



**CITY PLANNING COMMISSION  
STAFF REPORT  
February 22, 2016**

**Special Permit**

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*Adjourned from the January 25, 2016 hearing*

**Case #1:**

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 District

**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.

**E-031-15-16**  
**1489 North Street**  
**Page 2**

**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: \_\_\_\_\_

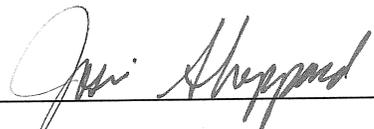
4. ATTORNEY: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_  
PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_  
E-MAIL ADDRESS \_\_\_\_\_

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:  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.

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- 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.

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- 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.

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- 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.

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- 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.

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### Addendum

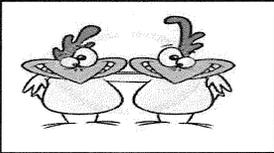
The requested signage does not comply with zoning because we desire an animated chicken themed mural which encompasses the brick of the building on the northern and eastern side. The permit desired for the mural aligns with the goal of revitalizing the City of Rochester (as the building was previously 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.





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Head  
Quarters





Pictometry Map Auto  
1/25  
Compass and zoom controls

US Parcels: 1489 NORTH ST  
City: ROCHESTER  
State: NY  
Zip: 14621

Inset map showing regional context with labels: Kilmar St, North St, Hudson Ave, Norton St, Carter St, 104, and Bing logo.  
© 2010 NAVTEQ © AND © 2011

Date: 04/15/2015 | Level: Neighborhood | Scale: 100%  
3.74 Feet | Area: 2619.27 Square Feet  
© 2016 Pictometry

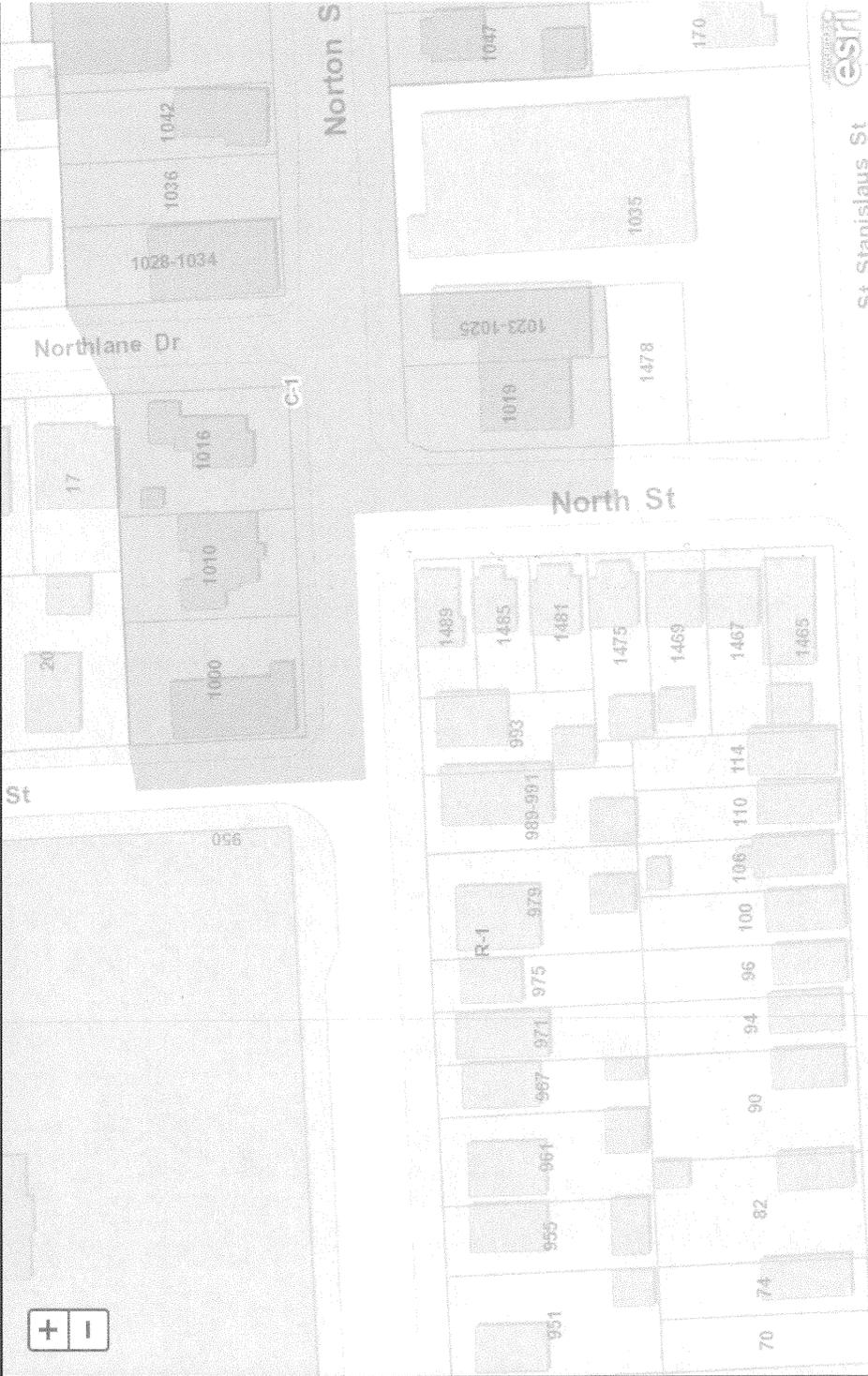
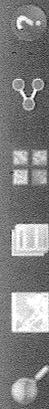


City of Rochester, NY  
Property Information

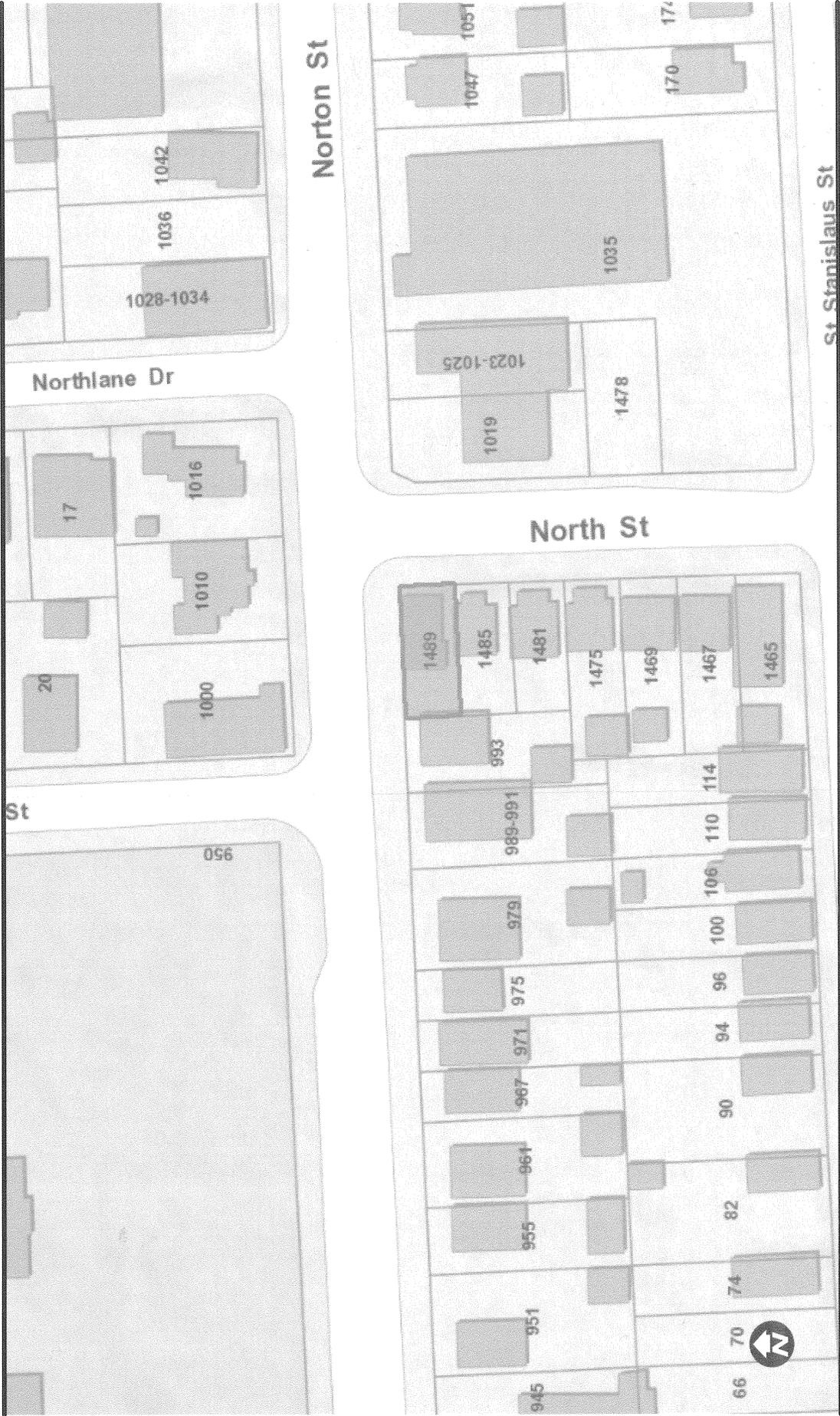
1489 north street

Search By:  Address  Owner  SBL

SBL  Address



# 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  
Lovely A. Warren, Mayor

## City of Rochester, NY



**CITY PLANNING COMMISSION  
STAFF REPORT  
February 22, 2016**

**Special Permit**

**Case #2:**

Staff Reviewer: Jill Wiedrick

**File Number:** E-034-15-16

**Case Type:** Special Permit

**Applicant:** Abigail Hayes

**Property Address:** 1581 Dewey Avenue

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

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

**Request:** To establish a high-impact secondhand jewelry store, with hours of operation 10:00AM to 6:00PM; an action requiring City Planning Commission approval.

**Analysis:**

The subject property is a mixed use building at the corner of Dewey Avenue and Pullman Avenue. The building is legal for a store and two families on the first floor and four families on the second floor. The last legal use of the retail space was a dollar store.

The applicant wishes to pursue a Special Permit to establish a high-impact secondhand jewelry store with hours of operation 10:00AM to 6:00PM, Monday through Saturday. The applicant will sell jewelry, but also purchase and trade items on-site. Parking is located in front of the building, according to the applicant.

**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.*

1514 Dewey Avenue  
1548 Dewey Avenue

Kilima (Grocery Store)  
El's Delicatessen (Grocery Store)

- 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 10:00 AM to 6:00 PM, Monday through Saturday, 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. The existing storefront windows meet the intent of the transparency requirement.*

**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): 1585 Dewey Ave  
2. APPLICANT: Abigail Hayes COMPANY NAME: Abby Jewelry  
ADDRESS: 80 Plave St CITY: Roch ZIP CODE: 14606  
PHONE: (585) 217-6473 FAX: \_\_\_\_\_  
E-MAIL ADDRESS \_\_\_\_\_

INTEREST IN PROPERTY: Owner \_\_\_\_\_ Lessee  Other \_\_\_\_\_

3. PLAN PREPARER: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_  
PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

BUILDING BUREAU  
ROOM 121  
4:11PM Jan 29/16  
01-0002 001 BVD  
#18857

4. ATTORNEY: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_  
PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

Zoning \$250.00  
INFO 1581 DEWEY  
CHECK \$250.00

E-MAIL ADDRESS \_\_\_\_\_

5. ZONING DISTRICT: \_\_\_\_\_

6. DETAILED PROJECT DESCRIPTION (additional information can be attached):  
Jewelry store - Buy, sell, & trade jewelry.

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: Abigail Hayes DATE: 1/18/16

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

- 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 - I also live in the neighborhood. I intend on fitting it and not changing the neighborhood but to help make it better.

- 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 construction. the intent is to fit it and not make changes.

- 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 - the proposed building or use will be served adequately by essential public facilities and 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 changes being done to outside of building or natural changes.

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.

