

**City of Schenectady
Planning Commission
Meeting Minutes
January 16, 2019**

I. CALL TO ORDER

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

II. ATTENDANCE

PRESENT: Mary Moore Wallinger, Chair; Bradley Lewis, Vice Chair; Ryan Bailey; Randall Beach; Kimberly Case; Evan Euripidou; Richard Ferro; Andrew Healey; Jason Bogdanowicz-Wilson; Christine Primiano, Principal Planner; Andrew Koldin, Assistant Corporation Counsel

III. CONFLICT OF INTEREST CHECK

Commissioner Ferro recused himself from voting on New Business Item B, the Hamayun Faizy application. Commissioner Wallinger, Lewis, and Beach recused themselves from voting on Old Business Item A, the Union College application.

IV. APPROVAL OF MEETING MINUTES

Motion by Commissioner Beach, seconded by Commissioner Lewis, to accept the Minutes of the December 19, 2018 meeting as submitted.

Motion carried unanimously.

V. NEW BUSINESS

A. MEAHGAN BOROWSKY requests site plan approval pursuant to Section 264-90 M of a proposal to operate a restaurant and tea and merchandise retail establishment at 138 Jay Street, tax parcel # 39.72-2-28, located in a "C-4" Downtown Commercial District.

Meaghan Borowsky presented the proposal.

Ms. Borowsky explained that she recently purchased the property, which has been vacant for over a decade, and plans to open the third location of her business, The Whistling Kettle restaurant and retail shop, there.

Commissioner Wallinger asked if the color shown on the site plan elevation drawing is the true color being proposed for the top portion of the building. Ms. Borowsky stated that it is close, and that she would like to use a teal or deep aqua color to contrast with the Open Door sign band next door. Commissioner Case asked if there will be one primary entrance. Ms. Borowsky stated that it will be the entrance furthest to the right, and it will be clearly indicated as the main entrance and exit.

Commissioner Wallinger asked if the glass storefront will be clear glass. Ms. Borowsky stated that it will be.

PUBLIC COMMENTS

Ray Gillen, Chairman of Metroplex Development Authority, spoke in favor of the project, stating that the business will be an excellent addition to downtown and will be a great use for this building, which has been vacant and in disrepair for many years.

Seeing no further members of the public who wished to speak, Commissioner Wallinger closed the public hearing. Commissioner Euripidou asked if the painted portion of the façade is brick and if the texture of the brick will still be visible under the color. Ms. Borowsky stated that it is brick and the texture will still be visible. Commissioner Wallinger stated that she is happy to see this building being brought back to life and believes that the business will be an excellent addition to the neighborhood. The Commissioner concurred.

SITE PLAN APPROVAL

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

1. The address will be prominently displayed so that it is easily visible from Jay Street.
2. Metal roll gates and iron bars cannot be installed on any doors or windows at any time in the future.
3. Detailed elevation drawings will be submitted to the City Planner for approval prior to the issuance of a building permit.
4. The projecting sign requires a revocable permit issued by the Engineering Department prior to installation of the sign.
5. A Certificate of Use and Public Assembly Licenses issued by Code Enforcement must be obtained prior to operating the business.
6. A water meter is required by the Water Department.

Motion carried unanimously.

B. HAMAYUN FAIZY requests site plan approval pursuant to Section 264-90 M of a proposal to operate a restaurant and pub at 38-40 North Broadway, tax parcel # 39.64-3-40, located in a “C-4” Downtown Commercial District.

Hamayun Faizy presented the proposal.

Mr. Faizy explained that he is buying the Pinhead Susan’s building and business and does not plan to make any changes to the exterior, except for the consolidated and enclosed dumpsters. Commissioner Wallinger

suggested that the wall behind the garbage storage be painted to match the enclosure in order to camouflage it more. Mr. Faizy agreed that this would be a good idea.

