



DEPARTMENT OF PLANNING, HOUSING, & COMMUNITY DEVELOPMENT

Mayor, Richard C. David
Director, Dr. Juliet Berling

Staff Report Series A Site Plan and Special Use Permit Review

Planning Commission Date: May 27, 2015
Address: 19 Chenango Street
Tax Id #: 160.41-1-13
Case Number: 2015-30
Zoning: Downtown Business District (C-2)

REVIEW REQUESTED

19 Chenango Street Associates LLC has submitted an application for Series A Site Plan & Special Use Permit review for a proposed mixed-use project at the property known as 19 Chenango Street. The existing structure at the subject property is known as “The Press Building.” This project is part of a multi-unit residential apartment complex known as “The Printing House Apartments” which includes the properties at 21 and 25 Chenango Street.

The applicant proposes to convert the existing 12-story structure at 19 Chenango Street to a Multi-Unit Dwelling (93 Units, 207 Bedrooms), with approximately 230 ft² of the 1st floor reserved for future commercial tenant space.

The residential portion of the first floor will be configured into 5 units with a total of 9 bedrooms. The second through third floors will each be configured into 7 units with a total of 17 bedrooms per floor. Floors four through ten will each contain 6 units with 18 bedrooms per floor. The eleventh and twelfth floors will be configured into 7 units each, with a total of 19 bedrooms per floor.

19 Chenango Street will be linked with 21 and 25 Chenango Street via the basement. The basement will contain the following amenities, to be shared by residents of all three buildings:

- 733ft² laundry room in 21 Chenango
- 3,906ft² lounge in 21 Chenango
- 679ft² hot tub in 21 Chenango
- Two 196ft² tanning beds in 21 Chenango
- 725ft² study area in 21 Chenango
- 2,335ft² lounge in 19 Chenango
- 1,329ft² gym in 19 Chenango
- 679ft² bike storage room in 19 Chenango
- 958ft² theatre in 19 Chenango
- 1,652ft² gym in 25 Chenango

Public access will not be permitted and will be controlled using electronically controlled exterior and interior doors.

Per Section 410-53 (A), off-street parking requirements shall not apply to any existing buildings located in the Downtown Business (C-2) District where no parking presently exists and there is no opportunity to provide it.

STAFF FINDINGS AND RECOMMENDATIONS

Planning Staff has the following findings:

1. The Planning Commission must determine if the requirements of Section 410-47 for a Series A Site Plan Review have been met.
2. The Planning Commission must determine if the general requirements as set forth in Section 410-40 for a Special Use Permit have been met.

Staff recommends the following conditions of approval:

1. That the applicant submit a lighting plan for the Commercial Alley and Chenango Street frontages and throughout the “Press Alley” pedestrian walkway for review by the Planning Commission.
2. That the applicant shall install bicycle parking bollards adjacent to the Chenango Street entrance.
3. That the applicant shall expand the proposed hours of public access to Press Alley to 6:00am-11:00pm so as to not be overly restrictive on the right of members of the public to move through the public right-of-way. The City shall reserve the right to amend the hours of public access and to have full, unrestricted access at any time if necessary.
4. That no certificate of occupancy shall be granted for the property at 19 Chenango Street until the buildout of the entire basement, including those sections of the basement that are beneath 21 and 25 Chenango Street, is completed in accordance with the final floor plan as approved by the Planning Commission.

STANDARDS FOR APPROVAL OF SITE PLANS

Listed below are the *Standards for approval of site plans* found in Article IX of the Zoning Ordinance. In reviewing a Site Plan Modification application, the Planning Commission should refer to the guidelines for reviewing a Series A Site Plan application. Planning Commission is guided by the existing characteristics and conditions of the site, its surroundings, and the particular requirements of the Applicant. Elements of concern include, but are not limited to the following:

- Movement of vehicles and people
- Public safety
- Off-street parking and service
- Lot size, density, setbacks, building size, coverage and height
- Landscaping, site drainage, buffering, views or visual character
- Signs, site lighting
- Operational characteristics
- Architectural features, materials and colors
- Compatibility with general character of neighborhood

