



CITY OF NEWBURGH

Department of Planning & Development

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TO: City of Newburgh Planning Board

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RE: Mid-Broadway Redevelopment Project
Planning Board Index No. 2016-02

DATE: August 16, 2016

Technical Memo on the potential effects of the Mid-Broadway Redevelopment

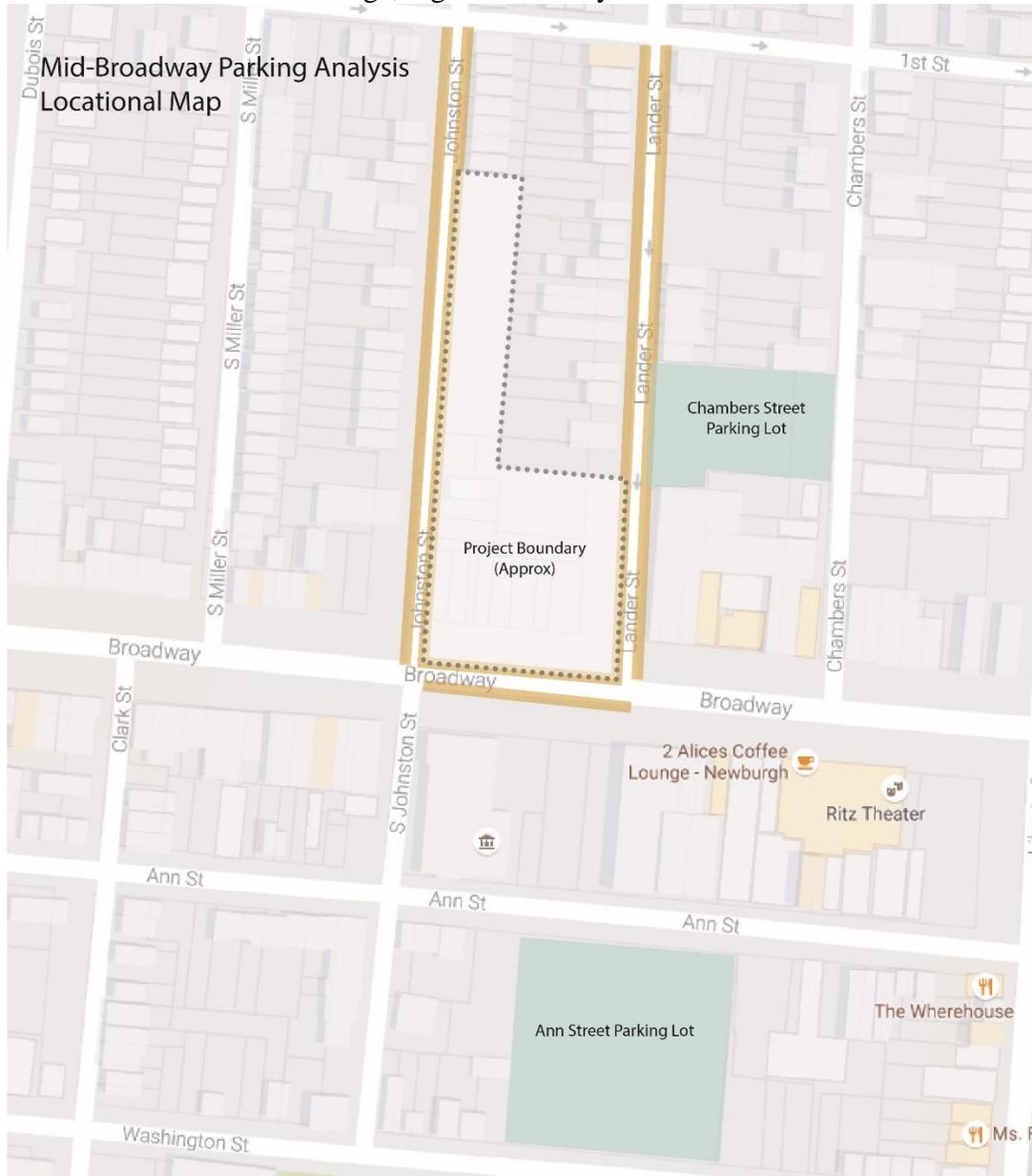
In preparation for a determination of impact under the New York SEQRA, staff has undertaken an analysis of the impact to the following topics in order to advise the Planning Board on their potential impacts to City services and infrastructure.

