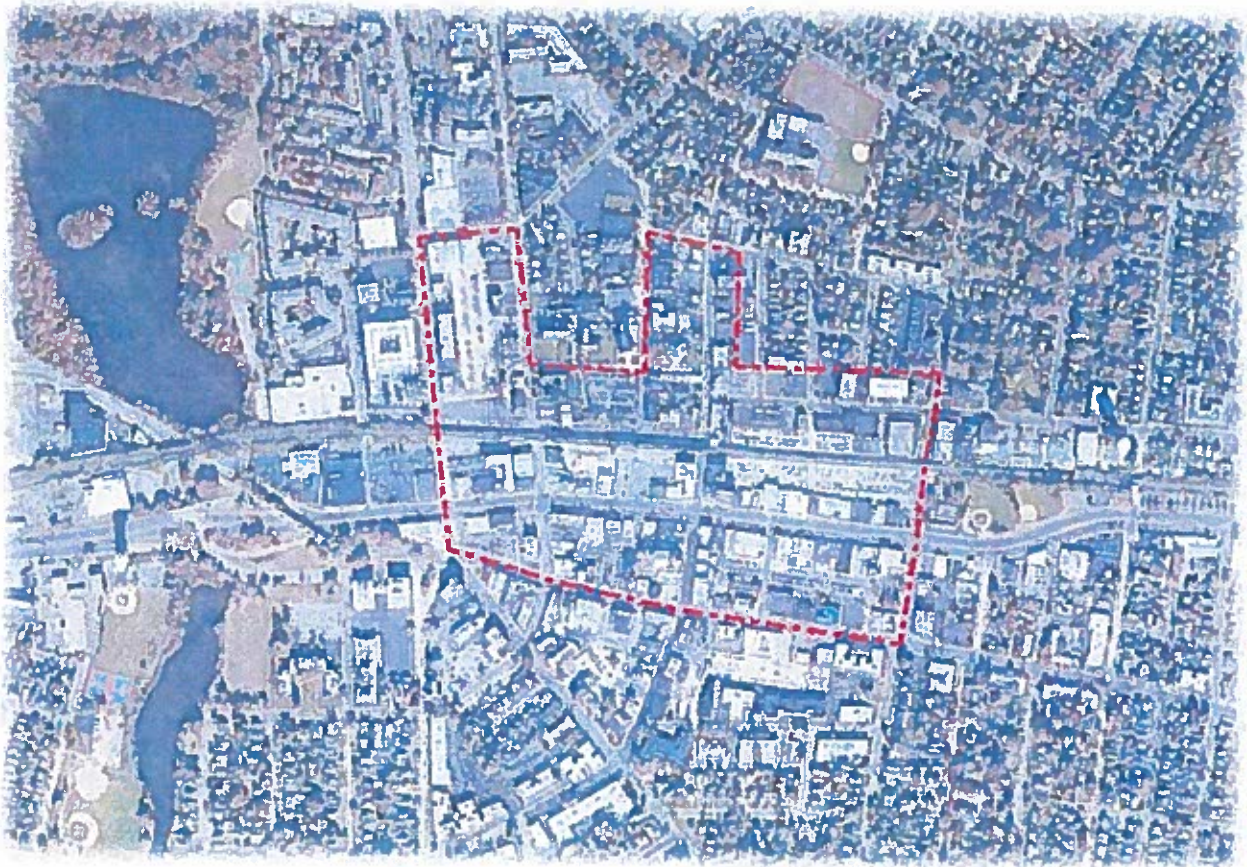


VILLAGE OF ROCKVILLE CENTRE

Transit-Oriented Development (TOD) Overlay Zoning Proposal



Prepared for

Village of Rockville Centre

Prepared by

BFJ Planning

115 Fifth Avenue
New York, NY 10003

January 2021

VILLAGE OF ROCKVILLE CENTRE

Board of Trustees

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1. Background

In early 2019, the Village of Rockville Centre began a planning process to consider whether multifamily residential use should be allowed in the downtown area. Previous to 2007, residential uses were allowed in the downtown area. BFJ Planning was retained to study how to re-establish residential use in the area, and what tools would best control the new development. This report is the result of several meetings with the Village Staff and the Village Board of Trustees, surveys of the study area, and research work on best practices for such zoning.

