

**ADMINISTRATIVE ADJUSTMENT REVIEW FORM**

**Part 1. Application Notes**

An Administrative Adjustment allows minor variations in the development standards of the USDO to be reviewed and approved at the staff level. Table 375-5-2, Allowable Administrative Adjustments, lists the development standards and limits that may be reviewed as an administrative adjustment.

1. An administrative adjustment must be reviewed concurrently with applications for other types of site development permits.
2. If the primary application is subject to review and approval by the Planning Board, the Administrative Adjustment application must be reviewed and decided by staff before distributing the primary application to the Board and/or Council.

**Part 2. General Information**

Property Address: See footnote below

Tax Identification #: 76.72-4-13 thru 16; 20.1; 26 thru 36; 61 thru 70; 72; 74 thru 78

**Part 3. Adjustment Request**

The following standard(s) are requested to be adjusted (*List standard from Table 375-5-2 on the back of this form*):

Standard	USDO Section	Requirement	Proposed	Requested Adjustment %	Reason for Adjustment
Block Perimeter	375-4(D)(4)	1,500 ft	1,600 ft	6.67%	See attached narrative

**Part 4. Approval Certification (Staff Use Only)**

The above administrative adjustments are found to meet the maximum allowable adjustment standard listed in Table 375-5-2 and the criteria of Section 375-5(D)(5)(e)(ii), Review Criteria, as indicated below:

- A. Is consistent with the character of development in the surrounding area;
- B. All adverse impacts resulting from the Administrative Adjustment will be mitigated to the maximum extent practicable;
- C. The Administrative Adjustment is of a technical nature (i.e., relief from a dimensional or design standard), and:
  1. Compensates for some unusual aspect of the development site or the proposed development that is not shared by landowners generally;  
(Indicate how this is met: The Applicant is providing a public pedestrian plaza on the portion of Scott Street that is proposed to be decommissioned, which creates a situation where the block length exceeds the permitted maximum. While the proposed pedestrian plaza will be on private land, the Applicant is meeting the intent of this standard by maintaining and improving public pedestrian access in and around the site.)
  2. Protects sensitive natural resources or save healthy existing trees; or  
(Indicate how this is met: \_\_\_\_\_)
  3. Eliminates a minor inadvertent failure to fully comply with a standard.  
(Indicate how this is met: \_\_\_\_\_)
- D. Will not substantially interfere with the convenient and enjoyable use of adjacent lands, and will not pose a danger to the public health or safety.

Chief Planning Official Signature: *Christopher P. Spivey* Date: 11/20/2020

\*Addresses: 76,84,86,88,& 90 Second Ave; 2,4,8,10,12,16.5,17,18,20,22,24,& 32 Leonard St; 1,4,6,7,8,9,10,11,13,& 15 Scott St; 10,15,33,37,& 45 Krank St

**Table 375-5-1 Allowable Administrative Adjustments**

<b>Standard</b>	<b>Maximum Allowable Adjustment</b>
<b>Lot Standards</b>	
Minimum Lot Area	10%
Minimum Lot Width	10%
Minimum Lot Depth	10%
Maximum Impervious Lot Coverage	10%
<b>Setbacks</b>	
Minimum Front Setback	5%
Minimum Side Setback	15%
Minimum Rear Setback	15%
<b>Building Standards</b>	
Maximum Height, Principal Building	5%
<b>Site Development and Design Standards</b>	
Block Perimeter	10%
Perimeter Buffer Width	10%
Perimeter Buffer Planting Rate	10%
Driveway Spacing	10%
Street Intersection Spacing	10%
Number of Vehicle Parking Spaces	10%
In MU-FW, MU-FC, MU-FS, and MU-FM zone districts	50%
In all other zone districts	10%
Number of Bicycle Parking Spaces	10%
Stacking Lane Distance for Parking Area Entrance Drives	10%
Walking Distance Between Shared, Off-site, or On-street Vehicle Parking Spaces and Primary Pedestrian Entrance of Uses Served	20%
Vegetation Size at Time of Planting	10%
Tree Island and Tree Island Area	10%
Street Tree Spacing	10%
Wall and Fence Height	1 ft.
<b>Outdoor Lighting Standards</b>	
Lighting Fixture Height	10%
<b>Sign Standards</b>	
Projecting Sign	10%
Sign Face Area or Dimensions	10%
Sign Height	10%
Sign Wall Coverage	10%
Encroachment into Required Setbacks	15%

## The Seventy-Six Administrative Adjustment Narrative – Maximum Block Perimeter

### Chazen Project No. 32019.00

October 20, 2020

USDO §375-4(D)(4) – *Lots and Blocks*, indicates that the “perimeter of each block (excluding street rights-of-way) shall not exceed 1,500 feet.” In accordance with USDO *Table 375-5-2*, the Chief Planning Official may approve an Administrative Adjustment up to 10% of the maximum block perimeter.

The Applicant is requesting approval of an Administrative Adjustment to exceed the maximum block perimeter by 6.25%, for the modified block (Second Ave/ Leonard St/Seymour St/Krank St) that will be created by the decommissioning of Scott St.

