

PLEASE TYPE OR PRINT (LEGIBLY)

E-19-01

For Office Use Only:	Application Number: V-19-12
Tax map Section: 017, Block: 06 Lot: 01	Zoning District: BA

1. Address of subject property: 500 - 524 Butternut St.

2. Year property was purchased by current owner: 1950's

3. Applicant/Contact information:

a. Owner(s) (current titleholder):

Name(s): Butternut Real Estate Corp.

Mailing Address: 5081 Pine Valley Dr. Fayetteville, N.Y.

Zip: 13066 Daytime phone number: 315.663.2444 home phone number:

e-mail (alternate contact for additional information request): daiello@corcompanies.com

b. Contract Purchaser(s) [ ], Lessee [X], or Co-applicant [ ] (if applicable)

\*note: Copy of contract to purchase must be included with application if this Contract Purchaser or Lessee applies. (see attached)

Name(s): The Vineyard Church

Mailing Address: 312 Lakeside Rd, Syracuse, N.Y.

Zip: 13209 Home phone number: Day Phone: 315.407.8463

e-mail (alternate contact for additional information request): Shelly@vineyardny.org c

.Representative: Attorney [ ], Architect [ ], Contractor [ ], Other [ ]

(Only if involved in this application)

Name(s):

Mailing Address:

Zip: Telephone number:

4. Current Use of Property: (i.e., 2 family dwelling, grocery store, etc.): Space is currently vacant.

Previously used as offices and classrooms for Inter Faith Works.

Proposed use and occupancy: Church

Current number of onsite (off-street) parking spaces: 114

Proposed number of onsite (off-street) parking spaces: 129

Days and hours of operation (for any business uses): Church Services Sunday 11:00.  
During the week occasional classes. Office hours M-F 9-5.

Explain in detail what (if any) new additions or construction is proposed on the site:  
None

**Reason for request:**

The courts have distinguished between use variances (for uses which are not permitted) and area variance (for excess lot coverage, additions into required yards, etc.). Be aware that *the standards of proof for a use variance are much more demanding* than for an area variance and that *the burden is on the applicant* to provide such proof in arguing their case. (See Standard of Proof requirements on required submittal page.)

Use additional sheets of paper to present proof if necessary. We are requesting an area  
variance that would allow us to operate a church in the vacant space  
at 500-524 Butternut St. The addition of the church would cause the  
allowed parking in the plaza to be exceeded. The only time that the church  
might need those spaces (and only at maximum attendance) would be on  
Sundays between 11am and 1 pm. Otherwise, there will be occasional use  
of the church building at other times during the week for classes and small  
group meetings. As a church, we have spent over a year looking for  
the right space on the Northside to meet our needs and believe that  
this property would be perfect for us.  
\* We will be prepared to show that there is very limited use of the plaza  
parking lot on Sundays before 1 pm so plaza businesses should not be  
negatively impacted.

The following affirmation must be signed and dated by the CURRENT PROPERTY OWNER or the owner's LEGAL representative (attorney, power of attorney, partner in the business, etc.).

**DECLARATION**

I understand that false statements made herein are **punishable as a Class A Misdemeanor, pursuant to section 210.45 of the Penal Law of the State of New York.** I declare that, subject to the penalties of perjury, any statements made on this application and any attachments are the truth and to the best of my knowledge correct.

I also understand that any false statements and/or attachments presented knowingly in connection with this application **will make consideration of this application null and void.**

**CURRENT PROPERTY OWNER SIGNATURE**

As listed on the City of Syracuse Tax Assessment Roll. If not listed as the owner on the current rolls, please include a proof of ownership, for example, a copy of the deed. Attorney's signing on behalf of the owner must include a one page letter describing the legal representative arrangement. Architects, engineers, contractors, tenants, etc. cannot sign on behalf of the property owner. If property owner is a Corporation or an Organization, then the person signing must provide verification they are a member of such, and can sign on the owners' behalf.