Objectives of this study include identifying a planning tool that would streamline the re-inclusion of residential uses in downtown Rockville Centre, anticipating and addressing possible impacts caused by the addition of new residential units, and promoting a vibrant mixed-use community around the Long Island Rail Road (LIRR) station.

As the top of the next page shows (Figure 1), multifamily uses were allowed in the Business A district, both as a permitted use, and as a use above the first floor by special permit. As can be seen from the bottom of Figure 1, both uses were repealed in 2007 and are now contained in the code as “reserved” sections for possible future use.

2. Zoning and Land Use

Zoning

The study area boundary, established with the input of the Village and shown in Figure 2, includes areas of downtown Rockville Centre that are in close proximity to the LIRR station. In particular, the study area includes portions of the following zoning districts (Figure 3):

- Business A, which takes up the majority of the study area and in particular the south portion (south of the railroad tracks). Two major corridors, Sunrise Highway and Merrick Road (limited to the north side of the road), are included in this zone.
- Business C, which extends just north of the railroad tracks between North Village Avenue and Morris Avenue.
- Business C-2, which extends for a block north of Business C district, between North Park Avenue and Morris Avenue.

All business districts (A, C, and C-2) allow for commercial uses such as stores, offices, and restaurants. Business A district currently does not allow residential use, while Business C and C-2 districts allow for multifamily use through special use permit. In these two districts, specific criteria for multifamily use special permit limits the size and the number of units that are permitted.

- (c) Notwithstanding anything in this Village Code to the contrary, when granting any variance or permit or consent or other form of approbation, the Board of Appeals may impose reasonable conditions and restrictions that relate to the use, ownership, manner of use, duration of relief granted or any other condition which to the Board of Appeals may seem just and proper in the circumstances.

(21) Senior care housing, in accordance with § 340-111 et seq.

(22) Multifamily uses, with a nonresidential use on the street floor, subject to a special use permit to be issued by the Planning Board.

(23) Multifamily uses.

- B. When a special use permit is required, the Planning Board shall have the power, in accordance with Chapter 330, and after public notice and hearing, to grant a special use permit.

[7] Odors from use.

[8] Installation of fencing and screening to protect abutting residential property.

[9] Lighting from the signage of the drive-through window.

- (b) In addition, the applicant, where required by the Board of Appeals, will provide a report from a traffic expert acceptable to the Board of Appeals on the impact of the exterior drive-through window upon traffic flow and safety.

- (c) Notwithstanding anything in this Village Code to the contrary, when granting any variance or permit or consent or other form of approbation, the Board of Appeals may impose reasonable conditions and restrictions that relate to the use, ownership, manner of use, duration of relief granted or any other condition which to the Board of Appeals may seem just and proper in the circumstances.

(21) Senior care housing, in accordance with § 340-111 et seq.

(22) (Reserved)³⁴

(23) (Reserved)³⁵

34. Editor's Note: Former Subsection A(22), regarding multifamily uses with a nonresidential use on the street floor, was repealed 8-6-2007 by L.L. No. 3-2007.

35. Editor's Note: Former Subsection A(23), regarding multifamily uses, was repealed 8-6-2007 by L.L. No. 3-2007.

36. Editor's Note: Former Subsection B, regarding special use permits, was repealed 8-6-2007 by L.L. No. 3-2007.

37. Editor's Note: Former § 340-83.1, Density, added 5-22-2006 by L.L. No. 4-2006, was repealed 8-6-2007 by L.L. No. 3-2007.

Figure 1. Top Image: Old Zoning Code (prior to 2007). Bottom Image: Current Zoning Code.