<b>Part 1 - Project and Sponsor Information</b>							
Name of Action or Project: <i>Abby's Jewelry</i>							
Project Location (describe, and attach a location map): <i>1585 Dewey Ave</i>							
Brief Description of Proposed Action: <i>Jewelry Store Buy, Sell + Trade Jewelry.</i>							
Name of Applicant or Sponsor: <i>Abigail Hayes</i>		Telephone: <i>217-6473</i>					
Address: <i>20 Private St</i>		E-Mail: <i>ahayes@monroecountyga</i>					
City/PO: <i>Rochester</i>		State: <i>ny</i>	Zip Code: <i>14606</i>				
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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action? _____ acres							
b. Total acreage to be physically disturbed? _____ <i>0</i> 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.							
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)							
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____							
<input type="checkbox"/> Parkland							



18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>Abigail Hayes</u>		Date: <u>1/18/16</u>
Signature: <u>Abigail Hayes</u>		

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

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

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

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

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
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)

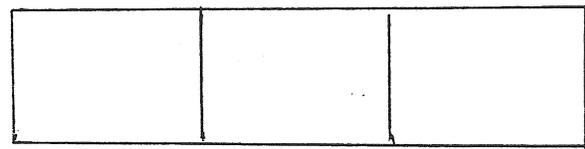
**PRINT**

**RESET**

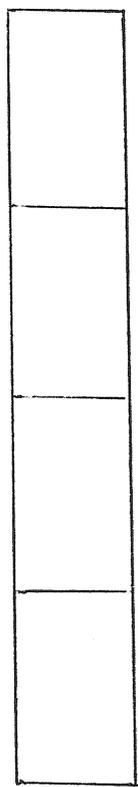
39'

5' x 9'  
BATH ROOM

9' x 12'  
OFFICE

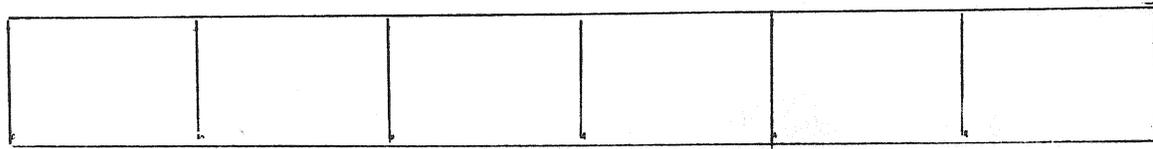


GLASS SHOWCASE



GLASS SHOWCASE

1786 SQ FT

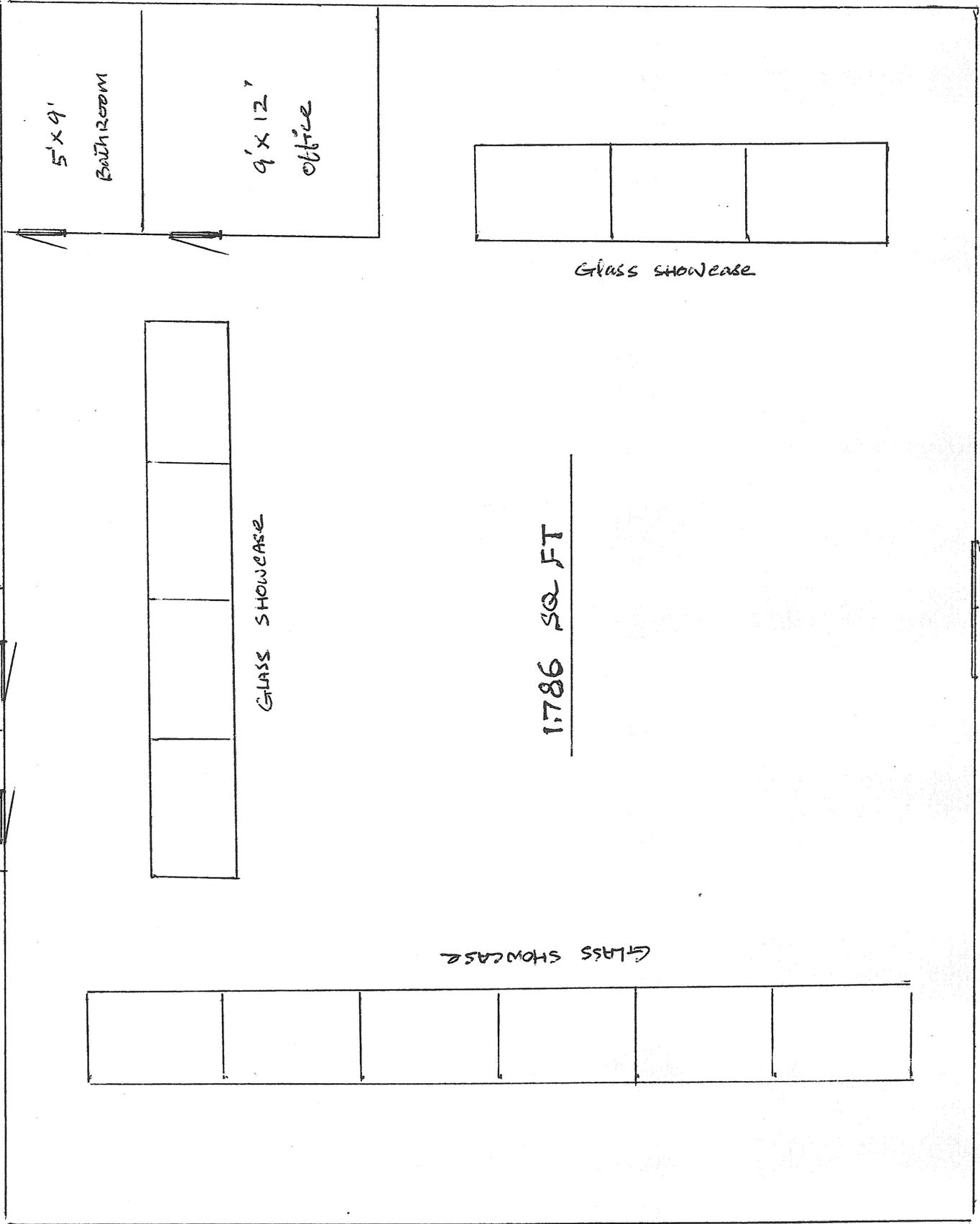
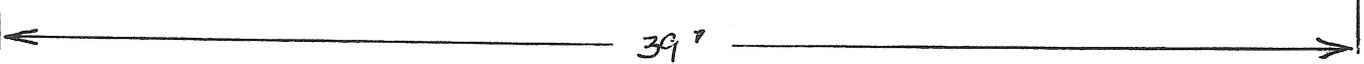


GLASS SHOWCASE

Storage Room

Storage Room

44'







# High Impact Buffer Map

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

## High Impact Buffers



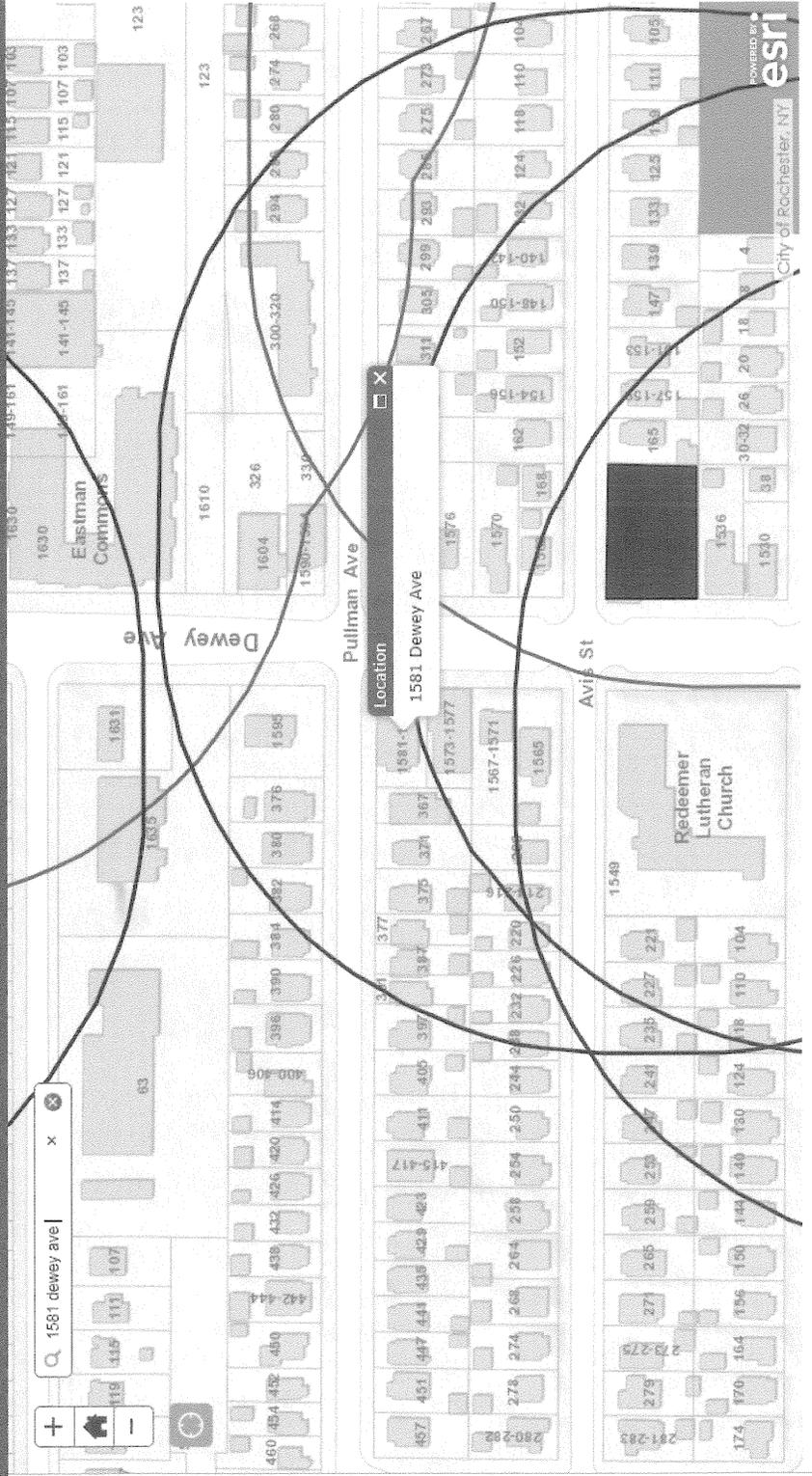
## High Impact Locations



## Protected Uses



## Protected Uses - 500 Foot Buffer of Parcels





US Parcels: 1581 DEWEY AVE  
City: ROCHESTER  
State: NY  
Zip: 14615

Pictometry Map Auto  
1 / 36  
N  
S E W

Rand St.  
Pullman Ave  
Dewey Ave  
3rd Ave  
Palm St.  
NORTHWEST QUADRANT  
bing  
© 2010 NAVTEQ © AND © 2011

© 2016 Pictometry  
5.64 Feet | Area: 6286.69 Square Feet  
Date: 04/15/2015 | Level: Neighborhood | Scale: 75%



City of Rochester, NY  
Property Information

1581 DEWEY AVE

Search By:  Address  Owner  SBL

SBL  Address

1581 Dewey Ave



# 1581-1585 DEWEY AV



February 4, 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  
Lovely A. Warren, Mayor

# City of Rochester, NY



**CITY PLANNING COMMISSION  
STAFF REPORT  
February 22, 2016**

**Special Permit**

**Case #3:**

Staff Reviewer: Jill Wiedrick

**File Number:** E-035-15-16

**Case Type:** Special Permit

**Applicant:** Tin Tin Ren, LifeTime Fuel, Inc.

**Address:** 215 Alexander Street

**Zoning District:** O-B Overlay Boutique District/ R-3 High Density Residential District

**Section of Code:** 120-27L; 120-146.1

**Request:** **To establish a low-impact meal preparation business, with hours of operation 7:00AM to 8:00PM, daily; an action requiring City Planning Commission approval.**

**Analysis:**

The subject property is a mixed use building located near the intersection of Alexander Street and Monroe Avenue. The applicant proposes to use the front portion of the building, closest to Alexander Street. The portion of the building where the applicant wishes to establish a low-impact retail meal preparation business was previously legal as a gourmet take-out delicatessen. The space is currently vacant.

The applicant proposes to establish a low-impact meal preparation business. According to the applicant, this business will operate daily between the hours of 7:00AM and 8:00PM. The applicant and her employees will prepare healthy meals that customers will then be able to pick up at this location or have delivered. There will be no more than 6 convenience seats so that customers may eat their meal on site if they choose. Assorted health drinks and other healthy options will also be available for purchase. Parking is located behind the building.

**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 120-27L and 120-146.1 of the Zoning Code:

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

*The applicant is proposing to establish a low-impact meal preparation business, where none of these items will be sold.*

- 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 7:00 AM to 8:00 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. PROJECT ADDRESS(ES): 215 Alexander St
2. APPLICANT: Tim Tin Ren COMPANY NAME: Life Time Fuel Inc.  
ADDRESS: 3 Woodgreen St Pittsford, NY 14534 CITY: Rochester ZIP CODE: 14607  
PHONE: 585-752-8522 FAX: \_\_\_\_\_  
E-MAIL ADDRESS hten21@gmail.com  
INTEREST IN PROPERTY: Owner \_\_\_\_\_ Lessee  Other \_\_\_\_\_
3. PLAN PREPARER: Buckingham properties  
ADDRESS: 215 Alexander St. CITY: Rochester ZIP CODE: 14607  
PHONE: 585-295-9500 FAX: 585-295-9505
4. ATTORNEY: Gerald W. Dibble  
ADDRESS: 55 Cootherbury Rd. CITY: Rochester ZIP CODE: 14607  
PHONE: 585-271-1500 FAX: 1-585-271-0118  
E-MAIL ADDRESS GMD@dibblelaw.com
5. ZONING DISTRICT: R3 Overlay Boutique
6. DETAILED PROJECT DESCRIPTION (additional information can be attached): The property owner is to do all small misc renovations.
7. LENGTH OF TIME TO COMPLETE PROJECT (Attach schedule if phased): 2 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: Tim Ren DATE: 1/20/16

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.

