



**INTEROFFICE MEMO
PLANNING AND COMMUNITY
DEVELOPMENT DEPARTMENT**

DATE: March 9, 2026

TO: James Corriveau, ZBA Chairperson

FROM: Geoffrey Urda, Senior Planner

SUBJECT: 430 and 440 State Street
Parcel Numbers 12-03-220.200 and 12-03-220.300
Zoning – Urban Mixed Use
Petition for an Area Variance to waive the requirement of Section 310-50 that pedestrian access from the sidewalk not cross a drive-through exit lane
File #616

UPDATE (April 3, 2026): At the March 18, 2026, meeting, the ZBA tabled this application. This is one of four concurrent Variance requests related to this development proposal. The ZBA did request additional information from the applicant regarding the board’s prerogative to grant the minimum variance necessary, which in this case would mean reducing the number of vehicular lanes that pedestrians are directed across.

This is interrelated with Variance Request #615, which, if granted would increase the maximum front-yard setback in an Urban Mixed Use District, where a board member had a similar concern about granting the minimum variance necessary; in that case relating to reducing the building setback.

The applicant has communicated to Staff an intent to address both of these concerns at the April 15, 2026, ZBA meeting. The applicant did not submit any new materials related to Variance Request #615 or #616.

Granting this Variance to waive the requirement of Section 310-50 that pedestrian access from the sidewalk not cross a drive-through exit lane represents an Unlisted Action pursuant to SEQRA. However, it is part of a “whole action” that also includes the other three Variance requests. To avoid segmenting the review, all involved agencies must consider the aggregate environmental impacts of all four Variances as a single “whole action.”

----- ORIGINAL TEXT FROM MARCH 9, 2026 MEMO -----

This petition, presented by 454 State Street NNY LLC., is to vary the requirements of Section 310-50 (A) of the Zoning Ordinance to waive the requirement that pedestrian access from the sidewalk not cross a drive-through exit lane. Section 310-50 (A), which governs Supplemental Regulations for Drive-Through, Accessory uses, states:

“Pedestrians must be able to enter the establishment from the parking lot or sidewalk without crossing the waiting or exit lanes.”

The Site Plan, as proposed, directs pedestrians from the State Street sidewalk across the drive-through exit lane to access the primary structure.

The applicant plans to apply at future Planning Commission meeting for Site Plan Approval to construct a Café with an Accessory Drive Through. This proposal, as presently designed, would also involve Subdividing a section of 430 State Street and conveying it to 440 State Street (a process colloquially called a “lot line adjustment”). The requested Variance would grant relief to 440 State Street following this assemblage.

There are three other Variance requests on the March 18, 2026, ZBA Agenda related to this development proposal. However, the ZBA must consider each Variance on its own merits.

Granting this Variance to increase the maximum front setback represents an Unlisted Action pursuant to SEQRA. However, the proposed development will also require Subdivision Approval and Site Plan Approval, both of which are under the purview of the Planning Commission. At the time of this writing, the applicant has not submitted a formal application for either of the other approvals.

Given the complex nature of this review, with multiple boards and approvals involved, Planning Staff will provide further recommendations related to the SEQRA review at the ZBA Meeting on March 18, 2026, after discussing the application with legal counsel.

cc: ZBA Members
File



February 27, 2026

City of Watertown Zoning Board of Appeals
245 Washington Street
Watertown, NY 13601

Re: Proposed State Street Jumping Goat Drive-Thru
Subj: Area Variance Application
File: 5074.001.001

Dear Members of the City of Watertown Zoning Board of Appeals:

454 State Street NNY, LLC (Applicant) is proposing a coffee shop featuring drive-thru and walk-up service at the properties of 430 and 440 State Street (Tax Parcel IDs: 12-03-220.200 and 12-03-220.300, respectively), in the City of Watertown, Jefferson County, New York.

The proposed project includes an approximately 544-square-foot coffee shop with two drive-thru lanes and a walk-up ordering window. Site improvements will include on-site parking for six (6) vehicles, pedestrian access, exterior lighting, landscaping enhancements, and stormwater management improvements (i.e., green space). The project also includes a 162-square-foot storage shed, internal vehicular circulation areas, and seven (7) parking spaces for the adjacent State Street Market (also owned by the Applicant).

To accommodate the proposed building placement and drive-thru circulation layout, a lot line adjustment between Parcel 12-03-220.300 and the adjacent Parcel 12-03-220.200 will be proposed. The adjustment is intended to improve site functionality and allow for compliant circulation on both parcels.

