

E-4

McCULLOUGH, GOLDBERGER & STAUDT, LLP

ATTORNEYS AT LAW

1311 MAMARONECK AVENUE, SUITE 340
WHITE PLAINS, NEW YORK

10605

(914) 940-6400

FAX (914) 940-2510

WWW.MCCULLOUGHGOLDBERGER.COM

RECEIVED

2014 OCT -8 AM 9:46

TOWN OF HARRISON, N.Y.

FRANK S. McCULLOUGH (1905-1998)
EVANS V. BREWSTER (1920-2005)

FRANK S. McCULLOUGH, JR.
CHARLES A. GOLDBERGER
JAMES STAUDT
LINDA B. WHITEHEAD
SETH M. MANDELBAUM

JOANNA C. FELDMAN
DEBORAH A. GOLDBERGER
EDMUND C. GRAINGER, III
PATRICIA W. GURAHIAN
MEREDITH A. LEFF
RUTH F.-L. POST
KEVIN E. STAUDT
STEVEN M. WRABEL

KEITH R. BETENSKY
COUNSEL

October 7, 2014

Honorable Supervisor/Mayor Ronald Belmont
and Members of the Town/Village Board
Town/Village of Harrison
One Heineman Place
Harrison, New York 10528

Re: 103/105 Corporate Park Drive SPE LLC
Petition for Zoning Amendment
103-105 Corporate Park Drive, Harrison, New York

Dear Supervisor/Mayor Belmont & Members of the Town/Village Board:

This firm represents 103/105 Corporate Park Drive SPE LLC¹ (hereinafter referred to as "Petitioner"), the owner of the property located at 103-105 Corporate Park Drive (the "Property"). Petitioner is a real estate company and land developer that owns a significant amount of property in the "Platinum Mile" area along the I-287 corridor in both the Town/Village of Harrison ("Harrison") and the City of White Plains. Petitioner has collaborated with Toll Brothers, a high-quality national builder, and proposed to demolish the existing dilapidated office buildings on the Property and to construct a much-needed empty nester/young professional multi-family residential building (with amenities and a retail/restaurant use on the terrace-level floor). Architectural renderings and conceptual drawings of the proposed building are enclosed for the Board's convenience.

The current office buildings on the Property are largely empty and unused. As noted in the Harrison Comprehensive Plan, this makes the Property ideally suited to be repurposed for complementary non-office development. The proposal involves the demolition of the current office buildings and construction of a new, attractive, six-story multi-family residential building on the Property. The proposed building will be designed for young professionals and empty-nesters. The proposed building will contain 421 units and there will be 770 parking spaces provided in an internal garage and at grade. As discussed in the attached Planning Report prepared by VHB Engineering, Surveying & Landscape Architecture, P.C., this is a purpose that will better not just Harrison, but will help revive the entire I-287 Corridor.

The Property is located along the north side of Corporate Park Drive, east of Westchester Avenue and south of Westchester Park Drive. To the west of the property (down the hill toward Westchester Avenue) is the existing Hyatt House hotel. To the east is an existing office and research building. North of the Property is an

¹ 103/105 Corporate Park Drive SPE LLC is a wholly owned subsidiary of Normandy Real Estate Partners, LLC.

office and research building as well as the new Life Time Athletic facility on Westchester Park Drive. South of the Property (across Corporate Park Drive) are office and research buildings.

The Property is located in the SB-O Special Business District, in which multiple dwelling and support retail/restaurant uses are currently not permitted. However, as this Board is well aware, the recently adopted Comprehensive Plan clearly supports and mandates “expanding the allowable uses in appropriate areas within the Platinum Mile.” Although the underlying zoning text has been drafted by the Town Planner, it is our understanding that the Board has not yet formally considered such text. Rather than seek a use variance from the ZBA, the Petitioner seeks a zoning amendment to revise the Zoning Ordinance in a manner that is consistent with the recently adopted Comprehensive Plan in order to move this exciting project forward in a timely manner. This approach is also consistent with the approach taken by the Town successfully for such uses in the SB-O District as Life Time Fitness, Fordham University and the Hyatt House Hotel, to name a few.

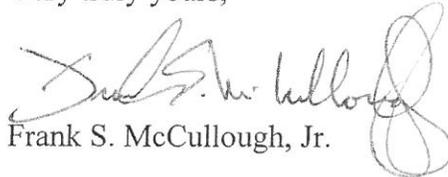
Specifically, the enclosed petition requests the addition of the following new uses in the SB-O Zoning District: SB-O Multiple Dwelling; SB-O Retail; SB-O Retail Service; and SB-O Restaurants. These uses would be permitted by special exception use permit approval from the Planning Board and this Board, giving the Town/Village discretion over such developments. Additionally, the proposed zoning amendment provides for bulk and height requirements to ensure that the area is developed in a manner that is compatible with the surrounding uses and is not over-developed.

Enclosed please find the following materials in support of the zoning map and text amendment petition hereby submitted to the Town/Village Board pursuant to Article XIII of the Zoning Ordinance, together with the required \$250.00 fee:

- 1) Petition for Amendments to the Town/Village of Harrison Zoning Ordinance (“Petition”), with the proposed text amendments to the Zoning Ordinance attached thereto;
- 2) A report prepared by VHB Engineering, Surveying and Landscape Architecture, P.C., dated September, 2014, setting forth the planning rationale for the requested zoning text amendments;
- 3) SEQR Full Environmental Assessment Form, Part 1, prepared by VHB, dated September 9, 2014, with a Traffic Impact Study attached thereto that concludes that the project “will not have a significant adverse impact on area traffic operating conditions”; and
- 4) Preliminary drawings prepared by Sullivan Architecture, P.C.

Kindly place this matter on the October 15, 2014 Town/Village Board agenda, for a brief presentation and in order for the Town Board to consider accepting the Petition and referring the Petition to the Planning Board pursuant to § 235-76(B) of the Zoning Ordinance. We look forward to discussing this important project with you at the October 15th meeting.

Very truly yours,


Frank S. McCullough, Jr.

FSM:smm

cc: Patrick Cleary, AICP, PP
103/105 Corporate Park Drive SPE LLC
Sullivan Architecture, P.C.
VHB Engineering, Surveying and Landscape Architecture, P.C.