

**City of Schenectady
Planning Commission
Meeting Minutes
January 15, 2020**

I. CALL TO ORDER

Commissioner Wallinger called the meeting to order at 6:35 p.m.

II. ATTENDANCE

PRESENT: Mary Moore Wallinger, Chair; Ryan Bailey; Randall Beach; Kimberly Case; Andrew Healey; Jason Bogdanowicz-Wilson; Christine Primiano, Principal Planner; Andrew Koldin, Corporation Counsel

EXCUSED: Bradley Lewis, Vice Chair; Richard Ferro

III. CONFLICT OF INTEREST CHECK

None.

IV. APPROVAL OF MEETING MINUTES

Motion by Commissioner Bailey, seconded by Commissioner Healey, to approve the Minutes of the December 18, 2019 meeting as submitted.

Motion carried unanimously, with Commissioner Beach absent from the vote.

V. NEW BUSINESS

A. AYED SALEH requests site plan approval pursuant to Section 264-90 M of a proposal to operate a smoke shop at 906-908 Crane Street, tax parcel # 49.47-1-9.1, located in a “C-2” Mixed Use Commercial District.

Nabeel Shohatee appeared before the Commission on behalf of Ayed Saleh.

Mr. Shohatee stated that he had been asked at the last minute to appear for Mr. Saleh who had to return to Egypt due to an ill parent.

Commissioner Wallinger explained that the application was missing a great deal of information and the Commission could not consider the proposal until the required information is submitted.

PUBLIC COMMENTS

None.

MOTION TO TABLE

Motion by Commissioner Bailey, seconded by Commissioner Wilson, to table the proposal due to an incomplete application.

Motion carried unanimously, with Commissioner Beach absent from the vote.

B. MOUSA A. SAHEBA requests site plan approval pursuant to Section 264-90 M of a proposal to operate a convenience store at 876 Albany Street, tax parcel # 49.33-4-21, located in a “C-2” Mixed Use Commercial District.

Nabeel Shohatee appeared before the Commission on behalf of Mousa Saheba.

Commissioner Wallinger explained that the application was missing a great deal of information and the Commission could not consider the proposal until the required information is submitted.

City Planner Primiano noted that the site plan drawings submitted for both the Ayed Saleh and Mousa Sabeha applications were inaccurate and did not show the properties in detail, as is required, nor did they show the buildings in the correct context of the surrounding area. Mr. Shohatee stated that there might have been some confusion with the addresses of the two buildings.

PUBLIC COMMENTS

None.

MOTION TO TABLE

Motion by Commissioner Case, seconded by Commissioner Healey, to table the proposal due to an incomplete application.

Motion carried unanimously, with Commissioner Beach absent from the vote.

C. JAIWANTI LOAKNAUTH requests site plan approval pursuant to Section 264-90 M of a proposal to operate two stores, a liquor store and a clothing store, at 1512-1514 State Street, tax parcel # 49.84-2-17, located in a “C-2” Mixed Use Commercial District.

Jaiwanti Loaknauth presented the proposal.

Ms. Loaknauth explained that she has been operating her boutique at another location on State Street for several years and would like to move her business to this site and open a liquor store in the other half of the building. She also distributed to the Commissioners drawings of the

proposed new monument sign. Commissioner Wallinger asked Ms. Loaknauth if she plans to remove the abandoned pole sign. Ms. Loaknauth responded that the pole sign will be removed. City Planner Primiano stated that she will work with the applicant to ensure that the sign is within the allowed dimensions and location.

Commissioner Wallinger stated that some of the asphalt at the front of the site should be removed to eliminate the possibility of customers parking there illegally. The Commissioners and the applicant discussed the removal of the asphalt and addition of more landscaping and some street trees. It was determined that Ms. Loaknauth would submit a final landscaping plan, showing the changes discussed at the meeting, to Ms. Primiano for final approval.

Commissioner Wallinger asked Ms. Loaknauth if she plans to repaint the side of the building. Ms. Loaknauth responded that she plans to paint it as soon as weather permits, but she has not decided on a color yet. The Commissioners agreed that the exterior colors of the building could be submitted to Ms. Primiano for final approval.

Commissioner Wallinger asked what the proposed hours of operation are for the liquor store. Ms. Loaknauth responded that they would like to be open Monday through Saturday from 9 a.m. to 9 p.m., and Sundays 12 p.m. to 6 p.m.

PUBLIC COMMENTS

None.

SITE PLAN APPROVAL

Motion by Commissioner Beach, seconded by Commissioner Healey, to accept the proposal with the following conditions:

1. The address will be prominently displayed so that it is easily visible from State Street.
2. Metal roll gates and iron bars cannot be installed on any doors or windows at any time in the future.
3. The pole sign will be removed in its entirety prior to the opening of the business.
4. Parking space #1 will be properly designated as a handicap space.
5. The applicant will submit final details of the landscaping, signs, dumpster enclosure, and other exterior changes to the building to the City Planner for final approval prior to beginning the work. The landscaping will be installed by June 15, 2020.
6. The sidewalk along Harvard Street appears to be in disrepair. The sidewalk will be replaced by October 1, 2021 in concrete according to City standards. A permit must be obtained from the

City Engineering Department before the sidewalk is installed. No sidewalk repairs may be made with asphalt.

