

Minutes of the Meeting of the City Planning Commission
City Hall, Syracuse, New York
September 12, 2011

I. Summary of cases discussed herein:

SR-11-17	SP-11-19	CS-10-126	CA-11-02 A	S-11-01
SR-11-09	SP-11-07 M1	SR-97-08 M1	SR-01-08 M2	R-08-18
Z-2732	SP-95-29 M3	CS-09-92	CS-11-26	CS-11-27

II. Attendance

Members Present

Ruben Cowart
Linda Henley
Steve Kulick
George Matthews

Staff Present

Heather Lamendola
Nancy Larson
Meghan McLees
Jeff Harrop

III. Meeting called to order at 6:08 p.m.

IV. Approval of the minutes

Mr. George Matthews made a motion to accept the minutes of the August 22, 2011 meeting of the City Planning Commission. Ms. Linda Henley seconded the motion. The motion passed unanimously.

V. Public Hearings

1) SR-11-17

Site Plan Review
438-446 North Franklin Street
460 North Franklin Street Associates, LLC (owner/applicant)
Lakefront, T5

Mr. Tony Fiorito, of 460 North Franklin Street Associates, LLC at 2 Clinton Square, spoke to the Commission about the proposal, which consists of demolishing an existing one and two-story building and constructing a three-story office building with an accessory parking lot. Mr. Steve MacKnight, of MacKnight Architects at 313 South Clinton Street, provided architectural details. Mr. Scott Freeman, landscape architect at 6320 Fly Road, East Syracuse, NY, provided site details. The proposal requires waivers from Part B, Section IX, Article 4, paragraph 3b, and Part B, Section IX, Article 4, paragraph 3e of the City of Syracuse Zoning Rules and Regulations, as amended, with regard to on-site parking, and size, height, and location of shade trees, respectively.

No one spoke in favor of or in opposition to the proposal.

After further discussion and review, whereupon the Commission recognized the reduction in deviations from the City zoning code from the previous submission (SR-11-08), and the applicant acknowledged that 2 ½" caliper trees were acceptable, Ms. Linda Henley made a motion to approve the application with a negative declaration, granting three waivers from the City of Syracuse Zoning Rules and Regulations, as amended, with regard to on-site parking and the size, height, and location of shade trees. Mr. George Matthews seconded the motion. The motion passed unanimously.

- 2) SP-11-19
Special Permit-Restaurant
818-820 Danforth Street
Syracuse Realty Group (agent for owner)
Sharon D. Washington (applicant)
Split Zoned Business, Class A and Residential, Class A

Ms. Sharon Washington, of 820 Danforth Street, spoke to the Commission about the proposal, which consists of establishing a restaurant with bar service and entertainment. The proposal requires waivers from Part C, Section IV, Article 2-8.1 of the City of Syracuse Zoning Rules and Regulation, as amended, with regard to on-site parking and entertainment, and Part C, Section VI, Article 14 with regard to signage.

One person spoke in favor of the proposal, citing the benefits of a neighborhood restaurant. Three people spoke in opposition to the proposal, citing concerns with regard to the additional entertainment use and bar service, parking, noise, and the potential negative affects the proposal may have on the neighborhood.

After further discussion and review, whereupon the Commission sought clarification from legal counsel with regard to its jurisdiction and reviewed the standards set forth in Part C, Section IV, Article 1 of the City of Syracuse Zoning Rules and Regulation, as amended, as they relate to the nature and intensity of the proposal and any detriments as may result by reason of dust, noise, odor, fumes, or otherwise, Mr. Steve Kulick made a motion to approve the application in part with a negative declaration, granting two waivers from the City of Syracuse Zoning Rules and Regulation, as amended, with regard only to on-site parking and signage. Dr. Ruben Cowart seconded the motion. The motion passed unanimously.

- 3) CS-10-126
Certificate of Suitability
1015 Ackerman Avenue
Joanne Arany (owner/applicant)
Residential, Class A

Ms. Joanne Arany, of 90 Burkedale Crescent, Rochester, NY, spoke to the Commission about the proposal for a Certificate of Suitability for a unique two-story, single-family dwelling with two bedrooms on the main floor and an office on the lower level.

One person spoke in favor of the proposal. No one spoke in opposition to the proposal.

After further discussion and review, Ms. Linda Henley made a motion to approve the request as applied for with a negative declaration. Mr. Steve Kulick seconded the motion. The motion passed unanimously.

- 4) CA-11-02 A
Certificate of Appropriateness Appeal
501 Sedgwick Drive
Fence Proposal
Ronald and Laura Hand Wright (owner/applicant)
Residential, Class A-1

Ms. Laura Hand-Wright, of 501 Sedgewick Drive, spoke to the Commission about the proposal, which consists of installing a four-foot high, black, ornamental picket fence with four gates within the front yard, and was denied by the Syracuse Landmark Preservation Board on July 21, 2011.

