# CITY PLANNING COMMISSION
# STAFF REPORT
# January 25, 2016

## Zoning Map Amendment

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**Case #2:** Staff Reviewer: Jill Wiedrick

**File Number:** M-03-15-16

**Case Type:** Zoning Map Amendment

**Applicant:** Delta Sonic Car Wash

**Address:** 700, 710, 712, 722, 732-734, 740, 748, 756, 770 East Main Street, 138, 140, 140.5, 142, 144, 146, 148, 150-152, 154-156 North Union Street, 21 Kenilworth Terrace

**Zoning District:** MHUTD/CCD-M, MHURD/R-2, R-2

**Section of Code:** 120-190C

**Request:** **To amend the Zoning Map by rezoning the properties at 700, 710, 712, 722, 732-734, 740, 748, 756, 770 East Main Street and 140 North Union Street from Marketview Heights Urban Renewal District/ Center City District – Main Street to Marketview Heights Urban Renewal District/C-2 Community Center District, 138, 140.5, 142, 144, 146, 148, 150-152, 154-156 North Union Street from Marketview Heights Urban Renewal District/R-2 Medium Density Residential District to Marketview Heights Urban Renewal District/C-2 Community Center District and 21 Kenilworth from R-2 Medium Density Residential District to Marketview Heights Urban Renewal District/C-2 Community Center District; an action requiring City Planning Commission recommendation to City Council.**

**Analysis:**
See attached memorandum from Zina Lagonegro, AICP, EIT, Director of Planning and Zoning.

**Applicant's statement concerning how request conforms to Zoning Map Amendment Considerations:**
See attached.

**City of Rochester**

**Inter-Departmental Correspondence**

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To: City Planning Commission

From: Zina Lagonegro, AICP, EIT, Director of Planning and Zoning

Date: January 11, 2016

Subject: Zoning Map Amendment M-03-15-16

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The proposed zoning map amendment will change the underlying zoning for specific properties within the Marketview Heights Urban Renewal District (MHURD). The purpose of this rezoning is to allow for a substantial investment in and expansion of the existing Delta Sonic site, currently located at 718 E. Main Street. The properties proposed for rezoning will retain the MHURD designation; only the underlying zoning will change. Twenty-one Kenilworth Terrace is the only property not currently in the urban renewal district and is proposed to be added. Following are the specific properties to be rezoned:

1) 700, 710, 712, 718, 722, 732-734, 740, 748, 756, 770 East Main Street and 140 N. Union Street will be rezoned from MHURD/CCD-M (Center City District – Main Street) to MHURD/C-2 (Community Center District);
2) 138, 140.5, 142, 144, 146, 148, 150-152, 154-156 North Union Street will be rezoned from MHURD/R-2 (Medium Density Residential) to MHURD/C-2; and
3) 21 Kenilworth Terrace from R-2 to MHURD/C-2.

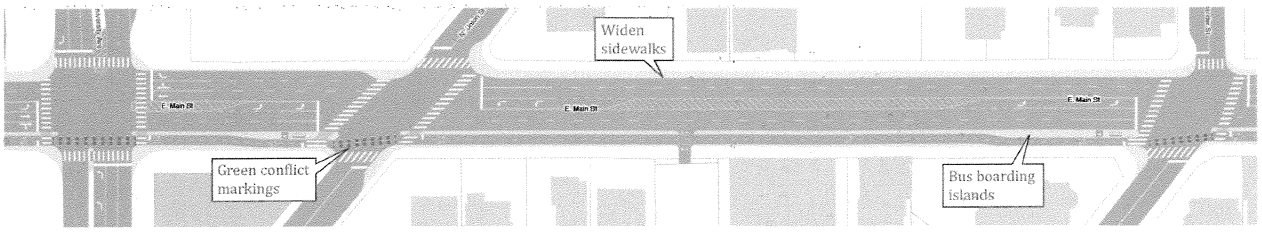
The proposed underlying C-2 zoning is consistent with the objectives of the Marketview Heights Urban Renewal District Plan, specifically to "position key sites for redevelopment." Under the current CCD-M zoning, outdoor uses such as gasoline sales and car washes are non-conforming uses and face procedural hurdles when seeking to expand. Under the proposed C-2 zoning, these uses are specially permitted, which allows the City Planning Commission to review any expansion and consider neighborhood impacts.

The proposed C-2 zoning is more restrictive with regard to uses and hours (see attached list) than CCD-M, offering additional protections for the neighborhood. Unlike CCD-M, which has its own design standards waivable through an administrative process, Site Plan Review, development in C-2 must comply with the Citywide Design Standards that can only be waived through a variance granted by the Zoning Board of Appeals. This offers additional protection for the neighborhood and will ensure that any development or redevelopment furthers the objectives of the Marketview Heights Urban Renewal District Plan, specifically action item 9: "enhance the quality of the built environment through an urban design that preserves neighborhood character, increases density, preserves walkability…"

The low rise, smaller scale, built environment of this section of East Main Street is a better fit for C-2 zoning than CCD. It has more of a "neighborhood" feel than a "downtown" feel, a situation that will be enhanced by proposed changes to the public realm of East Main Street as noted in the East Main Arts and Market District Study. This includes the expansion of sidewalk space and reduction in vehicle travel lanes as shown in the diagram on the next page:

*Figure 81.* Short-Term Recommendations - Interim Redesign
*Source: SSE*

University to Alexander




The key downtown gateway of East Main and Union is retained in the CCD-M district so that all four corners of that intersection remain in the same zoning district.

# PROJECT INFORMATION

**PLEASE TYPE OR PRINT**

1. **PROJECT ADDRESS(ES):** 700, 710, 712, 718, 722, 732-734, [redacted] East Main Street 138,140, 140.5, 142, 144, 146, 148, 150-152 North Union

2. **APPLICANT:** Delta Sonic Car Wash **COMPANY NAME:** Delta Sonic

   **ADDRESS:** 570 Delaware Avenue **CITY:** Buffalo **ZIP CODE:** 14202

   **PHONE:** 716-878-9626 **FAX:** 716-886-1026

   **E-MAIL ADDRESS:** jmb@benderson.com

   **INTEREST IN PROPERTY:** Owner ☑ Lessee ☐ Other ☐

3. **PLAN PREPARER:** James A. Rumsey

   **ADDRESS:** 570 Delaware Avenue **CITY:** Buffalo **ZIP CODE:** 14202

   **PHONE:** 716-878-9626 **FAX:** 716-886-1026

   **E-MAIL ADDRESS:** jmb@benderson.com

4. **ATTORNEY:** James A. Boglioli

   **ADDRESS:** 570 Delaware Avenue **CITY:** Buffalo **ZIP CODE:** 14202

   **PHONE:** 716-878-9626 **FAX:** 716-886-1026

5. **ZONING DISTRICT:** MHURD/CCDM & MHURD - R2

6. **DETAILED PROJECT DESCRIPTION (additional information can be attached):**
   Please see attached letter

7. **LENGTH OF TIME TO COMPLETE PROJECT (Attach schedule if phased:)** _____

**APPLICANT: I certify that the information supplied on this application is complete and accurate, and that the project described, if approved, will be completed in accordance with the conditions and terms of that approval.**

**SIGNATURE:** Todd Benderman **DATE:** 12.17.15

**OWNER (if other than above): I have read and familiarized myself with the contents of this application and do hereby consent to its submission and processing.**

**SIGNATURE:** _____ **DATE:** _____

**SIGNATURES OF THE OWNER(S) (INCLUDING THE APPLICANT) OF REAL ESTATE TO BE AFFECTED BY THE MAP AMENDMENT**

I HAVE READ AND FAMILIARIZED MYSELF WITH THE CONTENT OF THIS APPLICATION AND DO HEREBY CONSENT TO ITS SUBMISSION AND PROCESSING.

| **NAME** (Please Print) | **SIGNATURE** | **ADDRESS OF AFFECTED PROPERTY** |
|---|---|---|
| | | |
| | | |
| Delta Sonic | Todd Benderman | 700 East Main Street |
| Delta Sonic | Todd Benderman | 710 East Main Street |
| Delta Sonic | Todd Benderman | 718 East Main Street |
| Delta Sonic | Todd Benderman | 722 East Main Street |
| Delta Sonic | Todd Benderman | 732-734 East Main Street |
| Delta Sonic | Todd Benderman | 138 North Union |
| Delta Sonic | Todd Benderman | 140.5 North Union |
| Delta Sonic | Todd Benderman | 144 North Union |
| Delta Sonic | Todd Benderman | 146 North Union |
| Delta Sonic | Todd Benderman | 148 North Union |
| Delta Sonic | Todd Benderman | 150-152 North Union |
| Delta Sonic | Todd Benderman | 142 North Union |
| Delta Sonic | Todd Benderman | 140 North Union |
| Delta Sonic | Todd Benderman | 712 East Main |
| | | |

# AMENDMENT CONSIDERATIONS

In making recommendations regarding amendments to the text of the Zoning Ordinance or to the Zoning Map, the Planning Commission shall consider and make findings on the following matters regarding the proposed amendment:

**A. The proposed Amendment conforms with the City's Comprehensive Plan, a Development Plan, and any other adopted special area plans.**

Please see attached letter

**B. The proposed Amendment is compatible with the present zoning and conforming uses of nearby property (ies) and with the character of the neighborhood.**

Please see attached letter

**C. The proposed uses are suitable for the property (ies) affected by the Amendment.**

Please see attached letter

**D. There are available public facilities, services and infrastructure suitable and adequate for the uses allowed under the proposed amendment.**

Please see attached letter

**SIGNATURES OF THE OWNER(S) (INCLUDING THE APPLICANT) OF REAL ESTATE TO BE AFFECTED BY THE MAP AMENDMENT**

I HAVE READ AND FAMILIARIZED MYSELF WITH THE CONTENT OF THIS APPLICATION AND DO HEREBY CONSENT TO ITS SUBMISSION AND PROCESSING.

| | NAME (Please Print) | SIGNATURE | ADDRESS OF AFFECTED PROPERTY |
|---|---|---|---|
| X | 770 East Main Street, LLC | Richard C. Fox | 21 Kenilworth Terrace Street |
| X | 770 East Main Street, LLC | Richard C. Fox | 154-156 N. Union Street |
| | Delta Sonic | | 700 East Main Street |
| | Delta Sonic | | 710 East Main Street |
| | Delta Sonic | | 718 East Main Street |
| | Delta Sonic | | 722 East Main Street |
| | Delta Sonic | | 732-734 East Main Street |
| | Delta Sonic | | 138 North Union |
| | Delta Sonic | | 140.5 North Union |
| | Delta Sonic | | 144 North Union |
| | Delta Sonic | | 146 North Union |
| | Delta Sonic | | 148 North Union |
| | Delta Sonic | | 150-152 North Union |
| | Delta Sonic | | 142 North Union |
| | Delta Sonic | | 140 North Union |
| | Delta Sonic | | 712 East Main |
| X | Wendy's Restaurants of Rochester, Inc | Richard C. Fox | 744 East Main |
| X | 770 East Main St, LLC | Richard C. Fox | 770 EAST MAIN |

DELTA SONIC CARWASH SYSTEMS, INC
•570 Delaware Avenue, Buffalo, NY 14202•Phone (716)886-0931•Fax (716) 886-1026

December 18, 2015

**VIA HAND DELIVERY**
Bureau of Planning & Zoning
City Hall - Room 125B
Rochester, New York 14614

Attn: Ms. Jill Wiedrick

**RE: Application for Zoning Map Amendment for 700,710, 712, 718, 722, 732--734 East Main and 138, 140, 142, 140.5, 144, 146, 148, 150-152, 154-156 North Union Street and 21 Kenilworth Terrace Street, and 740, 748. 746 and 770 East Main Street, Rochester to MHURD/C-2**
**Applicant: Delta Sonic Car Wash Systems, Inc. (DSP# 1813)**

Dear Ms. Wiedrick:

Enclosed please find our application materials for the proposed Zoning Map Amendment for the above referenced properties in connection with the renovation of the existing Delta Sonic Car Wash located at that location.

**The Existing Site**

The property is the site of an existing Delta Sonic car wash, gas station, and convenience store. As demonstrated by the site plan overlaid on an aerial photograph, attached as **Exhibit A**, the Delta Sonic maintains frontage on both East Main Street and North Union Street. The existing Delta Sonic includes the following properties: 700,710, 712, 718, 722, and 732--734 East Main and 138, 140, 142, 140.5, 144, 146, 148, 150-152 (the "Existing Delta Sonic Property"). The Existing Delta Sonic property contains a mix of zoning districts which includes both residential zoning and the Center City District. The property is currently improved with six (6) gas islands, a gas canopy and eight (8) single-wall fiberglass Underground Storage Tanks ("USTs"). The Existing Delta Sonic Property maintains four driveways onto East Main Street and a single driveway onto North Union Street.

**The Proposed Project**

Delta Sonic is proposing to modernize the existing facility, the details of which are discussed in more detail below. As part of this modernization, Delta Sonic is in contract to purchase 145-156 North Union Street and the rear portion of 21 Kenilworth Terrace. Delta Sonic is proposing to incorporate those properties into the existing Delta Sonic to allow for improved stacking for the carwash and to allow for the addition of amenities for our

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customers, including a new retail store. As a result of this purchase, the proposed Delta Sonic property will include the following properties: 700,710, 712, 718, 722, 732-734 East Main and 138, 140, 142, 140.5, 144, 146, 148, 150-152, 154-156 North Union Street and part of 21 Kenilworth Terrace (the "Proposed Delta Sonic Property").

As part of the project, Delta will remove the eight existing USTs and associated piping and will replace those tanks with two (2) new 30,000 gallon state-of-the-art double-wall fiberglass fuel storage tanks with a leak alarm system. The new USTs are a significant upgrade to the single wall tanks which currently exist. In addition, reducing the number of USTs results in less piping to connect the tanks and therefore a safer situation underground. The tank replacement is required pursuant to the NYSDEC Petroleum Bulk Storage Regulation 6NYCRR 613 & 614 and Federal Law 40 CFR 280 - Federal Underground Storage Tank Regulations

As part of this work, it is necessary to remove the existing gas canopy, pump islands and retail store to undertake the excavation and piping required for the UST replacement. Therefore, as part of the proposed work, Delta Sonic will be installing six (6) new fuel islands and a new gas canopy.

In addition, to further the modernization of the existing facility, Delta Sonic is proposing the following additional site improvements which are shown on the site plan attached as **Exhibit B**:

- The addition of a 2,894 s.f. retail store to the existing carwash building;
- The renovation of the facade of the existing building and incorporation of a new façade for the proposed retail store, giving the proposed Delta Sonic property a completely new appearance. A drawing depicting the new Delta Sonic façade is attached as **Exhibit C**;
- The installation of approximately sixteen (16) covered vacuums spaces to the west of the existing carwash building. The vacuums will be free to use and a screening wall, consistent with the materials of the building, will be installed between the western-most bank of vacuums and East Main Street to screen the vacuums from the road. Additional landscaping is proposed in front of the wall;
- The addition of a double prep hut which will pre-wash the cars prior to entering the main car wash building. The double prep-hut will be located between the pay-booths and the main car wash building;

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- A pavement replacement for the property to provide for a cohesive look after the gas canopy upgrades, improving the car-wash circulation and relocating the car wash pay booths; and

- The installation of new signage.

**Zoning Map Amendment Request and Considerations**

Based on our meetings with the City of Rochester Bureau of Planning & Zoning we are respectfully requesting the Proposed Delta Sonic Property be rezoned to Marketview Heights Urban Renewal District/Community Center District (MHURD/C-2) along with the 740, 748, 756 and 770 East Main Street. As contained in the Application for a Zoning Map Amendment, we understand that the Planning Commission shall consider and make findings on the following matters which we believe that we comply with:

A. **The proposed Amendment conforms to the City's Comprehensive Plan, a Development Plan, and any other adopted special area plans.**

This area of East Main Street is subject to both the Renaissance Plan: Rochester 2010 and the Marketview Heights Urban Renewal Plan ("MHURD"). We believe that the Amendment conforms to both the City's Comprehensive Plan as well as the MHURD.

With respect to Renaissance Plan: Rochester 2010, the Amendment supports the following goals of the City's Comprehensive Plan:

A. **Campaign One: Involved Citizens.**

(c) Create an ongoing community planning and development review process that actively involves our citizens, anticipates emerging land use trends, appropriately weighs and considers competing land use and development interests as well as local and regional perspectives and results in fair and equitable decisions.

(d) Citizens, businesses, institutions and neighborhoods will be informed and will adequately listen to and communicate with each other about opportunities, issues and concerns facing our community.

(f) Support and coordinate public meetings, discussions and other informational opportunities for our citizens in an efficient and productive manner that provides essential, timely information and reaches the appropriate audience.

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F. **Campaign Six: Economic Vitality.**

(a) Promote a business-support environment that facilitates the expansion and retention of existing businesses and the attraction and creation of new businesses with a special focus on the emerging high technology industries.

(c) Develop strong, economically viable and diverse neighborhood commercial areas that help to provide entry-level jobs, high-quality goods and personal services to our citizens, offer entrepreneurial opportunities and help increase our City's economic development and growth.

(g) Support and promote opportunities for shopping for residents and visitors at stores, businesses and personal service shops within our City.

With respect to the MHURD, the Amendment supports the following goals of the MHURD:

- Attract new land uses to the URD that provide essential neighborhood services. MHURD, p.9. The Amendment and associated project will result in the construction of a new retail store and addition of services to the existing Delta Sonic.

- Increase municipal tax base within the project area. MHURD, p.9.

- The proposed land use map contained in the MHURD identifies the property which is subject to the Amendment as Commercial. MHURD, p. 13.

B. **The proposed Amendment is compatible with the present zoning and conforming uses of nearby properties and the character of the neighborhood.**

The area for which the rezoning is being requested is unique in that is set between the C-2 Zoning District to the east on Main Street and the CCD District to the west on Main Street. The current request does not change the existing uses of the property which is the subject to the change of zone. Those properties include Delta Sonic, Wendy's, Guys and Dolls Beauty Salon and a vacant commercial building on the corner of Alexander Street and East Main Street.

The uses permitted by the C-2 are consistent with the uses already developed on the properties which are the subject of the requested zone change of zone and in the surrounding area. The uses permitted in the C-2 District include: Single-family attached dwellings; Multifamily dwellings; live-work space; bed-and-

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breakfast establishments; family and group family day-care homes; adult family day-care homes; day-care centers; animal hospitals; funeral homes and mortuaries; retail sales and service; health clubs; theaters; office; and bars, restaurants and banquet facilities.

The area on East Main Street is already developed with uses similar to those permitted in the C-2 District. Across East Main Street, to the east, there are a number of commercial uses, including: Lifeline Tires, WDKX, Metro PCS, E. Main Street Computers, Beads and Bangles, as well as the Elm Christian Fellowship. To the west, along Main Street, is the Fastrac Gas Station/Convenience Store. To the east, are a number of similar uses including: The Eastman Dental Dispensary, Blackfriares Theater, Ibero-American Investment Corporation and Mr. Glass.

Clearly, the proposed Amendment is compatible with the present zoning and conforming to the uses of the nearby properties and the character of the neighborhood. An aerial photograph showing the area is attached as **Exhibit D**.

C. **The proposed uses are suitable for the property affected by the Amendment.**

In connection with the property affected by the proposed Amendment, there are no proposed changes to the uses currently existing on the properties. As a result, the uses remain suitable for the property affected by the Amendment.

D. **There are available public facilities, services and infrastructure suitable and adequate for the uses allowed under the proposed Amendment.**

As noted above, in connection with the property affected by the proposed Amendment, there are no proposed changes to the uses currently existing on the properties. Public facilities, services and infrastructure currently service those properties and are adequate and suitable.

**Conclusion**

In conclusion, we believe that the proposed Zoning Map Amendment is consistent with both the Renaissance Plan: Rochester 2010 and the Marketview Heights Urban Renewal Plan. The Amendment will result in the redevelopment of an existing Delta Sonic, which will significantly improve the aesthetics of the property and building, the operations on site and the services provided to Rochester residents.

DELTA SONIC CARWASH SYSTEMS, INC
•570 Delaware Avenue, Buffalo, NY 14202•Phone (716)886-0931•Fax (716) 886-1026

We look forward to working with the City with respect to this project which we would like to undertake as soon as possible as it will result in a significantly improved situation with respect to the USTs. Should you require any additional information or wish to discuss this, please do not hesitate to contact me either at (716) 878-9626 or by e-mail at JamesBoglioli@Benderson.com

Thank you,
**Delta Sonic Car Wash Systems, Inc.**

James A. Boglioli, Esq.
Director of Development

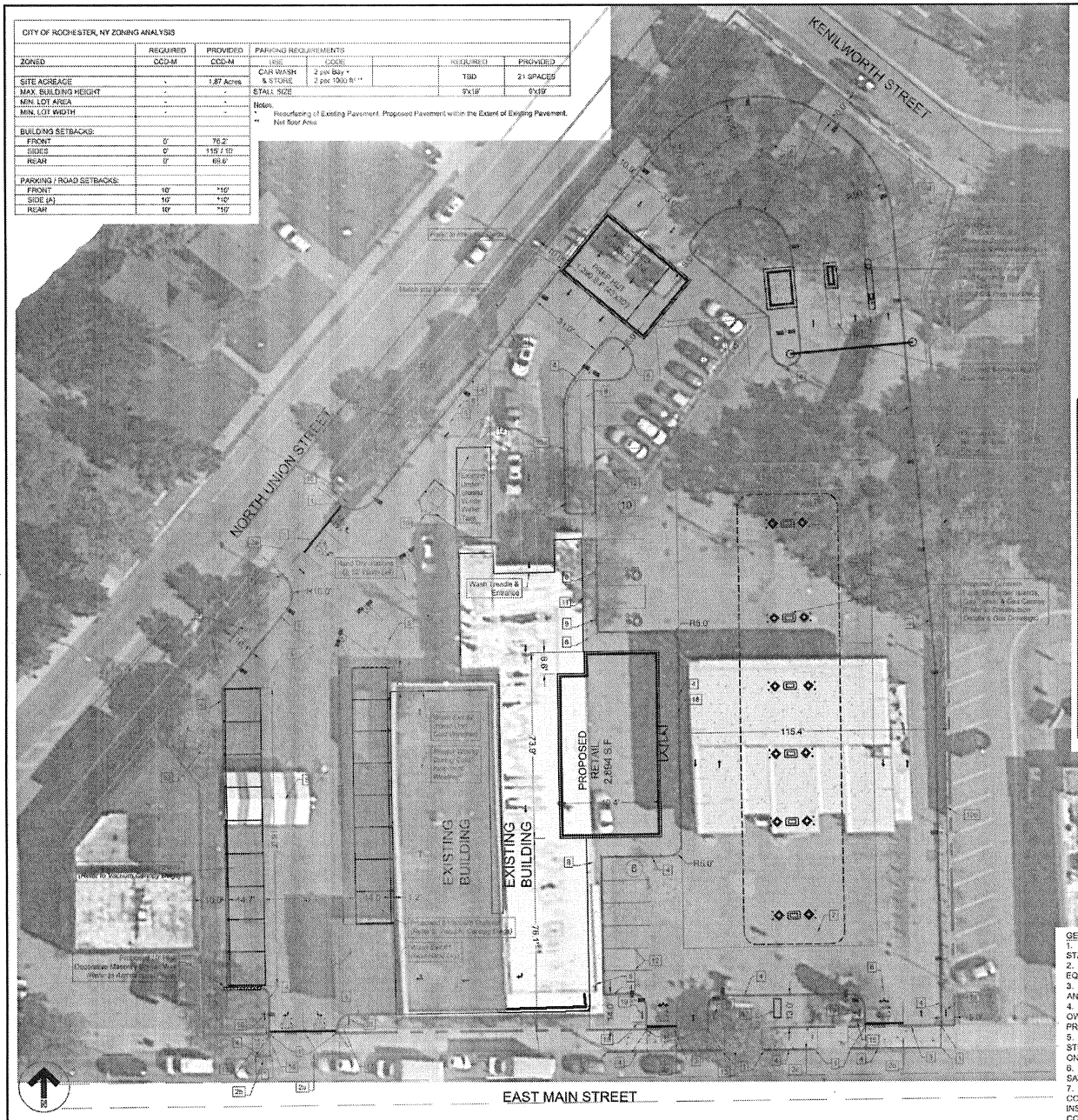
# Exhibit A

CITY OF ROCHESTER, NY ZONING ANALYSIS

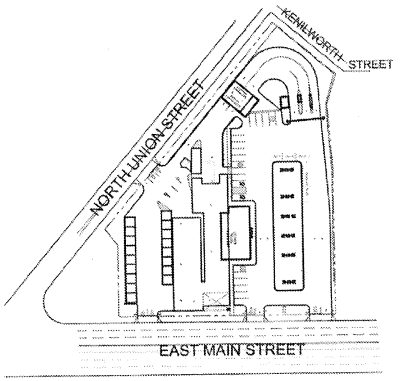
| | REQUIRED | PROVIDED |
|---|---|---|
| ZONED | CCD-M | CCD-M |
| SITE ACREAGE | - | 1.87 Acres |
| MAX. BUILDING HEIGHT | - | - |
| MIN. LOT AREA | - | - |
| MIN. LOT WIDTH | - | - |
| BUILDING SETBACKS: | | |
| FRONT | 0' | 76.2' |
| SIDES | 0' | 115 / 0' |
| REAR | 0' | 66.6' |
| PARKING / ROAD SETBACKS: | | |
| FRONT | 10' | *10' |
| SIDE (s) | 10' | *10' |
| REAR | 10' | *10' |

| PARKING REQUIREMENTS | | | REQUIRED | PROVIDED |
|---|---|---|---|---|
| USE | CODE | | | |
| CAR WASH & STORE | 2 per Bay * 2 per 1000 ft² ** | | TBD | 21 SPACES |
| STALL SIZE | | | 9'x18' | 9'x18' |

Notes:
* Resurfacing of Existing Pavement. Proposed Pavement within the Extent of Existing Pavement.
** Net Solar Area




DETAILED SITE PLAN 1:20




SITE PLAN 1:80

SITE NOTES:
1. MATCH INTO EXISTING CURB OR RUNOUT OVER 2'.
2. (a)EXISTING DRIVEWAY ENTRANCE (b)EXISTING DRIVEWAY TO BE RESURFACED AND EXPANDED. (c) EXISTING SIDEWALK TO BE RESURFACED.
3. MATCH INTO EXISTING PAVEMENT
4. PROPOSED CURB
5. PROPOSED 1.5" MILL & OVERLAY AREA.
6. PROPOSED STANDARD DUTY PAVEMENT.
7. PROPOSED CONCRETE PAVEMENT
8. PROPOSED CONCRETE SIDEWALK
9. PROPOSED HANDICAPPED PARKING SIGN
10. (a) PROPOSED 6' FENCE. (b) PROPOSED 6' FENCE
11. PROPOSED NO PARKING SIGN TO BE WALL MOUNTED ON BUILDING.
12. STRIPE PAVEMENT.
13. EXISTING TREE TO REMAIN & BE PROTECTED DURING CONSTRUCTION.
14. PROPOSED DOUBLE SIDED SIGN "STOP" SIGN TO FACE INTO SITE & "NO ENTRY" SIGN TO FACE OUT TOWARDS EAST MAIN STREET.
15. PROPOSED "STOP" SIGN.
16. PROPOSED DUMPSTER ENCLOSURE & CONCRETE PAD
17. PROPOSED GROUND PRICING SIGN.
18. PROPOSED 6" BOLLARD
19. DELTA SONIC ENTRANCE/EXIT SIGN
20. RELOCATE UTILITY POLE

SITE LEGEND:
- PROPERTY LINE
- 6" CURB TYP.
- PROPOSED SIGN & POLE
- PROPOSED FENCE
- STANDARD DUTY PAVEMENT
- 1.5" MILL & OVERLAY PAVEMENT AREA
- CONCRETE PAVEMENT/SIDEWALK

UTILITY LEGEND:
- PROPERTY LINE
- EXISTING UTILITY
- PROPOSED WATER
- PROPOSED ELECTRIC

GENERAL NOTES:
1. INSTALL ALL MATERIALS TO MANUFACTURER'S RECOMMENDATIONS AND BEST STANDARDS OF TRADE INVOLVED.
2. SUBSTITUTIONS SHALL BE MADE ONLY WITH OWNER'S APPROVAL AND BE OF EQUIVALENT QUALITY TO WHAT IS SPECIFIED.
3. WORK SHALL BE COMPLETED IN STRICT ACCORDANCE WITH ALL LOCAL CODES AND OSHA SAFETY RULES AND REGULATIONS.
4. VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS AT THE SITE. NOTIFY OWNER & ENGINEER OF DISCREPANCIES IN CONDITIONS SHOWN ON DRAWINGS PRIOR TO PROCEEDING WITH THE WORK.
5. CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTION OF ANY EXISTING STRUCTURES TO REMAIN AND ANY FINISH MATERIAL INSTALLED WHILE WORKING ON OTHER COMPONENTS.
6. CONTRACTOR SHALL KEEP JOB FREE OF DEBRIS AND MAKE FINAL CLEANUP TO SATISFACTION OF OWNER.
7. CONTRACTOR SHALL ASCERTAIN THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION SO THAT THIS WORK WILL NOT DISTURB EXISTING LINES AND/OR INSTALLATIONS. COORDINATE ALL WORK WITH THE APPLICABLE UTILITY COMPANIES.
8. CONTRACTOR SHALL OBTAIN AND PAY FOR ALL REQUIRED PERMITS NECESSARY TO PERFORM THE WORK.
9. BUILDING DIMENSIONS ARE APPROXIMATE. REFER TO ARCHITECTURAL DRAWINGS FOR LAYOUT DIMENSIONS.

SEAL

James A. Rumsey
ARCHITECT

Special Information:

THIS DRAWING PREPARED FOR TENANT IMPROVEMENTS TO AN EXISTING BUILDING OR BUILDING CONSTRUCTED BY OTHERS

IT IS UNDERSTOOD THAT ANY WARRANTY INFORMATION CONCERNING EQUIPMENT INSTALLED MUST BE FORWARDED TO THE OWNER AND THAT ANY AND ALL CONTRACTORS SHALL GUARANTEE THEIR WORK FOR A PERIOD OF ONE YEAR FROM THE DATE OF OWNERS ACCEPTANCE.