LANDLORD: Alexander Properties of Rochester LLC

01/20/14 By: Kenneth J. Glazer DATE: 1/20/16  
Kenneth J. Glazer  
Member

## 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.

A food retail shop that will serve meals that already packed, and cooked. Customers can come pick up their meals for the week or eat at one of the 3 or 4 designated tables just for people who stop in.

- 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 all kitchen equipment ~~is~~ will be in the retail shop, there will be nothing blocking anything outside of building

- 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 meal prep food catering for people who want to be healthier by choosing options that are tailored to their eating habits. This will not affect surrounding businesses competition.

- 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 everything will be conducted throughly ~~by~~ throughly ~~by~~ the City of Rochester to make sure I have all the appropriate licenses.

- 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 proposal will only have a sign that will be approved in front of the building of the wall. All other renovations are inside done by property owner

617.20  
Appendix B  
Short Environmental Assessment Form

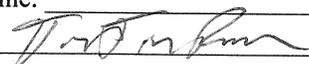
**Instructions for Completing**

**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: <p style="text-align: center; font-size: 1.2em;">Establishing low retail</p>							
Project Location (describe, and attach a location map): <p style="text-align: center; font-size: 1.2em;">215 Alexander St.</p>							
Brief Description of Proposed Action: <p style="text-align: center; font-size: 1.2em;">This does not apply to <del>me</del> what I'm proposing</p>							
Name of Applicant or Sponsor: <p style="text-align: center; font-size: 1.2em;">Tom Van Ron</p>		Telephone: 885-752-8522					
		E-Mail: <i>tomvan@outlook.com</i>					
Address: <p style="text-align: center; font-size: 1.2em;">3 Woodgreen Dr.</p>							
City/PO: <p style="text-align: center; font-size: 1.2em;">Pittsford</p>		State: <p style="text-align: center; font-size: 1.2em;">NY</p>	Zip Code: <p style="text-align: center; font-size: 1.2em;">14534</p>				
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.			<table border="1" style="width: 100%; text-align: center;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; text-align: center;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		<u>12</u> acres					
b. Total acreage to be physically disturbed?		<u>0</u> acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>0.21</u> acres					
4. Check all land uses that occur on, adjoining and near the proposed action.							
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)							
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____							
<input type="checkbox"/> Parkland							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban			
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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input checked="" type="checkbox"/> NO <input type="checkbox"/> 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)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: _____	Date: <u>1/20/16</u>	
Signature: <u></u>		

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

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

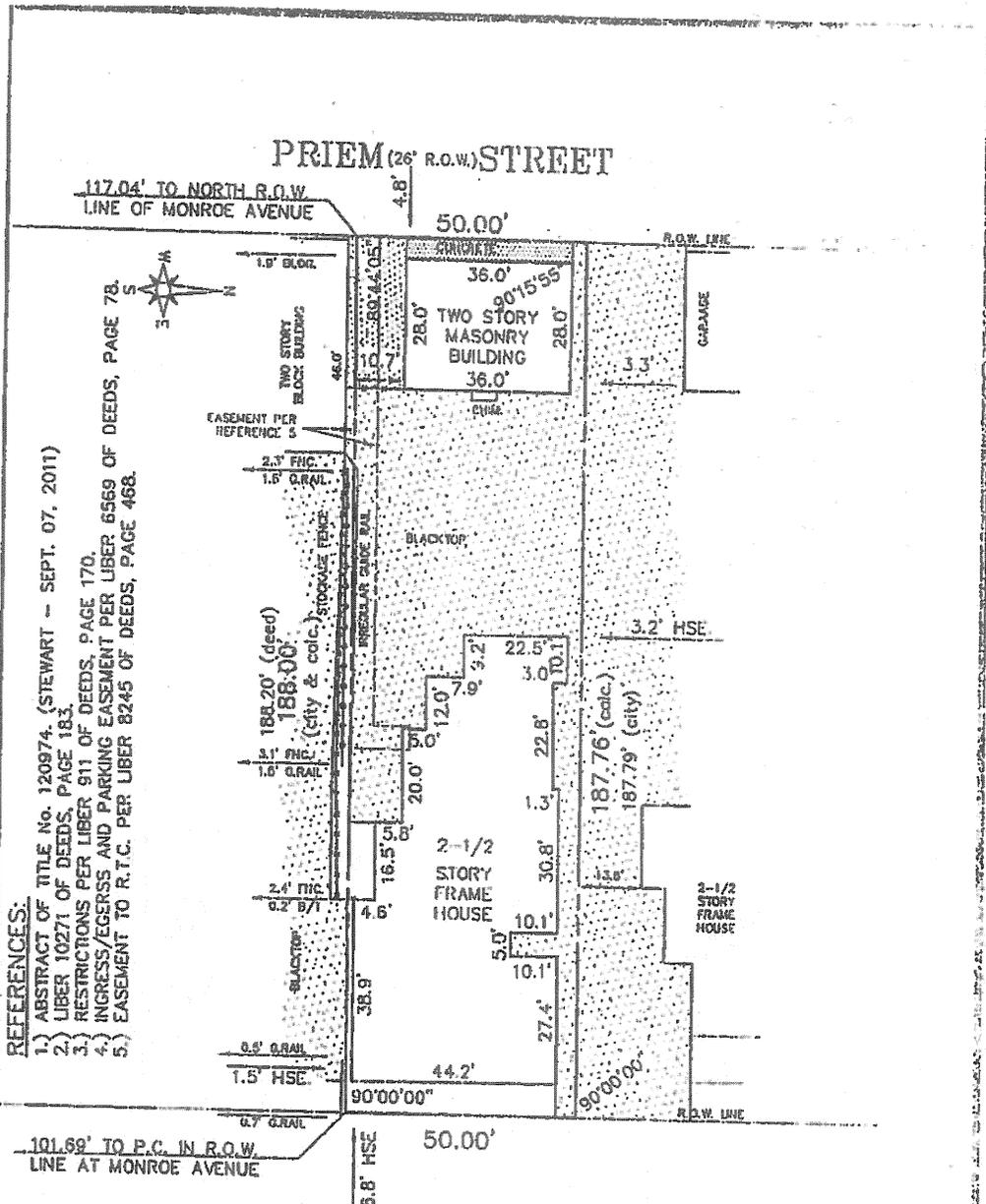
	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or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

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

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
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)

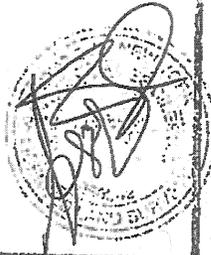
**PRINT**

**RESET**



- REFERENCES:**
- 1.) ABSTRACT OF TITLE No. 120974. (STEWART - SEPT. 07, 2011)
  - 2.) LIBER 10271 OF DEEDS, PAGE 183.
  - 3.) RESTRICTIONS PER LIBER 911 OF DEEDS, PAGE 170.
  - 4.) INGRESS/EGRESS AND PARKING EASEMENT PER LIBER 6869 OF DEEDS, PAGE 78.
  - 5.) EASEMENT TO R.T.C. PER LIBER 8245 OF DEEDS, PAGE 468.

**CERTIFICATION:**  
 I hereby certify to: **ALEXANDER PROPERTIES OF ROCHESTER LLC**  
**WOODS OVIATT GILMAN LLP**  
**STEWART TITLE INSURANCE COMPANY**  
**THE CANANDAIGUA NATIONAL BANK & TRUST COMPANY, ITS SUCCESSORS AND OR ASSIGNS**  
**FIX SPINDELMAN BROVITZ & GOLDMAN**  
 that this map was made **OCT. 14, 2011** from notes of an Instrument Survey completed **OCT. 06, 2011** and from references listed hereon.



**TITLE:** INSTRUMENT SURVEY MAP  
**215 ALEXANDER STREET**  
**BEING PART OF LOTS 35 & 36 OF THE**  
**JOHNSON & MASTICK TRACT, SITUATE**  
**CITY OF ROCHESTER, COUNTY OF**  
**MONROE, STATE OF NEW YORK**

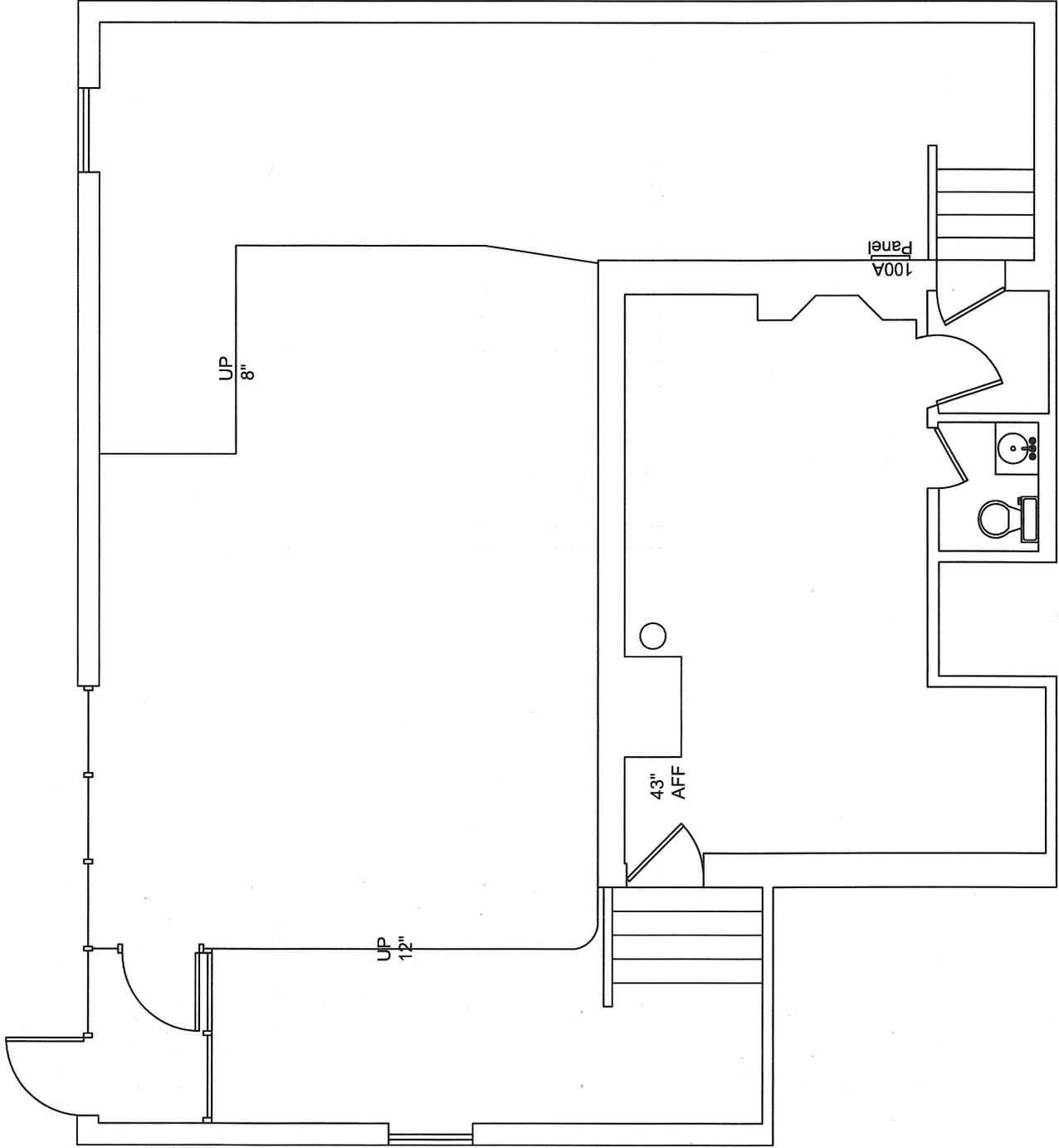
Tax Account No.  
**121.410-01-019**

\*Unauthorized alteration or addition to a survey map bearing a licensed land surveyor seal is a violation of Article 120 Subsection 2, of the New York State Education Law.  
 Only copies from the original of this survey marked with an original land surveyor seal shall be considered to be valid true copies.  
 Certifications shall run only for the person for whom the survey is prepared, and on behalf of the title company bearing the fee for the governmental agency and lending institution listed herein, and to the satisfaction of the lending institution. Certifications are not transferable to educational institutions or subsequent owners. This map is subject to any easements and/or encumbrances that in (shown) or (shown) may affect the land.  
 "Survey" or "certification" as shown and used herein means an expression of professional opinion regarding the facts of the survey and does not constitute a warranty or guarantee expressed or implied. Location of subterranean improvements and those which are covered may be approximately or not shown herein. Landbearing features are not shown herein, unless otherwise specified.

