



Planning Board Public Hearing and Meeting Staff Memorandum

Date: Tuesday, November 23, 2021

Location: Teleconference and Videoconference via Zoom

Time: 6:00 PM

Public Hearing Agenda

PROJECT #00426

Application	CUP #0047
Property Address	289 Hudson Avenue
Applicant	Bill Hamel, QUAD H, LLC
Zoning District	R-T (Townhouse)
Request	Conditional Use Permit - §375-203(4)(d)(i)C & §375-5(E)(16)
Proposal	Conversion of 3,700 square feet of office space into two dwelling units.

Prior Appearances: None

Notes/Comments:

- The project is classified as a Type II Action based on Part 617.5(C)(11) of New York State Law and requires no further SEQRA review.
- The proposed project would not result in any changes to the existing window or door openings. Any deviations from this would require review by the Historic Resources Commission since the property is located within a Locally Designated Historic District.
- The application was referred to the Albany County Planning Board for their November 18, 2021 meeting. The recommendations made by the County Planning Board will be provided at the hearing.
- Since the building was originally constructed for a non-residential use, §375-203(4)(d)(i)C of the USDO allows the building to be converted to any use in the Residential or Civic and Institutional categories in the Permitted Use Table upon the issuance of a Conditional Use Permit.
- The Planning Board uses seven review standards to determine whether a Conditional Use Permit should be approved. The following list includes the Conditional Use Permit standards along with Planning Staff's determination of each of the standards:
 - i. The project is consistent with any provision of this USDO and the Albany City Code.
The project complies with all provisions of the USDO and Albany City Code.
 - ii. The project would not result in a random pattern of development with little relationship to existing or planned development.

The proposed reuse of the existing building as a multi-family building would create a more consistent relationship with neighboring residential uses than the current office use. Therefore, the proposed project would not result in a random pattern of development.

- iii. The project would not cause negative fiscal or environmental impacts on adjacent properties and the surrounding neighborhood.
Planning staff has worked with the applicant to ensure the provision of an indoor trash storage area to prevent negative impacts related to trash pickup with the City right-of-way. Given the inclusion of the indoor trash storage area and the limited intensity of the proposed use, the project would not result in negative fiscal or environmental impacts on adjacent properties and the surrounding neighborhood.

- iv. The project is consistent with the purposes and objective of the zone district and character of the neighborhood in which it is located and the specific use standards applicable to the use.
The project is located in an R-T (Townhouse) zoning district. The purpose of the district is to provide for neighborhoods containing a blend of townhouse-style residences of varying sizes and configurations. While the proposed use is not a townhouse, the R-T purpose statement goes on to say that a mix of uses is permitted where the existing building typologies and built fabric of the area are consistent with such uses shown in the Permitted Use Table.

The proposed conversion of the structure from a mixed-use building with office space on the ground floor to a multi-family building is consistent with the purpose of the district.

- v. The project would not result in harmful cumulative effects or impacts of aggregate similar conditional uses.
While there are other proximate multifamily structures, the inclusion of an indoor trash storage area and the decreasing intensity of the use would not result in harmful cumulative effects or impacts on the surrounding neighborhood.

- vi. The project would not place excessive burden on public improvements, facilities, services, or utilities.
The subject property and building have existing utility connections and is located in a neighborhood that is supported by a number of public improvements, facilities, and services. The proposed conversion would not place a burden on these existing services.

- vii. The project will provide a necessary and desirable service that is in the interest of the public convenience and will contribute to the general welfare of the surrounding neighborhood or community.

The proposed project promotes the continued use of a contributing historic structure that will provide new housing units within close proximity to a number of major employers. Through the retention of existing historic building elements and openings, and the creation of the indoor trash storage area, the proposed project contributes to the general welfare of the surrounding neighborhood.

Recommended Action – CUP #0044: Defer to December 7th Hearing due to Delay in Published Notice.

Public Meeting Agenda

PROJECT #00438

Application	DPR #0136; CUP #0048
Property Address	329 North Pearl Street
Applicant	Philip Morris, Capital Repertory Theatre
Representing Agent	Weston & Sampson
Zoning District	MU-CU (Mixed-Use, Community Urban)
Request	Concept Review of a Major Development Plan - §375-5(E)(14) SEQRA Lead Agency Declaration
Proposal	Construction of a surface parking lot with 44 parking spaces.

Prior Appearances: None

Notes/Comments:

- Lead Agency notification will be sent to the New York State Historic Preservation Office and Empire State Development.
- The Applicant submitted a waiver application for the proposed access point for the proposed parking lot, which was reviewed and discussed at the November 9 Workshop.

Recommended Action – SEQRA: Declare Planning Board as Lead Agency.

Other Business

1. Overview of Pending Applications for Future Meetings

Pending Applications

- 17-25 Erie Boulevard (Applicant addressing City department comments prior to December 7 Meeting)
- 289 Hudson Avenue (Second Public Hearing on December 7 that has been noticed)
- 16-20 Morris Street; 353 Lark Street (Applicant responding to Department comments and providing additional justification for proposed waiver of 40 parking spaces. Application still needs to be referred to the Albany County Planning Board)
- 69-85 Sherman Street (Applicant revising application materials before application referred to City Departments)