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, September 1, 2020. City Hall remains closed to the public. This meeting will be conducted remotely via the online platform Zoom, pursuant to the Governor's Executive Order 202.1. A live stream is available at https://www.youtube.com/channel/UC7RtJN1P_RFaFW2IVCnTrDg.

Scheduled Public Hearings
There are two options to participate in a public hearing:
1. Submit comments by email no later than 4 p.m. on the day of the meeting (contacts below), 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.
2. To speak at the meeting, sign up and receive instructions through the contact(s) listed below.

All comments and questions can be emailed to Megan Wilson at mwilson@cityofithaca.org or call (607) 274-6550.

I. CONTINUED APPEALS
   A. Appeal Number: 3167
       Address: 501 Chestnut Street
       Zone: R-2a
       Applicant: Kathleen Halton and Rebecca Johnson, Owners
       Public Hearing: No
       Description: Request for an area variance from §325-8, Column 11, Front Yard, and Column 13, Other Side Yard, requirements of the Zoning Ordinance to allow the construction of a carport.

II. NEW APPEALS
    A. Appeal Number: 3164
       Address: 215 E. State Street
       Zone: CBD-60 & CBD-140
       Applicant: Ithaca Properties, LLC, Owner
       Public Hearing: Yes
       Description: Request for an area variance from §325-8, Column 8, Maximum Number of Stories, Column 9, Maximum Height in Feet, and Column 14/15, Rear Yard, requirements of the Zoning Ordinance to allow the construction of a new mixed-use building with 200 residential units and three floors of structured parking on the E. Green Street side of the parcel.

III. ADMINISTRATIVE MATTERS

IV. APPROVAL OF MINUTES – August 4, 2020

V. ADJOURNMENT

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.
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.
APPEAL # 3167

Appeal of property owners Kathleen Halton and Rebecca Johnson for an Area Variance from Section 325-8, Column 11, Front Yard, and Column 13, Other Side Yard, requirements of the zoning ordinance. The applicant proposes to remove an existing porch on the southwest corner of the house and construct a new carport at the property located at 501 Chestnut Street. The new carport will be 293.3 square feet and 18’ 4” wide by 16’ deep. The property has existing front yard and other side yard deficiencies, and the proposal will exacerbate both deficiencies. The property currently has a front yard of 4 feet, and the construction of the carport will reduce the front yard to 1 foot of the 25 feet required by the ordinance. The smaller side yard is currently 4 feet of the required 10 feet and the new construction will reduce this side yard to 1 foot. The new carport will provide two side-by-side covered parking spaces for occupants of the home and will meet the off-street parking requirements for the property.

The property is located in an R-2a 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.
As you know, the Board voted to table appeal #3167, 501 Chestnut Street at the August meeting to allow the applicant and staff to gather more information on potential transportation impacts of the variance and the possibility of the variance allowing a future owner to enclose the carport. I followed up with other City staff on these questions and below is the information I received.

1. Traffic impacts: I contacted Director of Engineering Services Tim Logue to inquire about safety and traffic concerns at this intersection and any impacts that the wider curb cut and new carport would have. His response:

   “Thanks for the email and info. I don't have any significant concerns about this proposal. The driveway already exists and is the only driveway for the property. Elm Street is a far busier street and I don't think it makes any more sense to have a driveway over there than it does to have it here. While the existing driveway is closer to an intersection than we would typically prefer, again, the driveway already exists and it must work well enough for the property owners that they are looking to keep it there. Due to the fact that Chestnut Street to the south ends at West Village, well within walking distance, almost all vehicular movements getting out of the driveway are really only in potential conflict with northbound traffic, which has a decent sight line, and not traffic from the intersection. I am not aware of any crash history at this intersection that is related to driveways on any side. Additionally, the drawing I believe overemphasizes the widening of the driveway apron. The owners currently park two vehicles side by side at this location. If you compare the Google Streetview below with the drawing, you'll see the existing driveway lines up with the small porch that is proposed to be removed. The existing conditions drawing shows the northern extent of the driveway well back from that location. I think the driveway widening will be less than shown on the drawing. I don't see a problem issuing a street permit for this driveway modification.”

2. Sidewalk impacts: I contacted Sidewalk Program Manager John Licitra to determine if there would be impacts on a future sidewalk along that street if the curb cut is widened and the carport is constructed. His response:

   “The SID program does have plans to install a new sidewalk at that intersection and along the east side of Chestnut St. I don't have a timeline or budget for this project right now. The proposed sidewalk plans would use the full City ROW.

   From your plans, it looks like their carport will be built within the private property--so I don't have an issue/conflict.”
3. Future car port enclosure: I followed up on this question and the granting of the variance for the car port would not allow the future enclosure of the structure to create a garage without the granting of an additional variance. If the Board decides to grant the variance, language can be added to the decision letter to clearly state this for the knowledge of future property owners and City staff.

