
Appendix B

Planning and Zoning Analysis

Comprehensive Plan Amendment

Northeast Corner of Jericho Turnpike and Manor Road

Elwood, Town of Huntington

Suffolk County, New York

PREPARED BY



*100 Motor Parkway, Suite 135
Hauppauge, NY 11788
(631) 787-3400*

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1.0

Introduction

An amendment to the Town of Huntington Comprehensive Plan is proposed such that the property located at the northeast corner of Jericho Turnpike (New York State Route 25) and Manor Road, comprised of parcels District 0400 – Section 209 – Block 2, Lots 3, 4.1 and part of 5.6¹ as identified on the Suffolk County Tax Map (the “subject property”), is recommended for rezoning to C-5 (Planned Shopping Center) from the current R-40 (Residential) and C-6 (General Business) zoning districts, and for development with a high-quality, mixed-use commercial development in accordance with the C-5 district regulations.

This Planning and Zoning Analysis analyzes the pattern and character of development in the vicinity of the subject property, as well as along the Jericho Turnpike corridor within the Town of Huntington. Additionally, the specific characteristics of the subject property are evaluated, with respect to planning and zoning, to determine the appropriateness of the proposed amendment to the Town of Huntington Comprehensive Plan.

Relevant to the above, field surveys of land uses, review of the Town of Huntington Zoning Map, and review of the Town of Huntington’s most recent *Horizons 2020: Comprehensive Plan Update* (December, 2008), were undertaken.

The amendment is being proposed in accordance with the process set forth for same at Section 272-a of the Town Law of the State of New York, and it is recognized that, under Section 272-a, all land use regulations must be consistent with the Town of Huntington Comprehensive Plan. It is expected that the proposed amendment will be the subject of a Town Board (or the Planning Board) public hearing to assure full opportunity for citizen participation in the preparation of the proposed amendment to the Town of Huntington Comprehensive Plan. In addition, it is expected that the Town Board will hold a public hearing prior to adopting the proposed amendment,



¹ Excludes the easternmost 6.73±-acre portion of Lot 5.6, which is currently developed with a single-family residence.



and that referral will be made to the Suffolk County Planning Commission for its review and recommendation in accordance with Section 239-m of the General Municipal Law of the State of New York, prior to the adoption and filing of the proposed amendment. The amendment process is subject to review under the New York State Environmental Quality Review Act (SEQRA) and its implementing regulations, and the amendment is being considered as an element of the proposed action that is evaluated within the Draft Environmental Impact Statement to which this analysis is appended.

2.0

Established Land Use and Zoning Patterns

The subject property is situated along the north side of Jericho Turnpike, an established business corridor that extends east-to-west across the Town of Huntington. The existing land use and zoning patterns at and in the immediate vicinity of the subject property, and along the Jericho Turnpike corridor, are described in detail below.

2.1 Subject Property and Immediate Vicinity

The subject property is developed with a strip retail center at its southwest corner (i.e., at the northeast corner of Jericho Turnpike and Manor Road), which contains a nail salon, a restaurant, a laundromat, and a vacant space. The balance of the subject property is undeveloped, with a large portion of the central and southern portion of the site left in a disturbed state (as a result of historic grading/sand mining, etc.), and wooded areas surrounding.



View of Site Frontage on Jericho Turnpike (Southwest Portion)



View of Site Frontage on Jericho Turnpike (Central Portion)

An aerial photograph depicting the subject property and its surroundings is included as Figure 1. The surrounding land uses specifically include:

- To the north of the subject property is a public open space and passive recreational use, known as Berkeley Jackson County Park.
- Immediately adjacent to the subject property to the west (beyond Manor Road), fronting along Jericho Turnpike, are numerous commercial uses including retail, office, automobile uses, fast food restaurants, etc., with single-family residential uses north of the corridor.
- An existing commercial retail shopping center (“Dix Hills Plaza”) containing a supermarket, restaurants, and other retail uses is situated opposite the subject property to the south and southwest.
- South of the subject property between Jericho Turnpike and Deer Park Road, there are (i) a small residential cluster fronting on Deer Park Road and (ii) open space owned by a homeowners association (on the west); institutional uses (in the central portion), including an AT&T office building and a water tower for the Greenlawn Water District; and another, lower-density residential area and farm (on the east). Both residential areas are well-buffered from Jericho Turnpike by woodland/open spaces.
- The easternmost 6.73±-acre portion of Lot 5.6 (adjacent to and east of the subject property) is improved with a single-family residence.
- East of the subject property are agricultural uses and wooded areas, extending approximately to Warner Road. Also present are residential uses buffered from Jericho Turnpike by wooded areas (e.g., along Majestic Drive, Fenimore Lane).



