BOARD OF ZONING APPEALS (BZA)

AGENDA

The regular monthly meeting of the BOARD OF ZONING APPEALS will be held at 6:00 p.m. on Tuesday, March 1, 2022. This meeting will be held remotely as permitted by legislation S.50001 and A.40001, which extends virtual access to public meetings granted by the Governor’s Executive Order 202.1 A live stream is available at https://www.youtube.com/channel/UC7RtJN1P_RFaFW2IVCnTrDg.

I. CONTINUED APPEALS
   A. Appeal Number: 3209
      Address: Catherine Commons (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)
      Zone: CR-3, CR-4, MU-1, MU-2
      Applicant: Trowbridge Wolf Michaels
      Owner: Coll-Cath Associates, LLC & Cook-Coll, LLC
      Public Hearing: Yes
      NOTE: This public hearing will continue at the March 1, 2022 BZA meeting.
      Description: Request for an area variance from §325-45.2E, Collegetown Residential 3 (CR-3), §325-45.2F, Collegetown Residential 4 (CR-4), and §325-45.2G, Mixed Use 1 (MU-1) and Mixed Use 2 (MU-2) District Standards for Off-Street Parking, Building Height in Feet, Building Height in Stories, Rear Yard, Required Vegetative Buffer, and Siting Exceptions for Corner Lots in the MU-2 District, to allow the construction of six new buildings along Cook Street, Catherine Street, and College Avenue. The project would consolidate the above referenced tax parcels into two new lots and the construction of: (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.

II. NEW APPEALS
   B. Appeal Number: 3210
      Address: 105 Wood Street
      Zone: R-2b
      Applicant: Russell Posegate, Owner
      Public Hearing: Yes
      Description: Request for an area variance from Section 325-25A, Location of Accessory Structures, to allow the construction of a two-story accessory structure within the required front yard. The property also has existing front yard and side yard deficiencies that will not be exacerbated by the proposal.

   C. Appeal Number: 3211
      Address: 304 Utica Street

If you have a disability and would like specific accommodation in order to participate, please contact the City Clerk’s Office at 274-6570 by 12:00 p.m., no later than 2 days (not including weekends and holidays) before the meeting.
Zone: R-2b
Applicant: Emily Petrina, Firehouse Architecture Lab, PLLC
Owner: Nicholas Klein and Amy Tai
Public Hearing: Yes
Description: Request for an area variance from Section 325-8, Column 10, Lot Coverage by Buildings, and Column 12, Side Yard, requirements of the Zoning Ordinance to allow the construction of a new two-story addition at the rear of the existing single-family residence. The project will increase the proportion of the lot covered by buildings to 38.5% (a maximum of 35% is permitted) and will create an additional encroachment in an already-deficient side yard. The property also has existing lot width, front yard, and other side yard deficiencies that will not be exacerbated by the proposal.

D. Appeal Number: 3212
Address: 112 Fayette Street
Zone: R-2b
Applicant: Emily Petrina, Firehouse Architecture Lab, PLLC
Owner: Janna Edelman
Public Hearing: Yes
Description: Request for an area variance from Section 325-8, Column 12, Side Yard, requirements of the Zoning Ordinance to allow the construction of a new two-story addition at the rear of the existing single-family residence. The new addition will be aligned with the existing house on the north side of the property. This existing side yard is 7.8’ of the required 10’, and the new additional will exacerbate this deficiency by laterally extending the deficiency further into the lot. The property also has existing lot width, front yard, and other side yard deficiencies that will not be exacerbated by the proposal. This appeal is the partial renewal of area variance #3122 that was issued in April 2019.

E. Appeal Number: 3213
Address: 102 Willard Way and 107 Lake Street
Zone: R-2a
Applicant: Jason K. Demarest Architecture
Owner: Roitman Chabad Center
Public Hearing: Yes
Description: Request for an area variance from §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 to allow the expansion of the religious facility currently located at 102 Willard Way. This proposal involves the consolidation of 102 Willard Way with 107 Lake Street into a large property with primary frontage on Lake Street. The project will construct a two-story building with an approximately 5,000 SF footprint that will connect to the existing Chabad Center and stand-alone mikvah on the site.
III. PRELIMINARY PRESENTATIONS & BOARD COMMENTS
   A. None

IV. ADMINISTRATIVE MATTERS
   A. April BZA Meeting
      1. Rescheduled Date
      2. Agenda Review

V. APPROVAL OF MINUTES

VI. ADJOURNMENT

PLEASE NOTE: The Board may take a 10-minute break around 8:00 p.m., if the meeting will continue for more than two hours.

ACCESSING ONLINE MEETING MATERIALS
Parties interested in reviewing application materials prior to the meeting may visit the City’s website at http://www.cityofithaca.org/368/Board-of-Zoning-Appeals (select “Most Recent Agenda”), beginning one week before the scheduled BZA meeting. Please do not hesitate to contact our office if you have any questions or need any assistance accessing the materials.

WRITTEN COMMENTS & QUESTIONS
Interested parties may submit comments for public hearings by mail or email. All comments must be received by 4 p.m. on the day of the meeting, 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 and please include your name and address. All comments and questions can be emailed to Megan Wilson at mwilson@cityofithaca.org or call (607) 274-6550.
CITY OF ITHACA

Board of Zoning Appeals — Notice of Appeal

APPEAL # 3209

CATHERINE COMMONS

Apellee 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%.

MW 2/17/2022
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

<table>
<thead>
<tr>
<th>Appeal Number</th>
<th>3209</th>
<th>Address</th>
<th>Catherine South</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use District</td>
<td>CR-3</td>
<td>Date</td>
<td>2/1/2022</td>
</tr>
<tr>
<td>Applicant</td>
<td>Trowbridge Wolf Michaels</td>
<td>Owner</td>
<td>Cook Coll LLC</td>
</tr>
<tr>
<td>Application Type:</td>
<td>Area Variance</td>
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<th>Column Number</th>
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<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>Side Yard</td>
<td>Other 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>Multiple Dwelling</td>
<td>2</td>
<td>8,007</td>
<td>62'</td>
<td>3</td>
<td>34' 10&quot;</td>
<td>39.7% Bldg. 35.2% Green</td>
<td>10</td>
<td>5' 5' Veg. Buffer</td>
<td>3, 35'</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>District Regulations for Proposed</td>
<td>1-2 Family</td>
<td>13</td>
<td>None Required</td>
<td>3000</td>
<td>30</td>
<td>3</td>
<td>35</td>
<td>40% Bldg. 30% Green</td>
<td>10</td>
<td>5</td>
<td>5</td>
<td>20'</td>
<td>20' Min. 2 Stories Min.</td>
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</tr>
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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>
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<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>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Condition and/or 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&quot;</td>
<td>45' blank wall &lt; 8'</td>
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<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>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>
</tr>
<tr>
<td>Note Non-Conforming Conditions for Proposal</td>
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</tbody>
</table>

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).

