ZONING BOARD OF APPEALS
STAFF REPORT
March 24, 2016

Area Variance

Case # 1: Staff Reviewer: Jill Symonds

File Number: V-050-15-16 ***Held from the 02/18/16 Hearing**

Applicant: Mark Minunni

Project Address: 495 St. Paul Street

Zoning District: CCD-R Center City District – Riverfront District

Section of Code: 120-158

Request: **To demolish a Designated Building of Historic Value as part of a project that includes the construction of a new brewing facility and tank farm for the Genesee Brewery.**

Background: The subject project has been reviewed through the Site Plan Review process and Preliminary Site Plan Findings are attached which identify all required variances.

Subsequent to the February 18, 2016 public hearing, additional information including the site selection process, site map, and quotes for work on the building were provided.

Code Compliance: 120-158 prohibits the demolition of a Designated Building of Historic Value **(area variance required).**

Code Enforcement: The subject property is not in code enforcement.

PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. **PROJECT ADDRESS(ES):** 495 St. Paul Street

2. **APPLICANT:** Mark Minunni **COMPANY NAME:** High Falls Operating Co, LLC

   ADDRESS: 445 St. Paul Street **CITY:** Rochester **ZIP CODE:** 14605

   PHONE: 585-263-9265 **FAX:** _____

   E-MAIL ADDRESS mark.minunni@nabreweries.com

   INTEREST IN PROPERTY: Owner ☑ Lessee ☐ Other ☐

3. **PLAN PREPARER:** Marathon Engineering

   XC **ADDRESS:** 39 Cascade Drive **CITY:** Rochester **ZIP CODE:** 14614

   PHONE: 585-458-7770 **FAX:** _____

4. **ATTORNEY:** Pam Mellon/Kelly Diggins

   XC **ADDRESS:** 445 St. Paul Street **CITY:** Rochester **ZIP CODE:** 14605

   PHONE: 585-263-9419 / 716-604-1064 **FAX:** _____

   E-MAIL ADDRESS pam.mellon@nabreweries.com/kelly.diggins@nabreweries.com

5. **ZONING DISTRICT:** CCR

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

BUILDING BUREAU
ROOM 121

1:10PM Jan 25/16
01-0002 001 BVD
#18474

Zoning $250.00
INFO 495 ST PAUL
CHECK $250.00

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

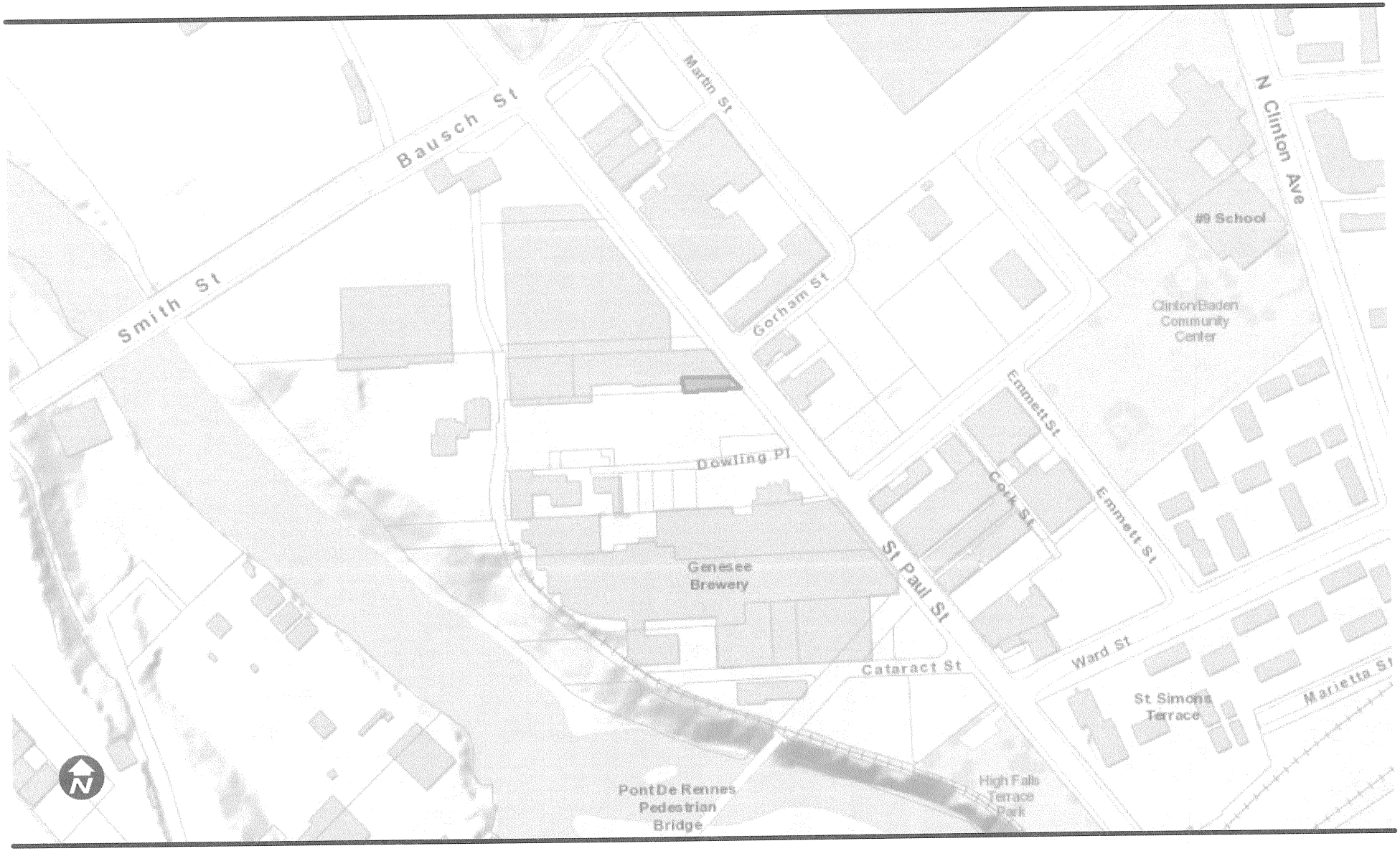
APPLICANT: I certify that the information supplied on this application is complete and accurate, and that the project described, if approved, will be completed in accordance with the conditions and terms of that approval.

SIGNATURE: _____ **DATE:** 1/15/16

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.

SIGNATURE: _____ **DATE:** _____

495 ST PAUL ST



February 5, 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 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 17, 2016

Mr. Mark Minunni
High Falls Operating Company
445 St. Paul Street
Rochester, NY 14605

Re: Preliminary Site Plan Findings
S-024-15-16; 471, 479 and 495 St. Paul Street
CCD-R Center City Design – River District

Dear Mr. Minunni:

A preliminary review of your application for site plan approval to remove a parking lot, storage tanks and an historic building, abandon a city street, and construct a new brewing facility and tank farm, has been completed. The following findings and recommendations have resulted from this review. Please contact Peter Siegrist at 585-428-7238 or peter.siegrist@cityofrochester.gov with any questions or concerns.

Existing Conditions:

The project site consists of three contiguous parcels fronting St. Paul Street, totaling about two acres of a 27 acre industrial complex:

- #471 contains a paved parking lot of about 20 spaces, contiguous with the public sidewalk along St. Paul Street, with access from Dowling Place;
- #479 consists of a continuation of the parking lot at #471 fronting 22 large storage tanks, which begin about 150 feet back from St. Paul Street;
- #495 is largely filled by a two-story, two-part brick building of an estimated 8,300SF, fronting on St. Paul Street, used for storage, and considered eligible for listing in the National Register of Historic Places. The front half of the building appears on the earliest map of the city, from 1888.

The brewery complex of buildings, tanks, conveyors, parking lots, etc. abuts the gorge of the Genesee River on the northern edge of the city center. The nearest point of the project site to the gorge wall is approximately 350 feet.

Dowling Place is a public right-of-way about 450 feet long that serves only the brewing complex and ends in the midst of storage tanks, loading docks and buildings. It has no defined edges: no curbs, gutters or tree lawns, and remnants of a sidewalk on one side. It blends almost seamlessly into paved parking lots on either side that use the right-of-way as drive aisles. The street's intersection at St. Paul Street is defined only by partial curbs and by traffic signal lights that were installed within the past 10 years.

Project Scope:

The proposal is to clear the three parcels of parking, storage tanks and a brick building, construct a new building for brewing and for recovering carbon dioxide, and install new storage tanks. A separate, but related, action is to abandon Dowling Place as a public right-of-way and incorporate it into the brewery lands.

The new building would be approximately 17,500SF on one level, roughly el-shaped, and front St. Paul Street and Dowling Place. It would be comprised of two sections, one called a 'coldblock' for brewing and the other to recover carbon dioxide from the brewing process. Together, both sections would extend across the three parcels, a distance of about 200 feet, filling a broad gap in the street wall between an adjacent brewery building and Dowling Place. Though only a single story, it would be almost 29' tall, about equal to the other brewery buildings along the street. The street façade would be mainly clear glass, allowing views inside to the brewing operations. The long leg of the el would extend back along Dowling Place about 360 feet, with a façade matching the one along St. Paul Street. From the roof of the el, 16 storage tanks would rise upward perhaps another 30 feet.

Behind the new building, in the location of the current tank farm, approximately 42 new tanks would be installed for the storage of brewing liquids. These tanks would be taller and narrower than the current tanks, and set in a similar grid pattern.

SEQR/Chapter 48 Compliance:

In accordance with Article 8 of the New York State Conservation Law and Chapter 48 of the Rochester City Code, a Notice of Environmental Determination is enclosed. This Determination, pursuant to these statutes, is a prerequisite to a decision by the Zoning Board of Appeals.

Code Compliance Review:

1. The subject site is located in CCD-R Center City Design – River zoning district. Per code section 120-62, all uses are permitted in fully enclosed buildings. While the 'coldblock' building itself is enclosed, several storage tanks rise above its roof. Another 42 tanks stand unenclosed behind the building, but the lower half of each is screened from public view by the building.

Findings:

1. This 'major' site plan review is required because the design of the proposed building deviates considerably from the design criteria of the zoning code, the project involves demolition of a Designated Building of Historic Value, and the project was determined to be a Type 1 Action pursuant to Chapter 48 "Environmental Review" of the City Code.

2. The Type 1 determination is due to the location of the brewery campus at the edge of the river gorge, and the industrial nature of the development.

Furthermore, the Environmental Assessment tool of the NYS Department of Conservation lists 479 St. Paul Street as being within a critical environmental area and potentially containing unnamed endangered or threatened species.

The project is intended to reduce environmental impacts by replacing old, inefficient brewing practices, thus greatly decreasing the consumption and discharge of water, and by capturing carbon dioxide for reuse in beverages. Fresh water is provided by the City Water Bureau and wastewater is managed by Monroe County Pure Waters. Upon completion of the project, about 795,000 gallons of liquid waste would be generated daily.

3. The Rochester Environmental Commission reviewed the proposal at its meeting of January 21, 2016, as required for a Type 1 Action. The Commission determined that the project would have no significant impact on the natural or historic environment. The Commission's comments are attached.

4. The project sponsor states that the building at 495 St. Paul Street is in a location critical for brewing operations, and that its removal is essential for the project. It would be replaced by a new building to house equipment to collect and process carbon dioxide that results from fermenting beer. The applicant states that the equipment must be proximate to the fermentation tanks to reduce the amount of piping and pumps and to limit release of the gas to the atmosphere.

The building to be demolished consists of two sections that together hold about 6,800SF of floor space. Both are two stories tall, both built of brick and both painted rust orange. The front section is about 20'W x 40'D, with low floor-to-floor heights and a low-pitched roof. It appears to be older than the rear section and is in a style common from c.1840-75. The rear section is about 25'W x 40'D, has taller floor heights and a flat roof. The south and east sides of both sections are visible, but the north and west sides are blocked by adjoining structures.

In 1984, the building was assessed for its historic importance by the Landmark Society of Western New York, as part of a survey of historic resources in the river corridor. The surveyors did not identify the building's origins, but they believed it had been built sometime before 1868 and had housed a wagon maker. In their report, the surveyors noted that the building was occupied by the City's 'pattern works' for several decades, and that it was surrounded by the brewery complex. They described the building's style as vernacular Greek Revival, and their photographs show the building much as it stands today.

Results of the River Corridor Survey were sent to the New York State Historic Preservation Office (SHPO), which is the federally-designated, state-level agency that assesses properties for listing in the National Register. At that time, now over 30 years ago, the SHPO found that 495 St. Paul Street retained enough integrity to be eligible for listing. But, for the building to actually attain listing, someone would have had to document its history and condition, again working with the SHPO. This was not done, so the building remained on the eligible list.

In 2003, the zoning code began to regulate properties listed or eligible for listing in the National Register, calling them Designated Buildings of Historic Value, or DBHVs. Section 120-65B of the zoning code states that demolition of a DBHV is prohibited, unless an area variance is obtained from the Zoning Board of Appeals. A hearing before the Zoning Board is scheduled for February 18, 2016.

The variance application notes that state funding may be used to implement the project. Given its eligibility for the National Register, demolition of 495 St. Paul Street may have to be coordinated with the SHPO.

In preparation for the Zoning Board hearing, the City's preservation planner, Peter Siegrist, AIA, visited the building and searched city archives for historical information. Little was found, which is not unusual given the simple, industrial nature of the building. Maps of the area from 1888, 1900 and 1910 show a building of this footprint in this location, but do not specify its function. Each map shows railroad tracks running alongside the building from the west, suggesting that this was always an industrial site. The maps also show that all of the parcels on the west side of St. Paul Street were, and are still, skewed about 45 degrees from the north-south orientation of the street, as are the buildings they contain. As a result, the building at 495 St. Paul Street does not meet the street squarely, but fronts a small, triangular plaza abutting the public sidewalk. Due to this angle, and because of the building along the north side, only the narrow front façade is visible to passersby.

Loss of a building of this age can reasonably be mitigated by giving the public a new building that fills a void in the street wall and displays a significant part of our heritage: beer brewing. Although this building may have fit elsewhere on the campus, thereby avoiding demolition, the building would not have faced a public street and would not have been attractive to the public. That attractiveness is critical to repopulating the many large, historic buildings in the neighborhood that are empty or underutilized. In that way, the loss of a small building may help preserve these larger ones.

5. Zoning code section 120-67 regulates the external appearance of new buildings in Center City through design standards. Elements of a proposed building that deviate from the standards must be reviewed by the Director of Planning & Zoning. If the Director finds that the deviations would produce a building that meets the intent of the code and fits within the character of the district, she may waive the requirements through site plan review. The proposed building does not meet the following standards:

   - Buildings shall exhibit a tall, narrow mass on the primary street frontage. The ratio of length to height of the street facade shall be between 1:1 and 1:2.5. *The street façade of the proposed building is 144 feet long by 28.67 feet high, a ratio of 5:1. To meet the lower ratio, a building of this width would need to be about 14 stories tall, which is inconsistent with the character of the district and not terribly useful for brewing operations.*

- Buildings shall be between three and six stories and 30 feet to 72 feet tall.
  The proposed building is a single, tall story about 28.67feet high. That height nearly matches that of the other brewery buildings along the St. Paul Street.

- The street frontage setback shall vary every 30 feet between 2 feet and 4 feet.
  The intent of this standard is to break up long facades to create visual interest. In this case, visual interest is created by opening the brewing operations to public view through large expanses of glass.

- The façade shall have a defined base, midsection and crown. Window openings shall diminish in size to reinforce the base, midsection and crown.
  This standard was written with traditional Main Street buildings in mind, where taller buildings in a traditional style are desired.

- The base shall be a minimum 50% to a maximum 65% window coverage.
  The intent of this standard is to increase the visual permeability of buildings' first floors while retaining some amount of solidity, again along the lines of traditional architecture. The façade of the brewery building is largely transparent, comprised of large panes of glass interrupted by bands of brick.

- Building entrances shall be provided on the street frontage, and recessed at least 3 feet.
  The brewery building is not open to the public, like a traditional main street building, and thus has no entrances facing the street.

- Rooflines shall be delineated with decorative crown cornices at least 2 feet wide.
  This standard was written with a goal of replicating traditional Main Street-type buildings. A decorative crown on a modern, industrial building would not be appropriate.

- Façade lighting shall be wall-mounted luminaires historic in character and mounted no higher than the top of the second floor.
  This standard was also written in consideration of traditional buildings. Modern lighting would be appropriate on the proposed modern building.

- One sign identifying the building is permitted per street frontage, and shall be located no higher than the second floor and be no larger than 2' high and 25SF in area.
  The renderings show one sign on the street frontage, larger than permitted, which would require approval by the Director of Planning and Zoning through a process called an Administrative Adjustment.

6. The City's Project Review Committee, a team of design professionals that advises the Director of Planning & Zoning on urban design issues, reviewed the proposal at its meeting of January 6, 2016. The committee lauded the applicant for offering a transparent building at the street front that fills a gap in the street

wall. The committee's singular suggestion is to move the building back off the edge of the sidewalk along St. Paul Street. Because the sidewalk is narrow and the distance from the street curb to the property line is minimal, the building would crowd the sidewalk. Moving the building westward about 5 feet and paving the resulting strip would provide pedestrians with a more comfortable space for viewing and allow space for snowplows.

7. The City Water Bureau was made aware that water usage will be reduced due to increased efficiency in the brewing process.

8. John Hassett, Environmental Health and Safety Manager for North American Breweries, reported that he works with the NYS Department of Environmental Conservation on air emissions permitting, and that the facility is in compliance.

9. Brewery manager Mark Minunni met with Mike Garland, Director of Monroe County Department of Environmental Services, on January 21, 2016 to explain that the project will result in decreased wastewater discharges to the County Pure Waters sewer system.

   Separately, Pure Waters asked the site engineer to submit a stormwater management report to assess whether storm flows would increase with the new construction, and whether on-site detention may be required. The site engineer was also asked to complete an abbreviated PW-2 application for review.

10. According to the project sponsor, there will not be an increase in noise or odors, and no light spillage onto neighboring properties or public rights of way.

<u>Abandonment of Dowling Place by the City and sale of the land to the brewery</u>

1. High Falls Operating Company proposes to assume ownership of the entire public right-of-way of Dowling Place and incorporate it into the brewery complex. The company owns all the land fronting Dowling Place and served by it.

2. The new 'coldblock' building does not impede on the Dowling Place right-of-way and could be constructed without the abandonment.

3. Eight parcels with Dowling Street addresses—3, 7, 11, 14, 15, 18, 19 and 30—must be resubdivided (i.e. combined) into one or more parcels that front St. Paul Street. Parcels cannot be landlocked without frontage on a public right-of-way.

4. The City Water Bureau maintains a 12" cast iron water main beneath Dowling Place that had supplied water to the brewery complex until March, 1991 when it was severed and capped about 240 feet west of St Paul Street. The main still serves a city-owned fire hydrant at the main's west end.

   When transferring the Dowling Street right-of-way to brewery ownership, the main must be abandoned where it connects to the main beneath St Paul Street by removing the 12" x12" tee and installing a 12" insertion sleeve. The hydrant

must be removed and returned to the Water Bureau. The applicant must work directly with the Water Bureau on this process.

The site plan must be revised to accurately plot and label the water mains, and to show the abandonment of the main as described above. A schematic drawing is attached that shows the information to include on the site plan. For clarity, the plan should be drawn at a scale of 1"= 10' or 20'. The plan should also include the Water Bureau Site Plan signature box for our approval.

5. The City Department of Environmental Services (DES) provided comments, which are attached. Among its comments, DES states that if Dowling Street is abandoned, the opening at St. Paul Street must be reconstructed to a standard transition-style driveway apron, and that the traffic signal at St. Paul Street may be unnecessary. DES will review this with Monroe County DOT.

6. Monroe County Pure Waters maintains a combination sewer in Dowling Place. If the street is abandoned, ownership of the sewer would transfer to the brewery, along with any street drainage structures.

Additional information required:

We will need the following information prior to issuing final site plan approval:

1. Any change in the current pattern and frequency of deliveries to and from the site (S to help us determine whether the traffic light is warranted;
2. Any proposed outdoor storage that would need to be screened from public view;
3. The methods of storing and removing trash, if any is produced;
4. Sign materials and lighting, if any;
5. Any rooftop mechanical equipment that must be screened from the street;
6. Any landscaping.

Please note that this is not a comprehensive listing of additional approvals required, especially those required by Monroe County or the State of New York.

Sincerely,

Zina Lagonegro, AICP, EIT
Director of Planning and Zoning

xc: Eric Schaaf, Marathon Engineering
Jill Symonds, Zoning Board of Appeals
Jill Wiedrick, City Planning Commission
Jason Haremza, Project Review Committee
Willard Van Dame, Department of Environmental Services
Project file

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]
Project :
Date :

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "**Yes**" to a numbered question, please complete all the questions that follow in that section.
- If you answer "**No**" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land

Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) ☑ NO ☐ YES

If "Yes", answer questions a - j. If "No", move on to Section 2.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☐	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☐	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☐	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☐	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☐	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☐	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☐	☐
h. Other impacts: _____		☐	☐
_____			

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) ☑ NO ☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____ _____		☐	☐

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) ☑ NO ☐ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☐	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☐	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☐	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☐	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☐	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☐	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☐	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☐	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☐	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☐	☐

l. Other impacts: _____		☐	☐

4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) ☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐
h. Other impacts: _____		☐	☐

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) ☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☐	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐

g. Other impacts: _____ _____		☐	☐

6. Impacts on Air

The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D,2,h, D.2.g) ☑ NO ☐ YES

If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO_2)	D2g	☐	☐
ii. More than 3.5 tons/year of nitrous oxide (N_2O)	D2g	☐	☐
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☐	☐
iv. More than .045 tons/year of sulfur hexafluoride (SF_6)	D2g	☐	☐
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☐	☐
vi. 43 tons/year or more of methane	D2h	☐	☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____ _____		☐	☐

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) ☑ NO ☐ YES

If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☐	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☐	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☐	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☐	☐

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☐	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☐	☐
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	☐	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____ _____	E1b	☐	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☐	☐
j. Other impacts: _____ _____		☐	☐

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☐	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	☐	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☐	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☐	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	☐	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☐	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☐	☐
h. Other impacts: _____		☐	☐

9. **Impact on Aesthetic Resources** The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) *If "Yes", answer questions a - g. If "No", go to Section 10.*		☑ NO	☐ YES
	Relevant Part I Question(s)	**No, or small impact may occur**	**Moderate to large impact may occur**
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	☐ ☐	☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	☐ ☐	☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile ½ -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: _____ _____		☐	☐

10. **Impact on Historic and Archeological Resources** The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) *If "Yes", answer questions a - e. If "No", go to Section 11.*		☐ NO	☑ YES
	Relevant Part I Question(s)	**No, or small impact may occur**	**Moderate to large impact may occur**
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	☑	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☑	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☑	☐

d. Other impacts: The proposed action will result in the demolition of a building determined eligible for listing in the National Register of Historic Places in a 1984 survey.		☑	☐
e. If any of the above (a-d) are answered "Yes", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	☐	☑
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	☐	☑
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	☑	☐

11. Impact on Open Space and Recreation

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.
(See Part 1. C.2.c, E.1.c., E.2.q.)

☑ NO ☐ YES

If "Yes", answer questions a - e. If "No", go to Section 12.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts: _____		☐	☐

12. Impact on Critical Environmental Areas

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)

☑ NO ☐ YES

If "Yes", answer questions a - c. If "No", go to Section 13.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
c. Other impacts: _____		☐	☐

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems. ☑ NO ☐ YES
(See Part 1. D.2.j)

If "Yes", answer questions a - g. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☐	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☐
c. The proposed action will degrade existing transit access.	D2j	☐	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☐	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☐
f. Other impacts: _____ _____		☐	☐

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy. ☑ NO ☐ YES
(See Part 1. D.2.k)

If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☐	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
e. Other Impacts: _____ _____			

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting. ☑ NO ☐ YES
(See Part 1. D.2.m., n., and o.)

If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☐	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☐	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☐	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☐	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☐	☐
f. Other impacts: _____		☐	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) ☑ NO ☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No,or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☐	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☐	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☐	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts: _____			

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) ☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	☐	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____ _____		☐	☐

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) ☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts: _____ _____		☐	☐

PRINT FULL FORM

Agency Use Only [If Applicable]

Project :

Date :

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

10. Impact on historic resources: The project sponsor states that the building at 495 St. Paul Street is in a location critical for brewing operations, and that its removal is essential for the project. It would be replaced by a new building to house equipment to collect and process carbon dioxide that results from fermenting beer. The applicant states that the equipment must be proximate to the fermentation tanks to reduce the amount of piping and pumps and to limit release of the gas to the atmosphere. The building to be demolished consists of two sections that together hold about 6,800SF of floor space. Both are two stories tall, both built of brick and both painted rust orange. The front section is about 20'W x 40'D, with low floor-to-floor heights and a low-pitched roof. It appears to be older than the rear section and is in a style common from c.1840-75. The rear section is about 25'W x 40'D, has taller floor heights and a flat roof. The south and east sides of both sections are visible, but the north and west sides are blocked by adjoining structures.

In 1984, the building was assessed for its historic importance by the Landmark Society of Western New York, as part of a survey of historic resources in the river corridor. The surveyors did not identify the building's origins, but they believed it had been built sometime before 1868 and had housed a wagon maker. In their report, the surveyors noted that the building was occupied by the City's 'pattern works' for several decades, and that it was surrounded by the brewery complex. They described the building's style as vernacular Greek Revival, and their photographs show the building much as it stands today.

Results of the River Corridor Survey were sent to the New York State Historic Preservation Office (SHPO), which is the federally-designated, state-level agency that assesses properties for listing in the National Register. At that time, now over 30 years ago, the SHPO found that 495 St. Paul Street retained enough integrity to be eligible for listing. But, for the building to actually attain listing, someone would have had to document its history and condition, again working with the SHPO. This was not done, so the building remained on the eligible list.

In preparation for the Zoning Board hearing, the City's preservation planner, Peter Siegrist, AIA, visited the building and searched city archives for historical information. Little was found, which is not unusual given the simple, industrial nature of the building. Maps of the area from 1888, 1900 and 1910 show a building of this footprint in this location, but do not specify its function. Each map shows railroad tracks running alongside the building from the west, suggesting that this was always an industrial site. The maps also show that all of the parcels on the west side of St. Paul Street were, and are still, skewed about 45 degrees from the north-south orientation of the street, as are the buildings they contain. As a result, the building at 495 St. Paul Street does not meet the street squarely, but fronts a small, triangular plaza abutting the public sidewalk. Due to this angle, and because of the building along the north side, only the narrow front façade is visible to passersby.

Loss of a building can reasonably be mitigated by giving the public a new building that fills a void in the street wall and displays a significant part of our heritage: beer brewing. Although this building may have fit elsewhere on the campus, thereby avoiding demolition, the building would not have faced a public street and would not have been attractive to the public. That attractiveness is critical to repopulating the many large, historic buildings in the neighborhood that are empty or underutilized. In that way, the loss of a small building may help preserve these larger ones.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☑ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☑ Part 1 ☑ Part 2 ☑ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information
Site plans, building drawings, historical information, review by the Rochester Environmental Commission.

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the Director of Planning & Zoning as lead agency that:

☑ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Expansion of brewery and demolition of a building eligible for listing in the National Register of Historic Places

Name of Lead Agency: Bureau of Planning & Zoning, City of Rochester, NY

Name of Responsible Officer in Lead Agency: Zina Lagonegro, EIT, AICP

Title of Responsible Officer: Director of Planning & Zoning

Signature of Responsible Officer in Lead Agency: Date: 3/17/16

Signature of Preparer (if different from Responsible Officer) Date:

For Further Information:

Contact Person: Peter J. Siegrist, AIA, Senior Planner

Address: Rochester City Hall, Room 121B, City Hall, 30 Church Street, Rochester, NY 14614

Telephone Number: (585)428-7238

E-mail: peter.siegrist@cityofrochester.gov

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)
Applicant (if any)
Environmental Notice Bulletin: http://www.dec.ny.gov/enb/enb.html

PRINT FULL FORM

City of Rochester

Inter-Departmental Correspondence

one city

To: Peter Siegrist, Senior City Planner

From: Jim Quackenbush, Permit Inspector JQ 2/3/16

Date: February 3, 2016

Subject: 495 St. Paul St., SP 024–15-16

A review of the above referenced site plan prompts the comments and concerns from the Department of Environmental Services, Permit Office.

DES Permit Required: _X_ YES __ NO

A DES permit is required for any work within right-of-way, or obstruction thereof, and must be so noted on the construction plans. All plan revisions must be dated and noted. Summary of the attached City Street Design Division review:

- PLANS – Request for Grading, Utility, Details sheets. The site plan sheet must be revised with additional detail of existing conditions, including curb cuts on opposite side of St Paul Street. Note 45 foot curb cut closure, and exposed aggregate restoration requirement of the driveway apron area, on plan.
- OFFICIAL MAP AMENDMENT, Dowling Place – A separate review process will produce additional comments and conditions for approval beyond the scope of this transmittal.

If you have any questions or need any clarification on the above mentioned concerns, please contact me at ext. 6791.

Attachments

Xc: A. Giglio, Engineer/Street Design
B. VanDame, Permit Coordinator
J. Quackenbush, Inspector
Permit File

G:/div/perm/sp/St Paul St at Dowling Pl/Permit Office IDC.docx

City of Rochester

Inter-Departmental Correspondence

To: James J. Quackenbush, DES/Permits

From: Albert J. Giglio, P.E., DES/Managing Engineer/Street Design

Date: January 20, 2016

Subject: SP #024-15-16: 471, 479 and 495 Saint Paul Street – Genesee Brewery improvements

Our office has completed its review of the December 15, 2015 preliminary site plan for the Genesee Brewery improvements located at 471, 479 and 495 Saint Paul Street.

The existing site encompasses numerous properties on the west side of Saint Paul Street between Bausch Street and Cataract Street. The site is accessed through Dowling Place and one driveway opening off of Saint Paul Street.

The applicant has proposed to demolish an existing building listed on the City's registry of old buildings, remove an existing parking lot and storage tanks to construct two new buildings and new storage tanks.

Additionally, the applicant has proposed acquiring the City street named Dowling Place that bisects the Genesee Brewery properties. Dowling Place is a deadend street that runs westward from Saint Paul Street to approximately 450 feet into the Genesee Brewery property and serves as an interior roadway.

The site plan submitted does not adequately depict the existing conditions and should be revised and resubmitted. Site plans must show the driveway openings on the opposite side of the roadway. Additionally, utility and grading plans are required to indicate provisions for surface drainage due to proposed site changes.

The existing 45 foot wide driveway opening off of Saint Paul Street, approximately 130 feet north of Dowling Place must be permanently closed. All driveway openings permanently closed must be closed off by installing new stone curb across the opening, removing the existing apron, and replacing the existing sidewalk area as required. The reveal of the new stone curb is to match the existing curb reveal at both ends of the closure.

The area between the new curb and sidewalk shall be restored to exposed aggregate concrete to match the material in the adjoining tree lawn areas.

There is to be no saw cutting or partial replacement of existing sidewalk or curb. Any areas of the existing public sidewalk or curb, including underdrain pipe, that are damaged or negatively impacted by any portion of the work must be replaced. Sidewalk must be replaced to the nearest full sidewalk flag and curb must be replaced to the nearest control joint with new full height stone curb. All proposed sidewalk in the public right-of-way must be constructed to be sloped such that water drains away from private property and towards the street.

The proposed street abandonment of Dowling Place requires an amendment of the Official Map abandoning the dedicated right-of-way. Amendments are initiated by an application addressed to the City Council and filed with the City Engineer.

The Dowling Street opening must be reconstructed to a standard transition style driveway apron once the property is acquired by the Genesee Brewery.

The City allows commercial two-way driveway openings to be a maximum of 24 feet not including transitions. One-way driveway openings are to be 16 feet maximum. The applicant may propose a driveway opening that is in excess of 24 feet, if necessary to support larger sized vehicles that will be accessing the site on a regular basis. The proposed width of the driveway opening is to be one that is sufficient to provide for safe and adequate vehicular access into and out of the site, without causing any unsafe or hazardous turning movements, or requiring any encroachment into the opposing traffic lanes, nor onto any lawn or curb park areas immediately adjacent to and opposite the driveway opening.

For driveway openings proposed in excess of 24 feet wide, a vehicle turning template analysis with vehicle clearances, swept paths and maneuvers must be completed and submitted to the City Engineer's office for review and approval.

It is unclear whether the existing traffic signal at Dowling Place will be warranted if the roadway is converted to a driveway apron and will require review and comments from Monroe County Department of Transportation.

A full grading plan for the site that include both existing and proposed contours, as well as spot elevations was not provided with the submission. Grading plans are required for review. The site is to be graded such that storm water runoff is managed on-site either through green infrastructure methods or conveyed to the public sewer system, but in no case is the runoff to be conveyed onto the public right-of-way or an adjoining property.

City of Rochester construction details R608-5 Driveway Apron, S608-17 Depressed Sidewalk at Driveway, R608-6 Concrete Sidewalk and Driveway, S609-16 Stone Curb Replacement – Asphalt Base, and S609-17 Stone Curb Replacement – Concrete Base must be included in the plans.

All required improvements within the public right-of-way are to be done to the City of Rochester standard construction specifications and details, and as approved of by the City Engineer. The City of Rochester standard construction specifications and details for any improvements within the public right-of-way are to be included with the construction documents, in their latest version, and without any alterations. A PDF version of the City's standard construction specifications and details can be found on the City of Rochester's website, under "Services – Contracts, Bids, RFPs – Public Works Construction Documents".

All improvements within the public right-of-way are to be secured by a letter-of-credit in an amount sufficient to cover the cost of the required work, plus thirty-five per cent (35%) for administration costs. The letter-of-credit is to be filed with the DES/Permit Office for work within the public right-of-way, is to be effective the same day the permit is issued, and is to run for a period of 18 months.

The applicant will have 6 months from the date the permit is issued to complete the required improvements. If the work is not completed within the 6 month period, the City will take over the work and draw on the letter-of-credit as necessary.

These comments reflect concerns from the Street Design section only, and do not reflect any issues or comments that may arise from other City or County departments.

AJG: kmb kmb

xc: Brent Penwarden PE / MCDOT
Terry L. Mott, DES/Permits
Willard VanDame, DES/Permits

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Siegrist, Peter J.

From: Gugel, Geoffrey W.
Sent: Tuesday, February 02, 2016 1:57 PM
To: Siegrist, Peter J.
Subject: RE: Genesee Brewery comments?
Attachments: City Water Site Plan Approval Stamp.pdf; Dowling Place Abandonment.pdf; Water Main Notes.pdf

Peter,

Currently the City maintains a 12" Cast Iron water Main in Dowling Place. This water main was a feed for the Brewery internal piping system supplying the complex. In March of 1991 the water main was severed and capped approximately 240 feet west of the west property line of St Paul The Brewery complex is no longer fed from this 12-inch water main. A city fire hydrant was placed at the end of the City water main before the separation.

If the City agrees to abandonment of Dowling Place with transfer of the property to the Brewery, the 12-inch water main and hydrant are to be abandoned. The applicant must work directly with the City Water Bureau for the water main abandonment and removal of the fire hydrant. The Water Bureau requires that the 12-inch water main in Dowling Place be abandoned at the connection to the 12-inch water main in St Paul Street by removal of the 12 x12 inch tee and installation of a 12 –inch insertion sleeve. The fire hydrant shall be removed and returned to the Water Bureau.

The current site plan does not accurately plot and label the water mains. The plan should address the abandonment of the water main as described above. I have attached a water main schematic with notes on what should be included in the site plan. It would be preferable to have the planned water work on Dowling Place detailed at a scale of 1"= 10 ' or 20' for clarity. General water main notes shall be included on the site plan. The site plan shall also include the Water Bureau Site Plan signature box for our approval.

Please have the design engineer contact me directly.

Thank you,
Geoff

Geoffrey W. Gugel
Senior Engineer / Water Design

Department of Environmental Services
Bureau of Water
10 Felix Street
Rochester, NY 14608

office: 585 428-6629
cell: 585 943-8663
fax: 585 428-7880
E-mail: gugelg@cityofrochester.gov
web: www.cityofrochester.gov/DES/

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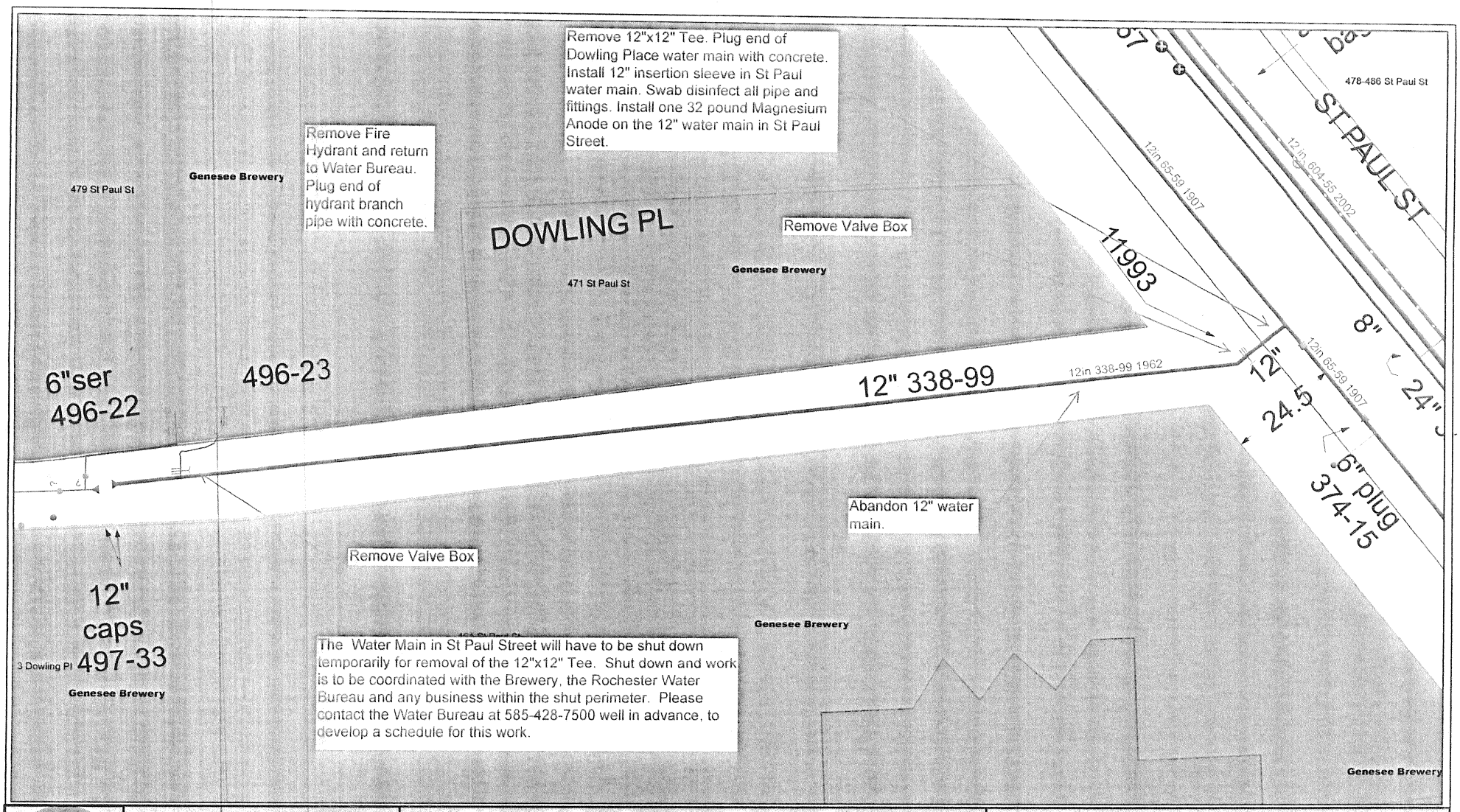


City of Rochester Water Bureau Water Record Map

NOTE: The water main locations as shown on this drawing are approximate and should be used for planning purposes only, Prior to any construction, field locations should be verified by calling Dig Safely New York at 1-800-962-7962.

Water Bureau Contact Information

Customer Service - (585)428-5990
Water Bureau Dispatch Office - (585)428-7500
Water Bureau Maps & Records - (585)428-7562

Water Main Notes

1. The Rochester Water Bureau requires that a hydrant use permit be obtained by the Contractor prior to using any hydrant as a source of water supply. The permit requires the use of a water meter and a backflow preventer. The Water Bureau will supply a water meter and backflow preventer with the permit. The permit fee includes a refundable deposit for the use of the water meter and backflow preventer.

2. For all abandoned water main and hydrant branches, the Contractor shall plug all cut and open ends with 12-inches of concrete. The Contractor shall leave abandoned main line, hydrant branch and service valves in the closed position.

3. The Contractor shall exercise caution when working near water mains which are to be retained. No vibratory equipment is to be used over or adjacent to existing water mains.

4. Appropriate measures shall be taken to prevent dirt, debris, surface and ground water from contaminating the water main. The water level in the excavation at open pipe ends shall never be less than 12 inches below the invert of the water main. Whenever an open pipe end is left unattended, it shall be covered in a water tight manner.

5. The interior of all water main pipe, valves and fittings four (4) inches and larger, must be spray or swab disinfected with a minimum 1% - 5% solution of chlorine no more than 30-minutes prior to installation. Additionally, the exterior surfaces of existing pipe and fittings that new pipe and fittings will be connected to must be thoroughly cleaned and disinfected.

6. All new ductile iron water main shall be installed with polyethylene encasement.

7. All work shall be conducted in accordance to the City of Rochester Waterworks Specifications and Details, available from the Water Bureau's Engineering Division and can also be found on the City Web-Site. All fittings and pipe used on the water system shall conform the products designated on the Water Bureau's Approved Products List.

8. An insertion sleeve is used to replace a fitting or valve that is cut out and removed from a water main. When installed on cast iron or ductile iron water mains, the insertion sleeve will consist of two mechanical joint solid sleeves with a short piece of DIP positioned between the sleeves. Because older cast iron pipe may have a larger outside diameter than ductile iron pipe, the use of dual purpose solid sleeves may be required when installing an insertion sleeve on cast iron pipe.

9. Water valves and hydrants are to be operated only by authorized Water Bureau personnel. Call the Water Bureau Dispatch Office (428-7500) 24 to 48 hours in advance to schedule the operation of valves for a water shut. The contractor is responsible for advance notification of all customers that will be effected by the shut as determined by Water Bureau personnel.

CITY OF ROCHESTER WATER BUREAU

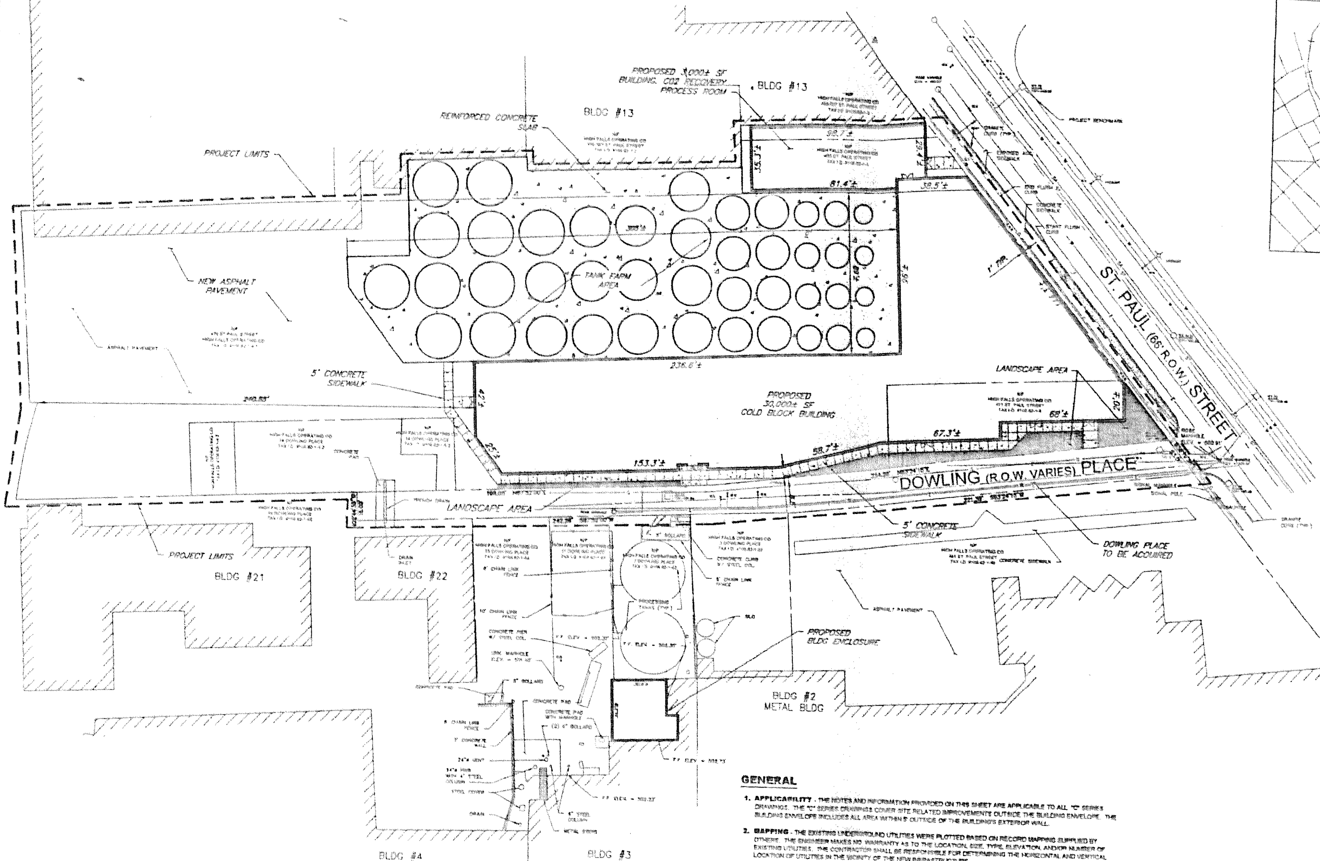
APPROVED ONLY FOR WATER FACILITY WORK SHOWN WITHIN THE PUBLIC RIGHT-OF-WAY, UP TO AND INCLUDING THE CURB VALVE, AND INCLUDING THE WATER METER VAULT NEAR THE RIGHT-OF-WAY, IF APPLICABLE. THE OWNER, DEVELOPER OR THEIR PLUMBER IS RESPONSIBLE FOR ACQUIRING ALL NECESSARY PERMITS FROM THE CITY BEFORE BEGINNING ANY WORK.

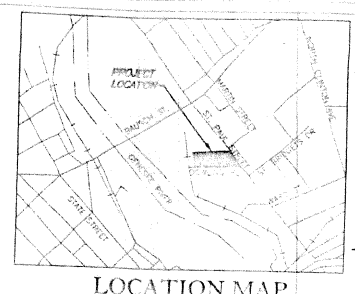
IF A BACKFLOW PREVENTION DEVICE IS REQUIRED, THE WATER BUREAU WILL NOT ISSUE A WATER SERVICE PERMIT UNTIL THE PLANS FOR THE BACKFLOW PREVENTION DEVICE HAVE BEEN APPROVED BY THE MONROE COUNTY DEPARTMENT OF PUBLIC HEALTH.

☐ BACKFLOW DEVICE REQUIRED

☐ BACKFLOW DEVICE NOT REQUIRED

SIGNATURE TITLE DATE





LOCATION MAP

NOT TO SCALE

NORTH

PROJECT STATISTICS

1. GENERAL:

PROJECT STATISTICS ARE FOR ENTIRE PROJECT LIMIT AREA WHICH COVERS SEVERAL PARCELS

1.1 PROPERTY OWNER - HIGH FALLS OPERATING CO

1.2 PROPERTY ADDRESS - 471, 479 & 495 ST. PAUL STREET ROCHESTER, NY [illegible]

1.3 TAX ACCOUNT - [illegible]

1.4 AREA - [illegible]

1.5 AREA OF DISTURBANCE - [illegible]

1.6 BUILDING INFORMATION:

EXISTING BUILDING [illegible]

PROPOSED BUILDING (COLD BLOCK) 1ST FL. [illegible] 2ND FL. [illegible] TOTAL [illegible]

PROPOSED BUILDING (CO2 RECOVERY) 1ST FL. [illegible]

TANK FARM AREA [illegible]

2. ZONING REGULATIONS:

2.1 ZONING DISTRICT - CCD - R LIGHT MANUFACTURING INDUSTRIAL DISTRICT RIVERFRONT DISTRICT

2.2 CODE REQUIREMENTS -

	REQUIRED	PROPOSED
SET BACKS FRONT	0 ft	1 ft
SIDE	0 ft (MAX)	[illegible]
REAR	0 ft	[illegible]
	EXISTING	PROPOSED
LOT COVERAGE	100%	97%
BUILDING COVERAGE	7%	[illegible]

2.3 VARIANCES

NO VARIANCES REQUIRED

GENERAL

1. **APPLICABILITY** - THE NOTES AND INFORMATION PROVIDED ON THIS SHEET ARE APPLICABLE TO ALL "C" SERIES DRAWINGS. THE "C" SERIES DRAWINGS COVER SITE RELATED IMPROVEMENTS OUTSIDE THE BUILDING ENVELOPE. THE BUILDING ENVELOPE INCLUDES ALL AREA WITHIN 5' OUTSIDE OF THE BUILDING'S EXTERIOR WALL.

2. **MAPPING** - THE EXISTING UNDERGROUND UTILITIES WERE PLOTTED BASED ON RECORD MAPPING SUPPLIED BY OTHERS. THE ENGINEER MAKES NO WARRANTY AS TO THE LOCATION, SIZE, TYPE, ELEVATION, AND/OR NUMBER OF EXISTING UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE HORIZONTAL AND VERTICAL LOCATION OF UTILITIES IN THE VICINITY OF THE NEW INFRASTRUCTURE.

3. **STAKEOUT** - THE CONTRACTOR SHALL NOTIFY DIG SAFELY NEW YORK ([illegible]) FOR A UTILITY STAKEOUT 48 HOURS IN ADVANCE OF COMMENCING WORK. STAKEOUT OF PRIVATE UTILITIES SHALL BE COORDINATED WITH THE OWNER.

4. **PROPERTY PROTECTION** - THE CONTRACTOR IS RESPONSIBLE FOR DAMAGE TO EXISTING PAVEMENT, CURBS, WALKS, LAWNS, TREES, ETC. CAUSED BY THEIR CONSTRUCTION OPERATIONS. ALL DAMAGE SHALL BE REPAIRED OR REPLACED BY THE CONTRACTOR TO THE OWNER'S SATISFACTION AT NO ADDITIONAL EXPENSE.

5. **ACCESS** - THE CONTRACTOR SHALL PROVIDE SATISFACTORY VEHICULAR ACCESS TO ALL ADJOINING PROPERTIES, PRIVATE ROADWAYS, PARKING FACILITIES, AND PUBLIC STREETS DURING CONSTRUCTION.

6. **SITE SAFETY** - PRIOR TO AND THROUGHOUT CONSTRUCTION, THE CONTRACTOR SHALL POST SIGNAGE IN CONFORMANCE WITH THE REQUIREMENTS OF THE LOCAL MUNICIPALITY AND OCCUPATIONAL HEALTH AND SAFETY ACT (OSHA). JOB SAFETY AND MAINTENANCE AND PROTECTION OF TRAFFIC IS THE RESPONSIBILITY OF THE CONTRACTOR.

7. **EXCAVATIONS** - ALL EXCAVATIONS SHALL BE BACKFILLED/BARRICADED TO THE SATISFACTION OF THE OWNER'S REPRESENTATIVE AT THE CONCLUSION OF EACH WORKING DAY.

8. **MAINTENANCE** - PUBLIC STREETS, PRIVATE DRIVES AND PARKING FACILITIES SHALL BE KEPT FREE OF FOREIGN MATERIALS. ALL AREAS SHALL BE SWEPT CLEAN AT THE END OF EACH WORKING DAY AND/OR AS DIRECTED BY THE OWNER'S ON-SITE REPRESENTATIVE.

9. **CONSTRUCTION STORAGE** - STORAGE OF EQUIPMENT AND MATERIALS SHALL BE WITHIN A SPECIFIED AND SECURED AREA AS DETERMINED IN CONTRACT DOCUMENTS OR AS SPECIFIED BY THE OWNER'S ON-SITE REPRESENTATIVE.

10. **PERMIT(S)** - PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL OBTAIN THE NECESSARY PERMITS FROM THE APPLICABLE MUNICIPALITY OR AGENCY. THE CONTRACTOR IS RESPONSIBLE FOR ALL BONDS AND INSURANCES AND THE OWNER IS RESPONSIBLE FOR PERMIT FEES UNLESS OTHERWISE STATED IN THE OWNER/ CONTRACTOR AGREEMENT.

11. **INTERIM CONDITIONS** - THE CONTRACTOR IS RESPONSIBLE TO MAINTAIN POSITIVE DRAINAGE AWAY FROM BUILDINGS AND WITHIN PROJECT AREA TO A STABILIZED OUTLET THROUGHOUT THE CONSTRUCTION PERIOD. THIS MAY REQUIRE INTERIM GRADING, SHIMMING OF PAVEMENT ETC. THAT IS NOT SPECIFICALLY SHOWN ON THE PLANS AND SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.

12. **SPECIFICATIONS** - TECHNICAL SPECIFICATIONS, IF SUPPLIED AS PART OF CONTRACT DOCUMENTS, ARE INTENDED TO AID AND HELP DEFINE THE CONTRACTOR'S WORK SCOPE. IF DISCREPANCIES OCCUR THE CONTRACTOR SHALL REQUEST A CLARIFICATION.

NOTES (CONT.)

13. **STAKEOUT** - THE CONTRACTOR SHALL NOTIFY DIG SAFELY NEW YORK ([illegible]) FOR A UTILITY STAKEOUT 48 HOURS IN ADVANCE OF COMMENCING WORK. STAKEOUT OF PRIVATE UTILITIES SHALL BE COORDINATED WITH THE OWNER.

14. **BOUNDARY** - BOUNDARY INFORMATION WAS TAKEN FROM MAP TITLED SITE SURVEY MAP PREPARED FOR [illegible] ST. PAUL STREET & DOWLING PLACE CONVEYANCE PREPARED BY [illegible] SURVEYING DATED NOVEMBER [illegible] AND IS SHOWN FOR GRAPHICAL REPRESENTATION ONLY.

15. **DATUM** - THE VERTICAL DATUM WAS SET USING STORM DRAINAGE INLET ELEVATION OBTAINED FROM A UTILITY PLAN COMPILED BY BERGMANN ASSOCIATES DATED MAY 2012.

LEGEND:

EXISTING	PROPOSED	DESCRIPTION
		SIGN
		LIGHT POLE
		POWER POLE
		GAS MAIN & VALVE
		ELECTRIC CONDUIT & STRUCTURE
		TELEPHONE CONDUIT & STRUCTURE
		CENTERLINE AND STATIONING
		RIGHT-OF-WAY OR PROPERTY LINE
		CURB
		FENCE (DESCRIPTION)
		SANITARY SEWER WITH MANHOLE
		STORM SEWER, MANHOLE & FIELD/DROP INLET
		WATER MAIN WITH HYDRANT & GATE VALVE
		CENTERLINE OF SWALE
		CONTOUR
		DRAINAGE FLOW ARROW
		SPOT ELEVATION
		TREE LINE
		TREE PROTECTION
		PARKING SPACE COUNT

MARATHON ENGINEERING
39 CASCADE DRIVE
ROCHESTER, NY 14614
PHONE 585-458-7770
www.marathoneng.com

PRELIMINARY SITE PLANS FOR GENESEE BREWERY CAPITAL IMPROVMENTS

CITY OF ROCHESTER MONROE COUNTY NEW YORK

JOB NO.	0707-15
SCALE	1"=30'
DRAWN	KJH
DESIGNED	KJH
DATE	12/15/15

REVISIONS

DATE	BY	REVISION

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ROBERT P. BRINGLEY

DRAWING TITLE: SITE LAYOUT PLAN

1 of 1 SHEET No.

0707-15 JOB No.

C1.0 DRAWING No.

High Falls Operating Co, LLC
Area Variance Statement of Difficulty
Section 120-195B(4)(b)

A. Benefits: *The benefits to the applicant outweigh any detriment to the health, safety and welfare of the neighborhood or community by granting the variance.*

The variance requested is to demolish a nonfunctional building located at 495 St. Paul Street ("Existing Structure") on the Genesee Brewery Campus. The Existing Structure is a 6,800 square foot brick building which is eligible for listing in the National Registrar of Historic Places. Images of the Existing Structure are attached in Exhibit A. The need to demolish this building is necessitated by High Falls Operating Co, LLC/North American Breweries' ("NAB") plans to modernize the brewery.

In December 2015, NAB announced a triple bottom line, five year plan to create the Genesee Eco-Brewery District that will grow the business, spark innovation and raise quality standards for New York State's beer industry, while creating an attractive destination for brewing, and experiencing beer. The plan has been spotlighted as a priority project in the Finger Lakes Regional Economic Development Council's winning proposal for the New York Upstate Revitalization Initiative. The five year plan highlights include adding a 17,500 square foot building on St. Paul Street with glass viewing walls; installing one of the most advanced brewing systems in the world, which will make the brewery more competitive and efficient and improve environmental stewardship; expanding the Genesee Brew House and its pilot brewery, as well as adding event and classroom space; and building community partnerships that deliver social and environmental value to the City of Rochester("Eco-Brewery Project").

NAB has pledged $24 million dollars of capital investment in 2016 to modernize brewery operations. This will include the installation of state-of-the-art brewing vessels and a new filter room housed in a 17,500 square foot building that features a glass viewing wall on St. Paul Street ("New Structure"). Two stories of glass viewing walls will provide the community and our visitors with a first ever street side view into the brewery and its operations. Behind the building, NAB will install new and smaller beer holding tanks, equipped to store a larger variety of beers. Renderings of the New Structure are attached as Exhibit B.

Unfortunately, in order to provide adequate space for the New Structure, the site plan requires demolition of the Existing Structure. The Existing Structure has been largely vacant since the mid-1990's and is currently only used for storing maintenance equipment.

While demolition of this structure is unfortunate, the Eco-Brewery Project will have a significant positive impact on the Genesee Brewery, the Brewery's immediate neighbors and the City of Rochester, as detailed below:

Job Growth

The employment forecast for the Eco-Brewery Project anticipates continued job growth at the Genesee Brewery. In 2009, the Genesee Brewery employed about 350 people in Rochester. Today, the Brewery employs approximately 584 people, adding temporary staff to the Brewery and Genesee Brew House during the peak summer season. The Eco-Brewery Project will sustain jobs with the goal of adding up to 100 new jobs across the Brewery and Genesee Brew House. In addition, the project is forecasted to create hundreds of temporary construction jobs.

Tourism

It is expected that the Eco-Brewery Project will also continue to attract tourism to the local area. The Genesee Brew House currently contributes approximately $7.5 million dollars of economic impact to the region. Upgrades and expansion plans for the popular Genesee Brew House include:

- A larger interactive museum and consumer experience that focuses on New York State's rich brewing history
- A larger tasting bar focused on celebrating beer from around the region
- A larger pilot brewery to increase innovation and the number and variety of small batch beers
- A small auditorium/classroom and conference space for hands-on learning
- A larger kitchen with more space for preparation and storage
- New event space to accommodate more than 100 people

Once complete, the Eco-Brewery District is projected to attract an estimated $20 million in tourism to Rochester annually.

Rochester Center City Master Plan

Finally, the Eco-Brewery Project will benefit the local neighborhood and Rochester Center City by advancing the goals set forth in the 2014 Center City Master Plan ("City Plan"). In the City Plan, Mayor Warren and Commissioner Smith identified the fundamental vision for Rochester's Center City as "an urban community of lively streets and public spaces that is a desirable place to live, a desirable place to work, and because of that, a desirable place to visit"[1]. Lively streets are those that have human activity and interaction occurring on or among them and are built at a human scale.[2]

It is anticipated that the New Structure will help create those lively streets by providing the community and our visitors a unique reason to visit and walk down St. Paul Street. Pedestrians will be able to look directly into the brewery and watch our operations in real time. NAB intends for this structure to become a destination on St. Paul Street improving the walkability on this important corridor to the City.

---

[1] City Plan, p. 14.
[2] City Plan, p. 16.

The City Plan is organized around seven leverage points, five of which are advanced by the Eco-Brewery Project. Specifically, the Eco-Brewery Project will advance leverage points 1, 2, 4, 5 and 6 by:

- Improving the public spaces along and immediately adjacent to the Genesee River including St. Paul Street, Cataract Street and the Pont de Rennes bridge;
- Improving and expanding the Genesee Brew House which is a destination of interest that fosters public engagement in the community;
- Improving the walkability of St. Paul Street by eliminating a vacant first floor, blank walls and a surface lots along street frontage, and replacing with a New Structure that abuts the curb, is regularly occupied and has permeable glass windows;
- Building a best in class brewing destination which celebrates the unique history of the Brewery which has existed in Center-City-River District since 1878; and,
- Advancing arts and culture via expanded event and museum offering at the Genesee Brew House.

B. Essential Character of the area. *No undesirable changes will be produced in the character of the neighborhood, or a detriment to nearby properties will be created by the granting of the variance.*

Granting the variance will not result in any undesirable changes to the neighborhood nor will it cause a detriment to nearby properties. Rather, the character of the neighborhood will be significantly improved if the requested variance is granted.

The New Structure will be predominately placed on St. Paul Street, an area of the Brewery Campus that is highly visible to our neighbors, pedestrians and the community. While the building will house manufacturing operations, the glass viewing walls will make the structure permeable and provide a unique view directly into our facility. The structure will improve the aesthetics of St. Paul Street, making it a more attractive downtown corridor.

In December 2015, NAB engaged in initial discussions with local neighborhood and community groups to discuss the Eco-Brewery Project. These groups were provided with an overview of the project and renderings of the New Structure and voiced their support for the project.

C. No Other Remedy. *There is no other means feasible for the applicant to pursue, other than the granting of this area variance.*

Given the layout of the 27 acre Brewery Campus, NAB has no feasible remedy other than to demolish the Existing Structure.

During planning for the Eco Brewery Project, NAB, along with a brewery engineering firm evaluated vacant space on the brewery grounds to determine a feasible site for the New Structure. In evaluating potential sites, several factors were considered. These included:

- The amount of space required to house the entire system
- The proximity to other Brewing and Packaging Equipment for increased efficiency

- The desire to present a new and inviting face of the brewery to the neighborhood and those who enter the City from the Northeast corridor

When considering the above, the vacant space along St. Paul Street was identified as the most suitable parcel for the New Structure. In order to fully accommodate filtration, storage and fermentation and CO_2 recovery, the premises at 495 St. Paul Street will need to be demolished. Other available sites on the Brewery Campus were considered and rejected as they were either not large enough, too remote from the already existing brewing and packaging equipment or did not satisfy the requirement of improving the neighborhood.

Specifically, the footprint currently occupied by 495 St. Paul St. will house CO_2 collection, purification, liquefaction and storage equipment. It is imperative that this system be physically located as close to the fermentation tanks as possible. As beer ferments, it produces CO_2 gas. This gas is collected for use later in the process. Locating the equipment remotely from the tanks will reduce the efficiency of the system, cause a higher amount of gas to be released to the atmosphere and require more piping and pumping equipment.

NAB is also unable to sell the premise at 495 St. Paul Street to a third party. The space that is encompassed by these premises is of significant value to the Brewery and is required to move forward with this construction of the New Structure.

D. <u>Not Significant</u>: *The requested variance is not substantial.*

Given the scope of the Eco-Brewery Project, the variance requested is not significant. The Eco-Brewery Project will result in significant improvements to and modernization of the Brewery. While NAB seeks to demolish one 6,800 square foot structure, we plan to either build or improve upon a total of 68,300 square feet as part of the Eco-Brewery Project.

NAB understands that the building for which the variance is sought was designated largely because of its age rather than its physical features. The building is a standard box like structure and does not appear to have any unique architectural features.

E. <u>Physical and Environmental Conditions</u>. *The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.*

The variance requested will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood. Rather, granting this variance will have an overall positive impact on the physical and environmental conditions of the neighborhood.

The Existing Structure serves no functional purposes given the brewery layout and provides no positive impact to the physical or environmental conditions in the neighborhood. Many of the buildings windows are impermeable or shuttered. The area immediately to the west of the structure is an empty surface lot.

In contrast, the New Structure will be aesthetically unique and will improve the physical conditions of the neighborhood.

There will be no adverse environmental impact if the variance is granted. As the structure is surrounded by other building, the immediate environment and vegetation will not be impacted. Further, as the structure is more than 500 feet from the Genesee River, demolition and subsequent construction will not negatively impact High Falls or the riverfront. Rather, the New Structure will house brewery upgrades that will make the business run much more efficiently, and position Genesee for long-term sustainability. The modernization and new equipment will reduce energy consumption, conserve water, and decrease waste.

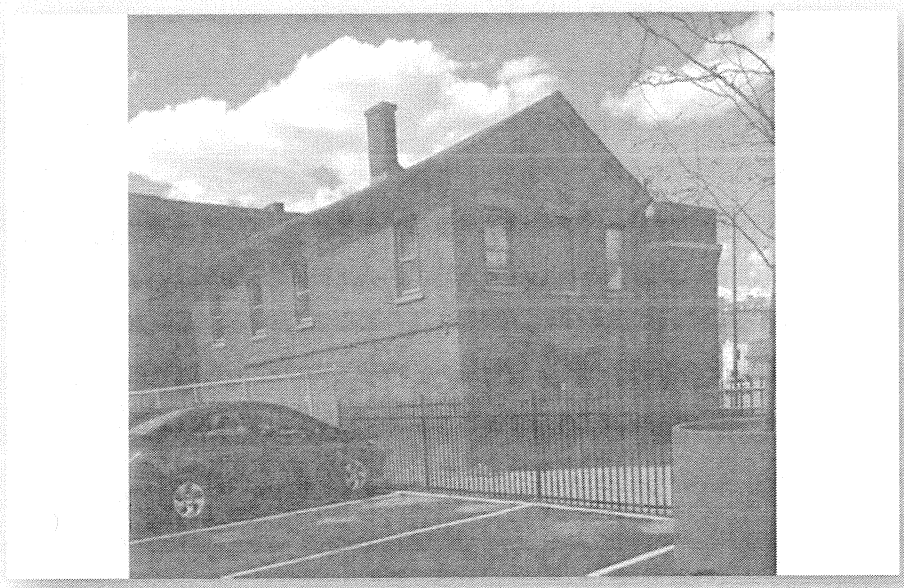
F. <u>Not Self-Created</u>. *The alleged difficulty was not self-created, the consideration of which shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of a variance.*

The need for the variance was not created by NAB. In 2009, NAB, through its wholly owned subsidiary High Falls Operating Co, LLC acquired the entire 27 acre Brewery Campus which included the premises at issue.

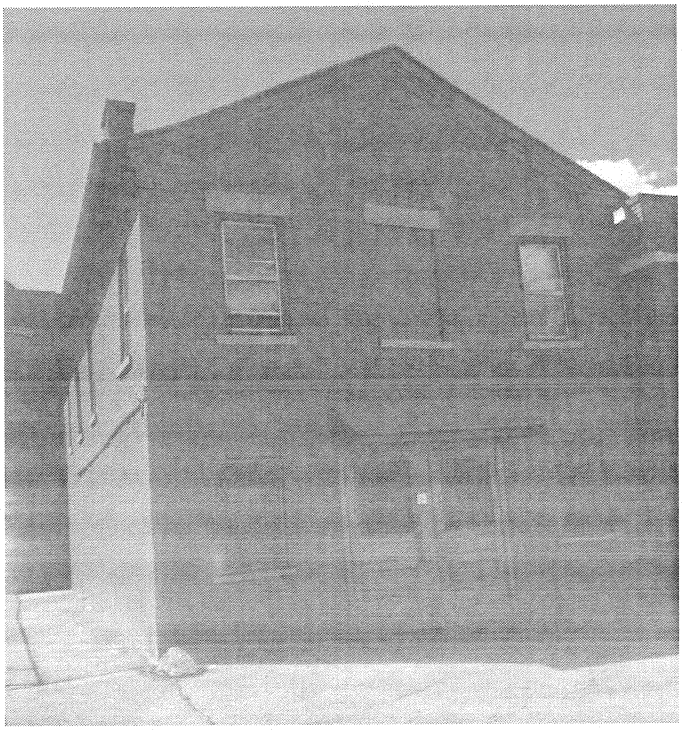
At the time of the acquisition, the Existing Structure had already been identified as eligible for listing on the National Registrar. However, the Existing Structure has served no functional purpose on the Brewery Campus for the past 20 years. While the structure housed offices in the mid- 1990's, it has been vacant since that time and served only as a storage facility for maintenance equipment.

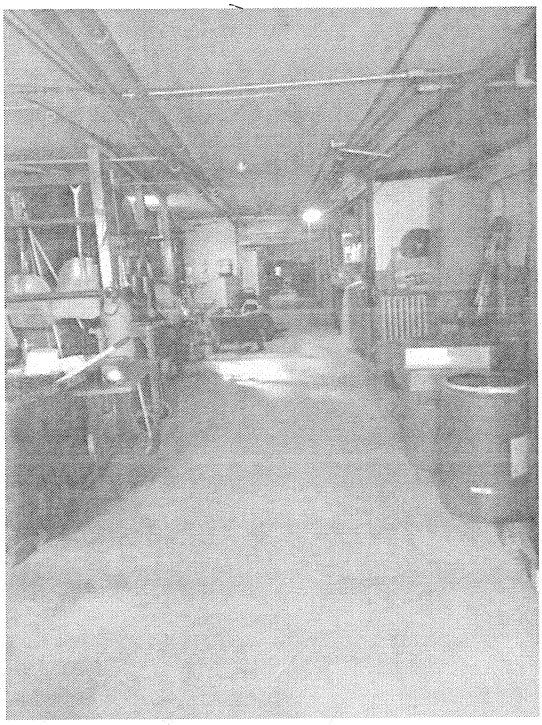
Given the plans for expansion, space is at premium on the Brewery Campus and the correct building site is of utmost importance to our construction plans. In order to pursue our plans for modernization and investment, NAB must have the ability to demolish the premise at 495 St. Paul Street.