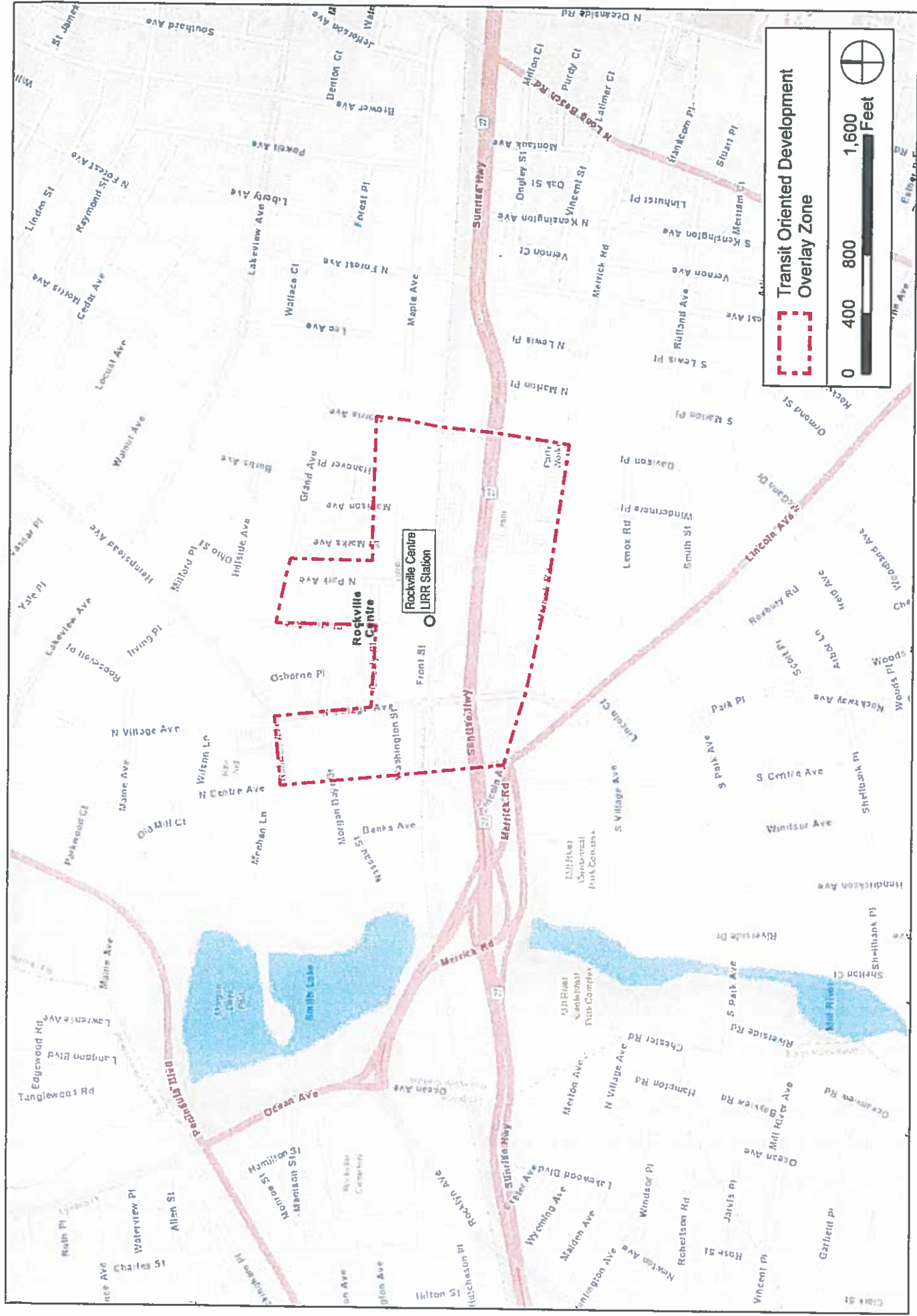


Figure 2: Transit Oriented Development (TOD) Overlay Zone, Downtown Rockville Centre