**NOTES:**
### City of Ithaca Board of Zoning Appeals Worksheet

**Appeal Number:** 3209  
**Address:** Catherine South  
**Use District:** MU-1  
**Date:** 2/1/2022  
**Applicant:** Trowbridge Wolf Michaels  
**Owner:** Cook Coll LLC  
**Application Type:** Area Variance

<table>
<thead>
<tr>
<th>Column Number</th>
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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 (Ft)</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>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>
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<td>5'</td>
<td>10' Minimum</td>
<td>30' Min. 3 Stories</td>
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### 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>Recessed Entries Provided</td>
<td>6'</td>
<td></td>
<td>Flat Roof Proposed</td>
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<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>
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<td>Note Non-Conforming Conditions for Proposal</td>
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</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

**Appeal Number:** 3209  
**Use District:** CR-4  
**Date:** 2/1/2022  
**Address:** Catherine North  
**Applicant:** Trowbridge Wolf Michaels  
**Owner:** Coll-Cath LLC  
**Application Type:** Area Variance

<table>
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<th>Column Number</th>
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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>Side Yard</td>
<td>Other 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>Multiple Dwelling</td>
<td>0</td>
<td>19,698</td>
<td>147' 8&quot;</td>
<td>4</td>
<td>44' 8&quot;</td>
<td>49.9% Bldg.</td>
<td>10' 6&quot;</td>
<td>5'</td>
<td>5'</td>
<td>4, 45'</td>
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</tr>
<tr>
<td>District Regulations for Proposed</td>
<td>1-2 Family</td>
<td>None with TDM Plan</td>
<td>None Required</td>
<td>3000</td>
<td>30</td>
<td>4</td>
<td>45</td>
<td>50% Bldg.</td>
<td>10</td>
<td>Row House-0'</td>
<td>Row House-0'</td>
<td>Row House-0'</td>
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<td>20' Min. 2 Stories Min.</td>
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### CR-4 FORM BASE REQUIREMENTS

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<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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</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>
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<td>Note Non-Conforming Conditions Proposal</td>
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<td>OK</td>
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## City of Ithaca Board of Zoning Appeals Worksheet

### Appeal Number
3209

### Address
Catherine North

### Use District
MU-2

### Applicant
Trowbridge Wolf Michaels

### Date
2/1/2022

### Owner
Coll-Cath LLC

### Application Type:
Area Variance

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<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>
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<td>0</td>
<td>13,344</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>
</tr>
<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 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>
<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>Def.</td>
<td>Def.</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>PL</td>
<td>OK</td>
<td></td>
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</tbody>
</table>

### 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></td>
<td>Glazing: 90% Blank Wall: &lt;12' No building chamfer &amp; setback on street level only Street Level Active Use currently proposed</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. 10'min. Underground not visible from St.</td>
<td>30' min. from front façade</td>
<td>None</td>
<td>None</td>
<td>Glazing: 65% Blank Wall: 12' Max. Chamfer: 10' from Corner Street Level Active Use: Req.</td>
<td>Flat Roof Required</td>
</tr>
<tr>
<td>Note Non-Conforming Conditions for Proposal</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td></td>
<td></td>
<td>Def.</td>
<td>OK</td>
</tr>
</tbody>
</table>
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 #: 3209 (FILLED IN BY STAFF)

HEARING DATE: Feb. 1, 2022

BUILDING PERMIT #: 41826:41827 (REQUIRED)

RECEIPT #: 66841 (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

Appellant Signature

STATE OF NEW YORK
COUNTY OF TOMPKINS

Sworn to this 20th day of January, 2022

MELINDA D. MILLER
Notary Public

MELINDA D. MILLER
Notary Public, State of New York
Reg. No. 01MI336236
Qualified in Tompkins County
Commission Expires 08/12/2023

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>
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</thead>
<tbody>
<tr>
<td>§325-45.2E, F, G</td>
<td>§272-</td>
</tr>
<tr>
<td>§325-</td>
<td>§272-</td>
</tr>
<tr>
<td>§325-</td>
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<td>§272-</td>
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<tr>
<td>§325-</td>
<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 __________
   - 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)
(Ithaca)
(City/Municipality)

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)
COUNTY OF TOMPKINS)

Sworn to this 18th day of January, 2022

Notary Public

DEBRA J BRYDEN
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01BR5082101
Qualified in Cortland County
My Commission Expires 7/21/25

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>
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<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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<tr>
<td></td>
<td>302 College Avenue</td>
<td>68.-4-8</td>
<td>Coll-Cath Associates, LLC</td>
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<tr>
<td></td>
<td>128 Catherine Street</td>
<td>68.-4-9</td>
<td>Coll-Cath Associates, LLC</td>
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<tr>
<td></td>
<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>
</tr>
<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>
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<tr>
<td></td>
<td>118 Cook Street</td>
<td>68.-5-13</td>
<td>Cook Coll, LLC</td>
</tr>
<tr>
<td></td>
<td>202 College Avenue</td>
<td>68.-5-14</td>
<td>Cook Coll, LLC</td>
</tr>
</tbody>
</table>
NOTICE OF APPEAL
REGARDING ZONING OR SIGN ORDINANCE
CITY OF ITHACA, NEW YORK

APPEAL NO. ______3209____

TO: Owners of Property within 200 feet of ___________________________ and others interested.

PROPERTY ADDRESS ___________________________

FROM: ____________________________ applicable to property named above, in _______________________

(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 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 ____________________________
Address 2001 West Seneca Street, Suite 201 Ithaca, NY ________2022________
Date 1/18/2022
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.