- 1. Parking Analysis**
- 2. Water & Sewer**
- 3. Schools**
- 4. Emergency Services**
- 5. Consistency with Land Use Plans**

1. Parking Analysis

In order to verify that adequate parking has been provided by the applicant, City Staff undertook its own parking analysis of existing parking capacity and future expecting parking requirements in the areas adjacent to the development site (see map).

This analysis aimed to count probable future parking utilization, and does not account for potential disruptive events. It is assumed, as with the entirety of the City, that during certain disruptive events, such as catastrophic snow storms, street festivals, or other highly abnormal situations, parking may be more limited than on an average, high volume day.



Required Parking per Zoning

The City of Newburgh underwent a comprehensive rezoning, effective September 2015. This included a comprehensive update to parking requirements, taking into effect best practices for modern cities. In the past, the City of Newburgh used calculations for parking more appropriate for suburban style development, such as in the Town of New Windsor and the Town of Newburgh. Additionally, the City looked at parking requirements that planned to average daily users and need, as opposed to the highest potential users. In practice, these modern parking demand models do not build a Mall parking lot for Black Friday, but instead build the capacity for a very busy average Saturday. The models also factor in the significant reduction in auto trips by millennials and young families, and a significant increase in non-auto trips, such as walking biking, and transit, by this same cohort. The zoning also took into account shared parking models, such as the Urban Land Institute's Shared Parking Models, which suggest that users do not in fact drive from one contiguous destination to another, but instead park once, and walk for several trips. Therefore all the parking in a "parking-shed" can be counted, within reason, when making parking demand assumptions. All of these modern and urban assumptions led the planning committee, the Planning Board, and ultimately the City Council to unanimously approve the updated Zoning with the updated parking requirements.

Parking utilization in the block adjacent to the proposed development is generally highest during business hours when County services, including the DMV, Department of Health, and Department of Social Services are in operations.

The Project Site is located in the DN Downtown Neighborhood and BC Broadway Corridor zones. Pursuant to §300-24 Higher standards to prevail, therefore "the most restrictive, or that imposing the highest standards, shall govern." Form based zones do not follow standard Euclidean hierarchies and therefore for each discrepancy in standards, the higher standard shall be chosen in each instance.

Residential

Pursuant to §300-157 (C), Off-street parking standards,

(1) Residential and commercial uses in the BC District. No off-street parking shall be required within the BC District.

(2) Residential uses in other districts.

(b) Any building with more than four dwelling units must provide off-street parking for those dwelling units at a rate of one space for every dwelling unit.

Therefore, higher standards prevail, and the residential portion of this development requires 91 parking spaces, or one space per unit.

Retail

Pursuant to §300-157 (C), Off-street parking standards,

(1) Residential and commercial uses in the BC District. No off-street parking shall be required within the BC District with the exception of civic buildings or new uses which are parking-dependent, such as theaters and supermarkets, which during the special permit application process may be required to provide off-street parking in accordance with the Bulk and Area Table.

(3) Nonresidential uses in the DN, WG, PWD Districts.

(b) Uses requiring site plan or special use permit.

[1] Owing to the unique nature of these uses and of their locations within the City, the off-street parking standards for uses requiring site plan or special use permit approval shall be determined by the Planning Board.

[2] In determining the amount of off-street parking required, the Planning Board shall consider:

[a] The amount of off-street parking that the use is likely to require, given its size and location in accordance with § 300-32 for similar uses.

[b] The amount and availability of on-street, municipal, or private parking available in the vicinity of the site (i.e., 500 feet).

[c] The impact that the provision of off-street parking may have on the visual quality of the zoning district.

Retail, Grocery:

If the board assumes higher standards are to prevail, and the larger retail use is a **retail, grocery store** scale, than §300-157 (C) (3) (b) applies, and the parking is determined by the Planning Board, for 13,800 square feet of both retail spaces.