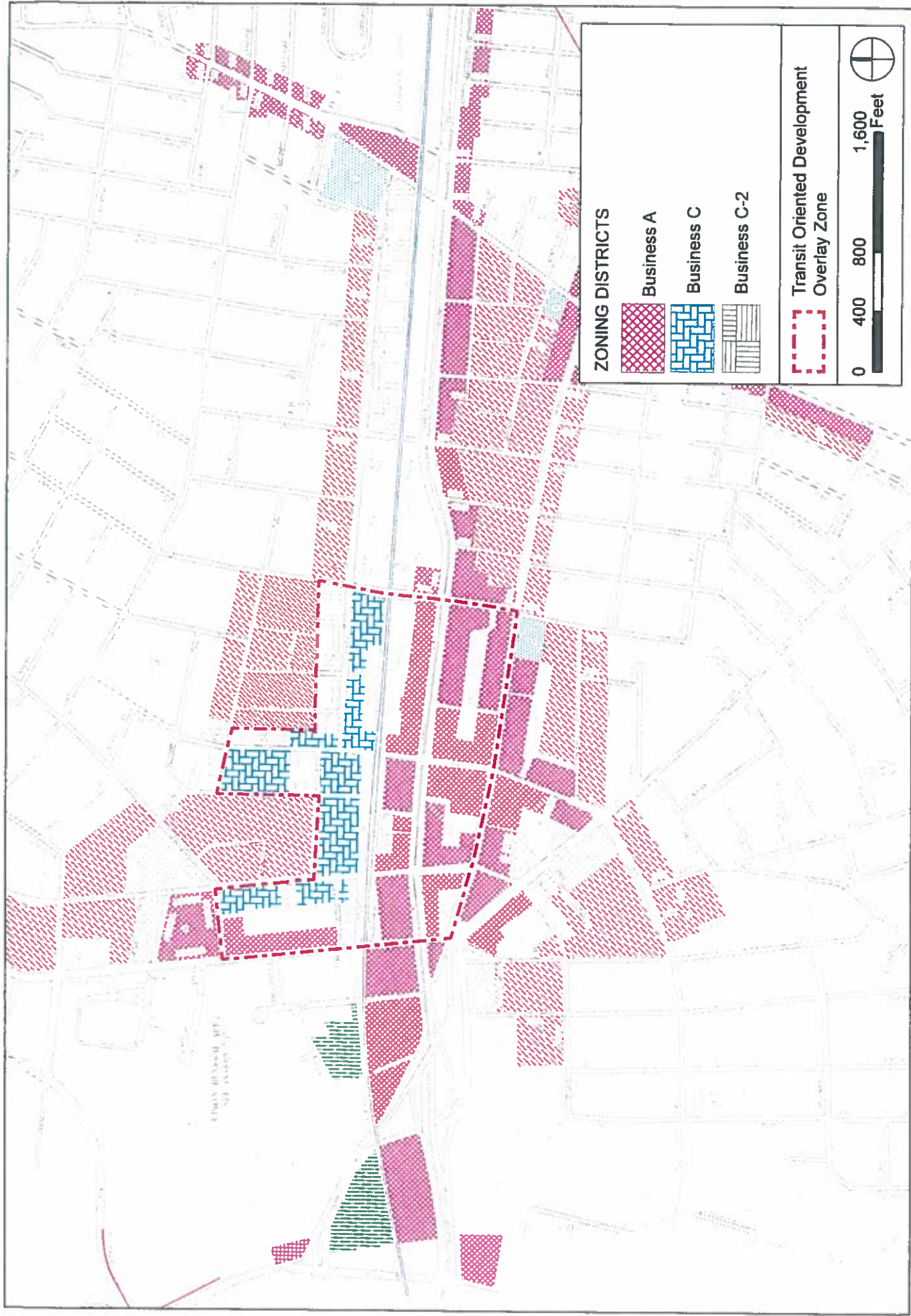


Figure 3: Transit Oriented Development (TOD) Overlay Zone, Zoning Map

Land use

The study area includes generally one- to three-story buildings, with ground-floor uses such as restaurants, retail and personal services among other commercial activities. Upper floors, wherever existing, host residences and offices. A few buildings exceed three stories but are the exception to the general scale of development. The area is also characterized by some municipal parking lots, as well as some back-of-the-store parking areas.

Being mostly a commercial area, existing residential uses are sporadic. Some apartments currently exist on top of commercial spaces along Sunrise Highway and North Village Avenue. Since the 2007 zoning amendments, these apartments are non-conforming. There are a few multifamily residential developments that exist within the study area, such as 37 Clinton Avenue, and 77 Maple Avenue. These multifamily buildings are in the Business C and Business C-2 zoning districts, respectively.

3. Transit-Oriented Development (TOD) Zoning Approach

Many municipalities around the US and in New York have been implementing zoning changes near their transit stations. This type of development strategy, called Transit-Oriented Development or TOD, promotes mixed-use, compact development around major rail stations. Typically, areas within a quarter-mile radius from a rail station can be considered TODs, which would benefit from the creation of mixed-use developments.

