

Zoning Board of Appeals
Village of Tarrytown
Regular Meeting
November 14, 2016 7:30 p.m.

PRESENT: Chairwoman Lawrence; Members Maloney, Jolly, Weisel; Counsel Addona; Village Engineer Pennella; Secretary Meszaros

ABSENT: Member Rachlin

Chairwoman Lawrence called the meeting to order at 7:32 pm

APPROVAL OF THE MINUTES – October 13, 2016

Chairwoman Lawrence stated that there is no quorum to approve these minutes since Ms. Rachlin is absent this evening. They will be considered at the next meeting.

NEW PUBLIC HEARING: REALTY @460 SB LLC 460 SOUTH BROADWAY

Counsel Addona read the Public Hearing notice.

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Village of Tarrytown will hold a public hearing at 7:30 p.m. on Monday, November 14, 2016 in the Municipal Building, One Depot Plaza, Tarrytown, New York to hear and consider an application by:

Realty@460 SB LLC
480 South Broadway
Tarrytown, NY 10591

For variances from Chapter 305 of the Village of Tarrytown Code ("Zoning Code") to demolish an existing restaurant use and construct a 23,282 SF Automotive sales/service building with associated improvements. The property is located at 460 South Broadway and is shown on the tax map of the Village of Tarrytown as Sheet 1.40, Block 96, Lot 3 and is in the NS Zone. **The variances sought are as follows:**

Zoning Code Section	Description of Section	Required by Zoning Code	Existing on Property	Proposed by Applicant	Variance Required
§305-63 C(3) (b)	Off Street Parking and Loading- Rear yard setback	10 feet	-	9.7 feet	0.3 feet
§305-63.D(1)	Min. off-street parking $1/150 \text{ SF} + 1/\text{employee} = 155.2 + 35 = 191$	191 spaces	-	107	84 spaces

§305-63 C (2)	Off street Parking & Loading – Parking Space sizes	All spaces required to be 9ft. x 18 ft.	-	83 spaces (9 ft. x 18 ft.) & 24 spaces (8 ft. x 18 ft.)	24 spaces 8 ft. x 18 ft.
§305-47 C(3)	Yards; Setbacks (Special Setbacks)	100 feet	-	50 feet	50 feet
§305-37 (attachment 9)	NS Zone - Rear yard setback	50 feet	-	49.8 feet	0.2 feet
§305-37 (attachment 9)	NS Zone- Building Coverage	Permitted 20% or 13,944 SF	-	29.09% or 20,282.1 SF	9.09% or 6,338.1 SF

Additional approvals related to the above referenced project will be needed from the Planning Board and Architectural Review Board.

Documents are available for inspection in the Planning and Zoning Office at Tarrytown Village Hall. All interested parties are invited to attend and be heard. Access to the meeting room is available to the elderly and the handicapped. Signing is available for the hearing impaired; request must be made to the Village Clerk at least one week in advance of the meeting.

By Order of the Zoning Board of Appeals

Lizabeth Meszaros
Secretary to the Zoning Board

Dated: November 4, 2016

The certified mailing receipts were submitted and the sign was posted; Board members visited the property on November 13, 2016.

John J. Hughes, Jr. Attorney, representing the applicant, introduced Jack Ryan, V.P. of Operations of Honda Corporation, the applicant, and John Manilio, PE of Redcom, LLC the project engineer, architect and contractor for this project.

Chairwoman Lawrence asked Mr. Hughes to identify the women assisting him this evening. Mr. Hughes introduced Marci Lauren Dustin, Stenographer/Court Reporter who will be taking minutes this evening, and his wife, Anne Hughes, who will assist him with his PowerPoint presentation. Ms. Dustin was having technical difficulties with her equipment and was not able to take the minutes. She left the meeting room.

Mr. Hughes introduced John Manilio to go over the progression of the project. Mr. Manilio said that he will briefly go through the changes made to this project from the beginning in response to the Planning Board comments. He went through a PowerPoint presentation, which is attached, and briefly highlighted the major changes as follows:

February 22, 2016 - Applicant presented a larger building and there was greater impervious surface.

March 28, 2016- Applicant was able to increase parking by 2 spaces and eliminated 280 s.f. of steep slope disturbance and made changes to landscaping eliminating 2 variances.

June 27, 2016 - Applicant made the building smaller, added additional landscaping and reduced the size of parking spaces on south side of the building in service area to 8 ft. x 18 ft.

Mr. Manilio showed the modifications made and went through each item:

- Square footage decreased from 24,653sf to 20,907 s.f.
- Decreased number of bays from 25 to 21
- Increased parking spaces from 90 to 108
- Increased front yard setback from 30 ft. to 33.9 ft.
- Increased side yard setbacks from 53.5 & 34.9 ft. to 54.9 and 37.8 ft.
- Increased rear yard setback from 54.8 and 57.8 ft.
- North parking setback increased from 9.3 ft to 10.3 ft
- South parking setback increased from 6.0 ft. to 10.1 ft.
- Steep slope disturbance decreased from 702 s.f. to 644 s.f.
- Impervious coverage decreased from 58,107 s.f. to 56,519 s.f.
- Setback of service drive through garage doors, from the front of the building increased from 14 ft. to 20.5 ft.
- Increase landscaping along frontage and added evergreen trees along the off-ramp.

July 25, 2016 - Reorganized parking in the rear to make more efficient with less impervious surface and decrease in steep slope from 1000 s.f. to 325 sf. Added entry walls to look like Doubletree Hotel across the street.

Mr. Manilio presented the most recent plan which chopped office section in the front and pushed the building as far back as possible to conform to the 50 foot setback established by the Planning Board. This created a minor .3 foot variance for parking setback in the back.

Chairwoman Lawrence asked if they could possibly revise plan to eliminate the 2 rear yard setbacks.

Village Engineer Pennella and Mr. Manilio reviewed some possibilities of eliminating the variance and concluded that they will comply with the rear yard setback of 50 ft. and also with the parking setback to 10 ft, by possibly making a space on the south side 9 ft. x 17 ft.

Mr. Manilio briefly went over the changes to the outside of the building:

April 12, 2016 - Added stone to front facade and put hedge in front to buffer parking; added more landscaping and brick to entranceway

June 27, 2017- Increased number of street trees, added accent stone along front of building and tied in architecture with the 460 site.

July 25, 2016- Added stone entry walls at ingress/egress driveways and glass windows along the southern portion of the west façade.

Mr. Manilio showed the variance progression chart and went through each variance which is attached as part of the record.

Front yard setback: started with 30 ft., reduced to 50 foot

Rear yard setback: started with 54.5 ft., reduced to 50 ft.

Building Height: started with a one story building which has become a two story building with a 28 ft. building height.

Building Coverage: started with 35.4%, reduced to 29.09%

Impervious Coverage: started at 58,107 s.f., reduced to 55,208 s.f., which is lower than existing diner.

Steep Slope Disturbance: started at 1000 s.f., reduced to 382 s.f.

Parking count: started with 88 spaces, now have 107.

Chairwoman Lawrence asked if this material could be emailed to the Secretary. Counsel Addona also made this request.

Mr. Manilio went over the variances that they are requesting from the Zoning Board.

Off-street parking setback 0.3 ft. will be eliminated; may reduce one space to 9 ft. x 17 ft. in order to comply with 10 ft. rear yard setback

Rear yard setback 0.2 ft. will be eliminated;

Parking in the front yard; proposing 107; asking for 84 spaces

Special front yard setback; requesting 50 feet

Building coverage 20% is required asking for 29.09% or a 9.09% variance.

Size of parking spaces: Proposing 83- 9 ft. x 18 ft. spaces and 24- 8 ft. x 18ft. spaces.

Asking for 24 spaces to be 8 ft. x 18 ft.

Mr. Manilio noted that they have eliminated all of the landscaping variances but still need to go before the ARB for signage and architecture approval.

Mr. Hughes asked Mr. Manilio to briefly go through the interior floor plan for the Board.

Mr. Manilio presented the July 25, 2016 rendering and explained that the layout is designed with required connections that make the business run efficiently.

Mr. Manilio explained some of these connections as follows:

Three lanes on the north side have been provided for vehicle entry with high speed doors. The customer is greeted by the valet, who inspects the vehicle, takes pictures for damage, and the car is taken immediately to the bay. It is a relatively quick process with appointments staggered to control traffic. The customer waiting area is connected to the drop off section; the waiting area is connected to the service area and sales, and manager who needs access to the technicians. The parts area and cashier are also connected with customer waiting area and technicians; and there is a training area for technicians.

Mr. Maloney asked if they have people coming in without appointments. Mr. Ryan said that most of the service is by appointment; but we do have people come in from time to time if they have a problem driving down the road.

Ms. Weisel asked about parts. Mr. Ryan said there is additional storage on the second floor for parts and parts delivery is efficient. Mr. Manilio also said there is an employee break room and small conference room on the second floor.

Ms. Weisel asked how customers would buy parts. Mr. Manilio said they would park on the north side and walk in through either door.

Chairwoman Lawrence confirmed with Mr. Ryan that there will be no new cars at this facility and also no car carrier deliveries. Mr. Ryan confirmed.

Chairwoman Lawrence asked about tow trucks bringing cars to the site. Mr. Ryan said that nothing would change; a tow truck or flatbed truck would enter the site and back the vehicle into a parking spot.

Ms. Weisel asked about the 2 entranceways being shifted. Mr. Manilio said the ingress was changed for trucks only with appropriate signage.

Ms. Lawrence asked about employee shifts being staggered. Mr. Ryan said employees end their shifts at different times between 5 p.m. and 7 p.m.

Ms. Weisel asked about the location of the telephone poles. Mr. Manilio pointed them out on the site plan.

Chairwoman Lawrence asked if they had any plans with regard to the new thruway widening project (if it ever happens) which may affect the ramp. Mr. Manilio said he is not too sure about this study. Ms. Lawrence said it is helpful that the employee hours are staggered and the vehicle appointments.

Mr. Maloney asked if the parking spaces would be full at all times. Mr. Ryan said he doubts that they would all be full at the same time.

Mr. Jolly asked about the smaller space variance requested. Mr. Ryan said these spaces are for the compact cars; only a small percentage of Honda vehicles are full size, most are compact. Also, a majority of service is express service, so vehicles will not be parked for a long period of time, unless they have a car waiting for parts. Mr. Manilio said that the 8 foot space is sufficient for their operation and most car dealerships do this.

Ms. Lawrence asked if anyone had any other questions. She asked Mr. Hughes to make his PowerPoint presentation, which is attached as part of these minutes.

First Finding of Facts:

Mr. Hughes began his PowerPoint presentation showing a configuration of interstate roads crossing each other and concluding that this is one of the most trafficked intersections around this area. He said that the building they are proposing is a permitted principal use for this zone and they are constructing one building on one lot.

Mr. Hughes explained that they are seeking area variances and there is no “prime facie” case required to obtain these variances. He explained that the Zoning Board shall consider the benefit to the applicant as weighed against the detriment to the health, safety and welfare of the neighborhood.