I hope this is helpful. Please contact me with any questions. This memo and the updated motion form are the only new information for the September meeting, but I have included the original application materials for ease of reference. I will “see” you all on September 1st.
City of Ithaca Board of Zoning Appeals Worksheet

<table>
<thead>
<tr>
<th>Appeal Number</th>
<th>Address</th>
<th>Use District</th>
<th>Date</th>
<th>Applicant</th>
<th>Owner</th>
<th>Application Type</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>501 Chestnut Street</td>
<td>R-2a</td>
<td>4-Aug-20</td>
<td>Kathleen Halton and Rebecca Johnson</td>
<td>Kathleen Halton and Rebecca Johnson</td>
<td>Area Variance</td>
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<table>
<thead>
<tr>
<th>Column Number</th>
<th>Column Title</th>
<th>Existing Condition and Use</th>
<th>District Regulations for Existing</th>
<th>Note Non-Conforming Conditions</th>
<th>Proposed Condition and/or Use</th>
<th>District Regulation for Proposed</th>
<th>Note Non-Conforming Conditions for Proposal</th>
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<tr>
<td>2</td>
<td>Use</td>
<td>One Family</td>
<td>One and Two Family Zone</td>
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<td>One Family</td>
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<tr>
<td>3</td>
<td>Accessory Use</td>
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<td></td>
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<td></td>
<td></td>
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<td>25</td>
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<td>10</td>
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<td>Height in Feet</td>
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<td>25%</td>
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<td>10</td>
<td>% of Lot Coverage</td>
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<td>10</td>
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<td>10</td>
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<td>13</td>
<td>Other Side Yard</td>
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<td>72.3% or 125'</td>
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<td>14/15</td>
<td>Rear yard: % of depth or number of feet, whichever is less</td>
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Notes: Existing deficiencies noted in blue; new or exacerbated deficiencies noted in red.
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 #: 3167 (FILLED IN BY STAFF)

   HEARING DATE: Sept 1, 2020

   BUILDING PERMIT #: 40526 (REQUIRED)

   RECEIPT #: 63100 (FILLED IN BY STAFF)

2. Property Address: 501 Chestnut St
   Owner’s Name: Kathleen Halton and Rebecca Johnson
   Use District: Rla
   Owner’s Address: 501 Chestnut St
   City: Ithaca
   State: NY
   Zip: 14850

3. Appellant’s Name: Rebecca Johnson
   Appellant’s Address: 501 Chestnut St
   City: Ithaca
   State: NY
   Zip: 14850
   Telephone: 227.3731
   E-Mail: rpj@johnsonEC.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 16th day of July, 2020

[Signature]
Notary Public

[Notary Seal]

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

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

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

1. Ordinance Section(s) for the Appeal:

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

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

3. Environmental Assessment form used:

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

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

Appeal No. _________, dated ____________
Appeal No. _________, dated ____________
Appeal No. _________, dated ____________
Appeal No. _________, dated ____________

5. Notes or Special Conditions:

- The applicants’ submission states that a variance is required from §325-20E(3), Parking in Front Yards; however, staff has determined that the proposed parking area will occupy less than 25% of the required front yard. This meets the requirements for front yard parking, and no variance is required from §325-20E(3).
- The applicants’ submission also states that the property is currently deficient in parking. According to the submitted site plan of existing conditions and the Building Division property file, the existing driveway accommodates two end-to-end parking spaces and meets the requirements for off-street parking in the R-2a district (§325-8, Column 4; §325-20D(3)(e)).
501 Chestnut St – Reason for appeal

2020.07.14

The applicant wishes to construct an attached 2-car carport on the southwest corner of their home, over the location of the current driveway and in place of an existing porch, which would be removed for the carport. They currently have one parking space for a 4 bedroom home, which fails to meet the R2a parking requirement, and would like to have 2 covered spaces. The household has two vehicles and the carport is part of a larger plan of renovations which will allow the couple to age in place by reducing the need to shovel and de-ice vehicles in the winter.

The house, dating from the 1880’s, was built quite close to the street long before the imposition of zoning. Though the lot is exceptionally large (18,850sf), it is on the corner of a very busy intersection (Elm and Chestnut) and descends steeply from the street. (See survey) The existing house location, traffic and topography make siting a garage or carport very difficult. Given the aging-in-place goal of the applicant, a detached garage would necessitate shoveling a long walkway between the house and garage, and create a potentially hazardous walk to the car on their sloping site. In addition, the restriction on curb cuts within a certain distance from an intersection limit the possible locations for any type of parking accommodation.

With these factors in consideration, the best location for the carport is in the southwest corner of the property, close to the existing curb cut, on level ground approximately 40’ from the intersection. This will allow safe access in and out of the driveway, and attachment to the house, offering an elder-safe route from house to car.

The proposed plan (drawing A1) shows the carport corner columns 1’ from both the front and side property lines. The roof overhang is limited to 1’ so that no portion of the roof extends beyond the property line. The carport would harmonize with the existing stick-Victorian aesthetic (drawing A2). To construct this plan the applicant is requesting relief from the following code sections:

**325-8 column 11, Front Yard Setback:** 25’ is required, the current house is +/-4’ from the front property line, and **0’ is requested**.

**325-8 column 13, Other side Yard:** 10’ is required, the current house is +/-4’ from the south side lot line, and **0’ is requested**.

**325-20 E(3) Parking in the front yard:** Parking is required to be set back from the front lot line 25’. **The proposed parking will be set back 0’**
— NOTICE OF APPEAL —
REGARDING ZONING OR SIGN ORDINANCE
CITY OF ITHACA, NEW YORK

APPEAL NO. 3167

TO: Owners of Property within 200 feet of 501 Chestnut Street and others interested.

FROM: Kathleen Halton and Rebecca Johnson applicable to property named above, in a R-2a zone.