The study area sits almost entirely within 0.25-mile from the LIRR station (Figure 4), which is a comfortable walking distance for most people (5-10 minute walk). Implementing a TOD approach in downtown Rockville Centre represents an opportunity to re-establish residential uses near the LIRR station, thus promoting a mix of uses. In addition, this type of development reduces the need for households to own more than one car, as convenient transit access provides alternative commuting options. The Rockville Centre LIRR station is particularly convenient for people that work in NYC, with express commuter rides to Penn Station in AM and PM peak hours.

Rather than changing the underlying zoning to allow for multifamily use, one recommendation is to use the proximity of the downtown area to the LIRR station to establish a TOD overlay district. The overlay would apply to multifamily developments projects on properties within the study area boundary. This provides a more conservative approach than simply restoring multifamily housing throughout the entire Business A District. As shown in Figure 3, the Business A District extends all along Sunrise Highway, while the TOD overlay approach would only apply to parts of the district near the train station.

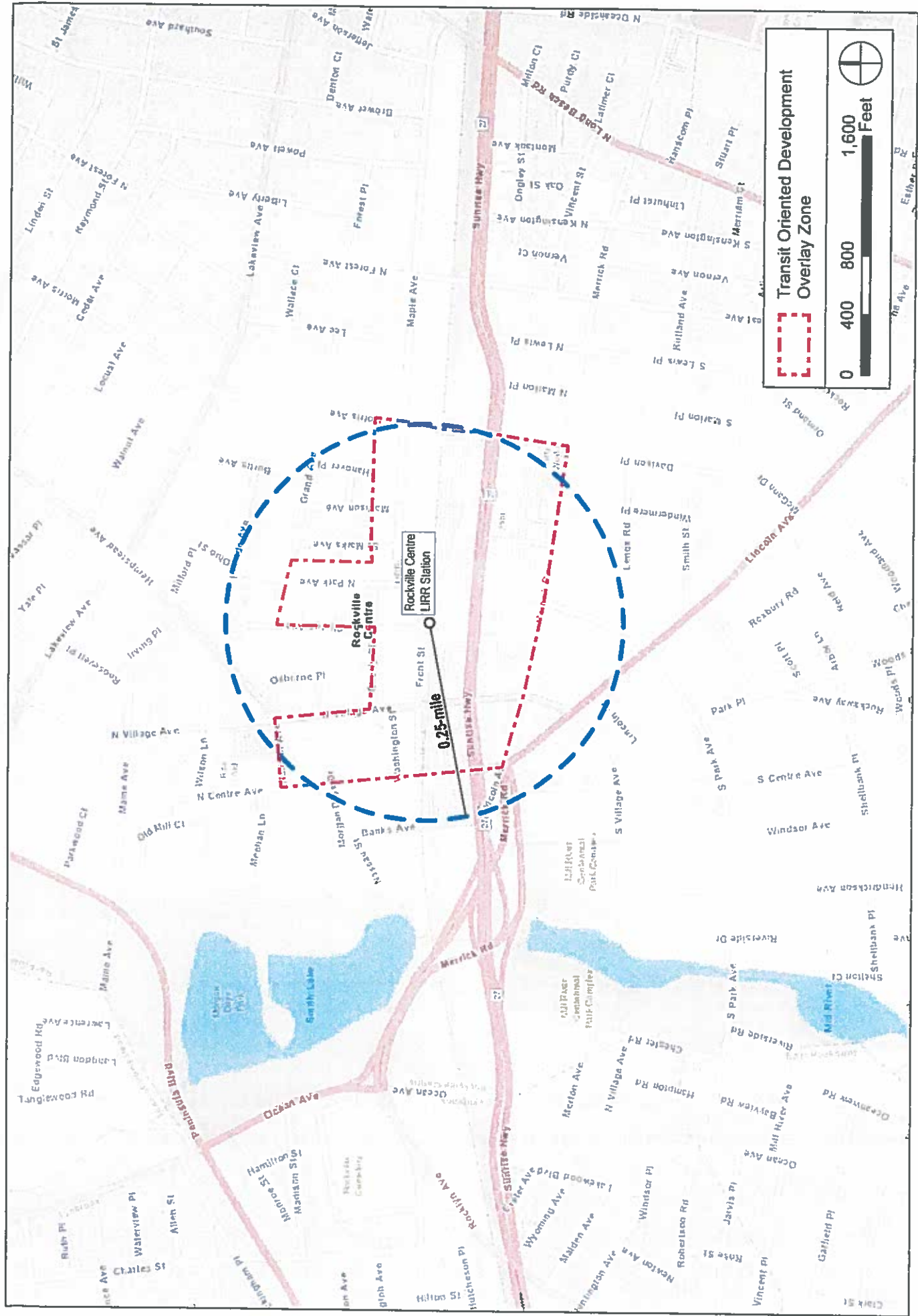


Figure 4: TOD 0.25-Mile Radius around LIRR Station

Proposed planning mechanisms to manage new multifamily development

Proposed bulk and area requirements

The area and bulk requirements for new multifamily developments within the TOD overlay district would remain the same as per Business A, Business C, Business C-2 or Residence B district regulations. For example, the maximum height allowed in the Business districts is 36 feet (three-story), which would remain the same for the TOD overlay district. In summary, the proposed bulk and area requirements are the following:

- Maximum height = 36 feet (three-story)
 - No change for Business A, C and C-2 districts.
- For Business A district: maximum lot coverage of 50% for three-story buildings and 70% for two-story buildings.
 - This change would allow lots to have enough open space to accommodate some parking for residents, and landscaping.

In the following page, Table 1 summarizes the minimum requirements for area and bulk for each district included in the study area, and highlights the few changes suggested above.

Commercial uses at ground floor

Commercial uses could be required for at least 75% of the ground floor area in the TOD overlay district. These uses are already existing in the area, and the proposed TOD overlay would preserve and encourage such activities.

Housing Allowed Only by Special Permit

In the previous Business A district zoning, and in the current Business C and C-2 zoning, multifamily use was allowed only by special permit. One recommendation is to re-establish multifamily use only by special permit. This extra step in the permitting process would ensure compatibility in uses and building character with the TOD district.

