

Proposed Amendment of
Patriot Hills – Redevelopment Incentive Overlay
Chapter 215. Zoning
January 16, 2019
Rev March 17, 2019

Article XXII. Patriot Hills – Redevelopment Incentive Overlay

SECTION 215-141 Purpose

It is the purpose of this zoning district to encourage the private redevelopment of ~~the former Letchworth Village~~ Patriot Hills – Redevelopment Incentive Overlay with a range of uses appropriate ~~to this remote area~~ to the Town. This district is intended to result in uses which are compatible with the ~~character of the low density surrounding residential neighborhoods; respect the setting and relative tranquility of the~~ Patriot Estates Golf Course, reflect the importance of this area as one of Stony Point's gateways; ~~acknowledge the access constraints of the site to commercial traffic;~~ leverage the regional location of the site "on the way" to tourist destinations, including the Harriman State Park, United States Military Academy, Woodbury Outlet Mall and ~~future casinos; and~~ can be developed in a manner that preserves the historic architectural elements of this important piece of Stony Point's history.

Section 215-142 Procedure and relationship to underlying zoning.

- A. Incentive uses. The ~~LV-RIO~~ Patriot Hills – Redevelopment Incentive Overlay allows a number of Incentive Uses, which are not subject to the bulk and use requirements of the underlying zoning. The provisions of the ~~LV-RIO~~ Patriot Hills – Redevelopment Incentive Overlay apply only to incentive uses.
- B. Underlying zoning uses continued. The uses permitted by right, conditional uses and special uses identified in the underlying zoning district shall continue to be permitted, subject to all existing requirements of the zoning code.
- C. Adaptive reuse permitted. Any application for an incentive use that is contained within a ~~existing~~ former ~~Letchworth Village~~ Patriot Hills – Redevelopment Incentive Overlay structure ~~and with less than 4,000 square feet of exterior site disturbance~~ may be approved by the Building Inspector subject to the following conditions:
 - 1. The exterior site disturbance is limited to parking, landscaping, patios, porches, stormwater infrastructure, fully screened dumpster or utility enclosures;
 - 2. The Town Engineer has made a finding that the plan will not result in adverse stormwater impacts or erosion;

3. No modifications are being made to the exterior building appearance, except to restore the building to its original post-construction appearance;
 4. All relevant requirements of the building and fire code are met;
 - ~~5. All incentive uses are permitted with the exception of hotels, private recreation and gasoline filling station;~~
 6. The use meets the provisions for minimum parking as listed under the individual incentive use;
 7. The provisions of Section 215-144 are met;
 8. No other requirement of zoning, including those listed under the individual incentive use shall apply;
- D. Planning Board approval required. Any incentive use other than those permitted by Subsection C (adaptive reuse) shall be authorized by the Planning Board subject to the procedures and standards provided by Article XII, Conditional Use Approval by Planning Board.
- E. Site plan approval required. Prior to issuance of a building permit, any incentive use other than those permitted by Subsection C (adaptive reuse), shall require the approval of a site development plan consistent with the procedures and requirements of Article X, Site Development Plan Review.
- F. Zoning provisions not applicable. The following provisions of zoning are not applicable to the development of an incentive use within the ~~LV-RIO~~ Patriot Hills – Redevelopment Incentive Overlay:
1. Section 215-16, Special requirements;
 2. Section 215-18A, Restrictions on lot development in SR-R and RR Districts (steep slopes);
 3. Section 215-29, Courts;
 4. Section 215-30, Spacing;
 5. Section 215-41, Off-street loading berths;
 6. Section 215-72, Freshwater wetlands;
 7. Section 215-72.1, Stream protection;

8. Article XIII, Conditional Use and Special Permit Standards.

~~G. Limitation upon architectural review. No architectural review shall be required for an application pursuant to the provisions of Subsection C (adaptive reuse). For all other applications, the Architectural Review Board shall limit its review to that adequate to making a determination that the proposal has incorporated fieldstone as a significant architectural design element and that at least three of the following architectural elements have also been incorporated:~~

