

**PROJECT SUMMARY REPORT – 139 FIFTH AVENUE
VILLAGE OF PELHAM**

**Date: Originally submitted 12-19-18 and revised 3-6-19, 5-14-19 and
June 14, 2019**



<p>PROJECT NAME: 139 Fifth Avenue PROPERTY OWNER: Monument Realty Acquisition 455 West 37th Street New York, NY 10018</p>	<p>Pelham RE Partners 622 Yonkers Ave, Suite 2 Yonkers, NY 10701</p>
<p>PROJECT ADDRESS/LOCATION/TAX ID: 139 Fifth Avenue / Block 1, Lots 89 & 71, Section 163.36</p>	
<p>ZONING SUMMARY: Parcel 163.36 Lot 89 is zoned Business-1 and Parcel 163.36 Lot 71 is zoned Residential M-1. Applicant requests:</p> <ul style="list-style-type: none"> • site plan approval, • application of Business District Floating Zone (BDFZ) over both parcels • variance for parking for retail (1:200 required; none proposed) • variance for height (5 stories or 60' permitted or 6 story/65' for age restricted housing 6 stories/68'4" ft originally proposed; 65' as now resived. <p>SURROUNDING ZONING: The surrounding properties are zoned Bus-2 to the east and west of Lot 89; Residential M to the east and west of lot 71. Residential B-2 to the north of the site; Bus-1 to the south of the site.</p>	
<p>EXISTING LAND USE: The existing site includes a 1 story block commercial and residential building, and an asphalt parking lot providing parking for approximately 30 cars.</p>	
<p>SURROUNDING LAND USE: Commercial & retail to north and east; residential to south and west</p>	
<p>SIZE OF PROPERTY: Total lot size is 0.460 Acres. Building lot size is 0.23 acres and the asphalt parking lot size is 0.23 acres.</p>	
<p>MEETING DATES: Village Board: December 11, 2018 Village Board Referral: Planning Board: March 19, 2019, April 22, 2019, May 20, 2019, June 18, 2019 Architectural Board of Review: Zoning Board of Appeals:</p>	
<p>BRIEF SUMMARY OF PROJECT: The Applicant requests of Planning Board:</p> <ul style="list-style-type: none"> • Apply BDFZ to enable 6-story (65' reduced from 68' 4"), 50,309 increase from 50,212-sf mixed-use development with 34 dus reduced from 35 du's; 2,910 sf reduced from 5,154 sf of ground floor retail and circulation. Revised project option would be 5-stories at 54'; 28 units (down from 34) - 15-1br;10-2br; 3-2.5 bdr. Revised option eliminates 3-bdr units. 1,400 sf commercial (reduced from 2,910sf). • 34 parking spaces reduced from 35 spaces for the residential uses; 0 spaces for retail use access from Fourth Ave. • Approve proposed site plan; Revised project option would provide 28 spaces for du/s and 7 spaces for commercial. • Approval from Zoning Board of Appeals for providing 0 parking for the commercial use. The need for a height variance was eliminated.Revised project option compliant with BDFZ. 	<p>VIEW/MAP OF SITE</p>