EXHIBIT A

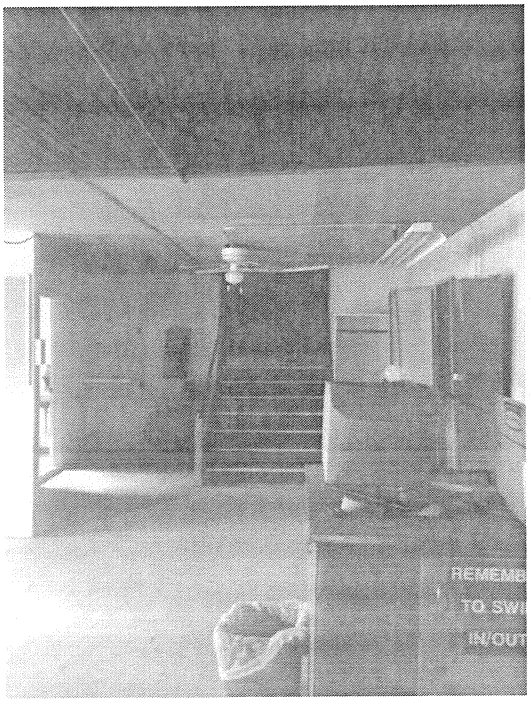


495 St. Paul Street



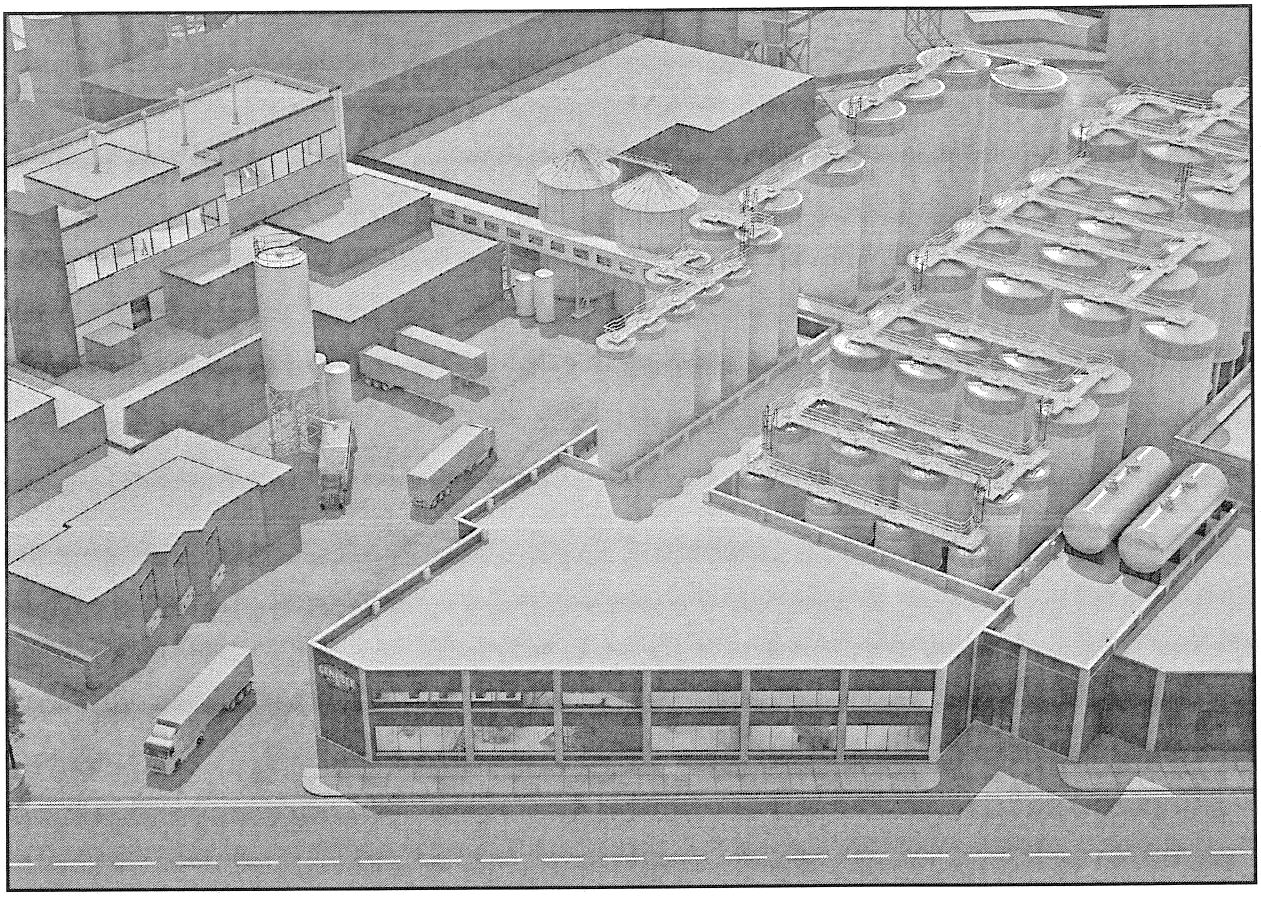


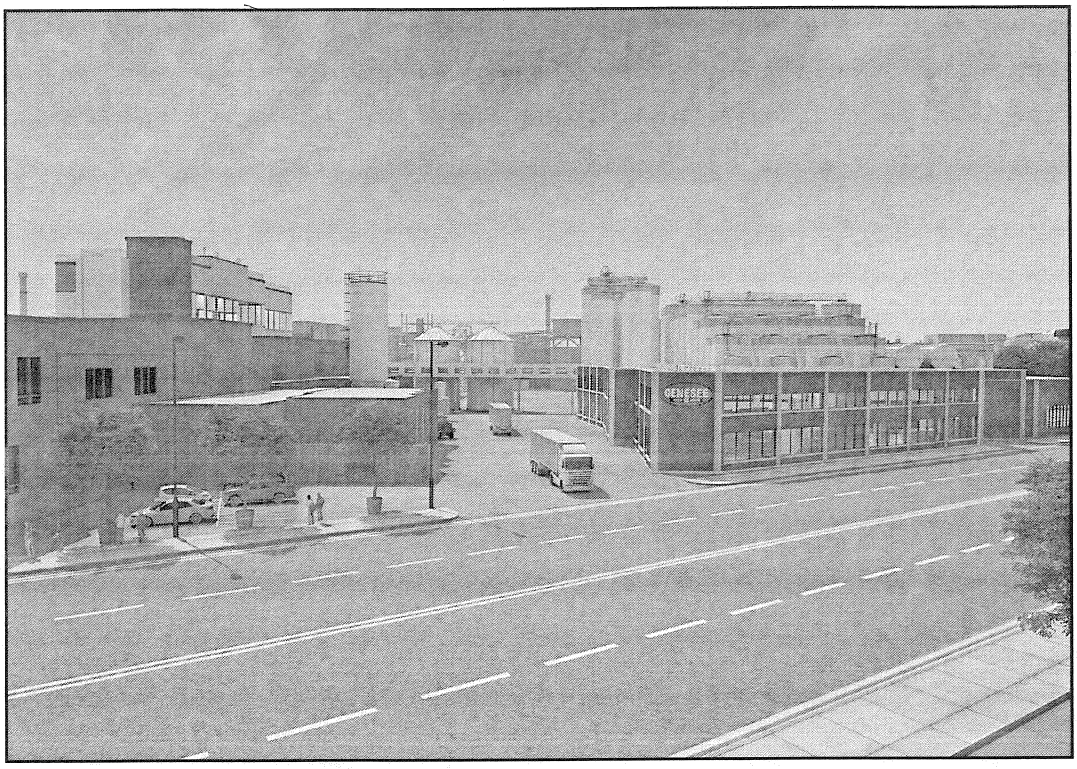
495 St. Paul Street, First Floor

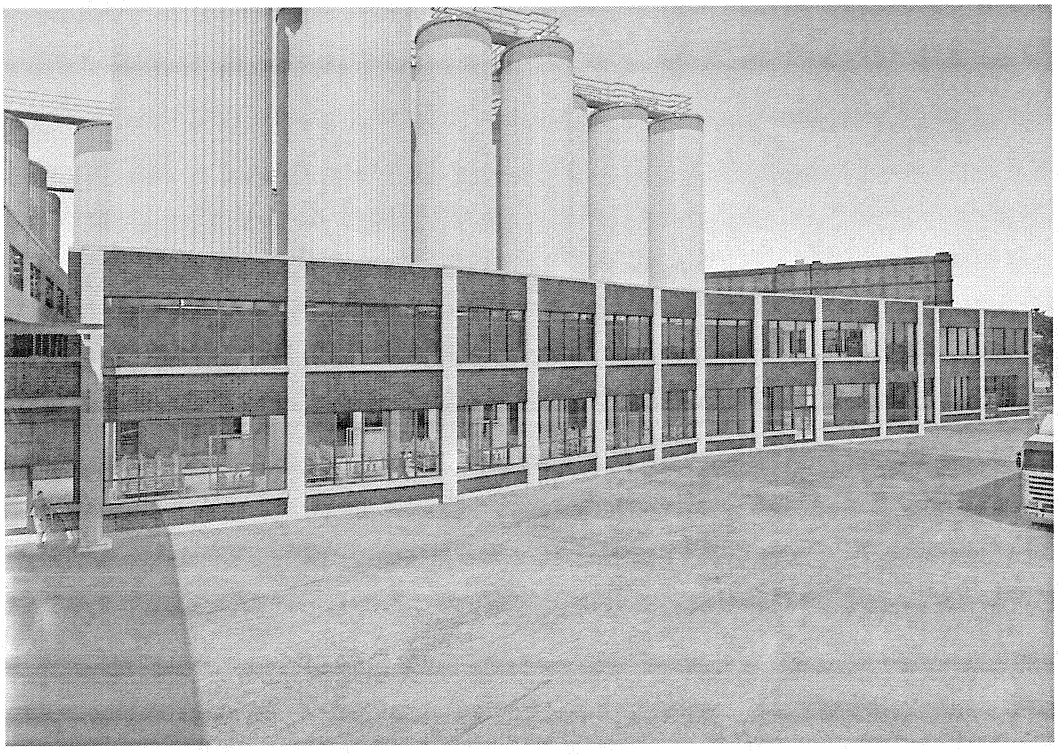


495 St. Paul Street, Second Floor

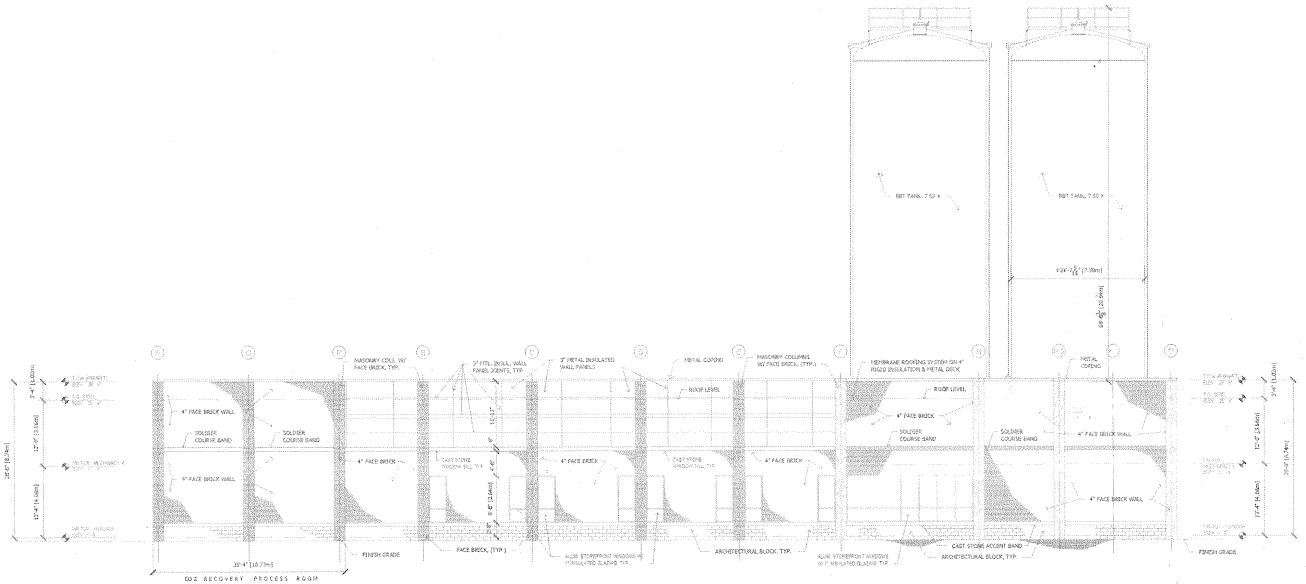
EXHIBIT B




GENESEE



NORTH ELEVATION @ COLDBLOCK BUILDING



WEST ELEVATION

beerbev LLC
328 Crandon Blvd.
Suite 201-202
Key Biscayne
FL 33149, USA

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1	Revision		12.19.2016	AH
Index	Revision		Date	Name

Client: NORTH AMERICAN BREWERIES
ST.PAUL STREET, ROCHESTER, NY

Project: COLDBLOCK
ELEVATION NORTH & WEST

Date	Name	Client No		Scale	Drawing	Index	Drwg
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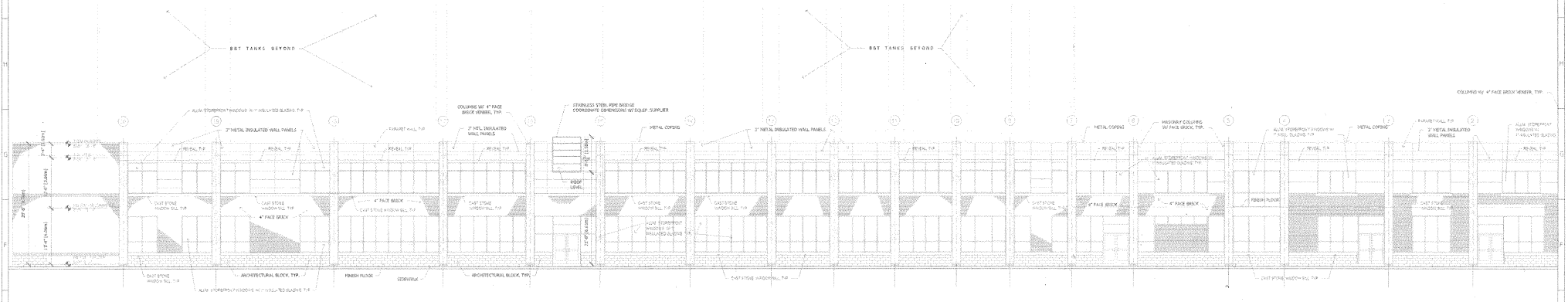
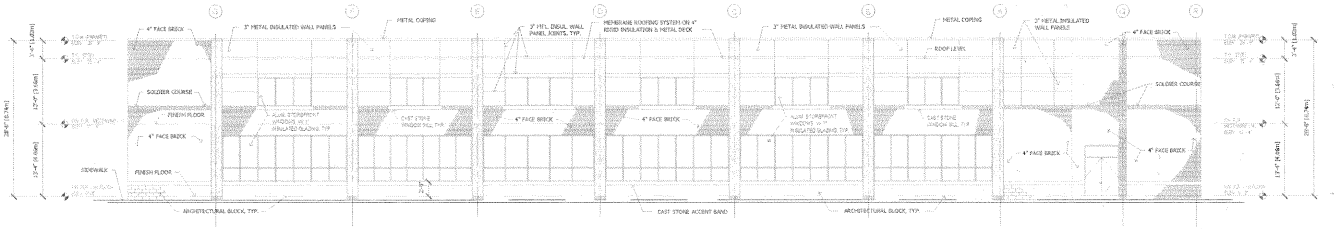
Signed			Project	286	DCD-286083	1	A0



4 / A2 SOUTH ELEVATION (DOWLING PLACE)@ COLDBLOCK BUILDING



1 / A2 EAST ELEVATION (ST. PAUL STREET)

beerbev LLC
328 Crandon Blvd
Suite 201-202
Key Biscayne
FL 33149, USA

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1	Revision		12.19.2016	AH
Index	Revision		Date	Name
	Date	Name	Client No.	286
Drawn	11.07.2016	JB	Duration	
Checked			Commission	2014_3_286_3_C
Signed			Project	286

Client: NORTH AMERICAN BREWERIES
ST.PAUL STREET, ROCHESTER, NY

Name: COLDBLOCK
ELEVATION SOUTH & EAST

Scale: 1/8"=1'-0" | Drawing: DCD-286084 | Index: 1 | Sheet: A2

Additional info submitted for the 03/24/16 hearing

NorthAmerican Breweries

March 16, 2016

Via Email Only
Zoning Board of Appeals
City Hall, Room 125B
30 Church Street
Rochester, New York 14614
Jill.Symonds@CityofRochester.Gov

Re: File Number V-050-15-16

Dear Zoning Board Members,

In furtherance of the above captioned variance request which is scheduled to be heard by the Board on Thursday, March 24, 2016, enclosed please find the following:

1) Correspondence from Beer Bev LLC, dated March 10, 2016 detailing the site selection process;
2) Genesee Brewery Site Map;
3) Correspondence and quote from Sessler Wrecking dated February 25, 2016;
4) Correspondence and quote from Pike Construction dated March 16, 2016;
5) Three color renderings depicting design concepts for the construction project; and,
6) Correspondence from the Landmark Society dated March 15, 2016.

Based on our ongoing review, we have determined that preservation of the façade is not feasible. However, NAB is developing plans to commemorate the building currently located at 495 St. Paul Street which may include a plaque and illustration near the site of the structure, a model and memorialization in the Genesee Brew House museum, or an alternative remedy as approved by the Director of Planning and Zoning. NAB is committed to consulting with the Landmark Society as we determine the best way to commemorate this structure.

NAB requests that this Board grant our variance request to demolish the structure at 495 St. Paul Street and allow this important project to move forward without further delay. While loss of a building of this age is unfortunate, NAB has satisfied the necessary criteria to grant the requested variance and has established that the loss of the building is mitigated by the overall benefits that this project will bring to the City of Rochester.

445 St. Paul Street | Rochester, New York 14605
Phone 585-546-1030 | Fax 585-546-5011 | www.nabreweries.com

Thank you for your ongoing consideration.

Sincerely,

Kelly J. Diggins
North American Breweries

Enclosures

445 St. Paul Street | Rochester, New York 14605
Phone 585-546-1030 | Fax 585-546-5011 | www.nabreweries.com

BeerBev LLC · 328 Crandon Blvd., Suite 201-202 · Key Biscayne, Florida 33149

March 10, 2016

Zoning Board of Appeals
City Hall, Room 125B
30 Church Street
Rochester, NY 14614

Re: File Number V-050-15-16

Dear Zoning Board Members:

Thank you for your careful consideration of North American Breweries' request to demolish 495 St. Paul Street. As a consultant hired by NAB, we were asked to review the entire campus plan and look for sites on St. Paul and Cataract Streets to build a new 17,500 square foot facility. Our site selection criteria required that the brewery remain fully operational during the 18 months of construction.

We reviewed locations and based on the information, we quickly recommended the current proposed site on St. Paul Street. It was the best, most viable option given its proximity to the main brewery and the open space that eliminated virtually any business interruption. Before making a final site selection, NAB asked us to further review other locations on its campus. We then looked at two locations that required conversion of buildings.

Locations considered include:

1. Location on Cataract and St. Paul Streets [commonly known as building 8]: we rejected this site because it would require relocation of all heavy equipment into an area not yet identified. The site currently processes about 24 million cases of beer a year. NAB would need to relocate its palletizing and shipping operations [including re-routing thousands of trucks to another part of the brewery site]. In order to do this, NAB would need to shut down brewery operations or create extraordinary expenses and business interruption. Ultimately, those challenges led to rejection of this option.

BeerBev LLC
Key Biscayne, Florida 33149, USA
Phone: +1 (786) 522 7606
Info@BeerBev.net

2. The 500 Block of St. Paul Street [commonly known as Building 14]: we rejected this site because of the lack of proximity to the main brewing operations. The modernization project seeks to create energy and water efficiencies to drive down usage and cost. The distance between the two buildings would increase losses and decrease energy and water efficiencies due to the distance product would need to travel.

   In this same building, NAB recently installed $3 million of new equipment to support the brewery's growing demand for variety packs. The variety pack is NAB's number one selling SKU. Relocating this operation wasn't an option as it would cause business disruption that would result in lost revenue. It also would displace a core operation where NAB recently invested. For these reasons, we rejected the site.

After further review, we determined that the current proposed site is the only site that would allow us to meet the scope and objectives of the project, while keeping the brewery fully functional.

Sincerely,

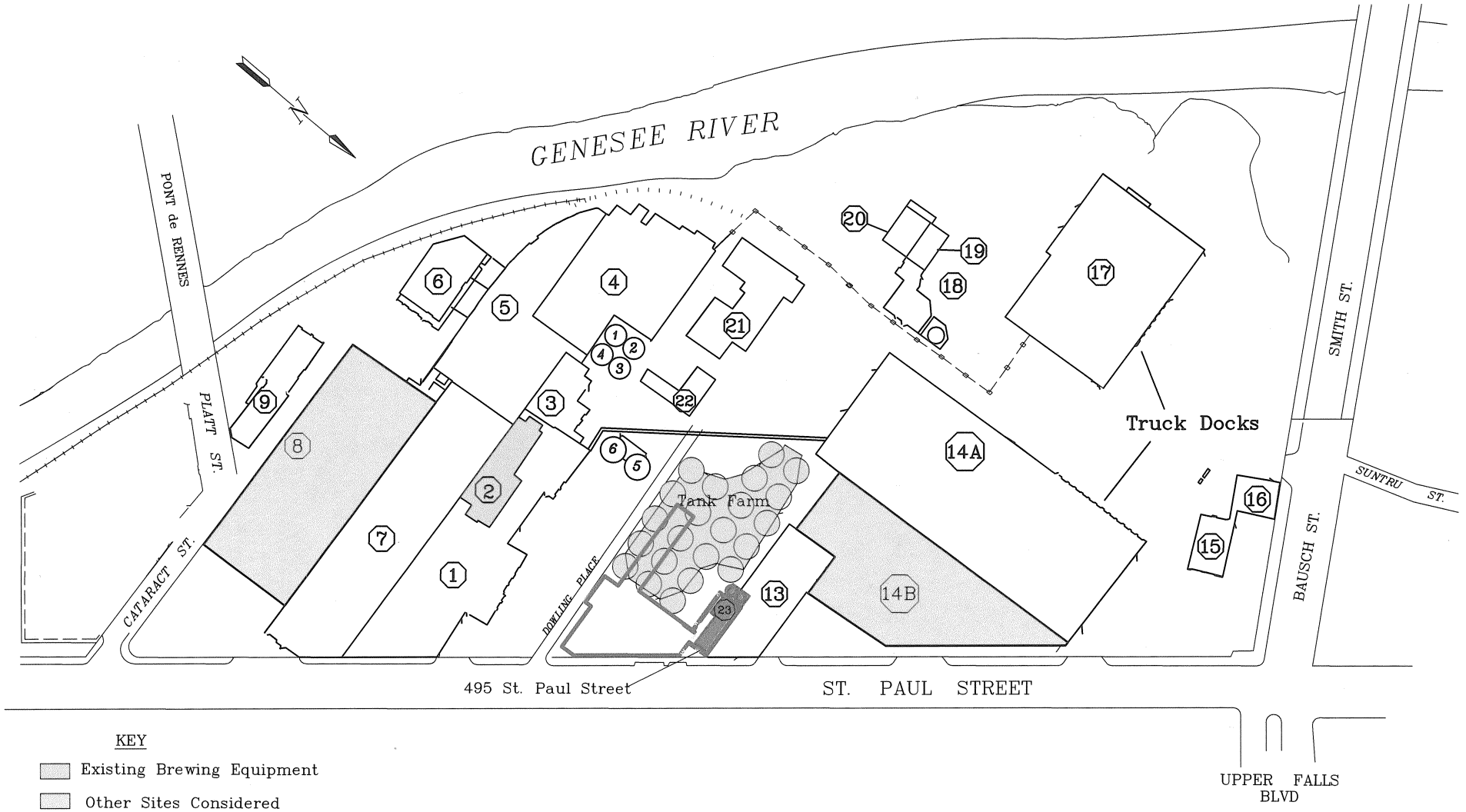
Andre Gast,

Project and Design Manager

BeerBev LLC

BeerBev LLC
Key Biscayne, Florida 33149, USA
Phone: +1 (786) 522 7606
Info@BeerBev.net

Genesee Brewery Site Map



KEY

- Existing Brewing Equipment
- Other Sites Considered
- 495 St. Paul Steet
- New Building

SESSLER WRECKING

BUILDING, BRIDGE & INDUSTRIAL DEMOLITION • EXCAVATION • ENVIRONMENTAL SERVICES • RECYCLING

February 25, 2016

North American Breweries

Re; Red Brick Building located at 495 Saint Paul Street, Rochester, N.Y.

Att; Mark Minunni email: Mark.Minunni@nabreweries.com>

For an additional Two Hundred Seventy Five Thousand Dollars ($275,000.00) Sessler wrecking will shore and save the front wall of said building during demolition. After demolition is complete North American Brewery will purchase shoring from Sessler wrecking for an additional fifty thousand dollars ($50,000.00).

For the following reasons, Sessler wrecking will take no responsibility for the wall after demolition is complete.

1. The foundation of the front wall has failed and is in major need of repair.
2. The first story of building is cinder blocks and will need to be replaced.
3. As a result of partial foundation failure the front of building is tilted inward towards the center. This is evident by the tilt of second floor window lintels and the separation line between the cinder blocks and the brick.
4. The mortar is crumbling in-between the bricks on the second story.
5. Building is also being supported by adjoining building at roofline.
6. The building as it stands now is already being held together with the help of a rod going from side to side just in back of front wall.

It is the opinion of Sessler wrecking, that even after saving the front wall, it would need to be demolished and rebuilt.

Sincerely,

Thomas A. Cunningham
Project Engineer

Certified WBE

Division of L. M. Sessler Excavating & Wrecking, Inc. • 1257 State Route 96, Waterloo, New York 13165
Phone 315-539-3353 • 800-833-3210 • Fax 315-539-3967 • www.sesslerwrecking.com • demo@sesslerwrecking.com
An Equal Opportunity Employer

THEPIKECOMPANY

>> The Pike Company, Inc.
One Circle Street
Rochester, New York 14607

March 16, 2016

Mr. Mark Minunni
North American Breweries
445 St. Paul Street
Rochester, NY 14605

bany Office:
0 Clifton Corporate Parkway
) Box 435
fton Park, New York 12065
8 371.5000

ffalo Office:
Lakefront Blvd., Suite 212
ffalo, New York 14202
6 856.0525

veland Office:
nonal Tower
Public Square, Suite 630
veland, Ohio 44113
6 298.9150

rtford Office:
Depot Street, PO Box 436
nsington, Connecticut 06037
0 251.9000

Re: North American Breweries Proposed Facility Expansion Project. Building 23 Demolition 495 St. Paul Street.

Mr. Minunni

Pursuant to your request to review an attempt for the salvage of the façade on Building 23 located along St. Paul just north of the existing parking lot and tank farm. Below I have summarized a cost as well as an overall impact this attempt will have on the construction of the new Cold Block Process building and more specifically the CO2 Reclamation building required for operations of the proposed facility process upgrades.

Project Scope:

In order to build the new Clod Block, CO2 Reclamation and Tank Farm, additional space is required to accommodate process equipment. The space needed for the construction will require the removal of the structure at the north of the parking lot. In order to create sufficient space on an already tight site, it is necessary to remove the building in question. The cost of this demolition after all required abatement has been completed will be $84,000. With this removal and subsequent sight improvements, there is just enough area to build the CO2 Reclamation Building and associated storage tank foundation located at the west elevation. I have provided an overlay (see attached) which shows the proposed location of the CO2 Reclamation building, Cold Block Facility and adjoining Tank Farm. Detailed on this overlay is the location of the building required to be removed.

Salvage of Building 23 Façade:

In order to attempt the salvage of the façade, a number of factors need to be taken into consideration. First and foremost is the general condition and structural integrity of the building. The building has been abandoned for a considerable time frame. Although it has been kept up, it is not clear that the façade could be saved due to the loose and deteriorated masonry that exists throughout the structure. Part of the cost detailed below involves an effort to stabilize the masonry to a point so that when attempting to shore it, it does not deteriorate further.

Cost to salvage:

- **Demolition: $359,000**- Increased cost due to the required demo method going from a mass demolition to more controlled demo that will be labor intensive in order to limit vibration.
- **Shoring: $50,000** – H-Piles will need to be auger to bedrock at three location along the inside face of the façade with three horizontal braces; One at grade, one at the second floor level and one at the lever of the eves. The façade masonry will be anchored to this shoring prior to the demolition of the remaining portion of the building.
- **Engineering fees: $5,000** – To do a geotechnical and structural analysis in order to design the required shoring and anchoring system.
- **Masonry Enclosure: $50,000** – This work will include a masonry enclosure at the interior side of the façade and will consist of concrete masonry units to be laid up along this face to both encapsulate the structural steel and more importantly to protect the façade masonry from environmental impacts of the weather in this region. This "back up" will also serve as a structure for additional anchors tying the façade at an increased number of locations. A roof system will need to be installed to close off the interstitial space that will exist between the masonry back-up and the façade.

Schedule:

This will change the time required to clear the area from a little over a week to over a month to complete.

Overall Impact:

Of likely greater concern will be the impact on the ability to construct the new CO2 Reclamation building. As can be seen on the site overlay, the existing building and façade fall well within the footprint of the proposed building. The CO2 reclamation process is critical to the operation of the new production facility. The allotted space and location of this process is best suited at this location as there is no other available in this proximity that won't interfere with current production operations and future facility expansions.

If you have any questions or require additional information, please feel free to contact me at your convenience.

Sincerely,

Daniel M. Sinnott

Daniel M. Sinnott, **LEED AP**
Project Director
THE PIKE COMPANY

Attachment: Site Plan Overlay

THE OLDEST BREWERY
IN NEW YORK
GENESEE
THE GENESEE BEER
GENESEE
Beer

LANDMARK SOCIETY of WESTERN NEW YORK

March 15, 2016

Zoning Board of Appeals
City Hall, Room 125B
30 Church Street
Rochester, NY 14614

Re: File Number V-050-15-16

Dear Zoning Board Members,

After serious consideration of North American Breweries' proposed project on St. Paul Street, The Landmark Society offers comment and suggestion that we believe will enhance the project's overall impact and will facilitate a positive design relationship between the project and the scale/rhythm of the streetscape.

The Landmark Society appreciates the serious consideration given by the Zoning Board concerning the demolition of the existing structure, which is classified as a "Designated Building of Historic Value." Our organization believes that any designated structure's demolition should be weighed carefully with the benefits of any proposed project, but also should consider the design of any new structure being proposed. Customarily, we do not approve of any demolition of designated historic structures; in fact, it is extremely rare that The Landmark Society would ever consent to such an action. In meetings with North American Breweries, it has become apparent that this site, an industrial parcel that is part of a much larger industrial land area, must be allowed a certain degree of flexibility to provide opportunities to modernize and grow manufacturing operations.

Given the relatively small scale of the existing structure, we believe incorporating the historic façade into a larger, modern building would prove to be quite difficult. Further, we believe that a better opportunity would be to focus on creating a new building that combines design elements and material selections found in nearby industrial historic buildings. While saving façades are appropriate in some instances, preservation can also focus on the preservation of street rhythm and the preservation of a strong sense of place. Again, The Landmark Society does not come to this conclusion lightly. However, in this specific instance, we believe a combined effort to work with North American Breweries to be the best option for the community we serve.

Our meetings with North American Breweries have led to mutually-agreed upon criteria that we believe will greatly improve the project's design and enhance the project's impact on the St. Paul Corridor.

The Landmark Society bases our position on the following:

1. North American Breweries will allow The Landmark Society to provide design consultation on the new building, which will include review and consultation on scale, setback and choice of building materials.
2. North American Breweries will engage a licensed professional architect with experience in new construction that utilizes preservation philosophy, to provide design consultation, particularly regarding the design of the east elevation (St. Paul Street).
3. The Landmark Society will offer research leading to the integration of historical information regarding the brewery and the evolution of the district over time.
4. North American Breweries will reach out to The Landmark Society for comment and assistance regarding the possible future reuse of a larger historic building located on its campus.
5. North American Breweries will work with The Landmark Society to receive comments and suggestions of nearby property owners during the design process.

The Landmark Society greatly appreciates the due diligence shown by the Zoning Board regarding this project. Our Designated Buildings of Historic Value deserve this type of scrutiny, which is precisely what the law calls for in these instances. It is precisely this level of scrutiny that leads to the creative partnerships discussed above, which will improve this project and benefit our entire community.

Sincerely,

Wayne Goodman
Executive Director

March 8, 2016

Zoning Board of Appeals
City Hall, Room 125B
30 Church Street
Rochester, NY 14614

Re: File Number V-050-15-16

Dear Zoning Board Members,

Thank you for considering North American Breweries' application to demolish a historic building on St. Paul Street. While the loss of any historic building is unfortunate, the City and the neighborhood gain much more because the plan greatly improves a vital corridor into the City of Rochester. The alternatives of moving the main building or compromising its design, detracts from the strong community benefits in the current plan.

North American Breweries' (NAB) project includes the following benefits for the City of Rochester: (1) $39 million in private investments to beautify the Northeast District by creating a state-of-the art beer and brewing destination, (2) assists in retaining and creating jobs, (3) reduces the brewery's environmental impact, and (4) creates opportunities for potential community collaborations with groups like Greentopia and Monroe Community College.

We stand by North American Breweries for the following reasons:

- NAB has demonstrated a commitment to private investment. Since 2009, $70 million of improvements have been made to its Rochester facility.
- NAB has co-created its vision in collaboration with community, government, economic development, and tourism stakeholders throughout Rochester.
- NAB has proven its commitment to the community by supporting charitable organizations in the High Falls district, including donating more than $150K through its Pilot Brewery Tasting Bar and through its Tap-it-Forward brand initiatives.
- NAB has a track record of marketing the High Falls region as a destination. Last year, nearly 300,000 people visited the Genesee Brew House.
- NAB's vision has been widely supported in the Finger Lakes; earning priority status in the region's winning submission to the Upstate Revitalization Initiative.

For these reasons, we ask the Zoning Board to approve North American Breweries' request. This project has been vetted and supported by a cross-section of stakeholders who unequivocally desire to move forward by creating a destination on St. Paul Street. Although this destination requires demolition, it will bring economic benefits and investments to the City of Rochester. Thank you for your careful consideration.

Sincerely,

Larry Smith, President- Wright Beverage Distributing

Melissa Sciortino, Communications Strategist- Wright Beverage Distributing

March 8, 2016

Zoning Board of Appeals
City Hall, Room 125B
30 Church Street
Rochester, NY 14614

Dear Zoning Board Members,

It has been brought to our attention that the zoning board has expressed concerns over North American Breweries' request to demolish a building on St. Paul Street. As a result, the project that they're willing to invest $39 million in, has been delayed. Overseeing the tremendous growth of the brewing industry in New York State, we understand the challenges that face all breweries, whether they are just starting out, or expanding their growing businesses to meet demand. With that said, we fully support the efforts that North America Breweries is trying to achieve with this critical expansion. The loss of this very small and non-descript building should not inhibit the expansion proposed, which in the end, will benefit this neighborhood through this project.

A Rochester native myself, I have seen first hand the ups and downs of this very important brewery to our state. Now that I am in the position of Executive Director of this very important and growing industry, I have an even greater appreciation of what NAB brings to not only Rochester, but the entire state of New York.

Having reviewed the plans and had many conversations over the past year with them regarding this expansion, it would be unfortunate to deny this project. By doing so, this would prevent a run down neighborhood from becoming stronger, and would also prevent future job creation, which is desperately needed in Rochester.

For these reasons, we ask that the zoning committee to quickly approve North American Breweries' request. The project, including the demolition of the building in question, has full support from the New York State Brewers Association. Thank you for your careful consideration of North American Breweries' request.

Sincerely,

Paul Leone

Executive Director, New York State Brewers Association

TEAMSTERS LOCAL UNION NO. 118

Affiliated with the International Brotherhood of Teamsters

Paul A. Markwitz
President, Principal Officer

Michael J. Maynard
Vice President, Business Agent

Alan C. Hondorf
Recording Secretary

Christopher P. Toole
Secretary-Treasurer, Business Agent

Jeffrey J. Sargent
Trustee, Business Agent

Larry D. Thibault
Trustee

Timothy Johnson
Trustee

David W. Weilert
Business Agent

Paul R. Hogle
Business Agent

March 7, 2016

Zoning Board of Appeals
City Hall, Room 125B
30 Church Street
Rochester, NY 14614

Re: File Number V-050-15-16

Dear Zoning Board Members,

Thank you for considering North American Breweries' application to demolish a building on St. Paul Street. While it is always difficult to take down an historic building, in this case, the benefits of doing so are hard to debate. North American Breweries' project includes up to a $39 million in private investment to beautify the Northeast District by creating a state-of-the art beer and brewing destination for the City of Rochester, while retaining and creating jobs. The project also reduces the brewery's environmental impact and creates opportunities for potential community collaborations with groups like Greentopia and Monroe Community College, to name a few.

This important project should move forward without delay. While the loss of any historic building is unfortunate, the City and the neighborhood gain much more because the plan greatly improves a vital corridor into the City. Moving the main building or compromising its design detracts from the strong community benefits in the current plan. We stand by North American Breweries for the following reasons:

- NAB has demonstrated a commitment to private investment. Since 2009, $70 million of improvements have been made to its Rochester facility, allowing for substantial growth in good paying full time jobs.
- NAB has co-created its vision in collaboration with community, labor, government, economic development and tourism stakeholders throughout Rochester.

130 Metro Park, Rochester, New York 14623
Office Phone Number (585) 256-1350, Fax Phone Number (585)256-1429

- NAB has proven its commitment to the community by supporting charitable organizations in the High Falls district, including donating more than $150K through its Pilot Brewery Tasting Bar, and more through its "Tap it Forward" brand initiatives.
- NAB has a track record of marketing the High Falls region as a destination. Last year, nearly 300,000 people visited the Genesee Brew House.
- NAB's vision has been widely supported in the Finger Lakes, earning priority status in the region's winning submission to the Upstate Revitalization Initiative.

For these reasons, we ask that the zoning board quickly approve North American Breweries' request. The project has been vetted and supported by a cross section of stakeholders (including labor) who unequivocally desire to move this project forward.

In advance, thank you for your careful consideration of the request to allow the demolition of the building on St Paul Street.

Sincerely,

Paul Markwitz, President and Principal Officer
Teamsters Local Union 118

Cc: Dave Young, President- Rochester Building Trades
Dan Maloney, President- Rochester Labor Council

Rochester Community Baseball, Inc.

Frontier Field
One Morrie Silver Way
Rochester, NY
14608-1754

Phone: 585-454-1001
Fax: 585-454-1056
Tickets: 585-423-WING
info@RedWingsBaseball.com

RedWingsBaseball.com

International League
Member Since 1885

Governors' Cup
Champions

1997 1990 1988 1974
1971 1964 1956 1955
1952 1939

Triple-A Affiliate
of the

March 7, 2016

Zoning Board of Appeals
City Hall, Room 125B
30 Church Street
Rochester, NY 14614

Re: File Number V-050-15-16

Dear Zoning Board Members,

We understand that the zoning board expressed concerns over North American Breweries' request to demolish a building on St. Paul Street. As a result, the project that they're willing to invest $39 million in has been delayed a month. As a representative of the neighborhood, we cannot underestimate the importance of having this project on St. Paul Street. The loss of the painted, non-descript building is more than mitigated by the overwhelming benefit and beautification of our neighborhood through this project.

In the past seven years, we have watched as North American Breweries has transformed its campus and our neighborhood by upgrading, painting, fencing and paving. The street now looks like a cohesive, well-kept site that has beautified our neighborhood and attracted thousands of people to the Northeast District. The new building on St. Paul Street is the last piece in creating a showcase destination that will not only serve the neighborhood well but will also enhance the entrance and commercial corridor to the City.

Any other option for the building, simply won't do. The Genesee Brewery is part of our neighborhood and we want to see it become a destination for people all over New York State. While the loss of any historic building is unfortunate, the City and the neighborhood gains trump the loss.

For these reasons, we ask that the zoning committee to quickly approve North American Breweries' request. The project, including the demolition of the building, has full support from our neighborhood. Thank you for your careful consideration of North American Breweries' request.

Sincerely,

Naomi Silver

Naomi Silver
President, CEO, COO

GROUP 14621
community association inc.
Subsidiary of North East Area Development Inc. (NEAD)
1171 North Clinton Avenue * Rochester, NY 14621
Tel: 585-266-4693 * Fax: 585-266-6196 * Email: group14621@group14621.com
www.group14621.com
George H. Moses, Executive Director

March 8, 2016

Zoning Board of Appeals
City Hall, Room 125B
30 Church Street
Rochester, NY 14614

Re: File Number V-050-15-16

Dear Zoning Board Members,

We understand that the zoning board expressed concerns over North American Breweries' request to demolish a building on St. Paul Street. As a result, the project that they're willing to invest $39 million in has been delayed a month. As a representative of the neighborhood, we cannot underestimate the importance of having this project on St. Paul Street. The loss of the painted, non-descript building is more than mitigated by the overwhelming benefit and beautification of our neighborhood through this project.

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For these reasons, we ask that the zoning committee to quickly approve North American Breweries' request. The project, including the demolition of the building, has full support from our neighborhood. Thank you for your careful consideration of North American Breweries' request.

Sincerely,

George H. Moses
Executive Director

Regina Seabrook
President, Board of Directors

LEAD SAFE EPA CERTIFIED FIRM
NAT-55174-2

VISIT ROCHESTER

LIMITLESS

March 16, 2016

City of Rochester
City Hall
30 Church Street
Rochester, NY

To Whom It May Concern:

Please accept this letter as an indication of my support for North American Breweries request to transform its 27-acre campus into an Eco-Brewery District for the State of New York. I believe the Eco-Brewery District will be transformational for New York State's beer industry, creating a unique destination for best in class innovation and technical resources, training, brewing and incubation for new and established brewers across the state. In addition, the world-class facility will help promote and market the quality and experience that New York State beer delivers while attracting hundreds of thousands of tourists to Upstate New York. The destination will set new standards for eco-friendly practices in manufacturing, brewing and tourism.

Since 2009, North American Breweries has demonstrated a strong track record of investing in its facilities, people and in the Rochester community. Those investments have not only secured jobs but have also created new ones. Not to mention, the addition of the popular Genesee Brew House beautified its campus, opened up access to High Falls, and created a unique destination that attracts up to 250,000 tourists annually. There is no question that NAB has revitalized the Genesee Brewery and in doing so has begun to transform the surrounding community.

I support building on the momentum that NAB's private investment has generated. With public support, NAB will create a one-of-a-kind, world-class destination for beer and brewing for New York State. With the growth in the craft beer industry and beer tourism, there is no better time than now to invest in North American Breweries and New York State's thriving beer industry.

Sincerely,

Don Jeffries

Don Jeffries
President &CEO
Visit Rochester

Rochester
Rotary

March 15, 2016

Ms. Jill Symonds
Senior City Planner
Zoning Board of Appeals
City Hall, Room 125B
30 Church Street
Rochester, NY 14614

Re: File Number V-050-15-16

Dear Ms. Symonds,

Thank you for considering North American Breweries' application to demolish a building on St. Paul Street. While it is always difficult to take down a historic building, in this case, the benefits of doing so are hard to debate. North American Breweries' project includes up to a $39 million in private investment to beautify the Northeast District by creating a state-of-the art beer and brewing destination for the City of Rochester, while retaining and creating jobs. The project also reduces the brewery's environmental impact and creates opportunities for potential community collaborations.

This important project should move forward without delay. While the loss of any historic building is unfortunate, the City and the neighborhood gain much more because the plan greatly improves a vital corridor into the City. Moving the main building or compromising its design, detracts from the strong community benefits in the current plan.

Sincerely,

Tracey Dreisbach
Rochester Rotary
Executive Director

cc: Kelly Diggins

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Peter J. Noto, Vice President
Christopher G. Gamble, Treasurer
John F. Heveron, Jr., Assistant Treasurer
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Dusty W. Faske, Assistant Treasurer
Todd Baxter, Sergeant-at-Arms
Barbara J. Cutrona, Sergeant-at-Arms
Ray Isaac, New Member Liaison
Carl R. Krause, Historian
Tracey Dreisbach, Executive Director

Service Above Self

180 Linden Oaks
Suite 200
Rochester, NY 14625-2837
p 585.546.7435
f 585.546.8675
www.rochesterrotary.org

GREATER ROCHESTER ENTERPRISE

March 9, 2016

Zoning Board of Appeals
City Hall, Room 125B
30 Church Street
Rochester, NY 14614

Re: File Number V-050-15-16

Dear Zoning Board Members,

As the regional economic development organization dedicated to attracting new jobs and new capital investment to our community, Greater Rochester Enterprise (GRE) fully supports North American Breweries' application to demolish a building on St.Paul Street so that a clear path is made for redevelopment of this Northeast District of the city.

North American Breweries' project includes up to $39 million in private investment to create a state-of-the art beer and brewing destination for the City of Rochester, while retaining and creating jobs. The project also reduces the brewery's environmental impact and creates opportunities for potential community collaborations with groups like Greentopia and Monroe Community College.

This important project should move forward without delay. While the loss of any historic building is unfortunate, the City and the neighborhood gain much more because the plan greatly improves a vital corridor into the City. Moving the main building or compromising its design, detracts from the strong community benefits in the current plan. We stand by North American Breweries (NAB) for the following reasons:

- NAB has demonstrated a commitment to private investment. Since 2009, $70 million of improvements have been made to its Rochester facility.
- NAB has co-created its vision in collaboration with community, government, economic development and tourism stakeholders throughout Rochester.

100 Chestnut Street • One HSBC Plaza Suite 1910 • Rochester • NY • 14604
P. 585.530.6200 • F. 585.546.8477 • www.RochesterBiz.com

- NAB has proven its commitment to the community by supporting charitable organizations in the High Falls district, including donating more than $150K through its Pilot Brewery Tasting Bar, and more through its Tap it Forward brand initiatives.
- NAB has a track record of marketing the High Falls region as a destination. Last year, nearly 300,000 people visited the Genesee Brew House.
- NAB's vision has been widely supported in the Finger Lakes. It was recently highlighted as an important initiative within our region's winning Upstate Revitalization Initiative plan.

For these reasons, we ask that the zoning board quickly approve North American Breweries' request. The project has been vetted and supported by a cross section of stakeholders who unequivocally desire to move forward by creating a destination on St. Paul Street, which requires demolition of a building. Thank you for your careful consideration of its request.

Sincerely,

Mark S. Peterson
President & CEO

Rochester Zoning Board of Appeals
City Hall
Bureau of Planning and Zoning
30 State St.
Rochester, NY 14614

March 16, 2016

Re:
File Number: V-050-15-16
Address: 495 St. Paul St.

To whom it may concern:

As a long time neighbor of the GBC, with a manufacturing business located at 392 and 408 St. Paul St., I support the GBC's plans to demolish 495 St. Paul St. as part of a project that includes the construction of a new brewing facility and tank farm.

The Brewery's recent construction improvements and this new plan reinforce the significant work I've done to my buildings over the last few years. I like to think that what we and GBC have done, along with the improvements in the High Falls District and the MCC renovation of EK offices on State St. across the river, is creating an economic revitalization in this part of the city bringing jobs and visitors with a resulting "ripple effect" that adds real money to the Rochester economy.

Supporting a project like this should warrant a fast approval by the ZBA.

Respectfully,

Andy Germanow
CEO
Germanow-Simon Cos.

G-S PLASTIC OPTICS www.gsoptics.com
Tel-Tru Manufacturing Co. www.teltru.com
408 St. Paul St. - Rochester, NY - 14605
585-295-0254 Phone
585-232-5169 Private fax

GREATER ROCHESTER
Chamber of Commerce

ROBERT S. SANDS
Chairman of the Board
Constellation Brands

JOHN M. PITTON
Vice Chairman
Bank of America

BRIAN G. FLANAGAN
2nd Vice Chairman, Secretary/Treasurer
Nixon Peabody

ROBERT J. DUFFY
President and Chief Executive Officer

GreaterRochesterChamber.com
585.244.1800
150 State Street, Suite 400
Rochester, New York 14614

March 16, 2016

Zoning Board of Appeals
City Hall, Room 125B
30 Church Street
Rochester, NY 14614

Dear Zoning Board Members,

Greater Rochester Chamber of Commerce, which represents nearly 1,400 employers in the nine-county Rochester region, offers this letter in support of North American Breweries' (NAB) application to demolish a building on St. Paul Street in order to modernize their facilities and create a state-of-the-art beer and brewing destination.

NAB's project includes up to $39 million in private investment, which will beautify the Northeast District, reduce the brewery's environmental impact and retain and create jobs. The plan greatly improves a vital corridor into the City, and will create an attraction that allows visitors to see kettles and brewing equipment through two stories of windows. Demolition approval is required as moving the main building or compromising its design will detract from the strong community benefits in the current plan.

NAB has co-created its vision in collaboration with community, government, economic development and tourism stakeholders throughout Rochester. Their vision has been widely supported in the Finger Lakes Regional Economic Development Council, earning priority status in the region's winning submission to the Upstate Revitalization Initiative. With a track record of marketing the High Falls region as a destination, including nearly 300,000 visitors to the Brew House last year, NAB's project will be an economic boon for the City of Rochester and the Finger Lakes region.

NAB has proven itself to be a strong community partner, mindful of Genesee brewery's proud Rochester history, and forward-looking in its efforts to strengthen and expand the brewery for future generations.

For all of these reasons, Greater Rochester Chamber of Commerce urges the zoning board to quickly approve North American Breweries' request so that they may move forward without delay.

Sincerely,

Robert J. Duffy
President & CEO

c: Kelly Diggins, North American Breweries

March 9, 2016

Zoning Board of Appeals
City Hall, Room 125B
30 Church Street
Rochester, NY 14614

Re: File Number V-050-15-16

Dear Zoning Board Members,

Thank you for your careful consideration of North American Breweries' request to demolish a building on St. Paul Street. The importance of this project to the City of Rochester's tourism industry more than mitigates the loss of this building. The project includes up to a $39 million in private investment to create a state-of-the art beer and brewing destination that, coupled with the Genesee Brew House, will attract hundreds of thousands of people to the Northeast District. The total project, including have a brewing facility with two-stories of windows, will be a major attraction on St. Paul Street. The street view into the building will show the kettles and brewing equipment, giving people a look inside the Genesee Brewery.

Most breweries have tours but few have the opportunity to showcase their brewing capabilities on a major artery into a City. This is a critical and unique part of the project that will help draw people to Rochester. Beyond the tourism benefits, this project has all the makings of a signature project for our community. The project modernizes the brewery and makes it more competitive, securing jobs and creating new ones. Not to mention, NAB has interests in creating new community collaborations with our group and with Monroe Community College, to name just a few.

Greentopia believes this important project must move forward without delay and will catalyze further forward development of the High Falls Gorge and surrounding EcoDistrict. While the loss of any historic building is unfortunate, the City and the neighborhood gain much more because the plan greatly improves a vital corridor into the City. Moving the main building or compromising its design, detracts from the strong community benefits in the current plan.

For these reasons, Greentopia asks that the zoning board quickly grant approval to North American Breweries. Thank you for your careful consideration.

Sincerely,

Michael Philipson, Co-Founder and C.O.O.

ZONING BOARD OF APPEALS
STAFF REPORT
March 24, 2016

Area Variance

Case # 2: Staff Reviewer: Jill Symonds

File Number: V-055-15-16

Applicant: Lyjha Wilton

Project Address: 371-375 Averill Avenue

Zoning District: C-2 Community Center District

Section of Code: 120-45

Request: **To construct a 7,480 sq. ft. addition to the existing 2,760 sq. ft. building to be used as a meat market, thereby exceeding the 6,000 sq. ft. size limitation for a principal use in the district.**

Background: The parcel is approximately half an acre in size (or 23,640 sq. ft.). The property contains a row of garages along the east and south lot lines. There is a building wall along the South Clinton frontage that screens a courtyard area behind. There is also an existing, 2,759 sq. ft. building located along the east lot line, facing Averill Avenue.

The applicant is proposing to establish use the property as a meat market (i.e. low-impact retail). The project includes building a new 7,480 sq. ft. retail space adjacent to the existing building, demolishing the garage structures and building a 22 space parking lot.

Code Compliance: 120-45 provides that the maximum square footage for a principal use in the C-2 District is 6,000 sq. ft.; a total of 10,952 sq. ft. is proposed **(area variance required).**

Code Enforcement: The subject property is not in code enforcement.

PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. **PROJECT ADDRESS(ES):** 375 AVERIL AVENUE

2. **APPLICANT:** LYJHA WILTON **COMPANY NAME:** BOULDER COFFEE

   ADDRESS: 100 ALEXANDER STREET **CITY:** ROCHESTER **ZIP CODE:** 100 ALEXANDEF

   PHONE: 585.509.7355 **FAX:** N/A

   E-MAIL ADDRESS LYJHA@AOL.COM

   INTEREST IN PROPERTY: Owner [ ] **Lessee** [ ] **Other** [X]

3. **PLAN PREPARER:** CHRISTIAN DUERR

   ADDRESS: 1375 HIGHLAND AVE **CITY:** ROCHESTER **ZIP CODE:** 14620

   tc

   PHONE: 585.755.7356 **FAX:** N/A

4. **ATTORNEY:** N/A

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

   PHONE: _____ **FAX:** _____

   E-MAIL ADDRESS CDDSB@ROCHESTER.RR.COM

5. **ZONING DISTRICT:** C-2

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

CHANGE USE OF A BUILDING FROM A MECHANICAL CONTRACTORS OFFICE AND STORAGE YARD TO A MEAT MARKET . CONVERT THE OLD ENCLOSED STORAGE YARD INTO PARKING AND USE THE EXISTING STORAGE YARD WALLS TOWARD SOUTH CLINTON AVENUE FOR A NEW BUILDING. THE EXISTING OFFICES TO REMAIN AND BE USED AS THE SAME WITH THE POSSIBILITY OF CONVERTING SOME OF THE SPACE FOR THE MEAT MARKET AT GRADE LEVEL.

BUILDING BUREAU
ROOM 121
9:51AM Mar 4/16
01 0002 001 BMB
#20505
Zoning $250.00
1 AVERILL
CHECK $250.00

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:** 12/7/15

CHRISTIAN DUERR

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:** 12/7/15

LYJHA WILTON

375 AVERILL AV

March 11, 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 of Rochester, NY

AREA VARIANCE
STATEMENT OF DIFFICULTY
Section 120-195B(4)(b)

An area variance shall be granted only if the applicant can establish the existence of EACH of the following conditions:

A. Benefits. The benefits to the applicant outweigh any detriment to the health, safety and welfare of the neighborhood or the community by the granting of the variance.

THE PROPOSED USE IS CONSISTENT WITH THE CITY OF ROCHESTER MASTER PLAN AS IT PROVIDES A NEW SHOPPING VENUE AND WILL CREATE MORE ACTIVITY. REQUIRED PARKING IS HIDDEN BEHIND THE PROPOSED MARKET AND THE EXISTING BRICK BUILDING FACADE ON SOUTH CLINTON BECOMES AN ACTIVE STOREFRONT.

B. Essential character of the area. No undesirable change will be produced in the character of the neighborhood, or a detriment to nearby properties will be created by the granting of the variance.

THE PREVIOUS USE, MECHANICAL CONTRACTOR, WAS OF THE SAME SIZE AS THE PROPOSED MEAT MARKET USE, THUS NO UNDESIRABLE CHANGES WILL BE PRODUCED BY THE NEW USE. THE BUILDING FACADE WILL BE IMPROVED TO MEET THE CITY DESIGN STANDARDS. THERE WILL BE AN INCREASE IN ACTIVITY WHICH IS CONSISTENT WITH THE CITY'S MASTER PLAN.

C. No other remedy. There is no other means feasible for the applicant to pursue, other than the granting of this area variance.

THE MEAT MARKET NEEDS THE PROPOSED BUILDING SIZE SO THERE IS NO OTHER REMEDY OTHER THAN ANOTHER LOCATION POSSIBLE OUTSIDE OF THE CITY OF ROCHESTER. THE MEAT MARKET IS A USE CONSISTENT WITH THE CITY'S MASTER PLAN.

D. Significance. The requested variance is not substantial.

THE EXTERIOR WALLS OF THE EXISTING BUILDING REMAIN WITH FACADE IMPROVEMENTS TO THE SOUTH CLINTON AVENUE FACADE AND MORE PARKING IS PROVIDED. BOTH MEET THE CITY OF ROCHESTER DESIGN GUIDELINES. THE INCREASE IN INTENSITY IS CONSISTENT WITH THE CITY'S MASTER PLAN. THE REQUESTED VARIANCE IS NOT SUBSTANTIAL.

E. Physical and environmental conditions. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

THE EXTERIOR STORAGE AREA WALLS ARE TO REMAIN THE SAME EXCEPT FOR A WIDER CURB CUT. THE CURB CUT IS BEING WIDENED AND MOVE 20 FEET AND IS ADJACENT TO A MAJOR EXPRESS WAY OVERPASS. THE STORAGE AREA WALL ALONG SOUTH CLINTON WILL BECOME A NEW STOREFRONT. PARKING WILL BE PROVIDED BEHIND THE BUILDINGS HIDDEN FROM THE STREET. THERE WILL NOT BE AN ADVERSE PHYSICAL OR ENVIRONMENTAL IMPACT ON THE NEIGHBORHOOD.

F. Not self created. The alleged difficulty was not self created, the consideration of which shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of the variance.

THE PROPOSED RECONFIGURED BUILDING AREA/USE WILL BE SLIGHTLY LESS THAT THE CURRENT BUILDING/USE AREA. THE DIFFICULTY CURRENTLY EXISTS.

MAIN ST MEATS

Main St. Meats & Grocery

626 W Main St
Rochester, NY, 14611
585-319-6330
mainstmeats@gmail.com

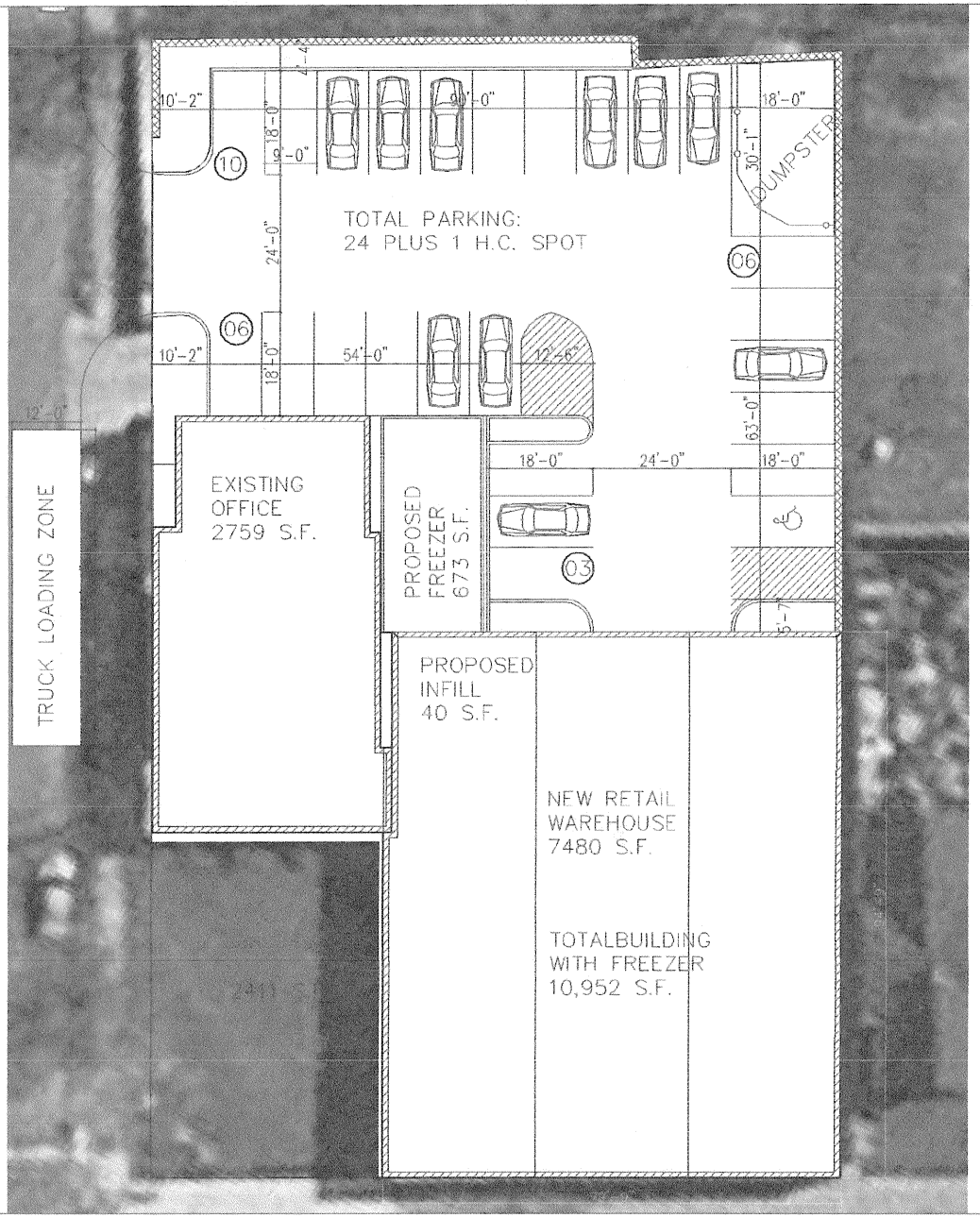
Hours

Mon-Sat: 8:30 AM to 5:30 PM
Sun: 8:30 AM to 2 PM

Welcome to Main St. Meat & Grocery

Hi, Kevin and Shannon here! We welcome you to join us at Main Street Meats, located in the heart of downtown Rochester. Feel free to browse our website, as we will be posting our specials each month and updating as we get new products. We have been in the meat industry for many years and are very excited to bring our expertise to our customers. We have a wide selection of items in our store so that you can find all the elements for your meals. We're not only here for your daily meat needs, but also are able to offer some great wholesale pricing! Give us a call or stop in to learn about our wholesale products and various meat packages.

We at Main Street Meats are very proud to be able to offer high quality, low cost, wholesale meats to Rochester area businesses. We will work to compete with any pricing you have at your current wholesaler. We strive to provide only the best in customer service and when you are looking for wholesale meats you deal with Kevin and Shannon directly. We purchase all of our products from the most trusted suppliers and are here to ensure only the best goes out to all of our customers. We are able to provide a wide selection of meats, whether they are fresh or frozen. We look forward to receiving your call so we can get started on helping you get the best pricing!



SITE PLAN >
SCALE: 1"=20'-0"

Drawing Alteration: The following is an excerpt from the New York Education Law Article 145, Section 7209, and applies to this drawing: "It is a violation of this law for any person unless he is acting under the direct supervision of a licensed architect to alter an item in any way". If an item bearing the seal of an architect is altered, the altering architect shall affix his seal and notation "ALTERED BY" followed by his signature and date of such alteration and a specific description of the alteration.

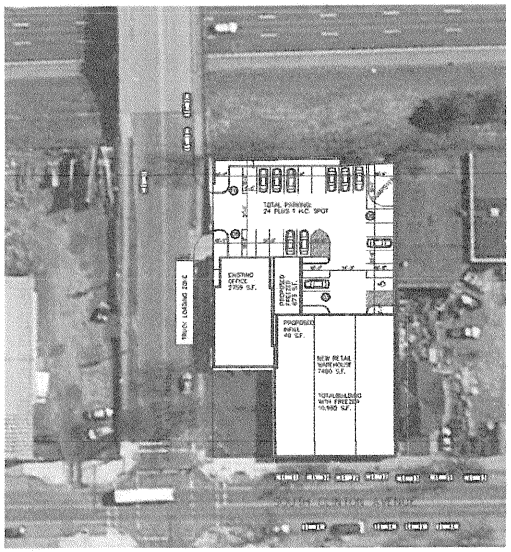
NO.	REVISION DESCRIPTION	DATE
1	ZONING AREA VARIANCE	12/08/15

RENOVATION TO 375 AVERIL AVE. FOR MAIN STREET MEATS
SITE CONCEPT
LYHA WILTON
100 ALEXANDER ST
ROCHESTER NY
CLIENT
STEVE LEVINE
GC FOODS
DWG NAME
DWG TITLE
JOB NO: 801
DWG. BY: CJD
DESIGN BY: CJD
APPROVED: CJD
DATE: 10/9/15

CHRISTIAN J. DUHRR
ARCHITECT
1375 HIGHLAND AVENUE
ROCHESTER, N.Y. 14620
PHONE: 585.755.7356
FAX: 585.442.9339
CDDSB @ ROCHESTER.RR.COM

DRAWING NO:
1 OF 5
SCALE: AS NOTED

Note: Only 22 parking spaces permitted

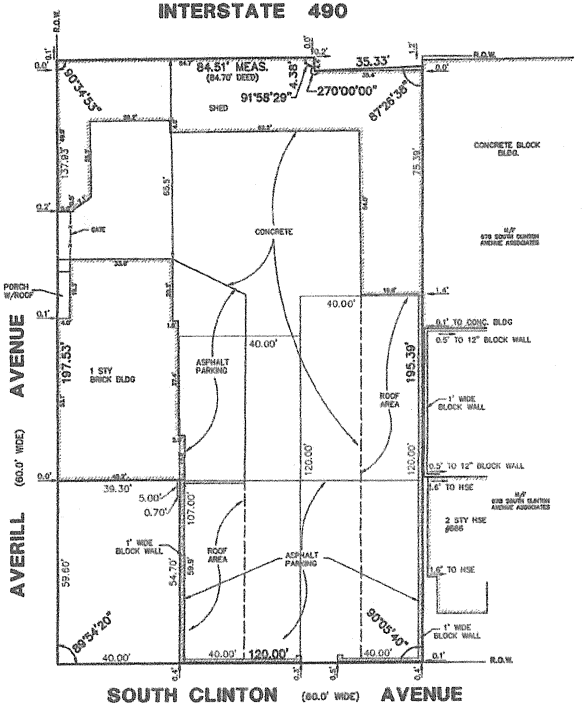


SITE PLAN

SCALE: 1"=40'-0"

SITE AERIAL

SCALE: 1"=40'-0"



REFERENCE:

ROCHESTER CITY SURVEY DISTRICT MAP DISTRICT 30 MAP 6.

METRO REAL ESTATE SERVICES SEARCH # MRE--A--2403 DATED FEBRUARY 18, 2005

METRO REAL ESTATE SERVICES SEARCH # MRE--A--2404 DATED FEBRUARY 18, 2005

METRO REAL ESTATE SERVICES SEARCH # MRE--A--2405 DATED FEBRUARY 18, 2005

EASEMENTS:

EASEMENT TO R.G.&E. & R.T.C. LIBER 3158 OF DEEDS, PAGE 430.

EASEMENT TO R.G.&E. & R.T.C. LIBER 3161 OF DEEDS, PAGE 567.

EASEMENT TO R.G.&E. & R.T.C. LIBER 3161 OF DEEDS, PAGE 566.

ANY UNAUTHORIZED ALTERATION OR ADDITION TO THIS MAP IS A VIOLATION OF ARTICLE 145, SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW.

WE, PARRONE ENGINEERING, HEREBY CERTIFY THAT THIS MAP WAS PREPARED FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED ON APRIL 21, 2005

DAVID S. STAERR, P.L.S.
PARRONE ENGINEERING

LIC. NO. 049962

STATE OF NEW YORK DAVID S. STAERR LIC. NO. 049962 LICENSED LAND SURVEYOR

REVISIONS:	NO.	DATE

PARRONE engineering

THE PIANO WORKS
340 WEST COMMERCIAL STREET
SUITE 2020
EAST ROCHESTER, NY 14445
T 585.586.8020
F 585.586.8702

Copyright © 2005 PARRONE engineering

Designed by:
Drawn By: PJS
Checked By: DS

INSTRUMENT SURVEY
FOR:

#375 AVERILL AVENUE

SITUATE IN:
CITY OF ROCHESTER MONROE COUNTY NEW YORK

DATE: MAY 2, 2005
SCALE: 1" = 20'
JOB No.: 6256

Drawing Alteration: The following is an excerpt from the New York Education Law Article 145, Section 7209, and applies to this drawing: "It is a violation of this law for any person unless he is acting under the direct supervision of a licensed architect to alter an item in any way". If an item bearing the seal of an architect is altered, the altering architect shall affix his seal and notation "ALTERED BY" followed by his signature and date of such alteration and a specific description of the alteration.

