

City Planning Commission
Decision Grid
January 29, 2024

Case # / File #	Address	Vote	Decision
Case 1/ E-013-23-24 Establish an ancillary parking lot servicing Hawn Electric at 277 N Winton Road and connecting it to an existing parking lot at the rear of 277 N. Winton Road.	251 N. Winton Road	5-0-0	Approved
Case 2/ E-018-23-24 Alternative parking plan to account for 23 spaces	1171-1175 Portland Ave	4-0-0	Approved
Case 3/ E-019-23-24 Establish a drive-through ATM in a parking lot within the Perimeter Commercial sub-area within the PD-11 City Gate Planned Development District facing the perimeter access road.	390 E. Henrietta Road	5-0-0	Approved

City Planning Commission Members

Present:

- David Watson, Chair
- Eugenio Marlin, Vice Chair
- Nicholas Carleton
- Brad Flower
- Richard Mauser, alternate
- Milton Pichardo (recused self from case #2)

City Planning Commission
Decision Grid
February 26, 2024

Case # / File #	Address	Vote	Decision
<p>Case 1/ E-020-23-24 To allowing establishment of a nonconforming use of middle tenant space: Retail tech repair shop with the ability to sell coffee and smoothies.</p>	<p style="text-align: center;">659 Jay St</p>	<p style="text-align: center;">6-0-0</p>	<p style="text-align: center;">Held by the Planning Commission</p>
<p>Case 2/OMA-003-23-24 To dedicate approximately 357 square feet of city-owned land to be incorporated into West Main Street and approximately 1,485 square feet to be incorporated as Churchlea Place.</p>	<p style="text-align: center;">835-855 W. Main St.</p>	<p style="text-align: center;">6-0-0</p>	<p style="text-align: center;">Recommend Approval</p>

City Planning Commission Members

Present:

- David Watson, Chair
- Eugenio Marlin, Vice Chair
- Nicholas Carleton
- Brad Flower
- Kimberly Harding
- Milton Pichardo

City Planning Commission
Decision Grid
March 25, 2024

Case # / File #	Address	Vote	Decision
<p><u>Case 1/ E-020-23-24</u> To establish a nonconforming use in the middle tenant space of a commercial building: Retail tech repair shop with the ability to sell coffee and smoothies.</p>	659 Jay St.	4-1-0	Approved on Condition
<p><u>Case 2/ E-021-23-24</u> To establish the use as a second-hand dealer on the first floor which is currently legal as retail space.</p>	924 N. Clinton Ave.	5-0-0	Approved on Condition
<p><u>Case 3/ L-001-23-24</u> To designate the interior spaces of an existing City Designated Landmark Building which currently only includes the exterior.</p>	45 Exchange Blvd.	5-0-0	Approved
<p><u>Case 4/E-022-23-24</u> To extend an existing American tower monopole by 20'; Install 9 new panel antennas, 15 new remote radio heads and associated equipment; install ground shelter and generator.</p>	2040 Clifford Ave.	5-0-0	Approved
<p><u>Case 5/ E-023-23-24</u> To expand current existing Charter school and construction of a new school building where the rectory was formerly located, the construction of a new gymnasium, construction of three stories of classrooms within the existing church, interior improvements to the existing school and the reconstruction of the existing parking areas.</p>	1069-1089 Joseph Ave.	4-0-0	Approved

Decision Grid
March 25, 2024

City Planning Commission Members

Present:

David Watson, Chair
Eugenio Marlin, Vice Chair (recused self from case #5)
Nicholas Carleton
Brad Flower
Milton Pichardo

Approval conditions:

Case 1/E-020-23-24

1. No more than 10% of the total square footage shall be used for preparation of smoothies
2. There shall be no public access in the back area/break room.