View of the commercial shopping center opposite the subject property.



View of the various commercial uses along Jericho Turnpike, facing west from opposite the subject property (at Manor Road).



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**Aerial View of
 Subject Property and Vicinity**

**Figure
 1**



The commercial development present at, opposite, and immediately west of the subject property along Jericho Turnpike (discussed and depicted above) has a character that can be distinguished from the nearby residential uses (screened by wooded buffers) and the agricultural properties to the east of the subject property, approaching Warner Road.



View towards the residential use on the easternmost portion of Lot 5.6, from along Jericho Turnpike.



View of wooded areas along the south side of Jericho Turnpike (right side), south of the subject property, buffering residences beyond.



View of wooded areas along the south side of Jericho Turnpike (left side), east of the subject site, buffering residences beyond.



View of agricultural property along Jericho Turnpike, east of the subject property.

A further review of the broader land use patterns indicates that the subject property is located along a well-established commercial corridor – Jericho Turnpike – that extends from the Town’s western border with the Town of Oyster Bay to its border with the Town of Smithtown in the east. Residential uses dominate the areas surrounding the Jericho Turnpike corridor once beyond the commercial retail and business uses. A variety of sporadic land uses such as institutional, recreational, and industrial, etc., are scattered amongst those residential areas. It is noteworthy that the majority of the subject property (Lot 4.1) is not categorized on the Town’s Generalized