- Other considerations that may reasonably be related to health, safety, and general welfare

In addition, the general requirements described in Section 410-40 must be complied with. The requirements for Section 410-40 are as follows:

1. That the land use or activity is designed, located, and operated so as to protect the public health, safety, and welfare.
2. That the land use or activity will encourage and promote a suitable and safe environment for the surrounding neighborhood and will not cause substantial injury to the value of other property in the neighborhood.
3. That the land use or activity will be compatible with existing adjoining development and will not adversely change the established character or appearance of the neighborhood.
4. That effective landscaping and buffering is provided as may be required by the Planning Commission. To this end, parking areas and lot areas not used for structures or access drives shall be improved with grass, shrubs, trees, and other forms of landscaping, the location and species of which shall be specified on the site plan.
5. That a site plan shall be approved in accordance with applicable provisions of Article IX of the Zoning Ordinance.
6. That adequate off-street parking and loading are provided in accordance with Article X of the Zoning Ordinance or other requirements as may be set forth in Section 806, and egress and ingress to parking and loading areas are so designed as to minimize the number of curb cuts and not unduly interfere with traffic or abutting streets.
7. That site development shall be such as to minimize erosion and shall not produce increased surface water runoff onto abutting properties.
8. That existing public streets and utilities servicing the project shall be determined to be adequate.
9. That significant existing vegetation shall be preserved to the extent practicable.
10. That adequate lighting of the site and parking areas is provided and that exterior lighting sources are designed and located so as to produce minimal glare on adjacent streets and properties.
11. That the land use or activity conforms with all applicable regulations governing the zoning district where it is to be located, and with performance standards set forth in Section 503 of the Zoning Ordinance, except as such regulations and performance standards may be modified by the Planning Commission or by the specific provisions of Section 806. Notwithstanding the above, the Planning Commission shall not be authorized to modify the land use regulations of the Zoning Ordinance.

ADDITIONAL REVIEWS

The applicant received approval from CAUD at the May 28th meeting for the proposed exterior staircase and the repair of the decorative cornice.

The project is located within 500 feet of a Broome County-owned facility (Courthouse) and therefore is subject to 239-m review by the Broome County Department of Planning and Economic Development.

The applicant was granted a Use Variance from the Zoning Board of Appeals on June 1, 2015 to allow residential use on the ground floor as shown in the 1st floor plan submitted by the applicant on 5/20/2015.

SITE REVIEW

The subject property is improved by a 12-story structure, a covered pedestrian walkway known as “Press Alley” abutting the structure to the north, and a pedestrian plaza area to the west of the structure. The existing structure at the subject property was originally constructed in 1960, and is known as “the Press Building.”

The subject structure was most recently occupied by professional offices, but has been vacant since suffering damage resulting from a 2010 fire at an abutting property (83 Court Street).

The existing structure maintains primary point of ingress/egress is located at Chenango Street, with 2 additional access points along the northern boundary of the structure (within “Press Alley”) and a ground floor service access at the western wall of the structure. An elevated pedestrian walkway is attached to the 2nd story of the subject structure on its northern wall, extending to the abutting property/structure known as 21 Chenango Street.

The predominant land use in the vicinity is commercial, with retail businesses at the ground floor and upper-stories utilized for office use, but, increasingly, these upper-stories have been converted for residential use.

A two-way street known as Commercial Alley abuts the subject property to the west; the street is one city block in length, running south from its northernmost boundary (Henry Street) until the subject property, where a pedestrian-only spur, known as the “Commercial Alley Pedway,” continues south to Court Street, and multi-modal traffic diverted west to State Street.

A pedestrian-only path is located on the subject property which runs east-west along the length of the existing structure between Chenango Street and Commercial Alley. The path is frequently utilized by parkers in the State Street Parking ramp, which has direct, ground-floor pedestrian access at Commercial Alley.