REGARDING: (check appropriate box)
☐ Area Variance  ☐ Use Variance  ☐ Action, Decision, or Interpretation of Zoning Officer

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 7/28/2020 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 8/4/2020 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.

Rebecca Johnson
Signature of Appellant
501 Chestnut Street, Ithaca, NY 14850

Date: 7/17/2020
Dear Neighbors,

We wish to construct an attached 2-car carport on the southwest corner of our home, over the location of the current driveway and in place of an existing porch. We would like to have two covered spaces as part of a larger plan of renovations which will allow us to age in place by reducing the need to shovel and de-ice vehicles in the winter.

Our house, dating from the early 1900’s, was built prior to the construction of a paved street in front of our house and, of course, prior to zoning. Though the lot is exceptionally large (18,850sf), it is on the corner of a terribly busy intersection (Elm and Chestnut) and descends steeply from the street. The existing house location, traffic and topography make siting a garage or carport extremely difficult. Building a detached garage would also necessitate shoveling a long walkway between the house and garage, creating a potentially hazardous walk to the car on our sloping site. In addition, the restriction on curb cuts within a certain distance from an intersection limit the possible locations for any type of parking accommodation.

With these factors in consideration, we felt that the best location for the carport was in the southwest corner of the property, close to the existing curb cut, on level ground approximately 40’ from the intersection. This will allow safe access in and out of the driveway, and attachment to the house, offering an elder-safe route from house to car. The proposed plan (drawing A1) shows the carport corner columns 1’ from both the front and side property lines. The roof overhang is limited to 1’ so that no portion of the roof extends beyond the property line. The carport would harmonize with the existing stick-Victorian aesthetic (drawing A2).

To construct this plan we will be requesting relief from the following code sections at the August 4, 2020 meeting of the Board of Zoning Appeals:

325-8 column 11, Front Yard Setback: 25’ is required, the current house is +/-4’ from the front property line, and 0’ is requested.

325-8 column 13, Other side Yard: 10’ is required, the current house is +/-4’ from the south side lot line, and 0’ is requested.

325-20 E(3) Parking in the front yard: Parking is required to be set back from the front lot line 25’. The proposed parking will be set back 0’

We hope that we will have your support in renovating our home.

Kind regards,

Kathleen Halton and Rebecca Johnson
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>City, State</th>
<th>ZIP Code</th>
<th>Phone</th>
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<td>Warner, Simeon M</td>
<td>274 Floral Ave</td>
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<td>Lindberg, Nathan W</td>
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<td>Ithaca, NY, 14850</td>
<td>500700</td>
<td>74.2-7</td>
<td>418 CHESTNUT ST</td>
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<td>Wilson, Billie</td>
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<td>264 FLORAL AVE</td>
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<tr>
<td>Grady, John</td>
<td>1055 Teeter Rd</td>
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<td>500700</td>
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<td>248 FLORAL AVE</td>
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<tr>
<td>Wall, Jeffrey R</td>
<td>509 Chestnut St</td>
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<td>77.2-14</td>
<td>507 CHESTNUT ST</td>
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<td>Schlesinger, Warren D</td>
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<td>500700</td>
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<tr>
<td>Kingra, Mahinder S</td>
<td>302 Elm St</td>
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<tr>
<td>Jackson, Rebecca O</td>
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<td>Knight, Richard R</td>
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<td>500700</td>
<td>77.2-12</td>
<td>511 CHESTNUT ST</td>
</tr>
</tbody>
</table>
ZONING APPEAL CERTIFICATION OF MAILING

RE: City of Ithaca Board of Zoning Appeals

I, Rebecca Johnson/Kathleen Hallen, 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 July 21, 2020. 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
Hello Ms Wilson. My sister, Kathleen Halton has asked me to contact you about a variance that she has applied for regarding a carport on her property at 501 Chestnut St, Ithaca, NY. I am the property owner of the adjoining property at 503 Chestnut St. I understand that the proposed carport would be built within one foot of my property line. I am not opposed to this construction and give my consent to the proposed project.

Thank you for your time,

Jane Halton
DECORATIVE BRACKETS TO MATCH EXISTING ON OTHER PARTS OF HOUSE, TYPICAL AT CORNERS

SHAKES AND RAKE BOARD DETAILS TO MATCH EXISTING

APPROX LOCATION OF SIDE PROPERTY LINE

GRAPHIC SCALE

0 5 10'
City of Ithaca, NY - 750 Foot Buffer for Parcel - Final Tax Roll

LEGEND
- Tax Parcels w Related Historic Prop
- City Owned Property
- Historic District
- All Historic Properties
- Commons/Features/Poly
  - Bench
  - Bernie Milton Pavilion
  - Fire Lane
  - Fountain
  - Planter
  - Playground
  - Tree Pit
  - Tramway Circle
- Parking Lots and Garages
- Buildings
- Railroad
- Parcel
- Border
- Park
- Impervious Surfaces
  - Paved: Walk or Surface or Private Road
  - Paved Parking
  - Paved Roadway or Public Road
  - Unpaved Drive or Walk or Surface
- Waterway

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

Printed: 7/27/2020

BZA #3167 - 501 Chestnut Street
CITY OF ITHACA BOARD of ZONING APPEALS
Area Variance Findings & Decision

Appeal No.: 3167

Applicant: Kathleen Halton and Rebecca Johnson

Property Location: 501 Chestnut Street

Zoning District: R-2a

Applicable Section of City Zoning Code: §325-8, Columns 11 and 13.

