



March 12, 2012

Mr. Ron Christenson
Rochester Riverfront Properties, LP
12 South Sixth Street, Suite 715
Minneapolis, MN 55402

**Re: Preliminary Findings
SP-014-11-12, 1500 South Plymouth Avenue, 1000 and 1006 Genesee Street
Zoning: Brooks Landing Urban Renewal District**

Dear Mr. Christenson:

A preliminary review of your application for site plan approval to construct a mixed-use development has been completed. Additional review of revised renderings dated March 12, 2012 has also been completed. The following findings/recommendations have resulted from this site plan review process. Please call or email Jason Haremza at 585-428-7761 or jason.haremza@cityofrochester.gov if you have any questions.

Project Scope:

The project consists of a mixed-use development including:

1. An eleven story building containing:
 - a. 3,500 square foot boat storage facility on the ground floor
 - b. 4,400 square foot restaurant on the first floor
 - c. 70 units (170 bedrooms) of student housing on floors two through eleven. The student housing includes:
 - i. 10 one bedroom units
 - ii. 30 two bedroom units
 - iii. 20 three bedroom units
 - iv. 10 four bedroom units
2. A separate one story 4,000 square foot credit union with drive-through operation
3. 53 surface parking spaces on 1500 South Plymouth Avenue
4. Approval of 1315 South Plymouth Avenue to serve the parking needs of 1500 South Plymouth Avenue (modification of an already approved ancillary parking lot).
5. Minor parking changes on 1000 and 1006 Genesee Street
6. Landscaping improvements to 1500 South Plymouth Avenue, 1000, and 1006 Genesee Street.

The proposed public improvements to Genesee Valley Park and the riverfront promenade will go through a separate site plan review process.

Although there will be two separate site plan review processes, a single environmental review is being conducted pursuant to the New York State Environmental Quality Review Act (SEQRA) that incorporates all project elements.



Existing Conditions:

1500 South Plymouth Avenue currently consists of a grassy lawn on the eastern half of the site, sloping down toward the riverfront promenade and Genesee River. The western half of the site contains a 50 space surface parking lot that was installed without any approvals.

1000 and 1006 Genesee Street contain a four story extended stay hotel and 123 space surface parking lot. In addition, the site contains an informal temporary paved access drive to the terminated remnant of South Plymouth Avenue (a park road), located within Genesee Valley Park immediately to the south of the site.

Findings:

1. Environmental Review. Pursuant to New York State Environmental Conservation Law and Chapter 48, Section 48-4B(1)(a), of the Rochester City Code, this project has been classified as a Type 1 Action because the site is within 100 feet of the edge of the Genesee River. A Notice of Environmental Determination has been issued with a **NEGATIVE DECLARATION**. The proposed action is one which will not have a significant adverse impact on the environment.

Parts 1, 2, and 3 of the Environmental Assessment Form (EAF) have been completed by LaBella Associates on behalf of the co-applicants (City of Rochester for public improvements to Genesee Valley Park and Christenson Corporation for the private development project).

2. Permitted Use

Per Section 120-120L(1)(c)[1], a restaurant, boat storage facility (semi-public use), and multi-family residential are permitted uses in the Brooks Landing Urban Renewal District (BLURD).

3. Mixed Use Building Design

The proposed mixed use building has been revised in response to City and Referral Agency comments. These represent a commendable effort on the part of the applicant to respond to and address the comments.

- a. **Cladding.** The proposed materials have been reconfigured (see attached renderings dated 3-12-2012). While these revisions represent an improvement over previous designs, however the final configuration is subject to further refinement of details.
- b. **East façade.** The previous design had a disjointed alignment of vertical elements. The facade has been reconfigured (see attached renderings dated 3-12-2012). These revisions represents a dramatic improvement over previous designs, however, the final design is subject to further refinement of details. Due to the close proximity of this façade to the public promenade, careful review and analysis of the details are necessary. An understanding of the detailed dimensions of the projecting bays and recessed panels is important. The masonry material shall be a formal "dressed" pattern of brick or cultured stone blocks. A rusticated finish is acceptable; split-faced block is not acceptable. A random "rubble" stone pattern suggested in previous elevation drawings is not acceptable.