Motion carried unanimously.

VI. OLD BUSINESS

A. SLIMAN HAMDARD requests site plan approval pursuant to Section 264-90 M of a proposal to convert the existing auto repair shop to a space of worship at 1221 Albany Street, tax parcel # 49.59-2-39, located in a “C-2” Mixed Use Commercial District.

Dan Morelli of Morelli Design and Construction presented the proposal.

Mr. Morelli briefly reviewed the site plan drawings and pointed out that the current garage door openings will be infilled with concrete block, the entire building will be repainted, and the sidewalk will be replaced to City Code. Commissioner Wallinger noted that the site plan shows sugar maples as the trees to be installed on the site. She stated that while she loves sugar maples, they are prone to having root systems that might damage the pavement. She suggested the use of a linden, red maple, or honey locust tree, any of which would be a better fit for this location. Mr. Morelli indicated that he did not think that his clients would object to changing the species of tree.

Commissioner Wallinger asked if there is any proposed signage for the site. Mr. Morelli responded that at this point his clients plan to use only vinyl letters on the front door. Commissioner Wallinger noted that in the future if they decide they would like to install further signage they are required to return to the Planning Commission with a proposal for the sign. Mr. Morelli indicated that he understood.

PUBLIC COMMENTS

None.

SITE PLAN APPROVAL

Motion by Commissioner Healey, seconded by Commissioner Bailey, to accept the proposal with the following conditions:

7. The address will be prominently displayed so that it is easily visible from Albany Street.
8. Metal roll gates and iron bars cannot be placed on any doors or windows at any time in the future.
9. Concrete block will be used to infill the opening where the overhead doors currently exist.
10. The exterior of the building will be repainted by July 1, 2020.
11. All landscaping will be installed by July 1, 2020.

12. The old wall sign will be removed prior to repainting the building.
13. The sidewalk must be replaced with a concrete sidewalk by July 1, 2021. A permit must be obtained from the City Engineering Department before the sidewalk is installed.

Motion carried unanimously.

B. JADELL WHITFIELD requests site plan approval pursuant to Section 264-90 M of a proposal to operate a restaurant at 1361 Lower Broadway, tax parcel # 49.37-2-12, located in an “M-1” Light Manufacturing and Warehouse District.

Jadell Whitfield presented the proposal.

Mr. Whitfield reviewed that additional application information that he had submitted since the December 2019 meeting. City Planner Primiano asked how many seats the restaurant will have. Mr. Whitfield responded that there will be six tables, as well as seating for 15 at the bar.

Commissioner Wallinger asked Mr. Whitfield if there had been previous complaints from neighbors about patrons of the business parking on private property near the site. Mr. Whitfield stated that when the business was previously operated as a bar the neighboring adult bookstore had complained that some of the patrons were parking in their lot. He stated that he plans to run a different type of business and does not believe he will have the same problems with his clientele.

Commissioner Bailey asked Ms. Primiano how many parking spaces are required for the business. Ms. Primiano stated that as a new business there would be seven to eight required. After some continued discussion with Corporation Counsel Koldin, it was determined that because the business is changing from a bar to a restaurant it would not be grandfathered and would need to provide the required parking spaces. Counselor Koldin explained to Mr. Whitfield that because the two previous businesses on the site had received waivers for site plan approval and had never gone through full review the parking issue unfortunately was overlooked. Ms. Primiano explained that because there is no onsite parking and only one space that may be counted on the street, Mr. Whitfield will have to obtain an area variance from the Board of Zoning Appeals or submit a shared parking agreement to the City. Mr. Whitfield expressed his frustration with not being able to move forward with the business. He asked if the parking issue would prohibit him from opening for delivery only until the BZA meeting. Ms. Primiano stated that she would research the subject and meet with Mr. Whitfield to discuss the matter further.

The Commissioners decided to move forward with conditional site plan approval to facilitate Mr. Whitfield's opening of the business once the parking issue is resolved.

PUBLIC COMMENTS

None.

SITE PLAN APPROVAL

Motion by Commissioner Case, seconded by Commissioner Wilson, to accept the proposal with the following conditions:

1. The address must be prominently displayed so that it is easily visible from Lower Broadway.
2. Metal roll gates and iron bars cannot be placed on any doors or windows any time in the future.
3. Pursuant to City Code Chapter 182 Noise, the outdoor patio will close by 11 p.m.
4. All garbage will be stored out of public view.
5. The banner displayed on the roof is not permitted and must be removed within 7 days of this approval.
6. Outdoor seating requires a sidewalk café permit issued by Code Enforcement.
7. A Certificate of Use is required to operate the business.
8. The applicant must obtain an area variance for the lack of parking or submit a shared parking agreement to the City Planner.

Motion carried unanimously.

VII. MISCELLANEOUS

Commissioner Wilson noted that Dave's Burgers on Broadway has more than 20% of every windowpane covered with signs. Staff will follow up.

City Planner Primiano noted that she and other staff are working on revisions to the Zoning Code which will include new language for electronic message board signs and downtown residential parking requirements.

VIII. MOTION TO ADJOURN

Motion by Commissioner Beach, seconded by Commissioner Bailey, to adjourn the meeting.

Motion carried unanimously.

Meeting was adjourned at 7:57 p.m.