

**City of Albany
Board of Zoning Appeals
Application**

This application must be filed with the Department of Development and Planning, Land Use Division at 200 Henry Johnson Boulevard, Albany, New York 12206, (518-445-0754). Applications are not considered to be complete until all supplemental documents and fees are received. (See attached instructions.) Planning Office staff shall determine the completeness of applications before scheduling the case before the Board of Zoning Appeals. Notice of public hearing shall be mailed to the applicant, adjacent property owners, and other interested parties. **The applicant or his/her representative shall appear at the public hearing to substantiate the application.**

REGARDING THE PREMISES AT 315 SHERIDAN AVENUE
 APPLICANT INTERFAITH PARTNERSHIP FOR THE HOMELESS
 ADDRESS 176 SHERIDAN AVE CITY ALBANY STATE NY ZIP 12206
 PHONE 434-8021 FAX NUMBER _____
 AUTHORIZED AGENT LAND MARK CONSULTING, LLC / JOHN D. AWAREZ II
 AFFILIATION ARCHITECT
 ADDRESS 83 GROVE AVE CITY ALBANY STATE NY ZIP 12208
 PHONE 518-458-8942 FAX NUMBER _____
 PROPERTY OWNER ROMAN CATHOLIC DIOCESE OF ALBANY
 ADDRESS 40 N. MAIN CITY ALBANY STATE NY ZIP 12203
 PHONE _____ FAX NUMBER _____
 OTHER TO BE NOTIFIED _____
 ADDRESS _____ CITY _____ STATE _____ ZIP _____
 PHONE _____ FAX NUMBER _____

REQUEST: SPECIAL USE PERMIT ___ INTERPRETATION
 ___ USE VARIANCE ___ PARKING LOT PERMIT
 ___ AREA VARIANCE ___ OTHER _____

ZONING CLASSIFICATION R-2A TAX LOT ID NUMBER 65.72-1-37
 EXISTING USE / # OF UNITS "EDUCATIONAL" K-8
 PROPOSED USE / # OF UNITS A-2 (BASEMENT), BUSINESS/OFFICE (FIRST-FL) & 1 BR. APARTMENTS (5) ON 2ND FL.
 OCCUPANCY STATUS (FULLY OCCUPIED / PARTIALLY OCCUPIED / VACANT) VACANT

REQUESTED PUBLIC HEARING DATE: 4/10/2013 BZA SCHEDULE
 PROJECT TIME FRAME: SUMMER 2013 TOTAL PROJECT COST: UNKNOWN

Is the property within 500 feet of a municipal boundary, State or County property, road, park or facility, or other recreation area? Yes No If yes, the submission will require review by the Albany County Planning Board.

Does any state officer or any officer or employee of the City of Albany or County of Albany have any affiliation with or interest in the applicant or this application? Yes No If yes, set forth the name, address, and nature and extent of the affiliation or interest of an officer / employee.

I, the undersigned owner, hereby authorize the applicant to bring the application herein before the Board of Zoning Appeals of the City of Albany.

SIGNED *James Keltz* DATE 3/15/2013

I, the undersigned applicant, hereby state that the information and facts set forth in this application are true to the best of my knowledge and belief.

SIGNED *John D. Alvarez II* DATE 3/15/2013

USE VARIANCE STANDARDS

Applications for use variances **must** be based on alleviating a clearly demonstrable hardship, as opposed to a special privilege of convenience sought by the owner. Furthermore, the hardship must be specific to the land or building, NOT personal circumstance, and must not generally apply to land/buildings throughout the neighborhood.

- ~ When considering a request for a use variance, the Board shall require a showing by the applicant that applicable zoning the regulations have caused unnecessary hardship. In order to prove such unnecessary hardship, the applicant shall demonstrate to the Board that for each and every permitted use under the zoning regulations for the particular district where the property is located:

[1] The applicant cannot realize a reasonable return, provided that lack of return is substantial as **demonstrated by competent financial evidence**.

[2] The alleged hardship relating to the property in question is **unique**, and does not apply to a substantial portion of the district or the neighborhood.

[3] The requested use variance, if granted, **will not alter the essential character of the neighborhood**.

[4] The alleged hardship **has not been self-created**.

[1] DESCRIPTION OF HARDSHIP

(Describe the features or conditions of the property that restrict reasonable use/return of the property under current zoning regulations)

The former St. Casimir's School is located in an R-2A Residential District. The building is otherwise NOT allowed within the current zoning standards for setbacks, lot coverage and building height. A use variance is being sought to allow an appropriate re-use of the building for the purposes of Interfaith Partnership for the Homeless to further their mission with community outreach that will provide essential services of food and clothes pantry, a basement cafeteria, offices and meeting spaces for caseworkers on the first floor and the creation of 5 - 1 bedroom apartments on the 2nd floor.

