RECEIVED 5/8/13

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 263 South Pearl ST

APPLICANT Jabar Mohammed

ADDRESS 409 Pennsylvania CITY Schenectady STATE N.Y. ZIP 12303

PHONE 518 366-4903 FAX NUMBER

AUTHORIZED AGENT

AFFILIATION

ADDRESS CITY STATE ZIP

PHONE FAX NUMBER

PROPERTY OWNER Jabar Mohammed

ADDRESS 409 Pennsylvania CITY Schenectady STATE N.Y ZIP 12303

PHONE 518 366-4903 FAX NUMBER

OTHER TO BE NOTIFIED

ADDRESS CITY STATE ZIP

PHONE FAX NUMBER

REQUEST:
- X SPECIAL USE PERMIT
- __ USE VARIANCE
- __ AREA VARIANCE
- __ INTERPRETATION
- __ PARKING LOT PERMIT
- __ OTHER

ZONING CLASSIFICATION C-1 TAX LOT ID NUMBER

EXISTING USE / # OF UNITS Mixed com. 2 units

PROPOSED USE / # OF UNITS Fast Food Restaurant / Office

OCCUPANCY STATUS (FULLY OCCUPIED / PARTIALLY OCCUPIED / VACANT) VACANT

REQUESTED PUBLIC HEARING DATE: June 12

PROJECT TIME FRAME: July 1 TOTAL PROJECT COST: 90000

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 DATE

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 Jabar Mohammed DATE 05-08-2013

01-26-12

SPECIAL USE PERMIT STANDARDS

Special permit uses are those that have some special impact or unique form which require a careful case by case review of their location, design, configuration, and impact to determine, against fixed standards, the desirability of permitting their establishment on any particular site.

- When considering a request for a special use permit, the Board shall take into consideration the following:

  [1] Whether the use is **listed as a permitted special use** in the appropriate zoning district.

  [2] Will not have an undue adverse effect upon adjacent property, the **character of the neighborhood** and surrounding areas, **traffic conditions, parking, utility facilities** or other matters affecting the public health, safety, welfare or convenience.

  [3] Operations in connection with the proposed use will **not be more objectionable** to nearby properties by reason of noise, fumes, vibration, illumination, etc., than the operations of any permitted use **not** requiring a special use permit.

  [4] Will be served **adequately by essential public facilities** and services or **that the applicant will be responsible for providing such services.**

[1] **DESCRIPTION OF USE**
(Describe the proposed use):

The Applicant (Jabar Mohammed) is Planning To open A Fast Food Restaurant. The Food will be to go with three booths available for seating.

- For commercial establishments, please complete the following:
  a) Number of customers per day: _____
  b) Number of employees: _____
  c) Days/Hours of operation: _____
  d) Hours of deliveries: _____
  e) Frequency of deliveries: ___Less than once a month ___Monthly ___Biweekly ___Weekly ___Several times a week ___Daily

[2] CHARACTER OF NEIGHBORHOOD

(Please provide evidence/information, which demonstrates that the proposed use will not substantially impact the nature and character of the surrounding neighborhood):

The property is Located North of morton Ave in a C-1 DISTRIC. The Vast majority of The properties are mixed use with a Store ON The Lower Lever.

[3] OBJECTIONABLE USES

(Please explain how the proposed use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking/double parking, utility facilities, and other matters affecting the public health, safety, and general welfare):

The Adjacent Properties are mixed use commercial properties. 265 S. Pearl ST is a coffeeshop, 267 S. Pearl ST is a Grocery Store. 259 S. Pearl ST is The Capital city mission. The Restaurant will NO Adversely effect The Adjacent properties because The Are ALL Commercial Entities. The Neighborhood is also made up OF Commercial Properties

[4] OBJECTIONABLE USES

(Please explain why your proposed use will not be more objectionable than would a use permitted by the Zoning Ordinance. Specifically, will your proposed use create any nuisances by generating noise, odors/fumes, and glare from lighting):

The project Should NOT Create Noise because The majority of Direct Neighbors are commercial Entities, The property will include Lighting which will make a Dark Part of The Street More Friendly. The proposal for The Venting are to put it on The Roof, which should minimize The Smell (Roof is about 30 Feet High)

[5] ADEQUATE SERVICE OF FACILITIES

(Please demonstrate to the Board that the proposed use will be adequately served by storm drainage, water, sanitary sewers, off-street parking, access to city streets to handle projected traffic volumes, fire and police protection, schools, and refuse disposal, as these services are relevant to your project):

