

MICHAEL P. GALIME, MAYOR
CITY OF UTICA



DEPARTMENT OF URBAN & ECONOMIC DEVELOPMENT
1 KENNEDY PLAZA
UTICA, NEW YORK 13502
PHONE: (315) 792-0181
FAX: (315) 797-6607

PLANNING BOARD AGENDA
Common Council Chambers
February 15, 2024 – 4:30 PM

PB Case No.:	01-24	Zone:	Residential Mixed (RM)
Address:	809 Bacon Street	Requested Action:	Site Plan Review & Special Use Permit
Applicant:	Zerina Miljkovic		
Owner:	Zerina Miljkovic		

Pursuant to City of Utica Zoning Code Section 2-29-125(a) and (b), the applicant is seeking approval of a Special Use Permit and Site Plan approval for a proposal to operate a short-term rental at the above-noted property.

The applicant purchased the property in September 2006 and has indicated that it has been used for month-to-month rentals since that time. At this time, the applicant is seeking approval to operate an Airbnb on the second floor of the home. The City’s zoning ordinance defines short term rentals as “the rental or lease of any dwelling unit or dwelling, for a period of 30 days or less, to one entity”, adding that motels, hotels, inns and bed and breakfasts are excluded from this definition.

As a Special Use Permit is required for this use, a public hearing is required.

PB Case No.:	02-24	Zone:	Central Business District (CBD)
Address:	94 Genesee Street	Requested Action:	Site Plan Review & Special Use Permit
Applicant:	Pure Cannabis, INC.		
Owner:	Bagg’s Square Properties, LLC		

Pursuant to City of Utica Zoning Code Section 2-29-125(a) and (b), the applicant is seeking approval of a Special Use Permit and Site Plan approval for a proposal to operate a cannabis dispensary at the above-noted property.

The applicant purchased the property in 2011 which was the long-time home of Tailor & the Cook. With the move of the restaurant, the owner is proposing to acquire a NYS license for an adult-use microbusiness, which allows for cultivation, processing and retail. However, the applicant has stated that only the retail end of the operation will be located in Utica; the cultivation and processing will occur at their sustainable farm in Barneveld.

While not finalized, the applicant has indicated that the anticipated hours of operation will be seven days a week from 10 AM to 8 PM. The new venture is expected to employ between 4 to 8 individuals. Aside from a new sign, no further modifications will be made to the building's exterior. Parking needs have been estimated to be much less than was required for the restaurant.

As a Special Use Permit is required for this use, a public hearing is required.

PB Case No.:	03-24	Zone:	Urban Mixed Use (UMU)
Address:	930 Oriskany Street West	Requested Action:	Site Plan Review & Special Use Permit
Applicant:	Capital Cannabis LLC		
Owner:	Mohawk Valley Partners LLC		

Pursuant to City of Utica Zoning Code Section 2-29-125(a) and (b), the applicant is seeking approval of a Special Use Permit and Site Plan approval for a proposal to operate a cannabis dispensary at the above-noted property.

The applicant has owned the property for the past several years which has been vacant for over a year. Previous tenants, however, include a tattoo retail store most recently and a piano sales establishment prior to that.

The applicant has indicated that the anticipated hours of operation at the outset will be Monday through Saturday from 9 AM to 8 PM, though the hours are subject to change. The applicant is planning to install new signage on the front of the building and in both parking lots. Additionally, it is anticipated that new windows and doors will be installed along with substantially improving the vacant lot immediately east of the building. New exterior lighting and landscaping will also be installed.

As a Special Use Permit is required for this use, a public hearing is required.

PB Case No.:	01-23	Zone:	Urban Mixed Use (UMU)
Address:	2214 Whitesboro Street	Requested Action:	Site Plan Review
Applicant:	Anthony Morali, AIA		
Owner:	579-581 East 39, LLC		

Pursuant to City of Utica Zoning Code Section 2-29-291(a) and (b) the applicant is seeking site plan approval of a convert the former industrial building into a mixed-use facility that will focus on work-force housing and provide such amenities as a food court, secondary health care facilities, indoor parking and a spa that offers physical therapy, baths and sauna.

A mix of indoor and outdoor parking totaling approximately 250 vehicle spaces will be provided for the overall development. An outdoor play area is also proposed along with 5,000 square feet of common roof gardens on the roof of the existing 6-story building.

Early last year, the Planning Board designated itself Lead Agent for the purposes of SEQRA and declared the project to be an Unlisted action. However, Oneida County Planning cited the fact that over 100,000 square feet will be affected and, as such, should rightly be declared a Type I action.

Therefore, at this time, the Planning Board should re-designate itself as Lead Agent, declare the project a Type I and ask Planning staff to conduct a coordinated review ahead of any final approvals.

PB Case No.:	04-24	Zone:	Residential Single (R1)
Address:	405 Richmond Road	Requested Action:	Site Plan Review & Special Use Permit
Applicant:	Paula Rizzo		
Owner:	Paula Rizzo		

Pursuant to City of Utica Zoning Code Section 2-29-125(a) and (b), the applicant is seeking approval of a Special Use Permit and Site Plan approval for a proposal to make improvements to the existing single-family home that would result in the creation of an accessory dwelling unit at the above-noted property.

The applicant has owned the property since April 2019. She is requesting approval of a plan to install a small kitchen sink and several electrical outlets in her existing dining room to create a kitchenette, thereby resulting in an accessory dwelling unit.

According to the City’s zoning ordinance, the introduction of an accessory dwelling unit to a property located in an R1 zoning district requires approval of a Special Use Permit and Site Plan approval.

PB Case No.:	05-24	Zone:	Residential Mixed (RM) & Neighborhood Mixed Use (NMU)
Address:	1021 & 1023 Erie Street, 2, 4, 6, 10, 12 & 14 Saratoga Street and 1022, 1024, 1030, 1032, 1036, 1040, 1048, 1100, 1104, 1110 and 1114 Whitesboro Street	Requested Action:	Site Plan Review & Special Use Permit
Applicant:	DePaul Group, Inc.,		
Owner:	Various Owners		

Pursuant to City of Utica Zoning Code Section 2-29-125(a) and (b), the applicant is seeking approval of a Special Use Permit and Site Plan approval for a proposal to purchase the above-noted properties, demolish the existing structures and construct two new apartment buildings.

The two new apartment buildings will house a total of sixty-six (66) units. The entire project sits on roughly 1.9 acres of land. A larger building that ranges in height from 2 to 3 stories with 53 units is proposed at the corner of Whitesboro and Saratoga Streets, extending north to the intersection of Erie Street. A smaller 2-story apartment building with 13 units is proposed along Whitesboro Street, extending from the intersection of Dewitt Street east towards the middle of the block. The project also includes two parking lots, sidewalks, landscaping, lighting and site work for each building.

The project in its totality straddles two zoning districts – Residential Mixed (RM) and Neighborhood Mixed Use (NMU). According to the City’s zoning ordinance, apartment buildings in an NMU zoning district requires Site Plan approval. In the RM zoning districts, apartment buildings require approval of a Special Use Permit and Site Plan approval.