

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: Convenience Store With Self Service Gasoline

Building Area to be Occupied (sq. ft.): 3,996 sq. ft.

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

Other Uses at the Site: No other uses.

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.*):

The proposal calls for the ultimate construction of a typical Stewart's Shops convenience store with self service gasoline.

Hours of Operation: Monday-Sunday, 5AM-11PM.

The total number of employees (partners) at this store will be 20. At any given time 4-5 employees (partners) will be on shift.

Parking: This proposal meets the necessary parking requirements for the MU-NC zoning district. 20 spaces proposed based on the square footage of the building.

Delivery's will occur every two days. Delivery's will be to the rear of the building.

Number of Employees: +/- 20

Maximum Occupancy: +/- 47

Hours of Operation:	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	5AM-11PM	5AM-11PM	5AM-11PM	5AM-11PM	5AM-11PM	5AM-11PM	5AM-11PM

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:

This site was selected as the former bank branch has been vacant for many years (approx. 5 years). The property owner has been actively seeking new uses, however, after further review it was cost prohibitive to retro fit the building for any potential new use (office/retail use). The only reasonable alternative was to redevelop the entire corner. This development will fill a void in services for the surrounding community.

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

The neighborhood consist of a mixture of residential and commercial uses. This proposal aligns with the goals of the MU-NC zoning district. Stewart's Shops is a committed community partner and will provide local retail services to the surrounding community.

Part 5. Fiscal and Environmental Impacts

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

Demolition of three existing structures would occur. Immediately after the demolition the construction of the convenience store with self service gasoline will take place. It will take approximately 10-12 weeks to construct the new store.

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

No impact. Landscape buffering was added to buffer the adjoining residential properties. Development aligns with the commercial and residential developments in the MU-NC zoning district.

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

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

Hazardous Materials- Petroleum storage underground. Double wall fiber glass tanks with monitor system to prevent any hazard. Emissions - Dust may be generated during the 10-12 week construction period from soil disturbance and will be mitigated by watering the site as needed. Construction equipment emissions and noise will be limited as much as possible. All construction work to be performed during permitted construction hours. +

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

All refuse generated by the use will be contained on site and removed by a qualified waste disposal hauler.

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:

Impervious surface area will increase from 62% to 78%. The development is below the maximum allowed impervious surface area for the MU-NC zoning district.

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 proposed project meets the purpose of the MU-NC zoning district, which, goal is to promote a mixture of residential options, local retail, and small-scale commercial uses providing support services to the surrounding residential neighborhoods. This development provides services to the surround neighborhood.

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:

The proposed use is an allowed use under the MU-NC zoning district by Conditional Use Permit. Planning Commission approval is needed.

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.

This development will generate pedestrian walking traffic as well as motor vehicle pass by traffic. The peak period of use is on weekdays during the AM (7AM-9AM) and PM (4AM-6PM) commute hours.

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:

A truck routing plan was provided with the plan set. Delivery's will occur every two days for product and fuel delivery. All delivery vehicles will be contained on site.

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

No off-site parking. Adequate on-site parking is proposed.

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.*):

One curb cut is proposed on Colvin Avenue furtherest away from the intersection of Colvin Ave and Washington Ave. A second curb cut is proposed on Washington Ave. No removal of sidewalks. Sidewalks are existing and surround the development site. An interconnect is shown on the plans from 8 Colvin Ave to our proposed development.

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

Building is positioned to promote pedestrian friendly access. One entrance to the shop abuts the sidewalk for direct access to the store. Covered outdoor seating area is provided along Washington Ave. The entire site is surrounded by existing sidewalks.

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

The development will be in full compliance with the ADA Standards for Accessibility.

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

One connection will be made for water and sewer. The services to the former bank branch maybe used if feasible. The water and sewer connections for 1061, 1057 Washington Ave will be terminated per City requirements.

Part 8: Necessity and Desirability of Service

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

Individuals value having services nearby. Stewart's is a community partner and will provide a variety of services to the community.

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

Commercial uses exist along Colvin Avenue. Washington Avenue is a mix of commercial and residential uses. Across the street from this development is an existing Sunoco convenience store with self service gasoline.

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

This development will remove a large vacant structure from a premier corner in the City. This development will offer additional services to the surrounding community members.

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 checked="" 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 checked="" 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 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.				