The Building is Being Renovated completely, with New plumbing. There has been NOT provisions made for drainge, water, Sewers or Parking. The street was Renovated in last few Years to Help with These problems. The majority of Customers are walk in Lunch crowd (Next From Dmv) - Very Little use of Parking

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	X No
2.	Will there be a major change to any unique or unusual landform found on this site?.....	__Yes	X No
3.	Will project alter or have a large effect on an existing body of water?.....	__Yes	X No
4.	Will project have a potentially large impact on groundwater quality?	__Yes	X No
5.	Will project significantly affect drainage flow or air quality?.....	__Yes	X No
6.	Will project affect any threatened or endangered plant or animal species...	__Yes	X No
7.	Will project result in a major adverse impact on air quality?.....	__Yes	X 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	X 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	X No
10.	Will project have a major effect on existing or future recreational opportunities?	__Yes	X No
11.	Will project result in major traffic problems or cause a major impact on existing transportation systems?.....	__Yes	X No
12.	Will project regularly cause objectionable odors, noise, glare, vibration, or electrical disturbances as a result of the project's operation?.....	__Yes	X No
13.	Will project have any impact on public health or safety?.....	__Yes	X 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 <u>or</u> have a major negative effect on the character of the community or neighborhood?.....	__Yes	X No
15.	Is there any public controversy concerning the project?.....	__Yes	X No

PREPARER'S SIGNATURE: _____ TITLE: _____

REPRESENTING: _____ DATE: 05-08-2013

GERALD D. JENNINGS
MAYOR

CITY OF ALBANY
DIVISION OF BUILDING & REGULATORY COMPLIANCE
CITY HALL – ROOM 303
ALBANY, NEW YORK 12207
PHONE (518) 434-5995 FAX (518) 434-6015
WWW.ALBANYNY.ORG

JEFFERY V. JAMISON
COMMISSIONER

May 6, 2013

Jabar Mohammed
409 Pennsylvania Ave
Schenectady, NY 12303

RE: 263 South Pearl Street
Application Number: 66751

Dear Sir:

On **April 16, 2013**, you made an application for work at the above referenced property involving: **Fit up of a take-out restaurant with hours of operation 11AM-11PM**.

This property is located in an area which is zoned **C-1**.

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

That review has revealed that the proposed work will require

- ☐ Common Council Approval (375-186)
- ☐ Parking Lot Permit (375-174)
- ☐ Site Plan Approval (375-33)
- ☒ Special Use Permit (375-27)
- ☐ Approval by Historic Resources Commission (42-83)

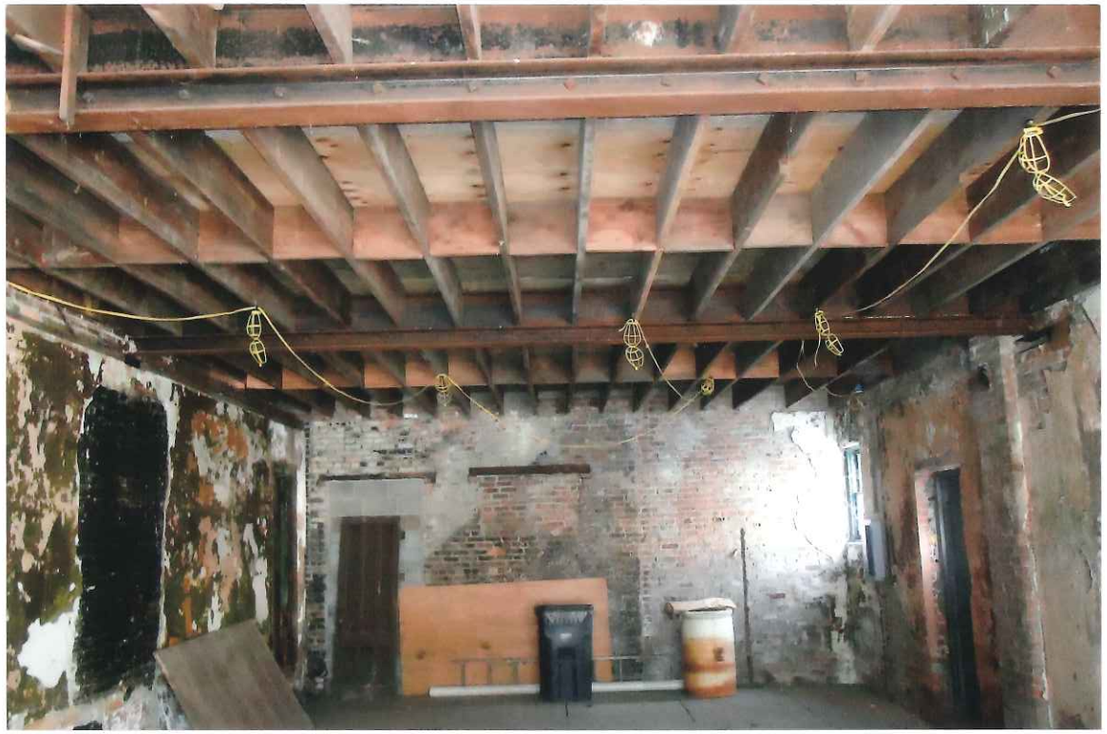
Therefore, your application of 4/16/13 cannot be granted at this time until the approvals indicated above have been granted and all zoning issues are resolved.