**B**  
**BILESCHI LAND SURVEYING**  
 435 REYNOLDS ARCADE  
 ROCHESTER, NEW YORK 14614  
 (585) 454-6010 (phone)  
 (585) 454-6015 (fax)  
**JAMES M. LEONI, L.S. OF CONSULT**

DATE: **OCT. 14, 2011**  
 FILE No. **110251GB**  
 OWNER: **SINGER**  
 SCALE: **1" = 30'**

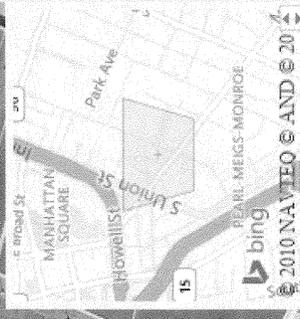




EXISTING  
215 ALEXANDER STREET



Pictometry Map Auto  
 1/53  
 N E S W  
 4M



© 2010 NAVTEQ © AND © 2011  
 Date: 04/11/2015 | Level: Neighborhood | Scale: 50%

11-11.5  
 US Parcels: 215 ALEXANDER ST  
 City: ROCHESTER  
 State: NY  
 Zip: 14607

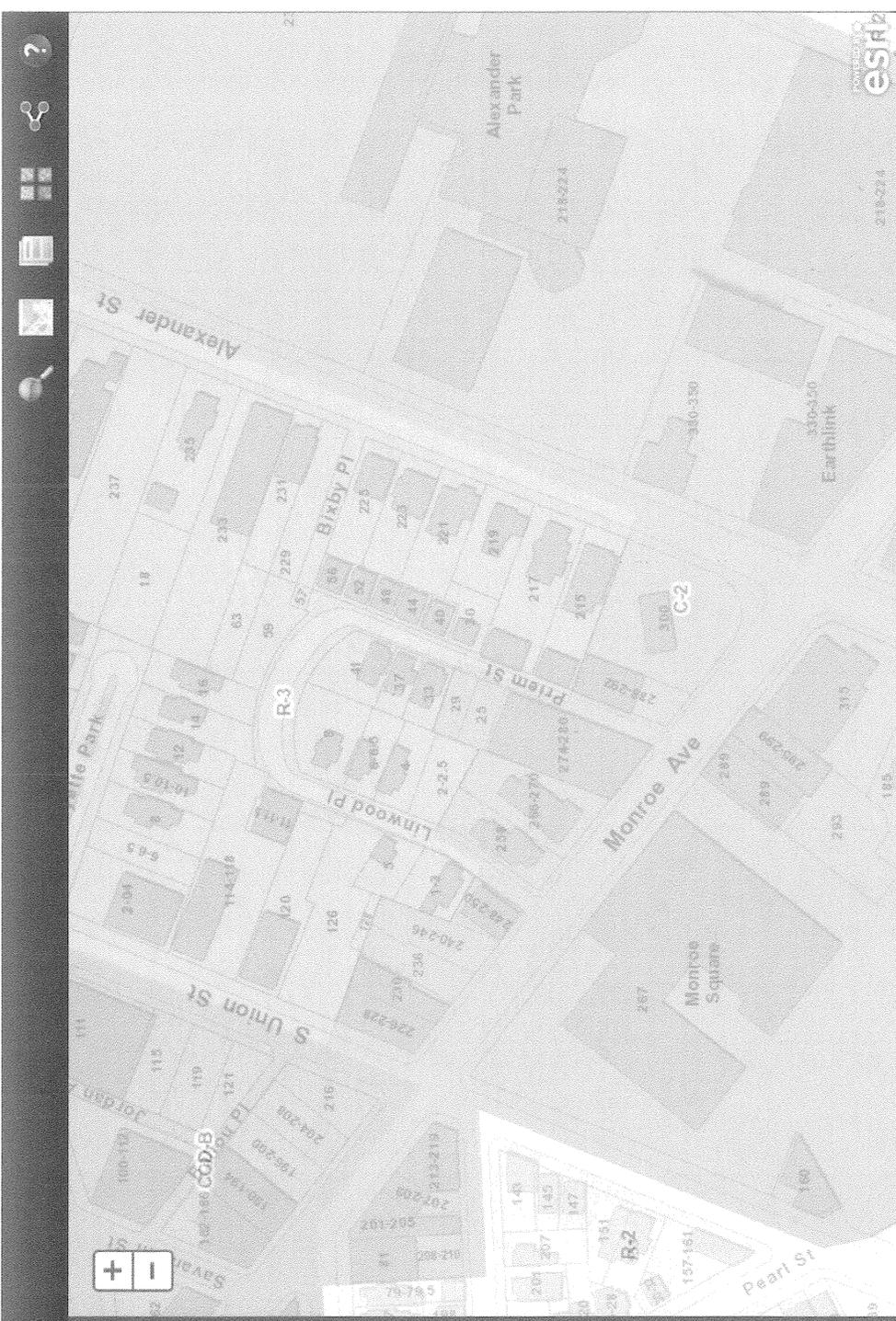
© 2016 Pictometry  
 96 Feet | Area: 9276.09 Square Feet

215 alexander

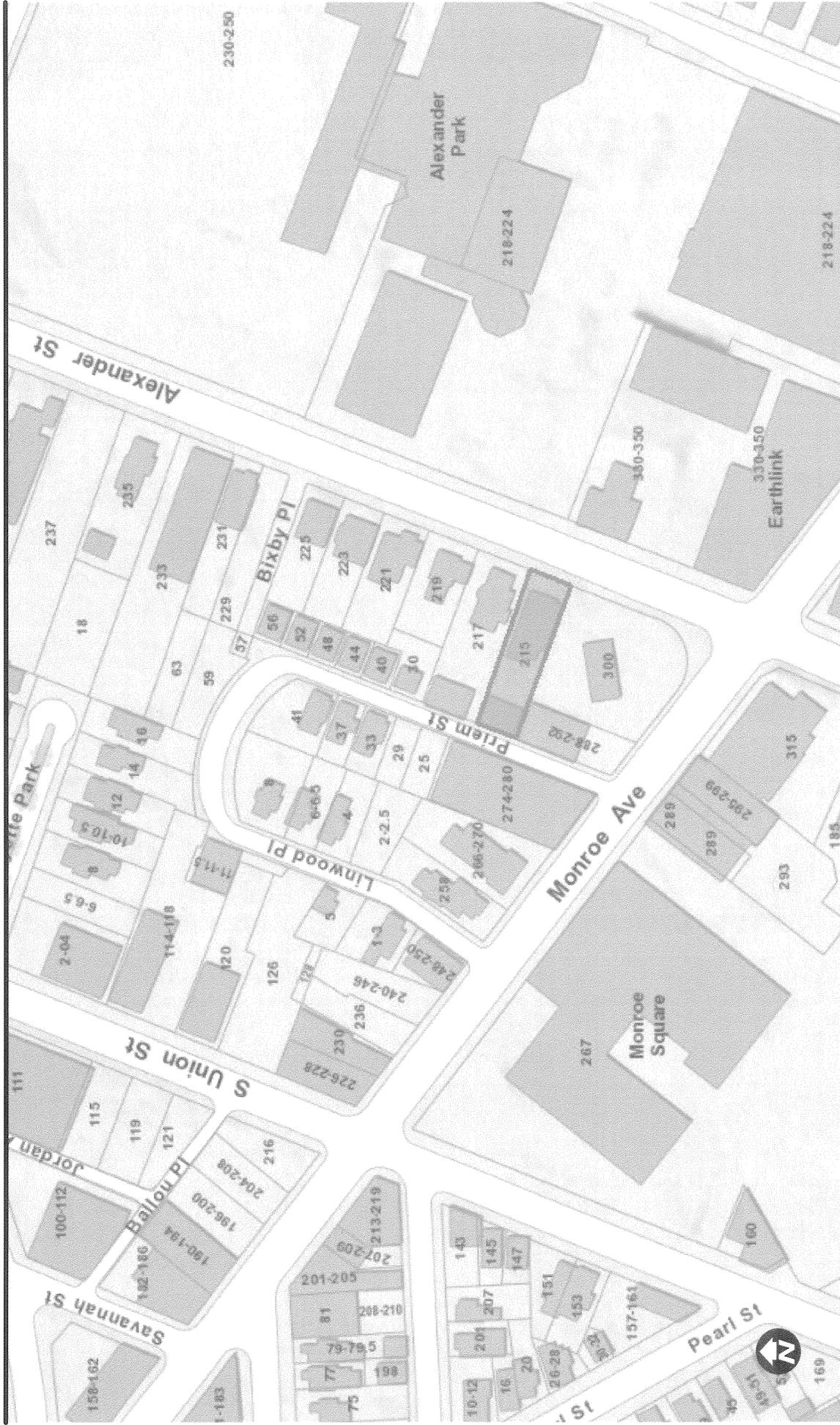
Search By:  Address  Owner  SBL

SBL  Address

121.41-1-19 215 Alexander St



# 215 ALEXANDER ST



February 8, 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  
Lovely A. Warren, Mayor

## City of Rochester, NY



**CITY PLANNING COMMISSION  
STAFF REPORT  
February 22, 2016**

**Special Permit**

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

**File Number:** E-036-15-16

**Case Type:** Special Permit

**Applicant:** Jerry Testa, Testa Construction, Inc.

**Address:** 1302 Lake Avenue

**Zoning District:** R-3 High Density Residential District

**Section of Code:** 120-27F

**Request:** **To establish a career and technical education center for the adjacent charter school (University Preparatory School for Young Men); an action requiring City Planning Commission approval.**

**Analysis:**

The subject property is located on Lake Avenue, near Seneca Parkway. This building was originally built as a single family home. Recently, the building had been used as a mix of offices and apartments. This property has been vacant since May 2010.

The applicant proposes to establish a career and technical education center for the adjacent charter school, University Preparatory School for Young Men (UPREP). As detailed in the floor plans provided by the applicant, there will be rooms dedicated to exercise, vocations and office space.

The addition of this educational opportunity to UPREP will not result in an addition of students, but may result in the increase in staff members, according to the applicant. A sidewalk will be constructed between the existing charter school and the proposed career and technical education center so that students may safely go to and from classes. Parking will occur behind the building, as there is currently a 25 space parking area, per the applicant.

**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): 1302 Lake Ave.

2. APPLICANT: Jerry Testa COMPANY NAME: Testa Construction, Inc.  
 ADDRESS: 12 Industrial Park Circle CITY: Rochester ZIP CODE: 14624  
 PHONE: 585-254-8190 FAX: 585-254-8897  
 E-MAIL ADDRESS jtesta@testaconstructionco.com

INTEREST IN PROPERTY: Owner  Lessee  Other

3. PLAN PREPARER: David Strabel  
 ADDRESS: 24 Tudor Road CITY: Brockport ZIP CODE: 14420  
 PHONE: 585-509-1811 FAX: N/A

4. ATTORNEY: Walter J. Licata, Esq.  
 ADDRESS: 45 Exchange Blvd., Suite 1025 CITY: Rochester ZIP CODE: 14614  
 PHONE: 585-232-1980 FAX: 585-232-2578  
 E-MAIL ADDRESS llpc@rochester.twcbc.com

BUILDING BUREAU  
 ROOM 121  
 1:01PM Jan 20/16  
 01-0002 001 Licata  
 #18274  
 Zoning \$250.00  
 INFO 1302 LAKE AV  
 Charge \$250.00

5. ZONING DISTRICT: \_\_\_\_\_

6. DETAILED PROJECT DESCRIPTION (additional information can be attached): \_\_\_\_\_  
Interior renovation to existing building to allow for vocational educational space.  
 \_\_\_\_\_  
 \_\_\_\_\_

7. LENGTH OF TIME TO COMPLETE PROJECT (Attach schedule if phased:) 6 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:  DATE: 1/20/16

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 building will be reused. It is vacant now. The exterior will be repaired in keeping with its present look and be kept historically correct.

- 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 be no additional students added to the school the parking lot will remain as is and traffic will not be increased.

- 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.