Supermarket:

If the board assumes higher standards are to prevail, and the larger retail use is a **Supermarket**, than §300-157 (C) (1) applies, and the Planning Board “may be required to provide off-street parking in accordance with the Bulk and Area Table. Following the Bulk Table, 40 spaces would be required, or one space per 300 square feet. No parking would be required for the smaller retail use.

Use	Higher standard	Square Feet	Parking Rate/ sq ft	Total Parking Required
General Retail, Grocery Store	DN: As determined by Planning Board, advisory of 300-157	12,201	300*	25
Supermarket	BC: "May" require per Bulk Table	12,201	300	41
Neighborhood Retail	DN: As determined by Planning Board, advisory of 300-157	1,599	0	0
*Reduce the first 5000 square feet				

Allowable Reduction

Pursuant to §300-89 (3), Criteria for [Site Plan] Review,

Off-street parking and loading standards in Articles VIII and IX shall be satisfied. However:

(a) The City Planning Board shall have the authority to reduce the amount of off-street parking required in the underlying zone by up to 25% when it finds that:

- [1] Such a reduction would still allow for adequate off-street parking given the use and the zoning district; or
- [2] Adequate on-street parking within 500 feet is available; or
- [3] The owner can secure a written agreement for shared parking from a use within 500 feet.

(b) When off-street parking or loading serves two or more uses, whether such uses are on the same lot or on separate lots within 500 feet, the City Planning Board may reduce the number of parking spaces that would otherwise be required for each use upon a determination by the Board that the overall number of spaces to be provided will substantially meet the intent of this article by reason of variation in the probable time of maximum parking demand of each use. In such event, the City Planning Board may condition the site plan approval on certain hours of operation for each use.

Existing Parking Analysis

City Staff undertook independent parking counts on August 2, 2016. Spaces were counted between 1 and 2 pm, while the Farmers Market was going on. Spaces were counted only on the block adjacent to the proposed development. This included only Lander and Johnston between Broadway and First Street; and Broadway between Lander and Johnston Streets. On Johnston and Lander Street spaces are not striped, therefore, each linear foot not in front of a hydrant and not in front of a curb cut, was counted. The assumption was 1 parking space per 22 linear feet. On Broadway, the striped spaces were counted.

City Staff also undertook independent parking counts of the two municipal parking lots proximate to the proposed development on August 2, 2016 between 1 and 2 pm. These lots are most commonly used by County employees and County service users, and all County offices were open on the day and hour of the counts.

Summary of Existing Newburgh Municipal Lot Utilization			
	Lander/ Chambers Street Lot	Ann Street Lot	Total Municipal Parking
Spaces	52	218	270
Parked Cars (mid-Day, Farmers Market)	28	94	122
Open Spaces	24	124	148
% Utilization	53.8%	43.1%	45.2%

Summary of Existing Newburgh On Street Parking Utilization							
	North Side of Broadway	South Side of Broadway	Johnston Street	Johnston Street	Lander Street	Lander Street	Total on Street Parking
	Lander to Johnston	Lander to Johnston	East Side	West Side	East Side	West Side	
Spaces	19	15	24	27	24	27	136
Parked Cars (mid-Day, Farmers Market)	13	11	9	9	9	13	64
Open Spaces	6	4	15	18	15	14	72
% Utilization	68.4%	73.3%	37.5%	33.3%	37.5%	48.1%	47.1%

Parking Demand

City Staff used the Institute of Transportation Engineer’s (ITE) parking Demand multipliers to create assumptions on potential parking demand. ITE numbers are an industry standard, and any parking analysis will begin with these multipliers. ITE uses Study Sites locations to derive its multipliers, and offers estimates for parking demand for Average range, 85th Percentile range, and 33rd percentile range for weekdays, Saturdays, and Sundays. ITE offers several multipliers for each Land Use, to try to account for different urban densities and different mode shares. City Staff chose the most likely multipliers, to offer a high and a low assumption on parking demand. City Staff chose Weekday Average multipliers due to the nature of the existing and proposed land uses in the area, and the adjacency of municipal lots.