PREVIOUS ZONING BOARD & PLANNING COMMISSION ACTIVITY

83 Court Street:

- 83 Court Street: In June of 2013, the Planning Commission approved a Series A Site Plan / Special Use Permit for a multi-unit residential and retail development in the C-2 District

21 Chenango Street: In June, 2013, the Planning Commission granted Series A Site Plan & Special Use Permit approval to Stellar 83 Court, LLC for conversion of 2nd & 3rd floors of an existing structure for use as Multi-Unit Dwelling (16 Units, 30 Bedrooms), with the 1st floor reserved for Commercial Use Tenant To Be Determined, in the C-2, Downtown Business District. That approval has since expired and has been

resubmitted for approval by the Planning Commission.

15-17 Chenango Street, 1 Commercial Alley, 83-85 & 87 Court Street: The Planning Commission approved a Series A Site Plan Review application submitted by Satra Realty in January of 2001 for the conversion of the second, third, fourth, and fifth floors of an existing building to apartments for students (45 One Bedroom, 2 Two-Bedroom), with 1st floor reserved for commercial uses.

25 Chenango Street: In February, 2013, 25 Chenango Street Associates, LLC was granted Series A Site Plan/SUP approval for a multi-unit residential development in the C-2 District.

42 Chenango Street: In 1989, the First Presbyterian Church was granted a use variance to construct a memorial garden and columbarium in a C-2, Downtown Business district.

60-68 Court Street: Adam Weitsman was given a Special Use Permit by the Planning Commission in March of 2000 to operate a billiard/pool hall.

60-68 Court Street: In June of 2011, the Planning Commission approved a series A Site Plan / Special Use Permit for a Cultural Facility and a Multi-Unit Dwelling (More than 4 Bedrooms) in the C-2 District.

73 Court Street: In April of 2011, the Planning Commission approved a Series A Site Plan / Special Use Permit for the conversion of upper-floor space to a Dormitory, Off-Campus.

73 Court Street: In June of 2012, Planning Staff granted a Series A Site Plan / Special Use Permit Exception for a Tavern in a former Tavern space.

80 Court Street: In March of 2010, the Planning Commission approved a Series A Site Plan / Special Use Permit for the conversion of a commercial space to two dwelling units.

ENVIRONMENTAL IMPACT

The applicant's proposal is a SEQR **Type I** Action. The Planning Commission should act as the lead agency to determine any environmental significance related to the Site Plan and Special Use Permit.

1. Motion to determine what type of action:
 - a. **Type I**
 - b. Type II
 - c. Unlisted
2. Determine Lead Agency and other involved agencies.
3. After the Public Hearing, Determination of Significance. The Planning Commission is responsible for completing Part 2 & Part 3 of the Environmental Assessment Form (EAF)– see below.

SEQR EAF Part 2 - Impact Assessment. The Lead Agency (Planning Commission) is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the Planning Commission. When answering the questions the Planning Commission should be guided by the concept “Have our responses been reasonable considering the scale and context of the proposed action?”

	NO, OR SMALL IMPACT MAY OCCUR	MODERATE TO LARGE IMPACT MAY OCCUR
Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	X	
Will the proposed action result in a change in the use or intensity of use of land?		X
Will the proposed action impair the character or quality of the existing community?	X	
Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	X	
Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		X
Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	X	
Will the proposed action impact existing: A. public / private water supplies? B. public / private wastewater treatment utilities?	X	
Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		X
Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	X	
Will the proposed action result in an increase in the potential for erosion, flooding or drainage Problems?	X	
Will the proposed action create a hazard to environmental resources or human health?	X	

EAF Part 3 - Determination of significance. For every question in Part 2 that answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the

potential for short-term, long-term and cumulative impacts.

- If the Planning Commission determines that the proposed action may result in one or more potentially large or significant adverse impacts an environmental impact statement is required.
- The Planning Commission may issue a Negative Declaration if it is determined that the proposed action will not result in any significant adverse environmental impacts.

ENCLOSURES

Enclosed is a copy of the application, site plan, and photograph page.