Commissioner Wallinger stated that Liberty Street is often blocked by delivery trucks that stop in the traffic lane to unload. Mr. Faizy stated that they should be delivering to the driveway area only, and he will inform his vendors that they should not stop in the street. City Planner Primiano stated that it would be helpful to also restrict the delivery time so that it is limited to between 9 a.m. and 11 a.m. and thus there will be no chance of trucks blocking traffic during rush hour.

Counselor Koldin asked Mr. Faizy when he plans to open the business. Mr. Faizy stated that his liquor license is pending but should go through by the end of February. Counselor Koldin stated that because he is incorporated, he will have to have a Certificate of Good Standing from New York State as well as his DBA. City Planner Primiano stated that she has spoken with Mr. Faizy and he has all the necessary paperwork ready to move forward once he is granted site plan approval.

PUBLIC COMMENTS

Ray Gillen, Chairman of Metroplex Development Authority, spoke in favor of the proposal. Mr. Gillen stated that this business was an integral part of the revival of downtown Schenectady, and he is happy to see it continuing under new ownership. He thanked the previous owners for their many years of service to the community.

Seeing no further members of the public who wished to speak, Commissioner Wallinger closed the public hearing.

SITE PLAN APPROVAL

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

1. The address will be prominently displayed so that it is easily visible from North Broadway.
2. Metal roll gates and iron bars cannot be installed on any doors or windows at any time in the future.
3. The dumpsters will be consolidated to one area and properly enclosed so that they are screened from public view. The applicant will submit the dumpster enclosure plans to the City Planner for final approval prior to installation. The dumpster enclosure and the wall at the rear of the property will be painted the same color so as to allow the garbage storage to appear less prominent. The dumpsters will be enclosed by June 1, 2019.

4. Delivery trucks will be directed to the rear driveway area or the trucks will stand on the side of Liberty Street only between 9 and 11 a.m.
5. Certificate of Use and Public Assembly Licenses issued by Code Enforcement must be obtained prior to operating the business.

Motion carried unanimously, with Commissioner Ferro recusing himself from the vote.

C. SAFAWN ALQUTAINI requests site plan approval pursuant to Section 264-90 M of a proposal to operate a convenience store at 851 State Street, tax parcel # 49.47-3-1, located in a “C-2” Mixed Use Commercial District.

Safawn Alqutaini and his interpreter presented the proposal.

Mr. Alqutaini explained that he is taking over an existing convenience store and does not plan to make any changes other than the sign. The applicant and the City Planner discussed the storage of garbage and the enclosure for the cooler fan, and it was decided that both areas need to be enclosed with new structures.

Commissioner Wallinger reminded that applicant that no more than 20% of the windows may be covered with signs. Mr. Alqutaini stated that he understood. The signage was discussed, and it was determined that the applicant would like to install individual, externally-lit letters in the sign band. Commissioner Wallinger stated that the entire sign band should be painted the same color. She suggested brown, to match the other trim on the building. The Commissioners agreed. Commissioner Wallinger stated that Mr. Alqutaini should submit the final signage plan to City Planner Primiano prior to the purchase of installation of the sign. Mr. Alqutaini indicated that he understood.

PUBLIC COMMENTS

None.

SITE PLAN APPROVAL

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

1. The address will be prominently displayed so that it is easily visible from Crane Street.
2. Metal roll gates and iron bars cannot be installed on any doors or windows at any time in the future.
3. The dumpster and refuse containers will be stored in one area and properly enclosed so that they are screened from public view. The exterior cooler exhaust fan enclosure will also be repaired.

The applicant will submit the enclosure plans to the City Planner for final approval prior to installation. The work will be completed by June 1, 2019.

4. The storefront trim and sign band area will be repainted. The painting plan and the colors will be submitted to the City Planner for final approval prior to painting. The painting will be completed by June 1, 2019.
5. The abandoned attached sign for 'Urban Street Wear' will be removed in its entirety by February 1, 2019.
6. Pursuant to Section 264-61, all window signs cannot exceed 20% of each window pane.
7. The applicant must submit more detailed information to the City Planner for approval regarding the type of sign, construction, illumination, and location prior to purchase and fabrication of the sign(s).
8. A Certificate of Use issued by Code Enforcement must be obtained prior to operating the business.
9. The applicant will sweep the sidewalk in front of the store at least twice daily and keep the exterior free from litter and other debris.