NO.	REVISION DESCRIPTION	DATE
1	ZONING AREA VARIANCE	12/09/15

REGISTERED ARCHITECT CHRISTIAN DUERR STATE OF NEW YORK

RENOVATION TO 375 AVERIL AVE. FOR MAIN STREET MEATS
CITY OF ROCHESTER, Monroe County, NY

DWG. NAME	DWG. TITLE	CLIENT	JOB NO.	DWG. BY:	DESIGN BY:	APPROVED	DATE
	SURVEY	LYDIA WILTON 100 ALEXANDER ST ROCHESTER NY STEVE LEVINE GC FOODS	001	CSD	CSD	CSD	10/14/15

CHRISTIAN DUERR ARCHITECT
1375 HIGHLAND AVENUE
ROCHESTER, N.Y. 14620
PHONE: 585.755.7356
FAX: 585.442.9339
CDDSB @ ROCHESTER.RR.COM

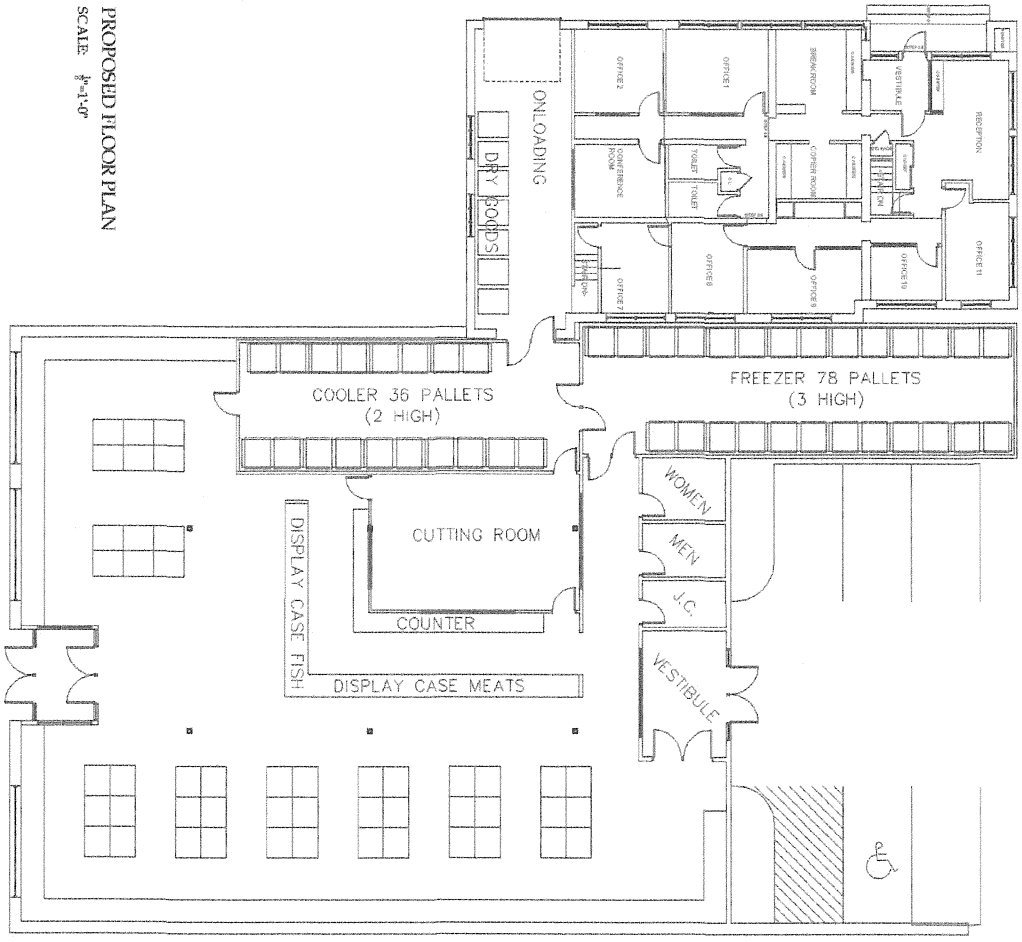
DRAWING NO: 2 OF 5

SCALE: AS NOTED

SKETCH D

PROPOSED FLOOR PLAN

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



DRAWING NO: 3 OF 5

SCALE: AS NOTED

CJD URBAN ARCHITECT

1375 HIGHLAND AVENUE
ROCHESTER, N.Y. 14620
PHONE: 585.755.7356
FAX: 585.442.9339
CDUSR@ROCHESTER.RR.COM

DWG NAME:

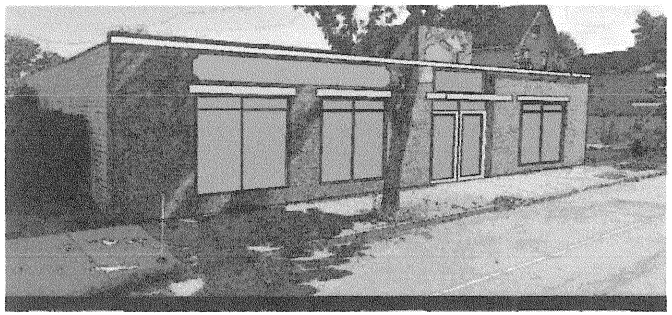
DWG TITLE: RENOVATION TO 375 AVERIL AVE. FOR MAIN STREET MEATS
CITY OF ROCHESTER, Monroe County, N.Y.
CONCEPT FLOOR PLAN AND TRUCK LOADING OVERLAY

CLIENT: LYJHA WILTON, 100 ALEXANDER ST ROCHESTER NY; STEVE LEVINE, GC FOODS

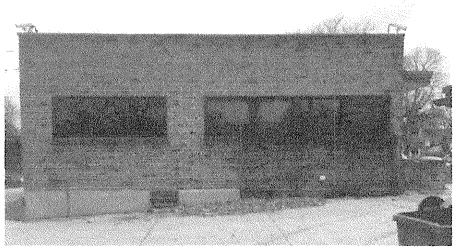
JOB NO:	DWG. BY:	DESIGN BY:	APPROVED:	DATE:
001	CSD	CSD	CSD	10/14/15

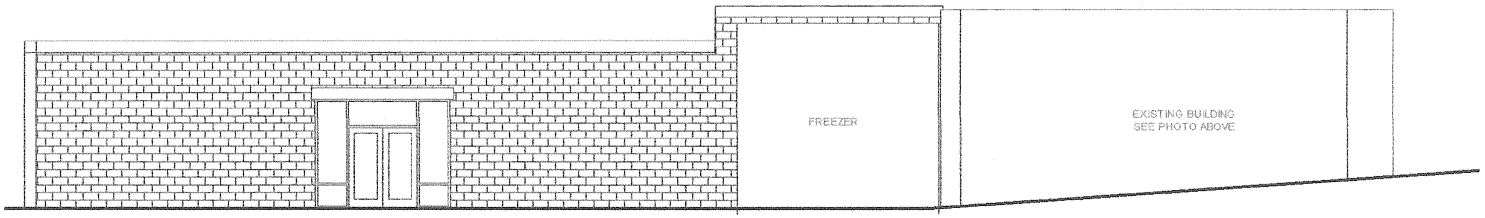
NO:	REVISION DESCRIPTION	DATE
1	ZONING AREA VARIANCE	12/09/15

Drawing Alteration: The Architect in charge of this project is the New York Education Law Article 145, Section 7209, and applies to this drawing: "It is a violation of this law for any person unless he is acting under the direct supervision of a licensed architect to alter an item in any way". If an item bearing the seal of an architect is altered, the altering architect must affix to the item his seal and the notation "ALTERED BY" followed by his signature and date of such alteration and a specific description of the alteration.



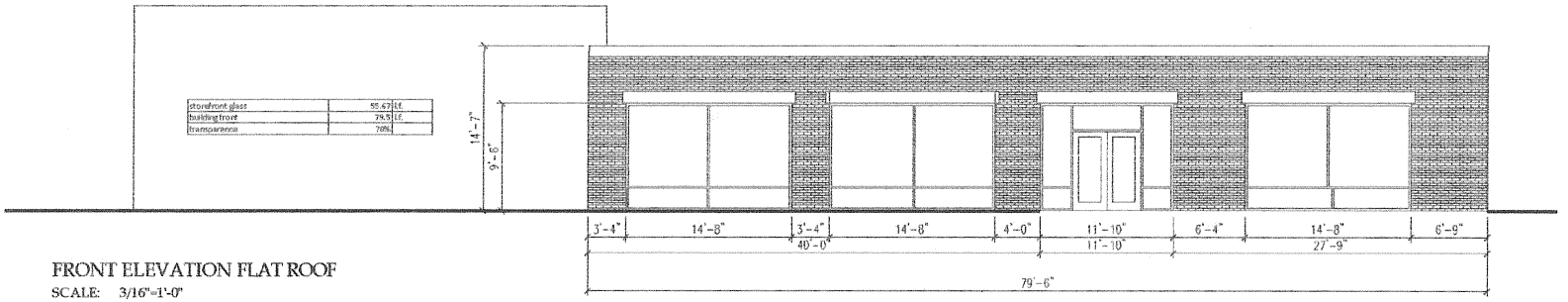
PICTURE OVERLAY FLAT ROOF





REAR ELEVATION SLOPED ROOF

SCALE: 3/16"=1'-0"



FRONT ELEVATION FLAT ROOF

SCALE: 3/16"=1'-0"

Drawing Alteration: The following is an excerpt from the New York Education Law Article 145, Section 7209, and applies to this drawing. "It is a violation of this law for any person unless he is acting under the direct supervision of a licensed architect to alter an item in any way". If an item bearing the seal of an architect is altered, the altering architect shall affix his seal and notation "ALTERED BY" followed by his signature and date of such alteration and a specific description of the alteration.

NO.	REVISION DESCRIPTION	DATE
1	ZONING AREA VARIANCE	12/01/15

RENOVATION TO 375 AVERIL AVE. FOR MAIN STREET MEATS
CITY OF ROCHESTER, Monroe County, N.Y.

CONCEPT ELEVATIONS

LYHA WILTON
100 ALEXANDER ST
ROCHESTER NY

STEVE LEVINE
GC FOODS

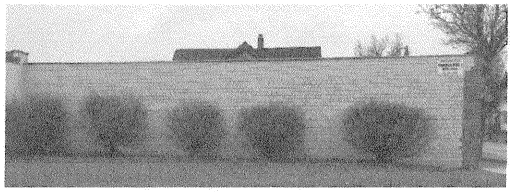
DWG NAME | DWG TITLE | CLIENT | JOB NO. 001 | DWG. BY: CSD | DESIGN BY: CSD | APPROVED CSD | DATE 10/14/15

CHRISTIAN DUERR ARCHITECT
1375 HIGHLAND AVENUE
ROCHESTER, N.Y. 14620
PHONE: 585.755.7356
FAX: 585.442.9339
CDDSB @ ROCHESTER.RR.COM

DRAWING NO:
4 OF 5

SCALE: AS NOTED

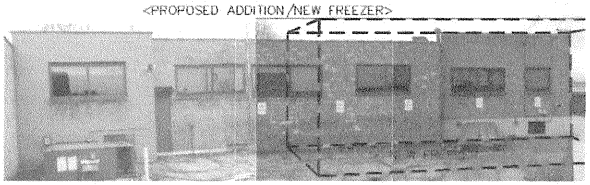
AVERIL AVENUE OFFICE FACADE



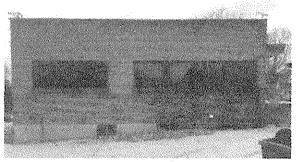
AVERIL AVENUE STORAGE WALL

SOUTH CLINTON OFFICE FACADE

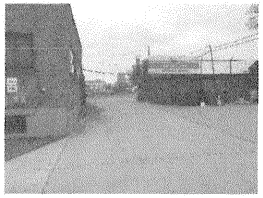
SOUTH CLINTON STORAGE WALL



STORAGE YARD OFFICE WALL LOOKING NORTH



STORAGE YARD OFFICE FACADE
LOOKING WEST



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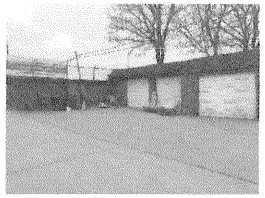

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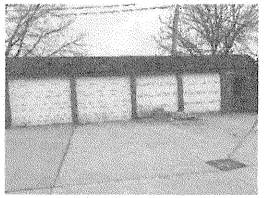
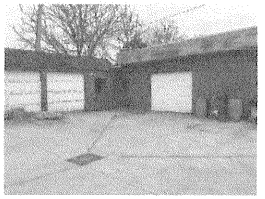
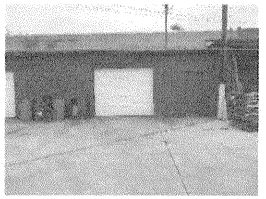




EXPRESS WAY > < COMMON PROPERTY LINE



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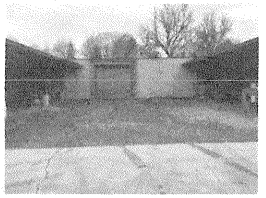
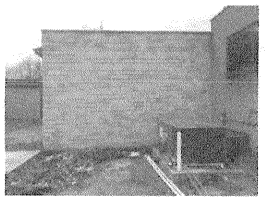
< SOUTH CLINTON AVENUE >



< AVERIL AVE

AVERIL AVE >



< END WALL >

Drawing Alteration: The following is an excerpt from the New York Education Law Article 145, Section 7209, and applies to this drawing: "It is a violation of this law for any person unless he is acting under the direct supervision of a licensed architect to alter an item in any way". If an item bearing the seal of an architect is altered, the altering architect shall affix his seal and notation "ALTERED BY" followed by his signature and date of such alteration and a specific description of the alteration.

NO.	REVISION DESCRIPTION	DATE
1	ZONING AREA VARIANCE	12/30/15

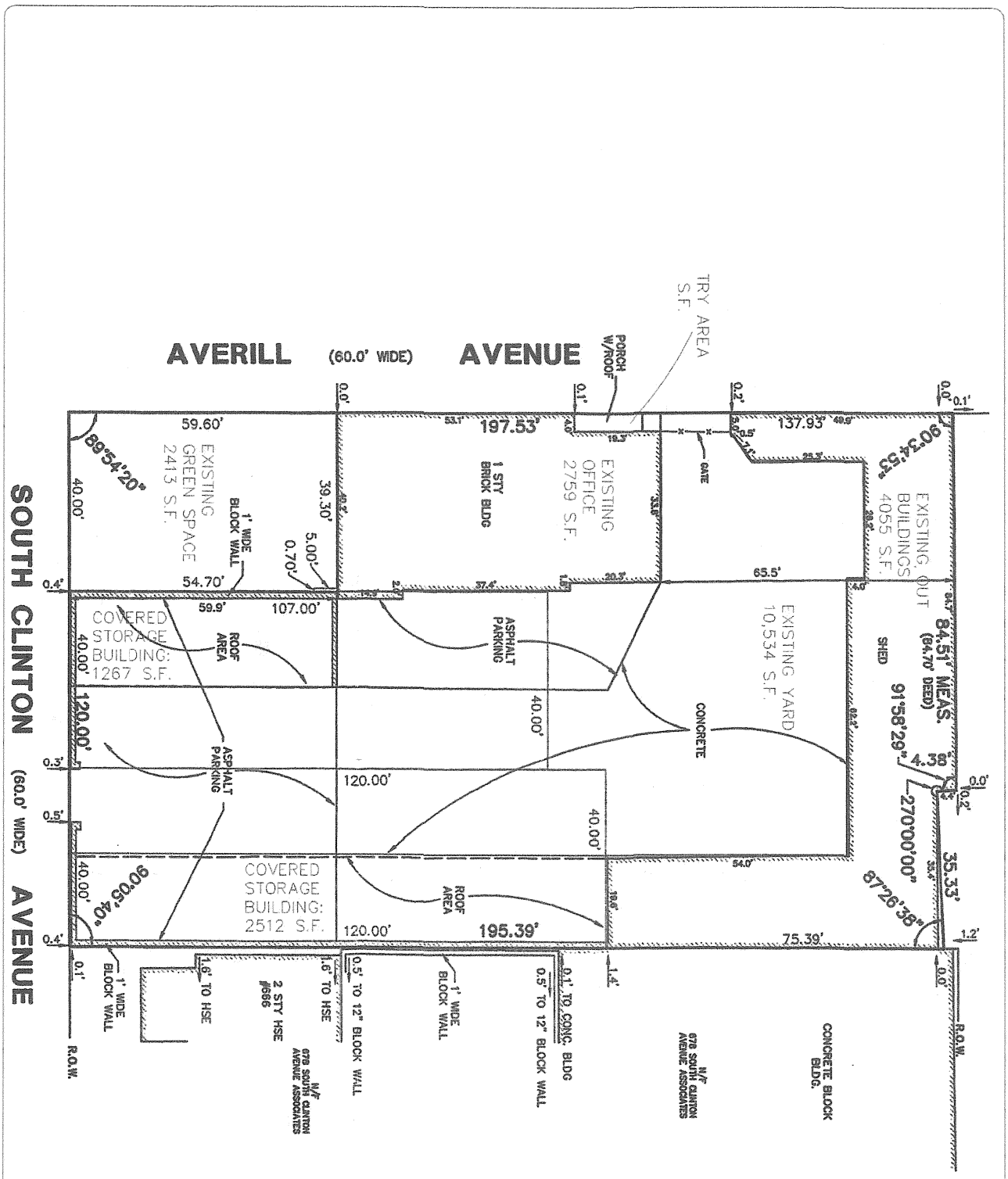
RENOVATION TO 375 AVERIL AVE. FOR MAIN STREET MEATS
City of Rochester, Monroe County, N.Y.
BUILDING AND SITE PHOTOS

DWG NAME	DWG TITLE	CLIENT	JOB NO:	DWG BY:	DESIGNED	APPROVED	DATE
		LYHA WILTON 100 ALEXANDER ST ROCHESTER NY	001	CSD	CSD	CSD	10/14/15
		STEVE LEVINE GC FOODS					

CHRISTIAN D. UERK
ARCHITECT
1375 HIGHLAND AVENUE
ROCHESTER, N.Y. 14620
PHONE: 585.755.7356
FAX: 585.442.9339
CDDSB @ ROCHESTER.RR.COM

DRAWING NO:
5 OF 5

SCALE
AS NOTED



DRAWING NO: 1 OF 1

SCALE AS NOTED

CUDSHAN DESIGN ARCHITECT
1375 HIGHLAND AVENUE
ROCHESTER, N.Y. 14620
PHONE: 585.755.7356
FAX: 585.442.9339
CDDSH @ ROCHESTER.RR.COM

RENOVATION TO 375 AVERIL AVE. FOR MAIN STREET MEATS
CITY OF ROCHESTER, Monroe County, N.Y.

EXISTING AREAS

CLIENT: LYJHA WILTON, 100 ALEXANDER ST ROCHESTER NY — STEVE LEVINE, GC FOODS

JOB NO:	DWG. BY:	DESIGN BY:	APPROVED:	DATE:
001	CSD	CSD	CSD	10/14/15

NO:	REVISION DESCRIPTION	DATE:
1	ZONING AREA VARIANCE	12/08/15

Drawing Alteration: The following is an excerpt from the New York Education Law Article 145, Section 7209, and applies to this drawing: "It is a violation of this law for any person unless he is acting under the direct supervision of a licensed architect to alter an item in any way". If an item bearing the seal of an architect is altered, the altering architect must affix to the altered item the following notation followed by his signature and date of such alteration and a specific description of the alteration.

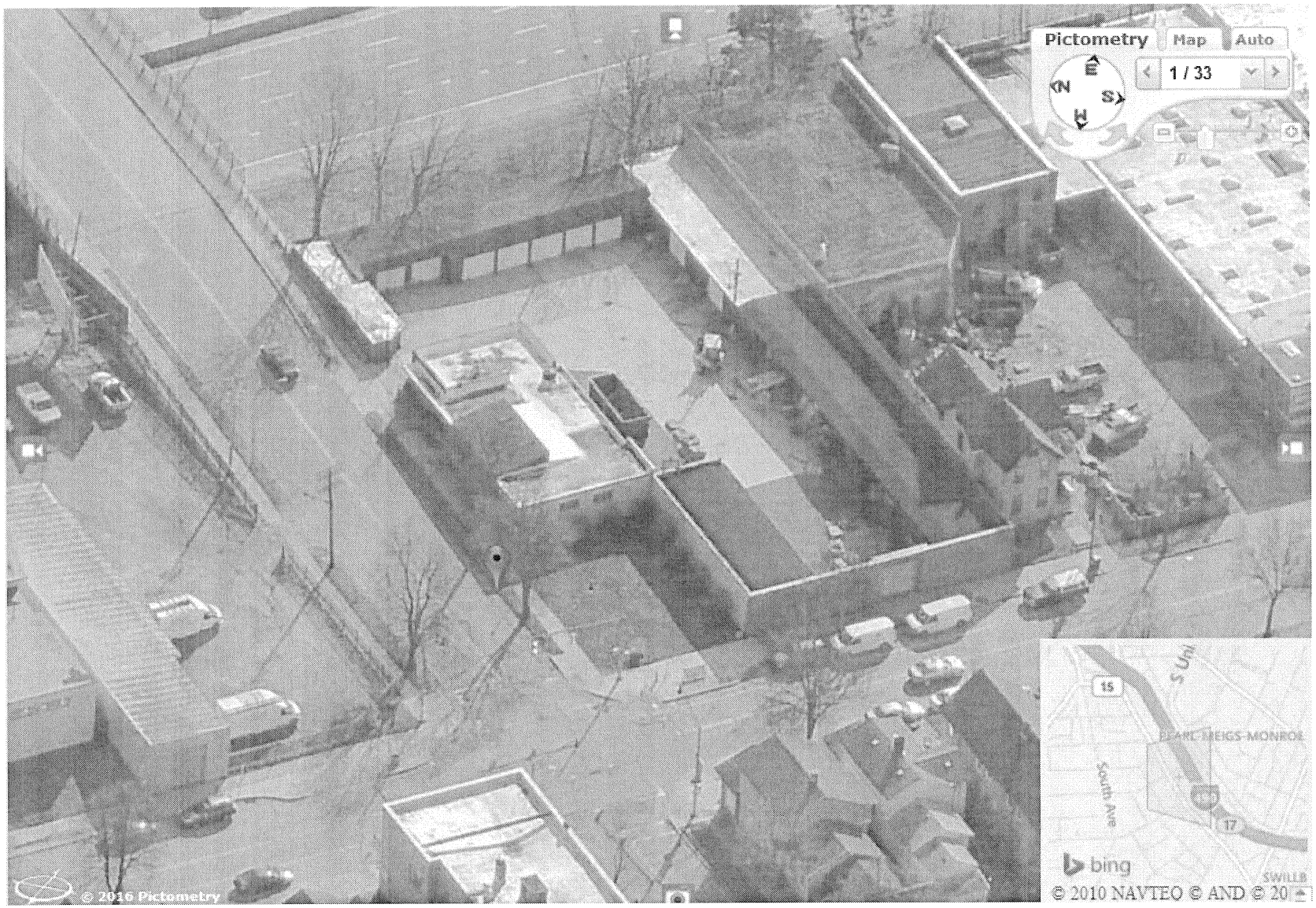
375 Averil Main Street Meats

EXISTING CONDITIONS	EXISTING OFFICE SPACE	2759	S.F.	12%
	EXISTING OUT BUILDINGS	4055	S.F.	17%
	EXISTING COVERED STORAGE	2512	S.F.	11%
	EXISTING COVERED STORAGE	1267	S.F.	5%
	BUILDING TOTAL	**10593**	**S.F.**	45%
	EXISTING YARD	10534	S.F.	45%
	EXISTING GREEN SPACE	2413	S.F.	10%
	ENTRY AREA	80	S.F.	0.3%
	TOTAL	23620	S.F.	

PROPOSED CONDITIONS	EXISTING OFFICE SPACE	2759	S.F.	12%
	PROPOSED BUILDING	7480	S.F.	32%
	INFILL BUILDING	40	S.F.	0.2%
	EXTERIOR FREEZER	673	S.F.	2.8%
	BUILDING TOTAL	**10952**	**S.F.**	46%
	PROPOSED PAVEMENT	9245	S.F.	39%
	EXISTING GREEN SPACE	2413	S.F.	10%
	PROPOSED GREEN SPACE	930	S.F.	4%
	ENTRY AREA	80	S.F.	0.3%
	TOTAL	**23620**	**S.F.**	

parking			
office	2/1000 s.f. net	2759	5.518
general retail	2/1000 s.f. net	8193	16.386
total			**21.904**

storefront glass	55.85	l.f.
building front	79.5	l.f.
transparence	70%	


Pictometry
Map
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South Ave
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© 2016 Pictometry
© 2010 NAVTEQ © AND © 20

ZONING BOARD OF APPEALS
STAFF REPORT
March 24, 2016

Area Variance

Case # 3: Staff Reviewer: Jill Symonds

File Number: V-056-15-16

Applicant: Burton and Paola Betchart

Project Address: 234 Melville Street

Zoning District: R-1 Low-Density Residential District

Section of Code: 120-11

Request: **To waive the front yard setback associated with the enclosure of the front porch.**

Background: The subject property is a single family dwelling. In December 2014, the applicant applied for a permit to install solar panels on the dwelling. When this request was reviewed, it was determined that the front porch was enclosed without a permit. The solar panels were approved, but the front porch enclosure must be resolved.

The front porch was enclosed prior to 2003, when the City Code did not prohibit it. However, enclosed porches are considered to be part of the principal structure and are required to meet the front yard setback requirements.

Code Compliance: Section 120-11 provides that the minimum front yard setback for a principal use in the R-1 district is the average front yard depth of buildings on the block frontage on which the property is located. The survey map indicates that the front yard setback is 19.5 feet with an open porch and approximately 12.5 feet with an enclosed porch. Therefore, a variance is required from the Zoning Board of Appeals to waive the front yard setback requirement.

Code Enforcement: The subject property is in code enforcement for the enclosed front porch.

Application for Area Variance

Project Information

1. **Project address:** 234 Melville St.
2. **Applicants:** Burton and Paola Betchart
   Address: 234 Melville St
   Rochester, NY 14609
   Phone: (585) 209-0517
   Email: betchart@gmail.com
   Interest in property: owners
3. **Plan preparer:** Not applicable
4. **Attorney:** Zachary Pike
   Address: Legal Aid Society of Rochester
   1 W Main Street, Suite 800
   Rochester, NY 14614
   Phone: (585) 295-5768
   Email: zpike@lasroc.org
5. **Zoning district:** R-1
6. **Detailed project description:** The front porch of the subject property was enclosed in 1996 without the area variance required to legalize its encroachment of the required setback. The applicants purchased the house in early 2014 with help from the City of Rochester Home Purchase Assistance Program for first-time homebuyers, and remained unaware of the porch problem until receiving a citation later that year. The citation may have been prompted by the application for a permit to install rooftop solar panels. The applicants are seeking an area variance to legalize the front porch of the subject property.
7. **Length of time to complete project:** Not applicable

BUILDING BUREAU
ROOM 121

3:57PM Feb 11/16
01-0002 001 Juan
#19494

Zoning $250.00
INFO 234 MELVILLE ST

CHECK $250.00

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: 2/10/2016

SIGNATURE: _____ DATE: 2/10/2016

233-235 MELVILLE ST

March 11, 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

Area Variance Statement of Difficulty

A. **Benefits.** *The benefits to the applicant outweigh any detriment to the health, safety and welfare of the neighborhood or the community by the granting of the variance.*

The variance will allow us to avoid deconversion or removal of the enclosed front porch. Deconversion or removal would be financially infeasible to pursue, would create a disturbance, and would not increase our enjoyment of the property.

B. **Essential character of the area.** *No undesirable change will be produced in the character of the neighborhood, or a detriment to nearby properties will be created by the granting of the variance.*

The subject property is a single family home with a front porch that has been mostly enclosed. Four street-facing windows, two side-facing windows, and a storm door on the porch provide moderate transparency which lessens the impact of the enclosure. Nearby homes contain a mix of open (14) and closed (10 including the subject property) porches, as shown by Figures 2-6. As such, the variance will not be a detriment to nearby properties or the character of the neighborhood.

C. **No other remedy.** *There is no other means feasible for the applicant to pursue, other than the granting of this area variance.*

Since receiving the citation in late December 2014, we have searched rigorously for alternative legalization options with the help of the Bureau of Planning & Zoning and City Council representatives.

In a December 2015 letter, the Director of Planning and Zoning reviewed our case and suggested that there is no means of legalizing our porch enclosure other than an area variance.

D. **Significance.** *The requested variance is not substantial.*

The front porch has been enclosed since 1996 (20 years), and there are many other enclosed porches in the area (9 in the immediate vicinity).

The survey map indicates that the front yard setback is 19.5 feet with an open porch and approximately 12.5 feet with an enclosed porch.

E. **Physical and environmental conditions.** *The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.*

In its current condition, the front porch does not present any type of hazard. Maintaining the front porch in its current condition creates zero impact on the environmental conditions in the neighborhood. The granting of this variance will permit us to leave the front porch as it is.

F. **Not self created.** *The alleged difficulty was not self created, the consideration of which shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of the variance.*

We retained the legal services of the Legal Aid Society of Rochester in the first quarter of 2014 in order to assist us with the purchase of the subject property. Those services included a review of the necessary permits for the improvements found on the property. Unfortunately,

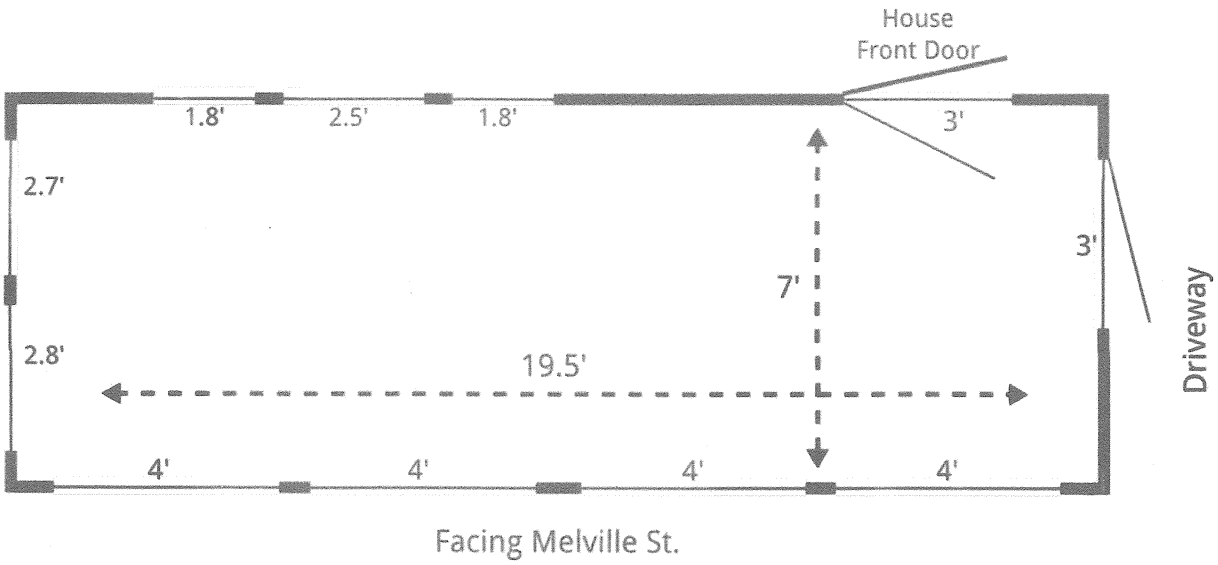


Figure 1: Scaled floor plan of the enclosed front porch at 234 Melville St.

our attorney did not discover the lack of a permit for the porch enclosure. We remained unaware of the issue until shortly after a permit for rooftop solar panels was sought on our behalf at the end of 2014.

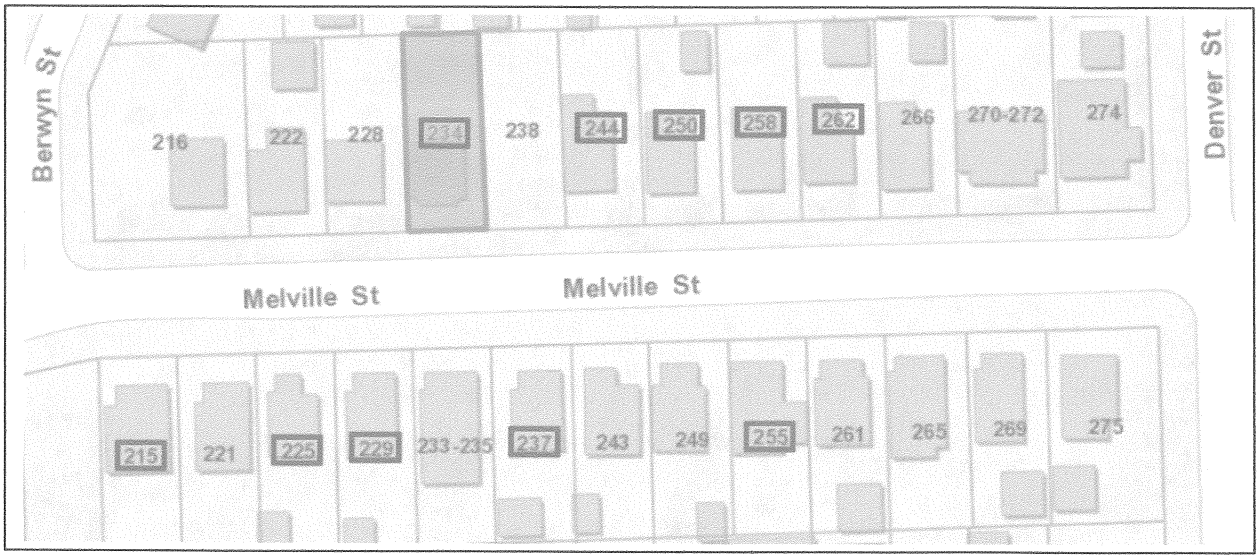
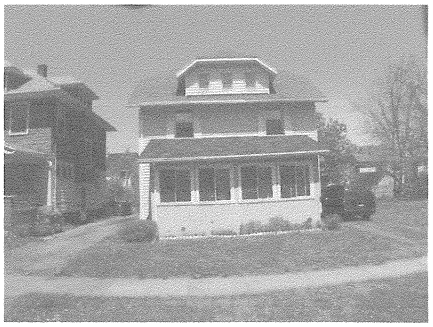
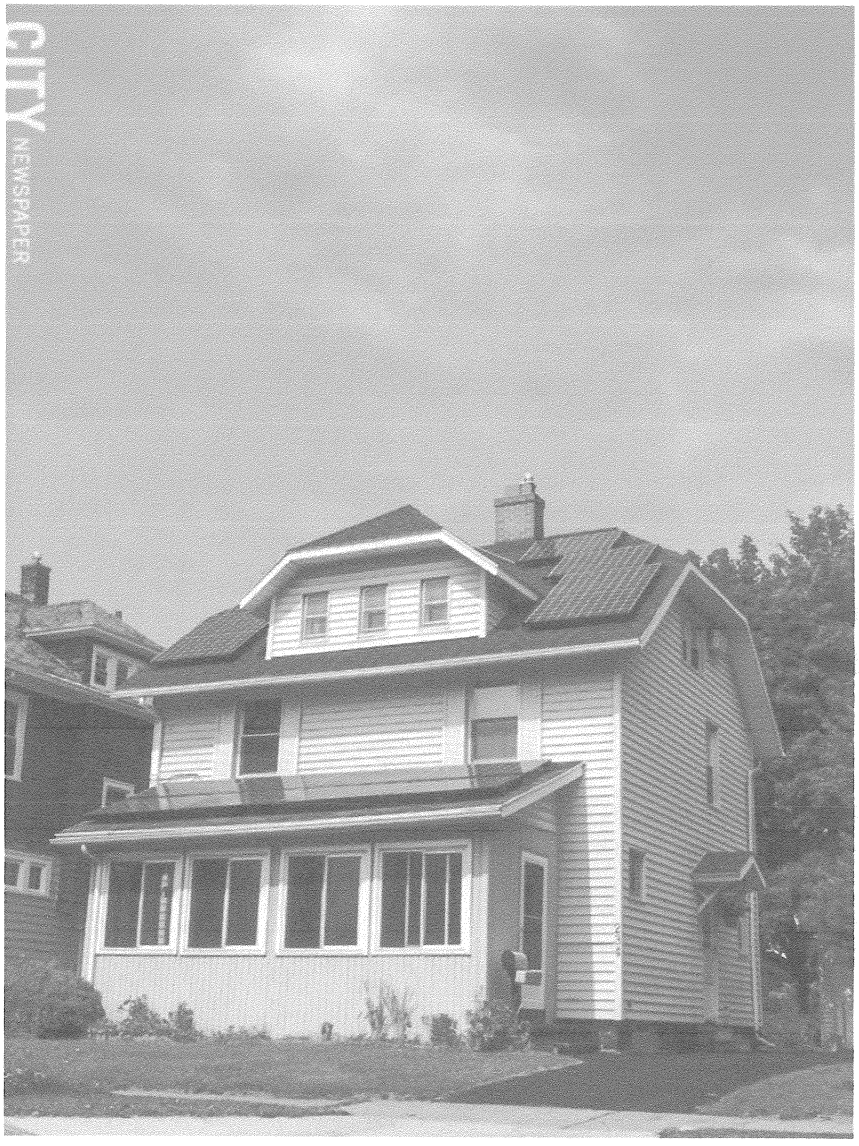


Figure 2: Map of the neighborhood. The subject property is highlighted in green. Houses with enclosed front porches have their street number boxed in red.

(a)



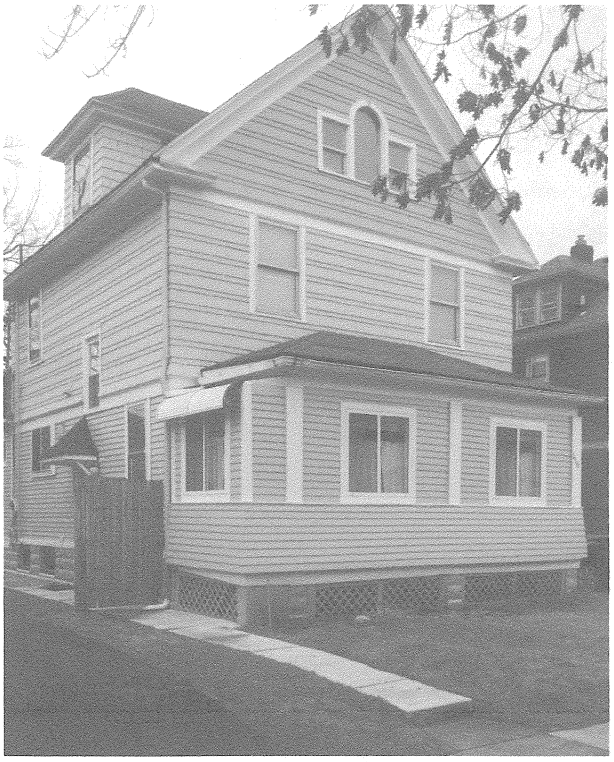
(b)



(c)

Figure 3: Home at 234 Melville St in years (a) 1995, (b) 2007, and (c) 2015.

(a) 244 Melville

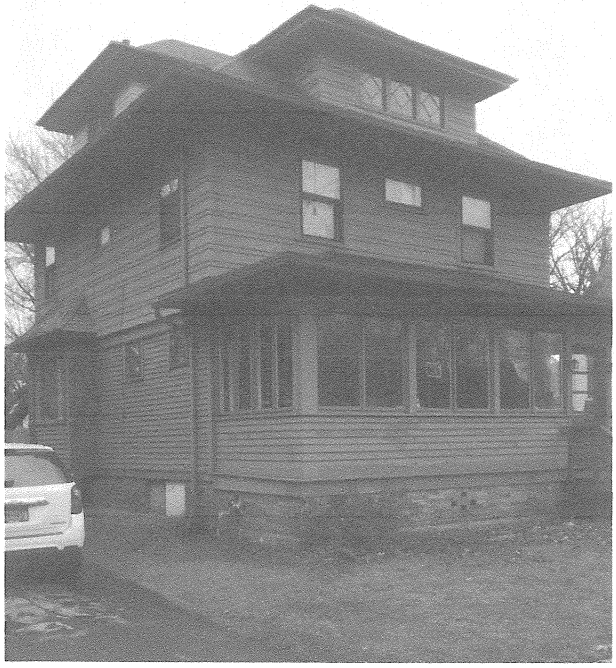


(b) 250 Melville

(c) 258 Melville

(d) 262 Melville

Figure 4: Nearby enclosed porches.



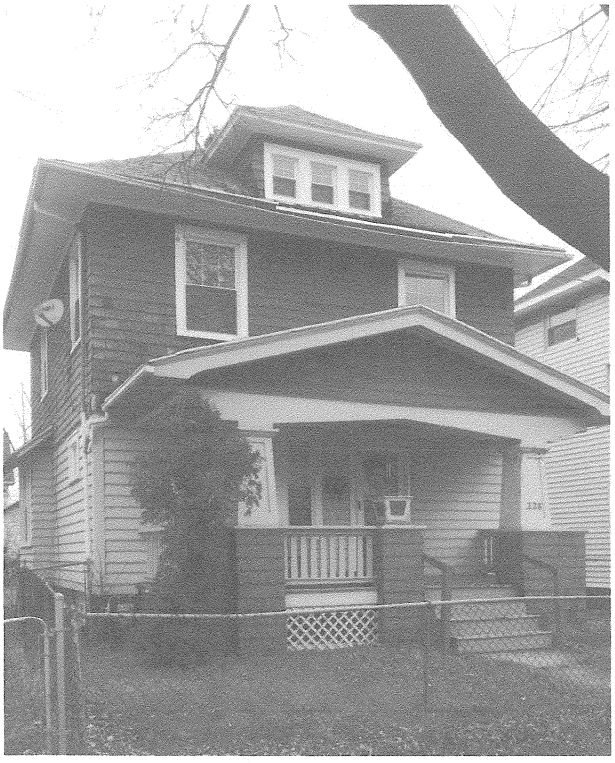
(a) 215 Melville

(b) 225 Melville

(c) 229 Melville

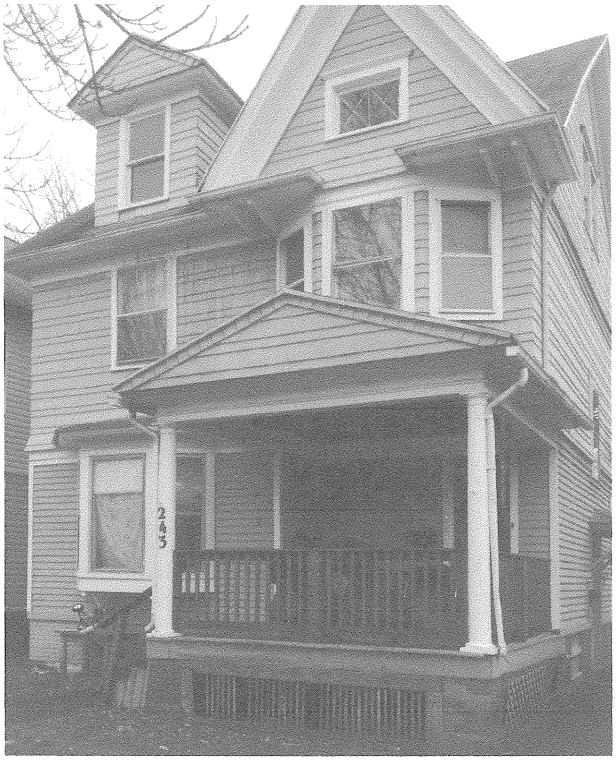
(d) 237 Melville

Figure 5: Nearby enclosed porches.



(a) 228 Melville

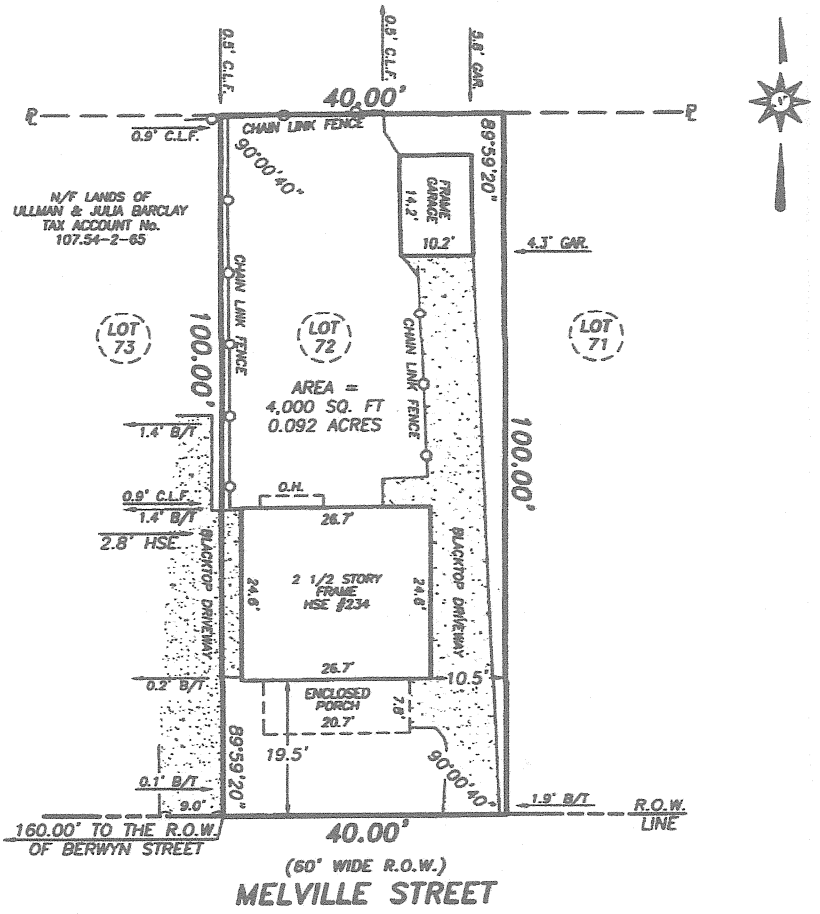
(b) 233-235 Melville



(c) 243 Melville

(d) 221 Melville

Figure 6: Nearby open porches.



CERTIFICATION:

I, DAVID A. STAUB, HEREBY CERTIFY TO:
-CNB MORTGAGE COMPANY, ITS SUCCESSORS AND/OR ASSIGNS, AS THEIR INTERESTS MAY APPEAR
-GALLO & IACOVANGELO, LLP.
-THE TITLE INSURANCE COMPANY INSURING THE MORTGAGE
-THE LEGAL AID SOCIETY OF ROCHESTER, NY INC.
-PAOLA M. & BURTON A. BETCHART
THAT THIS MAP WAS MADE MARCH 6, 2014
FROM NOTES OF AN INSTRUMENT SURVEY
COMPLETED MARCH [illegible], 2014
AND REFERENCE TO PLAT OR MAP.

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

N.Y.S.P. ★ No. 5[illegible] ★ DATE

REFERENCES:

1.) LIBER 14 OF MAPS, PAGE 36.
2.) LIBER 4455 OF DEEDS, PAGE 83.
3.) ABSTRACT OF TITLE No. 41447 (INDEPENDENT TITLE).
4.) EASEMENT TO R.G.&E. & R.T.C. PER LIBER 1160 OF DEEDS, PAGE 130. (POLE AT NORTH REAR LINE)

NOTE: PREMISES SUBJECT TO ALL EASEMENTS, RESTRICTIONS & COVENANTS OF RECORD NOT REFERENCED IN ABSTRACT OF TITLE.

TITLE:

INSTRUMENT SURVEY MAP

234 MELVILLE STREET
BEING LOT No. 72 OF THE EAST SIDE SUBDIVISION,
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) 283-9850
Fax (585) 283-3581

SCALE:	TAX ACCOUNT:	JOB NO.:	DATE:
1" = 20'	107.54-2-64	0210-14	MARCH 6, 2014

City of Rochester
Department of Neighborhood
and Business Development

CITY HALL
CHURCH AND FITZHUGH STREETS
ROCHESTER, NEW YORK 14614

CASE NO. 571821

PREMISES: 0234 MELVILLE ST

TYPE OF INSPECTION: REFERRAL

DATE PRINTED: DEC 22, 2014

TO PAOLA & BURTON
BETCHART
234 MELVILLE ST
ROCHESTER, NY
14609

NOTICE AND ORDER

PLEASE TAKE NOTICE that an inspection of the above property which you own, operate or occupy has revealed that the property is in violation of the codes, laws and ordinances of the City of Rochester and the State of New York.

The following pages list the outstanding violations that were either found to be in violation during the inspection conducted on the date referenced below or were violations previously identified that have not been abated, the date the specific violation was first identified, the section of law violated and the time frame for each violation to be corrected.

For new violations cited for the first time in this Notice and Order, after the expiration of the time given to comply, if compliance is not achieved or an acceptable work plan has not been submitted and approved, the Director may take whatever legal action is necessary to compel compliance with this order. Previously cited violations that remain unabated where the original grace period to abate the violation has expired, are subject to ticketing. If you have any questions please contact the Inspector listed below between 8:00 a.m. and 5:00 p.m., Monday thru Friday. Any repairs must conform with standard building construction practices and must be performed using like materials and colors.

Note: Please check the following pages to determine whether you are required to secure any permits prior to start of any work.

Also note: As per section 90-21B of the Municipal Code of the City of Rochester, any notice and order case containing violations which remain unabated after one (1) year from the issuance date will be subject to a Case Management Fee of $100. This fee is applicable on an annual basis.

DATE OF INSPECTION: DEC 19, 2014

INSPECTOR: Michael Van Meenen
(585) 428-6233

In accordance with section 52-5A(2) of the Municipal Code of the City of Rochester, whenever a notice and order has been issued you may request a meeting with the Director or his/her designee prior to the expiration period for compliance. Whenever a Case Management Fee has been assessed in accordaance with section 90-21B of the Municipal Code of the City of Rochester, you may dispute this fee in writing to the Director within ten (10) days of the date of notice.

COMMISSIONER

City of Rochester
Department of Neighborhood
and Business Development

NOTICE AND ORDER VIOLATIONS

CASE NO. 571821 PAGE: 2

DATE PRINTED: DEC 22, 2014 PREMISES: 0234 MELVILLE ST

The following violation(s) of the Rochester Zoning Ordinance must be corrected by deconversion, discontinuance, removal or legalization (if possible) within ten (10) days. Applications for legalization begin at City Hall,Room 121-B. In the event a completed application is submitted within this ten (10)day period, a formal extension may be granted. Failure to comply with this Notice and Order may result in this case being referred for appropriate legal action.
Failure to correct the cited violations in this Notice and Order upon expiration of the specified period of time may result in the issuance of an Appearance Ticket(s) and fine(s)in the minimum amount of $300.00 per violation.

	LOCATION	UNITS	VIOLATION	CODE
**********			DATE VIOL(S) ISSUED: DEC 22, 2014	
1.			The improvements at the subject property, as hereafter described, were undertaken without a Certificate of Zoning Compliance. FRONT PORCH ENCLOSURE	120-189D(1)(F

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

one city ROCHESTER
Bureau of Planning and Zoning

December 2, 2015

Mr. Burt Betchart
234 Melville Street
Rochester, NY 14609

Re: 234 Melville Street

Dear Mr. Betchart:

The purpose of this letter is to clarify the status of the zoning review of your property and to provide information regarding the variance process.

Photographs on the City's Property Information website indicate that the front porch at 234 Melville Street was enclosed between 1995 and 2007 (enclosed). You have submitted receipts that indicate the porch was enclosed in 1995/1996 or 2000. Prior to 2003, the City Code did not prohibit residential porch enclosures.

Open porches are permitted to encroach into any required setbacks. Enclosed porches are considered to be part of the principal structure and are required to meet the front yard setback requirements. The minimum front yard setback for a principal use in the R-1 district is the average front yard depth of buildings on the block frontage on which the property is located. The survey map indicates that the front yard setback is 19.5 feet with an open porch and approximately 12.5 feet with an enclosed porch. Therefore, a variance is required from the Zoning Board of Appeals to waive the front yard setback requirement.

I have enclosed application materials for an area variance to waive the front yard setback requirement resulting from the porch enclosure. The application fee is $250 and the next application deadline is December 10th, 2015, for the January 21, 2016 public hearing. I have also enclosed a copy of the 2016 public hearing schedule should you wish to pursue a variance at a later date.

If you have any questions about the variance process, please contact Jill Symonds, on my team, to discuss further. You can reach her at (585) 428-7364 or Jill.Symonds@cityofrochester.gov.

Sincerely,

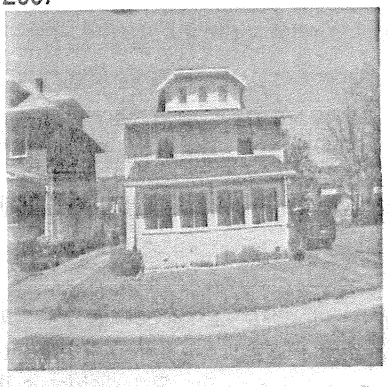
Zina Lagonegro

Zina Lagonegro, AICP, EIT
Director of Planning and Zoning

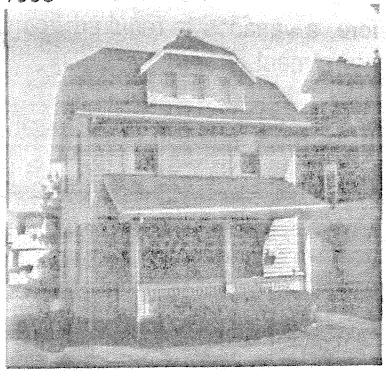
cc: Jill Symonds, Sr. City Planner
Gary Kirkmire, Director, Inspections and Compliance

Photos from the City Property Information Website

2007



1995



SALES ORDER

Paul C. Healy
Adiron-Deck Builders
2976 Chili Avenue
Rochester, NY 14624

No.

CUSTOMER'S ORDER NO.	DEPARTMENT	DATE 3-4-96

NAME Don and Nancy Rhoads

ADDRESS 234 Melville St.

CITY, STATE, ZIP Rochester, N.Y. 14609

SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT.	MDSE. RETD.	PAID OUT

	QUANTITY	DESCRIPTION	PRICE	AMOUNT
1		Porch Rebuild		
2				
3		Estimated Cost		$ 3975.00
4	+	Sugarcreek Storm door		
5		(Wholesale cost)		175.00
6	+	door tax		14.00
7	+	Additional Siding (1.5sq.)		59.00
8	+	Shrub removal		22.00
9				
10		Total Cost		$ 4245.00
11				
12		Deposit Received	−	$ 1900.00
13				
14		Balance Due		$ 2345.00
15				
16				
17				
18		PAID	3-6-96	
19				
20				

RECEIVED BY P.E.H.

KEEP THIS SLIP FOR REFERENCE

Adams NC 5805

Sales Order

TE Oct. 22, 1995

ATION Residence

of house:

of porch

.T.) 6x6

To Extend up to Beef sill

Clear joist

21'

floor – 36" new

– 2x6 framing

to extend to

over new CDX.

le screens to wall

& pine to interior new wall

This estimate is for completing the job as described above. It is based on our evaluation and does not include material price increases or additional labor and materials which may be required should unforseen problems or adverse weather conditions arise after the work has started.

ESTIMATED JOB COST 395.00

ESTIMATED BY Paul Healy

2976 CHILI AVE.
ROCHESTER, NY 14624
426 - 1142

JOB ESTIMATE

TO Don & Nancy Rhoads

ADDRESS 234 Melville St
Rochester, NY

PHONE 482-7545

DATE Oct. 22, 1995

LOCATION Residence

JOB DESCRIPTION: To Front porch of house:

-1) Remove and haul away bottom of porch - Roof will Remain as is.

-2) Install new pressure treated (P.T.) 6x6 footers on new Cement base. - To Extend up to Roof sill.

-3) Build and Install new p.t. 2x8 floor joist framing - Dimension outside - 8'x21'

-4) Apply new 5/4"x3"x8" fir flooring

-5) Install wall framing to new porch floor - 36" new wall - 12" down from existing roof sill - 2x6 framing

-6) Apply ½" CDX plywood to framing - to extend to the existing lawn grade.

-7) Install Vertical Vytec - vinyl siding over new CDX. - this will also extend to lawn grade

-8) Build and Install new P.T. Removable Screens to wall frame Rough Openings. -9) Install 1x6 T&G Rise to interior new wall

This estimate is for completing the job as described above. It is based on our evaluation and does not include material price increases or additional labor and materials which may be required should unforseen problems or adverse weather conditions arise after the work has started.

ESTIMATED JOB COST 395.00

ESTIMATED BY Paul Healy

CHASE-PITKIN INSTALLED SERVICES

YOU DON'T HAVE TO DO IT YOURSELF

PROPOSAL AND ACCEPTANCE AGREEMENT # Nº 5152

ROCHESTER
585 Moseley Rd. (Rt. 250)
Fairport, NY 14450
(716) 421-9150
Fax (716) 425-2637

SYRACUSE
6797 E. Genesee St.
Fayetteville, NY 13066
(315) 251-0500
Fax (315) 251-2003

SOUTHERN TIER
3344 Chambers Rd. S.
Horseheads, NY 14845
(607) 796-0689
Fax (607) 796-4998

Date of Agreement: 10-25-2000 Store No: 45

Customer Name(s): Dan R Hoads

Address: 234- Melville ST

City: Roch State: NY. Zip Code: 14609

Home Phone #: 482- 7542 Work Phone #:

We hereby submit specifications and estimates for the following work
(which includes labor only, unless otherwise specified):

Est To Install ① Hallmark 32RM Almond Labor: MAT'L = MAT 120.25

Est To Install ③ Prodigy White DBL Hung windows In ATTIC Space, At # 234 Melville As Follows: R.O adjusts Install new units, Add Stop as needed. Also Caulk & Insulate Labor: MAT'L = 779.59

Est To Install ⑥ Prodigy White 2 Lite Sliders In Front Room at # 234 Melville As Follows: Install new units & Return Exterior with White Alum, Reuse Siding & Trim Channel, Add Power Stop To Trim Interior. Also Caulk & Insulate. Note: openings are not Square or Plumb. Labor = 2500.00 Pd In Full CK # 6385

We propose to furnish LABOR - complete in accordance with the above specifications, for the sum of: Amount 2890.00

Dollars $ MAT 3399.84 - 15% = 2890.00 (No Further Discounts)

Payment: Orders under $500.00 - full payment required in advance
Orders over $500.00 - __% deposit required in advance, remaining balance due upon substantial completion.

Estimated Commencement Date: 2-3 Weeks From Product Receival

Estimated Completion Date: 3-5 working Days

Owner will not be entitled to a return of the down payment in the event of reasonable delays caused by circumstances beyond our control, including but not limited to weather and material order delays.

NOTICES:
1. If you fail to pay as agreed, Chase-Pitkin may have a claim against you which may be enforced by filing a lien against your property.
2. Chase-Pitkin is required to deposit any advance payments you make in an escrow account with a bank, trust company, savings bank or savings and loan association located in this state within five (5) business days of receipt, and is required to notify you of the name of the depository institution within ten (10) business days after the deposit is made. In lieu of making this deposit, Chase-Pitkin may post a bond, contract of indemnity or letter of credit guaranteeing the return of or proper application of your payment.
3. This contract includes the terms and conditions on both the front and back of this form.
4. This document will become a legally binding contract upon acceptance by Chase-Pitkin.

All work is to be completed in a workmanlike manner according to standard practices.

Owner: Donald W Roads Date: 10-24-2000

Authorized By: Date: 10-24-2000

Note: This proposal may be withdrawn by us if not accepted within 30 Days.

NOTICE OF CANCELLATION: Date of Agreement: _____

OWNER MAY CANCEL THIS TRANSACTION, WITHOUT PENALTY OR OBLIGATION, WITHIN THREE (3) BUSINESS DAYS FROM THE ABOVE DATE.

IF OWNER CANCELS, ANY PROPERTY TRADED IN, ANY PAYMENTS MADE BY OWNER UNDER THE CONTRACT, AND ANY NEGOTIABLE INSTRUMENT EXECUTED BY OWNER WILL BE RETURNED WITHIN TEN(10) BUSINESS DAYS FOLLOWING RECEIPT BY CHASE-PITKIN INSTALLATIONS OF OWNER'S CANCELLATION NOTICE, AND ANY SECURITY INTEREST ARISING OUT OF THE TRANSACTION WILL BE CANCELLED.

IF OWNER CANCELS, OWNER MUST MAKE AVAILABLE TO CHASE-PITKIN AT OWNER'S RESIDENCE, IN SUBSTANTIALLY AS GOOD CONDITION AS WHEN RECEIVED, ANY GOODS DELIVERED UNDER THIS CONTRACT OR SALE; OR MAY IF OWNER WISHES, COMPLY WITH THE INSTRUCTIONS OF CHASE-PITKIN REGARDING THE RETURN SHIPMENT OF THE GOODS AT CHASE-PITKIN'S EXPENSE AND RISK.

IF OWNER FAILS TO MAKE THE GOODS AVAILABLE TO CHASE-PITKIN, OR IF OWNER AGREES TO RETURN THE GOODS TO CHASE-PITKIN AND FAILS TO DO SO, THEN OWNER REMAINS LIABLE FOR PERFORMANCE OF ALL OBLIGATIONS UNDER THE CONTRACT.

TO CANCEL THIS TRANSACTION, MAIL OR DELIVER A SIGNED AND DATED COPY OF THIS CANCELLATION NOTICE OR ANY OTHER WRITTEN NOTICE, OR SEND A TELEGRAM TO:

585 MOSELEY RD. (RT. 250) - FAIRPORT, NY 14450

I HEREBY CANCEL THIS TRANSACTION:

OWNER'S SIGNATURE: _____

ZONING BOARD OF APPEALS
STAFF REPORT
March 24, 2016

Area Variance

Case # 4: Staff Reviewer: Jill Symonds

File Number: V-057-15-16

Applicant: John McDermott

Project Address: 80 Reservoir Avenue

Zoning District: R-1 Low-Density Residential District

Section of Code: 120-173

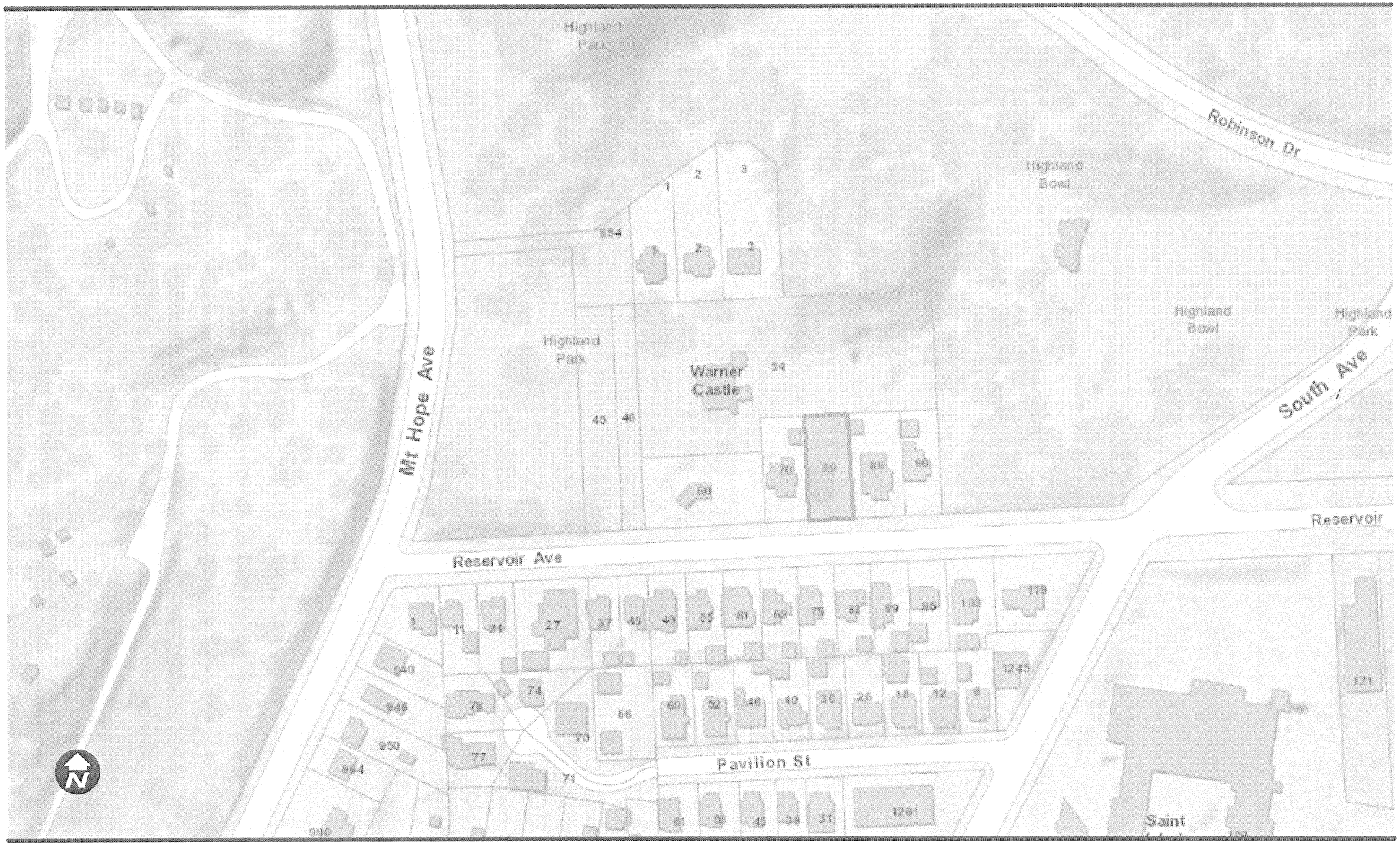
Request: **To waive the width of the existing driveway leading to the proposed two-car garage in the rear yard of the single family home.**

Background: The subject property is a single family dwelling. The applicant is proposing to construct a detached, two-car garage in the rear yard. In order to do so, the existing driveway must be extended into the rear yard.

Code Compliance: 120-173 requires a driveway to be 9' wide. **As the driveway is only 7.9', an area variance is required.**

Code Enforcement: The subject property is not in code enforcement.

80 RESERVOIR AV



March 11, 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

PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. **PROJECT ADDRESS(ES):** 80 Reservoir Ave, Rochester NY 14620

2. **APPLICANT:** John McDermott **COMPANY NAME:** _____

   ADDRESS: 80 Reservoir Ave. **CITY:** Rochester **ZIP CODE:** 14620

   PHONE: 585-406-5283 **FAX:** _____

   E-MAIL ADDRESS jmcdermott104@gmail.com

   INTEREST IN PROPERTY: Owner ✓ Lessee _____ Other _____

3. **PLAN PREPARER:** same as above

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

   PHONE: _____ **FAX:** _____

4. **ATTORNEY:** Jane Hopfinger, Osbourn Redmond Burke, LLP

   ADDRESS: 45 Exchange St, 4th Fl. **CITY:** Rochester **ZIP CODE:** 14614

   PHONE: 585-263-9500 **FAX:** 585-627-1260

   E-MAIL ADDRESS jbh@orblaw.com

5. **ZONING DISTRICT:** _____

BUILDING BUREAU
ROOM 121
CASH Mar 4/16
01-0002.001 BUD
#20706
Zoning $250.00
CHECK $250.00

6. **DETAILED PROJECT DESCRIPTION (additional information can be attached):**
Extend existing driveway and build garage in rear of house. The existing area of the driveway is only 7.9' from the house to the neighbor's lot line. We have an agreement in place with the neighbor for an easement to widen the driveway to connect with this and to meet the 9' minimum zoning requirement. We need a variance for this to be approved

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:** 2/11/16

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.

SIGNATURE: _____ **DATE:** _____

City of Rochester, NY

AREA VARIANCE
STATEMENT OF DIFFICULTY
Section 120-195B(4)(b)

An area variance shall be granted only if the applicant can establish the existence of EACH of the following conditions:

A. Benefits. The benefits to the applicant outweigh any detriment to the health, safety and welfare of the neighborhood or the community by the granting of the variance.

The current house has no garage. This project will provide a protected space for our cars (from both weather and vandalism). Having a paved driveway will allow us to park the cars in the rear of the house thus improving the look of the property for us and our neighbors. Security is an important factor since we have had several break-ins on cars in our neighborhood.

B. Essential character of the area. No undesirable change will be produced in the character of the neighborhood, or a detriment to nearby properties will be created by the granting of the variance.

This will bring our house in line with the rest of the neighborhood since all the other houses have garages in the rear of their properties. The current driveway is old and needs replacement. This solution provides for shared use of our driveway with our neighbor which will benefit them.
The proposed variance also allows us to make use of the existing curb cut. It is merely an extension of the existing driveway, utilizing the easement of our neighbor to extend the width to the required 9 foot width.

C. No other remedy. There is no other means feasible for the applicant to pursue, other than the granting of this area variance.

It is not possible to (1) move the lot line; (2) move the house; (3) create a new driveway on the other side of the house. Reasons against #3:
- This would require a new curb cut
- Would ruin the character of the house
- Is out of line with the pattern of the street
- All the doors of the house are adjacent to the existing driveway area

D. Significance. The requested variance is not substantial.

We are extending the width of the driveway to meet the city minimum of 9' width through an easement with the neighbor at 70 Reservoir Ave. All the variance covers is approval to use this agreement ~~for~~ from easement of 1.5' to allow us to meet the city requirement.

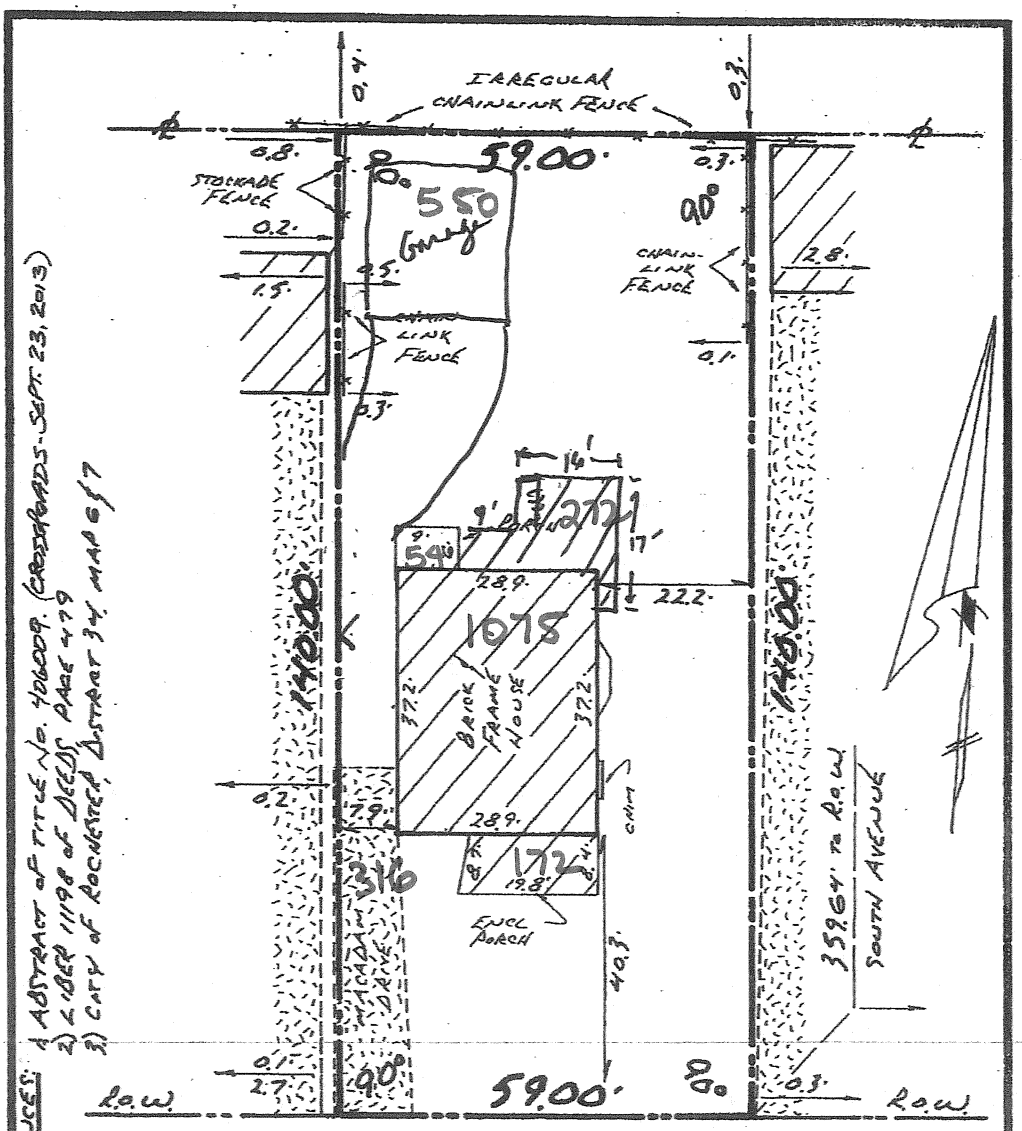
E. Physical and environmental conditions. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

This project will improve the appearance of the driveway area. No other impact expected.

F. Not self created. The alleged difficulty was not self created, the consideration of which shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of the variance.

This was a pre-existing situation.

lot: 8260
bldg: 2123 (257)
lot: ok



REFERENCES:
1) ABSTRACT OF TITLE NO. 40000.
2) LIBER 1119 OF DEEDS PAGE 479
3) CITY OF ROCHESTER DISTRICT 34 MAP 6 & 7

CERTIFICATION:
I hereby certify to:

JOHN R. MCDERMOTT, JR., ELIZABETH MCDERMOTT;
OSBORN, REED & BURKE, LLP;
STEWART TITLE INSURANCE COMPANY

that this map was made OCT. 4 2013 from notes of an Instrument Survey completed SEPT. 30 2013 and from references listed hereon.

GREGORY J. BILESCHI N.Y.S.L.S. #50342

NOTE: Property corners should only be set by a licensed, registered land surveyor.