<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>
</tr>
<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>
</tr>
<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>

**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.
<table>
<thead>
<tr>
<th>SWIS</th>
<th>Parcel</th>
<th>Owners</th>
</tr>
</thead>
<tbody>
<tr>
<td>500700 67.-2-2</td>
<td>105 Bool Street LLC</td>
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<td>500700 68.-5-2</td>
<td>105-107 Catherine Street, LLC</td>
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<td>500700 68.-4-15</td>
<td>106 Catherine St/Ithaca, LLC</td>
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<tr>
<td>500700 68.-5-18</td>
<td>110 Cook St, LLC</td>
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<td>201 C-Town, LLC</td>
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<td>Beach, Cheryl O</td>
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<td>500700 67.-1-10</td>
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<td>500700 68.-4-14</td>
<td>Lower, Laura E</td>
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<td>Rosa Family Trust</td>
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<td>500700 68.-6-3</td>
<td>SPIROSJH, LLC</td>
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</tr>
</tbody>
</table>
500700 67.-1-8  Steel, Anna Katharina
500700 68.-6-5  Sunset View Properties, LLC
Mailing Address

131 Haller Blvd  Ithaca NY  14850
PO Box 751  Ithaca NY  14851
PO Box 81  Ithaca NY  14851
310 Taylor Pl  Ithaca NY  14850
427 N Cayuga St  Ithaca NY  14850
226 Cecil A Malone Dr, Ste 2  Ithaca NY  14850
427 N Cayuga St  Ithaca NY  14850
575 Nelson Rd  Ithaca NY  14850
1001 W Seneca St  Ithaca NY  14850
826 Cayuga Heights Rd  Ithaca NY  14850
15 Thornwood Dr  Ithaca NY  14850
PO Box 4860  Ithaca NY  14850
15 Thornwood Dr, PO Box 4860  Ithaca NY  14852
5 Cherry Rd  Ithaca NY  14850
24 Ladoga Park  Lansing NY  14882
211 Hudson St  Ithaca NY  14850
11 Stone Creek Dr  Ithaca NY  14850
24 Ladoga Park  Lansing NY  14882
24 Ladoga Park  Lansing NY  14882
24 Ladoga Park  Lansing NY  14882
418 N Tioga St  Ithaca NY  14851
108 E Green St  Ithaca NY  14850
PO Box 4860, 15 Thornwood Dr  Ithaca NY  14852
PO Box 642, Suite 200  Ithaca NY  14851
PO Box 7058  Ithaca NY  14851
PO Box 642  Ithaca NY  14851
1001 West Seneca St  Ithaca NY  14850
PO Box 501  Ithaca NY  14851
8 Glenford Lane  East Northport NY  11731
405 Eddy St  Ithaca NY  14850
154 Honness Ln  Ithaca NY  14850
204 Glenside Rd  Ithaca NY  14850
155 Westview Lane  Ithaca NY  14850
PO Box 81  Ithaca NY  14851
PO Box 7058  Ithaca NY  14851
PO Box 392  Ithaca NY  14851
405 Eddy St  Ithaca NY  14850
PO Box 7058  Ithaca NY  14851
441 Floral Ave  Ithaca NY  14850
307 Bostwick Rd  Ithaca NY  14850
307 N Tioga St  Ithaca NY  14850
82A Shelter Valley Rd  Newfield NY  14867
408 College Ave  Ithaca NY  14850
18 Smugglers Path  Ithaca NY  14850
1115 Manasota Beach Rd  Englewood FL  34223
155 Westview Lane  Ithaca NY  14850
2284 Perry City Rd                     Ithaca NY  14850
PO Box 392                             Ithaca NY  14851
ZONING APPEAL CERTIFICATION OF MAILING

RE: City of Ithaca Board of Zoning Appeals

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

Zoning Appeal # 3209
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></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>306 College Avenue</td>
<td>68.-4-6</td>
<td>Coll-Cath Associates, LLC</td>
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<td></td>
<td>304 College Avenue</td>
<td>68.-4-7</td>
<td>Coll-Cath Associates, LLC</td>
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<td>302 College Avenue</td>
<td>68.-4-8</td>
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<td>122 Catherine Street</td>
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<td>120 Catherine Street</td>
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<tr>
<td>Catherine South</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></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>
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<td>204 College Avenue</td>
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<td>Cook Coll, LLC</td>
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<tr>
<td></td>
<td>202 College Avenue</td>
<td>68.-5-13</td>
<td>Cook Coll, LLC</td>
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<tr>
<td></td>
<td>118 Cook Street</td>
<td>68.-5-14</td>
<td>Cook Coll, LLC</td>
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</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 summaries 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>
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<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>
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<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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<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>
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<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>
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<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>
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</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
The 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/scale 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
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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APPEAL # 3210

105 WOOD STREET

Appeal of property owner Russell Posegate for an area variance from Section 325-8, Column 11, Front Yard, and Column 13, Other Side Yard, requirements of the Zoning Ordinance as well as Section 325-25A, Location of Accessory Structure. The applicant proposes to construct a new two-story accessory structure on the property at 105 Wood Street. The first floor will be a two-car garage, and the second floor will provide a music studio for both personal use and private music lessons. The new accessory structure will be located 5’ from the front property line and within the required front yard. Section 325-25A prohibits accessory structures from being sited within the required front yard. The applicant is proposing the current location to allow additional space between the accessory structure and the City-owned retaining wall that abuts the side property line. This additional space will allow better access to the retaining wall for future maintenance.

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

105 Wood 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.

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1 The property owner is seeking a special permit for a neighborhood commercial facility for the commercial music studio use.
### City of Ithaca Board of Zoning Appeals Worksheet

**Appl. Number**: BZA 3210  
**Address**: 105 Wood Street  
**Use District**: R-2b  
**Date**: 03/01/22  
**Applicant**: Russell Posegate  
**Owner**: Russell Posegate  
**Application Type**: Area Variance

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<td>OK*</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>Def.</td>
<td>OK</td>
<td>Def.</td>
<td>OK</td>
<td>Def.</td>
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<td></td>
</tr>
</tbody>
</table>

**Notes:** Existing deficiencies noted in blue; new or exacerbated deficiencies noted in red.  
*Neighborhood Commercial Facility permitted in the R-2b district by Special Permit issued by the Planning and Development Board*
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 #: 3210 (FILLED IN BY STAFF)
   HEARING DATE: 3/1/2022
   BUILDING PERMIT #: 42321 (REQUIRED)
   RECEIPT #: 66679 (FILLED IN BY STAFF)