With regard to the benefits to the applicant, Mr. Hughes said they will be able to accommodate the existing and growing demand for sales and service and maintain the existing customer base and expand the business. 30% percent of registered vehicles are sold and serviced by this dealership; 4000 cars are sold annually; 2800 new, the balanced are used or off lease; approximately 16,000 in circulation and 24,000 that require service annually. They expect a growth of about 6 to 8% annually.

Mr. Hughes explained that the village will benefit since the current tenant is leaving and a new tenant is in place; it is the only car dealership and a job creating retail business. Honda is a taxpaying entity; the property taxes are 120k per year. The Pennybridge neighborhood is also in support of this project since it will decrease activity at the current site. In addition, the business is growing because small shops are not as prevalent due to modern technologies; better, faster service is in high demand today. They also service other vehicles. Have a strong brand, a strong local market, excellent management.

With regard to any detriments, a traffic study was conducted and reviewed by their consultant and the village consultant, which concluded that there would be no impact to the traffic in the area. Mr. Ryan interjected and said the study confirmed that there would be less traffic than what is generated at the diner and the restriction on car

carriers has been agreed to. Therefore, Mr. Hughes concluded that the benefit to applicant, neighborhood and village outweigh any negative impacts.

Second Finding of Facts: Character of the Neighborhood

Mr. Hughes showed the neighborhood and the businesses nearby the diner. He pointed out BP, Mavis, the Station and the Doubletree hotels and said that the area is different than most other neighborhoods since it is a business zone and the neighbors are different to. In this area, businesses are designed to accommodate motorists. None of these properties conform to the zoning code and made reference to the Shell and BP gas stations do not conform to the use. Based upon the unique nature there is no detriment; it is a business zone, it is not historic or residential; it is a commercial type zone.

Third Finding of Facts: Alternative Measures

Mr. Hughes said they were asked by Planning Board to consider to mitigate our variances by reducing the footprint possibly by constructing a 2nd floor. He explained the rationale for the required size of operation.

He noted that the American Honda Motor Guide requires this business to have 30 bays; currently they have 11 bays and will have 21 additional bays.

He showed the chart comparing building square footage, based on 2015 car sales, compared to other Honda dealers (Yonkers, White Plains and Mt. Kisco) which illustrated that Tarrytown Honda is biggest seller of cars; with nowhere near the size of the other dealerships.

Mr. Ryan went over the rationale for interior/exterior space for annual service by demand chart.

Ms. Weisel confirmed with Mr. Hughes that they are currently servicing 24,056 cars per year, they need 73,303 hours. These are audited numbers.

Ms. Weisel asked how much business will increase due to increase in bays, will it double? Mr. Ryan hopes to eventually, but now it is estimated about 12% based on current expectations and increased bays. He explained that he is turning away cars because he doesn't have enough bays. Customer satisfaction is extremely important to his business.

Mr. Hughes said they are servicing 24,000 cars annually as a result of the decrease in competition of the small repair shops.

Mr. Ryan said this particular location is in the top 100 of the 1100 Honda dealerships in the U.S.

Chairwoman Lawrence asked if they service other vehicles like Toyota. Mr. Ryan said they do service other vehicles and they do advertise for that.

Mr. Hughes explained the consequences of inadequate bays:

- Poor customer service and satisfaction.
- Repairs take longer
- Customer time and inconvenience.
- Loss of customers since vehicles are not repaired timely.
- Damage to reputation
- Opportunity cost.

Mr. Hughes said they considered the second floor and it was too cost prohibitive requiring a ramp which takes up too much space resulting in a more massive bigger looking building. The Planning Board agreed that this would not work.

With regard to the feasibility of alternative building configurations, Mr. Ryan explained that there is a process for everything. He went through the connecting points again and explained business efficiency concerns relative to the floor plan.

Ms. Lawrence asked Mr. Ryan how many new Honda dealerships are being constructed. Mr. Ryan said that there can't be a Honda dealership within 10 miles of each other. He thought that within the next year 15 new dealerships will open in the U.S.

Fourth Finding of Facts:

Whether the area variances are substantial:

Mr. Hughes said that usually the greater the deviation, the more likely an impact, but, despite substantial variances, there is no negative impact on the neighborhood because this area is in a non-conforming area. There is no 100 ft. setback in this area. Parking might be appropriate but not for this building and coverage is consistent because work is being conducted inside the building which is standard for an automobile dealership.

Fifth Finding of Facts:

With regard to the environmental conditions, it has been determined by 2 different traffic engineers representing the applicant and the village that there will be no traffic impact; actually less traffic will be generated.

Sixth Finding of Facts:

This project was not self created, they are asking approval for a new project.

Seventh Finding of Facts:

Mr. Hughes feels they have mitigated all variances as presented and concluded his presentation.

Mr. Pennella asked Mr. Manilio to go over the other properties that are non-conforming. in relation to the 460 site.

Mr. Manilio showed the 460 property and the special 50' setback required. He pointed to BP and Mavis which are smaller lots; the current diner setback is 50.4 feet so their building will be setback similar the existing diner.

Chairwoman Lawrence said it is a non-conforming area and it is an odd placement of facilities. Mr. Hughes added that it is a function of a highway commercial area; it is not unusual to see this when you are near highways. He pointed out that the Williamsburg Honda is similar to this facility and near an interstate highway.

Ms. Lawrence said that the current Honda facility at 460 is very close to the road. She asked if this facility will be upgraded to look like the new building. Mr. Manilio showed a rendering of the 2 facilities which will look similar to each other.

Ms. Lawrence thanked the applicant for their presentation.

Counsel Addona asked Mr. Hughes to clarify the information about the covenants and restrictions submitted in the ZBA application. Mr. Hughes said he would submit a brief summary of this material.

Mr. Jolly asked Mr. Ryan about vehicle service at the 480 facility. Mr. Ryan said most of the service will be at the new building.

Ms. Lawrence asked about steep slope disturbance and Mr. Manilio said that this disturbance will take place during construction to build, but the area will be returned back to what it is.

Counsel Addona recommended adjourning this public hearing to continue at the next meeting since the Board cannot act on this application until SEQRA is closed by the Planning Board.

Mr. Maloney moved, seconded by Ms. Lawrence, to continue this public hearing. All in favor. Motion carried.

ADJOURNMENT

Mr. Maloney moved, seconded by Ms. Lawrence, and unanimously carried, that the meeting be adjourned – 8:50 p.m.

Liz Meszaros- Secretary

attachment:

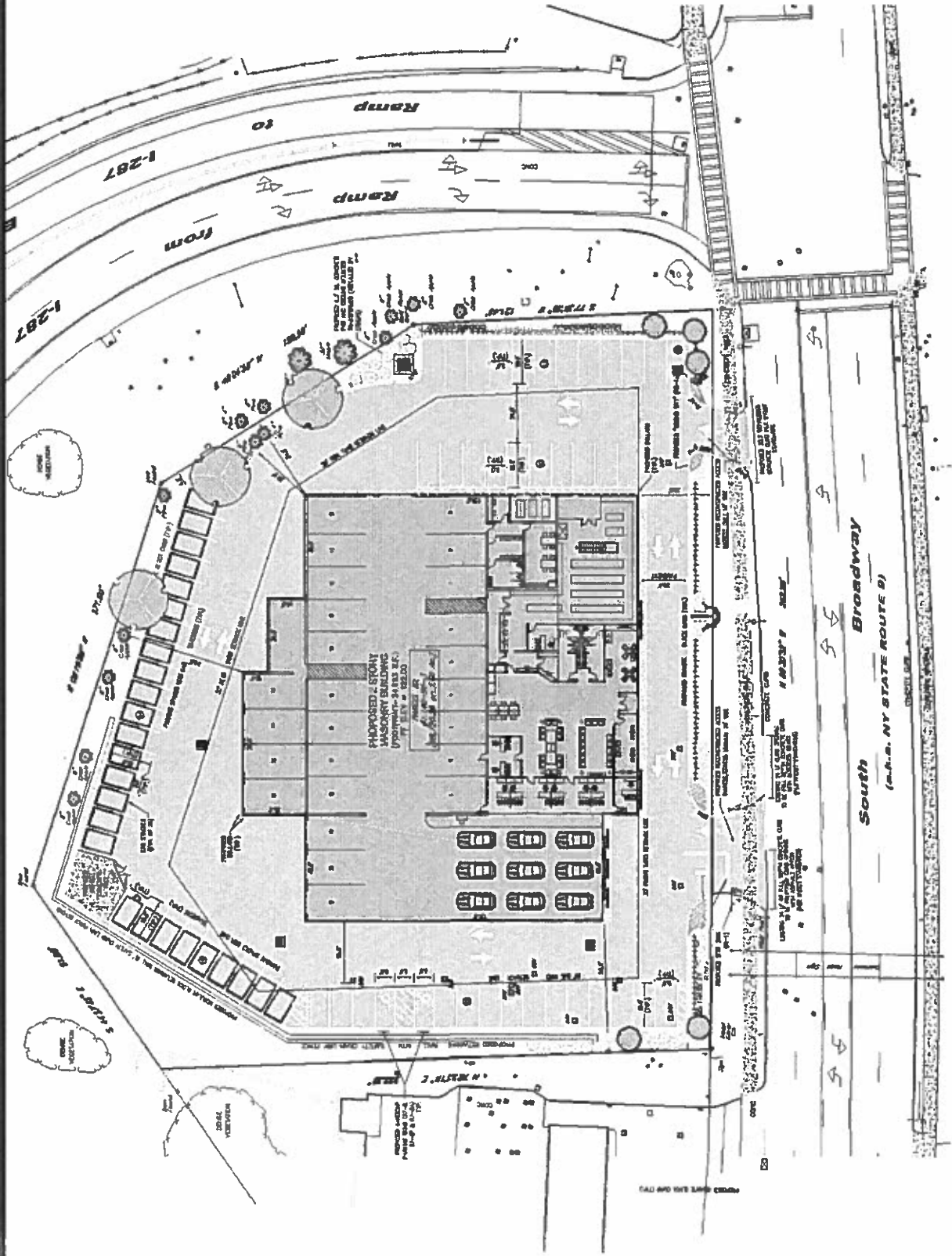
Honda PowerPoint Presentation (Variance Progression and Zoning Variance Analysis)