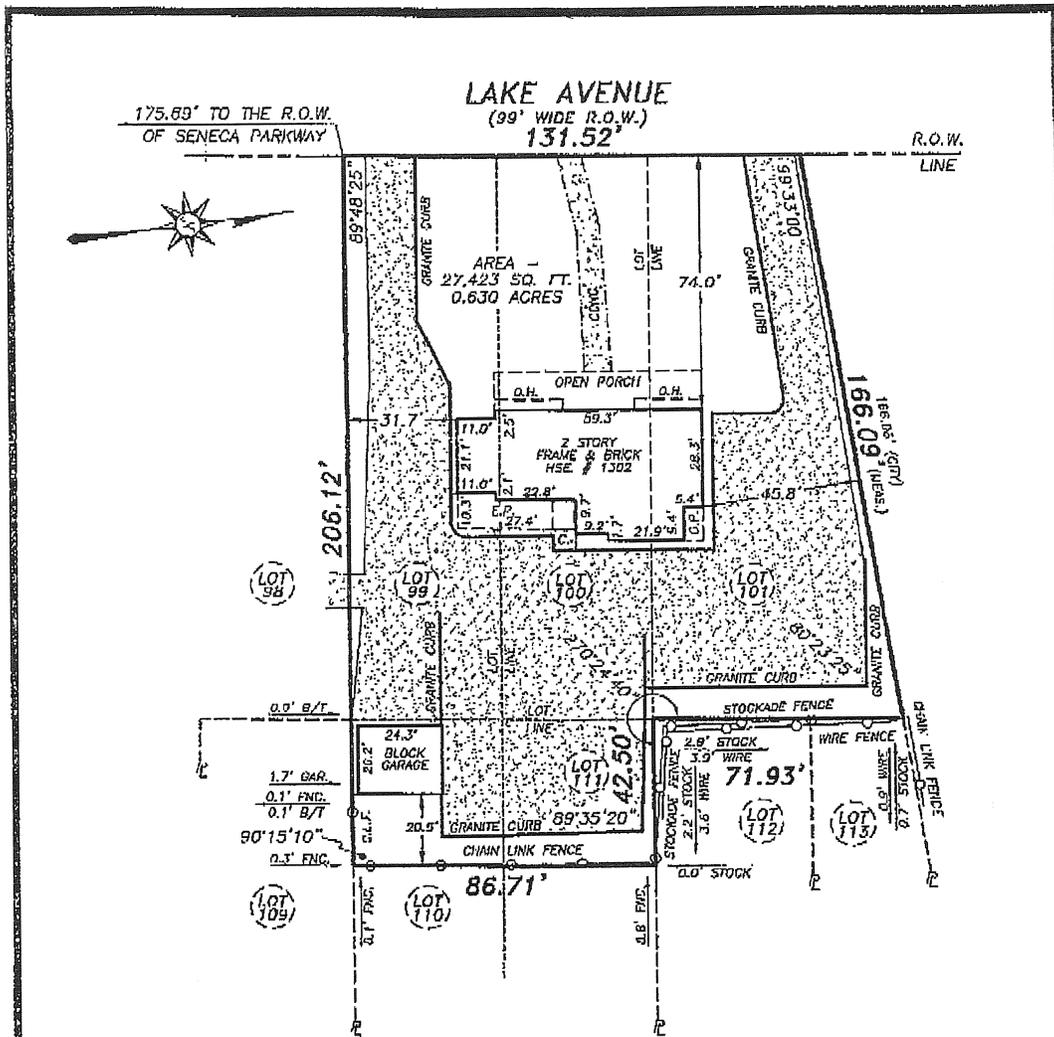
The building will be an add onto the existing school operated and maintained by the school which is presently operating next door.

- 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 site plan and parking will not change from its present use. Fire protection to the exterior will be added all other services should not be affected there will be no added students.

- 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.

There will be no exterior demo other than what is necessary for reconstruction/repair of the structure to repair damage caused by prior neglect.



**CERTIFICATION:**

I, ANDREW M. HODGE, HEREBY CERTIFY TO:  
 -RICHARD LOCHNER  
 -NIGOS KARATAS, ESQ.  
 -FIRST AMERICAN TITLE INSURANCE COMPANY OF NEW YORK

STATE OF NEW YORK  
 ANDREW M. HODGE, Surveyor  
 THAT THIS MAP WAS MADE MARCH 22, 2010  
 FROM NOTES OF AN INSTRUMENT SURVEY  
 COMPLETED MARCH 22, 2010  
 AND REFERENCES LISTED THEREON  
 N.Y.S.R.L.S. No. 506187 LAND SURVEYOR DATE

**REFERENCES:**

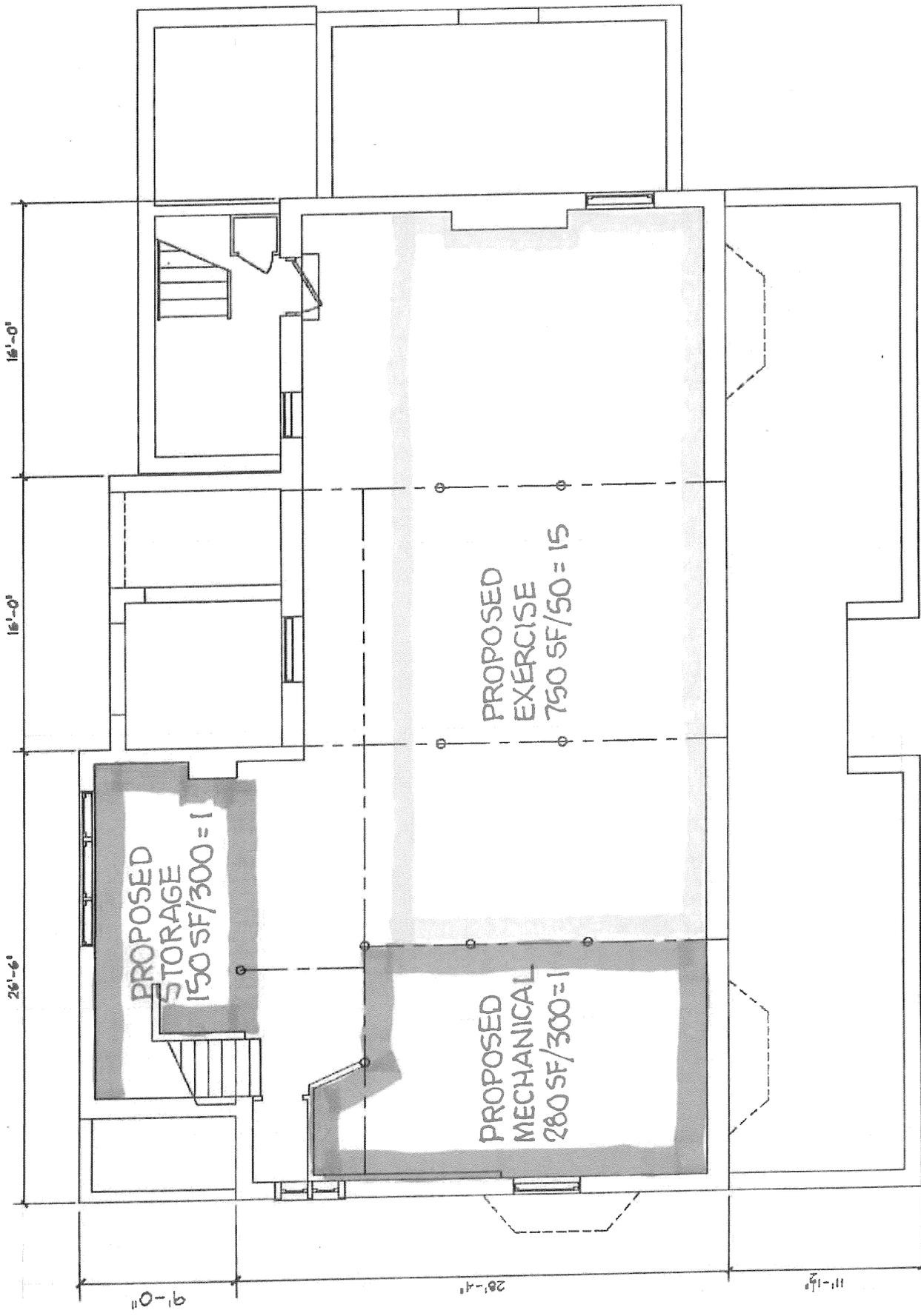
- 1.) LIBER 4 OF MAPS, PAGE 18.
- 2.) LIBER 10,191 OF DEEDS, PAGE 251.
- 3.) ABSTRACT OF TITLE No. 512764A (FRONTIER).

TITLE: **INSTRUMENT SURVEY MAP**  
**1302 LAKE AVENUE**  
**BEING LOTS No. 99, 100, & 101 AND PART OF LOTS No. 110 & 111**  
**OF THE MAPLEWOOD AND LAKE AVENUE**  
**CO-OPERATIVE BUILDING LOT ASSOCIATION TRACT,**  
**CITY OF ROCHESTER, COUNTY OF MONROE, STATE OF NEW YORK**

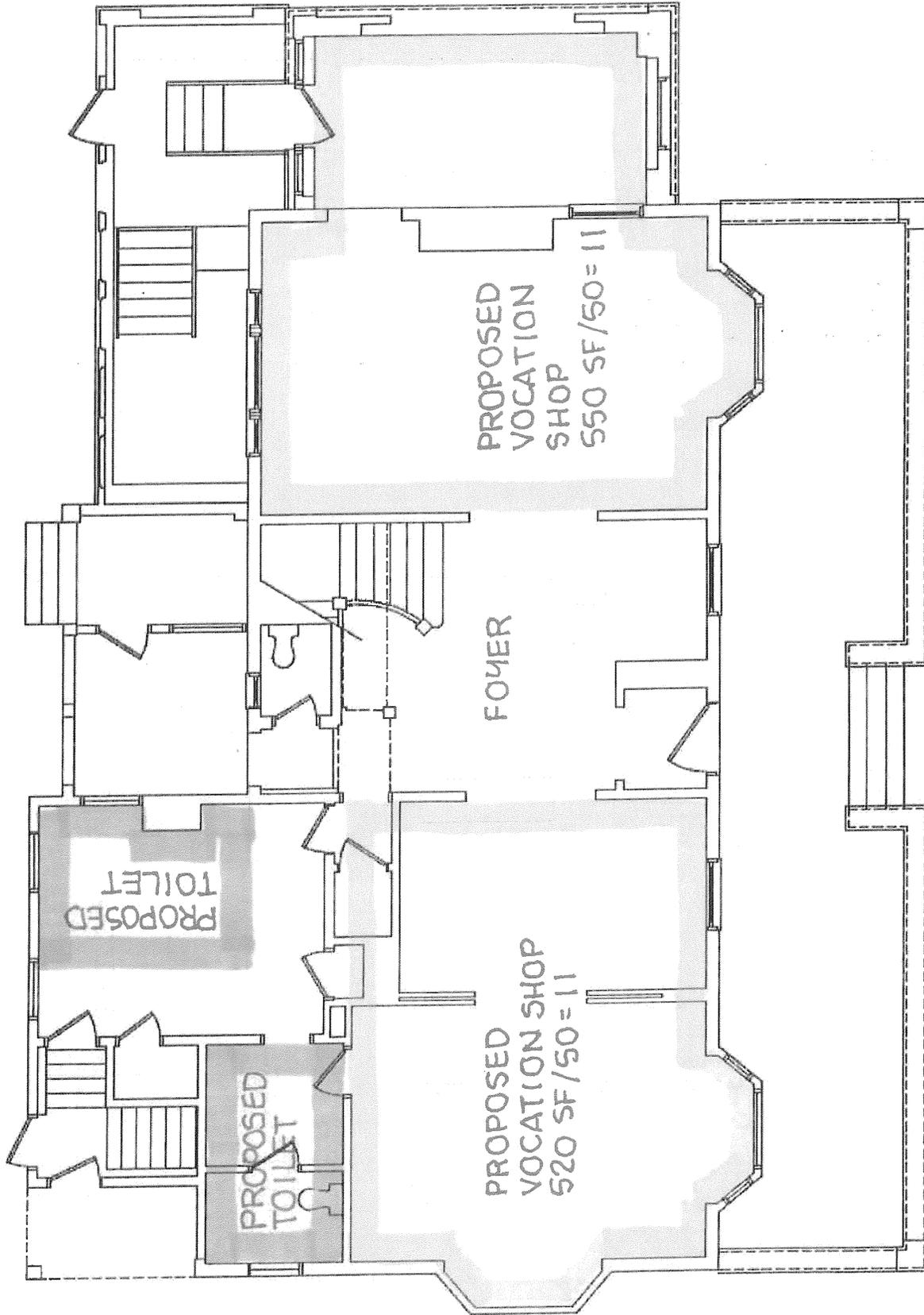
"Unauthorized circulation or addition to a survey map bearing a licensed land surveyor's seal is a violation of Section 7200, sub-section 2, of the New York State Education Law."  
 "Only copies with the original of this survey marked with an original of the land surveyor's red ink seal shall be considered to be valid true copies."  
 "Certifications indicated herein signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveyors adopted by the New York State Association of Professional Land Surveyors. Said certifications shall run only to the persons for whom the survey is prepared, and on its behalf to the title company, governmental agency and lending institution listed herein, and to the assignees of the lending institution. Certifications are not transferable to additional institutions or subsequent owners."

