City of Rochester

Inter-Departmental Correspondence

Case #1
OMA-04-15-16

To: Zina Lagonegro, Director of Zoning

From: James R. McIntosh, P.E.

Date: May 10, 2016

Subject: Official Map Amendment Application Transmittal
OMA Application 16-04-101, Dewey Avenue and Driving Park Realignment

Address	Property Owner
380 Driving Park	Trieu Thanh
374-376 Driving Park	Scott Ruthven
373-375 Driving Park	Arc Prrcrny001 LLC
368-370 Driving Park	Joseph M. Dijune
354 Driving Park	9274 Group Inc.
343 Driving Park	Total Information, Inc.
321-331 Driving Park	321-331 Driving Park LLC
315 Driving Park	Hudson Driving Garson LLC
875 Dewey Avenue	9274 Group Inc.
877 Dewey Avenue	Isaac Benjamin
881 Dewey Avenue	Tip Top Properties LLC

The attached application for amendment of the Official Map of the City of Rochester has been filed per Section 76-4E of Chapter 76 of the City Code. I am transmitting it to you per Section 76-6B for processing by the Planning Commission.

It is anticipated that we will seek Council approval, for authorization by negotiation or condemnation, dedication of the subject parcels at their June 16, 2016 meeting.

If you have any questions related to this application, please contact Jeron Rogers at extension 7415.

James R. McIntosh, P.E.
City Engineer

xc: W. Van Dame
B.Curran/Law
J. Rogers
STD File

JRM/JR/xxx

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APPLICATION TO CITY COUNCIL FOR OFFICIAL MAP AMENDMENT

Right of Way Dedication or Abandonment

Permit Division, Department of Environmental Services
City Hall, Room 121-B, 30 Church Street, Rochester, NY 14614

__Abandonment

_X_ Dedication

INSTRUCTIONS TO APPLICANT

_ 1. Complete this application form.
_ 2. Prepare an 8-1/2" x 11" map, per attached instructions, showing clearly the proposed change(s) in the Official Map.
_ 3. Prepare a metes and bounds (legal) property description of the proposed map change area(s).
_ 4. In the case of a Right of Way (ROW) Abandonment, obtain a petition in support of the proposed changes signed by all of the owners of the properties adjacent to the area to be abandoned. Obtain ownership information from the City Assessor's Office, Room 101-A City Hall
_ 5. _X_ If checked here, complete a City of Rochester "Short Environmental Assessment Form, Part I."
6. Attach the following to the application package:
_ a. The 8 1/2" x 11" map showing clearly the proposed change(s) in the Official Map;
_ b. The metes and bounds (legal) description of the proposed map change area(s);
_ c. For ROW Abandonments, the petition signed by all of the adjacent property owners.
_ d. A completed City of Rochester "Short Environmental Assessment Form, Part I," if required in 5, above.
_ 7. Sign the application.
_ 8. Submit two copies of this application and all attachments to the Department of Environmental Services Permit Office at the above address. Keep an additional copy for your records. You must pay a nonrefundable filing and processing fee: $500.00 for ROW Dedication applications; $600.00 for Street ROW Abandonments (a partial payment of the Abandonment application fee may be arranged with DES Permits; full payment must be received, however, before the application is submitted to the Director of Zoning)
9. The Bureau of Planning and Zoning will notify you of the time and place of the informational meeting before City Planning Commission and of the public hearing before City Council.