Realty @ 460 SB LLC

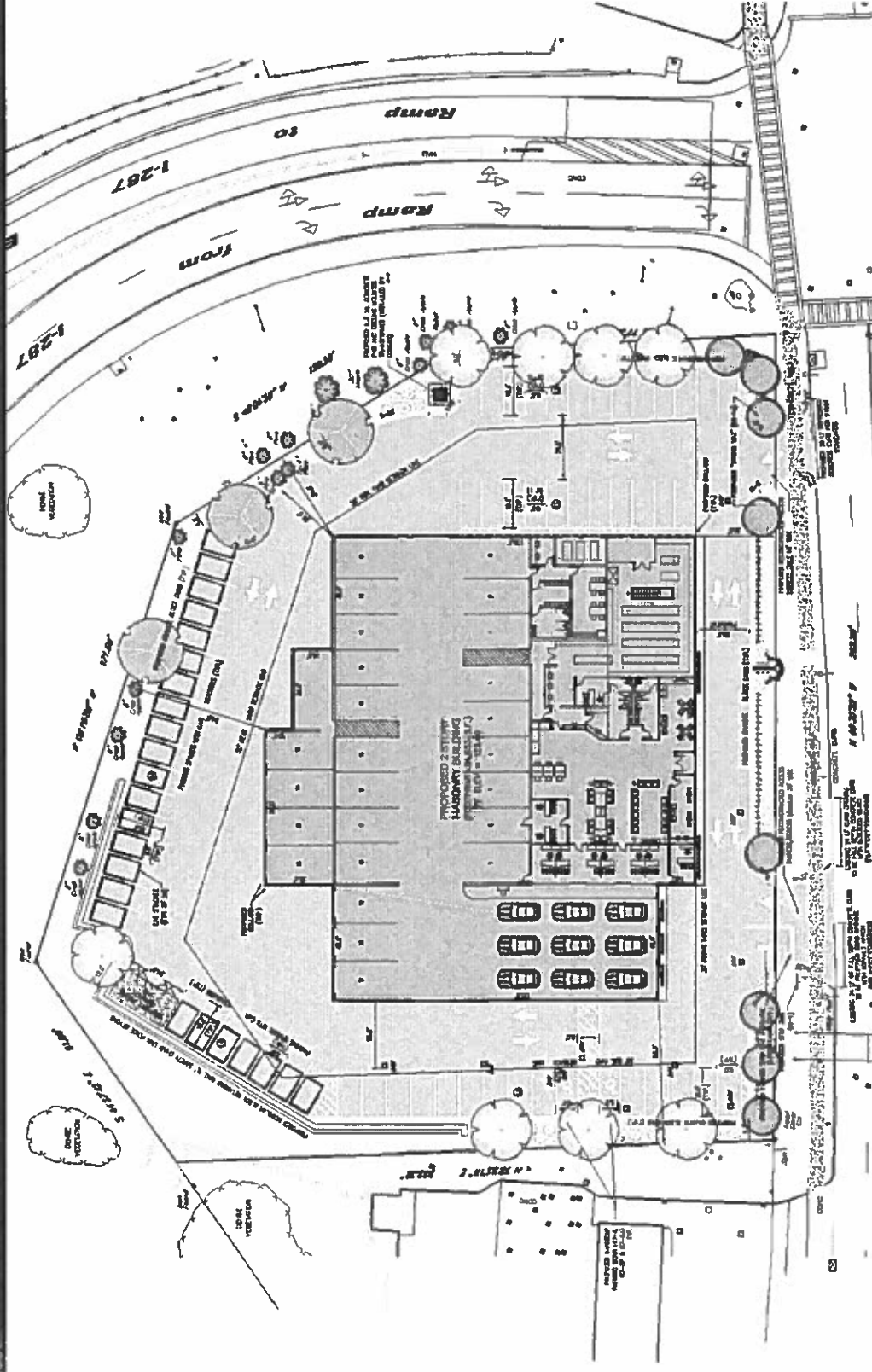
Block 96, Lot 3
Village of Tarrytown, New York



February 22, 2016 - Site Plan Rendering

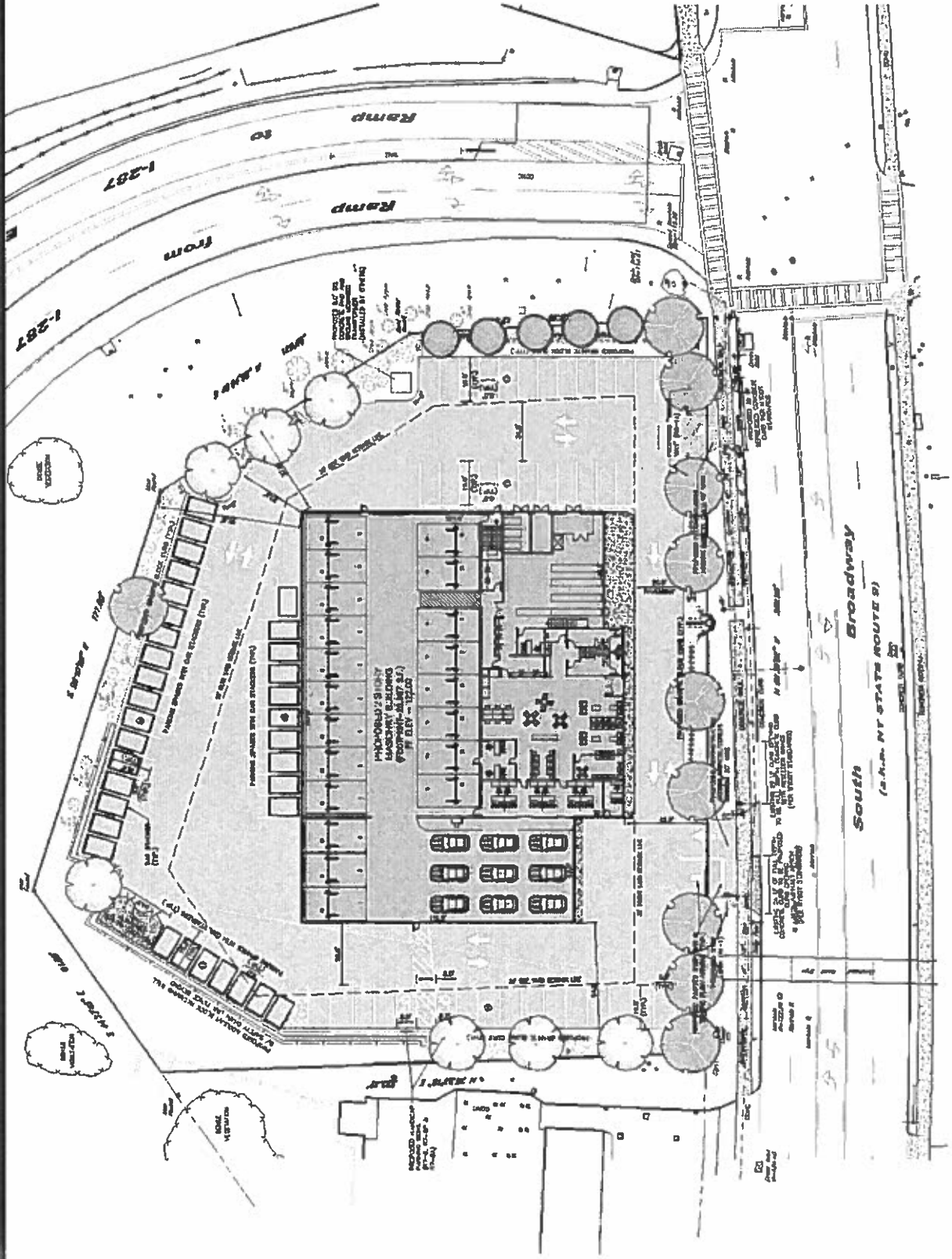


March 28, 2016 - Site Plan Rendering



- Increased parking count from 88 to 90.
- Reduced steep slope disturbance from 1,000 sf to 721 s.f.
- Increase landscaping and eliminated two landscape variances

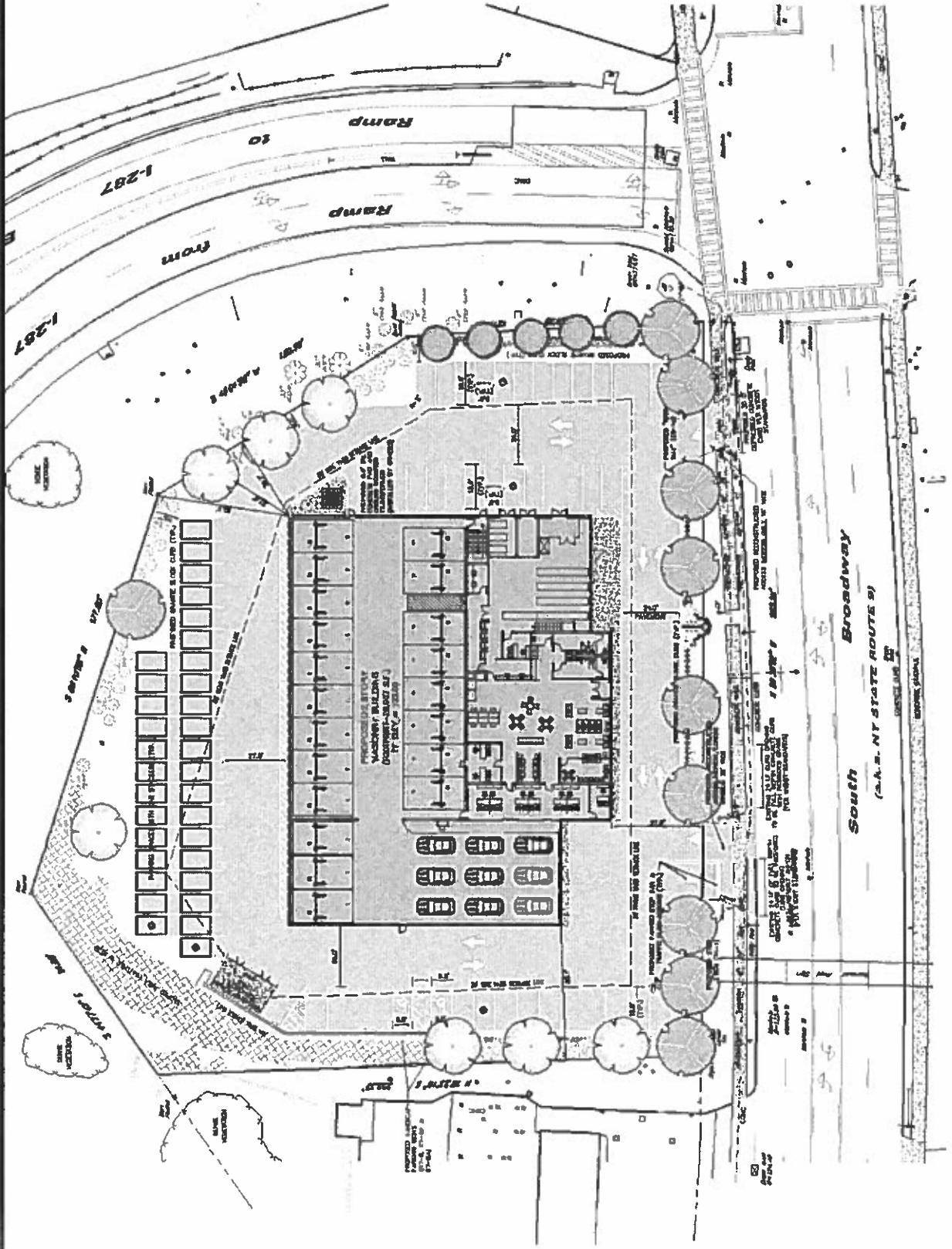
June 27, 2016 - Site Plan Rendering



- Decreased building from 24,653 s.f. to 20,907 s.f. (35.4% to 29.98%).
- Decreased number of bays from 25 to 21.
- Increased parking count from 90 to 108.
- Increased front yard setbacks from 30 feet to 33.9 feet.
- Increased side yard setbacks from 53.5 & 34.9 ft. to 54.9 & 37.8 ft.
- Increased rear yard setback from 54.8 ft. to 57.8 ft.
- North parking setback increased from 9.3 feet to 10.3 feet.
- South parking setback increased from 6.0 feet to 10.1 feet. (Portion still at 6.6 feet in rear of lot)
- Steep slope disturbance decreased from 702 s.f. to 644 s.f.
- Impervious coverage (building and paved areas) decreased from 58,107 s.f. to 56,519 s.f.
- Setback of service drive-thru garage doors, from the front of the building, increased from 14.0 feet to 20.5 feet.
- Increase landscaping along frontage and added evergreen trees along off-ramp.

