The regular meeting of the Planning & Development Board will be held at 6:00 p.m. on TUESDAY, FEBRUARY 22, 2022. In accordance with NYS Executive Orders, this meeting will be conducted remotely via the online platform Zoom and streamed on the City of Ithaca YouTube Channel at https://www.youtube.com/channel/UC7RtJN1P_RFaFW2IVCnTrDg.

Instructions for commenting to the Planning Board

Scheduled Public Hearings (Refer to the agenda for projects that have scheduled public hearings.)
There are two options to participate in a Public Hearing:
1. Submit comments by email no later than 4 p.m. on the day of the meeting (contacts below). Please indicate if you would like your comments read into the record. Each comment is limited to three minutes. Indicate in your email that the comment is for a public hearing.
2. Attend the meeting via Zoom and speak directly to the Board. Comments are limited to three minutes.

General Public Comments
Public comments are heard at the beginning of the meeting via Zoom. Written comments should be sent to the contact(s) listed below. All comments received will be forwarded it to the Planning Board for their consideration. Written comments received in advance of the meeting give the Board/Committee time to consider them fully. If you want your comment read aloud, please state so in your email and limit the comment to three minutes.

Please use the following contacts to submit comments or request access to the Zoom meeting: Anya Harris at aharris@cityofithaca.org or Lisa Nicholas at lnicholas@cityofithaca.org or call 607-274-6550.

AGENDA ITEM

<table>
<thead>
<tr>
<th></th>
<th>Approx. Start Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Agenda Review</td>
</tr>
<tr>
<td>2</td>
<td>Approval of Minutes – November 23, 2021 and December 21, 2021</td>
</tr>
<tr>
<td>3</td>
<td>Public Comments (See instructions above.)</td>
</tr>
<tr>
<td>4</td>
<td>Board Response to Public Comment</td>
</tr>
<tr>
<td>5</td>
<td>Special Permits</td>
</tr>
<tr>
<td>A</td>
<td>Project: Special Permit for Neighborhood Commercial (Music Studio) in the R-2b District</td>
</tr>
<tr>
<td></td>
<td>Location: 105 Wood Street</td>
</tr>
<tr>
<td></td>
<td>Applicant: Russell Posegate</td>
</tr>
<tr>
<td></td>
<td>Actions: Declaration of Lead Agency, Public Hearing, Determination of Environmental Significance, Consideration of Approval</td>
</tr>
<tr>
<td></td>
<td>Project Description: The applicant is proposing to construct a new building, including a two-car garage on the first floor and a music instruction studio on the second floor. The project is in the R-2B Zoning District, in which neighborhood commercial is allowed by special permit. This is an Unlisted Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 and the State Environmental Quality Review Act (“SEQRA”)</td>
</tr>
</tbody>
</table>
Out of consideration for the health of other individuals, please try to refrain from using perfume/cologne and other scented personal care products at City of Ithaca meetings. Thank you for your cooperation and understanding.

"An Equal Opportunity Employer with a commitment to workforce diversification."

Project materials are available for download from the City website and are updated regularly:

- **Project:** City Harbor
  - **Location:** 101 Pier Road
  - **Applicant:** Jessica Edger-Hillman
  - **ACTIONS:** ☐ Responses to Board Comments
  - **Project Description:** The Planning Board granted preliminary site plan approval to the overall project on May 26, 2020, and final approval of Phase 1 of this project on August 25, 2020. The applicant now seeks approval for changes to Phase 1 as well as final approval for Phase 2 which will be now constructed concurrently. Phase 1 included the rebuilding of Pier Road to include sidewalks, street trees, a fire engine turnaround, and additional and reorganized parking, all improvements on private property with the exception of the construction of Point East 2 Building (which will be used as greenspace and parking) and the temporary relocation of the fueling dock and tank. The Phase I changes include: Point West & Point East buildings unit mix changing to more 1-bedroom units, ground level enclosed parking in both buildings, café in place of a restaurant in Point West, and expanded public spaces along the waterfront. Phase 2 of the project did include the construction of the Point East 2 Building, additional parking at the golf course, installation of the new fueling dock and tank, the 5,500 SF Newman Community Center, removal of the existing clubhouse and relocation of the ninth green. Phase II will now not include a new Newman Community Center in this project. The overall project was determined to be a Type 1 Action under the City of Ithaca Environmental Quality Review Ordinance §176-4(B)(1)(d), (h)(2), (i), (k) and (n) and the State Environmental Quality Review Act ("SEQRA") §617.4(b)(6)(iii) and (v), for which the Planning Board, acting as Lead Agency, issued a Negative Declaration of Environmental Significance on May 26, 2020.

  Project materials are available for download from the City website and are updated regularly: [https://www.cityofithaca.org/DocumentCenter/Index/1423](https://www.cityofithaca.org/DocumentCenter/Index/1423)

- **Project:** Catherine Commons
  - **Location:** Intersection of Catherine Street, Cook Street, and College Avenue
  - **Applicant:** Kathryn Wolf, Sponsor
  - **ACTIONS:** ☐ Review of FEAF Part 3 ☐ Consideration of the Negative Declaration of Environmental Significance ☐ Potential Recommendation to BZA
  - **Project Description:** The applicant proposes to demolish the existing (11) two-story wood frame houses and construct a primarily residential mixed-use development. The applicant proposes three multi-story buildings on the Catherine North Site and three multi-story buildings on the Catherine South Site (six buildings total) with a combined total gross floor area of 265,000 SF. The buildings will contain approximately 360 residential units, a 2,600-SF commercial space along College Avenue, a 1,600-SF private fitness center, and a small parking lot for ADA compliance and service vehicles. The project includes streetscape improvements, several ADA-compliant plaza spaces, pedestrian amenities, and public bus stop infrastructure. The project is in four Zoning Districts: the MU1, in which the maximum building height is five stories/70 feet; MU2, in which the maximum building height is six stories/80 feet; CR3, in which the maximum height is 35 feet; and CR4, in which the maximum height is 45 feet. The project will require several area variances including maximum building floors/height (two), minimum off-street parking, maximum street façade, doors and entries, recessed entry, chamfered corner, and rear yard setback (two). It is also subject to Collegetown Design Guidelines. The project involves 12 tax parcels totaling 1.45 acres, seven of which are located north of the Catherine Street /College Avenue intersection and four of which are to the south. Parcel consolidation will be required. This has been determined to be a Type 1 Action under the City of Ithaca Environmental Quality Review Ordinance §176-4.
Out of consideration for the health of other individuals, please try to refrain from using perfume/cologne and other scented personal care products at City of Ithaca meetings. Thank you for your cooperation and understanding.

"An Equal Opportunity Employer with a commitment to workforce diversification."
Out of consideration for the health of other individuals, please try to refrain from using perfume/cologne and other scented personal care products at City of Ithaca meetings. Thank you for your cooperation and understanding.

"An Equal Opportunity Employer with a commitment to workforce diversification."
PROPOSED RESOLUTION
Declaration of Lead Agency

Special Permit
Neighborhood Commercial (Music Studio)
105 Wood St
City of Ithaca Planning and Development Board
February 22, 2022

WHEREAS: 6 NYCRR Part 617 of the State Environmental Quality Review Law, and Chapter 176.6 of the City Code, Environmental Quality Review, require that a lead agency be established for conducting environmental review of projects, in accordance with local and state environmental law, and

WHEREAS: State Law specifies that for actions governed by local environmental review, the lead agency shall be that local agency which has primary responsibility for approving and funding or carrying out the action, and

WHEREAS: the City of Ithaca Planning and Development Board has one pending application for a Special Permit for a Neighborhood Commercial Use in an R-2B Zoning District at 105 Wood Street by Russell Posegate, and

WHEREAS: in accordance with City Code, §329-9 (B) (f), Standards for Special Conditions and Special Permits- Applicability, a special use permit is required for “Neighborhood retail or service commercial facilities in R-2, R-3, CR-2, CR-3, and CR-4 Districts”, and

WHEREAS: the applicant is proposing to construct a new building, including a two-car garage on the first floor and a music instruction studio on the second floor, and

WHEREAS: this is an Unlisted Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 and the State Environmental Quality Review Act (“SEQRA”) §617.4 and is subject to environmental review, now, therefore be it,

RESOLVED: that the City of Ithaca Planning and Development Board, being that local agency which has primary responsibility for approving and funding or carrying out the action, does, by way of this resolution, declare itself Lead Agency in Environmental Review for the proposed project.

Moved by:
Seconded by:
In favor: 
Against: 
Abstain: 
Absent: 
Vacancies: None
WHEREAS: the City of Ithaca Planning and Development Board has one pending application for a Special Permit for a Neighborhood Commercial Use in an R-2B Zoning at 105 Wood Street by Russell Posegate, and

WHEREAS: in accordance with City Code, §329-9 (B) (f), Standards for Special Conditions and Special Permits- Applicability, a special use permit is required for “Neighborhood retail or service commercial facilities in R-2, R-3, CR-2, CR-3, and CR-4 Districts”, and

WHEREAS: the applicant is proposing to construct a new building, including a two-car garage on the first floor and a music instruction studio on the second floor, and

WHEREAS: this is an Unlisted Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 and the State Environmental Quality Review Act (“SEQRA”) §617.4 and is subject to environmental review, and

WHEREAS: that the City of Ithaca Planning and Development Board, being that local agency which has primary responsibility for approving and funding or carrying out the action, did, on February 22, 2022, declare itself Lead Agency in Environmental Review for the proposed project, and

WHEREAS: the Planning Board acting as Lead Agency did, on February 22, 2022, review and accept as adequate a Short Environmental Assessment Form Part 1, submitted by the applicant, and Part 2, prepared by Planning staff, and other application materials prepared by the applicant, now, therefore be it,

RESOLVED: that the City of Ithaca Planning and Development Board determines the proposed project will result in no significant impact on the environment and a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law be filed in accordance with the provisions of Part 617 of the State Environmental Quality Review Act.

Moved by:
Seconded by:
In favor:
Against:
Abstain:
Absent:
Vacancies: None
WHEREAS: the City of Ithaca Planning and Development Board has one pending application for a Special Permit for a Neighborhood Commercial Use in an R-2B Zoning District at 105 Wood Street by Russell Posegate, and

WHEREAS: in accordance with City Code, §329-9 (B) (f), Standards for Special Conditions and Special Permits- Applicability, a special use permit is required for “Neighborhood retail or service commercial facilities in R-2, R-3, CR-2, CR-3, and CR-4 Districts”, and

WHEREAS: the applicant is proposing to construct a new building, including a two-car garage on the first floor and a music instruction studio on the second floor, and

WHEREAS: this is an Unlisted Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 and the State Environmental Quality Review Act (“SEQRA”) §617.4 and is subject to environmental review, and

WHEREAS: that the City of Ithaca Planning and Development Board, being that local agency which has primary responsibility for approving and funding or carrying out the action, did, on February 22, 2022, declare itself Lead Agency in Environmental Review for the proposed project, and

WHEREAS: the Planning Board acting as Lead Agency did, on February 22, 2022 review and accept as adequate a Short Environmental Assessment Form Part 1, submitted by the applicant, and Part 2, prepared by Planning staff, and other application materials prepared by the applicant, and,

WHEREAS: that the Planning Board did, on February 22, 2022, determine that the proposed project will result in no significant impact on the environment and issued a Negative Declaration of Environmental significance, and

WHEREAS: the Board after reviewing all relevant material, does make the following findings of fact in accordance with §325-9 of the City Code:

1. The location and size of the use, the size of the site in relation to it, and the location of the site with respect to the existing or future streets giving access to it are such that the use will be in harmony with the existing or intended character of the neighborhood and will not discourage the appropriate development of adjacent land and buildings or impair the enjoyment or value thereof due to the following:

2. Operations in connection with the use will not be more objectionable to nearby property by reason of noise, fumes, increased vehicular traffic or parking demand, vibration, or flashing lights that would be the operations of any use permitted without a special permit due to the following:

3. The granting of a special permit may be conditioned on the effect the use would have on traffic, congestion, environment, property values, municipal services, character of the surrounding neighborhood, or the general plan for the development of the community, now, therefore be it,

RESOLVED: that the subject application is APPROVED, subject to the following condition:
i. The special permit is granted based on the scale of the business described above and in application materials. The City will review this approval should the owner or operator request to expand the business or in the case of unresolved and proven neighborhood impacts that are not addressed by the owner or operator in a timely manner, and be it further.

RESOLVED: that in accordance with §325-9 of the City Code, the Director of Planning and Development or their designee shall revoke any special permit issued hereunder should the applicant or the applicant's tenant violate any provision of this chapter or any condition imposed upon the issuance of the special permit by the Planning and Development Board.

Moved by:  
Seconded by: 
In favor:  
Against:  
Abstain:  
Absent:  
Vacancies: None
Erin Cuddihy

to me, Noah, Lynne, Tim

Thanks for including me in the discussion, Tim. I had wondered if this project would be using the existing curb cut (to the now-removed garage) and I see that question answered on p. 2 of the drawing dated 211/2022 (reattached here). I agree with Tim's assessment that this is a low-traffic street and keeping both existing curb cuts would not be an issue.

Thank you,

Erin Cuddihy, P.E., LEED AP, ENV SP
Transportation Engineer
City of Ithaca
607-375-7818

From: Craig Modisher <craig@streamcolab.com>
Sent: Tuesday, February 15, 2022 10:08 AM
To: Tim Logue <TLogue@cityofithaca.org>
Cc: Noah Demarest <noah@streamcolab.com>; Erin Cuddihy <ecuddihy@cityofithaca.org>; Lynne Yost <LYost@cityofithaca.org>
Subject: Re: 105 Wood Street- driveway

Tim,

Thanks for the feedback. Much appreciated.

Craig Modisher
Senior Project Manager
STREAM COLLABORATIVE
architecture + landscape architecture dpc
office: 607.216.8802 ext. 711
108 W State Street, 2nd Floor
Ithaca NY, 14850
www.streamcolab.com

On Tue, Feb 15, 2022 at 10:01 AM Tim Logue <TLogue@cityofithaca.org> wrote:

Hi Craig,

Thanks for the note and I do appreciate your efforts to keep the proposed garage away from the wall. We did review this project and wondered if you'd need to relocate the curb cut. Though we don't typically allow two driveways for a property, they already exist and it's a very low traffic street, so I don't think we had an objection to keeping it or moving it. One of us wondered if you'd be interested in rotating the garage and connecting it to the existing driveway, but again, I don't think we had an objection to having the two curb cuts.

I'm copying Erin Cuddihy in case she has more to add and Lynne Yost who will ultimately issue the permit for the work.

Thanks,
Tim

Tim Logue
Director of Engineering Services
108 East Green Street
Ithaca, NY 14850
607.274.6535

"Children learn from what they see. We need to set an example of truth and action."
Howard Rainer (Taos Pueblo-Creek educator and public speaker)
Hi Tim,

Our project at 105 Wood Street is coming before the Planning Board this month, you may have seen the materials circulated. One item that came up at the PRC meeting this morning was the existing curb cut for the old garage. Please refer to the attached documents.

The old survey shows approximately where the old garage was, before it fell down a few years back. The site plan shows that we have moved the new building away from the retaining wall as much as seems feasible at this time. We have been able to give you almost 12' between the building and the base of the retaining wall. This shift has moved the building to the Northwest. In doing so, we are slightly off of the original curb cut. We would like to shift the curb cut to the west, in order to line up better with the new garage location. Can you or someone in your office please give us some feedback on this request? I wasn't sure who from your office to include in this discussion.

Thanks,
Craig Modisher
Senior Project Manager
STREAM COLLABORATIVE
architecture + landscape architecture dpc
office: 607.216.8802 ext. 711
108 W State Street, 2nd Floor
Ithaca NY, 14850
www.streamcolab.com
Commercial Special Permit notes

Proposed Music Studio/Garage at 105 Wood Street

Community Commercial Designation

The proposed project is a music studio which has the following uses falling under the category “community commercial”:

1. Primary Use: Private musical instruction. Piano primarily, but also trumpet and guitar. Studio size hovers between 15 and 20 students/week averaging 40 minute lessons which works out to ~13 hours per week.
2. Secondary use: Space for musical practice. This entails use of the space for practice—mostly individually but also in small ensembles. Roughly 20 hours per week maximum.

Traffic/Parking

Summary: In general use, the studio generates need for 1 or fewer parking spaces which will be accommodated without need for any off-street parking.

Notes on Traffic/Parking: The owner lives next door and students either use one space or are dropped off by parents. Rehearsals in a rare instance could conceivably have as many as 5 cars, which would still be easily accommodated by the driveway and available on-street parking. The studio is proposed as having a garage on the lower level to provide parking for existing tenants on the property (a house divided into two apartments). The existing driveway on the property will provide more than enough space for any students needing parking. Demand for on-street parking on the block is also low, with an available 8 spots and community demand for 0 to 4 spots on a regular basis.

- 106/108 Wood Street (across the street) is a three-unit apartment and has ample space in the driveway. Some years there have been as many as two regular users of on-street parking.
- 107 and 105 Wood Street (the properties addressed by this document) have sufficient off street parking and do not use on-street parking.
- The tenants and owners of 525 and 601 South Albany Street (around the corner) occasionally use 0-2 spots.
- I have never witnessed Geneva Street residences using Wood Street parking regularly.

Hours of operation

Summary: Teaching and rehearsing hours vary widely but are generally afternoons (weekdays) and mornings (weekends).
Notes on hours of operation: Currently teaching and rehearsals end at 8pm (occasionally 9pm) but given the unobtrusiveness of the impact on the neighborhood especially regarding sound leakage prevention, even late or early hours of operation should not be problematic.

Noise

Summary: projected noise levels are low or zero and will have a net benefit to the neighborhood by shifting current musical activity from the front room of 107 Wood Street to a dedicated, more isolated space.

Notes on concerns about loud and/or amplified music: Generally there will be no amplified music or loud acoustic instruments such as drums and brass. However this *is* a possibility (and even an acoustic piano can be quite loud) and does happen sometimes in the current space at 107 Wood Street. Great care is taken to minimize sound leakage. The project as proposed will benefit liveability in the neighborhood by driving a net decrease in sound leakage in several ways:

1. The proposed studio is more isolated from other residencies in the neighborhood than the current musical instruction/rehearsal space at 107 Wood Street.
2. The proposed studio is being designed with sound isolation in mind (insulation and acoustic paneling) so it will reduce any sound leakage (which is already low).
3. The proposed studio will have a dedicated heat pump HVAC system designed to facilitate best practices in maximizing sound isolation*

*In my experience the worst sound leakage occurs when the HVAC system is inadequate and it’s too hot to keep the windows closed. Those are also days when neighbors have their windows open and are most vulnerable to sound leakage..

Location and Size

Summary: Development of this side of the property will have a net benefit on the character and potential development of adjacent properties

Notes on location and size: The current proposal makes use of undeveloped land which is not adjacent to any other developable properties. In addition, there are similarly-sized structures as the current proposal behind 106/108 Wood Street and in the side yard of 605 South Albany Street.

Concluding Comments

Russell Posegate has provided private music instruction and rehearsal space in his home (the neighboring property) consistently since 2002. There have been zero noise and traffic complaints in those 20 years. Additionally the space is being designed with sound isolation in
mind. The scope of this project does not include any increase in activity, it is solely to provide a
good and separate space for his music activities.

Signed,

Russell Posegate

(607) 242-5491

2/16/22
Property Address: 105 Wood Street

Zoning District: R-2b

Proposed Use: Music Instruction Studio

Property Owner:
Name: Russell Posegate
Title/Role: Owner
Address 1: 107 Wood Street

City, State, & Zip Code: Ithaca, NY 14850
Telephone: 607-242-5491
Cell Phone: 
E-Mail: posegate@gmail.com

Applicant:
Name: Owner - above
Title/Role: 
Address 1: 

City, State, & Zip Code: 
Telephone: 
Cell Phone: 
E-Mail: 

Note: If property is not owned by Project Sponsor, OWNER’S AUTHORIZATION FORM required.

Is this a renewal of an existing Special Permit?
No

What is being proposed:
Construction of a new building, including a two car garage on the first floor and a music instruction studio on the second floor.

How it differs from present conditions/use:
There is currently a vacant space, where a falling down garage was located, and demolished a few years ago. There is also a tree that the City has slated for removal.

Why the proposal requires a special permit:
A music studio for instruction requires a special permit for "Neighborhood Commercial" use.
Please record the application date and approval status of any required federal, state, and/or local permits or approvals for this project if needed:

<table>
<thead>
<tr>
<th>Type</th>
<th>Approval Agency</th>
<th>Application Date</th>
<th>Approval Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Plan Review</td>
<td>Planning Board</td>
<td>Jan 2022</td>
<td>pending</td>
</tr>
<tr>
<td>Demolition</td>
<td>Building Division</td>
<td>Dec 2021</td>
<td>pending</td>
</tr>
<tr>
<td>Building</td>
<td>Building Division</td>
<td></td>
<td>pending</td>
</tr>
<tr>
<td></td>
<td>Ithaca Landmarks Preservation Commission (ILPC)</td>
<td></td>
<td>pending</td>
</tr>
<tr>
<td></td>
<td>Board of Zoning Appeals (BZA)</td>
<td>February 2022</td>
<td>pending</td>
</tr>
<tr>
<td></td>
<td>Board of Public Works (BPW)</td>
<td></td>
<td>pending</td>
</tr>
<tr>
<td>Other</td>
<td></td>
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</tbody>
</table>

Identify any existing restriction(s) relevant to development of this property:

☐ Deed Restriction(s) ☐ Lien(s) ☐ Easement(s) ☐ License Agreement(s) ☐ Other:

--- QUICK APPLICATION CHECKLIST ---

<table>
<thead>
<tr>
<th>Item</th>
<th>No. of Copies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application Form (completely filled out and signed)</td>
<td>14</td>
</tr>
<tr>
<td>Short Environmental Assessment Form (SEAF) (completely filled out and signed)</td>
<td>14</td>
</tr>
<tr>
<td>Illustrative Plan for the Development of the Site</td>
<td>14</td>
</tr>
<tr>
<td>Special Permit Application Fee -</td>
<td></td>
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<tr>
<td>Accessory Apartments, Bed and Breakfast Homes and Home Occupations -</td>
<td></td>
</tr>
<tr>
<td>$100</td>
<td></td>
</tr>
<tr>
<td>All other special permits (including Bed and Breakfast Inns) -</td>
<td></td>
</tr>
<tr>
<td>$150</td>
<td></td>
</tr>
</tbody>
</table>

**ELECTRONIC SUBMISSIONS:** You must provide electronic versions of all submitted documents.

**LARGE FILES:** Incoming e-mails to the City must be under 10 MB in size (incl. message envelope), so please either provide a CD-ROM, flash/thumb drive, or use a free file-sharing web site, like: www.hightail.com, www.dropbox.com, www.google.com/drive, etc. You can also split documents into smaller parts and send multiple e-mails/files to: micholas@cityofithaca.org or aharris@cityofithaca.org.

Applicant's Signature: [Signature]  Sarah Pepeote  Date: 12/13/21

By signing this application form, the applicant acknowledges City staff may visit the site in order to fully understand the proposed development.
ONLY SUBMIT THIS FORM IF ZONING APPEAL APPLICATION IS BEING SUBMITTED/SIGNED BY SOMEONE OTHER THAN CURRENT RECORD PROPERTY OWNER.

OWNER'S AUTHORIZATION FORM

ZONING APPEAL #: 3210

TO: BOARD OF ZONING APPEALS (Ithaca, NY):

I (We) ___________________________ of ___________________________
(Name) ___________________________
(Street Address)

______________________________
(City/Municipality) NY 14850
(Street & Zip Code)

Owner of the property at ___________________________

(Street & Number)

[ ] I am the sole owner of the above-mentioned property.

[ ] This property is also owned by ___________________________,

and I have a Power of Attorney to authorize this appeal (attach POA).

I do hereby authorize ___________________________ to appeal or request a Variance or Special Permit on my (our) behalf. I (we) understand the appeal will be heard at the ________________ meeting of the Board of Zoning Appeals.

______________________________
(Date)

Signature)

STATE OF NEW YORK)
COUNTY OF TOMPKINS)

Sworn to this ______ day of ___________________________

______________________________
(Signature)

Notary Public

Note to those signing this form:

(1) Owners authorizing another to present an appeal on their behalf should be aware the Board may, in granting relief, add reasonable conditions which then become binding on the property.

(2) Especially where a Variance is being sought, the owner may be the only person with detailed information about the property that is essential to the appeal. In such a case, authorizing another person to appeal may be detrimental to the appeal, unless the owner is either present at the hearing or sends another person fully prepared to answer questions about the property and the feasibility of using it consistent with the Zoning Ordinance.
**Short Environmental Assessment Form**

**Part 1 - Project Information**

**Instructions for Completing**

**Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

**Part 1 – Project and Sponsor Information**

<table>
<thead>
<tr>
<th>Name of Action or Project:</th>
<th>Wood Street garage- Music Studio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Location (describe, and attach a location map):</td>
<td>105 Wood Street</td>
</tr>
<tr>
<td>Brief Description of Proposed Action:</td>
<td>Construction of a new building, which would include a first floor garage and a second floor music instruction studio.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of Applicant or Sponsor:</th>
<th>Telephone: 607-242-5491</th>
</tr>
</thead>
<tbody>
<tr>
<td>Russell Posegate</td>
<td>E-Mail: <a href="mailto:posegate@gmail.com">posegate@gmail.com</a></td>
</tr>
<tr>
<td>Address:</td>
<td>107 Wood Street</td>
</tr>
<tr>
<td>City/PO:</td>
<td>Ithaca</td>
</tr>
<tr>
<td>State:</td>
<td>NY</td>
</tr>
<tr>
<td>Zip Code:</td>
<td>14850</td>
</tr>
</tbody>
</table>

1. **Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?**
   - If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.

2. **Does the proposed action require a permit, approval or funding from any other government Agency?**
   - If Yes, list agency(s) name and permit or approval: Special Permit and LSAPR from the Planning Board, a variance from the BZA.  

3. **Total acreage of the site of the proposed action?**
   - b. Total acreage to be physically disturbed? .01 acres
   - c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? .36 acres

4. **Check all land uses that occur on, are adjoining or near the proposed action:**
   - ☑️ Urban  ☐ Rural (non-agriculture)  ☐ Industrial  ☐ Commercial  ☐ Residential (suburban)  
   - ☐ Forest  ☐ Agriculture  ☐ Aquatic  ☐ Other(Specify):  
   - ☐ Parkland

---

Page 1 of 3  SEAF 2019
5. Is the proposed action,  
   a. A permitted use under the zoning regulations?  
      NO  YES  N/A  
      ☐  ✔  ☐  
   b. Consistent with the adopted comprehensive plan?  
      NO  YES  N/A  
      ☐  ✔  ☐  

6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?  
   NO  YES  
   ☐  ✔  

7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?  
   If Yes, identify:  
   NO  YES  
   ✔  ☐  

8. a. Will the proposed action result in a substantial increase in traffic above present levels?  
      NO  YES  
      ✔  ☐  
   b. Are public transportation services available at or near the site of the proposed action?  
      NO  YES  
      ☐  ✔  
   c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?  
      NO  YES  
      ☐  ✔  

9. Does the proposed action meet or exceed the state energy code requirements?  
   If the proposed action will exceed requirements, describe design features and technologies:  
   NO  YES  
   ✔  ☐  

10. Will the proposed action connect to an existing public/private water supply?  
    If No, describe method for providing potable water:  
    NO  YES  
    ✔  ☐  

11. Will the proposed action connect to existing wastewater utilities?  
    If No, describe method for providing wastewater treatment:  
    NO  YES  
    ✔  ☐  

12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  
    NO  YES  
    ✔  ☐  
    b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?  
    NO  YES  
    ☐  ✔  

13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?  
    NO  YES  
    ✔  ☐  
    b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?  
    NO  YES  
    ✔  ☐  
    If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:  
    ________________________________
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

- [ ] Shoreline
- [ ] Forest
- [ ] Agricultural/grasslands
- [ ] Early mid-successional
- [ ] Wetland
- [X] Urban
- [ ] Suburban

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?
- Rusty-patched Bumble Bee

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>[✓]</td>
</tr>
</tbody>
</table>

16. Is the project site located in the 100-year flood plan?

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td>[✓]</td>
<td></td>
</tr>
</tbody>
</table>

17. Will the proposed action create storm water discharge, either from point or non-point sources?

If Yes, answer the following:

- Will storm water discharges flow to adjacent properties?

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>[✓]</td>
</tr>
</tbody>
</table>

- Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>[✓]</td>
</tr>
</tbody>
</table>

If Yes, briefly describe:

We will tie into storm drains, if they are available, or direct it to the rear yard

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?

If Yes, explain the purpose and size of the impoundment:

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>[✓]</td>
</tr>
</tbody>
</table>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?

If Yes, describe:

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td>[✓]</td>
<td></td>
</tr>
</tbody>
</table>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?

If Yes, describe:

No files exist in the DEC database for this site

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>[✓]</td>
</tr>
</tbody>
</table>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Craig Modisher

Signature: 

Date: 2/2/2022

Title: Project Manager
### Part 1 / Question 7 [Critical Environmental Area]
No

### Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]
No

### Part 1 / Question 12b [Archeological Sites]
Yes

### Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]
No

### Part 1 / Question 15 [Threatened or Endangered Animal]
Yes

### Part 1 / Question 15 [Threatened or Endangered Animal - Name]
Rusty-patched Bumble Bee

### Part 1 / Question 16 [100 Year Flood Plain]
Digital mapping data are not available or are incomplete. Refer to EAF Workbook.

### Part 1 / Question 20 [Remediation Site]
Yes

---

**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.
Tree to be removed by the City. It already has a yellow sign on it saying it is slated to be taken down.
105 Wood Street
Russell Posegate

Project Description
The project involves the construction of a 1150 sf new accessory building on an existing 8,360 sf parcel in the R-2b zoning district. The building will contain a 576 sf of garage space and a 576 sf music studio. This new building will be roughly in the same location as a previous garage, which fell into disrepair and was removed a few years ago.

Site Improvements
The site currently contains a two unit house. The existing house with two residential units does not conform to the current zoning regulations. The existing Front Yard and Side Yard are deficient. The new 1150 sf accessory building will not exacerbate that deficiency and meet all other R-2b zoning requirements and 2020 NYS building code. The project is seeking a Zoning Variance for the existing deficiencies. The new construction will not exacerbate these deficiencies.

Zoning Compliance

Dimensional Requirements:
The R-2b zoning district has an 3,000 sf lot size minimum, 35’ lot width minimum, and allows buildings to cover 35% of their lot. The height allowance is 3 stories and 35’ above grade plane. There is a 10’ front yard requirement, 10’ and 5’ side yard requirement, and 25% or 20’, whichever is less, rear yard requirement.

Other requirements:
Off Street Parking requires 1 space per residential unit and 1 space per Neighborhood Commercial use. This project will require 3 parking spaces total.
Proposed conditions:
The proposed building will occupy 823 sf of the lot for a total lot coverage of 22.2%. The proposed building will be 2 stories in height with a gable roof and a building height of approximately 29’ above average grade plane.

The existing front yard, between the **front porch stairs and the property line** is **3’ 7”**, **which is deficient**. The new building will be 5’ from the property line.
Both side yards to the east are at least 10’, but an existing side yard between the house and the property line on the west is **2.4’, which is deficient**.
The rear yard is 64’.

Program
The project proposes 1 new neighborhood commercial unit on the property above a garage, which requires a Special Use Permit. The music studio is primarily for the owner to be able to teach music lessons. There used to be a garage in roughly the same location on the property prior to 2016, which fell into disrepair.

Stormwater
Because of the nature of the site as urban land, and its small size, there are no on-site stormwater facilities proposed, pending approval by the City’s Stormwater Officer. Although not required, we may consider a best practice strategy that directs runoff to the vegetated rear yard to filter stormwater from the roof, prior to its entry into the storm sewer system.

Utilities and Energy
Both sanitary and water are available at the street in front of the parcel and will be typical of residential development. Heating and cooling systems will be provided through an air-source heat pump system still to be designed. So the building will be all electric.

Justification for BZA variance
The deficiencies are for an existing structure. No work is being performed on the existing structure. The new accessory building will not exacerbate the existing deficiencies. In conversations with the Engineering Department, they have strongly suggested locating the building as far from the retaining wall as possible, so there is space for maintenance if needed. There is no easement in place, so this was a request from the City, not a demand. We are trying to satisfy this request as best we can, so we have sited the building more to the Northwest than originally planned, in order to pull the structure off of the retaining wall and away from the slope.
This was a falling down Garage structure that was located approximately where we are proposing the new structure.
Photo from Google Map’s Street View- October 2013
Zoning Analysis (please refer to the survey as well)
Lot Size- 8360 SF
Lot width- 98'
Lot Coverage- 1036 + 823= 1859 SF (22.2%)
Side Yards- 2.4' (existing), 11.9' (new), 18.5' (new)
Front Yard- 3'7" (existing)
Back Yard- 64'
Parking- existing 3 spaces plus 2 new spaces in the garage
<table>
<thead>
<tr>
<th>Address</th>
<th>City</th>
<th>State</th>
<th>Zip Code</th>
</tr>
</thead>
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<td>Ithaca NY</td>
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<td>Ithaca NY</td>
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<td>14850</td>
</tr>
</tbody>
</table>
City of Ithaca
SITE PLAN REVIEW (SPR) APPLICATION
for Projects of Limited Scope
Building Permit Number: 42321

Applicant:
Name: Russell Posegate
Address: 107 Wood Street, Ithaca NY 14850

Telephone: 607-242-5491
Cell Phone: __________________
E-Mail: posegate@gmail.com

Principal Project:
Name: ______________________
Address: ____________________

Telephone: ___________________
Cell Phone: __________________
E-Mail: _____________________

Consultant:
Name: Craig Modisher- STREAM Collaborative
Address: 108 West State Street, Ithaca NY 14850

Telephone: 607-216-8802, x711
Cell Phone: __________________
E-Mail: craig@streamcolab.com

Project Owner:
Name: see applicant above
Address: ____________________

Telephone: ___________________
Cell Phone: __________________
E-Mail: _____________________

Project Description
Title: Wood Street- ADU
Location Address: 105 Wood Street, Ithaca

Type: (check one) ✓ Residential □ Commercial □ Industrial □ Institutional

Scope of Work (check all that apply & indicate approximate operation/construction cost):
✓ Vegetation Removal tree removal □ Façade Change ________________ □ Demolition ________________
□ New Paving __________________ □ Earthwork __________________ □ New Planting ________________
✓ New Structure 1150 SF □ Expansion of Structure ________________ □ Accessory Structure ________________

Total Construction Cost: $200,000
Anticipated Construction Period: 5/1/2022 to 9/1/2022
Other Information

1. If the development site is leased property, list the property owner's name and address below:

________________________________________________________________________________________

Length of Lease: ____________________________.