NOTICE
UNAUTHORIZED ALTERATIONS OF THIS DOCUMENT ARE IN VIOLATION OF SECTION 7209 OF THE STATE EDUCATION LAW

Drawing Revisions:

| No. | DATE | BY | REMARKS |
|---|---|---|---|

Property No: 1813

Status: PROGRESS SET

Area:

Property: Delta Sonic Car Wash
718 East Main Street
Rochester, New York 14604

Tenant: Delta Sonic Car Wash Site Improvments

Title: DETAILED SITE PLAN

DELTA SONIC CAR WASH
570 Delaware Avenue
Buffalo, New York 14202
716.541.2100

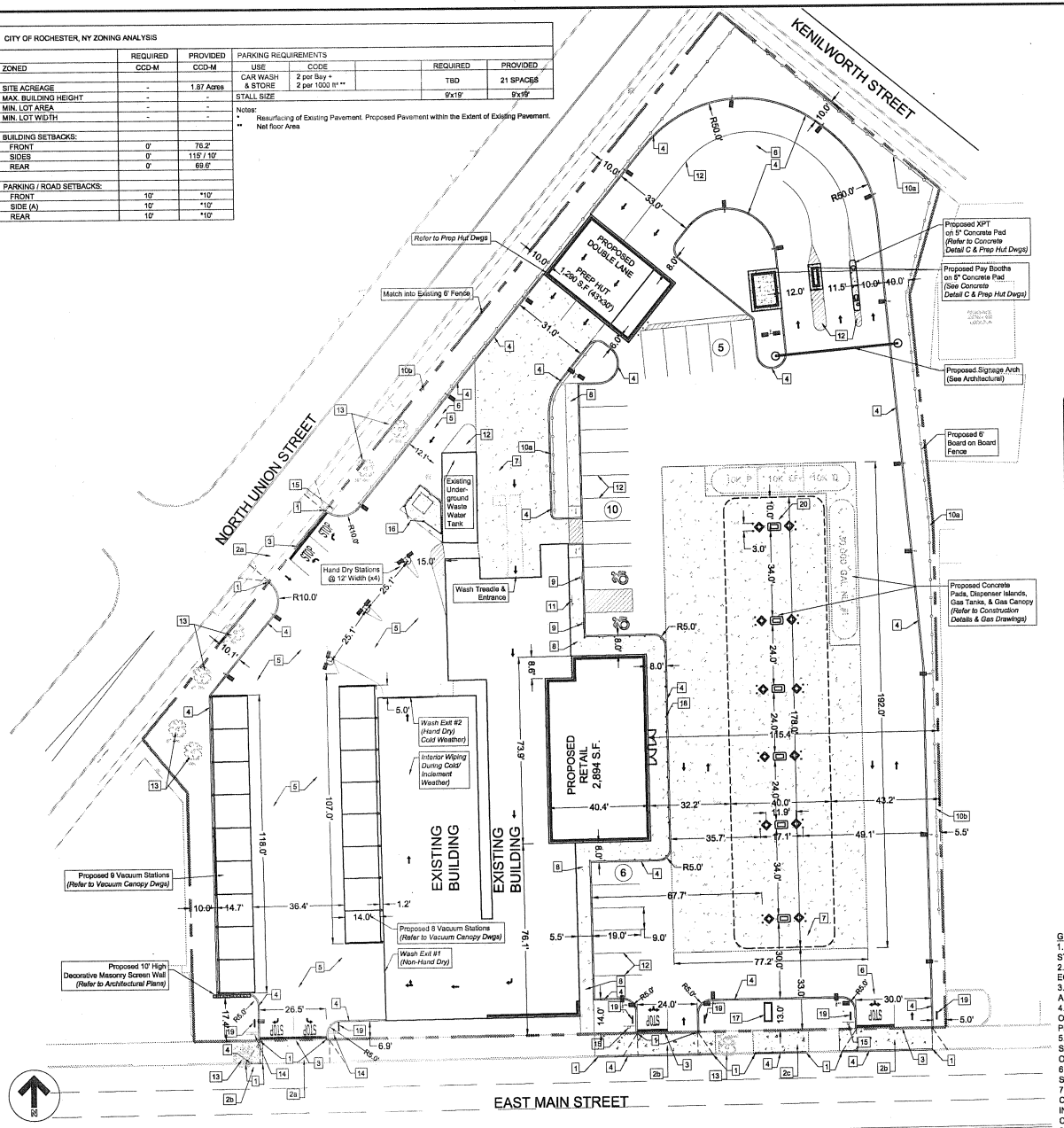
Drawn By: CRW

Checked By: MJG

Date: 12-14-15

Drawing No: 4.0

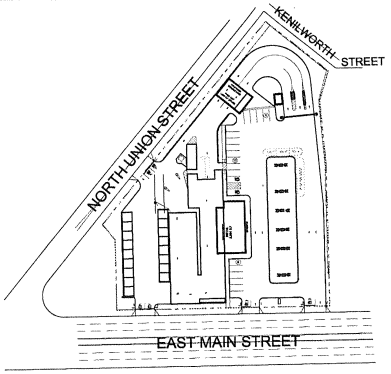
# Exhibit B




DETAILED SITE PLAN 1:20

| CITY OF ROCHESTER, NY ZONING ANALYSIS | | | | | | | |
|---|---|---|---|---|---|---|---|
| | REQUIRED | PROVIDED | PARKING REQUIREMENTS | | | | |
| ZONED | CCD-M | CCD-M | USE | CODE | | REQUIRED | PROVIDED |
| | | | CAR WASH & STORE | 2 per Bay * 2 per 1000 ft² ** | | TBD | 21 SPACES |
| SITE ACREAGE | - | 1.87 Acres | STALL SIZE | | | 9'x19' | 9'x19' |
| MAX. BUILDING HEIGHT | - | - | | | | | |
| MIN. LOT AREA | - | - | | | | | |
| MIN. LOT WIDTH | - | - | | | | | |
| BUILDING SETBACKS: | | | | | | | |
| FRONT | 0' | 76.2' | | | | | |
| SIDES | 0' | 115' / 10' | | | | | |
| REAR | 0' | 69.6' | | | | | |
| PARKING / ROAD SETBACKS: | | | | | | | |
| FRONT | 10' | *10' | | | | | |
| SIDE (A) | 10' | *10' | | | | | |
| REAR | 10' | *10' | | | | | |

Notes:
* Resurfacing of Existing Pavement. Proposed Pavement within the Extent of Existing Pavement.
** Net floor Area




SITE PLAN 1:80

SITE NOTES:
1. MATCH INTO EXISTING CURB OR RUNOUT OVER 2'.
2. (a)EXISTING DRIVEWAY ENTRANCE (b)EXISTING DRIVEWAY TO BE RESURFACED AND EXPANDED. (c) EXISTING SIDEWALK TO BE RESURFACED.
3. MATCH INTO EXISTING PAVEMENT
4. PROPOSED CURB
5. PROPOSED 1.5" MILL & OVERLAY AREA.
6. PROPOSED STANDARD DUTY PAVEMENT.
7. PROPOSED CONCRETE PAVEMENT
8. PROPOSED CONCRETE SIDEWALK
9. PROPOSED HANDICAPPED PARKING SIGN
10. (a) PROPOSED 6' FENCE. (b) PROPOSED 6' FENCE
11. PROPOSED NO PARKING SIGN TO BE WALL MOUNTED ON BUILDING.
12. STRIPE PAVEMENT.
13. EXISTING TREE TO REMAIN & BE PROTECTED DURING CONSTRUCTION.
14. PROPOSED DOUBLE SIDED SIGN. "STOP" SIGN TO FACE INTO SITE & "NO ENTRY" SIGN TO FACE OUT TOWARDS EAST MAIN STREET.
15. PROPOSED "STOP" SIGN.
16. PROPOSED DUMPSTER ENCLOSURE & CONCRETE PAD
17. PROPOSED GROUND PRICING SIGN.
18. PROPOSED 6" BOLLARD
19. DELTA SONIC ENTRANCE/EXIT SIGN
20. RELOCATE UTILITY POLE

SITE LEGEND:
- PROPERTY LINE
- 6" CURB TYP.
- PROPOSED SIGN & POLE
- PROPOSED FENCE
- STANDARD DUTY PAVEMENT
- 1.5" MILL & OVERLAY PAVEMENT AREA
- CONCRETE PAVEMENT/SIDEWALK

UTILITY LEGEND:
- PROPERTY LINE
- EXISTING UTILITY
- PROPOSED WATER
- PROPOSED ELECTRIC

GENERAL NOTES:
1. INSTALL ALL MATERIALS TO MANUFACTURER'S RECOMMENDATIONS AND BEST STANDARDS OF TRADE INVOLVED.
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6. CONTRACTOR SHALL KEEP JOB FREE OF DEBRIS AND MAKE FINAL CLEANUP TO SATISFACTION OF OWNER.
7. CONTRACTOR SHALL ASCERTAIN THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION SO THAT THIS WORK WILL NOT DISTURB EXISTING LINES AND/OR INSTALLATIONS. COORDINATE ALL WORK WITH THE APPLICABLE UTILITY COMPANIES.
8. CONTRACTOR SHALL OBTAIN AND PAY FOR ALL REQUIRED PERMITS NECESSARY TO PERFORM THE WORK.
9. BUILDING DIMENSIONS ARE APPROXIMATE. REFER TO ARCHITECTURAL DRAWINGS FOR LAYOUT DIMENSIONS.

SEAL
James A. Rumsey
ARCHITECT

Special Information:
THIS DRAWING PREPARED FOR TENANT IMPROVEMENTS TO AN EXISTING BUILDING OR BUILDING CONSTRUCTED BY OTHERS

IT IS UNDERSTOOD THAT ANY WARRANTY INFORMATION CONCERNING EQUIPMENT INSTALLED MUST BE FORWARDED TO THE OWNER AND THAT ANY AND ALL CONTRACTORS SHALL GUARANTEE THEIR WORK FOR A PERIOD OF ONE YEAR FROM THE DATE OF OWNERS ACCEPTANCE.

NOTICE
UNAUTHORIZED ALTERATIONS OF THIS DOCUMENT ARE IN VIOLATION OF SECTION 7209 OF THE STATE EDUCATION LAW.

| Drawing Revisions: | | | |
|---|---|---|---|
| No. | DATE | BY | REMARKS |
| - | - | - | - |

Property No: 1813
Area: -
Status: PROGRESS SET

Property: Delta Sonic Car Wash
718 East Main Street
Rochester, New York 14604

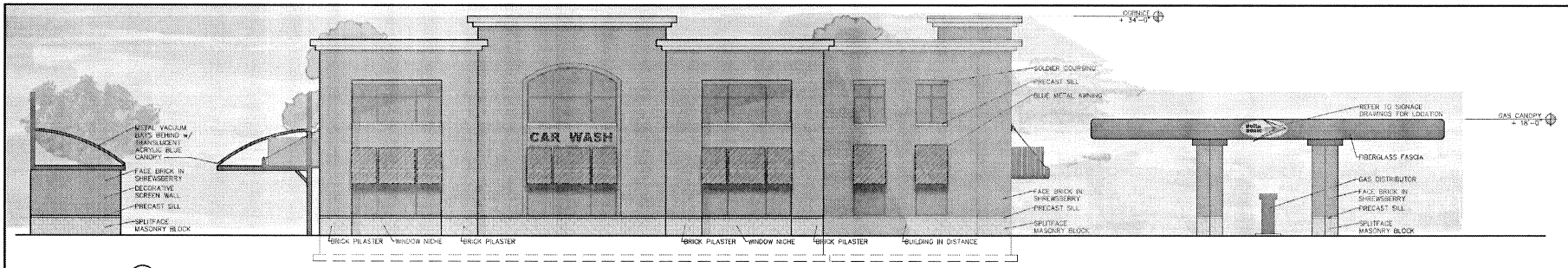
Tenant: Delta Sonic Car Wash Site Improvments

Title: DETAILED SITE PLAN

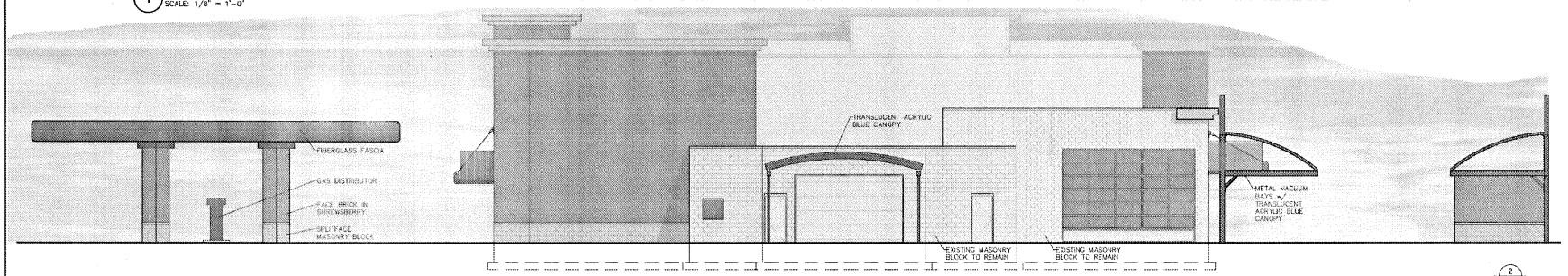
DELTA SONIC CAR WASH
570 Delaware Avenue
Buffalo, New York 14202
716.541.2100

Drawn By: CRW
Checked By: MJG
Date: 12-14-15
Drawing No. 4.0

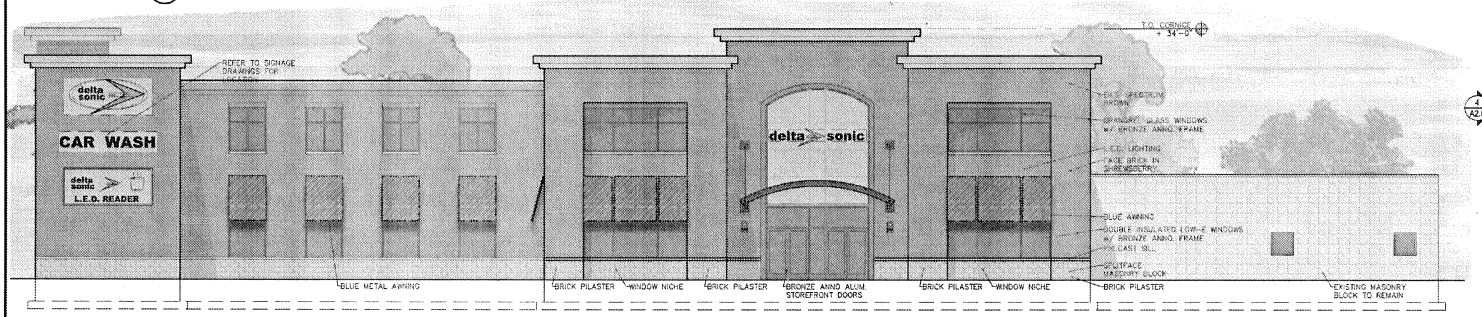
# Exhibit C



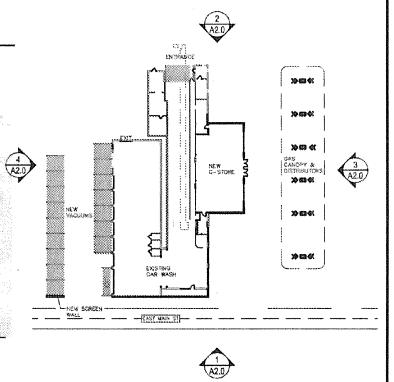

1 **ALONG MAIN ST - SOUTH ELEVATION**
SCALE: 1/8" = 1'-0"



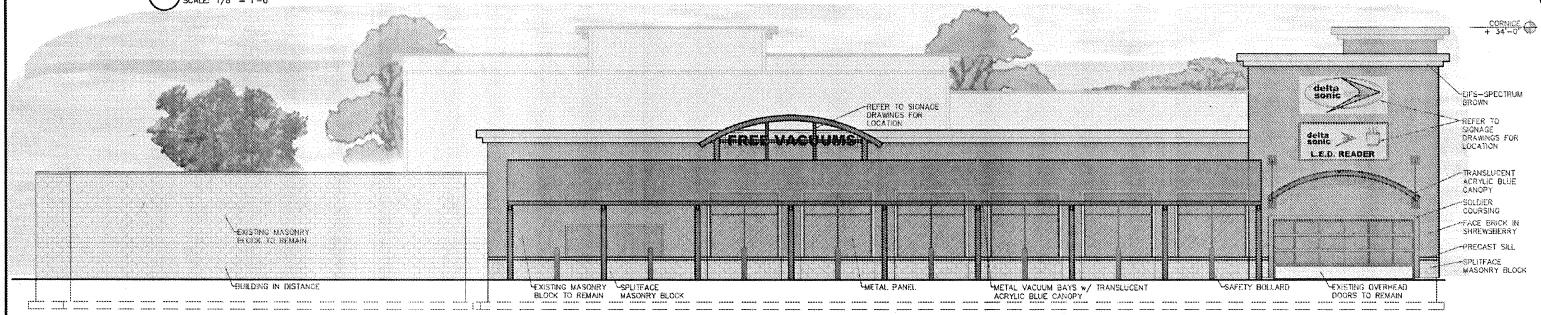

2 **WASH ENTRANCE - NORTH ELEVATION**
SCALE: 1/8" = 1'-0"




3 **ALONG GAS ISLAND - EAST ELEVATION**
SCALE: 1/8" = 1'-0"




**LAYOUT PLAN**
SCALE: NTS




4 **ALONG VACUUM AREA - WEST ELEVATION**
SCALE: 1/8" = 1'-0"

Special Information:

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Drawing Revisions:

| No. | DATE | BY | REMARKS |
|---|---|---|---|
| | | | |

Property No: 1839

Status: PROGRESS SET

Area: -

Property: Delta Sonic Car Wash
718 East Main Street
Rochester, New York 14604

Tenant: Delta Sonic Car Wash Site Improvments

Title: EXTERIOR ELEVATIONS PROPOSED


DELTA SONIC CAR WASH
570 Delaware Avenue
Buffalo, New York 14202
716.541.2100


SEAL

James A. Rumsey
ARCHITECT

PRELIMINARY NOT FOR CONSTRUCTION

Drawn By: CRW

Checked By: JAR

Date: 12-14-15

Drawing No. A2.1

**Section 120-42 Permitted Uses in C-2**

The following uses are permitted in the C-2 District, when conducted entirely within an enclosed building and with hours of operation limited to 6:00 a.m. to 2:00 a.m.:

A. Single-family attached dwellings.
B. Multifamily dwellings.
C. Live-work space, subject to the additional requirements for specified uses in § 120-142.1.
D. Bed-and-breakfast establishments, subject to the additional requirements for specified uses in § 120-132.
E. Family and group family day-care homes.
F. Adult family day-care homes.
G. Day-care centers, subject to the additional requirements for specified uses in § 120-135.
H. Animal hospitals when conducted entirely within an enclosed building.
I. Places of worship.
J. Convents and rectories.
K. Public and semipublic uses.
L. Funeral homes and mortuaries.
M. Retail sales and service, full-line food store, low-impact, and specialty, subject to the additional requirements for specified uses in § 120-146.1.
N. (Reserved)
O. (Reserved)
P. Limited adult retail store when conducted entirely within an enclosed building.
Q. Health clubs and similar facilities.
R. Theaters.
S. Office.
T. Bars, restaurants and banquet facilities, including accessory outdoor seating/assembly areas, provided that the outdoor areas only operate between the hours of 6:00 a.m. and 11:00 p.m., excluding drive-through facilities.

**Section 120-43 Specially Permitted Uses in C-2**

The following uses are allowed as special permit uses in the C-2 District:

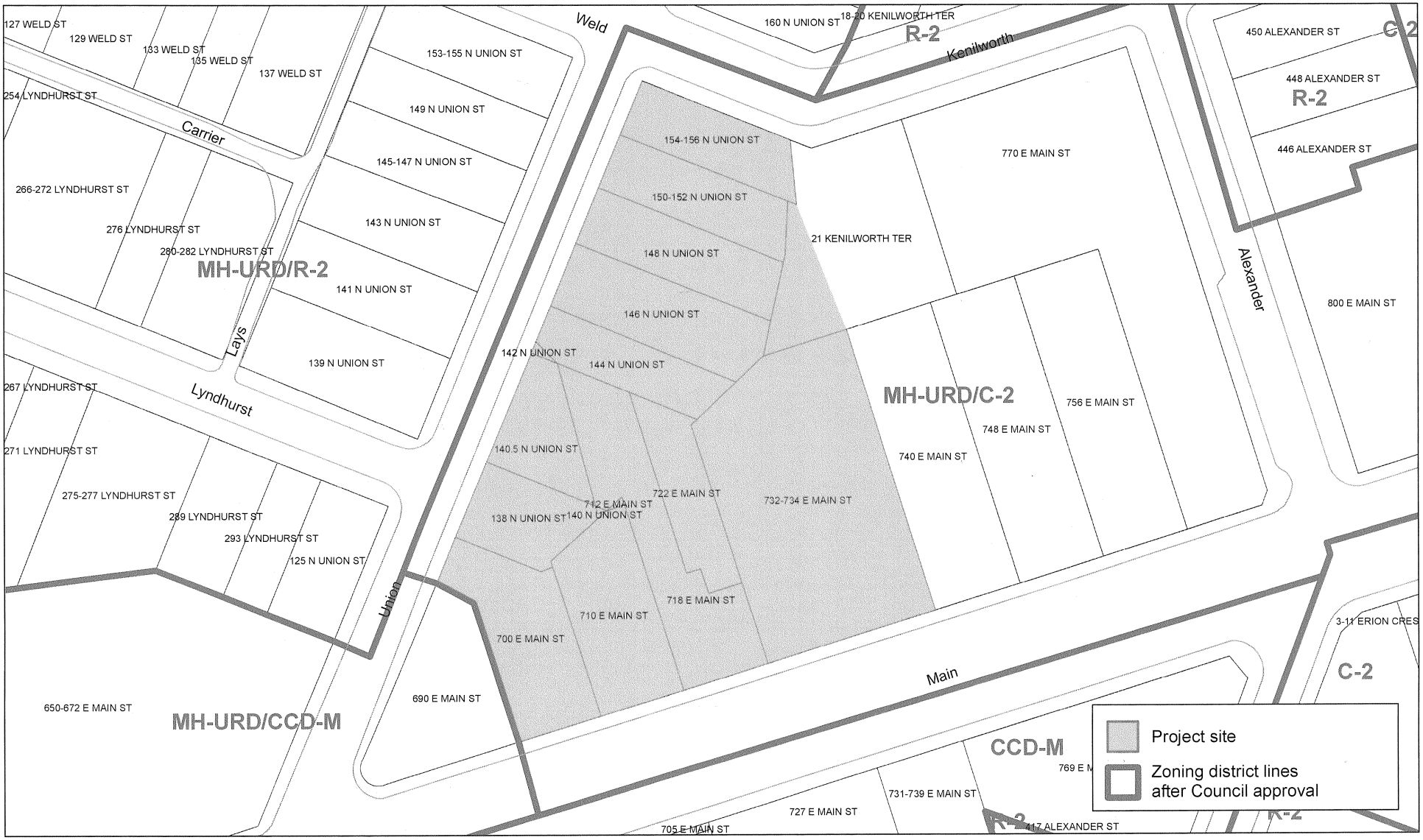
A. Any permitted or specially permitted uses open to the public or requiring loading/unloading between the hours of 2:00 a.m. and 6:00 a.m.
B. Accessory outdoor seating/assembly areas for bars, cocktail lounges, taverns, restaurants and banquet facilities with outdoor areas operating between the hours of 11:00 p.m. and 2:00 a.m.
C. Amusement center.
D. Ancillary parking lots, subject to the additional requirements for specified uses in § 120-131.
E. Animal day care.
F. Community garages and parking lots.
G. Drive-throughs, subject to the additional requirements for specified uses in § 120-136.

H. Motels and hotels.
I. Private clubs.
J. Parking lots as a principal use.
K. Entertainment, not including sexually oriented uses, subject to the additional requirements for specified uses in § 120-137.
L. Public utilities, subject to the additional requirements for specified uses in § 120-144.
M. Research laboratories including testing facilities.
N. Residential care facilities, subject to the additional requirements for specified uses in § 120-146.
O. Homeless residential facilities, subject to the additional requirements for specified uses in § 120-140.
P. Hospice.
Q. Rooming houses, subject to the additional requirements for specified uses in § 120-147.
R. Vehicle service stations, subject to the additional requirements for specified uses in § 120-154, with no more than eight pumps (defined as a fueling area for an individual vehicle).
S. Vehicle repair of noncommercial vehicles, excluding bodywork, with two bays or fewer, subject to the additional requirements for specified uses in § 120-152, providing no storage of unlicensed, partially dismantled or wrecked vehicles and no accessory sales of vehicles occur on site.
T. Retail sales and service, high-impact, limited to the hours of 6:00 a.m. to 2:00 a.m. and subject to the additional requirements for specified uses in § 120-146.1.

# Delta Sonic, 718 East Main et al., Zoning after Council Approval

1 inch = 60 feet

*When printed on 11" x 17" paper*



# Delta Sonic, 718 East Main et al., Proposed Zoning Changes

1 inch = 60 feet

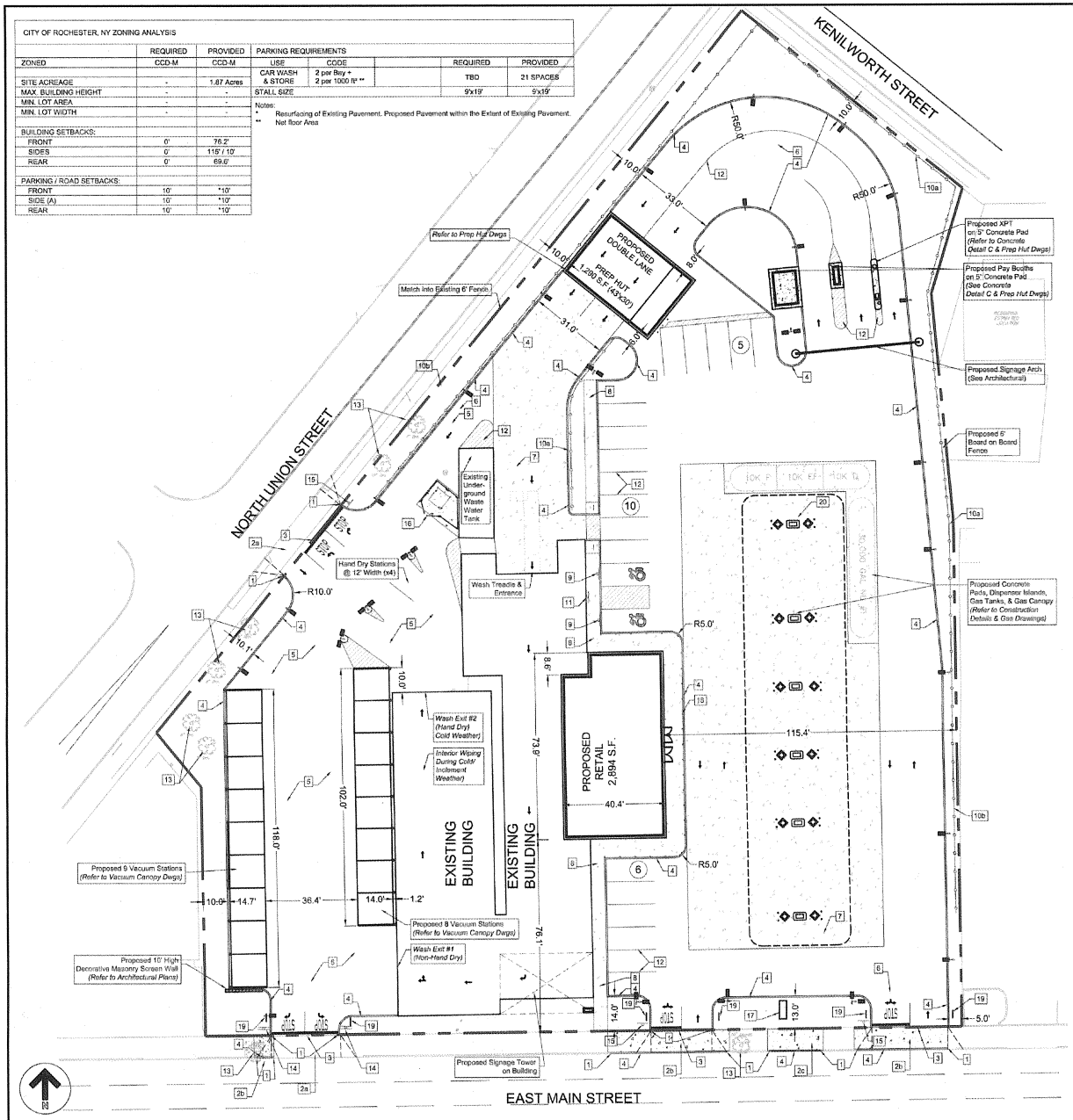
*When printed on 11" x 17" paper*

CITY OF ROCHESTER, NY ZONING ANALYSIS

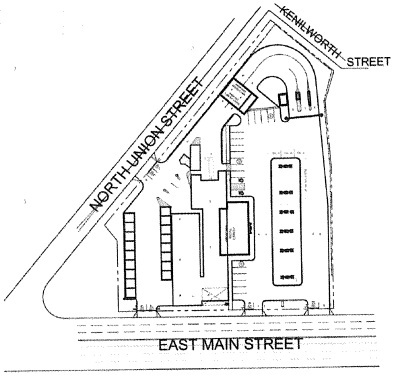
| ZONED | REQUIRED CCD-M | PROVIDED CCD-M |
|---|---|---|
| SITE ACREAGE | - | 1.67 Acres |
| MAX. BUILDING HEIGHT | - | - |
| MIN. LOT AREA | - | - |
| MIN. LOT WIDTH | - | - |
| BUILDING SETBACKS: | | |
| FRONT | 0' | 76.2' |
| SIDES | 0' | 115' / 10' |
| REAR | 0' | 69.6' |
| PARKING / ROAD SETBACKS: | | |
| FRONT | 10' | *10' |
| SIDE (A) | 10' | *10' |
| REAR | 10' | *10' |

| PARKING REQUIREMENTS | | | | |
|---|---|---|---|---|
| USE | CODE | | REQUIRED | PROVIDED |
| CAR WASH & STORE | 2 per Bay + 2 per 1000 ft² ** | | TBD | 21 SPACES |
| STALL SIZE | | | 9'x19' | 9'x19' |

Notes:
* Resurfacing of Existing Pavement. Proposed Pavement within the Extent of Existing Pavement.
** Net floor Area




DETAILED SITE PLAN 1:20

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SEAL
James A. Rumsey
ARCHITECT

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| Drawing Revisions | No. | DATE | BY | REMARKS |
|---|---|---|---|---|
| | | | | |

Property No: 1813
Status: PROGRESS SET
Area: -

Property: Delta Sonic Car Wash
718 East Main Street
Rochester, New York 14604

Tenant: Delta Sonic Car Wash Site Improvments

Title: DETAILED SITE PLAN


DELTA SONIC CAR WASH
570 Delaware Avenue
Buffalo, New York 14202
716.541.2100


Drawn By: CRW
Checked By: MJG
Date: 12-14-15
Drawing No. 4.0

8.48 Feet | Area: 7720.72 Square Feet

Date: 04/16/2015 | Level: Neighborhood | Scale: 50%

# CITY PLANNING COMMISSION
# STAFF REPORT
# January 25, 2016

## Special Permit

**Case #3:** Staff Reviewer: Jill Wiedrick

**File Number:** E-022-15-16

**Case Type:** Special Permit

**Applicant:** Lisa Reed

**Address:** 532 Upper Falls Boulevard, 528 Upper Falls Boulevard, 3 and 5 Henry Street

**Zoning District:** R-1 Low Density Residential District

**Section of Code:** 120-191B(4)(c), 120-9A

**Request:** **To re-establish a bar/restaurant in the commercial space on the first floor of this mixed-use building; an action requiring City Planning Commission approval.**

**Please note that this case was adjourned from the November 16, 2015 so that the applicant could provide a drawing for the proposed ancillary parking lot.**

**Analysis:**
The subject property is located at the corner of Upper Falls Boulevard and Henry Street. The last certificate of occupancy was issued in 1995 for first floor tavern with no dancing or live entertainment (maximum occupancy not to exceed 99) and second floor one family. This property has lost pre-existing rights.

The applicant would like to re-establish the bar/restaurant in the commercial space on the first floor. Please note that this proposal also includes the accessory outdoor space.

The applicant proposes to establish an ancillary parking lot located at 528 Upper Falls Boulevard, 3 and 5 Henry Street to serve the proposed bar/restaurant. Although the bar/restaurant has a parking deficiency of 33 spaces, there exists a practical difficulty that must be addressed. Therefore, the applicant proposes to create an 11 space ancillary parking lot.

**Code Compliance:**

In addition to the standards, the City Planning Commission shall consider the following:
(a) The building is a designated building of historic value;
(b) The condition and/or economic life of the building or structure;
(c) The potential use of the building for neighborhood service uses; or
(d) The potential for employment opportunities in the neighborhood.

Ancillary parking lots are subject to the additional requirements for off-street parking.

| **Requirements of 120-131:** | **In Compliance?** |
|---|---|
| A. Ancillary parking lots shall only be allowed in the district where the principal use is located or a less restrictive district. | Yes, the proposed bar/restaurant is located in an R-1 District and the proposed parking lot is located in an R-1 District. |
| B. Ancillary parking lots shall be subject to all the provisions of § 120-173, Off-street parking, and all the lot, area, yard and bulk requirements of the R-1 district. | No. This Development proposal is not in compliance with the following sections of the zoning code:<br><br><u>Section 120-173, Off-street parking</u>:<br>1. Vehicular access to parking shall not be located on the principal pedestrian-oriented street unless there is no other practical alternative. *The driveway curb cuts are located on Upper Falls Boulevard and Henry Street. There is no alternative.*<br><br><u>Section 120-11, Lot, area, and yard requirements in he R-1 District</u>:<br>2. Lot coverage. The maximum lot coverage is 50%; *77.3% is proposed.*<br><br>3. Front yard setback. The minimum front yard setback is 20 feet; *10 foot is proposed.*<br><br>4. Side yard setback. The minimum side yard setback is 10 feet, 25 feet combined; *5 feet is proposed, combined 10 feet.*<br><br>5. Rear yard setback. The minimum rear yard setback is 20 feet; 3.5 feet is proposed. |
| C. Ancillary parking lots shall be used exclusively for parking of passenger vehicles. | Yes. |

| | |
|---|---|
| D. Ancillary parking lots shall be equipped and controlled to discourage illegal parking, vandalism and other unlawful or nuisance-creating activities. When so equipped and controlled, such lots and garages may be open 24 hours a day. | Yes, bollards with a chain are located at each entrance to the parking lot. |
| E. No commercial repair work or services of any kind shall be conducted in any ancillary parking lot. | Yes. It is not proposed. |
| F. No sign of any kind other than designating entrances, exits and conditions of use shall be maintained on any ancillary parking lot. | Yes. A sign is not proposed. |

**Site Plan and Environmental Review**
Site Plan Review is required for this proposal. Preliminary Site Plan Findings are attached. A Notice of Environmental Determination, indicating that there are NOT significant impacts upon the environment, has been issued by the Director of Planning and Zoning.

**Applicant's statement concerning how request conforms to Special Permits Standards:**
See Attached.

## PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. PROJECT ADDRESS(ES): 0532 upperfalls BLVD

2. APPLICANT: Liza Reed COMPANY NAME: _____

ADDRESS: 14 lavender CIR CITY: Rochester ZIP CODE: 14623

PHONE: 585.415.4520 FAX: _____

E-MAIL ADDRESS _____

INTEREST IN PROPERTY: Owner ☒ Lessee ☐ Other ☐

3. PLAN PREPARER: Paul Camp

ADDRESS: 1453 North st #Rear CITY: Rochester ZIP CODE: 14621

PHONE: 585.743.2921 FAX: _____

4. ATTORNEY: _____

ADDRESS: _____ CITY: _____ ZIP CODE: _____

PHONE: _____ FAX: _____

E-MAIL ADDRESS _____

5. ZONING DISTRICT: R1

6. DETAILED PROJECT DESCRIPTION (additional information can be attached): _____

To Re-establish use a Bar/Restaurant

7. LENGTH OF TIME TO COMPLETE PROJECT (Attach schedule if phased:) 6 month

**APPLICANT: I certify that the information supplied on this application is complete and accurate, and that the project described, if approved, will be completed in accordance with the conditions and terms of that approval.**

SIGNATURE: Lisa Reed DATE: 10/9/15

**OWNER (if other than above): I have read and familiarized myself with the contents of this application and do hereby consent to its submission and processing.**

# SPECIAL PERMIT STANDARDS

A Special Permit will be granted only if evidence is presented establishing conformance with each of these standards. Explain how the proposal conforms to each of these requirements (attach additional pages if necessary):

A. **The proposed building or use will be in harmony with the general purpose, goals, objectives, standards and implementation strategies of the Comprehensive Plan, this chapter and, where applicable, the Subdivision Code.**

Yes! Propose to Restablish the use of this building as a Bar and Resturant Serving food and liquor. Our proposed hours will be Six days a week from 12pm to 2am starting on tuesday and ending Sunday.