Please answer the following questions to show that the current property owner is being deprived of all economic use or benefit from the property in question under the applicable zoning regulations. The deprivation must be established by **competent financial evidence**. Please attach supporting documents (i.e. mortgage documents, tax bills, rental agreements, etc).

Estimated cost of the proposed improvements/alterations to the property that necessitates the variance(s)? \$ Costs to be determined for funding and grant applications.

How was this estimate determined? _____

When was the property purchased? Property purchase contingent upon approvals and funding

Purchase price for the property: \$100,000

What is the present value of the property? Appraised at \$375,000 on 9/2009

Source of Valuation Alvey & DiMura, Inc., appraisals

Original amount of mortgage(s): _____

Mortgage Holder(s): _____

Interest Rate(s): _____

Term of Mortgage(s): _____

Is your property currently for sale? Not applicable

Yes No (If No, please continue with question k)

1. How long has the property been for sale? _____

2. How has it been advertised? _____

3. How many offers have been made for the property and for how much?

4. Is the property listed with a realtor? Yes No

If Yes, please name the realtor: _____

Have you previously tried to sell your property?

Yes No (If No, please continue with question l)

1. How much were you asking for the property? _____

2. How long was the property for sale? _____

3. How was it advertised? _____

4. How many offers were made for the property and for how much?

5. Was the property listed with a realtor? Yes No

If Yes, please name the realtor: _____

Explain how you would be negatively affected in an economic or financial way if you did not obtain the variances requested. Please do not comment on your personal financial situation. Your answer must address economic circumstances related to the property and its present inability to provide you with a **reasonable** financial return under the present zoning regulations.

Without a use variance to allow Interfaith Partnership for the Homeless a proper re-use of this building, they will not be able to purchase the building and redevelop it to fit their needs.

STATEMENT OF INCOME AND EXPENSE

ANNUAL INCOME:

Use	Unit Size (sq.ft; # of bedrooms)	Monthly Rent	Annual Rent

Total Annual Income	
Less (8%) Vacancy	
Adjusted Gross Income	

ANNUAL EXPENSES:

Fixed Expenses:

Taxes	
Insurance	
Average Annual Interest (on mortgage, over next five years)	

Operating Expenses:

Heat	
Electric	
Sewer/Water	
Advertising	
Other:	

Maintenance Expenses:

Repairs (attach list)	
General Building Maintenance	
Other:	

Total Annual Expenses	
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Profit or (Loss)	
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TOTAL INVESTMENT:

Down Payment	
Capital Improvements (attach list)	
Principal paid (original mortgage less current principal balance)	

Total Investment	
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RATE OF RETURN:

(Profit of Loss divided by Total Investment)	
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[2] UNIQUENESS

(Please describe how the alleged hardship is unique to the property in question and does not apply to a substantial portion of the district or neighborhood)

The hardship is unique to this building because the R-2A designation of the current zone does not allow a facility such as the building at 315 Sheridan Avenue other than for "religious or charitable" conditions as a "Special Use Permit." It was determined by the Building Department that the numerous proposed uses would require a use variance for the creation of a cafeteria, food and clothes pantries in the basement, offices on the 1st floor and 1 bedroom apartment units on the 2nd floor.

[3] CHARACTER OF NEIGHBORHOOD

(Please describe how the proposed use would be compatible with the existing neighborhood and would not negatively impact traffic patterns, general safety, architectural character, property values, and the atmosphere of the area)

The character of the neighborhood would not be negatively impacted because Interfaith Partnership for the Homeless currently conducts the proposed use in another facility that is rented in the same neighborhood on South Swan Street. Also, the headquarters for Interfaith is located approximately 3 blocks from 315 Sheridan at 176 Sheridan Avenue.

[4] SELF-CREATED

Were you aware of the requirements of the City of Albany Zoning Ordinance at the time of purchase of the property? Yes No **Not applicable**

Did you obtain a copy of the Certificate of Occupancy or Letter of Zoning Compliance prior to your purchase of the property? Yes No

Did you use the services of an attorney? Yes No



GERALD D. JENNINGS
MAYOR

CITY OF ALBANY
DIVISION OF BUILDINGS & REGULATORY COMPLIANCE
CITY HALL – ROOM 303
ALBANY, NEW YORK 12207
PHONE (518) 434-5165 FAX (518) 434-6015
WWW.ALBANYNY.ORG

JEFFERY V. JAMISON
COMMISSIONER

March 21, 2013

Vesta Construction Services, LLC.
289 New Scotland Avenue
Albany, NY 12208

Re: 315 Sheridan Avenue
Application Number: 66561

Dear Sir:

On **March 18, 2013**, you made an Application for work at the above referenced property involving: **Conversion to a 5 unit apartment building for programmed services & spaces for the homeless, with offices, counseling services, storage areas, laundry facilities, dining rooms, commercial kitchen facility associated with Interfaith Partners.**

The property is located in an area which is zoned **R-2A**.

