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12.12.2023

BY E-MAIL

Hon. Nicola Armacost, Mayor
and Members of the Village Board of Trustees
Village of Hastings-on-Hudson
Municipal Building
7 Maple Avenue
Hastings-on-Hudson, New York 10706

RE: Electric Owl Holdings, LLC: Petition to Amend the Code of the Village
Site: One South Broadway, Hastings-on-Hudson, New York

Dear Mayor Armacost and Members of the Village Board of Trustees:

On behalf of Electric Owl Holdings, LLC (the "Applicant"), we respectfully submit this letter in response to comments from the Board of Trustees, including Trustee Morgen Fleisig and Trustee Douglass Alligood, regarding the project. This letter further supplements the Application and follows the most recent letters submitted on November 22, November 30, and December 4, 2023 by Cuddy & Feder LLP on behalf of Electric Owl Holdings, LLC (the "Supplemental Letters").

This letter responds to the following questions:

1. **The plan submitted did not accurately depict the impact to the Multimedia Production Studio project if it was designed in a manner that holds to a 150-foot setback from Dudley Street as the Front Yard, as a portion of the Site farthest west of Broadway is buffered from Dudley Street and constitutes a Side Yard. Therefore, the plan should be corrected.**

Based upon this comment, we enclose a revised and corrected version of the plan entitled, "Overall Site Plan," prepared by Kimley-Horn, which is annotated to show the location of a 150-foot front yard setback from the southerly property line, if applicable, and the location of the Studio buildings if they needed to align with it (the "**150-foot Setback Plan**"). Since the southerly property line becomes a side yard as measured from Dudley Street where Riverpointe's land serves as a buffer area between the Site and the road, Studios 5 & 6 would have a 50-foot side yard setback. The revised plan shows that the setback alone would not necessitate the removal of a significant portion of the Administrative Building

to accommodate Studios 5 & 6, but the relocation of the other Studio buildings would constrain the design and operation of any functional driveway accommodating the necessary traffic for the Studio use.

This revised and corrected plan confirms that a 150-foot setback is not able to be accommodated for Studios 1, 2, 3 & 4 and the adjacent Mill building. This 150-foot setback affecting the layout of the Studio and Mill buildings is not feasible to create a functional and marketable design.

2. **What is the distance between the Site and Riverpointe's swimming pool, as well as its white fence along Dudley Street?**

To illustrate the distances referenced above, enclosed is a plan entitled "Neighbor Exhibit" prepared by Kimley-Horn (the "**Distance Plan**"). The Distance Plan shows the distance of 223 feet from the Site's southerly property line to the approximate location of the Riverpointe swimming pool. The Distance Plan also shows the distance from Studio 6 to the Riverpointe fence on the south side of Dudley Street as approximately 150 to 165 feet (depending on the angle); and the distance from Studio 6 to Riverpointe's swimming pool is approximately 256 feet, since the Studio 6 building is setback about 32 feet from the southerly property line.

In addition, we enclose a rendering prepared by Granoff Architects showing the leaf-off view from the Riverpointe swimming pool as it exists today, and also showing the rendered view with the Studio project constructed.

3. **Can a Site Plan be provided showing Fire Lane compliance, including grade elevations, hydrant locations, fire apparatus routes and staging locations and dimensions?**

Enclosed please find another version of the plan entitled, "Overall Site Plan," prepared by Kimley-Horn, which is annotated to show the details requested (the "**Fire Lane Compliance Plan**").

4. **Can the Dimensional Requirements proposed for the Multimedia Production Studio Overlay District be calculated and clearly detailed showing Floor Area Ratio, etc.?**

The relevant dimensional requirements have been calculated with the Studio use having an FAR of 0.70 and the School use having an FAR of 0.51.¹ These dimensional data are

¹ The FAR for the School was approximated as exact dimensions of the School's building were not available.

detailed on the Table annexed to the Fire Lane Compliance Plan. For ease of reference, a summary Table for the Studio lot is set forth below:

| DIMENSIONAL REQUIREMENTS | |
|---|---------------------------|
| REQUIREMENT | PROPOSED |
| Lot Area | 753,588 s.f. (17.3 acres) |
| Total FAR (Max 0.75) | 0.70 |
| Building Coverage (Max 35%) | 24% (182,000 s.f.) |
| Impervious Coverage (Max 40%) | 39% (293,900 s.f.) |
| Impervious Pavement (Excluding Buildings) | 15% (111,300 s.f.) |
| Proposed Pervious Pavement | 0% |
| Proposed Pervious Landscape Area | |
| Proposed Green Roof Area | 5% (43,000 s.f.) |
| Proposed Planting Area | 21% (157,261 s.f.) |
| Proposed Lawn Area | 12% (89,222 s.f.) |
| Proposed Pervious Pavers Coverage | 4% (31,350 s.f.) |

In calculating the FAR,² it is important to note that the methodology aligned with the requirements in the Village's Code for calculating residential FAR, including:

- Counting *twice* the 124,200 square feet of Studio (sound stage) buildings because their interior is approximately 40-feet in height;
- Counting *twice* the 2,450 square feet of the double-height area in the Administrative Building; and
- Counting the 136,000 square foot parking garage (where many Zoning Ordinances exclude parking structures from FAR calculations).