Allowing adaptive reuse of existing buildings

A few buildings within the TOD overlay area are higher than three stories. These existing buildings, which exceed the height of 36 feet, should be allowed to be converted into multifamily/mixed-use, without the need for a variance. A special permit would still be needed in order to redevelop the existing non-conforming buildings into residences.

Table 1: Schedule of Bulk and Area Requirements

District	Description		
		MIN. LOT SETBACK	CORNER LOTS SETBACKS
Business A	Commercial	10 feet on lots abutting any residential district at a 10-foot setback is required)	10 feet on both street frontages 10 feet side/rear setbacks (except where abutting any residential district – in that case, 10-foot setback is required)
Business C	Retail, Offices, Restaurants, Private Schools, etc.	15 feet side setbacks if side abuts a residential zone)	15 feet from both street frontages
Business C-2	Retail, Offices, Restaurants, Private Schools, etc.	15 feet side setbacks if side abuts a residential zone)	15 feet from both street frontages

4. Parking options

Current parking requirements do not reflect TOD area parking ratios, which are lower than conventional parking ratios given the proximity to a major rail station. Parking ratios need to strike the right balance between parking supply and development in downtown Rockville Centre. Market trends for TODs suggest that new developments would mostly offer studios and one and two bedrooms, targeting professionals and young couples. They may also target “empty nesters” whose children have moved away. The empty nesters usually want two bedroom units with extra storage as they are often moving from single family homes. However, both target markets generally need somewhat less parking.

Table 2 shows existing parking ratio requirements on the left, and proposed parking ratio requirements on the right.

Table 2: Parking ratio requirements.

Current parking ratios for multifamily		Proposed parking ratios for multifamily	
Studio or one-bedroom	1.5 spaces per unit, plus 1 space/every 5 units	Studio	1 space
Two-bedroom or more	2 spaces per unit, plus 1 space/every 5 units	One-bedroom	1.25 spaces
		Two-bedroom	1.5 spaces
		Three-bedroom or more	1.75 spaces

The proposed parking ratios should be met by each new multifamily development; in addition, the existing parking requirements for any commercial space that may be added on the ground floor must be met.

In the instance when developers cannot meet the proposed standards, the additional required parking spaces could be provided through parking stickers that would allow residents to park in pre-determined municipal parking lots. This type of shared-parking mechanism would need to be studied by the Village, and in particular the following elements should be established: identifying specific parking areas where parking stickers would be accepted, determining fee structure and renewal process, and establishing an enforcement mechanism in case of the stickers' expiration.