This Application has been examined for compliance with the applicable provisions of the Zoning Ordinance of the City of Albany.

That review revealed that the proposed work will not comply with the following provisions of the Zoning Ordinance: **REQUIRES A USE VARIANCE. 375-64A Principal Permitted Uses. Proposed 5 unit apartment building for programmed services & spaces for the homeless are not listed permitted uses in an R-2A zoning district.**

Therefore, your Application of 3/18/13 is hereby **DENIED** pursuant to Sections 375-59 and 375-9(d) of the Zoning Ordinance.

These objections may be addressed by filing revised plans reflecting conditions which comply with the requirements of the Zoning Ordinance. In the alternative, this Denial may be appealed to the Board of Zoning Appeals on forms available from the Office of Planning and Neighborhood Development, 200 Henry Johnson Blvd. *This appeal must be filed completely with the Office of Planning and Neighborhood development within thirty (30) days of the date of this letter. **Should this cause of Denial be resolved by successful Appeal, a full set of construction documents prepared by a NYS licensed architect or engineer may be required to be submitted to this office prior to a Building Permit being issued.***

For the Commissioner,

Vincent DiBiase
Deputy Chief Inspector

cc: Planning Office

SHORT ENVIRONMENTAL ASSESSMENT FORM

INSTRUCTIONS:

In order to answer the questions in this short EAF it is assumed that the preparer will use currently available information concerning the project and the likely impacts of the action. It is not expected that additional studies research or other investigations will be undertaken.

ENVIRONMENTAL ASSESSMENT

1. Will the project result in a large physical change to the project site or physically alter more than 10 acres of land?..... Yes No
2. Will there be a major change to any unique or unusual landform found on this site?..... Yes No
3. Will project alter or have a large effect on an existing body of water?..... Yes No
4. Will project have a potentially large impact on groundwater quality? Yes No
5. Will project significantly affect drainage flow or air quality?..... Yes No
6. Will project affect any threatened or endangered plant or animal species... Yes No
7. Will project result in a major adverse impact on air quality?..... Yes No
8. Will project have a major effect on visual character of the community or scenic views or vistas known to be or important to the community?... Yes No
9. Will project adversely impact any site or structure of historic, prehistoric or paleontological importance or any site designated as a critical environmental area by a local agency?..... Yes No
10. Will project have a major effect on existing or future recreational opportunities? Yes No
11. Will project result in major traffic problems or cause a major impact on existing transportation systems?..... Yes No
12. Will project regularly cause objectionable odors, noise, glare, vibration, or electrical disturbances as a result of the project's operation?..... Yes No
13. Will project have any impact on public health or safety?..... Yes No
14. Will project affect the existing community by directly causing a growth? in permanent population of more than 5% over a one-year period or have a major negative effect on the character of the community or neighborhood?..... Yes No
15. Is there any public controversy concerning the project?..... Yes No

PREPARER'S SIGNATURE: John D. Alvarez II TITLE: ARCHITECT
REPRESENTING: INTERFAITH PARTNERSHIP FOR HOMELESS DATE: 3/15/2013



HISTORIC PRESERVATION & ARCHITECTURAL SERVICES

29 March 2013
Mr. James Jamison
City of Albany Buildings and Regulatory Compliance
City Hall Room 303, 24 Eagle Street
Albany, NY 12207

Dear Mr. Jamison,

I am writing on behalf of Interfaith Partnership for the Homeless regarding their desire to purchase the former St. Casimir's School at 315 Sheridan Avenue. The building is constructed with masonry load-bearing exterior walls that support steel and concrete floor systems on the first and second floors with a wood framed truss supporting a wood framed and decked roof, classifying it as a "Type III" construction. The Interfaith Partnership's plans for reuse of the building are as follows:

1. Programmed spaces in the basement would provide the following:
 - a. Dining room and commercial kitchen to provide one hot meal per day in the mid-afternoon serving less than 100 people per meal
 - b. Office space for staff to provide counseling and other assistance for the homeless
 - c. Community outreach for providing access to a food and clothes pantry
 - d. Storage and laundry space for general center use
2. Programmed spaces on the first floor would provide the following:
 - a. Office space for health and wellness counseling of the homeless and low income
 - b. Office space for housing assistance and support
 - c. Storage and other support spaces needed for the function of the facility
3. The second floor would provide future space for 5, one-bedroom apartment units in each of the 5 former classroom spaces and would be constructed at a later date given the financial constraints of the organization. It is intended that most spaces will be made to be handicapped accessible with the installation of an internal lift.
4. The third floor/attic space would be primarily used for storage since current and future finished spaces occupy the front 25% of the 3rd floor level given that the remaining 75% of space is truss/attic area and would be used only for mechanical system space. The 3rd level would also be developed in a later phase with the second floor.

