

MDR2 Coverages

Overall

MDR 2

By Subarea

Subarea A

Subarea B .35

Subarea C .28



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MEMORANDUM

To : Planning Board
Village of Dobbs Ferry

From : Dwight Douglas
Village Planner

James J. Hahn, PE
Village Consulting Engineer

Dated : February 3, 2016

Subject : MDR-2 District
Dobbs Ferry, NY

The Planning Board's recent review of the 75 Main Street development project has prompted a discussion of the MDR-2 zoning district and whether the current lot coverage and setback regulations are appropriate in furthering the goals of the district. The notes below, together with the attached lot conformance spreadsheet will hopefully aid in that discussion.

The Vision Plan states that "the Village of Dobbs Ferry was founded more than 300 years ago and built on steep slopes and rolling terrain. As a result many of the streets are narrow with many of its building lots irregularly shaped and close together. This poses a challenge in the future for the planning board to enact laws and codes to ensure the development of the Village is successful." Particularly, there seems to be a need to revise the bulk regulations in the MDR-2 zoning district so that they conform to the existing conditions and the Vision Plan.

VISION PLAN

The Vision Plan indicates that the MDR-2 zone is located in "Old Town", which encompasses Palisade, Cedar and Main Streets, as well as side streets, nearby Broadway, and the Gateway. This section of the Village has many goals, which include amplifying the pedestrian vitality, amenities, scale, and style of life in the Village's "Old Town" area, which includes downtown. This poses many issues due to many converted houses and upstairs apartments not conforming and legalizing or increasing housing would be hampered by the shortage of downtown parking. There is also the concern that incremental development can lead to the erosion of "Old Town's" historic character.

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MDR DISTRICT

The primary purpose of the MDR district is to maintain the character and scale of established neighborhoods characterized by a mixture of detached one-family houses, two- and three-family homes, and multi-family housing, often found in large, older buildings which have been reorganized into apartments, and to allow for the appropriate development and redevelopment of lots and existing buildings in those areas. The district is also intended to provide a transition between OF districts and higher density apartment districts or commercial districts.

The MDR-2 district allows for a more intense mixture of dwelling units, including townhomes and small multi-family buildings with a maximum of eight units per building. A minimum lot area of 800 square feet per dwelling unit is required. Additionally the minimum setback required for the front yard is 20 feet with a maximum lot coverage area of 27%.

SUMMARY ASSESSMENT OF LOTS IN MDR-2

There are 43 lots within the MDR-2 district.

Coverage - of the 43 lots, 25 of them are out of compliance with the coverage area (see attachments). The average coverage area for these 25 lots is 35.24%, which is significantly higher than the allowed 27%. It is also important to note that the permitted lot coverages in the MDR-1 and MDR-2 zones are identical and this does not take into account the greater density permitted in the MDR-2 zone, as well as the wider selection of permitted uses as noted above.

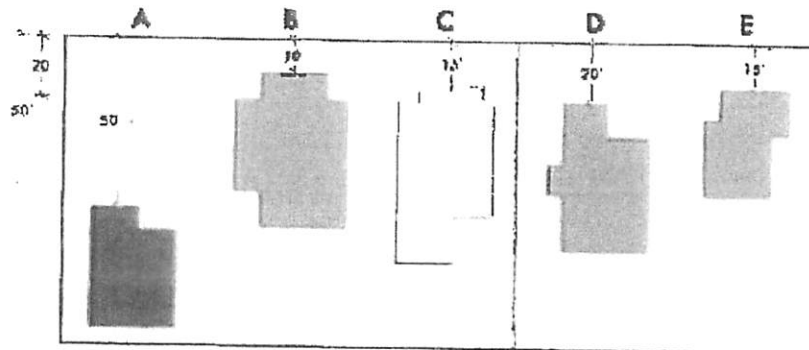
Setback – of the 43 lots, 33 lots are out of compliance with regard to the minimum setback requirements. On average the actual set back of the buildings from the front yard is 7.72 feet compared to the 20 foot minimum requirement. It should be noted that there are 9 buildings that have a setback of 2 feet or less.

While the Zoning Ordinance in section 300-14 does provide a method for addressing the setback issue, by allowing the use of a prevailing setback calculation, as detailed below, it would still make sense to revise the setback requirements to reflect actual conditions.

The use of the prevailing setback is considered the lesser of:

- A. The average of the existing front yard setback of the properties on either side of the subject property; or
- B. The average of the existing front yard setback of each lot on the block face on which the subject property is located; however, in no case shall a property more than 500

feet from the subject property or with a setback of more than 50 feet be included in the calculation.



In this example, the minimum required front setback in the underlying zoning district is 20 feet. However, because of the variety in existing setbacks of buildings on the same block face, new development on lot C may be located with a setback of only 15 feet, which is the average of the setbacks of the adjacent lots B and D. Alternatively, the setback may be determined by the average of all the properties on the block face, except that the setback for property A would not be included in the calculation, as the setback is more than 50 feet.