Angelo Pavone 1-19-19  
**CURRENT PROPERTY OWNER SIGNATURE** **DATE**

ANGELO PAVONE PRESIDENT  
**Please legibly PRINT SIGNATURE NAME and TITLE**

### DENIAL OF PERMIT

REFERENCE ADDRESS 500-24 BUTTERNUT ST

WARD NO. \_\_\_\_\_

OWNER BUTTERNUT PLAZA, LLC

OWNER'S ADDRESS 5021 PINE VALLEY DRIVE

FANETTEVILLE, NY

CONTACT: SHELLY JOHANSEN - 315.407.8463 TELEPHONE \_\_\_\_\_

APPLICATION FOR PERMIT TO:

erect ( )    convert ( )    maintain ( )    operate (x)

CHURCH BUSINESS WITHOUT ADEQUATE/REQUIRED PARKING

DENIED UNDER ARTICLE (s) \_\_\_\_\_

\_\_\_\_\_ of the zoning ordinance for the following reasons: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PLANS ATTACHED, APPROVED BY \_\_\_\_\_  
ON \_\_\_\_\_

SURVEY ATTACHED

ZONING REVIEWED BY \_\_\_\_\_

LOCATION OF REFERENCE ADDRESS:  
ASSESSOR'S ATLAS

BOOK (S) NO. \_\_\_\_\_

PLATE (S) NO. \_\_\_\_\_

PARCEL (S) NO. \_\_\_\_\_

DATE JULY 28 2019

SIGNATURE



617.20  
Appendix B  
Short Environmental Assessment Form

**Instructions for Completing**

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

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

Part 1 - Project and Sponsor Information			
Name of Action or Project: <span style="font-size: 1.2em; font-family: cursive;">Vineyard Church</span>			
Project Location (describe, and <u>attach a location map</u> ): <span style="font-size: 1.2em; font-family: cursive;">500-524 Butternut St.</span>			
Brief Description of Proposed Action: <span style="font-size: 1.2em; font-family: cursive;">Putting a church in an existing space of 10,000 s.f. on the 2<sup>nd</sup> floor of a strip mall.</span>			
Name of Applicant or Sponsor: <span style="font-size: 1.2em; font-family: cursive;">Vineyard Church</span>		Telephone: <span style="font-size: 1.2em; font-family: cursive;">315-407-8463</span>	
		E-Mail: <span style="font-size: 1.2em; font-family: cursive;">shelly@vineyardny.org</span>	
Address: <span style="font-size: 1.2em; font-family: cursive;">312 Lakeside Rd</span>			
City/PO: <span style="font-size: 1.2em; font-family: cursive;">Syracuse</span>		State: <span style="font-size: 1.2em; font-family: cursive;">NY</span>	Zip Code: <span style="font-size: 1.2em; font-family: cursive;">13209</span>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/> YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: <span style="font-size: 1.2em; font-family: cursive;">Zoning permit</span>			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<span style="font-size: 1.2em; font-family: cursive;">1.871</span> acres <span style="font-size: 1.2em; font-family: cursive;">327.6 x 248.8</span>	
b. Total acreage to be physically disturbed?		<span style="font-size: 1.2em; font-family: cursive;">0</span> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<span style="font-size: 1.2em; font-family: cursive;">.226</span> acres	
4. Check all land uses that occur on, adjoining and near the proposed action. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			



18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>John Elmer</u>	Date: <u>1/14/19</u>	
Signature: <u><i>John Elmer</i></u>		

**Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2.** Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3.** For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
<u>Vineyard Church</u>	<u>1/14/19</u>
Name of Lead Agency	Date
<u>John Elmer</u>	<u>President</u>
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
<u>[Signature]</u>	<u>—</u>
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

**PRINT**



**THE VINEYARD CHURCH**  
*"Come as you are...and be loved"*

January 2019

To The Zoning Board of Appeals:

The Vineyard Church in Syracuse was started in 1992. Since that time, the church has grown to include 4 sites around Central NY. Through this time of growth, our mission has remained the same; to share the simple love of God to our friends and neighbors and to serve people in their need. The church currently runs food programs (in the community and schools), recovery groups, tutoring classes and much more. In 2016, we felt strongly to start our 5<sup>th</sup> church site on the Northside. We spent more than a year considering properties in the area that became available and finally found one at 500-524 Butternut St that would meet our needs.

