City of Albany
Department of Planning and Development
200 Henry Johnson Boulevard
Albany, New York 12210

FOR STAFF USE ONLY	
Date Submitted: 10/29/18	Fee Paid:
Date Complete:	Staff:
Project #:	CUP #:

Conditional Use Permit Application Form

Part 1. Application Notes

A Conditional Use Permit is required for a property with a proposal for a use listed in the Permitted Use Table in Section 375-3(B) as a conditional use for a zone district. Conditional uses are those uses that have potential unforeseen impacts or unique form and require a careful case-by-case review of their location, design, configuration and impact to determine the desirability of permitting their establishment on any particular site.

1. The Planning Board reviews the application and makes its decision based on the standards in Section 375-5(E)(16)(c).
2. The Planning Board may impose conditions to ensure that the proposed use meets these standards and any other applicable provisions of the USDO.
3. A public hearing is required for all conditional use permit applications.
4. If approved, the conditional use is approved only for the portions of the property specified in the application.
5. In addition to meeting the requirements of the USDO, the proposal may be subject to other City ordinances, including but not limited to Chapter 133 (Building Construction), and may be subject to disapproval if not proposed in compliance with these articles.

Note: A pre-application meeting is available upon request prior to submitting this application.

Part 2. General Information

Proposed Conditional Use: Dining with Nano Brewery on Second Floor of Existing Tavern

Building Area to be Occupied (sq. ft.): 2,662 sq ft

Outdoor Site Area to be Occupied (sq. ft.): None

Other Uses at the Site: Tavern

Has any portion of the land been the subject of a conditional use permit previously? ☐ Yes ☒ No
If yes, state the case number(s) of the conditional use approval(s):

Part 3. Project Description

Project Description *(Describe what the proposed use is and how it will operate, including hours and days of operation, number of employees, number of clients, parking and loading requirements, etc.)*:

Proposed use will be a Dining Room with an Accessory Nano-Brewery. The use will operate daily as noted below. It will be operated by the Owner of the Existing Lionheart Pub.

Number of Employees: 15

Maximum Occupancy: 40

Hours of Operation:	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	10 AM - 4 AM	10 AM - 4 AM	3 PM- 4 AM10	10 AM - 4 AM	10 AM -4 AM	10 AM - 4 AM	10 AM - 4 AM

County Permit(s) Required: N/A

State Permit(s) Required: N/A

Federal Permit(s) Required: N/A

Part 4. Consistency with Neighborhood and Development Pattern

A. Describe why the proposed location was chosen for the establishment of the conditional use being sought:
The Location works ideally as an Extension of the Existing Tavern on the First Floor

B. Describe how the proposed use is consistent with the existing and planned development within the immediate area:
The use is a moderately trafficked area with a mix of similar uses, including Dining Establishments and Taverns..

Part 5. Fiscal and Environmental Impacts

A. Describe the nature, scope and duration of work to be undertaken in order to establish the use:
Work will be the construction of the Second Floor above the Existing First Floor Tavern and Existing One Story Roof at the Rear of the Structure.

B. Describe any impacts the proposed conditional use will have upon the adjacent properties, and if and how they will be mitigated:
There are no known impacts upon adjacent properties that will result from the proposed use.

C. Indicate any of the following operational characteristics (from Section 375-4(J)(1), Operating Standards) that will be generated by the proposed use *(check all that apply)*:

☐ Hazardous materials	☐ Electromagnetic radiation	☐ Emissions	☐ Glare
☐ Odors	☐ Materials and waste handling	☐ Noise	☐ Nuclear Radiation
	☐ Vibration	☐ Smoke	☒ N/A

For all checked boxes please describe the source, and explain how it will be mitigated as part of this application.

D. Describe the volume of refuse expected to be generated by the use, and the means of storage and disposal:
A minimal volume of waste will be generated by the use.

E. Are there any public funds from any source being used to improve the site or for the operation of the conditional use?
No public funds are being utilized.

F. Are any unplanned public infrastructure or service improvements required as a result of an approval of the proposed conditional use (e.g., street repaving, sewer upgrade, storm drainage improvements, etc.)?
There are no improvements planned or proposed in conjunction with the use.