FOR OFFICE USE ONLY

OMA Application #: **16-04-101**

Date Filed: **05-10-16**

Fee: Abandonment $600 Paid: __$200 partial ___/___/___
__ $400 balance ___/___/___
__ $600 total ___/___/___

Dedication $500 Paid: **N/A** $500 total ___/___/___

Abandonments -- Zoning Approval Required:

__ Site Plan __ Subdivision

Application Filed ___/___/___

__ Neither: Submit EAF Part I with OMA Application (Check blank in line 5)

Ss for Zoning _____ __/__/__

The applicant below hereby applies to the City Council for an amendment to the Official Map of the City of Rochester as described below:

1. Location: (Street address(es) or legal description) 380, 374-376, 373-375, 368-370, 354,343, 321-331, 315, Driving Park 875, 877, 881 Dewey Ave
2. Present official map designation: Private Parcels
3. Proposed use of affected property or right of way: Dedicate affected property for Right of way purposes.
4. Reason for change to official map: (why is this change necessary?) For the realignment of Dewey Avenue and Driving Park

5. Current Owner: See Attached _____ or ___ City of Rochester

Address: As Indicated Above _____ Zip Code _____ Phone _____

6. Applicant: Jeron Rogers P.E. / Manager of Special Projects _____

Address: 30 Church Street Rm 300B _____ Zip Code 14614 _____ Phone 428-7415 _____

Interest in property: Owner _____ Lessee _____ Holding Option _____

Other (explain): DES/A&E Street Design federally funded Street improvements Dewey Avenue and Driving Park Realignment Project

7. Attorney (if filing on behalf of owner or applicant): N/A _____

Firm: N/A _____

Address: _____ Zip Code _____ Phone _____

8. Interest: Does any officer or employee of the State of New York, County of Monroe or City of Rochester have any interest in the owner, applicant, or the affected property?

Yes _____ If yes, who? Name: _____

No N/A ___ Address: _____

Interest: (explain) _____

9. Other applications: what other applications relating to the Zoning Ordinance, Land Subdivision Regulations, or State Uniform Fire Prevention and Building Code or Chapter 104 of the City Code have been or will be filed?

NA _____

_____

_____

I/We certify that the information supplied on this form is complete and accurate.

Applicant: Jeron Rogers _____ Date: 5-10-16

Owner: _____ Date: _____

City of Rochester

Inter-Departmental Correspondence

To: Jill Wiedrick, Planning & Zoning

From: Jeron Rogers, P.E., Manager of Special Projects

Date: May 10, 2016

Subject: OMA Application 16-04-101 Dewey Avenue and Driving Park Realignment Dedication of Right-of-Way

Architecture and Engineering Services, Street Design Division requests the following parcels to be acquired by permanent easement and dedicated as additional right of way for street improvement purposes as part of the Dewey Avenue and Driving Park Realignment Project:

Address	Property Owner
380 Driving Park	Trieu Thanh
374-376 Driving Park	Scott Ruthven
373-375 Driving Park	Arc Prrcrny001 LLC
368-370 Driving Park	Joseph M. Dijune
354 Driving Park	9274 Group Inc.
343 Driving Park	Total Information, Inc.
321-331 Driving Park	321-331 Driving Park LLC
315 Driving Park	Hudson Driving Garson LLC
875 Dewey Avenue	9274 Group Inc.
877 Dewey Avenue	Isaac Benjamin
881 Dewey Avenue	Tip Top Properties LLC

The Street Design Division requests the approval from the Planning Commission at their May 11, 2016 public hearing to proceed with submitting the Official Map Amendment to City Council for approval at their June 16, 2016 meeting.

JR/xxx

xc: L. Nobles/DES/A&E; J. Quakenbush/Permits; W. VanDame/Permits; B. Curran/Law; file

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CITY OF ROCHESTER
ACQUISITION MAP