Given that the former St. Casimir's School is located in an R-2A zone, Interfaith Partnership for the Homeless is seeking a "Use Variance" to allow for the reuse of the former school to improve their services to the Arbor Hill community. The mixed-use facility proposed above is not currently allowed within the zoning code, Chapter 375 within the R-2A zone. Interfaith Partnership currently provides these services in a building that is leased at 26 South Swan Street, but they wish to purchase the former St. Casimir's School to provide the functions outlined above in a facility they would own rather than lease. Attached is a conceptual site plan showing the dimensions of the building and property. Currently 2 parking spaces exist on the site along the west of the building for staff and it is anticipated that only 10-20% of the future residents on the 2nd floor apartment level would have cars where street parking is readily available.

Sincerely,

John D. Alvarez II, Architect for Interfaith Partnership for the Homeless

Cc: Mr. Bradley Glass, Department of Development & Planning, City of Albany



ST. CASIMIR'S
REGIONAL SCHOOL

Sheridan Ave. front facade



Existing basement cafeteria proposed to be cafeteria serving 95 maximum patrons



Second Floor corridor off of where proposed apartments will be located.



Basement classroom proposed for office or community meeting space

PROPOSED COMMUNITY CONNECTIONS

REDEVELOPMENT FOR INTERFAITH PARTNERSHIP FOR THE HOMELESS

315 SHERIDAN AVENUE ALBANY, NY 12206

ZONING REVIEW SET

PRIME CONSULTANT
LANDMARK CONSULTING
 83 GROVE AVENUE
 ALBANY, NEW YORK 12208
 V: (518) 365-8660
 F: (518) 458-8942

STAMPED/SIGNED

SUB-CONSULTANT

PROJECT TITLE
PROPOSED COMMUNITY CONNECTIONS
 REDEVELOPMENT FOR INTERFAITH PARTNERSHIP FOR THE HOMELESS
 315 SHERIDAN AVENUE
 ALBANY, NY 12206

DATE	DESCRIPTION	REV. #

HHAP CONTRACT NUMBER

HHAP ID NUMBER

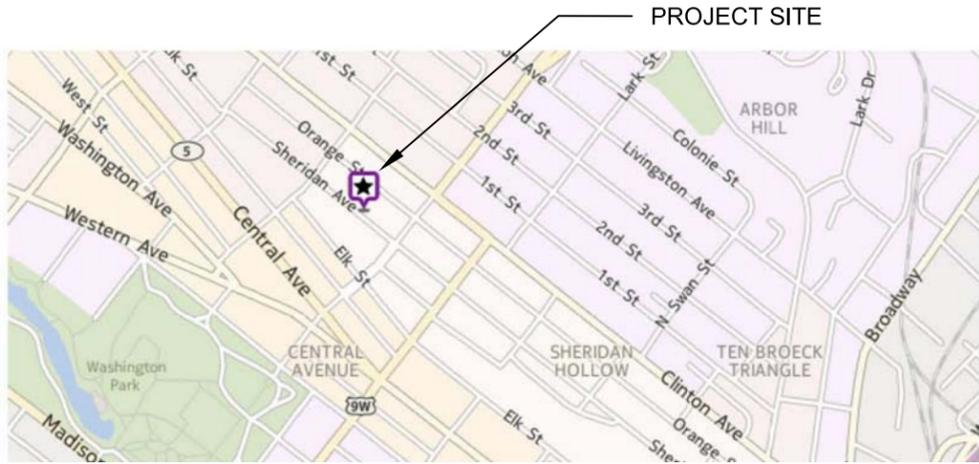
SHEET TITLE
 TITLE SHEET

SCALE
AS-NOTED

DRAWN JA	DATE 3/15/13
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PROJECT NUMBER
 1301

SHEET NUMBER
C1.0



LOCATOR MAP



CODE & SITE INFORMATION

BUILDING CODE OF NEW YORK STATE

BUILDING DESCRIPTION (FORMER ST. CASIMIR'S CATHOLIC K-8 SCHOOL):