B. **The proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety and general welfare.**

NO, See Attach
Will provide parking for 14 & 2 handicap custermer member in the rear & east side of building w/ handicap parking

C. **The proposed building or use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring properties in accordance with the applicable district regulations.**

Yes

D. **The proposed building or use will be served adequately by essential public facilities and services, such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools, or that the persons or agencies responsible for the establishment of the proposed building or use will provide adequately for such services.**

Yes. Will compile with all city Services and proposed building code for neighborhood & public use services

E. **The proposed building or use will not result in the destruction, loss or damage of any natural, scenic, cultural or historic feature of significant importance.**

NO

*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:
To Re-Establish use as a Bar/Restaurant

Project Location (describe, and attach a location map):
0532 upperfalls BLVD

Brief Description of Proposed Action:
Property was closed off in 2009 as the owner sold the propety to me. I have since been remoding the location in hopes of opening my own bar & restaurant including ancillary parking lot

Name of Applicant or Sponsor: Liza Reed
Telephone: 585.415.4520
E-Mail:

Address: 14 Lavender CIR

City/PO: Rochester
State: NY
Zip Code: 14623

| | NO | YES |
|---|---|---|
| 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. | ☒ | ☐ |
| 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: City of Rochester | ☐ | ☐ |

3.a. Total acreage of the site of the proposed action? ____ acres
b. Total acreage to be physically disturbed? ____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? ____ acres

4. Check all land uses that occur on, adjoining and near the proposed action.
☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): ____
☐ Parkland



RESET

| | NO | YES | N/A |
|---|---|---|---|
| 5. Is the proposed action,<br>a. A permitted use under the zoning regulations? | X | | |
| b. Consistent with the adopted comprehensive plan? | | | X |
| 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape? | X | | |
| 7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____ | X | | |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels? | X | | |
| b. Are public transportation service(s) available at or near the site of the proposed action? | X | | |
| c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action? | | | X |
| 9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ | X | | |
| 10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ | | | X |
| 11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ | | | X |
| 12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? | X | | |
| b. Is the proposed action located in an archeological sensitive area? | X | | |
| 13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? | X | | |
| b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ | X | | |

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional
☐ Wetland ☐ Urban ☐ Suburban

| | NO | YES |
|---|---|---|
| 15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? | X | |
| 16. Is the project site located in the 100 year flood plain? | X | |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☒ NO ☐ YES | X | |
| b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? ☒ NO ☐ YES If Yes, briefly describe: _____ | | |



RESET

| | NO | YES |
|---|---|---|
| 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)?<br>If Yes, explain purpose and size: | ☒ | ☐ |
| 19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?<br>If Yes, describe: | ☒ | ☐ |
| 20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?<br>If Yes, describe: | ☒ | ☐ |

**I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE**

Applicant/sponsor name: Lisa Reed Date: 11-4-15

Signature: Lisa Reed

**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? | ☐ | ☐ |
| 2. Will the proposed action result in a change in the use or intensity of use of land? | ☐ | ☐ |
| 3. Will the proposed action impair the character or quality of the existing community? | ☐ | ☐ |
| 4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? | ☐ | ☐ |
| 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? | ☐ | ☐ |
| 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? | ☐ | ☐ |
| 7. Will the proposed action impact existing:<br>a. public / private water supplies? | ☐ | ☐ |
| b. public / private wastewater treatment utilities? | ☐ | ☐ |
| 8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? | ☐ | ☐ |
| 9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)? | ☐ | ☐ |



RESET

| | 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? | ☐ | ☐ |
| 11. Will the proposed action create a hazard to environmental resources or human health? | ☐ | ☐ |

**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.

☐ 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.

☐ 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.

| | |
|---|---|
| Name of Lead Agency | Date |
| Print or Type Name of Responsible Officer in Lead Agency | Title of Responsible Officer |
| Signature of Responsible Officer in Lead Agency | Signature of Preparer (if different from Responsible Officer) |

PRINT



RESET

My name is Charles and Lisa Reed, the new owner of the property located at
532 Upper Falls Boulevard – Formerly known as Club Obia.

I am currently seeking approval from the City of Rochester's zoning board to renovate
and re-open the building for use. The proposed business is to be called
Upper Falls Lounge – Bar and Grill; catering to the mature crowd.
It is scheduled to be open six days a week.

As many of you may know, during the past two decades,
this neighborhood has seen too many of our businesses close and properties left abandoned.
Please show your support for my efforts to "jumpstart" the revitalization
of the 14605 neighborhood by signing the petition below:

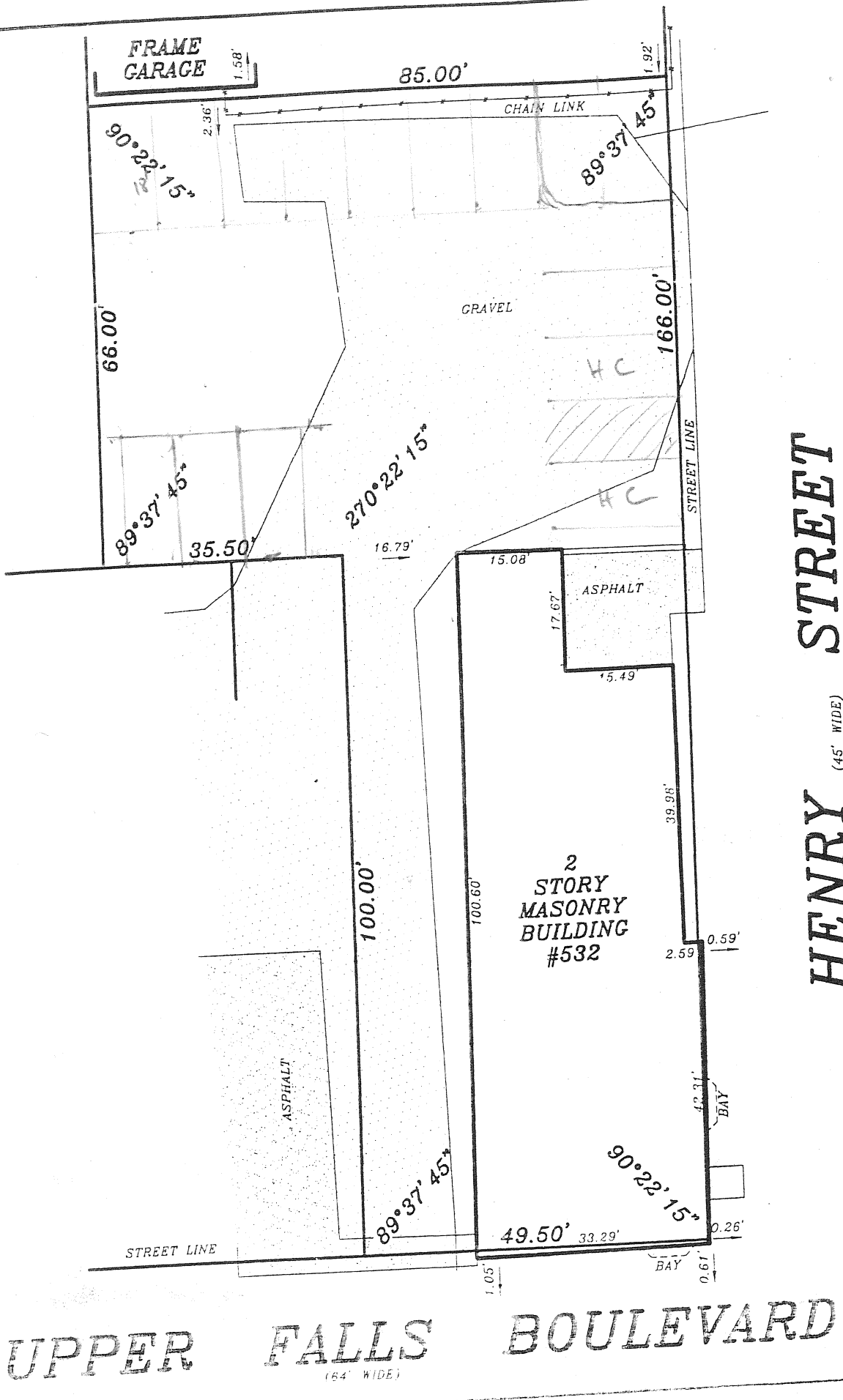
***All inquires regarding the above proposed project can be directed to me at 585-730-3063****

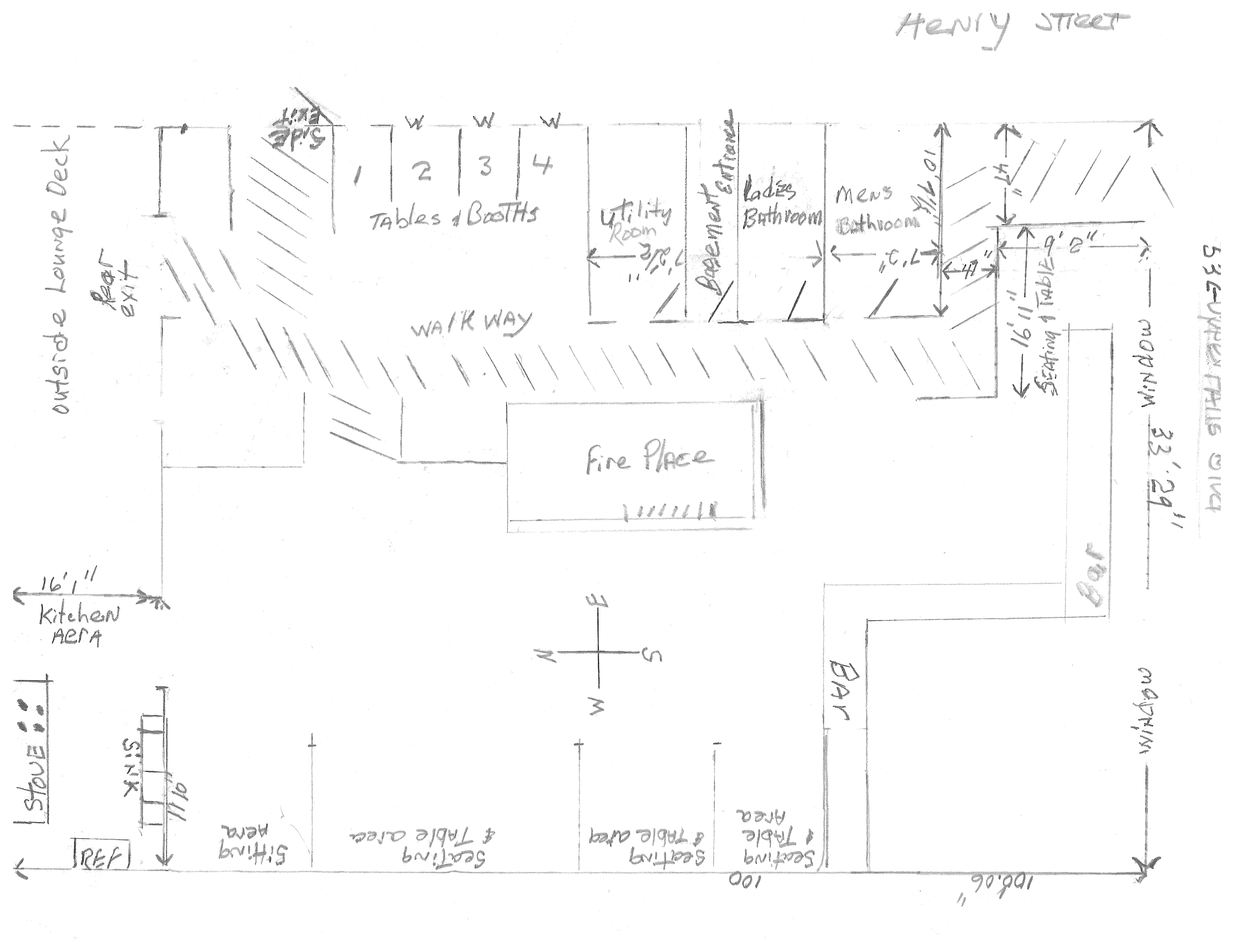
| Date | Name (print) | Signature | Contact Info(phone or address) |
|---|---|---|---|
| 11/14/15 | Ricky Brown | Ricky Brown | 80 weeger st |
| 11-14-15 | Naftali Celis | Naftali Celis | 542 Upper Falls Blvd |
| 11/14/15 | [illegible] | [illegible] | 540 Upper Falls Blvd |
| 11/13/15 | Bobby Yasin | [illegible] | 524 Upper Falls Blvd |
| 11-14-15 | Charles Stevens | Charles Stevens | 22 Henry Street |
| 11-14-15 | Jayquanz Love | Jayquanz Love | 49 Henry st |
| 11-14-15 | James Ezell | James Ezell | 22 Henry St |
| 11:14:15 | Eyvette Fuller | [illegible] | 23 Henry St 14605 |
| 11-14-15 | Kelsey Hoyte | [illegible] | 45 Henry Street |
| 11/14/15 | Jaime Lewis | [illegible] | 46 Henry St |
| 11/14/15 | Reyuna Lewis | [illegible] | 46 Henry St |
| 11/14/15 | Paul Fancher | Paul Fancher | 22 Henry Street |
| 11-14-15 | J'Hari Hoyte | [illegible] | 45 henry Street |
| 11:14:15 | Desiree Smith | [illegible] | 49 Henry |
| 11.14.15 | Dashawn Stewart | Dashawn Stewart | 32 weeger St. |
| 11.14.15 | Dwayne Harrison | Dwayne Harrison | 32 weeger st. |
| 11.14.15 | Demetrius Stewart | Demetrius Stewart | 32 weeger St |
| 11.14.15 | Dara Holmes | [illegible] | 629 Clifford |
| 11-14-15 | Dante' Santiago | [illegible] | 271 lake ave |
| 11-14-15 | Ricki Jackson | [illegible] | 693 Clifford |
| 11/14/15 | Jasmine Eatmon | [illegible] | |
| 11-14-15 | Ernest Pemberton | [illegible] | |
| 11-14-15 | Seeina Maddox | [illegible] | |

Submitted by applicant at hearing 11/16/15

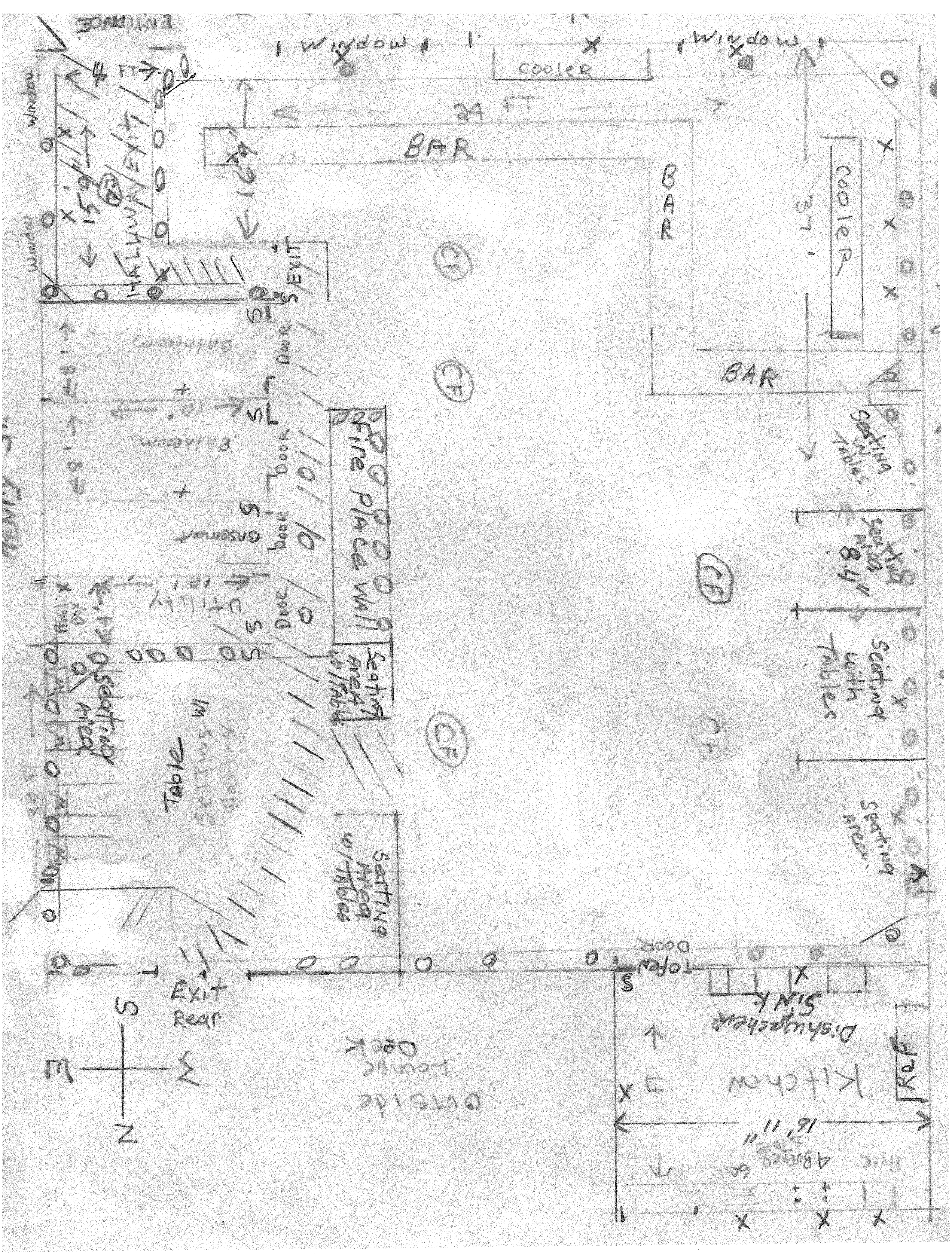
| Date | Name (print) | Signature | address) |
|---|---|---|---|
| 11-14-15 | Grave Hardy | | 80 Thomas St |
| 11-14-15 | Loren So | | 62 Thomas St |
| 11-14-15 | [illegible] | | 100 Thomas |
| 11-14-15 | Alex Bradley | | 44 Geger St |
| 11-14-15 | Virgil Evans | | 17 Kasther |
| 11-14-15 | [illegible] | | 14 & Geger St |
| 11-14-15 | [illegible] | | 142 Ave D |
| 11-14-15 | [illegible] | | 5 Thomas St |
| 11-14-15 | Joseph Coins | | 20 Henry St. |
| 11-14-15 | Willa Morris | | 17 Hegarty St |
| 11-15-15 | Lynda Logue | | 46 Henry St |
| 11-15-15 | KEVIN DAVIS | | 80 Roth Street |
| 11-15-15 | JEFF HAYES | | 17 Quamina DR |
| 11-15-15 | Clinton Smith | | 18 Princeton St. |
| 11-15-15 | Annette Santiago | | 10 Hawkins St. |
| 11-15-15 | Thomas Henderson | | 16 Hoelzter St. |
| 11-15-15 | JERRY Ingram | | 80 RAUT ST |
| 11-15-15 | Willie Grace Best | | 1460 S. Eagle Dillsworth |
| 11-14-15 | EUGENE DILLSWORTH | 90 VIENNA ST | 555 960 2132 |
| 11-16-15 | CHESTER BROWN | 253 CHINTON AVE | 253 CHINTON AV 1460 S |
| 11-16-15 | CHESTER BROWN | CHESTER BROWN | 29 VOSE ST |
| 11-16-15 | Wade Hayne | | 120-B Chatham Gardens |
| 11-16-15 | Harold McCullough | Harold McCullough | 16 Edward St. |
| 11-16-15 | TERRY W. CRITTENDEN | TERRY W. Crittenden | |

| Date | Name (print) | Signature | Contact Info(phone or address) |
|---|---|---|---|
| 11/16/15 | Selina | Selina | 61 THOMAS |
| 11/16/15 | Yvette McFadden | Yvette McF | 18 Merrimac |
| 11/16/15 | Paul Jones | Paul Jones | 18 Merrimac |
| 11/16/15 | Micmel Green | Micmel Green | 29 Wadsworth Terrace |


FRAME GARAGE
1.58'
85.00'
1.92'
CHAIN LINK
2.36'
90°22'15"
89°37'45"
66.00'
GRAVEL
166.00'
HC
HC
STREET LINE
270°22'15"
89°37'45"
35.50'
16.79'
15.08'
ASPHALT
17.67'
15.49'
39.96'
100.00'
100.60'
2
STORY
MASONRY
BUILDING
#532
0.59'
2.59'
ASPHALT
BAY
90°22'15"
89°37'45"
49.50'
33.29'
0.26'
STREET LINE
BAY
0.61'
1.05'
HENRY STREET (45' WIDE)
UPPER FALLS BOULEVARD
(64' WIDE)



Henry Street
outside Lounge Deck
Rear exit
Side exit
W
W
W
1
2
3
4
Tables & Booths
Utility Room
Basement Entrance
Ladies Bathroom
Mens Bathroom
10'7½"
47"
47"
9'2"
16'11"
Seating & Table
Window
33'29"
WALK WAY
Fire Place
Bar
Bar
Window
E
S
N
W
16'1"
Kitchen Aera
Stove
Sink
11'10
REF
Sitting Aera
Seating & Table area
Seating & Table area
Seating & Table Area
100
100.06"



ENTRANCE
Window
Window
Cooler
24 FT
BAR
BAR
BAR
Cooler
37'
4 FT
15'9"
16'
HALLWAY EXIT
EXIT
Window
Window
Window
CF
CF
CF
CF
CF
Bathroom
8'
10'
Bathroom
8'
Door
Door
Door
Door
Basement
Utility
10'
Panel Box
4'
Fire Place Wall
Seating Area w/Tables
Seating w/ Tables
Seating Area 8'4"
Seating with Tables
Seating Area
Seating Area
Table
Setting w/ Booths
38 FT
Seating Area w/Tables
Door
Open
Sink
Dishwasher
Kitchen
16' 11"
Fryer
Range
Above Stove
Exit Rear
Outside Lounge Deck
S
E
W
N

NOTES

O = CAN hishting in Cieling Soffit Permeter

X = outhet Receptacles

S = hight switches

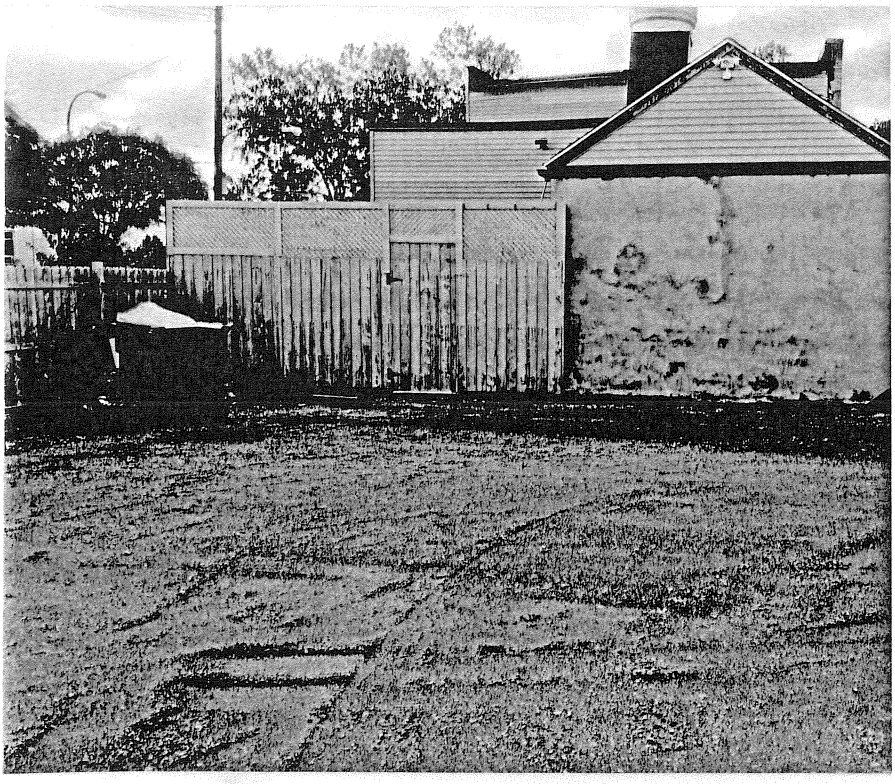
(CF) = Cieling FAN

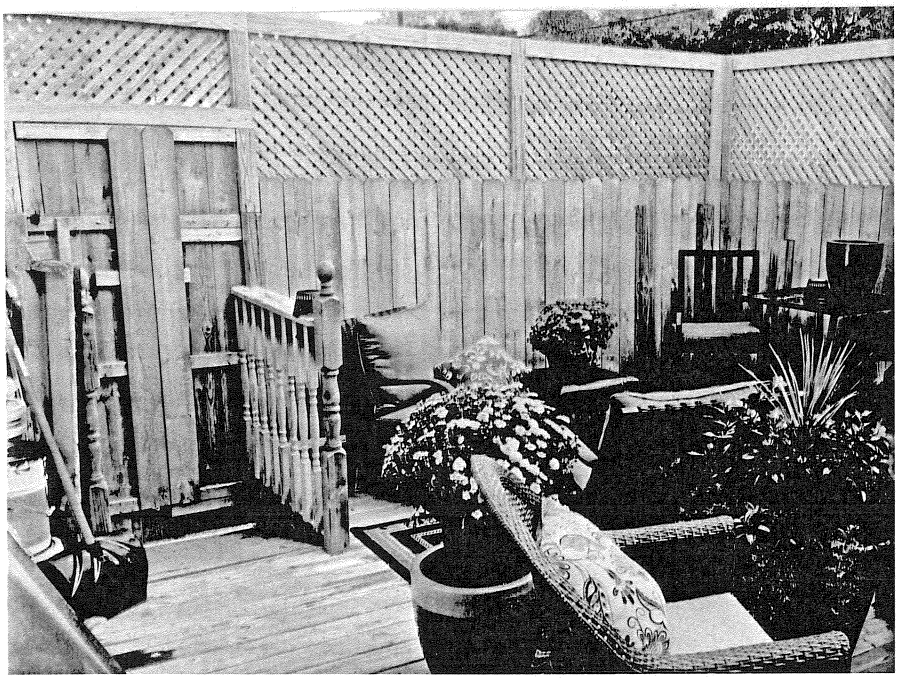
W = window

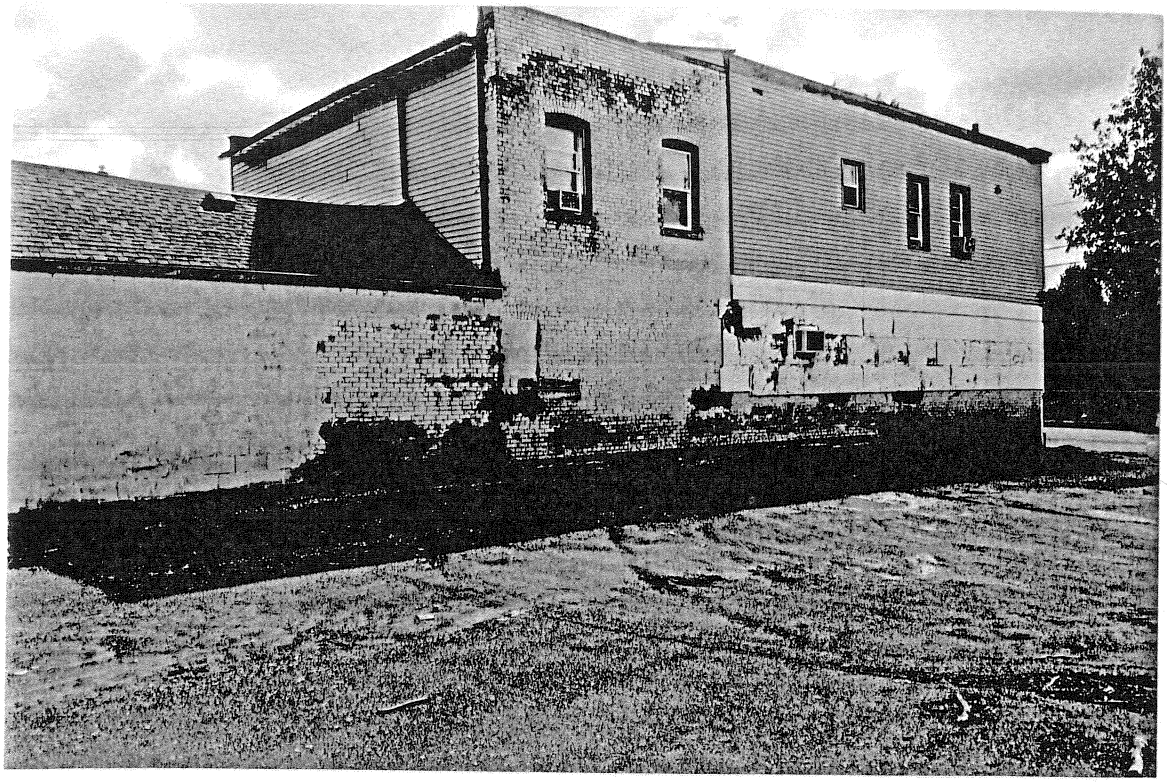
EXIT = Exit Light

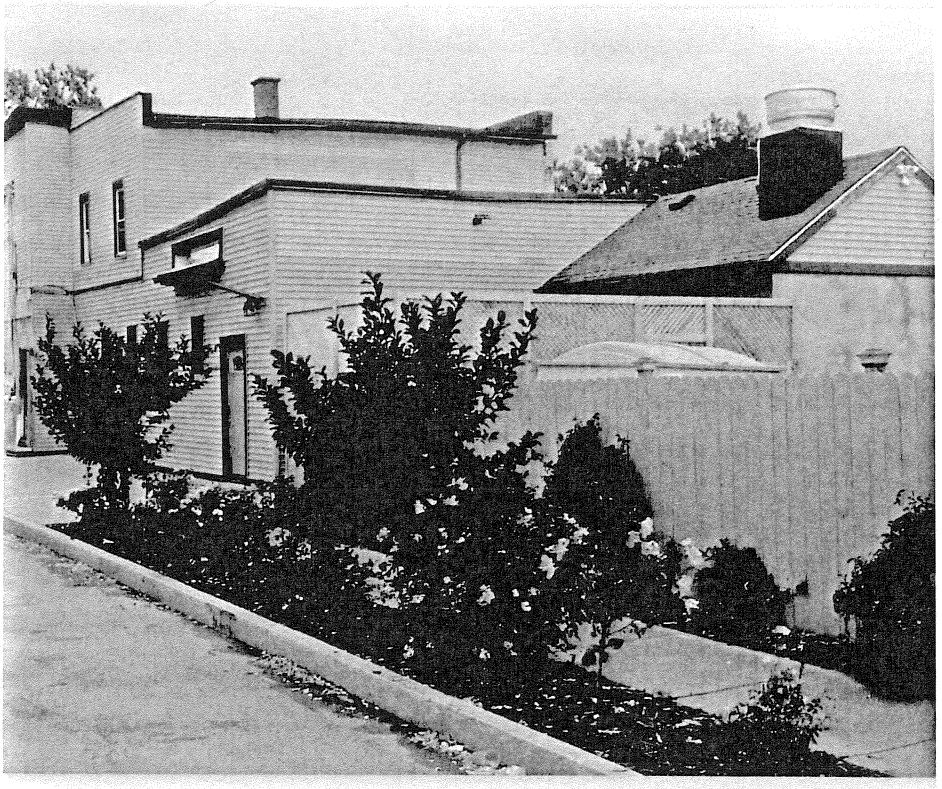
All Dodes Aee 36" x 80"