**TRI-COUNTY LAND SURVEYORS, LLC.**  
  
 18 EAST MAIN STREET SUITE 320  
 ROCHESTER, NEW YORK 14614  
 Phone (585) 263-9900  
 Fax (585) 263-3591

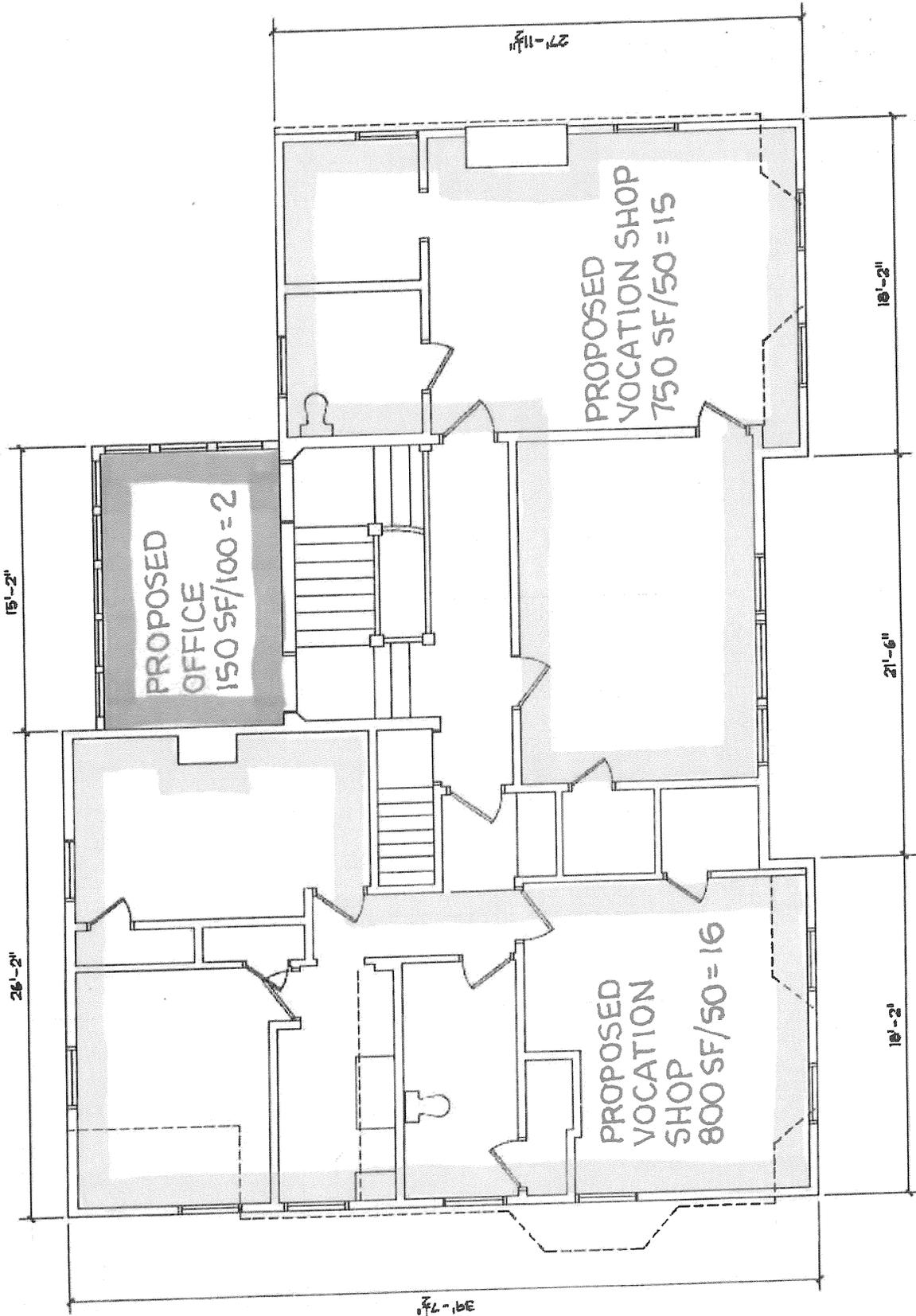
SCALE: **1" = 40'** TAX ACCOUNTY: **090.59-2-023** JOB NO.: **0322-10** DATE: **MARCH 22, 2010**



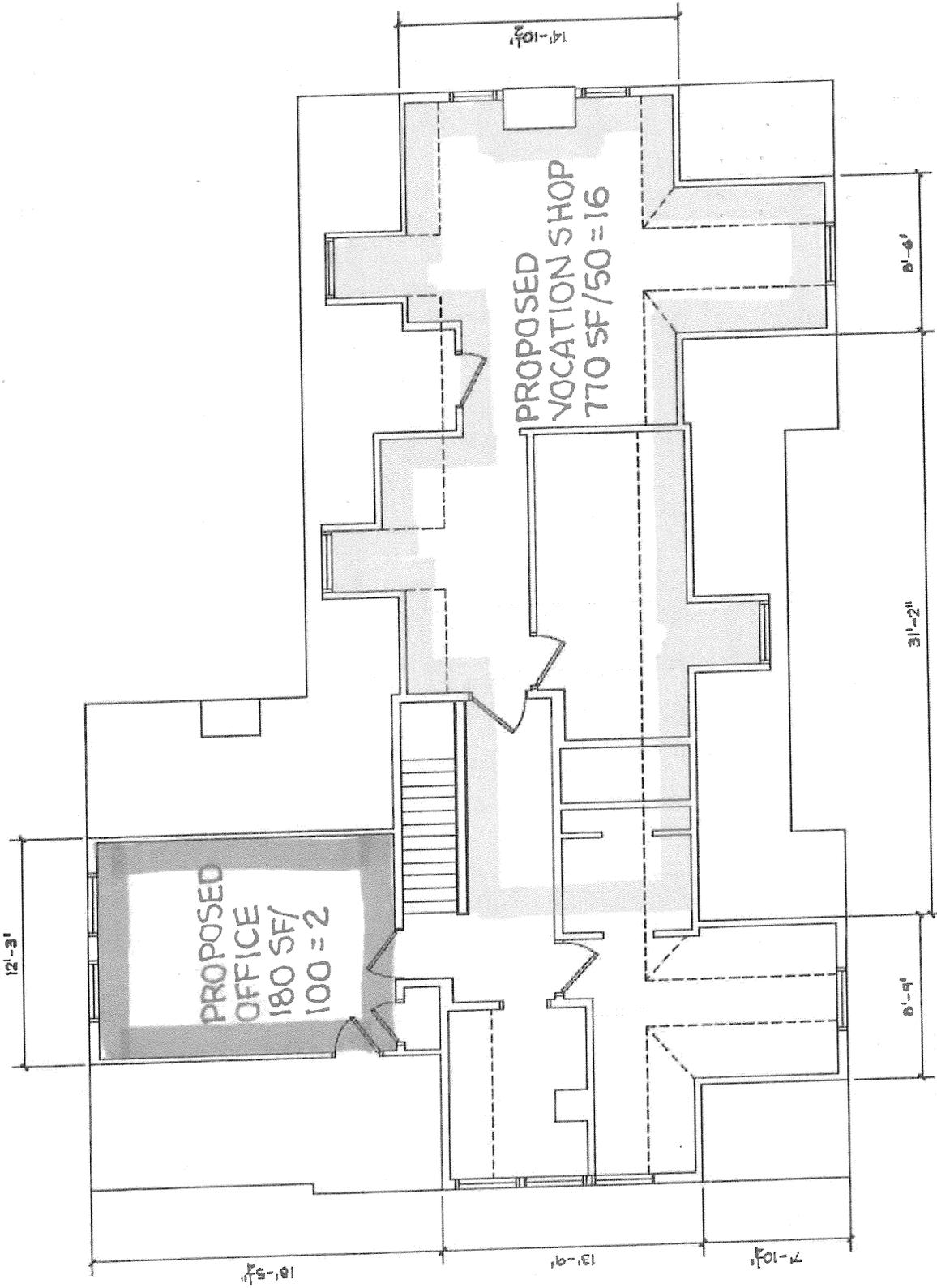
**BASEMENT**  
 1775 SQ.FT.  
 17 PROPOSED OCCUPANTS



FIRST LEVEL  
2390 SQ.FT.  
22 PROPOSED OCCUPANTS



**SECOND LEVEL**  
 2020 SQ.FT.  
 33 PROPOSED OCCUPANTS

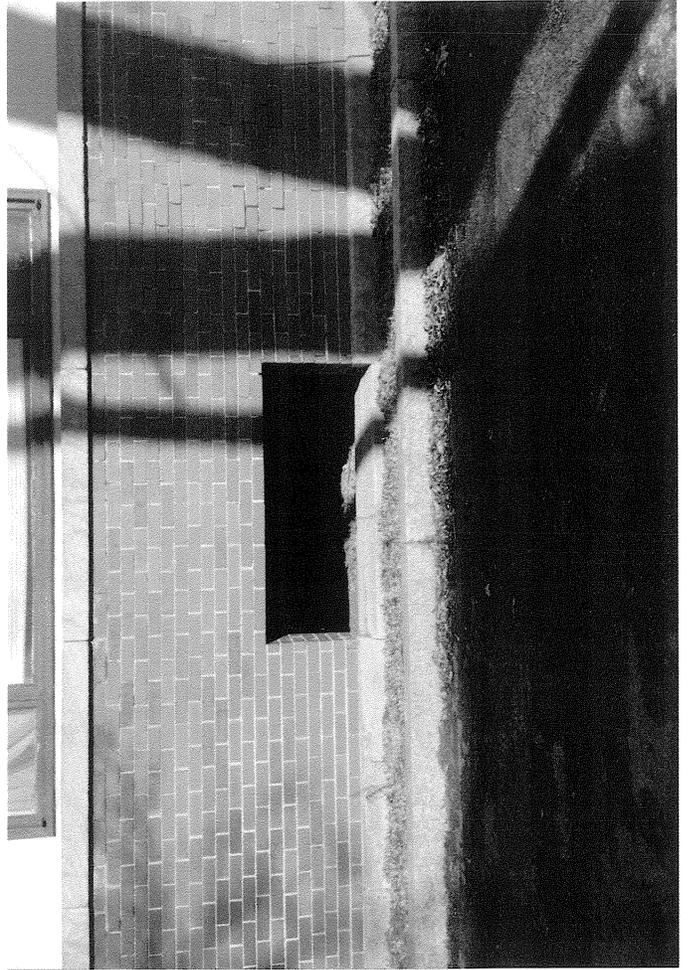
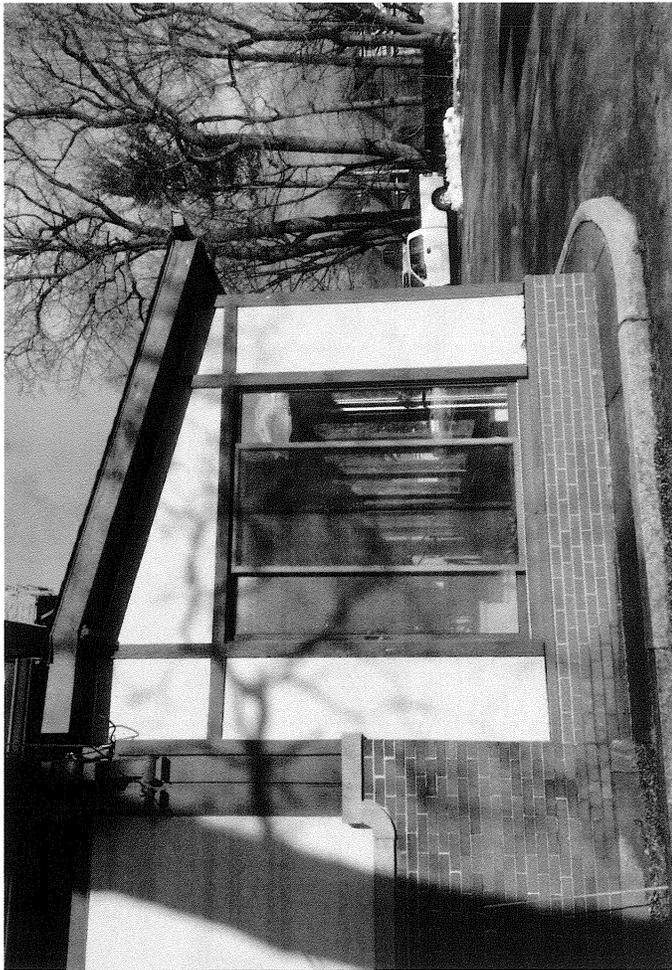


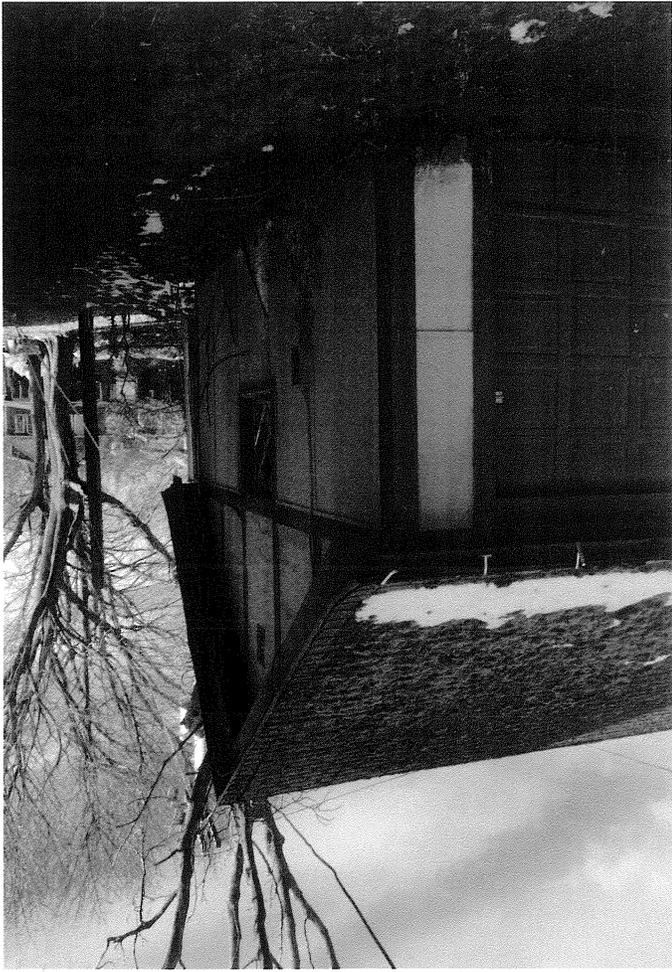
THIRD LEVEL  
 1295 SQ.FT.  
 18 PROPOSED OCCUPANTS