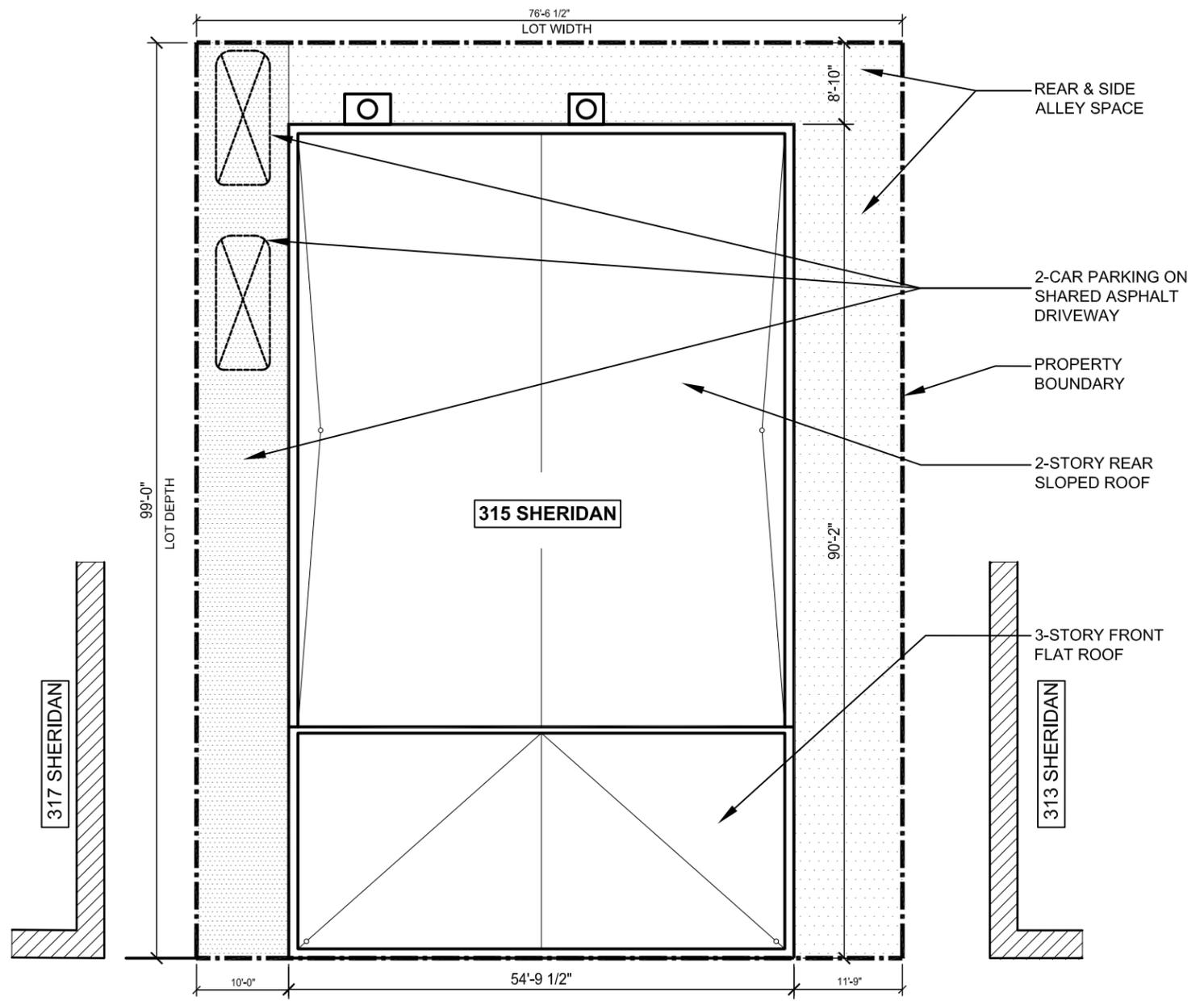
- FOOTPRINT: 4,941 S.F.
- THREE STORIES W/ BASEMENT
- HEIGHT: 45'-0" +/- AT FRONT TO WEST GRADE
- SOLID MASONRY EXTERIOR WALLS
- STEEL FRAMED FLOORS & WOOD FRAMED ROOF

GENERAL CODE ANALYSIS OF PROPOSED

- OCCUPANCY CLASS:
 - A-2 (BASEMENT CAFETERIA, MEETING AND OFFICE SPACES)
 - B (FIRST FLOOR OFFICES)
 - R-4 (5 - SECOND FLOOR APARTMENTS)
- CONSTRUCTION CLASS: III-B
- ALLOWABLE FIRE AREA:
 - "A-2" OCCUPANCY: 9,500 S.F./FLOOR - 2 STORIES
 - "B" OCCUPANCY: 19,000 S.F./FLOOR - 4 STORIES
 - "R-4" OCCUPANCY: 16,000 S.F./FLOOR - 4 STORIES
- PROPOSED OCCUPANT LOAD: 95 IN BASEMENT A-2 OCCUPANCY
- PROPOSED OCCUPANT LOAD: 20 ON FIRST FLOOR B OCCUPANCY
- PROPOSED OCCUPANT LOAD: 10 ON 2ND FLOOR R-4 OCCUPANCY