GREGORY J. BILESCHI NEW YORK 050342 LAND SURVEYOR

TITLE: INSTRUMENT SURVEY MAP

#80 RESERVOIR AVENUE

PT. TOWN LOT 21

CITY OF ROCHESTER, MONROE COUNTY, NEW YORK

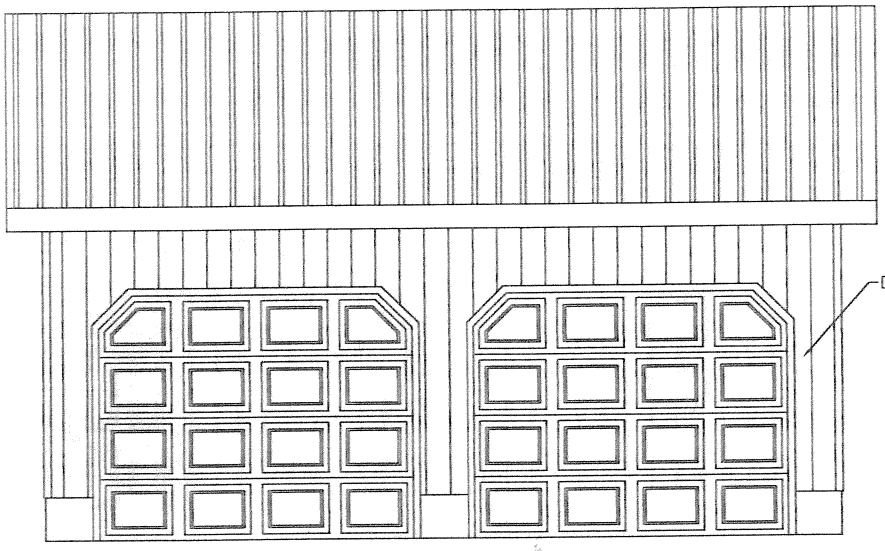
Tax Account No.
136.310-01-008

"Unauthorized alteration or addition to a survey map bearing a licensed land surveyors 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 land surveyors 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 insuring the fee, the 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." This map is subject to any easements and/or encumbrances that an abstract of title may show. The word "certify" or "certification" as shown and used hereon 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 approximate or not shown hereon. Landscaping features are not shown hereon, unless otherwise specified. ©

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. 4, 2013
FILE No.
OWNER: WESTFALL
SCALE: 1 INCH = 20 FEET

CONTACT SUPPLY, INC.



FRONT ELEVATION
SOUTH

WOOD-TEX PRODUCTS
JOHN McDERMOTT
WOOD-TEX PRODUCTS
FILE: 9391
SQFT: 576
STATE: NY
TYPE: GARAGE
WIDTH: 22'x26'
DRAWING: FRONT ELEVATION
SHEET: 2

LICENSE AGREEMENT

THIS LICENSE AGREEMENT is made this_____day of February, 2016 between The John R. McDermott and Elizabeth McDermott Management Trust, residing at 80 Reservoir Avenue, Rochester, New York, 14620 (hereinafter referred to as "McDermott"), and Matthew L. Geise and Brenna M. Farrell-Geise, residing at 70 Reservoir Avenue, Rochester, New York 14620 (hereinafter referred to as "Geise").

WITNESSETH

WHEREAS, McDermott is the owner of premises commonly known as 80 Reservoir Avenue in the City of Rochester, County of Monroe and State of New York (the "McDermott Property"), and

WHEREAS, Geise is the owner of premises commonly known as 70 Reservoir Avenue, Rochester, New York (the "Geise Property"), which property is west of and contiguous to the McDermott Property, and,

WHEREAS, a survey map showing the Geise Property has been prepared by David M. Paodessa, LS, dated October 19, 2015, a copy of which is being attached as Exhibit "A" (the "Survey Map"), which Survey Map has been reviewed by the parties hereto, and

WHEREAS, the Survey Map shows a gravel and asphalt driveway on the west side of the McDermott Property and an asphalt driveway on the east side of the Geise Property, and

WHEREAS, McDermott is desirous of extending the asphalt and gravel driveway to the rear of the McDermott Property, which will necessitate extending the width of the said driveway past the western lot line of the McDermott Property as shown on said Survey Map; and

WHEREAS, Geise has agreed to permit the encroachment of said driveway onto the Geise Property so that it abuts the asphalt driveway on the Geise Property, under the terms and conditions set forth herein;

NOW THEREFORE, in consideration of the mutual promises and agreements made herein, the said parties hereto for themselves, their heirs, legal representatives, successors and assigns, covenant and agree that:

1. Geise hereby grants and licenses to McDermott, its heirs, successors and assigns, permission to extend the said driveway onto the Geise Property so that it abuts the driveway on the Geise Property, and to permit said encroachment of the said driveway to exist as so widened for so long as the said improvement shall remain. Geise further grants

McDermott, its heirs, successors and assigns, access to the Geise Property for the limited purpose of constructing and maintaining the said driveway. It shall be the sole responsibility of McDermott to so maintain the said driveway on the McDermott Property. It shall be the sole responsibility of Geise to maintain the driveway on the Geise Property.

2. McDermott hereby grants to Geise, their heirs, successors and assigns, the perpetual right to use the said driveway located upon the McDermott property for the purpose of ingress and egress. Geise agrees to refrain from blocking the driveway or using the driveway in any manner that interefers with McDermott's use of their property.

3. Geise hereby grants to McDermott, their heirs, successors and assigns, the perpetual right to use the driveway on the Geise Property for the purpose of ingress and egress. McDermott agrees to refrain from blocking the driveway or using the driveway in any manner that interferes with Geise's use of their property.

4. McDermott hereto agrees to release, defend, indemnify and hold Geise harmless from any and all liabilities, claims, costs or damages, including reasonable attorney's fees and court costs, arising out of the construction of the extension of the driveway as described in this Agreement.

5. The parties mutually agree that the common boundary line between their respective premises as shown on the Survey Map is true and correct, and that the activities of the parties hereunder shall in no event ripen to form a claim for adverse possession against the other.

6. It is mutually intended and agreed by and between the parties that this Agreement shall run with the lands and be binding upon and inure to the benefit of the respective the parties hereto, their heirs and assigns forever.

7. This Agreement may be executed in counterparts, the sum of which shall constitute a valid and binding agreement between the parties.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the date first above written.

_____, Trustee

_____, Trustee

_____Matthew L. Geise

_____
Brenna M. Farrell-Geise

STATE OF NEW YORK)
COUNTY OF MONROE)

On _____, 2016 before me, the undersigned, personally appeared John R. McDermott and Elizabeth McDermott, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

_____
Notary Public

STATE OF NEW YORK)
COUNTY OF MONROE)

On _____, 2016 before me, the undersigned, personally appeared Matthew L. Geise and Brenna M. Farrell-Geise, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s)whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacities), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

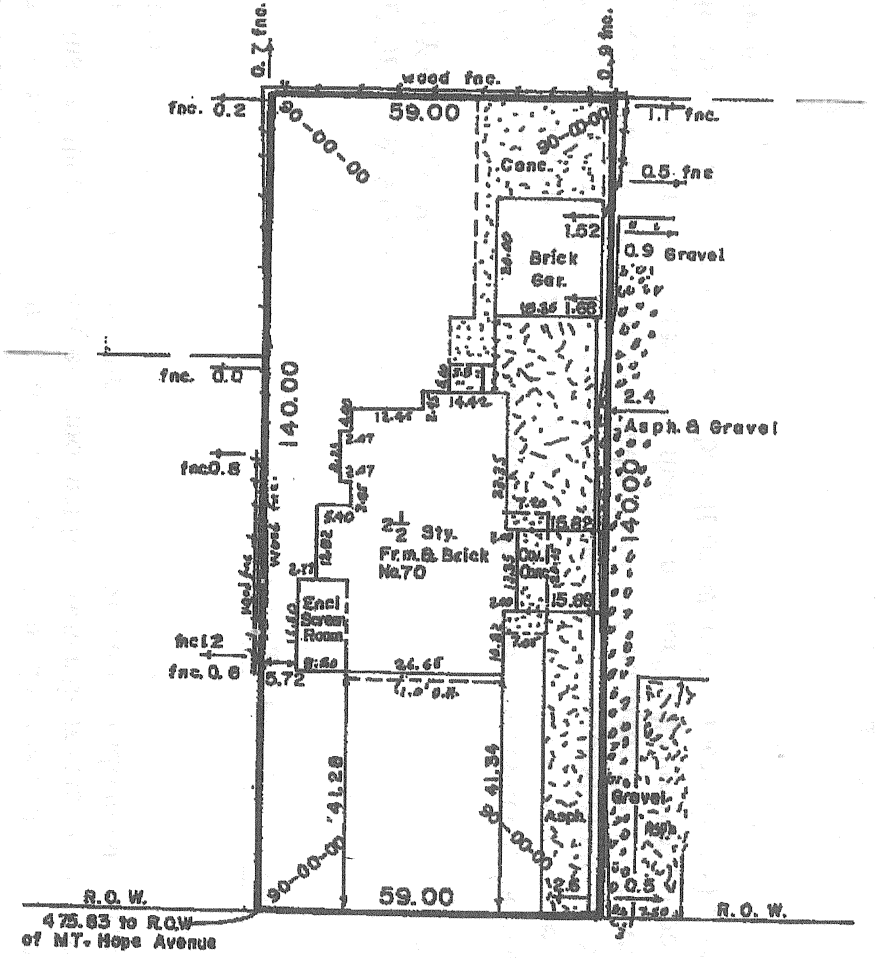
_____
Notary Public

DEED REFERENCE
William P. & Harriet D. Lenahan to
Gary P. & Susan E. Gustafson by
Deed recorded January 27, 1998 in
Liber 8966 of Deeds at Page 18

MAP REFERENCE
Instrument Survey by Jeffrey L. Dispenza,
Dated November 20, 1997

NOTE
Tax Account No. 136.31-0001-009

LEGEND
Deed Line ——— ——— ———
Property Line ———————
Fence Line -x-x-x-x-x-



"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 or subsequent owners.

"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."

"Copies from the original of this survey map not marked with an original of the land surveyor's inked seal or his embossed seal shall not be considered to be a valid true copy."

"The alteration of survey maps by anyone other than the original preparer is misleading, confusing and not in the general welfare and benefit of the public. Licensed Land Surveyors shall not alter survey maps, survey plans or survey plats prepared by others.

CERTIFICATE

This is to Certify to:

M&T Bank,
Its successors and/or assigns
The Title Insurance Company insuring the mortgage
Matthew L. Geise & Brenna Farrell-Geise
Ross J. Cammarata, Esq.
Dentino, Cammarata & Fazio, LLP

that I am a Licensed Land Surveyor and that this Plan was completed on October 20, 2015
from an Instrument Survey completed on October 19, 2015

Signed: David M. Paonessa

David M. Paonessa, LS #50273
Office Phone: (585) 392-9028
Cell Phone: (585) 737-7640
Fax: (585) 392-4670
Email: dpaonessa@rochester.rr.com

Plan of Land
to be
Conveyed by
GARY P. & SUSAN E.
GUSTAFSON
Being a Parcel of Land
in the
City of Rochester
Monroe County, State of New York
Scale 1" = 20'
Surveyed by
David M. Paonessa, LS, P.C.
Hilton, NY File No. 9020
Search provided by
Stewart Title Insurance Company
No. 49352

Symonds, Jill

From: jellen <jellen@rochester.rr.com>
Sent: Friday, March 11, 2016 10:35 AM
To: Symonds, Jill
Subject: Driveway at 80 Reservoir

I strongly support the request to extend the driveway at 80 Reservoir by the McDermotts.

Jane Ellen Bleeg
585-315-2406
Jellen@rochester.rr.com

Sent from my Verizon Wireless 4G LTE smartphone

Symonds, Jill

From: jellen <jellen@rochester.rr.com>
Sent: Friday, March 11, 2016 10:33 AM
To: Symonds, Jill
Subject: Driveway at 80 Reservoir

I strongly support the tequest by the McDermotts to put in a driveway at 80 Reservoir enabling them to use that driveway and enhance their property.

Jane Ellen Bleeg
585-315-2406
Jellen@rochester.rr.com

Sent from my Verizon Wireless 4G LTE smartphone

Symonds, Jill

From: Mike Bleeg <mbleeg@rochester.rr.com>
Sent: Thursday, March 10, 2016 4:48 PM
To: Symonds, Jill
Subject: 80 Reservoir St. Variance

Jill Symonds,

I strongly support the driveway variance requested by the McDermotts at 80 Reservoir. The agreements with their neighbors, the Geises, is a positive.

The new driveway is good for them and for the neighborhood.

Mike
940 Mt. Hope Ave.
Rochester, NY 14620
704-1016

Symonds, Jill

From: User <susan.mandl@yahoo.com>
Sent: Thursday, March 10, 2016 4:28 PM
To: Symonds, Jill
Subject: Fwd: variance request on Reservoir Ave.

Begin forwarded message:

From: User <susan.mandl@yahoo.com>
Subject: variance request on Reservoir Ave.
Date: March 10, 2016 3:32:53 PM EST
To: symondsj@cityofrochester.gov

Dear Ms Symonds,

I live at 69 Reservoir directly across the street from 80 Reservoir. Mr. McDermott has applied for a variance to widen the width of his existing driveway. I fully support this variance and have no objections to it. Everything the McDermotts have done with their property has indeed improved the block and the neighborhood.

Thank you for your consideration in this matter,
Susan Mandl
69 Reservoir Ave.

Symonds, Jill

From: Steven Labuzetta <steve.labuzetta@gmail.com>
Sent: Thursday, March 10, 2016 1:34 PM
To: Symonds, Jill
Cc: John & Betsy McDermott
Subject: Neighbor Support for McDermott project

3/10/16

City of Rochester, NY
Sr. City Planner
Jill Symonds

As neighbors of John and Betsy McDermott, my wife Tricia and I are writing you in support of their proposed driveway project.
We have very much appreciated the dedication, attention to detail and overall quality of every aspect of their home renovation.
We can only expect that the driveway will be no different and quite frankly much nicer than the unfinished stone version that is there now

Thank you

Steve & Tricia LaBuzetta
96 Reservoir Ave
Rochester, NY 14620

Symonds, Jill

From: Patrick Massie <patrickmassie@piersonrealtors.com>
Sent: Friday, March 11, 2016 2:02 PM
To: Symonds, Jill
Subject: 80 Reservoir Ave - Driveway

Hi Jill,

I'm just writing to lend my support to the McDermotts and their effort to get a variance for the shared driveway with the Giesses next door. Currently there is a horrible looking gravel/dirt driveway. The rest of the street is very lovely and every makes an effort to look nice. I can also say that from a Realtor's perspective it will increase the property value, and come full circle when it's time to reassess future sales of that house. I live at 11 Reservoir Ave with my wife Brenda, please let me know if there is anything else I can do to assist my neighbors in their quest for a driveway :)

Best,

Patrick

--

Patrick Massie
Mitchell Pierson Jr, Inc. Realtors
4 South Main St
Pittsford, NY 14534
(585) 261-0500
patrickmassie@piersonrealtors.com

ZONING BOARD OF APPEALS
STAFF REPORT
March 24, 2016

Area Variance

Case # 5: Staff Reviewer: Jill Symonds

File Number: V-058-15-16

Applicant: Chau Van Le

Project Address: 824 S. Goodman Avenue

Zoning District: R-1 Low-Density Residential District

Section of Code: 120-11

Request: **To legalize an unheated, attached storage shed in the rear yard of a single family dwelling that does not meet the side yard setback requirement, and to legalize the paved rear yard that exceeds lot coverage requirements.**

Background: The subject property is a single family dwelling. The applicant constructed an unheated, attached storage shed in the rear yard without a permit. In addition, the rear yard is entirely paved.

Code Compliance: 120-11 provides that an attached accessory structure must be at least 5' from the side lot line with a combined width of both side yards of 15'. **As the attached shed is 2.63' from the side lot line, an area variance is required.**

Section 120-11 provides that lot coverage in the R-1 zone is limited to 50%. **As the lot coverage at 824 S. Goodman Street is at approximately 85%, an area variance is required.**

Code Enforcement: The subject property is in code enforcement for building the shed without a permit.

824 S GOODMAN ST

March 11, 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

PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. **PROJECT ADDRESS(ES):** 824 SOUTH GOODMAN STREET

2. **APPLICANT:** CHAU VAN LE **COMPANY NAME:** _____

   ADDRESS: 824 SOUTH GOODMAN ST **CITY:** ROCHESTER **ZIP CODE:** 14620

   PHONE: 820-4921 **FAX:** _____

   E-MAIL ADDRESS _____

   INTEREST IN PROPERTY: Owner _____ Lessee _____ Other _____

3. **PLAN PREPARER:** RANDALL F. PEACOCK

   ADDRESS: 339 EAST AVE, SUITE 205 **CITY:** ROCHESTER **ZIP CODE:** 14604

   PHONE: 585-328-8250 **FAX:** RFP@MOSSIEN.COM

4. **ATTORNEY:** _____

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

   PHONE: _____ **FAX:** _____

   E-MAIL ADDRESS _____

5. **ZONING DISTRICT:** R-1

BUILDING BUREAU
ROOM
9:54AM Mar 4/16
01-0002 001 BUD
#20507
Zoning $250.00
INFO 824 S GOODMAN
CHECK

6. **DETAILED PROJECT DESCRIPTION (additional information can be attached):** CONSTRUCT AN UN-HEATED ATTACHED STORAGE SHED, A ROOFED ENTRY DECK AND LEGALIZE PAVEMENT IN REAR YARD

7. **LENGTH OF TIME TO COMPLETE PROJECT (Attach schedule if phased:)** 3 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:** 1-15-2016

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:** _____

City of Rochester, NY

AREA VARIANCE
STATEMENT OF DIFFICULTY
Section 120-195B(4)(b)

An area variance shall be granted only if the applicant can establish the existence of EACH of the following conditions:

A. Benefits. The benefits to the applicant outweigh any detriment to the health, safety and welfare of the neighborhood or the community by the granting of the variance.

THE PAVED REAR YARD PERMITS THE HOMEOWNER TO TURN CARS AROUND AND PULL FORWARD OUT OF THE DRIVEWAY ONTO SOUTH GOODMAN STREET. THE PROPERTY IS LOCATED ON A BLOCK JUST SOUTH OF GOODMAN - SOUTH CLINTON INTERSECTION WHERE TRAFFIC IS OFTEN VERY HEAVY. THE LARGER THAN PERMITTED LOT COVERAGE DOES NOT HARM THE NEIGHBORHOOD IN ANY MANNER. THE WELFARE OF THE OCCUPANTS AND THE NEIGHBORHOOD IS IMPROVED BY CARS NO LONGER BACKING OUT ONTO SOUTH GOODMAN STREET.

B. Essential character of the area. No undesirable change will be produced in the character of the neighborhood, or a detriment to nearby properties will be created by the granting of the variance.

THE PAVED REAR YARD IS CONCEALED BY SIX FOOT TALL SCREEN FENCES. MAKING IT NOT VISIBLE. A GRAVEL PERIMETER ROUGHLY 24" WIDE ALLOWS STORM RUNOFF TO PERCOLATE INTO THE SOIL. WITHOUT RUNNING ONTO NEIGHBORS PROPERTY. OTHER NEARBY PROPERTIES HAVE VERY HEAVY LOT COVERAGE. 838-844 S. GOODMAN HAS 1,261 S.F. ON A 0.05 ACRE LOT, 816 S. GOODMAN HAS 1,562 S.F. ON A 0.08A LOT, 834 SOUTH GOODMAN HAS 759 S.F. ON A 0.04A LOT. THE SIDEYARD SETBACK FOR THE SHED IS GREATER THAN THE EXISTING HOUSE SETBACK.

C. No other remedy. There is no other means feasible for the applicant to pursue, other than the granting of this area variance.

THE LOT IS VERY SMALL AND THE DRIVEWAY VERY NARROW. USING THE REAR YARD FOR PARKING AND AS A TURN-AROUND IS THE ONLY FEASIBLE MEANS TO ACCOMODATE THE CARS PARKED ON THE PROPERTY AND TO ALLOW THEM TO TURN AND PULL FORWARD ONTO SOUTH GOODMAN STREET. THE SHED WAS CONSTRUCTED TO COVER A BASEMENT ACCESS BULKHEAD AND STORE TOOLS & OUTDOOR FURNITURE AS THERE IS NO GARAGE AND THE BASEMENT IS VERY SMALL AND INACCESSIBLE.

D. **Significance.** The requested variance is not substantial.

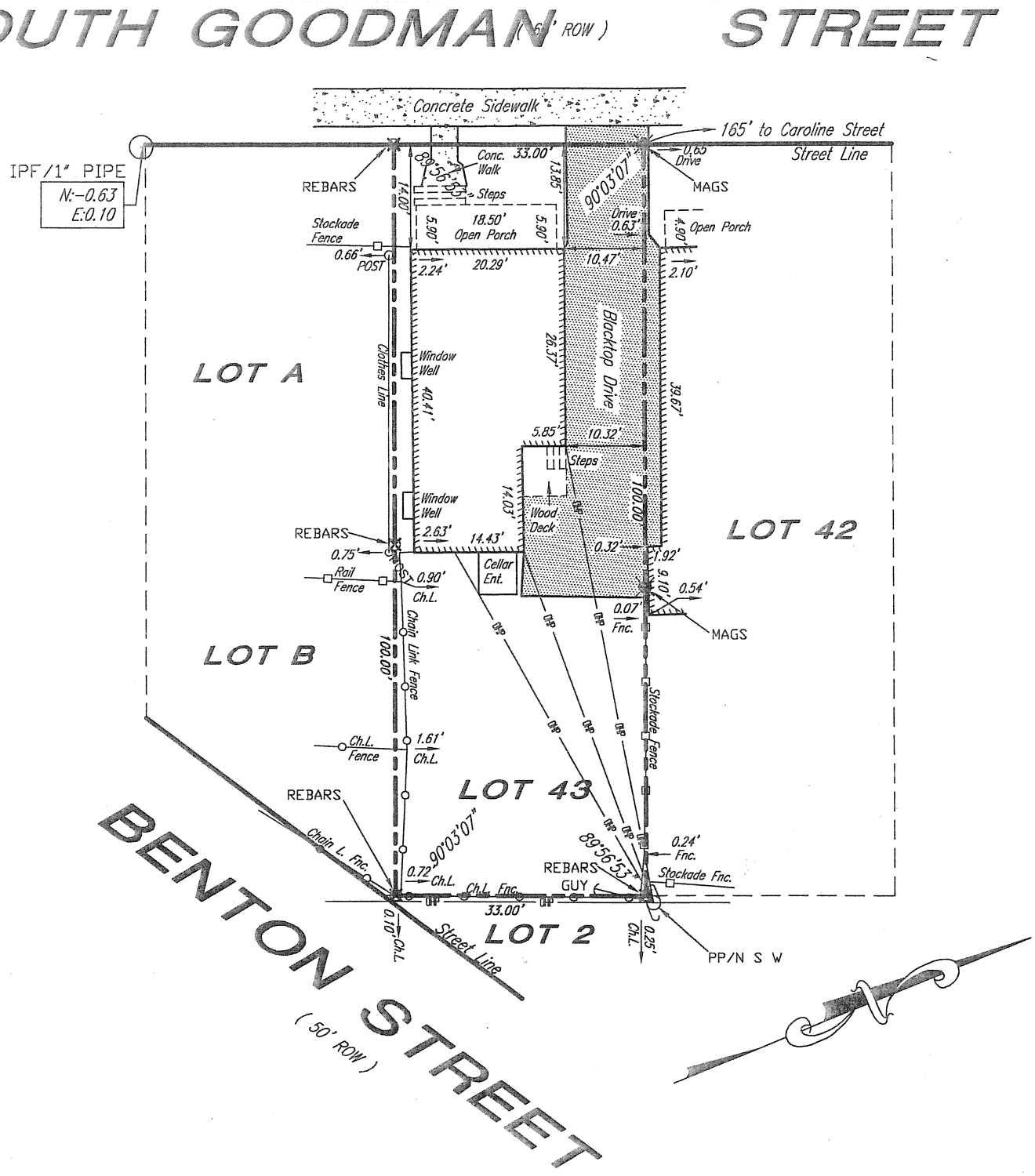
WE ARE REQUESTING A LOT COVERAGE OF 85.2%. THE MAX PERMITTED LOT COVERAGE IS 50%. THIS IS 35.2% LARGER THAN THE PERMITTED COVERAGE. THE SHED STRUCTURE 2.9' OFF THE SIDE YARD WHICH IS 58% OF THE REQUIRED SIDE YARD SETBACK OF FIVE FEET BUT EXCEEDS THE SETBACK OF THE EXISTING HOUSE (2.24')

E. **Physical and environmental conditions.** The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

OTHER PROPERTIES IN THE NEIGHBORHOOD HAVE SIMILAR LOT COVERAGE AND SETBACKS AS THIS PROPERTY. THE PAVING IN THE REAR YARD AND THE SHED DO NOT CREATE ANY NOTICEABLE ADVERSE IMPACT. BEING ABLE TO PULL FORWARD ONTO SOUTH GOODMAN WILL IMPROVE ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD.

F. **Not self created.** The alleged difficulty was not self created, the consideration of which shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of the variance.

THE SMALL LOT SIZE AND TIGHTLY BACKED DWELLINGS ARE NOT THE RESULT OF THE OWNERS ACTIONS. THE HEAVY TRAFFIC ON SOUTH GOODMAN STREET IS NOT THE RESULT OF THE OWNERS ACTIONS.



Note: The use of this map in conjunction with an affidavit of no changes releases the surveyor of all responsibility.

COPYRIGHT © by McMahon LaRue Associates P.C. JULY 2014

I hereby certify to the parties listed hereunder that this map was made using the reference material listed hereon and the notes of an instrument survey performed in accordance with the current standards of the New York State Association of Professional Land Surveyors completed on JULY 14, 2014

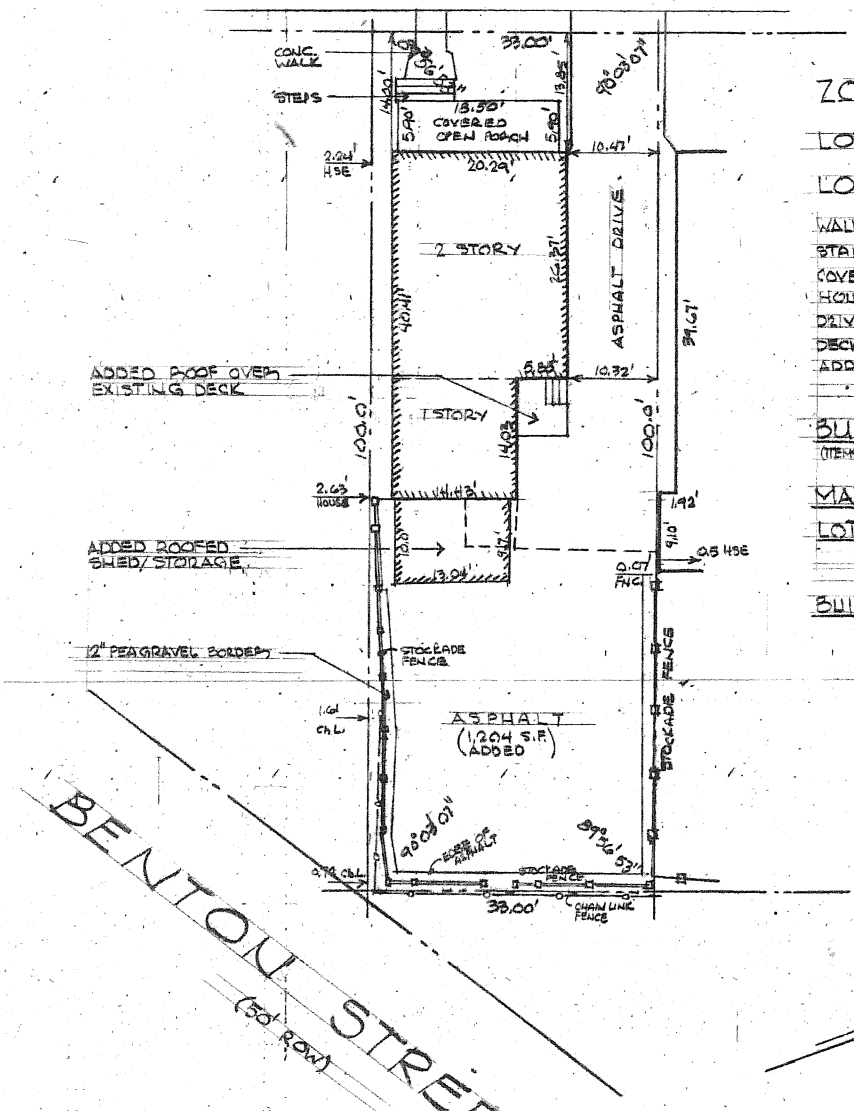
CHAU VAN LE

Alfred L LaRue, N.Y.S.P.L.S # 046558

Note: Ties are not taken to foundation unless specified

14-099

SOUTH GOODMAN
(66' R.O.W.)



ZONING DISTRICT: R1

LOT AREA:	3,300 S.F.	
LOT COVERAGE:	85.2%	
WALK:	26 S.F.	2,813 S.F. + 3300 S.F. = 85.2%
STAIRS:	18 S.F.	
COVERED PORCH:	109 S.F.*	
HOUSE:	738 S.F.*	
DRIVEWAY:	1,750 S.F.	
DECK:	30 S.F.*	
ADDED SHED:	128 S.F.*	
	2,813 S.F.	
BUILDING COVERAGE: (ITEMS MARKED W/ * ABOVE) = 1,013 S.F.	30.7%	
MAXIMUM ALLOWED:		
LOT COVERAGE:	50%	
LOT COVERAGE EXCEEDS MAXIMUM ALLOWED BY 1,163 S.F.		
BUILDING COVERAGE:	35%	

SITE PLAN
SCALE: 1" = 10'-0"

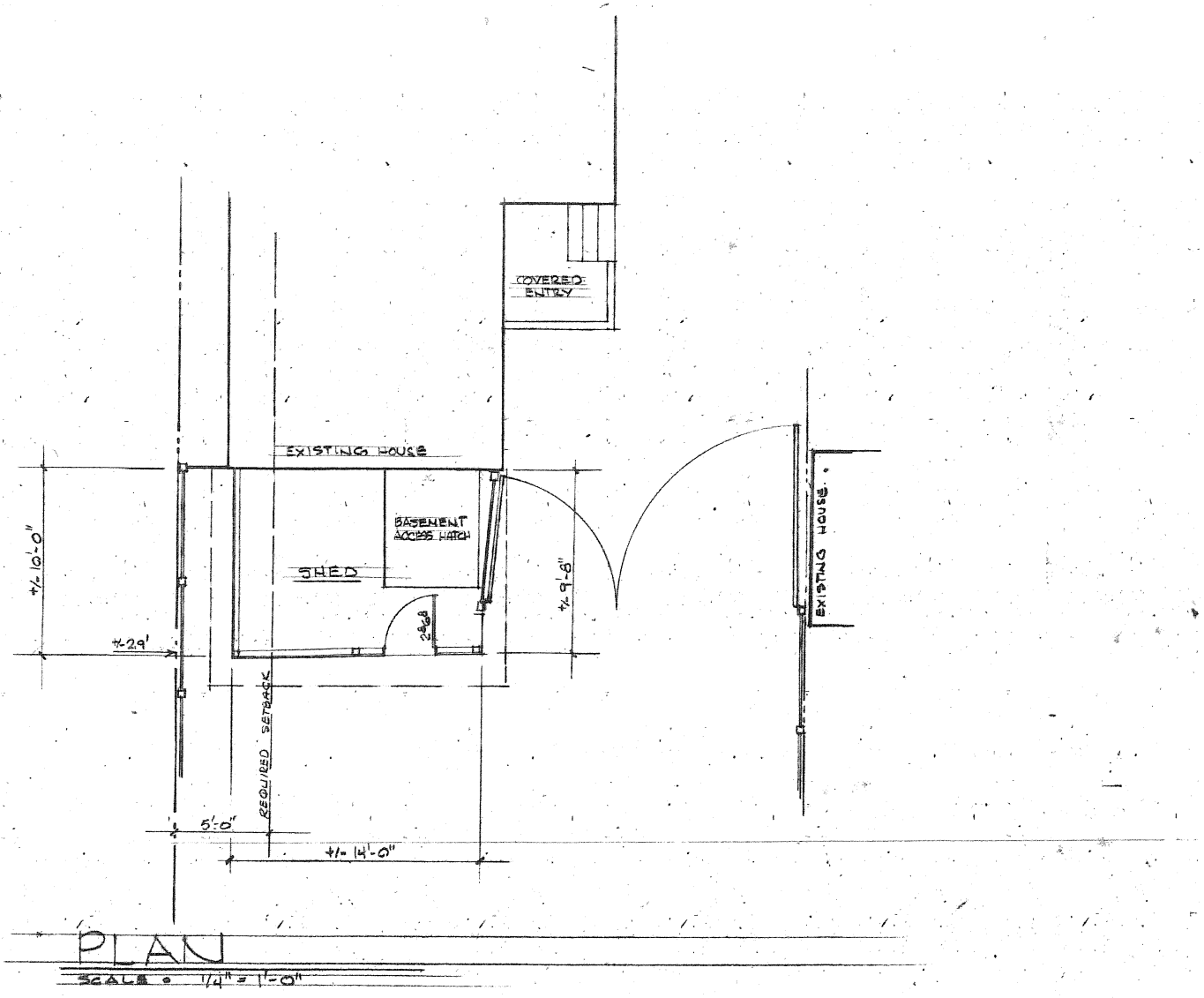
0 5 10 15 20 30 40 60

RANDALL F. PEACOCK, RA
ARCHITECT
339 EAST AVENUE, SUITE 205
ROCHESTER, NEW YORK 14604
TEL. (585) 328-4250 EMAIL RFP@MOSSIEN.COM

824 SOUTH GOODMAN
ROCHESTER, NEW YORK

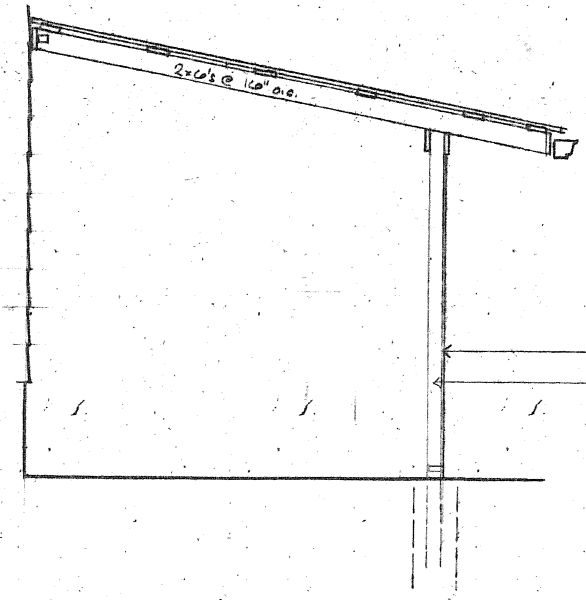
PROJECT NUMBER: 2015-53
DATE: FEBRUARY 5, 2016
DRAWN BY: PEACOCK
SHEET TITLE: SITE PLAN, PLAN ETC.

SHEET NUMBER: A1



PLAN

SCALE: 1/4" = 1'-0"



CORRUGATED METAL ROOF ON 3/4 x 6 PURLINS

1/2" PLYWD

PT. 4x4

ZONING BOARD OF APPEALS
STAFF REPORT
March 24, 2016

Use Variance

Case # 6: Staff Reviewer: Jill Symonds

File Number: V-059-15-16

Applicant: Alex White

Project Address: 1058 Exchange Street

Zoning District: R-1 Low-Density Residential District

Section of Code: 120-199

Request: **To establish use of the property as a two-family dwelling that has lost its rights due to a period of vacancy greater than nine months.**

Background: The subject property is a vacant built-as single family dwelling. At a time when the zoning district permitted it, the dwelling was converted to a two- family dwelling. With the adoption of the 2003 Zoning Code, when the property was rezoned to R-1, the use as a two-family dwelling became a nonconforming use. In accordance with Section 120-199 of the Zoning Code, nonconforming uses are subject to abandonment if there is a period of vacancy greater than nine months. City records show that the dwelling has been vacant since at least March 2014, and therefore, has lost its rights to the two-family dwelling. The applicant is applying to re-establish the nonconforming two family dwelling.

Code Compliance: In accordance with section 120-199, a use variance is required to re-establish the use of the structure as a two-family dwelling since it has been vacant for a period of greater than nine months.

Code Enforcement: The subject property is in code enforcement.

PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. PROJECT ADDRESS(ES): 1058 Exchange St

2. APPLICANT: Alex White COMPANY NAME: Regrow Rochester Dev

ADDRESS: 891 Monroe Ave CITY: Rochester ZIP CODE: 14620

PHONE: 281-5953 FAX: _____

E-MAIL ADDRESS AlexWhiteForRochester@gmail.com

INTEREST IN PROPERTY: Owner X 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: R-1

BUILDING BUREAU
ROOM 121
9:57AM Mar 4/16
01-0002 001 BOO
#20508
Zoning INFO $250.00
1058 EXCHANGE
CHECK $250.00

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

Retain 2 family use of building.

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

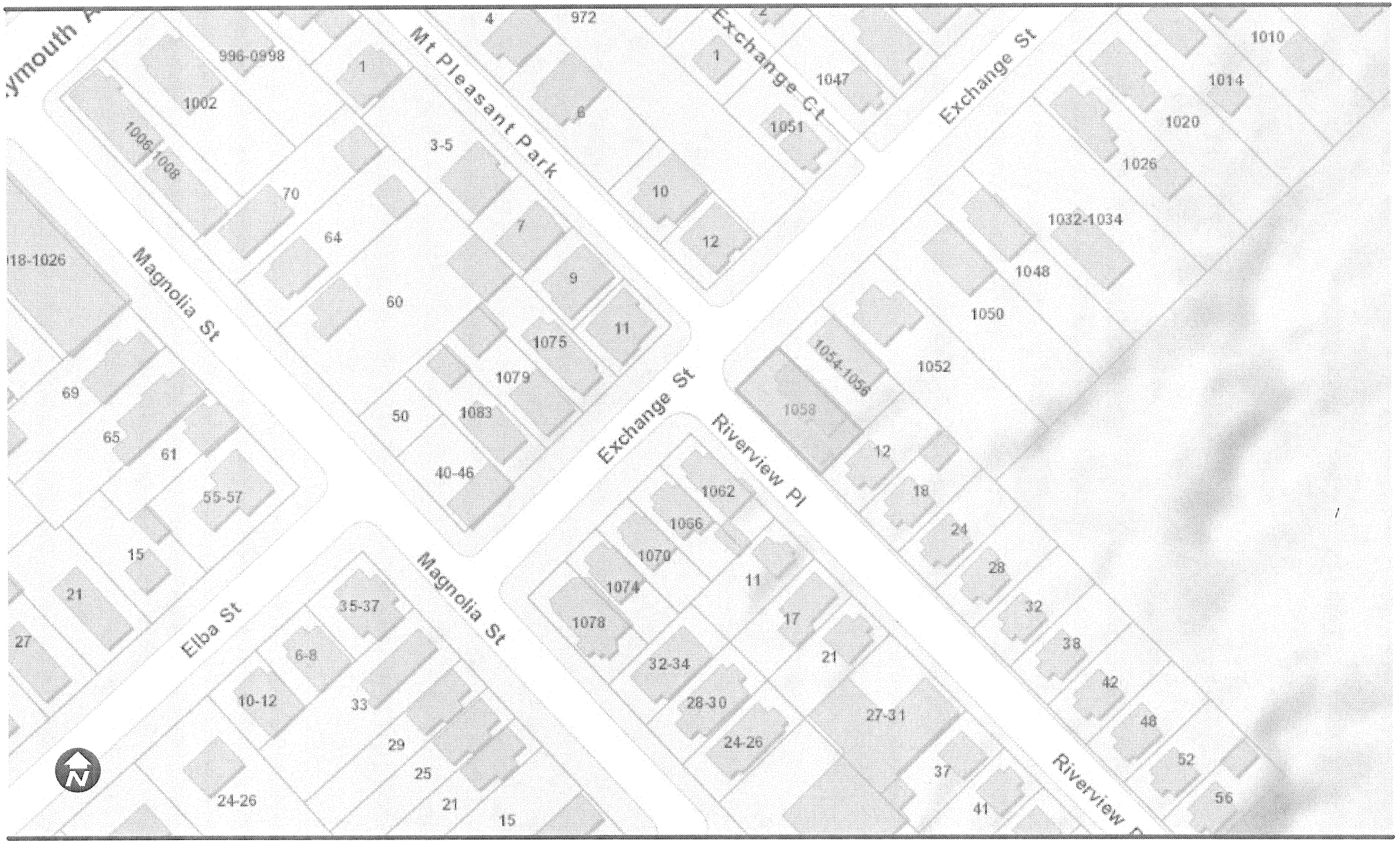
APPLICANT: I certify that the information supplied on this application is complete and accurate, and that the project described, if approved, will be completed in accordance with the conditions and terms of that approval.

SIGNATURE: Alexander J. White 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.

SIGNATURE: _____ DATE: _____

1058 EXCHANGE ST



March 11, 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

A No reasonable return

For most of this it is important to see the attached sheet on the cost of conversion. According to Zillow similar single family homes in this area rent for $950 a month. This would mean an average yearly return of $10488. As the utility costs are high it would rent for a bit lower if the tenant is responsible for them but we will assume I can get this rent. If the cost of the deconversion was only $18000 then the interest would be $1131.24 less and with the utility costs passed on to the renter this property would work even with a slightly lower rent. Unfortunately the cost of the deconversion was the great unknown going into the auction. If this property is kept as a double not only would the costs to rehab this home be only $18000 but the rent on the 2 units would be $1500 a month and even though it might have a slightly higher turnover a yearly income on this property of $15000 is reasonable. Then the return on investment would be 12%.

B Unique circumstances

The property at 1058 Exchange is a large old house. It is listed at 1808 square feet but has one inclosed porch which is incorporated into the house and adds 25 square feet. There is also an enclosed balcony on the second floor which is another 127 square feet. The ceilings in this property are 9" and it has a full basement and attic both of which are unfinished. If this property is to be used as a single family house then it would be 6th largest single family house in the area. Of the ten largest single family properties in the area 5 are vacant and 4 are owner occupied (see sheet 1). Only one is rented. In fact of the 30 largest single family homes in the area only 10 are rented and most of these are much smaller than 1058 Exchange St. The nature of this area is such that a single family home of this size will sit vacant.

If the single family house can not be rented then it must be sold. In this area the 4 owner occupied properties are assessed at an average value of $40750. Of these houses 2 are on South Plymouth and 2 are on Exchange and the ones on exchange average only $32500. Further a large house like this with 6 bedrooms would appeal to a large family with a 3 or so children. Yet Rochester has the worst school district in New York and thus large families are unlikely to move into the city. Anyone who moves into this home as a single family would also have to deal with utility costs which are very high perhaps around $3150 a year! So anyone looking at a single family city home would have a high utility cost so would need a high income to sustain this home and they would then have many other options. As a result the sheer size of this property makes it difficult to work with as a single family home.

The real problem here has actually been created by the city. For the last decade of more the city has been subsidizing the creation of housing through tax breaks, low interest loans, grants, and other subsidies. As a result the city has added almost 700 new housing units a year over this period. Further they torn down roughly 4000 old and dilapidated houses most of which are one or two family. Yet during time the population of Rochester has remained stable. As a result the house stock in Rochester has increased by as much as 3000 units over this time period. This has created a decreased demand for rental making it harder to keep buildings fully rented. It has also resulted in downward pressure on housing costs which has kept them flat. Yet over this same period taxes have risen almost 24%. While the individual financial condition of the previous owner was the major cause of the vacancy of this building the city created conditions which made this more difficult played a major role in what happened to this property.

C Not self created

The Auction that the city runs for a property are sold sight unseen. The potential buyers can not enter

enter the property and thus can have no idea what the costs of a conversion for the property are. The need for changes in layout, drywall, and mechanicals can never be known. At best the buyer can have a rough estimate even with due diligence being done on the property. Thus even though it was purchased with the knowledge of this order it is the nature of the auction that causes the problems not the buyer.

Further state law allows a property owner to appeal zoning and even city law allows a this. If there is a buyer fault here it is that I believed that the process allowed for preservation of a use which the building has had for 74 years.

D Essential character of the area
While the property is zoned R-1 it really does not represent the area. 1058 Exchange sits in an area between Magnolia and Flint St from Plymouth to the river. In this area there are 123 properties (see mp). Of these properties 41 are multi-family homes, 72 are single family, and 10 are commercial or office. Of the area only Riverview Place is really solidly R-1 with 17 of 18 properties being single family homes. Finally, maintaining the double use of 1058 Exchange is acceptable as recently 40 Magnolia St was able to retain its status as a double.

Parking is not a problem as the parking study shows. In the 100 ft area around this property there are 10 parking spots and at no time we observed was there more than 6 cars in these parking spots. Further the garage also provides at least 1 off street parking spot for this property.

This property was built in 1912 as large home for a wealthy family. It had 5 bedrooms upstairs and a servants quarters downstairs. With the depression and world wars many of these large old houses were converted to doubles. In 1942 the layout of the house was changed to become an upstairs-downstairs double. It remained this way with no problems for 70 years! In 2012 when the Plex neighborhood did a charette one of the things the neighborhood wanted was this area to be mixed use and looking at the map in it is clear this is the character of the neighborhood. Keeping this property a double poses no more threat to the area then the other 41 multi-family properties, which make up a full third of the neighborhood.

E No other Remedy

R-1 zoning in Rochester does allow several other permitted uses. Unfortunately this property is a poor fit for all of these as well. In this zoning code this building could be used a child care center, senior center, church, convent or rectory. The building has very little yard and is in a poor district of the city. With the county not even accepting new applicants for child care there is no demand for new child care facilities in this area and without a yard it would make a very poor facility. It sits on a small property with several step up and thus would not make a good senior center as it is not handicap accessible. This is also a problem for a church and it would severely tax the parking facilities in this area to put on there. Finally without a church is there really any demand for a rectory or convent? Of course not. So none of the permitted uses would work.

Of course it could become college housing. It is in an area where students are occupying buildings. The problem with this is it is too large. Students will fill all available rooms with other students and with 10 rooms they would very rapidly exceed the limit of 4 persons unrelated living in a single house. This would create a huge problem for the area besides being illegal. Thus using this as a student rental would create problems not solve problems for the area and result in an illegal housing situation if sufficient rent is to be collected.

City of Rochester, NY

USE VARIANCE
STATEMENT OF INCOME AND EXPENSE

PLEASE NOTE: AT HEARING TIME, APPLICANTS MAY BE ASKED TO PROVIDE AT LEAST TWO (2) CALENDAR YEARS OF FINANCIAL INFORMATION, OR FROM THE DATE OF PURCHASE, WHICHEVER IS LESS.

PROPERTY ADDRESS: 1058 Exchange St Rochester 14608

A. PROPERTY DATA

1. Date property was purchased by current owner 11/6/15

2. Was a Certificate of Occupancy issued? No
   Date of issuance? _____
   If so, for what use(s)? _____
   If not, why? Need to settle use

3. Cost of Purchase 12600

4. Original Amount of Mortgage(s) -0-
   Mortgage Holder(s) _____
   Address _____
   Interest Rate(s) _____ Term of mortgage(s) _____

5. Is the property for sale? No
   If so, for how long? _____
   asking price? _____
   for what use(s) _____
   Have any offers been received? No
   If so, for what amount(s)? _____
   Summarize any attempts to sell the property Bought at auction in 11/2015 and have not tried to sell

6. Present value of property 12600
   Source of valuation recent sale.

B. GROSS ANNUAL INCOME (Information provided must be for permitted uses, not the proposed use)

	USE (# of Apts., Retail Store, Office, etc.)	UNIT SIZE (sq. ft.; # of bedrooms)	MONTHLY RENT AMOUNT	ANNUAL RENT AMOUNT
1.	Single family house		950	11400
2.				
3.				
4.				
5.				
6.				
		TOTAL ANNUAL INCOME:		
		LESS (8%) VACANCY FACTOR: (Explain, if greater than 8%)		10488
		TOTAL ADJUSTED GROSS INCOME:		10488

C. ANNUAL EXPENSES

1. Annual Fixed Charges

Real Estate Taxes (City & County)	2289.83
Insurance	1425.33
Average Annual Interest (over next 5 years)	2488.98

2. Operating Expenses

Electric	1950
Fuel	1200
Water	300
Pure Waters	
Advertising	
Miscellaneous (attach explanation) Trash	380

3. Maintenance Expenses (attach list)

Repairs	
General Building Maintenance	1800
Yard and Ground Care	560
Miscellaneous	
TOTAL ANNUAL EXPENSES:	12394.14
PROFIT or (LOSS)	-1906.14

D. TOTAL INVESTMENT

1. Down payment	12600
2. Capital Improvements (attach list)	33000
3. Principal paid to date (original mortgage less current principal balance)	0
TOTAL INVESTMENT:	55600

E. RATE OF RETURN/YR. [Profit or Loss divided by Total Investment] -3.4%

SIGNATURE OF PREPARER Alexander J. White DATE 2/11/16

	Cost		
Item	Maintain as dupex	Convert to single	Notes
windows	$750	$750	most of the windows were already repalced.
doors			
bath #1	$1,500	$1,500	both baths will remain if a single or double
bath #2	$1,500	$1,500	both baths will remain if a single or double
kitchen #1	$4,500	$4,500	
kitchen #2	$4,500	na	
remove kitchen on 2nd floor, change layout to accommodate single familiy	na	$5,000	kitchen needs to be removed, space will need to be broken up into (2) bedrooms. Walls will need to be framed and drywalled. Closets will need to be built, new doors installed, new eletric lines run to facilitate plugs in the new walls that are built.
heating	na	$5,000	two smaller furnaces will need to be removed and the two systems tied together with a single, larger furnace to heat the whole house
electric	na	$3,600	two panels will need to be combined into a single panel, which will trigger the requiremen that the meters must also be reduced to one and also moved outside
plumbing		$1,000	one hot water tank should be eliminated. The supplies from the other tank must be run to the tank you are keeping. The gas lines that fed the tank that is being removed should be taken out as the 2nd gass meter will no longer be functional.
flooring	$3,500	$3,500	
1st floor layout change	na	$5,000	walls will need to be removed to open up the first floor. Headers will need to be installed as one of the walls being removed is weight bearing. The City may required a drawing by an engineer or architect for that section. Plugs and a wall switch will have to be relocated. The floors will have to be repaired in the area where the wall used to sit. Heat runs that currently sit in those walls will also have to be relocated and heat runs that go trough that wall to get to the 2nd floor will need to be rerouted.
paint	$2,000	$2,000	
Total Cost	**$18,250**	**$33,350**	

Parking

In the vicinity of 1058 Exchange St there are 10 parking spots on Riverview Terr, Mt Pleasant, and Exchange. While incomplete this gives a general picture of the parking availability for this area at different times of day.

Time	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
8			6	4			
9	4	4	4	3	3		5
10	4	4		3	1	3	
11	3	4			2	2	
Noon		3	4	1		2	2
1	3	3		3			4
2				3		3	6
3			6				4
4	2		6			4	4
5			4				3
6	3	5	6	2	4		3
7		4	6	5	4	4	
8		4		4			
9				6			
10				5			

Allstate Indemnity Company
Landlords Insurance Quote

February 10, 2016 Control #: 077153166820356

Especially Prepared For:

ALEXANDER J WHITE
891 MONROE AVE
ROCHESTER, NY 14620

Home: (585) 271-3880

Prepared By:

THE HOOK KEMP AGENCY
2580B MACEDON ROAD
CANANDAIGUA, NY 14424
585 396 3130

I am pleased to send you a personalized Landlords Insurance Quote from the Good Hands People®. At Allstate we promise prompt and courteous service and offer great protection at a good price.

Based on the information provided and certain assumptions* we made (including, for example, assumptions about the information contained in the credit report(s) we obtain) to calculate this estimate, the ***estimated*** cost for the landlords insurance we discussed with the coverages, limits and deductibles shown below is:

$ 1,425.33 /year*

Your actual premium may be higher or lower based on a number of factors, including: additional information you provide or we obtain; the coverages, limits and deductibles you choose; any applicable discounts; additional underwriting and rating criteria; and, depending on your state, the date coverage is purchased or the date coverage becomes effective. Coverages and discounts are subject to policy terms, conditions, qualifications and availability.

Property to be Insured:
1058 EXCHANGE STREET, ROCHESTER, NY 14608

Coverages	Limits of Liability	Premium
Dwelling Protection Actual Cash Value	$200,000	$1,279.33
Other Structures Protection	$20,000	Included
Personal Property Protection	$50,000	$120.00
Liability Protection	$250,000/occurrence	$17.00
Premises Medical Protection	$5,000/person	$9.00
Burglary		Included
Vandalism		Included
Building Codes Coverages		Included
Fair Rental Loss		Included
Deductibles	**Amount**	
All Peril	$500	
Discounts Applied		
Multi-Line		
Surcharges Applied		
Multiple Unit		

Policy Premium Summary	Premium
Coverages (including Discounts and Surcharges)	$ 1,425.33
Total Estimated Annual Premium*	**$ 1,425.33**
(Your actual premium may be higher or lower. See above)	

*The assumptions we make in preparing premium estimates vary based upon the amount of information you provide. For more information regarding the assumptions used to prepare this estimate, please contact us at the phone number listed above. This estimate assumes you purchase coverage today. This quote is not a contract or binder of insurance. To apply for insurance, you must complete the application process.

Please call to talk about activating protection or with questions, and to enroll in Good Hands® Roadside Assistance - The free-to-join roadside assistance you only pay for when you use it. Our Agency is dedicated to assisting you with your insurance needs!

February 10, 2016
Control #: 077153166820356

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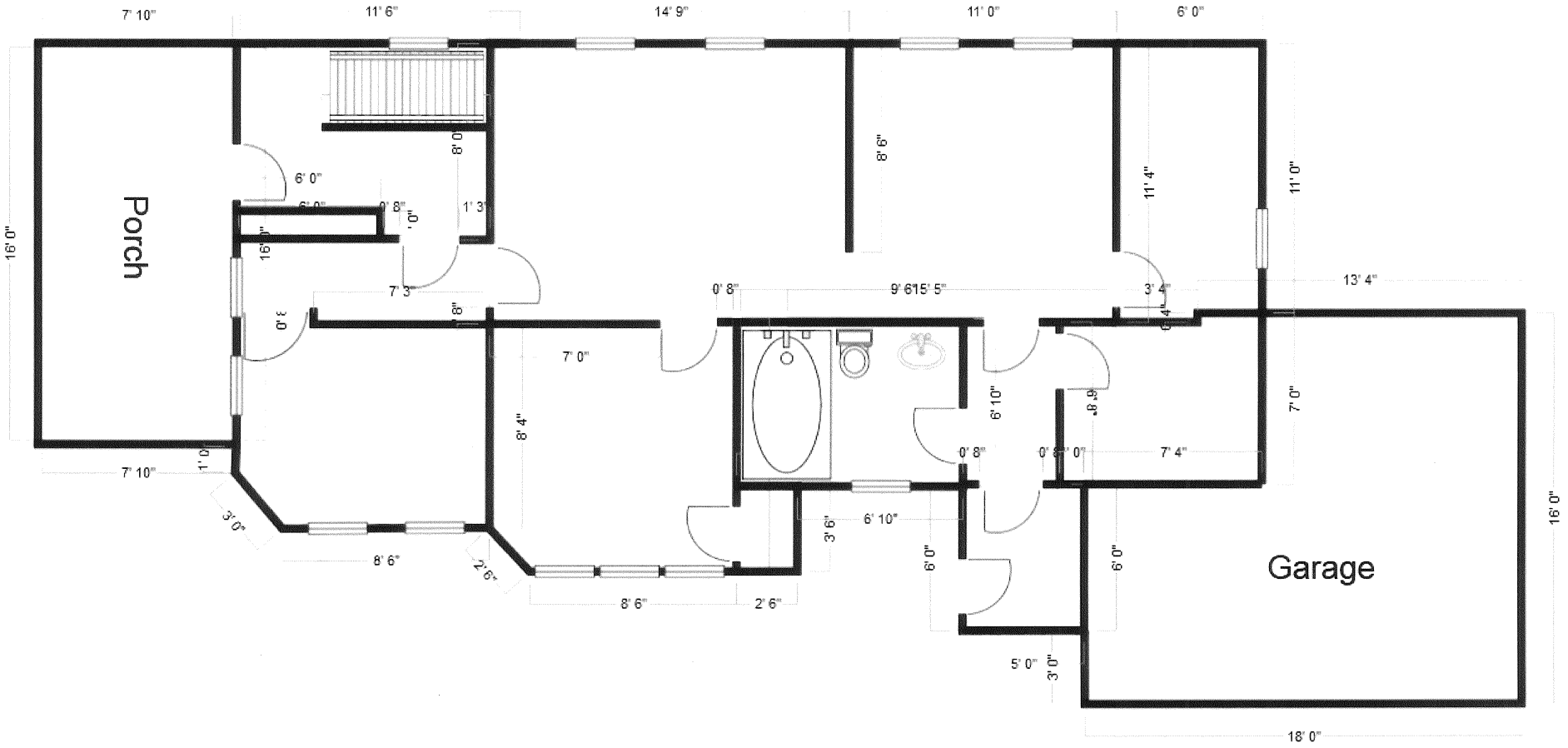
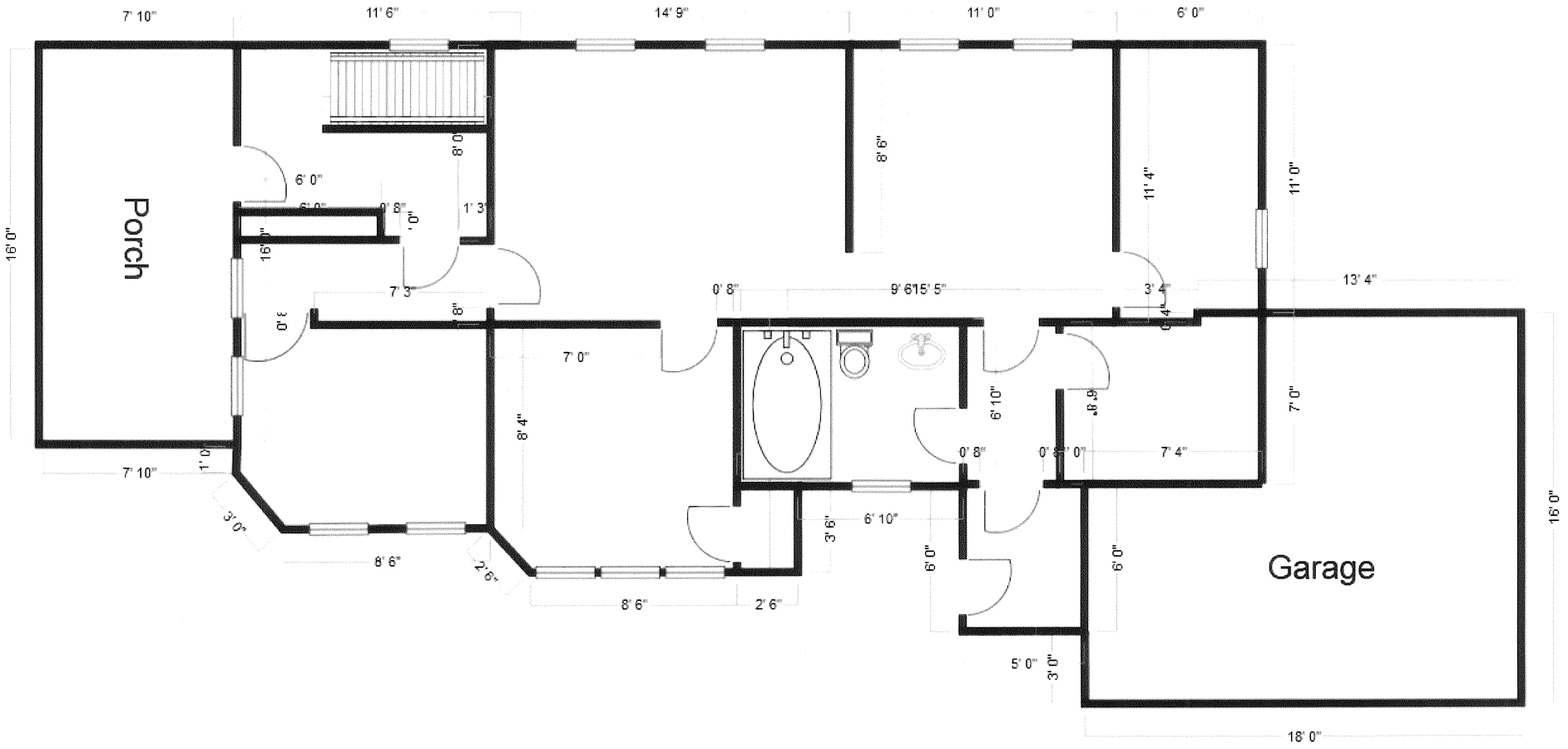
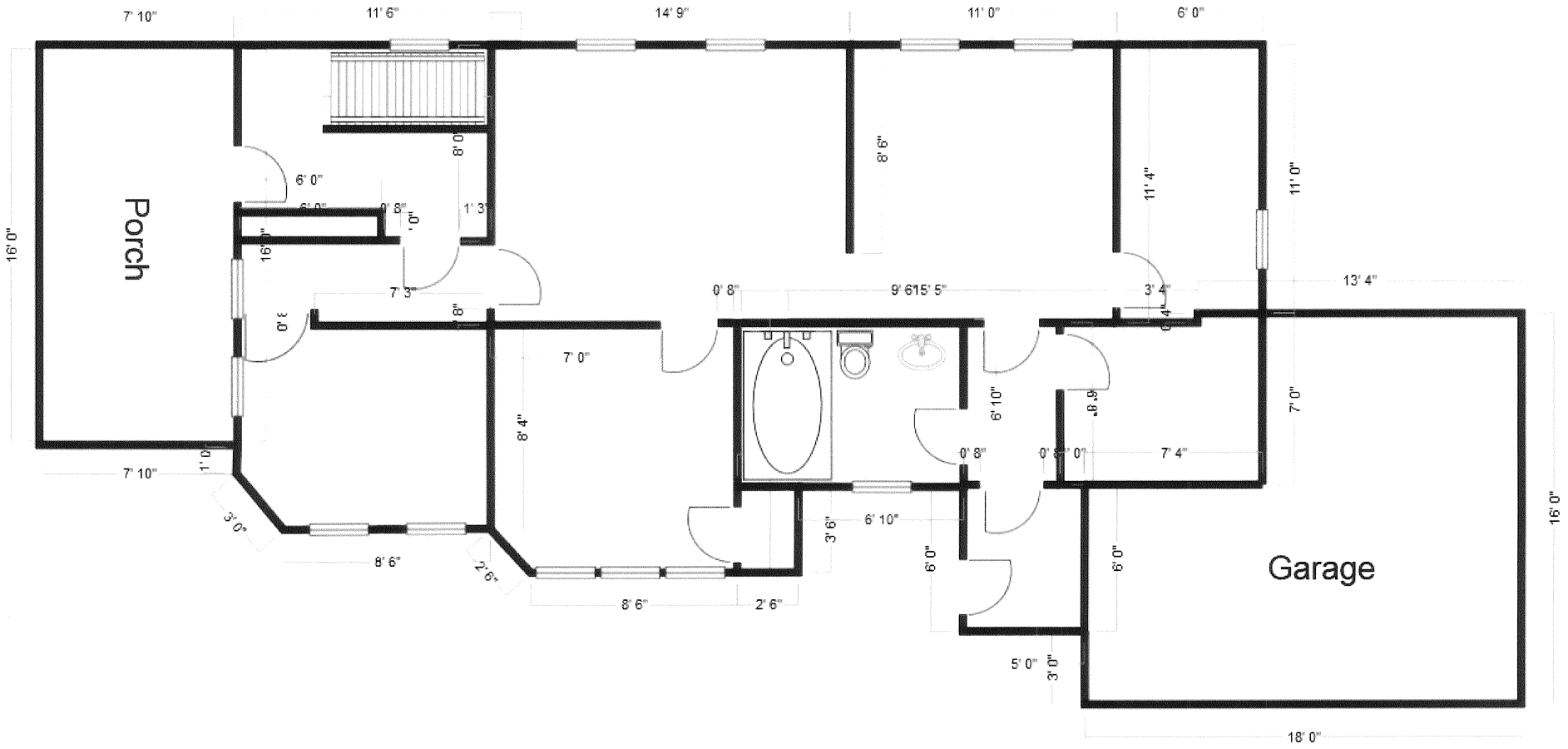

7' 10"
11' 6"
14' 9"
11' 0"
6' 0"
16' 0"
Porch
6' 0"
8' 0"
1' 3"
15' 0"
7' 3"
8' 6"
11' 4"
11' 0"
13' 4"
3' 4"
7' 0"
8' 4"
6' 10"
7' 0"
7' 4"
7' 10"
3' 0"
8' 6"
2' 6"
3' 6"
6' 10"
6' 0"
Garage
5' 0"
3' 0"
18' 0"
16' 0"


Porch
Garage
7' 10"
11' 6"
14' 9"
11' 0"
6' 0"
16' 0"
8' 6"
11' 4"
11' 0"
13' 4"
6' 0"
1' 3"
7' 3"
9' 6
15' 5"
3' 4"
7' 0"
8' 4"
6' 10"
7' 4"
3' 6"
6' 0"
5' 0"
3' 0"
2' 6"
18' 0"


Porch
Garage
7' 10"
11' 6"
14' 9"
11' 0"
6' 0"
16' 0"
8' 6"
11' 4"
11' 0"
13' 4"
7' 3"
9' 6
15' 5"
3' 4"
7' 0"
8' 4"
6' 10"
7' 4"
3' 6"
6' 0"
8' 6"
2' 6"
5' 0"
3' 0"
18' 0"

19' 0"
Enclosed Porch
6' 0"
6' 0"
19' 0"
3' 6"
6' 0"
3' 6"
13' 0"
5' 6"
1' 0"
8' 0"
5' 0"
2' 0"
6' 0"
2' 0"
9' 0"
1' 6"
6' 0"
11' 0"
8' 0"
19' 11"
6' 0"
0' 6"
6' 5"
9' 0"
12' 0"
7' 0"
2' 8"
10' 0"
9' 4"

19' 0"
Enclosed Porch
6' 0"
6' 0"
19' 0"
3' 6"
6' 0"
3' 6"
13' 0"
5' 6"
8' 0"
1' 0"
5' 0"
2' 0"
2' 0"
9' 0"
1' 6"
6' 0"
11' 0"
8' 0"
19' 11"
6' 0"
0' 6"
6' 5"
9' 0"
12' 0"
7' 0"
2' 8"
10' 0"
9' 4"

19' 0"
Enclosed Porch
6' 0"
6' 0"
19' 0"
3' 6"
6' 0"
3' 6"
13' 0"
5' 6"
1' 0"
8' 0"
5' 0"
2' 0"
2' 0"
9' 0"
1' 6"
6' 0"
11' 0"
8' 0"
19' 11"
6' 0"
0' 6"
6' 5"
9' 0"
12' 0"
7' 0"
2' 8"
10' 0"
9' 4"

Address	Square foot	Occupancy
990 S Plymouth Ave	3114	Owner
860 S Plymouth	2473	vacant
1002 S Plymouth Ave	2456	rental
844 S Plymouth	2228	vacant
978 S Plymouth Ave	2196	Owner
991 Exchange St	1951	Owner
33 Magnolia St	1905	vacant
1058 Exchange St	1808	vacant
11 Mt Pleasant Park	1770	vacant
1050 Exchange St	1746	Owner
87 Flint St	1744	Owner
7 Mt Pleasant Park	1708	rental
4 Mt Pleasant Park	1680	Owner
906 S Plymouth Ave	1603	rental
95 Flint St	1600	Owner
922 S Plymouth Ave	1592	rental
61 Magnolia St	1584	Owner
69 Magnolia St	1564	rental
1062 Exchange St	1564	rental
934 S Plymouth Ave	1564	rental
916 S Plymouth Ave	1564	rental
101 Flint St	1559	Owner
21 Magnolia St	1532	Owner
990 Exchange St	1520	vacant
1079 Exchange St	1518	Owner
1083 Exchange St	1504	rental
944 S Plymouth Ave	1493	rental
29 Magnolia St	1482	Owner
1025 Exchange St	1442	Owner
1026 Exchange St	1432	rental

1058 EXCHANGE ST

January 20, 2016

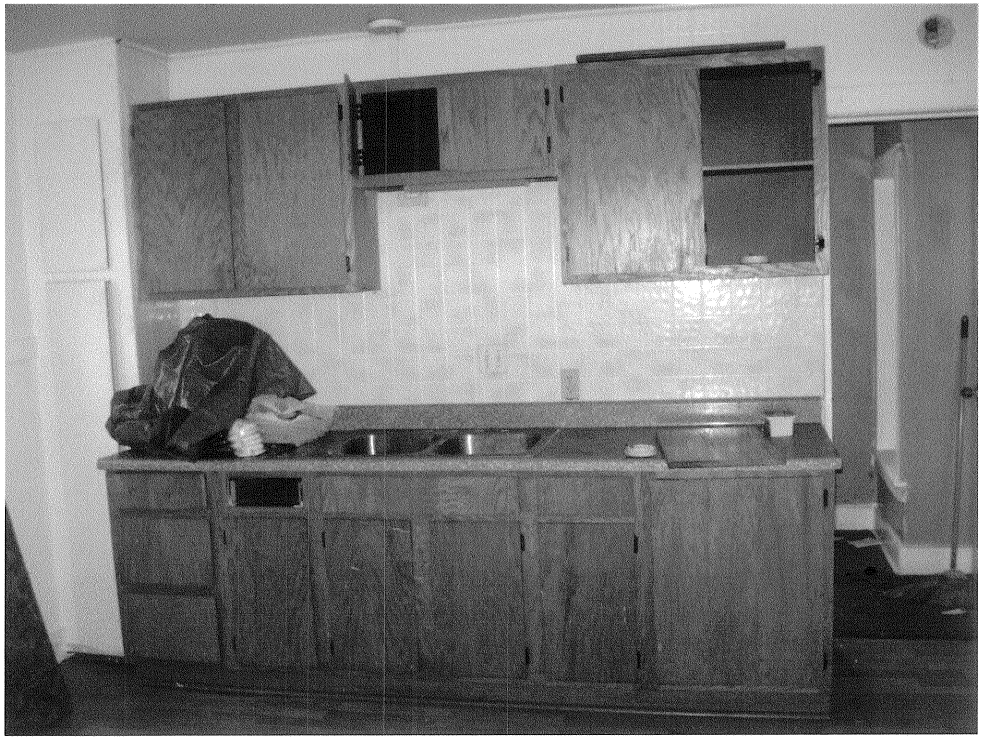
This map is intended for general reference only.