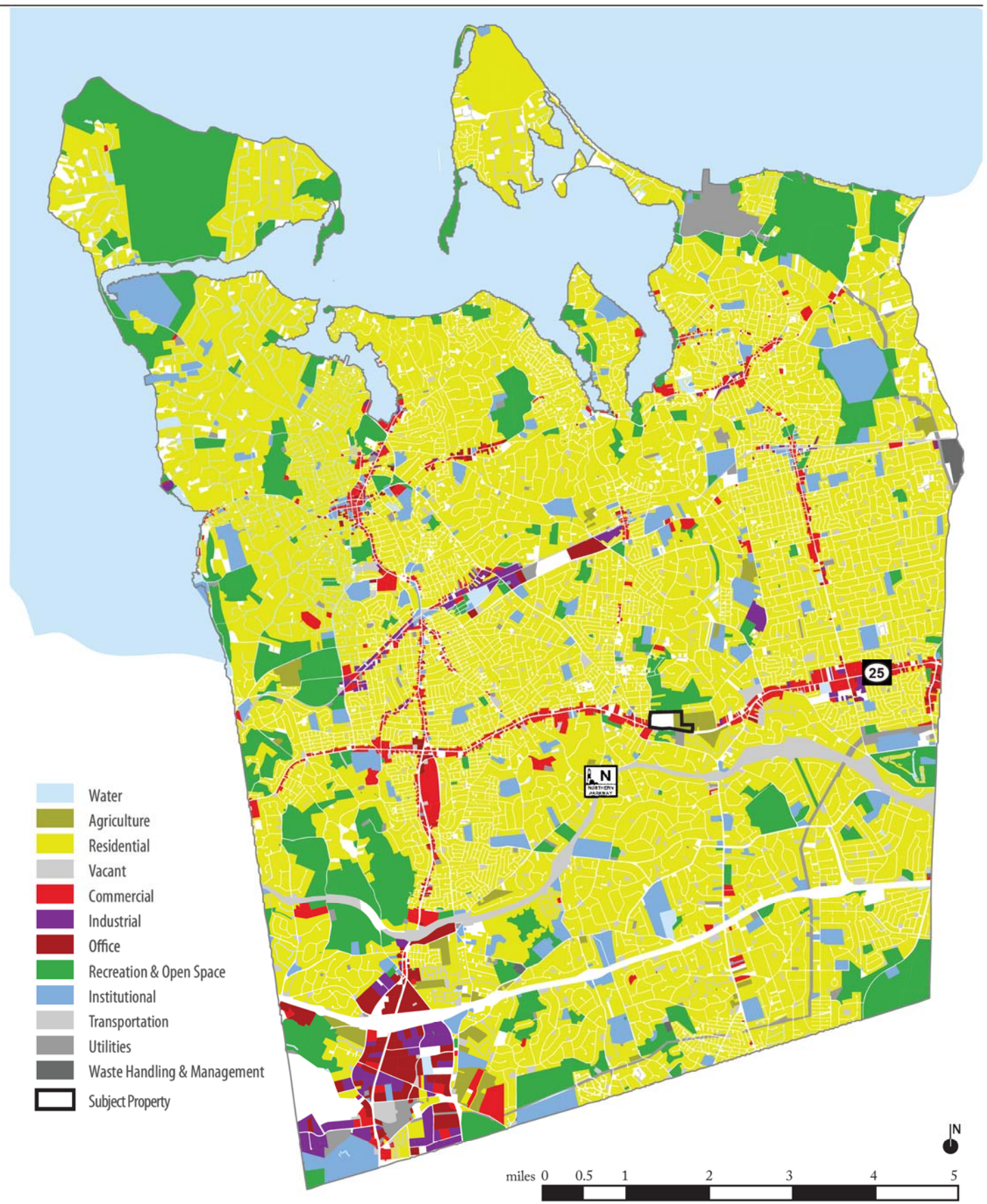


Existing Land Use map (see Figure 2). It is left as a blank land use area, straddled between the commercial uses that dominate the corridor to the west (including the southwest corner of the subject property), and the agricultural and open space uses immediately to the east.

With respect to zoning, the existing strip retail center within the southwest portion of the subject property is zoned C-6 (General Business), approximately 0.35 acres out of the 56.01 acres in total (see Figure 3). The remaining 55.56 acres are zoned R-40 (Residence). Properties immediately to the west and southwest of the subject property are located within the C-6, the C-4 (Neighborhood Business), and the C-8 (General Business A) Districts. As can be seen from the zoning map excerpt (see Figure 3), outside of the “gap” that includes a portion of the subject property, virtually all properties along Jericho Turnpike are zoned for commercial use. Surrounding these areas (i.e., set back from the commercially-zoned properties along Jericho Turnpike) to the west of the subject property, the residential areas are within the R-5 (Residence), R-10 (Residence), and R-40 Districts. Properties north and south of the subject property are primarily within the R-40 District. Adjacent areas to the east of the subject property are also zoned R-40, with the typical pattern of commercial zoning resuming beyond Warner Road. As with land use, the subject property contains a different zoning pattern than the rest of the Jericho Turnpike corridor (i.e., residential zoning as compared to commercial zoning for the remainder of the corridor).

2.2 Jericho Turnpike Corridor

The Jericho Turnpike corridor is the most established east-to-west mixed commercial and business corridor in the Town of Huntington. Together with the Town’s primary north-to-south commercial corridor along Walt Whitman Road (State Route 110), these two major corridors help anchor Huntington’s commercial and business network in the regional economy with connections to the surrounding communities. While the types of commercial uses vary along the corridor, they can be generally characterized as typical suburban automobile-oriented commercial. Along the Jericho Turnpike corridor to both the east and west of the subject property, there are no fewer than eight identified shopping centers that range from neighborhood centers of 52,950 square feet (s.f.) in Huntington Station to the largest, a regional shopping center of 345,000 s.f. in Commack (see Table 1). Low vacancy rates in these existing shopping centers indicates a relatively strong market demand for retail and commercial services along the corridor.



