



CITY OF UTICA

URBAN & ECONOMIC DEVELOPMENT

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ZONING BOARD OF APPEALS COMMON COUNCIL CHAMBERS - CITY HALL SEPTEMBER 10, 2019 5:00 PM

ZBA Case No.: 33-19
333 Lafayette Street (Hospital Footprint)
Applicant: Robert C. Scholefield
Owner: Mohawk Valley Health System

Zone: Gateway Historic Canal District/CCBD
Area Variances

Pursuant to Section 2-29-67(d)(1) of the Zoning Ordinance of the City of Utica, the applicant is seeking area variances in order to construct a medical care center at the above referenced property.

The proposed action consists of the construction of a new 373-bed acute care medical center on the properties between NYS Route 8/12, Broadway, Columbia Street and Oriskany Street. The medical center will be 10 stories (162'-6") high, and will include the construction of access drives, surface parking lots, a helipad, a Central Utility Plant (CUP) in the existing Mohawk Medical building, and a utility/pedestrian bridge between the medical center and CUP.

The medical center building, as designed, is of the size, shape, height, and orientation required to provide the best medical care to the community. As a result of this configuration, the site chosen for the building, which will require the re-subdivision of several existing lots as well as street abandonments, the nature of an entire two-block radius will be altered.

Pursuant to the City of Utica – Gateway Historic Canal District Design Standards, “When an applicant does not follow the Design Standards, within the specified variation as set forth in the Article, the Application shall require Site Plan approval as outlined in Article XI.” The applicant received Preliminary Site Plan approval on July 18, 2019 from the City of Utica Planning Board. The project Owner has complied with SEQR process, resulting in a Final Environmental Impact Statement considered and accepted by the City of Utica Planning Board.

The applicant is requesting area variances for the following:

1. Height Variance of 92.5' – the maximum height allowed for applications which do not meet the Design Standards is 70'. The proposed building height will be 162'-6".
2. Front Yard Variance of 374.8' on west side – the maximum front yard setback allowed for applications which do not meet the Design Standards is 10'. The proposed structure will have a front yard setback of 384.8'.
3. Front Yard Variance of 273.5' on the east side – the maximum front yard setback allowed for applications which do not meet the Design Standards is 10'. The proposed structure will have a front yard setback of 283.5'.
4. Front yard Variance of 383.0' on the north side – the maximum front yard setback allowed for applications which do not meet the Design Standards is 10'. The proposed structure will have a front yard setback of 393.0'.
5. The permitted minimum building coverage is 40%. The applicant is proposing 35%.

At the July public hearing of the Zoning Board of Appeals, Eric Lints of the Hammes Company and Brian Whittaker of O'Brien & Gere presented the application to the Board. The gentlemen walked the Board through the plans and explained the variances requested for the construction of the hospital. They felt that after the re-subdivision of the total parcels, a variance would not be necessary for the building coverage.

The Zoning Board of appeals heard the public's views on the application and then voted to close the public comment period for this application.

The Board further voted to table this application to allow ample time for comments from Oneida County Planning Department in response to submittal for section 239 – l, - m, and – n of New York State General Municipal Law for a project located within 500' of a county or state road.

ZBA Case No.: 34-19
732 Deerfield Drive East
Applicant: Fikreta Andelija
Owner: Fikreta Andelija

Zone: RS-2
Area Variance

Pursuant to Section 2-29-67(d)(1) of the Zoning Ordinance of the City of Utica, the applicant is seeking an area variance in order to construct a deck at the above referenced location.

The applicant is proposing to construct a 10' x 12' deck on the front of their home. The house currently has a 4' x 12" cement platform at the front door. The applicant is proposing to connect this to the proposed deck. In accordance with Section 2-29-172 of the Zoning Ordinance of the City of Utica, the minimum front yard setback in a Residential Single Family zoning district is 25' where the applicant is proposing approximately 17'. The applicant will be required to receive an area variance for the reduction in the front yard setback.

ZBA Case No.: 42-19
1507 Elm Street
Applicant: Patricia Washington
Owner: Ulysses Smith

Zone: RT-1
Use Variance

Pursuant to Section 2-29-67(d)(2) of the Zoning Ordinance of the City of Utica, the applicant is seeking a use variance in order to operate a mission at the above referenced location.

The applicant is proposing to operate a mission at the above referenced location. The Patty-Roy Foundation will provide temporary housing and case management services for 12 post release males between the ages of 17-50 years of age. They will also accommodate individuals who are economically disadvantaged. The hours of operation will be 8:30 – 4:30 pm.

The applicant stated that the Foundation will take every measure to make sure the program participants and community residents are safe. Some of the measures consist of 24 hour security system, access to public safety and professional staff. The organization will be working with other service providers in the community and parole/probation as some of the participants will be under some sort of other supervision.

The property is a two-family home with two units which both include 1 bath, 3 bedrooms, kitchen, living room and den area.

ZBA Case No.: 43-19
1420 Oriskany Street
Applicant: Utica Sign & Graphics
Owner: Urbaniks

Zone: CC
Area Variance

Pursuant to Section 2-29-67(d)(1) of the Zoning Ordinance of the City of Utica, the applicant is seeking an area variance in order to install signage at the above referenced property.

The applicant is proposing to install a total of 146 sf of signage to the face of the building. A Benjamin Moore logo and sign (total 20 sf) will be installed, Urbanik's Paint (total of 100 sf) will be installed, and Pittsburgh Paints (total of 26 sf) will be installed.

In accordance with Section 2-29-340 of the Zoning Ordinance of the City of Utica, the maximum allowed square footage for a facial sign is 60 sf in a Community Commercial zoning district, therefore, the applicant will be required to receive an area variance for the total signage proposed at this location.

ZBA Case No.: 44-19
1916 Sunset Avenue
Applicant: Thomas Janicke
Owner: Thomas Janicke

Zone: RT-1
Area Variance

Pursuant to Section 2-29-67(d)(1) of the Zoning Ordinance of the City of Utica, the applicant is seeking an area variance in order to legitimize the installation of a fence at the above referenced property.

The applicant has installed 24' of chain link fence 5 ½' high in the front yard of his property, along the neighboring driveway. A maximum height of 4' is allowed for open style fences in the front yard in a Residential Two-Family zoning district. The applicant will be required to receive an area variance for the proposed height of the fence.