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March 10, 2021

CHARLES A. GOLDBERGER
COUNSEL

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

Re: 2500/2700 Westchester Avenue Owner SPE LLC
Petition for Zoning Amendment
2500-2700 Westchester Avenue, Harrison, New York

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TOWN OF HARRISON
MAR 10 P 2 36

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

This firm represents Senlac Ridge Partners ("Petitioner" or "Senlac")¹ (hereinafter referred to as "Petitioner"), the owner of the property located at 2500-2700 Westchester Avenue (the "Property"). Petitioner is a real estate company and land developer that owns several properties in the "Platinum Mile" area along the I-287 corridor in both the Town/Village of Harrison ("Harrison") and the City of White Plains. The Property is approximately 24.6 acres and is located on the north side of Westchester Avenue, just east of Knightsbridge Manor Road, in the SB-O Special Business District Zoning District. The Property is currently improved with two (2) office buildings (2500 Westchester Avenue and 2700 Westchester Avenue) constructed in the 1980s, with associated paved surface parking lots and vegetation/landscaping.

Petitioner proposes to demolish the existing underperforming 2700 office building on the Property and to construct sixty-nine (69) for-sale, high-end townhomes within the existing disturbed and paved areas surrounding the 2700 building. The Property would be subdivided and the 2500 office building, which is in much better condition and has consistently been closer to full occupancy, will remain on its own lot, with the existing single entrance access to Westchester Avenue to remain. This redevelopment will result in a combination of complementary uses that will create a true mixed use campus. Conceptual drawings and representative imagery of the proposed townhouses are enclosed for the Board's convenience.

¹ The Property is owned by the separate affiliated entity known as 2500/2700 Westchester Avenue Owner SPE LLC.

The Property is located at the northeastern side of Westchester Avenue, between Knightsbridge Manor Road and the boundary of the Village of Rye Brook. Adjacent to the property to the north and west are single family homes on Knightsbridge Manor Road, which were constructed within the last fifteen (15) years. Adjacent to the property to the east are single-family homes in the Village of Rye Brook. Adjacent to the south and east of the Property are existing office buildings on Westchester Avenue.

The 2700 office building on the Property is largely empty and underutilized, a condition that has been seriously exacerbated by the ongoing COVID-19 pandemic, and has become functionally obsolete. As noted in the 2013 Harrison Comprehensive Plan, this makes the Property ideally suited to be repurposed for complementary non-office development. The proposal involves the demolition of the 2700 office building and construction of a new, attractive, high-end townhouse development on the Property. The proposed townhouses are anticipated to be attractive to young professionals and empty-nesters, since at the anticipated price point young families would be much more likely to purchase a single family home with a backyard in a residential neighborhood, as opposed to attached townhouses on small lots. As discussed in the attached Planning Report prepared by AKRF, Inc., the proposal is consistent with the Town's Comprehensive Plan and will provide a new residential product that does not currently exist in the Town.

The Property is located in the SB-O District, in which multiple dwelling uses are currently permitted uses, by virtue of the 2016 zoning text amendment adopted by this Board. This amendment was adopted based on the fact that the Comprehensive Plan clearly supports and mandates "expanding the allowable uses in appropriate areas within the Platinum Mile . . . with targeted controls, with the purpose of both retaining office complexes and promoting suitable, complementary non-office development." The Comprehensive Plan also concludes that "[h]owever, in the future, if the [zoning changes are] successfully implemented [in the "teardrop" area] and market forces appear to indicate demand for mixed uses elsewhere in the overall Platinum Mile area, consideration may be given to expanding the [zoning changes] as appropriate."

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 2013 Comprehensive Plan in order to move this new 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 Wegmans Supermarket, the Toll Brothers development at 103-105 Corporate Park Drive, the 3 Westchester Park Drive redevelopment, Life Time Fitness (at the location of the old Gannett printing/office/distribution facility), Fordham University and the Hyatt House Hotel, to name a few.

In addition, the Board should note that the adjacent residential subdivision on Knightsbridge Manor Road was also the result of a zoning map amendment by the Town Board in the early 2000s. In fact, the property was originally zoned residential, was re-zoned in 1981 to SB-35 for Hitachi to construct an office building, and then was re-zoned back to residential and subdivided for the construction of fifteen (15) high-end single-family homes, some of which directly abut the subject Property.

Specifically, the enclosed petition requests a zoning text amendment to Section 235-17.X of the Zoning Ordinance, which regulates SB-O Multi-Family Residential projects. The proposed amendment would, consistent with the Comprehensive Plan, expand the scope of 235-17.X to allow SB-O Multi-Family Residential projects by Special Exception Use Permit approval from both the Planning Board and Town Board on any property along the I-287 corridor that is 5 acres in size, has 350' of frontage and is proposed on a parcel with access to Westchester Avenue. The current regulations limit SB-O Multi-Family Residential projects to the so-called "teardrop" area between I-287, I-684, the connector road from I-287-I-684, and the Hutchinson River Parkway. The proposed amendment also provides additional regulations for attached single-family dwellings, or townhouses.

Finally, it should be noted that there is a Declaration of Covenants, created in 1981 (and last amended in 1984) in connection with a zoning amendment and last amended in 1984, which establishes development restrictions on the Property. The Declaration provides, in relevant part, that: "The site shall be developed substantially as depicted in the site plan appended hereto . . . with buildings constructed substantially as reflected in the drawings appended hereto. . . ." The 1984 amendment includes drawings depicting the current configuration of two (2) office buildings on the Property. In connection with the enclosed zoning amendment petition, Senlac also requests that the Declaration be either amended to reflect the proposed townhouse development or rescinded by the Town Board, since the Special Exception Use Permit process will regulate any future development of the Property.

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"), dated March 9, 2021, with the following exhibits attached thereto:
 - a. Existing Conditions Plan, prepared by Minno Wasko Architects and Planners
 - b. Concept Site Plan, together with illustrative theme images, prepared by Minno Wasko;
 - c. Draft Local Law setting forth the proposed text amendments to Section 235-17.X of the Zoning Ordinance; and
 - d. Report prepared by AKRF, dated March 9, 2021, setting forth the planning rationale for the requested zoning text amendments.
- 2) SEQR Full Environmental Assessment Form, Part 1, prepared by AKRF, dated March 9, 2021; and

Kindly place this matter on the March 18, 2021 Town/Village Board agenda, for a brief presentation and in order for the Town Board to consider accepting the Petition, referring the Petition to the Planning Board pursuant to § 235-76(B) of the Zoning Ordinance. We also respectfully request that the Town Board consider deferring to the Planning Board as the Lead Agency under SEQRA, as it has done on several similar prior zoning text amendment petitions. We look forward to discussing this important project with you at the March 18th meeting.

Very truly yours,



Seth M. Mandelbaum

SMM:srw

Enc.

cc: Patrick Cleary, AICP, PP
Senlac Ridge Partners
JMC Planning Engineering Landscape Architecture & Land Surveying, PLLC
AKRF, Inc.
Minno & Wasko Architects and Planners, and Planning