- ~~1. Gambrel roofs with dormers;~~
- ~~2. Greek revival porticos or colonnades;~~
- ~~3. Multiple, aligned, evenly spaced, vertically oriented windows with muntins;~~
- ~~4. Large expansive lawns and/or open spaces interspersed with specimen trees;~~
- ~~5. Horizontal building orientation (width and/or length greater than height);~~
- ~~6. Incorporation of some arched top window openings.~~

G. If a single story of structured parking is proposed below or at ground level beneath any proposed building, the maximum height requirement shall be measured from the elevation of the first floor immediately over the parking story, where the Planning Board finds that such increase in overall height will not result in significant adverse visual impacts. The Planning Board shall require such renderings, cross-sections or visual simulation as are necessary to make such a determination on visual impact.

SECTION 215-143 Incentive uses allowed.

- A. Hotels with accessory amenities subject to the following requirements:
1. Minimum number of guest rooms: 75.
 - ~~2. Maximum number of guest rooms: 200.~~
 - ~~3. Minimum floor area of conference facilities: 15 square feet per guest room.~~
 - ~~4. Minimum floor area devoted to restaurant use: 15 square feet per guest room.~~
 5. Minimum floor area devoted to pool and/or fitness center: adequate to serve future guests as specified by the Planning Board upon review of amenities to be offered.

- ~~6. Minimum floor area of guest room: 325 square feet.~~
7. Minimum parking: one space per guest room.
8. Maximum height: six (6) stories.
9. Minimum setback from public street ~~or property line~~: 50 feet.
10. Minimum front and rear ~~and side~~ yard: 30 feet.
11. Minimum side yard: 15 feet
12. Maximum development coverage: 80%.
- ~~12. Incentive bulk requirements: The Town Board shall authorize use of the Patriot Hills Golf Course by hotel guests at Town resident rates, and the Planning Board may permit up to 300 guest rooms where the following conditions are met:~~
 - ~~(a) Floor area devoted to conference facilities is at least 30 square feet per guest room.~~
 - ~~(b) AN appropriate floor area be devoted to spa facilities unless determined to be inconsistent with the character of the hotel as by the Planning Board.~~
 - ~~(c) A variety of guest room sizes will be provided beyond the 325 square foot minimum and no less than 35% shall have floor areas greater than 400 square feet.~~
 - ~~(d) No more than 10% of weekly tee times shall be devoted to hotel guests seeking the Town resident rate.~~
13. A traffic study shall be submitted demonstrating that local roadways and intersections will continue to operate at acceptable levels of service.
14. One apartment with or without kitchen facilities for the use of the hotel manager or caretaker and his family shall be permitted.
15. A restaurant and a coffee shop shall be permitted. Such facilities shall be located within the hotel.
16. Amusements and sports facilities for the exclusive use of hotel guests shall be permitted, including:

- (a) Swimming pool.
- (b) Children's playground.
- (c) Tennis and other game courts.
- (d) Game or recreation rooms.

17. Office and lobby, meeting rooms and/or conference rooms and restaurants shall be mandatory for each hotel.

B. Retail sales subject to the following requirements:

- ~~1. At least 50% of the floor area of any retail store shall be devoted to the sales of apparel and equipment for camping, hiking, boating, fishing, hunting, birding and other nature-based activities.~~
- 2. The following accessory uses shall be permitted:
 - a. Accessory outdoor storage and sales of retail goods subject to fencing, security, sight distance, landscaping or other factors as the Planning Board deems appropriate.
 - ~~b. Restaurants similarly nature-themed and clearly incidental to the retail use.~~
 - c. Areas for demonstration of products.
- ~~3. Minimum floor area: 50,000 square feet.~~
- 3. Minimum parking: one space per 200 square feet.
- 4. Maximum height: 45 feet.
- 5. Minimum setback from public street: 50 feet.
- 6. Minimum front and rear and side yard: 30 feet.
- 7. Minimum side yard: 15 feet
- 8. Maximum development coverage: 80%.
- 9. A traffic study shall be submitted demonstrating that local roadways and intersections will continue to operate at acceptable levels of service.