Note: Owner is to include, with this application, a written statement authorizing the applicant as the agent of Site Plan Review.

2. Please record the application date and approval status of any required federal, state, and/or local permits or approvals for this project:

<table>
<thead>
<tr>
<th>Type</th>
<th>Approval Agency</th>
<th>Application Date</th>
<th>Approval Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Demolition</td>
<td>Building Div.</td>
<td>Dec 2021</td>
<td>pending</td>
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<tr>
<td>Building</td>
<td>Building Div.</td>
<td>February 2022</td>
<td>pending</td>
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<tr>
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<td>Board of Zoning Appeals</td>
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</tr>
<tr>
<td></td>
<td>Board of Public Works</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3. Describe any existing restrictions relevant to developments on this property:

________________________________________________________________________________________

4. Please provide any additional information you feel is important to gaining a full understanding of your proposed development.

ELECTRONIC SUBMISSIONS: Please provide electronic versions of ALL documents submitted.

E-MAILING LARGE FILES: Incoming e-mails to the City must be under 10 MB in size (incl. the message envelope itself), so please either provide a CD-ROM or flash drive, or use a free file-sharing web site, like: www.hightail.com, www.dropbox.com, www.google.com/drive, etc. You can also split documents into smaller parts and send multiple e-mails/files.

Application Fee

A $50 application fee is payable to "City of Ithaca," upon submission of this application.

Applicant's Signature: ___________________ Date: __2__/ __1__/ __2022__

By signing this application form, the applicant acknowledges that City of Ithaca Planning & Economic Development Division staff may visit the site in order to fully understand the proposed development.

CONTACT:
Lisa Nicholas, Deputy Director of Planning
DIVISION OF PLANNING & ECONOMIC DEVELOPMENT
108 E. Green St., 3rd Floor
Ithaca, NY 14850-5690
(607) 274-6550 — Fax: (607) 274-6558
lnicholas@cityofithaca.org
Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<table>
<thead>
<tr>
<th>Part 1 – Project and Sponsor Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of Action or Project:</td>
</tr>
<tr>
<td>Wood Street garage- Music Studio</td>
</tr>
<tr>
<td>Project Location (describe, and attach a location map):</td>
</tr>
<tr>
<td>105 Wood Street</td>
</tr>
<tr>
<td>Brief Description of Proposed Action:</td>
</tr>
<tr>
<td>Construction of a new building, which would include a first floor garage and a second floor music instruction studio.</td>
</tr>
</tbody>
</table>

Name of Applicant or Sponsor: Russell Posegate

| Telephone: 607-242-5491 |
| E-Mail: posegate@gmail.com |

Address:

107 Wood Street

City/PO: Ithaca

State: NY

Zip Code: 14850

1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.

   YES ☑ NO □

2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Special Permit and LSPR from the Planning Board, a variance from the BZA

   YES ☑ NO □

3. a. Total acreage of the site of the proposed action? 
   b. Total acreage to be physically disturbed?
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?

   .19 acres
   .01 acres
   .36 acres

4. Check all land uses that occur on, are adjoining or near the proposed action:

   ☑ Urban
   □ Rural (non-agriculture)
   □ Industrial
   □ Commercial
   □ Residential (suburban)
   □ Forest
   □ Agriculture
   □ Aquatic
   □ Other(Specify):

   □ Parkland
5. Is the proposed action,
   a. A permitted use under the zoning regulations?  
      ![Yes](✔)  ![No](✗)  ![N/A](☐)
   b. Consistent with the adopted comprehensive plan?  
      ![Yes](✔)  ![No](✗)  ![N/A](☐)

6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?  
   ![Yes](✔)  ![No](✗)  

7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?  
   If Yes, identify: _______________________________________________________________________________  
   ![Yes](✔)  ![No](✗)  

8. a. Will the proposed action result in a substantial increase in traffic above present levels?  
      ![Yes](✔)  ![No](✗)  
   b. Are public transportation services available at or near the site of the proposed action?  
      ![Yes](✔)  ![No](✗)  
   c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?  
      ![Yes](✔)  ![No](✗)  

9. Does the proposed action meet or exceed the state energy code requirements?  
   If the proposed action will exceed requirements, describe design features and technologies:  
  __________________________________________________________________________________________  
   ![Yes](✔)  ![No](✗)  

10. Will the proposed action connect to an existing public/private water supply?  
    If No, describe method for providing potable water:  
    ________________________________________________________________________________________  
    ![Yes](✔)  ![No](✗)  

11. Will the proposed action connect to existing wastewater utilities?  
    If No, describe method for providing wastewater treatment:  
    ________________________________________________________________________________________  
    ![Yes](✔)  ![No](✗)  

12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  
    ![Yes](✔)  ![No](✗)  
   b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?  
   ![Yes](✔)  ![No](✗)  

13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?  
    ![Yes](✔)  ![No](✗)  
   b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?  
    ![Yes](✔)  ![No](✗)  

   If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:  
   ________________________________________________________________________________________  
   ________________________________________________________________________________________  
   ________________________________________________________________________________________  
   ________________________________________________________________________________________  
   ________________________________________________________________________________________  
   ________________________________________________________________________________________  
   ________________________________________________________________________________________  
   ________________________________________________________________________________________
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

- Shoreline  
- Forest  
- Agricultural/grasslands  
- Early mid-successional  
- Wetland  
- Urban  
- Suburban

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?

- Rusty-patched Bumble Bee  

16. Is the project site located in the 100-year flood plan?

- Yes  
- No

17. Will the proposed action create storm water discharge, either from point or non-point sources?

- Yes  
- No

  a. Will storm water discharges flow to adjacent properties?

- Yes  
- No

  b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?

- Yes  
- No

We will tie into storm drains, if they are available, or direct it to the rear yard

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?

- Yes  
- No

If Yes, explain the purpose and size of the impoundment:

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?

- Yes  
- No

If Yes, describe:

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?

- Yes  
- No

No files exist in the DEC database for this site

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Craig Modisher  
Date: 2/2/2022

Signature:  
Title: Project Manager
Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

<table>
<thead>
<tr>
<th>Part 1 / Question 7</th>
<th>Critical Environmental Area</th>
<th>No</th>
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<tbody>
<tr>
<td>Part 1 / Question 12a</td>
<td>National or State Register of Historic Places or State Eligible Sites</td>
<td>No</td>
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<td>Part 1 / Question 12b</td>
<td>Archeological Sites</td>
<td>Yes</td>
</tr>
<tr>
<td>Part 1 / Question 13a</td>
<td>Wetlands or Other Regulated Waterbodies</td>
<td>No</td>
</tr>
<tr>
<td>Part 1 / Question 15</td>
<td>Threatened or Endangered Animal</td>
<td>Yes</td>
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<td>Part 1 / Question 15</td>
<td>Threatened or Endangered Animal - Name</td>
<td>Rusty-patched Bumble Bee</td>
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<tr>
<td>Part 1 / Question 16</td>
<td>100 Year Flood Plain</td>
<td>Digital mapping data are not available or are incomplete. Refer to EAF Workbook.</td>
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<tr>
<td>Part 1 / Question 20</td>
<td>Remediation Site</td>
<td>Yes</td>
</tr>
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</table>
Garage has been removed, around 2016.
Tree to be removed by the City. It already has a yellow sign on it saying it is slated to be taken down.
Exterior Materials - 105 Wood Street

A
Natural white cedar shakes

B
Marvin Essential windows

C
Approximate siding color

SW 6839
Kimono Violet
Interior / Exterior
Location Number: 183-C7
Project Description

The project involves the construction of a 1150 sf new accessory building on an existing 8,360 sf parcel in the R-2b zoning district. The building will contain a 576 sf of garage space and a 576 sf music studio. This new building will be roughly in the same location as a previous garage, which fell into disrepair and was removed a few years ago.

Site Improvements

The site currently contains a two unit house. The existing house with two residential units does not conform to the current zoning regulations. The existing Front Yard and Side Yard are deficient. The new 1150 sf accessory building will not exacerbate that deficiency and meet all other R-2b zoning requirements and 2020 NYS building code. The project is seeking a Zoning Variance for the existing deficiencies. The new construction will not exacerbate these deficiencies.

Zoning Compliance

Dimensional Requirements:

The R-2b zoning district has an 3,000 sf lot size minimum, 35’ lot width minimum, and allows buildings to cover 35% of their lot. The height allowance is 3 stories and 35’ above grade plane. There is a 10’ front yard requirement, 10’ and 5’ side yard requirement, and 25% or 20’, whichever is less, rear yard requirement.

Other requirements:

Off Street Parking requires 1 space per residential unit and 1 space per Neighborhood Commercial use. This project will require 3 parking spaces total.
Proposed conditions:
The proposed building will occupy 823 sf of the lot for a total lot coverage of 22.2%. The proposed building will be 2 stories in height with a gable roof and a building height of approximately 29’ above average grade plane.

The existing front yard, between the front porch stairs and the property line is 3’ 7”, which is deficient. The new building will be 5’ from the property line.
Both side yards to the east are at least 10’, but an existing side yard between the house and the property line on the west is 2.4’, which is deficient.
The rear yard is 64’.

Program
The project proposes 1 new neighborhood commercial unit on the property above a garage, which requires a Special Use Permit. The music studio is primarily for the owner to be able to teach music lessons. There used to be a garage in roughly the same location on the property prior to 2016, which fell into disrepair.

Stormwater
Because of the nature of the site as urban land, and its small size, there are no on-site stormwater facilities proposed, pending approval by the City’s Stormwater Officer. Although not required, we may consider a best practice strategy that directs runoff to the vegetated rear yard to filter stormwater from the roof, prior to its entry into the storm sewer system.

Utilities and Energy
Both sanitary and water are available at the street in front of the parcel and will be typical of residential development. Heating and cooling systems will be provided through an air-source heat pump system still to be designed. So the building will be all electric.

Justification for BZA variance
The deficiencies are for an existing structure. No work is being performed on the existing structure. The new accessory building will not exacerbate the existing deficiencies. In conversations with the Engineering Department, they have strongly suggested locating the building as far from the retaining wall as possible, so there is space for maintenance if needed. There is no easement in place, so this was a request from the City, not a demand. We are trying to satisfy this request as best we can, so we have sited the building more to the Northwest than originally planned, in order to pull the structure off of the retaining wall and away from the slope.
This was a falling down Garage structure that was located approximately where we are proposing the new structure.
Photo from Google Map’s Street View- October 2013
Zoning Analysis (please refer to the survey as well)
Lot Size- 8360 SF
Lot width- 98'
Lot Coverage- 1036 + 823= 1859 SF (22.2%)
Side Yards- 2.4' (existing), 11.9' (new), 18.5' (new)
Front Yard- 3’7” (existing)
Back Yard- 64’
Parking- existing 3 spaces plus 2 new spaces in the garage
Residential Infill – Neighborhood Compatibility Review Worksheet  
 *(To be completed by applicant)*

<table>
<thead>
<tr>
<th>Proposed Project:</th>
<th>Single Family</th>
<th>Multi-Family</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Project Address:</th>
<th>105 Wood Street</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Applicant email:</th>
<th><a href="mailto:posegate@gmail.com">posegate@gmail.com</a></th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Applicant phone:</th>
<th>607-242-5491</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Date:</th>
<th>12/10/2021</th>
</tr>
</thead>
</table>

### Building Mass & Lot Coverage

<table>
<thead>
<tr>
<th>% Lot Coverage (average)</th>
<th>22.2%</th>
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</thead>
<tbody>
<tr>
<td>Side Yard Width (average)</td>
<td>2.4' (existing), 11.9' (new), 18.5' (new)</td>
</tr>
<tr>
<td>Rear Yard Width (average)</td>
<td>64'</td>
</tr>
<tr>
<td>Front Yard Setback (average)</td>
<td>37&quot;</td>
</tr>
<tr>
<td># of Stories</td>
<td>2</td>
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<tr>
<td>Building Height</td>
<td>29'</td>
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<table>
<thead>
<tr>
<th>Buildings in the same block (both sides of the street)</th>
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</tr>
</thead>
<tbody>
<tr>
<td>similar</td>
<td></td>
</tr>
<tr>
<td>similar</td>
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<tr>
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</tr>
<tr>
<td>similar</td>
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</table>

### Architectural Features

<table>
<thead>
<tr>
<th>Roof style &amp; pitch</th>
<th>gable - 8/12 pitch</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front porch or stoop</td>
<td></td>
</tr>
<tr>
<td>Garage (&amp; size)</td>
<td>24'x24'</td>
</tr>
<tr>
<td>Orientation of front door to street</td>
<td>on the right side, driveway side</td>
</tr>
<tr>
<td>Foundation type</td>
<td>ICF/slab</td>
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<tr>
<td>Exterior Building Materials</td>
<td>Smartside clapboard, shakes</td>
</tr>
<tr>
<td>Window size</td>
<td>3x5</td>
</tr>
<tr>
<td># of windows facing street</td>
<td>5</td>
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<table>
<thead>
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<th>Buildings in the same block (both sides of the street)</th>
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</thead>
<tbody>
<tr>
<td>gables mostly</td>
<td></td>
</tr>
<tr>
<td>many full width porches</td>
<td></td>
</tr>
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</table>

### Landscape Features

<table>
<thead>
<tr>
<th>Parking (on or off street)</th>
<th>5 off street parking, plus on street</th>
</tr>
</thead>
<tbody>
<tr>
<td>Walls or fences (height &amp; materials)</td>
<td></td>
</tr>
<tr>
<td>Paving materials</td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>Buildings in the same block (both sides of the street)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>mostly driveways</td>
<td></td>
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</table>

Applicant must provide sufficient graphic information to illustrate answers. Graphic evidence includes, but is not limited to site plans, aerial photography, photo surveys of the neighborhood. Printable maps are available on the County Map Website:  
[https://geo.tompkins-co.org/html/?viewer=City_Public_Mobile](https://geo.tompkins-co.org/html/?viewer=City_Public_Mobile)

Neighborhood Compatibility Worksheet 10/30/2018
NEIGHBORHOOD COMPATIBILITY WORKSHEET

Project Address: 105 Wood Street

Applicant email: posegate@gmail.com
Applicant phone: 607-242-5491
Date: 12/6/2021

Existing lot for proposed development

603 S Albany Street

608 S Albany Street

211 Wood Street

105 Wood Street - existing house on the parcel

107 Wood Street

Existing lot for proposed development
New garage with music lesson space on the second floor
February 15, 2022

Attn: Lisa Nicholas, City of Ithaca Planning Department
108 East Green Street, Ithaca, NY 14850

To the members of the Planning Board,

The City Harbor project team is pleased to provide the Planning Board with updates on the project since our presentation during the February Project Review Committee meeting, based on ongoing development of plans and information requested by members of the Board. This submission includes new information as well as copies of material submitted for the February PRC meeting.

New material as part of this submission:

- The attached diagram compares the August 2020 approved parking on the site with the current proposed parking. The current site plan keeps the existing surface parking as approved in August 2020 in place, with very minor changes.
  - The new building does not call for additional surface parking. The development team’s experience with residents indicates that some residents are willing to pay a premium for covered parking, especially residents who might be older. Financing for the project would be less feasible if the ratio of one parking space per unit were not in place, and this ratio was developed as part of the approved Traffic Impact Study in August 2020. Podium parking for the Point West building is particularly important to the success of the project.
  - The shared parking strategies, walkability enhancements (including sidewalks throughout the site and waterfront promenade) interior/exterior bike parking, and TCAT bus stop remain in place. The project team supports the idea of having an Ithaca Car Share vehicle at the site to serve residents and the public.
- The project will bring a generous amount of high-quality public spaces to the site. These are summarized in the attached diagram, and below, outlining improvements that have been completed, were approved in August 2020, and are part of the current plans for the project:
  - Existing improvements, completed as part of Guthrie Medical Center portion of project:
    1. Fewer driveway crossings over Cayuga Waterfront Trail, with new pedestrian signage and wayfinding;
    2. Improved plantings along Cayuga Waterfront Trail;
    3. Swing benches near Cascadilla Creek;
    4. Large green open space, to be accessible along waterfront promenade (when complete).
  - Approved in August 2020 plans, and still proposed as part of project:
    1. Waterfront promenade connecting to Cayuga Waterfront Trail, accessible to the public, featuring plantings and public seating;
    2. A series of ‘pocket parks’ along the waterfront promenade which feature perennial, shrub, and tree plantings, lighting, and furnishings, including an open green space between the Point East and Point East II buildings, between the Point West and Point East buildings, and to the north of the Point West building;
    3. Walkability, biking, and transit improvements as described above.
  - Additional proposed improvements as shown in current plans:
    1. ‘Paddle park’ small watercraft launch point into Cascadilla Creek, in collaboration with the City;
    2. Additional public space along the waterfront promenade due to changes in the ground floor of the Point West and Point East buildings, allowing large raised plazas and new at-grade gathering spaces.
    3. Marine services to the north of Point West, including gas sales and bathrooms for boaters;
    4. Improvements to the design of the open space between Point East and Point East II, including additional lawn, seating areas, and picnic spaces;
    5. A more clear delineation between public and private spaces, lending clarity to the user experience.
Material from February PRC submission and past submissions, attached:

- The Point West floor plans are in development, and current updates reflect the marina services mentioned during recent meetings such as bathrooms for boat owners.
  - The ground level of the Point West building will feature the publicly accessible café space in the two-story atrium of the building. This is a premier location for the public to visit the café throughout the year with a well-designed interior and exterior seating and dining space;
  - A café is well-suited for this area of the plan, and responds to the trend toward informal dining options. This space will be operated by one or several food vendors, who can offer different types of specialty food based on their expertise. The project team envisions this as a destination that is part of the food-focused network of spaces along the Cayuga Waterfront Trail, including the nearby Farmers Market and Greenstar Cooperative. The project team will be reaching out to local operators and food sources to operate in this space;
  - The café program is more economically viable than a large restaurant, considering the ongoing economic impacts of the pandemic and the strength of having several vendors share the space makes this programmatic element more resilient to economic hard times.
- A rendering comparing the north façade of the Point West building as approved in August 2020 and as currently proposed, which were discussed during the February PRC meeting.
- Renderings illustrating the public open spaces on the waterfront side of the Point West building, which show the spaces outside of the café.
- Renderings comparing the changes in front of the Point East I building, which were discussed during January Planning Board meeting.
- Updated south elevation of the Point East II building, which were shown during the January Planning Board meeting as well.
- The project team remains supportive of and interested in working with the City on a Community Center on City-owned land, according to the City’s process, as part of a separate future endeavor. At this time, the project team is interested in proceeding with the necessary municipal approvals, and construction, of the current plans; these plans do not reflect any additional changes to City property beyond those approved in August 2020. The project team continues to believe that the concept of an improved community center in this location would benefit members of the public and looks forward to continuing this conversation.

We look forward to discussing these updates with Board members and answering any questions that there might be.

Sincerely,

Kate Chesebrough
RLA, ASLA, Associate, Whitham Planning Design Landscape Architecture, PLLC
WARNING: It is a violation of New York State Law for any person, unless acting under the direction of a licensed Architect, to alter this document in any way. If a document bearing the seal of an Architect is altered, the altering Architect shall affix to such document his seal and the notation "altered by" followed by his signature, the date of such alteration, and a specific description of the alteration.

DATE: 02/28/2020
PROJECT: 101 Pier Road, Ithaca, New York
OTHER:
DRAWN BY: G103

REVISION SCHEDULE
NAME DATE
DAH

PHASE 1 PARKING COUNT

<table>
<thead>
<tr>
<th>Location</th>
<th>Spaces</th>
</tr>
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<tbody>
<tr>
<td>Newman Golf Course</td>
<td>43</td>
</tr>
<tr>
<td>City Harbor</td>
<td>174</td>
</tr>
<tr>
<td>Guthrie MOB</td>
<td>228</td>
</tr>
<tr>
<td>TOTAL SPACES</td>
<td>445</td>
</tr>
</tbody>
</table>

AUGUST 2020 SHARED PARKING DIAGRAM

Residential
Medical Office Building
Golf Course
Residential & Fine/Casual Dining
Residential & Golf
Residential & Waterfront
Medical Office Building & Fine/Casual Dining
Medical Office Building & Waterfront

City Harbor Development
WHEREAS: the City of Ithaca Planning and Development Board has one pending application for site plan approval for construction of major site improvements and a new building by Kathryn Wolf for Cook-Coll, LLC and Coll-Cath Associates, LLC and

WHEREAS: the applicant proposes to demolish the existing (11) two-story wood frame houses and construct a primarily residential, mixed-use development. The applicant proposes three multi-story buildings on the Catherine North Site and three multi-story buildings on the Catherine South Site (six buildings total) with a combined total gross floor area of 265,000 SF. The buildings will contain approximately 360 residential units, a 2,600-SF commercial space along College Avenue, a 1,600-SF private fitness center, and a small parking lot for ADA compliance and service vehicles. The project includes streetscape improvements, several ADA-compliant plaza spaces, pedestrian amenities, and public bus stop infrastructure. The project is in four Zoning Districts: the MU-1, in which the maximum building height is five stories/70 feet; MU-2, in which the maximum building height is six stories/80 feet; CR-3, in which the maximum height is 35 feet; and CR-4, in which the maximum height is 45 feet. The project will require several area variances including maximum building floors/height (two), minimum off-street parking, chamfered corner, required vegetative buffer, and rear yard setback (two). It is also subject to Collegetown Design Guidelines. The project involves 12 tax parcels totaling 1.45 acres, seven of which are located north of the Catherine Street /College Avenue intersection and four of which are to the south. Parcel consolidation will be required, and

WHEREAS: this is a Type 1 Action under the City of Ithaca Environmental Quality Review Ordinance §176-4B(1)(h)(4), (k) & (n), and the State Environmental Quality Review Act (“SEQRA”) §617.4(b)(5)[iii] and is subject to environmental review, and

WHEREAS: the NYS Department of Environmental Conservation, the Tompkins County Department of Health, Common Council, and the Board of Zoning Appeals have been identified as potentially Involved Agencies in Environmental Review, and,

WHEREAS: the City of Ithaca Planning and Development Board, being the local agency which has primary responsibility for approving and funding or carrying out the action, did on September 28, 2021 declare itself Lead Agency in Environmental Review for the project, and

WHEREAS: the Planning Board, acting as Lead Agency in Environmental Review, did on February 22, 2022, review and accept as adequate: a Full Environmental Assessment Form (FEAF), Part 1, submitted by the applicant, and Parts 2 and 3 prepared by Planning staff; drawings titled Survey Map 120-128 Catherine Street 202-210 College Avenue 302-304 College Avenue 118 Cook Street, City of Ithaca, Tompkins County, New York dated 11/11/2020 and prepared by TG Miller P.C.; Drawings and illustrations contained in Preliminary Site Plan Review Application Report and Appendix F Site & Architectural Drawing Package, under separate cover titled Preliminary Site Plan Review (57 pages) both dated 8/17/21 and prepared by Ikon.5 Architects, Thornton Tomasetti, Inc., Beardsley Architects & Engineers, IPD Engineering, Trowbridge, Wolf, Michaels, Landscape Architects (TWMLA), LLP, and TG Miller P.C; Catherine Commons Preliminary Site Plan Review submitted November 23, 2021 and Catherine Commons Site Design Review Package submitted January 13, 2022 both prepared by TWMLA and Ikon.5 Architects; and other application materials, and

WHEREAS: interested parties have been given the opportunity to comment on the proposed project, and any received comments have been considered, now, therefore, be it
RESOLVED: that the City Planning Board determined, as elaborated in the FEAF Part 3, that the proposed project will result in no significant adverse impacts on the environment and a Negative Declaration for purposes of Article 8 of the Environmental Conservation Law be issued in accordance with the provisions of Part 617 of SEQRA.

Moved by:
Seconded by:
In favor:
Against:
Abstain:
Absent:
Vacancies: None
PROJECT DESCRIPTION

The applicant proposes to demolish the existing (11) two-story wood frame houses and construct a primarily residential mixed-use development. The applicant proposes three multi-story buildings on the Catherine North Site and three multi-story buildings on the Catherine South Site (six buildings total) with a combined total gross floor area of 265,000 SF. The buildings will contain approximately 360 residential units, a 2,600-SF commercial space along College Avenue, a 1,600-SF private fitness center, and a small parking lot with two spaces for ADA and service vehicles. The project includes streetscape improvements, several ADA-compliant plaza spaces, pedestrian amenities, and public bus stop infrastructure. The project is in four Zoning Districts: the MU1, in which the maximum building height is five stories/70 feet; MU2, in which the maximum building height is six stories/80 feet; CR3, in which the maximum height is 35 feet; and CR4, in which the maximum height is 45 feet. The project will require several area variances including maximum building floors/height (two), minimum off-street parking, chamfered corner, vegetative buffer and rear yard setback (two). It is also subject to Collegetown Design Guidelines. The project involves 12 tax parcels totaling 1.45 acres, seven of which are located north of the Catherine Street /College Avenue intersection and four of which are to the south. Parcel consolidation will be required.

This has been determined to be a Type 1 Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 B(1)(h)[4], (k) & (n), and the State Environmental Quality Review Act (“SEQRA”) §617.4 (b)(5)[iii] and is subject to environmental review.

IMPACT ON LAND

The 1.45 acre, 12-tax parcel site is located in a densely urbanized area and is previously developed currently covered with 80% impervious surfaces. The grade at the project site is steeply sloping down toward the SW from College Avenue, resulting in slopes greater than 15% in the southwest and western areas of the project site. The applicant is proposing two main sites: Catherine North and Catherine South. Catherine North currently has seven existing vacant wood frame homes on approximately .81 acres and is composed of three properties along the west side of College Avenue north of Catherine Street and four adjacent properties along the north side of Catherine Street. Catherine South currently has four existing vacant wood frame homes on approximately .64 acres and is composed of four properties along the west side of College Avenue between Catherine and Cook streets and one property along the north side of Cook Street. In total, project implementation required the demolition of (11) two-story wood frame houses.

The demolition of the 11 houses was completed in the beginning of 2022 and followed many phases to allow for a more sustainable demolition. Prior to Fall of 2019, the project sponsors worked with Ithaca ReUsE to salvage all useable appliances and furniture in the houses. Beginning in the Fall of 2019, Ithaca ReUsE and Historic Ithaca began to evaluate each building to determine what components of the building themselves are worth salvaging. All utility services were terminated at each building and the windows and doors are boarded up per instructions from the Building Department. In the Fall of 2020, the sponsors began to work with the Cornell Circular Construction Lab to determine the feasibility of deconstructing at least one of the houses. Please see Impacts on Historical and Archaeological
Resources for further information. Please see Impact on Human Health below for further information on the demolition of the existing houses.

Construction is expected to last approximately 18 months. The construction will result in a net removal of approximately 12,000 cubic yards of asphalt and soil due to the existing steep slopes.

The applicant submitted a Preliminary Report of Subsurface Exploration and Evaluation prepared by John P. Stopen Engineering LLP dated December 28, 2020. According to the report the findings determined that both 10-story buildings (buildings 1a in Catherine North and South) should be constructed on deep foundations in shale bedrock with concrete slab-on-grade floors, while the other four buildings (buildings 1b and 1c in Catherine North and South) should be constructed on conventional shallow foundations bearing on dense glacial till or shale bedrock. Due to the steep slope, “there will be unbalanced earth pressures in the east-west and north-south directions of the buildings. Special provisions may be necessary to accommodate the unbalanced forces.”

The Lead Agency has determined that based on the information above, and with strict compliance to regulations regarding excavation, no significant impact to land is anticipated.

**IMPACT ON GEOLOGIC FEATURES**
The site is in a densely urbanized area with no geologic features present.

The Lead Agency has determined that based on this information, no significant impact on geologic features is anticipated.

**IMPACT ON SURFACE WATER**
There are no surface water features on or adjacent to the project site, but any stormwater runoff ultimately reaches Six Mile Creek.

During construction soils will be exposed and dewatering practices will be used so there is potential for erosion and sediment runoff during this time. The project team will submit a SWPPP in order to comply with NYSDEC regulations. The applicants have also stated in their *Preliminary Site Plan Review Application Report* submitted in August 2021 they will adhere to the following practices during construction:

- Install silt fencing adjacent to the downhill edge of any site disturbance or material stockpile area, parallel with the site contours.
- Provide protection around drainage inlets to prevent siltation.
- Temporary seeding and mulching of disturbed areas or topsoil stockpiles.
- Install sediment traps prior to initiating significant earthwork and maintain throughout construction period.
- Direct all sediment-laden water form trench and pit excavations to a sediment basin or equivalent sedimentation system.
- Install crushed stone tracking pads at principal construction site access points.
• Construction documents for the project will include an erosion and sediment control plan prepared in accordance with New York State Guidelines for Urban Erosion & Sediment Control.

Therefore, based on the information above, the Lead Agency has determined that no significant impact to surface water is anticipated.

IMPACT ON GROUNDWATER
The proposal is a housing project in an urbanized area and as such does not include operational activities that impact groundwater.

According to the Preliminary Report of Subsurface Exploration and Evaluation prepared by John P. Stopen Engineering LLP dated December 28, 2020, regional groundwater level is deep, and they do not expect significant volumes of groundwater to be encountered during excavation. They do suggest “provisions should be made to remove precipitation and surface water during construction” and that if water is encountered “dewatering by pumping from sumps should be adequate."

The Lead Agency has determined that based on the information above, no significant impact to groundwater is anticipated.

IMPACT ON FLOODING
The project site is not located in a flood zone, and it is not near any waterbody that may contribute to flooding.

The Lead Agency has determined that based on the information above, no significant impact on flooding is anticipated.

IMPACT ON AIR
According to information provided by the applicant, construction is projected to last approximately 18 months. During construction, generators may be required to provide power to the site. Excavation and preparation of foundations additionally create the potential for increased airborne dust and dirt particles. Impacts to air quality will be limited to the period associated with construction activities. During construction, the applicant will employ the following applicable dust control measures, as appropriate:

• Misting or fog spraying the site to minimize dust;
• Maintaining crushed stone tracking pads at all entrances to the construction site;
• Re-seeding disturbed areas to minimize bare exposed soils;
• Keeping roads clear of dust and debris;
• Requiring construction trucks to be covered; and
• Prohibiting burning of debris on site.

The Lead Agency has determined that with the mitigation measures during construction identified above, no significant impact to air is anticipated.
IMPACT ON PLANTS AND ANIMALS
The project site is in an urbanized area and is previously developed. Most of the current site is impervious cover with a few trees, shrubs, and lawn. Wildlife likely to be encountered on or near the project site include invertebrates, small mammals, and birds.

Six trees (maples, ashes, and spruce) from the project site ranging from 6” – 18” DBH are slated for removal. The trees are in poor to fair condition and the maples are the invasive tree, Norway maple. The applicant proposes to plant many trees including deciduous shade trees, ornamental trees, evergreen trees, many shrubs, perennials, and groundcover. They will also add many street trees along College Avenue, Catherine Street and Cook Street.

The Lead Agency has determined that based on the information above, no significant impact on plants and animals is anticipated.

IMPACT ON AGRICULTURAL RESOURCES
The project site is not in or adjacent to an agricultural area, therefore, the Lead Agency has determined no significant impact to agricultural resources is anticipated.

IMPACT ON AESTHETIC RESOURCES
According to the Tompkins County Scenic Resource Views, there are no scenic resources located adjacent to or in vicinity of the Project Site. Additionally, there are no locally identified scenic resources located near the project site. Currently, the eleven existing houses do allow for light and views to the west hills on College Avenue.

The project team conducted a viewpoint study of existing, as-of-right, and proposed views of the project from 10 different viewpoint locations around the city from the specific vantages where the site is most visible. This study was submitted to the planning board in August 2021. The Lead Agency further heard this study presented at the October 26 meeting and commented that the views in this study are very convincing that the extra height is nominal with the activation of the street this project affords.