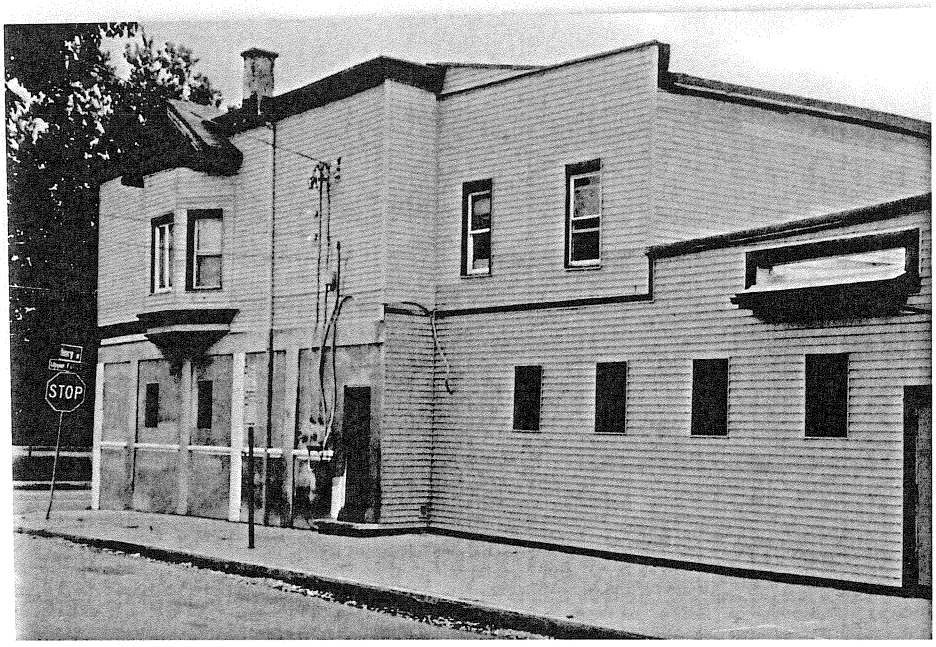
\\ walkways too Exit Doors

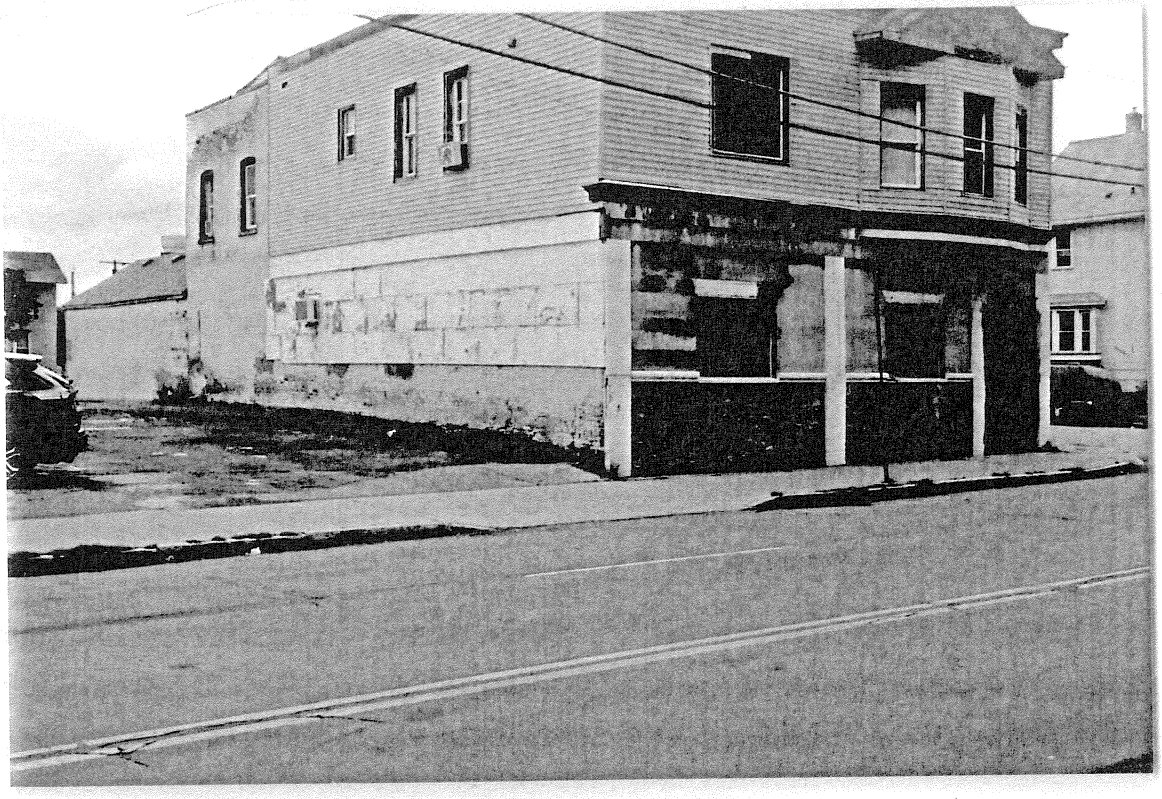




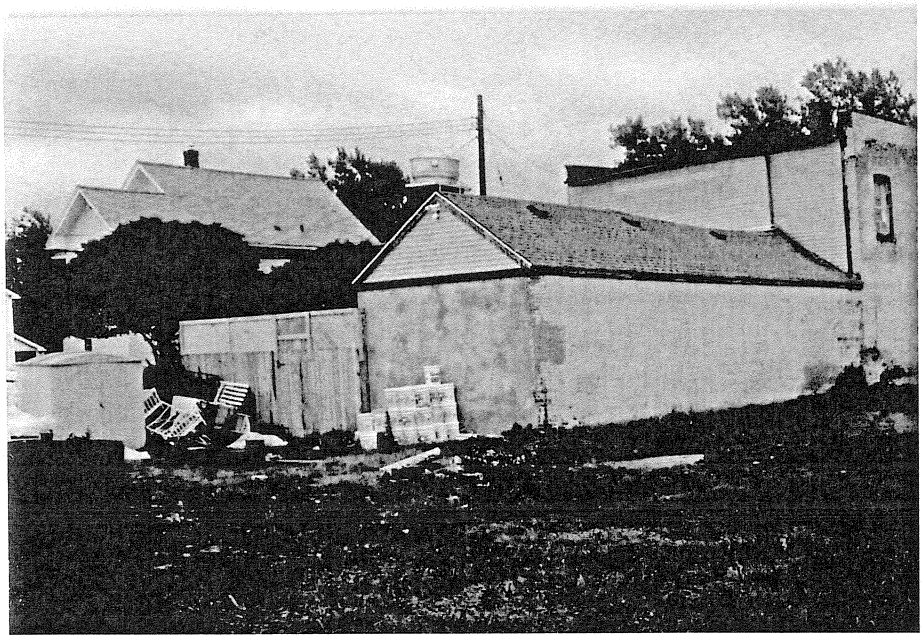


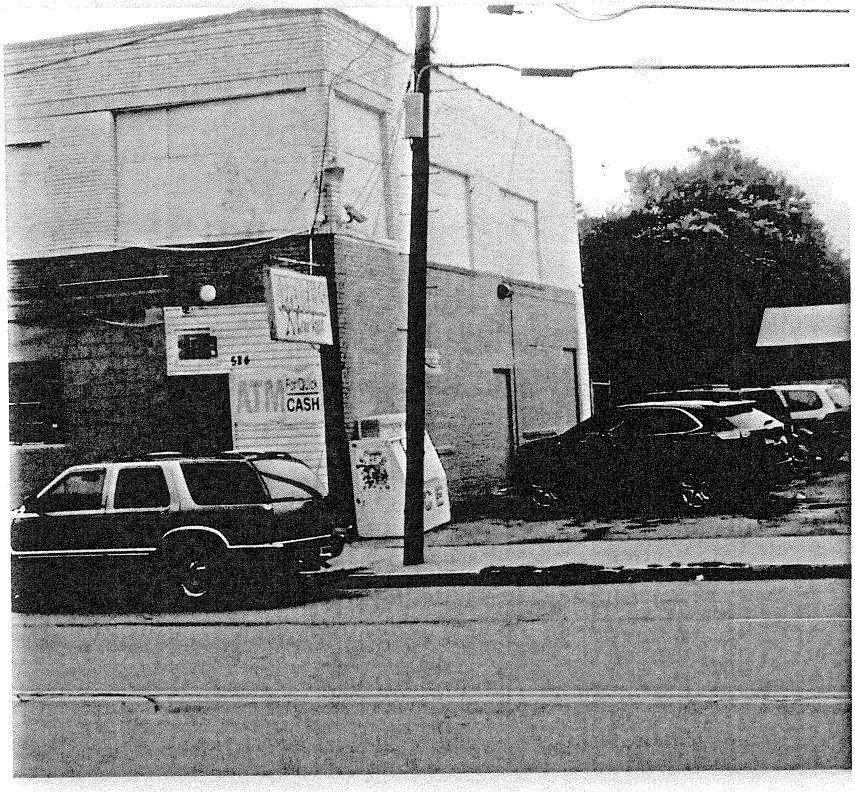


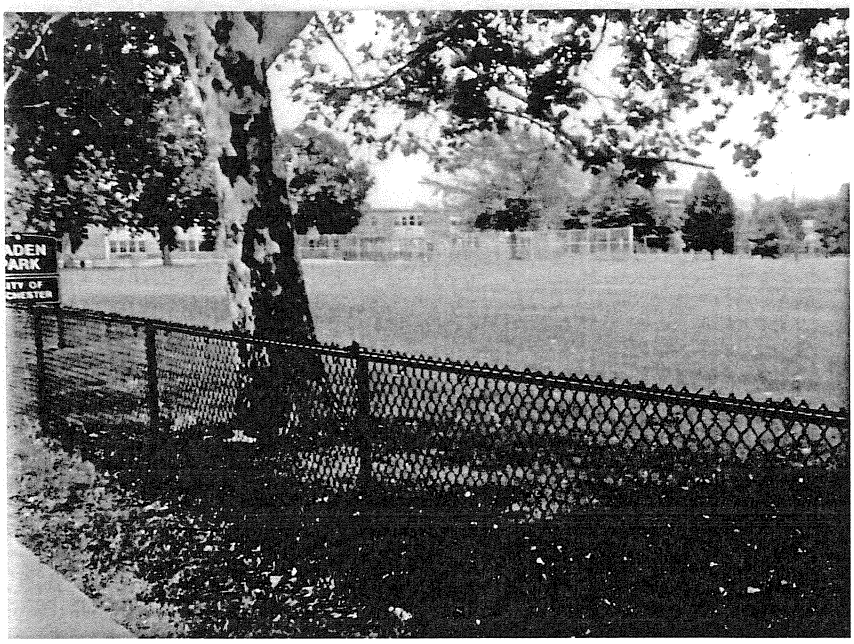

STOP

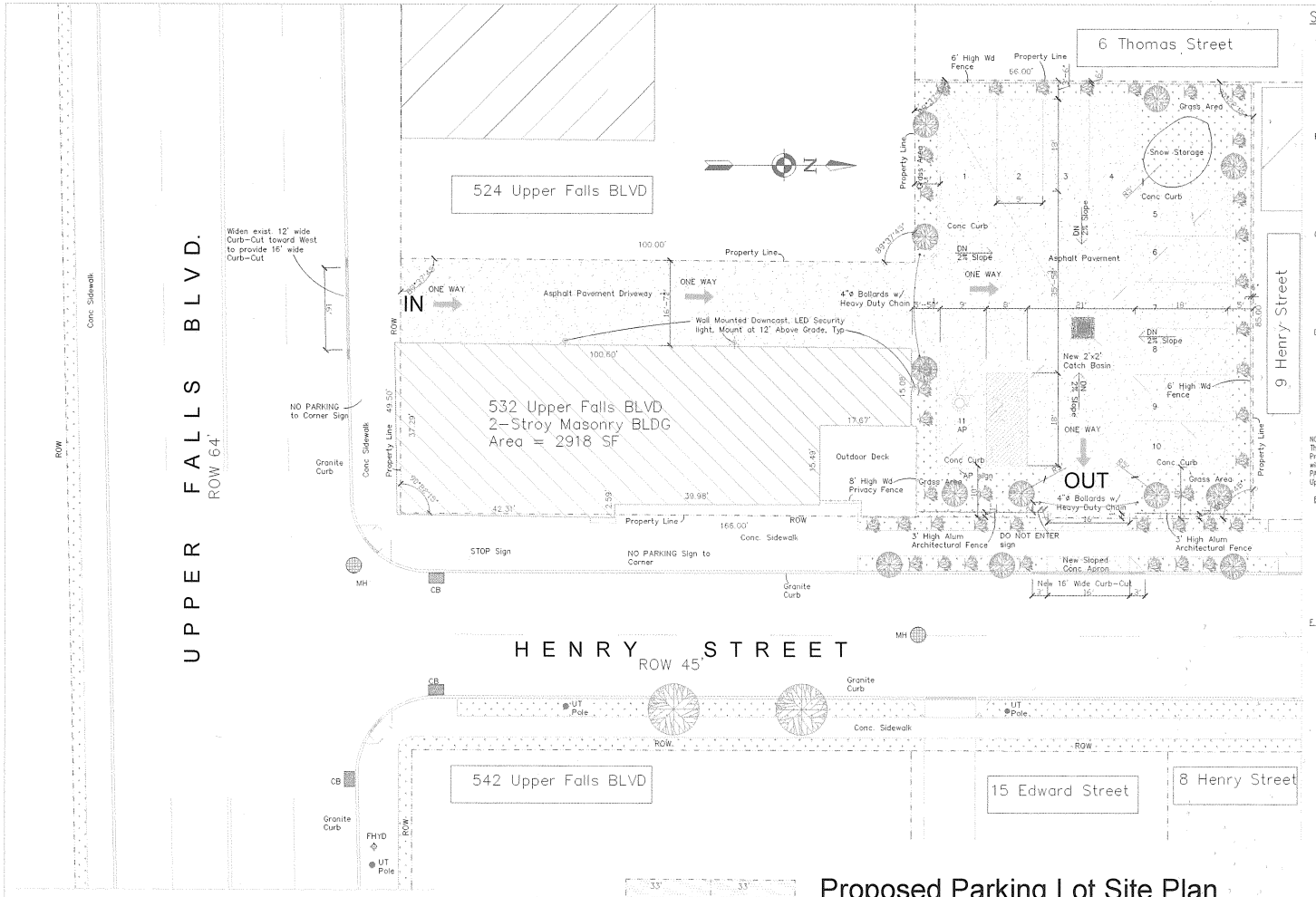


Upper Falls




ATM
CASH






## SITE DATA

A. 532 Upper Falls BLVD

1. Tax Id No: 106.40-2-23
2. Owner: Reed Lisa
3. Parcel Area: Frontage: 33' x 100' Area: 3,300 SF
4. Landuse: Detached Row Building – 482
5. Zone: Low Density Residential (R-1)
6. Year Built: 1900
7. Assessed Value: $38,800
8. Tax: $2,748.03

B. 528 Upper Falls BLVD

1. Tax Id No: 106.40-2-34.001
2. Owner: Reed Lisa
3. Parcel Area: Frontage: 16.5' Depth: 100' Area: 1,650 SF
4. Landuse: Parking Lot – 438
5. Zone: Low Density Residential (R-1)
6. Year Built: NA
7. Assessed Value: $2,200
8. Tax: $182.15

C. 3 Henry Street

1. Tax Id No: 106.40-2-32
2. Owner: Reed Lisa
3. Parcel Area: Frontage: 33' Depth: 85' Area: 2,805 SF
4. Landuse: Residential Vacant Lot – 311
5. Zone: Low Density Residential (R-1)
6. Year Built: NA
7. Assessed Value: $2,300
8. Tax: $281.94

D. 5 Henry Street

1. Tax Id No: 106.40-2-31
2. Owner: Reed Lisa
3. Parcel Area: Frontage: 33' Depth: 85' Area: 2,805 SF
4. Landuse: Residential Vacant Lot – 311
5. Zone: Low Density Residential (R-1)
6. Year Built: NA
7. Assessed Value: $2,300
8. Tax: $281.94

NOTE:
Through the City of Rochester, Re-Subdivision for Minor Lots Combination Procedure, Lots 528 Upper Falls, 3 Henry Street and 5 Henry Street Lots will be Re-Subdivided in to ONE Lot. The 3 Lots will be used as ANCILLARY PARKING for the Upper Falls BLVD Lounge & Restaurant located at 532 Upper Falls BLVD.

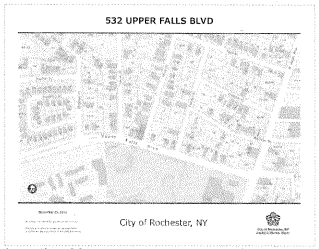
E. Parking lot Coverage Data

| | | | |
|---|---|---|---|
| 1. | Total Parcels Areas | | = 7,260 SF |
| 2. | Existing Building Area SF | | = NA |
| 3. | Existing Garage Area | | = NA SF |
| 4. | Green Area | | = 1,650 SF |
| 5. | Asphalt Area | | = 5,610 SF |
| 6. | Building Coverage: | NA | = 00% |
| 7. | Green Coverage: | [illegible] | = 22.7% |
| 8. | Lot Coverage: | [illegible] | = 77.3% |

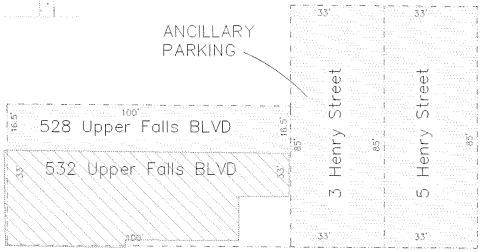
F. Parking Data

1. Net Lounge/Bar Restaurant Area = 2,800 Persons
2. Total Req'd Parking Spaces= 1 Parking/100 SF = [illegible] =28
3. Total Parking Deficiency. 33 Parking
4. Total No. of Parking provided= 11

NOTES:
1. Comply with all the City of Rochester Zoning Code & DES Requirements regarding Site Work.
2. Provide Grass in all Green/planted Areas. Grass shall not spill or intrude in to the ROW.
3. Shrubs shall be Minimum 24" High.
4. Trees shall be minimum 2" Caliber.
5. Concrete Curb,walk, Driveway shall be minimum 4000 PSI strength and in compliance with City of Rochester DES.
6. Slope the grass area a Min of 2% toward the new Parking lot Pavement.
7. Slope the asphalt Areas toward the Catch Basins @ Min 2%.
8. Contractor shall provide drawings, showing that no storm water will be spilled in to ROW & adjacent properties.




Location Map
NTS




Parcels Map
NTS

# Proposed Parking Lot Site Plan

1" = 10' 0 1' 5' 10' 20' 50'

1

GENERAL NOTES

1. Contractor shall comply with all Federal, State, and Local Laws, Regulations, Zoning Code and Building and other related Codes.
2. Install all materials incorporated in this project in accordance with the MFR's Requirements & directions and details shown.
3. Notify the Architect Immediately IF the existing condition(s) differ from what is shown on the drawings. DO NOT Proceed with Work until Direction is given by Architect.
4. Contractor shall provide Submittals to the Architect for review and approval for all materials and Installations for this project.
5. Field Verify all Dimensions and Conditions.
6. All Private and or Governmental Fees and Permits related to this Project is by the Contractor.
7. Contractor(s) shall notify the Building, Plumbing & MCPW Inspectors at proper intervals as required for timely inspections.
8. Provide Security Lighting for the Parking Area as per Owner & City of Rochester requirements.
9. Contractor shall obtain the Certificate OF Occupancy/Completion and forward it to the Owner.

NOTE: If Connecting to Existing Laterals, Laterals must be Televised prior to Connection to verify condition. Contractor Shall submit A copy of the Video Tape to MCPW for Review & comments. DO NOT Proceed with Work until Approval has been obtained from the Monroe County Pure Waters (MCPW).

ROCHESTER PURE WATERS DISTRICT

Project:

**Upper Falls Lounge/Bar & Restaurant Parking Lot**

532 Upper Falls Blvd
Rochester, NY 14605

Owner:

**Upper Falls Lounge/Bar & Restaurant**

532 Upper Falls Blvd
Rochester, NY 14605

Architect:

GRH Architecture, Engineering & Construction
333 Glen Haven Road
Rochester, New York 14609
Tel/Fax: (585) 654-6000
Mobile: 585-739-6000
Email: grh@rochester.rr.com

Consultant:

**Revisions:**

| No | Description | By | Date |
|---|---|---|---|
| | | | |

Warning: Unauthorized Use, Alterations, Additions, Deletions, Changes and or Reproduction of this drawing is a violation of the New York State Education Law, Article 145, Section 7209.

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Sheet Title:

**Proposed Parking Lot Site Plan**

| | |
|---|---|
| Project Manager: | RH |
| Project Architect: | RH |
| Drawn by: | RH |
| Checked by: | RH |
| Date Issued: | 12-21-15 |
| Project No: | 122015 |
| Scale: | 1" = 10' |

Seal:

Drawing Number:

**S-1**

1 of 1

5.37 Feet | Area: 3260.6 Square Feet

Date: 04/15/2015 | Level: Neighborhood | Scale: 75%

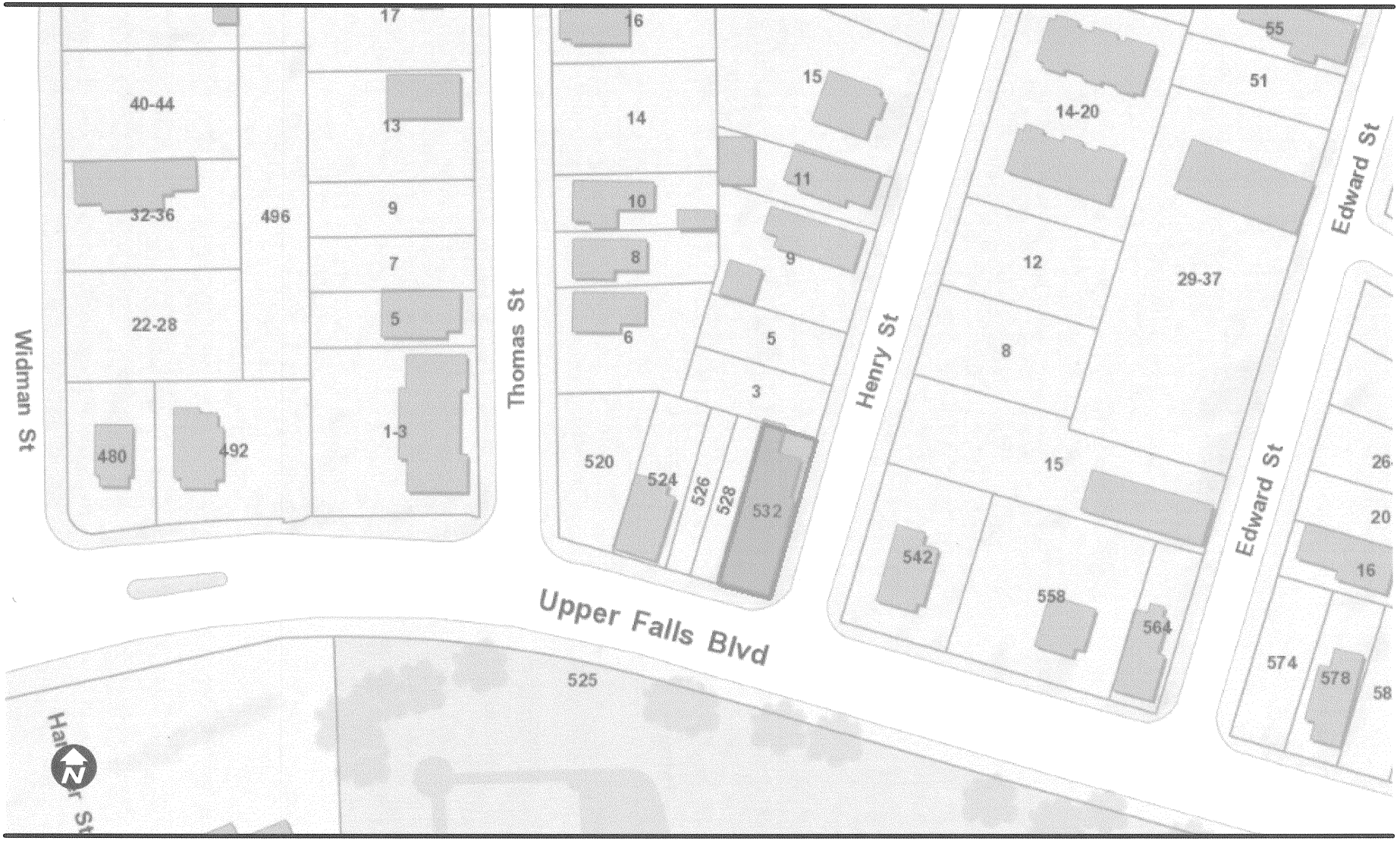
City of Rochester, NY
Property Information

532 Upper falls

Search By: Address Owner SBL

| SBL | Address |
| --- | --- |
| 106.40-2-33 | 532 Upper Falls Boulevard |

# 532 UPPER FALLS BLVD




November 3, 2015

This map is intended for general reference only.

The City of Rochester makes no representation as to the accuracy or fitness of the data presented.

City of Rochester, NY

City of Rochester, NY
*Lovely A. Warren, Mayor*

# CITY PLANNING COMMISSION
# STAFF REPORT
# January 25, 2016

## Special Permit

---

**Case #4:** Staff Reviewer: Jill Wiedrick

**File Number:** E-029-15-16

**Case Type:** Special Permit

**Applicant:** Dan Green

**Address:** 110 and 116 Field Street

**Zoning District:** R-1 Low Density Residential District

**Section of Code:** 120-9A, 120-131

**Request:** **To establish an ancillary parking lot to serve the residential uses at 110, 114 and 116 Field Street; an action requiring City Planning Commission approval.**

**Analysis:**
Preliminary Site Plan Review Findings (SP-018-15-16) for the project analysis are attached.

**Site Plan and Environmental Review**
Site Plan Review is required for this proposal. Preliminary Site Plan Findings are attached. A Notice of Environmental Determination, indicating that there are NOT significant impacts upon the environment, has been issued by the Director of Planning and Zoning.

**Applicant's statement concerning how request conforms to Special Permits Standards:**
See Attached.

## PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. PROJECT ADDRESS(ES): 110, 114, and 116 Field Street

2. APPLICANT: Daniel P. Green COMPANY NAME: _____

ADDRESS: 195 Vassar St CITY: Rochester ZIP CODE: 14607

PHONE: (585)329-6743 FAX: _____

E-MAIL ADDRESS DanielPGreen@gmail.com

INTEREST IN PROPERTY: Owner ☑ Lessee ☐ Other ☐

3. PLAN PREPARER: self

ADDRESS: _____ CITY: _____ ZIP CODE: _____

PHONE: _____ FAX: _____

4. ATTORNEY: Paul Mura

ADDRESS: 2 State Street,suite 975 CITY: Rochester ZIP CODE: 14614

PHONE: (585)262-5140 FAX: (585)232-3164

E-MAIL ADDRESS paulemura@hotmail.com

5. ZONING DISTRICT: R1

6. DETAILED PROJECT DESCRIPTION (additional information can be attached). _____

* 114 Field St. aka Angelus Bake Shop. convert vacant commercial space on first floor into two residential 2 bedroom apartments

~~* 110 Field St. add 1090 sq ft of new parking~~

* 116 Field St. add 900 sq ft of new parking

7. LENGTH OF TIME TO COMPLETE PROJECT (Attach schedule if phased:) 18 months

APPLICANT: I certify that the information supplied on this application is complete and accurate, and that the project described, if approved, will be completed in accordance with the conditions and terms of that approval.

SIGNATURE: Daniel P. Green Digitally signed by Daniel P. Green DN: cn=Daniel P. Green, o, ou, email=DanielPGreen@gmail.com, c=US Date: 2015.12.03 14:58:52 -05'00' DATE: 12/3/2015

OWNER (if other than above): I have read and familiarized myself with the contents of this application and do hereby consent to its submission and processing.

# SPECIAL PERMIT STANDARDS

A Special Permit will be granted only if evidence is presented establishing conformance with each of these standards. Explain how the proposal conforms to each of these requirements (attach additional pages if necessary:

**A. The proposed building or use will be in harmony with the general purpose, goals, objectives, standards and implementation strategies of the Comprehensive Plan, this chapter and, where applicable, the Subdivision Code.**

* Proposing residential development in a residential zone.
* A neighborhood and city icon will be preserved. This historic building will be tastefully revitalized with care taken to restore and maintain original charm and details.

**B. The proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety and general welfare.**

* drainage will be managed on site. Will not adversely affect neighbors.
* will not affect character; is consistent with neighborhood
* only requesting a few more cars per lot
* *with regard to safety, occupied residential space is safer that vacant commercial*

**C. The proposed building or use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring properties in accordance with the applicable district regulations.**

* no expansion to the building so will not physically impose anything new in terms of footprint
* residential use will affect neighbors less than it's prior commercial uses
* residential use less stressful to neighborhood than potential future operations like convenience store, etc

**D. The proposed building or use will be served adequately by essential public facilities and services, such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools, or that the persons or agencies responsible for the establishment of the proposed building or use will provide adequately for such services.**

* yes, public facilities will be adequately served to the building and occupants.
* drainage for the increased parking will be contained on-site via a permeable paving design.
* The area has many multi-family dwellings as well as commercial buildings. The use of 114 Field Street as a three family will not impose needs greater than many of my neighbors.
* Proposed off street parking will alleviate street parking loading and associated service implications

**E. The proposed building or use will not result in the destruction, loss or damage of any natural, scenic, cultural or historic feature of significant importance.**

* *re-using existing building. It's charming and I bought it because I intend to utilize those aspects to attract good tenants.*
* The historic features will be preserved as best is practical. Much of the exterior wood has been stripped, primed and painted already. Stonework has been re-pointed with more stonework quoted and planned for 2016. Metal trim has been stripped and finish yet to be decided. The original store front will be used as part of an open loft style floor plan, thus preserving 10' tin ceiling across wide free span space.

City of Rochester

Neighborhood and Business Development
City Hall Room 125B, 30 Church Street
Rochester, New York 14614-1290
www.cityofrochester.gov

Bureau of Planning
and Zoning

December 7, 2015

Mr. Daniel Green
195 Vassar St
Rochester, NY 14620

**Re: Preliminary Site Plan Findings**
**SP-018-15-16, 110, 114 & 116 Field Street**
**Zoning: (R-1) Low Density Residential District**

Dear Mr. Green:

A preliminary review of your application to convert the first floor of a commercial building at 114 Field Street into two residential units and establish ancillary parking on the two adjacent single family parcels at 110 & 116 Field Street has been completed.

The following findings & recommendations have resulted from this review. It is your responsibility to familiarize yourself with the content of this document.

**Existing Conditions:**
The site is located in an R-1 Low Density Residential District on the eastern side of Field Street and consists of three parcels all owned by the applicant. Two of the lots are single family homes: 110 Field Street is a 1,366 sqft three bedroom unit; 116 Field Street is a 744 sqft two bedroom unit.

114 Field Street is a two story masonry building with 1st floor commercial space and a 2nd floor apartment. Permit records indicate the building was used as a bakery as early as 1912, and was later a gift shop. Between 1953 and 1964 it was used for the processing, storage and wholesale of drink mixes by Fee Brothers. It was then used as a photo lab and offices until around 2000. Assessment records indicate the presence of a 2nd story residential unit which was legalized through a Certificate of Nonconformity in May of 2014 and is currently an occupied 1,100 sqft two bedroom apartment.

No parking spaces are available on-site at 114 Field Street, but the parcel has a driveway which leads to a parking area behind the house at 116 Field Street. 116 Field Street does not have a full driveway to access this parking area. Permit records show a shared parking relationship has existed between 114 and 116 Field Street in the past. In 1964 a variance was approved to change the use of 114 Field Street to a photo lab and to establish off-street parking at 116 Field Street. In 1980 a Special Permit was issued at 116 Field Street to establish 5 spaces of ancillary parking for 114 Field Street, however this permit is null and void due to the extended period of vacancy in the commercial space.

The properties directly adjacent to the site include a single-family residence to the north, a two-family apartment with a single-family cottage in the rear yard to the south, and a large five-family building to the rear of the entire site. Other properties in the immediate vicinity

are a mix of residential buildings including some single family homes but primarily two to four unit residences. School 35 and a large commercial building used by Frontier Telephone are also located on the same block.

**Scope of the Project:**

The applicant proposes a change in use on the first floor of an existing commercial space at 114 Field Street to two residential units: a two-bedroom 1,375 sqft apartment, and a two-bedroom 1,464 sqft apartment. The second floor will remain a two-bedroom apartment.

Because no parking is available on-site, ancillary parking will be established on each of the two adjacent parcels. Three parking spaces will be added to 110 Field Street (six total), the layout of which will allow vehicles to turn around before exiting the site preventing the need to back up over the right-of-way. Three additional parking spaces were proposed for 116 Field Street, but upon site plan review committee recommendation, the applicant removed one space adjacent to 116 Field Street in order to provide space for vehicles to turn around before exiting the site. A total of four spaces are now proposed.

Parking areas will be expanded by installing Turfstone™ interlocking permeable concrete pavers in order to mitigate potential drainage issues that would otherwise occur if regular pavement was used.

**Code Compliance:**

1. **Minor Site Plan Review.** Minor Site Plan Review approval by the Director of Planning and Zoning is required when floor area designated for nonresidential use is converted to residential use. The proposal seeks to convert vacant commercial space into two residential apartments (three units total).

2. **Area Variance.** An area variance is required from the Zoning Board of Appeals to waive the Dwelling Unit Conversion standards which are required for the proposed conversion of nonconforming nonresidential floor area to residential use. The proposal adheres to all of the standards to increase the number of dwelling units except the following standards which will require a waiver:
    - No building located on a lot of less than 9,000 square feet shall be converted to create a multiple-family dwelling as per 120-166A(3). The lot at 114 Field Street is 5,356 sqft. If this lot were to be combined with either 110 or 116 Field Street the new parcel would meet the lot area requirement, but neither the applicant nor the site plan review committee is in favor of this option.

3. **Special Permit.** A Special Permit is required from the City Planning Commission to establish ancillary parking lots at 110 Field Street and 116 Field Street as per 120-9A and subject to 120-131 of the Zoning Code.

| Requirements of 120-131: | In Compliance? |
|---|---|
| A. Ancillary parking lots and garages shall only be allowed in the district where the principal use is located or a less restrictive district. | Yes. 114 Field Street is located in an R-1 District and the proposed parking lots at 110 and 116 Field Street are in the same R-1 District. |
| B. Ancillary parking lots and garages shall be subject to all the provisions of § 120-173, Off-street parking, and all the lot, area, yard and bulk requirements of the applicable zoning district. | Yes.<br><br>Section 120-173, Off-street parking:<br>The proposed ancillary parking lots are in accordance with all off-street parking requirements for the three parcels.<br><br>Section 120-11, Lot, area, and yard requirements in the R-1 District:<br>• Lot coverage – the proposal is in compliance because there is no increase in lot coverage, see Finding #4 Lot Coverage.<br>All other lot frontage, lot area, and setback requirements relate to principal structures and uses. The ancillary lots are accessory uses.<br><br>Section 120-12, Bulk requirements in the R-1 District:<br>Bulk requirements relate to principal structures and uses. The ancillary lots are accessory uses. |
| C. Ancillary parking lots and garages shall be used exclusively for parking of passenger vehicles. | Yes. |
| D. Ancillary parking lots and garages shall be equipped and controlled to discourage illegal parking, vandalism and other unlawful or nuisance-creating activities. When so equipped and controlled, such lots and garages may be open 24 hours a day. | Yes. Not necessary for the residential lots in question. |
| E. No commercial repair work or services of any kind shall be conducted in any ancillary parking lot or garage. | Yes. None proposed. |
| F. No sign of any kind other than designating entrances, exits and conditions of use shall be maintained on any ancillary parking lot or garage. | Yes. None proposed. |

**SEQR/Chapter 48 Compliance:**
In accordance with Article 8 of the New York State Conservation Law and Chapter 48 of the Rochester City Code, this project has been classified as an Unlisted Action. A Negative Declaration was issued on December 2, 2015, indicating that the proposed action is one which will not have a significant impact on the environment.

**Findings:**

1. **Citywide Design Guidelines.** In accordance with 120-159C of the Citywide Design Guidelines and Standards, a window should be reinstalled on the front façade at 114 Field Street in order to restore/retain the storefront features. The applicant has agreed to a single window with multiple panes and mullions consistent with the existing window treatments and existing storefront design.

2. **Parking Requirements.** The two single family units at 110 and 116 Field Street each requires one off-street parking space with a maximum of three each. In order to establish the three, two-bedroom apartments at 114 Field St, a minimum of four parking spaces are required with a maximum of six spaces. A total of ten spaces are proposed. Parking requirements will be fulfilled through the establishment of ancillary parking lots at 110 & 116 Field Street.