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<p>SITE IMPROVEMENTS: Demolish existing single story building and asphalt parking lot and develop an age-restricted mixed use project. The unit distribution is 17-one bdrs; 12- two-bdrs; 5-3-bdrs. Revised option would be a market-rate project (not age-restricted). No PILOT would be requested.</p>	
<p>PENDING ACTION(S):</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Pre-application Review by Village Board – 12-11-2018 <input checked="" type="checkbox"/> Village Board Referral(s) – 12-11-18 <input checked="" type="checkbox"/> Staff Review for Completeness – 12-19-2018 and revised 3-6-19, 5-15-19, 6-14-19. <input type="checkbox"/> Planning Board – <input type="checkbox"/> Architectural Review Board – <input type="checkbox"/> Public Hearing – <input type="checkbox"/> Site Plan Approval and Authorization to Modify Zoning Requirements – Expected Date: <input type="checkbox"/> Application of floating zone to Project Site – Expected Date: 	
<p>SEQRA:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Lead Agency Determination : Village Board to be Lead Agency <input checked="" type="checkbox"/> Type of Action: Unlisted <input type="checkbox"/> SEQRA Determination: 	
<p>PROPERTY HISTORY: The site is currently occupied by a one story building with 5 retail/commercial tenants (Public House, Paper Chase Stationary StorE, Pick a Polish Nail Salon, Allstate Insurance, and a hairpiece store) In the rear of the site is a parking lot with parking for approximately 30 vehicles. Access is from Fourth Avenue.</p>	<p>COMPATIBILITY WITH COMPREHENSIVE PLAN: The redevelopment of 139 Fifth Avenue is consistent with the following goals and recommendations from the 2008 Comprehensive Plan: > Land Use: Increase height and density on underutilized properties downtown. > Economic Development: Encourage a variety of housing types downtown by rezoning targeted areas and/or strategizing with developers to create a more vibrant area. > Housing and Residential: As underutilized downtown sites are developed, encourage mixed-use buildings that provide housing appropriate for intergenerational residents with a variety of income levels.</p>
<p><u>MATERIALS SUBMITTED BY THE APPLICANT:</u> Site plan application submitted to the Village of Pelham on December 11, 2018 and then revised February 7, 2019 included:</p> <ul style="list-style-type: none"> • Concept Site Plan Option 1, SK-1 dated 11-29-18 • Concept Site Plan Option 2, SK-2 dated 11-29-18 and 12-6-18 • Zoning Analysis and Area Map, A01, dated 11-30-18 and revised 2-07-19 • Zoning Map, A02, dated 11-30-18 and revised 2-07-19 • Proposed Rendering, A03, dated 11-30-18 and revised 2-07-19 • Context Views, A04, dated 11-30-18 and revised 2-07-19 • Existing Survey, A05, dated 09-30-18 and revised 2-07-19 • Existing Site Demolition, A06, dated 11-30-18 and revised 2-07-19 • Proposed Site Plan, A07, dated 11-30-18 and revised 2-07-19 	

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- Planting Plan & Detail, L-1, dated 11-28-18
- Basement Plan, A10, dated 11-30-18 and revised 2-07-19
- 1st Floor Plan, A11, dated 11-30-18 and revised 2-07-19
- 2nd – 5th Floor Plan, A12, dated 11-30-18 and revised 2-07-19
- Penthouse Floor Plan, A13, dated 2-07-19
- Roof Plan, A14, dated 2-07-19
- Penthouse Floor Plan, A20, dated 11-30-18
- Elevation, A20, dated 11-30-18 and revised 2-07-19
- Elevation, A21, dated 11-30-18 and revised 2-07-19
- Building Section, A30. Dated 11-30-18 and revised 2-07-19

Supplemental studies submitted to the Village of Pelham include:

- Traffic Impact Study, Provident Design Engineering, PLLC dated 2-07-19 and revised 5-14-19
- Letter from Catizone Engineering, P.C., to the Planning Board dated May 13th, 2019
- Stormwater Pollution Prevention Plan, prepared by Catizone Engineering, P.C., dated April 12, 2019

Site plan application submitted to the Village of Pelham on May 13, 2019 included:

- 139 Fifth Avenue, Pelham School Impact Study, prepared by Cleary Consulting, dated May 13, 2019
- Correspondence from Catizone Engineering, P.C., Re: Status of Site Civil Engineering for 139 Fifth Avenue, dated May 13, 2019
- Traffic Impact Study, Proposed Mixed-Use Development 139 Fifth Avenue, Village of Pelham, New York, prepared by Provident Design Engineering, dated February 7, 2019 and Revised May 13, 2019
- Zoning Analysis and Area Map, A01, prepared by GB ds, dated 3-08-19 and revised 5-10-19
- Area Map, A02, prepared by GB ds dated 3-08-19 and revised 5-10-19
- Context Views, A03, prepared by GB ds, dated 3-08-19 and revised 5-10-19
- Existing Survey, A04, prepared by GB ds dated 3-08-19 and revised 5-10-19
- Existing and Demo Site Plan, A05, prepared by GB ds dated 3-08-19 and revised 5-10-19
- Proporsed Site Plan, A06, prepared by GB ds dated 3-08-19 and revised 5-10-19
- Topography Study, A07, prepared by GB ds dated 3-08-19 and revised 5-10-19
- Garbage Pickup Diagram, A08, prepared by GB ds dated 3-08-19 and revised 5-10-19
- Construction Staging, A09, prepared by GB ds dated 3-08-19 and revised 5-10-19
- Solar Study – Proposed Building 10am-4pm, A10, prepared by GB ds dated 3-08-19 and revised 5-10-19
- Solar Study – 4 story building, A11, prepared by GB ds dated 3-08-19 and revised 5-10-19
- Basement Plan, A13, prepared by GB ds dated 3-08-19 and revised 5-10-19
- 1st Floor Plan, A14, prepared by GB ds dated 3-08-19 and revised 5-10-19
- 2nd-4th Floor Plan, A15, prepared by GB ds dated 3-08-19 and revised 5-10-19
- 5th Floor Plan, A17, prepared by GB ds dated 3-08-19 and revised 5-10-19
- 6th Floor Plan, A18, prepared by GB ds dated 3-08-19 and revised 5-10-19
- Roof Plan, A19, prepared by GB ds dated 3-08-19 and revised 5-10-19
- Proposed Elevations, A20, prepared by GB ds dated 3-08-19 and revised 5-10-19
- Proposed Elevation, A21, prepared by GB ds dated 3-08-19 and revised 5-10-19
- Building Section, A22, prepared by GB ds dated 3-08-19 and revised 5-10-19
- Proposed Rendering, A30, prepared by GB ds dated 3-08-19 and revised 5-10-19
- Proposed Rendering, A31, prepared by GB ds dated 3-08-19 and revised 5-10-19
- Proposed Rendering, A32, prepared by GB ds dated 3-08-19 and revised 5-10-19
- Proposed Rendering, A33, prepared by GB ds dated 3-08-19 and revised 5-10-19
- Proposed Rendering, A34, prepared by GB ds dated 3-08-19 and revised 5-10-19
- Landscaping Plan, L-1, prepared by IQ Landscape Architects