CONCLUSION

Moving forward, consideration should be given to making modifications to the MDR-2 regulations to avoid overuse of the prevailing setback provision of the code or the use of waivers when approving projects. It seems that the goals of the Vision Plan for the Village of Dobbs Ferry in "Old Town" are in contrast to the requirements set forth in the zoning for the MDR-2 district.

Further, our analysis only discusses coverage and front yard setback. The other zoning regulations should also be further reviewed and discussed.


GEP:JH

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**MDR-2 ZONING EVALUATION, VILLAGE OF DOBBS FERRY
(CEDAR STREET TO CHESTNUT STREET - ALONG PALISADE STREET)**

Palisade Street (MDR-2)						
Address	Coverage (%)	Allowed Coverage (%)	Difference (%)	Front Setback (ft)	Required Setback (ft)	Difference (ft)
95	32.33	27.00	5.33	0.00	20.00	20.00
98	19.35	27.00	-7.65	16.00	20.00	4.00
104	17.70	27.00	-9.30	14.30	20.00	5.70
107	15.24	27.00	-11.76	33.50	20.00	-13.50
110	27.00	27.00	0.00	8.30	20.00	11.70
111	27.00	27.00	0.00	37.80	20.00	-17.80
114	29.86	27.00	2.86	9.75	20.00	10.25
116	30.77	27.00	3.77	17.50	20.00	2.50
118	22.90	27.00	-4.10	9.25	20.00	10.75
119	38.41	27.00	11.41	4.50	20.00	15.50
122	43.75	27.00	16.75	12.30	20.00	7.70
123	35.08	27.00	8.08	3.75	20.00	16.25
126	30.08	27.00	3.08	11.50	20.00	8.50
129	17.70	27.00	-9.30	0.00	20.00	20.00
130	14.42	27.00	-12.58	5.30	20.00	14.70
132	19.20	27.00	-7.80	6.75	20.00	13.25
133	25.00	27.00	-2.00	5.20	20.00	14.80
134	64.00	27.00	37.00	7.50	20.00	12.50
135	13.32	27.00	-13.68	2.00	20.00	18.00
138	78.45	27.00	51.45	4.50	20.00	15.50
139	25.76	27.00	-1.24	1.00	20.00	19.00
142	43.85	27.00	16.85	2.00	20.00	18.00
144	12.59	27.00	-14.41	11.75	20.00	8.25
148	29.25	27.00	2.25	12.30	20.00	7.70
154	36.50	27.00	9.50	20.50	20.00	-0.50
156	25.42	27.00	-1.58	4.00	20.00	16.00
164	36.95	27.00	9.95	2.00	20.00	18.00
Total Lots	27			27		
Total In Compliance	14			3		
Total out of Compliance	13			24		
In Compliance			20.19²			30.60²
Out of Compliance			40.71¹			7.14³

² - Average coverage in % for 14 lots in compliance

¹ - Average coverage in % for 13 lots out of compliance

² - Average setback in ft. for 14 lots in compliance

³ - Average setback in ft. for 13 lots out of compliance

**MDR-2 ZONING EVALUATION, VILLAGE OF DOBBS FERRY
(CHESTNUT STREET TO MAIN STREET - ALONG PALISADE STREET)**

Hudson Terrace (MDR-2)						
Address	Coverage (%)	Allowed Coverage (%)	Difference (%)	Front Setback (ft)	Required Setback (ft)	Difference (ft)
2	42.47	27.00	15.47	25.00	20.00	-5.00
3	29.30	27.00	2.30	30.00	20.00	-10.00
4	28.70	27.00	1.70	0.00	20.00	20.00
5	27.18	27.00	0.18	21.25	20.00	-1.25
6	26.78	27.00	-0.22	19.69	20.00	0.31
7	29.41	27.00	2.41	12.71	20.00	7.29
Total Lots	6			6		
Total In Compliance	1			3		
Total out of Compliance	5			3		
In Compliance			26.78^a			25.42²
Out of Compliance			31.41¹			10.80³

^a - Average coverage in % for 1 lots in compliance

² - Average setback in ft. for 3 lots in compliance

¹ - Average coverage in % for 5 lots out of compliance

³ - Average setback in ft. for 3 lots out of compliance

Main Street (MDR-2)						
Address	Coverage (%)	Allowed Coverage (%)	Difference (%)	Front Setback (ft)	Required Setback (ft)	Difference (ft)
1	32.44	27.00	5.44	1.50	20.00	18.50
9	32.65	27.00	5.65	5.50	20.00	14.50
13	12.31	27.00	-14.69	49.00	20.00	-29.00
Total Lots	3			3		
Total In Compliance	1			1		
Total out of Compliance	2			2		
In Compliance			12.31^a			49.00²
Out of Compliance			32.55¹			3.50³