We are proposing to renovate space that has been vacant for 4 years in the plaza above the Family Dollar Store at 500-524 Butternut St. It would include a lobby, sanctuary, children's classrooms and meeting rooms. Since the property was previously occupied by a not-for-profit, many of the classrooms and meeting spaces are already in place. A weekly church service would be held from 11:30am-12:30pm on Sundays. Classes and small groups would meet at different times throughout the week. Generally, office hours would be Monday-Friday from 9-5 with two employees on the premises. Access for the church would be gained from the side of the building facing McBride St.

The area variance we are applying for is required because the addition of the church would cause the parking allowances in the plaza to be exceeded. However, in addition to the parking spaces that are in the lower plaza area, there is an unused parking area in the back of the building (room for 22 cars) as well as 16 usable, striped parking spaces along the side (that are inadmissible since they are on the right of way). The unused parking areas would generally be sufficient for the church's needs with the exception of the time the church meets on Sunday morning. There is also on-street parking available (should it ever be needed) on both McBride and Laurel Streets as most of the residences have their own driveways.

We are eager to move forward with plans we have to serve the Northside and hope to be able to proceed with our plans at this location. We have an agreed upon lease that is in danger of being lost with further delay so we thank you for your consideration to grant us this variance.

Very Truly Yours,

John Elmer  
Pastor

**THE VINEYARD CHURCH**

312 Lakeside Rd. • Syracuse, New York 13209 • Phone: 315.407.8463  
Fax: 315.468.0884 • vineyardny.org



**THE VINEYARD CHURCH**  
*"Come as you are...and be loved"*

February 2019

To The Zoning Board of Appeals:

We are writing this letter as an addendum to the January 2019 letter that was written requesting an area variance for parking that would allow the Vineyard Church to use the space above Family Dollar at 500-524 Butternut Street as a church. After submitting the initial application for the variance, it was brought to our attention that a portion of the parking area behind the plaza is zoned 'Res A' while the remainder of the property in the plaza is 'Bus A'.

Therefore, in addition to our original request for a waiver for parking, we are requesting that the Zoning Board grant us an exception that would allow us to use up to 50' of land zoned Res A (beyond the Bus A line but still part of the commercial property) for parking. We do not believe that this would in any way negatively impact the neighboring area for the following reasons:

- The area we propose to use is entirely buffered on all sides and would not meet any neighboring property line. With the trees and a ravine that surround the parking area, it cannot be easily seen by the neighbors.
- The area has already been used for parking by previous plaza tenants
- Since the property we are considering has been vacant for 4 years, this parking area behind the building is being used for illicit activity which we have witnessed and cleaned up the remains of. We will repair and maintain the lighting in the parking area and will be installing a 24 hour security camera system on the property to include that parking area.
- We will provide a barrier on the back part of the parking lot that would no longer allow cars to enter or exit that parking area from Laurel St.

Having the use of this parking area behind the building would give ample room for those who might have greater accessibility needs the ability to park close and enter the church from that side of the building.

Once again, we are eager to move forward with plans we have to serve the Northside and hope to be able to proceed with our plans at this location.

Very Truly Yours,

John Elmer  
Pastor

**THE VINEYARD CHURCH**

312 Lakeside Rd. • Syracuse, New York 13209 • Phone: 315.407.8463  
Fax: 315.468.0884 • vineyardny.org



**LOCATION PLAN**  
Scale: 1" = 500'

**NOTES:**

Total area: 116,533.883 sq.ft. or 2,671.6 acres.  
 Land shown on this map is subject to all easements and encumbrances, including but not limited to utility easements and one acre parcels, which are shown on other maps and are not shown on this map.  
 The approximate only bases is within Zone "X" (Area determined to be outside the 0.25 annual chance floodplain, according to Federal Emergency Management Agency Flood Insurance Study Program Effective date: November 4, 2018).  
 The lot numbers shown on this map are for informational purposes only.  
 Total number parking spaces on site: 110 regular spaces and 14 regular spaces off site.