The proposed buildings will only allow for views to the west hills from Catherine and Cook Streets as the new buildings stretch across the entirety of the project along College Street front blocking mid-block views that existed between the older houses. Mitigations proposed by the applicants include building transparency on the ground level, set back of the corners of the buildings to allow for light and views, transparency at the upper corner of the buildings, and activation at the street level. The applicants further addressed public comments to consider a mid-block pedestrian connection through the project site at the November meeting, concluding a mid-block pass through was not desirable at this location. The applicants showed an already existing north-south connection of Catherine Street to Dryden Rd that would make the west-east connection redundant and also discussed the majority of pedestrians' preference to travel towards campus and the heart of Collegetown versus traveling south. The Lead Agency agreed with the applicant’s mitigations for views and mid-block connection investigations.
The Lead Agency had the following feedback regarding design review at the December 2021 Planning Board meeting, January 13, 2022, special meeting, and previous meetings:

**Buildings**

- Lead Agency unanimously supports this project at this location in Collegetown.
- Believe height variance is significantly mitigated, will not adversely affect the neighborhood and worth the street activation including 2-story height public plazas and spaces, bus stop infrastructure, street trees and plantings.
- Appreciate the quality and diversity of building materials providing a dynamic experience for the users and passersby of the site.
- Think the stoops are an important element along College Street as they reflect traditional architecture and also add human scale so as the scale of the buildings is lessened. Wondering if material might be warmer versus the metal material used currently in design and also some concern for trash collecting underneath the stairs. The design team answered this material question in their next presentation 1/13/22 showing how the material is light and transparent and part of the building vernacular. They also propose planting beds with curbs underneath the steps to prevent trash collecting, add warmth and help with head clearance.
- Like the lightwells along College street as they add to the rowhouse feeling and provide smaller entrances for residents.
- Lead Agency questions the uses of bridges between the buildings in Catherine North site- as it gives it more of a dormitory-type feeling and erodes the rowhouse aesthetic. Applicants answered that the connectivity is integral to design for both functionality in inclement weather, for access to amenities and services, and for social community. They have located the bridges about 42’ from Catherine Street and 26’ from the façade of Buildings 2A and 2B, created an open ground plane, and added vertical slats on the bridges to make them more transparent and feel like a site element.
- Would like the ground floor to be very transparent as to activate the street and see life in the buildings. The applicant showed the transparent stoops, open ground floor before the bridges, open two-story plazas, and ground floor windows with corresponding interior colors.
- Have questions regarding the color palette- seem to be a lot of different colors, some facades are completely different colors than the rest of the building, and project has many bold colors. The applicants presented precedents of developments and houses with varying color palette and bold colors near the project site as the board had asked to see these to demonstrate colors blend with vernacular. The applicant talked about reflecting the residential scale in light and colorful materials and colors on the western façade of the buildings such as building 3a which faces residences. While the building facades on College Avenue and Catherine street with masonry materials fit into the urban fabric of Collegetown.
- Raise a few concerns regarding two facades- the north façade of building 1 in Catherine North and the west façade of building 2A. The north façade appears very monolithic and both facades have very narrow windows, so wondering how the interior space feels. The applicants answered these concerns by stating the openings in 2A are vertical reveals as opposed to windows and are to match residential vernacular as this façade is between buildings and bridges. The north face of Building 1 is adjacent to 312 College Avenue and will not be seen in its entirety, only a small
corner can be viewed from College Avenue. The applicants presented a perspective showing the north façade from the College Avenue view.

Site

- Think it looks really nice and is composed of beautiful spaces that are well thought out. Looking forward to the future of College Avenue.
- Like the solutions for the large grade changes along the streets and how the applicants are proposing to activate the streetscape.
- Raise a question about the rails in the plaza in front of building 3b and whether this takes away from the permeability and invitation into the plaza like the other spaces have. Applicants will give this more thought.
- Concerned about the feeling for pedestrians of some of the large cement walls along the streets- particularly along Catherine Street. Is there a way to bring texture and warmth to the walls during ½ the year when there are no plants? The answer from the applicants is yes as they can add texture through scoring, horizontal lines, or some form of treatment to the concrete. Another treatment would be to add an evergreen vine that can climb the walls and remain green throughout the year.
- Like the way that public art is incorporated into the public plazas and spaces such as the red curvilinear bench. These proposed walls act as an opportunity for more public art. The applicants think this is a good idea.
- Really appreciate the green spaces in between and behind the buildings as this is much needed in Collegetown. Hope the applicants can include a substantial tree or more in the internal amphitheater space. The applicant proposes to do so.
- Question whether all of the trees along the street need to be columnar in shape. The applicants feel with such a narrow street any overhanging branches will break by trucks and larger traffic. They are balancing trying to add larger landscape elements with trees that will work in this location.

Based on the information above, the Lead Agency has determined that no significant impacts to aesthetic resources is anticipated.

IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES

The site is not located within a historic district, and the existing site is not designated at the local or state level as an historic resource. However, the project site is located east of and in close proximity, within 175-200’ in some locations, to the East Hill Historic District, which is locally and nationally designated. There are two buildings designated as Local Landmarks in close proximity to the project site: the John Snaith House at 140 College Avenue is located across Cook Street south of the project site; and the Grandview House at 209 College Avenue is located across College avenue east of the project site. The applicant submitted a viewpoint study in their Preliminary Site Plan Review Application Report dated August 2021, which shows the existing views and the proposed views with the proposed project from 10 different vantage points within the city. Viewpoint 6 and Viewpoint 7 include the Grandview House and the John Snaith House respectively and proposed view depict the proposed project will not adversely affect the surrounding context of the local landmarks.
At the November Planning Board meeting, the applicant presented mitigations for the historic buildings including transparency at the ground level through the building and two-story height openings, the terracing and landscaping along Cook street, the stoops along College Street reflecting traditional architecture, and quality design including quality materials and contextual colors that add to the architecture continuum. The Lead Agency agreed these mitigations address the contextual context of the proposed buildings and proximity to the historic buildings.

The Lead Agency did question if there were any strategies for how the project can mitigate for the demolition of the eleven older houses which created the urban fabric in Collegetown. The sponsor did prevent much of the valuable materials of the older houses from going into the landfill which is the case for most older houses. They worked closely with several organizations including Ithaca ReUse, Historic Ithaca, CROWD, and the Cornell Circular Construction Lab in the Department of Architecture to salvage many components and materials in the 11 houses and to completely deconstruct one house, 206 College Avenue. This house was dismantled in sections and moved to another location to reuse and resell all salvageable parts.

On January 18, 2022, the Ithaca Landmarks Preservation Commission (ILPC) conducted an advisory review of the project. In a memo to the board dated January 25, 2022 the ILPC concluded, “In general, it is the opinion of the Commission that the proposed Catherine Commons project will not have a substantial adverse impact on the individually designated historic resources on College Avenue nor the East Hill Historic District to the west.”

As a result of historic site use and based on the information provided above, the Lead Agency has determined no significant impact on historic and archaeological resources is anticipated.

**IMPACT ON OPEN SPACE AND RECREATION**

The project site is in a densely developed multi-family residential neighborhood and not contiguous to any public park or open space. Dryden Road Park, a publicly owned passive recreational facility is approximately 600 feet NW from the project site. Cascadilla Gorge UNA is also located within 800-feet to the north of the site.

The project will widen the sidewalks and create expanded pedestrian zones with new plaza spaces, in both Catherine North and South areas, to create more open space along College Avenue. The project team proposes an open resident green space on the north side of Catherine North.

As a result of the information provided above, the Lead Agency has determined that no significant impact to open space and recreation is anticipated.

**IMPACT ON CRITICAL ENVIRONMENTAL AREAS**

There are no critical environmental areas located within the City of Ithaca. However, Tompkins County identifies Unique Natural Areas (“UNAs”) throughout the county, which are part of the landscape that has outstanding geological and environmental qualities, such as special natural communities, or plants and animals that are rare or scarce elsewhere in the county or region. A UNA is not a regulatory
designation and does not provide legal protection for an area but signals that special resources may exist that require project modification.

The project site is approximately 800 feet to the closest UNA, 136- Cascadilla Gorge, a steep forested riparian area with unique geological features. The project site is located down slope from the UNA, so will have little to no impact on it.

As a result of the information provided above and in discussions with the applicant, the Lead Agency has determined no significant impact to Critical Environmental Areas is anticipated.

**IMPACT ON TRANSPORTATION**

The project site is in an urbanized area in central Collegetown. It is connected to the City sidewalk system, is proximate to goods, services and transit and is within walking distance to Cornell University.

**Construction Related Impacts:**

**Pedestrians & Cyclists**

Construction is expected to take approximately 18 months for both Catherine North and South sites and will take place at the same time. As part of the street permit required by the City Department of Public Works (DPW), a Traffic and Pedestrian Control Plan must be prepared. As well, street closures will be coordinated with the City Fire Department and DPW.

The applicant submitted Work Zone Traffic Controls Plans (C601 & C602) created by T.G. Miller, P.C., dated 1/27/2022, depicting short-term and long-term traffic control plans locating demarcated pedestrian crossings, directional signage approaching and at the site for pedestrian and vehicular traffic, street closed signage, and personnel directing traffic with flags when necessary. Other mitigations for pedestrian and cyclists include safe detours around project site, adequate barriers around active construction site which includes movable chain link fences and locating staging areas so as not to impede with pedestrian and bike routes. It is presumed material staging will occur on site.

**Vehicular Traffic**

It is estimated daily construction deliveries of materials and supplies will fluctuate between 10-20 trucks. Large loads will be scheduled outside of the peak commuting times and a maximum of five truck deliveries scheduled during morning and afternoon commuter peaks. Construction vehicles will use Route 13 to approach the project site and exit via Route 366 to Mitchell Street and College Avenue. Mitigations around the project site include the ones aforementioned for pedestrians and cyclists.

**Parking**

Designated parking in specific locations will be provided for construction workers and for contractors. According to communication from the applicant dated January 25, 2022, “The developer’s standard practice and plan... is to contractually require contractors to secure off-site parking and shuttle employees as necessary to construct the project. As part of this requirement there is a mandate that the contractor submit for approval a plan showing the lot location and means of shuttling prior to the
start of work to ensure they are actively complying with this requirement.” Most of the workforce will be scheduled to arrive outside of morning and afternoon peak commuter hours.

Project impacts (non-construction related)
The project site is in the CR-4 Collegetown Area Form District (CAF). The applicant proposes minimal on-site parking with 5 proposed spaces designated accessible and for service vehicles/loading. Residents who choose to have a car can pay for a parking space at Collegetown Terrace, which will be accessed by a private shuttle.

District regulations state that if no parking is provided the applicant must either: (1) obtain a variance for relief of parking requirements; or (2) demonstrate full compliance with the NYS Building Code or Residential Code for new construction and implement a Transportation Demand Management Plan (TDMP) that is approved by the Planning Board.

The applicant submitted a Transportation Demand Assessment created by SRF Associates dated August 12, 2021, that has the following conclusions, recommendations and mitigations:

- The project site is located nearby available transportation services, such as TCAT, Ithaca Car Share, and will be serviced by an existing private shuttle.
- Four TCAT routes service the area with headways varying from 10 to 30 minutes.
- Given the similar characteristics between the proposed housing project and the existing Collegetown Terrace Apartments complex, actual parking rates were developed at the Collegetown Terrace Apartments complex for use to determine project-related parking demands.
- Based upon the developed parking rates at Collegetown Terrace Apartments, there is a projected demand of 138 to 189 spaces.
- When considering both student housing sites, there is sufficient capacity within the existing Collegetown Terrace Apartments complex to accommodate the projected parking demands created by the proposed Catherine Commons project.
- It is expected that very few residents would choose to park on surrounding streets given the inconvenience of constantly moving vehicles or interacting with the parking pay station.
- A public garage and on-street parking are available for patrons of the commercial uses. Catherine Commons residents are expected to patronize the uses; thus, can reduce the projected commercial parking demands. Additionally, considering the mode share statistics and Walk Score results, the area is characterized as a dense multi-use urban environment.
- Strategies planned to reduce parking demands:
  - Charging for off-site parking at Collegetown Terrace Apartments
  - Shuttle service that will adjust its headways to meet resident demands
  - Pedestrian and bicycle amenities (e.g., bike storage, increased sidewalk area, seating, etc.)
  - New enhanced TCAT bus stop along the project’s frontage with comfort amenities
  - Other streetscaping enhancements
  - Additional strategies may be considered (if necessary)
The project developer will coordinate with TCAT on the new transit stop and any impacts to the existing service routes.

Scheduled service deliveries will be encouraged to take place during off-peak times when commuting traffic is least disrupted. As a result of the information provided above, the Lead Agency has determined that no significant impact on traffic is anticipated.

**IMPACT ON ENERGY**

On August 4, 2021, the Ithaca Energy Code Supplement (IECS) went into effect for all new buildings constructed in Ithaca. The IECS prioritizes electrification, renewable energy, and affordability with the following objectives:

“deliver measurable and immediate reductions in greenhouse gas (GHG) emissions from new buildings, major renovations, and new additions; promote best practices in the design of affordable buildings to deliver reduced GHG emissions; and provide a rapid but orderly transition to buildings that do not use fossil fuels for major building energy needs such as space heating and hot water heating, by 2026. For construction subject to the Ithaca Energy Code Supplement, requirements for reductions in GHGs go into effect in three steps: 2021, 2023, and 2026.”

From August 4, 2021, until 2023 all new buildings must produce 40% fewer greenhouse gas emissions than the Energy Conservation Construction Code of New York State requires. Beginning in 2023, the IECS will increase the requirements of new construction to produce 80% fewer greenhouse gas emissions than the Energy Conservation Construction Code of New York State requires, and by 2026 all newly constructed buildings in Ithaca will be required to be net-zero buildings that do not use fossil fuels. The IECS supports Ithaca’s Green New Deal which aims to “achieve an equitable transition to carbon-neutrality” community-wide by 2030.

The Building Division will oversee implementation and enforcement of the IECS.

According to the project team submittal on August 17, 2021, they “will conduct an energy analysis, review the findings and adjust the envelope system accordingly” to meet the Ithaca Energy Code supplement. The applicant submitted the following strategies they are proposing to implore to reduce energy in their project:

- Exterior light fixtures on daylight sensors
- Enhance building envelope to reduce heat gain and loss; glazing with thermally broken windows and vestibules at major entry points
- Highly reflective roof to reduce heat gain and maximize sun reflectance
- Natural daylight to reduce energy consumption and enhance indoor quality
- Use of natural and recyclable materials
- Use of low flow water fixtures
- Use of Energy Star appliances to minimize energy consumption, including electric stoves and ventless heat pump clothes dryers
- All light fixtures used will be LED fixtures
The proposed mechanical system is a VRF system that is an electric air-source heat pump packaged unit, similar to a PTAC. Each dwelling unit will have a dedicated HVAC system.

As a result, from the information provided above, the Lead Agency has determined that no significant impact to energy is anticipated.

IMPACT ON NOISE, ODOR, AND LIGHT
The residential project is not expected to produce operational noise, odor or light that is out of character with surrounding uses. The limited exterior lighting will be dark sky compliant. Interior lighting in stairs and corridors will be on sensors.

According to the site plan review application provided by the applicant, construction will last approximately 18 months. The project is in a dense mixed-use area. Noise and odors from construction activities could have significant but temporary impact the neighborhood. The foundation will be a combination of deep foundation systems for the two taller buildings and conventional shallow foundation systems for the other four buildings. Due to its proximity to neighboring structures, construction noise will particularly affect adjacent properties.

Noise producing construction activities will temporarily impact residents in the immediate area. Noise producing construction activities will be limited to the hours between 7:30 A.M. and 5:30 P.M., Monday through Friday (or Saturday 9:00 A.M. to 5:30 P.M. with advance notification to and approval by the Director of Planning and Development).

The project team submitted shade study renderings dated August 17, 2021, depicting the shadows cast by as-of-right buildings and the additional depth that would be created by the proposed buildings on the project site at various times on winter and summer solstice, and spring and autumn equinox. The project team presented the shade studies at the October and November meetings, where the Lead Agency responded positively, agreeing that the as-of-right and the proposed building heights did not cause a significant difference in shading throughout the year.

As a result of this information, the Lead Agency has determined no significant impact on noise, odor, and light is anticipated.

IMPACT ON HUMAN HEALTH
The existing 11 buildings were completely removed by the beginning of 2022. Demolition included removal of toxic substances such as asbestos or lead paint. According to the applicant, a hazardous material survey conducted by Lakeland Environmental in September-November 2019 identified asbestos containing material (ACM) in all 11 existing buildings. In February 2020, the applicant hired Sunstream Corporation to remove ACMs from the buildings. Five of the eleven existing houses were completely abated, and final air clearance reports were submitted to the Building Department of the City of Ithaca earlier. The abatement work for the other six houses that remained was all exterior largely confined to
the roofs and was completed closer to the demolition of the buildings themselves. The demolition permits for the remaining six houses were closed out once the roofs on these buildings were abated.

The houses have been demolished but did follow procedures the applicant proposed in their Application Report dated August 17, 2021:

An experienced, licensed and insured demolition contractor will perform demolition of the 11 remaining buildings. The demolition debris will be disposed of at a C&D landfill or recycling facilities licensed by NYSDEC per 6 NYCRR 360 Solid Waste Management facilities. It is expected that the demolition of these structures will generate approximately 1,480 tons of waste.

The demolition contractor will apply for Street Permits as needed and maintain a Vehicular and Pedestrian Traffic Control Plan. The project sponsor will retain a licensed monitoring firm to observe the demolition process and provide constant air monitoring services during the course of the demolition work. The demolition of all the buildings will take approximately 4 weeks to complete. Upon completion, the site will be turned over to the General Contractor for construction of the proposed project.

Please see Impacts on Land and Impacts on Historical and Archaeological Resources sections for more information on the sustainable aspects of the demolition process of the houses.

The project site has no reported spills in the NYDEC Spills Incidents database or in the Environmental Remediation database, nor are there any such sites within 2000 feet of project site.

As a result of this information, the Lead Agency has determined no significant impact to human health is anticipated.

CONSISTENCY WITH COMMUNITY PLANS

The project is consistent with the City of Ithaca’s Comprehensive Plan and its Collegetown land use category which calls for active streetscapes to enliven the pedestrian experience. The project is also in line with the economic vitality section of Plan Ithaca where it states, “Appropriate compact, mixed-use development will provide significant new development opportunities while preserving the character of our established residential neighborhoods. The project also meets the purpose and intent of MU-1 and MU-2 districts along College Avenue, as outlined in Ithaca’s Collegetown Area Form Districts, which is to concentrate the majority of additional development and higher density within these districts and create dynamic urban environments that promote a walkable neighborhood.

Consistency with Zoning:
The project as designed, requires many variances. Based on the zoning analysis dated 1/19/22, the proposed project requires the following area variances:

Catherine South
CR-3 (Building 4)
1. Off-Street Parking: Building 4 requires a total of 13 off-street parking spaces. The applicants propose to construct 2 off-street spaces on site and seek a variance for the remaining 11 spaces or 84.6% of the required parking.

2. Rear Yard: The lot consolidation will create a rear yard between the current 118 Cook Street parcel and the neighboring property at 116 Cook Street; this space is currently a side yard. Building 4 will be sited 5’ from the rear yard, creating a rear yard deficiency of 15’ or 75% of the required yard.

3. Required Vegetative Buffer: The CR-3 district regulations require a 10’ vegetative buffer along the rear yard of all properties in the district. The project meets that requirement for a portion of the lot; however, Building 4 will be located 5’ from the rear property line and the vegetative buffer is reduced to 5’ in width for the full length of the building.

**MU-1 (Buildings 3A and 3B)**

4. Building Height: The Collegetown Area Form Districts regulates building height in both stories and feet; a building cannot exceed either requirement. Buildings 3A and 3B are designed to be 7 stories in height, which exceeds the 5 stories allowed by 40%. The buildings will be 78’ in height, which exceeds the 70’ allowed by 11.4%.

**Catherine North**

**CR-4 (Buildings 2A and 2B)**

5. Rear Yard: The lot consolidation will create a rear yard between the current parcels at 120 &122 Catherine Street and the neighboring property at 118 Catherine Street; this space is currently a side yard. Building 2B will be sited 5’ from the rear yard, creating a rear yard deficiency of 15’ or 75% of the required yard.

**MU-2 (Building 1)**

6. Building Height: The Collegetown Area Form Districts regulates building height in both stories and feet; a building cannot exceed either requirement. Building 1 is designed to be 8 stories in height, which exceeds the 6 stories allowed by 33.3%. The buildings will be 90’ in height, which exceeds the 80’ allowed by 12.5%.

7. Siting Exceptions – Corner Lots in MU-2: The Collegetown Area Form Districts require all buildings at corner lots within the MU-2 district to either (1) have a chamfered corner of at least 10’ from the ground to the top of the building or (2) be setback at least 5’ from both street frontages for the full building height. The intent of this requirement is to provide additional light and air within the dense Collegetown core and improve visibility at busy intersections. The first story of Building 1 is setback 25’ from College Avenue but the upper stories have a 0’ setback from both street frontages.

**Impacts & Mitigations**

In correspondence to nearby property owners dated 1/18/22, the applicant gives the following reasons for the need for the variances and the lead agency responds as follows:

**Catherine South**

**CR3, Building 4**

**Off-Street Parking**
The applicant argues that out of the entire project only one parcel requires parking, so therefore the reduction from 13 required spaces to 2 proposed spaces is minimal. They also point to the City’s planning documents that favor less parking in Collegetown in general as it is walkable and has many multi-modal transportation options. The applicant proposes to incorporate a bus stop into their project along College Avenue. The applicant also owns a private shuttle between another development, Collegetown Terrace and campus that will be available to residents and parking spaces at Collegetown Terrace will be available to lease for those residents who seek parking.

The Lead Agency believes the mitigation is sufficient and that the project is going in the right direction with fewer parking spaces in Collegetown in general. They agree with the applicants’ reasonings and mitigations.

Rear Yard
The applicants argue this particular to the site as the parcels are consolidated, creating frontage on two streets. They say their proposed 5’ setback is not perceptible at the street and will appear as a side yard and will be consistent w/existing neighborhood character.

The Lead Agency agrees a five-foot rear yard setback is reasonable with the lot consolidation, consistent with the existing neighborhood character, and not perceptible at the street level. It is also aligned with plans for Collegetown as the core area is to be densely developed and more urban in character.

Required Vegetative Buffer
The applicants’ argument for this variance is similar to the rear yard reasoning and since there is only a 5’ setback in the rear yard there cannot be a 10’ vegetative buffer.

The Lead Agency thinks this project is aligned with Collegetown plans and design guidelines as it is a densely populated area and as a whole this project is not losing any green space. They therefore see no negative impacts to planning.

MU-1 (Buildings 3A and 3B)

Building Height
The applicants argue that the height and extra floors will not be perceivable in Collegetown, fit into the context of Collegetown, and further make the following points in correspondence dated 1/20/22:

Given the width of the existing street ROW and sidewalks, the only way to create wider sidewalks and vibrant public plazas is to create it on private property. The comprehensive approach to achieving the greatest benefits to the public realm results in the current project design and the height/scale is integral to the viability of the overall project. The existing severely steep slopes along College Avenue and Catherine and Cook Streets exaggerate the building height, making it particularly difficult to meet technical building height restrictions across aggregated properties. The slight increase in height above the technical code requirement comes at no cost to the neighborhood without any perceptible negative visual impacts.
The Lead Agency does not see any negative impacts to the general character of the neighborhood planning-wise with the building height. They feel the taller buildings will not be perceived at the street level and the viewpoints submitted by the applicants demonstrated that the heights are imperceivable from the many vantages throughout the community. The taller buildings allow for an active public realm and are appropriate in the MU-1 and MU-2 zones. The very steep slopes of the project site allow for the tall buildings.

**Catherine North**

*CR-4 (Buildings 2A and 2B)*

*Rear Yard*

The applicants argue this particular to this site as the parcels are consolidated, creating frontage on two streets. They say their proposed 5' setback is not perceptible at the street and will appear as a side yard and will be consistent w/existing neighborhood character.

The Lead Agency agrees a five-foot rear yard setback is reasonable with the lot consolidation, consistent with the existing neighborhood character, and not perceptible at the street level. It is also aligned with plans for Collegetown as the core area is to be densely developed and more urban in character.

**MU-2 (Building 1)**

*Building Height*

See applicants’ and Lead Agency’s reasonings for justifying the need for building height variances above in MU-1.

*Siting Exceptions – Corner Lots in MU-2/Chamfered Corner:*

Proposed design solution of open ground floor and corner windows above yields intent of chamfer. The applicant argues (1/20/22):

> The chamfer at the corner has been replaced by a completely open building at the ground floor near the street in order to open views, increase light at the sidewalk level and facilitate circulation. There will be no undesirable change in the character of the neighborhood or any detriment to nearby properties created by the granting of this variance and the proposed corner design elements actually provide a greater enhancement to the neighborhood than the required chamfer under the code.

The Lead Agency finds this deficiency is mitigated by the building design as it creates transparency at the building corners through open public plazas, two-story height of the plazas, windows and doors. The design justifies the variance.

Based on the information described above, the Lead Agency has determined that no significant impact to community plans is anticipated.

**CONSISTENCY WITH COMMUNITY CHARACTER**
The existing Catherine North and Catherine South sites contain 11 traditional wood-frame houses. The Collegetown Core, as this area where the project site is located is referred in the City of Ithaca’s Collegetown Design Guidelines adopted in 2018, is densely developed and highly urban in character with mixed-use buildings with ground floor commercial and residential above and built close to the sidewalk edge. Building heights range from one to six stories.

The proposed buildings are new structures that are much larger in scale than the existing houses. The buildings along College Avenue contain more stories and are taller than zoning allows in the core. The project team presented to the board at the October 26, 2021, meeting a façade study and other mitigations for the buildings to fit in to the character of the community and to seem moderate in mass and height. These mitigations include but are not limited to three-part articulation in the buildings to reduce scale; dynamic material choice, grid pattern of glass, metal panels and terracotta, and color palette to activate the facades; and overhangs on the lower floors of the buildings with widened sidewalks and trees to activate the streetscape. The Lead Agency appreciated this study and had positive comments regarding the mitigations creating interesting experiences for people walking by the project. These mitigations help to reduce the appearance of scale and mass.

The proposed project fits the character of the Collegetown Core in that it is quite dense and along College Avenue the buildings are mixed-use with commercial space on the ground floor in Catherine North building 1 and a fitness center on the ground floor in Catherine South building 3b and residential above in both.

Based on the information provided above, the Lead Agency has determined no significant impact on community character is anticipated.

**Prepared by:** Lisa Nicholas, Deputy Director of Planning, AICP
MEMORANDUM

From: Bryan McCracken, Secretary of the Ithaca Landmarks Preservation Commission
To: Lisa Nicholas, Acting Director of Planning and Development, Nikki Cerra, Environmental and Landscape Planner, and Planning & Development Board Members
Date: January 25, 2022
Subject: Advisory Comments – Catherine Commons Development Project

At their regular monthly meeting on January 18, 2022, the Ithaca Landmarks Preservation Commission conducted an advisory review of the Catherine Commons development project. The project site is located immediately adjacent to and across the street from two individual local landmarks, the John Snaith House at 140 College Avenue and the Grand View House at 209 College Avenue respectively. It is also in close proximity to the East Hill Historic District, which was listed in the National Register of Historic Places in 1986 and locally designated in 1988. In advance of the meeting, the Commission had the opportunity to review project design materials submitted by Trowbridge Wolf Michaels Landscape Architects on behalf of the development team. Materials included: a letter outlining the City review process to date, an assessment of the project’s impacts on and relationship to the historic resources in the area, and a zoning review; excerpts from the project’s Preliminary Site Plan Review Application Report; and a packet of design drawings. The Commission also reviewed the Historic Structure Inventory Forms for the John Snaith House and the Grand View House, and the Summary Statement of Significance for the East Hill Historic District. Representatives from the project team attended the ILPC meeting and gave a brief presentation on the design’s development over the past few months.

In general, it is the opinion of the Commission that the proposed Catherine Commons project will not have a substantial adverse impact on the individually designated historic resources on College Avenue nor the East Hill Historic District to the west. The Commission’s specific observations and recommendations are noted below:

Size, scale, and mass: The proposed buildings are considerably larger than the surrounding designated historic resources; however, the ILPC felt the composition of the buildings’ facades help reduce their perceived size, scale and mass, and create
proportions that are sympathetic to the neighboring historic resources. The vertical divisions and cladding material variations on the College Avenue facades successfully create the appearance of separate and smaller buildings. This effect is enhanced by the grid-like or checker-board-like pattern of the solid and void façade elements on the upper stories. The ILPC did recommend, however, a further reduction in the scale of these façade elements to enhance the human scale of the project and speak more directly to the sizes of the project’s historic neighbors. The Commission also appreciated the transition to a residential scale and design aesthetic for the buildings along Cook and Catherine Streets. The incorporation of traditional design elements in Building 4, including the gabled roof, fenestration pattern, and porch, reflect the residential quality and historic character of the East Hill Historic District to the west of the project site. The visual divisions and reduced height of Buildings 2A and 2B on Catherine Street respect the rhythm and scale of the houses on the south side of the street and those farther down the slope in the East Hill Historic District.

**Materiality and detailing:** The Commission felt the proposed high-quality materials and design details help the project relate to its historic neighbors. Distinctly modern in aesthetic and application, the terra cotta and metal wall claddings reflect the quality of the materials used in the individual historic resources on College Avenue and the residences in the historic district to the west. The Commission specifically noted that the masonry cladding materials directly relate to the brick, stone trim, and slate tiles observed at the John Snaith House. The Commission also approved of the composition of the College Avenue façades. The articulation of the first two stories as separate units engages the public realm and creates an appealing pedestrian environment. The Commission particularly appreciated the stoops on Building 3A, which directly reference the grand approach to the porch of the Grand View House. Similarly, the varying wall plains of the upper stories add visual interest and depth, and create shadow lines that further break down the development’s size and scale.

In contrast, the Commission felt the highly visible west (rear) elevations of the College Avenue buildings require additional articulation. These elevations will be highly visible from many locations in the city, including downtown; therefore, the Commission recommends adding more detailing or increasing the push and pull of the architectural elements to add interest and improve their readability from a distance.

**General notes:** The Commission also highlighted the project’s proposed landscaping along College Avenue, Catherine Street, and Cook Street. The dedication of developable lot area to street trees and planters helps ground the development, improves the pedestrian experience and is more reflective of the historic development and character of Ithaca’s neighborhoods. The ILPC encourages the incorporation and enhancement of similar landscape amenities for all future projects along College Avenue and its
peripheral streets. Similarly, the Commission appreciated the thoughtful transitions between the new large-scale development and the surrounding smaller-scale residential properties. These transitions are important aesthetic connectors that create cohesive neighborhoods and cities. The ILPC encourages this thoughtful approach in all future development sites that set at transitions zones.

Thank you for the opportunity to review this project and provide advisory comments.
February 14, 2022

TO:    City of Ithaca Planning Board
FROM: CROWD (Circularity, Reuse, Zero Waste Development
RE:  107 Lake St., Ithaca

Dear Planning Board members:

CROWD (Circularity, Reuse, Zero Waste Development) is a collaborative partnership that works in Ithaca, Tompkins County and around the state to encourage more sustainable treatment of our built environment, including advocating for deconstruction rather than demolition of buildings and infrastructure.

CROWD understands the house at 107 Lake St., former home of William Strunk (author of The Elements of Style), will be removed in order to accommodate the expansion of the Chabad Center. CROWD partners strongly support the house be relocated to another site, if possible. If that is not possible, we urge the owner and architect to consider allowing salvage and deconstruction of the house, rather than demolition. CROWD partners are available to work directly with relevant parties to arrange for this, similar to a recent CROWD deconstruction project on College Avenue at the site of the future Catherine Commons development.

Construction and demolition debris is our country’s largest waste stream, generated at more than 600 million tons annually. That amount is nearly double our municipal solid waste, electronic waste and textile waste combined. Deconstruction offers the opportunity to reuse and recycle building materials, thereby diverting them from our landfills. It offers economic benefits through workforce development and the supply of quality, rare building materials. It is also a way to recognize and honor the cultural significance of the original building and its materials and craftsmanship.

We hope the relocation or deconstruction of 107 Lake St. can be incorporated into the project approval process, thereby supporting Ithaca’s commitment to sustainability and the Green New Deal.

Thank you for your consideration. Please reach out to any of the below CROWD partners for more information.

Sincerely,

Cornell University research labs: Circular Construction Lab (Assistant Professor of Architecture, Felix Heisel) and Just Places Lab (Associate Professor of Planning, Jennifer Minner)
Finger Lakes ReUse
Historic Ithaca
Preservation Association of Central New York
Susan Christopherson Center for Community Planning
and others
102 Willard Way and 107 Lake Street - Roitman Chabad Center expansion proposal

Christine O’Malley <christine@historicithaca.org>
Fri 2/11/2022 4:16 PM
To: Anya Harris <AHarris@cityofithaca.org>

Hello Anya,

Could you please share this with Lisa Nicholas and Planning Board members for the upcoming February Planning Board meeting?

In April of 2020, Historic Ithaca had a number of email exchanges with Planning Board staff and the architect, Jason Demarest, about the proposed demolition of 107 Lake Street for the Roitman Chabad Center expansion. At that time, we raised the issue of whether the project owners would consider offering the house to be moved from its current site. There was some discussion about whether the property could be moved across the street. We noticed that on page 4 of Jason Demarest’s current submission (revised 2/4/22) he states:

"All of the historic features and fabric will be made available to interested parties. Deconstruction salvage work is being explored. Historic Ithaca has also made the project team aware of the history of this property. It was the former home of William Strunk, the author of the Elements of Style. Strunk, a Cornell professor, apparently lived here when he wrote the book. The Chabad Center is willing to erect a historic marker on the property to identify this property and its history. Likewise, the house is offered at no charge to anyone willing to find a new home and move it. It seems logical that Cornell and Historic Ithaca may want to work together to relocate the house, and there appears to be room adjacent to Cornell’s parking lot across from the Chabad Center on University Ave. In addition to donating the structure, the avoided cost of demolition (TBD) is available to anyone willing to undertake this endeavor. If the house ends up being demolished, the owner will undertake all necessary hazardous material surveys and protocols for demolition."

Historic Ithaca would be willing to work with the owner to promote the possibility of offering the house at no charge to anyone willing to relocate the house. We did this successfully a few years ago with a Greek Revival house on Coddington Road in the Town of Ithaca.

If the house ends up instead being slated for demolition, we would like to take up the offer stated above that interested parties will have access to the historic material. We are extremely interested in pursuing this opportunity and look forward to further
discussions with the owners and the architect. We request that CR0WD (Historic Ithaca, Finger Lakes ReUse, Susan Christopher Center for Community Planning, Just Places and Circular Construction Labs at Cornell AAP, and other partners) have an opportunity to salvage material from the building and pursue possible deconstruction options with the project owners. As some of you know, CR0WD was recently able to salvage a great deal of material from the Catherine Commons North and South sites and conduct deconstruction of one of the houses. This activity resulted in the diversion of a considerable amount of material from the waste stream. The opportunity to do similar salvage and/or deconstruction work at the site of 107 Lake Street would help support the City of Ithaca's sustainability and Green Building goals and we hope that this request can be confirmed as part of the project approval process.