- c. **West façade.** The proposed façade has been improved with additional brick and an additional bank of windows in the central portion of the building (see attached renderings dated 3-12-2012). This represents an improvement over previous designs, however the final configuration is subject to further refinement of details.
- d. **Roof/cornice.** Final elevations shall include details on rooftop mechanical equipment and how it will be screened.

4. ***Credit Union Building Design***

Based on statements by the applicant, it is anticipated that the currently proposed credit union building will comply with the Zoning Code with regard to height, fenestration, entrance placement, and setbacks.

5. ***Site Design***

- a. **Park Access Drive.** The vehicular access between the south end of the hotel parcel (1006 Genesee Street) and Genesee Valley Park shall be one-way only, southbound to the roadway loop within the park. The access drive shall be in compliance with the conditions of the New York State Office of Parks Recreation and Historic Preservation.
- b. **Landscaping.** The revised landscaping plan represents a dramatic improvement over previous design, however the final plan is subject to further refinement. The final landscaping plan shall be in compliance with the conditions of the New York State Office of Parks Recreation and Historic Preservation.
- c. **Fire Department Access.** Compliance with the New York State Building Code regarding a fire vehicle turn around space is required. This turning area is proposed for just south of the existing hotel. This may result in the elimination of several parking spaces, but the turning area would serve the existing dumpster storage location and creates an opportunity for additional landscaped islands. Finally, this location does not interfere with the design of the park access drive.
- d. **Drive-Through Queuing.** Final configuration of the drive-through queuing lanes is subject to the Monroe County Department of Transportation and City of Rochester Department of Environmental Services. See also Finding #7.
- e. **Stormwater.** The plans show the placement of a new CDS Water Quality Unit within the City's pedestrian easement with corresponding 12" sewer line running through the City's public plaza (park land), eventually draining into the river at a new outlet. The CDS water quality unit shall be located entirely on the development parcel. If a new storm outfall is to be installed under/through the public property it shall be formalized as a drainage easement and the conditions of construction, temporary trail closure, restoration, etc, articulated in detail.
- f. **Pedestrian Easement Alignment.** The realignment of the pedestrian easement and sidewalk between the river and Genesee Street will affect recently completed riverfront improvements. The walk realignment will also alter the carefully planned design intent of the approach to the wharf. Currently, the walk joins the riverfront trail where it opens up to the wharf. As pedestrians travel eastward down the walk there is an unobstructed view to the wharf and river. The realignment of the trail will bring people directly into the rear of the pier and barrier rail, significantly altering the approach. The pier and rail assembly along the wharf should be modified to maintain this open approach.

A condition of the hotel approval (SP-035-02-03) was for the east-west pedestrian pathway to be continuous through the site. Where crossings of the drive aisles occurred, the walkway would be raised through a "speed table." This condition should be re-stated and emphasized as the project now shows the walkway crossing the existing drive aisle as well as the proposed two lane drive-through queue.

6. Parking Approval.

With this final build out of the Brooks Landing Development Site, the City Planning Commission is encouraged to consider the parking on all five development parcels together. The Brooks Landing Urban Renewal District was always conceived of as an "urban village" with a park-once-and-walk environment. In addition, the five parcels are all adjacent, under common ownership, and the parking on them is interconnected (i.e. it is not apparent to the visitor when one is crossing a property line). Therefore, the review of the parking for the overall site is recommended.

The attached parking table shows these five parcels, as well as a total for the entire site, the history of past parking approvals, and the current parking situation. As the table shows, some parcels do not have enough parking, while other parcels have too much parking. Taken in total, the site has a parking overage.

