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CITY OF RYE
Planning Commission

Resolution

No. 05-2017

Application Name: **2 Second Street**
Approval Type: Modification of Final Site Plan
Application Number: SP# 351
Project Description: Amendment of prior approved site plan to provide for division of existing commercial restaurant space into one or two separate restaurant spaces
Street Address: 2 Second Street
Tax Map Designation: Sheet: 146.7 Block: 1 Lot: 19
Approval Date: March 21, 2017
Expiration Date: March 21, 2018 (one year)

WHEREAS, on January 19, 2017, JCS Capital LLC (hereinafter “Applicant”) submitted an application for Modification of Final Site Plan Approval for a property, located at 2 Second Street; and

WHEREAS, the drawing submitted in connection with the application is generally titled, *2 Second Street, Rye, NY*, prepared by Granoff Architects and dated December 7, 2016 and revised on February 23, 2017; and

WHEREAS, the previous application was approved by Resolution No. 37-2014 on September 9, 2014; and

WHEREAS, the application involves amending the approved site plan to include a plan showing the division of the approved commercial restaurant space into two separate restaurant spaces; and

WHEREAS, nothing herein shall invalidate the prior approved site plan to construct only one restaurant space in the event the applicant chooses not to construct the second restaurant space considered as part of this modified application; and

WHEREAS, all other conditions of Resolution No. 37-2014 remain valid and in effect; and

2 Second Street (SP#351)

Modified Final Site Plan

Planning Commission Resolution No. 05-2017

March 21, 2017

Page 2 of 3

WHEREAS, the property is known on the Rye City Tax Map as Sheet 146.7, Block 1, Lot(s) 19, and is located in a B-2 Central Business District, a "B" City of Rye Parking District and does not appear to be located in a Federally designated Flood Insurance Rate Zone; and

WHEREAS, the application and plan were referred to the Board of Architectural Review (hereinafter "BAR") for their review and recommendation; and

WHEREAS, the property is not located in a coastal zone area as delineated in the City of Rye Local Waterfront Revitalization Program (LWRP); and

WHEREAS a public hearing was held and closed on March 21, 2017, and all members of the public wishing to be heard were given the opportunity to be heard; and

WHEREAS, the Planning Commission determined that the action is a(n) Type II Action pursuant to the New York State Environmental Quality Review Act (SEQRA); and

WHEREAS, since the proposed action is a Type II Action it is considered exempt and not subject to the requirements of the SEQRA;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby approves the application for modified Final Site Plan SP#351 for the improvements shown on the plans indicated in this resolution, subject to the following conditions:

1. Prior to endorsement of the plans by the Secretary of the Planning Commission, the Applicant shall sign and return one copy of the approved resolution to the Planning Commission indicating acceptance of all conditions of approval. Failure to sign this resolution within sixty (60) days of the filing of this resolution with the City Clerk will deem this approval null and void.
2. Prior to endorsement of the plans by the Secretary of the Planning Commission, the applicant shall submit to the City Planner one (1) digital version of the plans in Adobe Acrobat .pdf format **and** two (2) assembled paper copy sets of the plans to the City Planner.

AND, BE IT FURTHER RESOLVED, that this permit and the right to undertake work under this permit shall expire one (1) year after the date of the approval of this resolution. In the event that the work permitted by this permit cannot be substantially completed within one year after the date of the approval of this resolution, a one (1) year extension of the original permit may be granted by the Planning Commission upon written request by the original permit holder or his/her legal agent at least 90 days prior to the expiration date of the original permit. The Planning Commission may require new hearings if, in its judgment, the original scope of the permit is altered or extended by the renewal, or if the Applicant has failed to abide by the terms of the original permit in any way. The request for renewal of a permit shall follow the same form and procedure as the original

2 Second Street (SP#351)

Modified Final Site Plan

Planning Commission Resolution No. 05-2017

March 21, 2017

Page 3 of 3

application except that the Planning Commission shall have the option of not holding a hearing if the original scope of the permit is not altered or extended in any significant way.

I certify that the foregoing resolution is a correct copy of Planning Commission Resolution #05-2017, which was duly adopted on March 21, 2017.



Christian K. Miller, AICP
City Planner

4/7/17

Date