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Cornelius Banks, III
Clee Properties, LLC
117 N. Lake Avenue
Albany, New York 12206
Humza0461@gmail.com

RE: **117 N. Lake Avenue Stop Work Order**

Dear Mr. Banks,

I have discussed your letter sent on May 26, 2020 with the Director of Buildings regarding what is needed for 117 N. Lake Avenue to come into compliance with the City of Albany Unified Sustainable Development Code and the Uniform New York State Building Code.

The permit application that you submitted in 2017 omitted various information and was not reviewed under the applicable regulations. Your permit is therefore invalid and you may not use the property at 117 N. Lake Avenue for a social club until this problem is corrected. I'm hopeful that the list below will resolve any confusion about what you need to do so that we can move forward from this point.

With that said, here is what needs to happen:

1. **Apply for a change of use permit.** The information we have is that this property was last used as a residence and you are now proposing to convert it into a mixed use space with a social club on the ground floor and a residence above. Because of this, you need a change of use permit. Also note that a prerequisite for receiving a change of use permit is that the premises must comply with all applicable New York State Fire Prevention and Building Codes required for the proposed use, and you may need to apply for building permits to comply with such codes.

2. **Comply with the zoning requirements clubs.** The USDO defines a “club” as “[a] facility operated by a corporation, association or group of people for the social, educational or recreational intent of the dues-paying members and their guests, but not primarily for profit nor to render a service that customarily is carried on as a business.” *See* City of Albany USDO § 375-6(B). To comply with this definition, you need to provide the City with the following information:

- (1) a copy of the club’s certificate of incorporation and/or dba; and
- (2) a copy of the club’s bylaws and/or guest policy.

You will also need to comply with the parking requirements for clubs. The USDO specifies, in particular, that clubs must provide a minimum of one off-street parking space per 300 square feet of gross floor area. City of Albany USDO Table 375-4-6.

Please also be aware that the USDO provides that “[a]ny food and beverage service provided by a club, including alcohol, shall be served on the premises and *limited to dues-paying members and their guests.*” City of Albany USDO § 375-3(C)(3)(b).

3. **Obtain a sign permit.** You need to obtain a permit for any signs that you’re using for your social club, including temporary signs such as sandwich board signs.

4. **Obtain a sidewalk café permit.** You need to obtain a revocable sidewalk privilege before you can operate any part of your club on the sidewalk in front of your building.

I hope this resolves your confusion concerning what you need to do to resolve the outstanding issues at 117 N. Lake Avenue.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Amy Lavine".

Amy Lavine, Esq.
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