Modifications Made

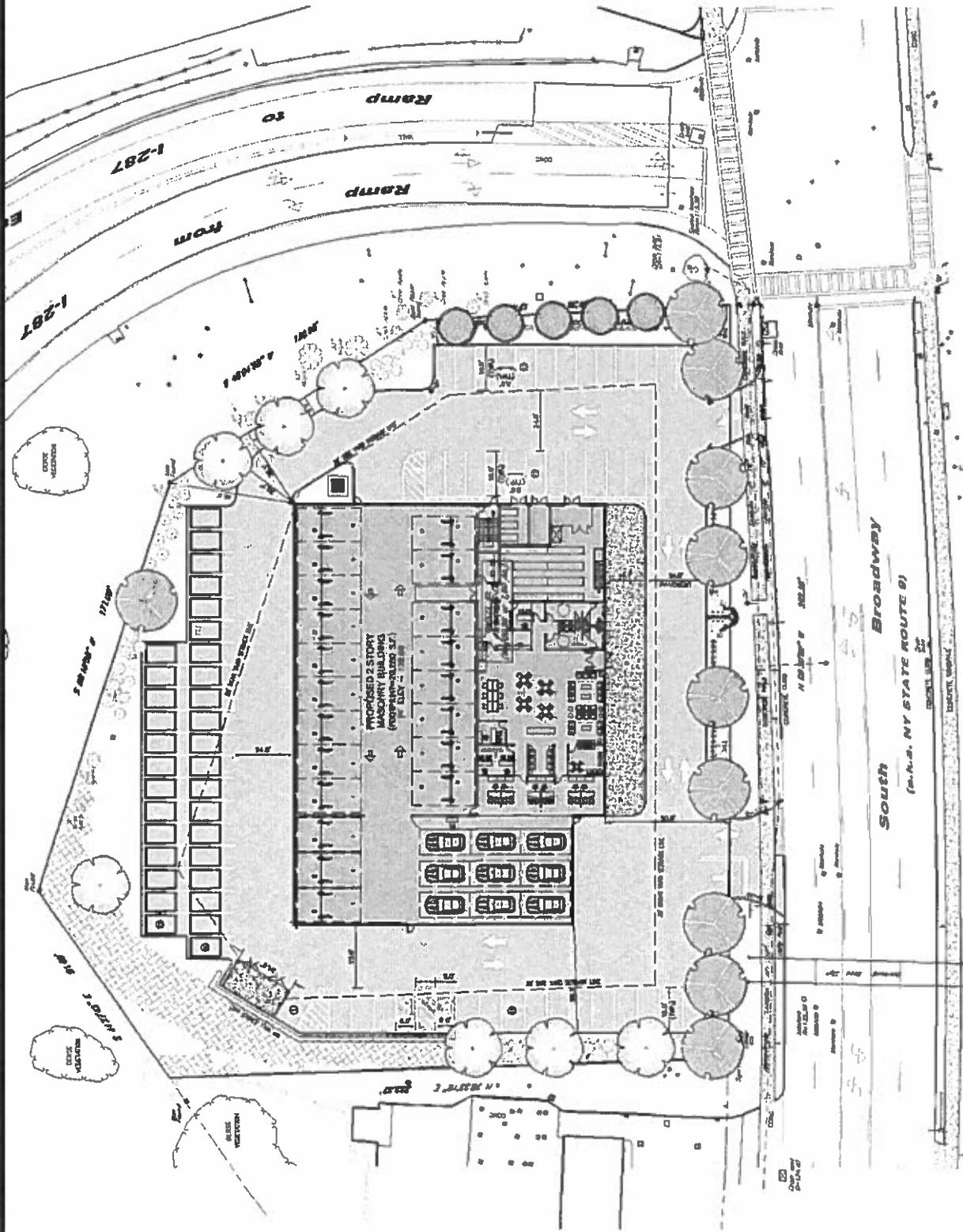
July 25, 2016 - Site Plan Rendering



- Increased front yard setback from 33.9 feet to 37.9 feet.
- Side yard setbacks decreased from 54.9 ft. & 35.7 ft. to 55.1 ft. & 35.7 ft.
- Rear yard setback decreased from 57.8 ft. to 53.9 ft.
- Two – way driveway in front of building increased from 20 ft. to 24 ft.
- Parking in the rear of building reconfigured to reduce steep slope disturbance and eliminate parking setbacks.
- Steep slope disturbance reduced to 325 s.f. (majority is temporary disturbance).
- Parking stall count reduced from 108 to 106.
- Dumpster pad shifted slightly.
- Transformer pad moved closer to building.
- Decorative stone walls at ingress/egress drives.
- Impervious coverage reduced to 56,519 s.f. to 54,864 s.f.

Modifications Made

July 25, 2016 - Site Plan Rendering



- Increased front yard setback from 37.9 feet to 50.0 feet.
- Rear yard setback decreased from 53.9 ft. to 49.8 ft.
- Building coverage reduced from 29.98% to 29.09%.
- Floor area decreased from 23,357 s.f. to 23,280 s.f.
- Parking in the rear of building reconfigured to reduce steep slope disturbance and eliminate parking setbacks.
- Steep slope disturbance increased slightly to 382 s.f.
- Parking stall count increased to 107.
- Parking setback to the south reduced from 10.1 ft. to 9.7 ft.
- Impervious coverage increased slightly from 54,864 s.f. to 55,028 s.f.
- All landscaping variances have been eliminated.

Modifications Made

February 22, 2016 - Architectural Rendering



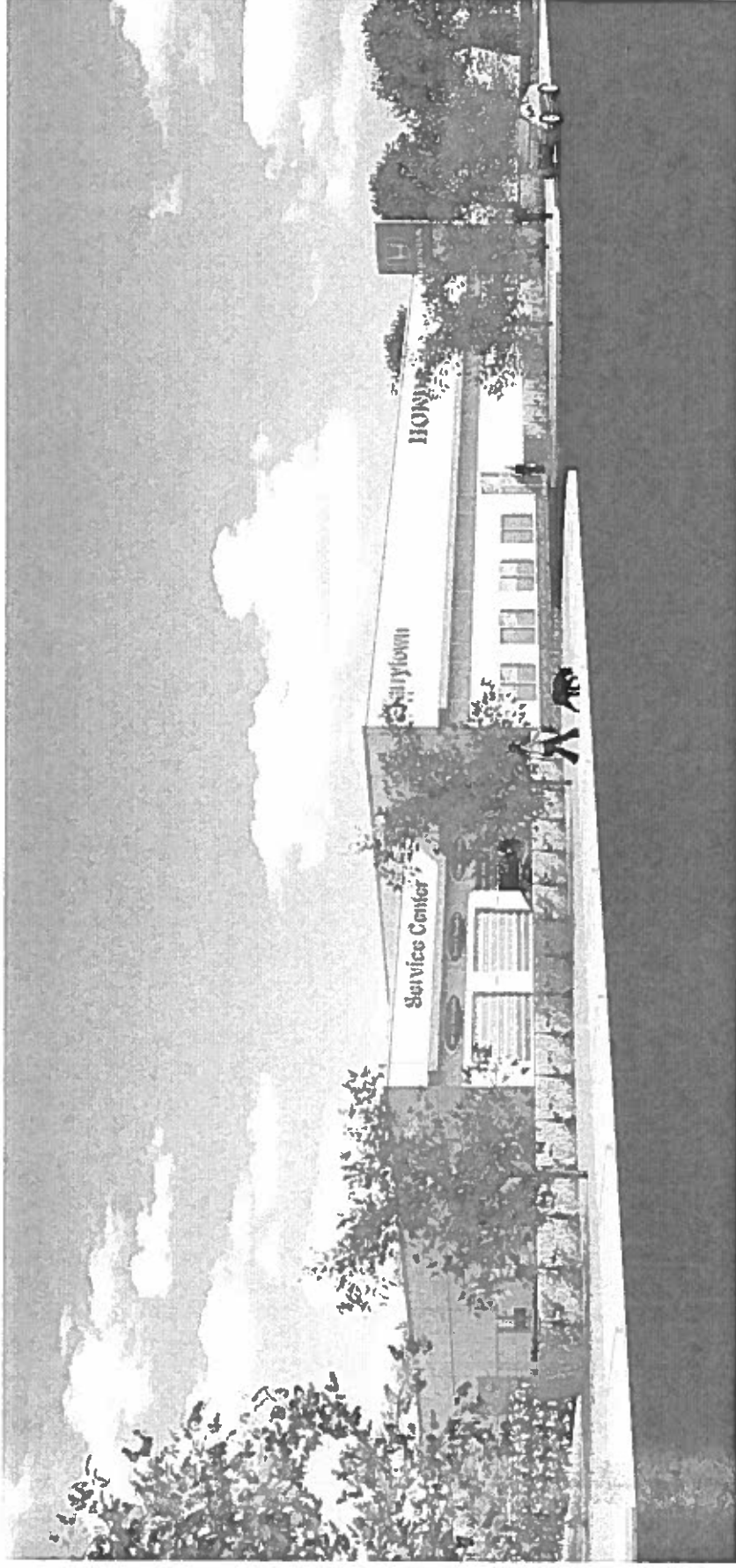
- Full Honda specifications with white EIFS finish and blue accent ACM panels.
- Added landscaping pursuant to comments from Preliminary Hearing.