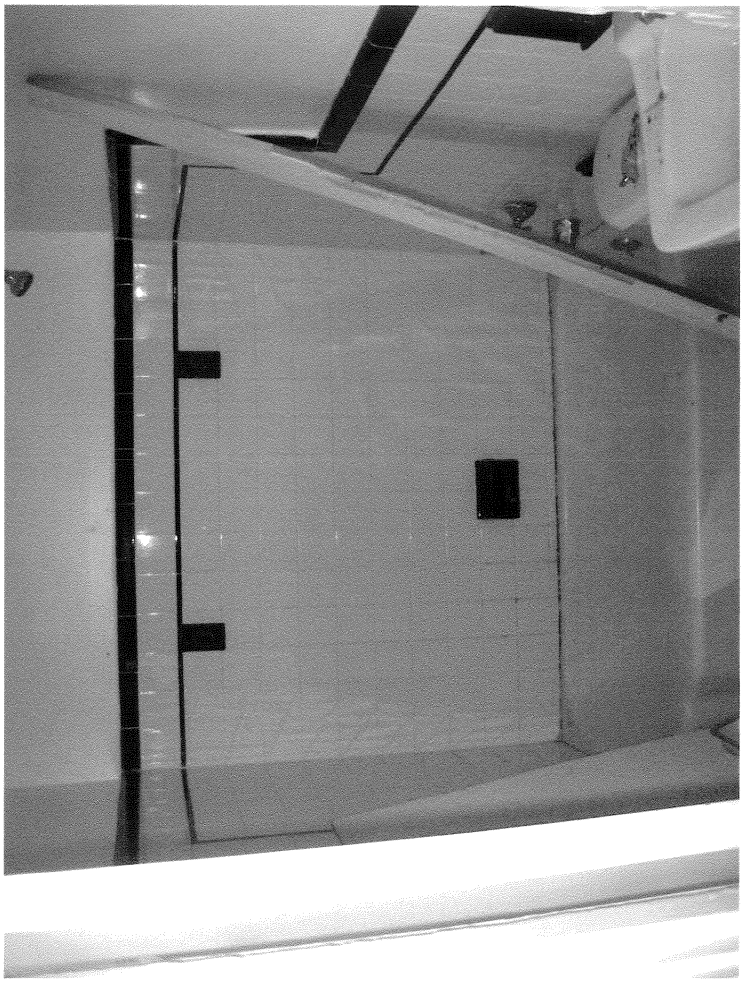
The City of Rochester makes no representation as to the accuracy or fitness of the data presented.

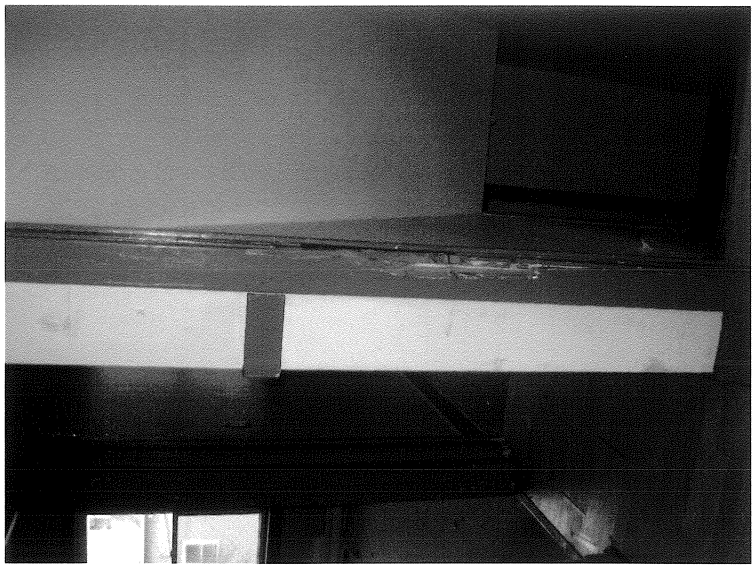
City of Rochester, NY

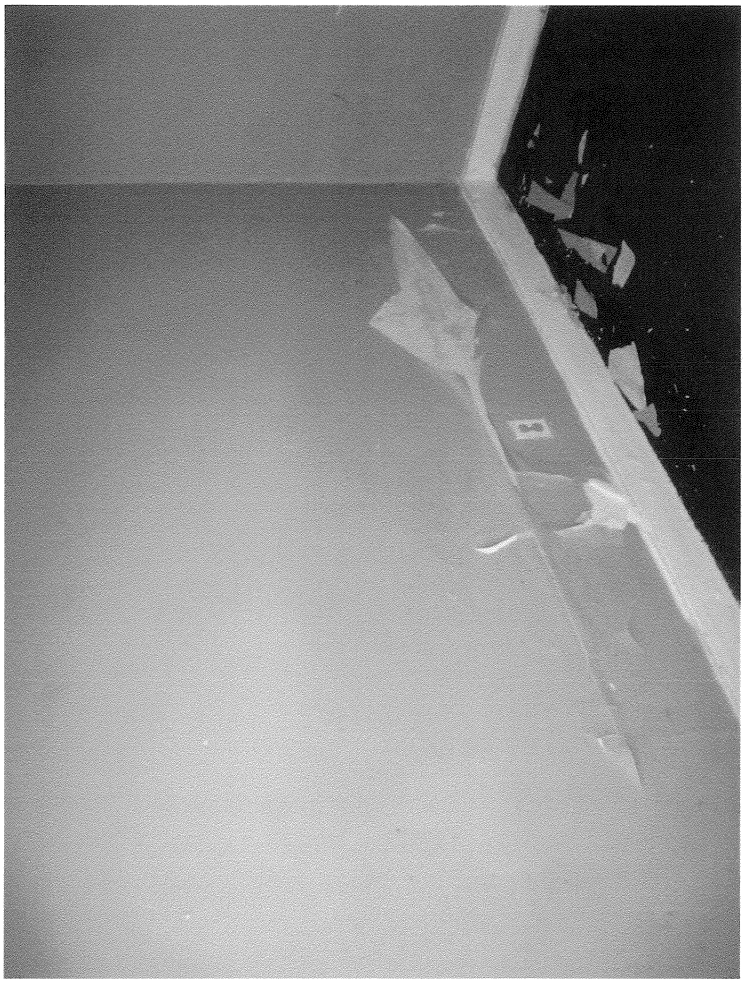
City of Rochester, NY
Lovely A. Warren, Mayor

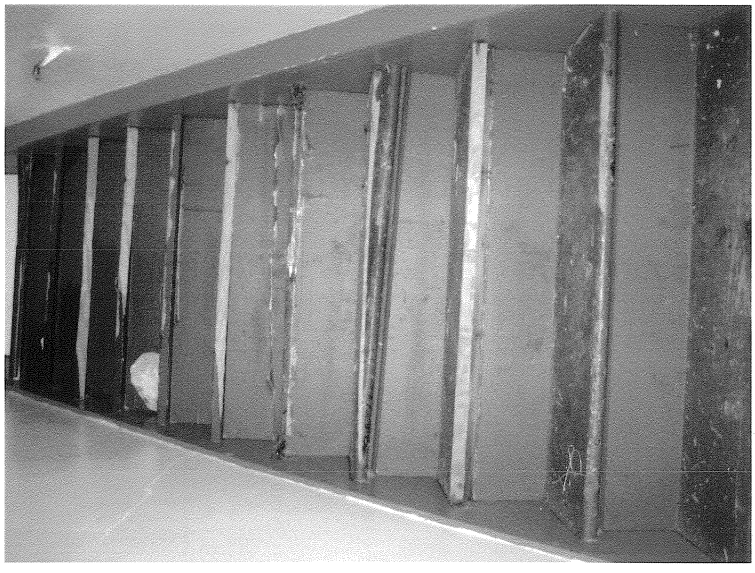
DEAD END
EXCHANGE
STO











ZONING BOARD OF APPEALS
STAFF REPORT
March 24, 2016

Use Variance

Case # 7: Staff Reviewer: Jill Symonds

File Number: V-060-15-16

Applicant: Sarah Howell

Project Address: 68 Clifford Avenue

Zoning District: R-1 Low-Density Residential District

Section of Code: 120-199

Request: **To establish use of the property as a two-family dwelling that has lost its rights due to a period of vacancy greater than nine months.**

Background: The subject property is a vacant built-as single family dwelling. At a time when the zoning district permitted it, the dwelling was converted to a two- family dwelling. With the adoption of the 2003 Zoning Code, when the property was rezoned to R-1, the use as a two-family dwelling became a nonconforming use. In accordance with Section 120-199 of the Zoning Code, nonconforming uses are subject to abandonment if there is a period of vacancy greater than nine months. City records show that the dwelling has been vacant since at least November, 2011, and therefore, has lost its rights to the two-family dwelling. The applicant is applying to re-establish the nonconforming two family dwelling.

Code Compliance: In accordance with section 120-199, a use variance is required to re-establish the use of the structure as a two-family dwelling since it has been vacant for a period of greater than nine months.

Code Enforcement: The subject property is in code enforcement.

68 CLIFFORD AV

March 11, 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

PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. **PROJECT ADDRESS(ES):** 68 CLIFFORD AVE., 14621

2. **APPLICANT:** SARAH HOWELL **COMPANY NAME:** _____

   ADDRESS: 173 BREEK ST. **CITY:** ROCHESTER **ZIP CODE:** 14609

   PHONE: 585-330-0454 **FAX:** _____

   E-MAIL ADDRESS sarahhowell15@gmail.com

   INTEREST IN PROPERTY: Owner X **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:** R-1

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

   RESTORE PROPERTY TO RENTAL CONDITION.
   REQUESTING TO KEEP PROPERTY AS DOUBLE UNIT.

7. **LENGTH OF TIME TO COMPLETE PROJECT (Attach schedule if phased:)** 1 YEAR

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:** Sarah **DATE:** 2/11/16

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.

X**SIGNATURE:** Sarah **DATE:** 2/11/16

BUILDING BUREAU
ROOM 121
2:24PM Feb 11/16
01-0002 001 Linda
#19479
Zoning $250.00
INFO 68 CLIFFORD AV
CASH $250.00

City of Rochester, NY

USE VARIANCE
STATEMENT OF UNNECESSARY HARDSHIP

A use variance shall be granted only if the applicant can establish the existence of EACH of the following, in accordance with Section 120-195B(3) of the Zoning Ordinance:

A. No reasonable return. The subject property is not capable of yielding a reasonable rate of return if used for its present use or developed, redeveloped or used for **any other use** permitted in the district in which the property is located. There is no means other than the granting of the variance by which the property can yield a reasonable return. Such inability to yield a reasonable return must be shown by specific fact, and not the unsupported opinion of the owner or those appearing for the owner.

BASED ON THE CALCULATION OF .035 RATE OF RETURN, THE AMOUNT OF WORK THAT NEEDS TO BE DONE, & LIKELYHOOD OF RENTING SUCH A LARGE SINGLE FAMILY HOME, A REASONABLE RATE OF RETURN IS NOT VIABLE.

B. Unique circumstances. The inability to yield a reasonable return results from a unique circumstances peculiar to the subject property which do not apply to or affect other properties in the immediate vicinity that are subject to the same regulations. The personal situation of the owner shall not be considered a unique circumstance.

THE LENGTH OF TIME OF VACANCY, & THE NECESSARY CAPITAL INVESTMENT TO RETURN IT TO GOOD CONDITION PROVIDE A UNIQUE CIRCUMSTANCE.

C. Not self created. The inability to yield a reasonable return is not the result of any action or inaction by the owner or their predecessors in title. Acquisition or improvement of the subject property at any time after the enactment of the provision sought to be varied shall raise a rebuttable presumption that the owner's inability to realize a reasonable return is the result of the owner's action.

THE PROPERTY WAS LISTED AS A DOUBLE FAMILY ON THE CITY WEBSITE PRIOR TO PURCHASE. THE RATE OF RETURN BASED ON THE INVESTMENT NEEDED TO BRING UP TO PAR IS NEGLIGIBLE.

D. Essential character of the area - surrounding uses and facilities. The granting of the variance will not be materially detrimental to the public health, safety, and welfare or injurious to the enjoyment, use, or development of neighboring properties and the community or the general plan (i.e. Zoning Ordinance and Comprehensive Plan intent).

GRANTING THE VARIANCE WOULD BE BENEFICIAL TO BRINGING LIFE BACK TO THE AREA.

E. No other remedy. There is no means other than the granting of the variance by which the hardship can be avoided or remedied to permit the economic use of the subject property.

AS IS, THERE IS NO ALTERNATIVE THAT MAKES LOGISTICAL SENSE FOR THE PROPERTY IN THAT AREA.

City of Rochester, NY

USE VARIANCE
STATEMENT OF INCOME AND EXPENSE

PLEASE NOTE: AT HEARING TIME, APPLICANTS MAY BE ASKED TO PROVIDE AT LEAST TWO (2) CALENDAR YEARS OF FINANCIAL INFORMATION, OR FROM THE DATE OF PURCHASE, WHICHEVER IS LESS.

PROPERTY ADDRESS: 68 CLIFFORD AVE. ROCHESTER, NY 14621

A. PROPERTY DATA

1. Date property was purchased by current owner 11/16/2015

2. Was a Certificate of Occupancy issued? NO
   Date of issuance? _____
   If so, for what use(s)? _____
   If not, why? REQUESTING USE VARIANCE

3. Cost of Purchase $16,000

4. Original Amount of Mortgage(s) N/A
   Mortgage Holder(s) _____
   Address _____
   Interest Rate(s) _____ Term of mortgage(s) _____

5. Is the property for sale? NO
   If so, for how long? _____
   asking price? _____
   for what use(s) _____
   Have any offers been received? _____
   If so, for what amount(s)? _____
   Summarize any attempts to sell the property _____

6. Present value of property $34,000
   Source of valuation CITY OF ROCHESTER ASSESSMENT

B. GROSS ANNUAL INCOME (Information provided must be for permitted uses, not the proposed use)

	USE (# of Apts., Retail Store, Office, etc.)	UNIT SIZE (sq. ft.; # of bedrooms)	MONTHLY RENT AMOUNT	ANNUAL RENT AMOUNT
1.	1 SINGLE FAMILY	2,733 SQ FT, 5	$1,200	$14,400
2.				
3.				
4.				
5.				
6.				

TOTAL ANNUAL INCOME: _____

LESS (8%) VACANCY FACTOR: (Explain, if greater than 8%) 14,400 - 1,152

TOTAL ADJUSTED GROSS INCOME: $13,248

C. ANNUAL EXPENSES

1. Annual Fixed Charges

Real Estate Taxes (City & County)	1,222.03
Insurance	1,000.00
Average Annual Interest (over next 5 years)	

2. Operating Expenses

Electric	2,400
Fuel	3,600
Water	1,348.32
Pure Waters	
Advertising	
Miscellaneous (attach explanation)	

3. Maintenance Expenses (attach list)

Repairs	1,000.00
General Building Maintenance	400.00
Yard and Ground Care	800.00
Miscellaneous	

TOTAL ANNUAL EXPENSES: 11,770.35

PROFIT or (LOSS) 1,477.65

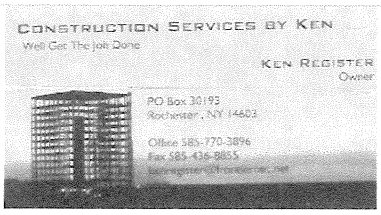
D. TOTAL INVESTMENT

1. Down payment	$6,000.00
2. Capital Improvements (attach list)	$35,600.00
3. Principal paid to date (original mortgage less current principal balance)	

TOTAL INVESTMENT: $41,600.00

E. RATE OF RETURN/YR. [Profit or Loss divided by Total Investment] .035

SIGNATURE OF PREPARER _____ DATE _____



WORK ORDER

Construction Services By Ken
We'll Get The Job Done
PO Box 30193
Phone 585.770.3896 Fax 585.436.8855
kenregister@frontiernet.net

W.O. #7000
DATE:2/10/16

TO Sarah Howell

JOB 68 Clifford

QUANITY	DESCRIPTION	UNIT PRICE	LINE TOTAL
	Clean out/ dumpsters		700.00
	Permits		500.00
	Deconverstions		1500.00
	Renovations: Exterior foundation repair		900.00
	Porch repair		800.00
	Siding & soffits		8,300.00
	Roofing (new tear off)		10,000.00
	Interior: Mechanical heating		1,900.00
	Hot water tank		600.00
	Plumbing with fixture		2,900.00
	Electrical		1,800.00
	Painting /drywall		2,600.00
	Flooring		1,400.00
	Windows		1,700.00
		SUBTOTAL	
		SALES TAX	
		TOTAL	35,600.00

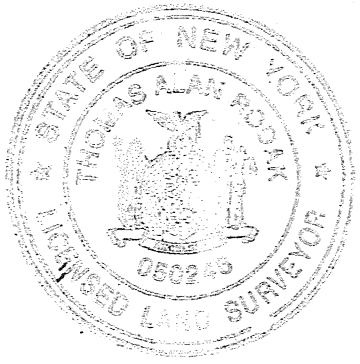
Make all checks payable to Construction Services By Ken

THANK YOU FOR YOUR BUSINESS!

LIBER 10250 OF DEEDS, PAGE 144
LIBER 8 OF MAPS, PAGE 79
LIBER 15 OF MAPS, PAGE 5

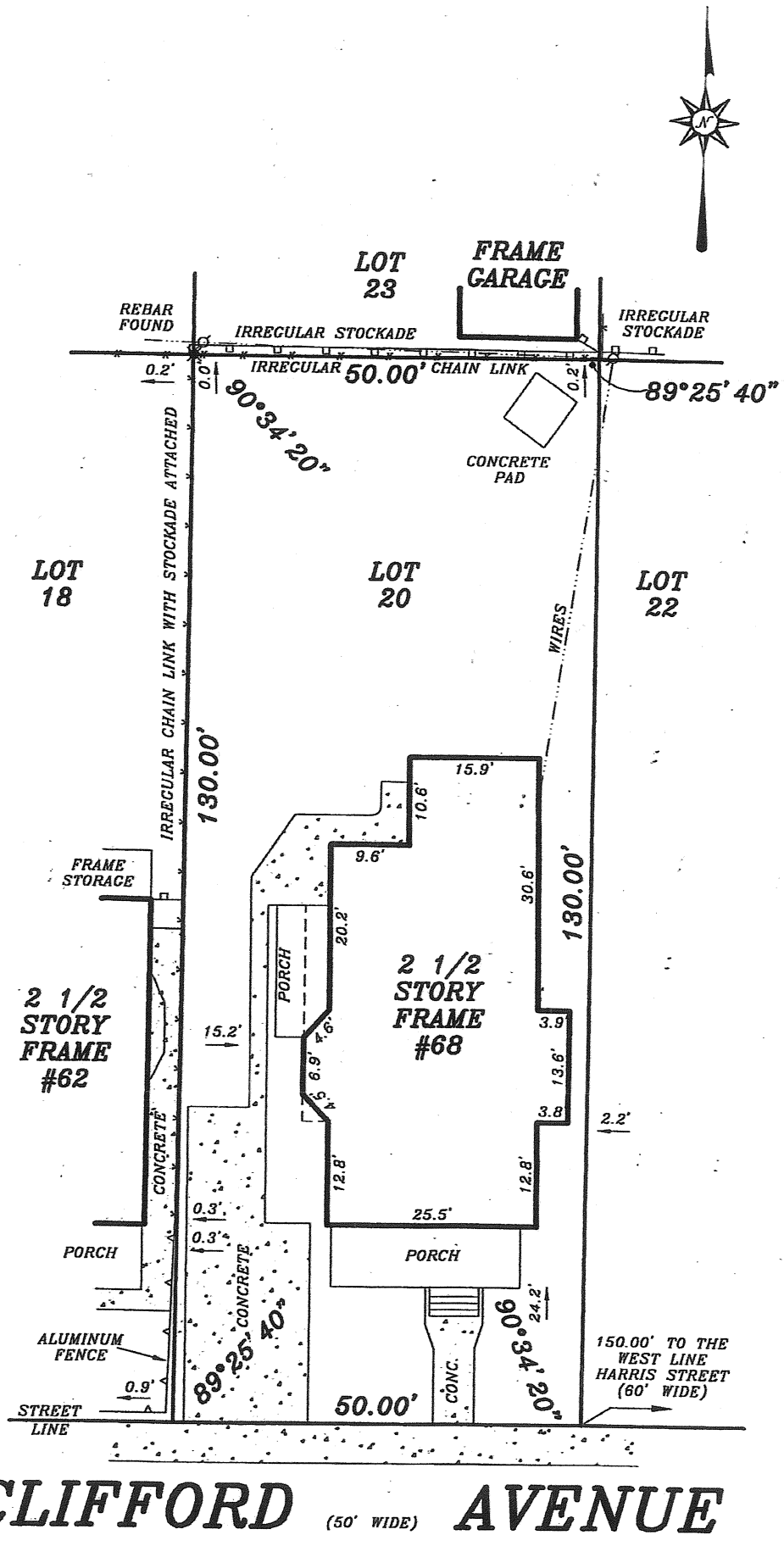
NOTES:

PARCEL TAX ID #106.29-4-61



WE, O'NEILL-RODAK LAND SURVEYING ASSOCIATES, P.C., CERTIFY TO SARAH HOWELL
THAT THIS MAP WAS PREPARED FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED
FEBRUARY 8, 2016.

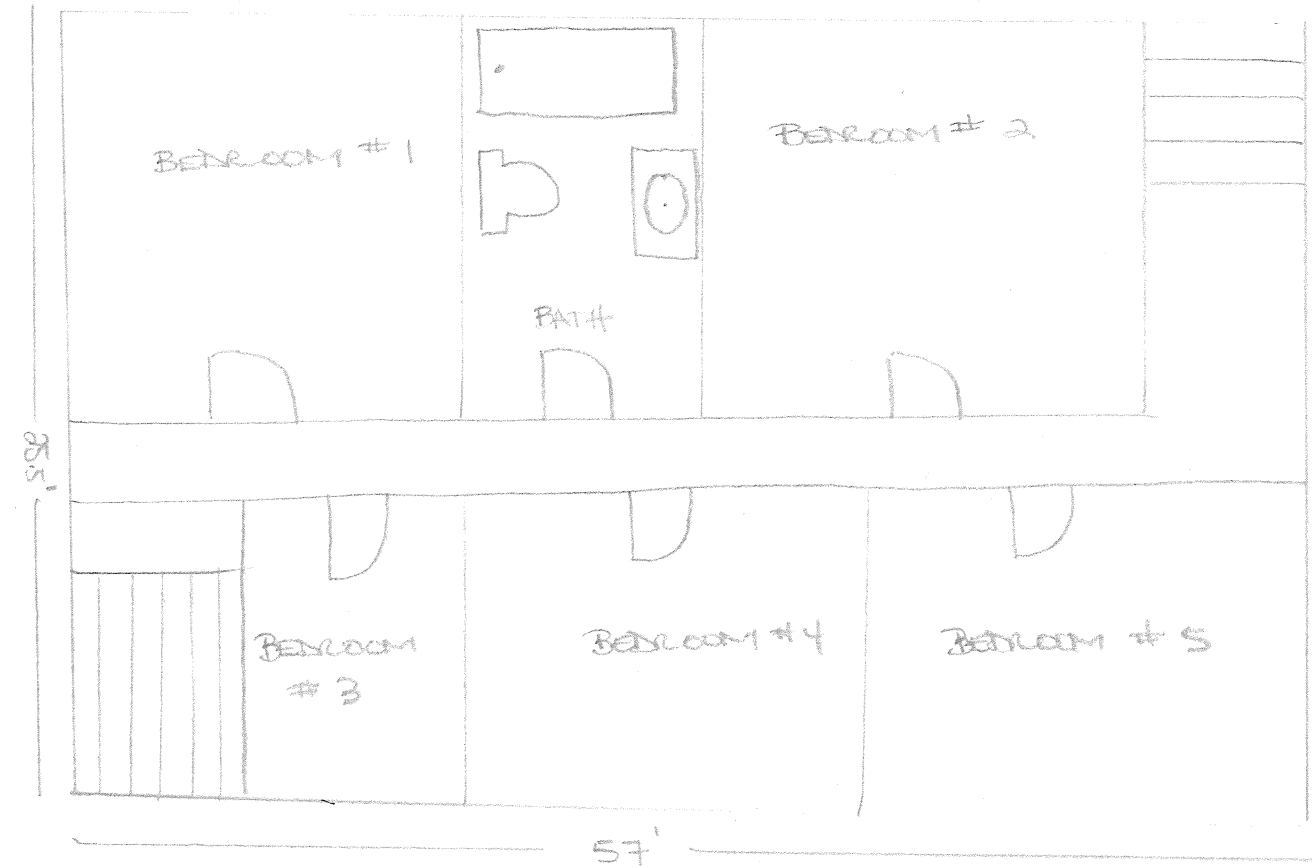
THOMAS A. RODAK, P.L.S. #050246

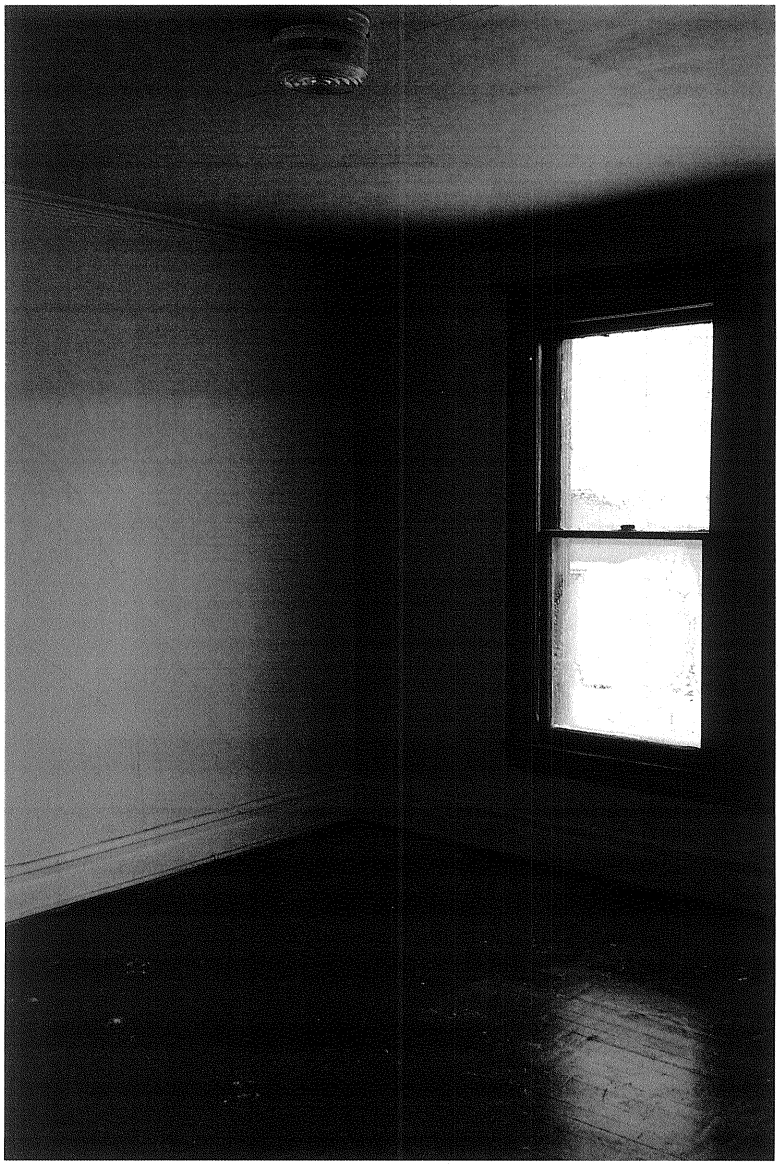


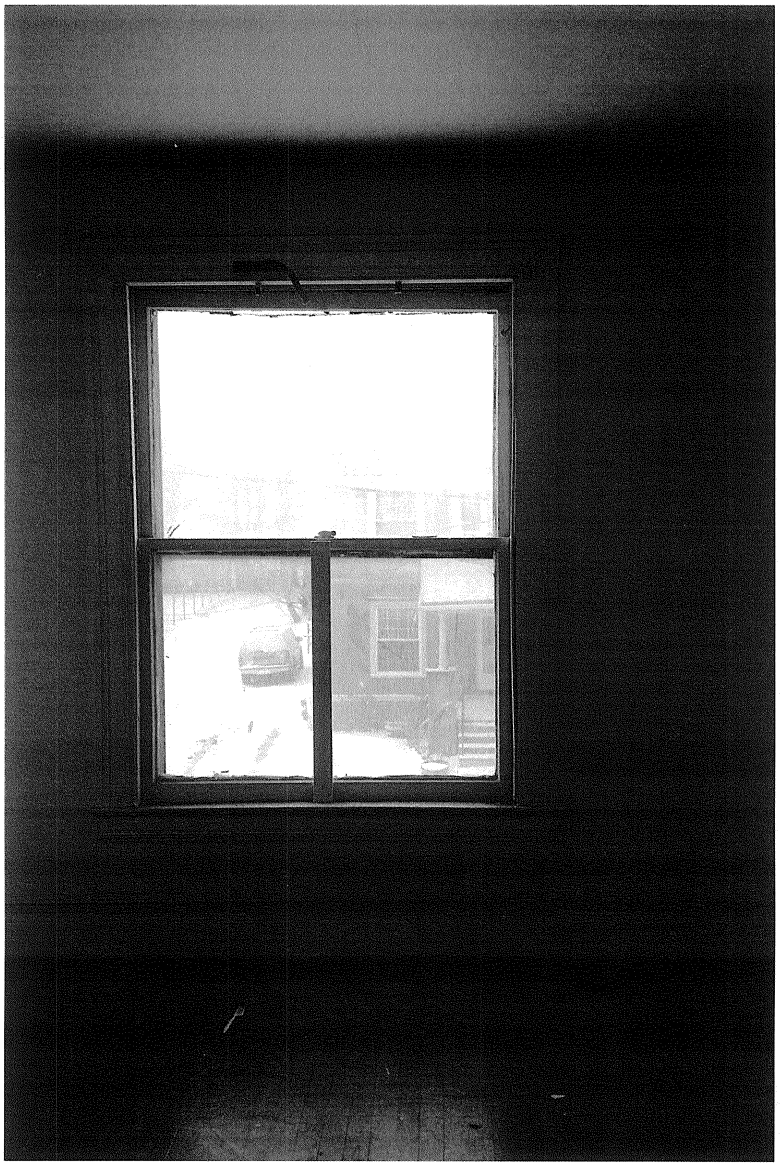
"Unauthorized alteration of, or addition to, this survey map is a violation of section 7209 of the New York State Education Law"
Copies of this survey map not bearing the land surveyor's inked or embossed seal shall not be considered to be a valid true copy.
"Guarantees or certifications indicated hereon 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.
Guarantees or certifications are not transferable to the institutions or subsequent owners"

1ST FLOOR

2ND FLOOR







ZONING BOARD OF APPEALS
STAFF REPORT
March 24, 2016

Area Variance

Case # 8: Staff Reviewer: Jill Symonds

File Number: V-061-15-16

Applicant: Phil Dotson

Project Address: 800 Emerson Street

Zoning District: M-1 Industrial District

Section of Code: 120-177

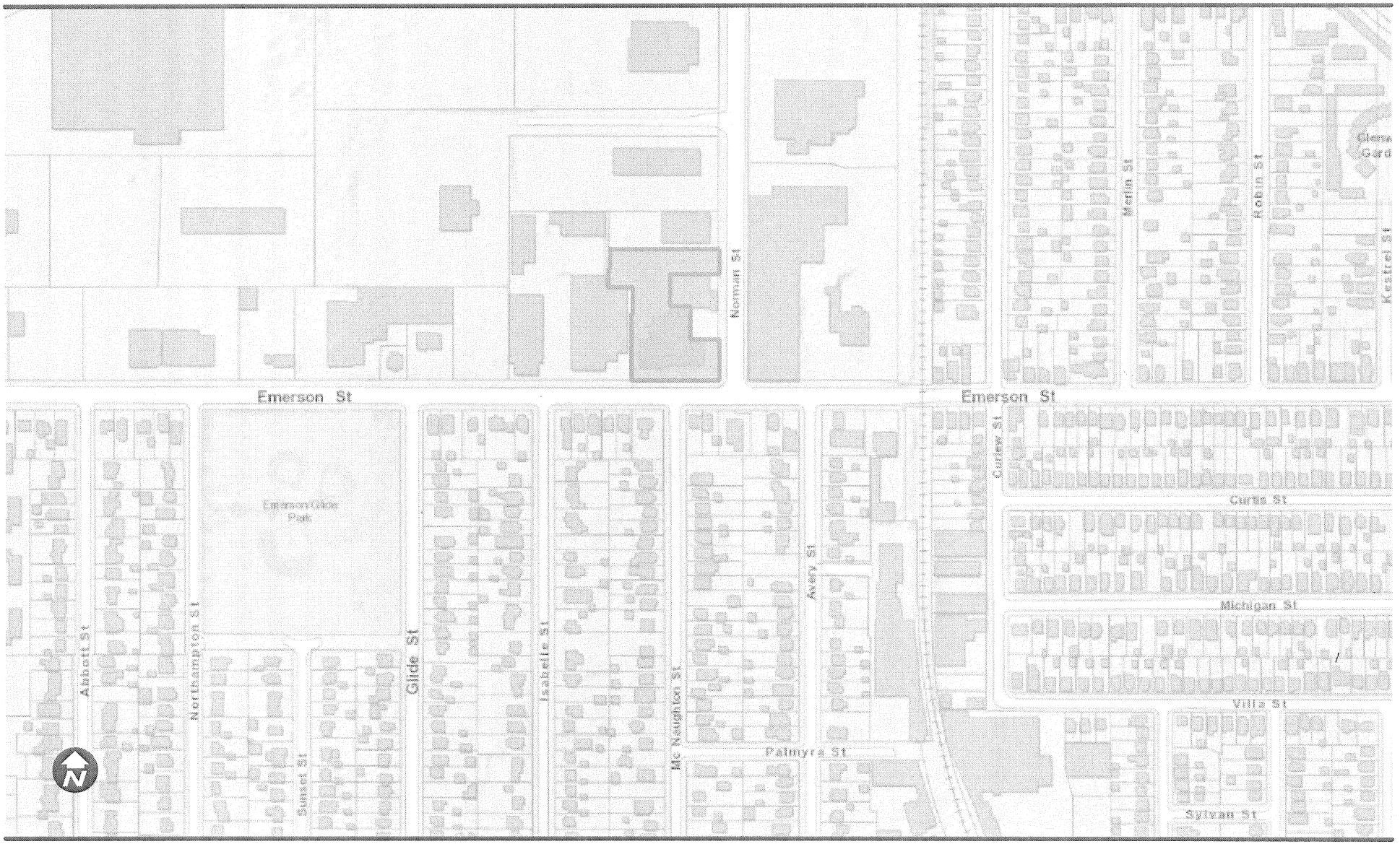
Request: **To legalize two internally illuminated signs for "Elder One" on the front and rear of the building, not meeting certain sign requirements.**

Background: The proposal is to legalize an internally illuminated, 35 sq. ft. sign on the front of the building and an 11 sq. ft. sign on the rear of the building for "Elder One".

Code Compliance: The number, size and location of the signs are permitted. However, section 120-177 does not permit internal illumination at this location **(area variance required).**

Code Enforcement: The subject property is not in code enforcement.

800 EMERSON ST



March 11, 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

PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. **PROJECT ADDRESS(ES):** 800 EMERSON ST ROCHESTER NY

2. **APPLICANT:** PHIL POTSON **COMPANY NAME:** ID SIGNSYSTEMS

   ADDRESS: 410 ATLANTIC **CITY:** ROCHESTER **ZIP CODE:** 14609

   PHONE: 585-266-5750 **FAX:** 585-266-5798

   E-MAIL ADDRESS pdotson@idsignsystems.com

   INTEREST IN PROPERTY: Owner _____ Lessee _____ Other X

   BUILDING BUREAU
   ROOM 121
   12:16PM Feb 11/16
   01-0002-001 Josie
   #19458

3. **PLAN PREPARER:** _____

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

   PHONE: _____ **FAX:** _____

   Zoning INFO $250.00 800 EMERSON

4. **ATTORNEY:** _____

   Charge $250.00

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

   PHONE: _____ **FAX:** _____

   E-MAIL ADDRESS _____

5. **ZONING DISTRICT:** _____

6. **DETAILED PROJECT DESCRIPTION (additional information can be attached):** INSTALL (2) INTERNALLY LIT SIGNS - (1) ON FRONT & (1) ON BACK - IDENTIFY BLDG & ENTRANCE.
   SIGNS DESIGNED TO FIT ROCHESTER REGIONAL HEALTH STANDARDS

7. **LENGTH OF TIME TO COMPLETE PROJECT (Attach schedule if phased:)** 4 wks

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:** 2/3/16

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.

SIGNATURE: _____ **DATE:** _____

City of Rochester, NY

AREA VARIANCE
STATEMENT OF DIFFICULTY
Section 120-195B(4)(b)

An area variance shall be granted only if the applicant can establish the existence of EACH of the following conditions:

A. Benefits. The benefits to the applicant outweigh any detriment to the health, safety and welfare of the neighborhood or the community by the granting of the variance.

I BY INSTALLING SIGN ON FRONT OF BUILDING WILL ALLOW PATIENTS TO LOCATE PROPERTY. IT WILL ALSO HELP ASSIT VISITORS, FAMILY, ETC ON LOCATING.
II BY INSTALLING SIGN ON BACK OF BUILDING WILL ALLOW FOR IDENTIFICATION OF ENTRANCE FROM PARKING LOT.

B. Essential character of the area. No undesirable change will be produced in the character of the neighborhood, or a detriment to nearby properties will be created by the granting of the variance.

THE NEW SIGNS ARE IN LINE WITH NEW CORPORATE STANDARDS

SIGNS BEING INTERNALLY LIT WILL ALLOW FOR ALL COMMUNITY TO identify where property located.

SHERWIN WILLIAMS PAINT (2 PROPERTY IN WEST DIRECTION) HAS ILLUMINATED SIGN ON FRONT OF BLDG.

C. No other remedy. There is no other means feasible for the applicant to pursue, other than the granting of this area variance.

A INTERNALLY ILLUMINATED FRONT & BACK SIGNS WILL ALLOW PATIENTS & VISITORS TO LOCATE PROPERTY

D. **Significance.** The requested variance is not substantial.

SIGNS WILL BE PLACED ON FACADE THAT IS VERY LARGE & WILL NOT BE AN OVERPOWERING BILLBOARD.

E. **Physical and environmental conditions.** The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

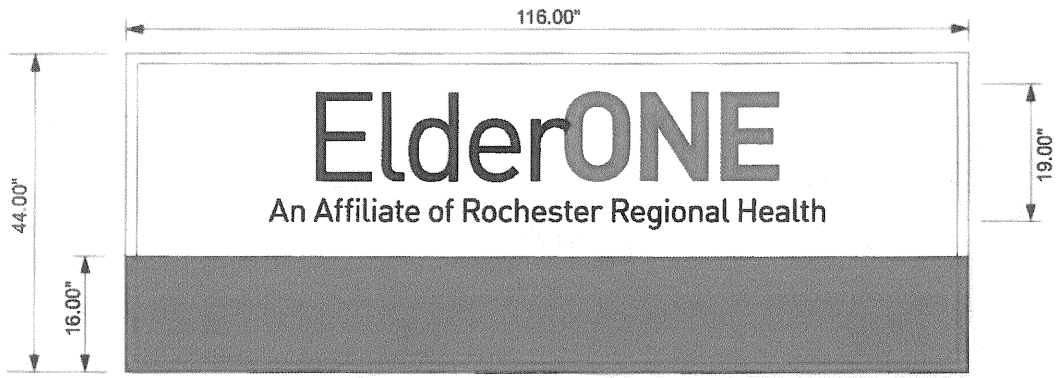
SIGNS WILL BE ATTACHED TO BUILDING FACADE. BUILDING IS BEING RENOVATED AND SIGN WILL BE FINAL TOUCH ON THESE IMPROVEMENTS

F. **Not self created.** The alleged difficulty was not self created, the consideration of which shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of the variance.

ELDER ONE WILL PROVIDE MANY DIFFERENT SERVICES WITHIN PROPERTY & IMPORTANT TO IDENTIFY BLDG & ENTRANCE

"FRONT" SIGN

Layout
Scale: 3/4" = 1'-0"



Qty: 1
Description
Illuminated Sign Cabinet

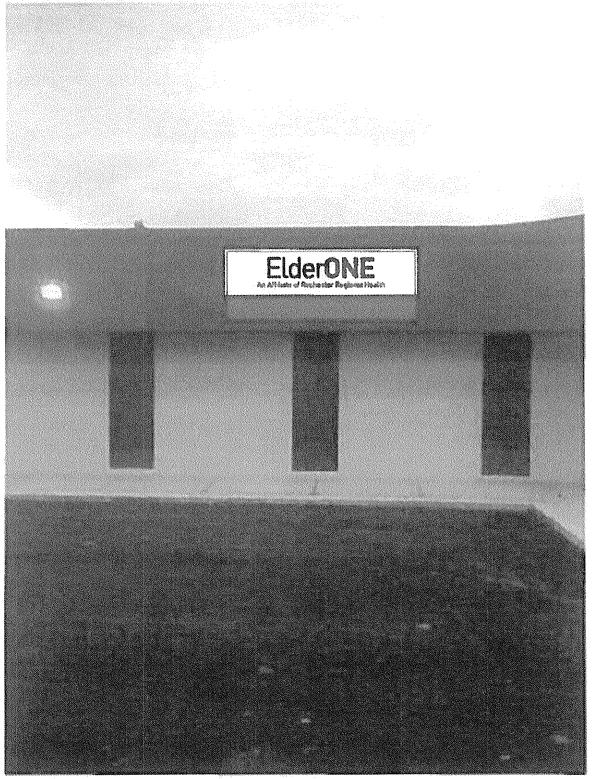
Materials
Sign comp: Narrow Body Part No. 2021
1 1/2" Retainer Part No. 2055
Single Face Body 1-1/2"
Sign Cabinet Painted blue to match
Face: 3/16" translucent white polycarbonate face
Graphics: Digitally printed translucent vinyl graphics
Lighting: White JT LED Lighting

Color/Artwork
Logo: Provided by customer all artwork to match
Blue: Pantone 3005M

Mounting
Mounted flush to building facade

Note
Sign location to be surveyed prior to installation

Rendering
Scale: 1" = 70"



IDS
ID SIGNSYSTEMS

CORPORATE OFFICE
410 Atlantic Avenue Rochester, NY 14609
IDSignsystems.com
(585) 266-5750 (585) 266-5798

CLIENT

ROCHESTER REGIONAL HEALTH

Rochester Regional Health

DRAWING DESCRIPTION
Sign Cabinet

LOCATION
Rochester, NY

ACCOUNT MANAGER	DESIGNER
P. DOTSON	FR

QTY.	DRAWING #	DATE
1	id3594	12/10/15

REVISIONS

DATE	REVISIONS	INITIAL
12/15	Request for Revision	FR
12/18	Additions & Revision	FR
01/04	Additions & Revision	FR
01/11	Additions & Revision	FR

THE PURPOSE OF THIS DRAWING IS FOR
■Client Approval □Estimating □Production

I have carefully reviewed and hereby accept the drawing(s) as shown. I realize that any changes to these designs made before or after production may alter the contract price. All changes must be in writing and approved by both parties prior to production.

SIGNATURE

DATE

The custom artwork depicted herein is for representational purposes only and may not exactly match the colors of the product.

This is an original unpublished drawing created by ID Signsystems, Inc. It is submitted only for your personal use in connection with a project being prepared for you by ID Signsystems, Inc. It is not to be shown to anyone outside your organization, nor is it to be used, reproduced, or exhibited in any fashion.

UL LISTED Electric signs produced at ID Signsystems, Inc. conform to UL Standards and display the Underwriter's Laboratories Labels

PAGE NUMBER

BACK ENTRANCE SIGN

Layout
Scale: 1" = 1'-0"

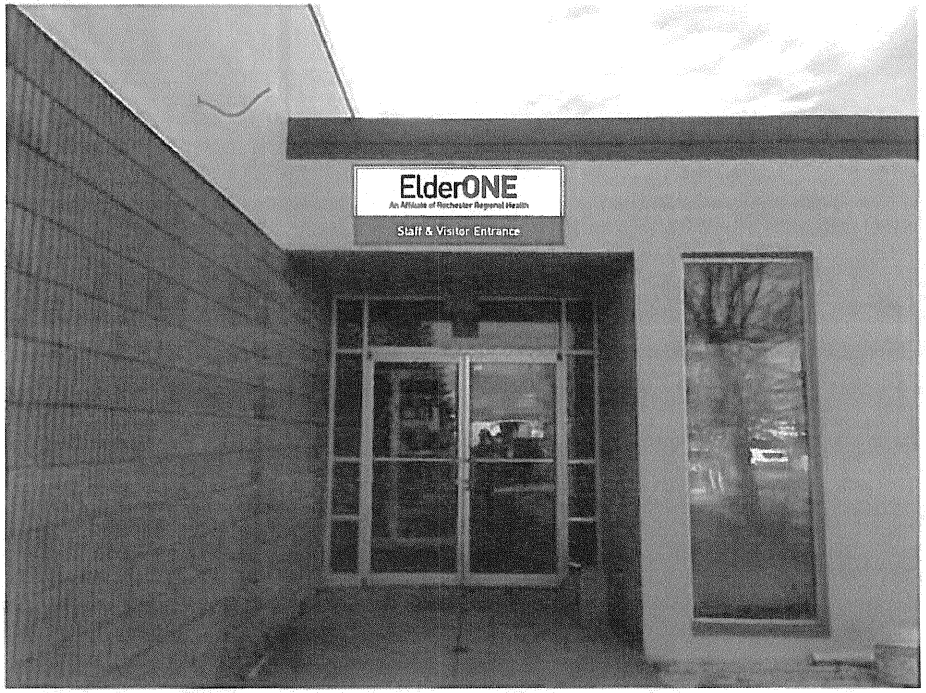
Qty: 1
Description
Illuminated Sign Cabinet

Materials
Sign comp: Narrow Body Part No. 2021
1 1/2" Retainer Part No. 2055
Single Face Body 1-1/2"
Sign Cabinet Painted blue to match.
Face: 3/16" translucent white polycarbonate face
Graphics: Digitally printed translucent vinyl graphics
Lighting: White JT LED Lighting

Color/Artwork
Logo: Provided by customer all artwork to match
Blue: Pantone 3005M

Mounting
Mounted flush to building facade

Note
Sign location to be surveyed prior to installation



Rendering
Scale: 1" = 35"

IDS
ID SIGNSYSTEMS

CORPORATE OFFICE
410 Atlantic Avenue Rochester, NY 14609
IDSignsystems.com
☎ (585) 266-5750 (585) 266-5798

CLIENT

ROCHESTER REGIONAL HEALTH

Rochester Regional Health

DRAWING DESCRIPTION
Sign Cabinet

LOCATION
Rochester, NY

ACCOUNT MANAGER	DESIGNER
P. DOTSON	FR

QTY.	DRAWING #	DATE
1	id3594	12/10/15

REVISIONS

DATE	REVISIONS	INITIAL
12/15	Request for Revision	FR
12/18	Additions & Revision	FR
01/04	Additions & Revision	FR
01/11	Additions & Revision	FR

THE PURPOSE OF THIS DRAWING IS FOR
■Client Approval □Estimating □Production

I have carefully reviewed and hereby accept the drawing(s) as shown. I realize that any changes to these designs made before or after production may alter the contract price. All changes must be in writing and approved by both parties prior to production.

SIGNATURE

DATE

The custom artwork depicted herein is for representational purposes only and may not exactly match the colors of the product.

This is an original unpublished drawing created by ID Signsystems, Inc. It is submitted only for your personal use in connection with a project being prepared for you by ID Signsystems, Inc. It is not to be shown to anyone outside your organization, nor is it to be used, reproduced, or exhibited in any fashion.

UL LISTED Electric signs produced at ID Signsystems, Inc. conform to UL Standards and display the Underwriter's Laboratories labels

PAGE NUMBER
2 of 02

Proposed Sign Locations

Back Sign

Front Sign

ZONING BOARD OF APPEALS
STAFF REPORT
March 24, 2016

Area Variance

Case # 9: Staff Reviewer: Jill Symonds

File Number: V-062-15-16

Applicant: Kurt Charland

Project Address: 1490 Hudson Avenue

Zoning District: C-3 Regional Destination Center District

Section of Code: 120-159, 120-177

Request: **To install new signs for the "Walmart" gas station including signs on the canopy, kiosk, and the pumps, not meeting certain sign requirements.**

Background: The subject property is a gas station with a mini mart. The business is ownership is changing and Walmart, the new owner, is proposing to update the signs. The sign package includes new LED gas pricing signs and internally illuminated, 9' x 2' "Walmart" signs on both sides of the gas canopy, attached signs on the front and rear of the mini mart kiosk, and new signage on the fuel dispensers.

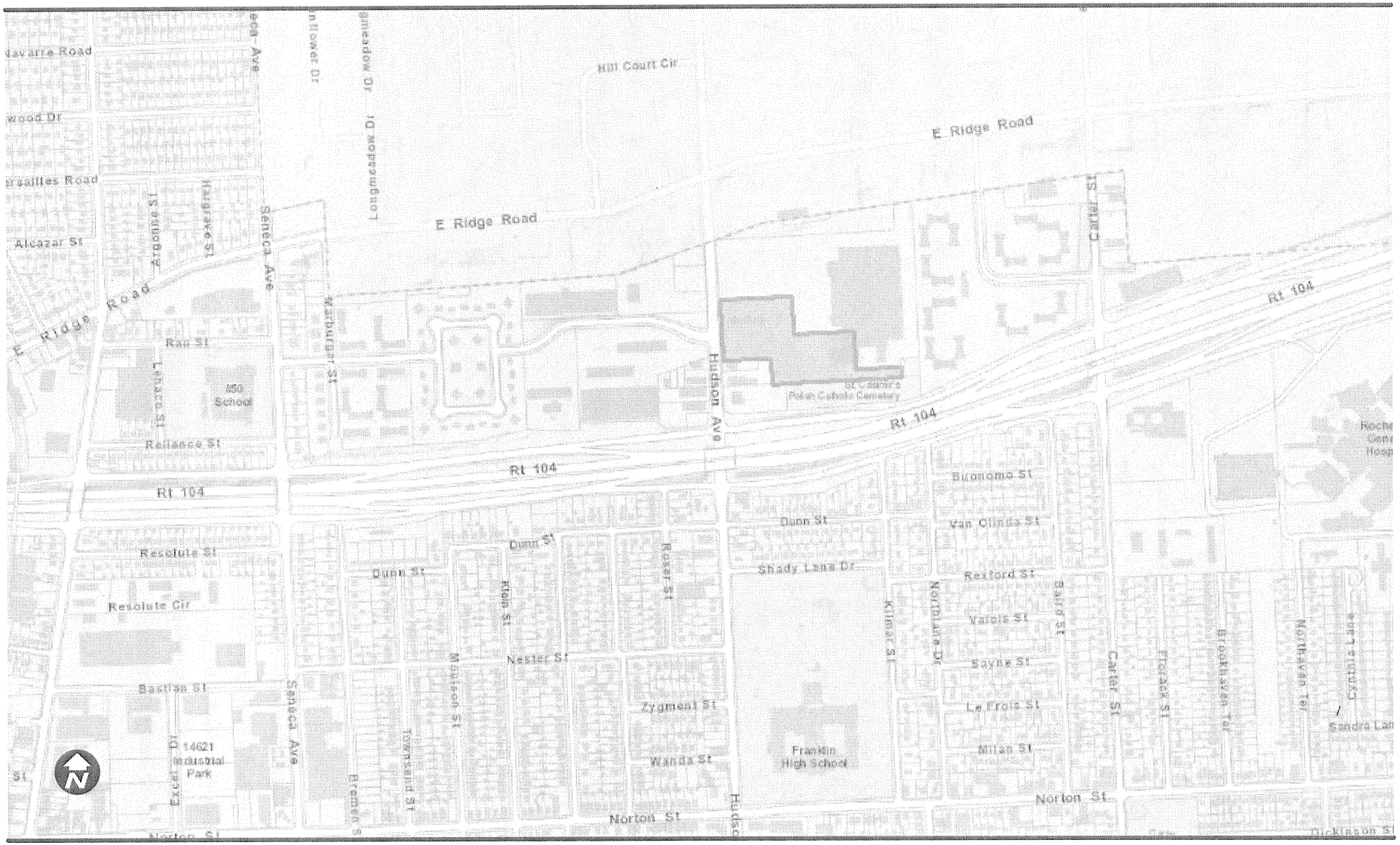
Code Compliance: Section 120-159 does not permit signs on the gas canopy **(area variance required).**

Section 120-177 permits a maximum signage area of 10% of the primary building facade per lot including:

- Attached signs identifying uses or services on the premises not exceeding 1.5 square feet for every foot of building frontage. The kiosk frontage is approximately 40', therefore 60 sq. ft. of signage is permitted. **The proposal includes 100 sq. ft. of signage, thereby requiring an area variance.**

Code Enforcement: The subject property is not in code enforcement.

1490 HUDSON AV



March 11, 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

PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. **PROJECT ADDRESS(ES):** 1490 Hudson Avenue, Rochester, NY 14621

2. **APPLICANT:** Kurt Charland **COMPANY NAME:** Bergmann Associates
   ADDRESS: 28 East Main Street Suite 200 **CITY:** Rochester **ZIP CODE:** 14614
   PHONE: 585-232-5135 **FAX:** 585-325-8493
   E-MAIL ADDRESS kcharland@bergmannpc.com
   INTEREST IN PROPERTY: **Owner** _____ **Lessee** _____ **Other** x

3. **PLAN PREPARER:** Bergmann Associates Architects, Engineers, Landscape Architects, & Surveyors, D.P.C.
   ADDRESS: 28 East Main St., Ste. 200 **CITY:** Rochester **ZIP CODE:** 14614
   PHONE: 585-232-5135 **FAX:** 585-325-8493

4. **ATTORNEY:** _____
   ADDRESS: _____ **CITY:** _____ **ZIP CODE:** _____
   PHONE: _____ **FAX:** _____
   E-MAIL ADDRESS _____

5. **ZONING DISTRICT:** C-3

6. **DETAILED PROJECT DESCRIPTION (additional information can be attached):** Walmart fueling station conversion

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:** _____

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: Mia McCutchen **DATE:** 3/15/16

Mia McCutchen, Walmart Realty

BUILDING BUREAU
ROOM 121
10:12AM Mar 4/16
01-0002 001 BUD
#20511
Zoning INFO $250.00
1490 HUDSON
CHECK $250.00

City of Rochester, NY

AREA VARIANCE
STATEMENT OF DIFFICULTY
Section 120-195B(4)(b)

An area variance shall be granted only if the applicant can establish the existence of EACH of the following conditions:

A. Benefits. The benefits to the applicant outweigh any detriment to the health, safety and welfare of the neighborhood or the community by the granting of the variance.

The proposed signage is replacement of the signage that currently exists on the existing canopy. No increase of signage is proposed therefore no additional impacts to the community of neighborhood are proposed.

B. Essential character of the area. No undesirable change will be produced in the character of the neighborhood, or a detriment to nearby properties will be created by the granting of the variance.

As previously stated the proposed signage is only a re-branding of the fuel station to new ownership. No additional signage is being requested with this application.

C. No other remedy. There is no other means feasible for the applicant to pursue, other than the granting of this area variance.

Since the property and fuel station is changing ownership the signage must be changed to reflect the new owners branding.

D. Significance. The requested variance is not substantial.

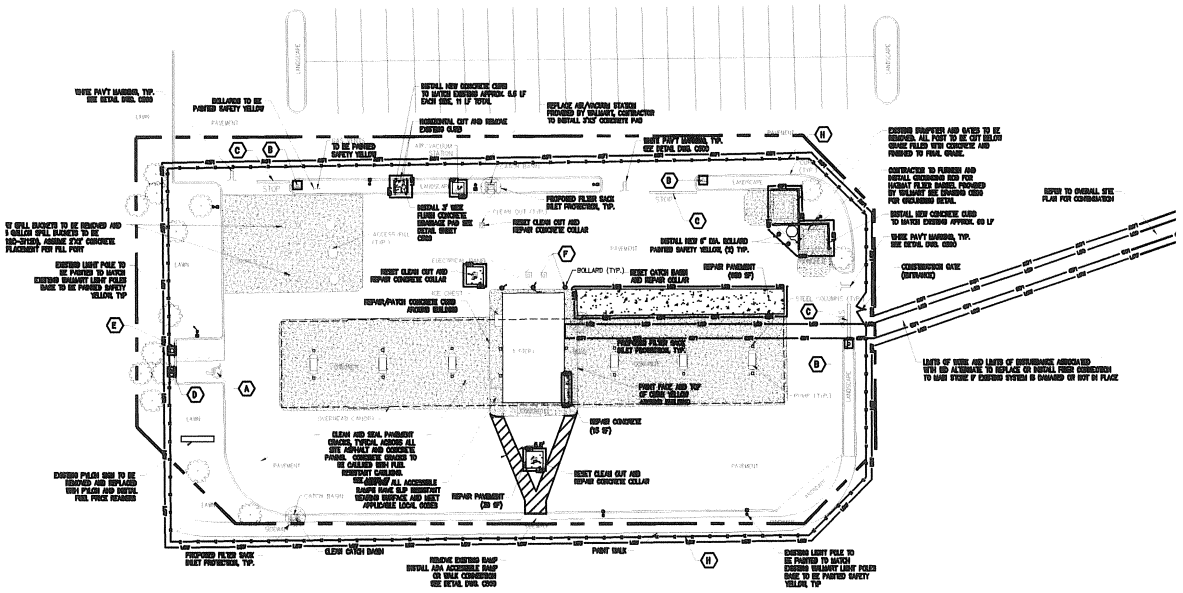
The signage proposed is merely a replacement of what currently exists on the the canopy and kiosk. No additional signage is being requested with this application.

E. Physical and environmental conditions. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

The signage is consistent with with the existing conditions and environment.

F. Not self created. The alleged difficulty was not self created, the consideration of which shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of the variance.

The condition is self created in that it is required with the changing of ownership to reflect the owner's branding however, the project is replacement of what is currently on the canopy, therefore no new signage is being requested with this application.



PARKING DATA

BASED ON 825± BLDG. S.F.
EXISTING STORE SPACES – 20
HANDICAP PARKING SPACES REQUIRED – 1
HANDICAP PARKING SPACES PROVIDED – 1

EXISTING PARKING RATIO: 1/42 S.F.
POST FUEL STATION RENOVATION PARKING RATIO: 1/42 S.F.

TOTAL LOT AREA – 0.73 ACRES

ACREAGE SUMMARY

1	FUELING STATION LIMITS OF WORK	0.84 Ac.
2	FUELING STATION LIMIT OF DISTURBANCE	0.09 Ac.

SITE NOTES

1. THE UNDERGROUND STRUCTURES AND UTILITIES SHOWN ON THIS MAP HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS AND RECORD MAPS. THEY ARE NOT GUARANTEED TO BE ACCURATE OR TRUE. LOCATION AND/OR COMPLETENESS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATION AND EXTENT OF ALL UNDERGROUND STRUCTURES AND UTILITIES PRIOR TO ANY DESIGN OR CONSTRUCTION ACTIVITIES IN THEIR VICINITY.
2. THE CONTRACTOR SHALL PERFORM ALL WORK IN COMPLIANCE WITH TITLE 29 OF FEDERAL REGULATIONS, PART 1926, SAFETY AND HEALTH REGULATIONS FOR CONSTRUCTION (OSHA).
3. HEAVILY DEBRIS ALONG ALL ROADS AND PRIVATE DRIVES SHALL BE KEPT CLEAN OF MUD, DEBRIS ETC. AT ALL TIMES.
4. REFER TO ARCHITECTURAL DRAWINGS FOR PRECISE BUILDING DIMENSIONS.
5. THE CONTRACTOR SHALL CONSULT THE DESIGN ENGINEER BEFORE DEVIATING FROM THESE PLANS.
6. IF DISPOSAL AREA FOR HAZARDOUS MATERIAL IS ENCOUNTERED WHICH REQUIRES CONTRACTOR, ALL WORK SHALL STOP AND THE STATE DEPARTMENT OF HEALTH AND THE STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION SHALL BE NOTIFIED IMMEDIATELY. WORK SHALL NOT RESUME UNTIL THE OWNER HAS OBTAINED APPROPRIATE ACTION FOR DEALING WITH THE HAZARDOUS MATERIAL AND THE DEVELOPMENT PLANS ARE MODIFIED AS MAY BE NECESSARY.
7. THE CONTRACTOR SHALL DISPOSE OF ALL EXCESS MATERIAL OFF-SITE IN A LEGAL MANNER MEETING FEDERAL, STATE AND LOCAL REGULATIONS.
8. UNLESS COVERED BY THE CONTRACT SPECIFICATIONS OR AS NOTED ON THE PLANS, ALL WORK SHALL CONFORM TO THE STATE DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS.
9. CONCRETE PAVEMENT OR GLASS EXPANSION JOINTS REQUIRED AT FIXED STRUCTURES (BUILDINGS, RETAINING WALLS/ROCK WALLS, DROP INLETS, MANHOLES, LIGHT POLE BASES AND BOLLARDS). SEE DETAIL SHEET.
10. THE SITE WORK FOR THIS PROJECT SHALL MEET OR EXCEED "THE SITE SPECIFIC SPECIFICATIONS".
11. ALL DIMENSIONS ARE TO THE FACE OF CURB UNLESS OTHERWISE INDICATED.
12. STRIPING TO BE 4" WIDE YELLOW LINES, UNLESS OTHERWISE INDICATED.
13. SEE PAVEMENT/UTILITY TRENCH CONCRETE PATCH DETAIL ON DWG. C909.
14. EXISTING CONCRETE PAVEMENT TO REMAIN. APPLY CRACK FILLER AT CONCRETE/ASPHALT JOINT. ALTERNATIVELY, EXISTING ASPHALT PAVEMENT TO REMAIN, AND TACK COAT TO EXIST. PAVEMENT VERTICAL SURFACE. APPLY CRACK FILLER AT ASPHALT/ASPHALT JOINT.
15. ALL DISTURBED AREAS TO RECEIVE 4 INCHES OF TOPSOIL. CONTRACTOR TO SEED, MULCH AND MAINTAIN ALL AREAS OUTSIDE OF PAVED AREAS THAT WERE DISTURBED DURING CONSTRUCTION UNTIL AN ACCEPTABLE STAND OF GRASS IS ESTABLISHED. THE CONTRACTOR SHALL BE RESPONSIBLE TO TAKE WHATEVER MEANS NECESSARY TO ESTABLISH PERMANENT SOIL STABILIZATION.
16. GENERAL CONTRACTOR TO INSTALL (4) 6'x8' CHAIN LINK AND SCREEN GATES, (1) FOR EACH SIDE OF CONSTRUCTION FENCE ENCLOSURE. SUPPLIED BY WALMART AND INSTALLED BY GENERAL CONTRACTOR. CALL MIKE FALLON WITH MONITOR COMMERCIAL GRAPHICS AT (716) 668-8634 OR MIKE@MONITOR-GRAPHICS.COM FOR ORDERING.
17. CONTRACTOR TO APPLY MARKING 200 LF OF CRACK SEALING FOR BASE BID AND PRIVATE LOT. PRICING FOR ADDITIONAL FOOTAGE. CONTRACTOR SHALL WORK WITH WALMART CM TO DETERMINE IF ADDITIONAL CRACK SEALING AND REPAIR IS NECESSARY.
18. ALL EXCAVATED MATERIAL SHALL BE REMOVED FROM THE SITE AND DISPOSED OF IN A LEGAL MANNER. STOCK PILES ON SITE IS NOT PERMITTED.

SITE KEY LEGEND

(KEY NOTES MAY NOTES ON PLAN ARE NOT USED)

- (A) ACCESSIBLE PARKING AREA. SEE DETAIL SHEET FOR ACCESSIBLE PARKING SPACE SIZE AND SIGNAGE.
- (B) SIGN/S "STOP" SIGN. SEE DETAIL SHEET.
- (C) STOP BAR. SEE DETAIL SHEET.
- (D) ACCESSIBLE PARKING SIGN. SEE DETAIL SHEET.
- (E) "NO PARKING" SIGN. SEE DETAIL SHEET.
- (F) CLEAN AND PREP EXISTING BOLLARDS PRIOR TO PAINTING. SAFETY YELLOW BOLLARDS SHOULD BE FREE OF DUST AND DEFECTS PRIOR TO PAINTING. REPLACE IF DAMAGED.
- (G) REPLACE EXISTING U-BUMPER POST IF DAMAGED OR DENTED BEYOND REPAIR. BOLLARDS TO BE FREE OF DUST PRIOR TO PRIMING AND PAINTED SAFETY YELLOW, TYP.
- (H) 6' HIGH MOVABLE TEMPORARY CHAIN-LINK FENCE WITH WINDSCREEN FABRIC (WITH SLITS TO ALLOW WIND FLOW) AND WEIGHTED FEET AND SIGNS (SEE NOTE 16)

LEGEND

EXISTING CONCRETE SLAB

FULL DEPTH ASPHALT PAVEMENT REPLACEMENT UNLESS OTHERWISE SPECIFIED (CONCRETE IN WINTER MONTHS)

LOD — LIMITS OF DISTURBANCE

LOW — LIMITS OF WORK

0 20 40 60 FT
1" = 20' SCALE BAR

Walmart
Store # 3280
1490 Hudson Ave.
City of Rochester
Monroe County, NY

Walmart Stores, Inc.
Fuel Conversion Program

Bergmann associates
architects // engineers // planners

Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C.
28 East Main Street
200 First Federal Plaza
Rochester, New York 14614-1909

office: 585.232.5135
fax: 585.232.4652

www.bergmannpc.com

REVISIONS

NO.	DATE	DESCRIPTION	REV.	CK'D

PROGRESS PRINTS NOT FOR CONSTRUCTION

SITE PLAN

Project Manager: E. CHARLAND
Designed by: J. BUSH
Drawn by: J. BUSH
Checked by: J. BASILE, P.E.
Date Issued: DECEMBER 18, 2015
Scale: 1" = 20'
Project Number: 10412.03
File Name:
Drawing Number: C100
7 of 10

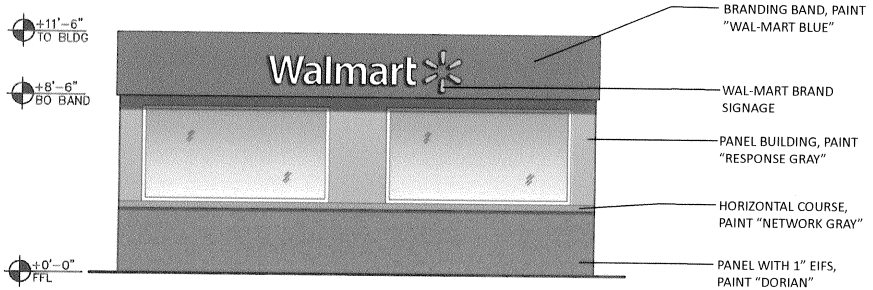
Walmart

Rochester, NY - Store # 3280

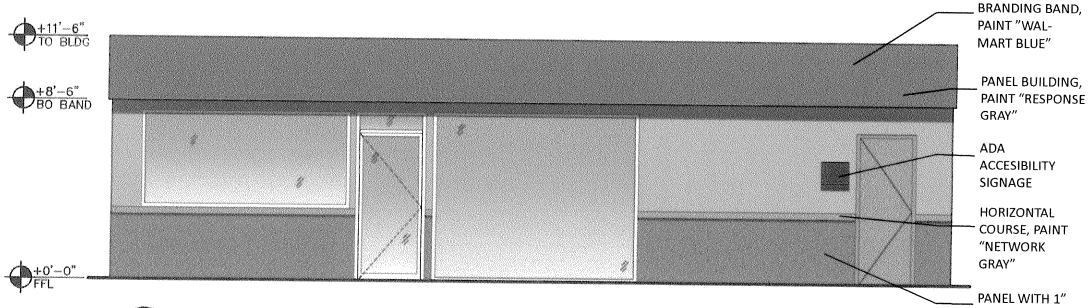
Bergmann associates
architects // engineers // planners

Sign Package

Issued: December 18, 2015

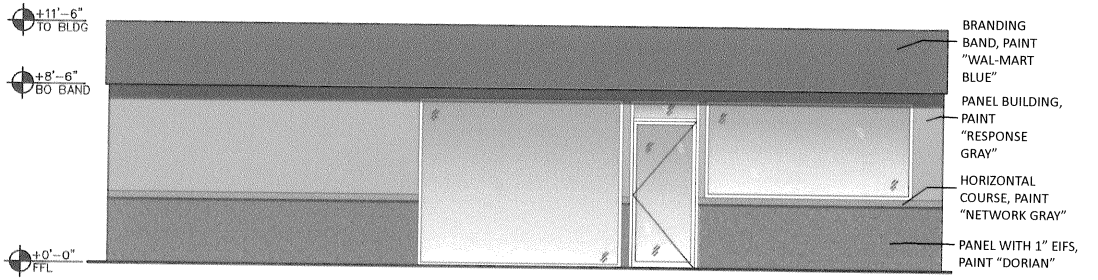


1 FRONT KIOSK ELEVATION
NTS



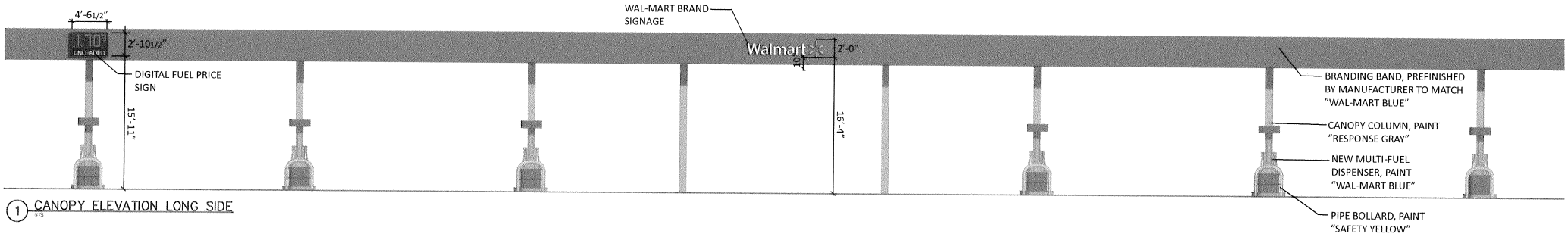
2 RIGHT KIOSK ELEVATION
NTS

3 REAR KIOSK ELEVATION
NTS

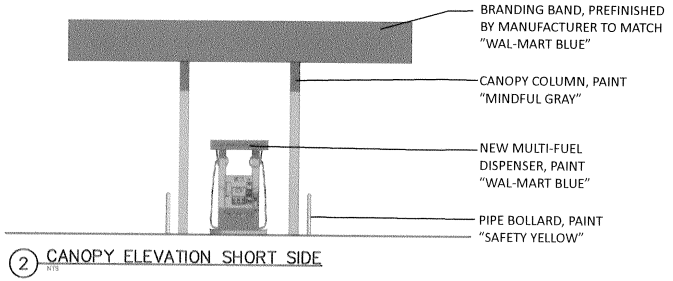


4 LEFT KIOSK ELEVATION
NTS

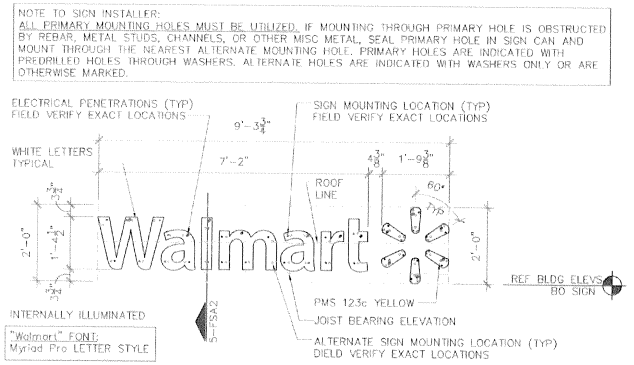
Walmart



1 CANOPY ELEVATION LONG SIDE



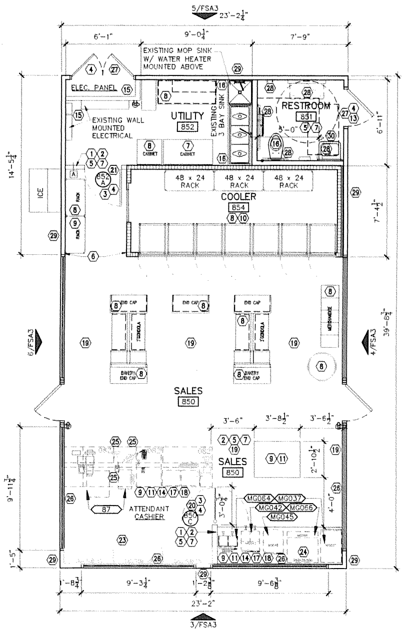
2 CANOPY ELEVATION SHORT SIDE



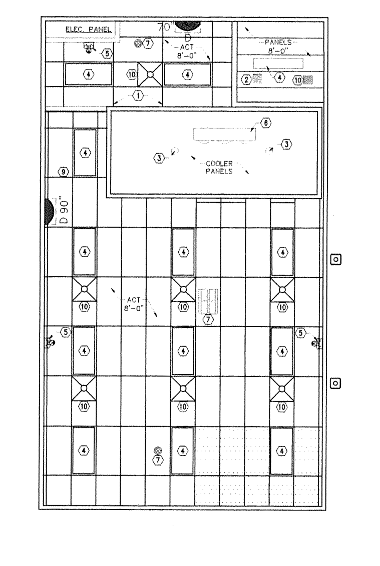
3 WALMART SIGN AREA: 18.63 SF

Sign	Qty.	Area (S.F.)	Total S.F.
Walmart	4	18.63	74.52
Digital Price Sign	2	13.01	26.02
		Total Building Signage	100.54

Dec 16, 2015 – 4:40pm – USER mmarchand
I:\Walmart\010412.03 WAL-MART – 3280 ROCHESTER NY – FUEL 4.0 Dwgs\4.4 Arch-ID 8020 – FSA1 NEW FIXTURE AND CEILING PLANS – 3280.dwg



1 FIXTURE PLAN
1/4" = 1'-0"



2 DEMOLITION CEILING PLAN
1/4" = 1'-0"

FIXTURE PLAN GENERAL NOTES :

A. THE CONTRACTOR SHALL PROVIDE AND INSTALL ALL MATERIALS AND EQUIPMENT REQUIRED FOR A COMPLETE INSTALLATION PER ALL APPLICABLE CODES AND THESE DRAWINGS, UNLESS OTHERWISE NOTED. THIS NOTE APPLIES TO ALL DRAWINGS.