5. Build-out Analysis

On site surveys by BFJ were conducted in the study area to identify sites with build-out potential or “soft sites”. The following assumptions were established to determine a soft site:

- One-story buildings with some vacancies were considered most likely for development.
- Banks, institutions, newer buildings, and major established businesses were excluded from the analysis.
- Municipal parking lots were excluded from the analysis.

The size of the area included in the TOD overlay boundary is approximately 73 acres. Of this total acreage, approximately 7 acres (roughly 10% of the total area) were considered soft sites.

The build-out analysis calculations are shown in Table 3 below. It is reasonable to assume that in the next 10 years only 25 to 30% of the total build-out would take place. This assumption is based upon

BFJ's experience with other TOD areas in the New York metropolitan area. The total square footage of the foreseeable build-out would add up to approximately 120,570 to 144,684 square feet, which would result in 121 to 145 new units when divided by 1,000 square feet (average unit size, including common areas and utility spaces). Additionally, one non-conforming 5-story building that exceeds the bulk requirements is included as if could be repurposed into multifamily/mixed-use. With the addition of this building (50 North Park Ave), the number of units that could be built in the next 10 years would add up to 171-205.

Table 3: Build-Out Analysis Calculations.

Build-Out Analysis							
Zoning District	Tot. area of soft sites (sq ft)	Average building coverage	Buildable area (building only)	Foreseeable build-out in the next 10 years	Result (sq ft, range)	Three-story build-out (tot. sq ft, range)	Total units (1,000 sq ft/unit)
Business A+C+C2	321,517	50%	160,759	25% - 30%	40,190 - 48,228	120,570 - 144,684	171 – 195 ⁽¹⁾

¹ The total number of units estimated from the build-out analysis includes an existing 5-story building that is assumed to be adaptively reused as multi-family residential.

6. Potential Impacts

Public school children

As shown in Table 4, public schools K-12 enrollment rate of the Rockville Centre School District has been steady for the last few years. From conversations with the Village Staff, the latest data with regard to public school enrollment is 3,592 students at the beginning of the school year (fall 2019), confirming the stable enrollment in the district.

Table 4: K-12 enrollment 2012-2018. Source: NYSED data.nysed.gov

	2012/2013	2013/2014	2014/2015	2015/2016	2016/2017	2017/2018
K-12	3,553	3,555	3,554	3,533	3,534	3,568

To better understand potential impacts for the school district due to new development, it is important to consider that TOD multifamily developments attract mostly young professionals or empty nesters that prefer to live close to transit. Young professionals tend to have fewer children compared to the past, which is in line with the decreasing birth-rate in the US (see Figure 5: The Wall Street Journal, article of May 2019).

Rutgers University (2018) studied a number of new developments in the US to estimate the changing ratios of school-age children depending on the type of development (high-rise, mid-rise, or low-rise), the number of bedrooms, and the expected household income of residents. The same Rutgers University study from 2018 also reports data with regard to TOD areas, where a slightly lower ratio of school-age children has been observed.

It is expected that the prevalent unit typology that would likely be built in a TOD area such as downtown Rockville Centre is studios and one- and two-bedroom rentals. The type of development of up to three stories is considered low-rise, and the target residents would be mid- to high-income households. In this scenario, without considering the location near transit (TOD area), the Rutgers University study (2018) estimated a 0.076 school-age children ratio for such development. When considering TOD developments, Rutgers University (2018) estimated a slightly lower ratio of 0.068. Table 5 below summarizes the ratios resulting from both types of developments. The total number of new students estimated for the TOD overlay district in Rockville Centre would be within a range of 12 to 15 K-12 students.

Table 5: School-Age Children Ratios

Data Source	School Children Generation Ratio	School Children Estimated for 171-195 Units
Rutgers non-TOD Data (2018)	0.076	13-15
Rutgers TOD Data (2018)	0.068	12-14

Source: School-Age Children in Rental Units in New Jersey: Results from a Survey of Developers and Property Managers. Rutgers Center for Real Estate – White Paper Series. Davis, Frame, Ladall and Tantleff. July 2018.

The 12 to 15 school children projected in the next 10 years will likely be spread out over the 13 grades in the public school system, with possible higher enrollment in the elementary grades.