March 28, 2016 – Architectural Rendering



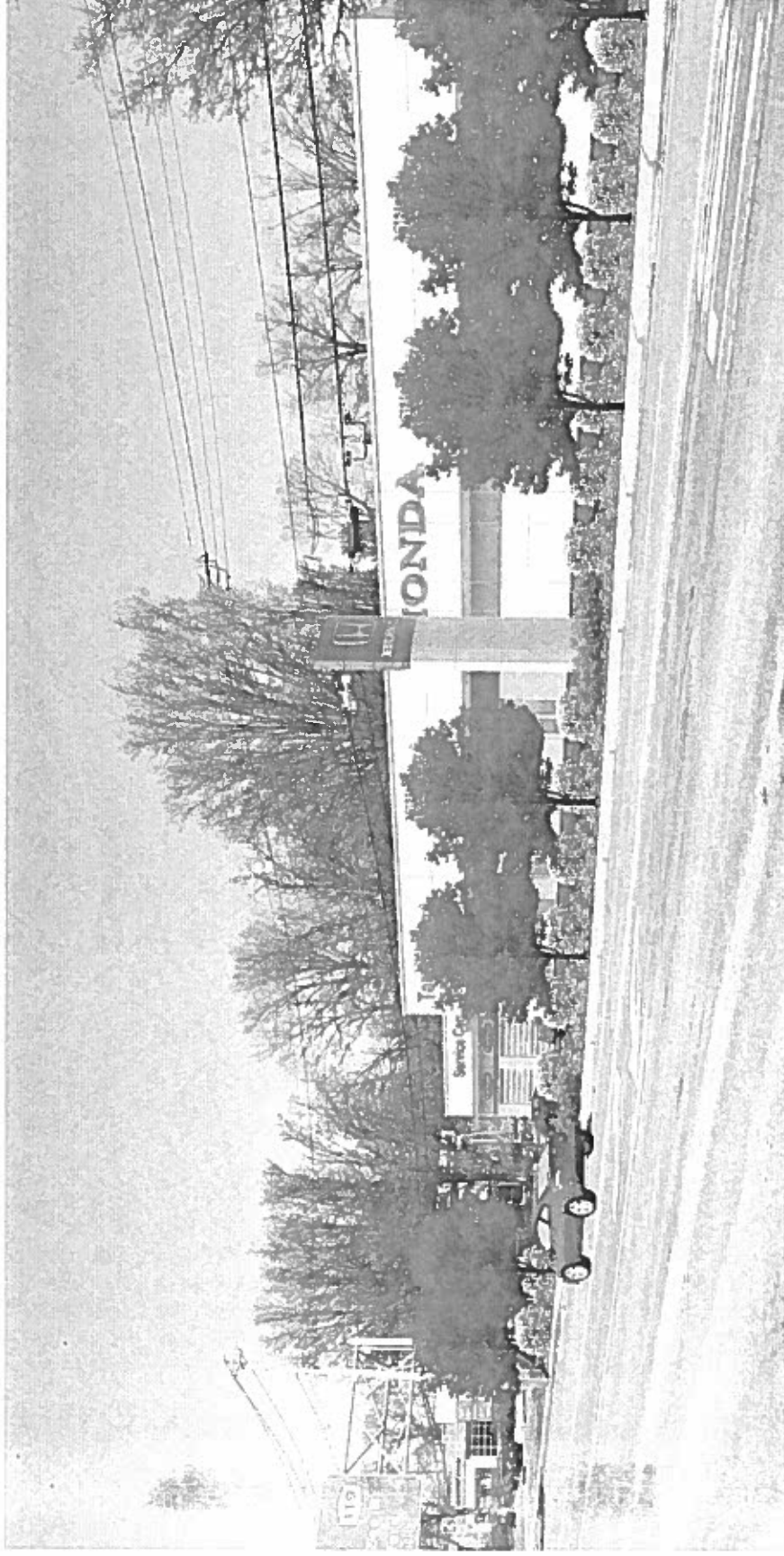
- Added 3 foot high stone wall along frontage to mimic existing stone walls along South Broadway and Double Tree Hotel.

April 12, 2016 - Architectural Rendering



- Replaced 3 foot high wall with 3 foot high shrubbery.
- Added additional street trees.
- Added stone to front façade, up to window line.

April 12, 2016 - Architectural Rendering



- Increased number of street trees.
- Added additional brick along service drive-thru doors and section of building along the main entrance.

June 27, 2016 - Architectural Rendering



- Increased number of street trees.
- Added accent stone along frontage of building façade.
- Added additional screening along off-ramp.

June 27, 2016 – Architectural Rendering



- Visual of renovated 460 S. Broadway.
- Entire corridor will be tied together in architecture and style.

July 25, 2016 - Architectural Rendering



- Added spandrel glass windows along southern portion of west façade.
- Stone entry walls and ingress/egress driveways.

Architectural Rendering (No Landscaping)



	Required	2/01/16	3/16/16	6/27/16	7/25/16	Present
Min. Front Yard	30'	30'	30'	33.9'	37.9'	50.0'
Min. Side Yard	30'	34.9'	34.9'	37.8'	35.7'	33.5'
Min. Side Yard (2)	60'	88.4'	88.4'	92.9'	90.8'	88.7'
Min. Rear Yard	50'	54.8'	54.8'	57.8'	53.9'	49.8'
Max. Building Height	35'/2 Stories	24'/1 Story	24'/1 Story	24'/2 Stories	28'/2 Stories	28'/2 Stories
Total Building Coverage	20%	35.4%	35.4%	29.98%	29.98%	29.09%
Minimum Floor Area	N/A	24,653 s.f.	24,653 s.f.	22,907 s.f.	23,357 s.f.	23,280 s.f.
Impervious Coverage	N/A	58,107 s.f.	58,107 s.f.	56,519 s.f.	54,864 s.f.	55,028 s.f.
Steep Slope Disturbance	0 s.f.	+/- 1,000 s.f.	702 s.f.	644 s.f.	325 s.f.	382 s.f.
Parking Count	199/188	88	90	108	106	107
Parking Setback (North)	10'	9.3'	9.3'	10.3'	10.3'	10.3'
Parking Setback (South)	10'	6.0'	6.0'	10.1'	10.1'	9.7'

Site Plan Progression

Variance	Required	Diner	2/01/16	3/16/16	6/27/16	7/25/16	Present
Parking setback from side yard	10'	5.9' & 11.1'	6.0' & 9.3'	6.0' & 9.3'	6.0' & 10.3'	10.1' & 10.3'	9.7' & 10.3'
Parking location	None in front yard	31 spaces	4 spaces	No change	No change	6 Spaces	11 Spaces
Minimum off-street parking	(Required)/Proposed		(199)/88	(199)/90	(188)/108	(191)/106	(191)/107
Special front yard setback (Broadway)	100'	50.4'	30.0'	30.0'	33.9'	37.9'	50.0'
Rear yard setback	50'		54.8'	54.8'	57.8'	53.9'	49.8'
Maximum building coverage	20%	12.1%	35.4%	35.4%	29.98%	29.98%	29.09%
Parking stall size	9'x18'	9'x18'	9'x18'	9'x18' & 8'x18'	9'x18' & 8'x18'	9'x18' & 8'x18'	9'x18' & 8'x18'

