

STAFF REPORT - TOWN OF NORTH CASTLE PLANNING DEPARTMENT

May 11, 2023



APPLICATION NUMBER - NAME
 #2022-041 – 100 Business Park Drive
 Amended Site Development Plan and
 Wetlands Permit Approvals

SBL
 108.03-1-51

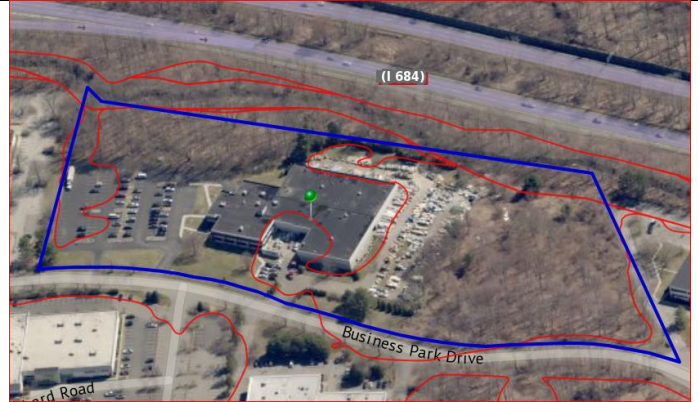
MEETING DATE
 May 22, 2023

PROPERTY ADDRESS/LOCATION
 100 Business Park Drive

BRIEF SUMMARY OF REQUEST

Amended Site Plan approval to construct a proposed 26,461 square foot pickleball recreation center, a proposed 81,609 square foot self-storage facility and a new 8,038 s.f. warehouse. In addition, the Applicant is seeking to legalize the existing Jantile manufacturing space and possibly the legalization of a 1,742 s.f. private gym.

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 recreation center, self storage and warehouse building	11.27 acres

PROPERTY HISTORY

1975 – Building Permit issued to HO Penn for office and warehouse building

2020 – Approval to store 5,000 cubic yards of fill

2021 – Approval to construct a 74,850 s.f. warehouse

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"> 1. The Applicant will need to obtain a special use permit for the proposed recreation use from the Town Board. 2. The Proposed Action would be classified as an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA). 3. A Public Hearing for the proposed site plan and wetlands permit application will need to be scheduled. 4. 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. 5. 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. 6. 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. 7. The Applicant will need to obtain a County Stream Control Permit from the Westchester County Department of Public Works. 8. 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. 9. 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. 10. 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. 11. The Applicant obtained a variance from the Town Board for the compensatory floodplain storage requirement of the Town Code. 	<p>The Planning Board declared their intent to act as Lead Agency on September 29, 2022.</p> <p>The project was referred on November 15, 2022.</p> <p>The project was referred on November 15, 2022</p> <p>The project was referred on November 15, 2022.</p> <p>The Town Attorney will need to determine whether the previously granted variance is applicable to the current modified project.</p>
<p><u>General Comments</u></p> <ol style="list-style-type: none"> 1. The Applicant has made significant positive changes to the site plan. Specifically, the front loading area has been eliminated and relocated to the rear of the building. In addition, the Applicant has significantly reduced the size of the proposed warehouse and is now proposing a new recreation center with pickleball courts. 2. The site plan has been revised to depict a 3,840 s.f. outdoor storage area at the rear of the existing warehouse building. 3. The Planning Board at the November 14, 2022 meeting directed the Applicant to describe Jantile site operations. 4. The proposed warehouse building does not meet the 100 foot minimum front yard setback. The Applicant previously secured a 43 foot front yard variance from the Zoning Board of Appeals. 	<p>The Planning Board will need to determine whether the proposed overnight parking location is acceptable.</p> <p>The Planning Board should review the November 28, 2022 Zarin & Steinmetz letter to the Planning Board containing the requested information.</p> <p>The Town Attorney will need to determine whether the previously granted variance is applicable to the current modified project.</p>

<ol style="list-style-type: none"> 5. The proposed project does not comply with the maximum FAR permitted on the site. Specifically, a maximum FAR of 0.3 is permitted while the proposed FAR is 0.37. 6. The site is required to provide 316 off-street parking spaces, but only 233 are provided. Plan Z-1 should be revised to include the calculations used to determine the off-street parking requirements for the existing and proposed uses on the site. 7. The Byram River is located at the rear of the property. The site plan should be revised to depict the proposed amount of Town-regulated wetland buffer disturbance. A mitigation plan that is twice the size of the proposed amount of disturbance is required to be submitted. 8. The Planning Board previously approved the removal of 235 Town-regulated trees and the trees have been removed from the property. In addition, the Planning Board approved 38 additional trees to be removed (after the fact) on March 27, 2023. 9. The off-street parking calculations for the proposed manufacturing space should include the proposed number of employees working in that space and the number of commercial vehicles parked on the site associated with the manufacturing use. 10. The off-street parking calculations for the existing and proposed warehouse space should include the proposed number commercial vehicles parked on the site associated with the warehouse use. 11. The off-street parking calculations for the proposed recreation center should identify the square footage of the recreation center that is not court space. 12. 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. 13. The site plan calculates that 18 loading spaces are required and that 18 loading spaces are proposed. However, it appears that several loading spaces are not fully accessible. 14. The submitted elevations shall be revised to depict proposed Building Height (average grade to top of roof). Building Height can't exceed 35 feet in the PLI Zoning District. 	<p>The Applicant will need to obtain a variance from the Zoning Board of Appeals.</p> <p>The Applicant will need to seek a variance from the Zoning Board of Appeals.</p> <p>The Planning Board will need to determine whether the proposed amount of Town-regulated wetland buffer disturbance is acceptable.</p> <p>The Applicant has confirmed that no additional tree removal is proposed.</p> <p>The applicant should submit an updated landscaping plan addressing the minimum requirements of the Town Code.</p> <p>The Planning Board pursuant to Section 355-58.C(4) of the Town Code, 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 requirements...</p>
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