5. Can the Site Sections be updated to show the adjacent grading more clearly?

Enclosed are revised plans prepared by Granoff Architects, entitled "Electric Owl Studios, 1 S Broadway, Hastings-on-Hudson," dated November 28, 2023, as follows:

² FAR is calculated using a total GFA of 525,950 s.f., based upon: 239,000 s.f. (Gross Floor Area of the total Studio Lot) + 124,200 s.f. (Double counting vaulted ceiling Sound Stages) + 2,450 s.f. (Double counting Administration building floor area with vaulted ceilings) + 160,300 s.f. (GFA of parking structure).



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- a. L3.0 Site Sections A
- b. L3.1 Site Sections B
- c. L3.2 Site Sections C

These plans have a red-line demarcation indicating the 250-foot topographic contour and note that Dudley Street is at elevation 230-feet.

6. Are generators used in the Atlanta studio owned and operated by Electric Owl?

There are no generators used or on-site at the Atlanta studio owned and operated by Electric Owl. Also, there are no generators proposed for the Studio use on the Site. However, an existing generator in-place in the Administrative Building will continue to be available for back-up power in that building, only.

We respectfully request that this response be incorporated in the official record of proceedings together with the Supplemental Letters and that it be shared with the Planning Board and Zoning Board of Appeals.

Thank you for your consideration.

Respectfully yours,

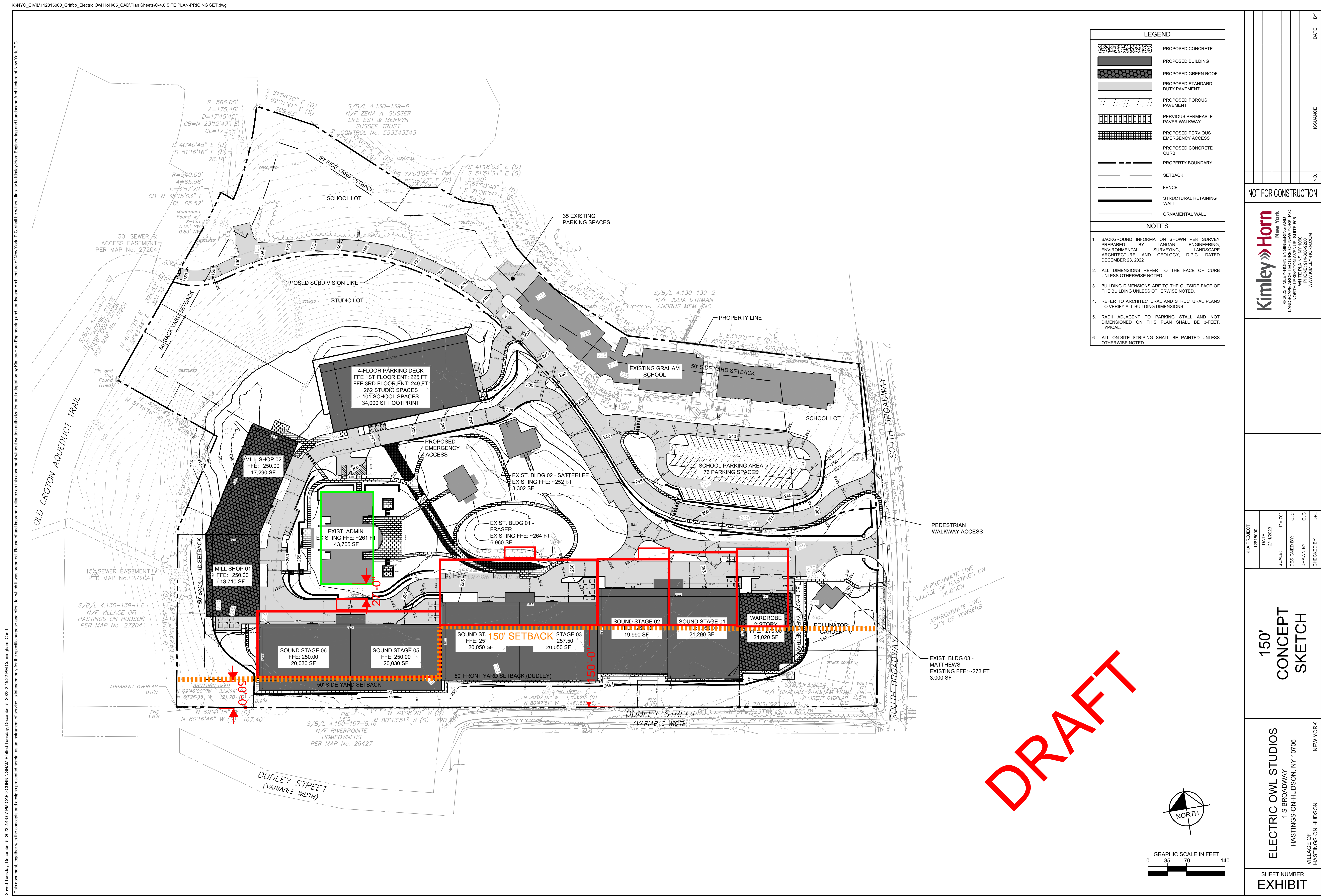
A handwritten signature in blue ink, appearing to read 'William S. Null', is written over a light blue circular stamp or seal.