10. Local Convenience Commercial and Local Office – Business uses shall be permitted subject to the same requirements as retail.

C. ~~Private recreation, including~~ Indoor and Outdoor Recreation but not limited to athletic training facilities, indoor and outdoor athletic fields for rent or lease, indoor skating rink and equestrian center subject to the following requirements:

1. A parking study shall be submitted demonstrating that 110% of the maximum peak parking demand is provided.
2. Maximum height: 45 feet.
3. Minimum setback from public street ~~or property line~~: 50 feet.
4. Minimum front and rear ~~and side~~-yard: 30 feet.
5. Minimum side yard: 15 feet
6. Maximum development coverage: 80%.

D. Gasoline filling station subject to the following requirements:

~~1. — The filling station will gain access directly from Willow Grove Road.~~

1. Maximum number of pumps (fueling positions): 18.
2. Minimum square footage of accessory retail: 4,000 square feet.
3. Minimum parking stalls: four per 1,000 square feet of retail area. (Not counting parking at the pumps.)
4. Minimum setback from public street ~~or property line~~: 50 feet.
5. Minimum front and rear ~~and side~~-yard: 30 feet.
6. Minimum side yard: 15 feet
7. Maximum development coverage: 80%.
8. A traffic study shall be submitted demonstrating that local roadways and intersections will continue to operate at acceptable levels of service.

E. Medical offices, clinics, medical testing and outpatient surgical centers subject to the following requirements:

~~1. Minimum aggregate square footage of all principal structures: 50,000 square feet.~~

1. Minimum front **and** rear ~~and side~~ yard: 30 feet.
2. **Minimum side yard: 15 feet**
3. Minimum setback from **public** street: 50 feet.
4. Minimum parking stalls: one space per 200 square feet.
5. Maximum height: **45 feet.** ~~four stories.~~
6. Maximum development coverage: 80%.
7. A traffic study shall be submitted demonstrating that local roadways and intersections will continue to operate at acceptable levels of service.

F. Sit-down restaurants subject to the following requirements:

~~1. Additions to existing buildings are permitted.~~

1. The following accessory uses are permitted:
 - a. Outdoor dining areas;
 - b. Live entertainment performance spaces.
2. Minimum front **and** rear ~~and side~~ yard: 30 feet.
3. **Minimum side yard: 15 feet**
4. Minimum setback **from public street:** 50 feet.
5. Minimum parking stalls: one per 100 square feet of indoor dining area except that the requirement may be reduced to one space per 250 square feet where valet parking is provided.
6. Maximum height: ~~two stories four stories.~~ **45 feet.**
7. Maximum development coverage: ~~60~~**80**%.

G. ~~Neighborhood retail including dry cleaning, convenience stores, coffee shops, delicatessens, take-out restaurants and ice cream shops, subject to the following requirements:~~ Assisted Living Facilities

- ~~1. Only permitted subject to Section 215-142C.~~
- ~~2. Only permitted within Wilbur Hall.~~
- ~~3. Minimum parking: one space per 200 square feet.~~
4. It shall be the duty of the owner or his agent to file a certification with the Building Inspector indicating compliance with this chapter's requirements relating to the number of occupants.
5. No unit shall contain more than two bedrooms, except that one dwelling unit for a superintendent may be provided, which shall consist of no more than three bedrooms.
6. Except for the superintendent and his family, the occupancy of a Assisted Living Facilities shall be limited to senior citizens under present, future or amended definitions of the governmental agency.. In the absence of any definition, the minimum age for eligibility shall be 55 years.
7. Within the Assisted Living Facilities development, certain related ancillary facilities may be permitted, service laundries, lounges, game rooms, workshops or medical infirmaries, only to the extent that they meet the needs of the clients. Such facilities shall be subordinate to the character of the building and shall located out of public view with no outside advertising. Such facilities shall be expressly approved by the Planning Board.
8. The Patriot Hills – Redevelopment Incentive Overlay for Assisted Living Facilities Developments shall not exceed 20 units per acre of use as depicted on the Site Development Plan.
9. The maximum building height shall be 55 feet or three stories, whichever is less.
10. Suitably equipped and adequately maintained recreation and open space shall be provided. A minimum of 50 square feet of usable open space shall be provided per unit. Group sitting areas shall be well defined by walls, fences, hedges, or other plantings designed to impart a sense of containment or security and to provide group privacy.
11. There shall be provided a safe and convenient system of drives, service access roads and walks, with due consideration given in planning such facilities to such