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Revised site plan application submitted 6-10-19

- Traffic Impact Study, Provident Design Engineering, PLLC dated 2-07-19 and last revised 6-10-19
- 139 Fifth Avenue, Pelham School Impact Study, prepared by Cleary Consulting, dated May 13, 2019
- Correspondence from Catizone Engineering, P.C., Re: Status of Site Civil Engineering for 139 Fifth Avenue, dated May 13, 2019
- Traffic Impact Study, Proposed Mixed-Use Development 139 Fifth Avenue, Village of Pelham, New York, prepared by Provident Design Engineering, dated February 7, 2019 and Revised May 13, 2019
- Zoning Analysis and Area Map, A01, prepared by GB ds, dated 3-08-19 and last revised 6-07-19
- Area Map, A02, prepared by GB ds dated 3-08-19 and last revised 6-07-19
- Context Views, A03, prepared by GB ds, dated 3-08-19 and last revised 6-07-19
- Existing Survey, A04, prepared by GB ds dated 3-08-19 and last revised 6-07-19
- Existing and Demo Site Plan, A05, prepared by GB ds dated 3-08-19 and last revised 6-07-19
- Proposed Site Plan, A06, prepared by GB ds dated 3-08-19 and last revised 6-07-19
- Topography Study, A07, prepared by GB ds dated 3-08-19 and last revised 6-07-19
- Garbage Pickup Diagram, A08, prepared by GB ds dated 3-08-19 and last revised 6-07-19
- Construction Staging, A09, prepared by GB ds dated 3-08-19 and last revised 6-07-19
- Solar Study – Proposed Building 10am-4pm, A10a, prepared by GB ds dated 3-08-19 and last revised 6-07-19
- Solar – Proposed Building Summer, A10b, prepared by GB ds dated 3-08-19 and last revised 6-07-19.
- Solar – Proposed Building Fall, A10c, prepared by GB ds dated 3-08-19 and last revised 6-07-19.
- Solar – Proposed Building Winter, A10d, prepared by GB ds dated 3-08-19 and last revised 6-07-19.
- Solar Study – 4 story Building Spring, A11a, prepared by GB ds dated 3-08-19 and last revised 6-07-19.
- Solar Study – 4 story Building Summer, A11b, prepared by GB ds dated 3-08-19 and last revised 6-07-19.
- Solar Study – 4 story Building Fall, A11c, prepared by GB ds dated 3-08-19 and last revised 6-07-19.
- Solar Study – 4 story Building Winter, A11d, prepared by GB ds dated 3-08-19 and last revised 6-07-19.
- Solar Study – Existing Building Spring, A12a, prepared by GB ds dated 3-08-19 and last revised 6-07-19.
- Solar Study – Existing Building Summer, A12b, prepared by GB ds dated 3-08-19 and last revised 6-07-19.
- Solar Study – Existing Building Fall, A12c, prepared by GB ds dated 3-08-19 and last revised 6-07-19.
- Solar Study – Existing Building Winter, A12d, prepared by GB ds dated 3-08-19 and last revised 6-07-19.
- Basement Plan, A13, prepared by GB ds dated 3-08-19 and last revised 6-07-19
- 1st Floor Plan, A14, prepared by GB ds dated 3-08-19 and last revised 6-07-19
- 2nd- 4th Floor Plan, A15, prepared by GB ds dated 3-08-19 and last revised 6-07-19
- 5th Floor Plan, A17, prepared by GB ds dated 3-08-19 and last revised 6-07-19
- Roof Plan, A19, prepared by GB ds dated 3-08-19 and last revised 6-07-19
- Proposed Elevations, A20, prepared by GB ds dated 3-08-19 and last revised 6-07-19

