



City Planning Board
Department of Planning & Community Development
City Hall - Roosevelt Square
Mount Vernon, New York 10550-2060
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Richard Thomas
Mayor

Darryl Selsey
Chair

MEETING NOTICE PLANNING BOARD PUBLIC HEARING

A regular meeting of the City Planning Board will be held on, **Wednesday, July 11, 2018 at 6:30 PM** in the Memorial Room, Second Floor, City Hall, Mount Vernon, New York at which time and place the Board shall consider the following:

ITEM #1 ROLL CALL

ITEM #2 APPROVAL OF MINUTES

ITEM #3 ADMINISTRATIVE ACTION – SEQRA DETERMINATION: This action is a “Type II” action; therefore, ending the SEQRA process.

3.1 Sale of City Owned Property – Real Estate Committee Request

The Real Estate Committee according to Section 205-5 F & G of the City’s Charter, states *“Simultaneously, the City Clerk shall forward a communication to the Commissioner of the Department of Public Works, the City Planning Board, the Department of City Planning, the Mount Vernon Urban Renewal Agency and the Department of Law that such offer has been made”* and *“Within 30 days after receipt of such communication from the City Clerk, the Commissioner of the Department of Public Works, the City Planning Board, the Department of City Planning, the Mount Vernon Urban Renewal Agency and the Department of Law shall notify the Real Estate Committee, in writing, whether they have any objections to the sale of said property. The Commissioner of the Department of Public Works shall state whether the City has or should retain any easement rights over the said property. The City Planning Board, the Department of City Planning and the Mount Vernon Urban Renewal Agency shall state whether the property is or may be needed for municipal use. Copies of said communications shall be forwarded by the Commissioner of the Department of Public Works, the City Planning Board, the Department of City Planning, the Mount Vernon Urban Renewal Agency and the Department of Law to the City Council.”*

- **32 North High Street (Section 164.68, Block 1072, Lot 5)**
- **328 South First Avenue (Section 169.31, Block 3120, Lot 10)**
- **127 Dell Avenue (Section 165.56, Block 2070, Lot 29)**

The Real Estate Committee according to Section 205-5 F & G of the City's Charter, requires that the Planning Board provides a recommendation regarding whether the subject property is or may be used for municipal purposes. As requested by the City Clerk on June 18, 2018.

3.2 Proposed MX-1 Zoning Ordinance Recommendation – City Council Request

Recommendation to City Council Regarding Proposed MX-1 Zoning Ordinance
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”.*

The Proposed MX-1 Zoning Designation is proposed as an “As-of-right” mixed use zoning designation. This designation is proposed for the rezoning of East Third Street between South Fulton Avenue and South Columbus Avenue. Previously, the proposal was in SEQRA review to assess the environmental impacts which may result from the proposed rezoning. The City Council held a public hearing; wherein, further assessment of the proposed ordinance was indicated. Accordingly, the Planning Board has been asked to review the proposed ordinance prior to moving forward to ensure that ordinance appropriately encourages development in a contextual manner for the area.

3.3 Proposed Area Variances Related to Subdivisions – Zoning Board Request

In accordance with Article 3, Section 31 of New York State General City Law, *“The planning board shall have the full power and authority to make such investigations, maps, and reports and recommendations in connection therewith relating to the planning and development of the city as to it seems desirable providing the total expenditures of said board shall not exceed the appropriation for its expenses.”*

Currently, the City of Mount Vernon has the authority to regulate density in accordance with Article 2A, Section 20-#24 which states *“To regulate and limit the height, bulk and location of buildings hereafter erected, to regulate and determine the area of yards, courts and other open spaces, and to regulate the density of population in any given area, and for said purposes to divide the city into districts.”* Accordingly, there are subdivision applications which are currently being reviewed by the Zoning Board because these applications require variances in order to be subdivided. The Planning Board in accordance with New York State has subdivision control. Accordingly, the Planning Board is assessing the appropriate density and subdivision regulations which are best suited for the City.

3.4 Proposed Senior Citizen Housing Floating Zone Recommendation – City Council Request

In accordance with Chapter 267 – Article V, Section 9(L2), “The City Council shall refer any such application or petition to the Corporation Counsel, Planning Board and Architectural Review Board who shall report to it as to whether the establishment of such Zone will be in accordance with the standards contained herein and will be of benefit to the City by satisfying the intent and purposes as set forth in Chapter 267 – Article V hereof. The Planning Board shall report to the City Council regarding the proposed operation in terms of traffic demand in relationship to its location, compatibility with the City’s long-range goals and strategies and the form of the proposed application.”

- **1 North Fulton Avenue (Section 165.72, Block 2060, Lot 19)**

The Applicant, 1 North Fulton Avenue Realty LLC represented by Joel Sachs, Esq., is proposing to have 1 North Fulton Avenue designated in the Senior Citizen Housing Floating Overlay Zone; wherein, the proposed structure will be 93’ (8 stories) with 69 off-street parking spaces and *De Minimis* Exceptions are being requested.

3.5 Calendar #1739-Z 45 North Tenth Avenue (Section 165.61, Block 1086, Lot 33) Located in the CB Zoning District.

The Applicant, 45 North 10th Avenue represented by Tom Abillama, architect, is proposing a five (5) story multifamily building; wherein, the proposed structure will not conform to the Zoning Code. Area variances are requested.

SEQRA Determination: This “Unlisted” action is coordinated review. The Zoning Board has declared its intent to be the “Lead Agency” in accordance with SEQRA. The Planning Board must assess whether the Zoning Board is the appropriate “Lead Agency”.

3.6 Calendar #1735-Z 152 South Twelfth Avenue (Section 169.21, Block 3018, Lot 19, 20 & 21) Located in the RMF-6.75 Zoning District.

The Applicant, South 12th Realty, LLC represented by Jack Adesso, Esq., seeks to construct a residential only structure with associated on-site parking. Two use variances and other associated area variances are requested.

SEQRA Determination: This “Unlisted” action is coordinated review. The Zoning Board must declare its intent to be the “Lead Agency” in accordance with SEQRA prior to rendering any decisions.

3.7 Text Amendment to NB (Neighborhood Business) Zone – City Council Request

Recommendation to City Council Regarding Proposed NB (Neighborhood Business) Zoning District. 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”.*

- **181 Stevens Avenue (Section 165.69, Block 1080, Lot 7)**

An applicant has asked the City Council to amend the NB Zoning District to allow an overseas shipping corporation. The use is currently not permitted within this zoning district because outdoor storage, off-street parking facilities and wholesale businesses, including storage warehousing and distribution are not allowed. The City Council requires the Planning Board’s recommendation regarding whether the uses permitted in the NB zoning district subject property is or may be used for municipal purposes as requested by the City Council on June 26, 2018.

Note: Work Sessions will be open to the public but closed to public participation subject to the Open Meetings Law, [Section 105 of the New York State Public Officers Law, Article 7].

Note: Items listed on the agenda are subject to change and amendments and/or additions may be placed on the agenda.

Note: The Planning Board will hold its work session on Tuesday, July 10, 2018 at 5:30 pm in the Memorial Room, City Hall, 2nd Floor.

Note: The next regular meeting of the City Planning Board is scheduled to be held on Wednesday, August 1, 2018.

William Long, Planning Administrator

cc: Richard Thomas, Mayor
Building Department
Lawrence A. Porcari, Esq., Corporation Counsel
Brian G. Johnson, Esq., 1st Corporation Counsel
George Brown, City Clerk
Press; Lobby