CITY OF ROCHESTER
DEWEY AVENUE AND DRIVING PARK
AVENUE INTERSECTION REALIGNMENT

PIN 4755.55

MAP NO. 1
PARCEL NOS. 1,2,3 & 4
SHEET 1 OF 4 SHEETS

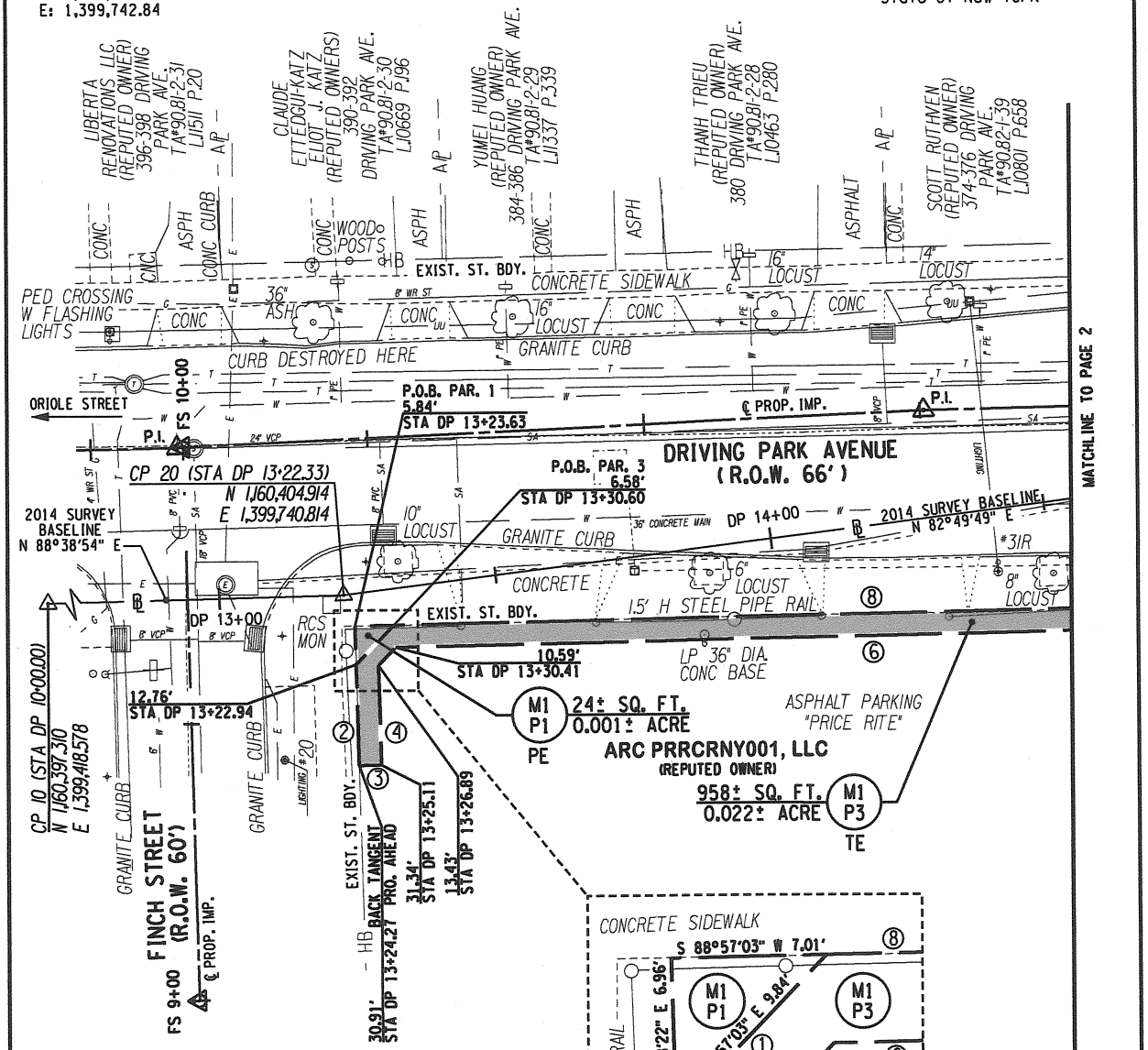
MAP REFERENCE INFORMATION:
Rochester City Survey
District 11 Map 17