Thank you,
Christine

--
Christine O'Malley
Preservation Services Coordinator
Historic Ithaca, Inc.
212 Center St.
Ithaca, NY 14850
607.273.6633
christine@historicithaca.org
she/her/hers

Protecting Tompkins County's historic places since 1966
www.historicithaca.org
WHEREAS: the City of Ithaca Planning and Development Board has one pending application for site plan approval for the expansion of a religious facility at 102 Willard Way / 107 Lake Street by Jason K Demarest for Chabad Center at Cornell, Project Sponsor, and

WHEREAS: the applicant is proposing to construct a two-story building with a footprint of approximately 5,000 SF as an expansion of the existing Chabad Center located at 102 Willard Way. The proposal requires the consolidation of the two lots to form a .549-acre (23,914 SF) project site and the removal of the existing house at 107 Lake Street. The new building will have ground floor parking and bike storage. The second floor will connect with the existing building and will house dining facilities, a kitchen, bathrooms, classrooms, and other facilities. Exterior site improvements and structures include a patio, an elevated courtyard, an access drive on Lake Street, landscaping, and walkways. The project is in the R-2a Zoning District and will require variances for lot coverage, front-, rear- and side-yards, and parking, and

WHEREAS: this is a Type 1 Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 B.(1)(n) and the State Environmental Quality Review Act (“SEQRA”) §617.4 b.(11) and is subject to environmental review, and

WHEREAS: the NYS Department of Environmental Conservation, and the Tompkins County Department of Health, have been identified as potentially Involved Agencies in Environmental Review, and,

WHEREAS: the City of Ithaca Planning and Development Board, being the local agency which has primary responsibility for approving and funding or carrying out the action, did on March 31, 2021 declare itself Lead Agency in Environmental Review for the project, and

WHEREAS: the Planning Board, acting as Lead Agency in Environmental Review, did on February 22, 2022, review and accept as adequate: a Full Environmental Assessment Form (FEAF), Part 1, submitted by the applicant, and Parts 2 and 3 prepared by Planning staff; drawings titled Boundary and Topographic Map No. 107 Lake Street & No. 102 Willard Way, City of Ithaca, Tompkins County, New York dated 05/08/2018 and prepared by TG Miller P.C.; Context Map, Site Photos, Architectural Precedents dated 02/24/20 by Jason K Demarest Architecture; Site Demo Plan AC1.00, Site Utility Plan AC1.01, Grading Plan AC1.03, Landscape Plan AC1.04, Details AC4.00 all dated 02/04/22, and Site Plan AC1.02 dated 2/17/22 all by Jason K Demarest Architecture; Concept Plans CS1.01, Exterior Elevations CS2.00 & CS2.01 and 11 Perspectives all dated and submitted 03/31/20 by Jason K Demarest Architecture and other application materials, and

WHEREAS: interested parties have been given the opportunity to comment on the proposed project, and any received comments have been considered, now, therefore, be it

RESOLVED: that the City Planning Board determined, as elaborated in the FEAF Part 3, that the proposed project will result in no significant adverse impacts on the environment and a Negative Declaration for purposes of Article 8 of the Environmental Conservation Law be issued in accordance with the provisions of Part 617 of SEQRA.

Moved by:
Seconded by:
In favor:
PROJECT DESCRIPTION
The applicant is proposing to construct a two-story building with a footprint of approximately 5,000 SF as an expansion of the existing Chabad Center located at 102 Willard Way. The applicant also proposes construction of a small office addition on the front of the existing building. The proposal requires the consolidation of the two lots to form a .549-acre (23,914 SF) project site and the removal of the existing house at 107 Lake Street. The new building will have ground floor parking and bike storage. The second floor will connect with the existing building and will house dining facilities, a kitchen, bathrooms, classrooms, and other facilities. Exterior site improvements and structures include a patio, an elevated courtyard, an access drive on Lake Street, landscaping, and walkways. An office addition approximately 163 SF is also proposed on the front of the existing building. The project is in the R-2a Zoning District and will require variances for lot coverage, front-, rear- and side-yards, and parking. This is a Type 1 Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 B.(1)(n) and the State Environmental Quality Review Act (“SEQRA”) §617.4 b.(11) and is subject to environmental review.

IMPACT ON LAND
The .549 acre site is located in an urbanized area and is previously developed. Project implementation will require the demolition of a two-story residential structure. Construction is expected to last approximately 12 months.

The grade at the project site is steep with most slopes greater than 15% particularly in the northeast and eastern portion of the 107 Lake Street lot, the area between the two parcels sloping towards the Lake Street lot, and the slopes near the streets of both parcels. With such existing steep slopes, there is potential for a high volume of soil to be removed. According to a letter from the applicant dated February 4, 2022, the slope allows the upper level of the proposed structure to match the main floor of the existing building, and the lower level of the proposed structure to align closely to the downward sloping grade of Lake Street, resulting in minimizing site grading work. The applicant proposes a conventional foundation system with spread footers.

The applicant submitted a Potential Subsurface Conditions letter by Elwyn & Palmer Consulting Engineers, PLCC dated February 15, 2022, created after their review of plans and site visit. The letter concludes they don’t expect rock to be a significant factor and that they can state definitively piles and blasting will not be required on this project. They inferred that the rock layer is below Elevation 569 ft and possibly below Elevation 566.5 ft underneath the proposed building footprint, while the footings of the proposed building will be at Elevation 569 ft and 571 ft.

The Lead Agency has determined that based on the information above, no significant impact to land is anticipated.

IMPACT ON GEOLOGIC FEATURES
The site is in a urbanized residential area with no geologic features present. According to the Potential Subsurface Conditions letter by Elwyn & Palmer Consulting Engineers, PLCC dated February 15, 2022, no rock outcrops were observed on the neighboring properties or the project site.
The Lead Agency has determined that based on this information, no significant impact on geologic features is anticipated.

**IMPACT ON SURFACE WATER**

The site does not contain surface water features. The project site generally drains across the project site from east to west and site stormwater enters into an existing stormwater conveyance system within Lake Street.

The proposed building is approximately 5000 SF and replaces an existing house, garage and related hardscape. A Stormwater Analysis and Construction Logistics Letter by Napierala Consulting, Professional Engineer, P.C. on February 4, 2022 submitted by the applicant indicates the net additional impervious area is approximately 2500 SF. According to the engineers, this increase in impervious area would result in a peak runoff flow rate of about approximately 6 cfs, which would equate to approximately required storage volume of 1,800 cubic feet on site. “In order to mitigate the adverse impact of the increase in runoff flow rate from the additional impervious area, underground stormwater detention chambers are proposed to be installed below the proposed building slab.” They propose an underground chamber network that has an approximate storage of 1,900 cubic feet and can capture the roof runoff of the proposed 5000 SF building and release it to the existing stormwater conveyance system on Lake Street through a culvert to a catch basin.

Therefore, based on the information above and complete adherence to an accepted SWPPP, the Lead Agency has determined that no significant impact to surface water is anticipated.

**IMPACT ON GROUNDWATER**

The proposal is a project in an urbanized residential area and as such does not include operational activities that impact groundwater.

Based on observations in the Potential Subsurface Conditions letter by Elwyn & Palmer Consulting Engineers, PLCC dated February 15, 2022, the basement floor at 107 Lake Street building is located at Elevation 569 ft and assuming that the current sump pump was not part of the original construction, they assume groundwater level at the house was rarely above 569 ft. The elevations of the proposed building entry level and parking level elevations of Elevation 571.3 and Elevation 573 ft, respectively, so likely no groundwater will be encountered during construction. Elwyn & Palmers recommend installation of the perimeter drain consisting of drainage stone and perforated pipe as they always recommend this if there is a chance of groundwater becoming elevated above occupied space. The groundwater will either flow to the “storm sewer connection or to daylight depending on the final grading of the site.”

Any groundwater encountered during excavation will be handled in accordance with all state and local laws.

The Lead Agency has determined that based on the information above, no significant impact to groundwater is anticipated.

**IMPACT ON FLOODING**

The project site is not located in a flood zone, and it is not near any waterbody that may contribute to flooding.
The Lead Agency has determined that based on the information above, no significant impact on flooding is anticipated.

**IMPACTS ON AIR**
The project does not include uses that require air quality controls for safe operation.

According to information provided by the applicant, construction is projected to last approximately 12 months. Excavation and preparation of foundations additionally create the potential for increased airborne dust and dirt particles. Impacts to air quality will be limited to the period associated with construction activities. During construction, the applicant will employ the following applicable dust control measures, as appropriate:

- Misting or fog spraying the site to minimize dust;
- Maintaining crushed stone tracking pads at all entrances to the construction site;
- Re-seeding disturbed areas to minimize bare exposed soils;
- Keeping roads clear of dust and debris;
- Requiring construction trucks to be covered; and
- Prohibiting burning of debris on site.

The Lead Agency has determined that with the mitigation measures during construction identified above, no significant impact to air is anticipated.

**IMPACTS ON PLANTS AND ANIMALS**
The project site is in an urbanized residential area and is previously developed. There are several existing maple trees, many of them substantial size ranging from 12”-48” DBH along the northern and eastern sides of the property. As well, there are several trees in the southern area of the project site and street trees along both streets. Wildlife likely to be encountered on or near the project site include invertebrates, small mammals, and birds.

According to the Site Demo Plan AC1.00 submitted by the applicant, 8 trees are slated for removal. These maple trees and one spruce are substantial in size, ranging from 12”-20” DBH. With the proposed structure and hardscapes, only a few small areas remain that can be landscaped. According to the Landscape Plan AC1.04, the applicant is retaining most of the larger trees on the project site. The retention of trees includes the trees in the northwest corner of the property as the applicant revised the proposed utility plan to move all trenching work away from the tree roots. The applicant proposes to plant at least 7 new trees, a few shrubs and groundcover to help mitigate for the trees to be removed from the project site. A detailed planting plan, a plan to remove invasive species, and planting schedule will be further developed during site plan review.

The Lead Agency has determined that based on the information above, no significant impact on plants and animals is anticipated.

**IMPACT ON AGRICULTURAL RESOURCES**
The project site is not in or adjacent to an agricultural area, therefore, the Lead Agency has determined no significant impact to agricultural resources is anticipated.

**IMPACT ON AESTHETIC RESOURCES**

According to the Tompkins County Scenic Resource Views, there are no scenic resources located adjacent to or in vicinity of the Project Site, although there are several views located within Fall Creek Gorge. Additionally, there are no locally identified scenic resources located near the project site.

The project site is located in a residential neighborhood that has a few single-family homes and many apartments and multiple family homes. There are historic properties close to the project site that are traditional Craftsman style residential buildings. The Chabad Center itself is a 1920 old-style Tudor architectural building. The proposed building will use architectural elements and materials as the existing house so that it will conform with the surrounding neighborhood architecture. As the proposed building is built along a slope, it will not block any scenic views.

Based on the information above, the Lead Agency has determined that no significant impacts to aesthetic resources is anticipated.

**IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES**

The site is not located within a historic district, and the existing site is not designated at the local or state level as an historic resource. However, the University Hill Local Historic District is located across the street and several designated properties are nearby on University Avenue. The existing building at 102 Willard Way, the Chabad Center, was built in 1920 in the old-style architecture. It is noted for architectural character, however in 2019, SHPO determined the property was ineligible due to loss of historic integrity.

The historic properties approximately 400’ away from the project site are 508, 510, and 512 University Avenue. These structures are traditional Craftsman style residential buildings. According to the applicant in a letter dated 2/4/22, the style of the proposed building is “based on the existing Chabad facility which is a 1920s Tudor style building with a stucco exterior, in-laid wood boards, and a slate roof” which is meant to harmonize with the architectural character of the neighborhood.

The existing house at 107 Lake Street, slated to be demolished, is of Victorian architecture built in 1895. It is not designated as historic, but it does have historical significance as William Strunk, Jr., a Cornell professor, and co-author with E.B. White of the famous book, *Elements of Style*, lived in it from approximately 1901 to 1937. The applicant indicates in a letter submitted in February 2022, that they are looking into deconstruction salvage work and as well, “All of the historic features and fabric will be made available to interested parties... Likewise, the house is offered at no charge to anyone willing to find a new home and move it. In addition to donating the structure, the avoided cost of demolition (TBD) is available to anyone willing to undertake this endeavor. If the house ends up being demolished, the owner will undertake all necessary hazardous material surveys and protocols for demolition.”

Based on the information provided above, the Lead Agency has determined no significant impact on historic and archaeological resources is anticipated.
IMPACT ON OPEN SPACE AND RECREATION
The project site is in a developed residential neighborhood consisting of a few single-family homes, apartments, and multiple residences often rented by university students. The site is not contiguous to any public park or open space. Ithaca Fall Natural Areas, a publicly owned recreational facility is approximately two blocks northwest of the project site, down Lake Street.

As a result of the information provided above, the Lead Agency has determined that no significant impact to open space and recreation is anticipated.

IMPACT ON CRITICAL ENVIRONMENTAL AREAS
There are no critical environmental areas located within the City of Ithaca. However, Tompkins County identifies Unique Natural Areas (“UNAs”) throughout the county, which are part of the landscape that has outstanding geological and environmental qualities, such as special natural communities, or plants and animals that are rare or scarce elsewhere in the county or region. A UNA is not a regulatory designation and does not provide legal protection for an area but signals that special resources may exist that require project modification.

The closest UNAs to the project site are UNA 134, Fall Creek Gorge, approximately 550 feet from the project site, and UNA 135, Linn Street Woods, approximately 330 feet from the project site. Both UNAs are separated from the project site by roads and buildings.

As a result of the information provided above the Lead Agency has determined no significant impact to Critical Environmental Areas is anticipated.

IMPACT ON TRANSPORTATION
The Chabad Center currently is an existing outreach facility for Jewish student life and is used for weekly religious gatherings and services, usually on Fridays and weekends. The proposed building expansion will allow more room for community to meet the programmatic needs of the facility. There are also limited overnight stays for families of religious leaders.

Parking
The project includes 10 enclosed ground floor parking spaces and two accessible surface spaces. Based on information provided by the applicant, the facility does, and will continue to, serve mainly students who walk or bike to the site from nearby student housing. In a letter dated 2/4/22, the applicant submitted results from a survey conducted on transportation modes for attendees of Chabad Center past events in 2021, which showed out of 99 people participating, approximately 84% walked to the events.

Pedestrians & Cyclists
The applicant has indicated they will replace any portion of the sidewalks warranting repair along the project property as part of the project. The project includes an indoor bike storage in the ground level which can accommodate 10 hanging bikes, plus the applicant will install two inverted U racks at the front of the existing building for another 4 bike spaces.
The City Engineering Department had the following comments in March 2020: “There is very limited on-street parking available in this neighborhood if folks think there will be significant overflow of parking off-site. We don't like the driveway layout - it shows three driveways overall on the site. The existing one at the corner is awkward at best, but already exists and is low volume. Any efforts to remove or relocate this driveway would be appreciated. We don't like the 2 driveways on Lake. One is 12% grade and should be rejected. Vehicular access should be reworked into one driveway. Lastly, there is sidewalk replacement needed; it should be required as part of SPR.”

The applicant mitigated the driveway situation on Lake Street by consolidating the previously proposed driveways into one single driveway with an 8% grade for the first 25 feet and removing the southernmost curb cut on Lake Street. The sidewalk in this area will be reconstructed and lowered, replacing the damaged sections of the existing sidewalk referred to in the comments. The applicant proposes to replace other portions of sidewalk in need of repair as part of this project. They will also address the drainage concerns related to the existing driveway on Willard Way. For off-street parking, the applicant submitted results from a survey of event attendees which showed the majority of them walk to Chabad Center Events.

Construction related impacts
According to a Stormwater Analysis and Construction Logistics Letter by Napierala Consulting, Professional Engineer, P.C. on February 4, 2022,

“The proposed building construction will require site work within the Lake Street right-of-way (ROW) in order to properly install the proposed driveway, the stormwater outlet pipe, and all associated utility service connections (sanitary sewer, water, and natural gas). In order for this work to be performed in a safe and efficient manner, a Maintenance and Protection of Traffic Plan (MPT Plan) will be prepared as per the required specifications found in the Manual on Uniform Traffic Control Devices (MUTCD) and the NYSDOT Standard Sheets. The MPT Plan will specify the type and location of signage, channelizing devices, and flaggers as necessary to maintain traffic flow through the Lake Street ROW throughout the construction of the required utility laterals. This plan will also ensure that any pavement area that is disturbed as a result of construction will be restored to the proper NYSDOT specifications.”

As a result of the information provided above, the Lead Agency has determined that no significant impact on traffic is anticipated.

IMPACT ON ENERGY
On August 4, 2021, the Ithaca Energy Code Supplement (IECS) went into effect for all new buildings constructed in Ithaca. The IECS prioritizes electrification, renewable energy, and affordability with the following objectives:

“deliver measurable and immediate reductions in greenhouse gas (GHG) emissions from new buildings, major renovations, and new additions; promote best practices in the design of affordable buildings to deliver reduced GHG emissions; and provide a rapid but orderly transition to buildings that do not use fossil fuels for major building energy needs such as space heating and hot water heating, by 2026. For construction subject to the Ithaca Energy Code Supplement, requirements for reductions in GHGs go into effect in three steps: 2021, 2023, and 2026.”
From August 4, 2021, until 2023 all new buildings must produce 40% fewer greenhouse gas emissions than the Energy Conservation Construction Code of New York State requires. Beginning in 2023, the IECS will increase the requirements of new construction to produce 80% fewer greenhouse gas emissions than the Energy Conservation Construction Code of New York State requires, and by 2026 all newly constructed buildings in Ithaca will be required to be net-zero buildings that do not use fossil fuels. The IECS supports Ithaca’s Green New Deal which aims to “achieve an equitable transition to carbon-neutrality” community-wide by 2030.

The Building Division will oversee implementation and enforcement of the IECS.

The applicant submitted in a letter dated 2/4/22, the following information on how they are proposing to meet the IECS:

> Although the building design is not completed, compliance through the Easy/Prescriptive Path will be achieved, at minimum. An initial assessment of the requirements has been completed and the required 6 points can be achieved as follows:
> - Air source heat pumps, at minimum- 2 points
> - Heating systems located within the thermal envelope- 1 point
> - Right-lighting design- 1 point
> - Window-to-wall ratio of 20% or less (Current design is at 18%)- 1 point
> - Design to meet the NYS Stretch Code- 1 point

As a result, from the information provided above, the Lead Agency has determined that no significant impact to energy is anticipated.

**IMPACT ON NOISE, ODOR & LIGHT**

Based on information provided by the applicant construction will last approximately 12 months. The project is in a densely developed residential area. Noise producing construction activities, especially foundation work, will temporarily affect residents in the immediate area. The limited exterior lighting will be dark sky compliant. Interior lighting in stairs and corridors will be on sensors.

Noise producing construction activities will temporarily impact residents in the immediate area. Noise producing construction activities will be limited to the hours between 7:30 A.M. and 5:30 P.M., Monday through Friday (or Saturday 9:00 A.M. to 5:30 P.M. with advance notification to and approval by the Director of Planning and Development).

As a result of this information, the Lead Agency has determined no significant impact on noise, odor, and light is anticipated.

**IMPACT ON HUMAN HEALTH**

The existing building will be completely removed and replaced. Demolition may include removal of toxic substances such as asbestos or lead paint. Removal and disposal of any hazardous building materials will be done by a licensed contractor and in accordance with State and local Laws.
The project site has no reported spills in the NYDEC Spills Incidents database or in the Environmental Remediation database, but there are sites within 2000 feet of project site. These are DEC ID numbers C755019, E755018, V00511, C755019A located at the former Ithaca Gun Factory properties, 121-125 Lake Street. The potential for exposure to these sites is mainly for trespassers onto the site even though there is a fence restricting access to site. The contamination at these sites is being addressed, with NYSDEC and NYSDOH overseeing the work much of it through the Brownfield Cleanup Program. The project site is located uphill from the former gun factory/DEC remediation sites, so therefore no significant impacts to human health are anticipated from these sites.

As a result of this information, the Lead Agency has determined no significant impact to human health is anticipated.

**CONSISTENCY WITH COMMUNITY PLANS**

The project is consistent with the City of Ithaca’s Comprehensive Plan which calls for encouragement and support of diverse community cultural resources, both City-sponsored and privately-sponsored events and organizations. The Chabad Center is an important cultural resource for Cornell Jewish student life.

The project site is in the R-2a Zoning District, which calls for no significant changes to the character of these residential areas however these areas should continue to provide a variety of housing types. Development “should be sensitive to character and setting of the existing neighborhood.”

**Consistency with Zoning:**

The project as designed, requires many variances. Based on the zoning analysis dated 1/19/22, the proposed project requires the following area variances: lot coverage, front-, rear- and side-yards, and parking.

1. Lot Coverage- maximum lot coverage is 30%, proposed is 34.3%
2. Front Yard- required minimum 25’ setback; proposed structures 21.8’ setback and new office addition 23.9’
3. Rear Yard- required minimum 25% or 50 feet, but not less than 20 feet so for this property minimum setback is 32’; existing Mikvah 10.3’
4. Side Yard- required minimum 10’ setback; proposed building 8.9’ setback from northern adjacent property
5. Parking- 23 total required off-street parking spaces; 12 off-street parking spaces proposed

**Impacts & Mitigations**

In correspondence and the Site Plan AC1.02 by the applicant dated 2/4/22, the applicant gives the following reasons for the need for the variances and the lead agency responds as follows:

**Lot Coverage**

The applicant argues that due to the size of the community and programmatic events held at the Chabad Center a larger space is warranted. The applicant further states in a letter dated 2/4/22, “The design program demands more space to support and expand the services the center provides to the community. As such, the project seeks to maximize the space within the new building but is based on funding levels that prevent an ultimate desire to add an upper floor in the future.”
Front Yard
The applicant states the existing building and Mikvah structure location limit the location for the proposed building and furthermore the corner consolidated lot has two front yards, so that there is a 25’ setback on both Willard Way and Lake Street.

Rear Yard
The applicant argues that this is an existing condition as the project attaches to the mikvah structure in the rear yard, which changes the structure from an accessory structure to part of the primary building. This triggers a larger rear yard setback.

Side Yard
The applicant states in their 2/4/22 letter, “Due to the various factors of the site and existing buildings the proposed building footprint has encroached minimally into the zoning required front and side yards.”

Parking
The applicant argues the project site is located within walking distance to the Cornell Campus and the Cornell community is the main population served by the center. The majority of the center community members walk to the events, which was supported by a survey conducted on transportation modes for attendees for 2021 events; survey conclusions submitted by applicant on 2/4/22.

Based on the information described above, the Lead Agency has determined that no significant impact to community plans is anticipated.

CONSISTENCY WITH COMMUNITY CHARACTER
The project is a two-story building with a footprint of approximately 5,000 SF as an expansion of the existing religious services at the Chabad Center in the R-2a district, which are predominantly residential structures occupied as single-family homes, duplexes or multiple residences rented by university students.

The new construction does include architectural elements that fit in with the surrounding architectural styles of traditional Craftsman style residential buildings in the surrounding neighborhood. The Chabad Center itself is a 1920 old-style Tudor architectural building and the proposed building will use architectural elements and materials as the existing house so that it will conform with the surrounding context.

Based on the information provided above, the Lead Agency has determined no significant impact on community character is anticipated.
City of Ithaca
FULL ENVIRONMENTAL ASSESSMENT FORM – Part III
Project Name: Chabad House
Date Created: 4/15/20 Updated 2/7/22, 2/10/22, 2/16/22

Prepared by: Nikki Cerra, Environmental & Landscape Planner and revised by the Planning Board
February 15, 2022

Jason Demarest, Architect
Via email: jason@jkdarchitect.com

Re: Potential Subsurface Conditions
107 Lake Street
Ithaca, NY

Dear Jason:

As requested, we met with you and Rabbi Birk to observe the site at 107 Lake Street to determine the possibility of rock being encountered at the site during construction of a proposed new Chabad House. Our site visit included observations from the basement of the existing building at the site and observations of the property. We also discussed with you proposed elevations of the lower level of the new building and findings from excavation of a new building constructed several years ago at the adjacent Chabad House property. This letter will summarize our observations and provide our opinion of possible subsurface conditions at the site.

Observations

The existing building at the site is a two-story wood-framed building with a full basement. Based on our review of the topographic survey provided by you and measurements taken in the basement, we determined that the basement floor is at approximately Elevation 569 ft. We did not observe any rock within the basement. We did observe a sump with sump pump in the basement along the north basement wall. The sump pump discharge is at ground level immediately outside the north wall of the existing building. The sump did not appear to be part of the original construction and was likely excavated at some point after the building was completed. The depth from the basement floor to the bottom of the sump was 2.5 ft indicating the bottom of sump being at Elevation 566.5 ft.

We walked the property and observed that the site slopes gently upward to the northeast in the existing building area. Behind the existing building the ground slopes upward steeply from Elevation 576 ft to Elevation 584 ft with a flat area at Elevation 584 extending to the eastern property line. No rock outcrops were visible. We looked into neighboring properties and did not observe any rock outcrops.

We discussed with you and Rabbi Birk the findings during the somewhat recent excavation of the new Mikvah building at the adjacent Chabad House site. The Mikvah is noted as “garage” on the attached survey. You indicated that a possible rock surface was encountered at Elevation 576 ft during excavation of the northwest corner of the Mikvah building.

Groundwater

During our observations of the basement, we noticed an absence of any water or flood induced damage to the basement interior. Based on the basement floor being at Elevation 569 ft and the supposition that the sump pump was not part of the original construction, we
can make the assumption that the groundwater level in the area occupied the house rarely was above 569 ft. This level can be compared to the proposed entry level and parking level elevations of Elevation 571.3 and Elevation 573 ft, respectively.

Groundwater in sloped upland sites in the Ithaca area often runs along the surface of the rock. As noted previously, rock was encountered at Elevation 576 during construction of the adjacent Mikvah building. If rock is encountered along the proposed east side of the new Chabad house at this elevation, it would be 3 ft above the proposed parking level at Elevation 573 ft. If groundwater is encountered at Elevation 576 it could be easily managed by installation of a perimeter drain consisting of drainage stone and perforated pipe. Groundwater, if present, would enter the stone, flow through the stone to the pipe, and then be transported in the pipe to a storm sewer connection or to daylight depending on the final grading of the site. If rock is not encountered it’s possible that groundwater may not be encountered. However, we would still recommend installation of the perimeter drain anytime there is a chance of groundwater becoming elevated above occupied space.

The drainage system that would be installed as part of the project, including sub-slab stone, may also allow any groundwater to bypass the building and continue through the soil along its natural existing pathway. Our observations of the existing basement of the site suggest that most of the groundwater present at the site flows through the ground below the existing building.

**Proposed New Building**

We reviewed schematic design plans and sections of the proposed new building with you. The footings that will support the rear of the proposed building will be at approximately Elevation 571 ft. The existing ground surface elevation at this location is at approximately Elevation 580 ft. The footings that will support the front of the building will be at Elevation 569 ft which matches the existing basement floor and is above the inferred rock elevation.

**Conclusions**

Based on our site observations and a review of the plans for the proposed building we don’t expect rock to be a significant factor. We inferred that for much of the proposed footprint the rock is below Elevation 569 ft and possibly below Elevation 566.5 ft. It’s possible that rock may be encountered along the rear line of the proposed new building but not definite. It’s important to note that most often the upper several feet of any rock that is encountered in the Ithaca area is highly weathered and resembles a compacted crushed stone more than rock. This material is easily removed using conventional excavating equipment. If rock is encountered that is more thickly bedded, we expect that due to the small quantity the excavation would be done with conventional excavation equipment with a hoe ram attachment. Another option would be to raise the foundations at the rear of the building slightly to avoid the sound rock completely. We can state definitively that piles will not be required on this project and that blasting will not be required.
We appreciate the opportunity to be of service on this project. Please call if you have any questions or require additional information.

Sincerely,

ELWYN & PALMER CONSULTING ENGINEERS PLLC

[Signature]

Michael C. Palmer, PhD, PE
Partner
mcp@elwynpalmer.com
PROPOSED RESOLUTION
Declaration of Lead Agency

City of Ithaca Planning & Development Board
Valentine Place
109-111 Valentine Place
February 22, 2022

WHEREAS: 6 NYCRR Part 617 of the State Environmental Quality Review Law and Chapter 176.6 of the City Code, Environmental Quality Review, require that a lead agency be established for conducting environmental review of projects in accordance with local and state environmental law, and

WHEREAS: State Law specifies that for actions governed by local environmental review, the lead agency shall be that local agency which has primary responsibility for approving and funding or carrying out the action, and

WHEREAS: the City of Ithaca Planning and Development Board has one pending application for site plan approval for construction of a student housing building by Kathryn Wolf, TWMLA, and

WHEREAS: the applicant proposes to demolish two existing 2-story wood-frame houses and construct a 4-story 30-unit residential building, approximately 36,000 SF in area, as student housing. The project site is located in the R-3a Zoning District in which the maximum height for a building is 4 stories/40'. The project will require two area variances for minimum off-street parking and minimum lot size for quantity of units. The project includes a subdivision and parcel consolidation, and

WHEREAS: this has been determined to be a Type 1 Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 B(1)(k) and the State Environmental Quality Review Act (“SEQRA”) §617.4 b.(11) and is subject to environmental review, now, therefore be it

RESOLVED: that the City of Ithaca Planning and Development Board does, by way of this resolution, declare itself Lead Agency in Environmental Review for the proposed project.

Moved by:
Seconded by:
In favor:
Against:
Abstain:
Absent:
Vacancies: None
Neighborhood comment on Auden II Project on Lake St.

Mary Jane McKinven <mjmckinven@gmail.com>

Tue 2/15/2022 2:21 PM

To: Anya Harris <AHarris@cityofithaca.org>; Lisa Nicholas <LNicholas@cityofithaca.org>

I am writing as a resident of 312 E. Falls St. concerned about the proposed Auden II project at 261 Lake Street. As someone who lives in the first block of Falls St. nearest the waterfall and Lake St., I am specifically worried about its impact upon an already crowded traffic pattern as well as the stress on limited neighborhood parking.

Lincoln St. is used as a main thoroughfare for drivers to reach Route 13 from Lake Street. Because it’s so busy, drivers coming on Lake St. from the north frequently choose Falls St. instead as an “easier” option. The two streets become particularly busy at drop-off and pick-up times at the Ithaca High and DeWitt Middle Schools on Lake St., as well the Fall Creek elementary school.

The Ithaca Falls brings a steady stream of students and visitors throughout the year who park on E. Falls St. as well as Lincoln St. Parking on both sides of the streets can reduce each street to a single-lane road, where cars weave and stop to let each other get by. TCAT uses both streets as well.

I note that the Auden plan does not include additional parking spaces for the anticipated 211 new occupants. Those bringing cars to school may opt to use Lincoln and Falls Streets instead, which would make a crowded situation worse. My neighbor and I share a driveway, and we take turns on a weekly basis using it, so every other week each of us must find space on the street. I am in favor of some kind of residential parking sticker/permit that at a minimum limits overnight street parking to residents.

This note doesn’t address the environmental impact of the project on the Ithaca Falls natural area, which has recently undergone lead remediation efforts, only to have them undone by erosion due to record rainfalls. I would only say that having student housing so close to the Falls will present new pressures on an already troubled site.

These comments can be read into the record and shared with the Board members and applicant.

Mary Jane McKinven

312 East Falls St.

Ithaca, NY 14850-3706

mjmckinven@gmail.com

Cell: 301-651-2622
Proposed Lake St. Development

Elizabeth Holmes <eah14@cornell.edu>
Fri 2/11/2022 10:20 AM
To: Anya Harris <AHarris@cityofithaca.org>

Good morning,

Please have the following comments read into the record.

I am opposed to any development of this site at the base of Gun Hill, which provides a small area of green space and habitat for birds and animals within the city. The loss of those woods will further accelerate the rapid decline in bird populations that is already happening here and across the country.

Further, I am opposed because of the impact on the Fall Creek neighborhood. With regard to traffic, that end of Lincoln Street is already functionally a one-way street because of the many cars parked by residents who have no driveways. It will be nearly impassable at times if we have an additional 200 or so residents using it to access these proposed apartments.

Lake Street is also crowded currently with people visiting the falls and sometimes stopping their cars on the bridge to take a look. We don’t need more traffic there either.

Aside from traffic concerns, I am not enthusiastic about (a) adding population density to our neighborhood, and (b) increasing the proportion of students in the area—I think it’s fair to assume that most occupants would be students, who by definition are transient and will alter the character of the neighborhood.

Thank you for considering my concerns.

Sincerely,

Elizabeth Holmes
901 N. Tioga St.
RE: Urgent- Lake St Project

Cynthia Brock <CBrock@cityofithaca.org>
Wed 2/16/2022 4:18 PM
To: Tracy Robbins <tracyfrobbins@gmail.com>
Cc: Lisa Nicholas <LNicholas@cityofithaca.org>; Anya Harris <AHarris@cityofithaca.org>; Robert Cantelmo <rcantelmo@cityofithaca.org>; Laura Lewis <LLewis@cityofithaca.org>

Tracy,

Thank you for sharing your concerns with me regarding the Auden II (261 Lake Street) project. I am cc’ing Lisa Nicholas, Acting Director of Planning, as well as Anya Harris, assistant to the Planning Board. Lisa and Anya, can you please share my and Tracy’s comments below with the Planning Board for their consideration?

I have also included Laura Lewis and Robert Cantelmo, who represent this area on Common Council.

I look to our staff for their direction regarding where we are in the environmental review of this project. I have been informed by Michele Palmer of Whitham Design that Phase I and Phase II studies have been conducted and “the summaries indicate that low levels of certain types of contamination were encountered but were below the thresholds that would prohibit residential use and no additional remediation is recommended.” I have already expressed to the planning board my request that a sub-slab depressurization system be installed as a protective measure against potential soil gas vapor as the project includes ground floor housing units.

Given the close proximity of the site to an elementary school, and its industrial legacy, it is reasonable to me that all protective measures be taken to reduce the spread of dust and during the construction period.