There are several issues to be considered in reviewing the parking for this site:

- a. The lot at 1315 South Plymouth Avenue was approved for use by business patrons. It was not proposed to be used for student residential parking. This changes the character of the parking from a 7AM to 11PM or midnight operation to a 24 hour operation.
- b. In light of this change, additional enhancements to the parking lot at 1315 South Plymouth Avenue are recommended. These include:
 - i. A privacy fence on the eastern/southern property line of 910 Genesee and 1315 South Plymouth to screen the multifamily development (Plymouth Gardens) at 1331 South Plymouth Avenue, especially the rear courtyard/patio, from the impacts of the parking lot.
 - ii. Additional landscaping along on the eastern/southern property line to screen the multifamily development (Plymouth Gardens) at 1331 South Plymouth Avenue, especially the rear courtyard/patio, from the impacts of the parking lot.
- c. The intended student residents will utilize vehicular parking very differently from the working adults who typically occupy a multi-family residential structure. That is, the student residents will not likely create the same AM/PM peak traffic volumes that a typical residential parking area would.
- d. The northern-most parking area on 1500 South Plymouth Avenue should be configured in a way to allow for both a generous sidewalk connection (no less than 8 feet wide) and generous landscaping area (wide enough for a healthy a row of columnar trees). This is the only fully accessible route to the front door of the restaurant and student housing and is the area where parking is visible from the public street.

The current proposal is an improvement over the previous design, but may not include enough space for both sidewalk and landscaping. See attached site detail sketches North Parking A, B, and C.

- i. North Parking A is the original submission showing a 4 and a half foot wide sidewalk with minimal landscaping area.
 - ii. North Parking B is the Site Plan Review Committee recommendation showing a 10-11 foot wide sidewalk and 7-8 foot wide landscaping area.
 - iii. North Parking C is the applicant's response showing a 5 foot wide sidewalk and 9 foot wide landscaping area.
- e. The applicant has proposed an approximately 16 foot by 30 foot bicycle storage room on the ground level of the building, accessible directly from the public promenade/Genesee Riverway Trail. This proposal is to be commended and represents one of the first developments that implements the key tenets of the recently adopted Bicycle Master Plan. Hopefully this feature will serve as precedent setting when it comes to future developments.

7. Traffic

In an email dated 3-12-2012 responding to the 2-21-2012 Traffic Impact Study Revisions, Monroe County DOT had the following comments:

- a. The queue lengths are not shown in the synchro printouts. Please provide synchro printouts showing the queue lengths.
- b. The synchro analysis is faulty. The traffic signal at Brooks/Genesee/Plymouth is coded as "pretimed", but it is actually "semi-actuated and coordinated". Also, the Elmwood/Plymouth signal is coded as "uncoordinated", but it is actually "semi-actuated and coordinated". Having noted the above, however, this does not significantly change the results.
- c. The summary of LOS table on page 2 of 4 appears to be erroneous. The "Full Development Conditions" column and the Alternative Conditions – One-way SB" column are identical.
- d. It appears that the potential queueing on Genesee Street will not be an issue.

8. SEQRA/Site Plan Referral Comments

The following agencies have commented on the SEQRA and Site Plan referral; their comments are attached:

- a. Department of Environmental Services – Street Design (memo dated September 30, 2011)
- b. Project Review Committee (notes from November 2, 2011 meeting)
- c. New York State Department of Environmental Conservation (DEC) (letter dated December 6, 2011)
- d. Rochester Fire Department (email dated December 19, 2011)
- e. Monroe County Department of Transportation (memo dated January 4, 2012)
- f. Department of Environmental Services – Permit Office (memo dated January 4, 2012)
- g. Rochester Water Bureau (email and map dated January 17, 2012)
- h. New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) (letter dated February 2, 2012)
- i. New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) (letter dated February 17, 2012)

The applicant has responded to these comments with a letter dated February 29, 2012, also attached.