Two people spoke in favor of the proposal, citing the number of existing fences in the neighborhood, and the complementing character of the proposed fence. One person spoke in opposition to the proposal, citing the findings of the Syracuse Landmark Preservation Board.

After further discussion and review, whereupon the Commission recognized an existing side-yard fence, to which the proposed fence will match, Mr. George Matthews made a motion to approve the request with a negative declaration. Ms. Linda Henley seconded the motion. The motion passed unanimously.

- 5) S-11-01
Street Abandonment
100 Block of Rusin Avenue
Onondaga County Department of Water Environment Protection (applicant)

Mr. Robert Ganley, of O'Brien and Gere at 333 West Washington Street, spoke to the Commission about the proposal, which consists of abandoning the 100 block of Rusin Avenue to serve as an access road by the Onondaga County Department of Water Environment Protection to the new Lower Harbor Brook Combined Sewer Overflow Storage Facility.

No one spoke in favor of, or in opposition to the proposal.

After further discussion and review, Ms. Linda Henley made a motion to approve the request as applied for with a negative declaration. Mr. Steve Kulick seconded the motion. The motion passed unanimously.

- 6) SR-11-09
Site Plan Review
201 Polk Street (AKA 404 Smith Street)

Install a 151' Telecommunication Tower
AT&T (owner/applicant)
Commercial, Class A/Commercial, Class B

Mr. Tim Richmond, of 116 Garfield Avenue, spoke to the Commission about the proposal, which consists of replacing nine existing panel antennas with nine new LTE antennas on an existing 151-foot lattice telecommunication tower with no record of previous review and approval by the Commission.

No one spoke in favor or, or in opposition to the proposal.

After further discussion and review, whereupon the Commission recognized the practicalities of the existing tower and its potential longevity, Mr. Steve Kulick made a motion to approve the request with a negative declaration. Mr. George Matthews seconded the motion. The motion passed unanimously.

VI. Minor Modifications

- 1) SP-11-07 M1
Special Permit Modification - Restaurant
Floor Plan, Signage and Parking Area Modification
2043 Erie Boulevard East
Lockwood Properties, LLC (owner)
R.V. Hall Enterprises, LLC (applicant)
Industrial, Class A

Ms. Heather Lamendola presented the proposal to the Commission, which consists of establishing a sign manufacturing and graphic design service as a tenant use in a building encumbered by a special permit for a restaurant.

After discussion and review, Mr. Steve Kulick made a motion to approve the request with a negative declaration. Ms. Linda Henley seconded the motion. The motion passed unanimously. After the Commission voted, Mr. Tom Greenwood, at 2949 Erie Boulevard East objected to the special permit modification process as it applied to the applicant.

- 2) SR-97-08 M1
Site Plan Review Modification – Antenna Upgrade
Add three new antennas and associated radio relay units to six existing roof-top antennas
350-364 West Fayette Street
D&B Industries, Inc. (owner)
AT&T Mobility (applicant)
Central Business District, General Services

Ms. Heather Lamendola presented the proposal to the Commission, which consists of adding three new antennas and associated radio relay units to six existing roof-top antennas as part of a system upgrade.

After discussion and review, Mr. Steve Kulick made a motion to approve the request with a negative declaration. Ms. Linda Henley seconded the motion. The motion passed unanimously.

- 3) SR-01-08 M2
Site Plan Review Modification – Antenna Upgrade
Replace nine antennas with nine new antennas
411 Spencer Street
Capital District Concrete Batching (owner)
AT&T Mobility (applicant)
Lakefront, T-4

Ms. Heather Lamendola presented the proposal to the Commission, which consists of replacing nine existing panel antennas on an existing 120-foot monopole with nine new antennas and three associated radio relay units as part of a system upgrade.

After discussion and review, Mr. Steve Kulick made a motion to approve the request with a negative declaration. Ms. Linda Henley seconded the motion. The motion passed unanimously.

VII. New Business

- 1) R-08-18
Resubdivision Map Filing Extension
300 and 334-344 West Fayette Street
RHS Holdings, LLC (owner/applicant)
Central Business District, General Services

Ms. Heather Lamendola presented the proposal to the Commission, which consists of extending the applicable subdivision map filing date until December 31, 2011.

After discussion and review, Ms. Linda Henley made a motion to approve the request with a negative declaration. Mr. George Matthews seconded the motion. The motion passed unanimously.

- 2) Z-2732
Project Plan Review Modification
Center of Excellence Intermodal Transportation Center – Parking Area
727 East Washington Street
Syracuse University (owner/applicant)
Planned Institution Development

Ms. Heather Lamendola presented the proposal to the Commission, which consists of installing a parking area together with a commuter pavilion and accessories for the Center of Excellence.

After discussion and review, whereupon the Commission acknowledged that the proposal is considered part of the original Planned Institutional District Development Plan (Z-2629) approved on November 8, 2004, Mr. Steve Kulick made a motion to approve the request with a negative declaration. Mr. George Matthews seconded the motion. The motion passed unanimously.