2. Property Address: 105 Wood Street
   Use District: R-2b

   Owner’s Name: Russell Posegate
   Owner’s Address: 107 Wood Street

   City: Ithaca
   State: NY
   Zip: 14850

3. Appellant’s Name: Russell Posegate
   Appellant’s Address: see above

   City: 
   State: 
   Zip: 

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

   [X] 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 7th day of January, 2022

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:

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<td>• §272- ____________________________</td>
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<td>• §325- 25A</td>
<td>• §272- ____________________________</td>
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<td>• §325-</td>
<td>• §272- ____________________________</td>
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2. Application of SEQR determination:  
   - Type 1
   - Type 2
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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:
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  DATE: 2/1/2022

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

I (We) Russell Posegate of 107 Wood Street
(Name) of

Ithaca, NY 14850 (Street Address)
(City/Municipality) (State & Zip Code)

Owner of the property at 105 Wood 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 Craig Modisher - STREAM Collaborative to appeal or request a Variance or Special Permit on my (our) behalf. I (we) understand the appeal will be heard at the March 1, 2022 meeting of the Board of Zoning Appeals.
(Date)

(Signature)

STATE OF NEW YORK,
COUNTY OF TOMPKINS)

Sworn to this ___ day of
February, 20__

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

TO: Owners of Property within 200 feet of 105 Wood Street and others interested.

FROM: Russell Posegate applicable to property named above, in R-2b zone.

REGARDING: (check appropriate box)

X 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. 22nd at 6:00 P.M. via the online platform Zoom. A live stream is available at https://www.youtube.com/channel/UC7RtJN1P_RFaFW2IVcTrDg. 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 Mar. 1st 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.

Signature of Appellant

Address

Date
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
105.-1-11  Black Oak Rentals, LLC
516 S Albany St
Ithaca NY  14850
105.-1-12  Lane, James
Lane, Amy
PO Box 119
Dryden NY  13053
105.-1-13  Bambrick, Kathryn
Thompson, Belinda
208 Wood St
Ithaca NY  14850
105.-1-14  Dotson, Jennifer
Blake, Gail
212 Wood St
Ithaca NY  14850
105.-1-15  Teeter, Lillie Ann
Teeter, Leo
214 Wood St
Ithaca NY  14850
105.-1-16  Dauria, Nicole
216 Wood Street
Ithaca NY  14850
105.-1-17  Newhart, Michelle
218 Wood St
Ithaca NY  14850
105.-1-9  Chase, Francis R
Chase, Carol
107 Hyers St
Ithaca NY  14850
105.-2-8  Shapiro, Sara D
Fitzgerald, John
Po Box 426
Ithaca NY  14851
105.-2-9  Ray Family Irrev Trust
Ray, Joel
96 Besemer Rd
Ithaca NY  14850
105.-4-1  Chacona, Marcus L
601 Albany St S
Ithaca NY  14850
105.-4-6  Crossen, Paul
Crossen, Colleen
609 South Albany St
Ithaca NY  14850
105.-4-7  Giblin, Daniel L
607 S Albany St
Ithaca NY  14850
105.-4-8  Rohwer, Vanya
Rohwer, Rachel
605 South Albany St
Ithaca NY  14850
105.-5-10  Silberman, Peter S
205 Wood St
Ithaca NY  14850
105.-5-11  Hawkes, Robert E
203 Wood St
Ithaca NY  14850
105.-5-12  Brazo, William J Jr
602 S Albany St
Ithaca NY  14850
105.-5-13  Zaccagni, Hope
Gregory, Keith
1435 Waterwells Rd
Alfred Station NY  14803
105.-5-14  Brown, Jennifer J
606 S Albany St
Ithaca NY  14850
105.-5-15  Lam, Tammarion
1401 1/2 Slaterville Rd
Ithaca NY  14850
105.-5-16  Noonan, Raymond A
Doyle, Emily N
612 Albany St S
Ithaca NY  14850
105.-5-17  DeLuca, Kristine M
169 Westhaven Rd
Ithaca NY  14850
105.-5-18  Johnston, Sabrina R
Mills, Harold Greer
100 Park St
Ithaca NY  14850
105.-5-19  Cappione, Joan F
102 Park St
Ithaca NY  14850
105.-5-20  Yavitt, Joseph
Merkel, Susan M
104 Park St
Ithaca NY  14850
105.-5-21  Kalaf, Edward C
121 E Seneca St
Ithaca NY  14850
105.-5-22  Byrne, Caroline H
108 Park St
Ithaca NY  14850
105.-5-5  Perlglut, Sue C
Schaff, Michael
221 Wood St
Ithaca NY  14850
105.-5-6  Morrin, Kevin
Rumney, Mai An
217 Wood St
Ithaca NY  14850
105.-5-7  Arena, Rosemarie
215 Wood St
Ithaca NY  14850
105.-5-8  Karim, Sabrina Monuza
Smith, Joshua Eli
213 Wood St
Ithaca NY  14850
105.-5-9  Pauling, Alan
211 Wood St
Ithaca NY  14850
ZONING APPEAL CERTIFICATION OF MAILING

RE: City of Ithaca Board of Zoning Appeals

I, Jennifer Demarest, 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 Appeal #3210
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- 37' (existing)
Back Yard- 64'
Parking- existing 3 spaces plus 2 new spaces in the garage
GENERAL SHEET NOTES - ELEVATIONS

1. Refer to Specifications, DIVISION 01, for additional information and requirements.
2. Coordinate exterior elevation work with floor plans, window schedules, and door schedules to ensure alignment of head casings.
3. See schedules for head heights—coordinate adjacent window and door rough openings to ensure alignment of head casings.
4. Coordinate location of safety glazing with Architect, prior to ordering doors or windows.
5. Coordinate quantity, location, and type of Window Operation Control Devices (WOCD) with Architect, prior to ordering windows.
6. Coordinate exterior elevation work with MEP drawings. Unless noted otherwise, center light fixtures, louvers, and similar items on door and window openings. Consult Architect prior to roughing in.
7. Floor elevation 0.00 is equivalent to elevation FF E on Site/Civil Plans.