Code Compliance Review:

1. Site Plan Review, Section 120-191(D)(3)(c)[1]

The project site is a Type 1 Action under Chapter 48 of the City Code and the State Environmental Quality Review Act (SEQRA)
Major Site Plan Review required

2. Area Variance, Height, Section 120-120L(1)(c)[3][a]

Required maximum: five stories or 65 feet
Required minimum: two stories or 20 feet

Proposed: 11 stories, 121 feet
Variance required

3. Area Variance, Design, Mixed-Use Building, Section 120-120L(1)(c)[5]

Design guidelines and standards shall be subject to the provisions of Article XIX of the Rochester Zoning Code, with the following:
ADDITION: Any building fronting on the river shall have a facade facing the river of equal or near equal prominence to the facade facing the public street.
EXCEPTION to § 120-158A(1): Any building fronting a river promenade shall have a facade with an active elevation facing the river. This active elevation shall include architectural features that enhance the pedestrian scale and experience of the building facade. Such elevations may or may not include windows and/or building entrances.

The proposed restaurant/student housing building does have not a façade facing the river of equal or near equal prominence to the façade facing the public street. The boat storage facility, with transparent doors, the proposed bicycle storage room, and the articulation of the masonry wall are all very positive elements. The revisions to the elevations demonstrate a commendable effort on the part of the applicant to respond to review comments, however the project still requires a variance.
Variance required

4. Area Variance, Parking Screening, Section 120-120L(1)(c)[4][c]

Parking lots shall be screened from view from all directions.

Portions of the proposed parking is visible from South Plymouth Avenue and Genesee Street. The revisions to the landscaping plan demonstrate a commendable effort on the part of the applicant to respond to review comments, however the project still requires a variance.
Variance required

~~**5. Area Variance, Design, Credit Union, Section 120-120L(1)(c)[5]**~~

~~Design guidelines and standards shall be subject to the provisions of Article XIX of the Rochester Zoning Code~~

The proposed credit union building does not have the required amount of transparency on walls facing the street.

Variance required

Note: this area variance cannot be acted upon until the Brooks Landing Urban Renewal District code is changed to permit banks with drive-through operations. The Zoning Board cannot hear area variance requests for a prohibited use. The applicant has stated that the credit union building will be re-designed to meet the code requirements, thus potentially making this variance moot.

6. Special Permit, Required Parking, Section 120-173C(2) and 120-173E

When a grouping of three or more of the above uses occupy a single parcel, a parking demand analysis may be provided for a determination by the Director of Planning and Zoning of the required parking.

Alternate Parking Plan

Special Permit

7. Text Amendment, Permitted Use, Section 120-120L(1)(c)[1]

The proposed credit union with drive-through operation is currently a prohibited use.

Permitting this use will require a text amendment

Text Amendment required

8. DES Permits. Any work in the public right-of-way shall require a separate permit from DES. See also memos dated September 30, 2011 and January 4, 2012.

Final Approval:


A copy of these findings will be forwarded to the City Planning Commission and Zoning Board of Appeals so that they may take them into consideration in their decision making with regard to the variances, special permit, and text amendment recommendation.

Final Site Plan Approval will not be issued until the City Planning Commission, Zoning Board of Appeals, and City Council has acted on the variance, special permit, and text amendment, respectively.

A Certificate of Zoning Compliance will not be issued until such time that construction drawings are submitted to the Bureau of Planning and Zoning for Building Code review.

If you have any questions regarding this letter, please contact Jason Haremza, Senior Planner, at jason.haremza@cityofrochester.gov or 585-428-7761.

Sincerely,



Marcia Barry
Director of Planning and Zoning

xc: Mark Costich, Costich Engineering
Bret Garwood, Director of Business and Housing Development
Al Giglio, Department of Environmental Services, Street Design
John Hart, Department of Environmental Services, Permit Office
David Hawkes, Southwest Neighborhood Service Center Administrator
Zina Lagonegro, Bureau of Planning and Zoning (ZBA staff)
Tom Mann, Bureau of Planning and Zoning, Building Code Review
Jeffrey Mroczek, Department of Environmental Services
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Project File