Summary of Parking Demand						
Land Use	SF/ DU	Description	Multiplier (Weekday Average)	Total Parking Required	Zoning Parking Requirements	Zoning Notes
Apartments	91	ITE High-Rise Apartment (Central City, not Downtown)/ DU	1.37	125	91	1 per DU
		ITE High-Rise Apartment (Urban Central Business District)/ DU	0.45	41		
		ITE Low or Mid-Rise, Urban/ DU	1.2	110		
Supermarket	11,935	ITE Supermarket (Urban, Weekday 85th)/ 1000 sft	2.83	34	0/30/41	Exclude first 5,000, then 1 per 300 OR 1 per 300
		ITE Supermarket (Urban, Weekday AVG)/ 1000 sft	2.27	28		
Other Retail	1,865	ITE General Retail Weekday)/ 1000 sft	2.55	5	0	
Total Parking		Total Parking High		164	91/121/132	
		Total Parking Low		74		

2. Water and Sewer Capacity

The following data outlines the existing capacity of both the Water Treatment Plan (WTP) and Wastewater Treatment Plant (WWTP).

Currently the WTP can produce an additional 4.85 million gallons per day (MGD) and the WWTP is able to process an additional 3.5 MGD, of which 1.2 MGD is reserved for the City's capacity. This information is as per documented flow data provided from the WTP Deputy Superintendent and the WWTP June 2016 Monthly Report.

Anticipated water draw and contribution to the sewer system are based upon typical per-unit hydraulic loading rates published by the NYSDEC. In accordance with these industry standards the, based upon the bedroom count and proposed retail area, the Project is expected to utilize approximately 18,690 gallons per day (GPD) and discharge that same amount since sewer flows are unmetered at individual properties and are conservatively based upon water usage. Therefore, the Project anticipates a potable water draw and contribution to the sewer system of 0.02 MGD. These projects flows correspond to less than a 0.01% increase in flows at both the Water Treatment Plant and the Wastewater Treatment Plant.

Water:

WTP Design Flow = 8.85 MGD

Average Daily Flow = 4.0 MGD

0 Bedrooms, studio = 8

Hydraulic Loading Rates do not exist for studio apartments. These have been estimated at the same level as one-bedroom units.

1 bedroom = 33

2 bedrooms = 35 x 2 = 70

3 bedrooms = 15 x 3 = 45

Total Bedroom Count = 156 bedrooms

156bedrooms x 110 GPD/bedroom = 17,160 GPD

Retail/Grocery = 13, 800 s.f.

13,800 s.f * 0.1 gallons per s.f. = 1,380 GPD

10 Employees * 15 GPD = 150 GPD,

Assumes 10 employees, additional employees are negligible at 15 GPD per employee.

Total Additional Project Flow from WTP = 18,690 gallons per day, or 0.02 MGD, or less than a 0.01% increase.

Wastewater:

WWTP Design Flow = 9 MGD

City's capacity = 5.2 MGD

City's Average Flow = 4 MGD

Towns Capacity = 3.8 MGD

Town Average Flow = 1.5 MGD

Average Daily Flow = 5.5 MGD

Total Additional Project Flow from WWTP = 18,690 gallons per day, or 0.02 MGD, or less than a 0.01% increase.

3. Impact on Schools

City Staff used the industry standard Rutgers University, Center for Urban Policy Research’s *Residential Demographic Multipliers* (Rutgers Multipliers) estimates of the occupants of new housing to determine the estimated residents and school aged residents that this project will create. The following table calculates total residents, and school aged residents per the Rutgers Multipliers. Please note that Rutgers Multipliers offer three rental income ranges for each unit size. Staff has chosen the middle of the ranges because they most accurately represent moderate rents in the City of Newburgh based on Fair Market rental numbers kept by HUD and by known market conditions. Rutgers Multipliers are set for a State-wide area, and therefore the lowest rental levels do not reflect prices in the New York Metropolitan area.