Motion carried unanimously.

VI. OLD BUSINESS

- A. UNION COLLEGE requests revised site plan approval pursuant to Section 264-90 M of a proposal to redevelop the property at 631-645 Nott Street to operate the Union College Campus Safety facility, tax parcel # 39.58-1-11&13, located in a "C-2" Mixed Use Commercial District.**

Because Commissioners Wallinger and Lewis recused themselves from the consideration of this item, Commissioner Wilson led the discussion.

Loren Rucinski, Director of Facilities and Planning for Union College, and Emily Kohout of Architecture+ presented the proposal. Mr. Rucinski explained that after the project was granted initial site plan approval in November 2018 it was put out for bid and the bids came back much higher than their budget allowed. He stated that at that time it became necessary for the architects to revise the plans to reduce the building costs.

Ms. Kohout briefly reviewed the revised elevation drawings, pointing out the proposed changes to the parapet, roofline, fenestration, and soffit material, all of which were detailed in a letter submitted to City Planner Primiano and the Planning Commission dated January 11, 2019. She explained that many of the budget issues came about due to the existing

steel structure of the building and the inability to alter that structure in an affordable way.

Ms. Primiano explained that the revised design does not meet the requirement of the Design Guidelines that call for a minimum of 60% glazing on each street-facing façade. She added that the use of faux windows and spandrel glass are not allowed to count towards that requirement.

Commissioner Case commented that in the revised design it appears that the sign is obscured by the soffit. Ms. Kohout responded that there will be recessed lighting under the soffit but added that final signage location has yet to be determined. Commissioner Bailey commented that the original design made the building easily identifiable as a part of the college while this one does not. He asked if there was any possibility of adding a monument sign to the site. Ms. Primiano stated that this would be very difficult due to the required setbacks. Commissioner Ferro stated that he would like to see the columns being more substantial, as they seem out of scale with the rest of the building. Ms. Primiano suggested adding a cap and base detail to the columns as well. The Commissioners agreed.

Commissioner Wilson stated that he feels that the Van Vranken façade needs more attention and added interest, as well as added glazing to meet the requirement. Ms. Primiano suggested putting the sign on the blank section of wall on the Van Vranken side. Ms. Kohout stated that they would take the Commissioners' comments into account and revise the plans again. Mr. Rucinski asked if they could be given conditional approval so they could get started with the interior and demolition portions of the project, as they are already significantly behind schedule. The Commissioners indicated that they would have no objection to the conditional approval.

PUBLIC COMMENTS

None.

SITE PLAN APPROVAL

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

1. The applicants will return to the Planning Commission with revised plans showing the changes discussed at the meeting, including a revised design for the Van Vranken side of the building, enlarged columns, increased glazing to the required 60%, and a final signage plan.

2. The applicants may not proceed with any exterior construction without Planning Commission approval of the final revised site plan.

Motion carried unanimously, with Commissioners Wallinger, Lewis, and Beach recusing themselves from the vote.

VII. MISCELLANEOUS

Commissioner Lewis noted that according to the November 2018 Minutes the Commission had made motions on two proposals while in Executive Session. He questioned whether formal motions could be made during the Executive Session. Counselor Koldin researched the issue and reported that motions are allowed during the Executive Session as long as they do not involve the appropriation of funds, as these motions did not.

Commissioner Wallinger noted that the former Bombshell store on the corner of Brandywine Avenue has more than 20% of the windows covered with signs. City Planner Primiano stated that staff will follow up.

VIII. MOTION TO ADJOURN

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

Motion carried unanimously.

Meeting was adjourned at 7:45 p.m.