Statement of Title prepared by R.K. Hite & Co., Inc. provided on April 28, 2016

Parcel Locator Point:
Parcel No: 1
N: 1,160,399.28
E: 1,399,742.84

ARC PRRCRNY001, LLC
(REPUTED OWNER)
CCD L. 11179 P. 61

PARCEL SUMMARY:
Parcel 1 Permanent Easement
Parcel 2 Permanent Easement
Parcel 3 Temporary Easement
Parcel 4 Temporary Easement
373-375 Driving Park Ave.
Portion of 2013 Tax Map
Ref. No. 090.82-1-35.001
City of Rochester
County of Monroe
State of New York



PARCEL NO. 3		
NO.	BEARING	DIST FT
1	S 43°57'03" W	9.84'
2	S 01°28'22" E	18.28'
3	N 88°31'38" E	4.00'
4	N 01°28'22" W	18.01'
5	N 43°57'03" E	4.52'
6	N 88°57'03" E	221.42'
7	N 71°14'36" W	11.81'
8	S 88°57'03" W	210.56'

Notes:

1. All units of measurement shown hereon are in U.S. Survey Feet unless otherwise specified.
2. Utilities shown are placed from field located evidence and record plan information to ASCE Level C.

PREPARED BY DOROTHY CAINE CHECKED BY SEAN BALDWIN FINAL CHECK BY MICHAEL BOGARDUS, L.S.