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- Proposed Elevation, A21, prepared by GB ds dated 3-08-19 and last revised 6-07-19
- Enlarged Elevations and Details, A23, prepared by GB ds dated 3-08-19 and last revised 6-07-19
- Proposed Rendering, A30, prepared by GB ds dated 3-08-19 and last revised 6-07-19
- Proposed Rendering, A31, prepared by GB ds dated 3-08-19 and last revised 6-07-19
- Proposed Rendering, A32, prepared by GB ds dated 3-08-19 and last revised 6-07-19
- Proposed Rendering, A33, prepared by GB ds dated 3-08-19 and last revised 6-07-19
- Proposed Rendering, A34, prepared by GB ds dated 3-08-19 and last revised 6-07-19
- Cover, SD-101 prepared by GB ds dated 4-12-19
- Grading and Utility, SD-201, prepared by Catizone Engineering for GB ds, dated 4-12-19
- Erosion & Sediment Control Plans, SD-202, prepared by Catizone Engineering for GB ds, dated 4-12-19
- Details, SD-401, prepared by Catizone Engineering for GB ds, dated 4-12-19
- Details, SD-402, prepared by Catizone Engineering for GB ds, dated 4-12-19
- Planting Plan & Details, L-1, prepared by IQ Landscape Architects, dated 3-08-19 and last revised 4-18-19.

COMPLETENESS REVIEW:

Per site plan requirements in §79-8

Legal Data:

- Lot/block and address, property owner list within 200 feet.
- Current survey.
- Location of building or setback lines; lines of existing streets and lots; relevant existing deed restrictions or covenants, reservations, easements, and areas dedicated to public use.
- Maps with 500-foot buffer around site showing: existing zoning; location of traffic safety devices, and directional flow of traffic.
- Location of existing structures on the Project Site and adjoining parcels.
- Copy of proposed covenants or deed restrictions. NA
- Location of existing water mains, culverts, and drains with pipe sizes, grades, and direction of flow.

Topographic Data:

- Existing contours and proposed grade elevations (two-foot intervals or less); methods used to retain, stabilize or replant regarded areas.
- Location of existing watercourse, wetland areas, intermittent streams, wooded areas, rock outcrops, single trees with a diameter of eight inches or more, measured three feet above the base of the trunk, and other significant existing features.

Development Data:

- Map; contact information of applicant owner; name of engineer, architect, planner, or surveyor.
- Proposed land use; existing and proposed building locations, height, and design; subdivisions.
- Means of ingress and egress onto public streets; existing and proposed private roads, drives, and walkways.
- Location and layout of proposed off-street parking and loading areas.
- Location and intended use of any proposed outdoor storage area.
- Proposed method of solid waste disposal and storage.
- Size and location of proposed waterlines, valves, hydrants, all sewer lines.
- Location, direction, intensity, and time of operation of outdoor lighting.
- Planting plan, showing screening, landscaping, fences or dividers.
- Proposed stormwater drainage system
- Proposed easements and public areas. NA

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- Building materials.
- Current photographs of the site showing adjacent properties.
- Elevation of adjacent properties.

Financial Data:

- Current taxes.
- Proposed taxes after site improvement.
- Current employment/occupancy.
- Projected employment/occupancy.

SEQRA:

- EAF – Short and Long Form
- Supplementary Environmental Data
 - Traffic Impact Study, dated 2-07-19
 - Adjacent hazardous materials documentation
 - Adjacent archaeological resources documentation.

