# Conditional Use Permit Application

## 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:** Submission of application for recognition of basement level as separate garden apartment

<table>
<thead>
<tr>
<th>Building Area to be Occupied (sq. ft.):</th>
<th>811</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outdoor Site Area to be Occupied (sq. ft.):</td>
<td>None</td>
</tr>
</tbody>
</table>

**Other Uses at the Site:** The building already has two 3 bedroom apartments

**Has any portion of the land been the subject of a conditional use permit previously?**

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

**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.):*

The space will not be utilized for commercial activities so there will be no operations, employees etc.

Proposed use of the space is converting basement area into a one bedroom garden apartment.

**Number of Employees:** n/a

**Maximum Occupancy:** 1-2 persons

<table>
<thead>
<tr>
<th>Hours of Operation:</th>
<th>Sunday</th>
<th>Monday</th>
<th>Tuesday</th>
<th>Wednesday</th>
<th>Thursday</th>
<th>Friday</th>
<th>Saturday</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
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</tr>
</tbody>
</table>

**County Permit(s) Required:** NA

**State Permit(s) Required:** NA

**Federal Permit(s) Required:** NA

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*Updated November 2017*  
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### 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:
   Property was purchased as two family building. The basement space is safe and provides all features necessary for a beautiful garden apartment. Since purchasing, I have done a lot of work on the building and the land and this would increase the property value and hence benefit the neighborhood as a whole.

B. Describe how the proposed use is consistent with the existing and planned development within the immediate area:
The area is mainly residential with a lot of two and three family homes. There are several similar townhomes that have basement units approved.

### 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 limited to the installation of carpeting and painting walls and any other repairs/modifications deemed necessary in order to acquire a residential occupancy permit.

B. Describe any impacts the proposed conditional use will have upon the adjacent properties, and if and how they will be mitigated:
   It will have no impact on any surrounding properties save for increasing the property value, which is a benefit to the neighborhood.

C. Indicate any of the following operational characteristics (from Section 375-4(1)(1), Operating Standards) that will be generated by the proposed use *(check all that apply):*
   - [ ] Electromagnetic radiation
   - [ ] Emissions
   - [ ] Glare
   - [ ] Hazardous materials
   - [ ] Materials and waste handling
   - [ ] Noise
   - [ ] Nuclear Radiation
   - [ ] Odors
   - [ ] Vibration
   - [ ] Smoke
   - [x] 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 tenants. Any waste would be pickup on garbage night for that particular area and covered by the annual waste management fee.

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

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.)?
   NO

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 apartment will occupy existing floor space within the building and no new construction is proposed.

### 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:
   There are no use specific standards identified for a Dwelling, Townhouse

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 increased 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.
Minimal foot traffic generated by additional residential unit

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

D. Indicate the type of parking facilities available to the use and if off-site, the distance from the property:
On street parking and optional parking in back for reduced fee from quackenbush parking lot

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:
Rented stairway access to unit from front side walk and access to unit in back yard through back door

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. Unit already has plumbing and its own electrical box.

Part 8: Necessity and Desirability of Service

A. Describe how the proposed use is the use in the interest of the public convenience:
Provide more affordable housing in the area.

B. Describe any similar or identical uses in the area, their size and location:
Immediate and adjacent from my building are 3 family dwellings of the same size

C. Please indicate any positive public health and safety impacts or improvements of the proposed use:
N/A
### Part 9: Submittal Requirement Checklist

<table>
<thead>
<tr>
<th>Required Documents</th>
<th>Hard Copies</th>
<th>Electronic Submission (.pdf) (Required Document Name)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A. Required for All Conditional Use Permit Applications</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>[✓] Master Application Form</td>
<td>1</td>
<td>Master Application</td>
</tr>
<tr>
<td>[ ] Owner's Consent Form</td>
<td>1</td>
<td>Owner Consent</td>
</tr>
<tr>
<td>[✓] Conditional Use Permit Application Form</td>
<td>1</td>
<td>CUP</td>
</tr>
<tr>
<td>[✓] Color photographs of the property in context with surrounding properties, on printed paper</td>
<td>1</td>
<td>Photos</td>
</tr>
<tr>
<td>[✓] Site Plan, drawn to scale</td>
<td>1</td>
<td>Site Plan [YYYY]-[MM]-[DD]</td>
</tr>
<tr>
<td>[✓] Floor Plan, drawn to scale</td>
<td>1</td>
<td>Floor Plan [YYYY]-[MM]-[DD]</td>
</tr>
<tr>
<td>[ ] Elevation(s) for all new buildings and additions</td>
<td>1</td>
<td>Elevations [YYYY]-[MM]-[DD]</td>
</tr>
<tr>
<td>[✓] Application fee ($250) – payable to Treasurer, City of Albany</td>
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<tr>
<td><strong>B. Voluntary or Upon Request</strong></td>
<td></td>
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<tr>
<td>[ ] Environmental Assessment Form as required by SEQR</td>
<td>1</td>
<td>Short or Full EAF</td>
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<tr>
<td>[ ] Project Narrative</td>
<td>1</td>
<td>Project Narrative</td>
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<tr>
<td>[ ] Federal, state, county, or local licensing paperwork</td>
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<td>Licensing Paperwork</td>
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<tr>
<td>[ ] Any additional information determined to be necessary by the Chief Planning Official</td>
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<td>[Document Name]</td>
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