CITY OF ROCHESTER
ACQUISITION MAP

CITY OF ROCHESTER
DEWEY AVENUE AND DRIVING PARK
AVENUE INTERSECTION REALIGNMENT

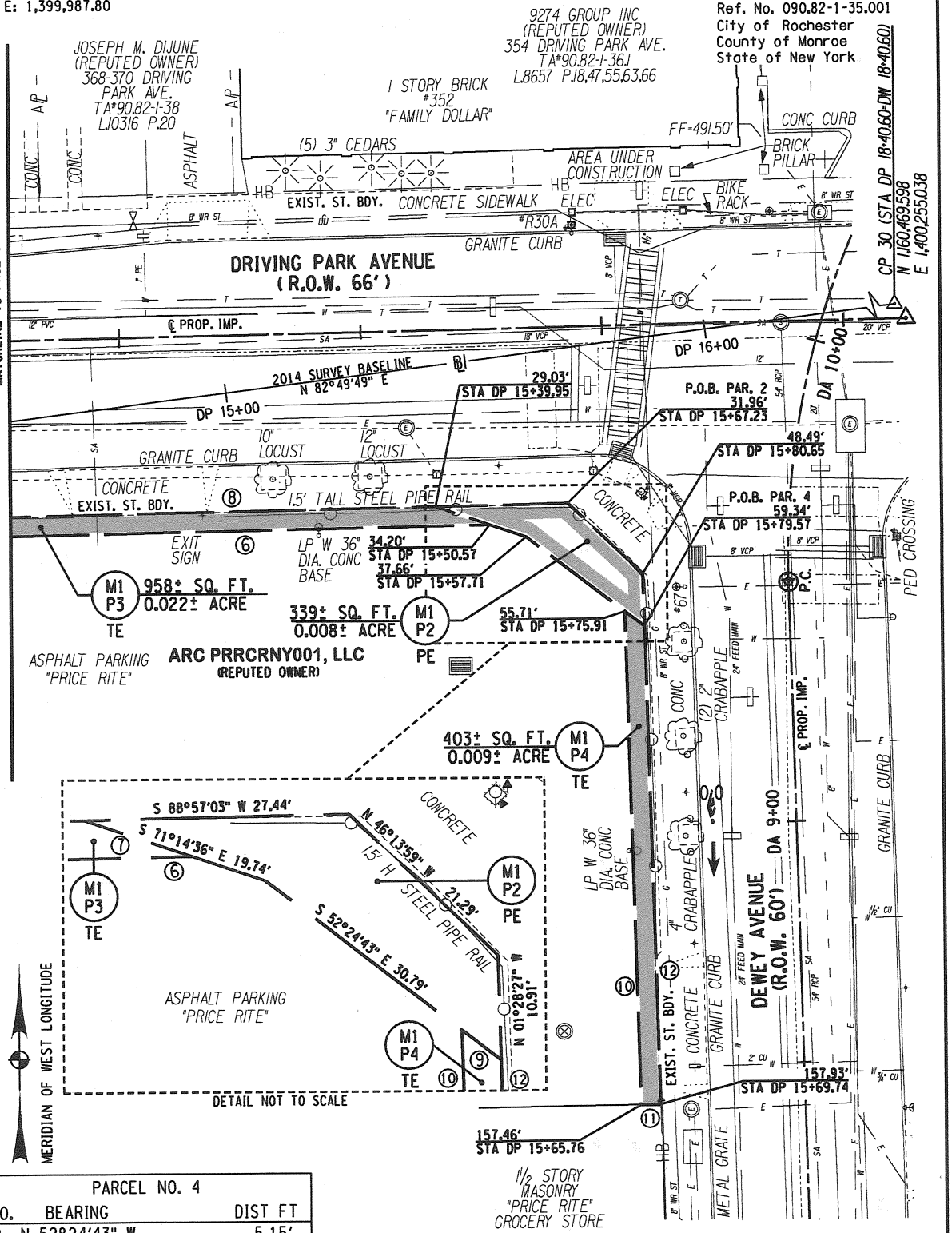
PIN 4755.55

MAP NO. 1
PARCEL NOS. 1,2,3 & 4
SHEET 2 OF 4 SHEETS

ARC PRRCRNY001, LLC
(REPUTED OWNER)
CCD L. 11179 P. 61

PARCEL SUMMARY:
Parcel 1 Permanent Easement
Parcel 2 Permanent Easement
Parcel 3 Temporary Easement
Parcel 4 Temporary Easement
373-375 Driving Park Ave.
Portion of 2013 Tax Map
Ref. No. 090.82-1-35.001
City of Rochester
County of Monroe
State of New York

Parcel Locator Point:
Parcel No: 2
N: 1,160,403.77
E: 1,399,987.80



PARCEL NO. 4		
NO.	BEARING	DIST FT
9	N 52°24'43" W	5.15'
10	S 01°28'27" E	102.25'
11	N 89°26'21" E	4.00'
12	N 01°28'27" W	99.07'

PREPARED BY DOROTHY CAINE CHECKED BY SEAN BALDWIN FINAL CHECK BY MICHAEL BOGARDUS, L.S.

ARC PRRCRNY001, LLC
(REPUTED OWNER)
CCD L. 11179 P. 61

PARCEL NO. 1

PERMANENT EASEMENT FOR HIGHWAY PURPOSES

A permanent easement to be exercised in, on and over the property above delineated for the purpose of constructing, reconstructing and maintaining thereon a City Street together with such sidewalks, drainage structures and facilities in connection therewith as may be deemed necessary by the City of Rochester in and to all that piece or parcel of property designated as Parcel No. 1, located in the City of Rochester, County of Monroe and State of New York, as shown on the accompanying map and described as follows:

Beginning at the point of intersection of the southerly City Street Boundary of Driving Park Avenue and the easterly City Street Boundary of Finch Street, said point having the NYS Plane Coordinates of N:1,160,399.28 and E:1,399,742.84 and being 5.84 feet right of and at right angles to Station DP 13+23.63 of the hereinafter described 2014 Survey Baseline; thence S 01°28'22" E along said easterly City Street Boundary a distance of 6.96 feet to a point, said point being 12.76 feet right of and at right angles to Station DP 13+22.94 of said Baseline; thence N 43°57'03" E, through the lands now or formerly owned by ARC PRRCRNY001, LLC a distance of 9.84 feet to a point on the southerly City Street Boundary of Driving Park Avenue, said point being 6.58 feet right of and at right angles to Station DP 13+30.60 of said Baseline; thence S 88°57'03" W, along said southerly City Street Boundary a distance of 7.01 feet to the POINT OF BEGINNING.