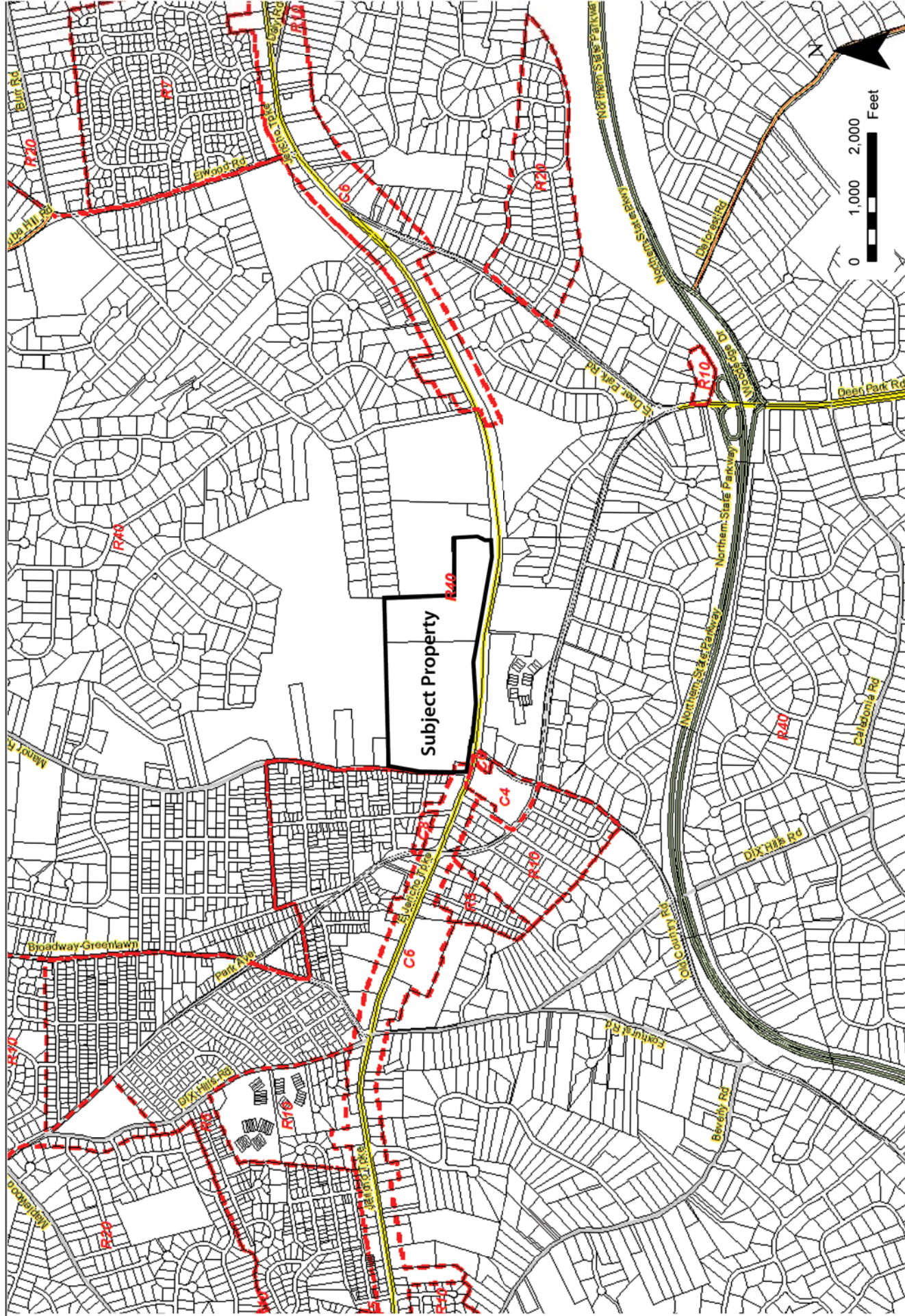
Source: Town of Huntington Horizons 2020

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**Generalized Existing
Land Use**

**Figure
2**





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Existing Zoning

Figure

3



Table 1 – Existing Shopping Centers along Jericho Turnpike

Shopping Center	Address	GLA
Dix Hills Plaza	680-707 Old Country Road	89,566
<i>Supermarket, Vision/Eyeglass Store, 2 banks, Card/Gift Store, Woman's Spa, Dollar Store, Cleaners, Hair Salon, 2 restaurants, bagel store, liquor store</i>		
Turnpike Plaza	E. Jericho Turnpike & Longfellow Drive	52,950
<i>Supermarket, pharmacy, nail salon, martial arts, 2 restaurants, liquor store, 1 vacancy(1,560 sf)</i>		
Target	124 East Jericho Turnpike	n/a
Huntington Square	3124 Jericho Turnpike	116,221
<i>Supermarket, Best Buy</i>		
Huntington Square	4000 Jericho Turnpike	279,000 ¹
<i>Sears, Barnes & Noble, GNC, Verizon, 2 women's clothes stores, bank 2 restaurants, Fitness Center, 1 vacancy (4,918 sf)</i>		
TJ Maxx Plaza	5032 Jericho Turnpike	80,000
<i>Supermarket, TJ Maxx, Dollar Store, 2 restaurants</i>		
Commack Shopping Center	6500-6566 Jericho Turnpike	345,000
<i>Macy's, Michaels, Petco, 2 Fitness Centers, 2 women's clothes, 2 restaurants, bagel shop, jewelry store, barber, florist, cleaners, 2 martial arts, 2 medical uses, spa, credit union with 2 vacancies</i>		
King Kullen Plaza	Veterans Memorial Highway & Sunken Meadow State Parkway	261,685
<i>Supermarket, Target, Toys/Babies R Us, Sports Authority, Pier 1 Imports</i>		

Source: VHB Field Surveys & Research November 2014

1. The GLA does not include Sears as it is under a different ownership than the ownership of mall which is Federal Realty

Views of strip commercial development that is typical of Jericho Turnpike in the Town of Huntington are presented below, followed by representative photographs of the several shopping centers that are a part of the established character of the Jericho Turnpike corridor.



Typical views of strip commercial development along the Jericho Turnpike corridor in the Town of Huntington.



Huntington Square at 3124 Jericho Turnpike, East Northport, NY.



Huntington Square at 4000 Jericho Turnpike, East Northport, NY.



Turnpike Plaza at E. Jericho Turnpike & Longfellow Drive, Huntington Station, NY.



King Kullen Plaza at Veterans Memorial Highway, Commack, NY.