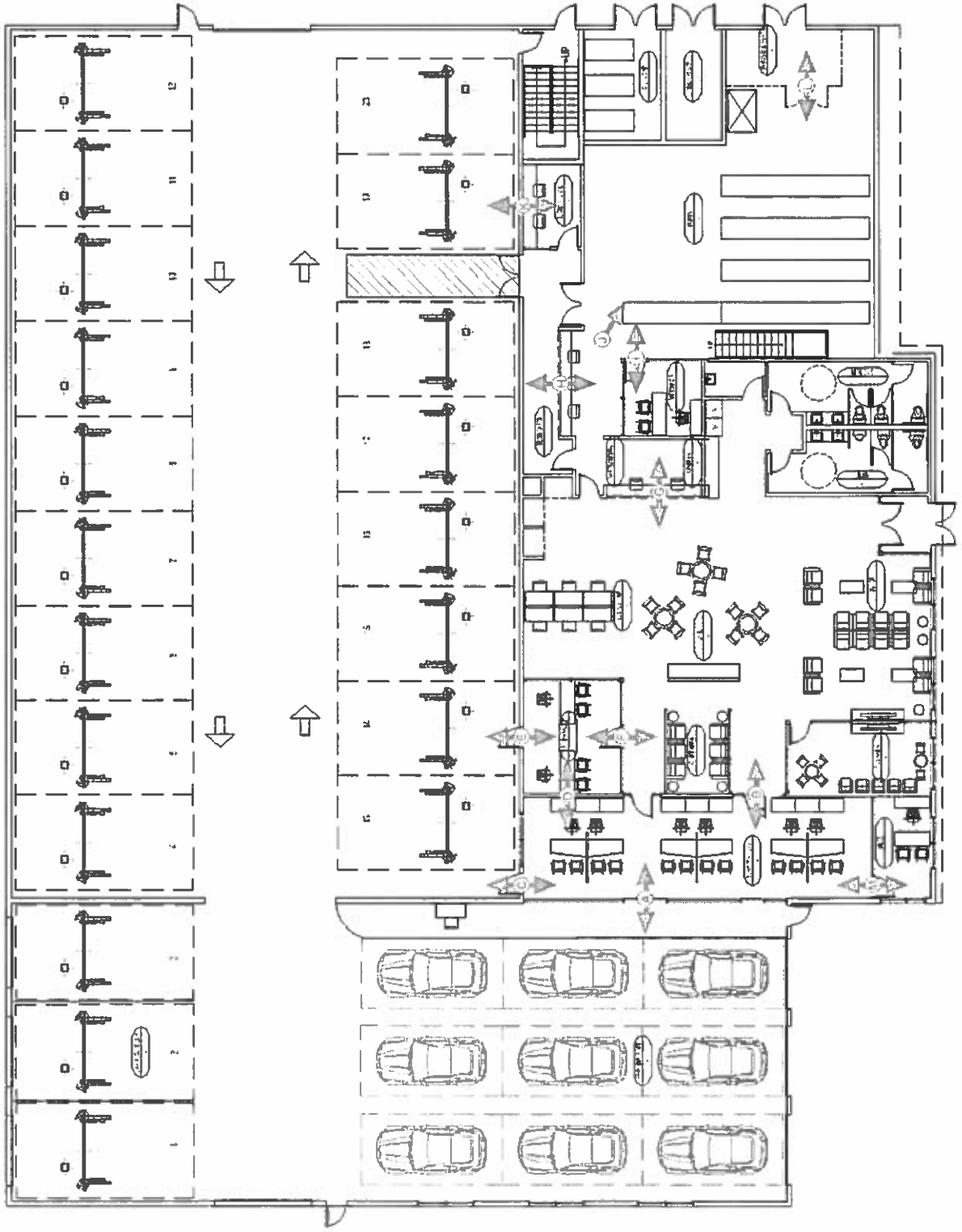
Variance Progression



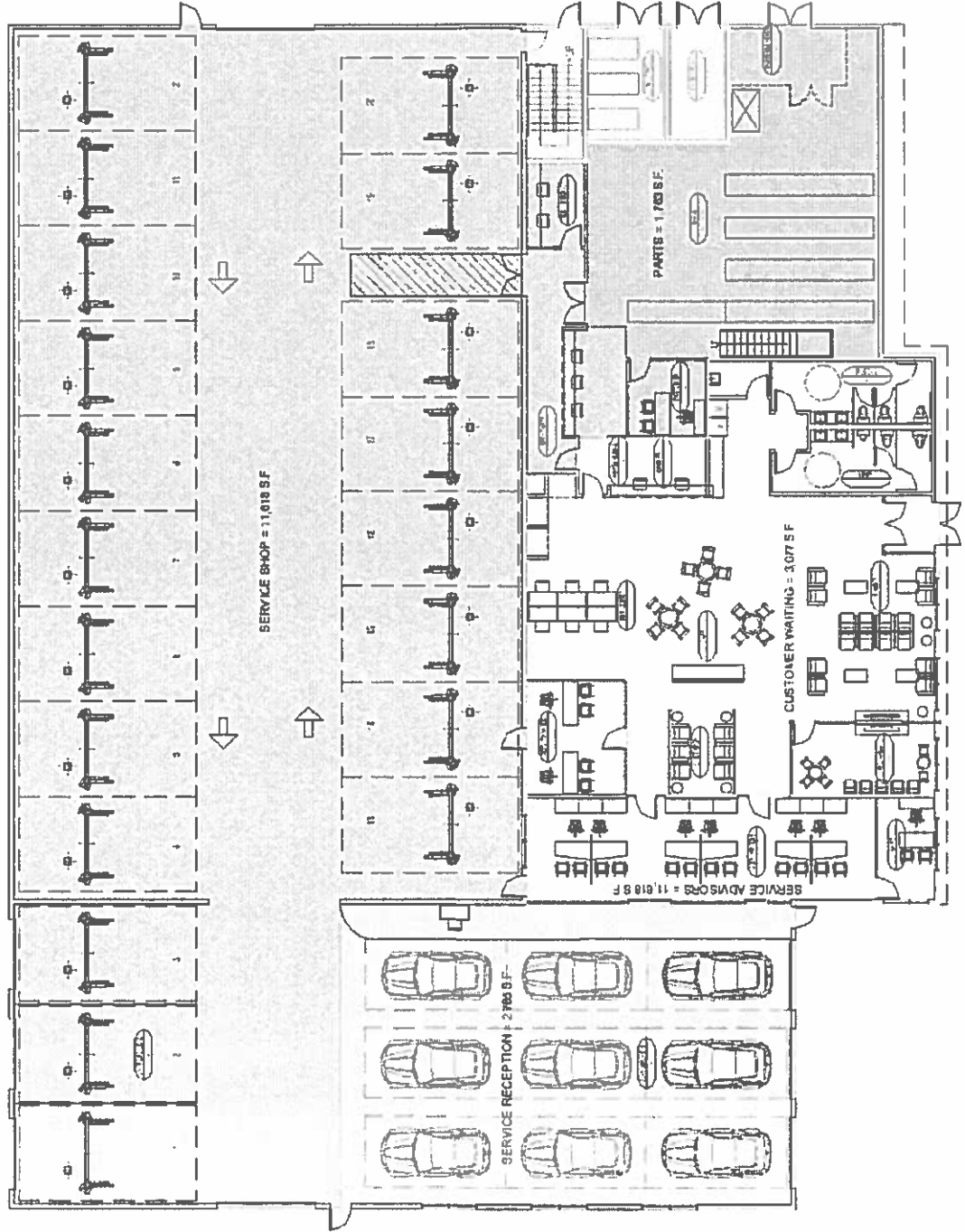
Variance	Required	02/01/16	03/16/16	6/27/16 – 9/26/16	Present
Wall signage	<ul style="list-style-type: none"> 1 sign per wall per frontage. Sign length no greater than 15'. Maximum 2' height. Lettering 18" maximum. 	<ul style="list-style-type: none"> 6 signs total. 3 signs greater than 15'. Lettering 30" height. 	No change	No change	No change
Freestanding signage	<ul style="list-style-type: none"> 1 sign, in lieu of wall signage. Max. 24 s.f. per side. Max. height of 18'. 3' open space from ground. 	<ul style="list-style-type: none"> 1 sign along with wall signage. 64 s.f. per side. Height of 25'-7" No open space 	No change	No change	No change
Parking lot trees	1 tree per 1,000 s.f. of nonbuilding or paved areas.	(34 trees)/8 trees	(34 trees)/19 trees	(35 trees)/22 trees	(26 trees)/26 trees
Street trees	Min. 40' on center, max. 60' on center	(5 trees)/3 trees	Eliminated (5 trees)/7 trees	Eliminated (5 trees)/9 trees	Eliminated (5 trees)/9 trees
Parking/loading spaces	Evergreen hedge, wall or fence, 2' min. height.	Portions of rear parking area with no landscaping strip.	Portions of rear parking area with no landscaping strip.	Eliminated	Eliminated
Parking islands with material	5	None proposed	No change	No change	No change

Variance Progression

July 25, 2016 - Required Connections



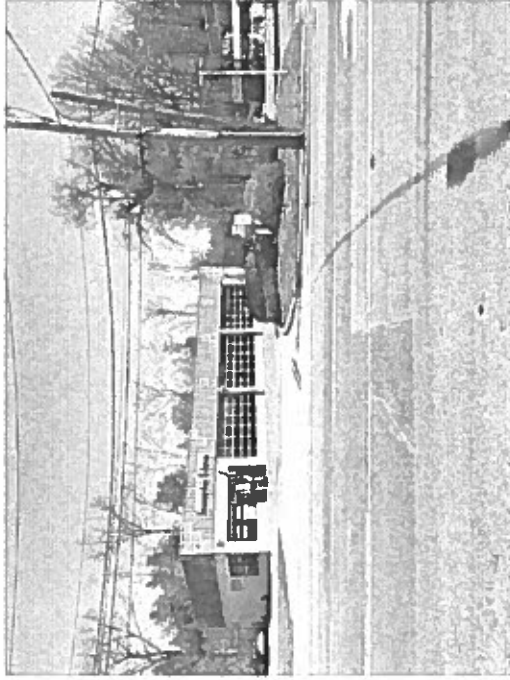
July 25, 2016 - Space Areas



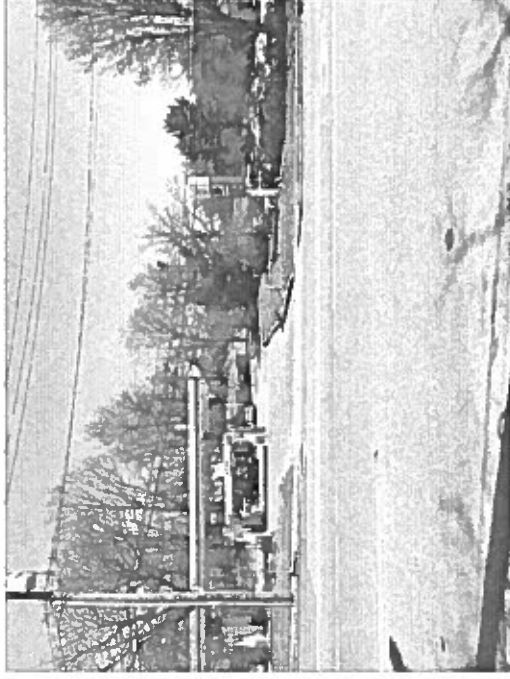
AREA BREAKDOWN

SERVICE RECEPTION	2,765 S.F.
SERVICE SHOP	11,618 S.F.
SERVICE ADVISORS	1,147 S.F.
CUSTOMER AMENITIES	3,077 S.F.
PARTS	1,763 S.F.
MECHANICAL/STAIRS	517 S.F.
TOTAL	20,907 S.F.

Street Photos



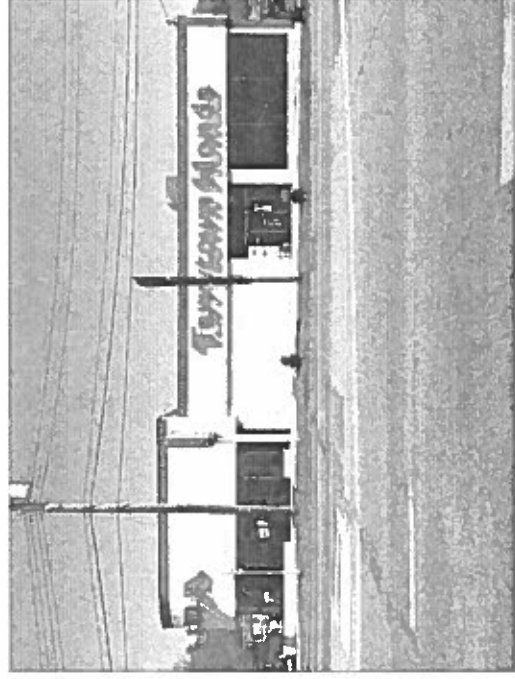
SECTION 1 140 BLOCK 96 LOT 1 - MAVIS TIRE CENTER



SECTION 1 140 BLOCK 96 LOT 2 - BP GAS STATION AND FOOD MART



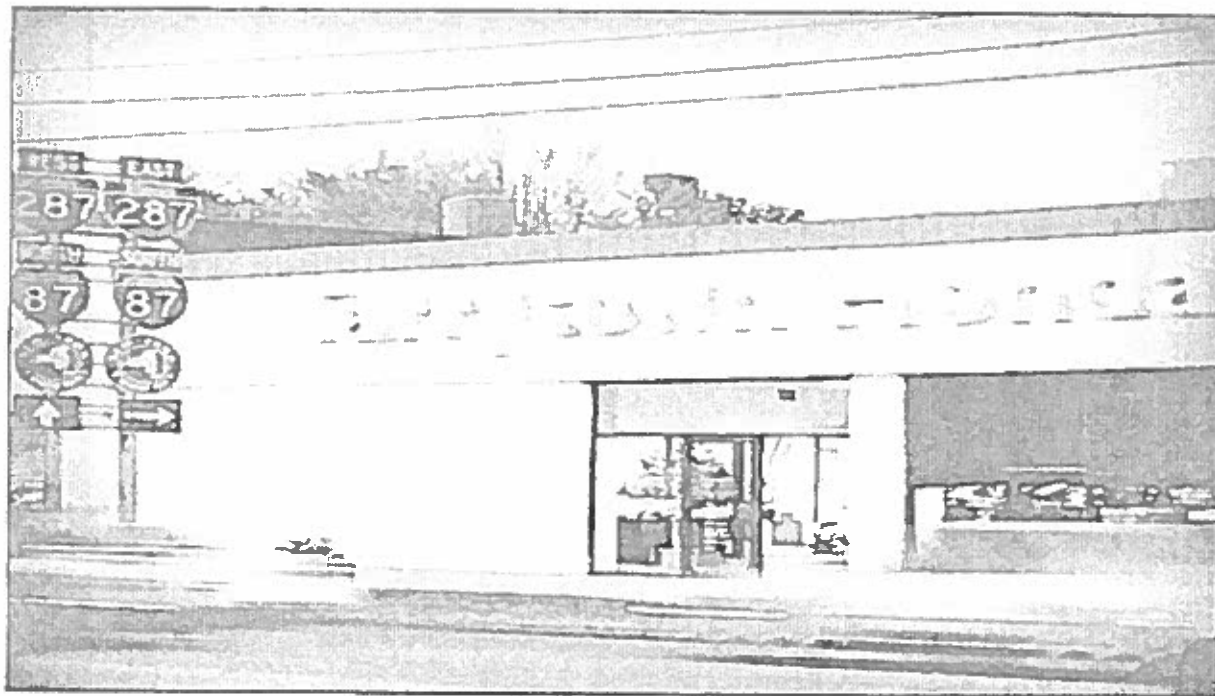
SECTION 1 140 BLOCK 96 LOT 3 - EL DORADO WEST DINER (SUBJECT PROPERTY)