The above described parcel contains 24± sq. ft. or 0.001± acre.

The above mentioned survey baseline is a portion of the 2014 Survey Baseline for the reconstruction of a portion of Dewey Avenue as shown on a map and plan on file in the City of Rochester Department of Environmental Services and described as follows:

Beginning at Station DP 10+00.00; thence N 88°38'54" E to Station DP 13+22.33, thence N 82°49'49" E to Station DP 18+40.60; thence N 89°15'56" E to Station DP 23+14.69.

All bearings refer to True North at the 78°-35' Meridian of West Longitude.

RESERVING, however to the owner of any right, title or interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction or reconstruction and as so constructed or reconstructed, the maintenance, of the herein identified project.

PARCEL NO. 2

PERMANENT EASEMENT FOR HIGHWAY PURPOSES

A permanent easement to be exercised in, on and over the property above delineated for the purpose of constructing, reconstructing and maintaining thereon a City Street together with such sidewalks, drainage structures and facilities in connection therewith as may be deemed necessary by the City of Rochester in and to all that piece or parcel of property designated as Parcel No. 2, located in the City of Rochester, County of Monroe and State of New York, as shown on the accompanying map and described as follows:

Beginning at the point of intersection of the southerly City Street Boundary of Driving Park Avenue and the westerly City Street Boundary of Dewey Avenue, said point having the NYS Plane Coordinates of N:1,160,403.77 and E:1,399,987.80 and being 31.96 feet right of and at right angles to Station DP 15+67.23 of the hereinafter described 2014 Survey Baseline; thence S 88°57'03" W along said southerly City Street Boundary a distance of 27.44 feet to a point, said point being 29.03 feet right of and at right angles to Station DP 15+39.95 of said Baseline; thence S 71°14'36" E, through the lands now or formerly owned by ARC PRRCRNY001, LLC a distance of 19.74 feet to a point, said point being 37.66 feet right of and at right angles to Station DP 15+57.71 of said Baseline; thence continuing though said lands S 52°24'43" E, a distance of 30.79 feet to a point on the westerly City Street Boundary of Dewey Avenue, said point being 59.34 feet right of and at right angles to Station DP 15+79.57 of said Baseline; thence N 01°28'27" W, along said westerly City Street Boundary a distance of 10.91 feet to a point, said point being 48.49 feet right of and at right angles to Station DP 15+80.65 of said Baseline; thence N 46°13'59" W, continuing along said westerly City Street Boundary a distance of 21.29 feet to the POINT OF BEGINNING.

The above described parcel contains 339± sq. ft. or 0.008± acre.

The above mentioned survey baseline is a portion of the 2014 Survey Baseline for the reconstruction of a portion of Dewey Avenue as shown on a map and plan on file in the City of Rochester Department of Enviromental Services and described as follows:

Beginning at Station DP 10+00.00; thence N 88°38'54" E to Station DP 13+22.33, thence N 82°49'49" E to Station DP 18+40.60; thence N 89°15'56" E to Station DP 23+14.69.

All bearings refer to True North at the 78°-35' Meridian of West Longitude.

RESERVING, however to the owner of any right, title or interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction or reconstruction and as so constructed or reconstructed, the maintenance, of the herein identified project.

CITY OF ROCHESTER
DEWEY AVENUE AND DRIVING PARK
AVENUE INTERSECTION REALIGNMENT

CITY OF ROCHESTER
ACQUISITION MAP

PIN 4755.55

MAP NO. 1
PARCEL NOS. 1,2,3 & 4
SHEET 4 OF 4 SHEETS

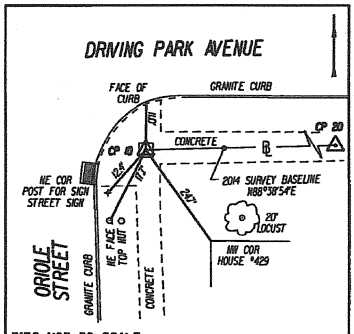
ARC PRRCRNY001, LLC
(REPUTED OWNER)
CCD L. 11179 P. 61