TJ Maxx Plaza at 5032 Jericho Turnpike, Commack, NY.



Macy's Plaza at 6500-6566 Jericho Turnpike, Commack, NY.

3.0

Existing Comprehensive Plan Recommendations

The Town of Huntington's *Horizons 2020 Comprehensive Plan Update* (referred to as *Horizons 2020*, hereafter) was adopted in 2008 to "provide a common direction, framework, or 'roadmap' that can be used to proactively manage future change." *Horizons 2020* consists of a vision statement targeted towards four themes including Community Character, Quality of Life, Sustainable Community Structure, and Responsive Town Government. *Horizons 2020* discusses seven plan elements, as listed below:

- Environmental resources/open space
- Community character
- Community facilities
- Land use
- Economic development
- Transportation
- Housing

For each plan element, the discussion includes an overview, a summary of key issues, and policy recommendations and strategies. With respect to land use policies, major objectives include:

- Improve the economic viability, visual quality, and pedestrian character of automobile-oriented commercial corridors and centers;
- Target marginal and obsolescent land uses that detract from the Town's character for reinvestment and redevelopment with new uses that support quality of life and economic vitality; and
- Minimize conflicts between incompatible land uses, particularly older industrial areas and retail corridors next to residential neighborhoods.



To achieve the land use goals and objectives, a series of land use policy recommendations were developed to target different types of land use patterns such as major commercial corridors and centers, minor commercial corridors, and arterial roadways with predominantly residential uses. *Horizons 2020* recommends evaluating existing zoning within the Town's commercial areas to identify zoning designations most appropriate to local conditions. Specifically, *Horizons 2020* recognizes the importance of managing change in major commercial corridors and centers that will experience obsolescence and pressure for redevelopment, including the Melville Employment Center, Jericho Turnpike, and Route 110 south of Jericho Turnpike. Land use strategies directly pertinent to the Jericho Turnpike corridor include:

- Enact regulations and standards to improve development patterns, visual character, traffic circulation, and the pedestrian environments;
- Focus more intense commercial/mixed-use development in appropriately located "nodes" along Jericho Turnpike, with less intense development between the nodes.

In addition, *Horizons 2020* identified a number of Geographic Focal Areas with the greatest potential for change where future development can be concentrated. These areas include:

Hamlet/Unincorporated Village Centers

- Cold Spring Harbor
- East Northport
- Greenlawn
- Huntington Station
- Huntington Village

Commercial Centers and Corridors

- Melville Employment Center
- Jericho Turnpike
- Route 110 (Jericho Turnpike to Melville)
- Minor commercial corridors

The recommendations for these areas seek to protect and reinforce Huntington's hamlet and unincorporated village centers and to improve the character and viability of automobile-oriented commercial areas. They include zoning changes to protect traditional land use patterns and to improve the character and quality of development in automobile-oriented commercial corridors and centers; physical investments to enhance visual character and improve infrastructure; and transportation strategies to improve traffic circulation, provide for parking needs, and promote alternative travel modes. A new overlay district is proposed along Jericho Turnpike to focus more