B. ALL EXISTING FLOORS, WALLS, OR OTHER SURFACES TO RECEIVE A FINISH MATERIAL SHALL BE MADE SQUARE, LEVEL, AND PLUMB. CLEAN & PREP EXISTING WALLS AS NEEDED FOR NEW FINISH INSTALLATION AS PER MANUFACTURER RECOMMENDATIONS.

C. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS & EXISTING CONDITIONS PRIOR TO COMMENCING WORK. IF ANY DISCREPANCIES EXIST, CONTRACTOR SHALL NOTIFY PROJECT MANAGER IMMEDIATELY.

D. COORDINATE ALL WORK WITH MECHANICAL, PLUMBING, AND ELECTRICAL DRAWINGS. IF DISCREPANCY EXISTS, CONTACT PROJECT MANAGER.

E. INTERIOR STUD WALLS SHALL EXTEND FROM FLOOR TO BOTTOM OF TRUSSES. ALL STUDS SHALL BE SPACED AT 16" O.C. WITH 5/8" MINIMUM SHEATHING OF PLYWOOD, AND/OR GYPSUM BOARD. SHEATHING SHALL EXTEND FROM 1/2" ABOVE FLOOR TO 8" (MIN.) ABOVE ADJACENT CEILING LINE.

F. WOOD BLOCKING OR SHALL BE INSTALLED BEHIND ALL WALL-MOUNTED EQUIPMENT, FIXTURES, SHELVING, AND RACKS.

G. ALL RESTROOM ACCESSORIES SHALL BE MOUNTED WITH VANDAL-RESISTANT METAL FASTENERS INTO WOOD BLOCKING.

H. CONTRACTOR SHALL VERIFY LOCATIONS OF RESTROOM PLUMBING FIXTURES TO BE IN COMPLIANCE WITH ICC/ANSI A117.1 (2003).

FIXTURE PLAN KEY LEGEND

XX	EQUIPMENT TAG
#	KEY NOTE
1-FSA1	SECTION CALL OUT
850 C	DOOR TAG
2-FSA2	ELEVATION CALL OUT
	NEW WALL CONSTRUCTION
	EXISTING COOLER WALL CONSTRUCTION

RESTROOM LEGEND

- MIRROR W/ SOAP DISPENSER ATTACHED
- COAT HOOK MOUTED AT 48" AFF MAX
- TOILET SEAT COVER DISPENSER
- 18" VERT GRAB BAR
- TOILET PAPER DISPENSER
- DIAPER CHANGING STATION (HORIZONTAL WALL MOUNTED), REF xx-FSAx

FIXTURE PLAN KEY NOTES :

1. SEE INTERIOR WALL TYPE. CONSTRUCT STUD WALL FROM FLOOR TO 6" ABOVE CEILING. INSTALL NEW DRYWALL FLUSH WITH EXISTING ELEMENTS TO REMAIN. WHERE DRYWALL REMAINS EXPOSED AND PAINTED, APPLY A MINIMUM OF (2) COATS OF JOINT COMPOUND OVER JOINT TAPE. APPLY CORNER BEAD AS REQUIRED. PROVIDE A SMOOTH LEVEL 4 FINISH SURFACE TO RECEIVE PAINT WITH COMPLETE SANDING BETWEEN COATS. FILL & SAND SMOOTH ALL FASTENER PENETRATIONS. WHERE WALL(S) JOIN FOOD SERVICE CABINETRY, COORDINATE WITH CABINET VENDOR'S DRAWINGS AND INSTALLATION. INSTALL FINISH MATERIALS. PAINT AND APPLY GRAPHICS PER FINISH PLAN.
2. PAINT INTERIOR PER CURRENT ROOM FINISH SCHEDULE.
3. INSTALL NEW DOOR. REFER TO DOOR SCHEDULE.
4. INSTALL NEW DOOR HARDWARE AND LOCKSET.
5. INSTALL NEW VINYL COVE BASE AS REQUIRED IF DAMAGED OR IN NEED OF REPAIR. MATCH EXISTING WHERE REQUIRED. SEE FINISH MATERIALS SCHEDULE. PROVIDED AND INSTALLED BY CONTRACTOR PER MANUFACTURERS INSTRUCTIONS.
6. PATCH EXISTING WALL AS NEEDED. FINISH AS PER FINISH PLAN OR MATCH EXISTING.
7. GC SHALL REPAIR FLOOR WHERE IT HAS BEEN SAWCUT FOR THE INSTALLATION OF NEW UTILITIES OR IS DAMAGED OR IN NEED OF REPAIR, MATCH EXISTING FINISH. REGROUT AS REQUIRED.
8. EXISTING EQUIPMENT/FURNITURE.
9. NEW EQUIPMENT/FURNITURE.
10. EXISTING WALK IN COOLER.
11. INSTALL 4" VINYL COVE BASE ON ALL CABINETS. SEE FINISH PLAN & FINISH SCHEDULES.
12. IF FIRE EXTINGUISHER IS NOT EXISTING, INSTALL '4A60BC' FIRE EXTINGUISHER IN ACCESSIBLE LOCATION WITH 36" CLEAR SPACE AROUND. EXTINGUISHER SHALL HAVE LABEL OF AN APPROVED AGENCY AND BE MOUNTED IN ACCORDANCE WITH NFPA 10. COORDINATE WITH LOCAL FIRE MARSHALL.
13. THE INTERNATIONAL SYMBOL OF ACCESSIBILITY SHALL BE PLACED BESIDE ACCESSIBLE RESTROOM DOORS IF NOT EXISTING. MOUNT 5'-0" O/C ABOVE FINISH FLOOR. SEE DETAILS ON SHEET FSA3.
14. CONTRACTOR SHALL MODIFY ELECTRICAL AND PLUMBING AS REQUIRED FOR NEW EQUIPMENT LOCATIONS PER REQUIRED CODE. SEE ELECTRICAL AND PLUMBING DRAWINGS.
15. EXISTING ELECTRICAL PANELS & EQUIPMENT. SEE ELECTRICAL DRAWINGS.
16. EXISTING PLUMBING FIXTURES, RE-CAULK CONNECTIONS TO WALL.
17. EQUIPMENT INSTALLED BY EQUIPMENT SUPPLIER.
18. PROVIDE VENDOR WITH FIELD DIMENSION BETWEEN EQUIPMENT, MILLWORK AND/OR WALLS AFTER INSTALLATION.
19. 32" MIN. CLEAR WIDTH.
20. DOORS TO BE FACTORY FINISH; DO NOT PAINT.
21. METAL DOOR FRAMES VISIBLE TO CUSTOMER NOT IN EXTERIOR WALLS TO RECEIVE EPOXY PAINT.
22. (NOT USED)
23. P.O.S. EQUIPMENT FOR REFERENCE ONLY. FURNISHED AND INSTALL BY WAL MART.
24. BEVERAGE COUNTER FURNISHED BY WAL MART AND INSTALLED BY SUPPLIER, PROVIDE VINYL COVE BASE PERIMETER AT WALL.
25. P.O.S. REGISTER PRINTER, SCANNER, AND CASH DRAWER BELOW, TYP OF 2.
26. PROVIDE TINTED FLOAT GLASS: ASTMC 1036, TYPE I, QUALITY-Q3, CLASS 2, COMPLYING WITH OTHER REQUIREMENTS SPECIFIED
    - 26.1. THICKNESS: ¼" UNLESS OTHERWISE NOTED
    - 26.2. TINT COLOR: BRONZE. PROVIDE ONE OF THE FOLLOWING:
      A. AGC GLASS COMPANY NORTH AMERICA, INC.; SOLARSHIELD BRONZE. 08800-2
      B. PILKINGTON NORTH AMERICA; OPTIFLOAT BRONZE TINT.
      C. PPG INDUSTRIES, INC.; SOLARBRONZE
    - 26.3 VISIBLE LIGHT TRANSMITTANCE: 51 TO 54 PERCENT.
27. REPLACE EXISTING THRESHOLD AT EXTERIOR DOOR WHERE REMOVED.
28. NEW RESTROOM EQUIPMENT. SEE RESTROOM LEGEND AND SPEC FOR DETAILS.
29. REPLACE EXTERIOR FACE OF WALL PANELS AROUND ENTIRE PERIMETER OF EXTERIOR WALL, REPLACE WITH NEW METAL, COLORED TO MATCH NEW COLOR SCHEME. SEE NEW ELEVATIONS FSA3.
30. RELOCATED EXISTING SINK, RE-CAULK CONNECTION TO WALL.

REFLECTED CEILING GENERAL NOTES:

A. THE CONTRACTOR SHALL PROVIDE AND INSTALL ALL MATERIALS AND EQUIPMENT REQUIRED FOR A COMPLETE INSTALLATION PER ALL APPLICABLE CODES AND THESE DRAWINGS, UNLESS OTHERWISE NOTED.

B. CONTRACTOR SHALL PROVIDE AND INSTALL ALL MATERIALS NECESSARY TO PROVIDE A COMPLETE AND SERVICEABLE SUSPENDED CEILING SYSTEM.

C. AREAS WITHOUT GRID REFERENCE DIMENSIONS ASSUME 2' x 2' OR 2' x 4' GRID LAYOUT CENTERED WITHIN MAJOR DIMENSIONS OF ROOM AND ORIENTED AS SHOWN.

D. SOFFITS SHALL EXTEND TO BOTTOM OF TRUSSES. ALL STUDS SHALL BE SPACED AT 16" O.C. WITH ⅝" MINIMUM SHEATHING OF PLYWOOD, AND / OR GYPSUM BOARD. SHEATHING SHALL EXTEND TO 8" (MIN.) ABOVE ADJACENT CEILING LINE. CONTRACTOR TO PROVIDE SUFFICIENT BRACING FOR SUPPORT OF SOFFITS.

E. INSTALL WATER RESISTANT GYPSUM BOARD CEILING IN RESTROOMS, IF NEEDED.

ACOUSTICAL CEILING GENERAL NOTES :

1. SUSPENSION SYSTEM: 15/16" FACE FULLY EXPOSED WITH SINGLE FLANGE CHANNEL EDGE MOLDING AND 1-1/2" DEEP MAIN RUNNERS. EQUAL TO ARMSTRONG FIREGUARD GRID SYSTEM. FINISH TO BE BAKED WHITE ENAMEL, UNLESS OTHERWISE NOTED.
2. CEILING TILES: REFER TO LEGEND BELOW. STANDARD 2X4 – TYPE A, UNLESS OTHERWISE NOTED. STANDARD 2X2 – TYPE C, UNLESS OTHERWISE NOTED.

REFLECTED CEILING PLAN LEGEND:

#	KEY NOTE
X'-X"	CEILING HEIGHT
	NEW 2'-0"x4'-0" RECESSED LIGHT FIXTURE WITH LENS. SEE ELECTRICAL DRAWINGS
	EXISTING 10"x4'-0" SURFACE MOUNTED LIGHT FIXTURE SEE ELECTRICAL DRAWINGS
	EXISTING COOLER LIGHTS
	EXISTING EXHAUST FAN
	EXISTING RECESSED DOWN LIGHT
	EXISTING SUPPLY AIR GRILLE SEE MECH. DWGS
N	NEW LIGHT FIXTURE. SEE ELEC. DWGS.
	TYPE "A" SUSPENDED CEILING (24x48x5/8") ARMSTRONG ITEM #1729, FINE FISSURED, CLASS A (UL), WHITE, SUSPENSION SYSTEM, PRELUDE 15/16" EXPOSED T.
	STANDARD CEILING TILE #1729 TYPE "B" SUSPENDED CEILING (24"x48"x5/8") ARMSTRONG ITEM #793, GEORGIAN, CLASS A (UL), WHITE, SUSPENSION SYSTEM, CLEAN ROOM SYSTEM, 15/16" T
	EXISTING SECURITY DEVICES TO REMAIN, REFER TO ELECTRICAL
	SURFACE MOUNTED EXIT LIGHT, REF ELECTRICAL
	SURFACE MOUNTED EMERGENCY LIGHT, REF ELECTRICAL
	SUSPENDED MONITORS

REFLECTED CEILING PLAN KEY NOTES:

1. NEW ACT CEILING TILES WITHIN NEW CEILING GRID. PAINT GRID TO MATCH NEW COLOR SCHEME. REFER TO LEGEND FOR TILE TYPE.
2. EXISTING DIFFUSER / GRILLE, PAINT TO MATCH CEILING GRID. REFER TO MECHANICAL DRAWINGS.
3. EXISTING LIGHT FIXTURES. REFER TO ELECTRICAL DRAWINGS.
4. NEW LIGHT FIXTURES. REFER TO ELECTRICAL DRAWINGS.
5. EXISTING EMERGENCY LIGHT. REFER TO ELECTRICAL DRAWINGS.
6. EXISTING COOLER EVAPORATOR TO REMAIN.
7. NEW CLOSED-CIRCUIT CAMERAS AND DATA RECORDING EQUIPMENT. REFER TO ELECTRICAL DRAWINGS AND PROJECT MANAGER FOR NEW CAMERAS AND LOCATIONS PER WALMART DIRECTION.
8. PROVIDE NEW SPEAKERS. REFER TO ELECTRICAL DRAWINGS AND PROJECT MANAGER FOR NEW SPEAKERS AND LOCATIONS, PER WALMART DIRECTION.
9. INSTALL NEW PORTION OF CEILING GRID AND TILES. PAINT TO MATCH AND ALIGN WITH ADJACENT EXISTING CEILING GRID.
10. NEW HVAC DIFFUSER. SEE MECHANICAL DRAWINGS FOR DETAILS.

INSECT CONTROL UNIT LEGEND

FINAL NUMBER OF UNITS RECEIVED IS DETERMINED BY THE WALMART FOOD SAFETY & HEALTH PEST MANAGEMENT AND PEST ELIMINATION SERVICES PROVIDER.

TYPE	TOTAL	D
D	2	

NOTES:
1. ALL UNITS TO BE INSTALLED BY THE PEST ELIMINATION SERVICES PROVIDER
2. ELEVATION INDICATED BY UNIT IS TO BOTTOM OF UNIT FROM FINISHED FLOOR.

DOOR AND FRAME SCHEDULE

DETAIL REFERENCES ARE TO SHEET FSA3 UNO

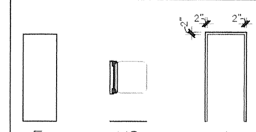
MARK	ROOM NAME	DOOR TYPE	DOOR MATERIAL	DOOR COLOR	QTY	NOMINAL SIZE W	NOMINAL SIZE H	NOMINAL SIZE T	GLASS	FRAME TYPE	FRAME MATERIAL	FRAME COLOR	HEAD	JAMB	THRESHOLD	FIRE RATING (MINIMUM)	NOTES	MARK
850C	SALES	Y2	PLASTIC	BLACK	1	VERIFY	2'-8"	---	---	---	---	---	---	---	---	---	19, 20, 21	850C
852A	UTILITY	F	HM-STL	P131, P33	1	3'-0"	7'-0"	1 3/4"	---	1	HM	P131, P33	5	4	---	---	19, 21	852A

FUEL STATION FIXTURE GENERAL EQUIPMENT NOTES
1. ALL EQUIPMENT IS SUPPLIED BY WALMART, INSTALLED BY THE GENERAL CONTRACTOR. GENERAL CONTRACTOR TO MAKE FINAL UTILITY CONNECTIONS, UNLESS NOTED OTHERWISE.
2. REFERENCE SPECIFICATIONS FOR REFRIGERATED AND HOT DISPLAY CASES FOR SUPPLIED BY, INSTALLED BY, AND FINAL CONNECT BY.
3. REFERENCE SPECIFICATIONS FOR MANUFACTURER AND MODEL NUMBER'S NOT LISTED IN EQUIPMENT LEGENDS
4. WALMART TO SUPPLY SS FIXTURES BY WN-HOLT
5. EQUIPMENT INSTALLED BY EQUIPMENT SUPPLIER

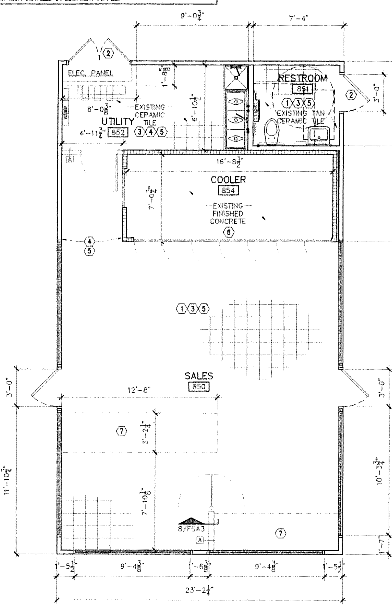
FUEL STATION FIXTURE LEGEND

NO.	QTY	DESCRIPTION	NOTES
MG037	1	ICEE MACHINE	5
MG042	1	DUAL COFEE BREWER	-
MG045	1	HOT BEVERAGE DISPENSER	-
MG064	1	DUAL COFFEE WARMER WITH STAND	-
MG066	1	MULTI HEAD REFRIGERATED DISPENSER	-
87	1	FIRE KING SECURITY GROUP MODEL#CS7000	-

DOOR AND FRAME TYPES



F FLUSH FSA4-DRF 112604
Y2 CAFE TRAFFIC C/A080-DRY2 072712
1 HOLLOW METAL FSA4-FR1 113001



3 FLOOR FINISH PLAN
1/4" = 1'-0"

FINISH PLAN GENERAL NOTES :

A. THE CONTRACTOR SHALL PROVIDE AND INSTALL ALL MATERIALS AND EQUIPMENT REQUIRED FOR A COMPLETE INSTALLATION PER ALL APPLICABLE CODES AND THESE DRAWINGS, UNLESS OTHERWISE NOTED. THIS NOTE APPLIES TO ALL DRAWINGS.

B. ALL EXISTING FLOORS, WALLS, OR OTHER SURFACES TO RECEIVE A FINISH MATERIAL SHALL BE MADE SQUARE, LEVEL, AND PLUMB. CLEAN & PREP EXISTING WALLS AS NEEDED FOR NEW FINISH INSTALLATION AS PER MANUFACTURER RECOMMENDATIONS.

C. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS & EXISTING CONDITIONS PRIOR TO COMMENCING WORK. IF ANY DISCREPANCIES EXIST, CONTRACTOR SHALL NOTIFY PROJECT MANAGER IMMEDIATELY.

D. COORDINATE ALL WORK WITH MECHANICAL, PLUMBING, AND ELECTRICAL DRAWINGS. IF DISCREPANCY EXISTS, CONTACT PROJECT MANAGER.

E. INTERIOR STUD WALLS SHALL EXTEND FROM FLOOR TO BOTTOM OF TRUSSES. ALL STUDS SHALL BE SPACED AT 16" O.C. WITH 5/8" MINIMUM SHEATHING OF PLYWOOD, AND/OR GYPSUM BOARD. SHEATHING SHALL EXTEND FROM 1/2" ABOVE FLOOR TO 8" (MIN.) ABOVE ADJACENT CEILING LINE.

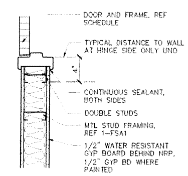
F. SEE ELEVATION DRAWING FSA3 FOR EXTENT OF EXTERIOR WORK.

FINISH PLAN KEY LEGEND

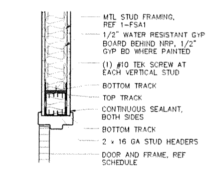
#	KEY NOTE
	NEW WALL CONSTRUCTION

FINISH PLAN KEY NOTES :

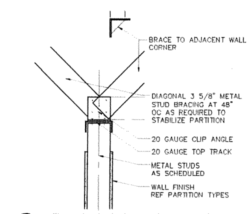
1. PAINT INTERIOR PER FINISH SCHEDULE.
2. PAINT DOOR PER FINISH SCHEDULE. SEE ELEVATION SHEET FSA3 FOR EXTERIOR WORK.
3. INSTALL NEW VINYL COVE BASE AS REQUIRED IF DAMAGED OR IN NEED OF REPAIR. MATCH EXISTING WHERE REQUIRED. SEE FINISH MATERIALS SCHEDULE. PROVIDED AND INSTALLED BY CONTRACTOR PER MANUFACTURERS INSTRUCTIONS.
4. PATCH EXISTING WALL AS NEEDED. FINISH AS PER FINISH SCHEDULE.
5. REPAIR OR REPLACE FLOOR TILES AS REQUIRED DUE TO DAMAGED, MISSING OR CRACKED TILES, MATCH EXISTING FINISH. RE-GROUT AS REQUIRED.
6. EXISTING WALK IN COOLER TO REMAIN AS IS.
7. INSTALL 4" VINYL COVE BASE ON ALL CABINETS. SEE FINISH SCHEDULE.



4 JAMB
1 1/2" = 1'-0"



5 HEAD
1 1/2" = 1'-0"



6 PARTITION BRACING
1 1/2"=1'-0"

ROOM FINISH SCHEDULE

PLAN REFERENCE ORIENTATION: A, B, C, D

RM #	ROOM NAME	FLOOR FINISH	WALL A BASE	WALL A MAT	WALL A FINISH	WALL B BASE	WALL B MAT	WALL B FINISH	WALL C BASE	WALL C MAT	WALL C FINISH	WALL D BASE	WALL D MAT	WALL D FINISH	CEILINGS MAT	CEILINGS FINISH	CEILINGS HEIGHT	NOTES	RM #
850	SALES	EXISTING	B9	C	P202	B9	N	P202	B9	C	P202	B9	C	P202	F	P202	8'-0"	1, 2, 3, 6	850
851	REST ROOM	EXISTING	B9	–	NRP1	B9	C	NRP1	B9	–	NRP1	B9	C	NRP1	–	P202	8'-0"	4, 5, 6	851
852	UTILITY	EXISTING	B9	–	NRP1	B9	C	NRP1	---	C	NRP1	B9	–	NRP1	F	P202	8'-0"	1, 2, 3, 6	852
854	COOLER	EXISTING	---	N	---	---	N	---	---	N	---	---	N	---	N	---	VIF	4	854

SCHEDULE FINISH KEY

REF SPECIFICATIONS FOR EXACT COLORS REQUIRED

MARK	FINISH	COLOR	DESCRIPTION
B9	PLASTIC BASE	BLACK	4" x 1/4"
EC1	NATURAL COLORED CONCRETE		BURNISHED
EC2	NATURAL COLORED CONCRETE		
NRP1	NON-FIBERGLASS REINFORCED PLASTIC	WHITE	NRP WALL PANEL
P5	PAINT	"SAFETY YELLOW" OSHA STANDARD	
P131	PAINT	"WHITE FLOUR" SW #7102	
P133	PAINT	PANTONE COLOR SYSTEM 287C	
P200	PAINT	"DORIAN GRAY" SW #7017	
P201	PAINT	"NETWORK GRAY" SW #7073	
P202	PAINT	"RESPONSE GRAY" SW #7015	
P203	PAINT	"WAL-MART BLUE" PCS #258C	
PL4	PLASTIC LAMINATE	MAPLE	
SST5	SOLID SURFACE CAP	TOUAREG	
CT43	WALL TILE	BEIGE	
CT44	FLOOR TILE	GRAY	
CT44A	COVE BASE	CONCRETE WOOD GRAY	
G1	GROUT	DARK GRAY	
G3	GROUT	LT. TAN	

FINISH SCHEDULE NOTES:

1	PAINT EXISTING CEILING GRID AS INDICATED.
2	PAINT SUPPLY AND/OR RETURN GRILLES IN CEILING TO MATCH ADJACENT CEILING GRID.
3	INSTALL VINYL COVE BASE AT GYPSUM BOARD PARTITION WITH BEVERAGE COUNTER AFTER INSTALLATION OF COUNTER. TERMINATE BASE AT ENDS OF COUNTER.
4	EXISTING TO REMAIN.
5	PAINT CEILING
6	PROVIDE VINYL COVE BASE AT NEW GYPSUM BOARD PARTITIONS. REMOVE AND REPLACE EXISTING BASE AS REQUIRED

FINISH SCHED MAT KEY

MARK	DESCRIPTION
A	CONCRETE
C	PREFABRICATED MODULAR PANEL BUILDING
E1	COMPOSITE WOOD
F	ACOUSTICAL SUSPENDED CEILING
G	GYPSUM BOARD
N	COOLER PANEL (EXISTING)
T	GLAS-MAT BACKER MATERIAL

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Engineers / Architects / Surveyors

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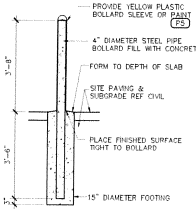
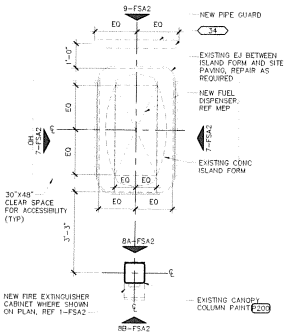
NEW FIXTURE AND CEILING PLANS

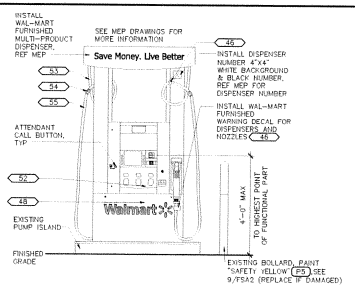
SHEET: FSA1



11 BOLLARD
1/2"=1'-0"

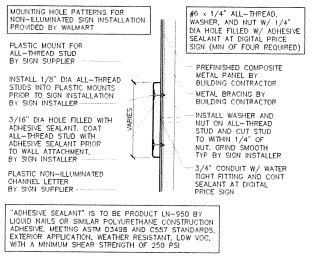


10 DISPENSER ISLAND PLAN
1/2" = 1'-0"

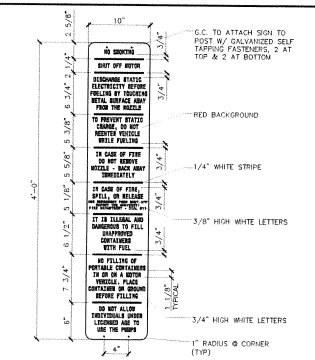


7 DISPENSER (TYP)
1/2" = 1'-0"

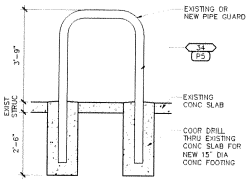
5 (NOT USED)
1/2" = 1'-0"



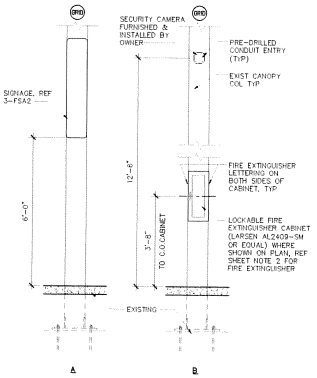
4 SIGN ATTACHMENT
1 1/2" = 1'-0"



3 SIGNAGE @ COLUMNS
1 1/2" = 1'-0"

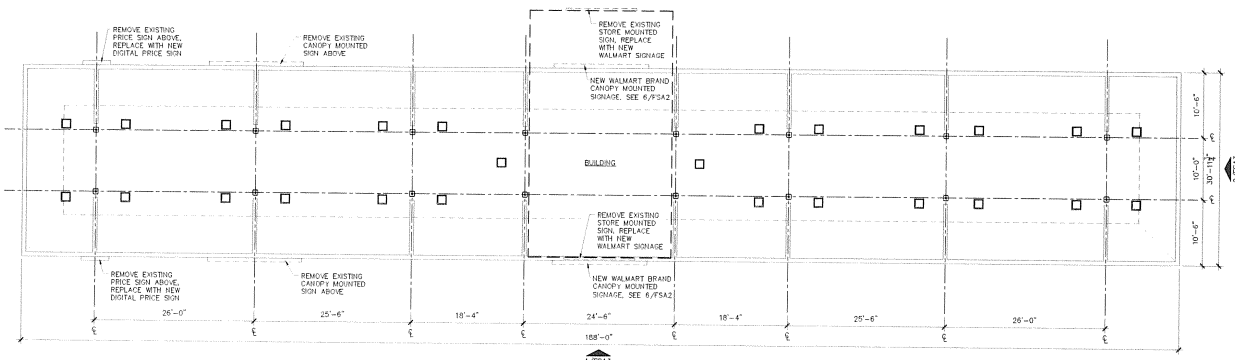


9 PIPE GUARD
1/2"=1'-0"



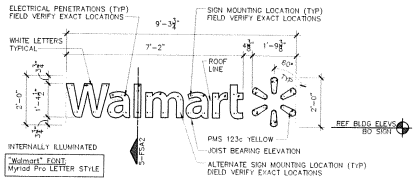
8 COLUMN ELEVATIONS
1/2"=1'-0"

CONTRACTOR TO COORDINATE CANOPY SOFFIT REPLACEMENT DUE TO RUSTING ON THE TOP SIDE AND GENERAL LONG-TERM WEAR AND TEAR WITH WALMART CM, AOR AND MANUFACTURER

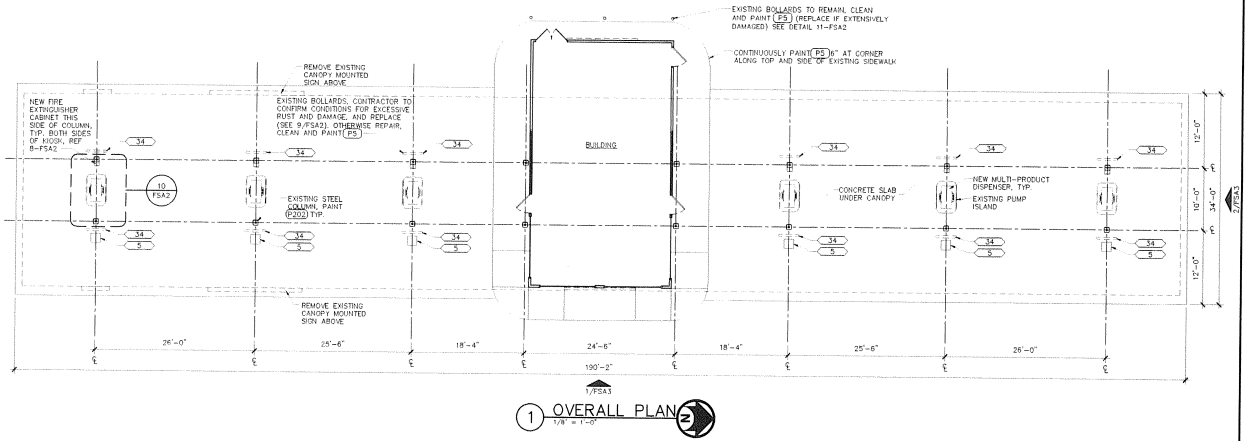


2 CANOPY CEILING PLAN
1/8" = 1'-0"

NOTE TO SIGN INSTALLER:
ALL PRIMARY MOUNTING HOLES MUST BE UTILIZED. IF MOUNTING THROUGH PRIMARY HOLE IS OBSTRUCTED BY REBAR, METAL STUDS, CHANNELS, OR OTHER MISC METAL, SEAL PRIMARY HOLE IN SIGN CAN AND MOUNT THROUGH THE NEAREST ALTERNATE MOUNTING HOLE. PRIMARY HOLES ARE INDICATED WITH PREDRILLED HOLES THROUGH WASHERS. ALTERNATE HOLES ARE INDICATED WITH WASHERS ONLY OR ARE OTHERWISE MARKED.



6 WALMART SIGN
1/2" = 1'-0"



1 OVERALL PLAN
1/8" = 1'-0"

FUEL STATION FIXTURE LEGEND

NO.	QTY.	DESCRIPTION	MAKE	MODEL
5	6	EXTERIOR TRASH CAN (BLACK)	-	-
34	12	GALVANIZED STEEL U-BOLLARD, PAINTED P5	-	-
46	12	DISPENSER/NOZZLE WARNING DECALS AND RETRACTORS	-	-
47	12	"FILLGARD" SPLASH GUARD (BLACK)	OPW	88L-0400
48	12	BALL SWIVEL	OPW	241-TPS-0241
52	12	NOZZLE WITH HOLD OPEN CLIPS	OPW	11BF-0400
53	12	1" X 4 FT DISP HOSE W/ FITTINGS, BLACK	GOODYEAR	532327Y2400469
54	12	1" BREAKAWAY COUPLING	OPW	66REC-1000
55	12	1" X 8 FT DISP HOSE W/ FITTINGS, BLACK	GOODYEAR	532327Y2400869

ALL PARTS TO BE SUPPLIED BY OWNER / INSTALLED BY GC
GC = GENERAL CONTRACTOR
FC = FINAL CONNECTION BY OWNER

NOTE: ITEMS 47, 48, 52, 53, 54, 55 ARE FURNISHED AS A PRE-ASSEMBLED DISPENSER HARDWARE KIT (OPW PART NUMBER: PK-WM-UNL)
ITEMS 48, 53, 54, 55, 56, 57 ARE FURNISHED AS A PRE-ASSEMBLED DISPENSER HARDWARE KIT (OPW PART NUMBER: PK-WM-DIESEL)

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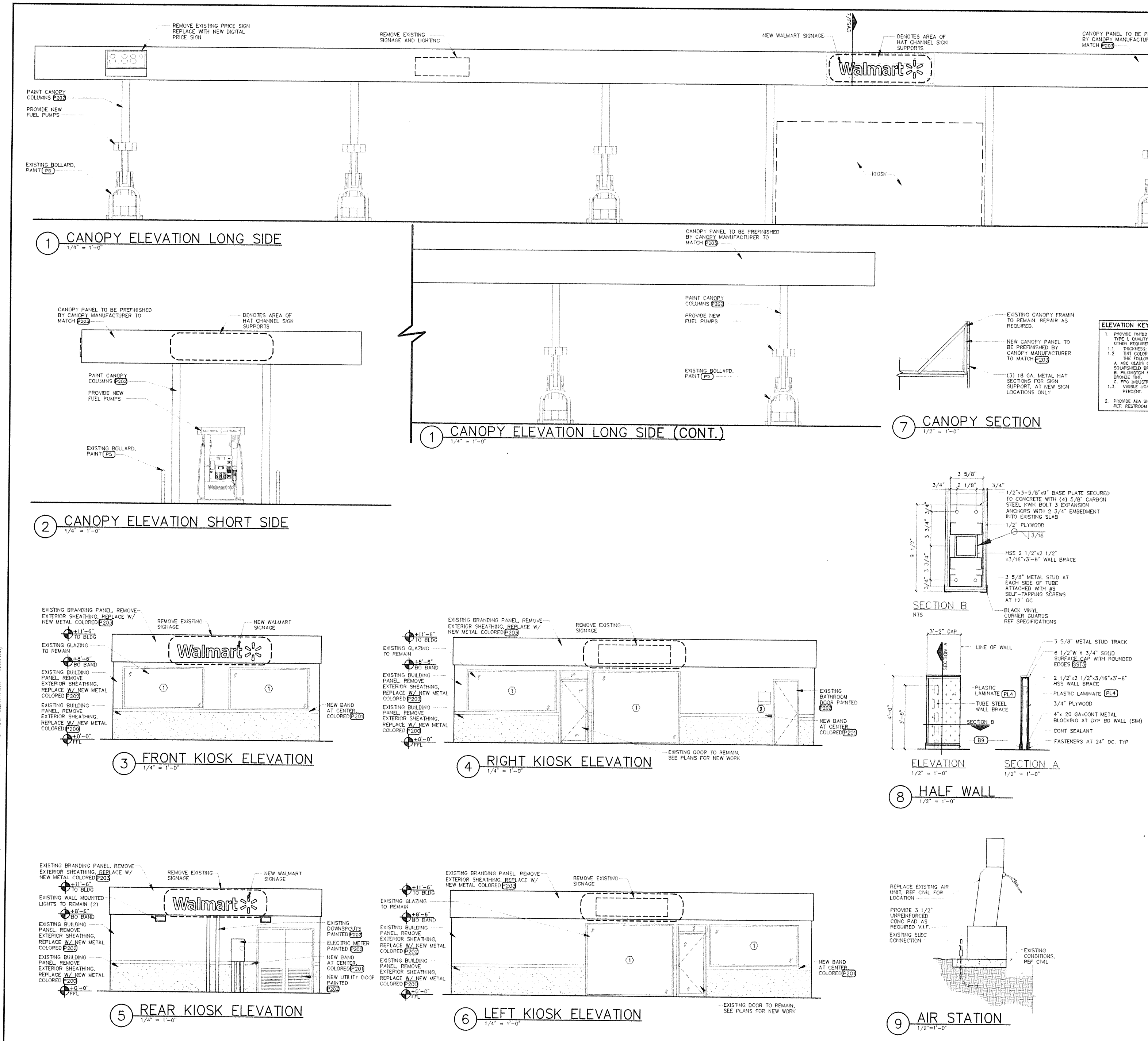
CANOPY PLAN CEILING PLAN & DETAILS

SHEET: FSA2

Dec 18, 2015 - 4:38pm - VCEP Incorporated
I:\Walmart 2014\10412.00 Wal-Mart#3280 - Rochester NY - FUEL 4.0 Design 4.4 Archive 2015 - FSA2 CANOPY PLAN, DETAILS & ELEVS.dwg



COLOR LEGEND

P5	SAFETY YELLOW
P200	DORIAN GRAY SW #7017
P201	NETWORK GRAY SW #7073
P202	RESPONSE GRAY SW #7015
P203	WAL-MART BLUE PCS #285C

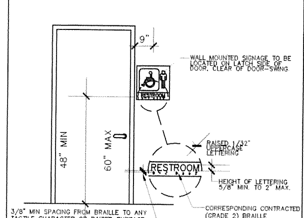
ELEVATION KEY NOTES :

1. PROVIDE TINTED FLOAT GLASS: ASTMC 1036, TYPE I, QUALITY-Q3, CLASS 2, COMPLYING WITH OTHER REQUIREMENTS SPECIFIED.
   1.1. THICKNESS: ¼" UNLESS OTHERWISE NOTED
   1.2. TINT COLOR: BRONZE. PROVIDE ONE OF THE FOLLOWING:
   A. AGC GLASS COMPANY NORTH AMERICA, INC.; SOLARSHIELD BRONZE, 08800-2
   B. PILKINGTON NORTH AMERICA; OPTIFLOAT BRONZE TINT.
   C. PPG INDUSTRIES, INC.; SOLARBRONZE
   1.3. VISIBLE LIGHT TRANSMITTANCE: 51 TO 54 PERCENT.
2. PROVIDE ADA SIGNAGE AT RESTROOM DOOR. REF: RESTROOM SYMBOLS THIS SHEET

SHEET NOTES

1. REFER TO MEP FOR MORE INFORMATION. REF SHEET FSA1 FOR EQUIPMENT ITEMS (XX) NOT SCHEDULED HERE.
2. 2A:40B/C, 13 LB MINIMUM RATED FIRE EXTINGUISHERS SHALL BE PROVIDED BY G.C. IN ACCORDANCE W/ NFPA 10. FIRE EXTINGUISHER LOCATIONS AND SIZE SHALL BE APPROVED BY THE OFFICE OF THE FIRE MARSHAL PRIOR TO OCCUPANCY.
3. ALL CANOPY SIGNAGE (INCLUDING PRICE SIGN) IS FURNISHED AND INSTALLED BY WAL-MART.
4. REFER TO CANOPY MANUFACTURER DRAWINGS FOR MORE INFORMATION.

RESTROOM SYMBOLS



SIGNS & IDENTIFICATION

1. THE INTERNATIONAL SYMBOL OF ACCESSIBILITY SHALL BE THE STANDARD USED TO IDENTIFY FACILITIES THAT ARE ACCESSIBLE TO AND USABLE BY PHYSICALLY DISABLED PERSONS AS SET FORTH IN TITLE 24 AND AS SPECIFICALLY REQUIRED IN THIS SECTION
2. THE INTERNATIONAL SYMBOL OF ACCESSIBILITY SHALL CONSIST OF A WHITE FIGURE ON A BLUE BACKGROUND. THE BLUE SHALL BE EQUAL TO COLOR NO. 15090 IN FEDERAL STANDARD 595B. PICTOGRAMS AND THEIR FIELDS SHALL HAVE A NON-GLARE FINISH. PICTOGRAMS SHALL CONTRAST THEIR FIELDS, WITH EITHER A LIGHT PICTOGRAM ON A DARK FIELD OR A DARK PICTOGRAM ON A LIGHT FIELD
3. FOR CHARACTER WIDTH, THE UPPERCASE LETTER "O" SHALL BE USED TO DETERMINE THE ALLOWABLE WIDTH OF ALL CHARACTERS OF A FONT. THE WIDTH OF THE UPPERCASE LETTER "O" OF THE FONT SHALL BE 55 PERCENT MINIMUM AND 110 PERCENT MAXIMUM OF THE HEIGHT OF THE UPPERCASE "I" OF THE FONT. (ANSI A117.1-2009: 703.3.6) CHARACTER HEIGHT MEASURED FROM THE BASELINE OF THE CHARACTER SHALL BE 5/8" (16 MM) MINIMUM AND 2 INCHES (51 MM) MAXIMUM BASED ON THE HEIGHT OF THE UPPERCASE LETTER "I".
4. MINIMUM CHARACTER HEIGHT SHALL COMPLY WITH 2010 ADA TABLE 703.5.5. VIEWING DISTANCE SHALL BE MEASURED AS THE HORIZONTAL DISTANCE BETWEEN THE CHARACTER AND AN OBSTRUCTION PREVENTING FURTHER APPROACH TOWARDS THE SIGN. CHARACTER HEIGHT SHALL BE BASED ON THE UPPERCASE LETTER "I".
5. CHARACTERS AND SYMBOLS SHALL CONTRAST WITH THEIR BACKGROUND
6. WHEN RAISED CHARACTERS OR SYMBOLS ARE USED, THEY SHALL CONFORM TO THE FOLLOWING:

   A. LETTERS AND NUMBERS ON SIGNS SHALL BE RAISED 1/32" MINIMUM AND SHALL BE SANS-SERIF UPPERCASE CHARACTERS ACCOMPANIED BY CONTRACTED (GRADE 2) BRAILLE

   B. RAISED CHARACTERS OR SYMBOLS SHALL BE A MINIMUM OF 5/8" HIGH AND 2" MAXIMUM BASED ON THE HEIGHT OF THE LETTER "I".

   C. PICTORIAL SYMBOL SIGNS (PICTOGRAMS) SHALL BE ACCOMPANIED BY THE EQUIVALENT VERBAL DESCRIPTION PLACED DIRECTLY BELOW THE PICTOGRAM. THE BORDER DIMENSION OF THE PICTOGRAM SHALL BE A MINIMUM OF 6" IN HEIGHT
7. CONTRACTED (GRADE 2) BRAILLE SHALL BE USED WHEREVER BRAILLE SYMBOLS ARE SPECIFICALLY REQUIRED IN OTHER PORTIONS OF THESE REGULATIONS. DOTS SHALL BE 0.090" (2.3 MM) TO 0.100" (2.5 MM) ON CENTER IN EACH CELL WITH 0.241" (6.1 MM) TO 0.300" (7.6 MM) SPACE BETWEEN CELLS. DOTS SHALL BE RAISED A MINIMUM OF 0.025" (0.6 MM) TO 0.037" (0.9 MM) ABOVE THE BACKGROUND.
8. WHEN PERMANENT IDENTIFICATION IS PROVIDED FOR ROOMS AND SPACES, RAISED LETTERS SHALL BE ACCOMPANIED BY BRAILLE. SIGNS SHALL BE INSTALLED ON THE WALL ADJACENT TO THE LATCH SIDE OF THE DOOR. WHERE THERE IS NO WALL SPACE ON THE LATCH SIDE, INCLUDING DOUBLE LEAF DOORS, SIGNS SHALL BE PLACED ON THE NEAREST ADJACENT WALL, PREFERABLY ON THE RIGHT. MOUNTING HEIGHT SHALL BE LOCATED 48 INCHES (1220 MM) MINIMUM ABOVE THE FINISH FLOOR OR GROUND SURFACE, MEASURED FROM THE BASE OF THE LOWEST TACTILE CHARACTER AND 60 INCHES (1525 MM) MAXIMUM ABOVE THE FINISH FLOOR OR GROUND SURFACE, MEASURED FROM THE BASELINE OF THE HIGHEST TACTILE CHARACTER. WHERE A TACTILE SIGN IS PROVIDED AT A DOOR, THE SIGN SHALL BE LOCATED ALONGSIDE THE DOOR AT THE LATCH SIDE. WHERE A TACTILE SIGN IS PROVIDED AT DOUBLE DOORS WITH ONE ACTIVE LEAF, THE SIGN SHALL BE LOCATED ON THE INACTIVE LEAF. WHERE A TACTILE SIGN IS PROVIDED AT DOUBLE DOORS WITH TWO ACTIVE LEAFS, THE SIGN SHALL BE LOCATED OT THE RIGHT OF THE RIGHT HAND DOOR. WHERE THERE IS NO WALL SPACE AT THE LATCH SIDE OF A SINGLE DOOR OR AT THE RIGHT SIDE OF DOUBLE DOORS, SIGNS SHALL BE LOCATED ON THE NEAREST ADJACENT WALL. SIGNS CONTAINING TACTILE CHARACTERS SHALL BE LOCATED SO THAT A CLEAR FLOOR SPACE OF 18 INCHES (455 MM) MINIMUM BY 18 INCHES (455 MM) MINIMUM, CENTERED ON THE TACTILE CHARACTERS, IS PROVIDED BEYOND THE ARC OF ANY DOOR SWING BETWEEN THE CLOSED POSITION AND 45 DEGREE OPEN POSITION. EXCEPTION: SIGNS WITH TACTILE CHARACTERS SHALL BE PERMITTED ON THE PUSH SIDE OF DOORS WITH CLOSERS AND WITHOUT HOLD-OPEN DEVICES.
9. SIGN TO BE PROVIDED BY GC AT ALL PUBLIC MEN, WOMEN, AND UNISEX RESTROOMS. ROOM NAME SHALL BE "RESTROOM" AT UNISEX TOILETS.

Bergmann Architectural Associates, Inc
200 First Federal Plaza
28 East Main Street
Rochester, NY 14614
Phone: (585) 232-5135
Fax: (585) 325-8493
Engineers Architects Surveyors

STIPULATION FOR REUSE

CONSULTANTS

Walmart
ROCHESTER, NY
STORE NO.3280

JOB NUMBER:	10412.03	NON PROTO:	NA

ISSUE BLOCK

CHECKED BY:	DM
DRAWN BY:	MSM
FILE NAME:	FSA3
PROTO CYCLE:	NA
DOCUMENT DATE:	12/18/2015

NEW YORK ALTERATION WARNING

CANOPY AND KIOSK ELEVATIONS

SHEET: FSA3

Fuel Center
Regular
2.19
ICE

Marathon
9-14

Fuel Center

ZONING BOARD OF APPEALS
STAFF REPORT
March 24, 2016

Area Variance

Case # 10: Staff Reviewer: Jill Symonds

File Number: V-063-15-16

Applicant: James A. Boglioli, Esq.

Project Address: 980 West Ridge Road

Zoning District: C-3 Regional Destination Center District

Section of Code: 120-177

Request: **To legalize the existing 20' tall kiosk sign for "Delta Sonic" which includes a proposed LED display, not meeting certain sign requirements.**

Background:
The subject property is an automatic car wash and gas station facility. The parcel lies partially in the City of Rochester and partially in the Town of Greece. In 1988, the City issued a permit for a 10'-8" x 8' wide freestanding, illuminated sign. Since that time, the sign was increased to 20' tall without a permit. The request is to renovate and legalize the existing 20' tall kiosk sign, which includes a 3'-6" x 7' LED display.

Code Compliance:
Section 120-177D provides that the property is permitted to have maximum signage of 10% of the primary building façade per lot including:

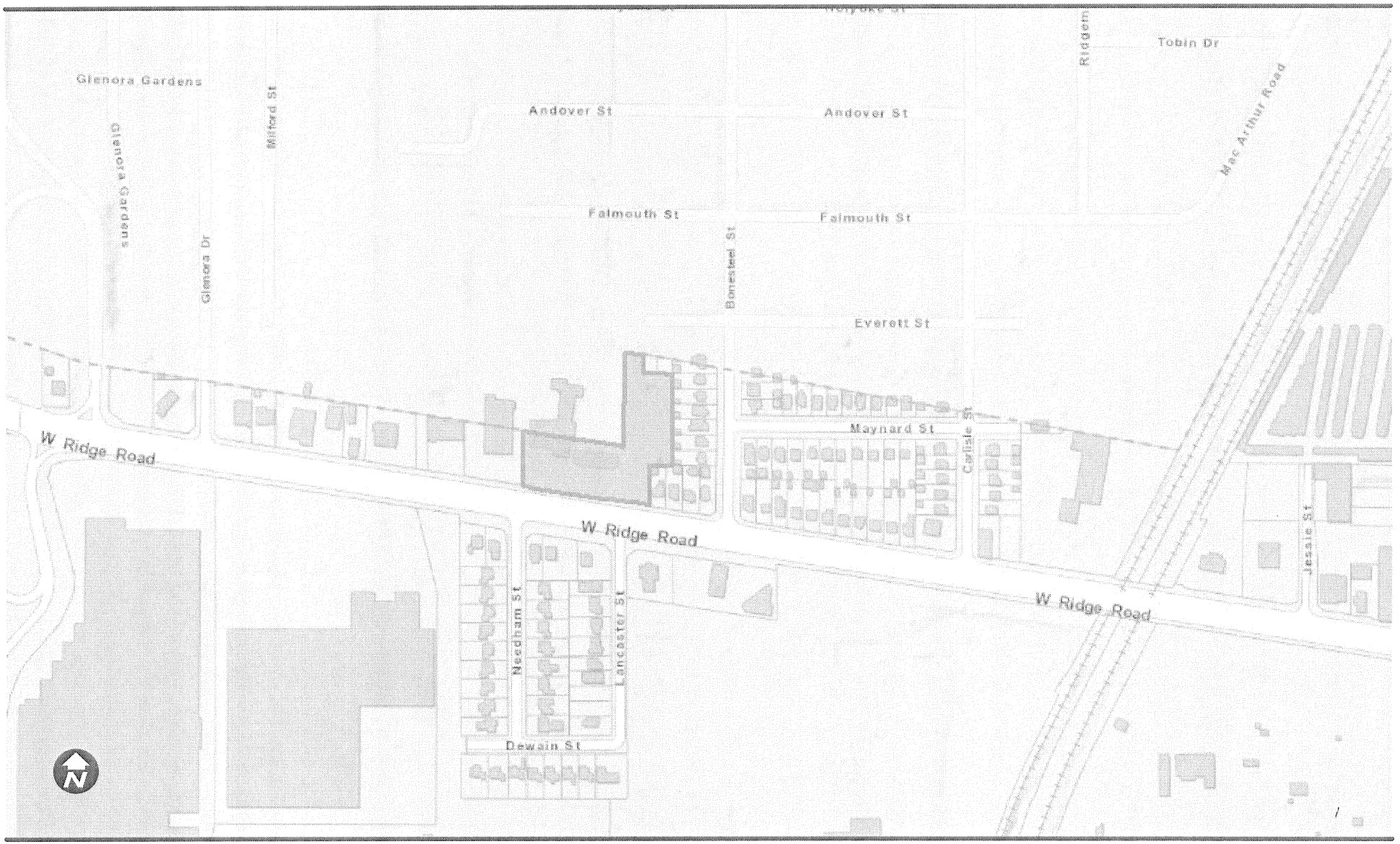
- Attached signs identifying uses or services on the premises not exceeding 1.5 square feet for every foot of building frontage; and/or
- 1 detached sign located in the front yard not exceeding 50 square feet in size per side and posted no more than 15 feet in height from the finished grade of the lot. **Area variance required because the kiosk sign is 20' in height and has a sign face of approximately 100 sq. ft.**

The proposed **LED sign** may or may not be in compliance with the following:

- 120-177F(1) - Signs shall relate through their design, size and height to pedestrians and conform to the surrounding character.
- 120-177F(3) - No more than 50% of the sign face may be covered with text or graphics.
- 120-177F(6) - No sign shall consist of strings of lights or contain blinking, flashing, intermittent, rotating, glaring, or moving lights or other attention-attracting devices.
- 120-177F(7) - Any illuminated sign shall employ only lights emitting a light of constant intensity.

Code Enforcement: The subject property is not in code enforcement.

990 W RIDGE RD



March 11, 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

PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. **PROJECT ADDRESS(ES):** 990 West Ridge Road, Rochester, New York

2. **APPLICANT:** James A. Boglioli, Esq **COMPANY NAME:** Delta Sonic Car Wash Systems, Inc.

   ADDRESS: 570 Delaware Avenue **CITY:** Buffalo **ZIP CODE:** 14020

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

   E-MAIL ADDRESS JMB@Benderson.com

   INTEREST IN PROPERTY: Owner ☑ Lessee ☐ Other ☑

3. **PLAN PREPARER:** James Rumsey, RA

   ADDRESS: 570 Delaware Ave **CITY:** Buffalo **ZIP CODE:** 14032

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

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

   ADDRESS: 570 Delaware Avene **CITY:** Buffalo **ZIP CODE:** 14032

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

   E-MAIL ADDRESS JMB@Benderson.com

5. **ZONING DISTRICT:** C-3

BUILDING BUREAU
ROOM 121
10:14AM Mar 4/16
CA 0002 001 BUD
#20512
Zonins $250.00
INFO 980 W RIDGE
CHECK $250.00

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

Delta Sonic is proposing to renovate an existing 20' high freestanding sign. While there will be no change to the height of the existing sign, Delta Sonic is proposing to add a brick facade to the sign as well as to replace an existing acrylic sign panel with a new LED display.

7. **LENGTH OF TIME TO COMPLETE PROJECT (Attach schedule if phased:)** 1 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: James O. Boglioli **DATE:** 01-20-16

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.

SIGNATURE: James A Boglioli **DATE:** 01-20-16

City of Rochester, NY

AREA VARIANCE
STATEMENT OF DIFFICULTY
Section 120-195B(4)(b)

An area variance shall be granted only if the applicant can establish the existence of EACH of the following conditions:

A. Benefits. The benefits to the applicant outweigh any detriment to the health, safety and welfare of the neighborhood or the community by the granting of the variance.

The property is an existing carwash, gas station and convenience store located at 990 West Ridge Road. As demonstrated by the site plan and photograph attached as Exhibit A, the property is improved with an existing freestanding sign which is currently 20' high. The existing sign contains electronic changeable gas price numbers in addition to a white acrylic face with a fixed image on the panel. Delta Sonic is proposing to renovate the existing sign to add brick to the sign to make it more visually attractive. The sign will remain at its existing height of 20'. In addition, Delta Sonic is proposing to replace the existing acrylic panel located under the gas price numbers with new LED display. The LED display is a significant benefit to Delta Sonic based on the nature of its business and will enable it to advertise different promotions and sales in connection with the car wash, gas station and convenience store. As discussed below, while there is a significant benefit to Delta Sonic, there will be no detriment to the health, safety and welfare of the neighborhood or the community by granting the variance relief because the sign is presently existing at a height of 20' and because the property exists on West Ridge Road in a highly commercial area with similar signage.

B. Essential character of the area. No undesirable change will be produced in the character of the neighborhood, or a detriment to nearby properties will be created by the granting of the variance.

There will be no undesirable change produced in the character of the neighborhood or a detriment to nearby properties by granting the variance. As demonstrated by the aerial photograph attached as Exhibit B, the property is located in a commercial area of West Ridge Road. The sign currently exists at a height of 20' and maintaining the height will not change the current condition and the existing character of the neighborhood. Moreover, the addition of an LED display to the existing sign is consistent to other signs that have been developed in the area, including the Fastrac Gas Station and eCars USA. Photographs of the other signs in the area which maintain an LED display are attached as Exhibit C. In addition, the existing proposal will result in an aesthetic improvement to the existing sign with the addition of brick to match the existing gas station building. Based on the fact that the sign already exists at a height of 20' and that other LED displays have been installed on signs in the area in which the Delta Sonic is located, there will not be an undesirable change in area character or detriment to nearby properties.

C. No other remedy. There is no other means feasible for the applicant to pursue, other than the granting of this area variance.

There is no way to develop an LED display without the sough-after variance. The applicant is seeking to have a changeable message center to advertise sales and associated car wash/convenience store items. Moreover, the height is an existing condition and the applicant cannot demolish the existing sign due to the associated cost and need for the existing sign.

D. Significance. The requested variance is not substantial.

The variance relief is not substantial for two reasons. First, with respect to the height of the sign, Delta Sonic is not asking to change the existing sign and is simply seeking to maintain the sign as it currently exists for height. Second, with respect to the LED display, the addition of this display will not increase the size of the sign and simply replaces an existing sign panel. The LED display is consistent with other LED displays which have been developed on West Ridge Road. The Court stated in Matter of Easy Home Program v. Trotta, 276 A.D.2d 553 (2d Dept. 2000), that the fact that a variance may seem substantial on paper does not justify the denial of an application if there is no demonstrated harm to the community. In the present case, there is no demonstrated harm to the community and therefore the variance is not substantial.

E. Physical and environmental conditions. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

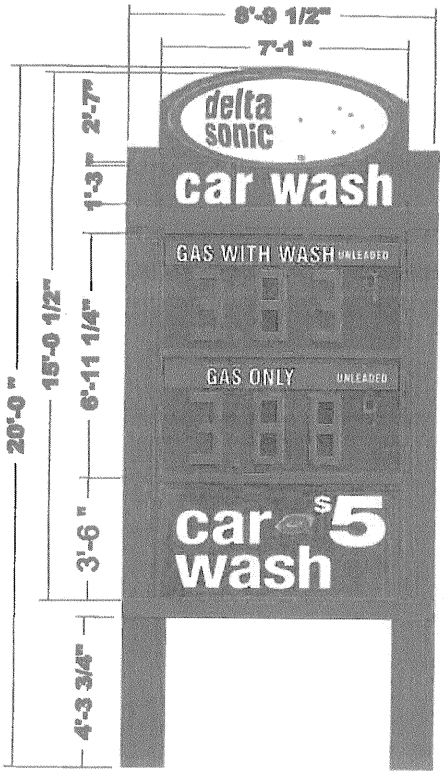
The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood. his is a modification to an existing sign in a commercial area developed with similar uses and signage. The requested LED display will not have any impact on any physical or environmental conditions.

F. Not self created. The alleged difficulty was not self created, the consideration of which shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of the variance.

NY General City Law explicitly states that self-created hardship is not by itself a sufficient basis to deny an area variance application. The Court was directly confronted with this issue in Matter of Easy Home Program v. Trotta, 276 A.D.2d 553 (2d Dept. 2000) when it held that even though the hardship was self-created and even though the variance was substantial, where there was no evidence demonstrating the variance would have an undesirable effect on the character of the community, a variance application must be approved. See, also, Jackson v. Kirkpatrick, 125 A.D.2d 471 (2d Dept. 1986); De Sena v. Zoning Board of Appeals, 45 N.Y.2d 105 (1978); Goshen Shopping Center v. Zoning Board of Appeals, 112 A.D.2d 140 (2d Dept. 1985). In the present case, there is no evidence that the variance would have any negative effect on the neighborhood.

Exhibit A

PHOTO OF EXISTING SIGN



EXISTING SIGN

1814

DELTA SONIC
990 West Ridge Rd.
ROCHESTER, NY

DELTA SONIC CAR WASH

SIGNAGE EXISTING ID

S

1 SITE PLAN

WEST RIDGE ROAD (99' R.O.W.)

NEW YORK STATE ROUTE 104

EVERETT (60' R.O.W.) STREET

BONESTEEL (66' R.O.W.) STREET

LOCATION SKETCH

PROJECT LOCATION

SEAL

NOTICE

DATE	BY	REMARKS

Delta Sonic Car Wash Systems
990 West Ridge Road
Rochester, New York 14615

Delta Sonic Car Wash VACUUM UPGRADE

EXISTING SITE PLAN

HENDERSON DEVELOPMENT CONSULTANTS, INC.

Drawn By: CRW

Checked By: JNR

Date: 10-12-16

Project No. 1814

Area: -

Status: CD

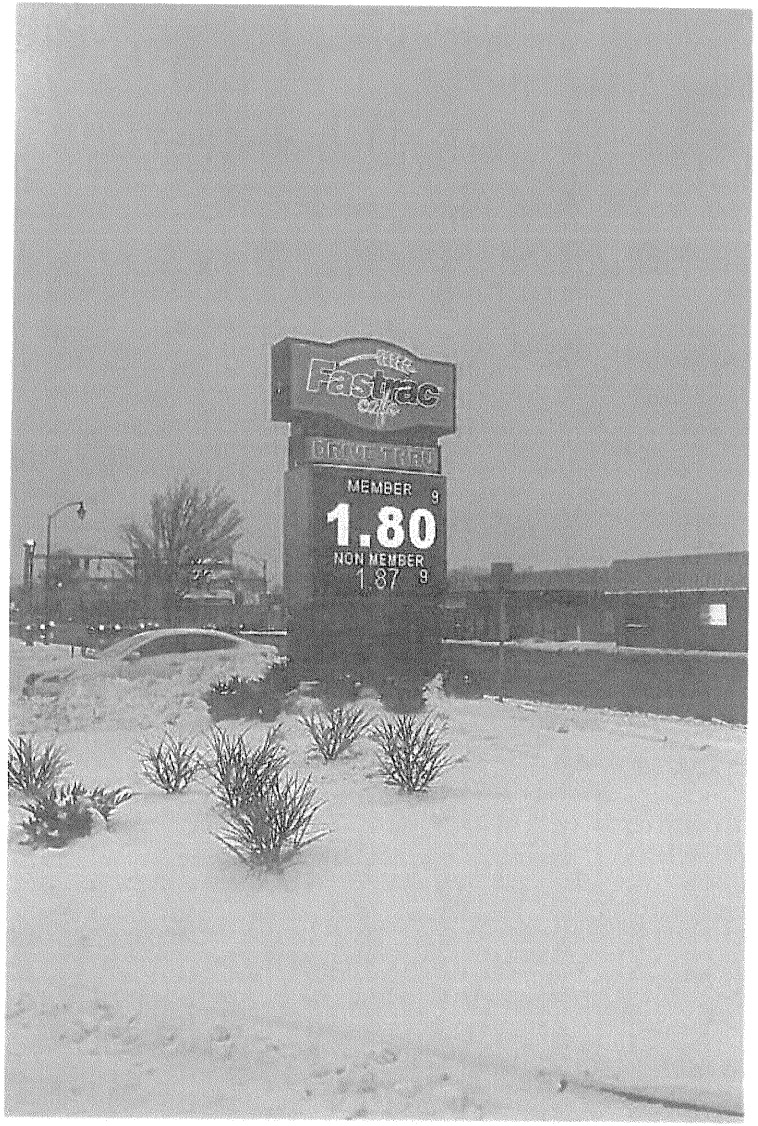
C-1

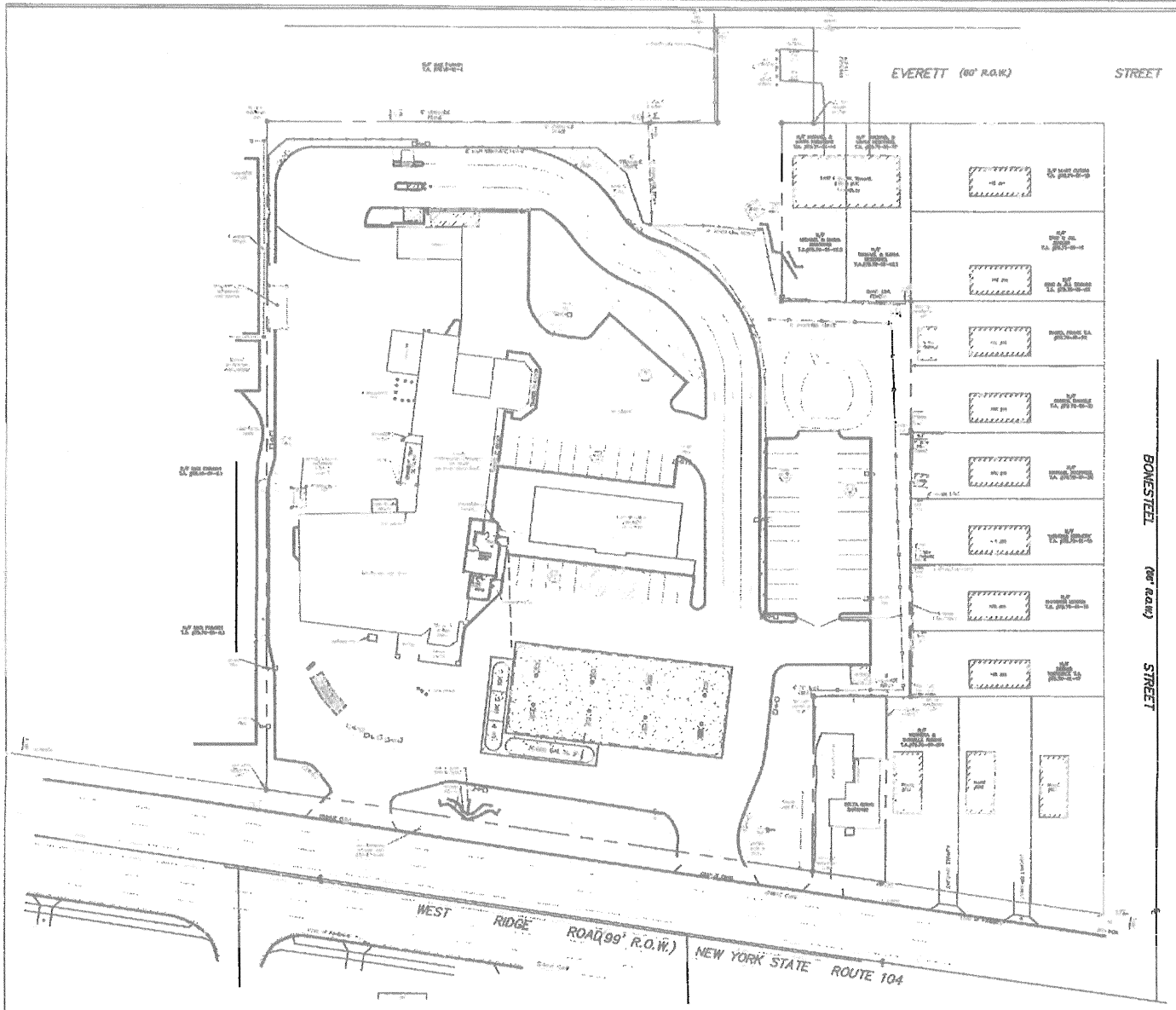
Exhibit B

Milford St
Holyoke St
Falmouth St
Everett St
Maynard St
Delta Sonic
104
Needham St
Dewain St
W Ridge Rd
Langford Rd
Christian Ave
Merrill St
Dorothy Ave
18
Velox St
Eastman Ave
Goodwin St
Dewey Ave
Kodak Park
Deneve Ave
Wheatland St
Ramona Park
Palm St
Google earth

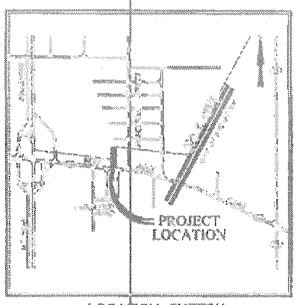
Exhibit C

eCarsUSA.com
We Finance
Everyone
Guaranteed!


