

**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: **Full Service Restaurant/Catering Facility with Indoor Dining Space**

Building Area to be Occupied (sq. ft.): **1300**

Outdoor Site Area to be Occupied (sq. ft.): **N/A**

Other Uses at the Site:

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.):*

**NSBA Leadership Council Member Owner Operated and Managed:**  
 Mixed-use Property located at 91 Clinton St will be converted from Retail Space into a Full Service Restaurant/Catering Facility with Indoor dining space.

Number of Employees: **10 - 15**

Maximum Occupancy: **49**

Hours of Operation:	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	<b>7am-8pm</b>	<b>7am-10pm</b>	<b>7am-10pm</b>	<b>7am-10pm</b>	<b>7am-10pm</b>	<b>7am-10pm</b>	<b>7am-10pm</b>

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:

Located in a UB Zone, 91 Clinton Zoning status as Mixed-use made for an ideal location for a Full Service Catering Facility to start, promote and aide in, the reintroduction of Small Businesses in this Economically Underserved Community.

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

I am not aware of any planned development in the South End that fosters Entrepreneurial undertakings. However, this project is consistent with the City's efforts to bring businesses back into the inner city while working to reduce blight properties in this and surrounding areas.

#### Part 5. Fiscal and Environmental Impacts

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

This project will involve interior remodeling and renovation of the commerical space and exterior touchups on the physical structure. It will take approximately two to three months to complete once work has started.

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

N/A. Adjacent properties are vacant lots

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

E. Are there any public funds from any source being used to improve the site or for the operation of the conditional use?

National Grid's Development Department is working alongside the Owner to provide up to \$25K in funding to renovate the space, utilizes and structure.

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.)?

Yes. Thus far, sidewalk repaving for safe ADA ingress and egress is required and utility services (Electric and Gas) will need to be upgraded. Storm drainage & Sewer TBD.

G. Indicate whether there is an increase or decrease in impervious surface area as a result of the proposal:

Neither, we are using the existing building's footprint.

#### 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:

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 will depend on events catered and take-out pickup/delivery. Anticipated peak hours are Monday-Saturday 11:00am-2pm and 6pm-10pm.

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:

The Kitchen will require 1-2 commercial truck deliveries daily. Deliveries will be accepted at the service entrance for 91 Clinton St (Corner of 4th Ave and Clinton St).

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

Vacant lots 93 and 95 Clinton St are also owned by the Owner and can be utilized as off street parking—one to forty feet away. However, ample curb side parking is available along Clinton St and Fourth Ave.

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.*):

Sidewalk improvements (curb cuts and repaving) will be required to ensure safe ingress and egress for all customers and to achieve ADA compliance.

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

Entrance will be connect to the sidewalk via stairs and access ramp.

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

Access ramp from the sidewalk to the entrance and ADA complaint restrooms and seating.

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

Electric and Gas, yes. Water and Sewer TBD.

## Part 8: Necessity and Desirability of Service

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

This facility will provide a location for community members to host family, community and business events/functions, and serve as a local takeout restaurant offering a variety of cuisines. It will also provide ten to fifteen jobs for community members.

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

The Kenmore Ballroom - 122,780 sqft  
76 North Pearl Street  
Albany, NY 12207

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

Considering that economic health fosters an environment that promotes public health and safety, this proposed use will serve as the corner stone for the economic rebirth of the South End's Small Business sector. It's approval and anticipated success will not only positively impact community economics but, as a consequence, also public health and safety.

## Part 9: Submittal Requirement Checklist

	Required Documents	Hard Copies	Electronic Copies	Electronic Submission (.pdf) (Required Document Name)
<b>A. Required for All Conditional Use Permit Applications</b>				
<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 type="checkbox"/>	Elevations for all new buildings and additions, drawn to scale	0	1	Elevations [YYYY]-[MM]-[DD]
<input 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>B. Voluntary or Upon Request</b>				
<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 <a href="mailto:planningboard@albanyny.gov">planningboard@albanyny.gov</a> , USB Flash Drive, or by another medium approved by the City of Albany Planning Staff. CD and DVD submissions are <b>not</b> accepted.				