



**CITY OF BEACON  
CITY COUNCIL**

**RESOLUTION NO. 187 OF 2018**

**A RESOLUTION TO REFER THE CONCEPT PLAN FOR 23-28 CREEK DRIVE, LLC  
TO THE DUTCHESS COUNTY PLANNING BOARD AND THE CITY PLANNING  
BOARD FOR A REPORT AND RECOMMENDATION**

**WHEREAS**, The City Council has received an application from 23-28 Creek Drive, LLC (the “Applicant”), the Contract-Vendee of the above-referenced City owned property, for Concept Plan approval. The Applicant seeks to redevelop the former City of Beacon Department of Public Works (“DPW”) Premises for a proposed mixed-use development consisting of 13,771 sq. ft. of commercial space and nine (9) residential apartment units (the “Proposed Action”).

**WHEREAS**, the project site is approximately 2.81 acres on property located at 23-28 Creek Drive, designated on the City tax maps as parcel 6054-37-037625 (the “Property”). The Property is located in the Fishkill Creek Development (“FCD”) District, but is not located in the City’s Local Waterfront Revitalization Area. The proposed multifamily use is permitted in the FCD District. The City Council may permit the proposed commercial space as a principally permitted use in the FCD District by making adopting a resolution setting forth such determination. *See* § 223-41.12. B (10) (“Other nonresidential uses similar to the above uses as determined by resolution of the City Council.”);

**WHEREAS**, the Project requires a determination of significance under the NYS Environmental Quality Review Act (“SEQRA”), Concept plan approval from the City Council, site plan approval from the Planning Board and area variances from the Zoning Board of Appeals;

**NOW THEREFORE BE IT RESOLVED**, that the City Council refers the Concept Plan to the Dutchess County Planning Board and the City Planning Board for a report and recommendation; and

**BE IT FURTHER RESOLVED**, that the City Council requests the City Planning Board be the Lead Agency to undertake the SEQRA review of the Project and make a

determination of significance and that upon receipt of the Planning Board's determination of significance and report and recommendation from the County and City Planning Board, the City Council will further review the Concept Plan and then direct the Applicant to apply for the required Area Variances before the City Council makes a decision on the Concept Plan; and

**BE IT FURTHER RESOLVED,** that the City Clerk is requested to transmit a copy of the Concept Plan application to the Greenway Trail Committee with a request that they review the proposed Greenway Trail and other comments to both the City Council and the City Planning Board.

<b>Resolution No. <u>187</u> of 2018</b>			<b>Date: <u>December 3, 2018</u></b>				
<input type="checkbox"/> <b>Amendments</b>			<input type="checkbox"/> <b>On roll call</b>			<input type="checkbox"/> <b>2/3 Required.</b>	
<input type="checkbox"/> <b>Not on roll call.</b>						<input type="checkbox"/> <b>3/4 Required</b>	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		<b>Terry Nelson</b>	<b>x</b>				
	<b>x</b>	<b>Jodi McCredo</b>	<b>x</b>				
<b>x</b>		<b>George Mansfield</b>	<b>x</b>				
		<b>Lee Kyriacou</b>	<b>x</b>				
		<b>John Rembert</b>	<b>x</b>				
		<b>Amber Grant</b>					<b>x</b>
		<b>Mayor Randy J. Casale</b>	<b>x</b>				
<b>Motion Carried</b>			<b>x</b>				