

City of Albany Board of Zoning Appeals

Wednesday, October 25, 2017

363 Ontario St Project – Presented by David M. Phaff

Relative to our request for an area variance, I would like to present the following for consideration by the Board of Zoning Appeals.

Should we be granted the variance as requested, we honestly believe the resulting three building complex will lead to a stabilization of a neighborhood that has been on the edge for a long time. Many properties in the neighborhood are becoming run down by their absentee owners whose only concern is collecting rent. This has been a bone of contention for the landlords that do care about their properties and the owners who actually occupy their properties.

We are taking a portion of the block known as the Playdium Bowling Alley that has evolved into an eyesore and propose its transformation into a set of three buildings that are distinctive and progressive in their design.

This design did not happen overnight and without the input of the neighborhood. We began meeting with the Pine Hills NA in the early summer and the designs have gone back and forth several times until we were able to come up with something we all thought was viable. Then we began meeting with the planning department and ultimately the Planning Board, where at their suggestion, the designs were again changed. Since the last Planning Board meeting, we have made additional changes to the designs to meet several concerns voiced at that time.

What we have now is a plan that offers green space, a proposed quality Laundromat, a café with limited store offerings and accessible community spaces, superior tenant amenities at affordable rents comparable with or less than other newer apartment buildings in Albany.

This development brings new blood into an old neighborhood. With such an improvement, it is inevitable that people will be drawn into the neighborhood and over time, owners of existing properties will be encouraged to move forward with improvements where the quality of life will be improved for all.

While an argument can be made that the scope and design are radically different from the existing streetscape, the fact exists that we offer a contrasting structure to make the neighborhood more exciting and a place where people want to live. And more than anything else, it affords hope for its residents.

HEIGHT & MASS OF BUILDINGS

We've addressed the concerns regarding the height or mass of the buildings in a number of ways:

1. Our initial designs called for parking in the buildings at slightly below the existing ground level. Realizing the height was too great, we have since incorporated a buried garage under each building. It did mean that the Ontario St building would be higher when measured at the south end due to the grade of the street.
2. The grading of the land around the south end of the Ontario building has been designed to cover as much of the buried garage walls as possible. The net result is that that the lowest end of Ontario at Warren St, there is only 4-5 feet of exposure which is the garage.

3. We've also included a small park-like seating area cut into the slope for the neighborhood to enjoy.
4. We've cut back a portion of the top floor at the south end of the Ontario building to reduce its elevation when viewed from the immediate south.
5. Using engineered trusses and other elements, we have attempted to reduce the physical height of each storey while maintaining the desirable 9 foot ceiling height within the units themselves.
6. We've used transparent balcony railings on all of the buildings to minimize the massing.
7. Using plantings – trees and landscaping on the property as well as maturing trees between the sidewalks and curbing - we've created visual screens to break up the massing.
8. We also will plant more trees on the south side of Warren St to provide more filtering from the south.

WATER RUNOFF

The proposed storm water retention system is estimated to reduce the ^{Rate of Discharge} runoff from the existing lot by ~~no less than~~ ^{Approx} 60 percent. This will be accomplished through an underground retention system, porous pavement, increasing the amount of green space from what currently exists and including slow releasing roof drains. This will minimize the runoff impact from this site at the intersection of Warren and Ontario that historically has flooded.

TRAFFIC

There have been concerns brought up addressing the increased traffic by adding more residential units in the neighborhood. The reality is that the actual flow is relatively small since many residents will rely on public transportation or bicycles and those who elect to drive will typically result in no more than several cars departing at any one time. Not everyone is on the same schedule. Given that the traffic is expected to be gradual, no traffic control signals are necessary.

PARKING

In our current configuration, we have allowed 1.4 parking spaces per rental unit plus several parking spaces to accommodate the commercial rentals. Currently, we believe that some tenants will not have any cars and a few will have more than one. This is based on our experience and input from other developers. Given these circumstances, we see no impact on the existing neighborhood parking.

ALTERNATIVE DESIGN

Any developer of this site will face a relatively high purchase price and challenging site conditions. As we have moved through this process, we have attempted to reckon with the site's challenges combined with attempting to comply with the concerns of the community. These solutions have added considerably to the cost of the project. For any development to be successful, it has to have a certain cash flow which is determined by the number of units built and their rent.

We explored building townhome rental units and exclusively commercial development but quickly learned that they were not economically or practically feasible.

Our options were to look at a single larger and taller building or to break it down into smaller structures while attempting to maintain an appropriate scale to the surroundings. No matter what, for this project to be viable, at this time we require 109 apartments and the commercial space on the first floor to be rented.

IMPACT OF VARIANCE

Given the setbacks we have utilized, the impact of granting this variance will affect few owners or individuals, if any at all.

The closest property owner is Joseph Messina, owner of 686 Park Ave. Mr. Messina has indicated by letter to The Department of Planning and Development that he feels “this development will be an enhancement to the character of the neighborhood”. We have also addressed Mr. Messina’s concerns for retaining access to his parking at the back of his lot by affording him a permanent easement through our parking lot as indicated on the updated site plan.

We have presented this proposal to a public meeting at the Hibernian Hall where well over 70 people came to listen and speak. The general consensus was very positive. We have also presented at two Planning Board meetings and each time, have taken the comments seriously.

Other neighbors or their representatives have expressed a variety of concerns.

These include:

1. Existing street flooding issues
2. Utility concerns,
3. Building style
4. Concept appropriateness

5. Their inability to understand the topography as it related to the plan and how the buildings will actually look.

We have tried to address all of these issues where appropriate and will continue to listen if there is room for improvement to both our plan and the quality of life in the neighborhood.

CONCLUSION

Admittedly, we had an option of not pursuing this property and developing a plan in the very beginning. But we also recognized that there is significant demand for quality market rate apartments and there could not be a better location. Had the acquisition costs and necessary building modifications been more affordable, perhaps then we could have been able to build fewer units which would have avoided the need for a variance. But we are trying to make the best of a site in a neighborhood that needs a positive boost. By filling these three buildings, we bring in greater stability, a safer neighborhood, commercial spaces to fill the needs of the neighborhood and create a presence that the neighborhood will enjoy and profit by in the future. We also almost double the school & property tax revenue in the third year from the existing level with a 20 year PILOT we are applying for.

I ask that you please approve our application this evening in order for us to proceed to the final Planning Board meeting next month.

Thank you.