Project # ____________________________
Date ____________

PRELIMINARY NOT FOR CONSTRUCTION

STREAM Collaborative
architecture + landscape

architecture dpc

108 W. State St. Fl 2
Ithaca, New York 14850

ph: 607.216.8802

www.streamcolab.com

105 WOOD STREET
POSEGATE
CITY OF ITHACA

ELEVATIONS

1/4" = 1'-0"

ELEVATION - NORTH

ELEVATION - WEST

ELEVATION - SOUTH

ELEVATION - EAST

Asphalt shingle roof

White cedar shakes

Marvin Essential windows

Smartsides composite siding

Marvin Essential windows

Asphalt shingle roof
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

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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<thead>
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<th>2</th>
<th>3</th>
<th>4</th>
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<tr>
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<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>
<td>Minimum Building Height</td>
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<td>~28</td>
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<td>OK**</td>
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**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:
   [X] AREA VARIANCE
   [ ] SPECIAL PERMIT
   [ ] USE VARIANCE
   [ ] SIGN VARIANCE
   [ ] ACTION, DECISION, OR INTERPRETATION OF ZONING OFFICER

   APPEAL #: ________ (FILLED IN BY STAFF)

   HEARING DATE: ________

   BUILDING PERMIT #: ________ (REQUIRED)

   RECEIPT #: ________ (FILLED IN BY STAFF)

2. Property Address: ____________________________ Use District: ________
   Owner’s Name: ____________________________
   Owner’s Address: ____________________________
   City: ____________________________ State: ________ Zip: ________

3. Appellant’s Name: ____________________________
   Appellant’s Address: ____________________________
   City: ____________________________ State: ________ Zip: ________
   Telephone: ____________________________
   E-Mail: ____________________________

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.

   [X] 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 ________, 20____

___________________________
Notary Public

*Not required per
Zoning Administrator

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CITY OF ITHACA BOARD OF ZONING APPEALS
APPLICATION WORKSHEET

1. Ordinance Section(s) for the Appeal:

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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:
CITY OF ITHACA
108 East Green Street — 3rd Floor  Ithaca, New York  14850-5690

DEPARTMENT OF PLANNING, BUILDING, ZONING & ECONOMIC DEVELOPMENT
Megan Wilson, Secretary to the Board of Zoning Appeals
Telephone: 607-274-6550  Fax: 607-274-6558  Email: mwilson@cityofithaca.org

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 #: 3211  DATE: 1/19/2022

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

I (We) Nicholas Klein and Amy Tai
(We) Nicholas Klein and Amy Tai
(Name) of 304 Utica Street
304 Utica Street
(City/Municipality)
Ithaca, NY 14850
NY 14850
(State & Zip Code)

Owner of the property at 304 Utica Street
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 ________________________________ 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

Notary Public

(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.

FROM: Firehouse Architecture Lab PLLC applicable to property named above, in _R-2b_ zone.

REGARDING: (check appropriate box)

- [X] 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_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 _3/1/2022_ 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.

---

Signature of Appellant: ____________________________
Address: 136 W. State St., Ithaca, NY 14850
Date: 01/17/22
September 22, 2021

Amy Tai and Nick Klein
304 Utica Street
Ithaca, NY 14850

**RE: Application for an Area Variance at 304 Utica Street**

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.
Sierra Desalvia
Erik Amrine
306 Utica St
Ithaca NY 14850