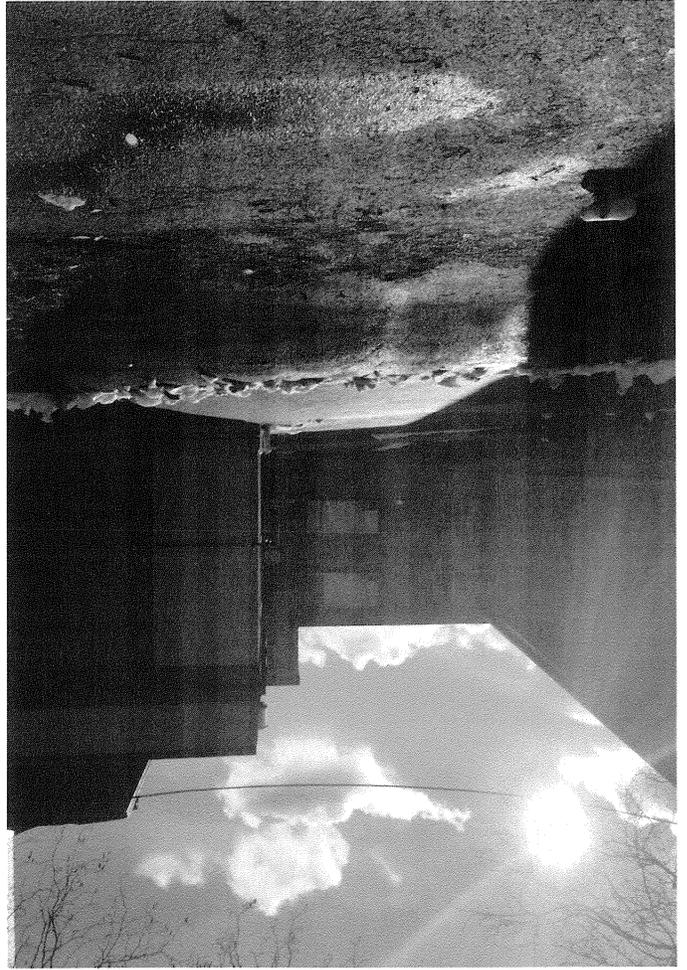
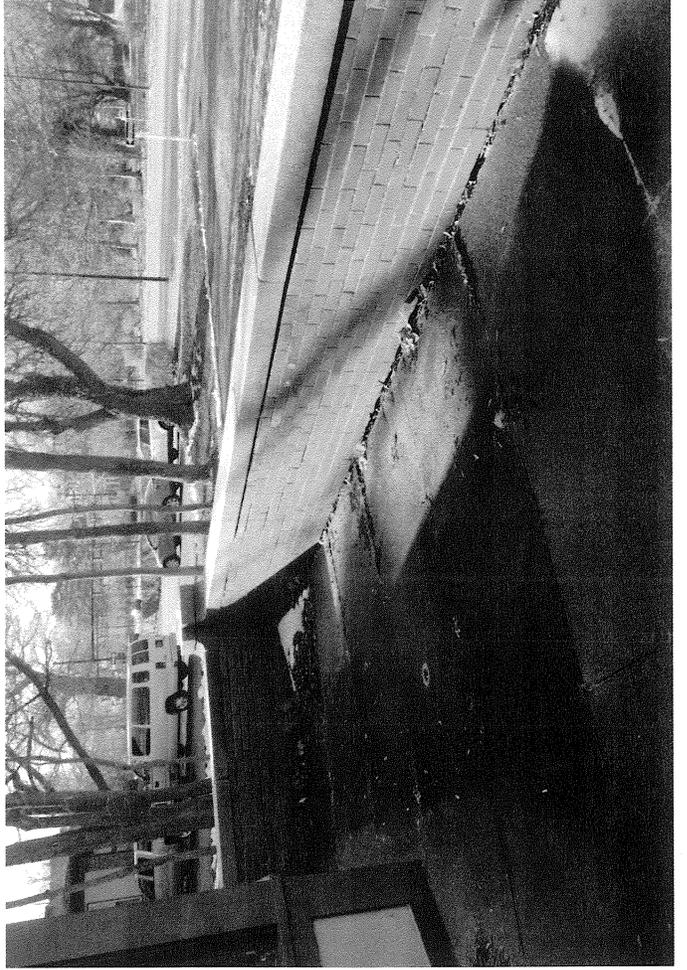


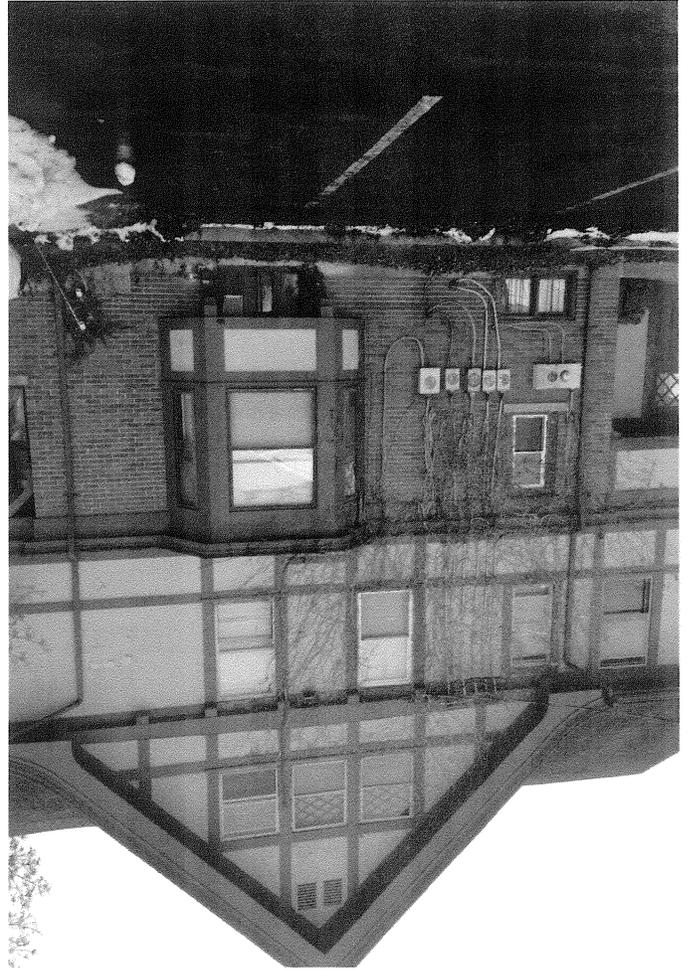
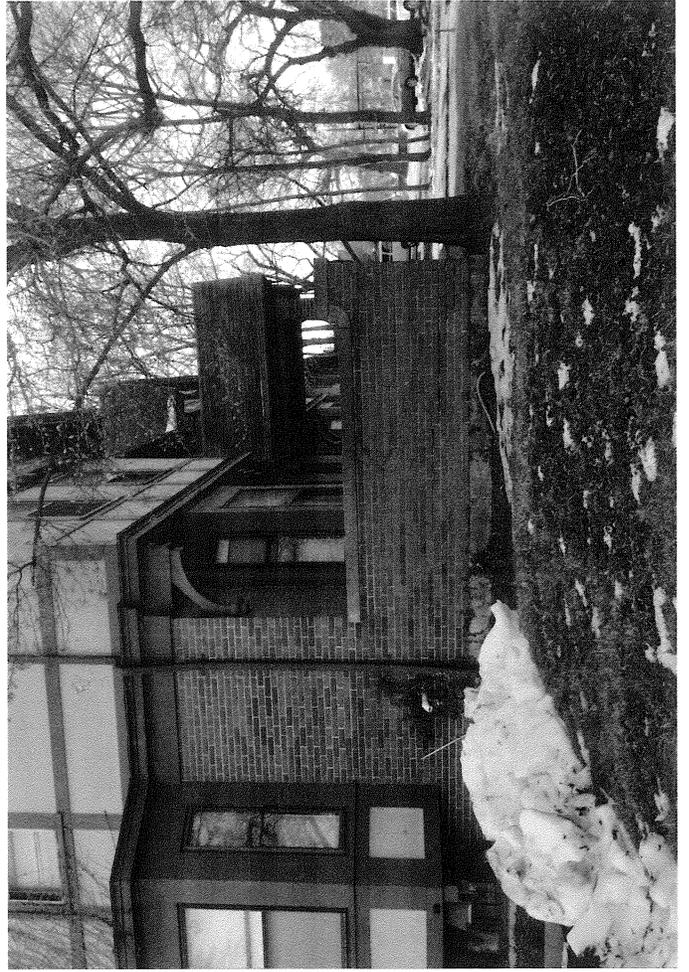


















US Parcels: 1302 LAKE AVE  
City: ROCHESTER  
State: NY  
Zip: 14613

Pictometry Map Auto  
1 / 36  
S W E N  
© 2010 NAVTEQ © AFD © 2010

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

1.74 Feet | Area: 27176.57 Square Feet



US Parcels: 1302 LAKE AVE  
City: ROCHESTER  
State: NY  
Zip: 14613

Date: 04/15/2015 | Level: Neighborhood | Scale: 50%

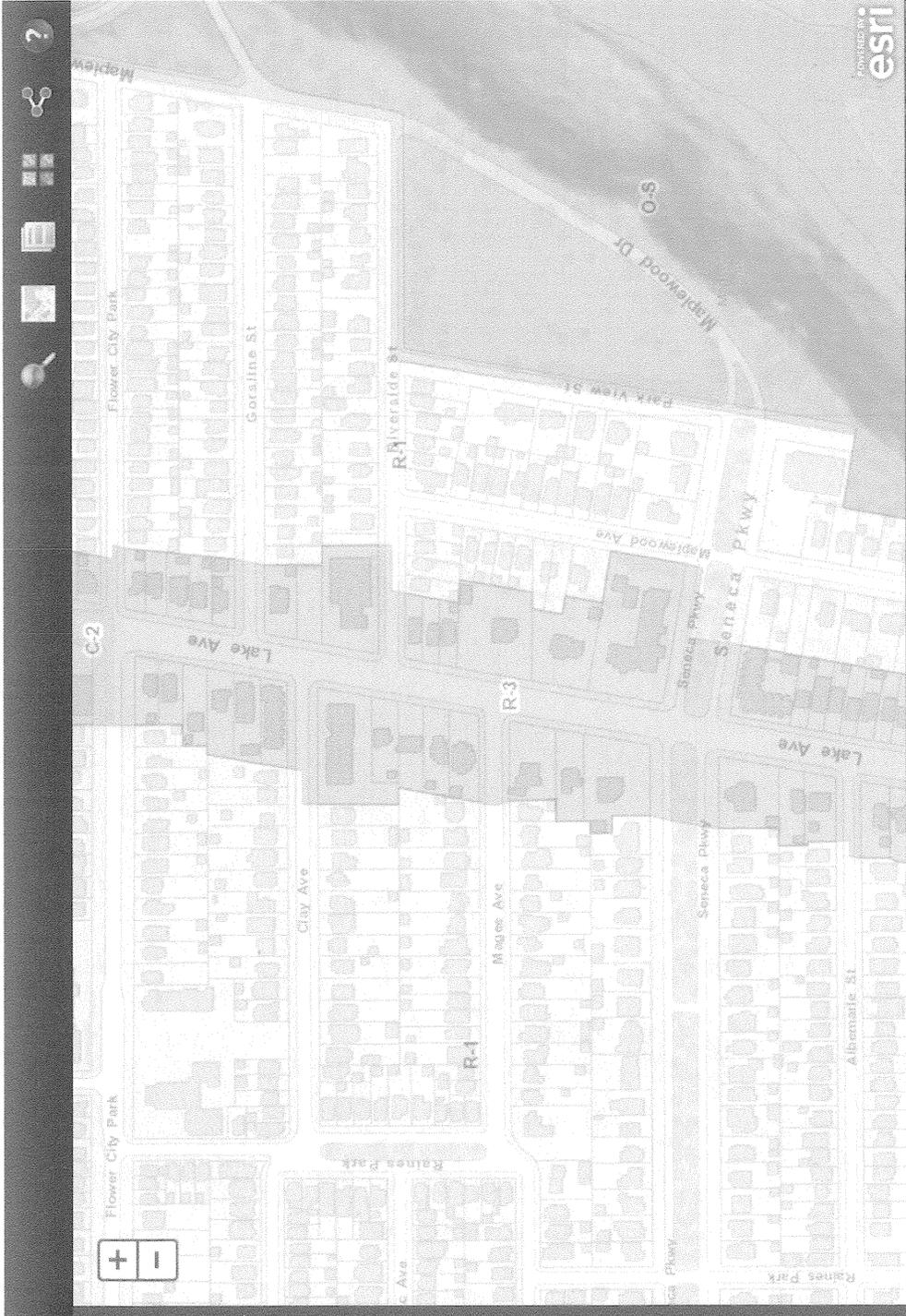
11.74 Feet | Area: 27176.57 Square Feet

1302 lake

Search By:  Address  Owner  SBL

SBL  Address

090.59-2-23 1302 Lake Ave







**CITY PLANNING COMMISSION  
STAFF REPORT  
February 22, 2016**

**EXTENSION OF TIME**

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**File Number:** E-035-13-14  
**Case Type:** Special Permit  
**Applicant:** Jeffrey Benjamin, Ubiquity, Inc.  
**Address:** 1092-1096 Joseph Avenue  
**Zoning District:** R-1 Low Density Residential District  
**Section of Code:** 120-182E(2)(i)

**Request:** To extend for an additional year the Special Permit approval to establish a community center in this vacant building to provide educational, recreational and athletic programs for area youth.

