



**Architectural Review Board**  
**Department of Planning & Community Development**  
City Hall - Roosevelt Square  
Mount Vernon, New York 10550-2060  
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Ernest D. Davis  
Mayor

John Humbach  
Chair

**MEETING NOTICE**

**ARCHITECTURAL REVIEW BOARD**

**PUBLIC MEETING**

A regular meeting of the Architectural Review Board will be held on Friday, March 21, 2014 at 6:00 p.m. in the Mayor's Conference Room, First Floor, City Hall, Mount Vernon, New York, at which time and place the Board shall consider the following:

**ITEM # 1 ROLL CALL**

**Present**

Chairman Humbach  
Board Member Myers  
Board Member Sanchez

**Absent**

Board Member Fenniman

**ITEM #2 CONTIUNED PUBLIC MEETING**

**2.1 Case #4-2014** 125 South Fifth Avenue (Section 165.78, Block 3088, Lot 32 & 33) located within the DB (Downtown Business) Zoning District.

The applicant MountCo Construction on behalf of Bereshith Institute Inc. seeks to construct a multi-family dwelling.

**SEQRA Determination:** This action is a coordinated review and classified as a "Type I". Accordingly, the City council issued a negative declaration on March 12, 2014 ending the SEQRA process.

The Acting Commissioner explains the updates for 125 South Fifth Avenue on behalf of the applicant. The Board reviews the rendering showing the way the a/c units will look in the window. The Acting Commissioner explains the decorative lamp post. Board Member Sanchez asks what happens when an applicant does not want an a/c unit in window. And the Board wonders whether the tenant will have the option of having an a/c unit. The Acting Commissioner says he cannot answer that question. The Board does not want the tenants to make that decision. The Chairman asks what structural elements hold the a/c unit in the window. Board Member Fenniman says the a/c units will not drip and are supported by the interior wall. The Acting Commissioner reiterates that there is a frame that attaches

to the window. The Board discusses the window. The Board is concerned about visual impact of the a/c units. **The Board conditions its approval with the following:**

- **Air Conditioning Special Conditions**
  1. **Use of through the window a/c unit system is acceptable only if New York State regulations prohibit architecturally preferable alternatives such as central air conditioning, unvented air conditioning units or through the wall air conditioning units.**
  2. **To present a uniform appearance from the exterior of the building, each apartment unit is required to have an a/c unit when the a/c units are installed.**
  3. **To present a uniform appearance from the exterior of the building, the rear of the a/c units that is visual from the exterior of the building must be same color.**
  4. **That the air conditioning units shall not extend beyond the plane of the exterior wall of the building.**
- **That three (3) or four (4) decorative lamp posts shall be installed equidistant along South Fifth Avenue that match the decorative lamps located along South Fifth Avenue in front of 15 South Fifth Avenue which is acceptable to Department of Public Works standards prior to issuance of the Certificate of Occupancy.**
- **Sidewalk defects shall be removed in accordance Department of Public Works standards and written verification of compliance shall be provided to the Planning Department prior to issuance of the Certificate of Occupancy.**
- **That all public improvements shall be guaranteed with a surety bond.**
- **That all public improvements shall be dedicated to the City of Mount Vernon by authorization of the Mount Vernon City Council prior to the issuance of the Certificate of Occupancy.**
- **That the applicant shall install street trees equidistant along South Fifth Avenue in front of the applicant's property which street trees are acceptable to Department of Public Works standards (Section 252-4 of the City Charter) prior to issuance of the Certificate of Occupancy.**

Board Member Sanchez makes motion and Board Member Myers seconds the motion. All Board Members present were in favor.

### **ITEM #3 RECOMMENDATION**

(All recommendations are classified as "Type II" actions; therefore, no further SEQRA assessment is necessary.)

#### **3.1 Proposed Adoption of DB (Downtown Zoning) Zoning Text Amendment – City Council**

Recommendation

According to Section 267-56 of the Zoning Code **"If any amendment is to be considered by the City Council, it shall be referred for review and report to the Planning Board, the Corporation Counsel and other board (Architectural Review Board), agency or official of the city which the City Council deems appropriate. All boards, agencies and officials to which such proposed amendments are referred shall not have less than 30 days from the date of forwarding, or from the date of revision by the petitioner whichever is later, to submit their reports."**

**SEQRA Determination:** This action is a coordinated review and classified as a “Type 1” action. Therefore, the City Council seeks to declare itself as “Lead Agency”. The Planning Board may respond to this lead agency request.

The Board discusses the text amendment. The Acting Commissioner asks the applicant’s planner to discuss the proposal. The applicant’s planner says the DB (Downtown Business) zone should allow for residential units within this zoning district. He further states that the DB (Downtown Business) zone does not live up to its potential because there is no market for office in the City of Mount Vernon. The City Council is being asked to amend the “DB” (Downtown Business) zoning district to allow residential units by special use permit within the “DB” zone. The Board is concerned with glass and steel in terms of construction materials being used in Fleetwood and that is not what Fleetwood is. They are concerned about architectural dominance of proposed structures permitted under the proposed zoning. The Board is very concerned about building design that would permit under this ordinance. The Board is concerned with a building permitted under this code of this size because it will have a dominate effect on the area because its size, mass and scale. The Board feels that the text amendment would allow for structures that would be in context with surrounding area. **The Architectural Review Board recommends that the City Council considers:**

- **That the proposed zoning text amendment may allow structures to be constructed that will have an architectural dominance<sup>1</sup> over the surrounding area and neighboring structures because of the proposed size, shape, mass, scale and height that would be allowed under the aforementioned text amendment.**
- **That the proposed zoning text amendment may allow structures to be constructed that are architecturally appropriate for the area provided that appropriate construction materials, aesthetic features, styles, patterns, rhythms, proportions and other architecturally appropriate elements are incorporated or used in the overall design of any structures that would be allowed under the aforementioned text amendment.**
- **That the proposed zoning text amendment may allow structures to be constructed that may have an aesthetic impact on the surrounding streetscape considering the low density and smaller scale character of the surrounding area.**
- **That the proposed zoning text amendment may allow a maximum height which may cast shadows on surrounding low-rise and mid-rise structures of the surrounding area.**

**All present at the Board meeting were in favor of the recommendation.**

The next regular scheduled meeting of the Architectural Review Board, following the upcoming meeting on Friday, March 21, 2014 will be Wednesday, April 23, 2014.

Reminder to applicants:

Sample of exterior finish materials must be presented at the meeting. Please be advised that approval from the Architectural Review Board does not constitute approval from the Building Department. Moreover, no work may be performed until a Building Permit is granted and conspicuously posted at the work site.

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<sup>1</sup> Architectural Dominance – “is an important principle of design that relates to the visual weight of an architectural composition.” (Source: <http://architecture.knoji.com/principles-of-design-in-architecture-3/>)

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Architectural Review Board Agenda

Meeting Date  
March 21, 2014

William Long  
Planning Administrator

cc: Ernest D. Davis, Mayor  
Nichelle Johnson, Chief of Staff  
George Brown, City Clerk  
Jaime Martinez, Acting Commissioner

Lobby  
Press  
Building Department