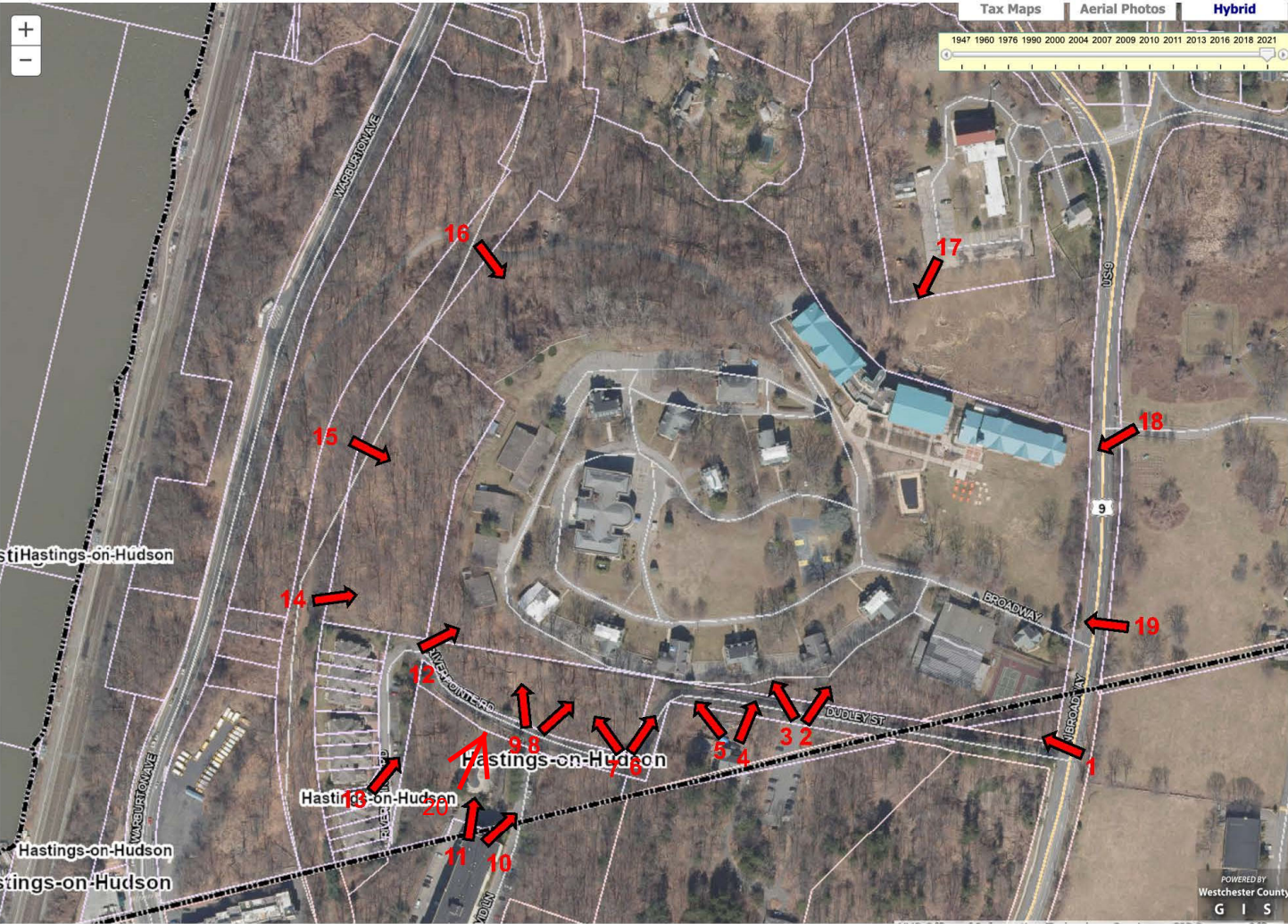
William S. Null

Enclosures:

- 150-foot Setback Plan
- Distance Plan
- Rendering of Riverpointe View from Swimming Pool to Site
- Fire Lane Compliance Plan
- Revised Sections with red-line demarcation

cc: Mary Beth Murphy, Village Manager; Anthony Costantini, Village Clerk; Linda Whitehead, Esq., Village Attorney; Patrick Cleary, Village Planner; Douglas J. Hahn, P.E.; Michael Hahn & Dan Rosenfelt, Electric Owl Holdings, LLC; Granoff Architects; Griffco Design Build; Kimley-Horn Engineering and Landscape Architecture of New York, P.C.; Maximillian R. Mahalek, Esq.; and Graham School





| | | |
|---|---|--|
| 1 - Broadway - along Dudley | 8 & 9 - End of David Lane | 14 - 16 - Croton Aqueduct Trailway |
| 2 & 3 - Lenoire Preserve Parking Lot entrance | 10 & 11 - Roof of Riveredge (If possible) | 17 - Parking lot at Congregation Mita Church |
| 4 & 5 - Little Leaf Pre-School | 12 - Main entrance to Riverpointe | 18 - Broadway at Andrus emergency driveway |
| 6 & 7 - Monument entrance to Riverpointe | 13 - Deeper into Riverpointe | 19 - Broadway at Graham School driveway |
| | | 20 - Riveredge Pool |