Best,
Cynthia

Cynthia Brock
Ithaca City Council
First Ward Alderperson

Planning and Economic Development Committee
Chair, Special Joint Committee for Ithaca Area Waste Water Treatment Plant
Chair, Tompkins County Water Resources Council
Liaison, Parks, Recreation, and Natural Resources Commission
Liaison, Workforce Diversity Advisory Committee

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From: Tracy Robbins <tracyfrobbins@gmail.com>
Sent: Tuesday, February 15, 2022 9:50 PM
To: Cynthia Brock <CBrock@cityofithaca.org>
Subject: Urgent- Lake St Project

We are writing today to express our great concern regarding the proposed Auden II building at 261 Lake St. As residents that are within 200 ft. of the site, we believe there are many reasons why the project should not proceed, primarily the health risks to residents, the school aged children at Fall Creek Elementary School (FCES), and all of the teachers, staff, and administrators. Given the history of contamination and remediation efforts on the adjacent land, there has to be more scrutiny with regard to the safety of the site and exposing young children
and residents to hazardous materials despite the environmental study report only finding trace levels of lead and ethylbenzene in the soil. The proposed timeframe for construction is the same as the school year and FCES has outdoor instruction throughout the entire year. The noise generated during and after construction will no doubt negatively affect their learning, as it did in 1988 when Auden I was built. Construction dust and debris will definitely find its way to the playgrounds and children will come in contact much more than traces of lead and ethylbenzene. Furthermore, the impact of removing a vegetated hill and replacing it with a 4-story building will increase noise levels from traffic going up and down Lake St., as the vegetation absorbs much of the sound, and take away yet another area for wildlife.

This project does little to nothing to promote affordable housing in an area where local residents have been priced out of rentals and home ownership and will only benefit the developer. The increased traffic alone will create havoc for a busy street where car accidents happen regularly at the intersection of Lincoln St. and Lake St. due to the steep incline at the top of Lincoln St., which is essentially a one lane road for most of the day when cars are parked on both sides of the street. The project leaders are seeking a zoning variance so they do not have to provide additional parking, which will result in pushing overflow parking on already crowded city streets that are nearby. We understand the need for housing for students and residents alike, however, we feel very strongly that this project is not part of any solutions to those issues.

We read your comments in the 2017 EPA report about the Gun Hill remediation. We share your grave concerns regarding development in this contaminated area. We are looking for your support in this matter.

We ask the City to put a moratorium on the project and take the time to examine the impact of this project from multiple perspectives with consideration for what this imposing structure and increased population density will do to the landscape of Fall Creek and its residents. Thank you for your time.

Tracy Robbins
Lillian Fan
Elaan Greenfield
Auden II submission for Planning and Development Board

Simon Wheeler <simon.d.wheeler@gmail.com>
Thu 2/17/2022 12:13 PM
To: Anya Harris <AHarris@cityofithaca.org>; Robert Cantelmo <rcantelmo@cityofithaca.org>; Cynthia Brock <CBrock@cityofithaca.org>; Laura Lewis <LLewis@cityofithaca.org>
Cc: Tracy Robbins <tracyfrobbins@gmail.com>

1 attachments (17 MB)
Lake St Drainage Issues.pdf;

The City of Ithaca Planning and Development Board,

I would ask these comments be read into the record of the Auden II proposal.

I would note that the existing stormwater drainage on Lake St is very badly configured. The existing drains on the east side of the street, near the proposed Auden II, capture almost no water. During a visit on Thursday Feb. 17, before the rain, when all the surface water was from snowmelt, it was obvious that at least half and probably more of the surface water on Lake St from the top of the Auden II proposal site to E. Lincoln St. and beyond, was flowing west on E. Falls St as far as Tioga St. Please include my submission of seven photos documenting this issues. I believe that the project should be responsible for correcting the street drainage on Lake St. as it will inevitably be responsible for increasing storm water runoff down E Falls St unless the drainage is corrected.

Given that the sampling site B5 of the May 12, 2021 sampling of the northern half of the property showed lead levels almost halfway to actionable cleanup standards for residential use, it is fair to assume that disturbing the ground will cause a significant amount of lead laden sediment being dispersed down E. Lincoln St. and E. Falls St. as far at Tioga St., due to the poorly configured storm drains.

I believe the project should be required to have surface runoff mitigation, both during construction when there will be increased sediment in the runoff, and after completion, so as not to cause an even heavier flow of water across Lake St. at E. Falls St.

I would ask that the board get an outside expert opinion on the traffic safety posed by vehicles pulling out of the proposed fire lane into traffic rounding the blind corner at the southwest corner of Auden II. I’m concerned that a fast moving vehicle coming downhill on Lake St. northboard, could have a heavy impact with a delivery vehicle or a rideshare vehicle pulling out of the fire lane. I think it would be reasonable to expect that delivery and rideshare vehicles will use the fire lane, especially rideshare vehicles at night.

Does the project require a fire lane on the northern side of the proposed Auden II? On page 37 of the document 216 Lake St Auden II SPR App 2021-12-15, this area is referred to as “East Lincoln Street Ext, unopened city street”. Will this area need to be made into a formal road? If so, who would pay for that? Presumably this area will be used by workers during construction. I have concerns that this will greatly increase sediment runoff from the site adding to my concerns about the already poor street drainage in the area. Has the Ithaca Fire Department been consulted about access to the north end of the proposed project?
I would also ask that the project, if approved, be required to use noise absorbing surface materials to minimize reflected traffic noise into the surrounding area. I would also ask that the exterior lighting be configured to minimize its effects on nearby property on the west side of Lake St at Lincoln St.

Thank you
Simon Wheeler
E Falls St.
Storm Drain south of Lincoln St, adjacent to Auden II site showing how the surface gradient causes no water to enter the drain. This would be in or near the north end of the fire lane.
Storm Drain south of Lincoln St, adjacent to Auden II site showing how the surface gradient causes no water to enter the drain. This would be in or near the north end of the fire lane.
Lake St at Lincoln showing how paving irregularities capture water flowing north such that much of it doesn't flow west on Lincoln St.
Lake St looking south showing sheets of melt water running in the northbound lane before crossing the street from east to west at the crosswalk on the south side of the E. Falls St. intersection.
Lake St. looking south showing sheets of melt water flowing north in the northbound lane before crossing the street from east to west at the crosswalk on the Southside of the E. Falls St. intersection. Most of the water misses the storm drain, lower right, on Lake just south of the E. Falls intersection. This happens regardless of ice at the storm drain.
Melt water running west on E. Falls St across Aurora St., missing the storm drain at the north side of Aurora, just south of the intersection due to poorly contoured paving.
Melt water, much of it from Lake St. coming from at least as far as the Lincoln St intersection with Lake St. finally entering a storm drain on E. Falls St. at the intersection with Tioga St.
WHEREAS: 6 NYCRR Part 617 of the State Environmental Quality Review Law and Chapter 176.6 of the City Code, Environmental Quality Review, require that a lead agency be established for conducting environmental review of projects in accordance with local and state environmental law, and

WHEREAS: State Law specifies that for actions governed by local environmental review, the lead agency shall be that local agency which has primary responsibility for approving and funding or carrying out the action, and

WHEREAS: the City of Ithaca Planning and Development Board has one pending application for site plan approval for construction of a modular single-story locker room structure by Michael Stewart, Project Manager, Cornell University, and

WHEREAS: the applicant proposes to erect an 1,836 SF modular single-story locker room structure that will house lockers and changing space for approximately 50 players, as well as showers, restroom facilities, and a training taping area. The proposed modular structure will be fabricated offsite, transported to the project site, and placed on concrete pier foundations. Site amenities include an aluminum ramp and railing for ADA access, stairs, plantings including trees and large shrubs, a 4’ black, vinyl-coated chain link safety fence to replace a rusty chain-link fence, and lighting, and

WHEREAS: this is an Unlisted Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 and the State Environmental Quality Review Act (“SEQRA”) §617.4 and is subject to environmental review, now, therefore be it

RESOLVED: that the City of Ithaca Planning and Development Board does, by way of this resolution, declare itself Lead Agency in Environmental Review for the proposed project.

Moved by:
Seconded by:
In favor:
Against:
Abstain:
Absent:
Vacancies: None
Appeal of Trowbridge Wolf Michaels on behalf of property owners Coll-Cath Associates, LLC and Cook Coll LLC, for an area variance from Section 325-45.2E, Collegetown Residential 3 District Standards for Off-Street Parking and Rear Yard; Section 325-45.2F, Collegetown Residential 4 District Standards for Rear Yard; and Section 325-45.2G, Mixed Use District Standards for Building Height in Feet, Building Height in Stories, and Required Corner Chamfer or Setback in the MU-2 District requirements of the Zoning Ordinance. The applicant proposes to consolidate the parcels at 118 Cook Street, 202 College Avenue, 204 College Avenue, 206 College Avenue, and 210 College Avenue into a single parcel with primary frontage on College Avenue, forming the Catherine South project site. The applicant also proposes to consolidate 120 Catherine Street, 122 Catherine Street, 124 Catherine Street, 128 Catherine Street, 302 College Avenue, 304 College Avenue, and 306 College Avenue into a single parcel with primary frontage on College Avenue, forming the Catherine North project site. All existing structures will be demolished, and the applicant proposes to construct six new buildings along Cook Street, Catherine Street, and College Avenue, including (1) one three-story multiple dwelling in the CR-3 district; (2) two four-story multiple dwellings in the CR-4 district; (3) two seven-story multiple dwellings in the MU-1 district; and (4) one eight-story mixed use building in the MU-2 district. The project will require several variances to be constructed as proposed:

Catherine South

CR-3 (Building 4)

1. **Off-Street Parking**: Building 4 will contain 13 studio, 1-, 2-, and 3-bedroom dwelling units within the CR-3 zoning district, and a total of 13 off-street parking spaces are required. The applicants propose to construct 2 off-street spaces on site and seek a variance for the remaining 11 spaces or 84.6% of the required parking.

2. **Rear Yard**: The lot consolidation will create a rear yard between the current 118 Cook Street parcel and the neighboring property at 116 Cook Street; this space is currently a side yard. Building 4 will be sited 5’ from the rear yard, creating a rear yard deficiency of 15’ or 75% of the required yard.

3. **Required Vegetative Buffer**: The CR-3 district regulations require a 10’ vegetative buffer along the rear yard of all properties in the district. The project meets that requirement for a portion of the lot; however, Building 4 will be located 5’ from the rear property line and the vegetative buffer is reduced to 5’ in width for the full length of the building.

MU-1 (Buildings 3A and 3B)

4. **Building Height**: The Collegetown Area Form Districts regulates building height in both stories and feet; a building cannot exceed either requirement. Buildings 3A and 3B are designed to be 7 stories in height, which exceeds the 5 stories allowed by 40%. The buildings will be 78’ in height, which exceeds the 70’ allowed by 11.4%.
CATHERINE NORTH
CR-4 (Buildings 2A and 2B)

5. **Rear Yard:** The lot consolidation will create a rear yard between the current parcels at 120 & 122 Catherine Street and the neighboring property at 118 Catherine Street; this space is currently a side yard. Building 2B will be sited 5’ from the rear yard, creating a rear yard deficiency of 15’ or 75% of the required yard.

MU-2 (Building 1)

6. **Building Height:** The Collegetown Area Form Districts regulates building height in both stories and feet; a building cannot exceed either requirement. Building 1 is designed to be 8 stories in height, which exceeds the 6 stories allowed by 33.3%. The buildings will be 90’ in height, which exceeds the 80’ allowed by 12.5%.

7. **Siting Exceptions – Corner Lots in MU-2:** The Collegetown Area Form Districts require all buildings at corner lots within the MU-2 district to either (1) have a chamfered corner of at least 10’ from the ground to the top of the building or (2) be setback at least 5’ from both street frontages for the full building height. The intent of this requirement is to provide additional light and air within the dense Collegetown core and improve visibility at busy intersections. The first story of Building 1 is setback 25’ from College Avenue but the upper stories have a 0’ setback from both street frontages.

The Catherine Commons team gave an initial presentation of this project to the Board of Zoning Appeals at its January 4, 2022 meeting, and the Board began its consideration of the appeal at the February 1, 2022 meeting.

The Catherine Commons project site includes 12 parcels (118 Cook Street, 202 College Avenue, 204 College Avenue, 206 College Avenue, 210 College Avenue, 120 Catherine Street, 122 Catherine Street, 124 Catherine Street, 128 Catherine Street, 302 College Avenue, 304 College Avenue, and 306 College Avenue) located in the CR-3, CR-4, MU-1, and MU-2 districts in which the proposed uses are permitted. However, Section 325-38 requires that area variances be granted before a building permit is issued.
# City of Ithaca Board of Zoning Appeals Worksheet

**Appeal Number:** 3209  
**Use District:** CR-3  
**Applicant:** Trowbridge Wolf Michaels  
**Application Type:** Area Variance  

<table>
<thead>
<tr>
<th>Column Number</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
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<th>8</th>
<th>9</th>
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<td>Column Title</td>
<td>Use</td>
<td>Accessory Use</td>
<td>Off-Street Parking</td>
<td>Off-Street Loading</td>
<td>Lot Area (Sq. Feet)</td>
<td>Lot Width (Feet)</td>
<td>Number of Stories</td>
<td>Height in Feet</td>
<td>% of Lot Coverage</td>
<td>Front Yard</td>
<td>Side Yard</td>
<td>Other Side Yard</td>
<td>Rear yard: % of depth or number of feet, whichever is less</td>
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<td>Multiple Dwelling</td>
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<td>8,007</td>
<td>62’</td>
<td>3</td>
<td>34’ 10”</td>
<td>39.7% Bldg. 35.2% Green</td>
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<td>District Regulations for Proposed 1-2 Family</td>
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<td>None Required</td>
<td>3000</td>
<td>30</td>
<td>3</td>
<td>35</td>
<td>40% Bldg. 30% Green</td>
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<td>5</td>
<td>20’</td>
<td>20’ Min. 2 Stories Min.</td>
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<td>Note Non-Conforming Conditions for Proposal</td>
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<td>Def</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
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**CR-3 FORM BASE REQUIREMENTS**

<table>
<thead>
<tr>
<th>Column Title</th>
<th>Structure Type</th>
<th>Doors &amp; Entries</th>
<th>Floor Height</th>
<th>Parking Setback</th>
<th>Porches</th>
<th>Primary Structure Spacing</th>
<th>Street Façade Length</th>
<th>Roof</th>
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<tr>
<td>Proposed Condition and Use</td>
<td>Primary</td>
<td>Functioning entry on Cook Street</td>
<td>9’</td>
<td>9’</td>
<td>-90’</td>
<td>Front Porch &gt;33% of façade width</td>
<td>15’ 3”</td>
<td>45’; blank wall &lt; 8’</td>
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<td>District Regulation for Proposed</td>
<td>Primary</td>
<td>Functioning entry: on street-facing façade 1 min. Corner lots: 1 functioning entry on street facing façade.</td>
<td>9’ min.</td>
<td>9min.</td>
<td>20’ min. from front façade</td>
<td>At front façade</td>
<td>Front Porch Required See: 325-42.2B(5)</td>
<td>10’ Min. between primary structure on the same parcel</td>
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</tbody>
</table>
| Note Non-Conforming Conditions for Proposal | OK | OK | OK | OK | OK | OK | OK | OK

NOTES:

118 Cook Street is the only existing parcel within the CR-3 district that is part of the project. This parcel will be consolidated with 4 parcels in the MU-1 district along College Avenue to create the Catherine South project site. The existing zoning boundaries will remain. For the portion of the site within the CR-3 district, the consolidation creates a front yard along Cook Street; a rear yard at the property line between 118 Cook and 116 Cook (previously a side yard); and a side yard between 118 Cook and 125 & 127 Catherine (previously the rear yard).
City of Ithaca Board of Zoning Appeals Worksheet

### Appeal Number: 3209
### Use District: MU-1
### Applicant: Trowbridge Wolf Michaels
### Application Type: Area Variance

<table>
<thead>
<tr>
<th>Column Number</th>
<th>2</th>
<th>3</th>
<th>4</th>
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<th>10</th>
<th>11</th>
<th>12</th>
<th>13</th>
<th>14/15</th>
<th>16</th>
</tr>
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<tbody>
<tr>
<td>Column Title</td>
<td>Use</td>
<td>Accessory Use</td>
<td>Off-Street Parking</td>
<td>Off-Street Loading</td>
<td>Lot Area (Sq. Feet)</td>
<td>Lot Width (Feet)</td>
<td>Number of Stories</td>
<td>Height in Feet</td>
<td>% of Lot Coverage</td>
<td>Front Yard</td>
<td>2nd Front Yard</td>
<td>3rd Front Yard</td>
<td>Rear yard: % of depth or number of feet, whichever is less</td>
<td>Minimum Building Height</td>
</tr>
<tr>
<td>Proposed Condition and/or Use</td>
<td>Multiple Dwelling</td>
<td>0</td>
<td>0</td>
<td>19,945</td>
<td>221'</td>
<td>7</td>
<td>78'</td>
<td>68.4% Building 12.9% Green</td>
<td>5'</td>
<td>5'</td>
<td>5'</td>
<td>10'</td>
<td>7, 78'</td>
<td></td>
</tr>
<tr>
<td>District Regulation for Proposed</td>
<td>Mixed Use</td>
<td>None</td>
<td>None</td>
<td>1-2 Fam 3000</td>
<td>1-2 Fam 30'</td>
<td>5</td>
<td>70'</td>
<td>70% Bldg. 10% Green</td>
<td>5'</td>
<td>5'</td>
<td>5'</td>
<td>10' Minimum</td>
<td>30' Min. 3 Stories</td>
<td></td>
</tr>
<tr>
<td>Note Non-Conforming Conditions for Proposal</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>Def.</td>
<td>Def.</td>
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</tbody>
</table>

### MU-1 FORM BASE REQUIREMENTS

<table>
<thead>
<tr>
<th>Column Title</th>
<th>Structure Type</th>
<th>Doors &amp; Entries</th>
<th>Floor Height</th>
<th>Parking Location Setback</th>
<th>Porches</th>
<th>Primary Structure Spacing</th>
<th>Street Façade</th>
<th>Roof</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Condition and/or Use</td>
<td>Primary</td>
<td>Cook St - 1 entry; College Ave - multiple entries, Catherine St - 1 entry; 35’ apart;</td>
<td>10’</td>
<td>10’</td>
<td></td>
<td>Recessed Entries Provided</td>
<td>6’</td>
<td>Building 3A: 150' Building 3B: 56' 7'' Blank Wall &lt;12’</td>
</tr>
<tr>
<td>District Regulation for Proposed</td>
<td>Primary</td>
<td>Distance between entries: 35’ max. At least 1 on each street façade</td>
<td>Res 10’ min. Com 12’ min.</td>
<td>10’min.</td>
<td>Internal or Underground not visible from Street</td>
<td>30’ min. from front façade</td>
<td>Recessed Entry Required</td>
<td>5’ Min.</td>
</tr>
<tr>
<td>Note Non-Conforming Conditions for Proposal</td>
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<td>OK</td>
<td>OK</td>
<td>OK</td>
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<td>OK</td>
<td>OK</td>
<td>OK</td>
</tr>
</tbody>
</table>

NOTES: Catherine South includes 4 existing parcels in the MU-1 district that will be consolidated into a single lot, along with 118 Cook Street. The proposed consolidation creates three front yards along College Avenue (primary), Cook Street, and Catherine Street. The rear yard is interior to the lot.
### City of Ithaca Board of Zoning Appeals Worksheet

<table>
<thead>
<tr>
<th>Appeal Number</th>
<th>Address</th>
<th>Use District</th>
<th>Date</th>
<th>Applicant</th>
<th>Owner</th>
<th>Application Type:</th>
</tr>
</thead>
<tbody>
<tr>
<td>3209</td>
<td>Catherine North</td>
<td>CR-4</td>
<td>2/1/2022</td>
<td>Trowbridge Wolf Michaels</td>
<td>Coll-Cath LLC</td>
<td>Area Variance</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Column Number</th>
<th>Use</th>
<th>Accessory Use</th>
<th>Off-Street Parking</th>
<th>Off-Street Loading</th>
<th>Lot Area (Sq. Feet)</th>
<th>Lot Width (Feet)</th>
<th>Number of Stories</th>
<th>Height in Feet</th>
<th>% of Lot Coverage</th>
<th>Front Yard</th>
<th>Side Yard</th>
<th>Other Side Yard</th>
<th>Rear yard: % of depth or number of feet, whichever is less</th>
<th>Minimum Building Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>19,698</td>
<td>147' 8&quot;</td>
<td>4</td>
<td>44' 8&quot;</td>
<td>49.9% Bldg. 36.7% Green</td>
<td>10' 6&quot;</td>
<td>5'</td>
<td></td>
<td>5'</td>
<td>4, 45'</td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3000</td>
<td>30</td>
<td>4</td>
<td>45</td>
<td>50% Bldg. 25% Green</td>
<td>10</td>
<td></td>
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<tr>
<td>4</td>
<td></td>
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<td></td>
<td></td>
<td>3500</td>
<td>40</td>
<td>4</td>
<td>45</td>
<td>10</td>
<td>Row House- 0'</td>
<td>All Others- 0'</td>
<td>20'</td>
<td>20' Min. 2 Stories Min.</td>
<td></td>
</tr>
<tr>
<td>5</td>
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<td></td>
<td></td>
<td>Row House- 0'</td>
<td>All Others- 5'</td>
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<td></td>
<td>All Others- 5'</td>
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<td>7</td>
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</tr>
</tbody>
</table>

**Proposed Condition and/or Use**

- **Multiple Dwelling**: 0
- **1-2 Family**: None with TDM Plan
- **Multiple**: 3000
- **Note Non-Conforming Conditions**: OK

**District Regulations for Proposed**

- **Proposed Condition and/or Use**: Multiple
- **Proposed Building 2A**: 3 entries (1 per rowhouse module)
- **Building 2B**: 1 entry
- **Functioning entry**: on street-facing façade 1 min.
- **Corner lots**: 1 functioning entry on street facing façade

**CR-4 FORM BASE REQUIREMENTS**

<table>
<thead>
<tr>
<th>Column Title</th>
<th>Structure Type</th>
<th>Doors &amp; Entries</th>
<th>Floor Height</th>
<th>Parking Setback</th>
<th>Porches</th>
<th>Primary Structure Spacing</th>
<th>Street Façade Length</th>
<th>Roof</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Condition and/or Use</td>
<td>Primary</td>
<td>Building 2A: 3 entries (1 per rowhouse module) Building 2B: 1 entry</td>
<td>9' 4&quot;</td>
<td>9' 4&quot;</td>
<td>Recessed Entries Proposed</td>
<td>13'</td>
<td>2A: 73' 6&quot; 2B: 42' 7&quot;</td>
<td>Flat Roof Proposed</td>
</tr>
<tr>
<td>District Regulation for Proposed</td>
<td>Primary</td>
<td>Functioning entry: on street-facing façade 1 min. Corner lots: 1 functioning entry on street facing façade</td>
<td>9' min.</td>
<td>9' min.</td>
<td>20' min. from front façade</td>
<td>Front Porch, Stoop or Recessed entry Required</td>
<td>5' Min. between primary structure on the same parcel</td>
<td>Row House: 100' All Other: 45' Blank Wall: 8' Max.</td>
</tr>
</tbody>
</table>

**Note Non-Conforming Conditions Proposal**

OK OK OK OK OK OK OK OK OK OK OK OK
# City of Ithaca Board of Zoning Appeals Worksheet

<table>
<thead>
<tr>
<th>Appeal Number</th>
<th>3209</th>
</tr>
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<tbody>
<tr>
<td>Use District</td>
<td>MU-2</td>
</tr>
<tr>
<td>Applicant</td>
<td>Trowbridge Wolf Michaels</td>
</tr>
<tr>
<td>Owner</td>
<td>Coll-Cath LLC</td>
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<tr>
<td>Application Type:</td>
<td>Area Variance</td>
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</table>

## Column Title

<table>
<thead>
<tr>
<th>Column Number</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
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<th>10</th>
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</tr>
</thead>
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<tr>
<td>Column Title</td>
<td>Use</td>
<td>Accessory Use</td>
<td>Off-Street Parking</td>
<td>Off-Street Loading</td>
<td>Lot Area (Sq. Feet)</td>
<td>Lot Width (Feet)</td>
<td>Number of Stories</td>
<td>Height in Feet</td>
<td>% of Lot Coverage</td>
<td>Front Yard</td>
<td>2nd Front Yard</td>
<td>Side Yard</td>
<td>Rear yard: % of depth or number of feet, whichever is less</td>
<td>Minimum Building Height</td>
</tr>
<tr>
<td>Proposed Condition and/or Use</td>
<td>Commercial &amp; Multiple Dwellings</td>
<td>0</td>
<td>0</td>
<td>13,334</td>
<td>153’</td>
<td>8</td>
<td>90’</td>
<td>86% Bldg.</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>8, 90’</td>
<td></td>
<td></td>
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<tr>
<td>District Regulation for Proposed</td>
<td>Mixed Use</td>
<td>None</td>
<td>None</td>
<td>2500</td>
<td>25’</td>
<td>6</td>
<td>80’</td>
<td>100% except as required for rear yard</td>
<td>Green: 0%</td>
<td>0’ Min. 2’ Max.</td>
<td>0’ Min. 2’ Max.</td>
<td>0</td>
<td>10’ Minimum</td>
<td>45’ min. 4 Stories</td>
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<tr>
<td>Note Non-Conforming Conditions for Proposal</td>
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## MU-2 FORM BASE REQUIREMENTS

<table>
<thead>
<tr>
<th>Column Title</th>
<th>Structure Type</th>
<th>Doors &amp; Entries</th>
<th>Floor Height</th>
<th>Parking Location Setback</th>
<th>Primary Structure Spacing</th>
<th>Street Façade</th>
<th>Roof</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Condition and/or Use</td>
<td>Primary</td>
<td>3 recessed entries, spaced less than 57’ apart</td>
<td>12’</td>
<td>10’</td>
<td>Glazing: 90%</td>
<td>Blank Wall: &lt;12’</td>
<td>Flat Roof Proposed</td>
</tr>
<tr>
<td>District Regulation for Proposed</td>
<td>Distance between functioning entries: 60’ max. At least 1 on each street façade</td>
<td>12’ min.</td>
<td>10’m</td>
<td></td>
<td>Undergro</td>
<td>None</td>
<td>Glazing: 65%</td>
</tr>
<tr>
<td>Note Non-Conforming Conditions for Proposal</td>
<td>OK</td>
<td>OK</td>
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<td></td>
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</tr>
</tbody>
</table>
BOARD OF ZONING APPEALS (BZA) APPLICATION

1. TYPE OF APPEAL:
   [X] AREA VARIANCE
   [ ] SPECIAL PERMIT
   [ ] USE VARIANCE
   [ ] SIGN VARIANCE
   [ ] ACTION, DECISION, OR INTERPRETATION OF ZONING OFFICER

   APPEAL #: 3209
   HEARING DATE: Feb. 1, 2022
   BUILDING PERMIT #: 41826; 41827 (REQUIRED)
   RECEIPT #: (FILLED IN BY STAFF)

2. Property Address: See attached list of properties
                        Use District: MU-1, MU-2, CR-3, CR-4

   Owner’s Name: Coll-Cath Associates, LLC
                  Owner’s Address: 15 Thornwood Drive
                  Cook Coll, LLC

   City: Ithaca
   State: NY
   Zip: 14850

3. Appellant’s Name: Kathryn Wolf, TwM a Fisher Assoc.
                        Appellant’s Address: 1001 W. Seneca Street, Suite 201
                        Landscape Architecture Studio

   City: Ithaca
   State: NY
   Zip: 14850

   Telephone: (607) 277-1400
   E-Mail: kwolf@fisherassoc.com

4. Attach Reason for Appeal (see “Zoning Appeal Procedure Form”)

5. Appellant Certification: I certify the information submitted with the appeal is true to the best of my knowledge/belief; and I have read and am familiar with City of Ithaca Zoning Ordinance sections that apply to this appeal (incl. Section 325-40, describing the powers and duties of the Board of Zoning Appeals). I also acknowledge the Board of Zoning Appeals may visit the property and I specifically permit such visits.

   [ ] I have met/discussed this application with Zoning Division staff prior to submission.

   Signature: Kathryn Wolf

STATE OF NEW YORK
COUNTY OF TOMPKINS

Sworn to this 20th day of January, 2022

MELINDA D. MILLER
Notary Public

Notary Public available at City Hall.

IMPORTANT: INCOMPLETE applications will be returned to the applicant and the applicant will have to reapply.

If ANOTHER CITY APPROVAL is required (e.g., Site Plan Review, Subdivision Review, Ithaca Landmarks Preservation Commission Review), this application will likely not be considered at the next scheduled BZA meeting date.

If an application is submitted and subsequent CHANGES are made to the proposal/project, a revised application will be required. The original application will not be considered a placeholder for the original BZA hearing date. Zoning Division staff will also not remove contents from earlier applications to complete a revised application. Applicants are responsible for ensuring all information necessary for processing a Zoning Appeal is submitted by the application deadline for a given BZA hearing date.
**CITY OF ITHACA BOARD OF ZONING APPEALS**  
**APPLICATION WORKSHEET**

**************************************************************************  
**OFFICE USE ONLY**  
**************************************************************************

1. Ordinance Section(s) for the Appeal:

<table>
<thead>
<tr>
<th>Zoning Ordinance Section Being Appealed</th>
<th>Sign Ordinance Section Being Appealed</th>
</tr>
</thead>
<tbody>
<tr>
<td>• §325-45.2E, F, G ____________________</td>
<td>• §272- ______________________________</td>
</tr>
<tr>
<td>• §325- ______________________________</td>
<td>• §272- ______________________________</td>
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<tr>
<td>• §325- ______________________________</td>
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<tr>
<td>• §325- ______________________________</td>
<td>• §272- ______________________________</td>
</tr>
</tbody>
</table>

2. Application of SEQR determination:  
- ☒ Type 1  
- ☐ Type 2  
- ☐ Unlisted

3. Environmental Assessment form used:

- ☐ Short Environmental Assessment Form (SEAF)  
- ☐ Full Environmental Assessment Form (FEAF)  
- ☒ Completed by Planning Division at preliminary hearing for Site Plan Review  
- ☐ Not Applicable (Type 2 Action)

4. A previous appeal ☐ has / ☒ has not been made for this proposal:

- Appeal No. __________, dated __________
- Appeal No. __________, dated __________
- Appeal No. __________, dated __________
- Appeal No. __________, dated __________

5. Notes or Special Conditions:
- Appeal §325-45.2E requirements for: Off-Street Parking and Rear Yard.
- Appeal §325-45.2F requirements for: Rear Yard.
- Appeal §325-45.2G requirements for: Building Height in Stories; Building Height in Feet; and Required Corner Chamber or Setback in MU-2.
ONLY SUBMIT THIS FORM IF ZONING APPEAL APPLICATION IS BEING SUBMITTED/SIGNED BY SOMEONE OTHER THAN CURRENT RECORD PROPERTY OWNER.

OWNER'S AUTHORIZATION FORM

ZONING APPEAL #: 3209

DATE: 1/21/2022

TO: BOARD OF ZONING APPEALS (Ithaca, NY):

I (We) Coll Cath Associates & Cook Coll LLC of 15 Thornwood Drive
(Name)
(Street Address)
Ithaca, N.Y. 14850
(City/Municipality) (State & Zip Code)

Owner of the property at See attached list of addresses
(Street & Number)

☐ I am the sole owner of the above-mentioned property.

☐ This property is also owned by ____________________________
and I have a Power of Attorney to authorize this appeal (attach POA).

I do hereby authorize Kathryn Wolf to appeal or request a Variance or Special Permit on my (our) behalf. I (we) understand the appeal will be heard at the 2/1 & 3/1 meeting of the Board of Zoning Appeals.

(Signature)

STATE OF NEW YORK) CONNY OF TOMPKINS)

Sworn to this 16th day of January, 2023

Notary Public

Note to those signing this form:

(1) Owners authorizing another to present an appeal on their behalf should be aware the Board may, in granting relief, add reasonable conditions which then become binding on the property.

(2) Especially where a Variance is being sought, the owner may be the only person with detailed information about the property that is essential to the appeal. In such a case, authorizing another person to appeal may be detrimental to the appeal, unless the owner is either present at the hearing or sends another person fully prepared to answer questions about the property and the feasibility of using it consistent with the Zoning Ordinance.
<table>
<thead>
<tr>
<th>PROJECT SITE</th>
<th>ADDRESS</th>
<th>TAX MAP - PARCEL NO.</th>
<th>OWNER</th>
</tr>
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<tbody>
<tr>
<td>Catherine North</td>
<td></td>
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<tr>
<td></td>
<td>306 College Avenue</td>
<td>68.-4-6</td>
<td>Coll-Cath Associates, LLC</td>
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<td>304 College Avenue</td>
<td>68.-4-7</td>
<td>Coll-Cath Associates, LLC</td>
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<tr>
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<td>302 College Avenue</td>
<td>68.-4-8</td>
<td>Coll-Cath Associates, LLC</td>
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<td>128 Catherine Street</td>
<td>68.-4-9</td>
<td>Coll-Cath Associates, LLC</td>
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<td>124 Catherine Street</td>
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<td>Coll-Cath Associates, LLC</td>
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NOTICE OF APPEAL
REGARDING ZONING OR SIGN ORDINANCE
CITY OF ITHACA, NEW YORK

APPEAL NO. 3209

TO: Owners of Property within 200 feet of see attached list of properties and others interested.

(property address)

FROM: Kathryn Wolf as Agent for Owner applicable to property named above, in MU-1, MU-2, zone.

(name of person or organization making appeal)

CR-3, CR-4

REGARDING: (check appropriate box)

[ ] Area Variance [ ] Use Variance [ ] Sign Variance

City regulations require you be notified of this appeal to the Board of Zoning Appeals (BZA), as described in the attached letter and provide the opportunity for you to comment on it and/or attend the meetings listed below. Anyone considered an interested party may speak for or against the appeal at the meetings listed below, or submit a written statement to the BZA before its designated meeting. There is a time limit of three (3) minutes for each interested party to address the BZA during the Public Hearing portion of the meeting.

The Board of Zoning Appeals bases its decision primarily on the written evidence submitted and presented to it, the testimony of interested parties, and zoning and legal considerations. The written case record will be available for review on the City’s website (http://www.cityofithaca.org/368/Board-of-Zoning-Appeals) under “Most Recent Agenda,” beginning one week before the scheduled BZA meeting. This case has also been referred to the City’s Planning and Development Board that will advise the BZA, if granting the relief sought by the appellant will affect long-term planning objectives. The date of the Planning Board’s meeting regarding this appeal is also listed below.