The following provides an overview of the project as it relates to each of the Administrative Adjustment Review Criteria, outlined in USDO §375-5(D)(5)(ii):

A. *The Administrative Adjustment Is consistent with the character of development in the surrounding area.*

The area bounded by Second Ave, Leonard St, Seymour St, and Krank St exists today as a unique triangular block configuration that is bisected by Scott St, which is a single block public roadway measuring 245-ft along its centerline. Scott St currently has only (2) residential structures and (1) garage structure along its frontage, which means that almost all traffic on the road is from pass-through vehicles. The elimination of Scott St will result in a block perimeter of roughly 1,600-lf, which is 100-lf (6.25%) above the requirement. This size differential (6.25%) will be undetectable to the human eye, and therefore, will not be inconsistent with development goals articulated in the USDO. There is currently no development occurring in this area. In alignment with the Albany 2030 Plan and the South End Plan, the establishment of Scott St as a pedestrian-only plaza will create a new neighborhood core that is needed in the South End neighborhood. As designed, the adjacent roadways and public sidewalks will be improved, and a new accessible pedestrian route will be established through the property.

It shall be noted that the proposed block is actually consistent with development in the surrounding area, as all of the following existing adjacent blocks exceed 1,500-lf perimeter:

- Second Ave/Grandview Terrace/Liebel St/Leonard St
- Second Ave/Benjamin St/Seymour St/Broad St
- Catherine St/Elizabeth St/Delaware St/Clinton St
- 1<sup>st</sup> Ave/Cherry Hill St/McCarty Ave/S Pearl St

B. *Any adverse impacts resulting from the Administrative Adjustment will be mitigated to the maximum extent practicable.*

Based on feedback from multiple residents in this area, the existing Scott St is currently used as a cut-through street, including traffic from Liebel Street that wishes to access the traffic signal at the intersection of Second Avenue/Krank Street. In addition, Liebel St and Scott St are not aligned like a typical intersection; They are offset from each other by 28-ft, which creates an unsafe, quick right then left turn movement. By closing Scott Street as part of the proposed project, vehicles from Liebel Street can continue to access the traffic signal by traveling along Leonard Street, instead of Scott Street, to Krank Street. This is an increase of travel distance of about 1/10<sup>th</sup> of a mile, which is a

minimal increase in travel time and distance, and will not have any additional traffic control devices to go through. Coupled with the roadway and sidewalk improvements, removal of Scott St will greatly improve vehicle and pedestrian safety. As such, there are no adverse impacts resulting from granting this request.

- C. *The Administrative Adjustment is of a technical nature (i.e., relief from a dimensional or design standard), and is either:*
1. *Required to compensate for some unusual aspect of the development site or the proposed development that is not shared by landowners generally;*
  2. *Proposed to protect sensitive natural resources or save healthy existing trees; or*
  3. *Required to eliminate a minor inadvertent failure to fully comply with a standard.*

The comprehensive design of the Seventy-Six has been born from extensive public input and a desire to meet the objectives of the Albany 2030 Plan and the Capital South Plan. The decommissioning of Scott St will allow for the establishment of a safe, pedestrian-only neighborhood core, that will provide access to vital retail and service amenities that don't currently exist in the neighborhood. In addition, the use of Scott Street for pedestrians will encourage safe and accessible passage through the center of the Seventy-Six site. The creation of this central core will help alleviate some difficulty in navigating the significant topographic changes from Second St down to Seymore St, and from Leonard St down to Krank St. Per Item 1 above, the existing configuration of the roadways and blocks is unique to this site, and was established many decades ago. The new Plaza will be open and accessible to the public, but will be fully maintained by SED; thus, eliminating the maintenance burden for the City. As such, this adjustment is required to compensate for the unique configuration of the site, resolve safety concerns, and accommodate a layout that maximizes efficiency and accessibility.

- D. *The Administrative Adjustment will not substantially interfere with the convenient and enjoyable use of adjacent lands, and will not pose a danger to the public health or safety.*

*As outlined above, the proposed configuration will greatly improve the public safety and accessibility of the adjacent roadways and sidewalks. In addition, the sustainable design of the site will significantly improve public health for the residents, the neighborhood, and the underperforming combined sewer network. The new Scott St Plaza will provide direct access to a grocery store, in an area that is currently considered a food desert, as well as essential retail and service amenities. Lastly, creation of a new neighborhood core will provide a convenient and enjoyable space that is easily accessible by foot, car, bike, and the new CDTA BRT line. The benefits above warrant granting this minor modification to the USDO standards.*

Based on the detailed information above, we feel that the design meets the intent of the USDO and the review criteria for an Administrative Adjustment. If the Chief Planning Official takes exception to any item, we kindly request that a meeting between our Team and the Department, be scheduled as soon as possible to discuss any anticipated steps. Should you have any questions or comments regarding the proposed project, or should you require additional documentation or information in order to complete your review, please do not hesitate to contact me at (518) 824-1924 or via email at [kelsey@chazencompanies.com](mailto:kelsey@chazencompanies.com).

Sincerely,



Kelsey L. Carr, LEED AP BD+C, CPMSM  
Project Engineer/Project Manager