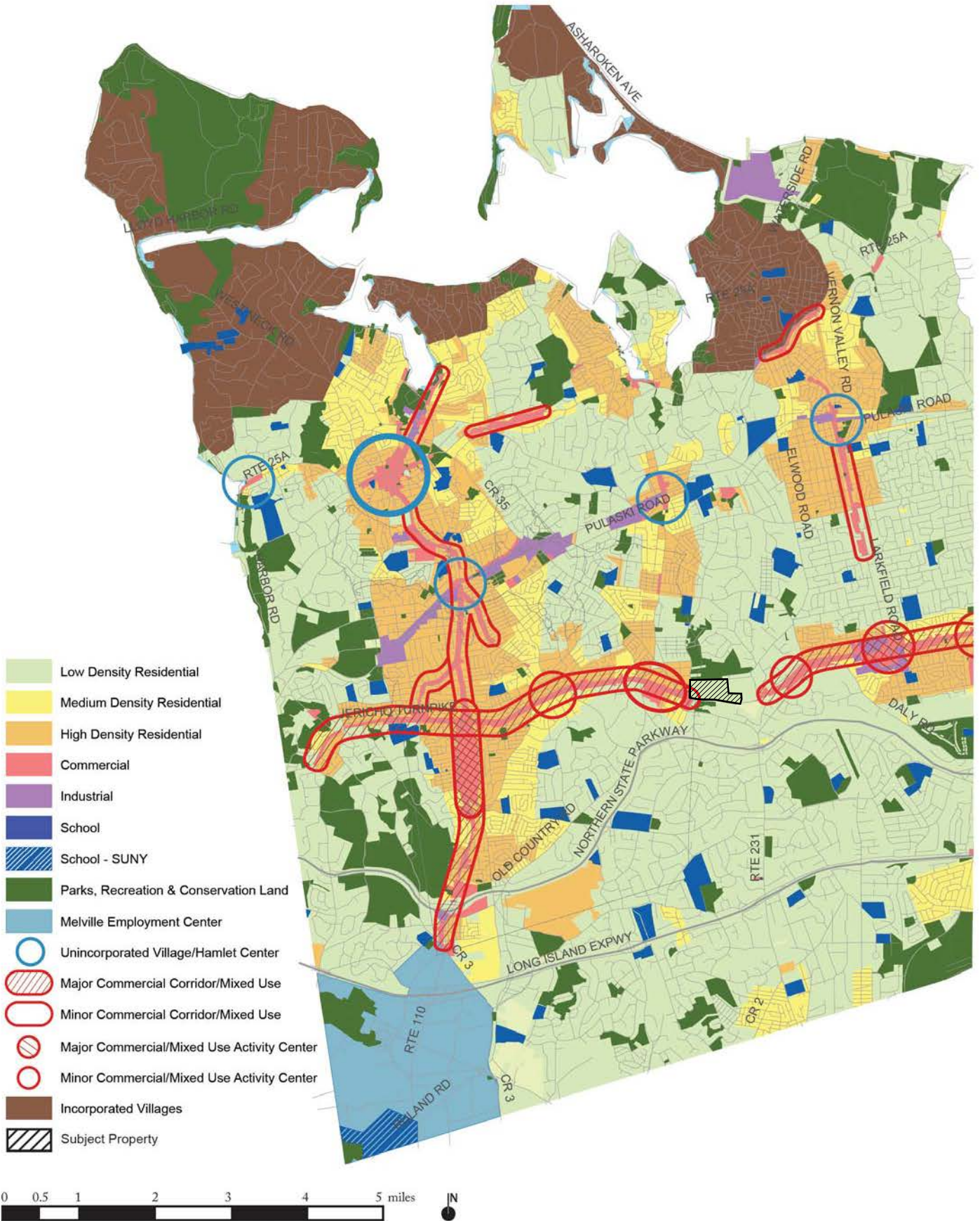
intense commercial development in “nodes” at major intersections and to encourage smaller-scale mixed uses between the nodes.

While the subject property itself is not discussed in detail in *Horizons 2020*, the majority of the property is designated for Low Density Residential use in the plan’s Generalized Future Land Use map, which conforms to its existing zoning (see Figure 4). Notwithstanding this, the subject property’s westernmost and developed area is contained within a “Major Commercial/Mixed Use Activity Center.” The balance of the subject property is nearly contiguous to a recommended “Minor Commercial/Mixed Use Activity Center.” The comprehensive plan proposes these to further enhance the economic vitality of the Jericho Turnpike corridor.

Based on the above site context analysis and comprehensive plan objectives and strategies discussion, the Low Density Residential future land use designation (and hence the residential zoning) of the subject property is inconsistent with and in contradiction to the goals, objectives, and strategies set forth in Huntington’s *Horizons 2020: Comprehensive Plan*, as discussed further below.

First, the subject property is located between two segments of the well-established Jericho Turnpike commercial corridor within Huntington. Consistent with the Town’s stated goals to promote the economic viability and visual quality of major automobile-oriented commercial corridors and centers, the future development of the subject property with a new high-quality mixed-use commercial development (as permitted within the C-5 zoning district) at the underutilized subject property will substantially benefit the Town in achieving the economic development and quality of life goals set forth in *Horizons 2020*.

Second, *Horizons 2020* has recognized that, as the Town approaches build-out, there may not be enough vacant land to accommodate anticipated growth in the retail and office sectors of the economy. Strategic reinvestment and redevelopment should target marginal and obsolescent land uses that detract from the Town’s character in order to create new uses that support quality of life and economic vitality. As one of the primary commercial corridors in Huntington, the Jericho Turnpike corridor is anticipated to accommodate a significant amount of commercial/mixed use growth in the Town. The existing strip commercial land use within the subject property, therefore, should be considered “marginal” in the context of an expanding commercial corridor, and the subject property itself should be targeted for strategic commercial/mixed use development to facilitate such growth. The configuration of the subject property could accommodate development around the existing commercial and disturbed portions, while leaving natural buffers and screening at the side and rear areas.