Population Estimates

Rutgers Multiplier			Number of Units	Estimated Residents	
	Residents	School Age		Total Number of Persons	School Age
5+ Units- Rent, 0 BR*					
\$500-\$1000	1.99	0.3	9	18	3
5+ Units- Rent, 1 BR					
\$500-\$1000	1.99	0.3	31	62	10
5+ Units- Rent, 2 BR					
\$750-\$1,1000	2.55	0.51	30	77	16
5+ Units- Rent, 3 BR					
\$750-\$1,250	4.54	1.5	21	96	32
TOTAL			91	253	61

* Rutgers’s Residential Demographic Multipliers do not exist for studio apartments. These have been conservatively estimated at the same level as one-bedroom units.

There is a potential impact of adding 61 school aged children to the Newburgh Enlarged City School District, from units built in this development.

The Newburgh Enlarged City School District is facing declining enrollment, as is much of the northeastern United State, due largely to declining birthrates for the last 20 years. An increase of 61 students to a district of nearly 11,000, will have a negligible impact, especially in the face of declining enrolments.

NECSD, Actual Enrollments, June 30		
	All Enrolled	K-12
2015-16	Not yet finalized	
2014-15	10,981	10,929
2013-14	11,001	10,963
2012-13	11,028	10,992
2011-12	11,167	11,133
2010-11	11,227	11,190
2009-10	11,644	11,601

4. Emergency Services

Calls for emergency service are answered by the City Fire Department and City Police Department, both full-time professional departments. Calls for service are hard to predict, however, using similar developments annual calls for service numbers gives an estimate for predicted calls from the proposed development. Neither department sees any specific public safety concern relating to this project that was not previously addressed as part of the Site Plan process.

Both departments agreed that Independent Square, at 11 Washington Terrace is the most similar development in terms of emergency service response. It is newly constructed, with more modern alarm systems, which more accurately mitigate false alarms. The project has 74 units in three stories.

Fire Calls for Service: May 2015- August 2016:

- 1 Alarm Malfunction
- 2 Unintentional alarm activations
- 2 Elevator rescues
- 2 Cooking Fires
- 1 Service Call
- 8 Total calls for service

Police Calls for Service: 2015- 2016

Independence Square				
Calls for Service				
	2015	2016	Total	% Total
E911 HANGUP	14	5	19	17.0%
DOMESTIC DISPUTE	9	5	14	12.5%
ALARM - AUDIBLE/SILENT/PE	8	5	13	11.6%
NOISE COMPLAINT	8	2	10	8.9%
EMOTIONALLY DISTURBED PER	3	5	8	7.1%
DISORDERLY ADULT	2	3	5	4.5%
THEFT / LARCENY	2	2	4	3.6%
CRIMINAL MISCHIEF REPORT	3	0	3	2.7%
LARCENY	1	2	3	2.7%
MVA - PROPERTY DAMAGE	1	2	3	2.7%
WELFARE CHECK	2	1	3	2.7%
AGENCY ASSIST		2	2	1.8%
CUSTODY DISPUTE	1	1	2	1.8%
FOLLOW UP TO PREVIOUS CAL	2	0	2	1.8%
PARKING COMPLAINT	2	0	2	1.8%
SICK / INJURED PERSON	1	1	2	1.8%
UNKNOWN PROBLEM	1	1	2	1.8%
BACK UP OTHER AGENCY		1	1	0.9%
CIVIL PROBLEM		1	1	0.9%

DISORDERLY JUVENILE		1	1	0.9%
DISTURBANCE	1	0	1	0.9%
FIGHT IN PROGRESS		1	1	0.9%
FOOT PATROL	1	0	1	0.9%
GENERAL INCIDENT	1	0	1	0.9%
GUN CALL	1	0	1	0.9%
MVA - HIT AND RUN	1	0	1	0.9%
MVA - PEDESTRIAN		1	1	0.9%
OVERDOSE		1	1	0.9%
SHOTS FIRED		1	1	0.9%
SUSPICIOUS PERSON	1	0	1	0.9%
TRAFFIC COMPLAINT	1	0	1	0.9%
UNWANTED PERSON	1	0	1	0.9%
Total	68	44	112	

5. Consistency with Land Use Plans

Comprehensive Plan: Plan-It Newburgh- 2008

The 10 year comprehensive plan, “was prepared to address a diverse audience with varying interests. The plan focuses around seven areas of interest which; taken together, present a framework of sustainability for the city.” This project is generally consistent with the plan, which has seven discrete sections.

