

Rye City Planning Commission Minutes
February 5, 2019

MEETING ATTENDANCE:

Planning Commission Members:

- Nick Everett, Chair
- Martha Monserrate, Vice-Chair
- Andrew Ball
- Laura Brett
- Richard Mecca
- Steven Secon
- Birgit Townley

Other:

- Christian K. Miller, AICP, City Planner
 - Tracy Stora, CC/AC
 - Melissa Johannessen, AICP, LEED AP
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I. HEARINGS

None.

II. ITEMS PENDING ACTION

1. Review of Proposed Zoning Text Amendment To Allow Physical Fitness Facilities

- Mr. Jonathan Kraut, attorney, stated that he represents the owner of 1037 Boston Post Road and the prospective tenant for the building, the YMCA. He stated that his clients are seeking from the Rye City Council an amendment to the City Zoning Code to allow physical fitness facilities in the “A” Parking District of the B-1 and B-2 Zoning Districts. He stated that the City Council has referred the zoning petition to the Planning Commission for its advisory review and comment. Mr. Kraut stated that the amendment was necessary since the City Zoning Code does not specifically allow for physical fitness uses, which have become increasingly popular in the community, but not contemplated in the original drafting of the City Zoning Code.
- Mr. Kraut provided an overview of the history of the property noting that it was previously used for retail stores including a hardware store, a grocery store, a CVS pharmacy, Lester’s clothing store (when the property was owned by the City of Rye) and more recently as Mrs. Greens grocery store. He stated that the property owner has struggled to find a tenant for the building since the closing of Mrs. Greens in 2016. The building is well suited for a grocery store; however, a new supermarket tenant has been difficult to find given the recent opening of a Whole Foods in Port Chester and the future opening of a Wegman’s in Harrison. He stated that other interested tenants in the building included a school and day care; however, they were not permitted by zoning.

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- 1 • Mr. Kraut stated that the property owner is working with the YMCA as a prospective
2 tenant, which will rent the vacant space if the zoning is amended to allow the fitness
3 facility use. He noted that the building is well suited for the YMCA given its size
4 and proximity to the existing YMCA facility in Rye on Mead Place.
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- 6 • The Commission noted that the zoning amendment applies to only a portion of the
7 B-1 and B-2 Zoning Districts and that it should consider expanding the areas where
8 the use is allowed to other business zones in the City.
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- 10 • The Commission discussed with Mr. Kraut the physical characteristics of the 1037
11 Boston Post Road building and property including the property and building size,
12 number of parking spaces, flood zone and the calculation of parking in the A and
13 B Parking Districts. The Commission noted potential concerns with the parking
14 and streetscape impacts of the proposed use on Purchase Street and other
15 properties in the CBD. The Commission noted potential parking impacts of the
16 YMCA at 1037 on the City Hall/Rye Free Reading Room parking area. It noted the
17 lack of parking for existing uses and that this could be further aggravated.
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- 19 • The Commission reviewed the applicant's submission and questioned the
20 proposed parking standards and use language proposed by the applicant. Mr. Leo
21 Napior, applicant's attorney, stated that the standards were a combination of his
22 own workmanship and a review of other standards for similar uses in surrounding
23 communities. The Commission reviewed the standards and proposed list of
24 allowable accessory uses in the applicant's proposed zoning text amendment. The
25 Commission also reviewed the SEQRA forms and asked why certain items were
26 left blank. Mr. Napior explained that many of the boxes are not applicable to a
27 zoning text amendment.
28
- 29 • The City Planner explained the zoning amendment process and the applicability
30 of the text amendment to other properties. He reviewed the parking calculation in
31 the City Zoning Code. He explained that if the zoning text amendment is approved
32 there would be a subsequent site plan submission to the Commission for
33 applicability to a specific property. During that process the Commission would
34 review the application for a specific property and consider the details of the
35 proposed operation, traffic and parking impacts and other site plan and use
36 considerations.
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- 38 • The Commission requested that the City Planner prepare additional analysis for
39 its consideration of whether it would be appropriate to allow this use in other zoning
40 districts. It noted that if potential impacts could be minimized, it would be
41 appropriate to give potentially underused business properties greater opportunities
42 for potentially viable tenants that might accommodate the growing need of the
43 community for physical fitness uses.
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1 **2. Minutes**

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- 3 • The Commission reviewed the draft minutes from the January 22, 2019 meeting
4 and made minor revisions.

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6 **ACTION:** Andrew Ball made a motion, seconded by Richard Mecca, to approve as
7 amended the minutes from the January 22nd meeting, which was carried by
8 the following vote:

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10	Nick Everett, Chair:	Aye
11	Martha Monserrate, Vice-Chair:	Aye
12	Andrew Ball:	Aye
13	Laura Brett:	Absent
14	Richard Mecca:	Aye
15	Steven Secon	Aye
16	Birgit Townley	Aye