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Horizons 2020
Future Land Use

Figure
4





Third, the Low Density Residential land use label on portions of the subject property is inconsistent with the intent of the Residential land use categories identified in *Horizons 2020*. According to *Horizons 2020*, the intent is to maintain and preserve the established character of existing residential neighborhoods and to address undesirable change such as deteriorating housing conditions or pressure for land use conversion along heavily traveled residential arterials. Yet the subject property is neither a site of established residential neighborhood nor located along heavily traveled residential arterials. On the contrary, the subject property (i) is largely vacant and contains areas of prior disturbance and (ii) is located along an established commercial corridor with frontage on a high volume state route. The commercial corridor is primarily characterized by active retail, commercial, and mixed uses fronting the busy road and buffering residential uses from the state route.

Additionally, the Low Density Residential land use designation (shown as pale-green on the Generalized Future Land Use map [see Figure 4]) contradicts the recommended Major Commercial Corridor/Mixed Use overlay designation of the westernmost portion of the subject property identified on the same map.

Therefore, the Low Density Residential land use designation of the subject property as delineated on the *Horizons 2020* Generalized Future Land Use map cannot be justified from a plan consistency point of view. A comprehensive plan amendment is recommended in the next section of this report.

4.0

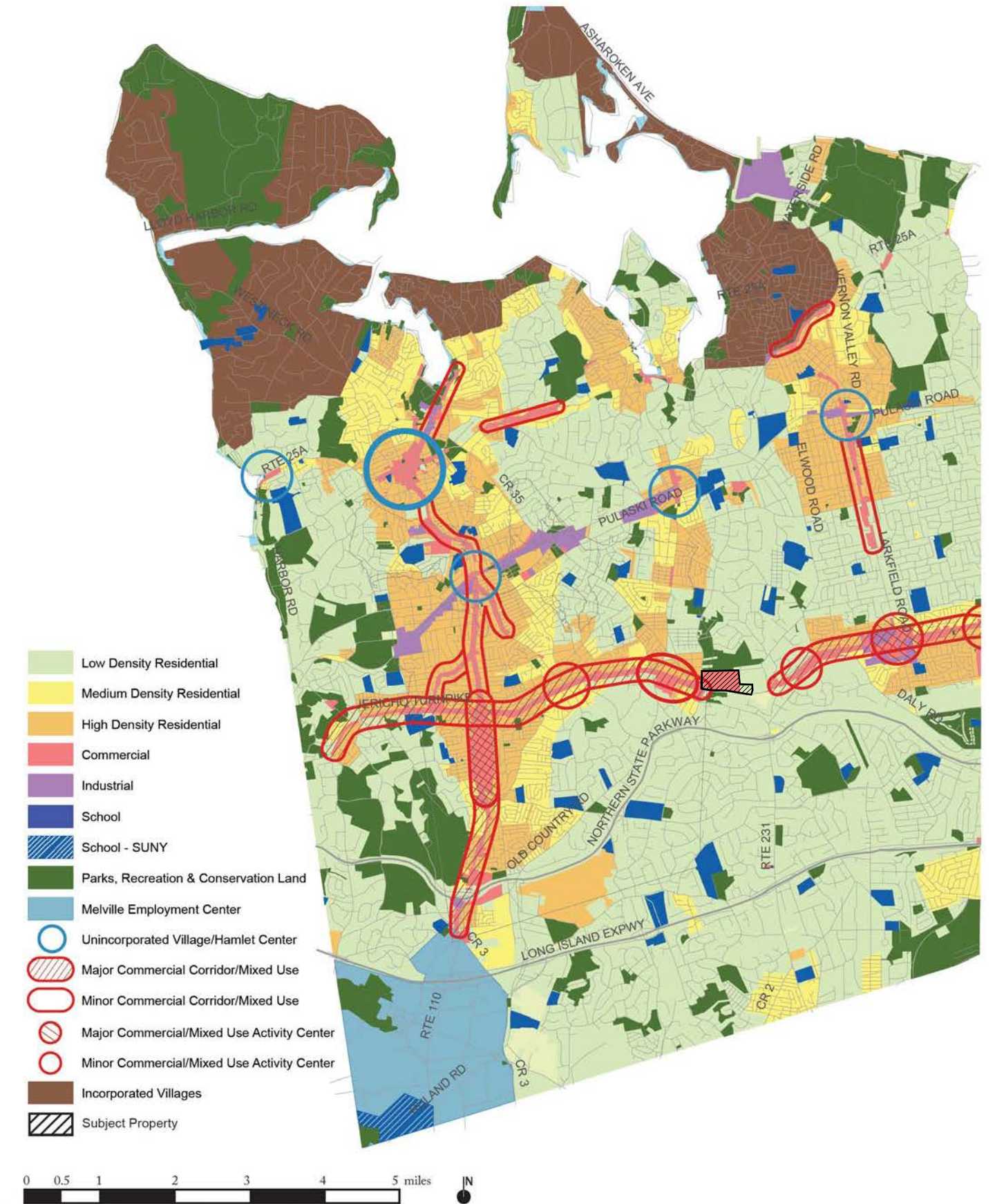
Comprehensive Plan Amendment

The *Horizons 2020 Comprehensive Plan Update* is proposed to be amended such that a portion of the subject property is recommended for rezoning to C-5 from the current R-40 and C-6 zoning districts, and for development with a high-quality, mixed-use commercial development in accordance with the C-5 district regulations (see Figure 5).