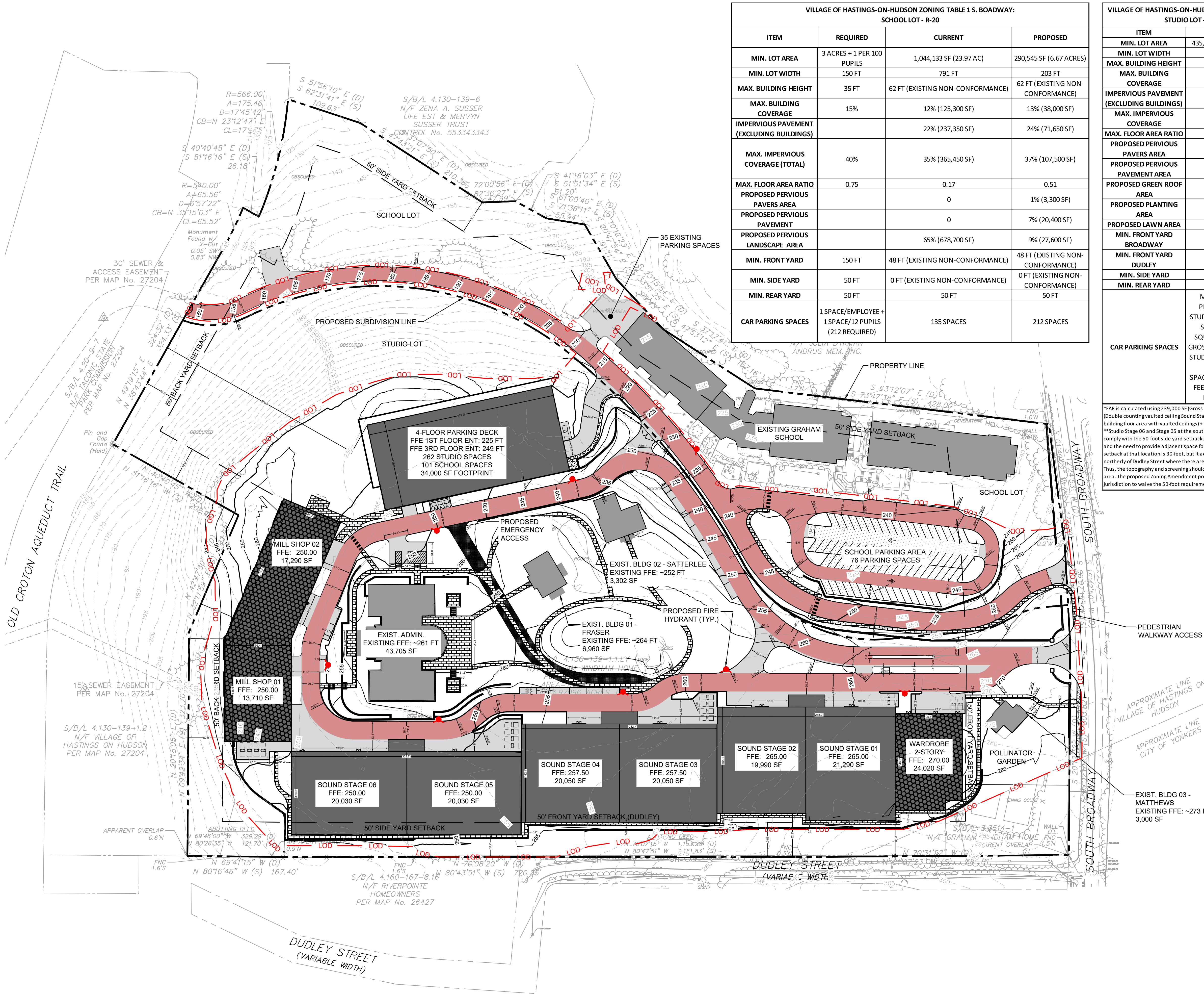
BEFORE- FALL VIEW



AFTER-FALL VIEW

VIEW FROM RIVEREDGE'S POOL

Saved Tuesday, December 12, 2023 2:08:31 PM CALED CUNNINGHAM Plotted Tuesday, December 12, 2023 2:15:40 PM Cunningham, Caled
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| VILLAGE OF HASTINGS-ON-HUDSON ZONING TABLE 1 S. BOADWAY: SCHOOL LOT - R-20 | | | |
|---|---|----------------------------------|----------------------------------|
| ITEM | REQUIRED | CURRENT | PROPOSED |
| MIN. LOT AREA | 3 ACRES + 1 PER 100 PUPILS | 1,044,133 SF (23.97 AC) | 290,545 SF (6.67 ACRES) |
| MIN. LOT WIDTH | 150 FT | 791 FT | 203 FT |
| MAX. BUILDING HEIGHT | 35 FT | 62 FT (EXISTING NON-CONFORMANCE) | 62 FT (EXISTING NON-CONFORMANCE) |
| MAX. BUILDING COVERAGE | 15% | 12% (125,300 SF) | 13% (38,000 SF) |
| IMPERVIOUS PAVEMENT (EXCLUDING BUILDINGS) | | 22% (237,350 SF) | 24% (71,650 SF) |
| MAX. IMPERVIOUS COVERAGE (TOTAL) | 40% | 35% (365,450 SF) | 37% (107,500 SF) |
| MAX. FLOOR AREA RATIO | 0.75 | 0.17 | 0.51 |
| PROPOSED PERVIOUS PAVERS AREA | | 0 | 1% (3,300 SF) |
| PROPOSED PERVIOUS PAVEMENT | | 0 | 7% (20,400 SF) |
| PROPOSED PERVIOUS LANDSCAPE AREA | | 65% (678,700 SF) | 9% (27,600 SF) |
| MIN. FRONT YARD | 150 FT | 48 FT (EXISTING NON-CONFORMANCE) | 48 FT (EXISTING NON-CONFORMANCE) |
| MIN. SIDE YARD | 50 FT | 0 FT (EXISTING NON-CONFORMANCE) | 0 FT (EXISTING NON-CONFORMANCE) |
| MIN. REAR YARD | 50 FT | 50 FT | 50 FT |
| CAR PARKING SPACES | 1 SPACE/EMPLOYEE + 1 SPACE/12 PUPILS (212 REQUIRED) | 135 SPACES | 212 SPACES |