^a - Average coverage in % for 1 lots in compliance

² - Average setback in ft. for 1 lots in compliance

¹ - Average coverage in % for 2 lots out of compliance

³ - Average setback in ft. for 2 lots out of compliance

**MDR-2 ZONING EVALUATION, VILLAGE OF DOBBS FERRY
(CHESTNUT STREET TO MAIN STREET - ALONG PALISADE STREET)**

Palisade Street (MDR-2)						
Address	Coverage (%)	Allowed Coverage (%)	Difference (%)	Front Setback (ft)	Required Setback (ft)	Difference (ft)
12	28.45	27.00	1.45	26.31	20.00	-6.31
22	37.78	27.00	10.78	26.39	20.00	-6.39
26	14.39	27.00	-12.61	80.80	20.00	-60.80
30	26.44	27.00	-0.56	15.21	20.00	4.79
38	36.59	27.00	9.59	19.50	20.00	0.50
56	37.37	27.00	10.37	2.68	20.00	17.32
60	41.27	27.00	14.27	0.41	20.00	19.59
Total Lots	7			6		
Total In Compliance	2			3		
Total out of Compliance	5			4		
In Compliance			20.42²			44.50²
Out of Compliance			36.29¹			9.45³

² - Average coverage in % for 2 lots in compliance

¹ - Average coverage in % for 5 lots out of compliance

² - Average setback in ft. for 3 lots in compliance

³ - Average setback in ft. for 4 lots out of compliance

**MDR-2 ZONING EVALUATION, VILLAGE OF DOBBS FERRY
(CEDAR STREET TO MAIN STREET)**

Total Lots	43			43		
Total In Compliance	18			10		
Total out of Compliance	25			33		
In Compliance			19.92²			37.38²
Out of Compliance			35.24¹			7.72³

² - Average coverage in % for 18 lots in compliance

¹ - Average coverage in % for 25 lots out of compliance

² - Average setback in ft. for 10 lots in compliance

³ - Average setback in ft. for 33 lots out of compliance

ZONING ANALYSIS

PROPERTY LOCATION: 75 MAIN STREET, DOBBS FERRY, NY 10522. TAX ID NUMBER: 3.80-40-49

PROPERTY OWNER: 75 MAIN PARTNERS, LLC DOBBS FERRY, NY 10522

APPLICANT: OCEANIA, LLC.
BRB CONTRACTING LLC, BART BLATT, PRESIDENT
5 RENAISSANCE SQUARE
WHITE PLAINS, NEW YORK 10601
CONTACT: BART BLATT - CELL 914-622-5814

ZONING DISTRICT REQUIREMENTS	UNITS	DB (DOWNTOWN BUSINESS) MAIN STREET			MDR-2 (MULTIFAMILY RESIDENCE) PALISADE STREET		
		REQUIRED / ALLOWED	EXISTING	PROPOSED	REQUIRED / ALLOWED	EXISTING	PROPOSED
LOT AREA	S.F.	N/A	4,847	NO CHANGE	5,000	10,975	NO CHANGE
FRONT YARD SETBACK (MINIMUM)	FT	0	0	NO CHANGE	20	8.9	NO CHANGE
SIDE YARD SETBACK (MINIMUM)	FT	0	0	NO CHANGE	10	0	NO CHANGE
SIDE YARD SETBACK (TOTAL)	FT	0	0	NO CHANGE	20	15.2	NO CHANGE
REAR YARD SETBACK (MINIMUM)	FT	0	0	NO CHANGE	25	0	NO CHANGE
STORIES	#	MAXIMUM 4 MINIMUM 2	5	NO CHANGE	3	1	3
HEIGHT	FT	MAXIMUM 50 MINIMUM 24	55	58.55' ¹ 65.06' ²	30 (FLAT ROOF)	22	58.75' ³ 48.5' ⁴
MAXIMUM NUMBER RESIDENTIAL UNITS	N/A	1 PER 600 SQ.FT NET FL. AREA (15)	0	14	1 PER 800 SQ.FT. (14)	0	10
LOT WIDTH	FT	18	40	NO CHANGE		80	NO CHANGE
LOT DEPTH	FT	N/A	121	NO CHANGE		120	NO CHANGE
LOT COVERAGE BY BUILDINGS	%	80	100	NO CHANGE	27	73	NO CHANGE
LOT COVERAGE BY IMPERVIOUS SURFACE	%	100	100	NO CHANGE	54	73	NO CHANGE
OFF STREET PARKING	#	1 PER UNIT/14	0	18	1 PER UNIT/10	0	12

1. Measured from sidewalk on Main Street to midpoint of pitched roof on existing building
2. Measured from grade plane to midpoint of pitched roof on existing building
3. Measured from curb at palisade street to top of flat roof
4. Measured from grade plane to top of flat roof