- Social Well-Being
- Governance
- Housing
- Natural Environment
- Economic Development
- Transportation
- Municipal Services

This project addresses:

- Housing Goal 1, by working towards the goal of “By 2020 approximately 10% of each census tract will contain permanent affordable and special needs housing opportunities.”
- Housing Goal 2, by providing a project that addresses that “Newburgh’s housing landscape supports the city’s vision as a pedestrian friendly, livable, high quality and fully integrated community which is in harmony with the natural and cultural environment.” This is satisfied through the following strategies, “Encourage a variety of housing and mixed use developments that aims to establish a balance between regional and community needs. Provide flexible zoning and land use ordinances that support a walkable, livable, high quality and fully integrated community (i.e. smart growth, new urbanism and sustainability principles). ...Encourage development that efficiently uses sewer, water, transportation and all other infrastructure. Promote mixed use development to increase opportunities for working at home, living close to work and to encourage walking and cycling for local travel needs.”
- Housing Goal 5, by working to “Assure long term availability of affordable housing opportunities.”
- Housing Goal 7. By working to ensure, “All residents of Newburgh have safe, energy efficient homes that support preservation and sustainability of public health and the environment,” specifically strategies 1 and 2. “1. A Green Building Program will be developed with input from the local design, construction and development community. The Program will include required and recommended practices and incentives that are intended to reduce life-cycle environmental impacts associated with the construction and operation of residential, commercial and municipal developments and major renovation projects in the city. 2. Support the use of HOME, low-income housing tax credits and other applicable programs to stimulate rehabilitation of housing that are currently in a substandard condition.”
- Natural Environment Goal 1. “Promote environmental education and sustainable design practices to create a healthy and desirable community,” by providing a project that aims for Green certifications.
- Natural Environment Goal 5. “Redevelop Brownfields to improve degraded areas.”

- Natural Environment Goal 7: “The City of Newburgh makes no wasteful and unnecessary contributions to urban light pollution.”
- Economic Goal 1. “Newburgh’s economy supports the City’s vision as a walkable, livable, high quality and fully integrated community which is in harmony with the natural and cultural environment.”
- Economic Goal 2. “Newburgh has a vibrant downtown business district that includes the waterfront, portions of the Broadway corridor, and Liberty/Grand Street corridors, distinguished by successful businesses that support a multicultural creative economy including music, performing and visual arts, crafts, architecture, food, entertainment and community.”
- Transportation Goal 1. “The City promotes transit-oriented initiatives that reduce automobile dependency and greenhouse gasses by developing simple, convenient, and affordable public transportation system offering all citizens the opportunity to travel and to participate in centers of activity.”
- Transportation Goal 3. “The roads and streets in the City are safe, efficient, and provide a welcoming environment for pedestrians, bicyclists and handicapped persons.”
- Municipal Services Goal 6. “Strive to reduce impervious cover and promote best practices of storm water management.”

Future Land Use Plan- 2008

The Future Land Use Plan, which translates the Comprehensive Plan into special areas, has these parcels as a targeted Opportunity Area for Mixed Use with Residential development, called *Lower Broadway Higher Density Mixed-Use District*. The project is consistent with this plan.

“In this mixed-use area, a variety of open space and recreational, residential, commercial, office, cultural and institutional uses are currently permitted. There is a significant opportunity in this area to promote the re/development of a traditional urban/city neighborhood that has a mix of uses; is pedestrian oriented; and provides for a diverse public to live, learn, work, and play. An increase in mixed-use development will promote an urban lifestyle typical of thriving urban areas where residences, related commercial and entertainment uses support one another. Further, by promoting mixed-use development and increasing residential density in the area, the City will re-establish a physical and walkable connection between the Broadway corridor and the waterfront.”

Zoning Update- 2015

The project is located in the Broadway Corridor and the Downtown Neighborhood districts and is consistent with both.

The **Broadway Corridor** is characterized by a wide street with shopfront-type buildings fronting on the lot line. Current form encourages pedestrian activity and serves as the central commercial corridor in the City.