Requirement for Which Variance is Requested: Front Yard and Other Side Yard.


Summary: Appeal of property owners Kathleen Halton and Rebecca Johnson for an Area Variance from Section 325-8, Column 11, Front Yard, and Column 13, Other Side Yard, requirements of the zoning ordinance. The applicant proposes to remove an existing porch on the southwest corner of the house and construct a new carport at the property located at 501 Chestnut Street. The new carport will be 293.3 square feet and 18’ 4” wide by 16’ deep. The property has existing front yard and other side yard deficiencies, and the proposal will exacerbate both deficiencies. The property currently has a front yard of 4 feet, and the construction of the carport will reduce the front yard to 1 foot of the 25 feet required by the ordinance. The smaller side yard is currently 4 feet of the required 10 feet and the new construction will reduce this side yard to 1 foot. The new carport will provide two side-by-side covered parking spaces for occupants of the home and will meet the off-street parking requirements for the property.

The applicants presented this variance request at the Board’s meeting on August 4, 2020, and Board members expressed concerns about the impact of the proposed carport on the streetscape, traffic conditions, and future sidewalk construction as well as the possibility that the variance, if granted, could allow a future property owner to enclose the structure to create a garage. The applicants requested to table the application in order to gather more information related to the Board’s concerns.

The property is located in an R-2a 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.


Members present:
Suzanne Charles
Teresa Deschanes, Acting Chair
Stephanie Egan-Engels
Steven Wolf
The Board received a letter in support of the proposal from Jane Halton, property owner of 503 Chestnut Street that was read into the record.

There were no comments in opposition to the proposal.

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

**Environmental Review:** This is a Type 2 Action under the City of Ithaca Environmental Quality Review Ordinance and the State Environmental Quality Review Act 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 with some reservations. The Board feels that the existing porch is more compatible/contextual than a front yard carport. However, they also understand the owners’ desire to improve the property for aging-in-place and the site constraints that lead to the selection of a carport (rather than a garage) in that particular location. Although a carport is not contextual with the architecture, the Board feels that the applicant has designed it to be as compatible as possible. They encourage the applicant to make every effort to closely match the materials and design details to make appear as an integrated part of the existing building.

**Motion:** A motion to grant the variance request was made by ________

**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 ☐

2. Whether the benefit sought by the applicant can be achieved by a feasible alternative to the variance: Yes ☐ No ☐

3. Whether the requested variance is substantial: Yes ☐ No ☐

4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood: Yes ☐ No ☐

5. Whether the alleged difficulty was self-created: Yes ☐ No ☐

**Second Motion to Grant Variance:** Made by______________.

**Vote:**
Steven Beer, Chair
Suzanne Charles
Teresa Deschanes
Stephanie Egan-Engels
Steven Wolf
Appeal of property owner Ithaca Properties, LLC for an Area Variance from Section 325-8, Column 8, Number of Stories, Column 9, Height in Feet, and Column 14/15, Rear Yard, requirements of zoning ordinance. The applicant proposes to construct a new mixed-use building at 215 E. State Street. The property is a through-parcel with frontage on both the Commons (E. State Street) and E. Green Street and is currently occupied by a commercial building on the Commons side and the eastern third of the Green Street Parking Garage on the E. Green Street side. The applicant proposes to demolish the eastern third of the Green Street Parking Garage and construct a new building on the portion of the site currently occupied by the garage. The existing commercial building on the Commons will be retained. The new building will provide 200 residential units and three levels of structured parking. The new parking decks will connect to the center section of the Green Street Parking Garage, and the new building will connect to the existing commercial structure to provide an interior pedestrian corridor between E. Green Street and the Commons. The proposed building will be 14 stories and will exceed the 12 stories allowed by the zoning ordinance. The proposed building will also exceed the maximum height of 140’, with a height of 156’ 10’ at the top of the elevator tower. The applicant seeks the additional building height to accommodate the parking decks, connect to the existing commercial building for pedestrian access, and provide a rooftop terrace for residential tenants.

In addition, the applicant proposes to construct the building at the rear property line on E. Green Street, providing 0’ of the required 10’ rear yard. The elimination of the rear yard on this site is intended to create a consistent street line among existing and other proposed buildings on E. Green Street and to activate the streetscape.

The property is located in the CBD-60 and CBD-140 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

**Appeal Number:** 3164  
**Address:** 215 E. State Street  
**Date:** 9/1/2020  
**Applicant:** Ithaca Properties, LLC  
**Owner:** Ithaca Properties, LLC  
**Application Type:** Area Variance

<table>
<thead>
<tr>
<th>Column Number</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
<th>10</th>
<th>11</th>
<th>12</th>
<th>13</th>
<th>14/15</th>
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</thead>
<tbody>
<tr>
<td><strong>Column Title</strong></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>
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<tr>
<td><strong>Existing Condition and Use</strong></td>
<td>Retail, Office, Parking</td>
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<td>0</td>
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<td>3</td>
<td>33' 8&quot;</td>
<td>100%</td>
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<td>0</td>
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<td>0</td>
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<tr>
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<td>100% except as required for rear yard</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>10 feet minimum</td>
<td>25' feet and a min. of 2 stories</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Note Non-Conforming Conditions</strong></td>
<td>OK</td>
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<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
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<td>OK</td>
<td>Def.</td>
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</tr>
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<td>53,805</td>
<td>204.65'</td>
<td>14</td>
<td>156' 10&quot;</td>
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<td>10</td>
<td>12</td>
<td>140'</td>
<td>100% except as required for rear yard</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>10 feet minimum</td>
<td>25' feet and a min. of 2 stories</td>
<td></td>
<td></td>
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<tr>
<td><strong>Note Non-Conforming Conditions for Proposal</strong></td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>Def.</td>
<td>Def.</td>
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<td>OK</td>
<td>Def.</td>
<td>OK</td>
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</tr>
</tbody>
</table>