The Applicant respectfully requests the relief necessary to allow the proposed development to proceed as designed. The attached hardship test provides a detailed description of the requested variances along with supporting arguments for their approval. These variances are reasonable given the size and configuration of the parcel, the operational requirements of drive-thru circulation, and the objective of promoting safe and efficient site access. The proposed development represents a significant investment in the property and is not expected to have an adverse impact on surrounding properties or the character of the neighborhood.

On behalf of the Applicant, enclosed please find the following materials that represent an initial submission for Area Variance.



List of Attachments
Cover Letter
Site Drawing
Property Deeds/Metes and Bounds Descriptions
Tax Map
Hardship Test
Record of Denial

The project was previously reviewed by the City Planning Commission and subsequently by the City Council to obtain approval for a zoning district change necessary to permit the proposed use at this location. Environmental review pursuant to the New York State Environmental Quality Review Act (SEQR) was completed as part of that process. Accordingly, the relief requested from the Zoning Board of Appeals is limited to site-specific zoning considerations associated with implementation of a use already determined to be appropriate for the district. Following action by the Zoning Board of Appeals, the project will advance to the Planning Commission for Special Use Permit review and final site plan consideration.

We request to be placed on the agenda at the next Zoning Board of Appeals meeting, scheduled for March 18, 2026, to meet with Board members and formally request the area variances. If you have any questions regarding these initial application documents, please contact me at [REDACTED]

Sincerely,

BARTON & LOGUIDICE, D.P.C.

Kayla J. Kibling
Staff Engineer

KJK/jjb

cc: Jake Johnson (454 State Street NNY, LLC)

Attachments



City of Watertown Zoning Compliance Certificate

City of Watertown, Planning and Community Development Dept.
245 Washington Street, Room 305, Watertown, NY 13601
Phone: 315-785-7740 Email: planning@watertown-ny.gov

Accela Application #:

Received:

For Planning and Community Development Department Use Only:

PROPERTY ADDRESS: 440 State Street

TAX PARCEL NUMBER: 12-03-220.300

ZONING DISTRICT: Urban Mixed Use

PROPOSED USE: Cafe with Accessory Drive-Through

In accordance with the Zoning Ordinance of the City of Watertown, New York, the proposed use is:

- CONFORMING NONCONFORMING

Please Note: If this review determines the proposal to be nonconforming, the applicant has the right to seek a Variance from the Zoning Board of Appeals (ZBA) granting relief from the Zoning Ordinance. The ZBA is an independent board and all Variance applications carry a burden of proof on the part of the applicant. Submitting an application does not guarantee that the ZBA will grant a Variance.

This certificate alone does not constitute permission to undertake construction, nor does it take the place of any and all other potential required permits. The proposed action would require, minimally, approval for each of the following:

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> None | <input checked="" type="checkbox"/> Building Permit | <input type="checkbox"/> Demolition Permit |
| <input checked="" type="checkbox"/> Use Variance | <input checked="" type="checkbox"/> Area Variance | <input type="checkbox"/> Special Use Permit |
| <input checked="" type="checkbox"/> Site Plan Review | <input type="checkbox"/> Waiver of Site Plan Approval | <input type="checkbox"/> Other |

Notes:

The proposed Cafe with an Accessory Drive-Through use is allowed with Site Plan Approval in the Urban Mixed Use (UMU) District. However, several characteristics of the proposed site layout are nonconforming and could be legal only with the relief of Variances granted by the Zoning Board of Appeals. See Staff's supplemental comments for details.

Application / Permit #: 2026-006

Reviewed by: Geoffrey Urda, Senior Planner Signature: *Geoffrey Urda*

Approved/~~Denied~~ by: *Mial Q...* Date: 2/25/2026

City of Watertown Zoning Compliance Certificate #2026-006 – 440 State Street

Supplemental Comments:

The applicant proposes to construct a 544 SF primary structure, which will operate as a Café with an Accessory Drive-Through, on the parcel at 440 State Street. The proposed use is allowed with Site Plan Approval in the Urban Mixed Use (UMU) District. The applicant also proposes a 192 SF accessory storage shed on the site.