500700 34.-4-10

Amy Tai
Nicholas Klein
304 Utica St
Ithaca NY 14850

500700 34.-4-11

Adriana P Rovers
302 Utica St
Ithaca NY 14850

500700 34.-4-12

Gillian Haines-Sharp
Kristina J Haines-Sharp
108 Yates St E
Ithaca NY 14850

500700 34.-4-13

Yates House, LLC
109 Park Pl
Ithaca NY 14850

500700 34.-4-14

Carmen E Martinez
701 Cayuga St N
Ithaca NY 14850

500700 34.-4-15

Erik Amrine
Nicholas Klein
302 Utica St
Ithaca NY 14850

500700 34.-4-16

Joseph V Schill III
Leslie F Schill
705 Cayuga St N
Ithaca NY 14850

500700 34.-4-17

Julia Dshemuchadse
707 Cayuga St N
Ithaca NY 14850

500700 34.-4-18

Gillian Haines-Sharp
Kristina J Haines-Sharp
109 Park Pl
Ithaca NY 14850

500700 34.-4-19

Edward Y Crossmore
115 W Green St
Ithaca NY 14850

500700 34.-4-20

Edward Y Crossmore
115 W Green St
Ithaca NY 14850

500700 34.-4-21

Douglas E Webb
Marilyn G Webb
703 N Cayuga St
Ithaca NY 14850

500700 34.-4-16

Joseph V Schill III
Leslie F Schill
705 Cayuga St N
Ithaca NY 14850

500700 34.-4-17

Julia Dshemuchadse
707 Cayuga St N
Ithaca NY 14850

500700 34.-4-18

Nomi Talmi
Veronica L Eskridge
115 W Green St
Ithaca NY 14850

500700 34.-4-13

Edward Y Crossmore
115 W Green St
Ithaca NY 14850

500700 34.-4-20

Edward Y Crossmore
115 W Green St
Ithaca NY 14850

500700 34.-4-21

Jia Forrest
45 Chestnut Rd
Brooktondale NY 14817

500700 34.-4-3

Michael Moore Davis
Jean Davis
314 Utica St
Ithaca NY 14850

500700 34.-4-6

Paul Zarnowski
310 Utica St
Ithaca NY 14850

500700 34.-4-8

Fernando A De Aragon
Jacqueline Thompson
308 Utica St
Ithaca NY 14850

500700 34.-4-9

Alexander P Bodell
Amelia Hritz
208 East Yates St
Ithaca NY 14850

500700 34.-5-11

Barken Family Realty, LLC
125 Genung Circle
Ithaca NY 14850

500700 34.-5-12

Amanda J Carreiro
130 Carl Becker House
Ithaca NY 14850

500700 34.-5-13

Joseph V Schill III
Leslie F Schill
705 N Cayuga St
Ithaca NY 14850

500700 34.-5-14

Sarah Rubenstein-Gillis
305 Utica St
Ithaca NY 14850

500700 34.-5-15

Juan B Brache
307 Utica St
Ithaca NY 14850

500700 34.-5-16

Mary Dennis
210 Highgate Road
Ithaca NY 14850

500700 34.-5-17

Thomas Blecher
313 Utica St
Ithaca NY 14850

500700 34.-5-18

Gart Davis
315 Utica St
Ithaca NY 14850

500700 34.-5-19

Mia Pancaldo
710 N Tioga St
Ithaca NY 14850

500700 34.-5-7

Katherine Shen Chiang
708 N Tioga St
Ithaca NY 14850

500700 34.-5-8

Tammy Baker
706 N Tioga St
Ithaca NY 14850

500700 34.-5-9

Kira Cole
Kelly Cole
201 E Yates St
Ithaca NY 14850

500700 34.-6-1

Alexandra Silva
Justin Hsu
217 Utica St
Ithaca NY 14850

500700 34.-6-18

Juan B Brache
307 Utica St
Ithaca NY 14850

500700 34.-5-16

Mary Dennis
210 Highgate Road
Ithaca NY 14850

500700 34.-5-17

Thomas Blecher
313 Utica St
Ithaca NY 14850

500700 34.-5-18

Gart Davis
315 Utica St
Ithaca NY 14850

500700 34.-5-19

Mia Pancaldo
710 N Tioga St
Ithaca NY 14850

500700 34.-5-7

Katherine Shen Chiang
708 N Tioga St
Ithaca NY 14850

500700 34.-5-8
Fall Creek Living LLC
310 Winthrop Dr
Ithaca NY 14850

East Yates, LLC
192 Inlet Valley Way
Ithaca NY 14850

Koefoed & Yeres Living Trust
1990 Las Gallinas Ave
San Rafael CA 94903

Brian T Lee
Britta E Lee
220 Utica St
Ithaca NY 14850

J'nelle Cahoon
Julia Nelson
104 Hopper Pl
Ithaca NY 14850

Robert W Steuteville
Sarah B Steuteville
218 Utica St
Ithaca NY 14850

Jeffrey Lallas
Patricia Lallas
12 Allesandro Dr
Ithaca NY 14850
ZONING APPEAL CERTIFICATION OF MAILING

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

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  Phone: (607) 274-6550
108 E. Green St., 3rd Fl.  Fax: (607) 274-6558
Ithaca, NY  14850
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

ZONING = R-2b
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PROPOSED ADDITION = 403 SQFT

TOTAL PROPOSED COVERAGE = 38%
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 # 3212  112 FAYETTE STREET

Appeal of Emily Petrina, Firehouse Architecture LAB, on behalf of property owner Janna Edelman for area variance from Section 325-8, Column 12, Side Yard, requirement of the Zoning Ordinance. The applicant proposes to construct a two-story addition with a deck on the rear of the dwelling located at 112 Fayette Street. The applicant will be removing a one-story attached shed that currently has a side yard setback of 4’ of the 5’ required by the ordinance. The new two-story addition will align with the existing house on the north side of the property and will lateral extend an existing side yard deficiency on the north side of the property.

The proposed project is the second phase of a two-phase project that began in 2019. The property was granted an area variance for existing deficiencies as well as exacerbated deficiencies resulting from both phases of the proposed project in April 2019 (BZA Appeal #3122). Phase I involved the replacement and enlargement of the front porch, and this work was completed. Phase II was delayed due to the COVID-19 pandemic, and the variance for Phase II expired. The property owner would now like to move forward with Phase II but a new variance must be granted. The 2019 variance remains valid for the Phase I work, including the property’s existing deficiencies and the exacerbated front yard deficiency.

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

The property is located in an R-2b residential use 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

<table>
<thead>
<tr>
<th>Appeal Number</th>
<th>BZA 3212</th>
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<tbody>
<tr>
<td>Use District</td>
<td>R-2b</td>
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<tr>
<td>Applicant</td>
<td>Emily Petrina, Firehouse Architecture Lab, PLLC</td>
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<tr>
<td>Owner</td>
<td>Janna Edelman</td>
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<td>Application Type</td>
<td>Area Variance</td>
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<tr>
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<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>2</td>
<td>+/-19'</td>
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<td>7.8'</td>
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<td>25% or 50' but not less than 20'</td>
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<td>Note Non-Conforming Conditions</td>
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<td>Def.</td>
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<td>Def.</td>
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<td>Proposed Condition and/or Use</td>
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<td>District Regulation for Proposed</td>
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<tr>
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</table>

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

* The new addition will be constructed to align with the existing house on the north side of the property. There is an existing side yard deficiency on the north side that was approved by area variance #3122 in 2019. However, the new addition will laterally extend this deficiency further into the lot. The new addition will be located 8.5' from the side property line at the closest location.
BOARD OF ZONING APPEALS (BZA) APPLICATION

1. TYPE OF APPEAL:
   [ ] AREA VARIANCE   APPEAL #: 3212 (FILLED IN BY STAFF)
   [ ] SPECIAL PERMIT
   [ ] USE VARIANCE
   [ ] SIGN VARIANCE
   [ ] ACTION, DECISION, OR INTERPRETATION OF ZONING OFFICER

   HEARING DATE: 3/1/22
   BUILDING PERMIT #: 42384 (REQUIRED)
   RECEIPT #: 66760 (FILLED IN BY STAFF)

2. Property Address: 112 Fayette Street
   Use District: R-2b

   Owner’s Name: Janna Edelman  Owner’s Address: 112 Fayette Street

   City: Ithaca  State: NY  Zip: 14850

3. Appellant’s Name: Emily M Petrina  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.

   ____________________________________________________________________________

   STATE OF NEW YORK
   COUNTY OF TOMPKINS

   Sworn to this _____ day of

   _____________________________

   Appellant Signature

   ❁ Notary Public available at City Hall.

