

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: **Quick Service Restaurant**

Building Area to be Occupied (sq. ft.): **792**

Outdoor Site Area to be Occupied (sq. ft.): **0**

Other Uses at the Site: **None**

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):

Was previously a restaurant.

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 proposed use is a ethnic restaurant. Hours of operation will be 7 days a week.

Number of anticipated employees for each day of operation will total 3 for weekdays and 5 for weekends.

This will be a quick service restaurant (QSR). Number of occupancy is anticipated to be 20 customers at one given time.

We will have deliveries as needed two time a month, curbside.

On street parking is plentiful and where available.

Number of Employees: **3-5 dependent on work day**

Maximum Occupancy: **20**

Hours of Operation:	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	11am-9pm	11am-9:30p	11am-9:30p	11am-9:30p	11am-10p	11am-11p	11am-11p

County Permit(s) Required:

State Permit(s) Required:

Federal Permit(s) Required:

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:

It was prior restaurant in the early 2000's and then again in the 2010's. This neighborhood is great for this type of business.

B. Describe how the proposed use is consistent with the existing and planned development within the immediate area:

There are many single family units and families in the area. There is a need for good Dominican food in the pine hills area. El Gran Pilon will offer authentic Spanish food that caters to all different types of patrons.

Part 5. Fiscal and Environmental Impacts

A. Describe the nature, scope and duration of work to be undertaken in order to establish the use:

The property received major electrical and plumbing upgrades a few years ago, making it an ideal location since majority of the work has already been done. Restaurant will need bigger range hood installed with fire suppression system and installation of range stove and small commercial fryer.

B. Describe any impacts the proposed conditional use will have upon the adjacent properties, and if and how they will be mitigated:

The restaurant should not impact the surrounding properties in any negative manner.

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):

- | | | |
|--|---|--|
| <input type="checkbox"/> Electromagnetic radiation | <input type="checkbox"/> Emissions | <input type="checkbox"/> Glare |
| <input type="checkbox"/> Hazardous materials | <input type="checkbox"/> Materials and waste handling | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Odors | <input type="checkbox"/> Vibration | <input type="checkbox"/> Nuclear Radiation |
| | <input type="checkbox"/> Smoke | <input checked="" type="checkbox"/> 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:

Anticipated use from daily operations will be held in the alley way of the property. Trash removal is planned to be twice a week. Most of the trash will consist of boxes from food purchased, cans or jars. We plan on recycling as much of the waste as possible.

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:

N/A

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 was prior restaurant at this property.

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:

Part 7. Public Impact

A. Will the proposed use generate any unique or elevated need for police, fire or emergency services?

No

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.

Traffic patterns should not be impacted. The area has many off street parking with public transportation near by, so the restaurant is in walking distance for many customers. Peak hours are from 11:00 to 2:00 and then again from 5:00 pm to 8:30 pm

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:
In order to minimize any obstruction from commercial delivery vehicles, we will typically pick up our food products.

Delivery trucks would need to park on the street for the anticipated deliveries.

D. Indicate the type of parking facilities available to the use and if off-site, the distance from the property:

Off street

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.):

None

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

The entrance to the building is on the corner of Ontario and Morris. It will not interfere with pedestrians.

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

None to our knowledge.

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

No

Part 8: Necessity and Desirability of Service

A. Describe how the proposed use is in the interest of the public convenience:

A small unique ethnic restaurant that caters to all Albany residents.

B. Describe any similar or identical uses in the area, their size and location:

Chicken Joe's is one block northeast (486 Yates St - .05 Acres) and Capital Q Smokehouse is one block southwest

C. Please indicate any positive public health and safety impacts or improvements of the proposed use:

Healthy food options. Gluten-free options.

Part 9: Submittal Requirement Checklist

	Required Documents	Hard Copies	Electronic Copies	Electronic Submission (.pdf) (Required Document Name)
A. Required for All Conditional Use Permit Applications				
<input checked="" type="checkbox"/>	Master Application	0	1	Master Application
<input checked="" type="checkbox"/>	Conditional Use Permit Application	0	1	CUP
<input checked="" type="checkbox"/>	Color photographs of the property in context with surrounding properties	1	1	Photos
<input type="checkbox"/>	Site plan on 24" x 36" sheet and drafted at a scale that best conveys any proposed changes to the site (1"=50', 1"=100', or 1"=200')	1	1	Site Plan [YYYY]-[MM]-[DD]
<input checked="" type="checkbox"/>	Floor Plans, drawn to scale	0	1	Floor Plan [YYYY]-[MM]-[DD]
<input type="checkbox"/>	Elevations for all new buildings and additions, drawn to scale	0	1	Elevations [YYYY]-[MM]-[DD]
<input checked="" type="checkbox"/>	Short or Full Environmental Assessment Form as required by SEQR	0	1	Short or Full EAF
<input checked="" type="checkbox"/>	Application fee as established in the Albany Fee Schedule – Payable to <i>The City of Albany Treasurer</i> Conditional Use Permit: \$250 Per Additional Permit: \$100			
B. Voluntary or Upon Request				
<input type="checkbox"/>	Project Narrative	0	1	Project Narrative
<input type="checkbox"/>	Business Plan	0	1	Business Plan
<input type="checkbox"/>	Water/Sewer Engineering Report	0	1	Water Sewer Report
<input type="checkbox"/>	Stormwater Management Report	0	1	Stormwater Report
<input type="checkbox"/>	Traffic Study	0	1	Traffic Study
<input type="checkbox"/>	Federal, state, county, or local licensing paperwork	0	1	Licensing Paperwork
<input type="checkbox"/>	Any additional information determined to be necessary by the Chief Planning Official	0	1	[Document Name]
Electronic document submissions shall be sent via email to planningboard@albanyny.gov , USB Flash Drive, or by another medium approved by the City of Albany Planning Staff. CD and DVD submissions are <u>not</u> accepted.				