### Notes:
- **Existing deficiencies noted in blue; new or exacerbated deficiencies noted in red.**

*The Commons side of this parcel is located in the CBD-60 zone. It is currently occupied by a commercial building (shown in the plans and renderings) and that structure will remain. The new building will be constructed on the Green Street portion of the parcel that is located in the CBD-140 zone and currently the location of the eastern third of the Green Street Parking Garage. The heights in this table are for the existing parking garage and proposed new building only.*

**There is one loading/service area off of Green Street, just south of the hotel, that will be shared with the project.**
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 #: 3164 (FILLED IN BY STAFF)
   HEARING DATE: 9/1/2020
   BUILDING PERMIT #: 40474 (REQUIRED)
   RECEIPT #: 62931 (FILLED IN BY STAFF)

2. Property Address: 215 E. State Street Use District: CBD-140

   Owner’s Name: Ithaca Properties, LLC  Owner’s Address: 1721 - D North Ocean Ave

   City: Medford  State: NY  Zip: 11763

3. Appellant’s Name: Ithaca Properties, LLC  Appellant’s Address: 1721 - D North Ocean Ave

   City: Medford  State: NY  Zip: 11768

   Telephone: 631-207-5730 x 202  E-Mail: jrimland@northop.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 19th day of
June 2020

Notary Public

NOTARY PUBLIC AVAILABLE AT CITY HALL

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

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

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

<table>
<thead>
<tr>
<th>Zoning Ordinance Section Being Appealed</th>
<th>Sign Ordinance Section Being Appealed</th>
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<tbody>
<tr>
<td>§325- 8, Columns 8, 9, 14/15</td>
<td>§272-</td>
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<td>§272-</td>
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<tr>
<td>§325-</td>
<td>§272-</td>
</tr>
</tbody>
</table>

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

3. Environmental Assessment form used:

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

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

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

5. Notes or Special Conditions:
Dear Ms. Wilson:

CHA, on behalf of the applicant, is pleased to submit the enclosed Board of Zoning Appeals application related to the above referenced project. The application is submitted in support of certain area variances which are necessary to implement the redevelopment project in conjunction with the ongoing Site Plan Review process.

**Project Summary**

Ithaca Properties, LLC is proposing a redevelopment project on the site bounded by East Green Street, the Marriott Hotel, The Rothschild Building and the center section of the City Owned Parking Deck. Currently, the site is an existing parking deck that has reached the end of its useful life and needs to be replaced. This project will demolish and rebuild the three (3) levels of parking in the eastern section of the deck. Vehicular connections will remain between the existing center section on levels 2 & 3. The upper two (2) levels of parking will provide continued public use. The Green Street façade will be provide a residential lobby and access to the proposed building, including a pedestrian connection through the building to The Commons. Ten (10) levels of residential units, each about 16,300 sf, will be constructed above the parking levels. The project will feature 200 apartment units, including in studio, 1- & 2-bedroom configurations. Portions of the existing two-story Rothschild Building will be renovated to house amenity spaces alongside the existing tenants that will remain within the building. It will also feature an interior, conditioned pedestrian connection from the new building lobby at Green Street to the Commons, which will serve as the building’s front door.

**Area Variance Request Summary**

The proposed project has complex components regarding the existing site topography and various floor height elevations intended to connect the active pedestrian corridors between The Commons and East Green Street. This includes accommodating various levels of parking to service the downtown public areas. As such, the project will request a variance for the total number of stories to be 14 floors, inclusive of these park deck floor levels and a roof top terrace which is also considered a floor level, compared to the maximum allowable of 12 stories. The proposed overall building height of 156’-10” exceeds the allowed 140’ height. The 156’ 10” height is measured to the top of the elevator overrun and represents a small portion of the rooftop footprint to minimize its visibility. The majority of the roof top elevation is 142’-6” compared to the allowed 140’ height and therefore will not significant alter the perceived skyline of the building when compared to the surrounding areas of downtown.
Additionally, the project is unique in that there are two (2) existing street frontages. The CBD-140 district requires a minimum 10’ rear yard setback. However, on this “through lot” configuration, The Commons is defined as the front lot area, while East Green Street is the rear lot area. In an effort to provide consistent street line setback with respect to adjacent buildings fronting on East Green Street, the project will request a variance for the “rear” yard to be reduced to zero feet.

The following information is enclosed:

- Zoning Appeal Application
- Fee = $150.00 (provided under separate cover)
- Owner’s Authorization Form
- Property Owner List – 200’ Adjacent to the site per TC Assessor
- Notice of Appeal Form
  - Letter to Neighbors
- Full EAF – (in conjunction with the SRP application coordinated review)
- Property Survey
- Architectural Plan & Elevations
- Site Plan Drawings

If you should require any additional information or have any questions, please do not hesitate to contact our office at 315-257-7220 or jtrash@chacompanies.com.