**Analysis:**

At the February 10, 2014 City Planning Commission hearing, the applicant's request to establish a community center to provide educational, recreational and athletic programs for area youth was granted (see attached Notice of Decision, dated February 14, 2014).

As per Section 120-182E(2)(i), upon written request, prior to the expiration of the original time limit, the Director of Planning and Zoning may extend the original time limit imposed for a period not to exceed the length of the original period. For any additional time limit extension, the Director of Planning and Zoning shall notify the appropriate approval body that shall make a recommendation for or against the extension.

On February 20, 2015, an extension of this approval was granted by Director of Planning and Zoning, C. Mitchell Rowe, until February 14, 2016 (see attached Extension Approval).

A second request for an extension of time was submitted by the applicant on February 1, 2016 (see attached Application and Email).



City of Rochester, NY

**EXTENSION OF TIME**  
(Section 120-182E(2)(i))  
**BUREAU OF PLANNING AND ZONING**  
CITY HALL, 30 CHURCH STREET, ROOM 125B  
ROCHESTER, NEW YORK 14614

**APPLICATION**

Upon written request, prior to the expiration of the original time limit, the Director of Planning and Zoning may extend the original time limit imposed for a period not to exceed the length of the original period. For any additional time limit extension, the Director of Planning and Zoning shall notify the appropriate approval body that shall make a recommendation for or against the extension.

Request for an extension of time for:

- Site Plan Review # SP-\_\_\_\_\_
- Special Permit # E- 035-13-14
- Other: \_\_\_\_\_
- Variance # V-\_\_\_\_\_
- Cert. of Appropriateness # A-\_\_\_\_\_
- File # \_\_\_\_\_

BUILDING BUREAU  
ROOM 121

10:32AM Feb 3/16  
01-0002-001 Linda  
#18987

Length of extension requested (provide time frame or ending date): FEBRUARY 10, 2017

Zonins \$100.00  
INF 1098 JOSEPH AV

APPLICATIONS ARE ACCEPTED AT THE PERMIT OFFICE, CITY HALL, 30 CHURCH STREET, ROOM 121B.

Charge \$100.00

Office Use	<u>APPLICATION REQUIREMENTS:</u>
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	1. Two (2) copies of this application. 2. One (1) copy of the approval letter or Notice of Decision for each item for which you are requesting an extension of time. 3. Information or documentation supporting and relating to your request for an extension of time. 4. Fee: \$100.00.

1. PROJECT ADDRESS(ES): 1088-1096 Joseph Avenue
2. APPLICANT: Jeffery Benjamin COMPANY NAME: UBIQUITY INC  
 ADDRESS: 1096 Joseph Ave CITY: Rochester ZIP CODE: 14621  
 PHONE: 585-415-4978 FAX: 585-544-9167  
 E-MAIL ADDRESS: djffbenjamin@aol.com  
 INTEREST IN PROPERTY: Owner  Lessee \_\_\_\_\_ Other \_\_\_\_\_
5. REASON FOR EXTENSION OF TIME: TO MODIFY EXISTING INTERIOR SPACE IN ORDER TO RUN PROGRAMS

SIGNATURE: Jeffery Benjamin DATE: 2-1-2016

## Wiedrick, Jill

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**From:** Jeffery Benjamin <djffbenjamin@aol.com>  
**Sent:** Tuesday, February 09, 2016 10:31 AM  
**To:** Wiedrick, Jill  
**Subject:** Re: request for extension

Hello Jill,  
Sorry for the delay in the response regarding the extension on 1096 Joseph.

Explanation:

The reason that I have requested the extension for the Special Permit for an additional year is due to a detailed planning process involved with our architect,(Scott Fiske) who is in currently assisting the agency with the proper zoning laws that would be applicable to the use of the facility.

If you should need any further clarification on the project please let me know.

Thank You



Jeffery Benjamin

-----Original Message-----

**From:** Wiedrick, Jill <Jill.Wiedrick@CityofRochester.Gov>  
**To:** 'Jeffery Benjamin' <djffbenjamin@aol.com>  
**Sent:** Tue, Feb 9, 2016 9:38 am  
**Subject:** request for extension

Hi Jeff,

I still haven't received from you details as to why you require an extension for the special permit. As we discussed over the phone, this information is critical for City Planning Commission to make their decision. Please get this information in writing to me by Thursday.

Thank you,  
Jill

**Jill M. Wiedrick, AICP**  
Senior City Planner  
City Hall, Room 125 B  
30 Church Street  
Rochester, New York 14614  
585-428-6914  
[wiedricj@cityofrochester.gov](mailto:wiedricj@cityofrochester.gov)



February 14, 2014

Mr. Jeffrey Benjamin  
1119 Joseph Avenue  
Rochester, New York 14621

**NOTICE OF DECISION**

**In the matter of the request for a Special Permit to: establish a community center in this vacant building to provide educational, recreational and athletic programs for area youth.**

**ON THE PREMISES AT: 1092-1096 Joseph Avenue**

**ZONING DISTRICT: R-1 Low Density Residential**

**APPLICATION NUMBER: E-035-13-14**

**VOTE: 4-0-0**

**PLEASE TAKE NOTICE** that at the City Planning Commission meeting held on February 10, 2014, the Planning Commission, as Lead Agency, issued a negative declaration for the proposed action, determining no significant effect on the environment in accordance with Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the Rochester Municipal Code, and said application was **APPROVED**.

**Please Note:** Pursuant to Section 120-192B(7) of the City Code, a Special Permit shall become null and void one (1) year after the date on which it was issued unless a Building Permit, Certificate of Zoning Compliance, and or a Certificate of Occupancy is obtained and maintained. **Please contact Jill Wiedrick at 428-6914 to complete the approval process.**

**CITY PLANNING COMMISSION**

C. Mitchell Rowe  
Secretary, City Planning Commission

2014 FEB 14 PM 4:57  
RECEIVED  
CITY OF ROCHESTER  
CLERK/COUNCIL OFFICE

**Resolution and Findings of Fact:**

This decision was based on the following findings of fact:

**A. The proposed building or use will be in harmony with the goals, standards and objectives of the Comprehensive Plan.**

- 1) The goals and objectives of the Comprehensive Plan are reflected in the 2003 Zoning Code that requires Special Permit approval to establish public and semipublic uses, including but not limited to schools, library, police stations and fire stations in an R-1 Low Density Residential District. The definition of public and semipublic use includes community center.
- 2) Pursuant to Section 120-192B(2) of the Zoning Code, the Special Permit procedure is intended to provide a means to establish those uses having some special impact or uniqueness which requires a careful review of their location, design, configuration and special impact to determine the desirability of permitting their establishment on any given site. They are uses that may or may not be appropriate in a particular location depending on a weighing in each case, of the public need and benefit against the local impact and effect.

**B. The proposed building or use will not have a substantial or undue adverse effect upon adjacent properties.**

- 1) The subject property is a structure that was formerly used as an apartment on the first floor of the front building, an office and rooming unit on the first floor of the middle building, an indoor vehicle repair facility in the rear building, and a disco/party room on the second floor of the rear building based on a previous Certificate of Nonconforming Use application from January 31, 2011.
- 2) The applicant wishes to establish a community center to provide educational, recreational and athletic programs for area youth, as well as a banquet facility that will also be part of the community center.
- 3) All activities will occur within the building. In documentation provided by the applicant, the hours of operation will be Tuesday-Friday from 11:00AM to 9:00PM for administrative offices, and after school events will be held Monday-Friday from 3:00PM to 9:00PM, Saturdays from 9:00AM to 11:00PM and Sundays (scheduled events only) 12:00PM to 8:00PM. In verbal testimony, the applicant stated that the latest the proposed community center would be open would be 11:00PM on Saturdays.
- 4) The Planning Commission determined that establishing a community center at this location is a good adaptive reuse of this building since its configuration makes it difficult to re-use. According to the Planning Commission, a community center would benefit the neighborhood by providing area youth with a place to go for educational, recreational and athletic programs. In his

application and in his testimony, the applicant stated that there would be ample adult supervision on the premises, which addressed the concerns expressed by neighbors that the youth may be unsupervised while at the community center.

5) Based on the information presented above, the Planning Commission determined that the proposed use would not have a substantial or undue adverse effect upon adjacent properties.

**C. The proposed building or use will not dominate the immediate vicinity or interfere with the development and use of neighboring properties.**

The proposal to establish a community center will not dominate the immediate vicinity or interfere with the development or use of neighboring properties. The applicant's proposal to establish a place for youth to participate in educational, recreational and athletic programs will meet a need in the community for a safe place for youth to go after school and on weekends. The establishment of a community center will be a positive presence in the neighborhood.

**D. The proposed building or use will be served by essential public facilities and services.**

The available utilities and services are sufficient to meet the demands of the proposed use.

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

There are no natural, scenic or historic features of significant importance on the site or in close proximity of the subject property that will be impacted by the proposed use.

**Based on these facts and findings, be it resolved that the City Planning Commission APPROVES application E-035-13-14 by Jeffrey Benjamin, to establish a community center in this vacant building to provide educational, recreational and athletic programs for area youth at 1092-1096 Joseph Avenue.**

This decision was based on the following testimony and evidence:

**Supporting Testimony:**

Jeffrey Benjamin  
Donna Ecker  
Sylvia Salmon  
Kyran Salmon

**Opposing Testimony:**

**Evidence:**

**Staff Report**  
**Special Permit Application and Standards**  
**Project Description**  
**Not-for-Profit Documentation**  
**Site Map**  
**Aerial photograph of site**  
**Survey map**  
**Floor plan**  
**Email in Support from Donna Ecker, dated February 10, 2014**  
**Short Environmental Assessment Form Parts I and II**  
**Notice of Environmental Determination dated February 10, 2014**  
**Personal Appearance Notice**  
**Notification Labels**  
**Speakers' list**

**Record of Vote:**

<b>D. Watson</b>	<b>Approve</b>
<b>S. Rebholz</b>	<b>Approve</b>
<b>H. Zimmer-Meyer</b>	<b>Approve</b>
<b>E. Marlin</b>	<b>Absent</b>
<b>H. Hogan</b>	<b>Approve</b>

**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: Special Permit Determination

**PROJECT:** Location: 1092-1096 Joseph Avenue  
Applicant: Jeffrey Benjamin  
Description: To establish a community center in this vacant building to provide educational, recreational and athletic programs for area youth.

**REASON(S) FOR DETERMINATION:** The project site does not contain sensitive natural features (e.g. wetlands, steep slopes, erodible soils, wildlife habitat, etc.) No significant impacts are anticipated with respect to water or air quality. Community facilities/services (e.g. water supply, energy supplies, public safety, waste disposal and transportation) are adequate to accommodate and serve the proposed project. The project will not affect historic or archaeological resources. The project is compatible with the area and adjacent uses.

**LEAD AGENCY:** City Planning Commission

**AGENCY CONTACT PERSON:** Jill Wiedrick, Senior City Planner  
Bureau of Planning and Zoning, (585) 428-6914

**DATE ISSUED:** February 10, 2014

This declaration and supporting information is on file and available for public inspection with the Bureau of Buildings & Zoning, Room 125-B, City Hall.

**FILE REFERENCE NUMBER:** E-035-13-14

**DISTRIBUTION:** Planning Commission  
Case File



**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

February 20, 2015

Mr. Jeffrey Benjamin  
Ubiquity, Inc.  
1096 Joseph Avenue  
Rochester, New York 14621

Re: Request for Extension of Approval  
Special Permit #E-035-13-14  
1092-1096 Joseph Avenue

Dear Mr. Benjamin:

I am in receipt of application requesting an extension of time for the Special Permit approval to establish a community center in a vacant building to provide educational, recreational and athletic programs for area youth at 1092-1096 Joseph Avenue.

Pursuant to Section 120-182E(2)(i) of the Zoning Code, the Director of Planning and Zoning is authorized to grant extensions of time for a period not to exceed the length of the original period of the decision or one (1) year. For any additional time limit extensions, the appropriate approval body shall be notified and shall make a recommendation to the Director.

Your request for an extension has been granted for one (1) additional year, until February 14, 2016.

If you have any questions regarding this letter, please contact Jill Wiedrick, Senior Planner at (585) 428-6914.

Sincerely,

  
C. Mitchell Rowe  
Director of Planning and Zoning