CITY OF ALBANY ZONING SUMMARY FOR "R-2A" ZONE

- DISTRICT ZONE: ONE & TWO-FAMILY RESIDENTIAL DISTRICT
- MIN. LOT AREA: 4,000 S.F./EXISTING: 7,577 S.F.
- MIN. LOT WIDTH: 20'/EXISTING: 40'
- MIN. LOT DEPTH: 100'/EXISTING: 99'
- MIN. FRONT YARD: 20' UNLESS PREVIOUSLY BUILT ON LOT LINE/EXISTING: 0'
- MIN. SIDE YARD SETBACK: 5' MIN., 16' TOTAL/EXISTING: 10' WEST/11'-9" EAST
- MIN. REAR YARD SETBACK: 25'/EXISTING: 8'-10"
- MAX. BUILDING HEIGHT: 2.5 STORIES OR 35' / EXISTING: 3-STORIES/45' +/-
- MAX. LOT COVERAGE: 35%/EXISTING: 65%

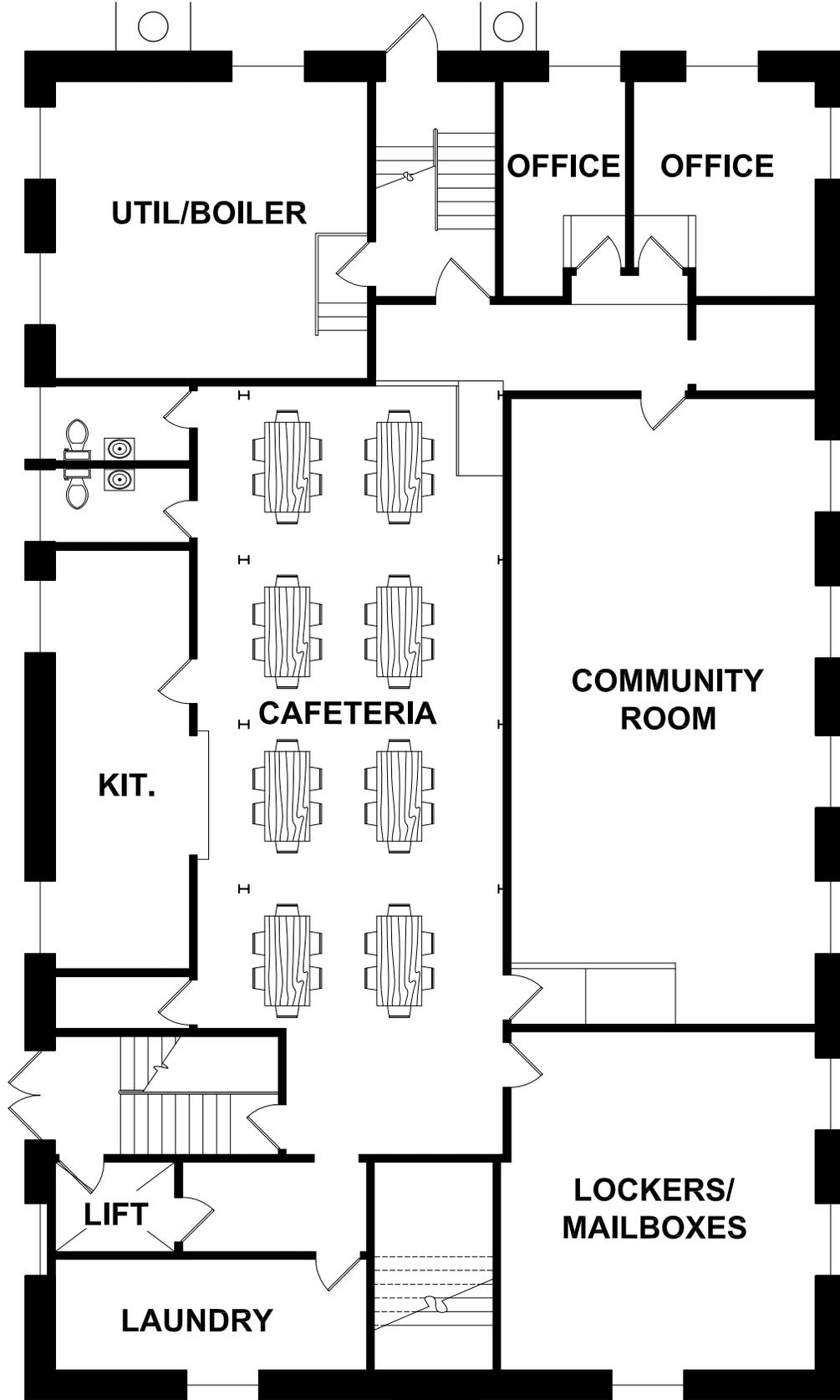


SHERIDAN AVENUE

SITE PLAN



NOTE: BOUNDARIES ARE ESTIMATED BASED ON TAX MAP INFORMATION. SITE SURVEY IS REQUIRED TO VERIFY ACCURACY



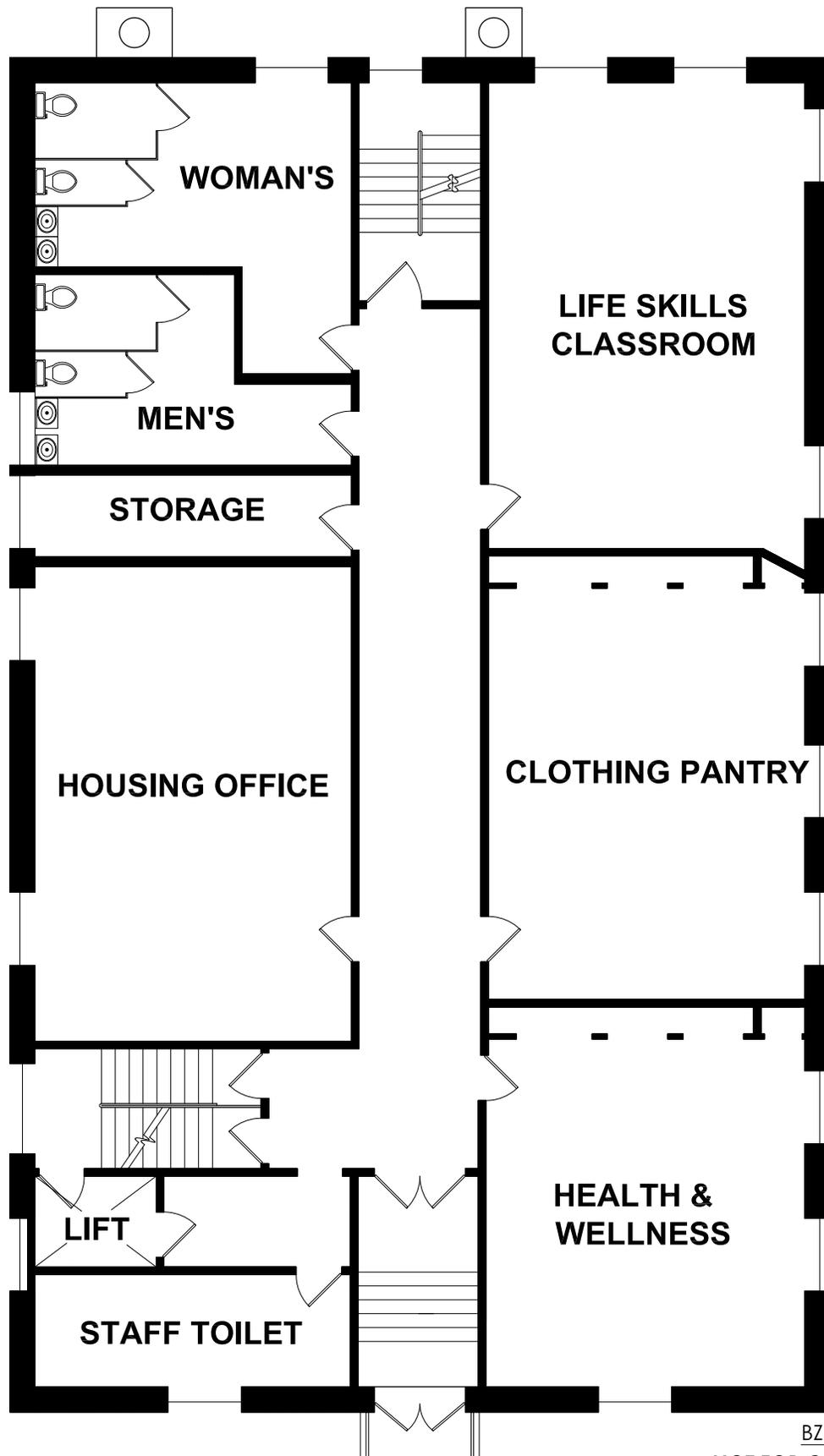
1 BASEMENT FLOOR PLAN
 A1.0 SCALE: 3/32" = 1'-0"

BZA SET
 NOT FOR CONSTRUCTION

COMMUNITY CONNECTIONS
 FOR
 INTERFAITH PARTNERSHIP FOR THE HOMELESS

315 SHERIDAN AVENUE
 ALBANY, NY 12206





BZA SET

NOT FOR CONSTRUCTION

1 FIRST FLOOR PLAN
A1.1

SCALE: 3/32" = 1'-0"