**TRACT MAP:**

By: Jack W. Cahill, L.C.  
 Map No. 4879  
 Date: July 23, 1984  
 Map No. 73

**LEGEND:**

- u s Indicates light stand
- Indicates utility pole, anchor & swamped lines
- Indicates iron pipe and/or monument found
- Indicates sidewalk
- Indicates sign
- Indicates storm culvert
- Indicates gas main, gas valve & gas line marker
- Indicates water main, water valve & hydrant
- Indicates storm sewer, catch basin & manhole
- Indicates sanitary sewer, sewer vent & manhole
- Indicates underground telephone line, manhole & box
- Indicates underground electric line & manhole
- Indicates underground television cable & box
- Indicates boundary line
- Indicates adjacent parcel line
- Indicates old/original parcel line
- Indicates easement line
- Indicates centerline road

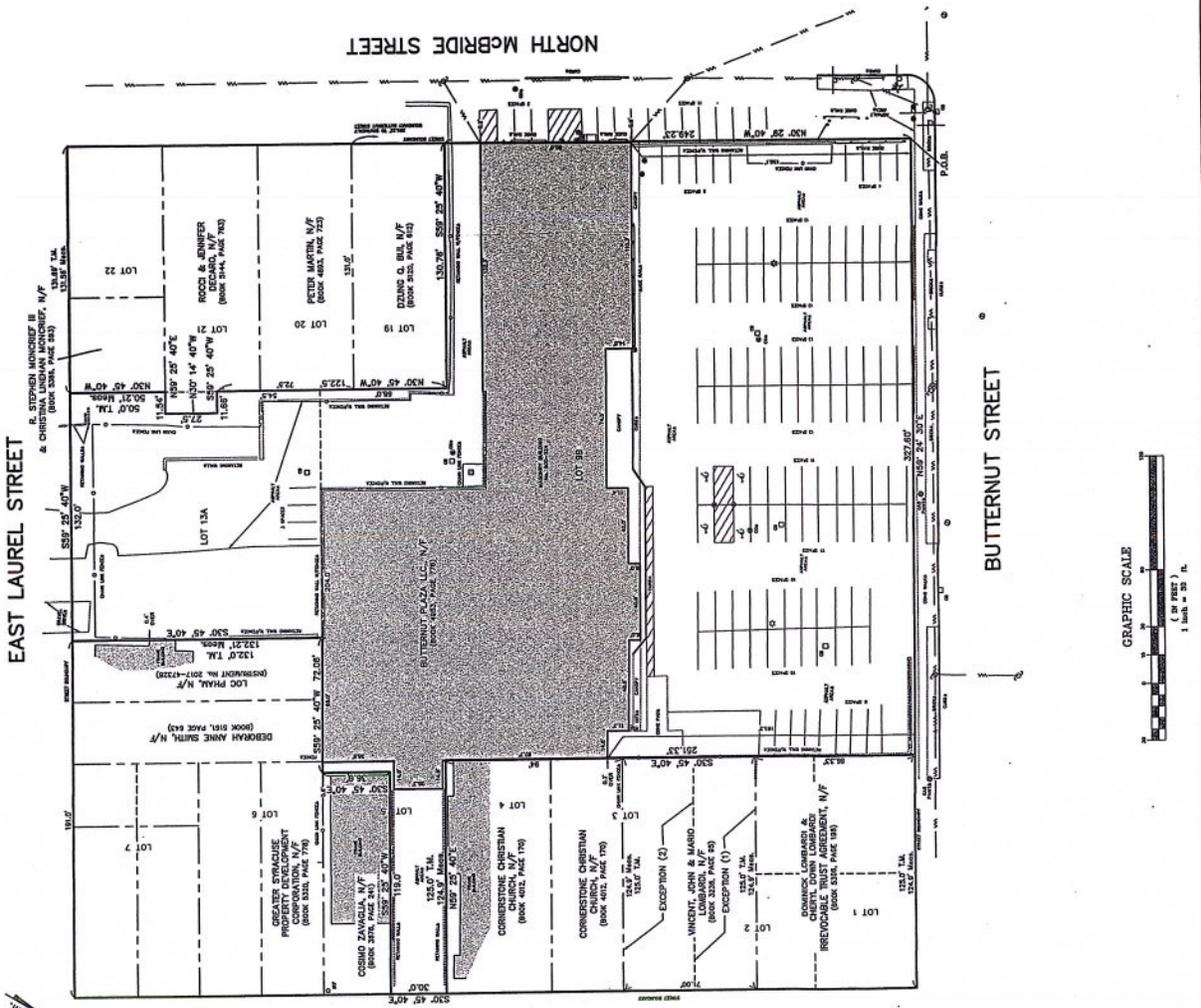
THE UNDERSIGNED HEREBY CERTIFIES THAT THIS MAP IS A TRUE AND CORRECT COPY FROM AN ACTUAL SURVEY.