G. Indicate whether there is an increase or decrease in impervious surface area as a result of the proposal:
There will be no change in impervious surface area, as this business will occupy existing floor space on the ground floor.

Part 6. District and Use Standards

A. Explain how the proposed conditional use is consistent with the purposes and objectives of the zone district in which it is located:
The purpose of the C-1 district is to provide for limited mixed-use development in areas located along principal transit corridors and closely abut residential districts. The character of these areas consists of a blend of uses including dining, entertainment and business services, and limited retail uses. The proposed use is consistent with these objectives.

B. Describe how the use complies with the Use Specific Standards applicable to that use, as enumerated in Section 375-3(C) of the USDO:
There are no use specific standards applicable to this establishment.

Part 7. Public Impact

A. Will the proposed use generate any unique or elevated need for police, fire or emergency services?
There will be no elevated need for public or emergency services.

B. Describe the type of traffic the use is expected to generate and indicate which days and between what hours the peak period of use occurs.
The traffic will be principally walk-in, arriving by foot, car or via public transportation. Peak Hours are 6 PM - 1 AM every day.

C. Describe if the use will be served by commercial delivery vehicles, the anticipated number if deliveries per day and where the vehicles will park:
There are no additional commercial vehicles expected to serve the proposed use.

D. Indicate the type of parking facilities available to the use and if off-site, the distance from the property:
General street parking is available to the use. Off-street parking is not feasible due to the existing build out of the site.

E. Describe any proposed changes to curb cuts, streets, sidewalks and connections to public spaces *(e.g., removal of curb cuts, improving crosswalks, installation of wider sidewalks, removal of any sidewalk, etc.)*:

There are no proposed changes to public infrastructure.

F. Describe how building entrances are connected to sidewalks, parking areas, and other pedestrian facilities:

The tavern is accessible from an existing doorway along Madison Avenue and the Proposed Second Floor is accessible from within the Building Staircase on the East Side.

G. Describe any changes that are required to bring the property into compliance with the ADA Standards for Accessible Design:

No changes are required or proposed.

H. Are there any planned changes to utility provisions (water, sewer, electric, etc.)?

There are no planned changes to utilities.

Part 8: Necessity and Desirability of Service

A. Describe how the proposed use is in the interest of the public convenience:
It will expand an existing successful business and occupy a currently vacant second floor for its intended use.

B. Describe any similar or identical uses in the area, their size and location:
There are no similar uses in the immediate area. There is a similar use on Broadway in Downtown Albany.

C. Please indicate any positive public health and safety impacts or improvements of the proposed use:
The proposed use will occupy a vacant second floor of the building.

Part 9: Submittal Requirement Checklist

	Required Documents	Hard Copies	Electronic Submission (.pdf) (Required Document Name)
	A. Required for All Conditional Use Permit Applications		
☒	Master Application Form	2	01_Master_Application_Form
☒	Conditional Use Permit Application Form	2	02_Conditional_Use_Permit_ Form
☒	Color photographs of the property in context with surrounding properties, on printed paper	2	03_Photographs
☒	Site plan on 24" x 36" sheet and drafted at a scale that best conveys	5	04_Site_Plan

	any proposed changes to the site (1"=50", 1"=100", or 1"=200")		
☒	Floor plan, drawn to scale	3	05_Floor_Plan
☒	Elevations for all new buildings and additions	2	06_Building_Elevation
☒	Application fee as established in the Albany Fee Schedule identified in Appendix __ of the Albany Administrative Manual.	1	N/A
	B. Voluntary or Upon Request		
☐	Environmental Assessment Form as required by SEQR	2	07_EAF
☐	Project Narrative	2	08_Project_Narrative
☐	Business plan	2	09_Business_Plan
☐	Water/Sewer Engineering Report	2	10_Water_Sewer_Report
☐	Storm Water Management Report	2	11_Storm_Water_Report
☐	Traffic Study	2	12_Traffic_Study
☐	Federal, state, county, or local licensing paperwork	2	13_Licensing_Paperwork
☐	Any additional information determined to be necessary by the Chief Planning Official	2	[##]_[Document Name]