| VILLAGE OF HASTINGS-ON-HUDSON ZONING TABLE 1 S. BOADWAY: STUDIO LOT - SPECIAL DISTRICT | | |
|--|---|----------------------|
| ITEM | REQUIRED | PROPOSED |
| MIN. LOT AREA | 435,600 SF (10 AC) | 753,588 SF (17.3 AC) |
| MIN. LOT WIDTH | 150 FT | 655 FT |
| MAX. BUILDING HEIGHT | 55 FT | 55 FT |
| MAX. BUILDING COVERAGE | 35% | 24% (182,600 SF) |
| IMPERVIOUS PAVEMENT (EXCLUDING BUILDINGS) | N/A | 15% (111,300 SF) |
| MAX. IMPERVIOUS COVERAGE | 40% | 39% (293,900 SF) |
| MAX. FLOOR AREA RATIO | 0.75 | 0.70* |
| PROPOSED PERVIOUS PAVERS AREA | N/A | 4% (31,350 SF) |
| PROPOSED PERVIOUS PAVEMENT AREA | N/A | 0% |
| PROPOSED GREEN ROOF AREA | N/A | 5% (43,000 SF) |
| PROPOSED PLANTING AREA | N/A | 21% (157,261 SF) |
| PROPOSED LAWN AREA | N/A | 12% (89,222 SF) |
| MIN. FRONT YARD BROADWAY | 150 FT | 150 FT |
| MIN. FRONT YARD DUDLEY | 50 FT | 50 FT |
| MIN. SIDE YARD | 50 FT | 50 FT** |
| MIN. REAR YARD | 50 FT | 50 FT |
| CAR PARKING SPACES | MULTIMEDIA PRODUCTION STUDIO: 1 PARKING SPACE/1,000 SQUARE FEET OF GROSS FLOOR AREA. STUDIO OFFICE USE: 1 PARKING SPACE/250 SQUARE FEET OF GFA (351 REQUIRED) | 281 + 80 Valet = 361 |
| *FAR is calculated using 239,000 SF (Gross Floor Area of the total Studio Lot) + 124,200 SF (Double counting vaulted ceiling Sound Stages) + 2,450 SF (Double counting Administration building floor area with vaulted ceilings) + 160,300 SF (GFA of parking structure). **Studio Stage 06 and Stage 05 at the south side of the Subject Premises are unable to comply with the 50-foot side yard setback given the configuration of the interior access road and the need to provide adjacent space for fire trucks to access the studio buildings. The setback at that location is 30 feet, but it adjoins a heavily wooded downhill slope situated northerly of Dudley Street where there are no residential or other buildings neighboring it. Thus, the topography and screening should mitigate the reduced setback in this limited area. The proposed Zoning Amendment provides for the Planning Board to have the jurisdiction to waive the 50-foot requirement to approve this 30-foot setback. | | |

LEGEND

PROPOSED CONCRETE

PROPOSED BUILDING

PROPOSED GREEN ROOF

PROPOSED STANDARD DUTY PAVEMENT

PROPOSED POROUS PAVEMENT

PERVIOUS PERMEABLE PAVER WALKWAY

PROPOSED PERVIOUS EMERGENCY ACCESS

PROPOSED CONCRETE CURB

PROPERTY BOUNDARY

SETBACK

FENCE

STRUCTURAL RETAINING WALL

ORNAMENTAL WALL

FIRE ACCESS LANE

FIRE HYDRANT

LIMIT OF DISTURBANCE (~16.6 AC)

LOD

NOTES

1. BACKGROUND INFORMATION SHOWN PER SURVEY PREPARED BY LANGAN ENGINEERING, ENVIRONMENTAL, SURVEYING, LANDSCAPE ARCHITECTURE AND GEOLOGY, D.P.C. DATED DECEMBER 23, 2022

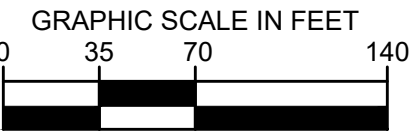
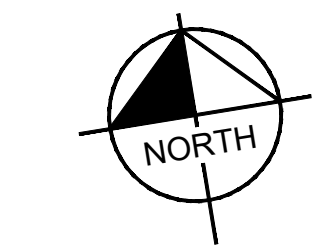
2. ALL DIMENSIONS REFER TO THE FACE OF CURB UNLESS OTHERWISE NOTED

3. BUILDING DIMENSIONS ARE TO THE OUTSIDE FACE OF THE BUILDING UNLESS OTHERWISE NOTED.

4. REFER TO ARCHITECTURAL AND STRUCTURAL PLANS TO VERIFY ALL BUILDING DIMENSIONS.

5. RADII ADJACENT TO PARKING STALL AND NOT DIMENSIONED ON THIS PLAN SHALL BE 3-FEET, TYPICAL.

6. ALL ON-SITE STRIPING SHALL BE PAINTED UNLESS OTHERWISE NOTED.



DATE

ISSUANCE

NO.