PLANNING BOARD COMMENTS PREVIOUSLY RAISED: 3-19-19; 4-22-19, 5-13-19;

- The Applicant should submit a revised Full EAF with supplemental material that includes the revisions made to the project as well as the items noted below. **To be provided to VB for SEQRA determination.**
- Additional details are needed on what it means to be an age-restricted project with 80% of units occupied by 55+. What if there is inadequate market and the 80% cannot be met? What are the tools to enforce the 55+ structure? Provided Are their comparable examples in the Hudson Valley? Provided. **Revised option market-rate project. No age-restrictions.**
- What is the visual impact of a building 72' from distant and near vantage points? Provided Alternative schemes with a reduced, (compliant) height were requested. Provided **Revised option is 5-stories and 54-ft, compliant with BDFZ.**
- Architectural attention to the north and south facing elevations should be provided to avoid a large blank wall. Provided. **Revised elevations provided.**
- The project will remove 30 parking spaces on 4th Avenue (currently being used by?) and provide 1:1 parking just for the units. No parking for 5,154sf of commercial is being provided other than on-street parking. Is this viable? Particularly with 5-3bdr units? Are there options to add parking to the site? Not provided. **Revised option is compliant with parking requirements.**
- Details and modeling demonstrating capacity of the Village's water, sewer & stormwater system must be submitted. Provided. **Revised option will require updated utilities analysis as condition of approval.**
- The applicant should demonstrate the dimensional compliance of the two proposed driveways and the 35 parking spaces with the Village Code. Adequate turning radius for the parking spaces must be demonstrated. Provided. **Revised project option compliant.**
- Additional landscaping details and perspectives were requested. Provided
- A Fiscal Impact Study was requested to demonstrate that the proposed PILOT and proposed rents will not have an adverse impact on Village or School taxes. SAC fiscal analysis provided. No details on the proposed PILOT provided. The Board requested an assessment of the potential impact the 5- 3bdr units could have on the school district. Not provided. **Revised option has eliminated 3-bdr units and updated School Study. The findings of the school study stated that the revised project would generate between 1-3 school age children.**

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- The applicant was requested to provide a refuse and recycling plan showing location and ingress/egress. Provided. **Revised option provided.**
- Explanation is still needed concerning the supply/demand impact of eliminating the current neighborhood parking use of the Fourth Avenue parcel, and options for alternate parking supply. Not Provided. **Verbal presentation made to Planning Board.**
- Parking demand for commercial use – no parking is proposed. Parking supply and demand analysis not provided. **Revised option provides compliant parking for commercial use.**
- Is reducing the ceiling height (to achieve a complaint project) justifiable? Could it hinder the marketability of the commercial use? Not provided. **Revised option reduces height of building to 5-stories or 54' and is compliant with BDFZ.**
- A shadow study should be provided and the visual impacts from Sixth Avenue should be re-examined and 'truthed'. Provided. **Revised option provides revised shadow study.**
- Provide examples of comparable age restricted housing – neither Wartburg nor Sarah Neuman are considered comparable developments. Not provided. **No longer applicable with revised option.**
- Consider using porous pavers to reduce the amount of impervious pavement. **To be provided as a condition of approval.**
- Fiscal details, specifically the proposed PILOT for the project. A school fiscal impact analysis was provided. No details concerning the proposed PILOT were provided. **The revised option no longer proposes a PILOT.**
- The impact of eliminating parking on Fourth Avenue without providing an option to users, the impact of the five 3-bedroom units (with only 1 parking space provided), plus no parking being provided for the commercial use remains a significant concern, and the applicant has not suggested any mitigation; **The revised option is reducing the number of units to 28 (from 34) and eliminating the 3 bdr units. Parking is also provided for the commercial space with a pass through from the parking area on Fourth Ave out to Fifth Avenue.**
- The potential impacts on parking and school age children from the 3-bedroom units remains a significant concern; **The revised option has eliminated the 3-bedroom units, and reduced the number of du's from 34 to 28.**
- The School Impact Study did not utilize local and comparable projects to assess potential SAC, and does not address the likelihood of SAC residing in 3-bedroom units; **The updated SAC study included projects within the Village. Also, the revised option eliminates the 3-bedroom units.**
- The traffic study should address pedestrian safety; **The fair share contribution towards pedestrian safety improvements is tbd.**
- The Sewer Study should evaluate capacity in the block in front of the site, the condition of the sewer pipes, and recommendations to mitigate substandard sewer conditions (if there are any). **Due to seasonal constraints, the applicant will need to provide the data as a condition of approval.**
- The specifics of what will be requested from a PILOT is needed; **The revised option will not be using a PILOT.**
- A fair share contribution for sewer and possible for parking was discussed; **The Village Board will determine a fair share contribution towards parking/pedestrian safety and/or sewer improvements.**
- The components of the fiscal impact data, i.e. assessed value and anticipated taxes to Village and School District, were discussed and the applicant agreed to confirm and/or supply additional information. **The applicant has provided updated SAC figures for the Village.**

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