SECTION 1 140 BLOCK 102 - TARRYTOWN HONDA

Special Setback Exhibit



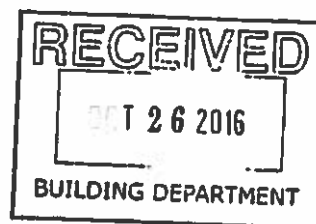


RECEIVED
OCT 26 2016
BUILDING DEPARTMENT

Zoning Variance – Analysis

Village Law, Section 7-712(b) – “Area Variances”

- Zoning Boards protect the “character of the neighborhood”
- There is no “prime facie” case required to obtain an area variance(s)
- **FIRST FINDING OF FACTS**
- (b) In making its determination, the zoning board of appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant.



Zoning Variance – Analysis (cont'd)

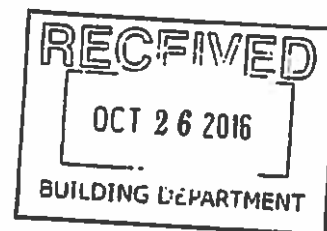
- **Benefits to the Applicant**

- To provide additional interior and exterior space to accommodate current and growing demand for automobile service and parts and the sale of new and used automobiles
- To maintain the existing customer base and to expand that base by the provision of superior automobile service, parts and sales
- Existing customer base:
 - a 30% of registered vehicles in Tarrytown sold and/or serviced by this dealership
 - b Approximately 4,000 automobiles sold annually
 - c Approximately 16,000 automobiles in operation requiring service
 - d 24,000 automobiles serviced annually; increasing at approximately 6-8% per year



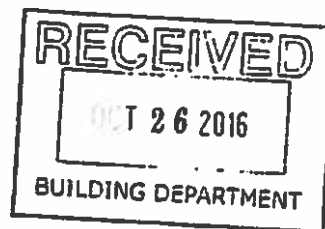
Zoning Variance – Analysis (cont'd)

- To retain existing employees and to add new employees, all of whom will be well trained and factory certified
- **Benefits to the Owner**
 - Single Tenant Occupancy with current tenant leaving
 - Concern about ability to find suitable tenant given tax burden (\$120,000 per year) and the ability to attract another retail tenant



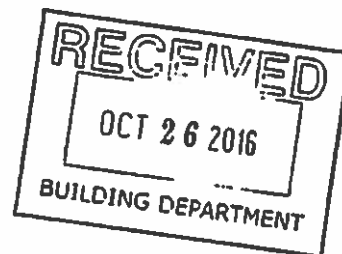
Zoning Variance – Analysis (cont'd)

- **Benefits to the Neighborhood**
 - Anticipated support by residential neighbors of the proposed project at 460 South Broadway
 - Decreased business activity at 480 South Broadway
- **Benefits for Village**
 - Amenity: Public, Not-for-Profit, Private
 - Tarrytown Honda; one of the largest tax paying, job creating retail business
 - Very few small, independent auto repair shops (technology)
 - Customer preference for safety
 - Trained certified personnel, parts
 - Modern capital equipment/tools
 - Procedures and controls
 - Service of almost all vehicles
 - Strong Honda brand, local market share, steady increase in new and used car sales



Zoning Variance – Analysis (cont'd)

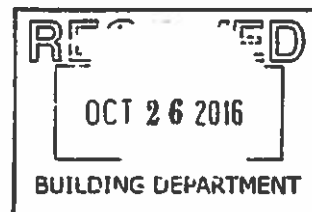
- **Detriments to Health, Safety and Welfare of Community**
 - Traffic and potential backup on South Broadway, has been considered by Traffic Engineers. Conclusion: no impact.
 - Various mitigations including the general prohibition against auto carriers and other reasonable restrictions on operation
 - No identified environmental dangers, health hazards, safety hazards or nuisance to neighbors
- **Conclusion**
 - The benefits to the Applicant, the neighborhood and the Village outweigh negative impacts (if any).



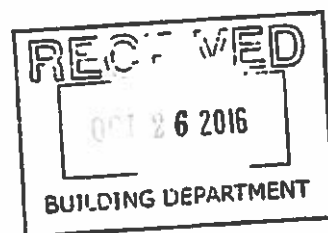
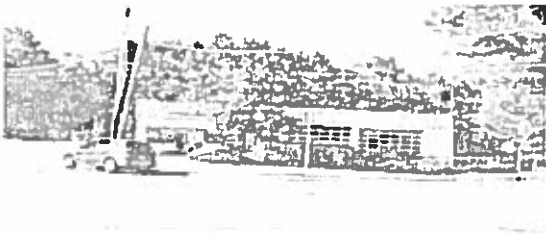
Zoning Variance – Analysis (Section 7-712(b)(1))

SECOND FINDING OF FACTS

- (1) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;

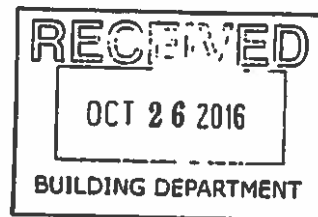


Description of Area



Zoning Variance – Analysis (Section 7-712(b)(1))

- Character of the Neighborhood
 - Zoning
 - Neighborhood shopping zone where automobile dealerships are a permitted principal use
 - Traffic
 - Large volumes of interstate, regional and local traffic at this area of Route 9
 - Interstate Route 87, Interstate Route 287, Route 119 intersect the immediate area
 - Tappan Zee Bridge
 - At this area two (2) northerly and two (2) southerly lanes, as well as entrance lane accommodate traffic demand



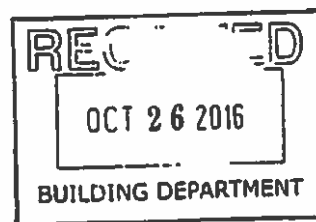
Zoning Variance – Analysis (Section 7-712(b)(1))

- Character of the Neighborhood (cont'd)
 - Neighborhood businesses
 - Naturally designed to accommodate needs of motorist driving on Interstate, Regional and Local highways
 - South:
 - Honda Dealership; Branded; 30th Largest Company in the World
 - North
 - BP Gas Station; Branded; 14th Largest Company in the World
 - West
 - Doubletree Hotel; Branded; Along with Hilton owned properties such as Hampton Inn, Embassy Suites and Red Lion provides lower cost options for travelers and guests. Franchisees have lower cost options to improve the properties than the flagship Hilton Properties

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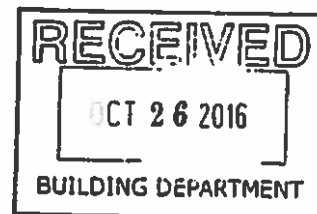


Tarrytown
Honda



Zoning Variance – Analysis (Section 7-712(b)(1))

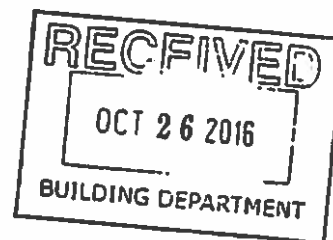
- Character of the Neighborhood (cont'd)
 - Nonconforming Properties
 - All neighboring properties are either nonconforming uses (i.e. gasoline stations) or conforming uses which are not located in areas which conform to the current zoning requirements
 - The neighborhood consists of businesses which serve motorists, travelling by automobile – locally, regionally or interstate
 - No uniformity of appearance or use.
 - Comparison to other Westchester municipalities
 - Conclusion
 - There is no detriment to the neighborhood or to the surrounding properties



Zoning Variance – Analysis (Section 7-712(b)(2))

THIRD FINDING OF FACTS

- (b)(2) Whether the benefit sought by the applicant can be achieved by some method, feasible for the Applicant to pursue, other than a variance
- In connection with the requirements of this section of the statute, the applicant has been asked by the Planning Board to assess the following:
 - A. Reduce the size of the building; or
 - B. Reduce the "footprint" or coverage of the building by constructing a proposed second floor to contain a part of the dealership operations
- Feasible: Capable of being used or dealt with successfully, easily, safely, conveniently and practically. Viable and workable.



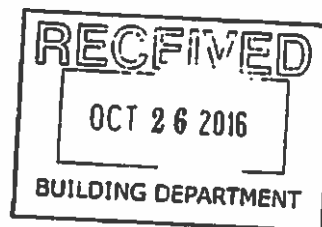
Zoning Variance – Analysis (Section 7-712(b)(2)) (cont'd)

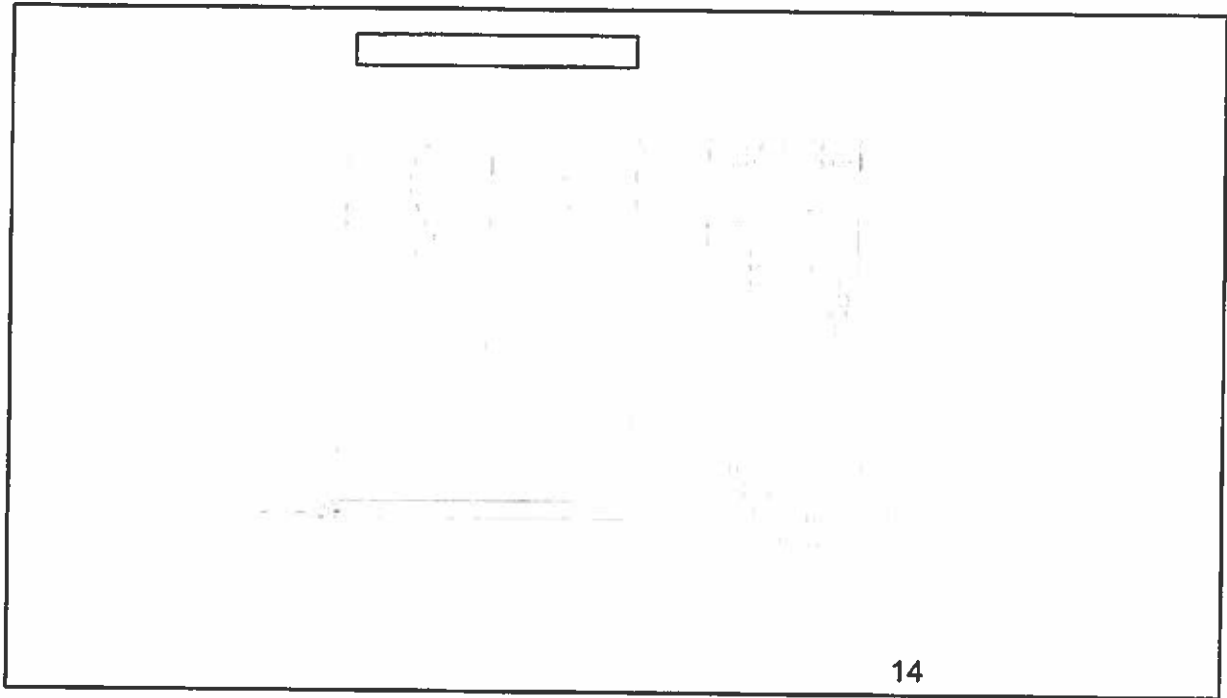
A. Rationale for Required Size of Building

