



City Planning Board
Department of Planning & Community Development
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Shawyn Patterson-Howard
Mayor

Darryl Selsey
Chair

**PLANNING BOARD
MEETING/HEARING
AGENDA
JULY 13, 2022**

A regular meeting of the City Planning Board will be held on Wednesday, July 13, 2022, at 6:30 PM in the Memorial Room on the Second Floor of City Hall. Applicants and members of the public will be permitted to attend and make public comment via in person attendance.

ITEM #1 ROLL CALL

ITEM #2 APPROVAL OF MINUTES

- June 15, 2022 minutes

Item # 3 Public Hearings

New Public Hearing

3.1 Case No. 5-2021 1 Wartburg Site Plan Application for Assisted Living Building at the Wartburg Campus (Section 165.42, Block 2160, Lot 1; Section 165.50, Block 2194, Lot 4; Section 165.51, Block 2194, Lot 5) - Request for a one-year extension of Site Plan Approval

Applicant has provided a letter dated 5/23/22 requesting a one-year extension for site plan approval for the assisted living facility. The Planning Board approved this site plan by a motion at its June 2, 2021 meeting. There was no formal resolution. The approved motion was placed on the approved plans and signed by the Chair with no conditions.

Applicant has provided a copy of the approved site plan. The approval allowed the construction of an approximately 50,000 sf, 5-story Assisted Living Facility with 48 units. There have been no changes made to the previously approved site plan. Applicant has indicated that the building permit has been issued and work is underway. Most of the excavation has been completed and concrete is being poured in June. Applicant is seeking the one-year extension to secure the approval and provide sufficient time for the project to

proceed to substantial completion. The Planning Board previously approved the original site plan by a motion of the Planning board. The Planning Board can approve the one-year extension until May 10, 2025 by a motion of the Planning Board.

New Public Hearing

3.2 Case No. 7-2021 2 Wartburg – Independent Living Building at the Wartburg Campus (Section 165.42, Block 2160, Lot 1; Section 165.50, Block 2194, Lot 4; Section 165.51, Block 2194, Lot 5) - Request for a one-year extension of Site Plan Approval

Applicant has provided a letter dated 5/23/22 requesting a one-year extension for site plan approval for the independent living facility. The Planning Board approved this site plan by resolution adopted September 8, 2021. The site plan approval allowed the construction of a new 8-story, Independent Living Facility consisting of 210 units with 135 parking spaces provided both at-grade and in a parking structure adjacent to the Independent Living Facility. There have been no changes made to the previously approved site plan.

Applicant has indicated that Wartburg has completed its bidding process and its review of the conceptual design with their architects, Perkins eastman. The remaining design process will extend through next year, as construction drawings are prepared. Additional time is needed which is why the Applicant is seeking a one-year extension of the previously approved site plan.

A draft resolution for the one-year extension from September 9, 2022 until September 8, 2023 has been provided to the Planning Board. The Planning Board should confirm that the one-year extension is adequate for the Applicant to substantially complete the building.

New Public Hearing

3.3 Case No. 17 – 2022 300 Nuber Avenue (Section 169.24, Block 4057, Lot 2) located in the R2-4.5 Zoning District.

The owner is Nuber Project LLC of a 14,288 sf of a vacant property at 300 Number Avenue located at the southwest corner of East 4th Street and Nuber Avenue. The owner is represented by Mr. Shahin Badaly, PE. The application is a subdivision for three zoning compliant lots fronting on East 4th Street in the R2-4.5 zone. Applicant proposes to develop two-family residences on each of the three lots. The lots are divided into Lot 1 (2A), Lot 2 (2B) and Lot 3 (2C). Lot 2A is 4,777 sf with 50' frontage, Lot 2B is 4,692 sf with 58' frontage and Lot 2C is 4,826 sf with 67' frontage. Lots are zoning compliant. There is an existing macadam driveway approximately 50' in width at the rear of the subject property. The driveway leads from Nuber Avenue on the adjacent property to the north of the subject property.

Applicant has provided an existing conditions plan including information on utilities in the street, the adjacent residences and existing location of significant trees.

A proposed site plan should be provided showing parking and landscaping including a Tree Removal and Tree Protection Plan. Additionally, a stormwater Management Plan needs to be provided as well as a sediment erosion and control plan. Floor plans and elevations should also be provided. Applicant will follow up with the City Tree Surgeon regarding the siting of trees on the proposed subdivision and proposed street trees.

SEORA – The proposed action is an Unlisted action under SEQRA. The Planning Board can establish itself as the Lead Agency for the environmental review of this three-lot subdivision. The application has been sent to the Fire Department, Police Department, Water Bureau, Commissioner of DPW, the City Tree Surgeon and the Tree Advisory Board. Planning Board will need to complete the SEORA process before completing their subdivision review.

New Public Hearing

3.4 Case No. 18 – 2022 210 West Lincoln Avenue (Section 165.61, Block 1076, Lot 14) located in the Neighborhood Business (NB) District.

The Applicant is West Side Party Rental. Applicant is being represented by Mr. Shahin Badaly, PE. The Applicant is seeking a special permit to allow the following improvements to this existing brick, one-story warehouse and office. Proposed improvements include the installation of a new overhead garage door and enlargement of two existing adjacent garage doors. All of the doors access West Lincoln Avenue and the interior loading dock. Applicant is also proposing to expand the existing loading dock and remove one existing office. There are still four offices in the right side of the building. The curbs are not being lowered as part of the work. The subject property is 34,486 sf with the building being 29,883 sf in the NB zone. There is an approximately 4,000 sf open yard at the rear of the building.

As a special permit, the operation would need to provide a narrative of how it meets the general standards in §267-27. The general standards are listed below:

- A. The location and size of the special permit use, the nature and intensity of the operations involved in or conducted in connection with it, the size of the site in relation to it and the location of the site with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the area in which it is located.***

- B. The location, nature and height of buildings, walls and fences and the nature and extent of existing or proposed plantings on the site are such that the special permit use will not hinder or discourage the appropriate development and use of adjacent land and buildings.*

- C. Operations in connection with any special permit use will not be more objectionable to nearby properties by reason of noise, traffic, fumes, vibration or other such characteristics than would be the operations of permitted uses not requiring a special permit.*

SEORA Determination – The Proposed Action is a Type II action based on 617.5(c)(9) “*construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls.*”

The application has been sent to the Fire Department, Police Department, Water Bureau, and Commissioner of DPW.

Note: Work Sessions will be open to the public but closed to public participation subject to the Open Meetings Law, [Section 105 of New York State Public Officers Law, Article 7].

Note: Items listed on the agenda are subject to change and amendments and/or additions may be placed on the agenda.

Upcoming Dates

- **Tuesday, August 2, 2022, at 6:30 pm Planning Board Work Session.**
- **Wednesday, August 3, 2022, at 6:30 pm regular meeting of the Planning Board.**

James Rausse, Planning Commissioner
Marlon Molina 2nd Deputy Planning Commissioner

cc: Shawyn Patterson-Howard, Mayor
Building Department
Corporation Counsel
City Clerk