Fastrac
MEMBER
1.80
NON MEMBER
1.87



1 SITE PLAN



LOCATION SKETCH

NOTICE

No.	DATE	BY	DESCRIPTION
1	12-12-15	JAR	ISSUED FOR PERMIT

Property No: 1814

Sheet: CD

Area:

Project: Delta Sonic Car Wash Systems
990 West Ridge Road
Rochester, New York 14615

Repair: Delta Sonic Car Wash VACUUM UPGRADE

Title: EXISTING SITE PLAN

BENDERSON DEVELOPMENT COMPANY, LLC.

Drawn By: CRW

Checked By: JAR

Date: 12-12-15

Drawing No: C-1

SEAL

James A. Benderson
ARCHITECT

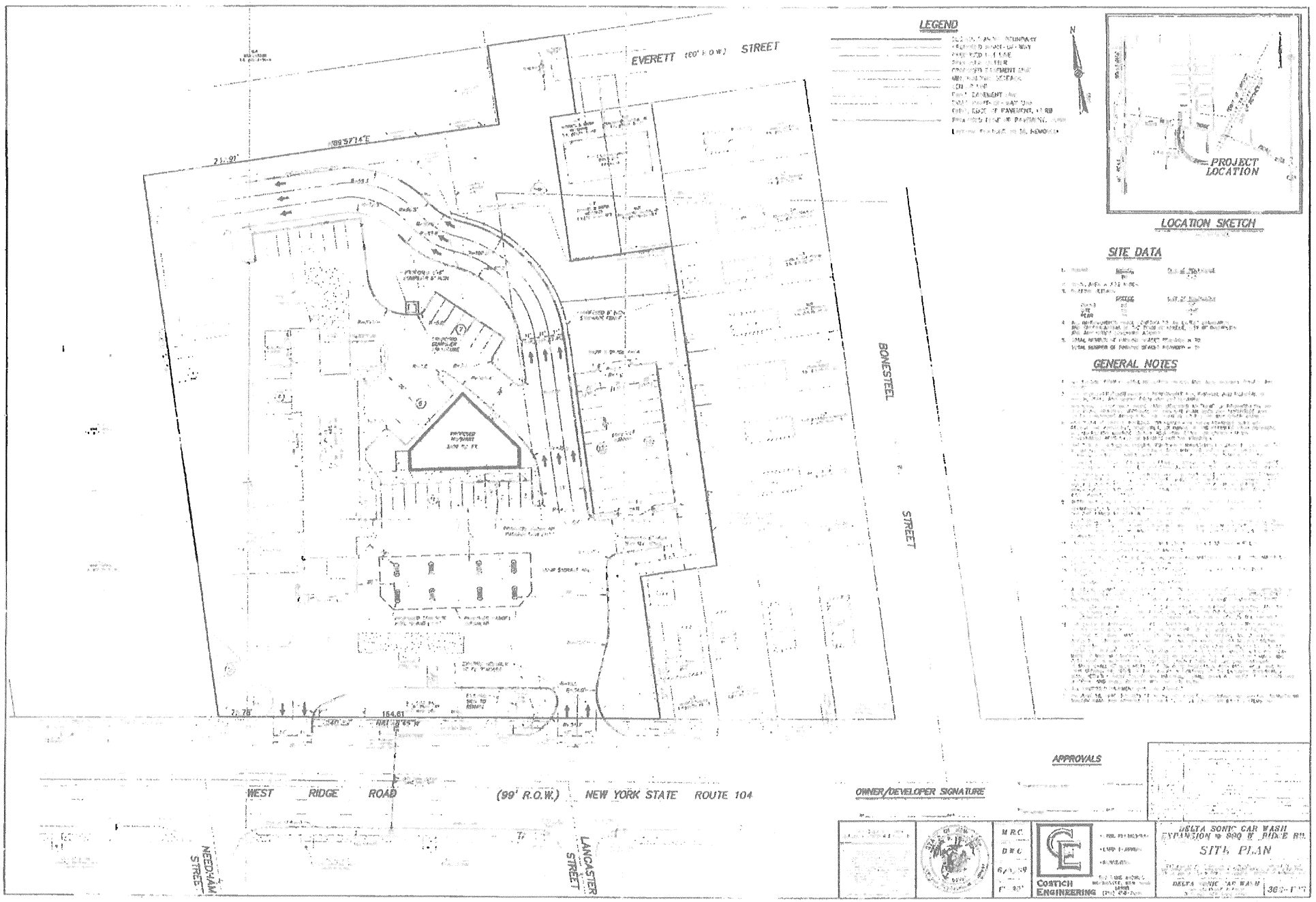
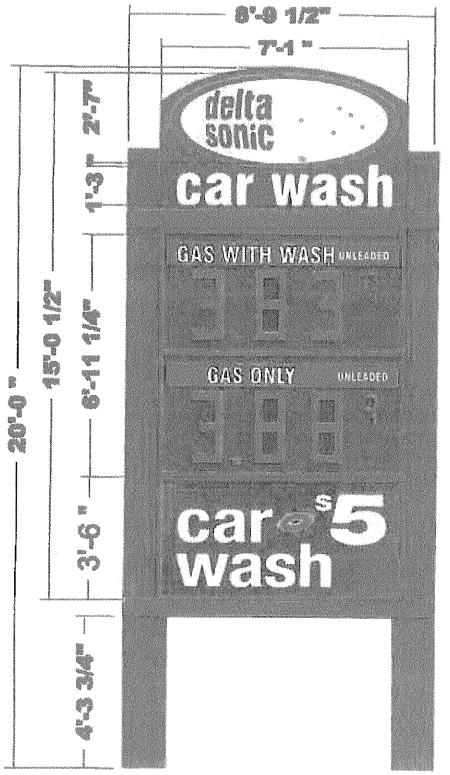

EVERETT (60' R.O.W.) STREET
BONESTEEL STREET
WEST RIDGE ROAD (99' R.O.W.) NEW YORK STATE ROUTE 104
NEEDHAM STREET
LANCASTER STREET
LEGEND
N
PROJECT LOCATION
LOCATION SKETCH
SITE DATA
GENERAL NOTES
APPROVALS
OWNER/DEVELOPER SIGNATURE
COSTICH ENGINEERING
DELTA SONIC CAR WASH EXPANSION @ 800 W. RIDGE RD.
SITE PLAN

PHOTO OF EXISTING SIGN



EXISTING SIGN

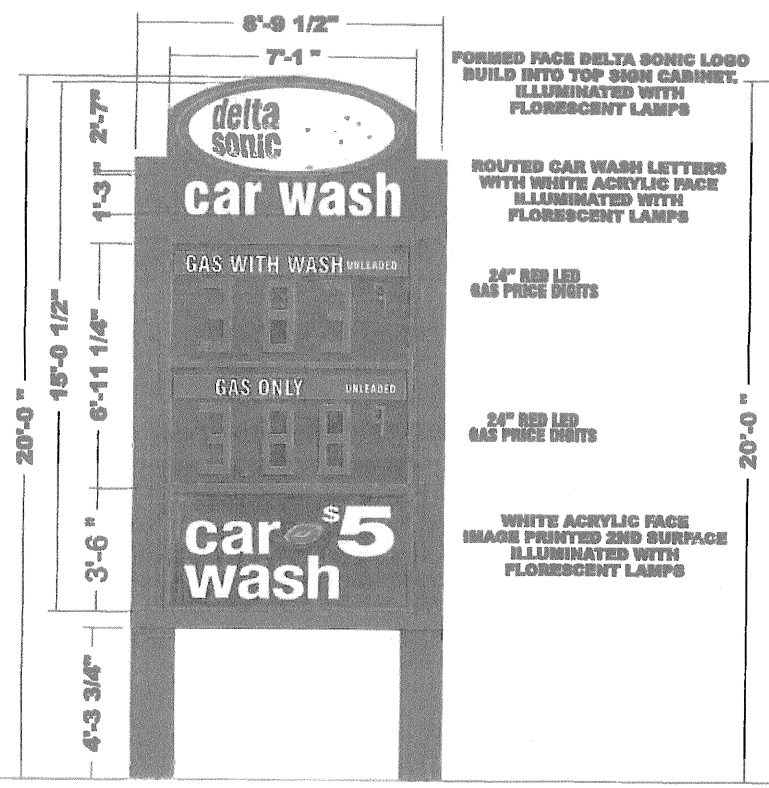
1814

DELTA SONIC
990 West Ridge Rd.
ROCHESTER, NY

DELTA SONIC CAR WASH

SIGNAGE
EXISTING ID

S



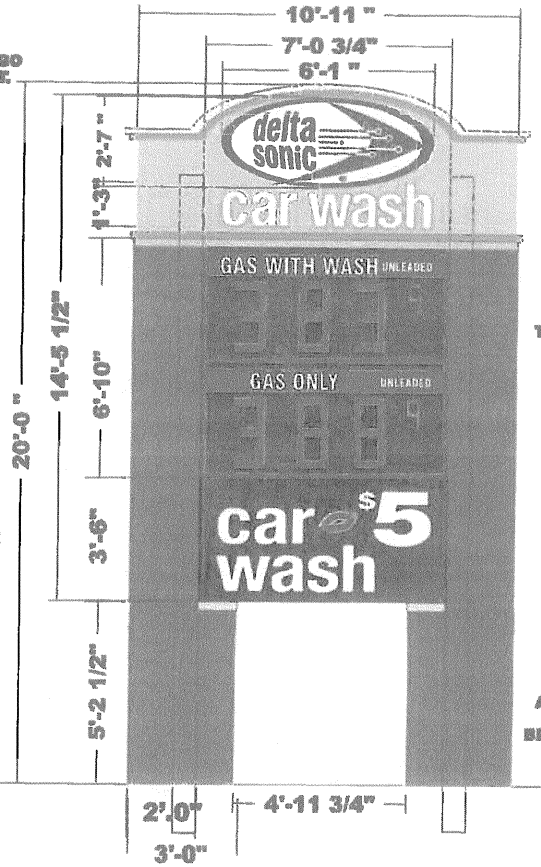
FORMED FACE DELTA SONIC LOGO BUILD INTO TOP SIGN CABINET. ILLUMINATED WITH FLORESCENT LAMPS

ROUTED CAR WASH LETTERS WITH WHITE ACRYLIC FACE ILLUMINATED WITH FLORESCENT LAMPS

24" RED LED GAS PRICE DIGITS

24" RED LED GAS PRICE DIGITS

WHITE ACRYLIC FACE IMAGE PRINTED 2ND SURFACE ILLUMINATED WITH FLORESCENT LAMPS



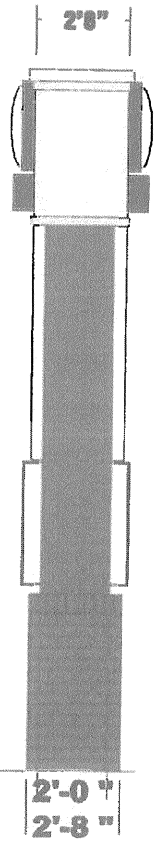
FABRICATE AND INSTALL NEW TOP SIGN CABINET USING EXISTING STEEL POLES FORMED FACE DELTA SONIC LOGO BUILD INTO TOP SIGN CABINET. ILLUMINATED WITH WHITE LEDS 120 VOLT

WHITE CHANNEL LETTERS WITH RED RETURNS, SURFACE MOUNTED TO FACE OF CABINET. WHITE LED ILLUMINATION. 120 VOLT

DOUBLE SIDED LED FUEL PRICE DISPLAY TWO UNLEADED PRICES, 24" DIGITS, WITH RED LED ILLUMINATION, EXISTING SIGNS TO BE REUSED SIGN TO BE 120 VOLTS. UL LISTED USING EXISTING POLE AND BASE

INSTALL NEW 16MM LED DISPLAY, REPLACES EXISTING STATIC IMAGE SIGN BOX

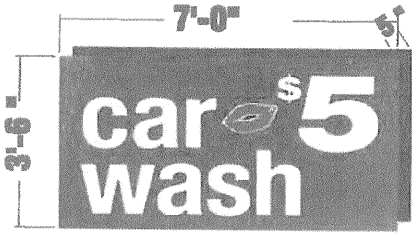
INSTALL BRICK TO MATCH NEW C STORE. BRICK TO BE ANCHORED TO THE EXISTING 8" X 8" STEEL COLUMNS. BRICK COLUMNS TO BE 24" X 24" BASE TO BE 32" X 36"



EXISTING SIGN

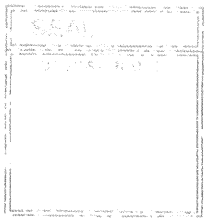
PROPOSED SIGN

SIDE VIEW



PROPOSED LED DISPLAY

-Led display to be 16 mm full color
1 red, 1 blue and 1 green led per pixel
-Wireless ethernet communication
- No pixel sharing
- Display area 42" x 84", no border.
_Cabinet to be made of aluminum; formed and welded,
semi gloss black
- Two faces
- 208 / 120 VOLT



1814

DELTA SONIC
990 West Ridge Rd.
ROCHESTER, NY

DELTA SONIC CAR WASH

SIGNAGE PROPOSED II

S

ZONING BOARD OF APPEALS
STAFF REPORT
March 24, 2016

Area Variance

Case # 11: Staff Reviewer: Jill Symonds

File Number: V-064-15-16

Applicant: James A. Boglioli, Esq.

Project Address: 718 East Main Street, et al.

Zoning District: C-2 Community Center District / Marketview Heights Urban Renewal District

Section of Code: 120-177

Request: **To redevelop the existing Delta Sonic car wash, gas station, and high-impact retail store, not meeting certain sign requirements.**

Background: The subject project has been reviewed through the Site Plan Review process and Preliminary Site Plan Findings are attached, which identify all required variances.

Code Enforcement: The subject property is not in code enforcement.

PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. **PROJECT ADDRESS(ES):** 700,710, 712, 718, 722, 732-734 E. Main & 138, 140, 142, 140.5, 144, 146, 148, 150-152, 154-156 N. Union St. & part of 21 Kenilworth Terrace

2. **APPLICANT:** James A. Boglioli, Esq **COMPANY NAME:** Delta Sonic Car Wash Systems, Inc.

   ADDRESS: 570 Delaware Avenue **CITY:** Buffalo **ZIP CODE:** 14020

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

   E-MAIL ADDRESS JMB@Benderson.com

   INTEREST IN PROPERTY: Owner ☑ Lessee ☐ Other ☐

3. **PLAN PREPARER:** James Rumsey, RA

   ADDRESS: 570 Delaware Ave **CITY:** Buffalo **ZIP CODE:** 14032

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

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

   ADDRESS: 570 Delaware Avene **CITY:** Buffalo **ZIP CODE:** 14032

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

   E-MAIL ADDRESS JMB@Benderson.com

5. **ZONING DISTRICT:** MHURD/C-2

BUILDING PERMIT
ROOM 121
10:15AM Mar 4/16
01-0002 001 BUD
#20513
Zonins $250.00
INFO 718 E MAIN
CHECK $250.00

6. **DETAILED PROJECT DESCRIPTION (additional information can be attached):**
Renovation and modernization of existing car-wash facility. See the letter attached as Exhibit A for a full description of the project.

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

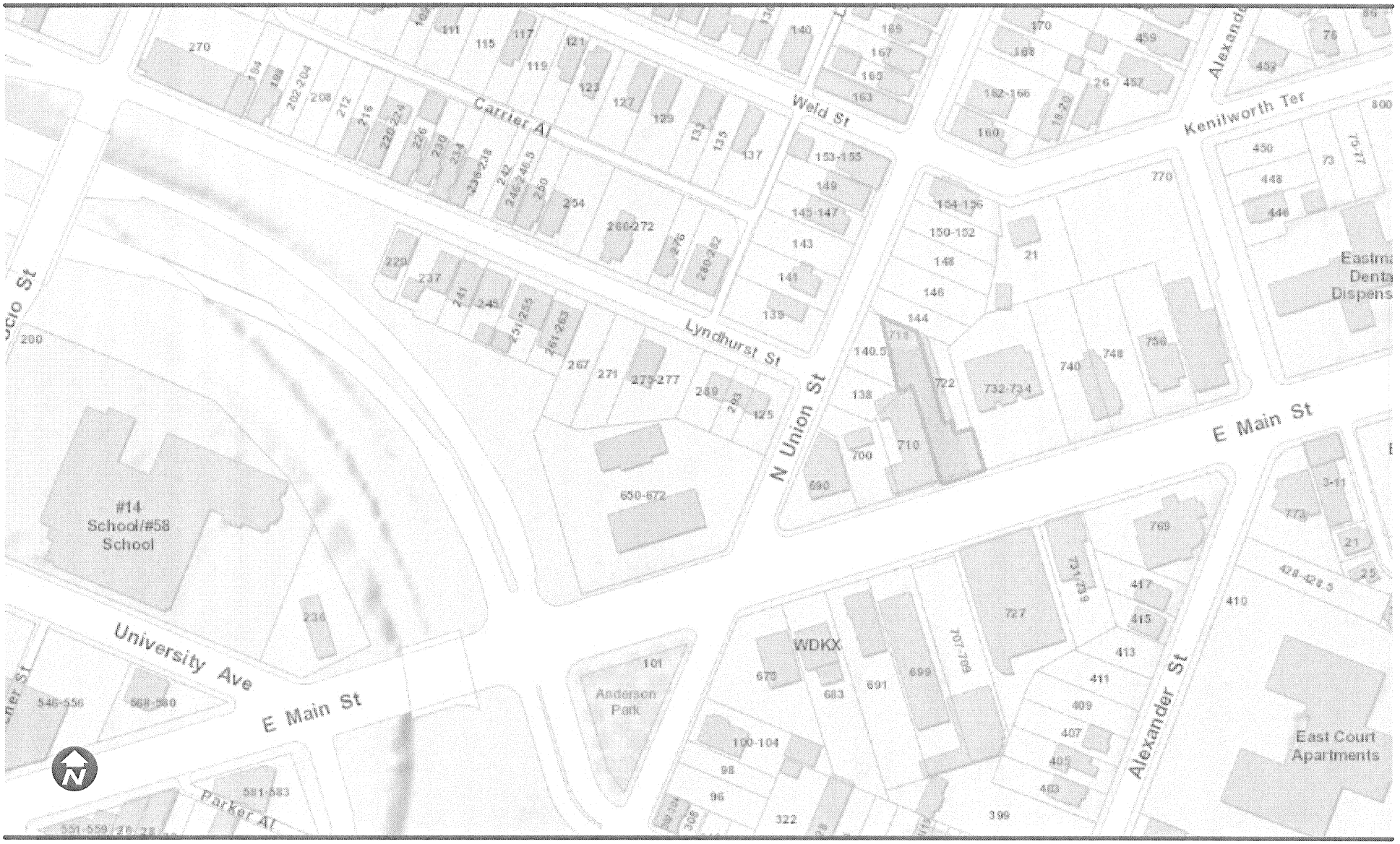
APPLICANT: I certify that the information supplied on this application is complete and accurate, and that the project described, if approved, will be completed in accordance with the conditions and terms of that approval.

SIGNATURE: _____ **DATE:** 02-09-16

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.

SIGNATURE: _____ **DATE:** 02-09-16

718 E MAIN ST



March 11, 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 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

March 11, 2016

Mr. James Boglioli, Director of Development
Delta Sonic Carwash Systems, Inc.
570 Delaware Avenue
Buffalo, NY 14202

Re: Preliminary Site Plan Findings, SP-015-15-16
718 East Main Street, et al.

Zoning: MH-URD Marketview Heights Urban Renewal District/C-2 Community Center District

Dear Mr. Boglioli:

A preliminary review of your application for site plan approval to redevelop a vehicle service operation at 718 East Main Street (et al.) has been completed. The review was based on the detailed site plan, exterior elevations, color renderings, a site landscaping plan, and architectural floor plans, prepared by Delta Sonic Car Wash as submitted to the Bureau of Planning and Zoning on March 8, 2016. The review also included a sign package prepared by Benderson Development Company, LLC, that were not dated. Please email or call Jason Haremza at jason.haremza@cityofrochester.gov or 585-428-7761 if you have any questions.

Neighborhood Context

The site is located along East Main Street, a minor arterial street, near the city center, with secondary frontages on North Union Street and Kenilworth Terrace. East Main Street, like many avenues in the city, has a mix of uses including multi-family dwellings, retail, and office uses. A few blocks east of this site are the Auditorium Theater and the Main Street Armory, regional performance and event venues. This area of East Main Street and surrounding neighborhoods recently underwent a detailed study called the East Main Arts and Market Initiative. See finding #4 for more details on this and other recent planning efforts.

Immediately to the north of the site is a residential neighborhood generally consisting of frame dwellings, mostly singles and doubles, which was developed from the mid to late 19th century.

Existing Conditions

The 2.04 acre site consists of 16 separate parcels, including two that will be acquired to facilitate this project; 154-156 North Union Street and a portion of the property at 21 Kenilworth Terrace. Please see the attached table detailing each of the parcels that comprise the Delta Sonic redevelopment site.

The permit histories of the various parcels indicate vehicle related uses have occurred on portions of the site going back to the early 1960s. Over several decades, the vehicle related uses changed and grew to spread over the 14 parcels that made up the current site.

The triangular shaped site has an existing 11,500 square foot single story masonry building near the center used for an automatic drive-through car wash. There is a 4,700 square foot canopy structure covering six fuel pump islands to the east of the car wash building. At the east side of the site, partially under the canopy, is a 1,000 square foot single story masonry structure that is legal to be uses as a high-impact retail sales, open between 7AM and 9PM. Most of the remainder of the site is largely paved for vehicle fueling, parking, maneuvering, circulation, and queuing for the car wash. The queuing area is located at the rear of the car wash structure at the north side of the site. The site is accessed by a total of five curb openings; four on East Main Street and one on North Union Street.

The existing four family dwelling at 154-156 North Union Street and a single car garage at 21 Kenilworth Terrace will be demolished. The single family structure at 21 Kenilworth Terrace will remain and site work will be performed to reconfigure the driveway.

Project Scope

The proposal is to redevelop the entire Delta Sonic site (a vehicle service operation), which includes façade renovations to provide a 2-story appearance of the existing 1-story structure; removal and replacement of the gas canopy, pumps, islands and underground tanks; installation of new signage, fencing, landscaping, lighting and vacuum stations; demolition of the existing 1,000 sq. ft. retail sales and service structure and its relocation to a 2,900 +/- square foot addition to the east side of the existing car wash facility; and new circulation, queuing patterns and striped parking areas. A small accessory structure (prep hut) will be constructed along the North Union Street frontage and will be creatively integrated into the landscaping and setback design. Additional accessory structures will be constructed for full-serve and self-serve pay booths.

The proposed hours of operation are Monday through Saturday, 7AM to 9PM and Sunday 8AM to 7PM.

Environmental Review

Pursuant to New York State Environmental Conservation Law and Chapter 48 of the Rochester City Code, this project has been classified as an Unlisted Action. A Notice of Environmental Determination was issued on January 29, 2016, with a **NEGATIVE DECLARATION.** The proposed action is one which will not have a significant adverse impact on the environment.

Findings:

1. **Zoning.** On February 25, 2016, City Council approved a Zoning Map Amendment (M-03-15-16) to rezone the properties at 700, 710, 712, 718, 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, and 21 Kenilworth Terrace to *Marketview Heights Urban Renewal District/C-2 Community Center District* to facilitate the redevelopment project to facilitate this redevelopment proposal.

2. **Redevelopment.** It should be noted that overall this project represents a very positive investment by a long-standing business. The proposed changes improve not only the Delta Sonic property, but the neighborhood in general. The applicant is to be commended for the effort put into the project, especially related to the building façade and perimeter landscaping.

3. **Neighborhood Planning Efforts.**

a. **Marketview Heights Urban Renewal Plan**, adopted December 16, 2014. In 2013 the City of Rochester retained a consultant team to develop an Urban Renewal District Plan for the Marketview Heights area. The consultant was charged with building upon the extensive prior planning and work with neighbors in a project Steering Committee and larger Collective Action Project to develop a market-driven, strategic action plan for the Urban Renewal District. This plan accounted for ongoing development initiatives which guides the implementation of the community's vision.

The proposed redevelopment of the Delta Sonic site implements several action items of the Urban Renewal Plan, including increasing the tax base and supporting continued economic development in and around the Rochester Public Market. Further refinement of the project will implement another key action item: enhancing the quality of the built environment through a design that preserves neighborhood character, increases density, and preserves walkability.

b. **East Main Arts and Market Initiative,** Final Report dated November 2015. The purpose of the East Main Arts and Market Initiative and the resulting plan, as specified by the City of Rochester, is to "identify multi-modal circulation, access, and parking improvements along with recommendations for land use development, streetscape enhancements, and community branding, as well as strategies to promote housing opportunities in the areas immediately east of Rochester's Center City, which adjoin both the Neighborhood of the Arts and the Public Market/Marketview Heights."

Final recommendations of this plan related to development can be found on pages 95 through 97 (see attached) of the final report and include the following:

> *As redevelopment opportunities arise, work to transition land uses on East Main Street from auto-oriented to walkable*
>
> *To complement improvements to East Main Street, actively seek opportunities to retrofit adjacent land uses to create a more walkable environment along the corridor, from the Inner Loop through the Arts and Market area. Though the parcels closest to the Inner Loop host thriving auto businesses today, the setbacks and many curb cuts of the gas station, car wash, and auto-body shops are particularly detrimental to the pedestrian experience.*

The applicant has made several efforts to design the project in a way that furthers the goals of these planning efforts, notably the façade improvements with substantial transparency, the use of high quality materials (brick), a two-story appearance, improved landscaping and hardscaping to improve the pedestrian experience, and the elimination of a curb opening to improve safety and circulation. The sole additional consideration that staff recommends would be to eliminate all but the handicapped parking spaces between the street and the new addition and conversion of this area to hardscaping and/or landscaping to further improve the pedestrian experience.

4. Site/Building Details.

a. **Façade improvements**: The proposed façade improvements to the existing car wash structure are a significant improvement over the existing façade, especially the clear glass windows at the first floor level, the true clay brick cladding material, the decorative brick dentil and cornice, brick pilasters, metal canopies and awnings, and the decorative brick screen walls to screen views of the vacuum area from the public right-of-way.

b. **East Main Street frontage:** The elimination of one of the four curb openings is a very positive element of this project and furthers the goals of a more pedestrian-friendly East Main Street.

The applicant has also revised the landscaping plan to reflect a more traditional urban approach. The area between the existing car wash building and public sidewalk will be hardscaped to match the sidewalk, creating a more generous pedestrian area along this busy street. This will be enhanced by two new street trees between the pedestrian area of the sidewalk and the curb, adding to two existing street trees and creating a critical visual and physical buffer between pedestrians and vehicles. Details of the new street trees will be finalized by the applicant, the Bureau of Planning and Zoning, the City Engineer's Office, and the Bureau of Forestry.

c. **New retail structure:** The replacement of the existing 1,000 square foot retail structure with a new 2,900 square foot retail structure shows a significant investment in the property. The applicant is to be commended for the high quality materials, transparency, and detailing, all of which represent a substantial improvement.

d. **North Union Street/Kenilworth Terrace frontages:** The North Union Street frontage is substantial, the equivalent of a full block. The privacy fence, set back approximately six feet with landscaping in front, is an appropriate solution. The applicant's thoughtful response to initial reviews of the landscaping and integration of the prep hut building into the Union Street frontage is commendable. The landscaping both inside and outside the fencing together meets the 10 foot setback requirement, and it is in keeping with the recommendations of nearby residents who felt that every effort should be given to a landscaping plan that deters illicit and unwanted activities.

i. The proposed formal row of columnar trees between the sidewalk and fence is key to establishing a vertical element. This row of trees will establish a street wall and help frame the street in the absence of buildings on the east side of North Union Street and the south side of Kenilworth Terrace. In addition, the upright trees provide a green element to soften the edges of the site, provide a more elegant transition to the neighborhoods to the north and west, while allowing clear site lines and easier maintenance of the area outside of the fence.

ii. The fence is turned inward at the prep hut building which provides visual relief and articulation to the long fence. It is recommended that the west façade of the prep hut building draw on the design of garages and

carriage houses, with a gable end and clapboard or board and batten siding, to better fit the residential context to the west and north of the site (see Site Sketch 3).

e. Disposition of the remainder of 21 Kenilworth Terrace: The applicant has submitted a plan for the remainder of 21 Kenilworth showing a reconfigured driveway and access to a rear yard parking space.

f. Lighting standards: The lighting plan did not show lighting levels. The applicant is reminded of Section 120-170A(1): "No use shall produce a strong, dazzling light or reflection of a strong, dazzling light or glare that is visible from any point along a lot line."

5. **Signage.** Certain elements of the proposed signage are positive, such as the placement of signs on the building and the modest size of the detached monument sign. While the proposed signage is generally in keeping with what is currently on the site, the code requires that new or replacement signage comply with the requirements of the C-2 district, which permits one sign equal to ½ square foot for every foot of building frontage. The number, size, and type of the proposed signs does not meet the district requirements, therefore area variance approval by the Zoning Board of Appeals is required.

6. **Resubdivision.** The site consists of all or part of 16 separate parcels. These shall be combined into a single parcel through a resubdivision. The applicant is to submit a complete resubdivision application prior to issuance of the Building Permit.

7. **Project Review Committee.** The Project Review Committee (PRC) reviewed this project on October 7, 2015. See attached recommendations.

8. **Department of Environmental Services (DES) comments.** DES provided comments dated October 21, 2015 and January 15, 2016. These were provided to the applicant on February 29, 2016, also see attached. Further DES review will occur prior to final Site Plan Approval.

9. **Monroe County Department of Transportation (MCDOT) comments.** The county did not require review of this project.

Code Compliance Review:

1. **Site Plan Review.** Minor Site Plan Review is required for the development or redevelopment of a site devoted to vehicle related uses.

2. **Special Permit approval by the City Planning Commission is required for:**

   a. **Vehicle service stations, Section 120-43R.** Vehicle service stations are specially permitted in the C-2 District, subject to the additional requirements for specified uses in Section 120-154.

   b. **Retail sales and service, high impact, Section 120-43T.** High impact retail uses limited to the hours of 6AM to 2AM are specially permitted in the C-2 District, subject to the additional requirements for specified uses in Section 120-146.1.

3. **Area Variance approval by the Zoning Board of Appeals is required for:**

   a. **Signage, Section 120-177D.** One attached sign identifying uses or services on the premises that includes 0.5 square foot in area for every foot of the building frontage per street frontage

      Ten signs are proposed. There is approximately 104 linear feet of building frontage along East Main Street (yielding a sign allowance of 52 square feet) and 30 linear feet of building frontage along North Union Street (yielding a sign allowance of 15 square feet).

      The proposed signage consists of 10 principal building mounted signs (noted on applicant's signage chart as items 1 through 5), and 23 minor signs (noted on applicant's signage chart as items 7 through 10), totaling 525.45 square feet.

   b. **Signage, Section 120-177D.** No more than 1 detached sign per parcel located in the front yard not exceeding 25 square feet in size per side of sign and posted no more than 4 feet in height from the finished grade of the lot.

      The Zoning Board of Appeals will need to consider an area variance to waive the height requirement. The proposed detached sign is 6'1" tall.

   c. **Signage, Section 120-177F(6).** No sign shall consist of strings of lights or contain blinking, flashing, intermittent, rotating, glaring, or moving lights or other attention-attracting devices

      The Zoning Board of Appeals will need to consider an area variance to waive this requirement. There are two building-mounted LED message boards proposed. LED message boards are considered "intermittent" and "moving".

   It is recommended that the Zoning Board review the submitted sign chart, site plan, and designs of the proposed signs in their consideration of the variance request.

A copy of these Site Plan findings will be forwarded to the City Planning Commission and Zoning Board of Appeals so that they may be taken into consideration while making decisions on your application for the special permit and area variances.

Site Plan Approval will not be completed until both the City Planning Commission and Zoning Board of Appeals have filed their respective notices of decision.

If you have questions about the Site Plan Review process, please call or email Jason Haremza at 585-428-7761 or jason.haremza@cityofrochester.gov.

Sincerely,

Zina Lagonegro, AICP, EIT
Director of Planning and Zoning

xc: Kevin Kelley, Business and Housing Development
Brian Liberti, DES Forestry
Terry Mott, DES Permit Office
James Quackenbush, DES Permit Office
Jill Symonds, Bureau of Planning and Zoning, ZBA staff
Bill VanDame, DES Permit Office
Jill Wiedrick, Bureau of Planning and Zoning, CPC staff
Project file

B. DEVELOPMENT

As the alternatives for development are not mutually exclusive, but rather constrained by market demand, site control, developer interest, financing, all alternatives explored in Chapter 5 are included in the plan, with recommendations about phasing in the near-term, mid-term, and long-term.

1. NEW HUBS OF COMMERCIAL AND MIXED USE

The following recommendations for strengthening commercial and mixed use activity in the East Main Arts and Market area reflect the public response to the alternatives presented at the second Open House and address the following project goals:

- Complement existing iconic architecture with public realm improvements that create a more beautiful, urbanized environment
- Improve connectivity through investments in placemaking at key intersections
- Support creative production through the built environment

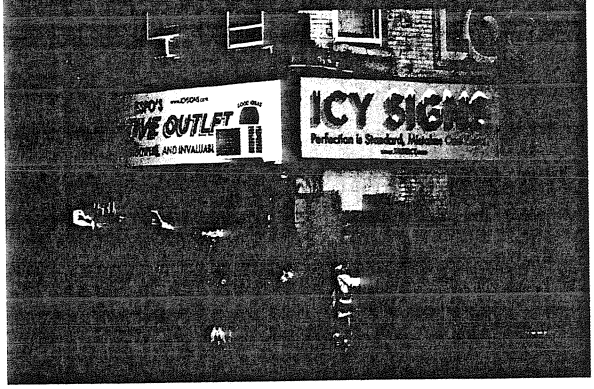
Restore North Goodman Street as a mixed use and walkable creative "Main Street"

Community members weighed in heavily in support of reinvesting in North Goodman Street as a focal point for the East Main Arts and Market area, a compact commercial corridor with "good bones" and great potential, located at the intersection of multiple neighborhoods and East Main itself. The current concentration of storefront and upper floor vacancy tucked within handsome buildings is poised to welcome a mix of uses including studio space, work space, living space, gallery space, and small, independent retailers or eateries as an outpost of the Public Market. North Goodman Street's scale and structures between East Main Street and Webster Avenue thus present a near-term opportunity for early action.

- **Reach out to property owners** – because properties on North Goodman Street are owned by multiple owners, reach out to discuss the vision for the corridor. Request a tour of vacant storefronts and upper floor spaces to assess potential reuse and necessary improvements prior to reactivating these empty spaces. Reach out to owners of occupied structures too, presenting the vision and discussing opportunities for beautification and façade improvements.
- **Offer incentives and connect artists with property owners** – add color and visual interest to building facades through temporary window displays, custom business signs, new awnings, murals, and window boxes. Create a grant program to incentivize property owners aiming to upgrade or reactivate vacant spaces who wish to commission artful façade improvements by local artists.

Icy Signs (Philadelphia)

Icy Signs! a project of Steve Powers, aka ESPO, a graffiti artist, muralist, and now community organizer. With his Icy Signs project, Powers adapted an approach much like Wall Therapy's efforts to locate world class street art in the Arts and Market District, creating custom signs for businesses along struggling commercial corridors in Philadelphia.



WPB Make Believe (Chicago)

WPB Make Believe was a competition inviting artists to reactivate vacant storefronts along a commercial corridor in Chicago's Wicker Park and Bucktown neighborhoods. For four months, 10 storefronts became gallery spaces for installations that invited people to dream about what could be in the artistic neighborhood.

Invest in North Goodman Street's public realm

Beyond reactivating vacant spaces and integrating art and color on building surfaces, invest in North Goodman's public realm to heighten the sense of place along the corridor's sidewalks and plazas. Such improvements will reinforce the corridor's renewed identity while also making space for community gathering.

> **Improve the plaza at Main, North Goodman and Railroad Streets** – visible along East Main Street and on the way to the Public Market, improvements to this plaza should include market wayfinding, bike parking, and movable furniture to serve Market goers as well as new neighbors living and working along North Goodman Street and new customers of corridor businesses.

> **Create a greener park and plaza where North Goodman Street intersects Webster and Garson Avenues** – bookend the revitalized cultural corridor on North Goodman Street with open space improvements at the intersection of Goodman and Webster Avenues facilitated by the intersection realignment proposed in this plan. A new plaza space at the southern portion of the intersection will serve as a front door to the Beechwood neighborhood. Vacant property on the north side of Garson Avenue should be improved as a community garden or place space to enhance the experience of the new plaza.

> **Conduct a feasibility study and engage CSX to explore land bridge park over rail** – first proposed in 2007, the Bridging Neighborhoods concept for a park over the rail between Circle Street and North Goodman Street still draws considerable interest from neighbors and Market visitors. The land bridge/park would ease connections between neighborhoods and create a unique landscaped space to complement hardscape improvements to the plaza on the north side of East Main Street. Feasibility of this project is threatened by costs and coordination challenges.

Pursue a second creative catalyst project on East Main Street

Following on the heels of Corpus Christi Market Apartments, seek opportunities to locate another arts-driven development on East Main Street. Community members expressed great interest in the Otis Lumber property, situated adjacent to the Armory and a stone's throw over the rail from the Public Market. The four-acre site's historic structure meets the street and could become a community arts center and headquarters for R-City, and the storage sheds closer to the rail present an opportunity for deconstruction and reconstruction of work spaces along the rail line and live/work spaces closer to East Main Street. As this project is still conceptual and Otis Lumber remains in active use as storage for contractors, phasing for this project falls in the mid-term; improvements to East Main Street should be a driving factor for the redevelopment.

> **Target Otis Lumber property** – redevelopment of the Otis Lumber site as a as a mixed use, live-work connector between East Main Streetand the Public Market will require ongoing conversations with the site's owner, R-City, or other possible anchor tenants for the multi-tenant concept, and inquiries with potential developer partners interested in the project.

> **Incorporate an easement between the Armory and Otis Lumber** – pedestrian access from East Main Street to the proposed pedestrian bridge over the rail will not only help connect people with the Public Market, but also the parking resources at the Market, which are underutilized much of the week. A gateway entrance at East Main Street should signal the new path between the buildings and over the rail and create a unique landscaped space to complement hardscape improvements to the plaza on the north side of East Main. Feasibility of this project is threatened by costs and coordination challenges.

Collaborate with neighbors to activate and add visual interest to front yards on East Main Street

In addition to new creative developments on East Main Street, work to express the corridor's cultural relevance and creative energy in the streetscape, visible to pedestrians and cars passing by. With their monumental architecture, both the Armory and the Auditorium – as well as the Hungerford – are set back from East Main Street. Their lawns and parking lot present canvases for public art and artful street furniture (including benches and bike racks) like what exists today along University Avenue.

As redevelopment opportunities arise, work to transition land uses on East Main Street from auto-oriented to walkable

To complement improvements to East Main Street, actively seek opportunities to retrofit adjacent land uses to create a more walkable environment along the corridor, from the Inner Loop through the Arts and Market area. Though the parcels closest to the Inner Loop host thriving auto businesses today, the setbacks and many curb cuts of the gas station, car wash, and auto-body shops are particularly detrimental to the pedestrian experience. An example of one such opportunity includes the site improvements at Delta Sonic prompted by State requirements to replace the gas tanks.

> **Consider rezoning portions of the corridor** – currently, East Main Street at Union falls within the Main Street District of the Center City District (CCD). The CCD zoning classification allows auto uses, and this has resulted in a development pattern unfit for this important gateway into downtown Rochester. Improvements to East Main Street and investments in support of the Arts and Market district could, over time, increase land values that would support redevelopment here; in that case, a denser, mixed use development with buildings that frame East Main Street would better signal an entrance into downtown. Compliance with the Main Street District design principles in future redevelopment efforts will help re-establish Main Street as an important pedestrian and civic spine leading into Center City. The balance of the corridor within the study area is zoned for Community Center Commercial (C-2). Consider

an expansion of the Public Market Village (PMV) zone to include the intersection of East Main and Goodman, including the Hungerford site south of Main. Such a change would reinforce the vision for North Goodman as the "village main street" for the market district.

> **Utilize the city's development review processes to work with property owners to further the goals of the East Main Arts and Market Initiative** – a grant program could target both facades and front landscaping/ hardscaping treatments to improve pedestrian and bicycle access to and circulation on existing properties. In addition, the City should adopt design guidelines for density, building setbacks, and edge treatments to inform future development.

II. NEIGHBORHOOD HOUSING

The neighborhood housing recommendations seek to support organized community groups in their efforts to stabilize the neighborhoods north of Main Street in the near-term, while working to advance R-City's efforts to root a creative residential district in close proximity to the Public Market. The recommendations for investments in neighborhood housing address two project goals, to:

> Introduce a mix of new housing units and types at a range of price points for homeownership and for rent

> Balance new development and the desire to attract new residents with the needs of existing residents

Collaborate with Marketview Heights Collective Action Project (CAP) to advocate for transformational redevelopment along Lewis Street

Proposed in the Marketview Heights Urban Renewal District, the envisioned rental development will disrupt illegal activities that have long plagued Lewis Street, improving perceptions of the neighborhood, building upon the City's Focused Investments on neighborhood streets south of Lewis, and inviting up to 75 new households to live in close proximity to the Public Market. New community residents will have the opportunity to connect with the neighborhood's active CAP members and explore the area's many cultural destinations on foot or by bicycle.

Collaborate with EMMA to support the East Main Revitalization project

Conceptual mixed-use, mixed-income redevelopment project at the Greenovation and bus storage site will anchor the eastern end of the East Main Arts and Market corridor, serving to connect creative production underway at the Fedder Industrial Park with the Hungerford, NOTA, and other creative uses close to the Public Market proposed in this plan. Though highly visible on East Main Street and thus a catalytic development for the Arts and Market area as well as the city as a whole, the project would also resonate with EMMA neighborhood priorities by integrating new affordable and market-rate housing, including opportunities for owner-occupied housing and housing for families, along with commercial and other potential uses.

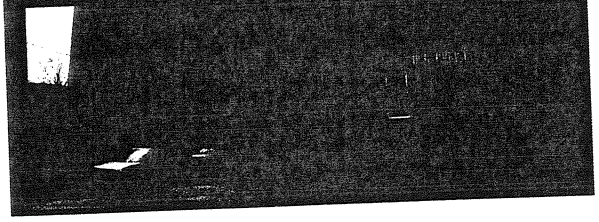
Partner with R-City and GP4H to advance the creative district concept within the neighborhood north of the Public Market

GP4H has more limited and scattered vacancy compared to the large opportunity sites in South Marketview Heights and EMMA and thus presents opportunities for selective infill within the fabric of the neighborhood. Though the public input prioritized redevelopment of the Otis Lumber site as the initial signature R-City project, renovation of historic homes or infill with new homes and/or studios (including tiny studios) across GP4H could serve to attract interested creative people seeking a quieter residential home base or a closer relationship with the existing community of neighbors. Engage the Community Design Collaborative for technical assistance with a DIY design-build of an initial mobile tiny studio.

Work with The Yards and other arts partners to design an artists residency program for rotating use of the studio to see if interest emerges from the artist community. Work with GP4H and the City to identify pilot project opportunities from among the identified rehab or infill candidate sites. Visiting artists who meet the community through the tiny studio project could then be matched with potential, more permanent housing options, including artist-driven home restoration projects.

Tiny Studios

ArtBuilt Mobile Studios are small, affordably built mobile workspaces that enable artists, service providers, and small businesses to set up shop in new places, engage with communities, and help to create stronger neighborhoods.



Complement investments in new housing with programs and resources available to existing neighborhood residents

As revitalization moves forward in the East Main Arts and Market area, the City must balance support for projects aimed to draw new residents with support and resources made available to help existing neighbors make home improvements in conjunction with new development. In addition to grant programs for façade improvements and basic systems repair, engage the Community Design Center, R-City, The Yards, and the Neighborhood Services Centers to initiate smaller-scale creative beautification projects that might include new porch lights, community gardens, tree planting, or furniture builds. Such projects can help build a sense of community between long-term residents, newcomers, and potential newcomers interested in learning more about Arts and Market area.

Delta Sonic Site, Parcel Details
SP-015-15-16

Address	Street	Zoning	Legal Use	Most recent permit(s) dealing with use
700	East Main	MHURD/C-2	Auto repair and maintenance (1986 C of O)	1994, Exterior and minor interior renovations to new auto detail shop
710	East Main	MHURD/C-2	Vacant land (permit history)	1963, Demolition
712	East Main	MHURD/C-2	*Small fragment parcel of only a few square feet; Property on GIS parcel layer but not in BIS*	
718	East Main	MHURD/C-2	Convenience store (1997 C of O)	1996, Construct new convenience store, remove 14 fuel pumps, install 6 new fuel
722	East Main	MHURD/C-2	*Property on GIS parcel layer but not in BIS*	
732-734	East Main	MHURD/C-2	Unclear (no relevant permits)	None on record
21	Kenilworth Terrace	MHURD/C-2	1 family dwelling (permit history)	1902, Erect a frame residence
138	North Union	MHURD/C-2	Vacant land (permit history)	1976, Demolition
140	North Union	MHURD/C-2	*Small fragment parcel of only a few square feet; Property on GIS parcel layer but not in BIS*	
140.5	North Union	MHURD/C-2	*Property on GIS map but not in BIS*	
142	North Union	MHURD/C-2	*Small fragment parcel of only a few square feet; Property on GIS parcel layer but not in BIS*	
144	North Union	MHURD/C-2	Vacant land (permit history)	1964, Demolition
146	North Union	MHURD/C-2	Vacant land (permit history)	1975, Demolition
148	North Union	MHURD/C-2	Vacant land (permit history)	1974, Demolition
150-152	North Union	MHURD/C-2	Vacant land (permit history)	1965, Demolition
154-156	North Union	MHURD/C-2	4 family dwelling (C of O)	1995, Maintain use as a four family dwelling

City of Rochester

Inter-Departmental Correspondence

To: James J. Quackenbush, DES/Permits

From: Albert J. Giglio, P.E., DES/Managing Engineer/Street Design

Date: October 21, 2015

Subject: SP #015-15-16: 700-734 East Main Street and 138-152 North Union Street – Delta Sonic Car Wash Modernization

Our office has completed its review of the August 2015 set of site plans for the modernization of the Delta Sonic Car Wash located at 700-734 East Main Street and 138-152 North Union Street.

The existing site encompasses numerous properties and the applicant should consider consolidation to combine the individual parcels.

The site is currently accessed through five driveway openings, one off of North Union Street and four off of East Main Street.

One 20 foot driveway opening off of East Main Street will be permanently closed off. Existing driveway openings must be permanently closed off by installing new stone curb across the opening, removing the existing apron and replacing sidewalk as necessary.

The remaining four driveway openings will be modified for the site modernization.

The applicant has proposed a new 34 foot wide driveway opening off of North Union Street and new 26.5, 24 and 30 foot wide driveway openings off of East Main Street. Additionally, the entire site configuration and operations are changing and it is unclear to this office where vehicles will be exiting the car wash facility which impacts internal site circulation and site egress traffic volumes.

The City allows commercial two-way driveway openings to be a maximum of 24 feet not including transitions. One-way driveway openings are to be 16 feet maximum. The applicant may propose a driveway opening that is in excess of 24 feet, if necessary to support larger sized vehicles that will be accessing the site on a regular basis. The proposed width of the driveway opening is to be one that is sufficient to provide for safe and adequate vehicular access into and out of the site, without causing any unsafe or hazardous turning movements, or requiring any encroachment into the opposing traffic lanes, nor onto any lawn or curb park areas immediately adjacent to and opposite the driveway opening. For driveway openings proposed in excess of 24 feet wide, a vehicle turning template analysis is to be done and submitted to the City Engineer's office for review and approval.

Specifically, fuel delivery truck ingress, egress, and staging area for tank filling must be depicted. Oversized retail delivery truck maneuvering must also be demonstrated.

The proposed 26.5 foot driveway opening off of East Main Street is depicted as an exit only. Exit only driveways can be difficult to control and confusing for patrons. This office recommends a right-out only driveway at 16 feet wide maximum to better control egress from the site.

The proposed 24 foot driveway opening off of East Main Street is misaligned with the site drive aisle and conflicts with the proposed retail parking spaces. This drive aisle needs to have unimpeded access. The applicant may consider a mirrored layout of the proposed retail and parking, such that the retail store is built to the East Main Street sidewalk with the parking to the rear of the site.

All reconstructed commercial driveway aprons must be concrete. An exposed aggregate may be used for visual contrast between the pavement areas.

There is to be no saw cutting or partial replacement of existing sidewalk or curb. Any areas of the existing public sidewalk or curb, including underdrain pipe, that are damaged or negatively impacted by any portion of the work must be replaced. Sidewalk must be replaced to the nearest full sidewalk flag and curb must be replaced to the nearest control joint with new full height stone curb. All proposed sidewalk in the public right-of-way must be constructed to be sloped such that water drains away from private property and towards the street.

All new on-site curb must not extend to the back edge of the existing public sidewalk, but is to end at a minimum of 1 foot behind the back edge of the existing public sidewalk.

The on-site landscaped islands are to be contained such that the proposed river rock does not migrate out onto the existing public sidewalk.

Any form of impact to the existing street trees, including any new tree plantings or removals, must be approved of and done to the requirements of the City's Forester office. Tree protection fencing must be installed around all existing street trees that are immediately adjacent to any of the proposed work.

Grading plans that include both existing and proposed contours, as well as spot elevations are required for review. The grading plan submitted lacks proposed contours. The site is to be graded such that storm water runoff is managed on-site either through green infrastructure methods or conveyed to the public sewer system, but in no case is the runoff to be conveyed onto the public right-of-way or an adjoining property.

The removal and installation of petroleum underground storage tanks will require a review by the City's Division of Environmental Quality.

City of Rochester details R609-5 Concrete Curb must be removed from the plans and replaced with R609-1 Stone Curb.

All required improvements within the public right-of-way are to be done to the City of Rochester standard construction specifications and details, and as approved of by the City Engineer. The City of Rochester standard construction specifications and details for any improvements within the public right-of-way are to be included with the construction documents, in their latest version, and without any alterations. A PDF version of the City's standard construction specifications and details can be found on the City of Rochester's website, under "Services – Contracts, Bids, RFPs – Public Works Construction Documents".

All improvements within the public right-of-way are to be secured by a letter-of-credit in an amount sufficient to cover the cost of the required work, plus thirty-five per cent (35%) for administration costs. The letter-of-credit is to be filed with the DES/Permit Office for work within the public right-of-way, is to be effective the same day the permit is issued, and is to run for a period of 18 months.

The applicant will have 6 months from the date the permit is issued to complete the required improvements. If the work is not completed within the 6 month period, the City will take over the work and draw on the letter-of-credit as necessary.

These comments reflect concerns from the Street Design section only, and do not reflect any issues or comments that may arise from other City or County departments.

AJG:kmb

xc: Erik Frisch, DES/Street Design
Mark Gregor, DES/DEQ
Brian M. Liberti, DES/Forestry
Terry L. Mott, DES/Permits
Willard VanDame, DES/Permits

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City of Rochester

Inter-Departmental Correspondence

To: James J. Quackenbush, DES/Permits

From: Albert J. Giglio, P.E., DES/Managing Engineer/Street Design

Date: January 15, 2016

Subject: SP #015-15-16: 700-734 East Main Street, 138-156 North Union Street and 21 Kenilworth Terrace – Delta Sonic Car Wash Modernization

Our office has completed its review of the December 2015 set of plans for the modernization of the Delta Sonic Car Wash located at 700-734 East Main Street, 138-156 North Union Street and 21 Kenilworth Terrace, comprising of the proposed Delta Sonic property.

The majority of our comments from our previous correspondence dated October 21, 2015 have not been satisfactorily addressed or resolved.

The applicant must submit existing conditions plan, grading plan, utility plan and construction details to our office for review and comments.

Additionally, vehicle turning templates which analyze vehicle clearances, wheel tracking paths and maneuvers must be provided. The plan must demonstrate the proposed fuel delivery truck ingress, egress, and staging area for tank filling. Oversized retail delivery truck maneuvering and staging for unloading must also be established.

City of Rochester construction details R608-5 Driveway Apron, S608-17 Depressed Sidewalk at Driveway, R608-6 Concrete Sidewalk and Driveway, S609-16 Stone Curb Replacement – Asphalt Base, S609-17 Stone Curb Replacement – Concrete Base and S617-1 Tree Protection must be included in the plans.

These comments reflect concerns from the Street Design section only, and do not reflect any issues or comments that may arise from other City or County departments.

AJG: kmb

xc: Erik Frisch, DES/Street Design
Mark Gregor, DES/DEQ
Brian M. Liberti, DES/Forestry
Terry L. Mott, DES/Permits
Willard VanDame, DES/Permits

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PROJECT REVIEW COMMITTEE RECOMMENDATIONS

SP-015-15-16
718 East Main Street et al.
October 7, 2015, 4:00PM
City Hall Room 223B

Committee Members in Attendance:

David Beinetti, urban design specialist (architect)
Roger Brown, urban design specialist (architect)
Jim McIntosh, City Engineer
Marguerite Parrino, Interim Director of Planning and Zoning
Tim Raymond, Bureau of Planning and Zoning, plan review
Jim Yarrington, urban design specialist (architect)

City Staff:

Jason Haremza, Senior Planner/Urban Design Specialist, PRC Secretary

Project Description:

To redevelop the existing Delta Sonic vehicle service operation. The expanded site is 2.04 acres and includes 154-156 North Union and a portion of 21 Kenilworth; an existing 4 family dwelling and accessory garage on these properties will be demolished. The project includes site reconfiguration, new circulation and queuing patterns, replacement of the gas pumps, underground gas tanks, canopy and islands, and installation of new vehicle vacuum stations. One of four vehicular driveways on East Main Street will be closed. The project also includes the demolition of the existing retail building and construction of a new 2,900 sf retail building. There will be facade improvements to all existing structures.

Zoning District: C-2 (proposed)
SEQR Action: Unlisted
Site Plan Type: Major

Recommendations to the Director of Planning and Zoning: return to PRC

1. Increase setback for fence along Union Street and place landscaping between sidewalk and fence
2. Eliminate western-most curb cut on Main Street
3. Shift retail building south towards street frontage
4. Place store entrance at SE corner of new building, closest to street. A taller feature at this corner of the building would emphasize the entrance and provide a place to install signage (but no gas price signage on building)
5. Move tanks to the north side of canopy to be able to shift canopy further south towards the street
6. Show truck maneuvering on site
7. Use prep hut as a feature along Union Street frontage; improve Union Street façade of

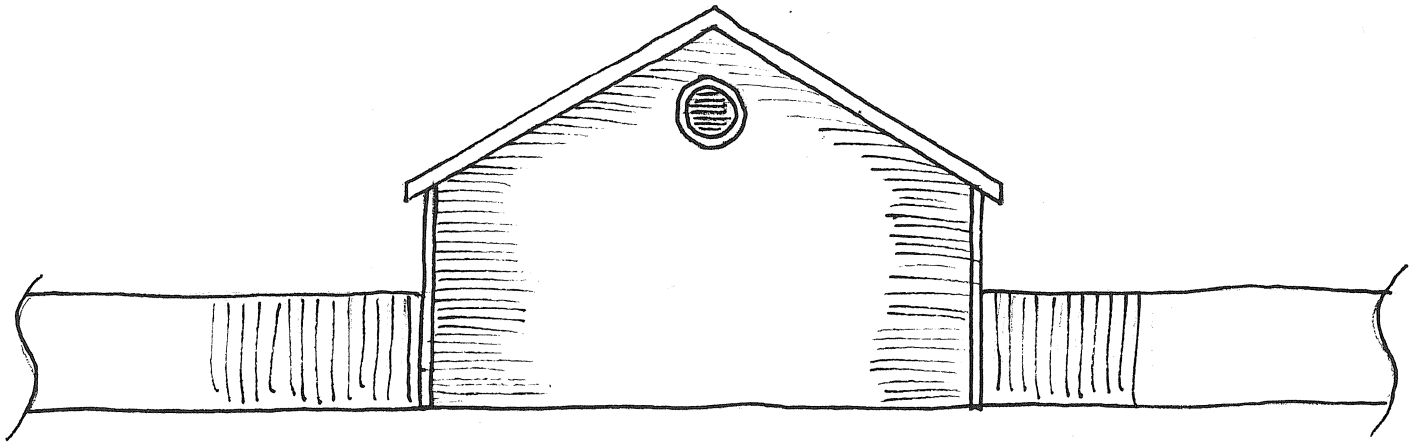
prep hut. Treat it as an actual building.

8. Revised project should return to PRC

DELTA SONIC

SITE SKETCH 3

2-19-2016



PREP HUT - N. UNION ELEVATION

1" = 10'

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

March 9, 2016

VIA HAND DELIVERY
Chairperson and Members of the Zoning Board of Appeals
City of Rochester
City Hall - Room 125B
Rochester, New York 14614

RE: Applicant: Delta Sonic Car Wash Systems, Inc. (DSP# 1813)
Application for Area Variances
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

Dear Chairperson and Members of the Zoning Board of Appeals:

Enclosed please find our application materials for the proposed area variance application related to building entrances, design standards for retail sales related to automobile fuels; and signage 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 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 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

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Main and 138, 140, 142, 140.5, 144, 146, 148, 150-152, 154-156 North Union Street and 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 self-service 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;
- The closure on an existing driveway on East Main Street; and
- The installation of new signage.

Required Area Variances:

As part of the project, the following area variances have been identified by the City:

- **Design standards for retail sales of automobile fuels, Section 120-159E.**

To ensure that these uses fit well into the generally compact, urban neighborhoods of Rochester and to minimize any negative impacts on neighboring properties, development or redevelopment of these uses shall comply with the following design standards:

i. Canopy fascia signs are not permitted. All signage must comply with Section 120-177.

Delta is requesting a Delta Sonic logo on the gas canopy.

- **Signage, Section 120-177D.**

ii. 120-177D. One attached sign identifying uses or services on the premises that includes 0.5 square foot in area for every foot of the building frontage per street frontage

Delta is requesting 525.45 s.f. of total signage.

iii. 120-177D. No more than 1 detached sign per parcel located in the front yard not exceeding 25 square feet in size per side of sign and posted no more than 4 feet in height from the finished grade of the lot.

The detached sign is 22.3 s.f. and 6.1 feet high.

iv. 120-177F(6). No sign shall consist of strings of lights or contain blinking, flashing, intermittent, rotating, glaring, or moving lights or other attention-attracting devices.

Delta Sonic is proposing two LED display signs.

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The General City Law§ 81-b(4) Balancing Test

As the Zoning Board is aware, NY General City Law § 81-b(4) provides that a zoning board must balance the benefits of the applicant with the detriment of the health, safety and welfare of the community. It is clear that granting the variance relief will not cause any detriment to the health, safety, and welfare of the community, while such would result in a significant benefit to the applicant in providing for the redevelopment of the site providing: (1) additional services, (2) improved aesthetics (building & landscaping); and (3) improved traffic flow and circulation. Pursuant to NY General City Law § 81-b(4), in undertaking this balancing test, the Zoning Board should consider five factors. We believe that the application conforms to the standards set forth in the Town Law, and should be granted. With respect to the five factors provided for in NY General City Law § 81-b(4), we note the following:

1. **An Undesirable Change in Area Character Would Not Occur**

No undesirable change in area character. The property is an existing Delta Sonic Car Wash with gas service and a 1,025 s.f. convenience store. The existing convenience store is set back into the site as demonstrated by **Exhibit A**. The project will result in the demolition of the existing convenience store and the incorporation of that store into the existing carwash building, bringing the site more into compliance.

With respect to the signage, as demonstrated by **Exhibit D**, the site is currently Improved with 545 s.f. of existing signage, which includes a 20' high legally non-conforming freestanding sign with approximately 244 s.f. of signage. The new plan results in a decrease of the overall signage to a total of 525.25 s.f. In addition, the existing 20' high freestanding sign is proposed to be removed, and a more compliant ground sign with only 22 s.f. of signage, and 6.1 feet high is proposed in its place.

This is a very large site, containing multiple uses, including a carwash, convenience store and gas station. As a result of the large size of the project and the three distinct uses which are proposed, additional signage is required. The proposed signage is consistent with the other signage in the area. With respect to the proposed signage, both the Sunoco and Fastrac have similarly situated signage as demonstrated in the pictures attached as **Exhibit E**. With respect to the proposed LED readerboard sign, a similar sign exists on the adjacent block as demonstrated by **Exhibit F**. Further, the proposed ground sign is smaller than many of the other signs in the area, as demonstrated by **Exhibit G**. Further, both Sunoco and Fastrac maintain canopy fascia signs similar to the one proposed as demonstrated by **Exhibit H**.

Based on the fact the site is an existing carwash/gas station which maintains 545 s.f. of existing signage and the proposed project reduces the existing signage to 525.25 s.f, no undesirable change in area character will occur in granting variances. This is

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

further supported by Exhibits E through H which demonstrate that the proposed signage is consistent with the other signage which has been developed in the area around the existing Delta Sonic.

2. **The Petitioner May Not Achieve the Sought-after Benefit Without the Sought-after Variance Relief**

The sought-after benefit cannot be achieved without the sought-after variance relief. As demonstrated by the materials previously provided, the project will result in significant improvements to the site, and therefore the area. The property currently maintains 545 s.f. of existing signage and the proposed project will reduce the signage below that which exists. The project would not go forward if the signage is reduced to the 67 s.f. of signage permitted by Code. There is simply no way to develop this project without the sought-after variance relief.

3. **The Requested Variance Is Not Substantial**

Initially, we believe that the variance relief is not substantial. Initially, we do not believe that the variance relief is substantial because 545 s.f. of signage exists and it is being reduced to 525.25 s.f. Further, the existing 20' high freestanding sign is being removed and a smaller, more code compliant sign is being proposed. The project results in a significant improvement to the site as noted above.

The Court stated in Matter of Easy Home Program v. Trotta, 276 A.D.2d 553 (2d Dept. 2000), that the fact that a variance may seem substantial on paper does not justify the denial of an application if there is no demonstrated harm to the community. In the present case, variance presents no harm to the community. The reason the magnitude of the variance is relevant is that, generally, the larger the difference the more likely it is that a negative effect would be generated. Matter of Human Development Services of Port Chester v. Zoning Board of Appeals of the Village of Port Chester, 110 A.D.2d 135, aff'd. 67 N.Y.2d 702. However, in any particular case, the facts may demonstrate that while a variance may seem noteworthy on paper no negative effect would be produced and, accordingly, the sought-after variance should be granted.

For example, in Matter of Frank v. Scheyer, 227 A.D.2d 558, 642 N.Y.S.2d 956 (2d Dept. 1996), the premises was 19,983 square feet. However, Town zoning criteria required a full acre or 43,560 square feet. The variance at issue was more than 54%. Nevertheless, based on all facts presented, no harm would befall the community and the Court directed a grant of the application. The Court took similar action in Matter of Shaughessy v. Roth, 204 A.D.2d 333, 611 N.Y.S.2d 281 (2d Dept. 1994), where the premises contained 50 feet of frontage and 5,000 square feet of area. The code, however, required 80 feet of frontage and 10,000 square feet of area. Accordingly, the application concerned a 50% reduction in lot area coupled with a second variance seeking a 62.5%

reduction in frontage. Nevertheless, based on the facts in the record, the Court directed the respondents to issue those variances. Additionally, in Matter of Sasso v. Osgood, 86 N.Y.2d 374 (1995), concerned a 60% reduction in lot area and a 50% reduction in lot width. Based on all facts presented, the Court of Appeals overturned the Fourth Department and directed that those variances be approved.

Even more recently, in Quintanna v Board of Zoning Appeals of Incorporated Village of Muttontown, 2014 WL 4435880 (2d Dept. 2014) the court overturned the denial of a variance request and stated that although there was some evidence in the record that the difficulty was self-created and that the requested variance was substantial, there was no evidence that the variance would produce an undesirable change in the neighborhood, that it would adversely impact on physical and environmental conditions, or otherwise result in a determinant to the health, safety and welfare of the neighborhood or community. In the present case, there is no evidence that the variance would have any negative effect on the neighborhood.

4. **The Variance Will Not Have an Adverse Effect or Impact on the Physical or Environmental Conditions in the Neighborhood.**

In reviewing the entire project, including the proposed underground storage tanks, the variance relief will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood. As noted above, the proposed signage is less than what exists on site.

5. **A Self-Created Hardship Does Not Require Denial.**

Initially, it is the Applicant's position that the hardship is not self-created. The project is an existing Delta Sonic, with existing signage and structures. Even reducing the amount of signage on site, as proposed, generates a variance.

NY General City Law § 81-b(4)explicitly states that self-created hardship is not by itself a sufficient basis to deny an area variance, even if the hardship was self-created. The Court was directly confronted with this issue in Matter of Easy Home Program v. Trotta, 276 A.D.2d 553 (2d Dept. 2000) when it held that even though the hardship was self-created and even though the variance was substantial, where there was no evidence demonstrating the variance would have an undesirable effect on the character of the community, a variance application must be approved. See, also, Jackson v. Kirkpatrick, 125 A.D.2d 471 (2d Dept. 1986); De Sena v. Zoning Board of Appeals, 45 N.Y.2d 105 (1978); Goshen Shopping Center v. Zoning Board of Appeals, 112 A.D.2d 140 (2d Dept. 1985).

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Conclusion

In conclusion, we believe we meet the criteria for granting the variance relief as contained in NY General City Law § 81-b(4). Further, granting the variance relief will result in significant improvements to the site and the neighborhood. 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

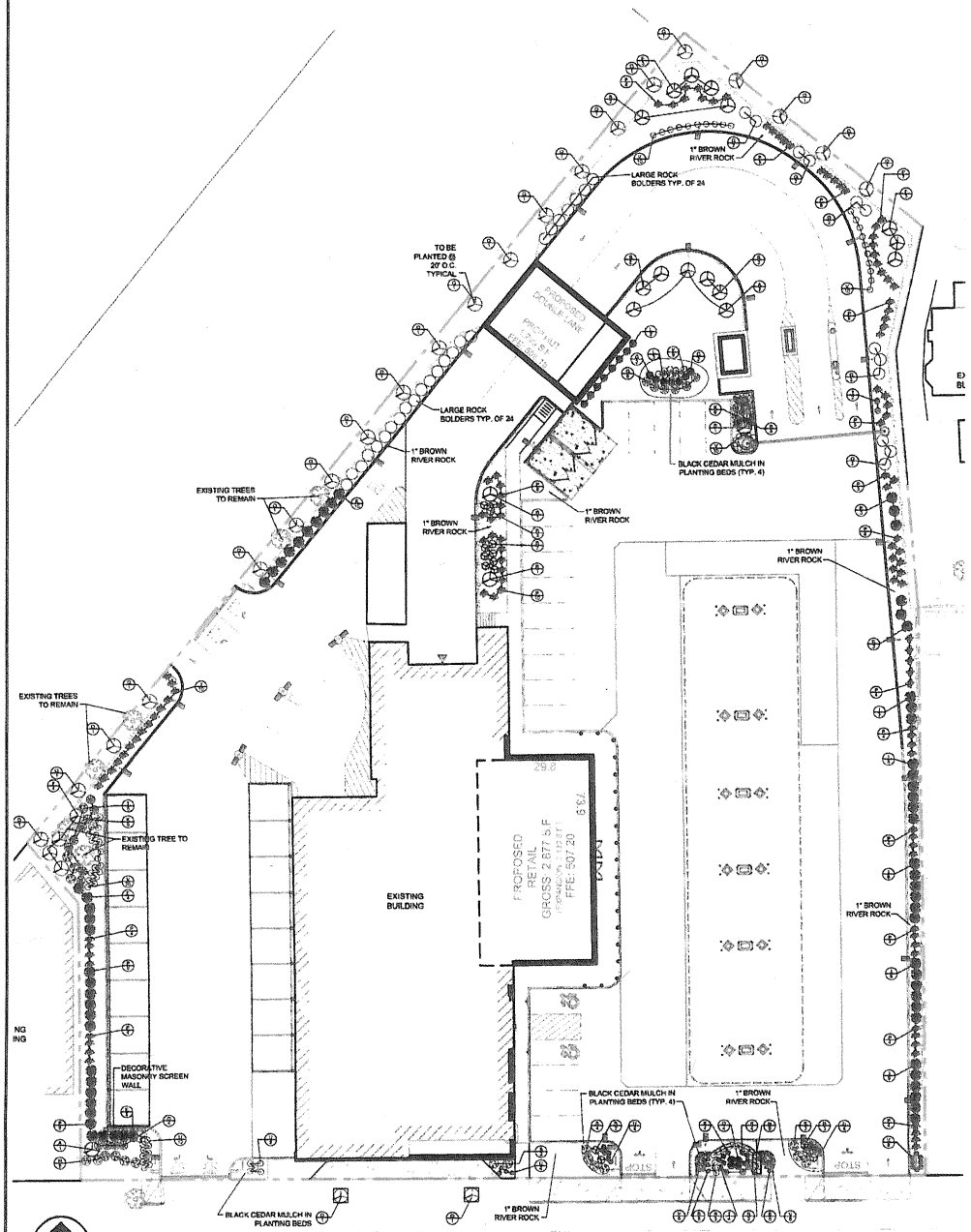
Exhibit A

Google earth

feet 600

meters 100

Exhibit B



KEY	QTY.	COMMON NAME	SIZE	ROOT	REMARKS
TREES					
A	4	SUNSET RED MAPLE	2 1/2" CAL.	B&B	
B	7	CLEVELAND SELECT PEAR	2" CAL.	B&B	
C	–	NORWAY SPRUCE	8' HEIGHT	B&B	
D	–	CRIMSON SENTRY MAPLE	2" CAL.	B&B	
E	11	TECHNY ARBORVITAE	4'–6'	B&B	
F	37	COLORADO BLUE SPRUCE	6'–7' HEIGHT	B&B	
G	23	SAND CHERRY	18"–24"		
H	6	GOLD FLAME SPIREA	2 GALLON		
I	37	DWARF BURNING BUSH	2 GALLON		
J	–	DENSE YEW	18"–24"		
K	29	CONCORD BARBERRY	18"		
L	12	UPRIGHT WITCHITA BLUE JUNIPER	4'–5'		
M	2	OLD GOLD JUNIPER	15"–18"		
N	9	SEAGREEN JUNIPER	24"–30"		
O	13	GLOBE BLUE SPRUCE	24"–30"		
P	94	GOLDEN VICTORY	18"–24"		
Q	24	Zelkova Musashino	2.5" CAL.		
R	41	HOSTA			
S	22	CYPRESS GOLDEN MOPS	18"		
T	21	MICANTHUS MORNING LIGHT GRASS	#2 CONT.		
U	32	BACKEYED SUSANS	#2 CONT.		
V	117	DAYLILLIES	#2 CONT.		
	24	ROCK BOULDERS	LARGE		

LANDSCAPE NOTES:

1. ALL PLANTS INSTALLED SHALL MEET OR EXCEED THE MINIMUM REQUIREMENTS AS NOTED ON THE PLANS AND IN THE LATEST EDITION ON THE AMERICAN STANDARD FOR NURSERY STOCK, BY THE AMERICAN ASSOCIATION OF NURSERYMEN, ANSI Z60.1

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR HIS OWN QUANTITY TAKEOFF. THE QUANTITIES SHOWN ARE A MINIMUM AND ARE FOR REFERENCE ONLY.