Application for the required review(s) may be made on forms available from the Office of Planning & Neighborhood Development, 200 Henry Johnson Blvd. *Applications for the required review(s) must be filed completely with the Office of Planning and Neighborhood development within thirty (30) days of the date of this letter.* ***Upon successful approval(s) required above, 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.***

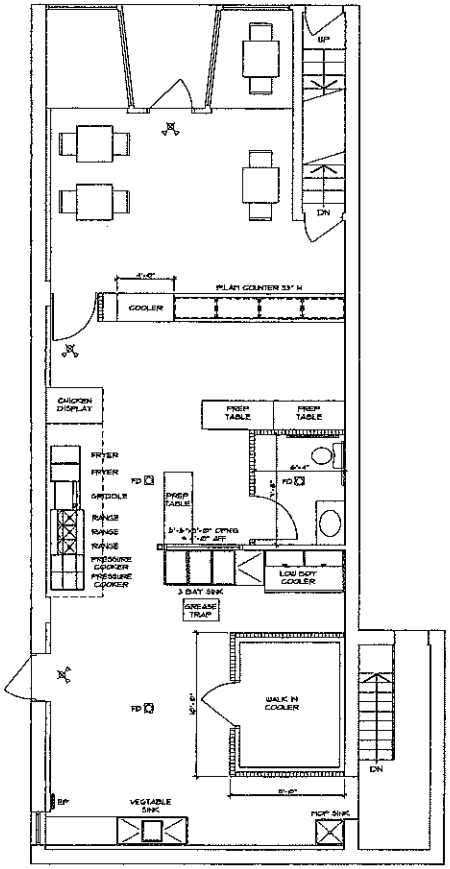
For The Commissioner,

Vincent DiBiase
Deputy Chief Inspector

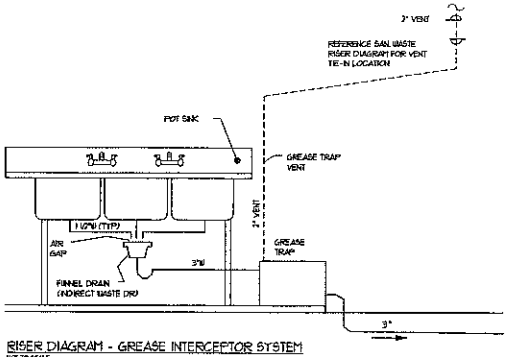
cc: Planning Office



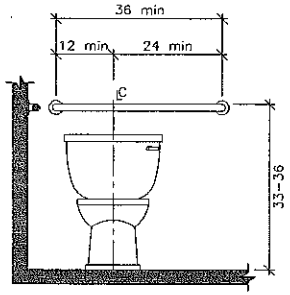
I.L.A.
1294
I.L.A.
1294
I.L.A.
1294



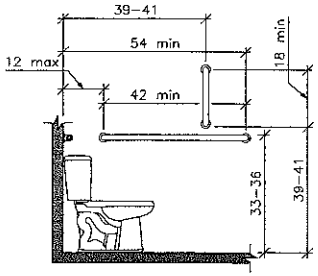
FLOOR PLAN
SCALE: 1/4" = 1'-0"



RISER DIAGRAM - GREASE INTERCEPTOR SYSTEM
NOT TO SCALE



REAR WALL GRAB BAR FOR WATER CLOSET



SIDE WALL GRAB BAR FOR WATER CLOSET

GENERAL NOTES

ALL WORK SHALL CONFORM WITH ALL APPLICABLE FEDERAL, STATE, LOCAL, AND OSHA CODES, RULES AND REGULATIONS.

