

STAFF REPORT - TOWN OF NORTH CASTLE PLANNING DEPARTMENT

March 12, 2021



APPLICATION NAME & NUMBER
Santomero Building - #2021-012 (prior #12-005)

SBL
122.12-5-63

MEETING DATE
March 22, 2021

PROPERTY ADDRESS/LOCATION
868 N Broadway, North White Plains

BRIEF SUMMARY OF REQUEST

Site plan reapproval for the completion of the existing building under construction that would result in a new 4,300 square foot retail building and the construction of various retaining walls.

The previously approved site plan resolution has expired. The plans have remained essentially the same. The Applicant is seeking reapproval of the site plan at this time.



PENDING ACTION: Plan Review Town Board Referral Preliminary Discussion

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
CB Central Business District	Commercial/Vacant	Commercial development along NYS Route 22	Renovation of existing building; site enhancements and the construction of additional off-street parking	0.42 acres

PROPERTY HISTORY	COMPATIBILITY with the COMPREHENSIVE PLAN
<p>1956 – CO issued for a store.</p> <p>Planning Board Site Plan Approval - June 10, 2019 [Modified 7/8/19]</p>	<p>The Comprehensive Plan states the following:</p> <p>In North White Plains, the emphasis should be on improving the Route 22 corridor (see Chapter 6) to enhance the attraction and viability of retail.</p>

STAFF RECOMMENDATIONS

1. It is recommended that the Planning Board reapprove the requested site plan.
2. The project is compatible with the Comprehensive Plan.

<u>Procedural Comments</u>	<u>Staff Notes</u>
<ol style="list-style-type: none"> 1. 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. 2. The application for site plan approval was referred to the Westchester County Planning Board, pursuant to § 239-m of New York State General Municipal Law (GML), on February 13, 2018. This referral is required because the subject site is located within 500 feet of NY Route 22. 3. The Proposed Action would be classified as an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA). 4. The proposed sidewalk along the property frontage and the reconfigured parking areas would require a work permit from the New York State Department of Transportation. 5. A Public Hearing for the proposed site plan will need to be scheduled. 6. The site plan was forwarded to the Chief of Police, Fire Inspector and the North White Plains Fire Chief, on February 13, 2018, so that they may make any pertinent recommendations to the Planning Board including, but not limited to, the designation of no-parking zones, emergency vehicle access or any other issued deemed important to providing emergency services. 	<p>The ARB approved the proposed building design on April 18, 2019</p> <p>A February 16, 2018 letter from Westchester County recommends additional stormwater controls, a sidewalk extending the entire frontage to the bee line bus stop and coordination of the site plan with Bee Line (proposed).</p> <p>The Planning Board should declare their intent to act as Lead Agency or confirm that the Planning Board will conduct an uncoordinated SEQRA review.</p> <p>The Applicant obtained the NYSDOT permit on 10/30/2020.</p> <p>The Police Department is concerned if there is not adequate off street parking at this location employees and patrons will cross North Broadway creating a hazardous situation. Additionally, the Police Department noted that left turn restrictions are necessary for vehicles entering and exiting the site.</p>
<p><u>General Comments</u></p> <ol style="list-style-type: none"> 1. The previously approved site plan resolution has expired. The plans have remained essentially the same. The Applicant is seeking reapproval of the site plan at this time. 2. The Applicant will need to obtain a front yard variance. In addition, the Applicant will need to obtain a variance for nine off-street parking spaces. 3. Pursuant to Section 355-58 of the Town Code, one loading space (15 feet in width, at least 40 feet in length and at least 14 feet in height) is required for this site. It is noted that upon consideration of all factors entering into the loading and unloading needs of each use, the Planning Board may make appropriate reductions in the loading requirement. 4. The site plan depicts 5,829 square feet of Town-regulated steep slope disturbance. 5. It is recommended that the landscaping plan be revised to provide screening on the southern side of the proposed transformer located along the property frontage. The transformer and bollards will be highly visible from northbound traffic on North Broadway. It appears that the transformer would need to be located a few feet north in order to provide adequate area for screening. Alternatively, the Applicant should give thought to burying the transformer. 	<p>The Planning Department has no objection to the reapproval request and recommends that the Planning Board reapprove the site plan so that this site may be expeditiously improved per the submitted plans.</p> <p>The Applicant secured the required variances from the Zoning Board of Appeals on April 4, 2019. It is noted, that the variance contains a condition stating that "occupation of the building is limited to one (1) retail tenant with no ability to sublet."</p> <p>The Planning Board will need to determine whether the proposed reduced sized loading space is acceptable.</p> <p>The Planning Board will need to determine whether the proposed amount of Town-regulated steep slope disturbance is acceptable.</p>

6. The site plan depicts retaining walls in excess of six feet in height. The Applicant shall demonstrate conformance with the requirements of Section 355-15.G(1)(b) of the Town Code.
7. The Zoning Schedule on Sheet 1/13 should be updated to include a note that a variance is required for the proposed front yard setback. In addition, the Schedule should be revised to note the date the ZBA granted the variance.
8. The Parking Schedule should be revised to note the date the ZBA granted the off-street parking variance.
9. The Applicant should provide documentation from the Building Department confirming that the previously issued variance are still valid.

It is recommended that the Applicant submit a narrative highlighting how each section of the Town Code is addressed by the plans proposed.