Case 2/E-021-23-24

1. The hours of operations shall be 10am-5pm and only include the sale of jewelry as proposed to the Commission.

City Planning Commission
Decision Grid
April 29, 2024

Case # / File #	Address	Vote	Decision
<p><u>Case 1/ E-024-23-24</u> To install a Taco Bell sign comprised of an internally lit translucent whiteface with applied vinyl taco bell logo measuring 2'-9 1/8" x 2'-6", and individually mounted internally lit letters spelling "Taco Bell" together measuring 8'-11 3/8"x 1'-2" (17.3 total square area) on the northwest corner of an existing Taco Bell, facing the parking lot.</p>	1737 Mt. Hope Ave.	4-3-0	Approved
<p><u>Case 2/ M-001-23-24</u> To amend the zoning district map by rezoning 573 South Clinton Ave from an R-2 Medium Residential District to a C-2 Community Center District.</p>	573 South Clinton Ave.	7-0-0	Recommend Approval
<p><u>Case 3/ OMA-004-23-24</u> To rename Major Charles Carroll Plaza.</p>	69 Andrews St.	7-0-0	Recommend Approval

City Planning Commission Members

Present:

- David Watson, Chair
- Eugenio Marlin, Vice Chair
- Nicholas Carleton
- Bradley Flower
- Milton Pichardo
- Kimberly Harding
- Jacob Hall

City Planning Commission
Decision Grid
May 20, 2024

Case # / File #	Address	Vote	Decision
<p><u>Case 1/ E-025-23-24</u> To establish use of the property as retail sales and service, a non-conforming use in the district.</p>	771-775 Hudson Ave.	5-0-0	Approved
<p><u>Case 2/ E-026-23-24</u> To establish an ancillary parking lot at 266-268 Lyell Ave to be used in conjunction with 280 Lyell Avenue, the Gardner Lofts redevelopment project.</p>	280-286 Lyell Ave.	5-0-0	Approved on Condition
<p><u>Case 3/ E-027-23-24</u> To expand the use of the existing Innova Girls Academy Charter School to the basement and third floor.</p>	546 Oxford St.	5-0-0	Approved on Condition
<p><u>Case 4/ E-028-23-24</u> To establish the use as a take-out/retail coffee shop with no more than six indoor accessory seats on the first floor facing Colby Street, a non-conforming use in the district.</p>	1243-1245 Park Ave.	4-1-0	Approved

City Planning Commission Members

Present:

Eugenio Marlin, Vice Chair
Nicholas Carleton
Bradley Flower
Milton Pichardo
Kimberly Harding

Absent:

David Watson, Chair
Jacob Hall

Approval conditions:

Case 2/E-026-23-24

1. The 10% bicycle parking requirement for the ancillary parking lot will be provided on the principle site. The amount and location shall be approved by the Manager of Zoning.

Case 3/E-027-23-24

1. There shall be no more than 364 total students.

City Planning Commission
Decision Grid
June 24, 2024

Case # / File #	Address	Vote	Decision
<u>Case 1/ E-029-23-24</u> To expand use of the existing Iron Tug Brewing by installing a patio to create an outdoor seating area in the front yard.	367-369 Park Avenue	3-3-0	No Decision*
<u>Case 2/ E-030-23-24</u> To establish use of a laundromat on the first floor, a non-conforming use in this district.	380-382 Jefferson Avenue	6-0-0	Approved
<u>Case 3/ E-031-23-24</u> To establish an accessory drive-through pick-up window and to waive certain requirements for specified uses.	400 East Henrietta Road	5-1-0	Approved
<u>Case 4/ E-032-23-24</u> To establish use of a multifamily dwelling and to waive certain requirements applying to all districts.	676, 720, & 744 North Clinton Avenue	6-0-0	Approved
<u>Case 5/ E-033-23-24</u> To establish use of retail sales/service massage therapy, a non-conforming use in this district.	755 Hudson Avenue	6-0-0	Approved on Condition*

City Planning Commission Members

Present:

David Watson, Chair
 Eugenio Marlin, Vice Chair
 Nicholas Carleton
 Bradley Flower
 Milton Pichardo
 Jacob Hall

Absent:

Kimberly Harding

Decision Information:

Case 1/E-029-23-24

1. The application failed to receive a concurrent vote by four members. The application will be placed on the July 29, 2024 agenda.

Case 5/E-033-23-24

1. The Special Use Permit approval is for one-year. The application must return one-year after the Certificate of Occupancy issuance for renewal.