3. **Parking Lot Design.**
   Recommended Parking Design Changes
   An alternative site design is recommended by the Site Plan Review Committee to improve the maneuvering and circulation on-site and reduce the impact of this proposal on neighboring properties, especially the cottage at 124 ½ Field Street adjacent to proposed parking at 116 Field Street. Recommended changes are illustrated on the alternative site design on page 7 and outlined below.
   - 116 Field Street
     - Reconfigure parking and reduce the total number of spaces to three in order to: increase the designated turn around area; maintain an 800+ sqft area of green space in the rear yard; prevent overdevelopment of the site; and reduce the impact on the adjacent cottage. This would reduce the amount of permeable pavers by approximately 350 sqft.
     - Remove a small portion of pavement in order to shift spaces slightly from the cottage to accommodate new landscape screening (see Finding #6. Screening & Fencing).
     - Add a strip of pavement adjacent to the building at 114 Field Street to improve access to parking spaces and site maneuvering (no net increase in pavement due to removal above).
   - 110 Field Street
     - Create a more regularly shaped permeable paver area by removing a portion of existing pavement and adding a strip of pavement on the northern edge of the existing driveway. This would result in a slight reduction of pavement and create a uniform transition area between the pavement and permeable pavers.

   Drainage
   Turfstone™ interlocking permeable concrete pavers are proposed for parking expansion in order to support the weight of vehicles parked above, while allowing water to drain though the dedicated space between the pavers. The site plan review committee requires the use of washed stone: between the pavers instead of the proposed grass, and for the compacted base layer below the pavers rather than asphalt or cement in order to allow drainage into the ground. The proposal also

includes the installation of river rock in areas of the rear yards bordering lot lines to assist with drainage and prevent stormwater runoff from leaving the sites. Any additional stormwater on 116 Field Street will be mitigated by an existing catch basin on-site.

Additional permeable surfaces including grass and landscaping are present in the front and rear yards of 110 and 116 Field Street. Snow storage will be located in the grassed areas in these rear yards.

Overall, the proposed stormwater management techniques appear to be sufficient to address stormwater on-site and have been reviewed and approved by Tom Mann, Permit Office Manager, Bureau of Planning and Zoning.

4. **Lot Coverage.** While the existing sites currently exceed 50% of the lot coverage, the proposal does not increase lot coverage on any of the sites. Changes or additions to the existing impervious pavement are not proposed, and the permeable pavers are not counted in the lot coverage calculation (see table below). The Site Plan Review Committee's Recommended Alternative Site Design on page 7 illustrates two areas appropriate to convert to pavement in exchange for two other areas that should be converted from pavement to landscaping and concrete pavers, which would result in no net increase in lot coverage.

| Lot Coverage | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Address | Existing | | | | | Proposed | | |
| | Lot Size (sqft) | Structures (sqft) | Impervious Pavement (sqft) | Total Impervious Coverage | Lot Coverage | Permeable Pavers (sqft) | | Lot Coverage |
| | | | | | | As Proposed | Alt. Design | |
| 110 Field St | 6,505 | 1,664 | 2,373 | 4,037 | 62% | 760 | 767 | 62% |
| 114 Field St | 5,356 | 3,838 | 1,060 | 4,898 | 91% | 0 | 0 | 91% |
| 116 Field St | 4,212 | 853 | 1,340 | 2,193 | 52% | 818 | 466 | 52% |

5. **Required Easements.** Easements will be required between 114 Field Street and each of the adjacent parcels at 110 and 116 Field Street to ensure ancillary parking and access to it is maintained in the future should any of the three sites be sold to a new owner. 114 Field Street will require easements to use both driveways, and ancillary parking areas. Each of the single family homes will retain the use of at least one parking space. 116 Field Street will require an easement for the use of the driveway at 114 Field Street. The applicant has agreed that easements are necessary and has submitted a draft easement for 114 and 116 Field Street as an example of what will be filed.

6. **Screening & Fencing.** 110 Field Street has a four foot tall wood fence in the rear yard on the northern property line. A four foot chain link fence is located in the rear yard of 116 Field Street on the south property line adjacent to the neighboring

cottage. Chain link fence is also present on the property to the rear of all three parcels.

116 Field Street

The Site Plan Review Committee recommendations below regarding 116 Field Street are illustrated on the alternate site design on page 7 and are intended to reduce the visual and audible effects of vehicles entering and exiting the site on residents at the adjacent cottage at 124 ½ Field Street:

- the addition of an approximately five foot wide hedgerow between the proposed parking and the adjacent cottage, and the removal of proposed river rock to accommodate this;
- the shifting of two parking spaces to accommodate the additional landscaping above and reduce the overall size of the parking area;
- the addition of a six foot high stockade fence in place of the chain link fence along the southern property line.

A copy of these findings will be provided to the Zoning Board of Appeals (ZBA) and City Planning Commission (CPC) so that they may be taken into consideration while making a determination on your request for an Area Variance and Special Permit approval. Final Site Plan Review approval will not be issued until the Notice of Decisions have been issued and all conditions imposed by the ZBA and CPC have been addressed, as well as any additional requirements as noted in these findings.

Please contact Tom Kicior, Senior City Planner at 428-7762 or Thomas.Kicior@cityofrochester.gov if you have any questions regarding these preliminary findings.

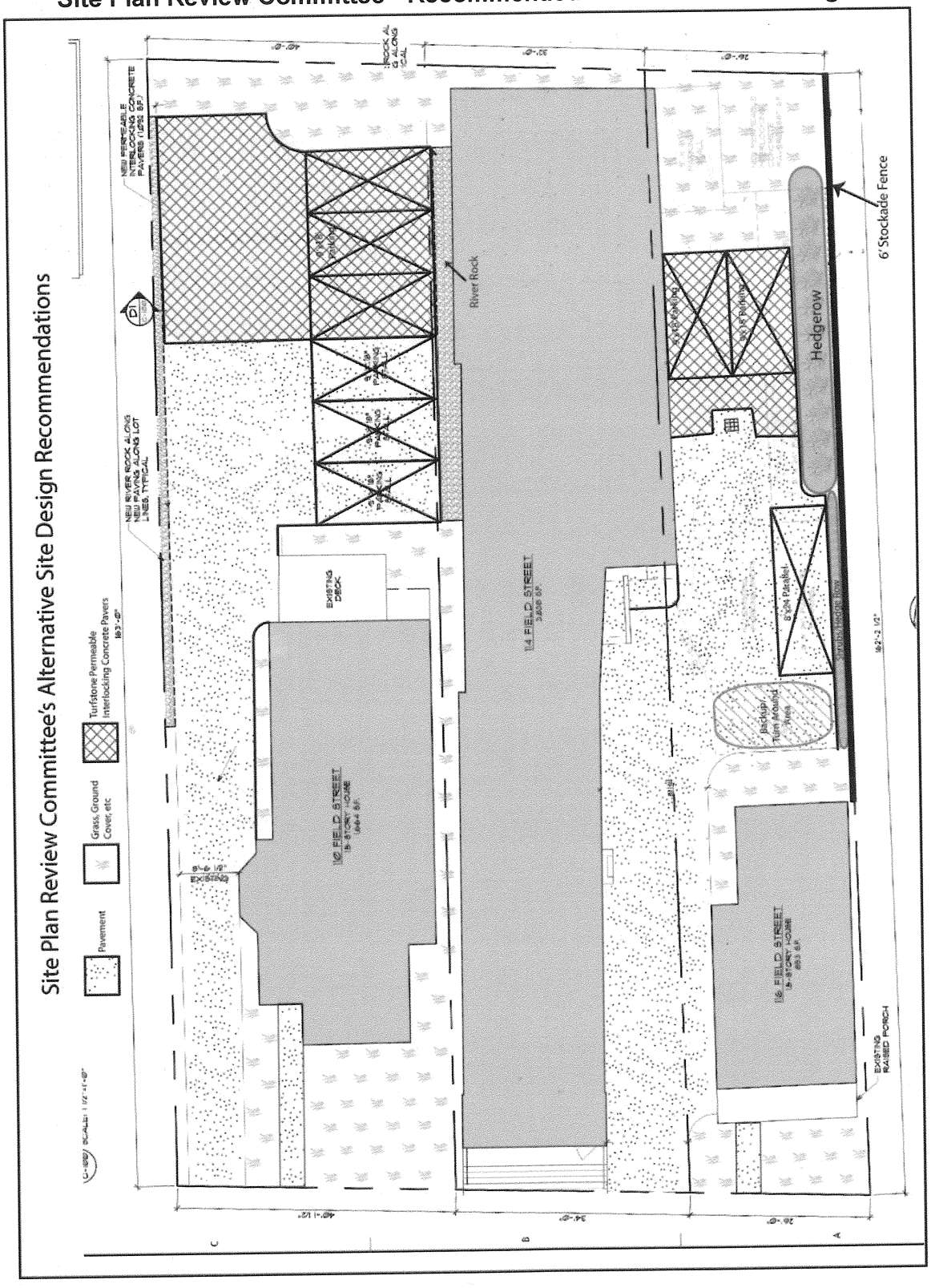
Sincerely,

Zina Lagonegro, AICP, EIT
Director of Planning and Zoning

xc :

Peter Siegrist, Bureau of Planning and Zoning
Tom Mann, Bureau of Planning and Zoning

## Site Plan Review Committee - Recommended Alternative Site Design



# CITY OF ROCHESTER

## NOTICE OF ENVIRONMENTAL DETERMINATION

Issued in accordance with Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the Rochester Municipal Code.

**NEGATIVE DECLARATION:** The proposed action is one which will not have a significant effect on the environment.

**ACTION:**
Classification: Unlisted
Description: Site Plan Review

**PROJECT:**
Location: 110, 114, and 116 Field Street
Applicant: Daniel Green
Description: To convert the first floor of a commercial building at 114 Field Street into two residential units and establish ancillary parking on the two adjacent single family parcels at 110 & 116 Field Street.

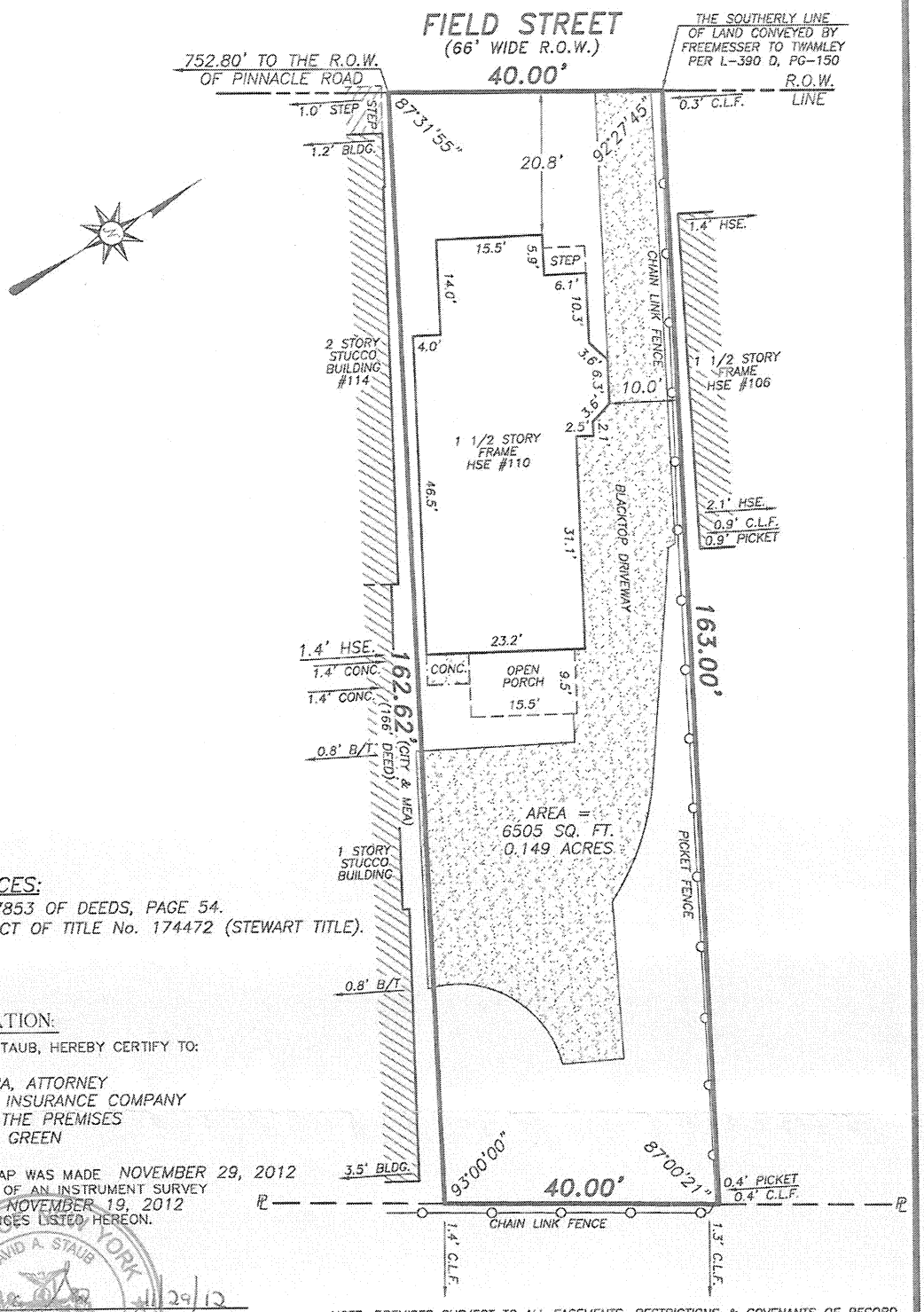
**REASON(S) FOR DETERMINATION:** The proposal consists primarily of the reuse of an existing structure with minimal site disturbance for parking expansion. The site does not contain sensitive natural features. No significant impacts are anticipated with respect to air and water quality, local animal habitats, historic structures or archaeological resources. The project is consistent with the character of the surrounding neighborhood. Existing community facilities/services (e.g. water supply, energy supplies, public safety, waste disposal and transportation) are adequate to accommodate the proposed project.

**LEAD AGENCY:** City of Rochester, Bureau of Planning and Zoning

**AGENCY CONTACT PERSON:** Tom Kicior, Senior City Planner
Bureau of Planning and Zoning, (585) 428-7762

**DATE ISSUED:** December 2, 2015

**FILE REFERENCE NUMBER:** SP-018-15-16




## REFERENCES:

1.) LIBER 7853 OF DEEDS, PAGE 54.
2.) ABSTRACT OF TITLE No. 174472 (STEWART TITLE).

## CERTIFICATION:

I, DAVID A. STAUB, HEREBY CERTIFY TO:

- PAUL MURA, ATTORNEY
- THE TITLE INSURANCE COMPANY INSURING THE PREMISES
- DANIEL P. GREEN

THAT THIS MAP WAS MADE NOVEMBER 29, 2012
FROM NOTES OF AN INSTRUMENT SURVEY
COMPLETED NOVEMBER 19, 2012
AND REFERENCES LISTED HEREON.

STATE OF NEW YORK · DAVID A. STAUB · 050791 · LICENSED LAND SURVEYOR

N.Y.S.R.L.S. No. 50791 — DATE 11/29/12

NOTE: PREMISES SUBJECT TO ALL EASEMENTS, RESTRICTIONS & COVENANTS OF RECORD.

TITLE:

# INSTRUMENT SURVEY MAP

## 110 FIELD STREET

## BEING PART OF LOT No. 52, SECOND DIVISION, TOWNSHIP No. 13, RANGE No. 7, CITY OF ROCHESTER, COUNTY OF MONROE, STATE OF NEW YORK

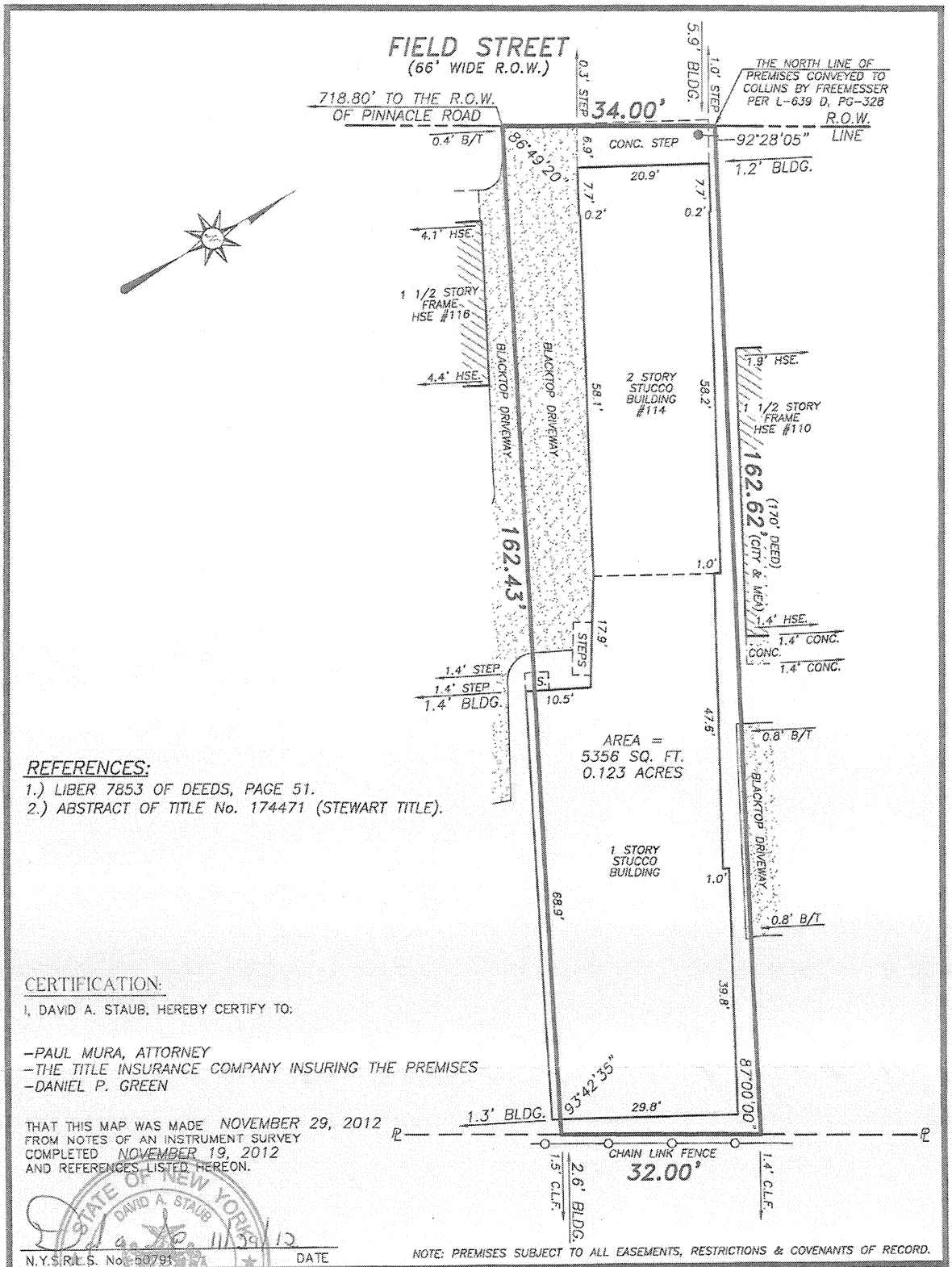
"Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of Section 7209, sub-division 2, of the New York State Education Law."

"Only copies from the original of this survey marked with an original of the land surveyor's red ink seal shall be considered to be valid true copies."

"Certifications indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors. Said certifications shall run only to the person for whom the survey is prepared, and on his behalf to the title company, governmental agency and lending institution listed hereon, and to the assignees of the lending institution. Certifications are not transferable to additional institutions or subsequent owners."

TRIPLE POINT LAND SURVEYING, LLC.
16 EAST MAIN STREET SUITE 320
ROCHESTER, NEW YORK 14614
Phone (585) 263-9950
Fax (585) 263-3591

| SCALE: | TAX ACCOUNT: | JOB NO.: | DATE: |
|---|---|---|---|
| 1" = 20' | 121.75-2-84 | 1455-12 | NOV. 29, 2012 |




## REFERENCES:

1.) LIBER 7853 OF DEEDS, PAGE 51.
2.) ABSTRACT OF TITLE No. 174471 (STEWART TITLE).

## CERTIFICATION:

I, DAVID A. STAUB, HEREBY CERTIFY TO:

-PAUL MURA, ATTORNEY
-THE TITLE INSURANCE COMPANY INSURING THE PREMISES
-DANIEL P. GREEN

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AND REFERENCES LISTED HEREON.

STATE OF NEW YORK
DAVID A. STAUB
050791
LICENSED LAND SURVEYOR

N.Y.S.R.L.S. No. 050791 — DATE 11/29/12

NOTE: PREMISES SUBJECT TO ALL EASEMENTS, RESTRICTIONS & COVENANTS OF RECORD.

TITLE:

# INSTRUMENT SURVEY MAP

## 114 FIELD STREET
## BEING PART OF LOT No. 52, SECOND DIVISION, TOWNSHIP No. 13, RANGE No. 7, CITY OF ROCHESTER, COUNTY OF MONROE, STATE OF NEW YORK

"Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of Section 7209, sub-division 2, of the New York State Education Law."

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TRIPLE POINT LAND SURVEYING, LLC.
16 EAST MAIN STREET SUITE 320
ROCHESTER, NEW YORK 14614
Phone (585) 263-9950
Fax (585) 263-3591

WAYNE ONTARIO MONROE

| SCALE: | TAX ACCOUNT: | JOB NO.: | DATE: |
|---|---|---|---|
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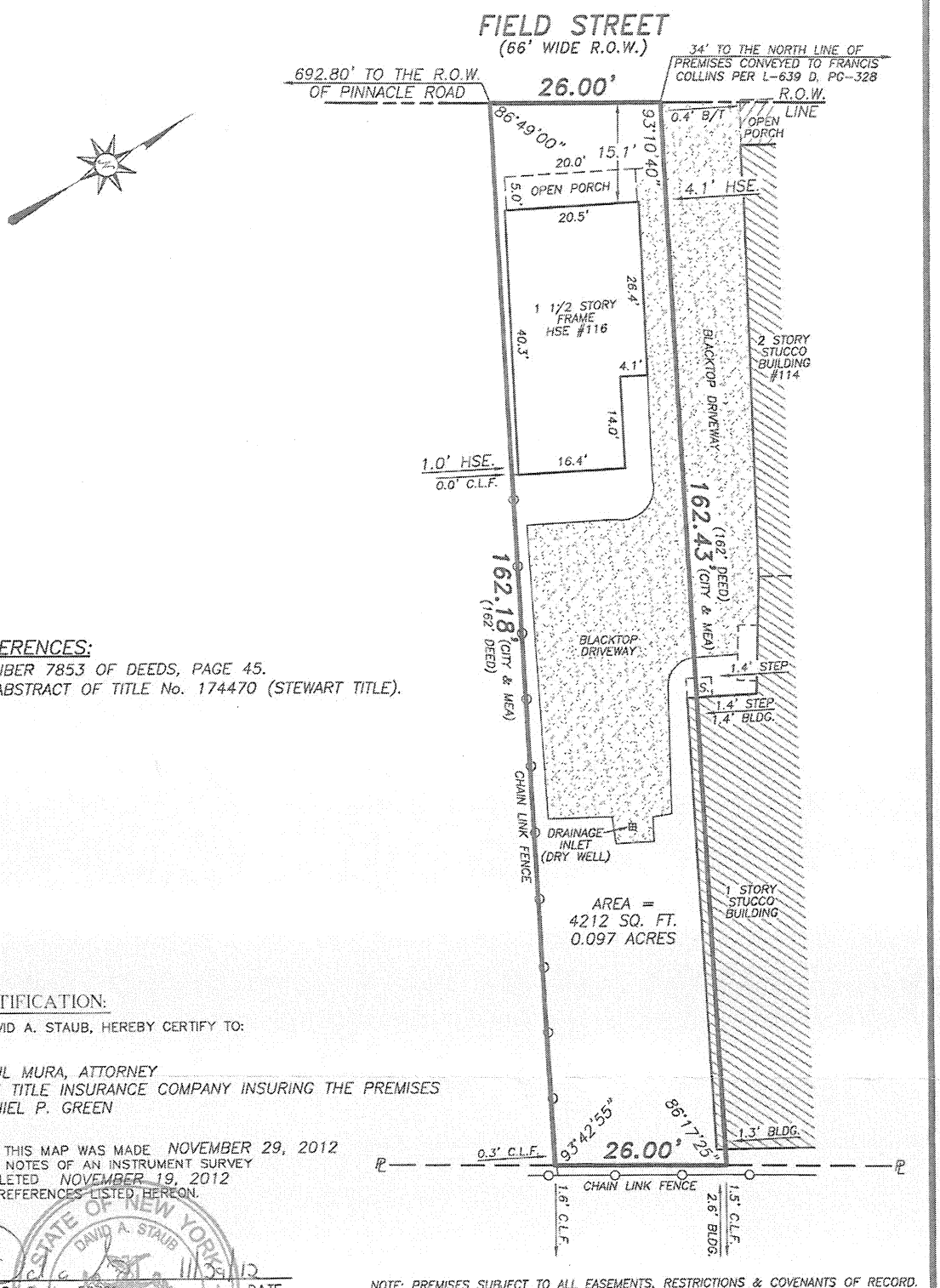


## REFERENCES:

1.) LIBER 7853 OF DEEDS, PAGE 45.
2.) ABSTRACT OF TITLE No. 174470 (STEWART TITLE).

## CERTIFICATION:

I, DAVID A. STAUB, HEREBY CERTIFY TO:

-PAUL MURA, ATTORNEY
-THE TITLE INSURANCE COMPANY INSURING THE PREMISES
-DANIEL P. GREEN

THAT THIS MAP WAS MADE NOVEMBER 29, 2012
FROM NOTES OF AN INSTRUMENT SURVEY
COMPLETED NOVEMBER 19, 2012
AND REFERENCES LISTED HEREON.

STATE OF NEW YORK · DAVID A. STAUB · 050791 · LICENSED SURVEYOR

N.Y.S.R.L.S. No. 50791 — DATE 11/30/12

NOTE: PREMISES SUBJECT TO ALL EASEMENTS, RESTRICTIONS & COVENANTS OF RECORD.

TITLE:

# INSTRUMENT SURVEY MAP

## 116 FIELD STREET

## BEING PART OF LOT No. 52, SECOND DIVISION, TOWNSHIP No. 13, RANGE No. 7, CITY OF ROCHESTER, COUNTY OF MONROE, STATE OF NEW YORK

"Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of Section 7209, sub-division 2, of the New York State Education Law."

"Only copies from the original of this survey marked with an original of the land surveyor's red ink seal shall be considered to be valid true copies."

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WAYNE · ONTARIO · MONROE

TRIPLE POINT LAND SURVEYING, LLC.
16 EAST MAIN STREET SUITE 320
ROCHESTER, NEW YORK 14614
Phone (585) 263-9950
Fax (585) 263-3591

| SCALE: | TAX ACCOUNT: | JOB NO.: | DATE: |
|---|---|---|---|
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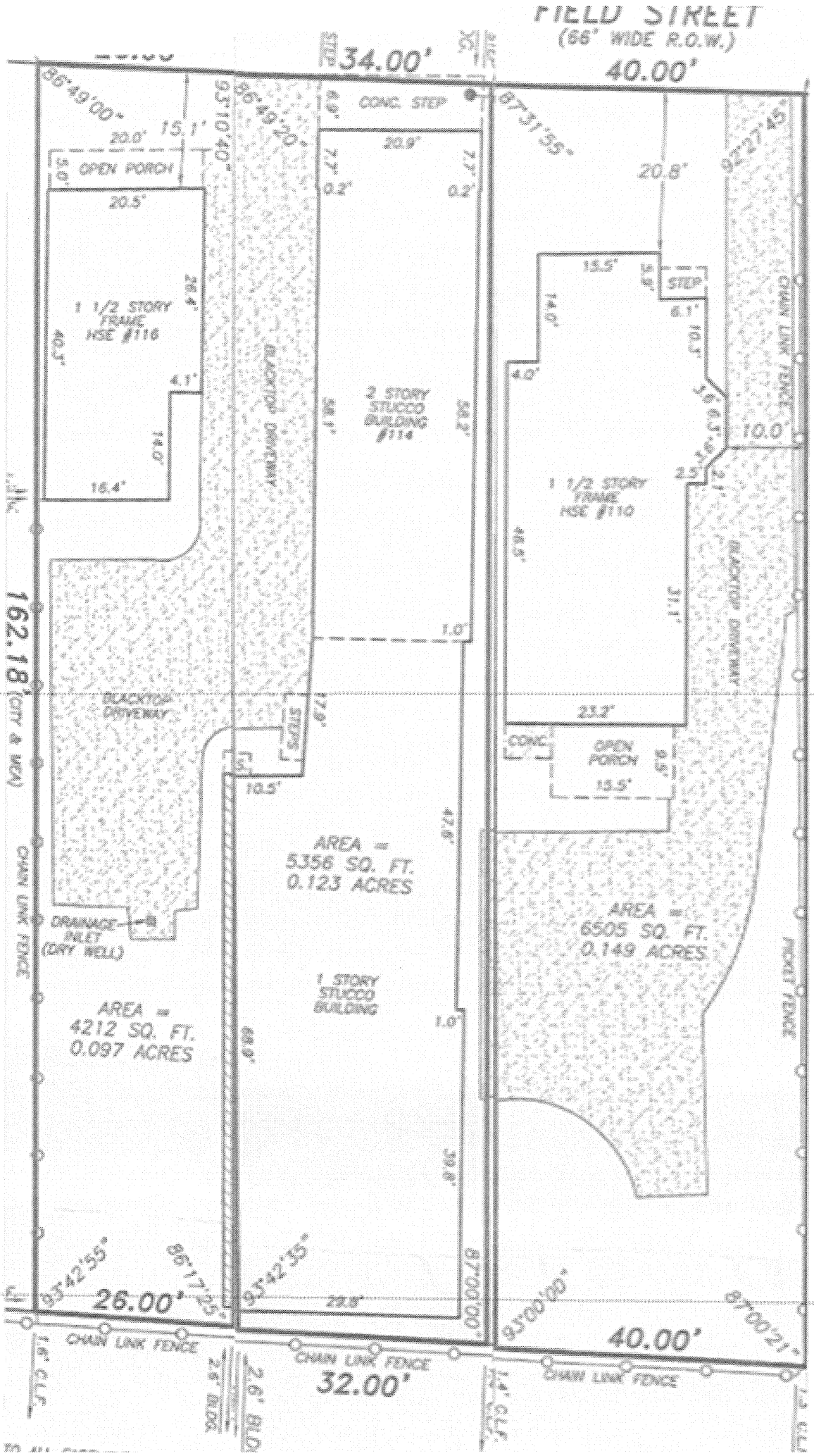
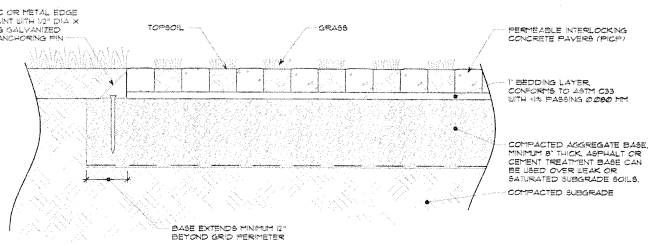

FIELD STREET
(66' WIDE R.O.W.)
34.00'
40.00'
S86°49'00"E
S3°10'40"W
S86°49'20"E
S7°31'35"W
S2°27'45"E
20.0'
15.1'
5.9' OPEN PORCH
20.5'
1 1/2 STORY FRAME HSE #116
26.8'
40.3'
4.1'
1.4'
16.4'
CONC. STEP
20.9'
7.7'
0.2'
2 STORY STUCCO BUILDING #114
BLACKTOP DRIVEWAY
20.8'
15.5'
STEP
6.1'
10.3'
4.0'
1.6'
6.3'
CHAIN LINK FENCE
10.0'
1 1/2 STORY FRAME HSE #110
2.5'
2.1'
23.2'
CONC.
OPEN PORCH
5.9'
15.5'
BLACKTOP DRIVEWAY
PICKET FENCE
192.18' (CITY & MEA)
BLACKTOP DRIVEWAY
STEPS
10.5'
1.0'
AREA = 5356 SQ. FT. 0.123 ACRES
AREA = 6505 SQ. FT. 0.149 ACRES
DRAINAGE INLET (DRY WELL)
CHAIN LINK FENCE
1 STORY STUCCO BUILDING
AREA = 4212 SQ. FT. 0.097 ACRES
S3°42'55"E
S6°17'35"W
26.00'
S3°42'55"E
29.8'
S7°00'00"W
S7°00'00"E
40.00'
S7°00'21"E
CHAIN LINK FENCE
1.6' CLF
2.6' BLD
CHAIN LINK FENCE
32.00'
2.6' BLD
CHAIN LINK FENCE
1.4' CLF




D1 TYPICAL PAVER DETAIL
C-100 SCALE: 1 1/2" = 1'-0"