However, the following characteristics of the Site Plan drawing, as submitted with this ZCC application, are Nonconforming:

Section §310-21 (5)(A) of the Zoning Ordinance allows a maximum 12-foot front-yard setback in the UMU District. The Site Plan, as submitted, depicts a 66.7-foot front-yard setback. This condition could be legal only with the relief of an Area Variance granted by the Zoning Board of Appeals.

Section §310-21 (D)(10) of the Zoning Ordinance allows a maximum of 24 feet of unbuilt frontage in the UMU District. The applicant proposes a Subdivision and subsequent assemblage (a process colloquially known as a “lot line adjustment”) that would create a subject parcel with 198 feet of frontage on State Street. The proposed primary Café structure and the proposed shed are both depicted as 16 feet wide, an aggregate of 32 feet of built frontage, leaving 166 feet of unbuilt frontage. This condition could be legal only with the relief of an Area Variance granted by the Zoning Board of Appeals.

Section §310-50 (A) of the Zoning Ordinance states that *“Pedestrians must be able to enter the establishment from the parking lot or sidewalk without crossing the waiting or exit lane.”* The Site Plan, as submitted, depicts the drive-through exit lane passing between the primary structure and the State Street sidewalk, directing pedestrians across this exit lane via a striped internal crosswalk to access the Café. This condition could be legal only with the relief of an Area Variance granted by the Zoning Board of Appeals.

Section §310-83 (C)(1) of the Zoning Ordinance requires a minimum 15-foot landscaped buffer along street Rights-of-Way (ROW). In the UMU District, where the maximum building setback is 12 feet, this requirement decreases to the width of the setback area when the setback conforms. However, with the building proposed for a 66.7-foot front-yard setback, the full 15-foot requirement for landscaping along the ROW applies, and the proposed 6.6-foot buffer depicted on the Site Plan could only be legal with the relief of an Area Variance granted by the Zoning Board of Appeals.

Section §310-83 (F) of the Zoning Ordinance requires a minimum 8-foot landscaped buffer around the perimeter of any parking lot, exclusive of driveways. The Site Plan, as submitted, depicts no landscaped buffer between the seven proposed parking spaces and the eastern property line shared with 454 State Street. This condition could be legal only with the relief of an Area Variance granted by the Zoning Board of Appeals.

Hardship Test

- 1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.** Please explain how the requested variance, if granted, will not produce an undesirable change to the neighborhood and why it would not produce any negative effects to other surrounding properties.

Response: Granting the requested variances will not produce an undesirable change to the neighborhood, as the development’s scale, design, and site layout are consistent with surrounding properties which include several drive-thru restaurants. The proposed drive-thru circulation and site improvements are designed to prevent congestion or conflicts with neighboring properties and public streets.

- 2. Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance.** Please explain why you have no other means to achieve the benefit that you are seeking (implementing your project) other than the ZBA granting you this variance.

Response: The standard zoning requirements cannot accommodate the operational needs of the drive-thru or the site layout without reducing functionality or safety. Therefore, the variance is necessary to allow the project to proceed as designed while maintaining safe, efficient access and use of the properties.

- 3. Whether the requested area variance is substantial.** Please discuss how substantial your request is when weighed against the current Zoning regulations (e.g. if you are seeking to reduce a required 20-foot setback to 15 feet, then that is a 25 percent reduction, which is not substantial). If your request is substantial, please explain why it is necessary for the ZBA to grant in full and why less substantial variance would not provide the relief that you seek.

Response: The requested numerical area variances include the following deviations from current Urban Mixed Use (UMU) District requirements:

Variance	Zoning Ordinance Requirement	Proposed	Requested Relief	% Increase/Relief
<i>Front-Yard Setback (Max.)</i>	<i>12 Feet</i>	<i>67.6 Feet</i>	<i>55.6 Feet</i>	<i>463%</i>
<i>Unbuilt Frontage (Max.)</i>	<i>24 Feet</i>	<i>167.8 Feet</i>	<i>143.8 Feet</i>	<i>599%</i>
<i>Landscape Buffer</i>	<i>8 Feet</i>	<i>0 Feet</i>	<i>8 Feet</i>	<i>100%</i>

The increase in front-yard setback is required for operational needs. The interior drive-thru lane is designed to allow customers who ordered ahead online to access the pick-up drive-thru window and efficiently enter and exit the site. The middle lane will accommodate customers ordering at the drive-thru window and the outer-most lane is designed to allow access to parking along the State Street Market and act as a thru-lane.

The increase in unbuilt frontage is a result of the small-scale design of the coffee shop and the need to maximize space for vehicles using the drive-thru lanes to avoid congestion that could impact public roadways.