Very truly yours,

James F. Trasher, P.E.
Vice President

Enclosures
Cc:
V:\Projects\ANY\K5\059216.000\Corres\Applications\14 - ZBA Resubmission-8-5-20\0 - BZA Cover Letter - 8-5-20.doc
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 #: 3164

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

I (We) ________________ of ________________
(Name)

of 1721-D North Ocean Ave
(Street Address)

Medford, NY 11763
(City/Municipality) (State & Zip Code)

Owner of the property at 215 E. State 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 ______________________ meeting of the Board of Zoning Appeals.

Date

(Signature)

STATE OF NEW YORK)
COUNTY OF TOMPKINS)

Sworn to this _______ day of ________, 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

APPEAL NO. 3164

TO: Owners of Property within 200 feet of 215 E. State Street and others interested.

FROM: Ithaca Properties, LLC applicable to property named above, in CBD-140 zone.

REGARDING: (check appropriate box)

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

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

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

The PLANNING BOARD will consider this case on August 25 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 Sept. 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.

Signature of Appellant
1721-D North Ocean Ave
Medford NY 11768

Address

Date

8/5/2020
August 5, 2020

RE: Board of Zoning Appeals Application
215 E. State Street – Rothschild Mixed Use Development Project

To Whom It May Concern,

CHA, on behalf of the applicant, is pleased to provide the following information related to the above referenced application to the City of Ithaca Board of Zoning Appeals for the proposed redevelopment project.

Ithaca Properties, LLC is proposing redevelopment project on the site bounded by East Green Street, the Marriott Hotel, The Rothschild Building and the center section of the City Owned Parking Deck. Currently, the site is an existing parking deck that has reached the end of its useful life and needs to be replaced. This project will demolish and rebuild the three (3) levels of parking in the eastern section of the deck. Vehicular connections will remain between the existing center section on levels 2 & 3. The upper two (2) levels of parking will provide continued public use. The Green Street façade will be provide a residential lobby and access to the proposed building, including a pedestrian connection through the building to the Commons. Ten (10) levels of residential units, each about 16,300 sf, will be constructed above the parking levels. The project will feature 200 apartment units, including in studio, 1- & 2-bedroom configurations. Portions of the existing two-story Rothschild Building will be renovated to house amenity spaces alongside the existing tenants that will remain within the building. It will also feature an interior, conditioned pedestrian connection from the new building lobby at Green Street to the Commons, which will serve as the building’s front door.

The proposed project has complex components regarding the existing site topography and various floor height elevations intended to connect the active pedestrian corridors between The Commons and East Green Street. This includes accommodating various levels of parking to service the downtown public areas. As such, the project will request a variance for the total number of stories to be 14 floors, inclusive of these park deck floor levels and a roof top terrace which is also considered a floor level, compared to the maximum allowable of 12 stories. The proposed overall building height of 156’-10” exceeds the allowed 140’ height. The 156’ 10” height is measured to the top of the elevator overrun and represents a small portion of the rooftop footprint to minimize its visibility. The majority of the roof top elevation is 142’-6” compared to the allowed 140’ height and therefore will not significant alter the perceived skyline of the building when compared to the surrounding areas of downtown.

Additionally, the project is unique in that there are two (2) existing street frontages. The CBD-140 district requires a minimum 10’ rear yard setback. However, on this “through lot” configuration, The Commons is defined as the front lot area, while East Green Street is the rear lot area. In an effort to provide consistent street line setback with respect to adjacent buildings fronting on East Green Street, the project will request a variance for the “rear” yard to be reduced to zero feet.

If you should require any additional information or have any questions, please do not hesitate to contact our office at 315-257-7220 or jtrash@chacompanies.com.

Very truly yours,

[Signature]

James F. Trasher, P.E.
Vice President
<table>
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<tr>
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<th>Address</th>
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ZONING APPEAL CERTIFICATION OF MAILING

RE: City of Ithaca Board of Zoning Appeals

Zoning Appeal #3164

I, ___Brian F. Bouchard_________________________, 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 August 18, 2020. 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
STABILIZED CONSTRUCTION ENTRANCE

LANDS N/E
ITHACA PROPERTIES, LLC
(TIF #7663-001)
(TFP #70-4-4.2)

LANDS N/E
ITHACA PROPERTIES, LLC
(TIF #5227-003)
(TFP #70-4-4.3)

AREA = 53,665 SQ FT.
OR 1.248 ACRES

CONCRETE WASHOUT
CONSTRUCTION ENTRANCE

LIMITS OF CONSTRUCTION

CONCRETE TRANSFORMER

EXISTING STREET DRAINAGE SYSTEM

FLUSH SILT SOCK

REMOTE EXISTING 3-DOOR HANGAR DAMAGE
WEST #460236-001
(TFP #70-4-4.2)

AREA = 6,367 SQ FT.