## SITE INFORMATION:

ZONED - (R-1) RESIDENTIAL
SBL # 0175-2-82
SBL # 0175-2-83
SBL # 0175-2-84

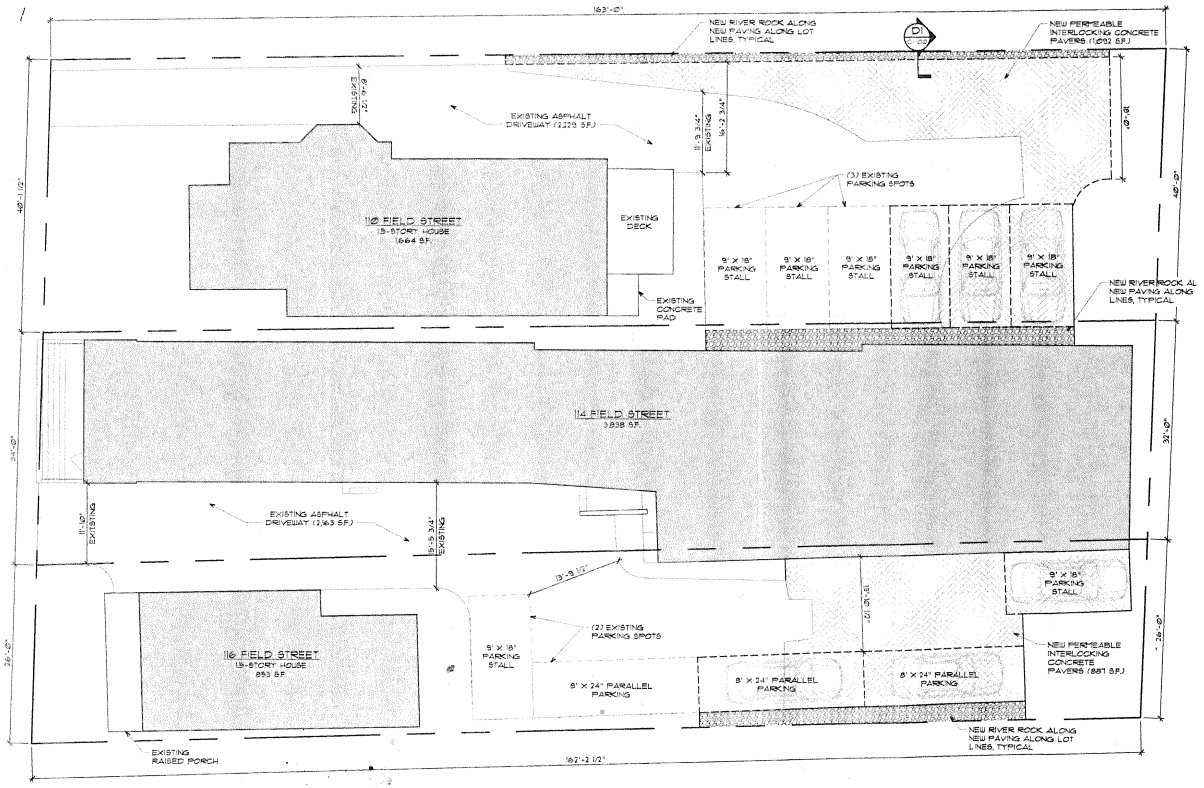
NOTE: ALL PARCELS NOTED ARE OWNED BY THE SAME ENTITY

MINIMUM YARD DIMENSIONS:
- FRONT (FT) - N/A
- SIDE (FT) - N/A
- REAR (FT) - N/A

## SITE LEGEND:

- PROPERTY LINE
- EXISTING BUILDING
- EXISTING ASPHALT DRIVEWAY
- NEW PERMEABLE INTERLOCKING CONCRETE PAVERS (PICP)
- NEW RIVER ROCK EDGING

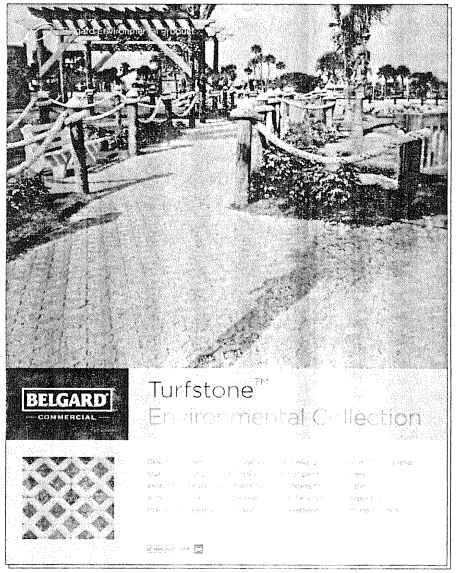
SOIL SAMPLES TAKEN FROM PROPERTIES HAVE BEEN DETERMINED TO BE 'LIGHT SANDY LOAM'

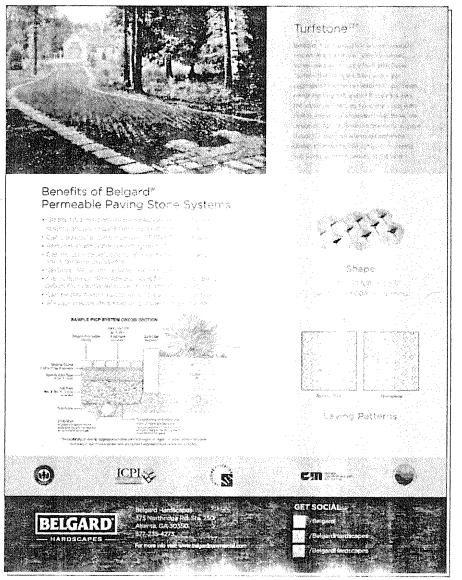



A1 ARCHITECTURAL SITE PLAN
C-100 SCALE: 1/8" = 1'-0"

SCALE: 1/8" = 1'-0"

N




MOSSIEN ASSOCIATES ARCHITECTS, P.C.
CONSULTANTS TO THE BUILT ENVIRONMENT
OFFICE 585.262.6000 | FAX 585.262.6433
339 EAST AVENUE | SUITE 305
ROCHESTER, NY 14604
WWW.MOSSIEN.COM

114 FIELD STREET

ROCHESTER, NY

SCHEMATIC DESIGN

DRAWING REVISIONS:

| MARK: | DATE: | DESCRIPTION: |
|---|---|---|
| | | |

It is a violation of the law for any person, unless acting under the direction of a licensed architect, to alter any item in any way. If an item is altered, the altering architect shall affix to his form the seal and the notation "altered by" followed by his signature and the date of the alteration, and a specific description of the alteration.

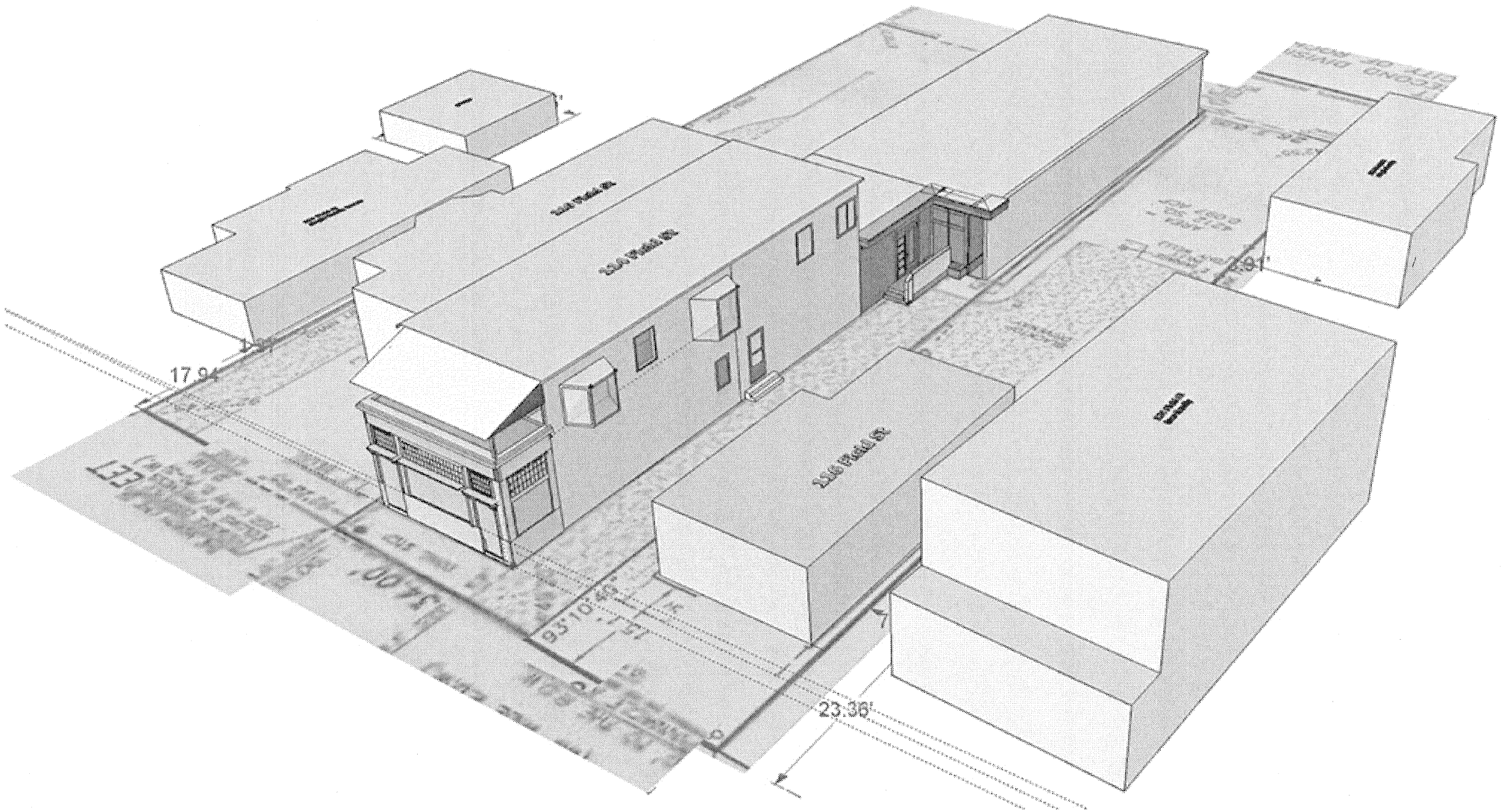
| DRAWN: | PM: | CHECKED: |
|---|---|---|
| JAB | DEM | |
| | DATE: 10/07/2015 | |

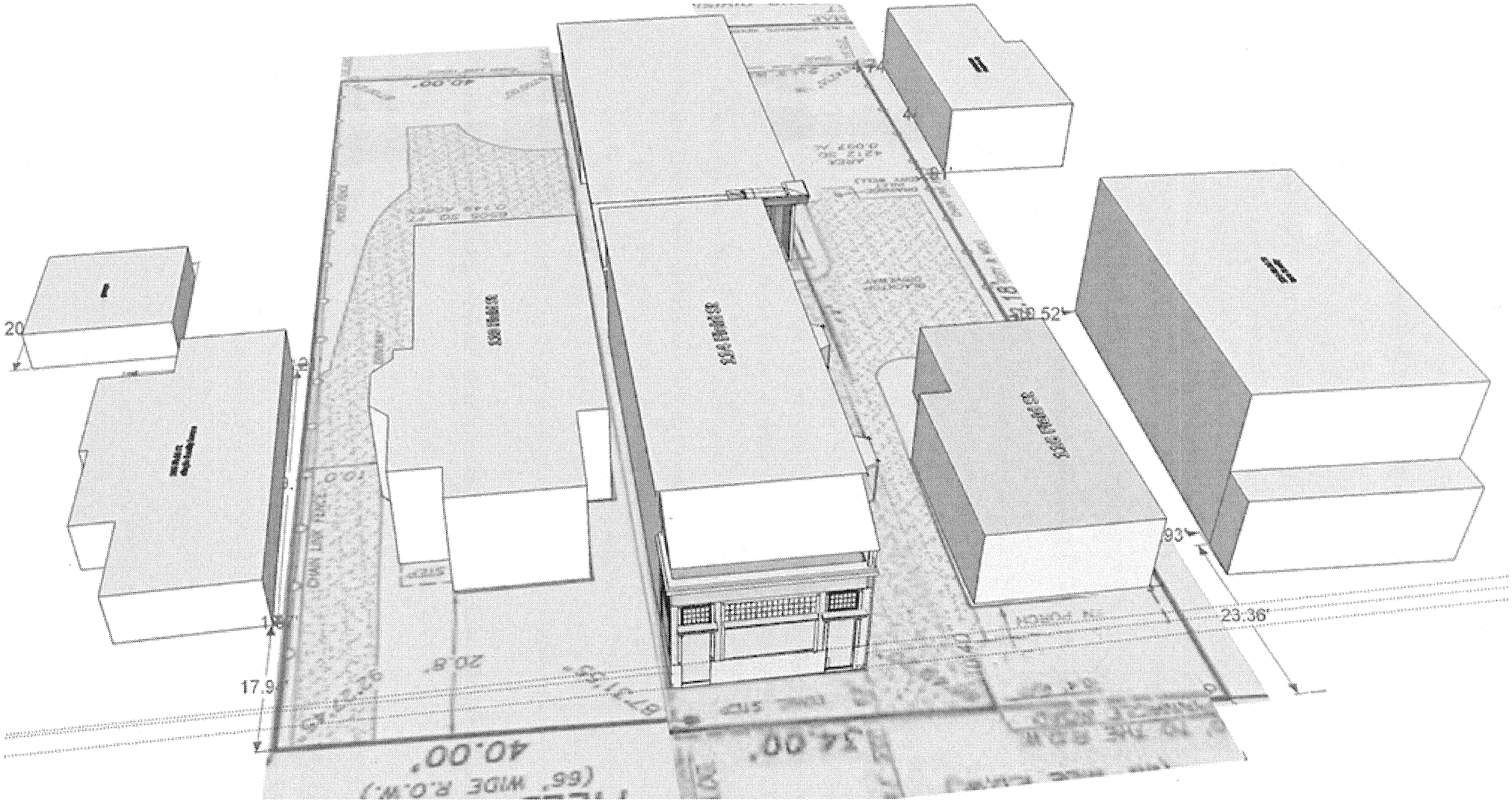
SHEET TITLE:
ARCHITECTURAL SITE PLAN

PROJECT NUMBER
2015-014

SHEET NUMBER
C-100

© 2015 DANIEL E. MOSSIEN


17.94'
23.36'


20
17.9
40.00'
24.00'
23.36'

December 2015

Joseph Schmidlin
landlord at 124-126 Field St

Letter of Support

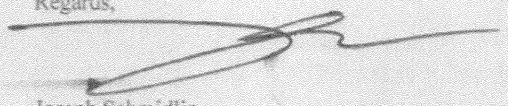
I am the landlord of the neighboring property directly to the south of 116 Field St. I have seen many positive changes to Dan's properties since he bought them and recommend the city allow the conversion of 114 Field St to apartments with additional parking at 116 and 110 Field St.

Some of the changes that I'm aware of include painting the exteriors of #116 and #114 Field St, a new roof and chimney at #116 Field St. Dan is there doing a lot of the work personally and is a hands-on landlord. The quality of the tenants has gone up since he bought these properties.

I support the development into apartments because I think quality tenants will be recruited and the conversion will raise the overall level of that area compared to it staying vacant reverting to commercial space.

I don't think parking additional cars behind #116 Field will adversely impact my tenants in the rear cottage. The existing parking has never caused any complaints and I don't think an expansion will create any new problems for me. There exists now some landscaping along the common lot line that we both maintain consisting of roses, small trees, and bushes, so I'm happy with what's there now and don't feel additional plantings or fences are needed and may in fact be detrimental.

Regards,



Joseph Schmidlin

December 28, 2015

re: 110, 114, 116
Field Street

Joseph Jatteau
445 Rockingham Street
Rochester, N.Y. 14620

To whom it may concern,

As a resident of this area for 73 years, a active landlord for 40+ years, own five adjacent properties to 114 Field Street, I would approve of the proposal of Don Greene'

Don is an active landlord and shows a genuine interest in the neighborhood and it's future!

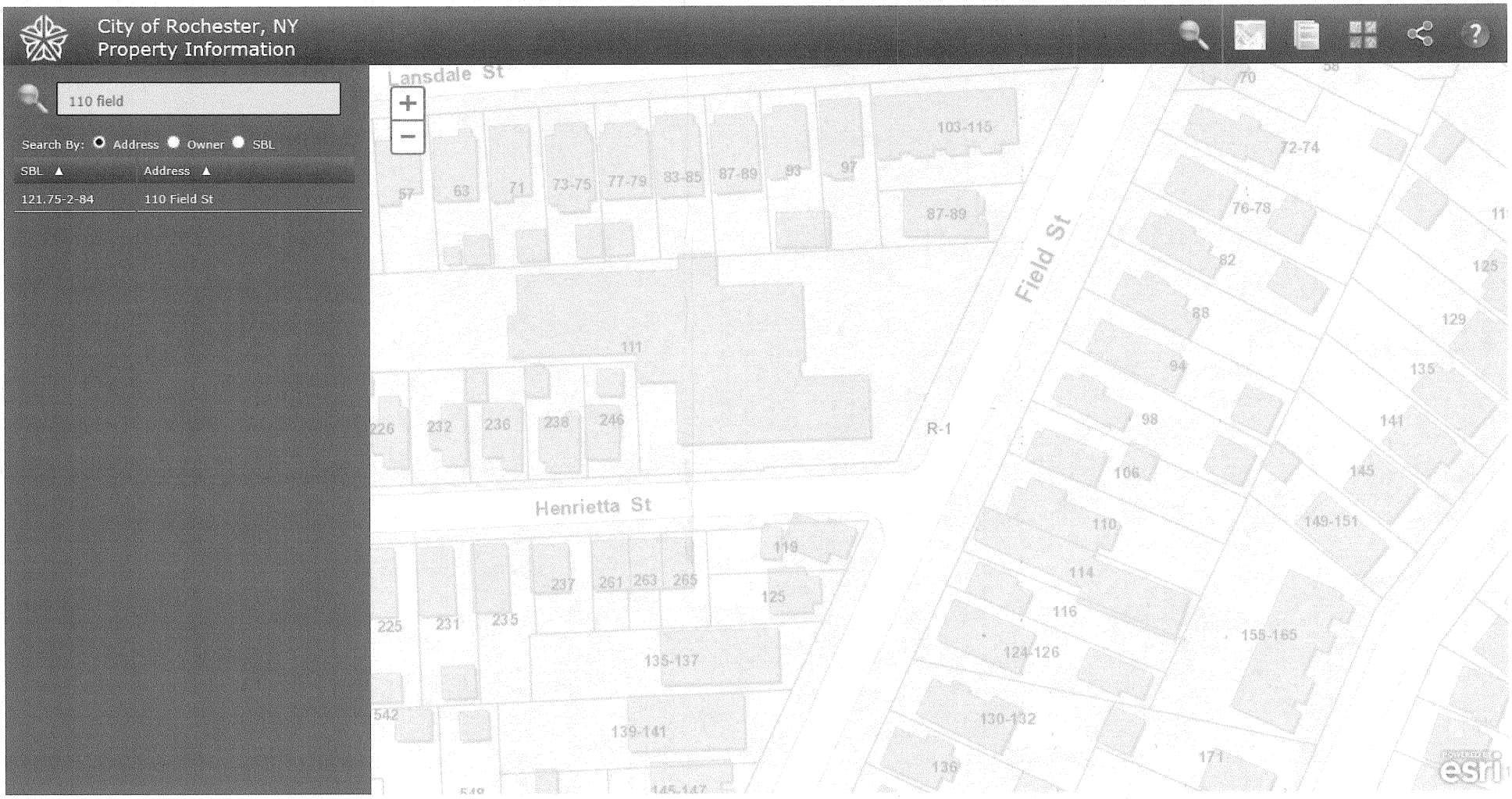
My brother Mike and I have always felt we were the only landlords in the area maintaining their properties!

We welcome Don's positive presence!

Joseph R. Jatteau

04.44 Feet | Area: 6467.13 Square Feet

Date: 04/11/2015 | Level: Neighborhood | Scale: 75%


City of Rochester, NY
Property Information
110 field
Search By: Address Owner SBL
SBL ▲
Address ▲
121.75-2-84
110 Field St
Lansdale St
Henrietta St
Field St
R-1
111
103-115
87-89
73-75
77-79
83-85
87-89
93
97
67
63
71
226
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236
238
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261
263
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125
225
231
235
135-137
542
139-141
145-147
70
72-74
76-78
82
88
94
98
106
110
114
116
124-126
130-132
136
171
125
129
135
141
145
149-151
158-165
esri

# 110 FIELD ST

January 13, 2016

This map is intended for general reference only.

The City of Rochester makes no representation as to the accuracy or fitness of the data presented.

City of Rochester, NY

City of Rochester, NY
*Lovely A. Warren, Mayor*

# CITY PLANNING COMMISSION
# STAFF REPORT
# January 25, 2016

## Special Permit

**Case #5:** Staff Reviewer: Jill Wiedrick

**File Number:** E-030-15-16

**Case Type:** Special Permit

**Applicant:** Paul Marciano

**Address:** 1 Alonzo Street

**Zoning District:** R-1 Low Density Residential District

**Section of Code:** 120-9G, 120-146.1

**Request:** **To establish a low-impact take-out restaurant with hours of operation 11:00AM to 9:00PM, daily; an action requiring City Planning Commission approval.**

**Analysis:**
The subject property is two story building, located at the corner of Alonzo Street and Denise Road. The current certificate of occupancy lists a deli on the first floor and one family on the second floor. The deli has been closed. The applicant is proposing to divide the first floor to create to commercial spaces. It is proposed that one space will be approximately 2,000 square feet and the space proposed to be occupied by the low-impact take-out restaurant will be approximately 1,800 square feet.

A take-out restaurant is retail sales and service, low impact and is allowed by special permit in the R-1 Low Density Residential District. The restaurant will be take-out with a total of six seats.

**Code Compliance:**
The request is to establish a low-impact use that requires Special Permit approval in an R-1 District and is subject to Sections 120-9 H and 120-146.1 of the Zoning Code:

1) Low-impact retail sales and service uses require that **NO BEER, LOTTO OR TOBACCO PRODUCTS BE SOLD.**

   *The applicant is proposing to establish a take-out restaurant, where **NONE** of these items will be sold. Selling any of these items could result in immediate closure and forfeiture of the Special Permit approval.*

2) The hours of operation for low-impact retail sales and service uses in a Residential District are 6:00 AM to 9:00 PM, daily.

   *The applicant's proposed hours of operation are from 11:00 AM to 9:00 PM daily, within the hours permitted in the district.*

**Site Plan and Environmental Review:**
Site Plan Review is not required for this proposal. However, the Planning Commission, as Lead Agency, is required to issue an Environmental Determination prior to rendering a decision.

**Applicant's statement concerning how request conforms to Special Permit Standards:**
See attached.

## PROJECT INFORMATION

**PLEASE TYPE OR PRINT** 1 Alanza Street

1. **PROJECT ADDRESS(ES):** 311 DENISE ROAD Rochester N.Y. 14612

2. **APPLICANT:** PAUL R. MARCIANO **COMPANY NAME:** MARCIANO'S

   **ADDRESS:** 150 RAINTREE LANE HILTON N.Y. 14468 **CITY:** ROCHESTER **ZIP CODE:** 14612

   **PHONE:** 585-303-6083 **FAX:** _____

   **E-MAIL ADDRESS** PMARCIANO196828@GMAIL.COM.

   **INTEREST IN PROPERTY:** **Owner** _____ **Lessee** X **Other** _____

3. **PLAN PREPARER:** _____

   **ADDRESS:** _____ **CITY:** _____ **ZIP CODE:** _____

   **PHONE:** _____ **FAX:** _____

4. **ATTORNEY:** _____

   **ADDRESS:** _____ **CITY:** _____ **ZIP CODE:** _____

   **PHONE:** _____ **FAX:** _____

   **E-MAIL ADDRESS** _____

5. **ZONING DISTRICT:** _____

6. **DETAILED PROJECT DESCRIPTION (additional information can be attached):** _____

   to establish a take out pizza shop (low impact)

7. **LENGTH OF TIME TO COMPLETE PROJECT (Attach schedule if phased:)** _____

**APPLICANT: I certify that the information supplied on this application is complete and accurate, and that the project described, if approved, will be completed in accordance with the conditions and terms of that approval.**

**SIGNATURE:** Paul R Marciano **DATE:** 12-1-15

**OWNER (if other than above): I have read and familiarized myself with the contents of this application and do hereby consent to its submission and processing.**

↓ on application for CZC

# SPECIAL PERMIT STANDARDS

A Special Permit will be granted only if evidence is presented establishing conformance with each of these standards. Explain how the proposal conforms to each of these requirements (attach additional pages if necessary):

**A. The proposed building or use will be in harmony with the general purpose, goals, objectives, standards and implementation strategies of the Comprehensive Plan, this chapter and, where applicable, the Subdivision Code.**

THE PURPOSE + GOAL IS TO ESTABLISH A BUSINES FROM ZERO WITH A GREAT WORK ETHIC AND BECOME SUCCESSFUL AT WHAT WE DO FAST FOOD / PIZZA BUSINESS

**B. The proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety and general welfare.**

THE PROPOSED BUILDING HAS SUBSTANTIAL PARKING IN THE REAR OF BUILDING. WON'T AFFECT NEIGHBOR HOOD BUILDINGS BEEN THERE QUITE SOME TIME. THE BUILDING IS CURRENT

**C. The proposed building or use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring properties in accordance with the applicable district regulations.**

NO CHANGES ARE BEING MADE TO INTERIOR OR EXTERIOR ANY OPERATIONS ARE DONE SOLELY ON THIS PROPERTY

**D. The proposed building or use will be served adequately by essential public facilities and services, such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools, or that the persons or agencies responsible for the establishment of the proposed building or use will provide adequately for such services.**

YES I HAVE A REFUSE AND USED FRYER OIL CONTAINER THAT WILL BE EMPTIED WEEKLY / LANDLORD TAKES CARE OF SNOW REMOVAL

**E. The proposed building or use will not result in the destruction, loss or damage of any natural, scenic, cultural or historic feature of significant importance.**

NO JUSTUSE OF EXISTING ESTABLISHMENT

*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:
MARCIANO'S

Project Location (describe, and attach a location map):
311 DENISE ROAD Rochester N.Y. 14612

Brief Description of Proposed Action:
PREPARE AND SELL FAST FOOD PIZZERIA BUSINESS

| Name of Applicant or Sponsor: | Telephone: 585-303-6083 |
|---|---|
| PAUL R. MARCIANO | E-Mail: PMARCIANO196828@GMAIL.COM |

Address:
150 RAINTREE LANE

| City/PO: | State: | Zip Code: |
|---|---|---|
| HILTON N.Y. | ~~N.Y.~~ N.Y. | 14468 |

| | NO | YES |
|---|---|---|
| 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. | ☐ | ☐ |
| 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: | ☒ | ☐ |

3.a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

4. Check all land uses that occur on, adjoining and near the proposed action.
☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☒ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____
☐ Parkland



RESET

| | NO | YES | N/A |
|---|---|---|---|
| 5. Is the proposed action,<br>a. A permitted use under the zoning regulations? | ☐ | ☒ | ☐ |
| b. Consistent with the adopted comprehensive plan? | ☐ | ☒ | ☐ |
| 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape? | ☐ | ☒ | |
| 7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____ | ☒ | ☐ | |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels? | ☒ | ☐ | |
| b. Are public transportation service(s) available at or near the site of the proposed action? | ☐ | ☒ | |
| c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action? | ☐ | ☒ | |
| 9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ | ☐ | ☑ | |
| 10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ | ☐ | ☒ | |
| 11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ | ☐ | ☒ | |
| 12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? | ☒ | ☐ | |
| b. Is the proposed action located in an archeological sensitive area? | ☒ | ☐ | |
| 13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? | ☒ | ☐ | |
| b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ | ☒ | ☐ | |

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional
☐ Wetland ☒ Urban ☑ Suburban

| | NO | YES |
|---|---|---|
| 15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? | ☑ | ☐ |
| 16. Is the project site located in the 100 year flood plain? | ☑ | ☐ |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,<br>a. Will storm water discharges flow to adjacent properties? ☒ NO ☐ YES | ☐ | ☐ |
| b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? ☐ NO ☒ YES<br>If Yes, briefly describe: GUTTERS ON BUILDING STORM DRAINS | | |



RESET

| | NO | YES |
|---|---|---|
| 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)?<br>If Yes, explain purpose and size: _____ | ☒ | ☐ |
| 19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?<br>If Yes, describe: _____ | ☑ | ☐ |
| 20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?<br>If Yes, describe: _____ | ☒ | ☐ |

**I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE**

Applicant/sponsor name: PAUL D. MARCIANO Date: 11-24-15

Signature: Paul D. Marciano

**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? | ☐ | ☐ |
| 2. Will the proposed action result in a change in the use or intensity of use of land? | ☐ | ☐ |
| 3. Will the proposed action impair the character or quality of the existing community? | ☐ | ☐ |
| 4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? | ☐ | ☐ |
| 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? | ☐ | ☐ |
| 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? | ☐ | ☐ |
| 7. Will the proposed action impact existing:<br>a. public / private water supplies? | ☐ | ☐ |
| b. public / private wastewater treatment utilities? | ☐ | ☐ |
| 8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? | ☐ | ☐ |
| 9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)? | ☐ | ☐ |



RESET

| | 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? | ☐ | ☐ |
| 11. Will the proposed action create a hazard to environmental resources or human health? | ☐ | ☐ |

**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.

☐ 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.

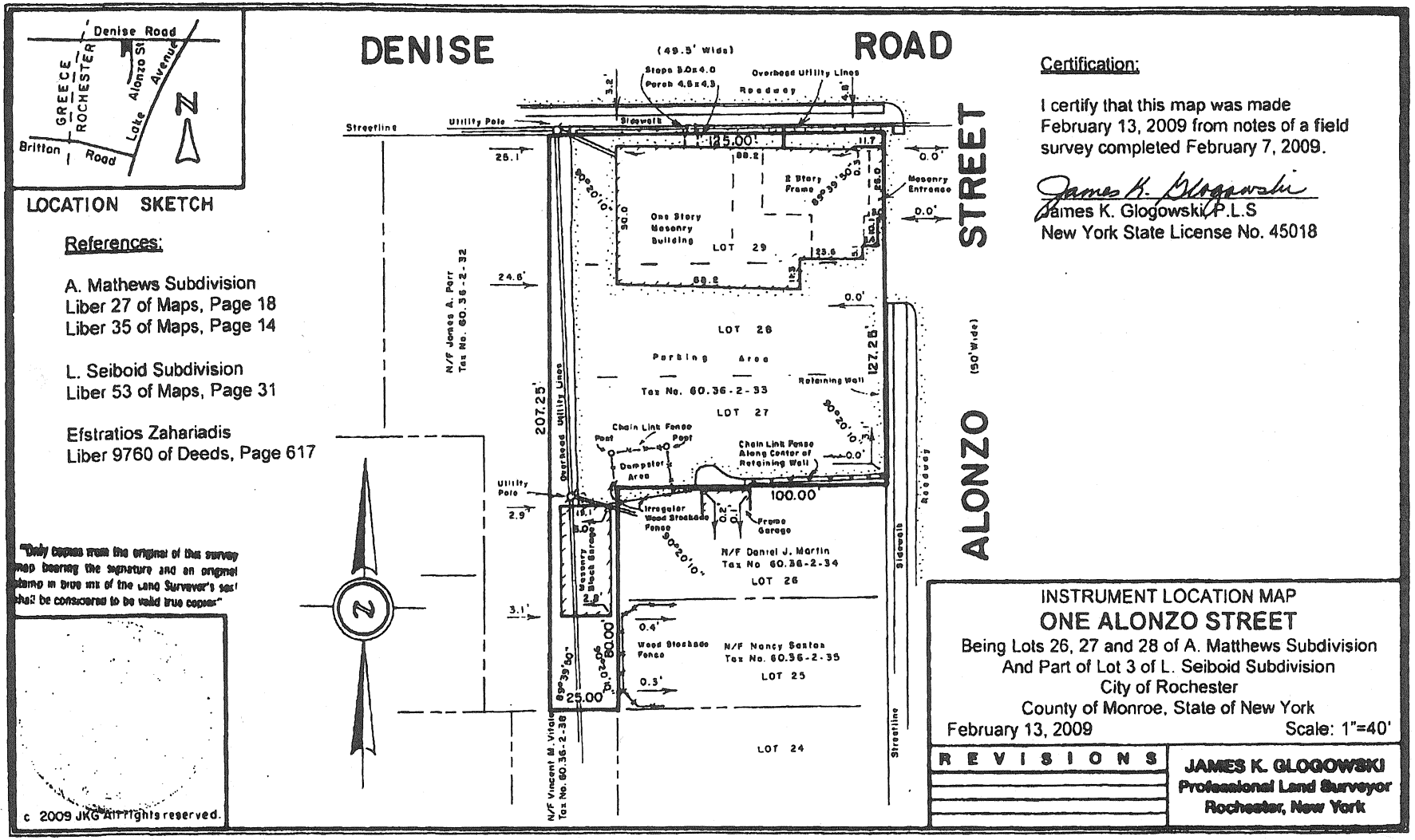
☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

| | |
|---|---|
| Name of Lead Agency | Date |
| Print or Type Name of Responsible Officer in Lead Agency | Title of Responsible Officer |
| Signature of Responsible Officer in Lead Agency | Signature of Preparer (if different from Responsible Officer) |

PRINT



RESET




"Only copies from the original of this survey map bearing the signature and an original stamp in blue ink of the Land Surveyor's seal shall be considered to be valid true copies"

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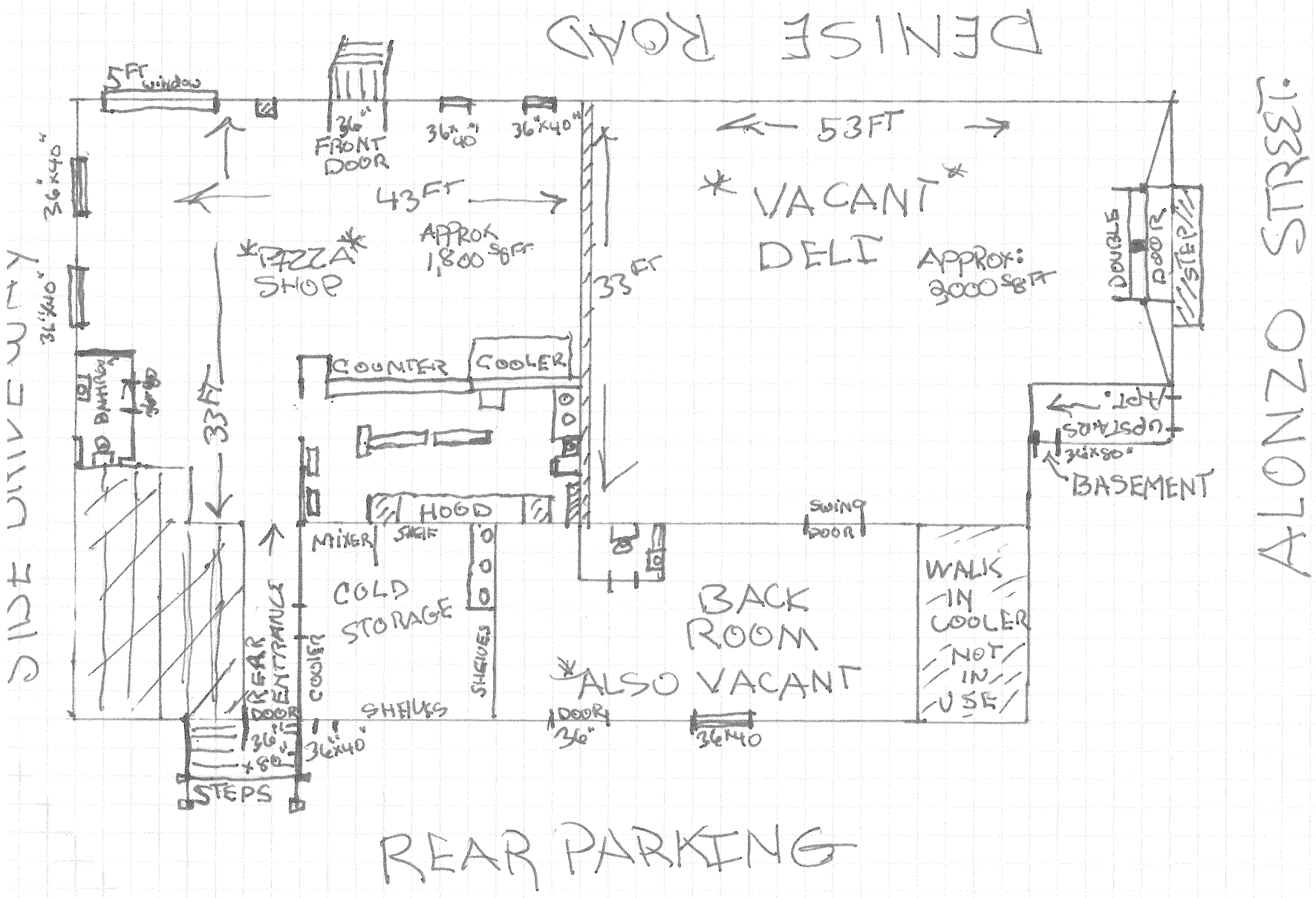
Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of Section 7209, subdivision 2, of the New York State Education Law.