The full relief from the 8-foot landscape buffer along the eastern side of the site is necessary due to site constraints and operational needs. The eastern property line abuts an existing building, leaving limited space to accommodate the required buffer without significantly restricting site functionality. Eliminating the buffer in this location allows for the addition of parking for the adjacent State Street Market (which is also owned by the Applicant) and a continuous thru-lane, which enhances safe and efficient internal circulation and provides greater flexibility for vehicles to navigate the site without conflict.

Lastly, functional relief from Zoning Ordinance §310-50(A) is requested to allow pedestrians to access the establishment from the parking lot or sidewalk without crossing the drive-thru waiting or exit lanes. Internal vehicle movements within the site will be slow, and adequate signage and pavement markings will direct both vehicles and pedestrians, minimizing potential conflicts and maintaining safe circulation throughout the site.

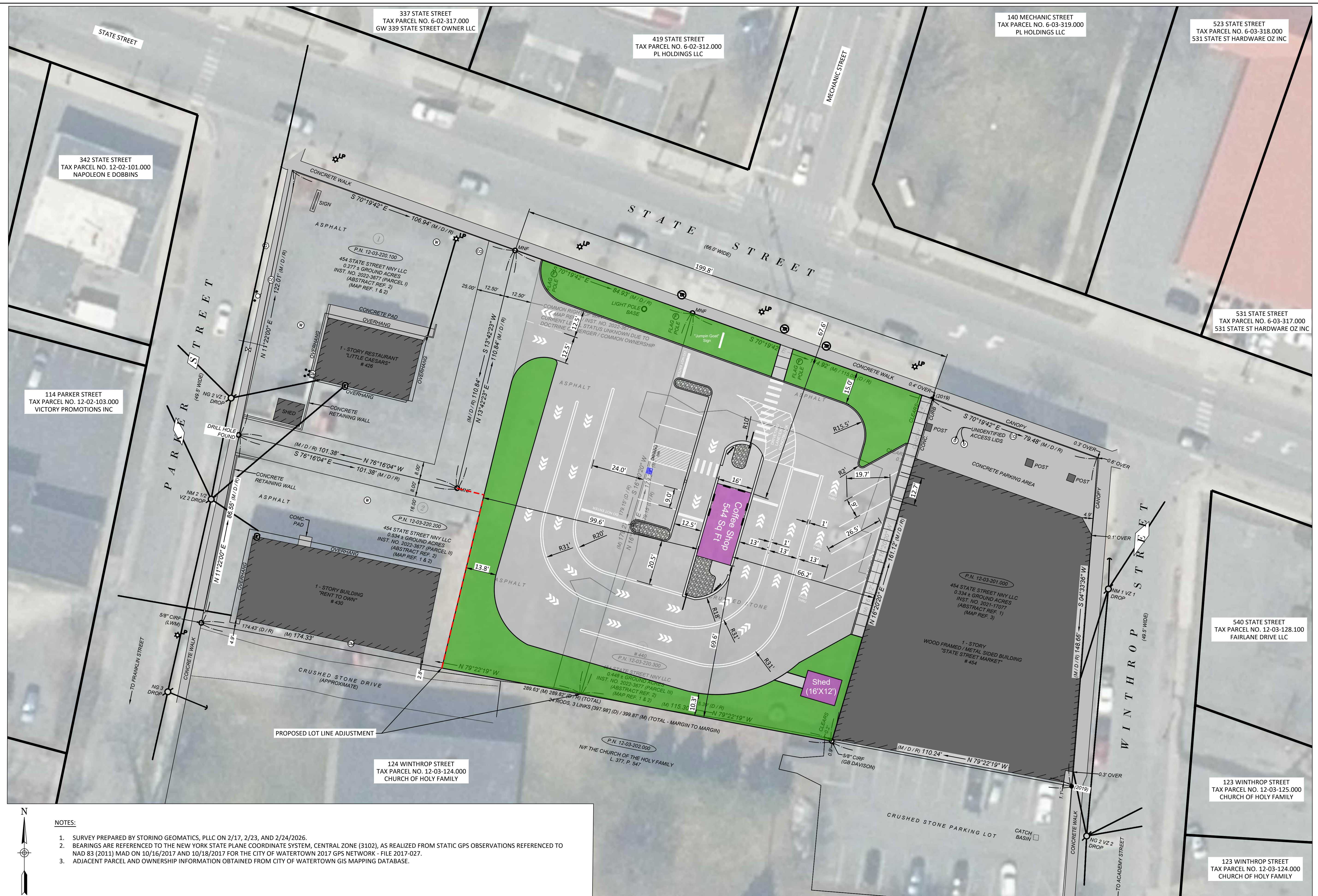
While these requests are substantial in measurement, they are necessary to allow the project to function safely and efficiently given the operational needs of the proposed facility. Lesser modifications would not provide adequate relief to implement the proposed site layout, circulation, and access design, making full approval by the ZBA essential for the project to proceed as designed.