ALL ELECTRICAL WORK TO BE IN CONFORMANCE WITH THE LATEST NEC AND CITY OF ALBANY ELECTRICAL CODE

EXISTING STRUCTURAL ROOF FRAMING IS IN SATISFACTORY CONDITION.

ALL CONTRACTORS SHALL VISIT THE SITE TO FAMILIARIZE THEMSELVES WITH ALL EXISTING CONDITIONS, TO VERIFY ALL EXISTING DIMENSIONS AND TO BE AWARE OF LOADING AND UNLOADING CONDITIONS.

ALL CONTRACTORS SHALL PROVIDE CERTIFICATES OF INSURANCE BEFORE STARTING ANY WORK, VERIFY TYPES AND AMOUNTS OF COVERAGE WITH OWNER.

ALL DIMENSIONS MUST BE VERIFIED IN FIELD. REPORT ANY PROBLEMS OR INCONSISTENCIES TO THE ARCHITECT.

ALL MATERIALS USED IN CONSTRUCTION SHALL BE NEW AND OF FIRST-CLASS QUALITY.

ALL MATERIALS AND WORKMANSHIP SHALL BE GUARANTEED FOR A PERIOD OF ONE YEAR AFTER OPENING DATE OF BUILDING.

DEMOLITION: ALL DEMOLITION WORK MUST BE DONE IN A CLEAN AND SAFE MANNER. ALL DEBRIS SHOULD BE REMOVED DAILY AND THE SITE MADE SAFE.

GYPSUM BOARD SHALL BE INSTALLED WITH ALL CORNER BEADS, TRIMS, ACCESSORIES AND MOLDING, ETC. AS REQUIRED FOR COMPLETION. DRYWALL SHALL BE TAPED AND SANDED, READY FOR PAINT, BY DRYWALL CONTRACTOR.

CONTRACTORS ARE SOLELY RESPONSIBLE FOR ANY DEVIATIONS FROM THE PLANS WITHOUT WRITTEN APPROVAL OF THE ARCHITECT.

NO COMBUSTIBLE PRODUCTS ARE TO BE STORED ON THE PREMISES OR WITHIN THE PROJECT AT ANY TIME.

GENERAL CONTRACTOR TO PROVIDE NEW DOOR HARDWARE FOR ALL NEW DOORS, PROVIDE SCHEDULE TO ARCHITECT FOR APPROVAL.

GENERAL CONTRACTOR TO VERIFY EXIT AND EMERGENCY LIGHT LOCATIONS WITH LOCAL INSPECTORS PRIOR TO ORDERING AND INSTALLING UNITS. ALL EMERGENCY LIGHTING, NIGHT LIGHTING, EXIT LIGHTING AND SIGNS AND EQUIPMENT SHALL CONFORM TO CITY OF ALBANY CODES. ALL BATTERY UNITS TO BE OPERATIVE.

SYMBOLS LEGEND

- EXIT LIGHT
- EMERGENCY LIGHT
- EXIT / EMERGENCY LIGHT

ALBANY COUNTY DEPT. OF HEALTH
DATE 12-31-12
Theo... STAR CHICKEN & PIZZA
EXAMINED AND APPROVED ALBANY
Marianne P. Stone

FLOOR PLAN

HARRIS A. SANDERS ARCHITECTS P.C.
252 WASHINGTON AVENUE, ALBANY, NEW YORK 12210

RENOVATION TO
JADAR RESTAURANT
263 SOUTH PEARL STREET
ALBANY, NY

A1

City of Albany

Department of Buildings and Regulatory Compliance

City Hall - Room 303

Albany, NY 12207

Phone (518) 434-5165 Fax (518) 434-6015

Invoice for Vacant Building Registration

Date 1-7-13 **Registration Number** *1652*

Received From *Bibi Qadir*

Pertaining to Address *263 South Pearl Street*

Amount Invoiced: *$250.00* **Account** A300 A0000 2555

Invoiced By: Lisc F.

This section is to be stamped upon payment to the Treasurer's Office and returned to the Division of Building and Codes

1652

263 South Pearl Street

Bibi Qadir

Received By: _____ *$250.00*