BY

NOT FOR CONSTRUCTION

Kimley»HornNew York

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1 NORTH LEXINGTON AVENUE, SUITE 905
WHITE PLAINS, NY 10601
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RHA PROJECT

112815000

DATE

08/03/23

SCALE:

AS SHOWN

DESIGNED BY:

CJC

DRAWN BY:

CJC

CHECKED BY:

DFL

OVERALL SITE PLAN

ELECTRIC OWL STUDIOS

1 S BROADWAY

HASTINGS-ON-HUDSON, NY 10706

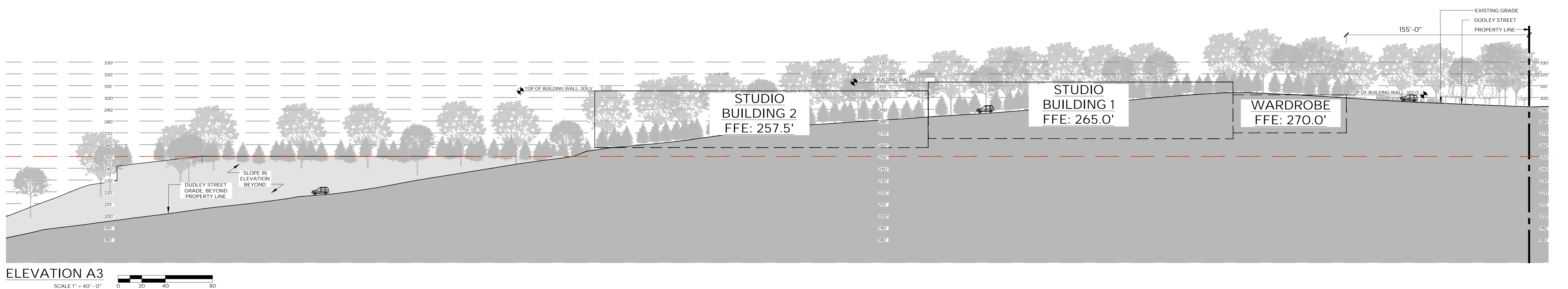
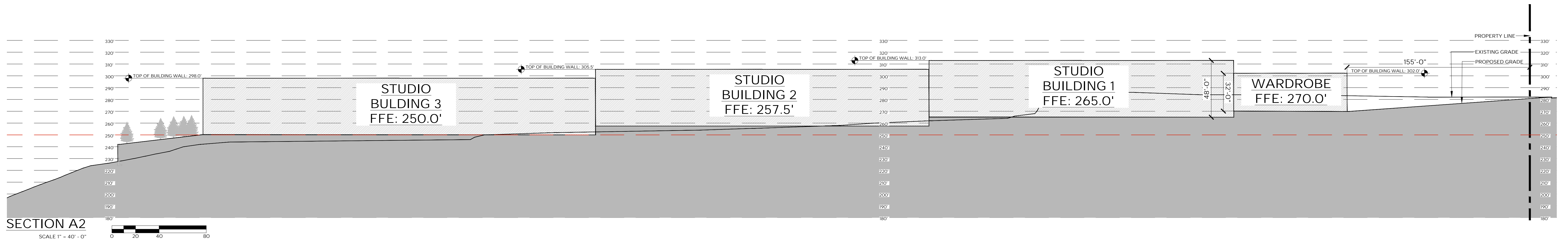
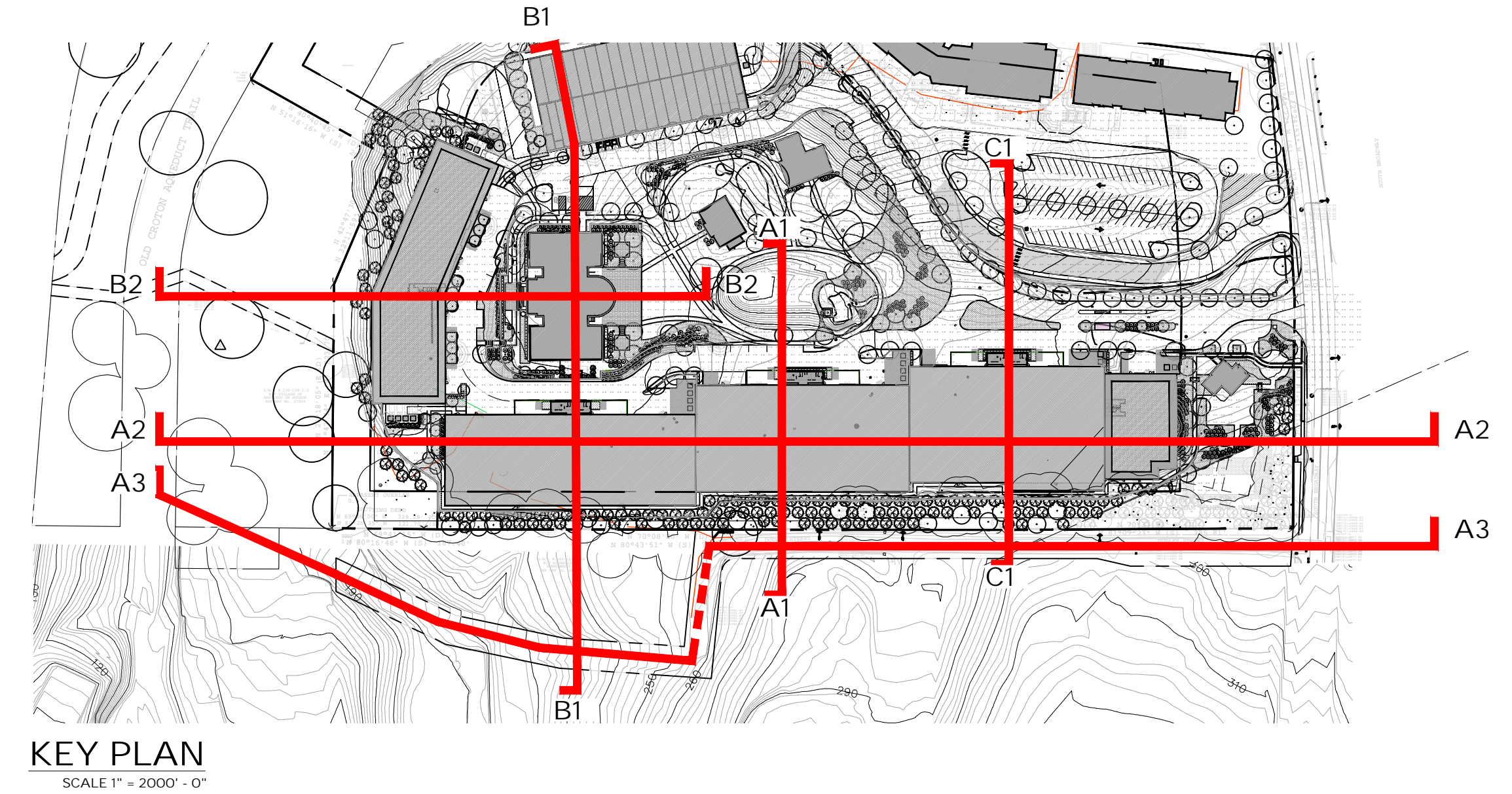
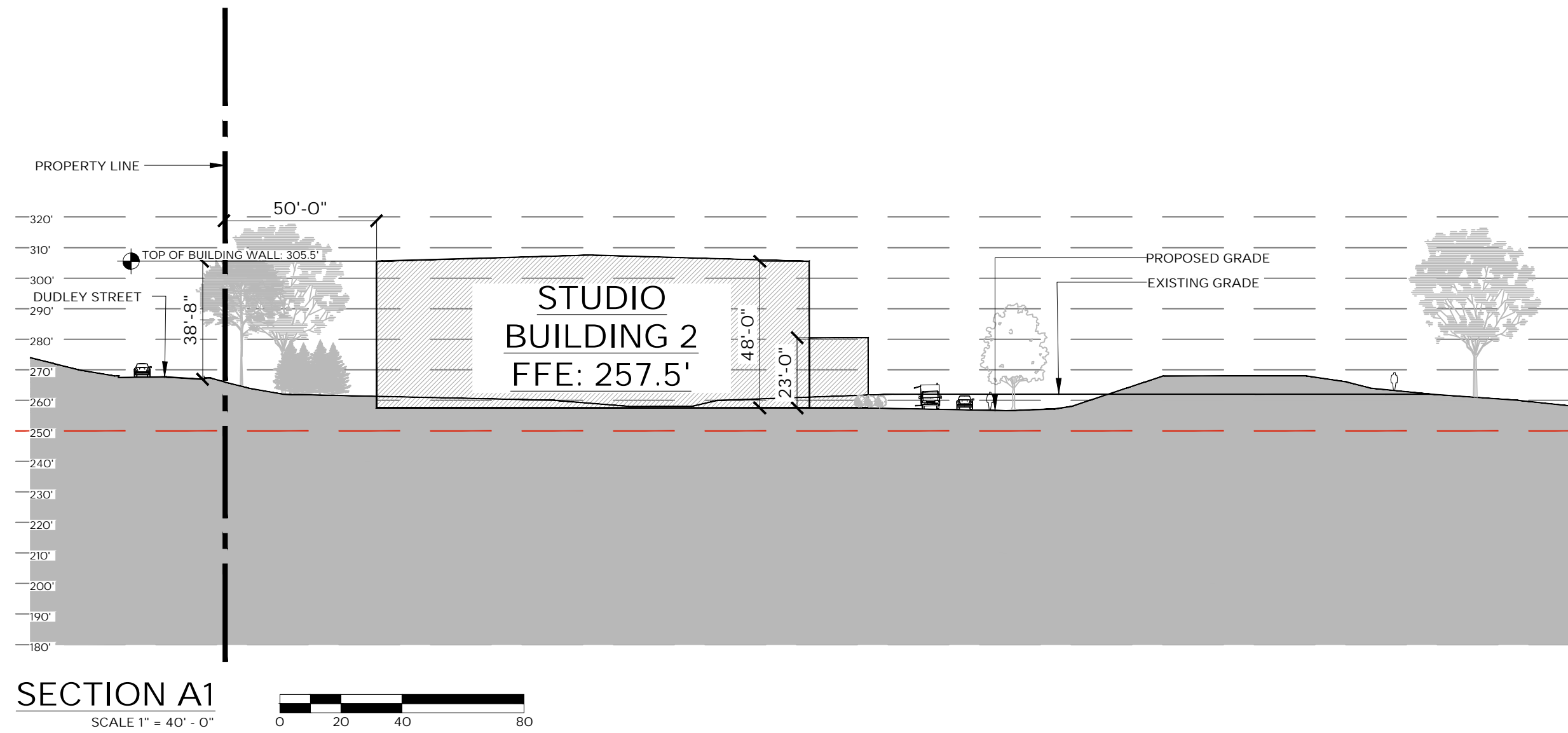
VILLAGE OF HASTINGS-ON-HUDSON