items as handrails and ramps. Such facilities shall be adequately lighted, and said lighting shall not be directed on adjacent streets or properties.

12. Minimum setback from public street: 50 feet.

13. Minimum front and rear yard: 30 feet.

14. Minimum side yard: 15 feet

15. Maximum development coverage: 80%.

H. Senior Citizen Housing

1. It shall be the duty of the owner or his agent to file a certification with the Building Inspector indicating compliance with this chapter's requirements relating to the number of occupants and the age of the occupants in each dwelling unit.

2. No dwelling unit shall contain more than two bedrooms, except that one dwelling unit for each superintendent may be provided, which shall consist of no more than three bedrooms.

3. Except for the superintendent and his family, the occupancy of a senior citizen housing development shall be limited to single persons who qualify as senior citizens under present, future or amended definitions of the governmental agency providing subsidy or support to the project (Federal Department of Housing and Urban Development, New York State Division of Housing and Community Renewal or similar or successor agencies of the federal or state government) or to families, the head of which so qualifies, except that occupancy of a dwelling unit by a family, the head of which is younger than a senior citizen, shall be permitted if it is established that the presence of such person is essential for the physical care of an eligible occupant. In the absence of any definition, the minimum age for eligibility shall be 55 years.

4. The gross site density shall not exceed 20 units per acre or 150 units, whichever is less

5. Parking areas above the ground floor, if any, within a building shall not be counted in computing development coverage in accordance with the bulk standards that appears in the Bulk Table for said use.

6. The maximum building height shall be 45 feet.

7. The minimum distance between detached buildings shall be 30 feet.

8. Suitably equipped and adequately maintained recreation and open space shall be provided. A minimum of 300 square feet of usable open space shall be provided per dwelling unit. Group sitting areas shall be well defined by walls, fences, hedges or other plantings designed to impart a sense of containment or security and to provide group privacy.
9. There shall be provided a safe and convenient system of drives, service access roads and walks, with due consideration given in planning such facilities to such items as handrails and ramps. Such facilities shall be adequately lighted, and said lighting shall not be directed on adjacent streets or properties.
10. Central refuse collection areas shall be located for the convenience of all units. They shall be supplied with an adequate number and type of covered receptacles and shall be provided with proper screening and maintenance.
11. All parking areas, driveways, recreation areas and refuse collection areas shall be no closer than 10 feet to any building or lot line, and any swimming pool shall be no closer than 30 feet to any building and 50 feet to any lot line.
12. A traffic study shall be submitted demonstrating that local roadways and intersections will continue to operate at acceptable levels of service.
13. Minimum setback from public street: 50 feet.
14. Minimum front, rear and side yard: 15 feet except 30 feet along public roads.
15. Maximum development coverage: 80%.

I. Residential Use

1. The following dwelling types are authorized as part of the Patriot Hills – Redevelopment Incentive Overlay.
 - (a) Multifamily residence.
 - (b) One-family attached residence.
2. The total residential density of the site shall not exceed 12 units per acre or 125 units, whichever is less, for Residential Use as depicted on the Site Development Plan.

3. A development shall demonstrate adequate vehicular access. Internal roads may be private but must be a minimum of 24 feet wide and built to Town standards for materials and design.
4. Maximum building Height 45 ft.
5. A traffic study shall be submitted demonstrating that local roadways and intersections will continue to operate at acceptable levels of service.
6. Minimum setback from public street: 50 feet.
7. Minimum front, rear and side yard: 15 feet except 30 feet along public roads. along any.
8. Maximum development coverage: 80%.