U.S. Licensed Land Surveyor

LOT Nos. 9B & 13A  
**PROSPECT HILL**  
 PART OF BLOCK No. 275A  
 CITY OF SYRACUSE  
 ONONDAGA COUNTY, NEW YORK

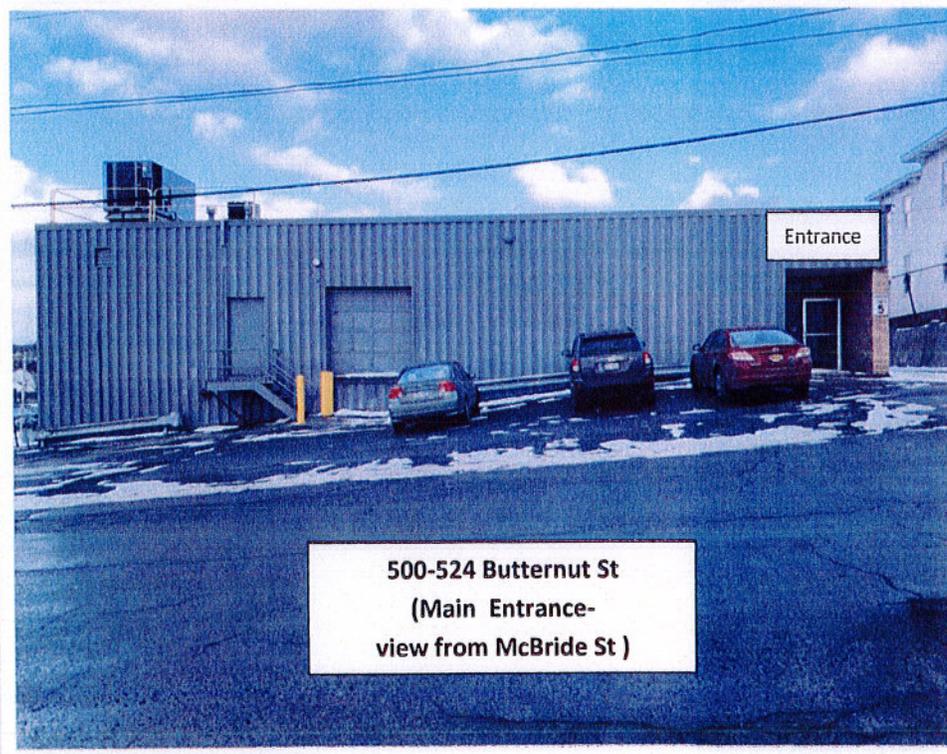
LAND SURVEYING P.C.  
 1000 W. STATE ST. SUITE 100  
 SYRACUSE, NY 13202  
 TEL: 478-8780  
 FAX: 478-8780