   *Notary Not Required
   __________________________________________

   Per Zoning Administrator

   Notary Public

   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>
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<tbody>
<tr>
<td>§325- 8, Column 12</td>
<td>§272-</td>
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<td>§325-</td>
<td>§272-</td>
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</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. 3122, dated 4/2/2019
- Appeal No. __________, dated __________
- Appeal No. __________, dated __________
- Appeal No. __________, dated __________
- Appeal No. __________, dated __________

5. Notes or Special Conditions:
CITY OF ITHACA BOARD of ZONING APPEALS  
Area Variance Findings & Decision

Appeal No.: 3122

Applicant: Emily Petrina, Firehouse Architecture Lab, on behalf of property owner Janna Edelman

Property Location: 112 Fayette Street

Zoning District: R-2b

Applicable Section of City Zoning Code: Section 325-8, Columns 7, 11, 12, 13

Requirement for Which Variance is Requested: Off-Street Parking Requirement, Lot Width, and Front and Side Yards

Publication Dates: March 27, 2019 and March 29, 2019

Meeting Held On: April 2, 2019

Summary:
Appeal of Emily Petrina, Firehouse Architecture LAB, on behalf of property owner Janna Edelman for area variance from Section 325-8, Column 7, Lot Width, Column 11, Front Yard, and Columns 12 and 13, Side Yard requirements of the Zoning Ordinance. The applicant proposes to replace the existing front porch and construct a two-story addition with a deck on the rear of the dwelling located at 112 Fayette Street. The front porch is in need of repair, and the applicant proposes to rebuild the porch and extend it the full width of the home. The existing porch is 3.33 feet from the front property line and extending it will reduce the setback from 3.33’ to 2.75’ of the 10’ required by the ordinance. The applicant would also like to construct a two-story addition on the rear of the home that will comply with the setback requirements of the zoning ordinance. The applicant will be removing a one-story attached shed that currently has a side yard setback of 4 feet of the 5 feet required by the ordinance. The new two-story addition and deck will be constructed to comply with the 5 foot side yard setback requirement. The property has existing deficiencies in lot width and both side yards that will not be exacerbated by the proposal.

The property is located in an R-2b residential use 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.

Public Hearing Held On: April 2, 2019
No public comments in opposition.
Letters of support were submitted by: Jyl Dowd of 106 Fayette Street
Jeffery Kay of 110 Fayette Street
Heather Dengler of 114 Fayette Street
Cameron Cohen and C.J. Randall of 309 W. Green Street
Members present:
Steven Beer, Chair
Teresa Deschanes
Steven Wolf

Tompkins County Review per Section 239 -l & -m of New York State General Municipal Law:
Not applicable

Environmental Review: Type: 2
This is a Type 2 Action under the City of Ithaca Environmental Quality Review Ordinance (“CEQRO”), and State Environmental Quality Review Act (“SEQRA”), and is not subject to Environmental Review.

Planning & Development Board Recommendation:
The Planning Board does not identify any negative long term planning impacts and supports this appeal. The Board finds that the proposed changes are minor in scope and improve the overall appearance of the property and the character of the neighborhood. The Board feels that the project allows a family to stay in the neighborhood in which they are established, and as such, has a positive impact on the city’s goals of retaining owner-occupied housing and affordability.

Motion: A motion to grant the variance request was made by Steven Wolf.

Deliberations & Findings:

Factors Considered:

1. Whether an undesirable change would be produced in the character of the neighborhood or a detriment to nearby properties: Yes □ No ☒
Considering the letters from the neighbors and the information provided, this is an upgrade for the neighborhood. The variance is required for the extension of the front porch to make it the full width of the house and this encroaches slightly into the front yard which exacerbates an existing deficiency. The increase in the deficiency is not significant and does not create an unacceptable condition.

2. Whether the benefit sought by the applicant can be achieved by a feasible alternative to the variance: Yes ☒ No □
The applicant could retain the existing porch and not rebuild the porch to the full width of the house. But, this would not be an appropriate or reasonable solution given the condition of the porch and the appearance that would be enhanced by a full width porch.

3. Whether the requested variance is substantial: Yes □ No ☒
All of the deficiencies are existing except the deficiency exacerbated by extending the front porch. The existing porch is 3.33 feet from the front lot line and the proposed porch will result in a 2.75 foot setback, which is a small increase in the existing deficiency.

4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood: Yes □ No ☒
This will increase the value and functionality of the home and the neighborhood as a whole. The proposed project will also improve the look of the home.

5. Whether the alleged difficulty was self-created: Yes ☒ No □
The applicant could proceed with the other proposed construction and rebuild the porch in its original footprint, but the amenity of having a useable front porch would be a benefit.
Second Motion to Grant Variance: Made by Teresa Deschanes.

Vote:
Steven Beer, Chair
Teresa Deschanes
Steven Wolf

Determination of BZA Based on the Above Factors:

The BZA, taking into consideration the five factors, finds that the Benefit to the Applicant outweighs the Determinant to the Neighborhood or Community. The BZA further finds that variances from Zoning Ordinance, Section 325-8, Column 7, 11, 12, and 13 are the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety, and welfare of the community.

April 4, 2019
Date
NOTICE OF APPEAL

REGARDING ZONING OR SIGN ORDINANCE
CITY OF ITHACA, NEW YORK

APPEAL NO. 3212

TO: Owners of Property within 200 feet of 112 Fayette Street and others interested.

(from property address)

FROM: Emily M Petrina of FHA.LAB applicable to property named above, in R-2b 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_RFaFW2JvTrDg. 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.

Signature of Appellant

Address

Date
January 19, 2022

Neighbors of Janna Edelman
112 Fayette Street
Ithaca, NY 14850

RE: Notice of Zoning Appeal, Proposed Alterations to 112 Fayette Street

Dear Neighbors,

I am sending this letter to you on behalf of Janna Edelman, owner and resident of 112 Fayette Street. Janna and her family love this neighborhood and want to continue to live in their home, but they need more space. We submitted a zoning appeal for two phases of work to increase their living space, which was approved by the BZA in April 2019. Completed Phase I work included raising the roof of the second floor and extending the front porch. Additional improvements were made, including new windows, siding and painting of the house. Phase II work was to build a two-story addition in the rear-yard with an attached deck. Due to the pandemic, Phase II was not completed before the zoning approval expired. We are resubmitting our application now, hoping to be re-approved for the Phase II work which has not changed.

Proposed Scope of Work

1. Remove the existing 1-story shed attached to the back (west) side of the house
2. Build a 2-Story addition of a dining room on the 1st floor and an additional/third bedroom on the 2nd floor
3. Build an uncovered rear-yard deck attached to the new addition

This proposed work conforms to Lot Coverage requirements for the R2-b zoning. Currently the house, porch and attached shed occupy 983 sq ft, or 21.6% of the allowable 35% coverage. The Phase II work described above would yield a total of 1,372 sq ft, or 30.1% of the allowable 35% coverage.

The zoning of this property requires one on-site parking space. This space is available in the rear yard through a driveway shared with 114 Fayette St, as deeded in the purchase agreement for 112 Fayette St.