J. Community Recreational Facility

1. Minimum set back from street 50 feet.
2. One space per 300 square feet.
3. Maximum height, 45 feet.
4. Minimum setback from public street: 50 feet.
5. Minimum front and rear yard: 30 feet.
- 6.. Minimum side yard: 15 feet.
7. Maximum development coverage: 80%.

K. Film production studios and sets subject to the following requirements

1. The proposed studio must incorporate at least 50% of a former Letchworth Village building.
2. Additions to existing buildings are permitted.
3. Minimum yard: 30 feet.
4. Minimum parking: one space per 1,000 square feet.

5. Maximum height: two stories.
6. Maximum development coverage: 60%.

SECTION 215-144 Other requirements applicable to site development.

- A. Lighting. All outdoor light fixtures shall be fully shielded downcast fixtures. No individual lamp, including one or more fixture, shall exceed 12,000 lumens or be mounted at a height higher than 30 feet above the ground.
- B. View of Kirkbride Hall to be maintained. No new structure over five feet in height shall be constructed within the area bounded by a line connecting the following points:
 1. The westerly intersection of Patriot Hills Lane right-of-way and the Willow Grove Road right-of-way.
 2. The southeast corner of Kirkbride Hall.
 3. The southwest corner of Kirkbride Hall.
 4. A point along the northerly Willow Grove Road right-of-way line, 400 feet west of the westerly; intersection of Patriot Hills Lane right-of-way and the Willow Grove Road right-of-way.
- C. Requirement for demolition of structures. Prior to demolition of any structure that was constructed as part of Letchworth Village, the structure and surrounding grounds will be photographed and those photographs made available to the New York State Department of Parks, Recreation and Historic Preservation and the Town of Stony Point.
- D. Kirkbride Hall Preservation. The exterior of Kirkbride Hall shall remain unmodified except that the northernmost 25% of the structure may be removed, modified or obscured where it is proposed to be incorporated or expanded into a larger structure.
- E. Directory sign fee. Any applicant proposing an incentive use shall construct a directory monument to the design specifications of the Town of Stony Point but generally comprise of rounded fieldstone base and/or pillars and providing 200 square feet of sign area on each facing at a location specified by the Town of Stony Point in the vicinity of Willow Grove Road and Patriot Hills Lane. ~~Alternatively, at the applicant's discretion a fee equal to \$1,500 per acre for an application involving a site plan or \$60 per 1,000 square feet of floor area for adaptive reuse applications pursuant to Section 215-142C shall be paid to the Town of Stony Point to be placed in a separate trust for the express purpose of constructing such a directory sign. Said directory sign shall not be subject to the~~

~~requirements of Article IX, Signs The sign will be located outside of the county right-of-way and placed so as not to interfere with sight distances along Willow Grove Road.~~

DEFINITION

ASSISTED CARE LIVING QUARTERS

A facility consisting of a building, or a group of buildings in a campus setting, for residents who need assistance on a daily basis and are provided with such assistance, consisting of housekeeping and linen services, transportation for shopping and other needs, prepared meals served in quarters or in common with other residents, planned on-site leisure and recreational activities and limited access to licensed professionals for consultation and evaluation, and where other professional services are provided by independent licensed professionals not on staff. Subject to federal housing regulations, all that reside in a dwelling unit shall have attained the age of 55 years or more on the date that such household initially occupies the dwelling unit, with the exception of a superintendent's unit.

COMMUNITY RECREATIONAL FACILITY

A multipurpose mixed use facility used for recreational, sporting, social, educational and cultural activities and events, open to the public, which may contain any of the following uses: Gymnasium, swimming pool and locker rooms; dance, aerobics, exercise rooms and/or studios; offices conference and meeting rooms, classrooms, arts and craft rooms and multipurpose room; senior center, teen center; auditoriums, cafeteria, lunchroom, and other uses approved by the Planning Board.