



City Planning Board
Department of Planning & Community Development
City Hall - Roosevelt Square
Mount Vernon, New York 10550-2060
(914) 699-7230

Shawyn Patterson-Howard
Mayor

Darryl Selsey
Chair

RESOLUTION
CITY OF MOUNT VERNON PLANNING BOARD
(Adopted August 3, 2022)

Application of Wartburg
Property: 2 Wartburg Place (Sheet 165.42, Block 2160, Lot 1; Sheet 165.50, Block 2194, Lot 4; Sheet 165.51, Block 2194, Lot 5 and RMF-SC District)

Resolution for One-Year Extension of Site Plan Approval
for Independent Living Facility

After due discussion and deliberation, on motion by Chairman Selsey, seconded by Commissioner Thompson and carried, the following resolution was adopted:

WHEREAS, on May 23, 2022, the Applicant consisting of the Wartburg Home of the Evangelical Lutheran Church, Wartburg Residential Community, Inc., Wartburg Senior Housing, Inc., Lohman Village Housing Development Fund Corporation & Friedrichs Supportive Housing, LLC (collectively "Wartburg") submitted a written request to the City of Mount Vernon Planning Board, for a one-year extension of the site plan approval originally granted by the Planning Board on September 8, 2021 and signed on September 14, 2021 for the construction of a new, 8-story, Independent Living Facility consisting of 210 units with 135 parking spaces at grade and in a parking structure adjacent to the Independent Living facility in the RMF-SC floating overlay zone; and

WHEREAS, the extension of site plan approval is regulated by Article VII, §267-32(D) of the City of Mount Vernon Zoning Code and Article XX(B) of the Mount Vernon Planning Board Rules of Procedure; and

WHEREAS, the Applicant's Attorney has provided a letter dated 5/23/22 and a supplemental letter dated 7/7/2022 requesting this extension to coordinate financing and plans for developing the Independent Living Facility. The Applicant has completed its bidding process and its review of the conceptual design with Perkins Eastman Architects. The remaining design process will extend through next year, as construction drawings are prepared. Accordingly, additional time is needed. Therefore, Applicant is requesting a one-year extension of the original Site Plan approval; and

WHEREAS, the Premises have been merged through the Office of the City Tax Assessor into a single tax lot consistent with the requirements of §267-23(F)(1)(m)[1] of the City of Mount Vernon Zoning Code concerning the RMF-SC District into which the Premises have been mapped; and

WHEREAS, Applicant's written statement has indicated that there have been no material changes to the project design, construction, layout, setbacks, height and materials of the approved plan and that there have been no significant changes to the surrounding area that may affect the project; and

WHEREAS, the Planning Board has considered this application for an extension of time as a Type II action pursuant to the State Environmental Quality Review Act (SEQRA), 6 NYCRR 617.5(26) ("routine or continuing agency administration and management"), thereby ending the SEQRA process; and

WHEREAS, a duly noticed public hearing was commenced on July 13, 2022, during which time the public was given the opportunity to speak for, against, or otherwise comment on the proposed extension request. As proof of notice, Applicant duly submitted an Affidavit of Mailing dated July 7, 2022, an Affidavit of Sign Posting dated July 6, 2022, and proof of publication in the Journal News on July 1, 2022; and

WHEREAS the Planning Board closed its public hearing on August 3, 2022. After closing the public hearing, the Planning Board deliberated in public on the Applicant's extension request; and

WHEREAS the Planning Board determines that the granting of the extension request for the purpose of obtaining a building permit will not have an adverse impact on the public health, safety and general welfare nor is such grant inappropriate to the particular site plan; and

WHEREAS, following deliberations, on August 3, 2022, a motion to grant a one-year extension of site plan approval for the purpose of obtaining a building permit to commence the proposed project was made, seconded, and received a majority vote;

NOW THEREFORE BE IT

RESOLVED, that, pursuant to § 267-32(D) of the Mount Vernon Zoning Code and Article XX(B) of the Planning Board Rules of Procedure, Wartburg's application requesting a one-year extension of site plan approval for the construction of the 8-story Independent Living Facility regarding the premises identified as 2 Wartburg Place, designated on the Tax Assessment Map of the City of Mount Vernon as Map Page 165.42, Block 2160, Lot 1; Map Page 165.50, Block 2194, Lot 4; and Map Page 165.51, Block 2194, Lot 5; in the RMF-SC District is hereby granted in its entirety commencing from September 9, 2022 and expiring on September 8, 2023, for the purpose of obtaining a building permit to commence the proposed project; and be it

FURTHER RESOLVED, that all general and specific conditions set forth in the original site plan approval dated September 8, 2021 remain in full force and effect and are hereby incorporated by reference into this resolution approving Applicant's extension request; and be it

FURTHER RESOLVED, that in addition to the general and specific conditions set forth in the original site plan approval dated September 8, 2021, the following specific conditions are hereby added:

IV. Specific Conditions

5. Prior to the issuance of a Building Permit for rock removal, the following shall be provided to the Building Commissioner and City Engineer:
 - (a) Applicant will submit to the Building Commissioner and City Engineer their Narrative overview of measures and protocols to be taken before and during the rock removal process for review and approval by the City Engineer. The approved Narrative will be incorporated into the Building Permit for rock removal.
 - (b) Applicant will provide to the Building Commissioner an escrow amount satisfactory to the City Engineer that will include on-site monitoring by a third-party engineer and remain in effect until the rock removal phase has been completed in its entirety.
 - (c) Applicant will provide proof of insurance and add the City of Mount Vernon Building Department as an additional insured on the policy, as may be applicable.
 - (d) The duration of the Building Permit for rock removal shall remain in effect for thirty (30) calendar days between the hours of 8:30 AM and 3:30 PM, M-F except holidays (pursuant to the hours of operation in §131-109 of the City Code), at which point if the rock removal is not complete, the applicant shall be required to make a new application to the Building Department with revised plans requesting re-approval of the Building Permit.
6. Applicant shall submit to the Building Commissioner a Tree Management Memorandum with supplemental letter dated July 20, 2022 from Applicant's Arborist, SaveATree. The Arborist shall conduct the tree maintenance program and make a bi-annual report to the Building Department on the status of the trees on the property.
7. All general and specific conditions set forth in the original site plan approval dated September 8, 2021 remain in full force and effect and are incorporated by reference into this resolution approving Applicant's extension request.
8. Pursuant to Art. VII, § 267-32(B) of the Mount Vernon Zoning Code, all general and specific conditions required by the Planning Board shall be noted on the original and all file copy prints of the site plan. All general and specific conditions shall be complied with prior to issuance of the Certificate of Occupancy. Failure to comply with any of the general or specific conditions may be deemed grounds for revocation of the Certificate of Occupancy.

Vote Record Resolution Re: Extension of Site Plan Approval for Wartburg Independent Living Facility Date: <u>August 3, 2022</u> Ayes: <u>6</u> Nays: <u>0</u>				
	Yes/Aye	No/Nay	Abstain	Absent
Chair Darryl Selsey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jamael Thompson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Helene Thompson-Njenga	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Frank Trolio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Charles Whites	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lesley Zamor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date Approved: 8/3/2022

Date Signed: 8/16/2022

DocuSigned by:
By: Darryl Selsey
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Darryl Selsey, Chair