

**STAFF REPORT - TOWN OF NORTH CASTLE PLANNING DEPARTMENT**

April 30, 2021



APPLICATION NUMBER - NAME  
 #2020-016 – 100 Business Park Drive  
 Amended Site Development Plan Approval

SBL  
 108.03-1-51

MEETING DATE  
 May 10, 2021

PROPERTY ADDRESS/LOCATION  
 100 Business Park Drive

**BRIEF SUMMARY OF REQUEST**

**Amended Site Plan approval to construct a 74,850 square foot warehouse with associated off-street parking and landscaping improvements. The building is proposed to be constructed in the undeveloped southern portion of the site, with the existing building proposed to remain.**

**The property is approximately 11.3 acres in size and lies within the PLI zoning district. The site is currently developed with a 62,782 square foot office/light industrial building with associated off-street parking.**



PENDING ACTION:             Plan Review             Town Board Referral             Preliminary Discussion

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
PLI Planned Light Industry District	Office/Warehouse/Recreation Center	Office and Industrial Uses	Proposed new warehouse building	11.27 acres

**PROPERTY HISTORY**

1975 – Building Permit issued to HO Penn for office and warehouse building  
  
 2020 – Planning Board Approval to store 5,000 cubic yards of fill

**COMPATIBILITY with the COMPREHENSIVE PLAN**

Avoid expansion of the existing retail areas in Town, focusing on enhancing them through transportation improvements, landscaping and beautification, strong site design and targeted infill housing as appropriate.  
  
 Explore adjusting the PLI and DOB-20A zoning to facilitate the location of a modern hotel with amenities and entertainment/cultural or ancillary education uses.

**STAFF RECOMMENDATIONS**

1. The Applicant should be directed to address all outstanding staff and consultant’s comments.
2. The project is compatible with the Comprehensive Plan.
3. Once all staff and consultant’s comments are addressed, the Planning Board should give consideration to approving the requested permits.

<u>Procedural Comments</u>	<u>Staff Notes</u>
<ol style="list-style-type: none"> <li>1. The Proposed Action would be classified as an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA).</li> <li>2. A Public Hearing for the proposed site plan and wetlands permit application will need to be scheduled.</li> <li>3. The site plan should be forwarded to the Chief of Police, Fire Inspector and the Armonk Fire Chief so that they may make any pertinent recommendations to the Planning Board including, but not limited to, emergency vehicle access or any other issued deemed important to providing emergency services.</li> <li>4. The site plan should be forwarded to the Water and Sewer Department so that they may make any pertinent recommendations to the Planning Board including, but not limited to, the provision of additional water and sewer services on the subject site.</li> <li>5. The application for site plan approval requires referral to the Westchester County Planning Board pursuant to § 239-m of New York State General Municipal Law (GML). This referral is required because the subject site is located within 500 feet of I-684.</li> <li>6. The Applicant will need to obtain a County Stream Control Permit from the Westchester County Department of Public Works.</li> <li>7. The Applicant will need to obtain a curb cut permit from the North Castle Highway Department for the proposed new driveway on Business Park Drive.</li> <li>8. Pursuant to Section 340-5.B of the Town Code, the Conservation Board is required to review the proposed wetland application and, within 45 days of receipt thereof, file a written report and its recommendation concerning the application with the Planning Board. Such report is required to evaluate the proposed regulated activity in terms of the findings, intent and standards of Chapter 340.</li> <li>9. Pursuant to Section 12-18(1) of the Town Code, all site development plans submitted to the Planning Board are required to be referred to the Architectural Review Board (ARB) for review and comment.</li> <li>10. The Applicant obtained a variance from the Town Board for the compensatory floodplain storage requirement of the Town Code.</li> </ol>	<p>The Planning Board declared their intent to act as Lead Agency on April 13, 2020.</p> <p>The referral was made on April 14, 2020.</p> <p>The referral was made on April 14, 2020. The Water and Sewer Department noted that on page 5 of 13 of the FEAF Part 1 where water usage is discussed, the water demand appears to be incorrect. Specifically, 20 employees at 15 gpd is shown wo equal 6,000 gpd, which does not appear to be correct. Based upon 20 employees at 15 gpd, the total should be 300.</p> <p>The referral was made on April 14, 2020.</p> <p>A July 1, 2020 letter from the Conservation Board to the Planning Board recommends approval of the requested wetlands permit.</p>
<p><u>General Comments</u></p> <ol style="list-style-type: none"> <li>1. The proposed design of the warehouse building provides for loading at the front of the building. The Planning Board, at the February 8, 2021 Planning Board meeting, stated that the proposed front loading is acceptable and confirmed that the proposed loading area would be appropriately landscaped and screened.</li> <li>2. The proposed warehouse building does not meet the 100 foot minimum front yard setback. The Applicant will need to secure a 43 foot front yard variance from the Zoning Board of Appeals.</li> <li>3. The Applicant will need to submit written guaranties, satisfactory to the Town Attorney, for the eventual improvement of any such spaces which may have been waived. Such spaces must be constructed within six months of the date of written notice to the property owner by the Planning Board that such spaces have been determined as necessary.</li> </ol>	<p>The Planning Department recommends that the proposed loading area be relocated to the rear of the building in an effort to mitigate visual impacts associated with the loading area.</p> <p>The Zoning Board of Appeals approved the required variance on April 1, 2021.</p> <p>Pursuant to Section 355-56.C of the Town Code, the Planning Board can approve of the proposed land banked parking spaces.</p>

4. The Byram River is located at the rear of the property. The site plan depicts 5,000 square feet of Town-regulated wetland buffer disturbance (if compensatory storage is not required). The Applicant is proposing a 36,570 square foot mitigation area.
5. The site plan depicts the removal of 235 Town-regulated trees.
6. Pursuant to Section 355-30.D(1) of the Town Code, a ten-foot-deep landscaped foundation planting shall be provided along all building walls, except at access points, in interior courts, or where waived by the Planning Board. A sidewalk not exceeding four feet in width may be located in such required foundation parking area.
7. The Applicant has stated that the existing outdoor storage would be relocated within the proposed building, however, there will still be the need to stage materials outside from deliveries. There is a precise system in place to make sure delivered materials for each project stay together. The extents of the proposed outdoor storage areas located at the rear and side of the existing building are depicted on the site plans which limit views from Business Park Drive.

The Planning Board will need to determine whether the proposed amount of Town-regulated wetland buffer disturbance is acceptable.

The Planning Board will need to determine whether the proposed amount of Town-regulated tree removal is acceptable.

The site plan depicts foundation planting along the front façade, but does not depict foundation plantings along the other building walls. The Planning Board will need to determine whether the proposed plan is acceptable.

The Planning Board at the February 8, 2021 Planning Board meeting stated that the proposed outdoor storage areas are acceptable.