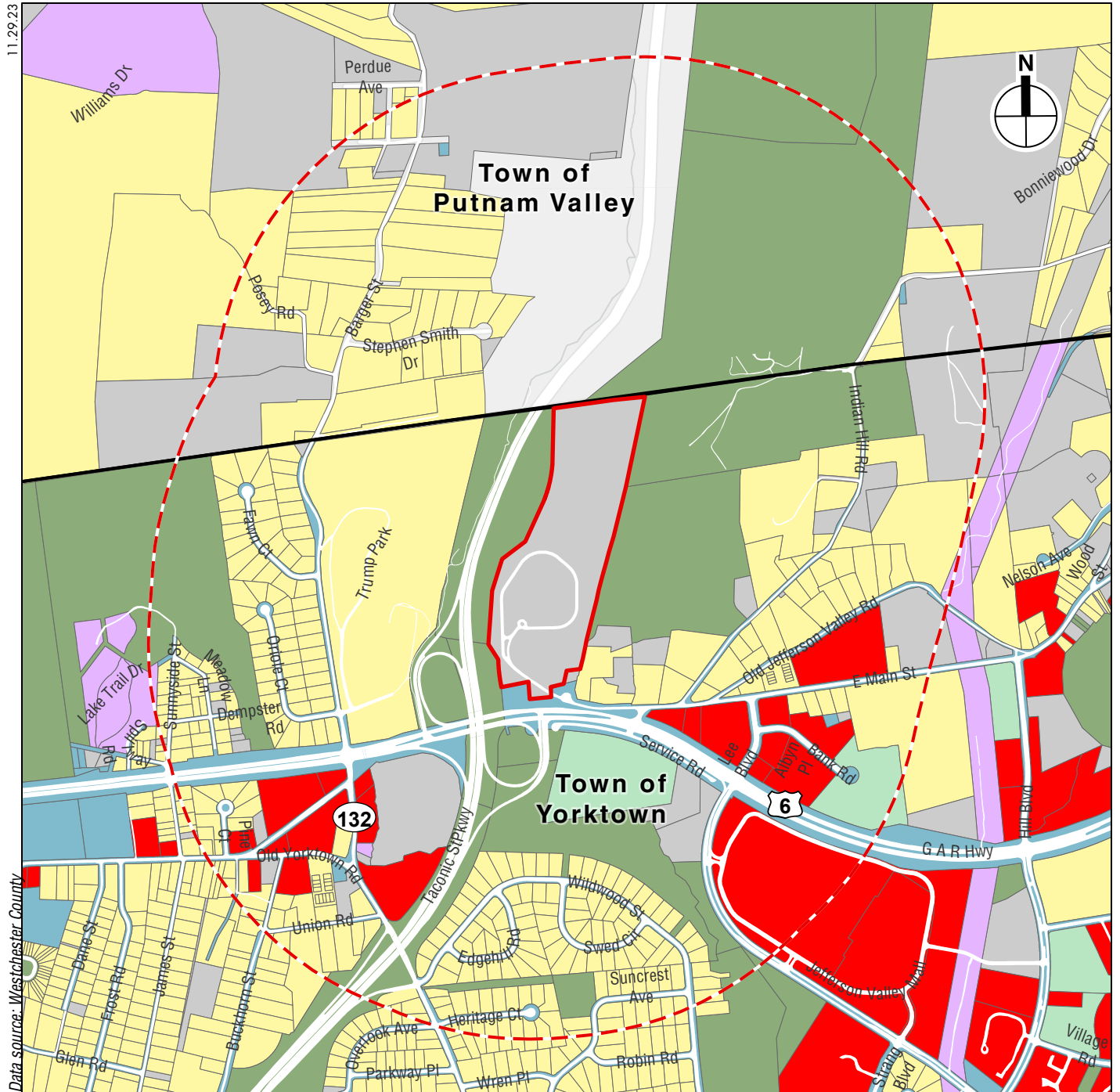













Data source: Orthoimagery via Nearmap

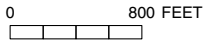
 Project Site

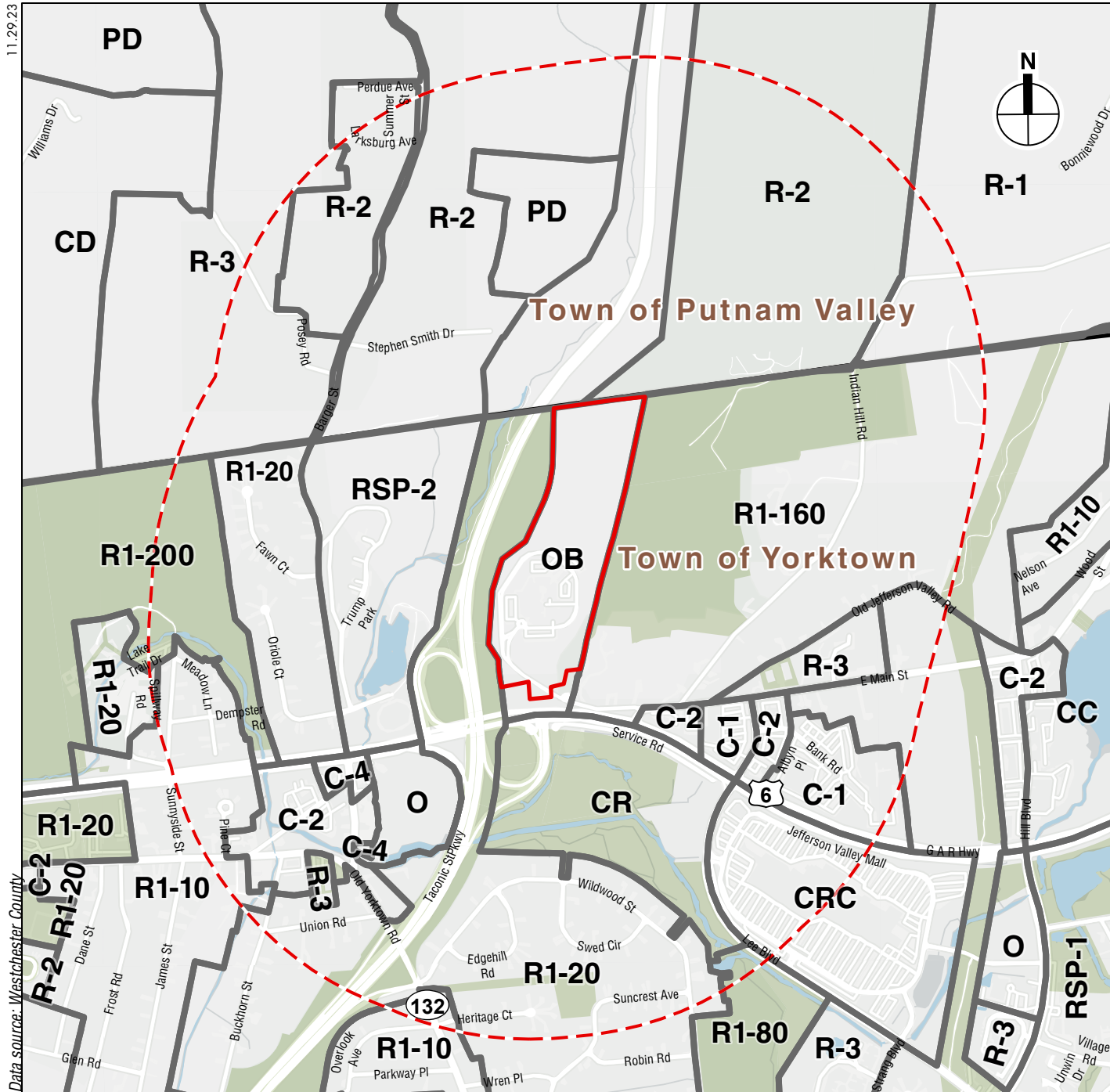
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- |   |                                  |   |   |
|---|----------------------------------|---|---|
|  | Project Site                     |  | Public Services                                   |
|  | Study Area (Half-mile perimeter) |  | Recreation & Entertainment                        |
|  | Agricultural                     |  | Residential                                       |
|  | Commercial                       |  | Vacant Land                                       |
|  | Community Services               |  | Wild, Forested, Conservation Lands & Public Parks |
|  | Industrial                       |   |   |





Data source: Westchester County

- Project Site
- Study Area (Half-mile perimeter)
- Zoning District Boundary

0 1,000 FEET