The use of this map in conjunction with an affidavit of no change relieves the surveyor of all responsibility.

No search made for easements or encumbrances other than those as listed.

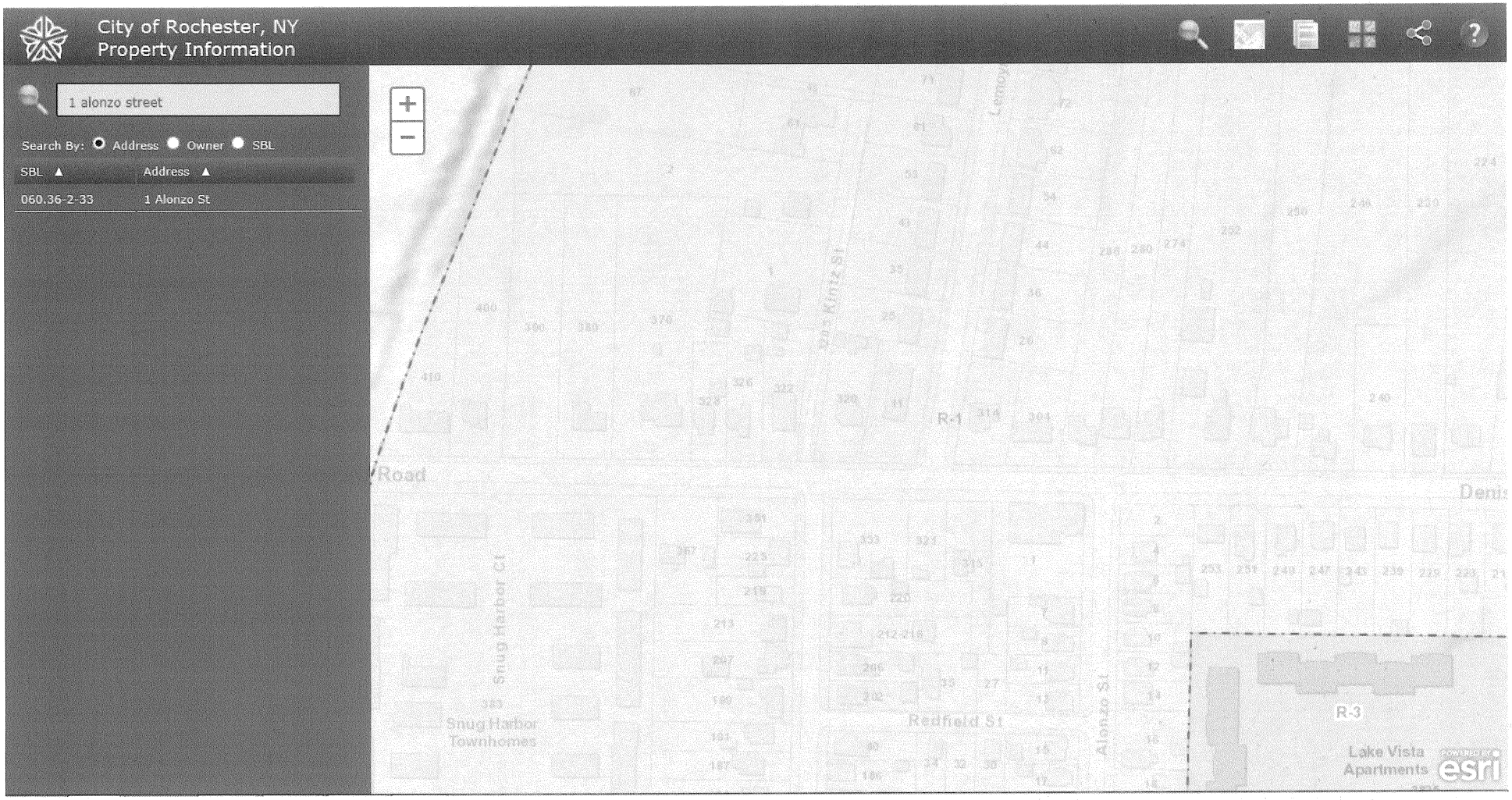
Certifications shall be valid only to the parties for whom this survey was prepared, listed hereon. Certifications are not transferrable to additional institutions or subsequent owners.


DENISE ROAD
ALONZO STREET
SIDE DRIVEWAY
REAR PARKING
5FT window
36" FRONT DOOR
36"x40"
36"x40"
36"x40"
53FT
43FT
*VACANT*
DELI
APPROX: 3,000 SQFT
*PIZZA* SHOP
APPROX 1,800 SQFT
33FT
33FT
DOUBLE DOOR
STEPS
UPSTAIRS APT.
36"x80"
BASEMENT
COUNTER
COOLER
BANQUET
HOOD
MIXER
SHELF
SWING DOOR
COLD STORAGE
BACK ROOM
*ALSO VACANT
WALK IN COOLER
NOT IN USE
REAR ENTRANCE DOOR
36"x80"
COOLER
SHELVES
SHELVES
DOOR 36"
36"x40"
36"x40"
STEPS

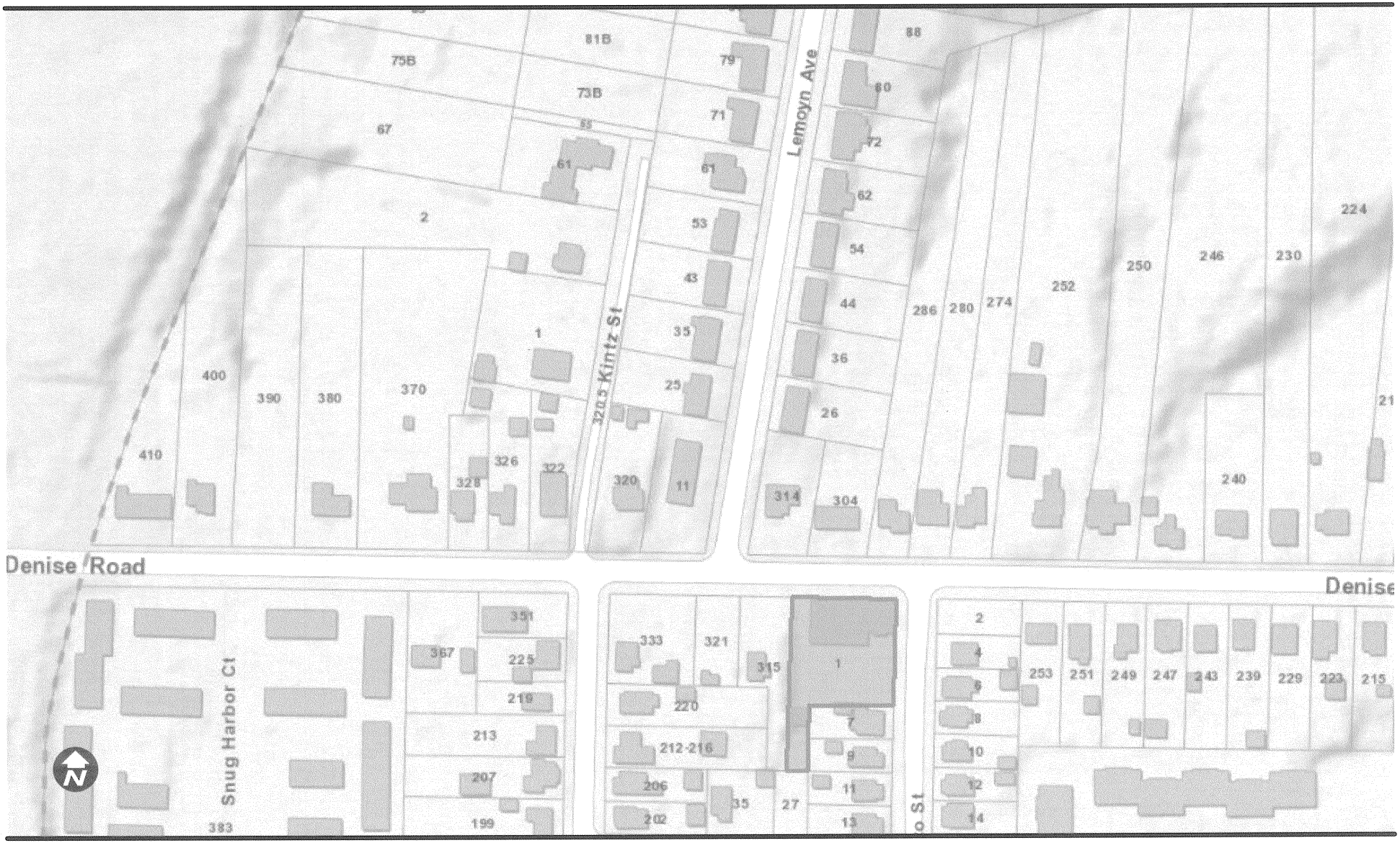
VULCAN

68.3 Feet | Area: 18203.71 Square Feet

Date: 04/15/2015 | Level: Neighborhood | Scale: 75%


City of Rochester, NY
Property Information
1 alonzo street
Search By: Address Owner SBL
SBL
Address
060.36-2-33
1 Alonzo St
Snug Harbor Ct
Snug Harbor Townhomes
Redfield St
Alonzo St
R-1
R-3
Lake Vista Apartments
esri

# 1 ALONZO ST




January 12, 2016

This map is intended for general reference only.

The City of Rochester makes no representation as to the accuracy or fitness of the data presented.

City of Rochester, NY

City of Rochester, NY
*Lovely A. Warren, Mayor*

# CITY PLANNING COMMISSION
# STAFF REPORT
# January 25, 2016

## Special Permit

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**Case #6:** Staff Reviewer: Jill Wiedrick

**File Number:** E-031-15-16

**Case Type:** Special Permit

**Applicant:** Josie Sheppard, Chickenhead LLC

**Property Address:** 1489 North Street

**Zoning District:** R-1 Low Density Residential Distict

**Section of Code:** 120-177K

**Request:** **To establish an Alternative Sign Program for 'Chickenhead,' a low-impact take-out restaurant; an action requiring City Planning Commission approval.**

**Analysis:**
This request involves approving an Alternative Sign Program for 'Chickenhead,' a low-impact take-out restaurant at the corner of North Street and Norton Street. Permit history indicates that this structure was constructed as an office and has been a bakery and a beauty salon.

The applicant is seeking to legalize the signage facing North Street, along with approval of the addition of additional signage on the portion of the building that faces Norton Street (see attachments).

**Code Compliance:**
An Alternative Sign Program is intended to provide an imaginative, effective, visually compatible plan for all signs on a property. A property owner may submit a sign program containing provisions different from the requirements in the Sign Section of the Zoning Code. The intent of this provision is to allow for creative responses to site-specific conditions or uses. Each such alternative sign program shall be reviewed as a special permit.

The R-1 Zoning District allows for one attached or detached sign, not exceeding 15 square feet in area. Detached signs shall be posted no more than four feet in height from the finished grade of the lot.

Please note that as per Section 120-177H, any sign which is located on a property which becomes vacant and unoccupied for a period of three months or more, shall be deemed to be abandoned. Abandoned signs are prohibited and shall be removed by the owner of the sign or owner of the premises.

**Site Plan and Environmental Review:**
Site Plan Review is not required for this request and it has been classified as a Type II Action requiring no further environmental review.

## PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. PROJECT ADDRESS(ES): 1489 North Street, Rochester, NY 14621

2. APPLICANT: Josie Sheppard COMPANY NAME: Chickenhead LLC

ADDRESS: PO Box 42 CITY: Pittsford ZIP CODE: 14534

PHONE: (585) 507-5030 FAX: _____

E-MAIL ADDRESS jsheppard@trevettcristo.com

INTEREST IN PROPERTY: Owner ☑ Lessee ☐ Other ☐

3. PLAN PREPARER: _____

ADDRESS: _____ CITY: _____ ZIP CODE: _____

PHONE: _____ FAX: _____

4. ATTORNEY: _____

ADDRESS: _____ CITY: _____ ZIP CODE: _____

PHONE: _____ FAX: _____

E-MAIL ADDRESS _____

5. ZONING DISTRICT: Special Use Permit, R-1

6. DETAILED PROJECT DESCRIPTION (additional information can be attached): _____

The requested permit is for a mural on 2 sides of the building (North street and Norton street), both of which streets face commercially zoned properties. The mural is a work of art that adds a vibrant ~~feel to the area, and overall will enhance the character of the area by revitalizing a building which~~ was recently vacant and a sore thumb in the community.

7. LENGTH OF TIME TO COMPLETE PROJECT (Attach schedule if phased:) 2 hours

**APPLICANT: I certify that the information supplied on this application is complete and accurate, and that the project described, if approved, will be completed in accordance with the conditions and terms of that approval.**

SIGNATURE: Josie Sheppard DATE: 12/1/2015

**OWNER (if other than above): I have read and familiarized myself with the contents of this application and do hereby consent to its submission and processing.**

# SPECIAL PERMIT STANDARDS

A Special Permit will be granted only if evidence is presented establishing conformance with each of these standards. Explain how the proposal conforms to each of these requirements (attach additional pages if necessary):

**A. The proposed building or use will be in harmony with the general purpose, goals, objectives, standards and implementation strategies of the Comprehensive Plan, this chapter and, where applicable, the Subdivision Code.**

The permit desired for the mural on the building aligns with the goal of revitalizing the City of Rochester, and offers an unique opportunity to add character to the commercial area and impacts the moral of the community in a positive way.

**B. The proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety and general welfare.**

The building is located by commercial properties, will not have an adverse effect upon the area, and the mural will improve the neighborhood.

**C. The proposed building or use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring properties in accordance with the applicable district regulations.**

The creation of a mural is a quick work of art which will enhance the character of the community, and in no way interferes with the development of neighboring properties within the applicable district regulations. Of note, the building was previously vacant for several years, and adding a fresh piece of art life to the building will enhance the redevelopment of the area.

**D. The proposed building or use will be served adequately by essential public facilities and services, such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools, or that the persons or agencies responsible for the establishment of the proposed building or use will provide adequately for such services.**

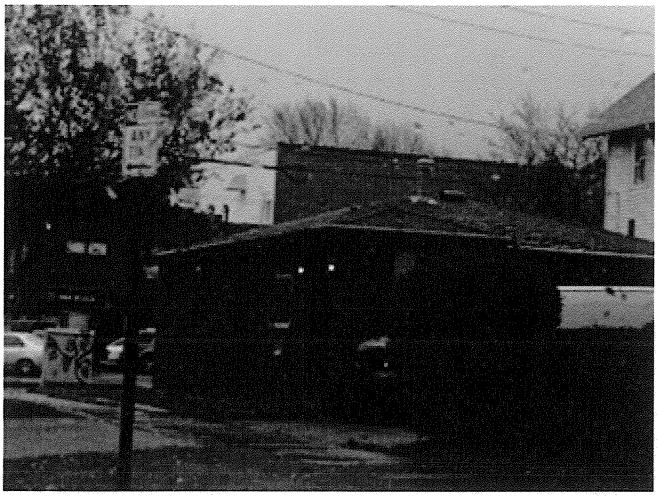
The building is certainly serviced adequately by essential public facilities/services, and the requested permit for the mural in no way alters or effects such services.

**E. The proposed building or use will not result in the destruction, loss or damage of any natural, scenic, cultural or historic feature of significant importance.**

The requested permit for the mural will not destroy/reduce any of the above-referenced features. The mural adds character to the area, and provides an opportunity to revitalize the area.

## Addendum

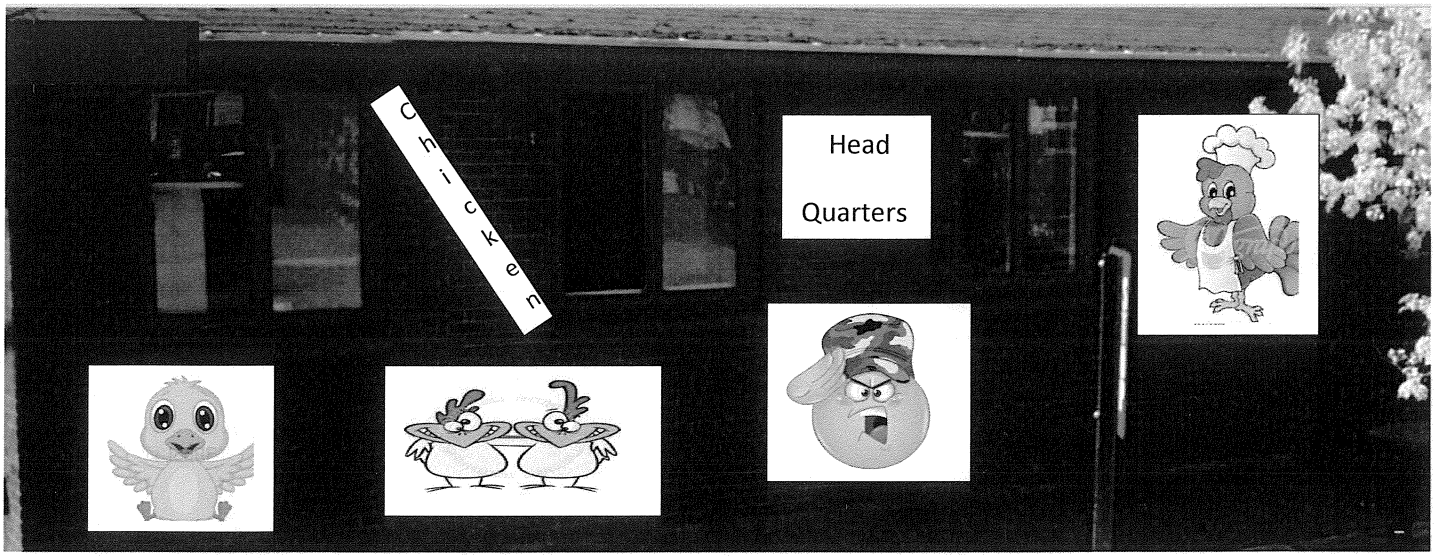
The requested signage does not comply with zoning because we desire an animated chicken themed mural which encompasses the brick of the building on the northern and eastern side. The permit desired for the mural aligns with the goal of revitalizing the City of Rochester (as the building was previously vacant for several years and a sore thumb in the community). The mural offers a unique opportunity to add character to the commercial area, and impact the community in a positive way through revitalizing a building which was once vandalized/vacant by offering a fresh piece of art life.



hicken

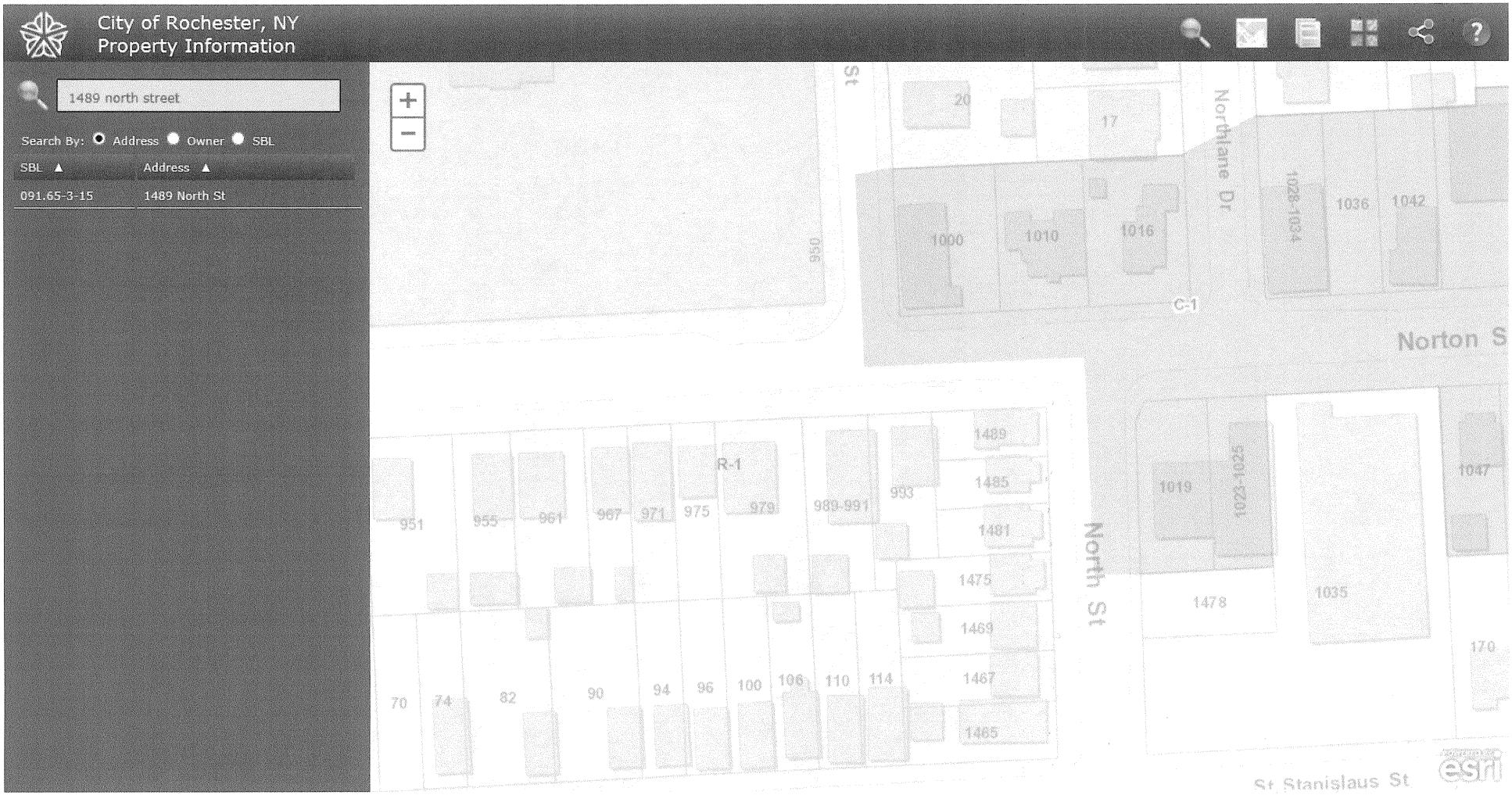
The
Vineyards

H&R BLOCK


Chicken
Head
Quarters

3.71 Feet | Area: 2619.27 Square Feet

Date: 04/15/2015 | Level: Neighborhood | Scale: 100%


City of Rochester, NY
Property Information
1489 north street
Search By: Address Owner SBL
SBL
Address
091.65-3-15
1489 North St
St
20
17
Northlane Dr
1028-1034
1036
1042
1000
1010
1016
C-1
Norton S
R-1
1489
1485
1481
1475
1469
1467
1465
951
955
961
967
971
975
979
989-991
993
North St
1019
1201-1205
1047
1478
1035
170
70
74
82
90
94
96
100
106
110
114
St Stanislaus St
esri

# 1489 NORTH ST

**January 13, 2016**

This map is intended for general reference only.

The City of Rochester makes no representation as to the accuracy or fitness of the data presented.

City of Rochester, NY

City of Rochester, NY
*Lovely A. Warren, Mayor*

# CITY PLANNING COMMISSION
# STAFF REPORT
# January 25, 2016

## Special Permit

**Case #7** Staff Reviewer: Jill Wiedrick

**File Number:** E-032-15-16

**Case Type:** Special Permit

**Applicant:** Nasir Ahmad, Vanessa Mini Mart

**Address:** 1505 Lake Avenue

**Zoning District:** C-2 Community Center District

**Section of Code:** 120-43T; 120-146.1

**Request:** **To establish a high-impact retail store with hours of operation 9:00AM to 7:00PM, daily; an action requiring City Planning Commission approval.**

**Analysis:**
The subject property is located at the corner of Lake Avenue and Owen Street. Certificates of Occupancy show that there are four storefronts on the first floor and two families and seven families on the second floor. There is currently a low-impact cellular telephone store (1505), a low-impact grocery store (1507), a barbershop (1511) and a nail salon (1513).

The applicant wishes to establish a high-impact retail store where the current low-impact retail store is operating. The applicant intends to add lottery and tobacco to the merchandise that is currently available for purchase. The hours of the high-impact retail store will be the same as the current low-impact retail store, 9:00AM to 7:00PM, daily.

**Code Compliance:**
Pursuant to the definitions of Retail Sales and Service, High-Impact, as well as Sections 120-43T and 120-146.1 of the Zoning Code:

1)High-impact retail sales and service uses **MUST NOT** be located within 500 feet of any other high-impact use or within 500 feet of any protected use (i.e. private schools, and public and semi-public uses, except police and fire stations.)

*Currently, the buffer map shows that the proposed use is within 500 feet of two other high-impact retail sales and service uses (see the attached buffer map).*

| | |
|---|---|
| *CVS* | *1455 Lake Avenue* |
| *Rite Aid* | *1490 Lake Avenue* |

2) The hours of operation for high-impact retail sales and service uses in a C-2 District are to be determined by the Planning Commission.

   *The applicant's proposed hours of operation are 9:00 AM to 7:00 PM daily, within the hours usually permitted in a C-2 District.*

3) In new construction, as well as re-occupancy of an existing building, areas of transparency shall be provided along the primary street frontage and shall be equal to 70% of the wall area between the height of two feet and eight feet from the ground. In addition, no interior shelving may block these windows.

   *The applicant is aware of this requirement and has been instructed to not block the windows.*

**Site Plan and Environmental Review:**
Site Plan Review is not required for this proposal. However, the Planning Commission, as Lead Agency, is required to issue an Environmental Determination prior to rendering a decision.

**Applicant's statement concerning how request conforms to Special Permit Standards:**
See attached.

## PROJECT INFORMATION

**PLEASE TYPE OR PRINT**

1. **PROJECT ADDRESS(ES):** 1507 LAKE AVENUE ROCHES N.Y. 146

2. **APPLICANT:** NASIR AHMAD **COMPANY NAME:** VANESSA MINI MART

   **ADDRESS:** 1509 LAKE AVENUE APT 1 **CITY:** ROCHESTER **ZIP CODE:** 14615

   **PHONE:** 585-406-5625 **FAX:** 585-434-3678

   **E-MAIL ADDRESS** N-AHMAD1948@HOTMAIL.COM.

   **INTEREST IN PROPERTY:** **Owner** _____ **Lessee** ✓ **Other** _____

3. **PLAN PREPARER:** _____

   **ADDRESS:** _____ **CITY:** _____ **ZIP CODE:** _____

   **PHONE:** _____ **FAX:** _____

4. **ATTORNEY:** _____

   **ADDRESS:** _____ **CITY:** _____ **ZIP CODE:** _____

   **PHONE:** _____ **FAX:** _____

   **E-MAIL ADDRESS** _____

5. **ZONING DISTRICT:** _____

6. **DETAILED PROJECT DESCRIPTION (additional information can be attached):** _____

   GROCERY STORE HOUSE HOLD ITEMS ETC.

   high impact retail store

7. **LENGTH OF TIME TO COMPLETE PROJECT (Attach schedule if phased:)** _____

**APPLICANT: I certify that the information supplied on this application is complete and accurate, and that the project described, if approved, will be completed in accordance with the conditions and terms of that approval.**

**SIGNATURE:** _____ **DATE:** 12-15-2015

**OWNER (if other than above): I have read and familiarized myself with the contents of this application and do hereby consent to its submission and processing.**

## PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. PROJECT ADDRESS(ES): 1507 LAKE AVENUE ROCHES N.Y. 146

2. APPLICANT: NASIR AHMAD COMPANY NAME: VANESSA MINI MART

ADDRESS: 1509 LAKE AVENUE APT CITY: ROCHESTER ZIP CODE: 14615

PHONE: 585-406-5625 FAX: 585-434-3678

E-MAIL ADDRESS N.AHMAD1948@HOTMAIL.COM.

INTEREST IN PROPERTY: Owner _____ Lessee ✓ Other _____

3. PLAN PREPARER: _____

ADDRESS: _____ CITY: _____ ZIP CODE: _____

PHONE: _____ FAX: _____

4. ATTORNEY: _____

ADDRESS: _____ CITY: _____ ZIP CODE: _____

PHONE: _____ FAX: _____

E-MAIL ADDRESS _____

5. ZONING DISTRICT: _____

6. DETAILED PROJECT DESCRIPTION (additional information can be attached): _____

GROCERY STORE HOUSE HOLD ITEMS ETC.

7. LENGTH OF TIME TO COMPLETE PROJECT (Attach schedule if phased:) _____

APPLICANT: I certify that the information supplied on this application is complete and accurate, and that the project described, if approved, will be completed in accordance with the conditions and terms of that approval.

SIGNATURE: Shafqun Rahman (Landlord) DATE: 12/14/2015

OWNER (if other than above): I have read and familiarized myself with the contents of this application and do hereby consent to its submission and processing.

tobacco + lottery

9-7 — 7 days per week

no parking — people park on the street

# SPECIAL PERMIT STANDARDS

A Special Permit will be granted only if evidence is presented establishing conformance with each of these standards. Explain how the proposal conforms to each of these requirements (attach additional pages if necessary):

**A. The proposed building or use will be in harmony with the general purpose, goals, objectives, standards and implementation strategies of the Comprehensive Plan, this chapter and, where applicable, the Subdivision Code.**

THIS WILL DEFINATLY HELP NEIGBORS for their day to day needs

**B. The proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety and general welfare.**

THERE WILL NOT BE ANY EFFECT TO ADJACENT PROPERTY OR NEIGHBORS

**C. The proposed building or use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring properties in accordance with the applicable district regulations.**

~~IT WILL HELP NEIGHBORS TO BE BETTER~~
The store will maintain the best posible way.

**D. The proposed building or use will be served adequately by essential public facilities and services, such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools, or that the persons or agencies responsible for the establishment of the proposed building or use will provide adequately for such services.**

There will not be any effect on any of the services

**E. The proposed building or use will not result in the destruction, loss or damage of any natural, scenic, cultural or historic feature of significant importance.**

it will not cause any damage or destruction at all.

*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:
VANISSA MINI MART INC.