City Planning Commission
Decision Grid
July 29, 2024

Case # / File #	Address	Vote	Decision
<p><u>Case 2 – E-001-24-25</u> To modify a previous special permit to establish outdoor activity by constructing a front yard patio to be used for outdoor seating and event space with limited entertainment.</p>	390 Blossom Road AKA 50 Carlson Road	7-0-0	Approved on Condition
<p><u>Case 3 – E-002-24-25</u> To establish an alternative parking plan to waive eight on-site parking spaces for the proposed use as a non-alcoholic bar.</p>	1947 E Main Street	7-0-0	Approved on Condition
<p><u>Case 4 – E-003-24-25</u> To change the use of the first floor from fulfillment center to a day-care center, a specially permitted use in the district.</p>	1210 Culver Road	7-0-0	Approved
<p><u>Case 5 – E-004-24-25</u> To legalize the re-establishment of the first floor from welding shop (vacant) to indoor commercial storage/warehousing of general retail merchandise, a non-conforming use in the district.</p>	62 Glendale Park	7-0-0	Approved
<p><u>Case 6 – E-005-24-25</u> To modify a previous special permit to expand the dumpster enclosure by approximately 150 square feet, legalize the removal of the on-site bicycle parking, reorient the parking lot, add three lighting fixtures, and add landscaping originally approved as part of the site plan review process.</p>	55 Elton Street	7-0-0	Temporary Approval on Condition

City Planning Commission Members

Present:

David Watson, Chair
Eugenio Marlin, Vice Chair
Nicholas Carleton
Bradley Flower
Milton Pichardo
Jacob Hall
Richard Mauser, Alternate

Decision Information:

Case 2 – E-001-24-25

1. The application has been approved with the following conditions of approval:
 - a. Only acoustic or non-amplified entertainment shall be permitted outdoors;
 - b. The exterior folding doors shall remain closed at all times when the front outdoor patio space is in use.

Case 3 – E-002-24-25

1. The application has been approved with the following conditions of approval:
 - a. A bike rack that can accommodate three bike parking spaces shall be installed in the front patio area of the subject property.

Case 6 – E-005-24-25

1. The temporary approval includes the following conditions:
 - a. The dumpsters shall be moved to the front fence line and shall be located adjacent to one another from an east to west orientation and one dumpster deep in a north south orientation;
 - b. No dumpster shall exceed 10 yards in size;
 - c. A physical barrier shall be installed at the rear of the dumpsters and shall be approved per the Manager of Zoning with the goal of maximizing the distance between the dumpsters and the property at 179-183 Atlantic Avenue.

City Planning Commission
Decision Grid
August 26, 2024

Case # / File #	Address	Vote	Decision
<p><u>Case 1 – ZMA-001-24-25</u> To amend the Zoning Map of the subject property from the R-1 Low-Density Residential District to the R-3 High-Density Residential District.</p>	1369 East Avenue	7-0-0	Recommend Approval to City Council
<p><u>Case 2 – E-006-24-25</u> To demolish two existing buildings and construct an approximately 12,000 SF vehicle collision center including a 6,500 SF repair center and 5,500 SF warehouse and office space for “Fetzner Collision Center” with parking lot and site improvements.</p>	2485-2487 Dewey Avenue	7-0-0	Approved on Condition*
<p><u>Case 3 – E-007-24-25</u> To re-establish the use of the vacant first floor as one sit-down restaurant and one barbershop, two nonconforming uses in the district, with minor parking lot and site improvements.</p>	184 Otis Street	7-0-0	Temporary Approval on Condition for one year until August 2025*
<p><u>Case 4 – E-008-24-25</u> To modify a previous special permit to expand an existing ancillary parking lot servicing 389-395 Gregory Street from 16 spaces to 34 spaces with landscaping and site improvements.</p>	399-409 Gregory Street	7-0-0	Approved
<p><u>Case 5 – E-005-24-25</u> To construct a 1,650 SF building on 135 Nichols Street to be used in conjunction with the existing “Friendship Children's Center” day-care at 301-310 Fernwood Avenue, a specially permitted use in the district.</p>	302-310 Fernwood Avenue	7-0-0	Approved on Condition*

City Planning Commission Members

Present:

David Watson, Chair
Eugenio Marlin, Vice Chair
Nicholas Carleton
Bradley Flower
Milton Pichardo
Erin Enright
Steven Rebholz, Alternate

Absent:

Jacob Hall

Decision Information:

Case 2 – E-006-24-25:

1. The application has been approved on condition that all partially dismantled, wrecked or unlicensed vehicles stored for more than 72 hours outside of a completely enclosed building shall be stored under the proposed fenced-in carport.