The PLANNING BOARD will consider this case on Feb. 22, 2022 at 6:00 P.M. via the online platform Zoom. A live stream is available at https://www.youtube.com/channel/UC7RtJN1P_RFaFW2IVCnTrDg. To provide comments to the Planning Board on this appeal, please submit written comments to Anya Harris at aharris@cityofithaca.org, and your comments will be forwarded to the Board members for their review.

The BOARD OF ZONING APPEALS will consider this case on 2/1 & 3/1 at 6:00 P.M. via the online platform Zoom. There will be a public hearing on this appeal, and there are two options to participate in the public hearing.

1. Submit comments by email no later than 4 p.m. on the day of the meeting to zoningdivision@cityofithaca.org and they will be read into the record. Each comment is limited to three minutes. Indicate in your email that the comment is for a public hearing. You must provide your name and address.

2. To speak at the meeting, sign up and receive instructions by contacting zoningdivision@cityofithaca.org or Anya Harris at (607) 274-6550 or aharris@cityofithaca.org. You must provide your name and address.

Kathryn Wolf

Signature of Appellant

2001 West Seneca Street, Suite 201 Ithaca, NY

Address

1/18/2022

Date
January 18, 2022

TO: Property owners within 200’ feet of the Proposed Catherine Commons Project
FROM: Kathryn Wolf, Principal, TWMLA
Re: BZA Appeal for the Proposed Catherine Commons Project – Area Variance

Summary of Project Proposal

This letter summarizes the proposed Catherine Commons project and the request for an area variance before the Zoning Board. Catherine Commons is a proposed approximately 360-unit residential development located in the City of Ithaca in central Collegetown at the intersection of College Avenue and Catherine Street. Twelve parcels have been aggregated on the west side of College Avenue to form the 1.45-acre Catherine Commons site. In addition to the residential use, the project also includes approximately 2600 SF of commercial space, a fitness center for residents of the project and extensive streetscape and public realm improvements. The construction of this high-quality project will focus density on College Avenue in the heart of Collegetown. Streetscape improvements, open space and pedestrian amenities will be provided extensively throughout the project. Portions of the proposed buildings along College Avenue will step back as much 40 feet from the curb line for the first two floors to increase sidewalk widths and create public plazas on private property. A new bus stop will be located on College Avenue near Cook Street and a covered, protected plaza space will be incorporated into the architecture to function as a public bus stop.

Figure 1: Location Map
Zoning

The project is designed to be in substantial conformance with existing zoning. The properties are zoned Mixed Use (MU2 and MU1) and Collegetown Residential (CR4 and CR3). The requested variances pertain primarily to the College Avenue frontage in the MU2 and MU1 zones. The principal variances being sought are to allow an increase in the number of floors (2 additional floors) and an increase in building height (10 feet and 8 feet) along College Avenue. Due to the fact that a 5-foot parapet is allowed in addition to the codified building height, the actual visual difference resulting from the variance will be 6 feet and 4 feet as compared to what is allowed under existing zoning. The requested additional floors within the proposed height is an imperceptible change within the overall building height.

The proposed buildings in the CR4 and CR3 zones on Catherine and Cook streets are in conformance with the existing zoning and no height variances are being sought for the buildings in these zones. A variance is being sought to allow fewer than the required number of parking spaces in the CR3 zone. Parking will be made available to residents at the Collegetown Terrace project. Minor rear yard setback variances are being sought in the CR3 and CR4 as a result of the consolidation of lots.

Figure 2: Zoning Diagram
SUMMARY OF AREA VARIANCES REQUESTED
The following chart summaries the zoning per the City Code and the requested variances.

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<th>ZONE</th>
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<th>VARIANCE REQUESTED</th>
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<td>CR-3</td>
<td>Off-Street Parking 1 space per unit = 13</td>
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<td>Shuttle provided; parking available at Collegetown Terrace and TCAT stop incorporated</td>
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<td>Rear yard setback/veg buffer 20'/10'</td>
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<td>15'/10'</td>
<td>Will appear as a side yard consistent w/existing neighborhood character.</td>
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<td>7 stories 78 feet</td>
<td>+ 2 stories + 8 feet</td>
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<td>MU-2</td>
<td>Max Bld 6 stories 80 feet</td>
<td>8 stories 90 feet</td>
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<td>Additional 5’ parapet allowed which results in only 6’ actual visual differential</td>
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<td>MU-2</td>
<td>Chamfered Corner</td>
<td>Open at ground floor/corner windows above</td>
<td>Relief from chamfer</td>
<td>Proposed design solution yields intent of chamfer</td>
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Grounds Upon Which the Variance Should be Granted

The Applicant’s objective is to create a project that implements the 2006 Collegetown Vision Statement, the 2009 Collegetown Urban Plan, and the 2015 PLAN ITHACA as it relates to Collegetown. The 2006 Collegetown Vision Task Force concluded there is a unique opportunity to build on Collegetown’s proximity to Cornell University to create a “diverse, commercially viable, dense, mixed-use community characterized by notable urban design, high quality architecture, vibrant public spaces and pedestrian amenities.” The Catherine Commons project aspires to be transformational for Collegetown consistent with this stated vision and other City plans. Implementing the vision and transforming the public realm will not happen with the construction of a single building. To transform the public realm of Collegetown in a meaningful and impactful way requires the assembling of multiple parcels and the development of a comprehensive urban plan such as the Catherine Commons proposal. However, this wholistic approach to the urban plan results in a loss of rentable building area in locations where the SF value is the greatest. Given the width of the existing street ROW and sidewalks, the only way to create wider sidewalks and vibrant public plazas is to create it on private property. The comprehensive approach to achieving the
greatest benefits to the public realm results in the current project design and the height is integral to the viability of the overall project. The slight increase in height above the technical code requirement comes at no cost to the neighborhood without any cognizable negative visual impacts.

To further enhance the project and mitigate any impacts the developer has proposed an exterior façade that uses higher quality materials than are typically used in Collegetown. These materials and systems will enhance the overall appearance and character of the buildings and provide increased longevity, but come with a premium cost impact.

Beyond the materials, the façade composition and detailing on the Catherine North and South buildings contribute to the increased cost of the project. The exterior wall details are developed to create relief and to emphasize the perceived depth of the exterior wall. This is achieved by offsetting adjacent wall panels of varying materials, recessing and projecting windows, and detailing projecting trim closure profiles. This attention to detail will result in an architectural façade that enhances the overall aesthetic quality of the Collegetown neighborhood. These materials which are incorporated into the design act to reduce the perceived overall height of the structures and eliminate any cognizable impacts of the building height.

These public benefits to the urban fabric of the Collegetown neighborhood result in a substantial economic cost to the developer. The variances are needed in order to construct a building of an architectural quality that is greater than typically seen in Collegetown and which achieves the overall benefits to the public realm. The project’s design team has worked diligently to propose and conceive a project that accomplishes the intent of the development to be transformational for Collegetown while limiting the number and extent of variances required for a successful project.

1. **The Project is Consistent with the Subject Zoning Districts**

   The Catherine Commons site is located at the intersection of College Avenue and Catherine Street. The properties which front on College Avenue are within the City’s Mixed-Use Zoning Districts - MU1 and MU2, where the proposed apartment project is a *permitted use as of right* and therefore the zoning regulations already anticipate that such a use is in character with the neighborhood.

   “The purpose of the Mixed Use Districts is to create a dynamic urban environment in which uses reinforce each other and promote an attractive, walkable neighborhood. Located in central Collegetown, the Mixed Use Districts allow the highest density within the Collegetown Area Form Districts. Redevelopment is anticipated and encouraged (with the exception of designated local landmarks), and the intent is to concentrate the majority of additional development within these districts.” *See City of Ithaca Zoning Ordinance 325-45.2.*

2. **The Project Is Compatible with Nearby Historical Resources**

   There are two existing local landmarks located near the project. The Grandview House is located on the east side of College Avenue across from the project, and the John Snaith House is located on the south side of Cook Street across from the project. The East Hill Historic District is located downhill, to the west of the project. The project site itself does not include any historic resources and no changes to historic resources are proposed. The *Catherine Commons Preliminary Site Plan Review Application Report, August 17, 2021; Updated December 7, 2021* documents these historic resources. Visual simulations are provided that illustrate the Catherine Commons project in...
context with the nearby historic resources and demonstrate that there are no adverse effects or impacts on the physical or environmental conditions of the neighborhood. Moreover, the *Guiding Principles* of the *City of Ithaca Collegetown Design Guidelines, March 2017*, states “The guidelines...promote maintenance of traditional character while encouraging architectural creativity and contemporary design.” Numerous elements of the design of Catherine Commons contribute to a project that is contemporary while being compatible with the nearby historic resources.

3. **The Project Complies with the City of Ithaca’s Operative Planning Documents**
   Significantly, the development is consistent with the *2009 Collegetown Urban Plan & Conceptual Design Guidelines*, the adopted *City of Ithaca 2015 Comprehensive Plan (PLAN ITHACA)*, and the *2017 Collegetown Design Guidelines*. The redevelopment of Collegetown has been a longstanding economic development goal of the City of Ithaca. In 2006 the City created the Collegetown Vision Task Force to evaluate the Collegetown environment and provide recommendations for new development, infrastructure needs, improving the pedestrian experience, vehicular access and parking. In the report to Common Council the Task Force concluded that there is a unique opportunity to build on Collegetown’s proximity to Cornell University and create a “diverse, commercially viable, dense, mixed-use community characterized by notable urban design, high quality architecture, vibrant public spaces and pedestrian amenities.”

4. **The Requested Additional Floors and Height will be Virtually Imperceptible**
   Although the applicant is requesting height variances of 8’ and 10’ and 2 stories for buildings 1 and 3a, the actual height differential between what is allowed as of right and what is proposed is only 4’ and 6’ (due to the allowable 5’ parapet) respectively. Given the existing topography and proposed orientation of the buildings, the visual difference between what is allowed and what is proposed is, in all respects, virtually imperceptible.

5. **The Requested Rear Yard Setback Variance will be Virtually Imperceptible**
   The rear yard setback variance for a requested 5’ setback is a function of the consolidation of multiple parcels. The unique circumstance of having frontage on two streets creates a ‘technical non-conforming’ condition that, practically speaking, as viewed from the street, is not perceptible. Standing on either Catherine or Cook Streets one would view this condition as a side yard (which has a required setback of 5’ and matches the requested setback) not a rear yard. The required 10’ vegetative buffer in located within the rear yard and so is not possible given the reduction to 5’.

6. **The Requested Reduction in Parking is Minimal**
   Only one of the 12 parcels has a parking requirement – this is the CR3 parcel off of Cook Street. The reduction in parking is minimal (13 space required by zoning vs. 2 proposed spaces). The overall goals of the City’s planning documents favor less parking in Collegetown, walkability and multi-modal transportation options. The project complies with these overall goals and provides plans for a bus stop along College Avenue incorporated into the project. The Applicant operates
a private shuttle between Collegetown Terrace and campus which will be available to residents of the complex. Parking will be made available at the Collegetown Terrace Apartments for those residents seeking parking.

7. **The Required Chamfer at the Corner of Building 1 Is Replaced With a Design Solution That Achieves the Same Goals of a Chamfer**

The chamfer at the corner has been replaced by windows that wrap the corner of the building for the full height and the building has been pulled back at the ground floor to create an open plaza. These design elements diminish the mass of the building at the corner (as the chamfer would) open views, increase light and facilitate circulation at the street level.

**Conclusion**

The Catherine Commons project complies with all of the foundational planning documents of the City of Ithaca and provides an opportunity for transformational change in the Collegetown neighborhood, all while seeking the minimum variances necessary to bring the project to fruition.
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<tr>
<td>405 Eddy St</td>
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<td>18 Smugglers Path</td>
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<tr>
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<td>Englewood</td>
<td>34223</td>
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<td>155 Westview Lane</td>
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<td>PO Box 392</td>
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</tr>
</tbody>
</table>
ZONING APPEAL CERTIFICATION OF MAILING

RE: City of Ithaca Board of Zoning Appeals  Zoning Appeal # 3209

I, __________ Kathryn Wolf __________, affirm all property owners within two hundred (200) feet of the boundaries of the lot(s) under consideration have been mailed a copy of the enclosed notice on or before __________ 1/18/2022 ________. I affirm the notice was mailed to the property owners at the addresses shown on the attached list of owners, by depositing the copy in a post-paid properly addressed envelope, in a post office or an official depository under the exclusive care and custody of the United States Post Office. I further affirm the names and addresses of the property owners are the same as the most recent assessment roll.

______________________________
(Appellant’s Signature)

PLEASE SUBMIT THIS FORM TO:
City of Ithaca Zoning Division  Phone: (607) 274-6550
108 E. Green St., 3rd Fl.  Fax: (607) 274-6558
Ithaca, NY  14850
January 21, 2022

Marshall McCormick, Acting Chair
Members of City of Ithaca Board of Zoning Appeals
108 East Green Street
Ithaca, NY 14850

RE: APPEAL # 3209 - Catherine Commons Variance Application

Dear Acting Chairman McCormick and Members of the Board of Zoning Appeals:

Thank-you for this opportunity to submit this application for certain area variances to allow for the development of the proposed Catherine Commons project. This project proposal consists of the following properties:

<table>
<thead>
<tr>
<th>PROJECT SITE</th>
<th>ADDRESS</th>
<th>TAX MAP - PARCEL NO.</th>
<th>OWNER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Catherine North</td>
<td>306 College Avenue</td>
<td>68.4-6</td>
<td>Coll-Cath Associates, LLC</td>
</tr>
<tr>
<td></td>
<td>304 College Avenue</td>
<td>68.4-7</td>
<td>Coll-Cath Associates, LLC</td>
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<td></td>
<td>302 College Avenue</td>
<td>68.4-8</td>
<td>Coll-Cath Associates, LLC</td>
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<td>128 Catherine Street</td>
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<td>Coll-Cath Associates, LLC</td>
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<td>124 Catherine Street</td>
<td>68.4-10</td>
<td>Coll-Cath Associates, LLC</td>
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<tr>
<td></td>
<td>122 Catherine Street</td>
<td>68.4-3</td>
<td>Coll-Cath Associates, LLC</td>
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<tr>
<td></td>
<td>120 Catherine Street</td>
<td>68.4-11</td>
<td>Coll-Cath Associates, LLC</td>
</tr>
<tr>
<td>Catherine South</td>
<td>210 College Avenue</td>
<td>68.5-10</td>
<td>Cook Coll, LLC</td>
</tr>
<tr>
<td></td>
<td>206 College Avenue</td>
<td>68.5-11</td>
<td>Cook Coll, LLC</td>
</tr>
<tr>
<td></td>
<td>204 College Avenue</td>
<td>68.5-12</td>
<td>Cook Coll, LLC</td>
</tr>
<tr>
<td></td>
<td>202 College Avenue</td>
<td>68.5-13</td>
<td>Cook Coll, LLC</td>
</tr>
<tr>
<td></td>
<td>118 Cook Street</td>
<td>68.5-14</td>
<td>Cook Coll, LLC</td>
</tr>
</tbody>
</table>

The proposed Catherine Commons project was initially presented to the City of Ithaca Planning Board for Sketch Plan Review on April 27, 2021. The design was revised in response to Planning Board comments and a complete Preliminary Site Plan Review (SPR) application was submitted to the Board on August 17, 2021. The Planning Board declared itself the Lead Agency for purposes of SEQRA on September 28, 2021 and held a public hearing on October 26, 2021 to obtain public comment on the project. The project is located in Collegetown and is subject to the Collegetown Design Guidelines. On December 15, 2021 a
Design Review Application was submitted demonstrating that the project is consistent with the Collegetown Design Guidelines. The Planning Board conducted their Design Review of the project at the December 21, 2021 Planning Board meeting as well as at the special meeting of the Planning Board on January 13th, 2022. The Planning Board has responded favorably to the project and has also made numerous recommendations and suggestions for improving the project which the Applicant has incorporated. The project has undergone extensive design modifications since it was initially presented to the City. Revisions made in response to Planning Board comments include:

- Design revisions to increase the transparency/amount of glass at the ground floor
- Design revisions related to façade treatments to increase the articulation and modulation of the architectural façade with projecting and recessed windows and other elements
- Buildings 2a and 2b on Catherine Street were substantially redesigned to create a distinction between the Catherine Street and College Avenue architecture so that the Catherine Street buildings provide a better relationship with the surrounding neighborhood.
- The architectural bridges that connect buildings 2a and 2b were changed from enclosed architectural connections to open air bridges to reenforce the sense of transparency between the buildings, thereby breaking down the scale so that the buildings are in character with the surrounding neighborhood.

On January 18, 2022 the project was presented to the Ithaca Landmarks Preservation Commission (ILPC). The Commission largely responded favorably to the project.

In addition, the Applicant has been working closely with the City of Ithaca Engineering Department to coordinate the Catherine Commons project with the City’s reconstruction of College Avenue. The Applicant undertook the following:

- Attended approximately 10 meetings with City of Ithaca staff to discuss how the design of College Avenue could be optimized to meet the City’s goals and how this project could contribute to those goals including expanded sidewalks and public space and the establishment of street trees.
- The Applicant’s design team evaluated the City of Ithaca’s plans for reconstruction of College Avenue and made recommendations for curb realignments and stormwater changes in order to increase the number of street trees and provide an improved overall aesthetic for the character of the neighborhood.
- The proposed bus stop was relocated to be adjacent to building 3b and the Applicant agreed to incorporate a covered seating area that can serve as a bus waiting area for use by the general public.

The Applicant submits this correspondence along with the following attachments, to address the “balancing test” and the 5-point criteria for area variances as required under the General City Law and the City of Ithaca Zoning Law. In support of the requested variance the Applicant has submitted extensive documentation and information for the Board’s consideration including:

1. Completed Zoning Appeal Application Form, Fee and List of all properties within 200’ of the perimeter.
2. Drawings titled “Catherine North Side Yard Comparison Diagram” and “Catherine South Side Yard Comparison Diagram” prepared by ikon.5 architects, 1/18/2022 illustrating the location of new and former building footprints in relation to the new rear yard.

3. Preliminary Site Plan Review Application dated August 17, 2021 and updated December 7, 2021 (previously submitted). This application includes:
   a. Narrative describing the project proposal
   b. Part 1 of the Full Environmental Assessment Form
   c. Site plan and 3D renderings of site improvements prepared by TWM Landscape Architects and ikon.5 architects
   d. Building elevations, shade analysis and 3D renderings prepared by ikon.5 architects
   e. An analysis of Impact on Aesthetic Resources with simulated views of new buildings within the context of the surrounding neighborhood prepared by TWM Landscape Architects
   f. Transportation Demand Assessment prepared by SRF Associates Transportation Planning and Traffic Engineers
   g. Stormwater analysis and report prepared by T.G. Miller Engineers
   h. Geotechnical report prepared by Stopen Engineering
   i. Zoning analysis prepared by ikon.5 architects

BACKGROUND AND PROPOSED USE OF PARCEL

Catherine Commons is a proposed approximately 360-unit residential development in the City of Ithaca in Central Collegetown. Twelve parcels have been aggregated on the west side of College Avenue to form the 1.45-acre Catherine Commons site. In addition to the residential use, the project also includes approximately 2600 SF of commercial space, a fitness center for residents of the project and extensive streetscape and public realm improvements. The new development will replace 12 older wood frame buildings which are in extremely poor condition, which are currently being salvaged and demolished. The construction of this high-quality project will enhance the surrounding neighborhood by focusing density in the heart of the Collegetown neighborhood, providing forward thinking, modern and notable architecture and design elements that elevate the environment and character of Collegetown, providing numerous improvements to the streetscape and public realm which contribute to the redevelopment of Collegetown into a unique, diverse, commercially viable and mixed-use community.
SUMMARY OF AREA VARIANCES REQUESTED

The following chart summarizes the zoning per the City Code and the requested variances.

<table>
<thead>
<tr>
<th>ZONE</th>
<th>CODE REQUIREMENT</th>
<th>PROPOSED BY APPLICANT</th>
<th>VARIANCE REQUESTED</th>
<th>NOTES</th>
</tr>
</thead>
<tbody>
<tr>
<td>CR-3</td>
<td>Off-Street Parking 1 space per unit = 13</td>
<td>2</td>
<td>-11</td>
<td>Shuttle provided; parking available at Collegetown Terrace and TCAT stop incorporated</td>
</tr>
<tr>
<td>CR-3</td>
<td>Rear yard setback/veg buffer 20’/10’</td>
<td>5’/0’</td>
<td>15’/10’</td>
<td>Will appear as a side yard consistent w/existing neighborhood character.</td>
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<tr>
<td>CR-4</td>
<td>Rear yard setback 20’</td>
<td>5’</td>
<td>15’</td>
<td>Will appear as a side yard consistent w/existing neighborhood character</td>
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<tr>
<td>MU-1</td>
<td>Max Bld 5 stories 70 feet</td>
<td>7 stories 78 feet</td>
<td>+ 2 stories + 8 feet</td>
<td>Additional 5’ parapet allowed which results in only 4’ actual visual differential</td>
</tr>
<tr>
<td>MU-2</td>
<td>Max Bld 6 stories 80 feet</td>
<td>8 stories 90 feet</td>
<td>+ 2 stories + 10 feet</td>
<td>Additional 5’ parapet allowed which results in only 6’ actual visual differential</td>
</tr>
<tr>
<td>MU-2</td>
<td>Chamfered Corner</td>
<td>Open at ground floor/corner windows above</td>
<td>Relief from chamfer</td>
<td>Proposed design solution yields intent of chamfer</td>
</tr>
</tbody>
</table>

AREA VARIANCE INFORMATION

As demonstrated below, the benefit to the Applicant greatly outweighs any perceived detriment to the health, safety and welfare of the neighborhood should the requested variances be granted. We therefore ask the Board to consider the following relative to the standards applicable to the requested variances:

1. **THERE WILL BE NO UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD OR ANY DETRIMENT TO NEARBY PROPERTIES CREATED BY THE GRANTING OF THE VARIANCES.**
The Project is Consistent with the Subject Zoning Districts

The Catherine Commons site is located at the intersection of College Avenue and Catherine Street. The properties which front on College Avenue are within the City’s Mixed-Use Zoning Districts - MU1 and MU2, where the proposed apartment project is a permitted use as of right and therefore the zoning regulations already anticipate that such a use is in character with the neighborhood. “The purpose of the Mixed-Use Districts is to create a dynamic urban environment in which uses reinforce each other and promote an attractive, walkable neighborhood. Located in central Collegetown, the Mixed-Use Districts allow the highest density within the Collegetown Area Form Districts. Redevelopment is anticipated and encouraged (with the exception of designated local landmarks), and the intent is to concentrate the majority of additional development within these districts.” See City of Ithaca Zoning Ordinance 325-45.2.

The parcels that have frontage on Catherine Street and Cook Street are located in the Collegetown Residential Zones CR3 and CR4, where the proposed apartment project is also a permitted use as of right and therefore the zoning regulations already anticipate that such a use is in character with the neighborhood. With regards to the CR-4 District on Catherine Street “The intent is this will be a medium-density residential district, consistent with the vision outlined in the 2009 Collegetown Urban Plan and Conceptual Design Guidelines to concentrate additional development in the central areas of Collegetown.” See City of Ithaca Zoning Ordinance 325-45.2. Regarding the CR-3 District on Cook Street “The Collegetown Residential 1-3 Districts accommodate single-family, two-family and multifamily uses, depending on the district. Denser residential uses are permitted in those areas closer to central Collegetown.” See City of Ithaca Zoning Ordinance 325-45.2. The proposed project is consistent with the stated goals and purpose of these zoning districts.

The proposed project is located within the greater Collegetown neighborhood and the requested variances must be reviewed in relation to the character of this overall neighborhood and the established dynamics of the area. The neighborhood is largely mixed-use commercial and multi-family residential. The proposed apartment complex with some commercial space will not alter the essential character of the neighborhood, which has been permitted by adjoining zoning regulations. New high density residential projects have been developed within the area over the last two decades including the following: 312 College Avenue, College Townhouse at 119-125 College Avenue, The Lofts at 201 College Avenue, Collegetown Crossing with Greenstar Grocery, the new Student Agencies Building at 409 College Avenue, and Dryden South Collegetown at 205 Dryden Road. The proposed project and requested variances are compatible with the Collegetown neighborhood and existing built character of the surrounding area.

The Project Is Compatible with Nearby Historical Resources

There are two existing local landmarks located near the project. The Grandview House is located on the east side of College Avenue across from the project, and the John Snaith House is located on the south side of Cook Street across from the project. The East Hill Historic District is located downhill, to the west of the project. The project site itself does not include any historic resources and no changes to historic
resources are proposed. The Catherine Commons Preliminary Site Plan Review Application Report, August 17, 2021; Updated December 7, 2021 documents these historic resources. Visual simulations are provided that illustrate the Catherine Commons project in context with the nearby historic resources and demonstrate that there are no adverse effects or impacts on the physical or environmental conditions of the neighborhood.

Moreover, the Guiding Principles of the City of Ithaca Collegetown Design Guidelines, March 2017, states “The guidelines...promote maintenance of traditional character while encouraging architectural creativity and contemporary design.” Numerous elements of the design of Catherine Commons contribute to a project that is contemporary while being compatible with the nearby historic resources and include, in part, the following:

- The overall quality of the architectural and urban design will result in an overall enhancement to the Collegetown environment. The area is currently characterized by poorly maintained student housing and a deteriorated streetscape. There are few street trees and there is no overall coherent streetscape design. Streetlights are missing or damaged. This project will include the complete reconstruction of the streetscape for the extent of the project, and it is being coordinated with the City of Ithaca’s College Avenue reconstruction project so that the end result will be a coordinated, visually cohesive environment. This will result in an improved aesthetic environment for the historic resources.

- The Catherine Commons project will utilize high quality architectural materials that are compatible with the surrounding context and will be durable. Primary materials include terra cotta tiles, pre-finished standing seam wall panels, diamond-shaped pre-finished metal wall and roof shingles, and composite metal panels.

- Architectural detailing creates modulation and articulation of the façade surfaces, resulting in shadows, and visual interest. Varying solid to void and window patterns provides further visual interest.

- The Catherine South building 3a – located across from the Grand View House - includes individual unit entrances with metal stoops and canopies. This is a contemporary interpretation and reference to the stoop at the Grand View House.

- The John Snaith House is located on the south side of Cook Street. An open space which is used for socializing by the residents of the John Snaith House is located on the north side of the House, resulting in a substantial setback from Cook Street and providing distance and separation from the new development. The Catherine South building 3b is set back to a 2-story height at the street level to create an open public plaza. The setback, combined with the extensive use of transparent glass, mitigates and breaks down the building mass at this location. The stepped terraces of the public plaza space facing Cook Street expresses permeability and openness and creates a human scale at the street level.
The Project Complies with the City of Ithaca’s Operative Planning Documents

Significantly, the development is consistent with the 2009 Collegetown Urban Plan & Conceptual Design Guidelines, the adopted City of Ithaca 2015 Comprehensive Plan (PLAN ITHACA), and the 2017 Collegetown Design Guidelines. The redevelopment of Collegetown has been a longstanding economic development goal of the City of Ithaca. In 2006 the City created the Collegetown Vision Task Force to evaluate the Collegetown environment and provide recommendations for new development, infrastructure needs, improving the pedestrian experience, vehicular access and parking. In the report to Common Council the Task Force concluded that there is a unique opportunity to build on Collegetown’s proximity to Cornell University and create a “diverse, commercially viable, dense, mixed-use community characterized by notable urban design, high quality architecture, vibrant public spaces and pedestrian amenities.”

Compliance with the 2009 Collegetown Urban Plan & Conceptual Design Guidelines

A Collegetown Vision Implementation Committee was established and the 2009 Collegetown Urban Plan & Conceptual Design Guidelines was the result. The final plan recommended the concentration of high-density development on College Avenue with decreases in the intensity of development as one moves away from the core of Collegetown. This recommendation has been implemented as the project focuses density along the College Avenue street frontage. The density of the project decreases as one moves west down Catherine and Cook Streets.

Compliance with the 2015 Comprehensive Plan

In the City’s 2015 Comprehensive Plan, the land use section sets out goals for Collegetown including encouraging increased development, providing mixed-use development and allowing a higher density of development, including providing more housing per acre. Two important reasons cited for promoting increased density is to lighten the overall tax burden and protect surrounding neighborhoods from potential sprawl and the pressures of student housing. The proposed Catherine Commons project directly aligns with these goals. The land use section also calls for an active streetscape and additional greenspace. The proposed plan for Catherine Commons provides for an activated, attractive public realm. Building frontages are stepped back from the property line, expanding the public realm, and creating additional green space and amenities on private property. Ground floor spaces are proposed as largely transparent with inside active spaces that will contribute to an energized streetscape.

The Comprehensive Plan’s goals for transportation include providing adequate sidewalks in Collegetown, creating streets that are attractive public space, providing pedestrian lighting and supporting multimodal transportation. The location of the proposed project, walkable to services and Cornell, adjacent to bus service and in close proximity to Ithaca Car Share, supports these goals. The proposed streetscape design provides wider sidewalks, urban plazas, lighting and an overall enhanced pedestrian experience. A new TCAT bus stop will be developed adjacent to the project and covered seating for the bus stop will be integrated into the architecture. The Applicant operates a private shuttle from Collegetown to the Cornell Campus and Wegmans, including on weekends, and this will be available to tenants. Given the extreme walkability and multi-modal offerings, it is expected that many residents will not bring vehicles.
**Compliance with the 2017 Collegetown Design Guidelines**

The 2017 *Collegetown Design Guidelines*’ “Guiding Principles” call for maintaining “Collegetown as a cohesive, livable place with an attractive and pedestrian-oriented environment” (pg. 23). The Guidelines identify three different character areas and the proposed project is located in each of these three areas. They are the Collegetown Core character area, the Residential Transition character area, and the Neighborhood Periphery character area.

In the Collegetown Core character area (zones MU2 and MU1), the guidelines require orienting buildings to the street and placing buildings as close to the property line as possible. The guidelines further note that additional setbacks can be appropriate to allow for greater sidewalk widths or plazas, which may require variances (*Collegetown Design Guidelines, 2017* p.27).

Additionally, “specialized corner elements” to accentuate key intersections are recommended and the project design incorporates these elements. Likewise, “the Mixed-Use District regulations have been designed to encourage exceptional urban design and high-quality construction.... An objective of both Mixed-Use Districts is to create an urban form that gives priority to pedestrians and encourages year-round commercial activity at the street level.” See City of Ithaca Zoning Ordinance 325-45.2. The majority of the project is within this character area, and the proposed project aligns with these guidelines, notably, by incorporating architecturally distinct treatments at the corners of College Avenue and Catherine Street and College Avenue and Cook Street.

Guidelines for the Residential Transition character area (Zone CR4) include setting back the building to be within the range of setbacks established within the block, providing landscaping in the front yard setbacks, minimizing paving in front yards and minimizing curb cuts for driveways. Providing porches, stoops or recessed entries is recommended. Buildings 2a and 2b on Catherine Street at the Catherine North site are within this character area. The buildings have been designed and are sited to respect the residential setbacks and to create alignment with their neighbors. The buildings also include details reflecting traditional residential architecture. Buildings 2a and 2b are sited and designed to complement the residential neighbors to the west, while creating a bridge between the old and the new. These buildings are set back from the street and appropriately landscaped, and include a variety of residential building elements, including sloped roofs, dormers, bay windows, porches, stoops, and recessed entries. A premium modern-day material palette is used with traditional residential detailing and proportions to enhance the overall street character and to emphasize human scale. (See page 17, Figure 10: Catherine North-South Elevation Along Catherine Street of the *Preliminary Site Plan Review Application dated August 17, 2021 and updated December 7, 2021*).

Guidelines for the Neighborhood Periphery character area (Zone CR3) include setting back the building to be within the range of setbacks established within the block, providing landscaping in the front yard setback, minimizing paving in front yards, minimizing curb cuts for driveways, and providing a front porch that is architecturally consistent with the primary structure and compatible to the context. Building 4 on Cook Street at the Catherine South site is within this character area. Building 4 is sited to be consistent
with the neighboring setbacks, provides a transition in height between the buildings on College Avenue and the residential buildings on Cook Street, and includes a pitched roof, a landscaped front yard and a front porch thereby implementing the guidelines of the Neighborhood Periphery character area. (See page 20, Figure 14: Catherine South - South Elevation Cook Street - Materials of the Preliminary Site Plan Review Application dated August 17, 2021 and updated December 7, 2021).

As extensively detailed above and in the submissions included with the application, the requested variances will conform to the existing character of the surrounding area as well as the planning envisioned for the area and, thus, there will be no undesirable change in the character of the neighborhood or any detriment to nearby properties if the variances are granted.

Request for Additional Height and Floors:
- A review of the practical realities of the requested variances demonstrate that although the applicant is requesting height variances of 8’ and 10’ and 2 stories for buildings 1 and 3a/3b, the actual height differential between what is allowed as of right and what is proposed is only 4’ and 6’ (due to the allowable 5’ parapet) respectively. Given the existing topography and proposed orientation of the buildings, the visual difference between what is allowed and what is proposed is, in all respects, virtually imperceptible. The Catherine Commons Preliminary Site Plan Review Application Report, August 17, 2021; Updated December 7, 2021 includes a description on the Impact on Aesthetic Resources (p. 50) and also includes visual simulations from 10 viewpoints around the City where the project will be most visible. For each viewpoint, the view of existing conditions is provided, along with simulations that illustrate the proposed buildings in the context of the urban setting, as well as an indication of the height allowed by zoning as compared with the proposed height. These simulations illustrate that the buildings are compatible with the surrounding neighborhood context and that there will be no undesirable change in the character of the neighborhood or any detriment to nearby properties created by the granting of the variances.

- The increase in buildable floors in MU-1 and MU-2 zones is intended to provide additional residential density in the Collegetown Core, consistent with PLAN ITHACA’s goals for increased housing per acre, with no adverse impacts to the neighborhood and minimal actual impact to actual visual height, per above.