REMOTE EXISTING DRIVEWAY

 notes:
1. ALL WORK WITHIN THE ROW Requires A STREET PERMIT FROM THE CITY OF ITHACA
2. ALL TREE REMOVAL REQUIRES A PERMIT FROM THE CITY OF ITHACA

DEMOLITION PLAN
C-004

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PAINTED BY:

HARRIS HADDOCK & CO

300 SOUTH STATE STREET
SUITE 600
SYRACUSE, NEW YORK 13202

315.471.3920
WWW.CHACOMPANIES.COM

RUTHERFORD MIX-USE
DEVELOPMENT
250 E. STATE STREET
ITHACA, NY 14850

059216

BGH

5/8/2020
CITY COMMENTS

JFT

5/29/2020
MPT PLANS

BGH

6/5/2020
CITY COMMENTS

JFT

6/15/2020
MPT COMMENTS

JFT

7/28/2020
LANDSCAPE PLAN
UPDATES

JFT

8/3/2020
CITY COMMENTS

JFT

ITTAC PROPERTIES, LLC

1721-D NORTH OCEAN AVE

MEDFORD, NEW YORK 11763

BGH

5/8/2020

CITY COMMENTS/REVISED FOOTPRINT

JFT

5/29/2020
MPT PLANS

JFT

6/5/2020
CITY COMMENTS

JFT

6/15/2020
MPT COMMENTS

JFT

7/28/2020
LANDSCAPE PLAN UPDATES

JFT

8/3/2020
CITY COMMENTS

JFT
ROTHSCHILD MIXED USE DEVELOPMENT
ITHACA, NY

August 3, 2020
The drawings presented are illustrative of character and design intent only, and are subject to change based upon final design considerations (i.e. applicable codes, structural, and MEP design requirements, unit plan/floor plan changes, etc.).

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669 River Drive, Suite 402, Elmwood Park, NJ 07407

ROTHSCHILD MIXED USE DEVELOPMENT

MEZZANINE
EXISTING OFFICE TO REMAIN
HOTEL ENTRY
EAST GREEN STREET
THE COMMONS
SOUTH AURORA STREET
7-STORY PARKING STRUCTURE
CENTER ITHACA
COMMERCIAL SPACE
12,860 SF
EXISTING OFFICE TO REMAIN
61 SPACES
18
10
9
18
6
61 SPACES
COMMERCIAL SPACE
STAIR 1
STAIR 2
FIRE SERVICE
ACCESS
ELEVATOR
FIRE SERVICE
ACCESS
STAIR
25'
50'
75'
100'
LEVEL 2
EAST GREEN STREET
7-STORY PARKING STRUCTURE
HOTEL
SOUTH AURORA STREET
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ROTHSCHILD MIXED USE DEVELOPMENT

LEVEL 7

25' 50' 75' 100'
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ROTHSCHILD MIXED USE DEVELOPMENT

LEVEL 10

EAST GREEN STREET

CENTER ITHACA

7-STORY PARKING STRUCTURE

THE COMMONS

SOUTH AURORA STREET

HOTEL

EXISTING ROOF

PARKING BELOW

NORTH

215 EAST STATE STREET, ITHACA, NY

JULY 28, 2020 | SH200014.00
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669 River Drive, Suite 402, Elmwood Park, NJ 07407

ROTHSCHILD MIXED USE DEVELOPMENT

JULY 28, 2020 | SH200014.00

STUDIO UNIT

1 BEDROOM UNIT

2 BEDROOM UNIT
### LIFE SAFETY REQUIREMENTS

**USE CONDITION:** High-Hazard

#### EGRESS ALLOWED

- **Allowed:** Egress

#### ELECTRICAL SUMMARY

See COMCHECK SUMMARY for energy code compliance

See structural drawings for loading information

#### FIRE PROTECTION REQUIREMENTS

**Type of Construction:**

- **Enclosed (406.4):**
  - North
  - South

**Building Height in Stories:** 180'-0"

**Mixed Construction:** Yes

**FIRE PROTECTION REQUIREMENTS:**

- **Sprinklers:** Yes
- **Wet Standpipes:** Yes
- **Smoke Barrier Separation:** 1-Hour U-2079
- **Corridor Separation:** Over 30' U-1479
- **Parapet Wall Separation:** Over 30' U-1479

**Corridor:**

- **Accessibility:** Yes

**Columns, girders, trusses:**

- **Rated:** Areas (W/Design Rations)

**Building Area:**

- **Building Area:** 257,615 SF

**Urinals:**

- **No:**

**Office Area:**

- **LVL 1:**
  - Lounge
  - Gym

**Area Designation:**

- **OFFICE AREA:**
  - ACTUAL WIDTH
  - PER OCCUPANT

**Columns, girders, trusses:**

- **Rated:**
  - Area (W/Design Rations)

**Building Area:**

- **Building Area:** 257,615 SF

**Urinals:**

- **No:**
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ROTHSCHILD MIXED USE DEVELOPMENT

215 EAST STATE STREET, ITHACA, NY

JULY 10, 2020 | SH200014.00

JULY 28, 2020 | SH200014.00
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ROTHSCHILD MIXED USE DEVELOPMENT

THE COMMONS

215 EAST STATE STREET, ITHACA, NY

JULY 10, 2020 | SH200014.00

ROTHSCHILD MIXED USE DEVELOPMENT

THE COMMONS

EAST GREEN ST
NORTH

EXISTING PARKING

THE COMMONS

SOUTH AURORA STREET

Ithaca Redevelopment Partners LLC
669 River Drive, Suite 402, Elmwood Park, NJ 07407