Case 3 – E-007-24-25:

1. The temporary approval for one year includes the condition that the hours of operation for the sit-down restaurant use shall be limited to 6AM-3PM, seven days a week, and the hours of operation for the barbershop shall be limited to 9AM-5PM, seven days a week.

Case 5 – E-009-24-25

1. The application has been approved on condition that the number of accessory storage structures (sheds) located on the property shall be reduced to six total upon completion of construction.

City Planning Commission
Decision Grid
September 23, 2024

Case # / File #	Address	Vote	Decision
<p><u>Case 1 – E-010-24-25</u> To construct and operate a Tensik 80-SS90C Concrete Batch Plant at 1100 Chili Avenue and 104 Cairn Street, a specially permitted use in the district.</p>	1100 Chili Avenue	7-0-0	Held by the Commission for Additional Information
<p><u>Case 2 – E-011-24-25</u> To remodel the interior and exterior of the existing building and construct a new gas canopy and one additional fuel pump island for use as grocery and gasoline sales, a specially permitted use in the district.</p>	370 Norton Street	7-0-0	Approved
<p><u>Case 4 – E-013-24-25</u> To construct an approximately 14,000 square foot single-story building to house “The Susan B. Anthony Interpretive Museum,” a specially permitted use in the district, on 6 re-subdivided parcels (formerly 11, 19, 25, and 33 Jefferson Avenue and 505 and 511 Brown Street).</p>	1 Jefferson Avenue	7-0-0	Approved on Condition

City Planning Commission Members

Present:

David Watson, Chair
Eugenio Marlin, Vice Chair
Nicholas Carleton
Bradley Flower
Milton Pichardo
Erin Enright
Jacob Hall

Decision Information:

Case 4 – E-013-24-25:

1. The application has been approved with the following conditions with regard to access for the refuse collection area:
 - a. An easement agreement between 1 Jefferson Avenue and 39-47 Jefferson Avenue shall be filed with the County and a copy submitted to the Division of Zoning prior to Building Permit issuance;
 - b. An easement agreement between 1 Jefferson Avenue and 515-525 Brown Street shall be filed with the County and a copy submitted to the Division of Zoning prior to Building Permit issuance.

City Planning Commission
Decision Grid
October 21, 2024

Case # / File #	Address	Vote	Decision
<p><u>Case 1 – E-014-24-25</u> To legalize the hours of operation from 2AM to 6AM (24 hours/day) for the existing restaurant’s drive-through lane, a specially permitted use in the district.</p>	420 Monroe Avenue	6-0-0	Held by the Commission for Additional Information
<p><u>Case 2 – E-015-24-25</u> To establish an alternative sign program for the Eugenio Maria De Hostos Charter School (EMHCS) campus at 1069-1089 Joseph Avenue and 1119 Joseph Avenue.</p>	1069-1089 Joseph Avenue	5-0-0*	Approved on Condition

City Planning Commission Members

Present:

David Watson, Chair
Eugenio Marlin, Vice Chair* – Recused from case 2
Nicholas Carleton
Bradley Flower
Milton Pichardo
Erin Enright

Absent:

Jacob Hall

Decision Information:

Case 2 – E-015-24-25:

1. The application has been approved with the following conditions with regard to the illuminated and digital signage:
 - a. Illuminated signage shall comply with 120-177F(6): No sign shall consist of strings of lights or contain blinking, flashing, intermittent, rotating, glaring, or moving lights or other attention-attracting devices, and 120-177F(7): Any illuminated sign shall employ only lights emitting a light of constant intensity;
 - b. Illuminated signage shall not exceed 300-750 NIT’s when building is not being used for its legal use and accessory activities;
 - c. The displayed message on the digital message board shall remain static for a minimum of one hour at a time.