- Proposal: 20,463 s.f. (17,646 s.f. dedicated to service area, service advisor, parts, mechanical. Remaining 2,817 s.f. dedicated to customer service

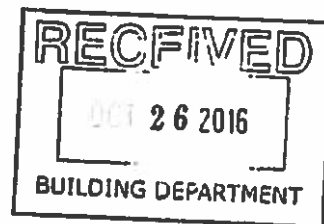
(1) American Honda Motor Guide

- Determines the proper area of a dealership building as a function of the amount of units in operation outstanding
- Tarrytown Honda has approximately 16 000 units in operation thereby requiring approximately 30 service stalls. (Statistical study)
- The existing facility at 480 South Broadway currently provides 11 service stalls
- The proposed new building, to be located at 460 South Broadway provides 20-21 stalls bringing the Automotive Dealership into compliance with Honda Automotive Standards. This proposed space will also provide automotive services in accordance with current customer demand
- The American Honda Motor Guide was developed over years as a result long experience in the servicing of Honda Motor Vehicles






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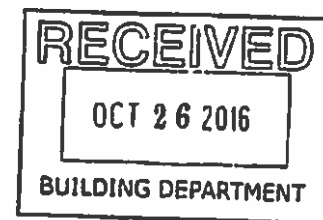


Rationale for Additional Interior/Exterior Space

(2) Sales and market potential

- A dealership's current and projected sales as well as market potential also determines the size the of the building

Dealership	<u>2015 Sales</u>	<u>Market Area</u>	<u>Required Building Size</u>	<u>Current Building Size</u>
Yonkers Honda	2626 New Car Sales	2600 New Car Sales	38,125 s f	60,000 s f adding 3500 s f. to Service Dept
White Plains Honda	1722 New Car Sales	1829 New Car Sales	28,800 s f	30,254 s f
Mt. Kisco Honda	891 New Car Sales	989 New Car Sales	28,300 s f	22,600 s f
Tarrytown Honda	2676 New Car Sales	2607 New Car Sales	38,316 s f	15,316 s f 20 



Rationale for Additional Interior/Exterior Space

(3) "Supply" of Service Bay Capacity/Customer Demand

a) Annual Service Bay Capacity (Supply):

301 Service Days

8 hours/day for service bay use

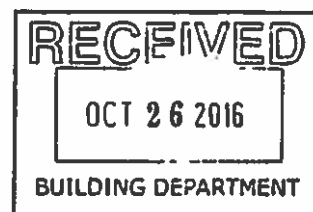
31 bays

74,648 Annual hours of service bay capacity

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Tarrytown
Honda



Rationale for Additional Interior/Exterior Space (cont'd)

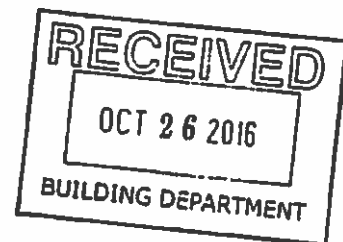
b) Annual Service Bay Demand (2015)

<u>Type of Service</u>	<u>Annual Appointment</u>	<u>Time</u>	<u>Annualized</u>
Express	4221	2.0	8442
Customer Labor	9099	4.0	36,396
Internal Labor	6987	3.0	20,967
Internal Labor (Accessory)	277	2.0	554
Warranty/R.O.	<u>3472</u>	2.0	<u>6,944</u>
Total	24056		73,303.00

c) Annual Service Bay Demand (2016 – Anticipated 12% Increase)

26972 82,099.36

17

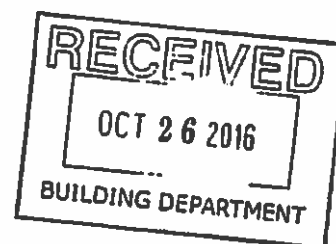


Background

5) Increase in Customer Demand for auto service and repair is due to:

- Small, independent repair shops disappearing due to technology;
- Customer preference for safety
 - Trained certified personnel, factory parts
 - Modern capital equipment and tools
 - Procedures and controls
 - Services of almost all vehicles
- Strong Honda brand; strong local market
- Increase in new and used car sales, leading to more service appointments

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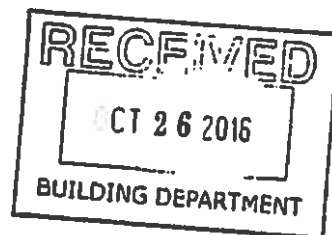


Background

6) Consequences of Inadequate Number of Bays:

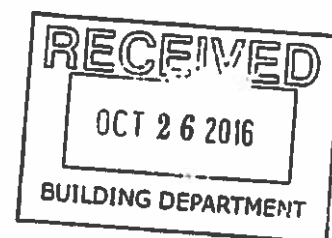
- a) Poor customer service and satisfaction
- b) Time to complete repairs is much longer than necessary. Due to backlog, a 1.5 hour repair might require 6 hours; a 3.5 hour repair might require 2 days
- c) Customer Time and Inconvenience – most customers are local and need their vehicle promptly to get to work or attend to family concerns
- d) Loss of customers when vehicles cannot be repaired in a timely fashion
- e) Damage to overall reputation
- f) Opportunity cost

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***B. Feasibility of Alternative Building Configurations
(Second Floor)***

- Alternative building configurations have been considered for **feasibility** in accordance with statutory requirements. (See Site Plan and Required Points of Connections)
- Alternative configurations of this building are not **feasible** for the following reasons



**B. Feasibility of Alternative Building Configurations
(Second Floor)**

a) FEASIBILITY CONCERNS

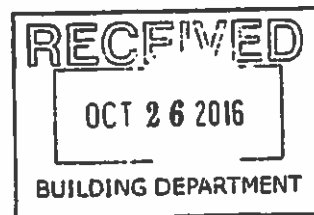
Moving any portion of the areas dedicated to service bays and/or customer areas to a proposed second floor causes the following consequences:

- i. In ground lifts cannot be utilized on the second floor and will result in a larger bay areas; In ground must be buried in the ground and this allows for service lifts to be spaced closer together; resulting in a more efficient design
- ii. A second story will result in no net reduction in building footprint or any reduction in visual impact from South Broadway
- iii. A second story will require a ramp which is, ramp has been designed to the limits; one way only and at a slope of 15% to fit within building envelope. Ramp slope of 12% is preferred for safety.
- iv. A second story will require a building of the same length and taller in height (approximately 38')

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Tarrytown
Honda



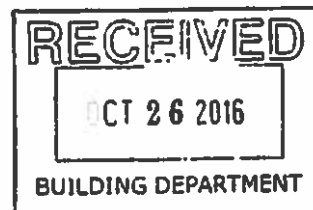
**B. Feasibility of Alternative Building Configurations
(Second Floor)**

b) Efficiency Concerns

13 connections are necessary for proper functionality, efficiency, service speed, access to alignment bay and tool room, and easy movement of staff

c) Customer Concerns

- i. Customers need to be immediately accessible to service advisors so that automobiles can be serviced promptly; service problems discussed and decisions made to make or to defer a repair or part replacement
- ii. A customer area located on the second floor poses an inconvenience to elderly customers, handicapped individuals, individuals with special physical needs and parents or grandparents with young children
- iii. Additional stairwell and elevator and maneuverability of service vehicles will necessitate an increase in the size of the building (approximately 744 s.f.) 20,907 s.f. to 21,651 s.f.



**B. Feasibility of Alternative Building Configurations
(Second Floor)**

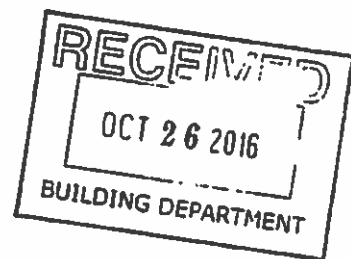
d. Procedures and Controls (Safety)

As automobiles are initially assembled in a factory, there are integrated, interrelated and interdependent procedures and controls to provide service, parts, diagnosis, customer information and feedback, recommendations for additional service and delivery.

Procedures and controls must be followed precisely and without deviation, in order to provide vehicle safety.

Any interference with procedures and controls cannot be tolerated, as it may lead to an accident, involving injury or death. There can be no deviation. There can be no risk.

As a result, the building must be feasible: designed to accommodate the procedures and controls and manner of operation in a way that is most conducive for safety, success, efficiency, convenience and practical operation.



Zoning Variance - Analysis (Section 7-712(b)(3))

FOURTH FINDING OF FACTS

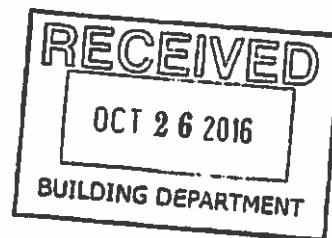
- (b)(3) Whether the area variances are substantial
 - It is commonly assumed that the greater the deviation from the requirements of the Zoning Code, the more likely it is that the impact on the neighborhood will be severe.
 - In this case, despite substantial variances, there is no negative impact on the neighborhood



Zoning Variance – Analysis (Section 7-712(b)(4))

FIFTH FINDING OF FACTS

- (b)(4) Whether the proposed variances will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district
 - The proposed variances will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood
 - The only possible adverse effect on the environment relates to the volume of traffic.
 - This impact has been measured by professional and experienced traffic engineers – No impact found.



Zoning Variance – Analysis (Section 7-712(b)(5))

SIXTH FINDING OF FACTS

- (b)(5) Whether the alleged difficulty was self-created; which consideration shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of an area variance
 - Not Applicable



Zoning Variance – Analysis (Section 7-712(c))

SEVENTH FINDING OF FACTS

(c) The Board of Appeals, in the granting of area variances, shall grant the minimum variance which it shall deem necessary and adequate and at the same time, presume the character of the neighborhood and its health, safety and welfare

- See discussion of Section 7-712(b)(2)