DATE: JANUARY 16, 2019  
 SCALE: 1" = 30'  
 SHEET No. 37A-001  
 P. N. 1858





# Vineyard Church Proposed Northside Site



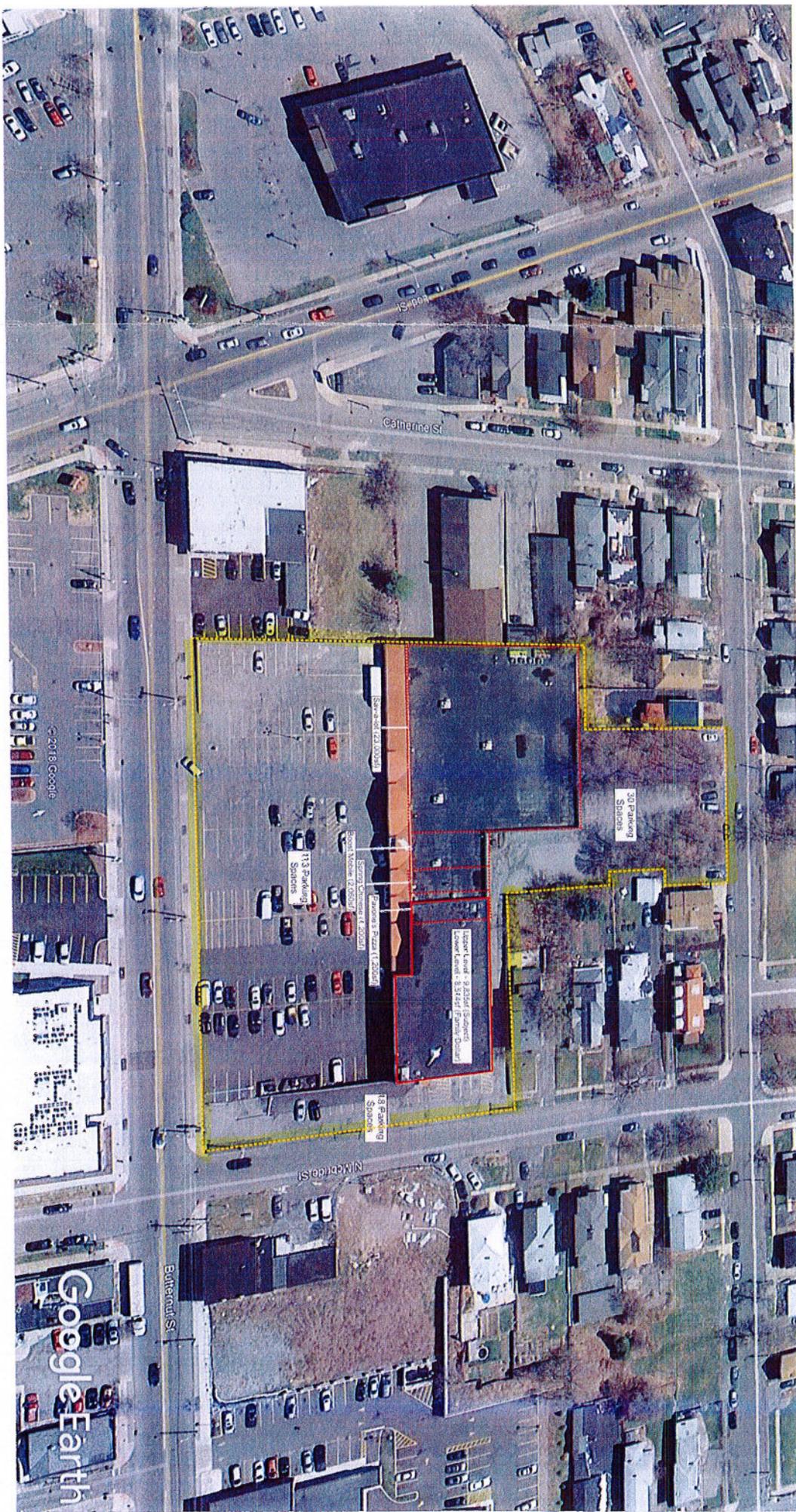
# Vineyard Church Proposed Northside Site



500-524 Butternut St  
(2<sup>nd</sup> Floor above Family Dollar)



500-524 Butternut St  
(Main Entrance-  
view from McBride St )



Catherine St

N. Meigs St

Baird St

20 Parking Spaces

113 Parking Spaces

18 Parking Spaces

Google Earth

© 2018 Google