- 3) SP-95-29 M3
Special Permit Modification – Gasoline Station and Restaurant
Sign Modification
2509 Erie Boulevard East
Mirco Inc. (owner)
Kassis Superior Signs (applicant)
Industrial, Class A

Ms. Heather Lamendola presented the proposal to the Commission, which consists of replacing existing signage to reflect a change in brand name from CITGO to Mirabito.

After discussion and review, Mr. George Matthews made a motion to approve the request with a negative declaration. Ms. Linda Henley seconded the motion. The motion passed unanimously.

VIII. Certificates of Suitability Not Previously Heard by the Planning Commission
Recommended for Approval per Law Department

- 1) CS-09-92
Certificate of Suitability
711 Maryland Avenue
Jim Babcock (owner/applicant)
Residential, Class A-1

Ms. Heather Lamendola presented the proposal to the Commission.

After discussion and review, Mr. George Matthews made a motion to approve the request with a negative declaration. Ms. Linda Henley seconded the motion. The motion passed unanimously.

IX. Certificates of Suitability Previously Issued by Zoning Administrator
Submitted for Renewal with Modifications

- 1) CS-11-26

Certificate of Suitability
713-715 Clarendon Street
715 Clarendon, LLC (owner)
Hugh C. Gregg II (applicant)
Residential, Class A

Ms. Heather Lamendola presented the proposal to the Commission.

After discussion and review, Mr. Steve Kulick made a motion to approve the request with a negative declaration. Mr. George Matthews seconded the motion. The motion passed unanimously.

- 2) CS-11-27
Certificate of Suitability
719 Clarendon Street
719 Clarendon, LLC (owner)
Hugh C. Gregg II (applicant)
Residential, Class A

Ms. Heather Lamendola presented the proposal to the Commission.

After discussion and review, Mr. Steve Kulick made a motion to approve the request with a negative declaration. Ms. Linda Henley seconded the motion. The motion passed unanimously.

X. Discussion

- 1) Zone Change Petition-117 South Edwards Avenue

After discussion and review, whereupon the Commission acknowledged there was insufficient justification to move the proposal forward for a public hearing, Dr. Ruben Cowart made a motion not to move the proposal forward for a public hearing. Ms. Linda Henley seconded the motion. The motion passed with a vote of three to one with Mr. Steve Kulick voting in opposition.

- 2) 867 Livingston-Resubmittal Request

Ms. Heather Lamendola presented the proposal to the Commission, which consists of reconsidering a Certificate of Suitability for a three-bedroom dwelling which was previously denied by the Commission on August 1, 2011.

After discussion and review, whereupon the Commission determined the resubmitted application was the same as previously submitted, Mr. Steve Kulick made a motion to deny the request. Ms. Linda Henley seconded the motion. The motion passed unanimously.

- 3) Abandonment Request (300 and 400 Blocks of East Brighton Avenue)

Ms. Heather Lamendola presented the proposal to the Commission, which consists of forwarding two street abandonment requests previously approved by the Commission on January 8, 1996 and June 30, 2003 to the Common Council.

After discussion and review, whereupon the Commission determined that since there have been no changes to the proposed abandonments since they were approved, Mr. Steve Kulick made a motion to forward the resolution to the Common Council for consent and approval. Ms. Linda Henley seconded the motion. The motion passed unanimously.

XI. Old Business

1) R-11-26

Resubdivision

105 North Geddes Street and 834 and 838 Erie Boulevard West

Combine Three Parcels into Two New Lots

August and Angelina Gonnella (owner/applicant)

Industrial, Class A

Ms. Heather Lamendola presented the proposal to the Commission. At the previously scheduled meeting of the City Planning Commission on August 22, 2011, the Commission determined that the proposal affects the available parking for a previously approved special permit and must be resolved prior to the Commission rendering a decision. Staff noted that they have been in contact with the owner and to date the owner has not submitted a special permit modification as requested. The Commission took no action.

2) Z-2730

Planned Development Review

110-132, 121, 134-140, and 135 Bartlett Street and 109 and 111-135 Homer Street

Construct 32 Dwellings with Open Lands

Morning View, LLC (owner/applicant)

Residential, Class A-1

Ms. Heather Lamendola provided an update on the proposal to the Commission, which includes a companion resubdivision application (R-11-23). The applicant is considering modifying the proposal. The Commission took no action.

3) R-11-23

Resubdivision

110-132, 121, 134-140, and 135 Bartlett Street, and 109 and 111-135 Homer Street

Resubdivide six lots into 32 new Lots

Morning View, LLC (owner/applicant)

Residential, Class A-1

Ms. Heather Lamendola provided an update on the proposal to the Commission, which includes a companion planned development review (Z-2730). The Commission took no action.

XII. Authorizations

Mr. Steve Kulick made a motion to authorize those cases listed for the October 3, 2011 meeting. Ms. Linda Henley seconded the motion. The motion passed unanimously.

XIII. Adjournment

Mr. George Matthews made a motion to adjourn. Mr. Steve Kulick seconded the motion. The motion passed unanimously.