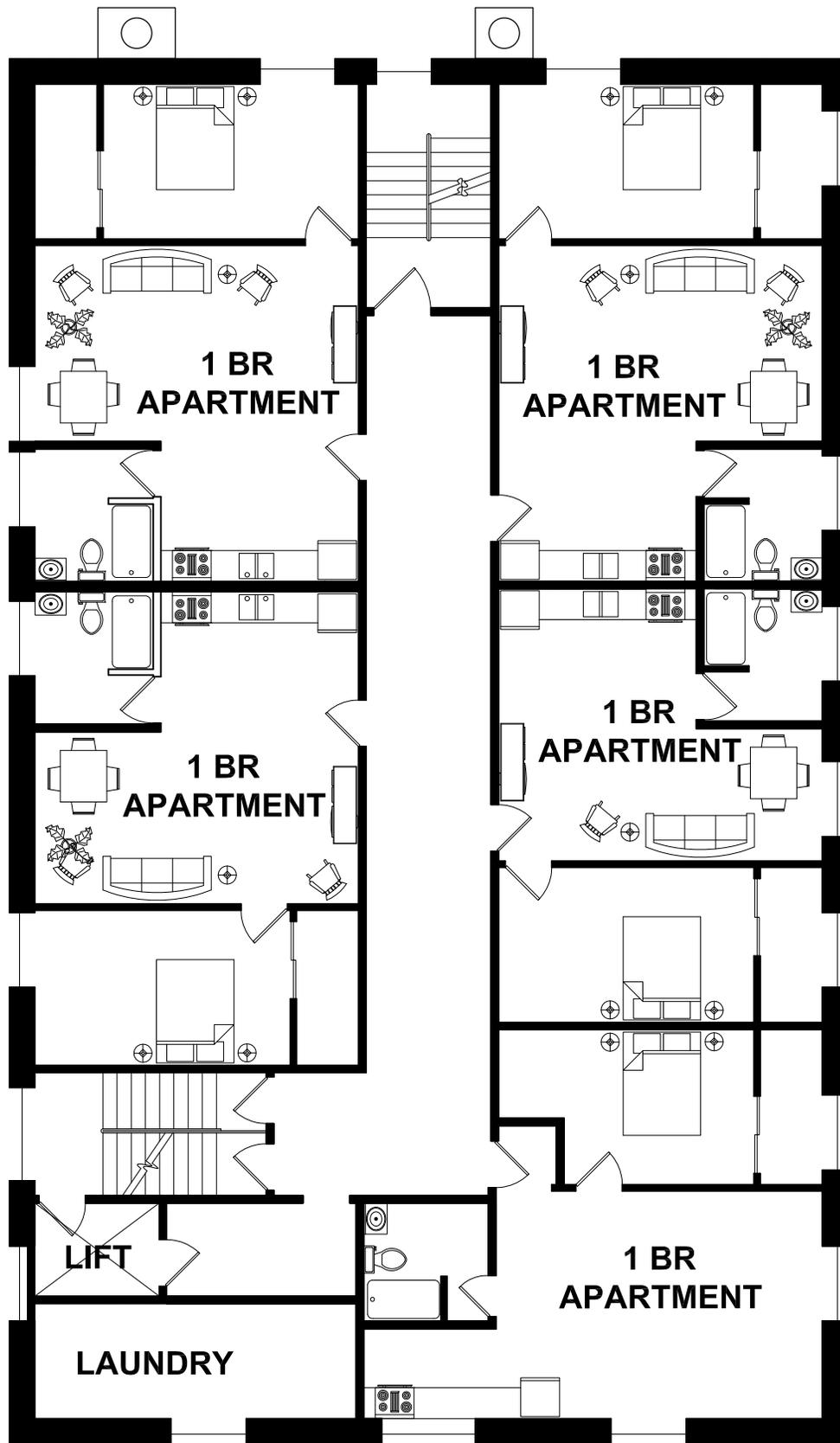
COMMUNITY CONNECTIONS
FOR
INTERFAITH PARTNERSHIP FOR THE HOMELESS

315 SHERIDAN AVENUE
ALBANY, NY 12206

LANDMARK CONSULTING, LLC
83 GROVE AVENUE
ALBANY, NEW YORK 12208
V: (518) 365-8660
F: (518) 458-8942



SHEET NUMBER
A1.1



1 SECOND FLOOR PLAN
 A1.2 SCALE: 3/32" = 1'-0"

BZA SET
 NOT FOR CONSTRUCTION

COMMUNITY CONNECTIONS
 FOR
 INTERFAITH PARTNERSHIP FOR THE HOMELESS

315 SHERIDAN AVENUE
 ALBANY, NY 12206