The proposed amendment will ensure consistency between the Town's long term vision and goals and the land use and economic development actions by recognizing the strategic significance of the subject property as an integral part of the Jericho Turnpike commercial/mixed use corridor. The amendment will also facilitate necessary zoning changes of portions of the subject property from R-40 and C-6 to C-5 in order to provide a visually appealing and integrated development at a scale that can serve the community and the broader region. Section 198-26 of the Town Code states regarding the C-5 District:

The regulations set forth in this section or set forth elsewhere and referring to this section are established to provide for retail shopping facilities composed principally of groups of retail and service establishments of integrated design, intended to serve community-wide or regional needs as well as those of local neighborhoods.

Rezoning the subject property to C-5 is appropriate given (i) the size and configuration of the subject property, (ii) its location along the established Jericho Turnpike commercial corridor, and (iii) the existing commercial use on a portion of the subject property. This district, as compared with other commercial districts of the Town (e.g., the C-6 district), would better suit the subject property, and would not encourage development similar to the existing strip retail facing obsolescence along much of the corridor. Furthermore, the subject property is situated opposite an existing shopping center on the southwest and several existing commercial uses to the west, which continue almost uninterrupted for roughly five miles until reaching the Town's boundary with the Town of Oyster Bay.



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**Proposed Future
Land Use**

**Figure
5**



In addition, other physical characteristics of the subject property and its setting differentiate it from the remaining properties within the only “gap” in the Jericho Turnpike commercial corridor recommended within *Horizons 2020*. These characteristics make prominent the subject property’s potential for development as an active commercial/mixed use site. These characteristics include:

- The subject property is an underutilized site with large barren and previously-disturbed areas, and containing an existing commercial (strip retail) use. Whereas, other properties adjacent to the subject property that were recommended for residential use in *Horizons 2020* comprising the “gap” are either currently occupied by housing development or established in agricultural use.
- The subject property has an enhanced lot depth and contains natural, wooded areas at the rear and side portions of the subject property. Such lot depth would allow for commercial development to be centered around the existing on-site commercial use and disturbed areas, while retaining natural buffer areas at the side and rear portions of the subject property.
- The subject property is adjacent to the Berkeley Jackson County Park on the north, which provides a significant natural buffer to residential neighborhoods that are present in surrounding areas. Together with natural, wooded areas that could be retained within the subject property, future commercial development could be buffered from surrounding non-commercial uses in a meaningful way.

Section 10.3 of *Horizons 2020* notes that there is an R-40 zone along Jericho Turnpike that occurs between Manor Road and Warner Road - - the subject property is located within the westernmost portion of this segment of Jericho Turnpike - - which “provides a significant break in the predominantly commercial land use pattern of the corridor.” As explained above, the subject property does not exhibit the same characteristics as the rest of this break. The *Horizons 2020* plan does not elaborate as to whether there are any benefits of such a break. However, it should be noted that the rezoning and development of the subject property with mixed-use commercial center would not alter or adversely impact the established agricultural, wooded, and buffered residential character of the remainder of the aforementioned break (continuing for a half-mile east to Warner Road).

5.0

Conclusions

In conclusion, the above analyses of the land uses and zoning conditions of the subject property, as well as the review of the Town of Huntington's most recent *Horizons 2020: Comprehensive Plan Update* fully support (i) the proposed comprehensive plan amendment and (ii) the necessary change of zoning for portions of the subject property from R-40 and C-6 Districts to the C-5 District.

The proposed amendment of the comprehensive plan such that portions of the subject property are recommended for rezoning to C-5 from the current R-40 and C-6 zoning districts, and for development with a high-quality, mixed-use commercial development in accordance with the C-5 district regulations, is consistent with the vision and goals of the Town of Huntington as set forth in *Horizons 2020*. The amendment will also facilitate positive changes on the subject property towards advancing the Town's land use and economic development strategies along the Jericho Turnpike commercial corridor. With an amendment of the comprehensive plan and implementation of the recommended change of zoning, the subject property could realize its potential as a high-quality, mixed-use development that will promote economic development along the Jericho Turnpike corridor, resulting in social and economic benefits to the community and the Town of Huntington as a whole.