3. THE CONTRACTOR SHALL PERFORM A ROUGH FIELD STAKEOUT OF ALL PLANTING MATERIAL LOCATIONS AND CONTACT THE OWNERS FIELD REPRESENTATIVE PRIOR TO ACTUALL INSTALLING. THE PLANTING MATERIAL LOCATIONS SHOWN ON THE PLANS ARE TO CONVEY THE DESIGN INTENT ONLY, ACTUAL LOCATIONS WILL BE FINALIZED BY THE OWNERS FIELD REPRESENTATIVE AT THE TIME OF INSTALLATION.

4. THE CONTRACTOR IS HEREBY NOTIFIED THAT IF UNDERGROUND UTILITIES EXIST IN THE VICINITY OF THE PLANTINGS, ALL PROPOSED PLANTINGS SHALL BE INSTALLED A MINIMUM OF 5' FROM ANY UNDERGROUND UTILITY, CONTACT THE OWNERS FIELD REPRESENTATIVE IF PLANTINGS SHOWN ON THE PLANS VIOLATE THIS SITUATION.

5. ALL TREES SHALL BE INSTALLED A MINIMUM OF 20' FROM ANY OVERHEAD ELECTRIC LINES.

6. PLANTING BACKFILL MIXTURE SHALL CONSIST OF 4 PARTS TOPSOIL, 1 PART PEAT MOSS, ¼ PART WELL ROTTED MANURE, 10 LBS 5-10-5 PLANTING FERTILIZER THOROUGHLY MIXED PER CUBIC YARD.

7. STAKE AND WRAP TREES IMMEDIATELY FOLLOWING INSTALLATION.

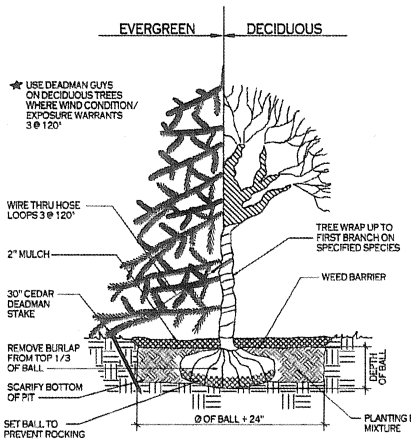
8. ALL PLANTED AREAS SHALL RECEIVE A 3" LAYER OF SHREDDED PINE BARK MULCH OVER 10 MIL. WEED MAT EQUAL TO "WEEDBLOCK" BY EASY GARDENER OR DEWITT WEED BARRIER.

9. ALL DISTURBED AREAS NOT RECEIVING PLANTINGS (INCLUDING RIGHT-OF-WAYS) SHALL BE SEEDED.

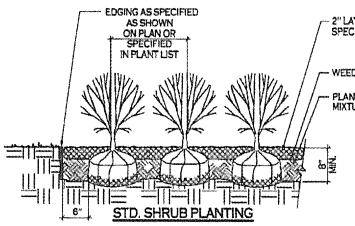
10. THE AREAS ON THE PLAN TO BE SEEDED SHALL HAVE 4" MINIMUM OF TOPSOIL, DISK PLOWED, LEVELED AND HAND RAKED SMOOTH. SURFACE SHALL BE ROLLED TO REMOVE LUMPS.

11. ALL SEEDED AREAS SHALL BE HYDROSEEDED IN ACCORDANCE WITH THE SPECIFICATION INDICATED. WHERE REQUIRED BY CLIMATIC CONDITIONS, SLOPE OR SEASON OF PLANTING, SOD MAY BE SUBSTITUTED FOR SEEDING IN ORDER TO ACHIEVE THE REQUIRED COVERAGE.

12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR WATERING, MOWING AND OTHER MAINTENANCE TO SEEDED AREAS UNTIL THE PROJECT IS ACCEPTED BY THE OWNER. THIS SHALL INCLUDE WATERING DAILY FOR 15 DAYS OR AS REQUIRED BY WEATHER CONDITIONS AND RESEEDING OF THIN SPOTS FOLLOWING THE GERMINATION OF THE SEEDS.



STD. TREE PLANTING



STD. SHRUB PLANTING

SEAL

James A. Ramsey
Architect

Special Information:

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

IT IS UNDERSTOOD THAT ANY WARRANTY INFORMATI CONCERNING EQUIPMENT INSTALLED MUST BE FORWARDED TO THE OWNER AND THAT ANY AND ALL CONTRACTORS SHALL GUARANTEE THEIR WORK FOR 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:
LANDSCAPING PLAN

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

Scale: 1:20

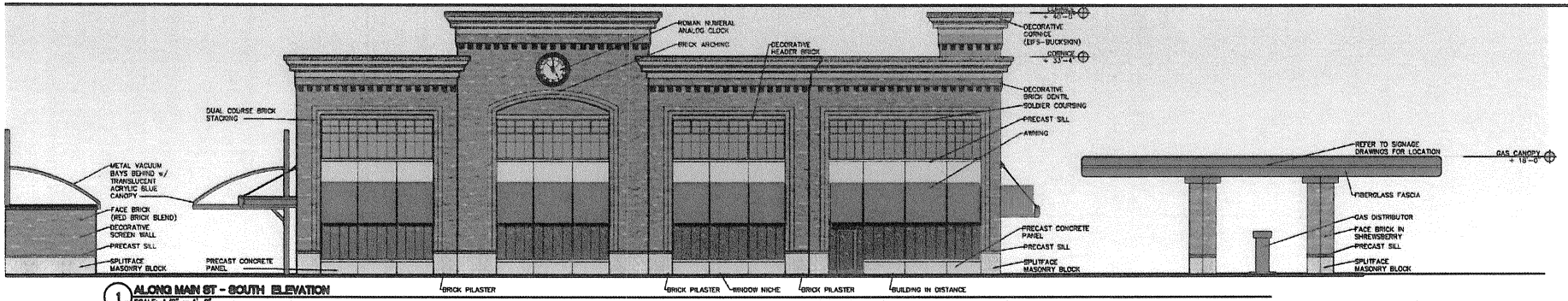
Drawn By: JJB

Checked By: JAR

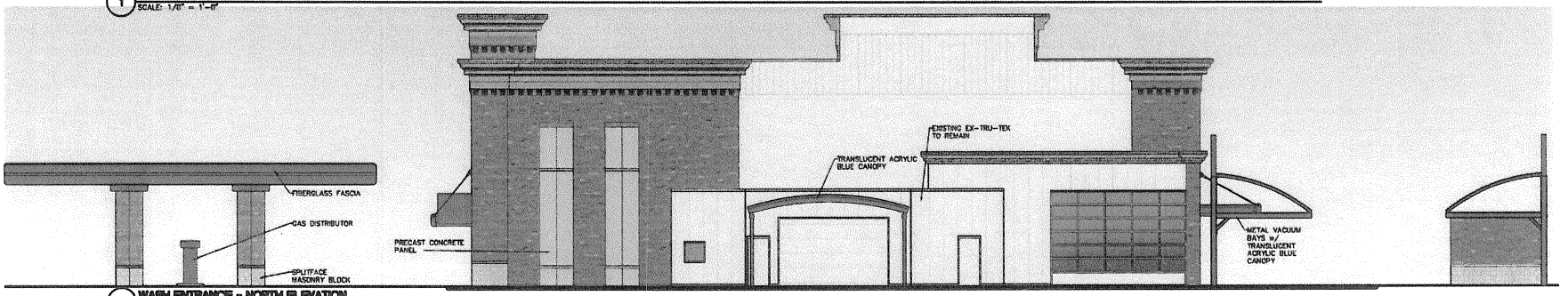
Date: 3-7-16

Drawing No.: CIVIL 7.0

Exhibit C

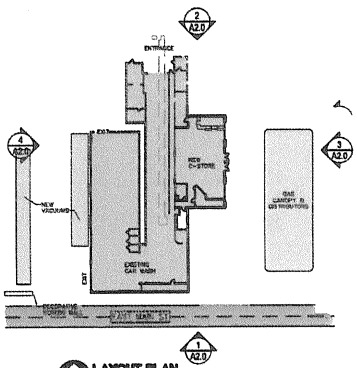


1 ALONG MAIN ST - SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

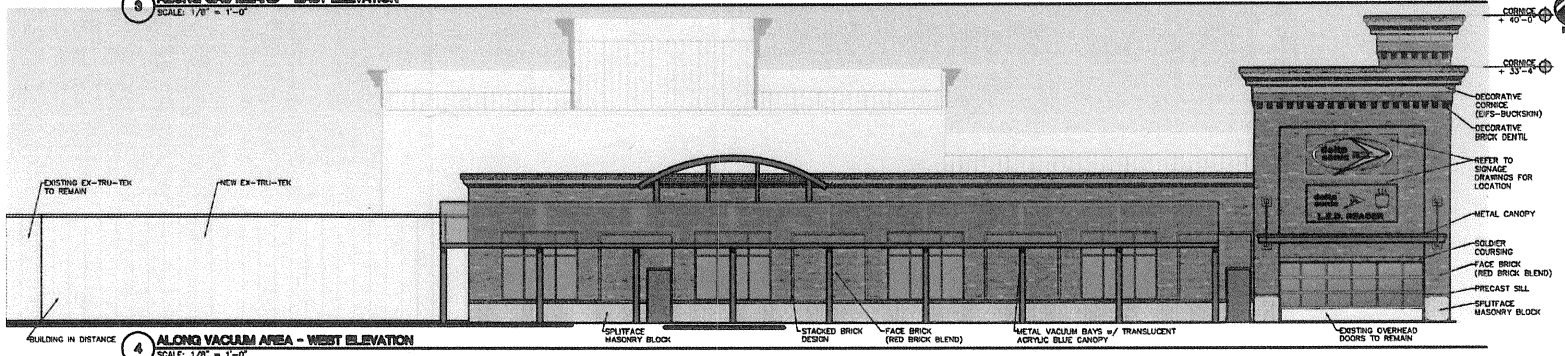


2 WASH ENTRANCE - NORTH ELEVATION
SCALE: 1/8" = 1'-0"

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:

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

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

NOTICE

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

Drawing Revisions:

No.	DATE	BY	REMARKS

Property No: 1839

Status: PROGR SET

Area: -

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

Tenant:
Delta Sonic Car Wash Site Improvements

Title:
EXTERIOR ELEVATIO
PROPOSED

DELTA SON CAR WASH
670 Delaware Avenue
Buffalo, New York 1422
716.541.2100

SEAL

James A. Rumsey
ARCHITECT

PRELIMINARY
NOT FOR CONSTRUCTION

Drawn By: CRW

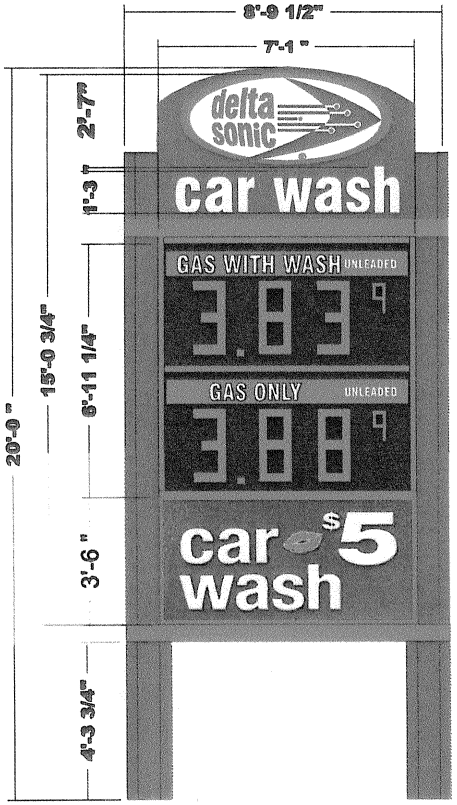
Checked By: JAR

Date: 12-14-15

Drawing No: A2.

Exhibit D

EXISTING SIGNS
718 EAST MAIN ST
ROCHESTER, NY



1

FORMED FACE DELTA SONIC LOGO BUILD INTO TOP SIGN CABINET. ILLUMINATED WITH FLORESCENT LAMPS

ROUTED CAR WASH LETTERS WITH WHITE ACRYLIC FACE ILLUMINATED WITH FLORESCENT LAMPS

24" RED LED GAS PRICE DIGITS

24" RED LED GAS PRICE DIGITS

WHITE ACRYLIC FACE IMAGE PRINTED 2ND SURFACE ILLUMINATED WITH FLORESCENT LAMPS

2

- 5" DEEP FABRICATED .063 ALUMINUM CABINET.
- SINGLE FACE
- SIDEWALLS AND TRIM PANTONE 186C RED
- FACE TO BE WHITE LEXAN
- GRAPHICS APPLIED SECOND SURFACE
- COPY TO INTERNALLY ILLUMINATED WITH FLORESCENT LIGHTS.
- 120 VOLTS WITH EXTERNAL DISCONNECT
- UL APPROVED
-1 REQUIRED

3

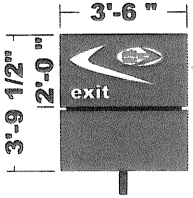
- 5" DEEP FABRICATED .063 ALUMINUM CABINET.
- SINGLE FACE
- SIDEWALLS AND TRIM PANTONE BLACK
- FACE TO BE WHITE LEXAN
- GRAPHICS APPLIED SECOND SURFACE
- COPY TO INTERNALLY ILLUMINATED WITH FLORESCENT LIGHTS.
- 120 VOLTS WITH EXTERNAL DISCONNECT
- UL APPROVED
-1 REQUIRED

4

- 5" DEEP FABRICATED .063 ALUMINUM CABINET.
- SINGLE FACE
- SIDEWALLS AND TRIM PANTONE BLACK
- FACE TO BE WHITE LEXAN
- GRAPHICS APPLIED SECOND SURFACE
- COPY TO INTERNALLY ILLUMINATED WITH FLORESCENT LIGHTS.
- 120 VOLTS WITH EXTERNAL DISCONNECT
- UL APPROVED
-1 REQUIRED

5

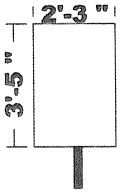
- EXTERIOR APPLIED VINYL GRAPHICS APPLIED OVER GLASS WINDOWS
- SINGLE FACE
- COPY NON ILLUMINATED ITH FLORESCENT LIGHTS.
-1 FACE



6

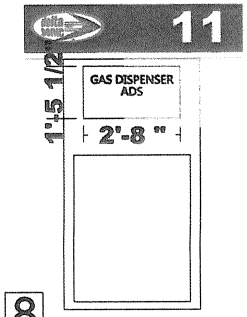
DRIVEWAY DIRECTIONAL SIGNS 6 SIGNS

- 12" deep fabricated .063 alum. cabinet.
- CABINET PAINTED BLUE PANTONE 287C
- Face to be white Lexan, painted second surface Sapphire blue PMS #287 C .
- Support post constructed of 3" x 1/4"black steel direct buried in concrete support footing
- Graphics to be internally illuminated two sides with florescent tubes.
- UL labels
- 120 volt
-6 signs



7

GAS ISLAND SIGNS NON ILLUMINATED 4 signs



8

GAS DISPENSER AD SIGNS NON ILLUMINATED 6 signs

EXISTING SIGNAGE

	DESCRIPTION	QUANTITY	TYPE	SIZE	S.F.	TOTAL S.F.
1	BUSINESS ID-GAS PRICE	2 SIDES	FREE STANDING	7'1" X 15'.75"	122	244
2	DELTA SONIC LOGO	1	WALL	5'1" X 12'	61	61
3	CAR WASH	1	WALL	4'0" X 10'0"	40	40
4	C STORE ID	1	WALL	4'0" X 10'0"	40	40
5	TIM HORTONS ID	1	WALL	2'6" X 12'0"	30	30
	ENTER / EXIT	6	FREE STANDING	2'0" X 3'6"	9	54
6	GAS ISLAND SIGNS	6	FREE STANDING	2' X 3'6"	7.8	46
7	GAS DISPENSER SIGNS	6	SUSPENDED	1'5" X 2'8"	5	30
8		6				
	TOTAL	25				545

SEAL

JAMES A ROMSEY

1813

CD

DELTA SONIC
718 EAST MAIN ST.
ROCHESTER, NEW YORK 14604

DELTA SONIC CAR WASH

EXISTING SIGNS DETAILS

RENDERSON DEVELOPMENT COMPANY, LLC

S2

Exhibit E

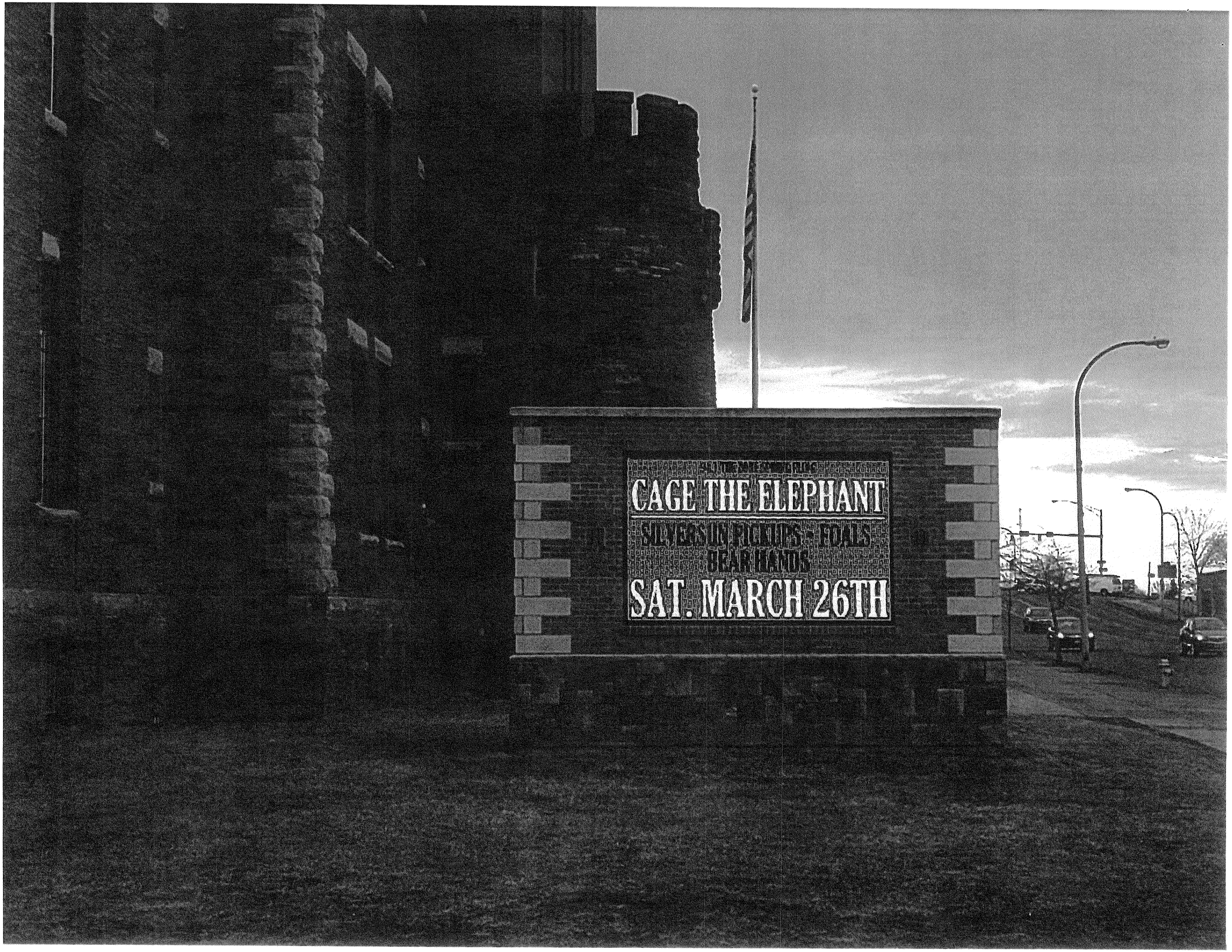
ATM
OPEN
SUN

Fastrac
FRESH BAKED
DONUTS
PIZZA
FRESH BAKED
DONUTS

AutoZone
1154
CHECK
FREE
$22.99
$7.99
FREE
$10

enterprise
rent-a-car
enterprise
rent-a-car

Exhibit F


CAGE THE ELEPHANT
SILVERSUN PICKUPS - FOALS
BEAR HANDS
SAT. MARCH 26TH

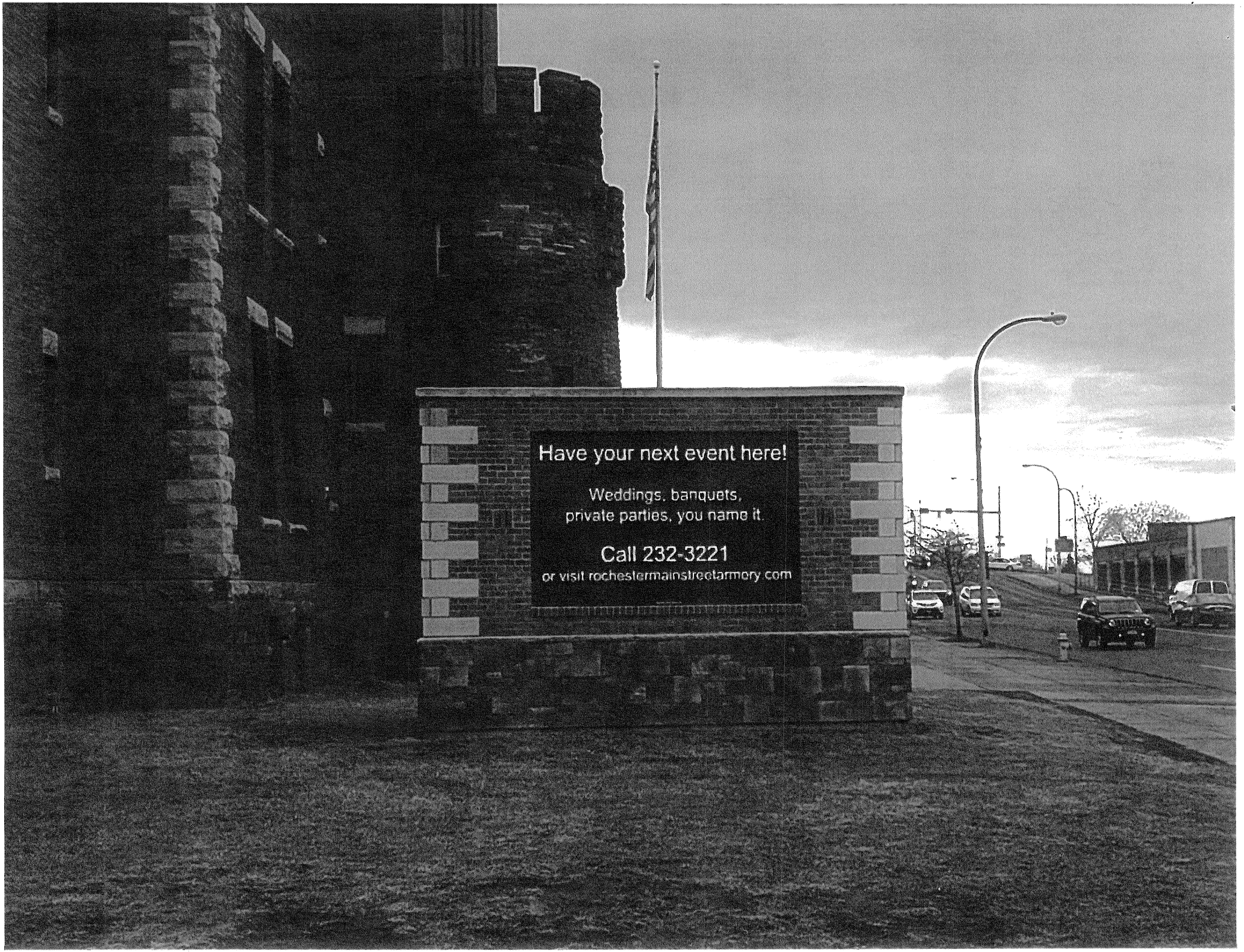

Have your next event here!
Weddings, banquets,
private parties, you name it.
Call 232-3221
or visit rochestermainstreetarmery.com

Exhibit G

Fastrac
AAA GETS MEMBER PRICE
SIGN UP REQUIRED
184.9
30

SUNOCO

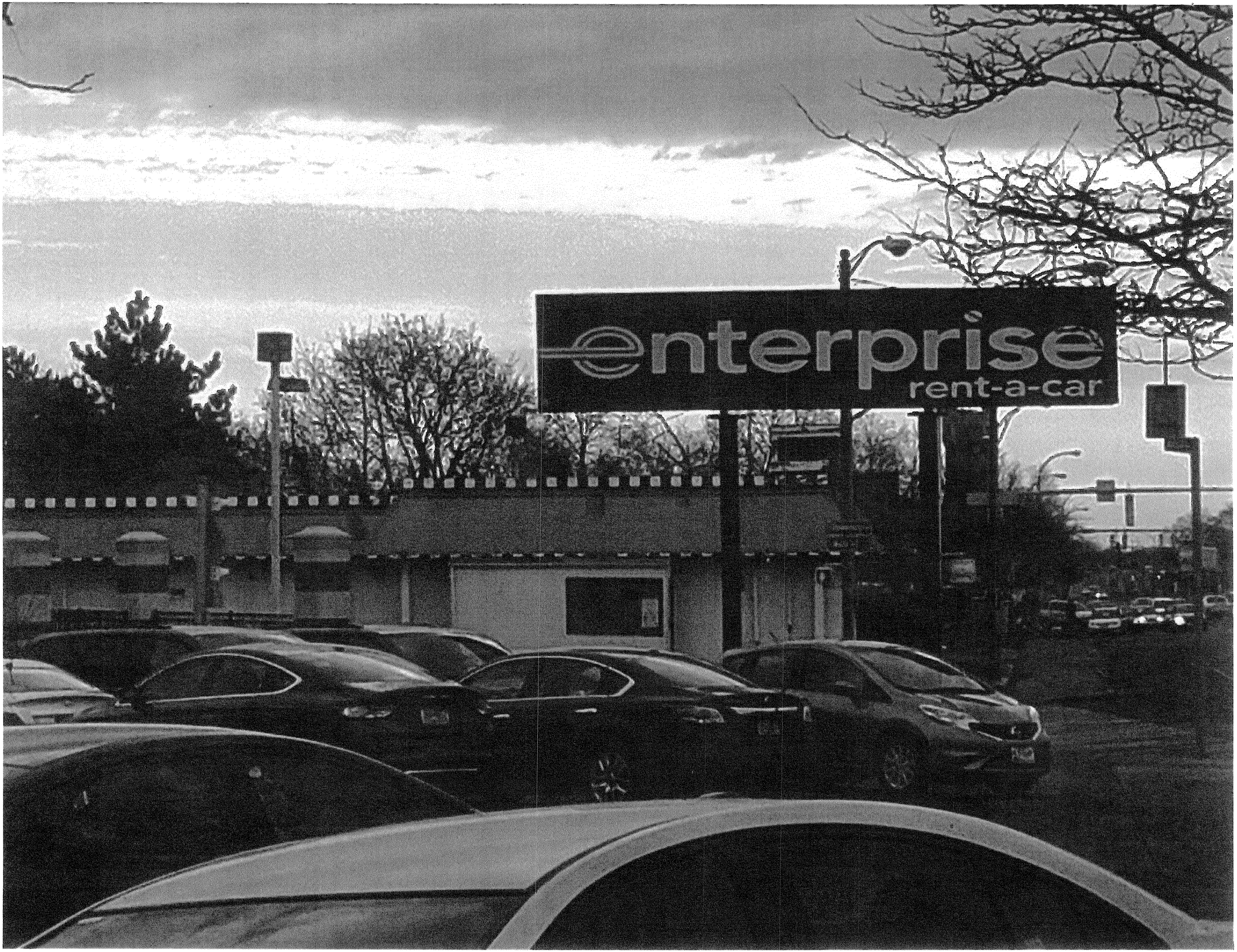
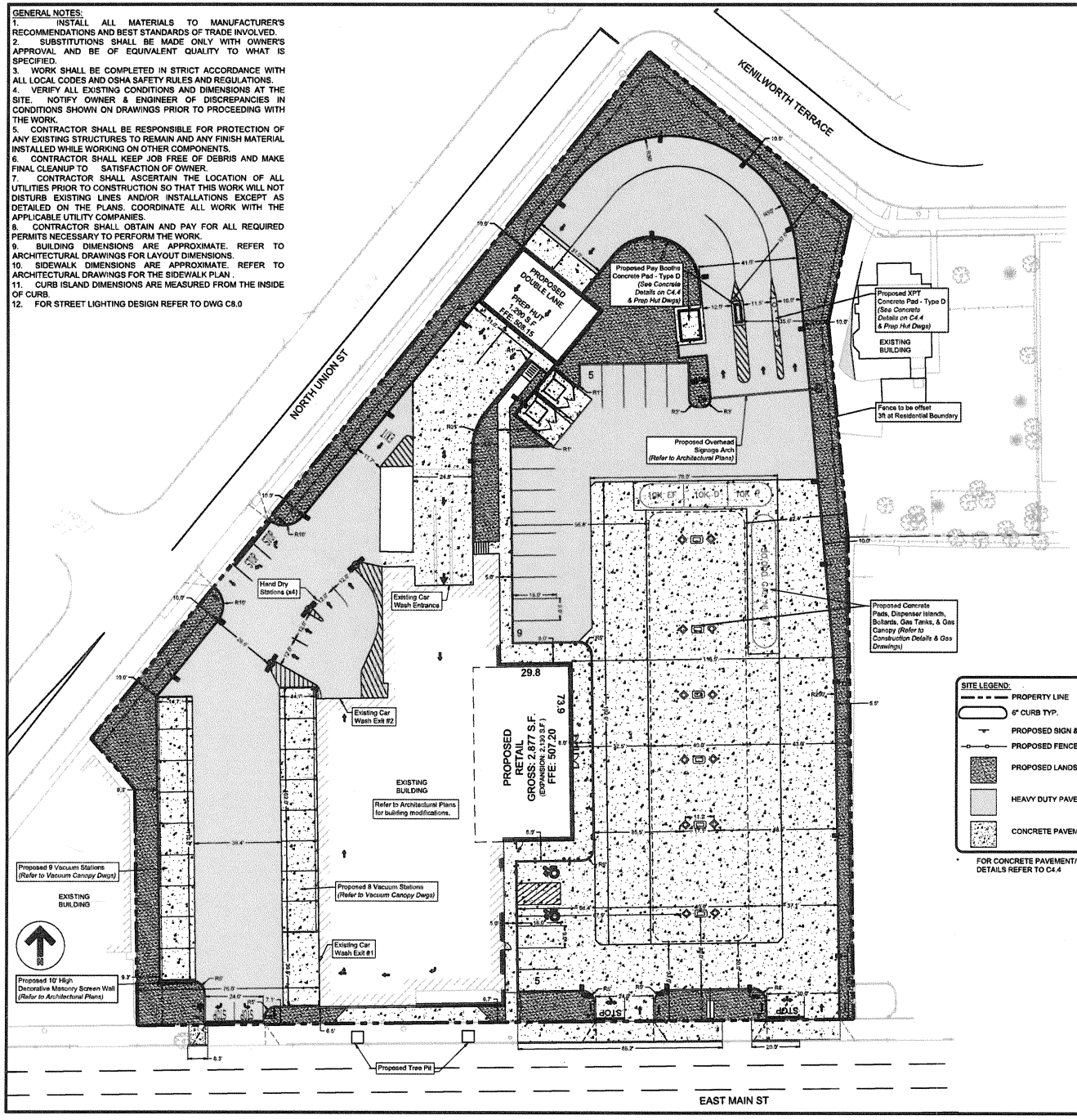

enterprise
rent-a-car

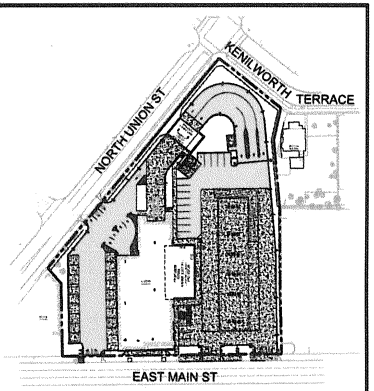
Exhibit H

SUNOCO
169
199

AutoZone
Auto Parts • Accessories • Advice

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 EXCEPT AS DETAILED ON THE PLANS. 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.
10. SIDEWALK DIMENSIONS ARE APPROXIMATE. REFER TO ARCHITECTURAL DRAWINGS FOR THE SIDEWALK PLAN .
11. CURB ISLAND DIMENSIONS ARE MEASURED FROM THE INSIDE OF CURB.
12. FOR STREET LIGHTING DESIGN REFER TO DWG C8.0





SITE PLAN 1:80

SITE LEGEND:
- PROPERTY LINE
- 6" CURB TYP.
- PROPOSED SIGN & POLE
- PROPOSED FENCE
- PROPOSED LANDSCAPE
- HEAVY DUTY PAVEMENT
- CONCRETE PAVEMENT/SIDEWALK

* FOR CONCRETE PAVEMENT/SIDEWALK DETAILS REFER TO C4.4

CITY OF ROCHESTER, NY ZONING ANALYSIS

	REQUIRED	EXISTING	PROVIDED
ZONED	MHURD - C2	CCD-M	MHURD - C2
SITE ACREAGE	-	2.04 Acres	2.04 Acres
MIN. LOT FRONTAGE	-	298.5'	298.5'
MIN. LOT AREA	-	88,895 ft²	88,895 ft²
MIN. PRINCIPLE BUILDING HEIGHT	20' / 2 Stories	-	40'
MAX. ACCESSORY BUILDING HEIGHT	25'	-	<25'
MAX. SQFT OF PRINCIPLE STRUCTURE	5,000 ft²	12,163 ft² + 1,686 ft²	14,647 ft²
MAX. SQFT OF ACCESSORY STRUCTURE	-	-	-
MAX. BUILDING COVERAGE	70%	-	18.07%
MAX. LOT COVERAGE	85%	-	88.1%
BUILDING SETBACKS:			
EAST MAIN STREET (FRONT)	≥ 0'	6.5'	6.5'
NORTH UNION STREET (FRONT)	≥ 0'	17.3'	10.0'
KENILWORTH TERRACE (FRONT)	≥ 0'	0.0'	57.0'
SIDE (RESIDENTIAL)	≥ 0'	6.2'	35.6'
SIDE EAST	≥ 0'	17.0'	115.5'
SIDE WEST	≥ 0'	76.0'	76.0'
PARKING / ROAD SETBACKS:			
EAST MAIN STREET (FRONT)	≥ 10'	6.7'	7.1'
NORTH UNION STREET (FRONT)	≥ 10'	0.9'	10.0'
KENILWORTH TERRACE (FRONT)	≥ 10'	5.9'	10.0'
SIDE (RESIDENTIAL)	≥ 10'	0.0'	10.0'
SIDE EAST	≥ 10'	2.4'	5.5'
SIDE WEST	≥ 10'	6.1'	9.3'

EXISTING PARKING ANAYLSIS

USE	CODE	REQUIRED	PROVIDED
RETAIL	*2 per 1000 ft²	1,629 sq.ft /1000 x 2 = 3 Spaces	8 SPACES
STALL SIZE		9'x18'	9'x18'

NB:
* Calculated using Net Floor Area

PROPOSED PARKING ANAYLSIS

USE	CODE	REQUIRED	PROVIDED
RETAIL	*2 per 1000 ft²	2,877 sq.ft /1000 x 2 = 3 Spaces	19 SPACES
STALL SIZE		9'x18'	9'x18'

NB:
* Calculated using Net Floor Area

SEAL

James A. Rumsey

Special Information:

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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: OVERALL SITE PLAN

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

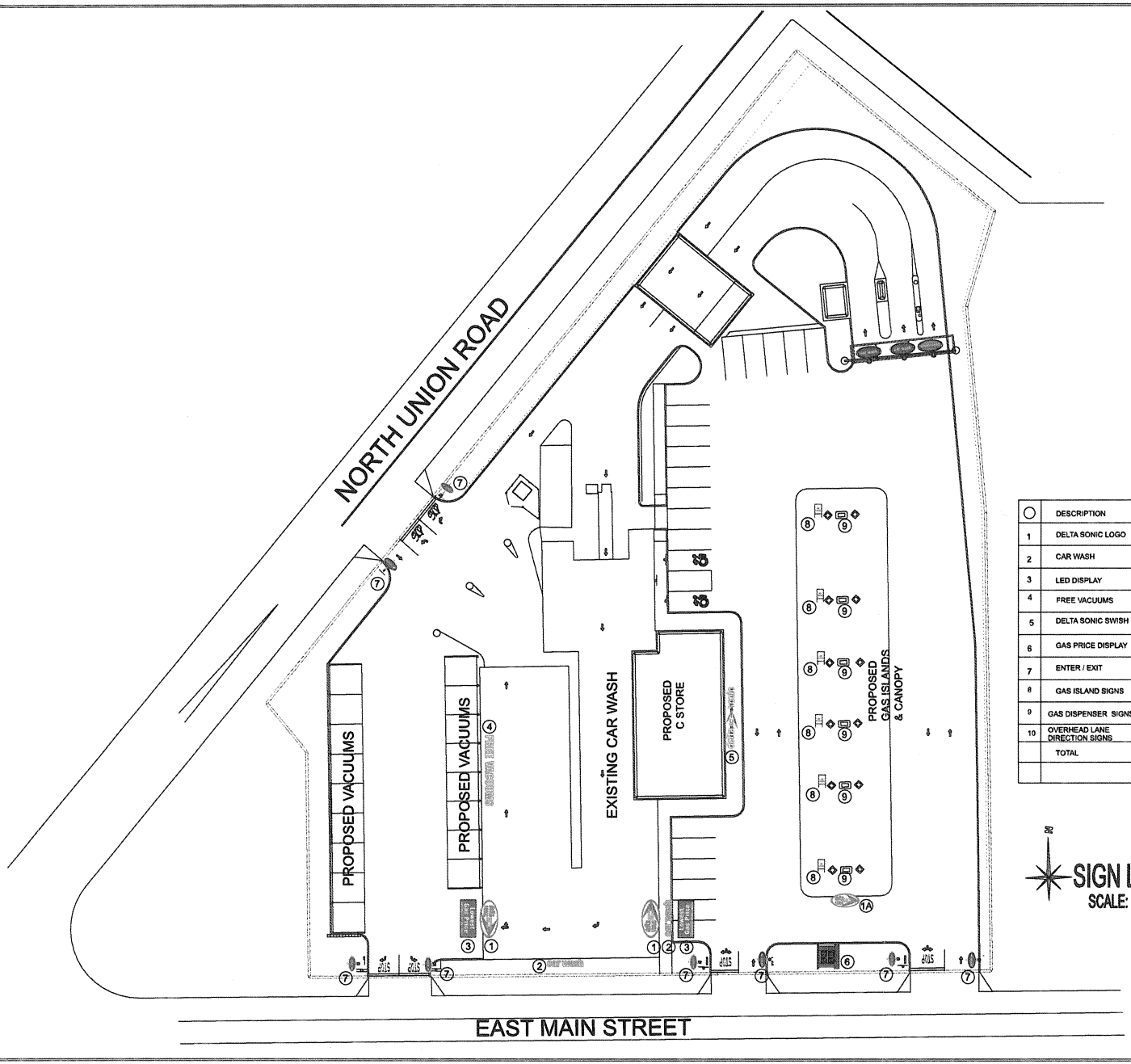
Scale: 1:20

Drawn By: JJB

Checked By: JAR

Date: 03.07.16

Drawing No.: CIVIL 4.0



SIGNAGE

	DESCRIPTION	QUANTITY	TYPE	SIZE	S.F.	TOTAL S.F.
1	DELTA SONIC LOGO	4	WALL	4'6" X 10'	45	180
2	CAR WASH	2	WALL	2'0" X 9'4.75"	19	38
3	LED DISPLAY	2	WALL	5'0" X 10'0"	50	100
4	FREE VACUUMS	1	WALL	1'6" X 16'6"	24.75	24.75
5	DELTA SONIC SWISH	1	WALL	1'6" X 12'7"	18.85	33
6	GAS PRICE DISPLAY	1	GROUND	5'4" X 4'0"	21	22.3
7	ENTER / EXIT	8	FREE STANDING	1'7" X 3'0"	4.75	36
8	GAS ISLAND SIGNS	6	FREE STANDING	2.25' X 3.5'	7.8	46.8
9	GAS DISPENSER SIGNS	6	ON GAS DISPENSER	1'2" X 2'8"	3.1	18.6
10	OVERHEAD LANE DIRECTION SIGNS	3	ON ARCH FRAME	1'6" X 5'0"	8	24
	TOTAL					
		34				525.45

SIGN LOCATION PLAN
SCALE: NTS

SEAL
JAMES A RUMSEY

NOTICE

1813

CD

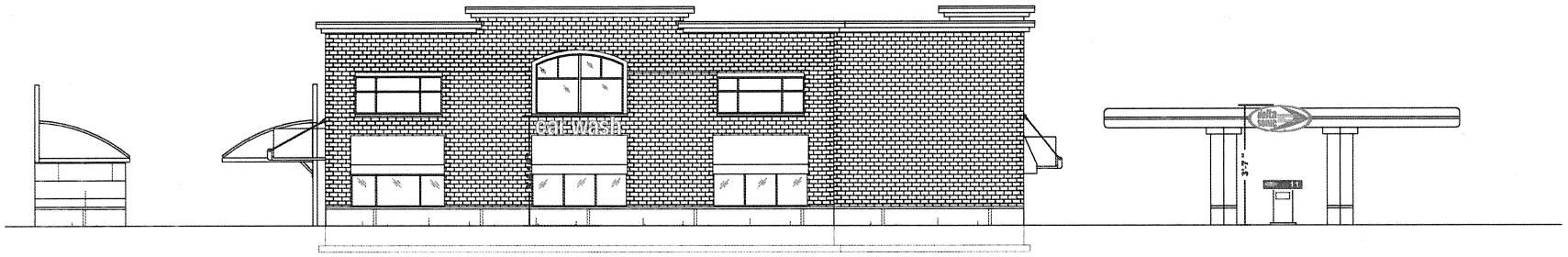
DELTA SONIC
718 EAST MAIN ST.
ROCHESTER, NEW YORK 14604

DELTA SONIC CAR WASH

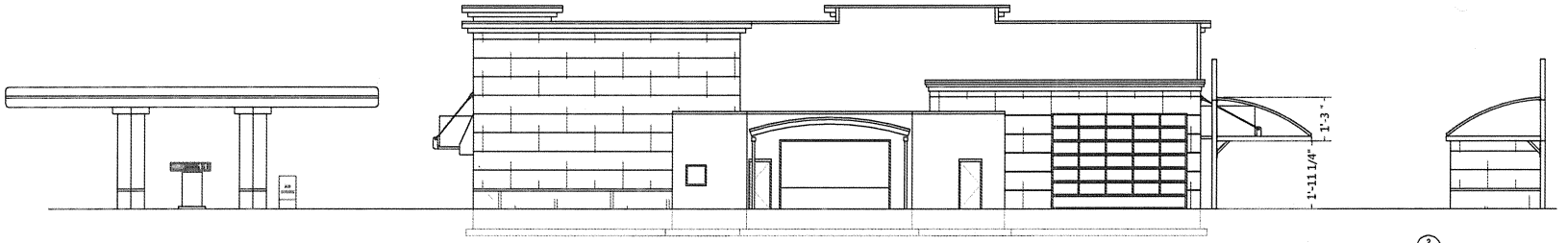
SIGNAGE SITE PLAN

BENDERSON DEVELOPMENT COMPANY, LLC

S1

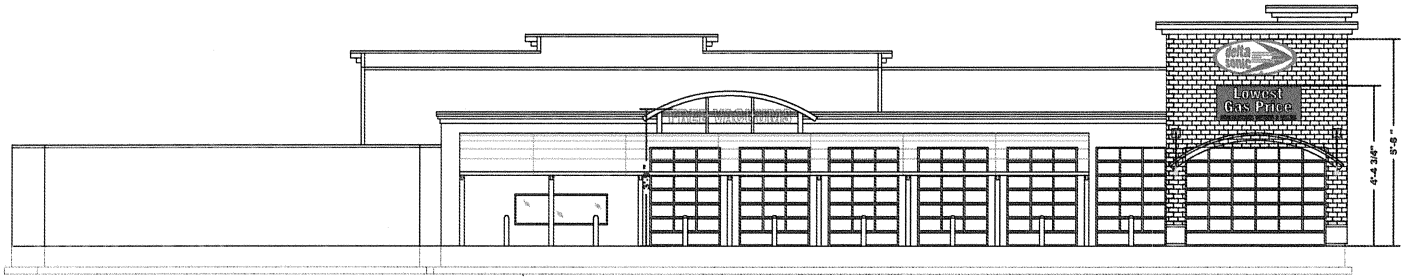


1 ALONG MAIN ST - SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

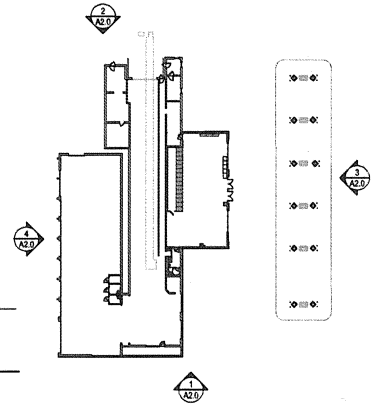


2 WASH ENTRANCE - NORTH ELEVATION
SCALE: 1/8" = 1'-0"

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



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



ELEVATION KEY
SCALE: NTS

NOTICE

SEAL
JAMES A RUMSEY

1813

CD

DELTA SONIC
718 EAST MAIN ST.
ROCHESTER, NEW YORK 14604

DELTA SONIC CAR WASH

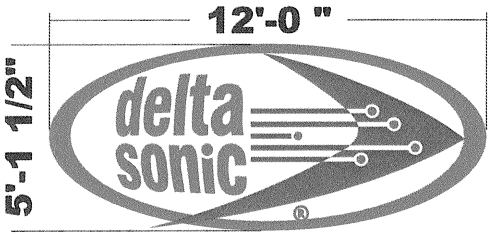
SIGNAGE ELEVATIONS

BENDERSON DEVELOPMENT COMPANY, LLC

MJG

JAR

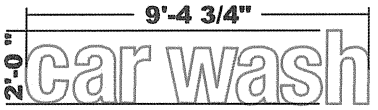
S3



1

SIDE VIEW LOGO

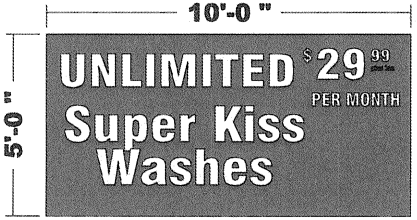
- 5" DEEP FABRICATED .063 ALUMINUM CABINET.
- SINGLE FACE
- SIDEWALLS AND TRIM PANTONE 186 C RED
- FACE TO BE CLEAR PANFORMED LEXAN (CONVEX PER DETAIL)
- GRAPHICS TO BE APPLIED SECOND SURFACE
- ARTWORK PROVIDED BY OWNER
- COPY TO BE INTERNALLY ILLUMINATED WITH WHITE LED LIGHTS TO FOLLOW THE - CONTOUR OF THE COPY. DENSELY POPULATED.
- 120 VOLTS.WITH EXTERNAL DISCONNECT
- UL APPROVED
-1 REQUIRED



2

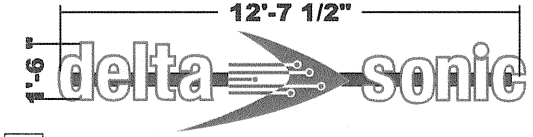
- 5" DEEP FABRICATED .063 ALUMINUM COPY.
-LETTERS TO BE .187 FLAT ACRYLIC, COLOR TO BE WHITE WITH RED SIDEWALLS TO MATCH PMS RED #186 WITH RED TRIM CAP.
5" RETURNS
COPY TO BE INTERNALLY ILLUMINATED WITH WHITE LED LIGHTS TO FOLLOW THE CONTOUR OF THE COPY. FONT TO BE HELVETICA BLACK
CHANNEL LETTERS TO BE MOUNTED ON TWO 3" ALUMN RACEWAY COLOR TO MATCH WALL BACKGROUND (REFER TO OWNER).
120 VOLT WITH DISCONNECT.
- UL labels req'd
-1 UNIT REQUIRED

1A



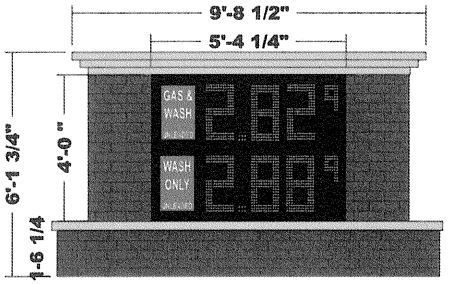
3

-7" DEEP .063 ALUMINUM CABINET
-WALL MOUNTED SINGLE FACE
-SIDEWALLS AND TRIM BLACK
-FULL COLOR 10 MM LED DISPLAY
-DISPLAY TO BE CONNECTED VIA FIBER OPTIC CABLING
-6500 NITS
- 120 VOLTS
- DISCONNECT SWITCH ON SIGN CABINET
- 2 REQUIRED



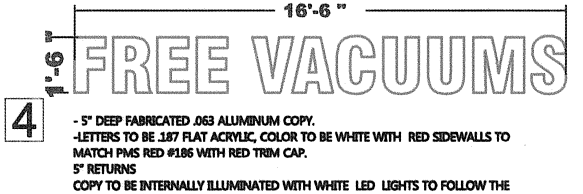
5

- 5" DEEP FABRICATED .063 ALUMINUM COPY.
-LETTERS TO BE .187 FLAT ACRYLIC, COLOR TO BE WHITE WITH RED SIDEWALLS TO MATCH PMS RED #186 WITH RED TRIM CAP.
5" RETURNS
COPY TO BE INTERNALLY ILLUMINATED WITH WHITE LED LIGHTS TO FOLLOW THE CONTOUR OF THE COPY. FONT TO BE HELVETICA BLACK
CHANNEL LETTERS TO BE MOUNTED ON TWO 3" ALUMN RACEWAY COLOR TO MATCH WALL BACKGROUND (REFER TO OWNER).
120 VOLT WITH DISCONNECT.
- UL labels req'd
-1 UNIT REQUIRED



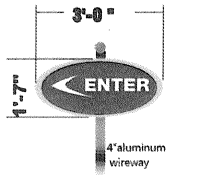
6

-2 SIDED SIGN CABINET
- 18" RED LED GAS PRICE DIGITS
- BRAND PANELS WHITE PLASTIC INTERNALLY ILLUMINATED WITH WHITE LED LIGHTS.
120 VOLTS
UL APPROVED
- BRICK STRUCTURE TO MATCH BUILDING
-3" PRECAST SILL
- TOP CAP .180 ALUMINUM



4

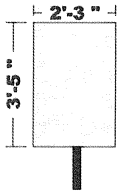
- 5" DEEP FABRICATED .063 ALUMINUM COPY.
-LETTERS TO BE .187 FLAT ACRYLIC, COLOR TO BE WHITE WITH RED SIDEWALLS TO MATCH PMS RED #186 WITH RED TRIM CAP.
5" RETURNS
COPY TO BE INTERNALLY ILLUMINATED WITH WHITE LED LIGHTS TO FOLLOW THE CONTOUR OF THE COPY. FONT TO BE HELVETICA BLACK
CHANNEL LETTERS TO BE MOUNTED ON TWO 3" ALUMN RACEWAY COLOR TO MATCH WALL BACKGROUND (REFER TO OWNER).
120 VOLT WITH DISCONNECT.
- UL labels req'd
-1 UNIT REQUIRED



DIRECTIONAL SIGNS

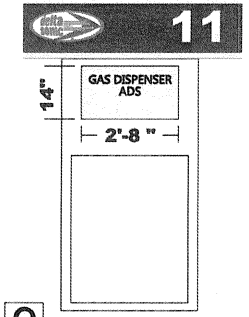
7

- 8" deep fabricated .063 alum. cabinet.
- Sidewalls and trim to match Brushed aluminum
- Face to be white Lexan, painted second surface Sapphire blue PMS #2747 C .
- Support post constructed of 3" x 1/4" brushed aluminum Tubing, bolted to concrete support footing (see detail).
- Graphics to be internally illuminated two sides with white led modules as req'd.
- UL labels req'd



GAS ISLAND SIGNS NON ILLUMINATED 6 REQUIRED

8



GAS DISPENSER AD SIGNS NON ILLUMINATED 6 signs

9

SIGNAGE

	DESCRIPTION	QUANTITY	TYPE	SIZE	S.F.	TOTAL S.F.
1	DELTA SONIC LOGO	4	WALL	4'6" X 10'	45	180
2	CAR WASH	2	WALL	2'0" X 9'4.75"	19	38
3	LED DISPLAY	2	WALL	5'0" X 10'0"	50	100
4	FREE VACUUMS	1	WALL	1'6" X 16'6"	24.75	24.75
5	DELTA SONIC SWISH	1	WALL	1'6" X 12'7"	18.85	33
6	GAS PRICE DISPLAY	1	GROUND	5'4" X 4'0"	21	22.3
7	ENTER / EXIT	8	FREE STANDING	1'7" X 3'0"	4.75	38
8	GAS ISLAND SIGNS	6	FREE STANDING	2.25' X 3.5'	7.8	46.8
9	GAS DISPENSER SIGNS	6	ON GAS DISPENSER	1'2" X 2'8"	3.1	18.6
10	OVERHEAD LANE DIRECTION SIGNS	3	ON ARCH FRAME	1'6" X 5'0"	8	24
	TOTAL					
		34				525.45

SEAL

JAMES A RUMSEY

NOTICE

1813

CD

DELTA SONIC
718 EAST MAIN ST.
ROCHESTER, NEW YORK 14604

DELTA SONIC CAR WASH

SIGNAGE DETAILS

BENDERSON DEVELOPMENT COMPANY, LLC

Drawn By: MJG

Checked By: JAR

Date:

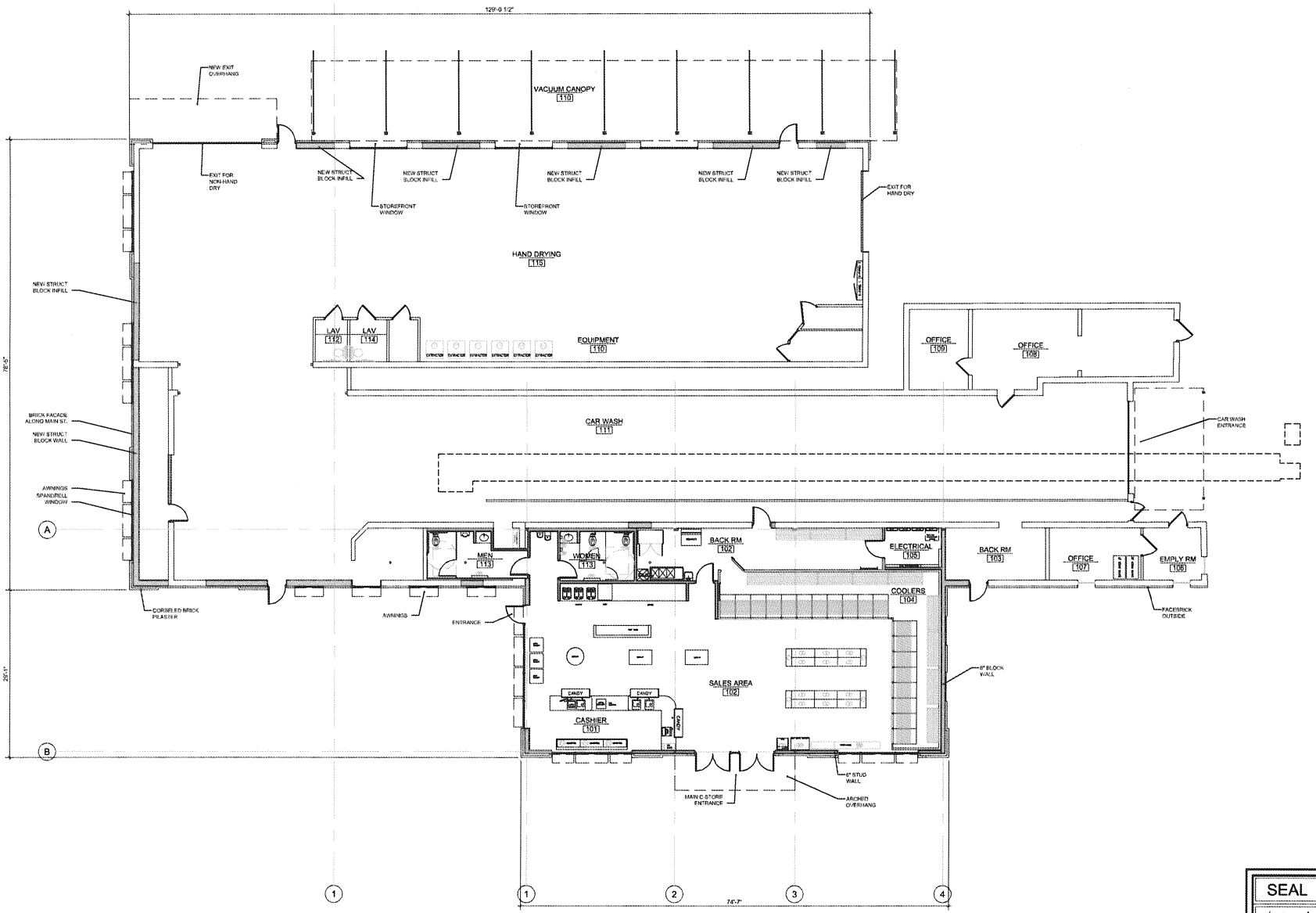
Drawing No: S4

table from pg. S4

-1 UNIT REQUIRED

SIGNAGE

○	DESCRIPTION	QUANTITY	TYPE	SIZE	S.F.
1	DELTA SONIC LOGO	4	WALL	4'6" X 10'	45
2	CAR WASH	2	WALL	2'0" X 9'4.75"	19
3	LED DISPLAY	2	WALL	5'0" X 10'0"	50
4	FREE VACUUMS	1	WALL	1'6" X 16'6"	24.75
5	DELTA SONIC SWISH	1	WALL	1'6" X 12'7"	18.85
6	GAS PRICE DISPLAY	1	GROUND	5'4" X 4'0"	21
7	ENTER / EXIT	8	FREE STANDING	1'7" X 3'0"	4.75
8	GAS ISLAND SIGNS	6	FREE STANDING	2.25' X 3.5'	7.8
9	GAS DISPENSER SIGNS	6	ON GAS DISPENSER	1'2" X 2'6"	3.1
10	OVERHEAD LANE DIRECTION SIGNS	3	ON ARCH FRAME	1'6" X 5'0"	8
	TOTAL				
		34			



2 FLOOR PLAN
SCALE: 1/8" = 1'-0"

NORTH

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

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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:
ARCHITECTURAL FLOOR PLAN

SEAL

James A. Rumsey
ARCHITECT

PRELIMINARY NOT FOR CONSTRUCTION

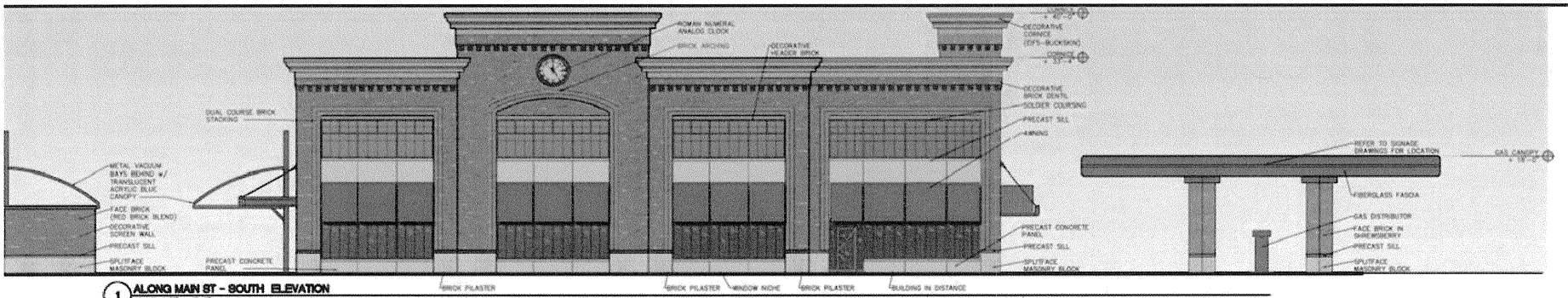
DELTA SONIC CAR WASH
570 Delaware Avenue
Buffalo, New York 14202
716.541.2100

Drawn By: CRW

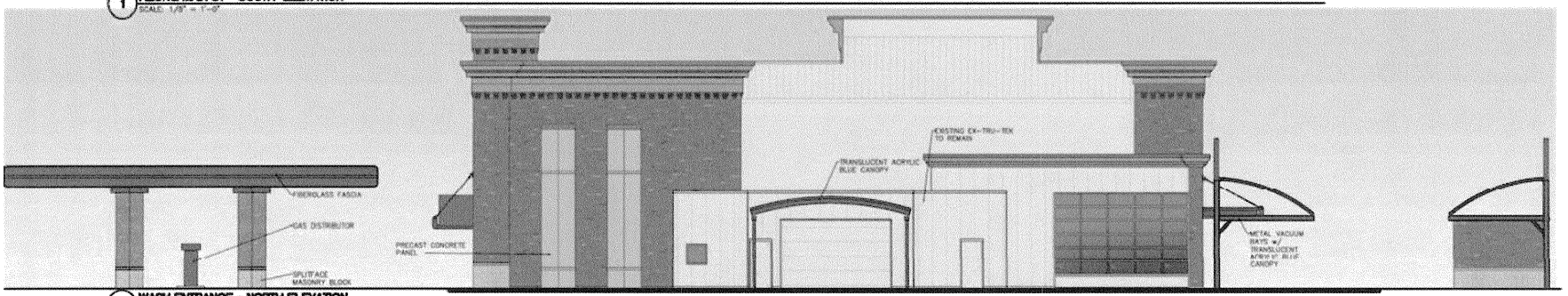
Checked By: JAR

Date: 12-14-15

Drawing No.: A1.0

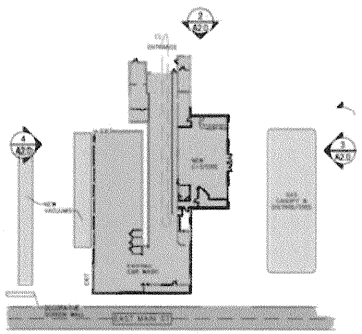


1 ALONG MAIN ST - SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

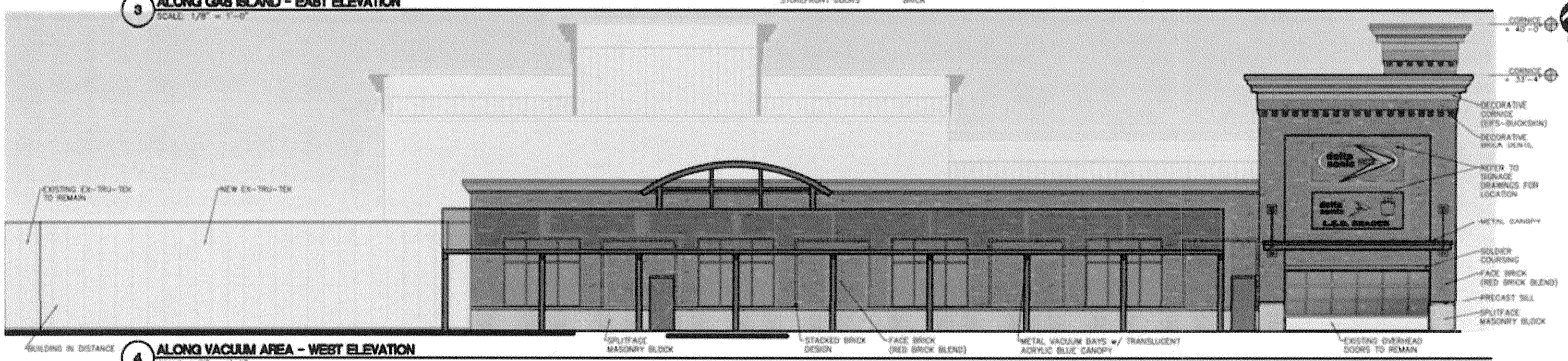


2 WASH ENTRANCE - NORTH ELEVATION
SCALE: 1/8" = 1'-0"

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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NOTICE

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Drawing Revisions:		
No.	DATE	REMARKS
1		

Property No: 1839

Area: -

Status: PROGR SET

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

Tenant: Delta Sonic Car Wash Site Improvements

Title: EXTERIOR ELEVATIO PROPOSED

DELTA SO CAR WASH
570 Delaware Avenue
Buffalo, New York 1420
716.541.2100

SEAL

James A. Rumsey
ARCHITECT

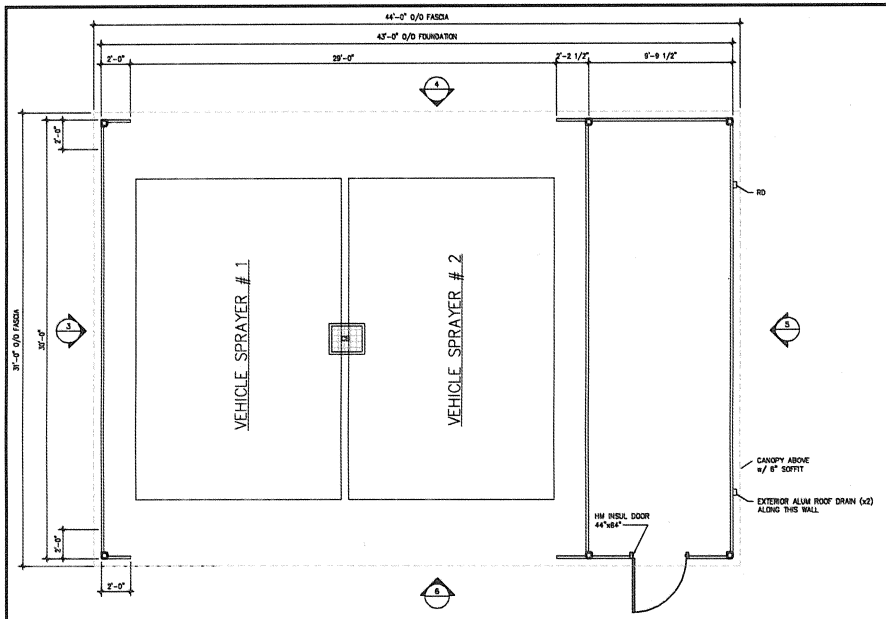
PRELIMINARY NOT FOR CONSTRUCTION

Drawn By: CRW

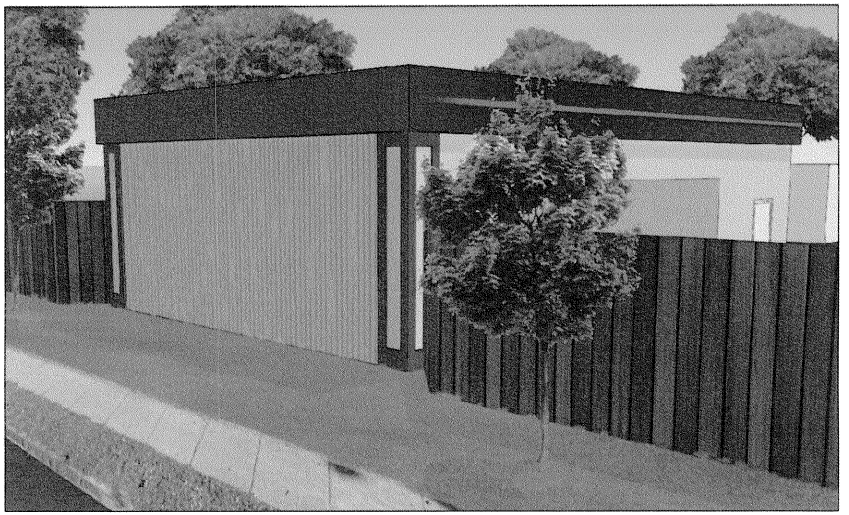
Checked By: JAR

Date: 12-14-15

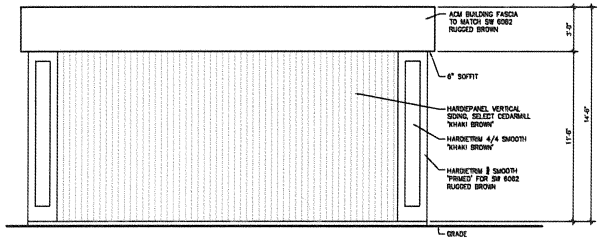
Drawing No: A2.



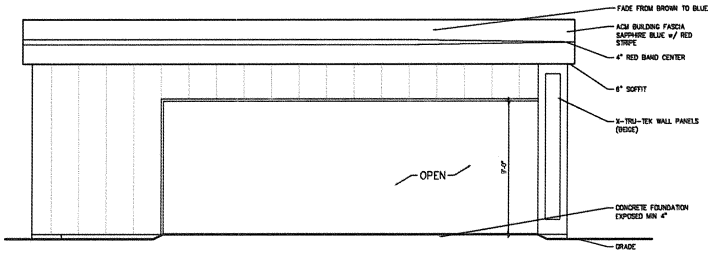
1 PLAN
SCALE: 1/4"=1'-0"



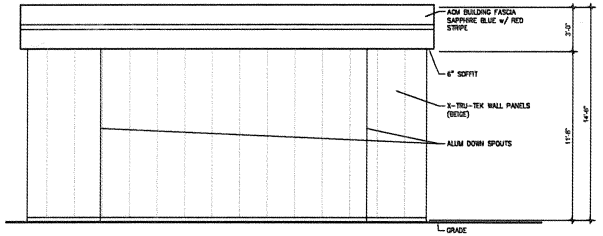
2 SOUTH WEST RENDERING
SCALE: NTS



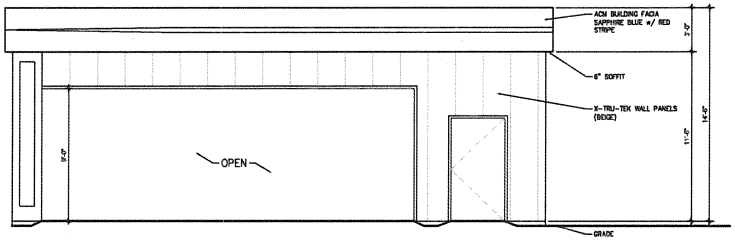
3 WEST ELEVATION
SCALE: 1/4"=1'-0"



4 NORTH ELEVATION
SCALE: 1/4"=1'-0"



5 EAST ELEVATION
SCALE: 1/4"=1'-0"



6 SOUTH ELEVATION
SCALE: 1/4"=1'-0"

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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: PREP-HUT PLAN

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. PH - 2.0