There were three existing side- and front-yard -deficiencies which required variances, and these were approved as part of the 2019 variance ruling. As a result, we are only requesting ONE variance for the proposed work:

1. New 2-Story addition in the rear yard aligned with the north wall of the existing house would be deficient on the north side-yard setback by 1'-6”, tapering down to 1'-2” as measured moving west.

This deficiency is not insignificant, however we don’t feel that we are creating any new egregious conditions for the neighbors to the north at 110 Fayette St or to the south at 114 Fayette St. To the contrary, by removing the existing attached rear shed, the property will be in compliance with the south side-yard setback at this location.
The 2-story addition is aligned with the existing wall of the house to eliminate the extra cost of constructing an outside corner (required to jog back to the setback), and it has a decreasing deficiency from east to west.

Thank you for the opportunity to discuss this project with you! We hope you will agree that it is important to keep owner-occupied families on the South Side. If you have any questions or concerns, please feel free to reach out to Janna at jannaedelmanlmt@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 2/22/22, and then also at the Board of Zoning Appeals meeting on 3/1/22.

Sincerely,

Emily M. Petrina, RA
LEED AP BD+C
Firehouse Architecture Lab, PLLC
ZONING APPEAL CERTIFICATION OF MAILING

RE: City of Ithaca Board of Zoning Appeals  Zoning Appeal #3212

I, Emily M Petrina, 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 2/15/22. 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
FAYETTE STREET

LEGEND:
- FOUND IRON PIPE
- SET 3/8" REBAR W/ SURVEY CAP
- SURVEY REFERENCE POINT

SURVEY DATE:
August 31, 2004

TAX MAP PARCEL NO.
71-8-11

REED REF:
L441/P.158

LANDS OF
Augustus A. & Mary E. Fenicchia
112 Fayette Street
(C)Ithaca, Tompkins Co., New York

Warning: It is a violation of Section 7229, Subdivision 2 of the New York State Education Law to alter, in any way, a map bearing the original seal and signature of a licensed professional. Only maps bearing such a seal and signature may be considered valid.
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**

<table>
<thead>
<tr>
<th>Column Number</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
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<th>8</th>
<th>9</th>
<th>10</th>
<th>11</th>
<th>12</th>
<th>13</th>
<th>14/15</th>
<th>16</th>
<th>§325-25</th>
</tr>
</thead>
<tbody>
<tr>
<td>Column Title</td>
<td>Use Accessory Use Off-Street Parking Off-Street Loading Lot Area (Sq. Feet) Lot Width (Feet) Number of Stories Height in Feet % of Lot Coverage Front Yard 2nd Front Yard Side Yard Rear yard: % of depth or number of feet, whichever is less Minimum Building Height Location of Accessory Structure</td>
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<tr>
<td><strong>Existing Condition and Use</strong></td>
<td>“Church” and related buildings</td>
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<td>4</td>
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<td>15,856</td>
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<td>20.2%</td>
<td>32</td>
<td>9.7</td>
<td>33</td>
<td>30’ or 24.6%</td>
<td>10’ side; 10.3’ rear</td>
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<td></td>
<td><strong>District Regulations for Existing</strong></td>
<td>One and Two Family Zone</td>
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<td>None Required</td>
<td>6,000</td>
<td>50</td>
<td>3</td>
<td>35</td>
<td>30%</td>
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<td>25</td>
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<td>25% or 50’ but not less than 20’</td>
<td>None</td>
<td>3’ side; 3’ rear</td>
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<tr>
<td></td>
<td><strong>Note Non-Conforming Conditions</strong></td>
<td>OK</td>
<td>Def.</td>
<td>OK</td>
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<td>OK</td>
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<td><strong>Existing Condition and Use</strong></td>
<td>Single Family Dwelling</td>
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<td>22.7%</td>
<td>~18</td>
<td>20</td>
<td>13.5</td>
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<td><strong>District Regulations for Existing</strong></td>
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<td>None Required</td>
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<td>35</td>
<td>30%</td>
<td>25</td>
<td>10</td>
<td>10</td>
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</table>
## City of Ithaca
### Board of Zoning Appeals Worksheet

**Proposed Conditions**

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</thead>
<tbody>
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<td>Column Title</td>
<td>Use</td>
<td>Accessor</td>
<td>Off-Street</td>
<td>Off-Street</td>
<td>Lot Area</td>
<td>Lot Width</td>
<td>Number of</td>
<td>Height in</td>
<td>% of Lot</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>
<td>Minimum Building Height</td>
<td>Location of Accessory Structure</td>
</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>
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<td></td>
<td></td>
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<td>District Regulation for Proposed Use</td>
<td>One and Two Family Zone</td>
<td>24</td>
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<td>6,000</td>
<td>50</td>
<td>3</td>
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<td>3’ side; 3’ rear</td>
<td></td>
</tr>
</tbody>
</table>

**Note Non-Conforming Conditions for Proposal**

| OK | Def. | OK | OK | OK | Def. | Def.* | OK | Def. | Def.** |

**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 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>
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<tr>
<td>§325-</td>
<td>§272-</td>
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<td>§325-</td>
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<td>§272-</td>
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</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 dfb86@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.

(from property address)

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

(from 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.

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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/UC7RjJN1P_RFaFW2lVCnTrDg. 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.

Signature of Appellant

950 Danby Rd Suite 105, Ithaca NY 14850

Address

1/21/21

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 dining 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.

Perspective view from the west
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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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 2/15/22. 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
Roitman Chabad Center at Cornell University Expansion Project
102 Willard Way & 107 Lake St Ithaca, NY 14850

Site Plan Review
02.24.20
SITE PHOTOS

View of Chabad Center from corner

View across Lake St to west

View of 107 Lake St

View across Lake St from 111 Lake St

View of Gun Hill apts. looking up Lake St

Looking up at Omega Tau Sigma

View of Omega Tau Sigma

View of Omega Tau Sigma looking down Willard

View looking down Stewart Ave
ARCHITECTURAL PRECEDENTS

Screening element
Effect at night
Stone material, hip roof & bracket
Garage doors

Mikvah exterior materials
Brick and Railing
Half round forms
LOT AREA:
Combined Lot Area: 23,903 SF
MAX Lot Coverage: 30% (7,171 SF)
Chabad House: 1,910
Milhavah: 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:
Site 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)
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.
City of Ithaca, NY - 750 Foot Buffer for Parcel - Final Tax Roll

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.