JULY 28, 2020 | SH200014.00

BUILDING SECTION - HOME DAIRY ALLEY / WEST ELEVATION

EXISTING OFFICE / RETAIL SPACES

EXISTING OFFICE / RETAIL SPACES
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ROTHSCHILD MIXED USE DEVELOPMENT

CEMENTITIOUS VENEER 1

CEMENTITIOUS VENEER 2

TEXTURE OF CEMENTITIOUS VENEER 1 & 2

METAL PANEL 1
INSTALLED PANEL EXAMPLE

ACERO COLORS

METAL PANEL 1 COLOR

MASONRY 1

PERFORATED MESH

RENDERING VIGNETTE - AT EAST GREEN STREET - TRANSFORMER SCREENING

RENDERING VIEW - AT EAST GREEN STREET
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ROTHSCHILD MIXED USE DEVELOPMENT

EXISTING HOTEL

EXISTING PARKING CENTER ITHACA

SOUTH AURORA STREET

THE COMMONS

EAST GREEN STREET

CEMENTITIOUS VENEER 1

CEMENTITIOUS VENEER 2

TEXTURE OF CEMENTITIOUS VENEER 1&2

MASONRY 1

PERFORATED MESH

METAL PANEL 1

INSTALLED PANEL EXAMPLE

METAL PANEL 1 COLOR

ACERO

CEMENTITIOUS VENEER 2

MASONRY 1

RENDERING VIGNETTE - AT EAST GREEN STREET - MAIN ENTRANCE
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Rothschild Mixed Use Development

Cementitious Veneer 1
Cementitious Veneer 2
Texture of Cementitious Veneer 1 & 2
Metal Panel 1
Installed Panel Example
Metal Panel 1 Color
Masonry 1
Perforated Mesh

Rendering View - At The Commons
SCENE 1 - AERIAL VIEW AT EAST GREEN STREET AND SOUTH AURORA STREET
SCENE 2 - AERIAL VIEW AT EAST GREEN STREET AND SOUTH CAYUGA STREET INTERSECTION
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ROTHSCHILD MIXED USE DEVELOPMENT

JULY 28, 2020 | SH200014.00

ROTHSCHILD MIXED USE DEVELOPMENT

JULY 28, 2020 | SH200014.00
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215 EAST STATE STREET, ITHACA, NY

JUNE 17, 2020 | SH200014.00

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ROTHSCHILD MIXED USE DEVELOPMENT

JULY 28, 2020 | SH200014.00
City of Ithaca, NY - 750 Foot Buffer for Parcel - Final Tax Roll

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CITY OF ITHACA BOARD of ZONING APPEALS
Area Variance Findings & Decision

Appeal No.: 3164

Applicant: Ithaca Properties, LLC

Property Location: 215 E. State Street

Zoning District: CBD-60 and CBD-140

Applicable Section of City Zoning Code: §325-8, Columns 8, 9, and 14/15

Requirement for Which Variance is Requested: Maximum Number of Stories, Maximum Height in Feet, and Rear Yard requirements of the Zoning Ordinance


Summary: Appeal of property owner Ithaca Properties, LLC for an Area Variance from Section 325-8, Column 8, Number of Stories, Column 9, Height in Feet, and Column 14/15, Rear Yard, requirements of zoning ordinance. The applicant proposes to construct a new mixed-use building at 215 E. State Street. The property is a through-parcel with frontage on both the Commons (E. State Street) and E. Green Street and is currently occupied by a commercial building on the Commons side and the eastern third of the Green Street Parking Garage on the E. Green Street side. The applicant proposes to demolish the eastern third of the Green Street Parking Garage and construct a new building on the portion of the site currently occupied by the garage. The existing commercial building on the Commons will be retained. The new building will provide 200 residential units and three levels of structured parking. The new parking decks will connect to the center section of the Green Street Parking Garage, and the new building will connect to the existing commercial structure to provide an interior pedestrian corridor between E. Green Street and the Commons. The proposed building will be 14 stories and will exceed the 12 stories allowed by the zoning ordinance. The proposed building will also exceed the maximum height of 140’, with a height of 156’ 10” at the top of the elevator tower. The applicant seeks the additional building height to accommodate the parking decks, connect to the existing commercial building for pedestrian access, and provide a rooftop terrace for residential tenants.

In addition, the applicant proposes to construct the building at the rear property line on E. Green Street, providing 0’ of the required 10’ rear yard. The elimination of the rear yard on this site is intended to create a consistent street line among existing and other proposed buildings on E. Green Street and to activate the streetscape.

The property is located in the CBD-60 and CBD-140 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.

Members present:
Steven Beer, Chair
Suzanne Charles
Teresa Deschanes
Stephanie Egan-Engels
Steven Wolf

Tompkins County Review per Section 239 -l & -m of New York State General Municipal Law:
Comments to be provided prior to the meeting.

Environmental Review: This variance is a component of an action that also includes site plan review. Considered together, this is a Type 1 Action under the City of Ithaca Environmental Quality Review Ordinance and the State Environmental Quality Review Act for which the Planning and Development Board, acting as Lead Agency, made a Negative Determination of Environmental Significance on August 25, 2020.

Planning & Development Board Recommendation:
Comments to be provided prior to the meeting.

Motion: A motion to grant the variance request was made by ________

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

2. Whether the benefit sought by the applicant can be achieved by a feasible alternative to the variance: Yes No

3. Whether the requested variance is substantial: Yes No

4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood: Yes No

5. Whether the alleged difficulty was self-created: Yes No

Second Motion to Grant Variance: Made by__________________.

Vote:
Steven Beer, Chair
Suzanne Charles
Teresa Deschanes
Stephanie Egan-Engels
Steven Wolf