Request for Rear Yard Setback/Vegetative Buffer Variances:
- The rear yard setback variance for a requested 5’ setback is a function of the consolidation of multiple parcels. The unique circumstance of having frontage on two streets creates a ‘technical non-conforming’ condition that, practically speaking, as viewed from the street, is not perceptible. The CR-3 zone additionally requires a 10’ vegetative buffer from the rear property line – as this is coincident with the proposed 5’ rear yard - no vegetative buffer is possible or warranted. Standing on either Catherine or Cook Streets one would view this condition as a side yard (which has a
required setback of 5’ and matches the requested setback) - not a rear yard and therefore there will be no undesirable change in the character of the neighborhood or any detriment to nearby properties created by the granting of the variances. (See attached drawings titled “Catherine North Side Yard Comparison Diagram” and “Catherine South Side Yard Comparison Diagram” prepared by ikon.5 architects illustrating the location of new and former building footprints in relation to the new rear yard).

Chamfer at Corner

- The chamfer at the corner has been replaced by a completely open building at the ground floor near the street in order to open views, increase light at the sidewalk level and facilitate circulation. There will be no undesirable change in the character of the neighborhood or any detriment to nearby properties created by the granting of this variance and the proposed corner design elements actually provide a greater character enhancement to the neighborhood than the required chamfer under the code.

Reduction in Parking in the CR-3 Zone

- The reduction in parking is minimal (11 space reduction) and there will be no undesirable change in the character of the neighborhood or any detriment to nearby properties created by the granting of the variances. The overall goals of the City’s planning documents favor less parking in Collegetown, walkability and multi-modal transportation options. As further explained below, the project complies with these overall goals. The project provides plans for a bus stop along College Avenue adjacent to the project area and the applicant operates a campus shuttle - factors which in combination will meet the transportation demands for the project.

2. THE BENEFIT SOUGHT CANNOT BE ACHIEVED BY ANOTHER METHOD THAT IS FEASIBLE TO THE APPLICANT

In this particular matter, the benefit sought to be achieved by the Applicant is to create a project that implements the 2006 Collegetown Vision Statement, the 2009 Collegetown Urban Plan, and the 2015 PLAN ITHACA as it relates to Collegetown. The 2006 Collegetown Vision Task Force concluded there is a unique opportunity to build on Collegetown’s proximity to Cornell University to create a “diverse, commercially viable, dense, mixed-use community characterized by notable urban design, high quality architecture, vibrant public spaces and pedestrian amenities.” The Catherine Commons project aspires to be transformational for Collegetown consistent with this stated vision and other City plans. Implementing the vision and transforming the public realm will not happen with the construction of a single building. To transform the public realm of Collegetown in a meaningful and impactful way requires the assembling of multiple parcels and the development of a comprehensive urban plan such as the Catherine Commons proposal. However, this holistic approach to the urban plan results in a loss of rentable building area in locations where the SF value is the greatest. Given the width of the existing street ROW and sidewalks, the only way to create wider sidewalks and vibrant public plazas is to create it on private property. The comprehensive approach to achieving the greatest benefits to the public realm results in the current
project design and the height/scale is integral to the viability of the overall project. The slight increase in height above the technical code requirement comes at no cost to the neighborhood without any perceptible negative visual impacts.

The project is designed to substantially expand the sidewalk zone and create public plazas, seating areas, and streetscape amenities by extending the public realm onto the developer’s private property. Due to the nature of the proposed development (housing), economies of scale are a major driver for the success of the project. One of the primary reasons for the requested variances is the existing site characteristics, specifically, the existing narrow sidewalk widths within the public ROW and the extremely steep slopes. Due to minimal existing sidewalk widths within the public ROW, the only way to achieve these benefits to the public realm is by displacing buildable area and constructing the pedestrian plaza spaces and amenities on private property for the use and benefit of the larger public. The AOR scenario was analyzed and determined to not meet the objectives of the project. See Figure 17: Proposed Additional Streetscape Enhancements and Figure 18: AOR Full Buildout to ROW in the Catherine Commons Preliminary Site Plan Review Application Report, August 17, 2021; Updated December 7, 2021.

The existing severely steep slopes along College Avenue and Catherine and Cook Streets exaggerate the building height, making it particularly difficult to meet technical building height restrictions across aggregated properties. This has a significant impact on the usable space at grade for Residential and Commercial occupancies. As lot coverage increases to provide the additional density desired in the mixed-use zones, the slope of the street frontage can significantly reduce the amount of above grade zone at the ground floor. In addition, changes in grade across the building, front to back, results in unusable below grade areas. With the dramatic steep slopes in Collegetown, these challenges can adversely impact multiple floors within a single facade. While smaller buildings reduce the impact of the grade changes, the reduced density in these zones does not align with the goals of the City and the issues are further exacerbated due to additional building separations, stairs and elevators.

To further enhance the project and mitigate any impacts the developer has proposed an exterior façade that uses higher quality materials than are typically used in Collegetown. These materials and systems will enhance the overall appearance and character of the buildings and provide increased longevity but come with a premium cost impact.

Beyond the materials, the façade composition and detailing on the Catherine North and South buildings contribute to the increased cost of the project. The exterior wall details are developed to create relief and to emphasize the perceived depth of the exterior wall. This is achieved by offsetting adjacent wall panels of varying materials, recessing and projecting windows, and detailing projecting trim closure profiles. This attention to detail will result in an architectural façade that enhances the overall aesthetic quality of the Collegetown neighborhood. These materials which are incorporated into the design act to mask the perceived overall height of the structures and eliminate any cognizable impacts of the building height.
These public benefits to the urban fabric of the Collegetown neighborhood result in a substantial economic cost to the developer. The variances are needed in order to construct a building of an architectural quality that is greater than typically seen in Collegetown and which achieves the overall benefits to the public realm. The project’s design team has worked diligently to propose and conceive a project that accomplishes the intent of the development to be transformational for Collegetown while limiting the number and extent of variances required for a successful project. Thus, the requested variances are the minimum necessary to accomplish the benefit sought by the Applicant.

Request for Additional Height and Floors:
• The comprehensive approach to achieving the greatest benefits to the public realm results in the current project design and the height (and change in floors therein) is integral to the viability of the overall project. Therefore, the benefit sought cannot be achieved by another method that is feasible to the Applicant. In addition, as noted below, the imperceptible height increase creates no objective adverse impact on the neighborhood.

Request for Rear Yard Setback/Vegetative Buffer Variance:
• The comprehensive approach to achieving the greatest benefits to the public realm requires consolidating multiple parcels, resulting in a technical non-conforming condition. Therefore, the benefit sought cannot be achieved by another method that is feasible to the Applicant.

Chamfer at Corner
• The building is set back from the corner at the ground floor in order to create expanded sidewalks, plazas and public open space near the street. The open ground floor both achieves and exceeds the intended benefits of the chamfer. The benefit sought cannot be achieved by another method that is feasible to the Applicant.

Reduction in Parking in the CR-3 Zone
• The comprehensive approach to the redevelopment of the aggregated parcels emphasizes benefits to the public realm in favor of private parking. The benefit sought cannot be achieved by another method that is feasible to the Applicant.

In total, the requested variances allow the project to achieve the goals expressed by the City with no negative impacts to the neighborhood or surrounding properties. There are no feasible alternatives that would deliver the desired quality of the development without the minor variances requested here.

3. THE REQUESTED AREA VARIANCES ARE NOT SUBSTANTIAL
When considered in the context of the existing site conditions and the benefits provided to the character of the Collegetown neighborhood and the provisions of enhanced public realm amenities, the variances sought are insubstantial. The Preliminary Site Plan Review Application dated August 17, 2021 and updated December 7, 2021, includes visual simulations that illustrate the development within the context of the
neighborhood and City and further illustrate that the area variances are not substantial (pages 52-73). In addition, it is important to note that under this factor of the area variance balancing test, it is well settled that the substantiality of a variance is not solely a mathematical formula. Rather, the magnitude or substantiality of the variance is only relevant in relation to any actual impacts of the variance(s) on the neighborhood or nearby properties. Here, there are no perceptible or identifiable negative impacts associated with the requested variances as the granting of the same will permit the development of a project that furthers the redevelopment of Collegetown in conformance with the City’s foundational planning documents.

Request for Additional Height and Floors:
- The existing MU-2 zone allows 6 stories and 80-foot building height, plus an additional 5-foot parapet resulting in a total allowable 85-foot-high building. The applicant is seeking 8 stories, a 10-foot height variance (90-foot building height) with only a 1-foot parapet, resulting in a total building height of 91 feet. However, the actual perceptible visual difference would be a minor 6-foot increase in height. The requested additional floors within the proposed height is an imperceptible change achieved by managing the floor-to-floor height within the structure of the building.

- The MU-1 zone allows 5 stories and 70-foot building height, plus an additional 5-foot parapet resulting in a total allowable 75-foot-high building. The applicant is seeking 7 stories, an 8-foot height variance (78-foot building height) with only a 1-foot parapet, resulting in a total building height of 79 feet. The actual visual difference would be a 4-foot increase in height. The requested additional floors within the proposed height is, again, an imperceptible change achieved by managing the floor-to-floor height within the structure of the building, making this an insubstantial request for relief.

- In summary, the two requested height variances and floor variances will result in an actual visual difference of 6 feet and 4 feet as compared to what is allowed under existing zoning and is insubstantial in the Collegetown context. The requested additional floors within the proposed height is also an imperceptible change, managed by superior design and project elements that fully mitigate any potential impacts.

Request for Rear Yard Setback/Vegetative Buffer Variance:
- Development of this project requires the aggregation and consolidation of seven lots at Catherine North and five lots at Catherine South. College Avenue will be the front yard for the two sites. The rear yard setback/vegetative buffer variances are a function of consolidating parcels that front on Catherine and Cook Streets with parcels that front on College Avenue. The proposed development on Catherine or Cook streets will appear as a side yard consistent with the existing surrounding neighborhood. Thus, this is not a substantial variance request.
Chamfer at Corner

- The original intent of the chamfer as described in the Collegetown Urban Design Plan is the desire to ‘open’ the intersection of College Avenue and Dryden Road. When codified, the requirement was extended to all intersections in the MU-2 zone. The proposed building design meets the intent of this requirement by pulling the building back away from the sidewalk at the ground floor and allowing views and pedestrians to circulate through at the ground floor level. Therefore, the intent of this provision is met and the variance request is not substantial.

Reduction in Parking in the CR-3 Zone

- The CR-3 zone requires 13 parking spaces for the proposed development on Cook Street. The MU-1 and MU-2 zones have no parking requirement and parking is not required in the CR-4 zone when a Transportation Demand Management Plan is provided. The Transportation Demand Management Plan is outlined in the Catherine Commons Preliminary Site Plan Review Application Report, August 17, 2021; Updated December 7, 2021.

- The reduction in the number of required parking spaces in the CR-3 zone from 13 to 2 parking spaces is fully mitigated by several factors. These are documented in the Catherine Commons Preliminary Site Plan Review Application Report, August 17, 2021; Updated December 7, 2021. Included in the Site Plan Review Application Report is a Transportation Demand Assessment for this project, prepared by SRF Associates Transportation Planning, Engineering and Design. A summary of the mitigations is included here:
  - Students choose to live in Collegetown because of its proximity to campus and supporting services that are all within a comfortable walking distance and it is expected that the project will be attractive to many students who do not wish to bring cars to Ithaca.
  - Extensive enhancements to the pedestrian environment will encourage walking.
  - The Applicant operates a private shuttle service between Collegetown Terrace Apartments, the apartments at 119-125 College Avenue and the Cornell Campus. The shuttle also provides service to Wegmans on weekends. The shuttle will be available to Catherine Commons residents and they can utilize the shuttle stop at 119-125 College Avenue.
  - A new TCAT stop is being designed into the project with a covered protected waiting area. An existing TCAT stop is located directly across the street from the project.
  - There is a Car Share located directly across the street from the project.
  - Given these mitigation factors, the granting of the parking variance is not substantial.

4. THERE WILL BE NO ADVERSE EFFECTS OR IMPACTS ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS OF THE NEIGHBORHOOD

As demonstrated through the submitted plans, documents and professional opinions/reports, there will be no physical or environmental adverse effects as a result of the requested variances or improvements proposed by the Applicant.
The Proposal is Consistent with the Character of the Area

As discussed extensively above, the property is located within the Collegetown neighborhood which is defined by numerous other student housing/apartments and commercial and mixed uses. The proposed project is consistent with the existing built character of the neighborhood.

There are two existing local landmarks located near the project. The Grandview House is located on the east side of College Avenue across from the project, and the John Snaith House is located on the south side of Cook Street across from the project. The East Hill Historic District is located downhill, to the west of the project. The project site itself does not include any historic resources and no changes to historic resources are proposed. The Catherine Commons Preliminary Site Plan Review Application Report, August 17, 2021; Updated December 7, 2021 documents these historic resources. Visual simulations are provided that illustrate the Catherine Commons project in context with the nearby historic resources and demonstrate that there are no adverse effects or impacts on the physical or environmental conditions of the neighborhood. Moreover, the Guiding Principles of the City of Ithaca Collegetown Design Guidelines, March 2017, states “The guidelines….promote maintenance of traditional character while encouraging architectural creativity and contemporary design.” Numerous elements of the design of Catherine Commons contribute to a project that is contemporary and enhances the overall aesthetics of the neighborhood while being compatible with the nearby historic resources and include, in part, the following:

- The overall quality of the architectural and urban design will result in an overall enhancement to the Collegetown environment. The area is currently characterized by poorly maintained student housing and an aging deteriorated streetscape. There are few street trees and there is no overall coherent streetscape design. Streetlights are missing or damaged. This project will include the complete reconstruction of the streetscape for the extent of the project, and it is being coordinated with the City of Ithaca’s College Avenue reconstruction project so that the end result will be a coordinated, visually cohesive environment. This will result in an improved aesthetic environment for the historic resources.

- The Catherine Commons project will utilize high quality architectural materials that are compatible with the surrounding context and will be durable. Primary materials include terra cotta shingles, pre-finished standing seam wall panels, diamond-shaped pre-finished metal wall and roof shingles, and composite metal panels.

- Architectural detailing creates modulation and articulation of the façade surfaces, resulting in shadows, and visual interest. Varying solid to void and window patterns provides further visual interest.

- The Catherine South building 3a – located across from the Grand View House - includes individual unit entrances with metal stoops and canopies. This is a contemporary interpretation and reference to the stoop at the Grand View House.

- The John Snaith House is located on the south side of Cook Street. An open space which is used for socializing by the residents of the John Snaith House is located on the north side of the House, resulting in a substantial setback from Cook Street and providing distance and separation from
the new development. The Catherine South building 3b is set back to a 2-story height at the street level to create an open public plaza. The setback, combined with the extensive use of transparent glass, mitigates and breaks down the building mass at this location. The stepped terraces of the public plaza space facing Cook Street expresses permeability and openness and creates a human scale at the street level.

**Stormwater Management Will be Improved From Existing Conditions**
In addition to the foregoing, redevelopment of the site will provide an opportunity to significantly improve stormwater runoff and conveyance of drainage within the surrounding area by installing an on-site stormwater conveyance system and including bioretention which will comply with local and state regulations. The stormwater plan prepared by TG Miller Engineers states:

“A reduction in site imperviousness will reduce the amounts and rates of discharge of stormwater runoff from the site thus reducing impacts to the City storm sewer collection system. Permanent stormwater protection practices to be installed by the project will provide quality treatment of runoff and reduce the amount of pollutants leaving the site. The site grading and drainage improvements will significantly reduce or eliminate runoff from the site that currently flows overland onto properties located west and down-grade of the project site. In short, the project will result in significant improvements for this area of the City related to stormwater runoff.”

**The Landscape Design Will Add Greenery and Complements the Neighborhood**
Landscape and pedestrian amenities will be installed throughout the site along with additional streetscape improvements along all street frontages to provide an expanded public realm that will benefit neighboring properties and the Collegetown neighborhood as a whole. Streetscape improvements include expanded sidewalks, public plazas, a variety of seating options including covered seating for the bus stop, pedestrian lighting, landscaping, tree grates, and structural soil to ensure the success of street trees in a challenging environment. The Applicant has worked diligently to coordinate these efforts with the City of Ithaca’s Engineering division’s planned College Avenue reconstruction project. The Applicant has worked with the City to ensure an overall coordinated and cohesive aesthetic between the City of Ithaca’s College Avenue project and the Catherine Commons project.

**The Proposal Will Not result in Any Negative Impacts on Traffic but Will Enhance Public Transportation Opportunities and the Walkability of Collegetown**
The proposed project also will not result in any adverse traffic impacts to the neighborhood. Parking on-site will actually be reduced from approximately 40 existing spaces to 2 ADA/service/loading spaces. The location of the proposed project, walkable to services and Cornell University, adjacent to bus service and in close proximity to Ithaca Car Share, combined with access to the Applicant’s private shuttle service to Cornell and Wegmans, collectively create an environment that will minimize the use of personal vehicles. The proposed streetscape design provides wider sidewalks, urban plazas, lighting and an overall enhanced
pedestrian experience. A new TCAT bus stop will be developed adjacent to the project and covered seating for the bus stop will be integrated into the architecture.

A Transportation Demand Assessment was prepared by SRF Traffic Consultants which outlines TDM strategies to reduce parking demand. These strategies will be implemented by the Applicant and no impacts are expected as a result of granting the variance.

**Shadows from the Proposed Buildings Will Create No Negative Impacts to Surrounding Properties**

A building shadow study was conducted for the proposed project and is included in the *Catherine Commons Preliminary Site Plan Review Application Report, August 17, 2021; Updated December 7, 2021*, pages 24 – 27. Shadows to be projected by the new buildings are illustrated for four different times of year: March 21st (Vernal Equinox), June 20th (Summer Solstice), September 22nd (Autumnal Equinox), and December 21st (Winter Solstice). For each of these dates, shadows are projected at 3 different times of day: 9 AM, 12 PM and 3 PM. The shadow study illustrates that nearby historic buildings – the John Snaith House and the Grandview House – will not experience shading impacts from the project. Four houses on the south side of Catherine Street immediately west of the project, and one on the north side will be shaded at 9 AM on December 21st, the shortest day of the year. On this date, the darkest day of the year, these buildings are no longer in shadow by noon. As a result, shading is not considered an impact of the project.

**Request for Additional Height and Floors:**

- The 8’- and 10’-height variances, along with the 2 additional floors, will result in an actual visual height difference of only 4’ and 6’ which will be almost imperceptible. Building shadow studies demonstrate a minimal increase in shadows resulting from the increased height of the proposed buildings. There will be no adverse effects or impacts on the physical or environmental conditions of the neighborhood by the granting of the variances.

**Request for Rear Yard Setback/Vegetative Buffer Variance:**

- The building locations will be similar to what they would be if no variance were granted. There will be no adverse effects or impacts on the physical or environmental conditions of the neighborhood from the granting of the variance.

**Chamfer at Corner**

- The building is set back from the corner at the ground floor in order to create expanded sidewalks, plazas and public open space near the street. These can be considered positive impacts of the project. There will be no adverse effects or impacts on the physical or environmental conditions of the neighborhood.

**Reduction in Parking in the CR-3 Zone**

- The project will result in an actual slight reduction in impervious surfaces and a slight increase in greenspace. This also can be appropriately considered a positive impact of the project. There will
be no adverse effects or impacts on the physical or environmental conditions of the neighborhood from the approval of the requested variance.

5. THE DIFFICULTY IS SELF-CREATED BUT IS A FUNCTION OF EXISTING SITE CONDITIONS AND THE GOAL OF REALIZING THE COLLEGETOWN VISION AND URBAN PLAN

One of the primary reasons for the requested variances is the existing site characteristics, specifically, the existing narrow sidewalk widths within the public ROW and the extremely steep slopes. Due to minimal existing sidewalk widths within the public ROW, the only way to achieve these benefits to the public realm is by displacing buildable area and constructing the pedestrian plaza spaces and amenities on private property for the use and benefit of the larger public. The AOR scenario was analyzed and determined to not meet the objectives of the project. See Figure 17: Proposed Additional Streetscape Enhancements and Figure 18: AOR Full Buildout to ROW in the Catherine Commons Preliminary Site Plan Review Application Report, August 17, 2021; Updated December 7, 2021.

The existing severely steep slopes along College Avenue and Catherine and Cook Streets exaggerate the building height, making it particularly difficult to meet technical building height restrictions across aggregated properties. This has a significant impact on the usable space at grade for Residential and Commercial occupancies. As lot coverage increases to provide the additional density desired in the mixed-use zones, the slope of the street frontage can significantly reduce the amount of above grade zone at the ground floor. In addition, changes in grade across the building, front to back, results in unusable below grade areas. With the dramatic steep slopes in Collegetown, these challenges can adversely impact multiple floors within a single facade. While smaller buildings reduce the impact of the grade changes, the reduced density in these zones does not align with the goals of the City and the issues are further exacerbated due to additional building separations, stairs and elevators.

Request for Additional Height and Floors:

- The Applicant is committed to implementing the vision expressed in the 2006 Collegetown Vision Statement, the 2009 Collegetown Urban Plan, and the 2015 PLAN ITHACA. The 2006 Collegetown Vision Task Force concluded there is a unique opportunity to build on Collegetown’s proximity to Cornell University to create a “diverse, commercially viable, dense, mixed-use community characterized by notable urban design, high quality architecture, vibrant public spaces and pedestrian amenities.” This vision has not been realized to date. The Catherine Commons project provides a unique opportunity to be transformational for Collegetown consistent with this stated vision and other City plans. Implementing the vision and transforming the public realm will not happen with the construction of a single building. To transform the public realm of Collegetown in a meaningful and impactful way requires the assembling of multiple parcels and the development of a comprehensive urban plan such as the Catherine Commons proposal. This holistic approach to the urban plan results in a loss of rentable building area in a location where the SF value is the greatest. Given the width of the existing street ROW and sidewalks, the only way to create wider sidewalks and vibrant public plazas is to create it on private property. The
comprehensive approach to achieving the greatest benefits to the public realm results in the current project design and the height/size is integral to the viability of the overall project.

Request for Rear Yard Setback/Vegetative Buffer Variance:
- The rear yard setback/vegetative buffer variance is a function of the assemblage of multiple parcels and is necessary to achieve the goals of the Collegetown Urban Plan.

Chamfer at Corner
- The chamfer at the corner has been replaced by a completely open building at the ground floor. While it is self-created, it exceeds the benefits envisioned by the requirement of the chamfer.

Reduction in Parking in the CR-3 Zone
- The reduction in parking is self-created but is mitigated by the location of the project in a high-density walkable neighborhood, the integration of a new TCAT bus stop into the project, the provision of a private shuttle to campus, and extensive pedestrian enhancements. Additionally, only the CR-3 parcel has a parking requirement so the actual number of spaces for which relief is sought (11 spaces) is small.

Conclusion
The applicant has presented a project that complies with all foundational planning documents of the City of Ithaca and provides an opportunity for transformational change in the Collegetown neighborhood, all while seeking the minimum variances necessary to bring the project to fruition. The positive attributes of the project far outweigh any detriments to the health, safety and welfare of the area – indeed, no negative impacts to the community have been identified. The applicant has satisfied its burden under the applicable balancing test in this instance and accordingly, it is respectfully requested that the Board grant the variances in this matter.

Sincerely,

Kathryn Wolf, RLA
Principal
City of Ithaca, NY - 750 Foot Buffer for Parcel - Final Tax Roll

LEGEND
- Tax Parcels w/ Related Historic Prop
- City Owned Property
- Historic District
- All Historic Properties
- Parking Lots and Garages
- Buildings
- Railroad
- Parcel
- Border
- Park
- Impervious Surfaces
  - Paved Walk or Surface or Private Road
  - Paved Parking
  - Paved Roadway or Public Road
  - Unpaved Drive or Walk or Surface
- Waterway

Data contained on this map was provided or derived from data developed or compiled by the City of Ithaca, and is the best available to date. The originators do not warrant the accuracy or completeness of the information portrayed by the data.

Printed: 1/27/2022
Data contained on this map was provided or derived from data developed or compiled by the City of Ithaca, and is the best available to date. The originators do not warrant the accuracy or completeness of the information portrayed by the data.
APPEAL # 3211

304 UTICA STREET

Appeal of Firehouse Architecture Lab, PLLC on behalf of property owners Nicholas Klein and Amy Tai for an area variance from Section 325-8, Column 7, Lot Width, Column 10, Lot Coverage by Buildings, Column 11, Front Yard, Column 12, Side Yard, and Column 13, Other Side Yard, requirements of the Zoning Ordinance. The applicant proposes to construct a new two-story addition on the rear of the single-family home located at 304 Utica Street. The first floor of the additional will provide a new family room and the second level will include a new bedroom and bathroom. The addition will increase the building footprint by 403 SF, which will increase the lot coverage by buildings to 38.5%. The R-2b district permits a maximum lot coverage of 35%. In addition, the side yard to the south of the house is 8.75’ of the required 10’. The proposed project will create a second encroachment by relocating Bilco doors that will extend into the required side yard by 6.75”.

The property has existing deficiencies in lot width, front yard, and other side yard that will not be exacerbated by the proposal.

304 Utica Street is located in a R-2b district in which the proposed use is permitted. However, Section 325-38 requires that an area variance be granted before a building permit is issued.
**City of Ithaca  Board of Zoning Appeals Worksheet**

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<td>5</td>
<td>25% or 50' but not less than 20'</td>
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<td>Single Family Dwelling</td>
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</tbody>
</table>

**Notes:**

Existing deficiencies are noted in blue; new or exacerbated deficiencies are noted in red.

*The house has an existing side yard deficiency (8.75' of the required 10'). In addition, the project will relocate the Bilco doors to the basement and they will encroach 6.75" into the required side yard.

**§325-18 allows architectural features, such as bay windows, to project up to 2’ into any required yard.
BOARD OF ZONING APPEALS (BZA) APPLICATION

1. TYPE OF APPEAL:

[ ] AREA VARIANCE

[ ] SPECIAL PERMIT

[ ] USE VARIANCE

[ ] SIGN VARIANCE

[ ] ACTION, DECISION, OR INTERPRETATION OF ZONING OFFICER

APPEAL #: 3211 (FILLED IN BY STAFF)

HEARING DATE: 3/1/2022

BUILDING PERMIT #: 42383 (REQUIRED)

RECEIPT #: 66749 (FILLED IN BY STAFF)

2. Property Address: 304 Utica Street

Owner’s Name: Nicholas Klein and Amy Tai

Owner’s Address: 304 Utica Street

City: Ithaca

State: NY

Zip: 14850

3. Appellant’s Name: Emily M. Petrina, FHA.LAB

Appellant’s Address: 136 W. State Street

City: Ithaca

State: NY

Zip: 14850

Telephone: 607-592-9385

E-Mail: emily@fhalab.com

4. Attach Reason for Appeal (see “Zoning Appeal Procedure Form”)

5. Appellant Certification: I certify the information submitted with the appeal is true to the best of my knowledge/belief; and I have read and am familiar with City of Ithaca Zoning Ordinance sections that apply to this appeal (incl. Section 325-40, describing the powers and duties of the Board of Zoning Appeals). I also acknowledge the Board of Zoning Appeals may visit the property and I specifically permit such visits.

[ ] I have met/discussed this application with Zoning Division staff prior to submission.

Appellant Signature

STATE OF NEW YORK
COUNTY OF TOMPKINS

Sworn to this ______ day of

[ ] Notary Public available at City Hall.

IMPORTANT: INCOMPLETE applications will be returned to the applicant and the applicant will have to reapply.

If ANOTHER CITY APPROVAL is required (e.g., Site Plan Review, Subdivision Review, Ithaca Landmarks Preservation Commission Review), this application will likely not be considered at the next scheduled BZA meeting date.

If an application is submitted and subsequent CHANGES are made to the proposal/project, a revised application will be required. The original application will not be considered a placeholder for the original BZA hearing date. Zoning Division staff will also not remove contents from earlier applications to complete a revised application. Applicants are responsible for ensuring all information necessary for processing a Zoning Appeal is submitted by the application deadline for a given BZA hearing date.

*Not required per Zoning Administrator

Notary Public
1. Ordinance Section(s) for the Appeal:

<table>
<thead>
<tr>
<th>Zoning Ordinance Section Being Appealed</th>
<th>Sign Ordinance Section Being Appealed</th>
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<tbody>
<tr>
<td>§325- 8, Columns 7, 10, 11, 12, 13</td>
<td>§272-</td>
</tr>
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<td>§325-</td>
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<tr>
<td>§325-</td>
<td>§272-</td>
</tr>
</tbody>
</table>

2. Application of SEQR determination: [ ] Type 1  [x] Type 2  [ ] Unlisted

3. Environmental Assessment form used:

[ ] Short Environmental Assessment Form (SEAF)
[ ] Full Environmental Assessment Form (FEAF)
[ ] Completed by Planning Division at preliminary hearing for Site Plan Review
[ ] Not Applicable (Type 2 Action)

4. A previous appeal [ ] has / [x] has not been made for this proposal:

   Appeal No. ________, dated ____________
   Appeal No. ________, dated ____________
   Appeal No. ________, dated ____________
   Appeal No. ________, dated ____________

5. Notes or Special Conditions:
OWNER'S AUTHORIZATION FORM

ZONING APPEAL #: 3211

DATE: 1/19/2022

TO: BOARD OF ZONING APPEALS (Ithaca, NY):

I (We) Nicholas Klein and Amy Tai of 304 Utica Street

(Name)

304 Utica Street

(Street Address)

Ithaca, NY 14850

(City/Municipality)

NY 14850

(State & Zip Code)

Owner of the property at 304 Utica Street

(Street & Number)

☒ I am the sole owner of the above-mentioned property.

☐ This property is also owned by ____________________________

and I have a Power of Attorney to authorize this appeal (attach POA).

I do hereby authorize Emily M. Retina, Firehouse Architecture Lab PLLC to appeal or request a Variance or Special Permit on my (our) behalf. I (we) understand the appeal will be heard at the 3/8/2022 meeting of the Board of Zoning Appeals.

(Date)

Signature

STATE OF NEW YORK)
COUNTY OF TOMPKINS)

Sworn to this 19 day of

Jan, 2023

Dawn E. Cowles
Notary Public

Note to those signing this form:

(1) Owners authorizing another to present an appeal on their behalf should be aware the Board may, in granting relief, add reasonable conditions which then become binding on the property.

(2) Especially where a Variance is being sought, the owner may be the only person with detailed information about the property that is essential to the appeal. In such a case, authorizing another person to appeal may be detrimental to the appeal, unless the owner is either present at the hearing or sends another person fully prepared to answer questions about the property and the feasibility of using it consistent with the Zoning Ordinance.
NOTICE OF APPEAL

REGARDING ZONING OR SIGN ORDINANCE

CITY OF ITHACA, NEW YORK

APPEAL NO. 3211

TO: Owners of Property within 200 feet of 304 Utica Street and others interested. 

Emily M. Petrina of Firehouse Architecture Lab PLLC applicable to property named above, in R-2b zone. 

REGARDING: (check appropriate box) 

☐ Area Variance ☐ Use Variance ☐ Sign Variance 

City regulations require you be notified of this appeal to the Board of Zoning Appeals (BZA), as described in the attached letter and provide the opportunity for you to comment on it and/or attend the meetings listed below. Anyone considered an interested party may speak for or against the appeal at the meetings listed below, or submit a written statement to the BZA before its designated meeting. There is a time limit of three (3) minutes for each interested party to address the BZA during the Public Hearing portion of the meeting.

The Board of Zoning Appeals bases its decision primarily on the written evidence submitted and presented to it, the testimony of interested parties, and zoning and legal considerations. The written case record will be available for review on the City’s website (http://www.cityofithaca.org/368/Board-of-Zoning-Appeals) under “Most Recent Agenda,” beginning one week before the scheduled BZA meeting. This case has also been referred to the City’s Planning and Development Board that will advise the BZA, if granting the relief sought by the appellant will affect long-term planning objectives. The date of the Planning Board’s meeting regarding this appeal is also listed below.

The PLANNING BOARD will consider this case on 2/22/2022 at 6:00 P.M. via the online platform Zoom. A live stream is available at https://www.youtube.com/channel/UC7RtJN1P_RFaFW2iVcTnTrDg. To provide comments to the Planning Board on this appeal, please submit written comments to Anya Harris at aharris@cityofithaca.org, and your comments will be forwarded to the Board members for their review.

The BOARD OF ZONING APPEALS will consider this case on 3/1/2022 at 6:00 P.M. via the online platform Zoom. There will be a public hearing on this appeal, and there are two options to participate in the public hearing:

1. Submit comments by email no later than 4 p.m. on the day of the meeting to zoningdivision@cityofithaca.org and they will be read into the record. Each comment is limited to three minutes. Indicate in your email that the comment is for a public hearing. You must provide your name and address.

2. To speak at the meeting, sign up and receive instructions by contacting zoningdivision@cityofithaca.org or Anya Harris at (607) 274-6550 or aharris@cityofithaca.org. You must provide your name and address.
Dear Neighbors,

I am sending this letter to you on behalf of Nicholas Klein and Amy Tai, owners and residents of 304 Utica Street. Nick, Amy, and their two children have lived in their home for over four years. They love living on Utica Street and hope to continue raising their family in this neighborhood and community. To create more space for their family, Nick and Amy would like to add a two-story addition onto the back (west side) of their house.

The goals of this addition are: (1) to add a family room on the first floor; and (2) to add an additional bedroom and bathroom on the second floor. There are currently three small bedrooms, with the smallest bedroom serving as a full-time workspace. The addition would allow their children to each have their own room, and for Nick and Amy to continue using one of the bedrooms as a home office.

Proposed Scope of Work
1. Remove existing 1-story shed attached to the back (west) side of the house.
2. Add a 2-story addition (16’-11.5” x 21’-5”): family room on the 1st floor, and an additional bedroom and bathroom on the 2nd floor.

Current Lot Coverage
The current lot coverage (house, front porch, and attached shed) occupies 886 square feet, or 28% of the lot, of the allowable 1,107 square feet, or 35% of lot coverage.