NEW YORK

SHEET NUMBER

EXHIBIT

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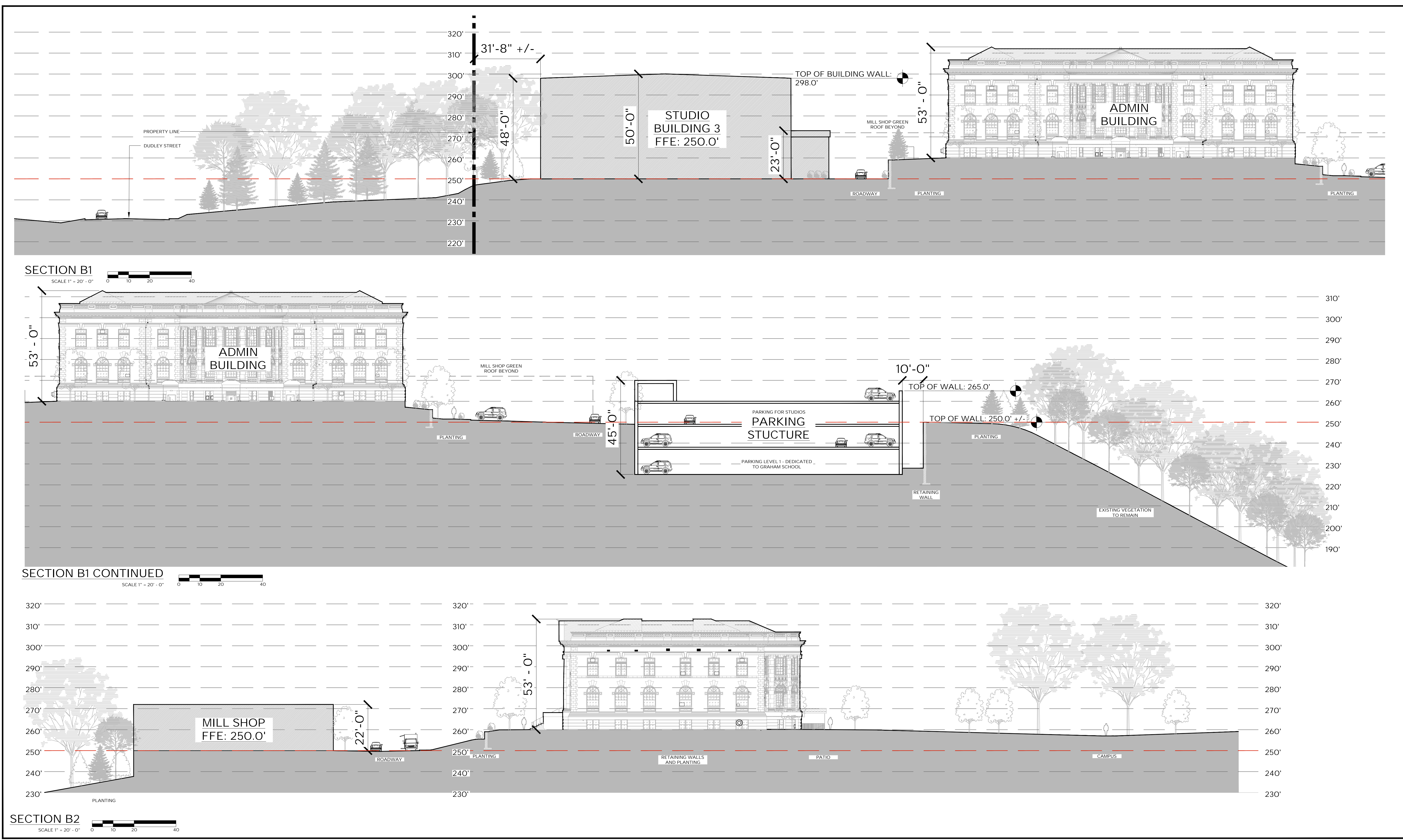
ELECTRIC OWL STUDIOS

1 S BROADWAY
HASTINGS ON HUDSON, NY

DATE: 11/28/23

DRAWING NO: **L 3.0**
SITE SECTIONS A

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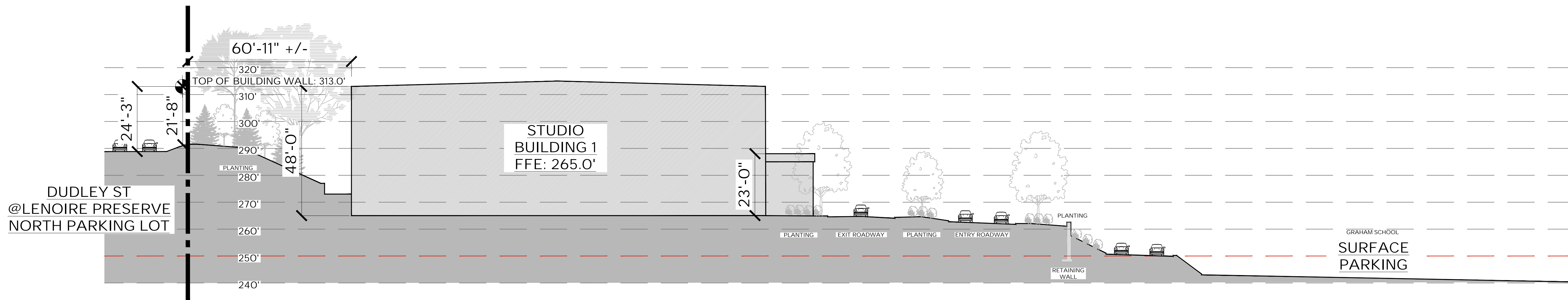
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SECTION C1
SCALE 1" = 20' - 0"

ELECTRIC OWL STUDIOS

1 S BROADWAY
HASTINGS ON HUDSON, NY

DRAWING NO.: L 3.2
SITE SECTIONS C



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