- 4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.** Please explain why the variance, if granted, would not produce any negative physical or environmental effects to the surrounding neighborhood.

The requested increased setbacks and unbuilt frontage provide open space and buffers, enhance the streetscape, and support safe pedestrian and vehicle circulation. Landscaping, lighting, stormwater management, and reduced impervious cover further benefit the surrounding area. Additionally, an environmental review pursuant to the New York State Environmental Quality Review Act (SEQR) was completed as part of the zoning change process and the City Council determined that the project would not have an adverse impact.

5. **Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.** Please explain why the circumstances causing you to seek relief in the form of an area variance were not the result of any action that you or any other previous property owner undertook. Lack of awareness of Zoning restrictions at time of purchase shall be considered a self-created hardship as it is the buyer's responsibility to be aware of what Zoning District a property is in and all associated regulations prior to closing on the property.

The existing size and configuration of the parcel, combined with the operational requirements of the proposed development, create constraints that cannot be reasonably overcome without relief. The variances are necessary to accommodate safe and efficient drive-thru circulation while maximizing the site's vehicle capacity. These needs are driven by the intended function of the site, not by any action of the Applicant or the property owner, and demonstrate a legitimate, practical hardship that warrants approval.



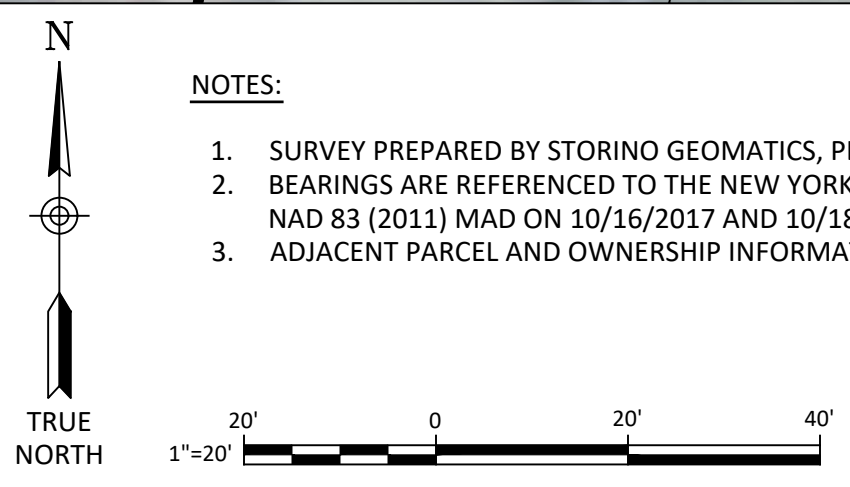
REVISIONS

STATE STREET PROPERTIES DEVELOPMENT
CONCEPTUAL PLAN
454 STATE STREET NNY LLC
JEFFERSON COUNTY, NEW YORK
CITY OF WATERTOWN

REVIEW ONLY
NOT FOR
CONSTRUCTION

Date
APRIL 2026
Scale
AS SHOWN
Sheet Number
CP1
5074.001.001

- NOTES:**
1. SURVEY PREPARED BY STORINO GEOMATICS, PLLC ON 2/17, 2/23, AND 2/24/2026.
 2. BEARINGS ARE REFERENCED TO THE NEW YORK STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE (3102), AS REALIZED FROM STATIC GPS OBSERVATIONS REFERENCED TO NAD 83 (2011) MAD ON 10/16/2017 AND 10/18/2017 FOR THE CITY OF WATERTOWN 2017 GPS NETWORK - FILE 2017-027.
 3. ADJACENT PARCEL AND OWNERSHIP INFORMATION OBTAINED FROM CITY OF WATERTOWN GIS MAPPING DATABASE.



REVIEW ONLY NOT FOR CONSTRUCTION