A. Purpose and intent.

- (1) The purpose and intent of the Broadway Corridor is to:
 - (a) Promote a vibrant, pedestrian-oriented Broadway;
 - (b) Focus new commercial development along Broadway;
 - (c) Provide for a mix of uses that serves the needs of the residents of, and visitors to, the City.

(2) Within this district, the preferred form for new development is the shopfront form, also known as the "Main Street form." This form generally features ground-floor retail with residential or commercial uses on the upper floors. Buildings with residential use only are allowed, but must follow the design guidelines for the district.

(3) A transit-oriented development is planned for the western end of the district. The area is bound by Broadway to the north and West Street and Lake Street to the west and east. This subdistrict will feature the same general form as the rest of the corridor, but will allow slightly higher and more dense new development that will capitalize on transit investments made by the City and county.

The **Downtown Neighborhood** is characterized by residential blocks featuring rowhouses, the Liberty/Grand Street commercial corridor with a mix of uses and building facades, and mixed-use blocks of residential with shopfronts on the corner.

A. Purpose and intent.

(1) The primary intent of this zone is to protect and promote the quality of the downtown residential neighborhoods immediately north and south of Broadway and the smaller scale mixed-use shopfront buildings located primarily on Liberty Street and Grand Street. This zone also includes the Liberty/Grand Street Heritage Corridor and contains a number of historically significant properties.

(2) Several building forms are in this district. New infill development shall respect the pattern and scale of the existing urban development. Compact detached houses with small side yards are allowed except on lots fronting Liberty Street or Grand Street. Within the more commercial areas of the district, such as Liberty Street or Grand Street, the shopfront and midrise are the preferred building types. These commercial, mixed-use, and higher-density residential structures will reflect the historic development pattern of the area and capitalize on the cultural assets within the district.

Consolidated Plan (HUD): 2015-2018

The City of Newburgh is required to complete a five year Consolidated Plan for HUD for the Community Development Block Grant Program (CDBG). This plan addresses community needs, especially needs relating to housing, poverty, homelessness, and other special needs populations. This project is generally consistent with that plan

The main assessment of the plan is that for all populations, "The need is for better maintained affordable rental units and the maintenance and rehabilitation of owner-occupied units."

"There is a significant gap in affordable and habitable housing for extremely low- and very low-income households in particular. As noted above, the FMR for a two-bedroom unit in Newburgh is \$1,258 and a renter household must earn \$24.19 to rent a two-bedroom apartment without spending more than 30% of household income. This wage is well above that earned by the City's low-income households."

The highest priority of the City was seen to be to: "Provide Affordable Housing Opportunities, including Rental Assistance, Homeowner Rehabilitation, Increased Supply of Single-family Housing, Increased Ownership Opportunities."

Mid-Hudson Sustainability Plan- 2013

The City was a member of the consortium that wrote the plan, and uses the plan as an advisory document relating to environmental sustainability. This project is generally consistent with this plan. Chapter 4 specifically addresses Land-Use, Livable Communities, and Transportation and has the following applicable objectives and actions:

- *Strengthen center supported by transit, by concentrating development in areas with existing services, infrastructure, employment opportunities, and multiple transit options.*
- *Create ‘complete’ communities by ensuring*
 - *An appropriate balance of housing and jobs*
 - *A mix of services including access to schools and healthy food*
 - *Access to parks, recreational facilities, and open space*
 - *Affordable housing and transportation options*
 - *A healthy environment*
- *Reduce transportation fossil fuel consumption and GHG emissions, by creating a safe, efficient, multi-modal transportation system accessible to all users*
- *Improve the safety, integrity, and resilience of regional infrastructure for all users...*

Action

- *Implement Transit-Oriented Development.*
This project is on an existing transit line, and is well served by public transit options.
- *Promote Land Efficient Development (LED).*
Redevelopment of mixed-use development in center is the key to LED.
- *Expand and upgrade mass-transit.*
Upgrades to mass transit could be part of a Site Plan approval.
- *Improve streets, sidewalks, and trails to connect communities and promote non-motorized transportation.*
Improvements to streets and sidewalks, and other policies to promote non-motorized transportation are part of the site plan.