City Planning Commission
Decision Grid
November 18, 2024

Case # / File #	Address	Vote	Decision
<p><u>Case 1 – E-029-23-24</u> To modify a previous special permit to waive nine (9) additional on-site parking spaces to account for 840 square feet of outdoor seating space for “Iron Tug Brewery”.</p>	<p style="text-align: center;">367-369 Park Avenue</p>	<p style="text-align: center;">7-0-0</p>	<p style="text-align: center;">Adjourned to a future meeting as a result of the applicant not being in attendance</p>
<p><u>Case 2 – E-010-24-25</u> To construct and operate a Tensik 80-SS90C Concrete Batch Plant at 1100 Chili Avenue and 104 Cairn Street, a specially permitted use in the district.</p>	<p style="text-align: center;">1100 Chili Avenue</p>	<p style="text-align: center;">7-0-0</p>	<p style="text-align: center;">Temporary 5-Year Approval on Condition</p>
<p><u>Case 3 – E-012-24-25</u> To remodel and change the use of a vacant retail store into a Community Bank branch with a community room and three accessory drive through lanes (2 tellers and 1 ATM), a specially permitted use in the district.</p>	<p style="text-align: center;">804 N. Goodman Street</p>	<p style="text-align: center;">Held at the request of the applicant in advance of the hearing</p>	
<p><u>Case 4 – E-017-24-25</u> To construct an approximately 4,650 square foot ESL Federal Credit Union branch with three accessory drive-through lanes (2 tellers and 1 ATM) and a 24-space parking lot, a specially permitted use in the district..</p>	<p style="text-align: center;">835-855 W Main Street</p>	<p style="text-align: center;">7-0-0</p>	<p style="text-align: center;">Approved</p>
<p><u>Case 5 – E-018-24-25</u> To expand the “Foodlink Community Farm” to include the construction of a 2,800 square foot edible education center, an accessory greenhouse building, and expanded community garden space with parking lot and site improvements on eight resubdivided parcels.</p>	<p style="text-align: center;">607 Lexington Avenue</p>	<p style="text-align: center;">7-0-0</p>	<p style="text-align: center;">Approved</p>

City Planning Commission Members

Present:

- David Watson, Chair
- Eugenio Marlin, Vice Chair
- Nicholas Carleton
- Bradley Flower
- Milton Pichardo
- Erin Enright
- Jacob Hall

Conditions:

Case 2 – E-010-24-25:

1. The application has been approved for a period of 5 years with the following conditions:
 - a. Permitted hours of operation for all activities associated with the primary use and any accessory uses are restricted to Monday-Saturday from 7:30AM to 4:30PM;
 - b. Privacy fence slats shall be installed on the existing chain link fencing along Cairn Street and shall extend from the existing single-story, 1,800 SQFT building located on 104 Cairn Street to the NW corner of the parcel;
 - c. All trucks that enter the site must be cleaned, to the maximum extent practical, before exiting the site to mitigate dust and debris transfer.

City Planning Commission
Decision Grid
December 16, 2024

Case # / File #	Address	Vote	Decision
<p><u>Case 1 – E-029-23-24</u> To modify a previous special permit to waive nine additional on-site parking spaces to account for 840 square feet of outdoor seating space for “Iron Tug Brewery”.</p>	367-369 Park Avenue	6-0-0	Approved
<p><u>Case 2 – OMA-001-24-25</u> To amend the Official Map by abandoning approximately 16’ x 88’ (1,360 square foot) area of right-of-way in front of 560 Blossom Road.</p>	560 Blossom Road	6-0-0	Recommend Approval to City Council
<p><u>Case 3: OMA-002-24-25</u> <u>Case 4: OMA-003-24-25</u> <u>Case 5: OMA-004-24-25</u> Street Abandonment, Dedication, and Renaming in accordance with the Bull’s Head Revitalization Street Improvement Project.</p>	Held at the request of the applicant in advance of the hearing		
<p><u>Case 6 – E-012-24-25</u> To remodel and change the use of a vacant retail store into a Community Bank branch with a community room and three accessory drive through lanes (2 tellers and 1 ATM), a specially permitted use in the district.</p>	804 N. Goodman Street	6-0-0	Approved
<p><u>Case 7 – E-019-24-25</u> To permit a series of Verona Street Park site improvements on 130 Jay Street and 375 Smith Street and construct a 28-space parking lot, a specially permitted use in the district.</p>	130 Jay Street (Verona Street Park)	6-0-0	Approved
<p><u>Case 8 – E-020-24-25</u> To construct an approximately 3,100 SF addition to the south side of the existing building and construct a 28-space ancillary parking lot on 545 and 563 Clifford Avenue to serve 581 Joseph Avenue, a specially permitted use in the district.</p>	581 Joseph Avenue	6-0-0	Approved

City Planning Commission Members

Present:

David Watson, Chair
Eugenio Marlin, Vice Chair
Nicholas Carleton
Milton Pichardo
Erin Enright
Jacob Hall

Absent:

Bradley Flower