Existing Setback Deficiencies
1. Existing house has a bay window with foundation on the south side that is deficient on the south side-yard setback by 1’-3.5”.
2. Existing house is deficient on the east front-yard setback by 11.75”. Existing front porch is deficient on the east front-yard setback by 4’-7”.
3. Existing house is deficient on the north side-yard setback by 1’-11.5”.

The proposed work will not exacerbate the existing deficiencies. However, an area variance is required to address the following lot coverage and minor setback deficiencies:
Proposed New Conditions Requiring a Variance

1. Proposed addition of approximately 403 square feet will exceed the required lot coverage by 3%, or 99 square feet. New proposed lot coverage is 38% total. All of the addition walls fall within the yard setback lines. Of the proposed 403 square feet of new coverage, 40 square feet is dedicated to a new external staircase on the south side of the addition to provide access into the house from the back yard.

2. To maintain external access to the basement, the proposed addition relocates the current Bilco doors on the west side to the south side of the house. The proposed Bilco doors exceed the south side-yard setback by 6.75” inches. The remainder of the addition on the south side will not exceed the required setback of 10 feet.

3. On the west side (rear) of the house, the proposed addition includes a cantilevered bay window on the first and second floors, which will exceed the rear setback by 1’-6”. The remainder of the addition on the west side will not exceed the required rear-yard setback of 22 feet.

Finally, the zoning of this property requires two off-street parking spaces for a 4-bedroom house. While Nick and Amy only use one space for their car, two spaces are available on the south side of the house.*

Thank you for the opportunity to discuss this project with you! If you have any questions or concerns, please feel free to reach out to Nick and Amy (nick.klein@gmail.com) or myself at emily@fhalab.com. There will be a public hearing for this project at the Planning and Development Board meeting on February 22, 2022, and then also at the Board of Zoning Appeals meeting on March 1, 2022.

Sincerely,

Emily M. Petrina, RA
LEED AP BD+C
Firehouse Architecture Lab, PLLC

* While not the subject of this variance application, for those who are interested, Nick teaches urban planning and is happy to talk with neighbors about how zoning requirements for parking are bad policy. Requiring off-street parking subsidizes driving, increases the cost of other goods and services, makes it more difficult to walk, bike, and use transit, and causes environmental harms through increased water run-off. Off-street parking requirements are largely based on “junk science” perpetuated by the Institute for Transportation Engineers in their Parking Generation Manual.
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<thead>
<tr>
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<th>Name 1</th>
<th>Address</th>
<th>Name 2</th>
<th>Address</th>
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<td>East Yates, LLC</td>
<td>J'nelle Cahoon</td>
<td>Koefoed &amp; Yeres Living Trust</td>
<td>Robert W Steuteville</td>
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<td>Britta E Lee</td>
<td>192 Inlet Valley Way</td>
<td>Julia Nelson</td>
<td>1990 Las Gallinas Ave</td>
<td>Sarah B Steuteville</td>
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<td>Ithaca NY 14850</td>
<td>220 Utica St</td>
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<td>Patricia Lallas</td>
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<td>12 Allesandro Dr</td>
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ZONING APPEAL CERTIFICATION OF MAILING

RE: City of Ithaca Board of Zoning Appeals
Zoning Appeal #: 3211

I, Emily M. Petrina of FHA.LAB, affirm all property owners within two hundred (200) feet of the boundaries of the lot(s) under consideration have been mailed a copy of the enclosed notice on or before 2/15/2022. I affirm the notice was mailed to the property owners at the addresses shown on the attached list of owners, by depositing the copy in a post-paid properly addressed envelope, in a post office or an official depository under the exclusive care and custody of the United States Post Office. I further affirm the names and addresses of the property owners are the same as the most recent assessment roll.

(Appellant’s Signature)

PLEASE SUBMIT THIS FORM TO:
City of Ithaca Zoning Division
108 E. Green St., 3rd Fl.
Ithaca, NY 14850

Phone: (607) 274-6550
Fax: (607) 274-6558
ZONING = R-2b
LOT = 3163.2 SQFT
35% ALLOWABLE COVERAGE = 1107 SQFT

EXIST HOUSE = 886 SQFT
EXISTING MUDROOM TO BE REMOVED = 83 SQFT

REMAINING HOUSE = 803 SQFT
AVAILABLE FOR ADDITION = 304 SQFT
PROPOSED ADDITION = 403 SQFT
TOTAL PROPOSED COVERAGE = 38%

TAX MAP PARCEL NO. 34-4-11

LOT = 3163.2 SQFT
35% ALLOWABLE COVERAGE = 1107 SQFT
EXIST HOUSE = 886 SQFT
EXISTING MUDROOM TO BE REMOVED = 83 SQFT
REMAINING HOUSE = 803 SQFT
AVAILABLE FOR ADDITION = 304 SQFT
PROPOSED ADDITION = 403 SQFT
TOTAL PROPOSED COVERAGE = 38%

PROPOSED ADDITION
EXISTING HOUSE

PROPOSED CANTILEVERED BAY WINDOW

EXISTING AHU
PROPOSED BILCO DOORS TO BASEMENT

CAR 1: 8' x 18'
CAR 2: 8' x 18'

306 UTICA
108 E YATES
302 UTICA

SITE PLAN

TAI-KLEIN ADDITION
304 UTICA STREET
ITHACA, NY, 14850

DRAFT
BZA SUBMISSION

L-1.0

1/8" = 1'-0"
Data contained on this map was provided or derived from data developed or compiled by the City of Ithaca, and is the best available to date. The originators do not warrant the accuracy or completeness of the information portrayed by the data.
APPEAL # 3213

102 WILLARD WAY AND 107 LAKE STREET

Appeal of Jason K. Demarest Architecture on behalf of property owner Roitman Chabad Center for an area variance from Section 325-8, Column 4, Off-Street Parking, Column 10, Lot Coverage by Buildings, Column 11, Front Yard, Column 13, Other Side Yard, and Column 14/15, Rear Yard, requirements of the Zoning Ordinance. The applicant proposes to consolidate the two existing parcels located at 102 Willard Way and 107 Lake Street, with primary frontage of the consolidated lot along Lake Street. The existing single-family home located at 107 Lake Street will be demolished to allow the expansion of the Roitman Chabad Center, a religious facility located at 102 Willard Way. The project involves the construction of a new two-story building that will provide parking on the ground floor with a dining room, classroom space, kitchens, restrooms and a men’s mikvah above. The new building will connect to the existing Chabad Center as well as the women’s mikvah, which was constructed as a stand-alone accessory structure. The project will require several variances to be constructed as proposed:

1. **Off-Street Parking:** The expanded facility will require 24 off-street parking spaces for the religious and residential uses on the site. Two spaces will be provided in a surface parking area at the rear of the buildings and ten spaces will be provided on the ground level of the new building. The project will have a deficiency of 12 spaces or 50% of the required parking.

2. **Lot Coverage by Buildings:** With the addition of the new construction, 34.2% of the consolidate site will be covered by buildings. The R-2a district limits lot coverage by buildings to 30%.

3. **Front Yard:** The front deck on the existing Chabad Center is located 9.7’ from the front property line. The northwest corner of the new addition will also be located within the required front yard, reducing the front yard to 21.8’ of the required 25’ in this location.

4. **Other Side Yard:** The consolidated lot has one side yard located to the north of the buildings. The northeast corner of the new building will be located 8.9’ of the required 10’ from the side property line.

5. **Rear Yard:** The new building will meet the rear yard requirements of the R-2a zone. However, it will connect to the existing mikvah, and the mikvah will become part of the primary structure. The mikvah was constructed as an accessory structure, and while it met the setback requirements for accessory structures, it does not meet the rear yard requirements for a primary structure. The mikvah is located 10.3’ from the rear property line. A minimum rear yard of 32’ is required by the Zoning Ordinance.

102 Willard Way and 107 Lake Street are located in a R-2a district in which the proposed use is permitted. However, Section 325-38 requires that an area variance be granted before a building permit is issued.
# City of Ithaca

## Board of Zoning Appeals Worksheet

### Existing Conditions

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<th>Appeal Number</th>
<th>BZA 3213</th>
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<td>Owner</td>
<td>Dovid Birk &amp; Eli Silberstein</td>
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<tbody>
<tr>
<td>Column Title</td>
<td>Use</td>
<td>Accessory Use</td>
<td>Off-Street Parking</td>
<td>Off-Street Loading</td>
<td>Lot Area (Sq. Feet)</td>
<td>Lot Width (Feet)</td>
<td>Number of Stories</td>
<td>Height in Feet</td>
<td>% of Lot Coverage</td>
<td>Front Yard</td>
<td>2nd Front Yard</td>
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<td>Rear yard: % of depth or number of feet, whichever is less</td>
<td>Minimum Building Height</td>
<td>Location of Accessory Structure</td>
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<tbody>
<tr>
<td>Column Title</td>
<td>Use</td>
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<td>Off-Street Parking</td>
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<td>Lot Area (Sq. Feet)</td>
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<td>% of Lot Coverage</td>
<td>Front Yard</td>
<td>Side Yard</td>
<td>Rear yard: % of depth or number of feet, whichever is less</td>
<td>Minimum Building Height</td>
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City of Ithaca  Board of Zoning Appeals Worksheet

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<th>16</th>
<th>§325-25</th>
</tr>
</thead>
<tbody>
<tr>
<td>Column Title</td>
<td>Use Accessory Off-Street Off-Street Lot Area Lot Width Number of Height in % of Lot Rear Yard Side Yard Other Side Rear yard: % of or number of feet, Minimum Location of</td>
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<td></td>
<td>Use Use Parking Loading (Sq. Feet) (Feet) Stories Feet of Lot Coverage Yard Yard Yard depth or number of feet, Height of Accessory</td>
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</tr>
<tr>
<td>Proposed Condition and/or Use</td>
<td>&quot;Church&quot; and related buildings</td>
<td>12</td>
<td>23,903</td>
<td>227.13</td>
<td>3</td>
<td>~32</td>
<td>34.2%</td>
<td>9.7</td>
<td>32</td>
<td>8.9</td>
<td>10.3’ or 8%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>District Regulation for Proposed One and Two Family Zone</td>
<td>24</td>
<td>None Required</td>
<td>6,000</td>
<td>50</td>
<td>3</td>
<td>35</td>
<td>30%</td>
<td>25</td>
<td>25</td>
<td>10</td>
<td>25% or 50’ but not less than 20’</td>
<td>None</td>
<td>3’ side; 3’ rear</td>
<td></td>
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</tr>
<tr>
<td>Note Non-Conforming Conditions for Proposal</td>
<td>OK</td>
<td>Def.</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>Def.</td>
<td>Def.*</td>
<td>OK</td>
<td>Def.</td>
<td>Def.**</td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>

Notes: Existing deficiencies are noted in blue; new or exacerbated deficiencies are noted in red.

* The front deck on the existing Chabad Center is located 9.7’ from the front property line. The northwest corner of the new addition will also be located within the required front yard, reducing the front yard to 21.8’ of the required 25’ in this location.

** The new building will meet the rear yard requirements of the R-2a zone. However, it will connect to the existing mikvah, and the mikvah will become part of the primary structure. The mikvah was constructed as an accessory structure and met the setback requirements for accessory structures in the R-2a zone but does not meet the rear yard requirements for a primary structure.
1. TYPE OF APPEAL:

☐ AREA VARIANCE ☑ SPECIAL PERMIT
☐ USE VARIANCE ☐ SIGN VARIANCE
☐ ACTION, DECISION, OR INTERPRETATION OF ZONING OFFICER

APPEAL #: 3213 (FILLED IN BY STAFF)
HEARING DATE: 3/1/22
BUILDING PERMIT #: 40127 (REQUIRED)
RECEIPT #: 66843 (FILLED IN BY STAFF)

2. Property Address: 102 Willard Way & 107 Lake St

Use District: R-2 a

Owner’s Name: Dovid Birk & Eli Silberstein
Owner’s Address: 102 Willard Way

City: Ithaca State: NY Zip: 14850

3. Appellant’s Name: Jason K Demarest, Architecture
Appellant’s Address: 950 Danby Rd Suite 105

City: Ithaca State: NY Zip: 14850

Telephone: 607-330-4555 E-Mail: team@jkdarchitect.com

4. Attach Reason for Appeal (see “Zoning Appeal Procedure Form”)

5. Appellant Certification: I certify the information submitted with the appeal is true to the best of my knowledge/belief, and I have read and am familiar with City of Ithaca Zoning Ordinance sections that apply to this appeal (incl. Section 325-40, describing the powers and duties of the Board of Zoning Appeals). I also acknowledge the Board of Zoning Appeals may visit the property and I specifically permit such visits.

I have met/discussed this application with Zoning Division staff prior to submission.

Appellant Signature

STATE OF NEW YORK
COUNTY OF TOMPKINS

Sworn to this _____ day of

*Notary Not Required
Per Zoning Administrator

Notary Public

Notary Public available at City Hall.

IMPORTANT: INCOMPLETE applications will be returned to the applicant and the applicant will have to reapply.

If ANOTHER CITY APPROVAL is required (e.g., Site Plan Review, Subdivision Review, Ithaca Landmarks Preservation Commission Review), this application will likely not be considered at the next scheduled BZA meeting date.

If an application is submitted and subsequent CHANGES are made to the proposal/project, a revised application will be required. The original application will not be considered a placeholder for the original BZA hearing date. Zoning Division staff will also not remove contents from earlier applications to complete a revised application. Applicants are responsible for ensuring all information necessary for processing a Zoning Appeal is submitted by the application deadline for a given BZA hearing date.
1. Ordinance Section(s) for the Appeal:

<table>
<thead>
<tr>
<th>Zoning Ordinance Section Being Appealed</th>
<th>Sign Ordinance Section Being Appealed</th>
</tr>
</thead>
<tbody>
<tr>
<td>• §325- 8, Columns 4, 10, 11, 13, 14/15</td>
<td>• §272- __________________________________</td>
</tr>
<tr>
<td>• §325- __________________________________</td>
<td>• §272- __________________________________</td>
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<td>• §272- __________________________________</td>
</tr>
<tr>
<td>• §325- __________________________________</td>
<td>• §272- __________________________________</td>
</tr>
</tbody>
</table>

2. Application of SEQR determination: ☒ Type 1  ☐ Type 2  ☐ Unlisted

3. Environmental Assessment form used:

- ☐ Short Environmental Assessment Form (SEAF)
- ☐ Full Environmental Assessment Form (FEAF)
- ☒ Completed by Planning Division at preliminary hearing for Site Plan Review
- ☐ Not Applicable (Type 2 Action)

4. A previous appeal ☐ has / ☒ has not been made for this proposal:

- Appeal No. __________, dated ____________
- Appeal No. __________, dated ____________
- Appeal No. __________, dated ____________
- Appeal No. __________, dated ____________

5. Notes or Special Conditions:
February 10, 2022

To: The City of Ithaca
   ➢ Board of Zoning Appeals

I, David (AKA Dovid) Birk, am a representative of the Roitman Chabad Center at Cornell University. I hereby authorize Jason K Demarest Architecture to act on behalf of the Roitman Chabad Center for regulatory review in the City of Ithaca, including zoning appeal #3213 regarding the expansion of our facility at 102 Willard Way in Ithaca, NY.

If you have any questions or concerns, please contact me at 917-841-3256 or dlb86@cornell.edu.

Thank you,

David Birk
— NOTICE OF APPEAL —

REGARDING ZONING OR SIGN ORDINANCE
CITY OF ITHACA, NEW YORK

APPEAL NO. 3213

TO: Owners of Property within 200 feet of 102 Willard Way & 107 Lake St and others interested.

(property address)

FROM: Jason K Demarest Architecture applicable to property named above, in R-2 zone.

(name of person or organization making appeal)

REGARDING: (check appropriate box)

☐ Area Variance  ☐ Use Variance  ☐ Sign Variance

City regulations require you be notified of this appeal to the Board of Zoning Appeals (BZA), as described in the attached letter and provide the opportunity for you to comment on it and/or attend the meetings listed below. Anyone considered an interested party may speak for or against the appeal at the meetings listed below, or submit a written statement to the BZA before its designated meeting. There is a time limit of three (3) minutes for each interested party to address the BZA during the Public Hearing portion of the meeting.

The Board of Zoning Appeals bases its decision primarily on the written evidence submitted and presented to it, the testimony of interested parties, and zoning and legal considerations. The written case record will be available for review on the City’s website (http://www.cityofithaca.org/368/Board-of-Zoning-Appeals) under “Most Recent Agenda,” beginning one week before the scheduled BZA meeting. This case has also been referred to the City’s Planning and Development Board that will advise the BZA, if granting the relief sought by the appellant will affect long-term planning objectives. The date of the Planning Board’s meeting regarding this appeal is also listed below.

The PLANNING BOARD will consider this case on 2/22/22 at 6:00 P.M. via the online platform Zoom. A live stream is available at https://www.youtube.com/channel/UC7RtJN1P_RFaFW2IVCnTrDg. To provide comments to the Planning Board on this appeal, please submit written comments to Anya Harris at aharris@cityofithaca.org, and your comments will be forwarded to the Board members for their review.

The BOARD OF ZONING APPEALS will consider this case on 3/1/22 at 6:00 P.M. via the online platform Zoom. There will be a public hearing on this appeal, and there are two options to participate in the public hearing:

1. Submit comments by email no later than 4 p.m. on the day of the meeting to zoningdivision@cityofithaca.org and they will be read into the record. Each comment is limited to three minutes. Indicate in your email that the comment is for a public hearing. You must provide your name and address.

2. To speak at the meeting, sign up and receive instructions by contacting zoningdivision@cityofithaca.org or Anya Harris at (607) 274-6550 or aharris@cityofithaca.org. You must provide your name and address.

950 Danby Rd Suite 105, Ithaca NY 14850

1/21/21

Signature of Appellant

Address

Date
DESCRIPTION:

The Roitman Chabad Center at Cornell is an existing outreach facility for Jewish student life located at 102 Willard Way. The current building has approximately 1,700 SF of space on the main floor. Miraculously the Chabad Center manages to accommodate the many programmatic needs of the organization in this small space. This includes a 50-person multi-purpose room that changes from sanctuary to dining room and then into a social gathering space during the sabbath. It also functions as a meeting space and library at other times. The other portions of the main floor contain two small kitchens, and a multi-purpose meeting room/lounge that doubles as a childcare space. The second floor and finished attic contain 2,100 SF of sleeping rooms and bathrooms for overnight accommodations during the sabbath. The rabbis and staff also use portions of these floors as office space.

A feasibility study was completed in 2018 and looked at expansion opportunities. Expanding the facility became possible after the 107 Lake St. property was acquired about 7 years ago and finally provided enough lot area to increase the program space in a positive way. The study identified near and long-term needs that established a basis for fundraising. In 2019 the need to expand became critical and a smaller addition to the existing building was developed. However, a larger expansion in a separate building was identified as a more cost-effective use of funds. This approach allows the construction phase to minimize impacts on the use of the existing building and separates the building functions.

The project proposes a new 2-story building with a footprint of roughly +/- 5,000 SF. The program consists of dinning space that can seat up to +/-150 people, a classroom space for childcare, two new kitchens, restrooms and a men’s mikvah space. The ground floor houses 10 new parking spaces in a garage below the main floor. The expansion is primarily a new dining room, which is greatly needed due to regular demands of 100 or more people during dinner service. At these times some people are turned away or need to wait outside. The project will allow a greater number of people to attend services and provide a separation of activities. The existing building also lacks an office space on the main floor, so a small office addition is being proposed on the front of the existing building.
SITE:

The project site is comprised of two lots, 102 Willard Way and 107 Lake Street. Consolidation of the lots will be required. At that time the property will be re-addressed to make Lake St. the primary front of the property. The expansion will occur mostly on the 107 Lake St. portion, which will require the removal of the existing rental house.

The topography is varied and drops off from the 102 Willard Way parcel to the Lake St parcel. This creates a low spot to place the 2-story structure such that the upper level is matched to the main floor of the existing building, and allows the parking level, essentially a basement level, to align more closely to the downward sloping grade of Lake St. Ultimately this results in minimal site grading work. On the eastern side of the lot the land slopes up steeply which places the main floor of the neighboring properties (essentially just the Omega Tau Sigma vet fraternity) on that side two stories higher than the main floor of the Chabad center. The development area is mostly on the adjacent property at 107 Lake St, but the expansion will also redevelop the existing gravel drive and parking area on the north side of the existing facility. The site slopes range from flat to +/-50%, but the proposed project occurs predominantly in areas having slopes ranging from 5% to 15%. The steep portions of the site do not exist for more than 25 feet of horizontal distance before becoming shallower again, so the site is effectively terraced. The property does not contain any rock outcroppings or unique geologic features. An initial geotechnical assessment has been completed by Elwyn and Palmer - see attached. Earthwork requirements for the project are relatively small and similar in scale to a large custom home. Excavation depths will range from 4 feet to 12 feet. Due to limited site areas, removal of earth materials will be via direct placement into dump trucks to avoid on-site stockpiling. The foundation system is anticipated to utilize conventional methods (spread footings).

The location of the Chabad center is ideal being in close proximity to Cornell campus and the Cornell community is the main population served by the center. The neighborhood is mostly comprised of student housing in various forms including apartment houses, multi-family buildings, fraternities/sororities, and dorms. However, single-family homes exist to the north of the site.

A few years ago, an accessory structure was added to the property to create a ritual bath house (women’s mikvah). This structure is on the east side of the parcel. The project site and surrounding properties contain many mature trees that will be preserved as much as possible. Between the two properties about 20 mature trees exist, and 7 of these will be removed.

ZONING:

In 2001, the Board of Zoning Appeals had granted a parking variance for twelve-parking spaces for a 1,556 SF addition at the rear of the main parcel. The addition was never built hence the variance has expired. Support for the variance was predicated largely upon the fact that the members of the Chabad community predominantly walk to the center. This is mostly because the facility serves the Cornell community with campus essentially neighboring the property. The expansion project will increase the amount of zoning-required parking, but actual parking demand will not increase in a significant way. Due to site limitations the project will be deficient from a zoning perspective and will require a parking variance.

The combined lots make the corner lot of 102 Willard Way longer and is limited by having two front yards, which zoning requires to be 25’ minimum. The existing building is angled from the setback lines thus making expansion inefficient. The existing building is also set back from Willard Way with a large yard and attractive front façade that limits expansion into the allowable zoning envelope on the front. This resulted in a connector concept with the new building semi-detached. The location of the mikvah further limits building placement opportunities. The orientation of this structure in relation to setbacks dictated the best alignment of the proposed building. The design program demands more space to support and expand the services the center provides to the community. As such, the project seeks to maximize the space within the new building but is based on funding levels that prevent an ultimate desire to add an upper floor in the future. Due to the various factors of the site and existing buildings the proposed building footprint has encroached minimally into the zoning-required front and side yards. The project attaches to the mikvah structure which changes it from an accessory structure to part of the primary building. Therefore, it will require a rear yard variance.

Access to the small parking garage under the building can only come from Lake St. The elevation of the garage level gets higher from Lake St. as you move north. This limits the access point for a driveway. The best approach for a new driveway is to work with the existing curb cut at 107 Lake St. The existing sidewalk elevation is established a few feet higher than the street and causes the slope to exceed the 8% maximum allowed by zoning, which initially required a variance. The driveway design has been regraded and the sidewalk has been lowered slightly to eliminate this variance.
PARKING:

In an effort to understand the actual parking demand of the new facility, a survey of attendees of past events has been conducted. Upon review of the data, the following conclusions have been made:

- Based on a poll of attendees on how they arrived at Chabad on a typical night, 99 people responded.
- A total of 13 people drove their vehicles
  - 2 people parked on-site
  - 10 people parked on the street
  - 1 person parked elsewhere
- A parking demand ratio of ~12 per 100 people is a reasonable conclusion, and only ~2 per 100 people utilized on-site parking. People that parked elsewhere are assumed to have utilized a private parking area.
  - The new facility is designed for ~150 people. Based on the demand ratio from the survey, the proposed project would increase the on-site parking demand to ~3, requiring one additional space, and the demand for on-street parking spaces would increase to ~18. However, it makes more sense to assume that the demand for 6 additional on-street spaces cannot be accommodated with on-street parking since the availability of that type of parking is limited. A natural selection process occurs when regular users of the facility understand that parking is limited, so there may not be this much additional parking demand (the increased attendance will be people not arriving by private vehicles). If we assume it will exist, then this parking demand will have to shift to the off-street accommodation. The new facility will have 12 parking spaces on site, but this demand of 6 spaces shifting to off-street plus the on-site demand increase to 3 spaces is only 9 spaces, which leaves a surplus of spaces for the rabbis and/or staff.
ARCHEOLOGICAL/ HISTORIC:

The project site was surveyed using the NYS DEC Environmental Assessment EAF Mapper website tool and the NYS Park Cultural Resource Information System (CRIS). These tools identified some historic properties located approximately 400 feet from the site on University Ave. The structures on these properties are traditional Craftsman style residential buildings with stucco and clapboard siding. Although they are a good distance from the site the proposed project is being developed with a traditional architectural style to harmonize with the architectural character of the neighborhood. The style of the expansion is based on the existing Chabad facility which is a 1920s Tudor style building with a stucco exterior, in-laid wood boards, and a slate roof. The women’s mikvah, constructed in 2015, represents the materials palette that references the existing building and will be used for the expansion project. Interestingly, a number of years ago the Chabad center was reviewed by the State Historic Preservation Office (SHPO) for historic eligibility but it did not meet the requirements. As such, strict historic preservation guidelines are not applicable to this project.

The existing house at 107 Lake St. is a modest example of Victorian architecture built in 1895 but is not designated as historic. The exterior has some basic trim details (rake boards) and brackets that may be of interest. The interior is also quite simple with very few noteworthy architectural features, and only the stair banister in the entry hall is worth discussion. The structure is in good condition, but the house will be demolished to facilitate the project. In fact, the prior owner, the Dynkin family, specifically sold the building to the Chabad center for the purpose of a future expansion. All of the historic features and fabric will be made available to interested parties. Deconstruction salvage work is being explored. Historic Ithaca has also made the project team aware of the history of this property. It was the former home of William Strunk, the author of the Elements of Style. Strunk, a Cornell professor, apparently lived here when he wrote the book. The Chabad Center is willing to erect a historic marker on the property to identify this property and its history. Likewise, the house is offered at no charge to anyone willing to find a new home and move it. It seems logical that Cornell and Historic Ithaca may want to work together to relocate the house, and there appears to be room adjacent to Cornell’s parking lot across from the Chabad Center on University Ave. In addition to donating the structure, the avoided cost of demolition (TBD) is available to anyone willing to undertake this endeavor. If the house ends up being demolished, the owner will undertake all necessary hazardous material surveys and protocols for demolition.

LANDSCAPING/ SITE DESIGN:

With the project building out the site to a maximum extent, the new building will leave only small areas for landscaping opportunities. The existing mature trees surrounding the site already provide a nice buffer to neighboring properties. The new building will recreate the presence of a building along the same north wall line as the existing house that is to be demolished. Since the new building will have a longer wall along the north side a dense vegetated buffer is planned to screen the project from 109 Lake St. This will be accomplished with a row of Northern White Cedars or similar. With the steep site topography and existing vegetation on the uphill (east) side of the lot, a buffer is not necessary. Along the front of the building decorative landscaping is planned to beautify the streetscape and soften the building façade. A planting plan will be finalized after feedback from the city is incorporated. At present, at least seven new trees are proposed to replace the count removed to facilitate the project.

In response to concerns expressed by the City Forester, the project goal of preserving the three mature trees located in the northwest corner of the property is still planned. However, the initial site utility plan conflicted with this goal and has been revised to move all trenching work in this area away from these trees. The foundation system of the proposed building is near these trees as well but only one corner of the foundation will impact the root system. The foundation system will be a shallow construction and is located approximately at the existing house corner. As such, the existing root systems do not extend beyond the corner of the existing house, thus allowing excavation to minimize root disturbance. It should be noted that mature ivy (appears to be English Ivy) has overtaken many of the trees on the property, including the three in the northwest corner. The owner will look into cutting the vines from the base of the trees to save them.

In response to the City Engineer’s concerns, a few changes have been made to the project. This includes a revision of the modified curb cut at 107 Lake St. to narrow the previously proposed width to essentially match the existing width and revise the grading to achieve an 8% slope for the first 25 feet. This change requires the sidewalk in this area to be reconstructed and lowered, which will replace any damaged sections of the existing sidewalk. Other portions of the sidewalk along the entire site in need of repair can be replaced as part of this project. The existing curb cut from Lake St that provides access to the 102 Willard Way property will be abandoned since the circular driveway design has been eliminated as well. The drainage concerns related to the existing asphalt driveway connecting to Willard Way can be addressed as part of the project as well.
STORMWATER:

The project is relatively small and replaces an existing house and related hardscape. The initial assessment stated that the existing impermeable lot cover is ~3,000 SF and the new area is ~6,000 SF for a net increase of ~3,000 SF. Typically, the post development net increase in impermeable surfaces is used for stormwater sizing. As such, the current 100-year rain event (7.56”/24 hours) would produce a stormwater volume of ~1,900 CF, i.e. ~30’x30’x2.5’. This can easily be handled in a below-grade storm chamber system. For water quality treatment the same below-grade storm chamber system can be designed to pre-treat the stormwater. This system can be located below the parking garage. This conceptual approach has been introduced to the civil engineering team for the project. They have provided an initial assessment of this stormwater approach- see attached letter from Napierala Consulting. The total land disturbance of the project is almost a third of an acre. Per the City Stormwater regulations, the project will require a basic Stormwater Pollution Prevention Plan (SWPP). As typical for all projects, standard erosion and sediment control practices will be utilized during construction and will be incorporated into the final plans.

UTILITIES:

The site is located along a developed street with public utilities existing along Lake St. The proposed project will not have large demands on the existing water and sewer services but the existing laterals serving the existing house will be inadequate. New services for water, sewer, and stormwater will have to be brought on to the site from across Lake St. and will require a permit for street work. The electric and communication lines run overhead along the east side of Lake St. These services will be brought to the new building with buried lines to the southwest corner of the building. The gas main is also on the same side of the street and a new service will be brought in through the parking garage to feed the commercial kitchens. The HVAC system for the building is planned to be an electric heat pump system.

ENERGY:

The project is bound by the Ithaca Energy Code Supplement. Although the building design is not completed, compliance through the Easy/Prescriptive Path will be achieved, at minimum. An initial assessment of the requirements has been completed and the required 6 points can be achieved as follows:

- Air source heat pumps, at minimum- 2 points
- Heating systems located within the thermal envelope- 1 point
- Right-lighting design- 1 point
- Window-to-wall ratio of 20% or less (Current design is at 18%)- 1 point
- Design to meet the NYS Stretch Code- 1 point
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<thead>
<tr>
<th>102 Willard Way &amp; 107 Lake St-200 ft list of neighbors</th>
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<tbody>
<tr>
<td>500700 28.-4-10 &amp; 28.-4-9 Lake St ASC</td>
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<tr>
<td>500700 28.-4-11 Ravenwood LLC</td>
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<tr>
<td>500700 28.-4-8 Timothy T Terpening</td>
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<tr>
<td>500700 29.-1-3 Robert J Mrazek</td>
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</tbody>
</table>
ZONING APPEAL CERTIFICATION OF MAILING

RE: City of Ithaca Board of Zoning Appeals

Zoning Appeal # 3213

I, ____________________________, affirm all property owners within two hundred (200) feet of the boundaries of the lot(s) under consideration have been mailed a copy of the enclosed notice on or before ______________. I affirm the notice was mailed to the property owners at the addresses shown on the attached list of owners, by depositing the copy in a post-paid properly addressed envelope, in a post office or an official depository under the exclusive care and custody of the United States Post Office. I further affirm the names and addresses of the property owners are the same as the most recent assessment roll.

(Appellant’s Signature)

PLEASE SUBMIT THIS FORM TO:
City of Ithaca Zoning Division
108 E. Green St., 3rd Fl.
Ithaca, NY 14850
Phone: (607) 274-6550
Fax: (607) 274-6558
ARCHITECTURAL PRECEDENTS

Screening element

Effect at night

Stone material, hip roof & bracket

Garage doors

Mikvah exterior materials

Brick and Railing

Half round forms
Site Demo & Utility Plan

1" = 20'-0"
LOT AREA:
Combined Lot Area: 23,903 SF
MAX Lot Coverage: 30% (7,171 SF)
Chabad House: 1,910
Milkvah: 780
Existing Deck: 505
Existing Total: 3,195
Proposed Project: 4,986
Total: 8,182 (34.3% VARIANCE REQUIRED)

BUILDING HEIGHT: 35 feet MAX, Actual = 23 feet

YARDS:
See setback lines on site plan (FRONT, SIDE & REAR YARD VARIANCES REQUIRED)

DRIVEWAY SLOPE: 8% MAX, Actual = 8%

PARKING:
Parking Spaces Required for Existing Conditions Only
Rooming House (1 per 3 bedrooms) (6) bedrooms = 2 spaces
Basement Apartment (1 per 1 to 3 bedrooms) = 1 space
Church (1 per 10 seats) = 4.5 (668 SF/15 SF = 45 occupants)
Total = 7.5 spaces

Parking Spaces Required for Proposed Only:
Church (1 per 10 seats) = 15 (150 seats)
Total = 15 spaces

TOTAL REQUIRED PARKING SPACES = 23 (7.5 + 15= 22.5)
Actual Parking Spaces = 2 existing to remain (4 exist) + 10 new = 12 spaces (VARIANCE REQUIRED FOR 11 SPACES)
1. North Elevation
   3/16" = 1'-0"

2. South Elevation
   3/16" = 1'-0"
Existing Stucco & trim match existing

Simulated slate to match existing

Sovere & trim boards to match existing

Brick to match existing

Concrete or garage coat

Scale: 3/16" = 1'-0"

East Elevation
3/16" = 1'-0"

West Elevation
3/16" = 1'-0"
Data contained on this map was provided or derived from data developed or compiled by the City of Ithaca, and is the best available to date. The originators do not warrant the accuracy or completeness of the information portrayed by the data.
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