Project Location (describe, and attach a location map):
1507
1505 LAKE AVENUE ROCHESTER N.Y. 14615

Brief Description of Proposed Action:
GROCERY, HOUSE HOLD ITEMS, LOTTO, CIGARETTES, BEER ETC.

| Name of Applicant or Sponsor: | Telephone: 585-406-5625 |
|---|---|
| NASIR AHMAD | E-Mail: N.AHMAD1948@HOTMAIL.COM. |
| Address: 1509 LAKE AVENUE | |
| City/PO: ROCHESTER N.Y. 14615 | State: NY / Zip Code: 14615 |

| | NO | YES |
|---|---|---|
| 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. | ☐ | ☑ |
| 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: | ☑ | ☐ |

3.a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

4. Check all land uses that occur on, adjoining and near the proposed action.
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☑ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____
☐ Parkland



RESET

| | NO | YES | N/A |
|---|---|---|---|
| 5. Is the proposed action,<br>a. A permitted use under the zoning regulations? | ☐ | ☑ | ☐ |
| b. Consistent with the adopted comprehensive plan? | ☐ | ☐ | ☐ |
| 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape? | ☐ | ☑ | |
| 7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?<br>If Yes, identify: _____ | ☑ | ☐ | |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels? | ☑ | ☐ | |
| b. Are public transportation service(s) available at or near the site of the proposed action? | ☐ | ☑ | |
| c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action? | ☐ | ☑ | |
| 9. Does the proposed action meet or exceed the state energy code requirements?<br>If the proposed action will exceed requirements, describe design features and technologies: | ☐ | ☑ | |
| 10. Will the proposed action connect to an existing public/private water supply?<br>If No, describe method for providing potable water: _____ | ☐ | ☑ | |
| 11. Will the proposed action connect to existing wastewater utilities?<br>If No, describe method for providing wastewater treatment: _____ | ☐ | ☑ | |
| 12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? | ☑ | ☐ | |
| b. Is the proposed action located in an archeological sensitive area? | ☑ | ☐ | |
| 13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? | ☑ | ☐ | |
| b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?<br>If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ | ☑ | ☐ | |

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional
☐ Wetland ☐ Urban ☑ Suburban

| | NO | YES |
|---|---|---|
| 15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? | ☑ | ☐ |
| 16. Is the project site located in the 100 year flood plain? | ☑ | ☐ |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources?<br>If Yes,<br>a. Will storm water discharges flow to adjacent properties? ☑ NO ☐ YES | ☑ | ☐ |
| b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? ☑ NO ☐ YES<br>If Yes, briefly describe: _____ | | |



RESET

| | NO | YES |
|---|---|---|
| 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)?<br>If Yes, explain purpose and size: _____ | ☑ | ☐ |
| 19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?<br>If Yes, describe: _____ | ☑ | ☐ |
| 20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?<br>If Yes, describe: _____ | ☑ | ☐ |

**I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE**

Applicant/sponsor name: NASIR AHMAD Date: 12/16/2015

Signature: _____

**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? | ☐ | ☐ |
| 2. Will the proposed action result in a change in the use or intensity of use of land? | ☐ | ☐ |
| 3. Will the proposed action impair the character or quality of the existing community? | ☐ | ☐ |
| 4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? | ☐ | ☐ |
| 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? | ☐ | ☐ |
| 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? | ☐ | ☐ |
| 7. Will the proposed action impact existing:<br>a. public / private water supplies? | ☐ | ☐ |
| b. public / private wastewater treatment utilities? | ☐ | ☐ |
| 8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? | ☐ | ☐ |
| 9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)? | ☐ | ☐ |



RESET

| | 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? | ☐ | ☐ |
| 11. Will the proposed action create a hazard to environmental resources or human health? | ☐ | ☐ |

**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.

☐ 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.

☐ 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.

| | |
|---|---|
| Name of Lead Agency | Date |
| Print or Type Name of Responsible Officer in Lead Agency | Title of Responsible Officer |
| Signature of Responsible Officer in Lead Agency | Signature of Preparer (if different from Responsible Officer) |

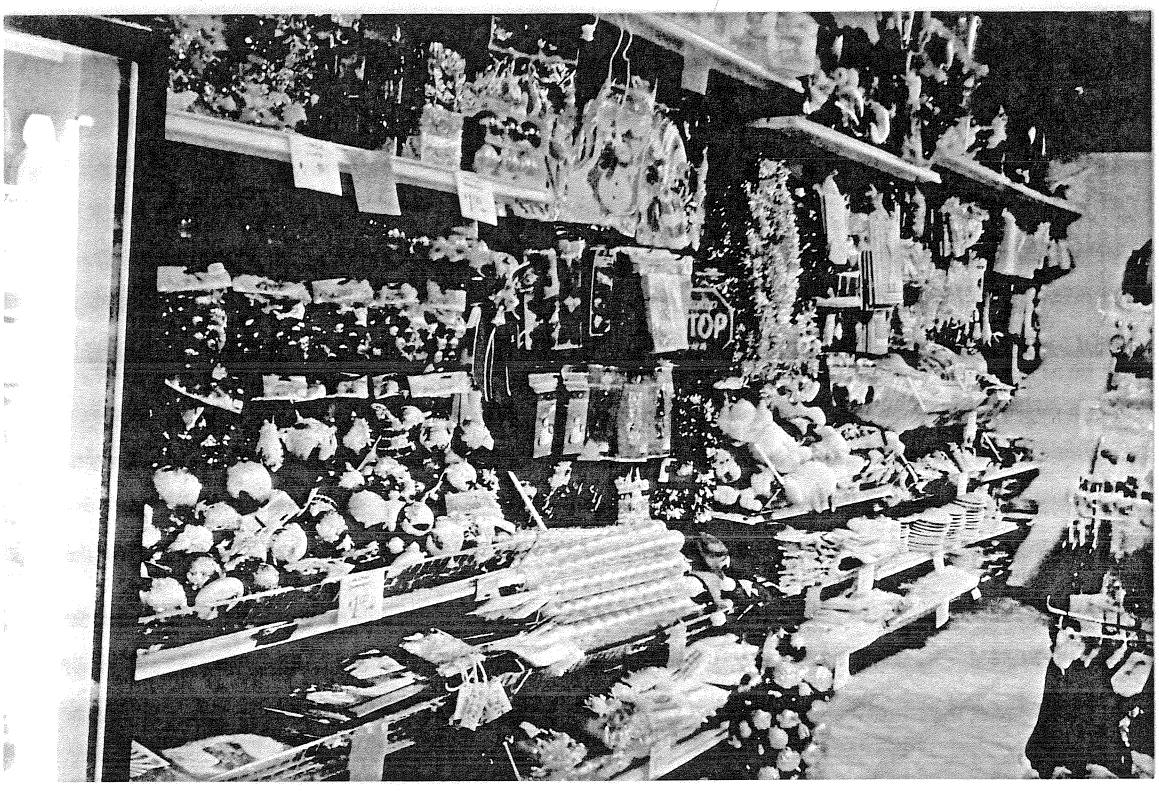
PRINT



RESET

VANESSA MINI MART
FLOOR PLAN
SODA
SODA
BEER
Refrigrators
Refrigrators
Refrigrators
Bathroom
Displays
Grocery
COUNTERS
Counters
14X34
Displays
Displays
Displays

Vanessa Mini Mart Inc
Coffee, Soda, Snacks, Grocery & Household Items
1507



utz
utz
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utz Quality Snacks
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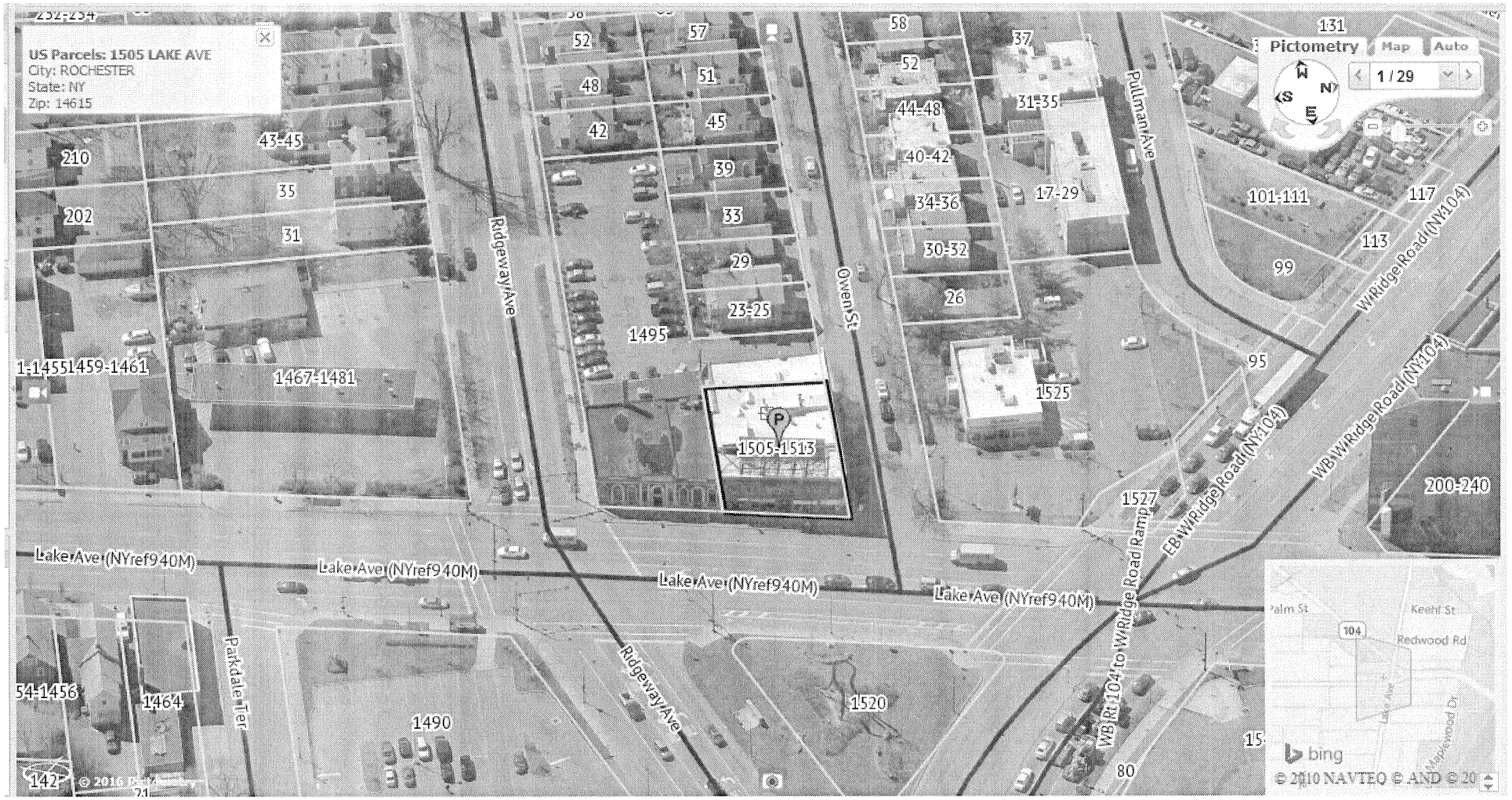
Sour Cream
utz
Potato Chips
DELIVERED FRESH!
utz
Potato Chips

Utz
ty Snacks


US Parcels: 1505 LAKE AVE
City: ROCHESTER
State: NY
Zip: 14615
Pictometry
Map
Auto
1 / 29
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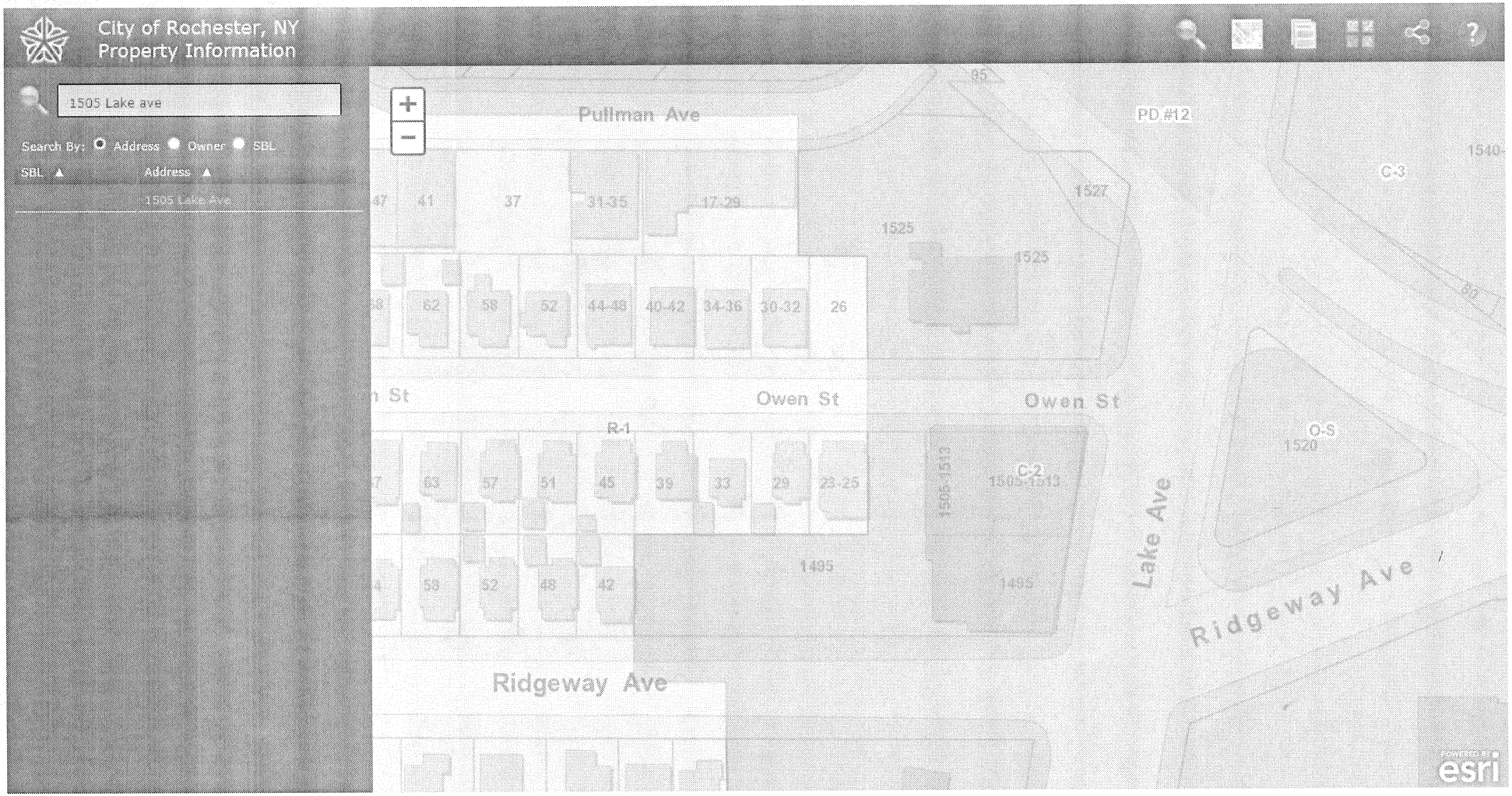
Ridgeway Ave
Owen St
Pullman Ave
W Ridge Road (NY104)
EB W Ridge Road (NY104)
WB W Ridge Road (NY104)
WB Rt 104 to W Ridge Road Ramp
Parkdale Ter
1505-1513
1495
1467-1481
1525
1527
1520
1490
1464
1-14551459-1461
54-1456
200-240
101-111
bing
© 2010 NAVTEQ © AND © 20


City of Rochester, NY
Property Information
1505 Lake ave
Search By: Address Owner SBL
SBL
Address
1505 Lake Ave
Pullman Ave
PD #12
C-3
1527
1525
1525
47
41
37
31-35
17-29
62
58
52
44-48
40-42
34-36
30-32
26
Owen St
Owen St
R-1
O-S
1520
C-2
1505-1513
1505-1513
63
57
51
45
39
33
29
23-25
1495
1495
58
52
48
42
Lake Ave
Ridgeway Ave
Ridgeway Ave
esri

# High Impact Buffer Map

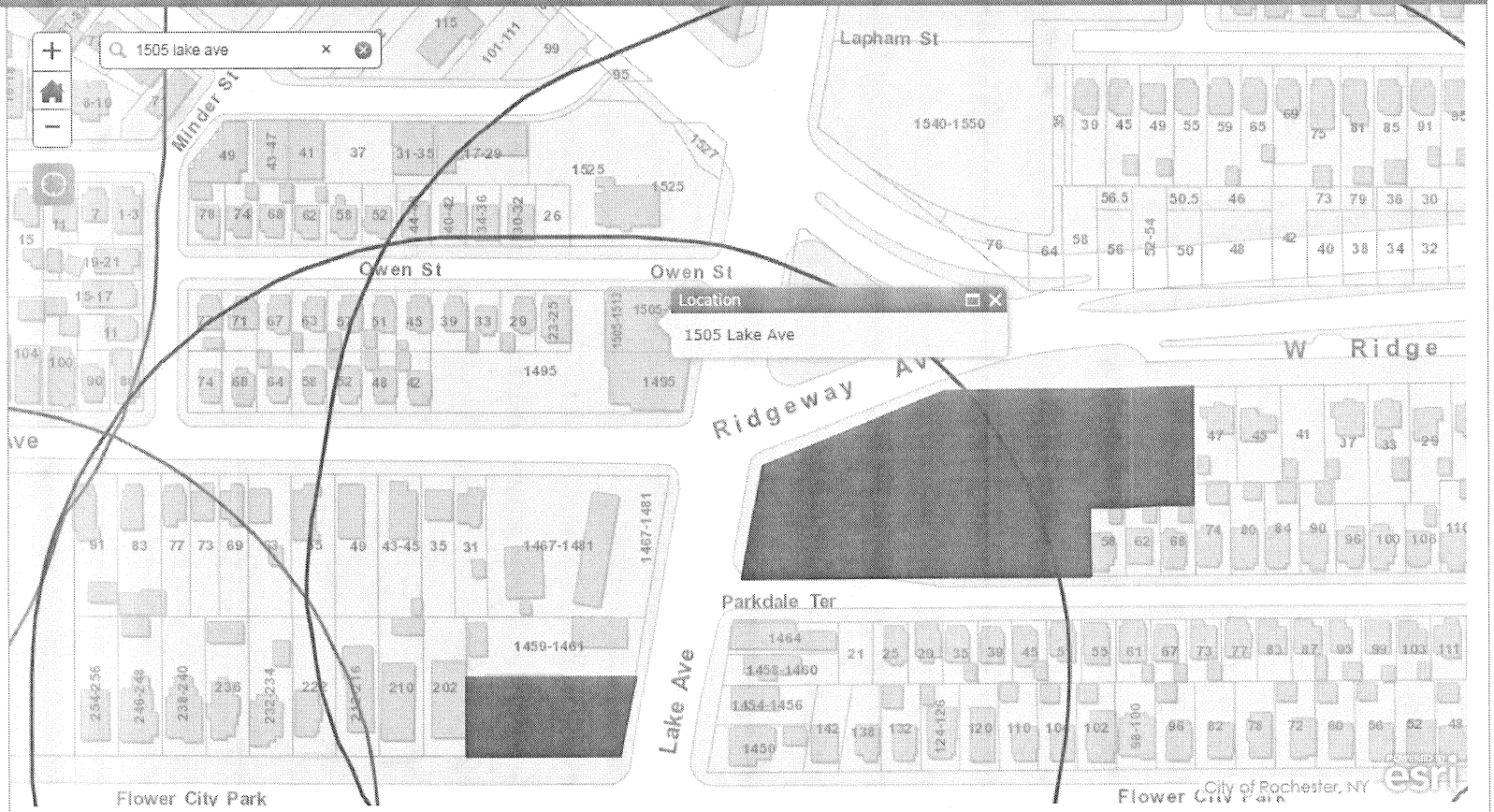
Retail Sales/Service, Secondhand/Pawn, and Protected Uses

**High Impact Buffers**

**High Impact Locations**

**Protected Uses**

**Protected Uses - 500 Foot Buffer of Parcels**



# 1505-1513 LAKE AV

January 6, 2016

This map is intended for general reference only.

The City of Rochester makes no representation as to the accuracy or fitness of the data presented.

City of Rochester, NY

City of Rochester, NY
*Lovely A. Warren, Mayor*

# CITY PLANNING COMMISSION
# STAFF REPORT
# January 25, 2016

## Special Permit

**Case #8:** Staff Reviewer: Jill Wiedrick

**File Number:** E-033-15-16

**Case Type:** Special Permit

**Applicant:** Bell Atlantic Mobile of Rochester L.P. d/b/a/ Verizon Wireless

**Address:** 139 Westminster Road (R-2), 118 Berkley Street (R-3), 676 South Avenue (C-2)

**Zoning District:** R-2 Medium Density Residential District, R-3 High Density Residential District, C-2 Community Center District

**Section of Code:** 120-143A(1)

**Request:** **To install 'micro cell' wireless telecommunications facilities on rooftops of existing buildings; an action requiring City Planning Commission approval.**

**Analysis:**
The applicant wishes to install 'micro cell' wireless telecommunications facilities to help alleviate existing or projected capacity concerns affecting nearby traditional cell antenna locations. Micro cells are intended to provide 'hot spot' type coverage to specific buildings, structures or locations where the area to be covered is less than a radius of 1,000 feet. These systems operate at extremely low radio frequency power and are in full compliance with FCC regulations.

The system works using one more antennas referred to as 'cantennas.' These are cylindrical, 24 inches tall and 15 inches in diameter. A cantenna weighs between 17 and 23 pounds, depending on the model. Cantennas are mounted above the roofline to 'see' the service area and to provide the intended coverage. The installation also includes a small GPS antenna mounted in the vicinity of the equipment.

The main cabinet weighs approximately 450 pounds with dimensions of two feet by two feet by four and one half feet. Looking like a typical telephone or utility cabinet, when not located in a building, the equipment is typically roof or wall mounted with little or no visual impact to the community. Every effort is made to install the cabinet equipment on the side or at the rear of a building or in other areas not normally viewed by the public.

**The following properties are part of this application;**

| Location | Current Legal Use | Stories | District | Cantenna | Cabinet |
|---|---|---|---|---|---|
| 139 Westminster Road | Apartment (7 Family) | 3 | R-2 | Roof | Basement of Building |
| 118 Berkeley Street | Apartment (6 Family) | 3 | R-3 | Roof | Rear of Building |
| 676 South Avenue | Mixed Use (Commercial and 4 Family) | 3 | C-2 | Roof | Lower Roof of Building |

All properties above were approved by the Rochester Preservation Board and given a Certificate of Appropriateness at the December 2, 2015 hearing. Please see the attached Notice of Decision for each property.

**Site Plan and Environmental Review:**
Site Plan Review is not required for this proposal. The proposed action is a Type II [ch.48 (25)].

**Applicant's statement concerning how request conforms to Special Permit Standards:**
See attached.

**City of Rochester**
City Hall Room 125B, 30 Church Street
Rochester, New York 14614-1290
www.cityofrochester.gov

Rochester
Preservation Board

December 22, 2015

Mr. Robert Brenner
Nixon Peabody LLP
1300 Clinton Square
Rochester, NY 14604

NOTICE OF DECISION

In the matter of a request for a Certificate of Appropriateness to install a cellular communications antenna on the roof, also requiring approval by the City Planning Commission.

| | |
|---|---|
| On the premises at: | 139 Westminster Road |
| Zoning District: | R-3 High-Density Residential District<br>East Avenue Preservation District |
| Application Number: | A-013-15-16 |

Record of Vote(s):

| | |
|---|---|
| B. McLear | Approve (motion) |
| J. Dobbs | Aye (second) |
| E. Cain | Aye |
| D. Beardslee | Aye |
| J. Schick | Aye |
| C. Carretta | Nay |
| B. Mayer | Absent |

**Please take notice that at its hearing of December 2, 2015, the Rochester Preservation Board APPROVED your application as submitted. Your application will now be scheduled for review by the City Planning Commission.**

For questions or concerns, please contact Peter Siegrist of my staff at 428-7238 or peter.siegrist@cityofrochester.gov.

Rochester Preservation Board

By: Zina Lagonegro

Zina Lagonegro, AICP, EIT
Director of Planning & Zoning

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2015 DEC 23 PM 2:09

Filing Date:

I. FINDINGS OF FACT:

A. In reviewing applications for certificates of appropriateness in a preservation district, the Preservation Board considers quality of design and site development in terms of the relationships to the street, building facades and overall neighborhood character.

B. Attorney Tom Greiner presented applications for 139 Westminster Road and 118 Berkeley Street together, as both are similar installations. Mr. Greiner stated that the engineers had responded to the Board's concerns with two revisions. First, the ballast blocks would be hidden under a box sheathed in roofing shingles to match the roof and, second, the cabling would be routed on the rear of each building and placed in smaller conduit. Responding to Board members' questions about whether the conduit could be routed through interior spaces, Mr. Greiner referred to a letter to the Board by engineer David Weisenreder addressing the infeasibility of that routing.

C. In response to a member's question about whether the antenna would be removed if it becomes unnecessary, Mr. Greiner stated that Verizon has agreed to this with the property owner. Peter Franz of Verizon testified that the antenna probably won't become unnecessary any time soon.

D. John Lembach, speaking for the Board of the Park-Meigs Neighborhood Association, expressed appreciation for the applicant's efforts and for the colored renderings. He stated his group's support for the application, but asked that City Hall delay issuance of permits for the Westminster property until deficient conditions are rectified.

II. RESOLUTION(S):

The Board found that the applications, as presented, are appropriate to the historic visual character of the properties and the preservation district.

III. EVIDENCE:

A - Application
B - Engineering drawings of site and roof plans, building elevation, antenna frame, hardware and electrical equipment
C - Photographs of existing conditions
D - Photosimulations showing antenna installed and cable routing
E - Letter from David Weisenreder of Costich Engineering
F - Letter from the Park-Meigs Neighborhood Association
G - Appearances by Tom Greiner, Chris Miles, Peter Franz and John Lembach
H - Site visits by Board members

**City of Rochester**
City Hall Room 125B, 30 Church Street
Rochester, New York 14614-1290
www.cityofrochester.gov

Rochester
Preservation Board

December 22, 2015

Mr. Robert Brenner
Nixon Peabody LLP
1300 Clinton Square
Rochester, NY 14604

NOTICE OF DECISION

In the matter of a request for a Certificate of Appropriateness to install a cellular communications antenna on the roof, also requiring approval by the City Planning Commission.

| | |
|---|---|
| On the premises at: | 118 Berkeley Street |
| Zoning District: | R-3 High-Density Residential District<br>East Avenue Preservation District |
| Application Number: | A-014-15-16 |

Record of Vote(s):

| | |
|---|---|
| B. McLear | Approve (motion) |
| J. Dobbs | Aye (second) |
| E. Cain | Aye |
| D. Beardslee | Aye |
| J. Schick | Aye |
| C. Carretta | Nay |
| B. Mayer | Absent |

**Please take notice that at its hearing of December 2, 2015, the Rochester Preservation Board APPROVED your application as submitted. Your application will now be scheduled for review by the City Planning Commission.**

For questions or concerns, please contact Peter Siegrist of my staff at 428-7238 or peter.siegrist@cityofrochester.gov.

Rochester Preservation Board

By: Zina Lagonegro

Zina Lagonegro, AICP, EIT
Director of Planning & Zoning

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Filing Date:

I. FINDINGS OF FACT:

A. In reviewing applications for certificates of appropriateness in a preservation district, the Preservation Board considers quality of design and site development in terms of the relationships to the street, building facades and overall neighborhood character.

B. Attorney Tom Greiner presented applications for 139 Westminster Road and 118 Berkeley Street together, as both are similar installations. Mr. Greiner stated that the engineers had responded to the Board's concerns with two revisions. First, the ballast blocks would be hidden under a box sheathed in roofing shingles to match the roof and, second, the cabling would be routed on the rear of each building and placed in smaller conduit. Responding to Board members' questions about whether the conduit could be routed through interior spaces, Mr. Greiner referred to a letter to the Board by engineer David Weisenreder addressing the infeasibility of that routing.

C. In response to a member's question about whether the antenna would be removed if it becomes unnecessary, Mr. Greiner stated that Verizon has agreed to this with the property owner. Peter Franz of Verizon testified that the antenna probably won't become unnecessary any time soon.

D. John Lembach, speaking for the Board of the Park-Meigs Neighborhood Association, expressed appreciation for the applicant's efforts and for the colored renderings, and he stated his group's support for the application.

II. RESOLUTION(S):

The Board found that the applications, as presented, are appropriate to the historic visual character of the properties and the preservation district.

III. EVIDENCE:

A - Application
B - Engineering drawings of site and roof plans, building elevation, antenna frame, hardware and electrical equipment
C - Photographs of existing conditions
D - Photosimulations showing antenna installed and cable routing
E - Letter from David Weisenreder of Costich Engineering
F - Letter from the Park-Meigs Neighborhood Association
G - Appearances by Tom Greiner, Chris Miles, Peter Franz and John Lembach
H - Site visits by Board members

**City of Rochester**
City Hall Room 125B, 30 Church Street
Rochester, New York 14614-1290
www.cityofrochester.gov

Rochester
Preservation Board

December 18, 2015

Mr. Robert Brenner
Nixon Peabody LLP
1300 Clinton Square
Rochester, NY 14604

NOTICE OF DECISION

In the matter of a request for a Certificate of Appropriateness to install a cellular communications antenna on the roof, also requiring approval by the City Planning Commission.

| | |
|---|---|
| On the premises at: | 676 South Avenue |
| Zoning District: | C-2 Community Center Commercial District<br>South Avenue/Gregory Street Preservation District |
| Application Number: | A-015-15-16 |

Record of Vote(s):

| | |
|---|---|
| E. Cain | Approve (motion) |
| D. Beardslee | Aye (second) |
| J. Dobbs | Aye |
| B. McLear | Aye |
| J. Schick | Aye |
| C. Carretta | Nay |
| B. Mayer | Absent |

**Please take notice that at its hearing of December 2, 2015, the Rochester Preservation Board APPROVED your application as submitted. This approval has been directed to the City Planning Commission for its review.**

For questions or concerns, please contact Peter Siegrist of my staff at 428-7238 or peter.siegrist@cityofrochester.gov.

Rochester Preservation Board

By: Zina Lagonegro
Zina Lagonegro, AICP, EIT
Director of Planning & Zoning

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Filing Date:

I. FINDINGS OF FACT:

A. In reviewing applications for certificates of appropriateness in a preservation district, the Preservation Board considers quality of design and site development in terms of the relationships to the street, building facades and overall neighborhood character.

B. Attorney Tom Greiner, presenting for applicant and colleague Robert Brenner, explained that in response to Board comments at the October hearing, the caged ladder and davit crane are now on the north side of the building, accessed through a narrow walkway and largely unseen from the street. The equipment will remain on a lower roof, and the cabling to the antenna will run up the rear of the building and be concealed in a covered cable tray.

II. RESOLUTION(S):

The Board found that the proposal is appropriate to the historic visual character of the property and preservation district as proposed.

III. EVIDENCE:

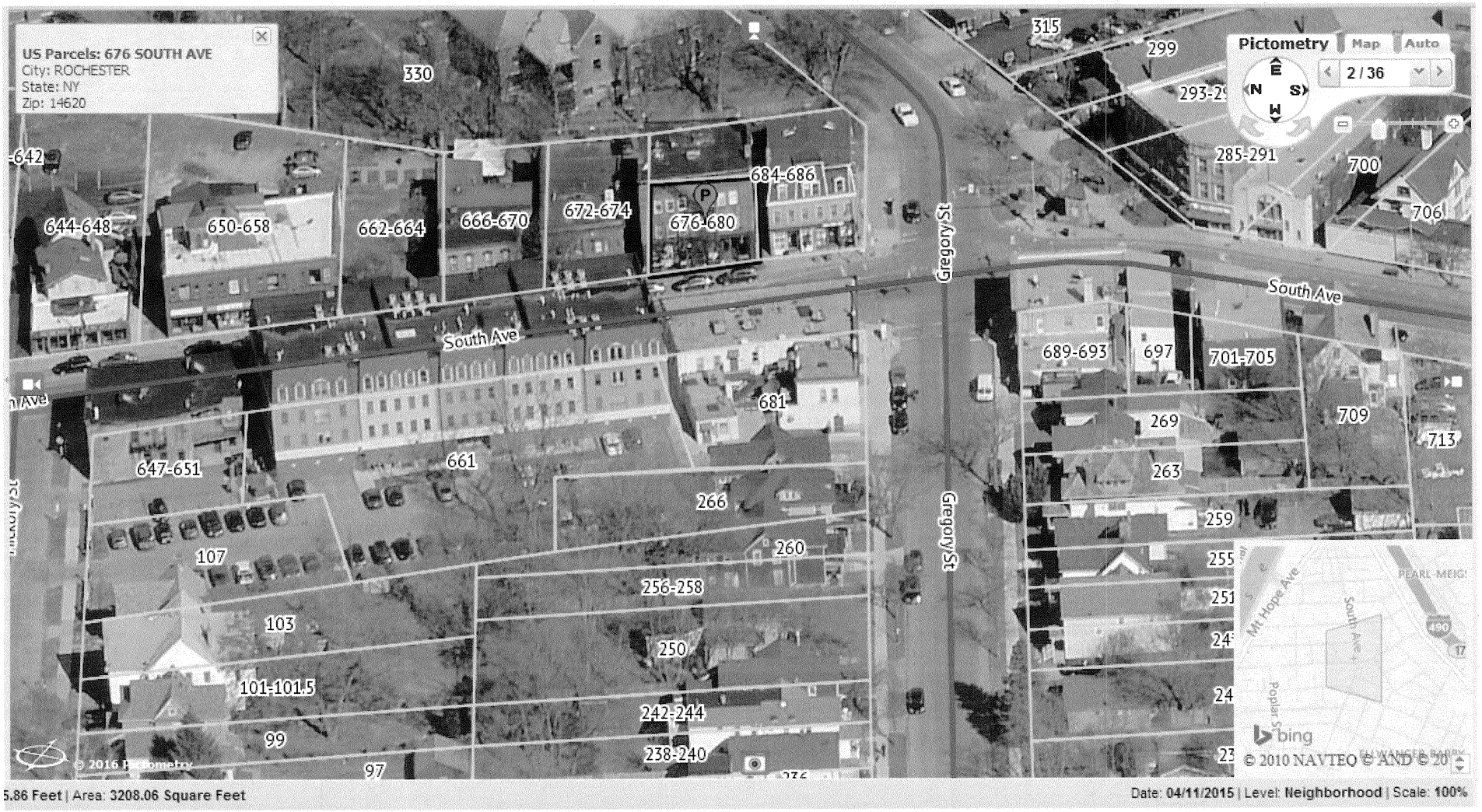
A - Application
B - Engineering drawings of site and roof plans, building elevation, antenna frame, hardware and electrical equipment
C - Letter from Phil Burtner, PE, of Network Building + Consulting explaining OSHA requirements for the caged ladder and davit crane
D - Appearance by Tom Greiner
E - Site visits by Board members

21.01 Feet | Area: 4993.49 Square Feet

Date: 04/11/2015 | Level: Neighborhood | Scale: 75%

9.37 Feet | Area: 4086.81 Square Feet

Date: 04/11/2015 | Level: Neighborhood | Scale: 75%




5.86 Feet | Area: 3208.06 Square Feet

Date: 04/11/2015 | Level: Neighborhood | Scale: 100%