PARCEL NOS. 3 & 4

TEMPORARY EASEMENTS FOR WORK AREA

A temporary easement to be exercised in, on and over the property delineated as Parcel Nos. 3 and 4 for the purpose of work areas in connection with the construction or reconstruction of the highway and appurtenances for use and exercisable during the construction or reconstruction of the highway and terminating upon the approval of the completed work, unless sooner terminated if deemed no longer necessary for highway purposes and released by the City of Rochester or other authorized representative acting for the People of the City of Rochester, or its assigns. Such easement shall be exercised in and to all those pieces or parcels of property designated as Parcel Nos. 3 and 4 located in the City of Rochester, County of Monroe and State of New York, as shown on the accompanying map.

RESERVING, however, to the owner of any right, title or interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for the construction or reconstruction of the herein identified project.



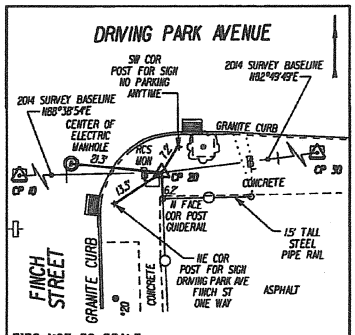
TIES NOT TO SCALE

R.E.L.S. CP 10 STA. DP 10+00.00

R.E.L.S. CP 10 IS AN EXISTING MEDINA STONE R.C.S. MONUMENT WITH DRILL HOLE LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF ORIOLE STREET WITH DRIVING PARK AVENUE.

HORIZONTAL DATUM: CITY OF ROCHESTER

NORTHING 1,160,397.311
EASTING 1,399,418.578



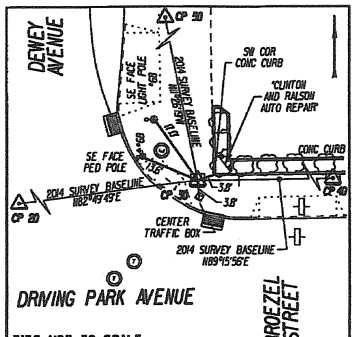
TIES NOT TO SCALE

R.E.L.S. CP 20 STA. DP 13+22.33

R.E.L.S. CP 20 IS A MAG NAIL SET IN CONCRETE SIDEWALK LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF FINCH STREET WITH DRIVING PARK AVENUE, AND APPROX. 9.0' SOUTH OF FACE OF GRANITE CURB.

HORIZONTAL DATUM: CITY OF ROCHESTER

NORTHING 1,160,404.914
EASTING 1,399,740.814



TIES NOT TO SCALE

R.E.L.S. CP 30 STA. DP 18+40.60/ DW 18+40.60

R.E.L.S. CP 30 IS AN EXISTING GRANITE R.C.S. MONUMENT WITH DRILLHOLE LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF DEWEY AVENUE NORTH WITH DRIVING PARK AVENUE.

HORIZONTAL DATUM: CITY OF ROCHESTER

NORTHING 1,160,469.598
EASTING 1,400,255.038

"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map was prepared in accordance with current City of Rochester policies, standards and procedures.

Date MAY 9 2016

Michael C. Bogardus, L.S.
Land Surveyor
P.L.S. License No. 050414

PREPARED BY DOROTHY CARIE CHECKED BY SEAN BALDWIN FINAL CHECK BY MICHAEL BOGARDUS, L.S.

CITY OF ROCHESTER
ACQUISITION MAP

CITY OF ROCHESTER
DEWEY AVENUE AND DRIVING PARK
AVENUE INTERSECTION REALIGNMENT

PIN 4755.55

MAP NO. 2
PARCEL NOS. 5 & 6
SHEET 1 OF 3 SHEETS

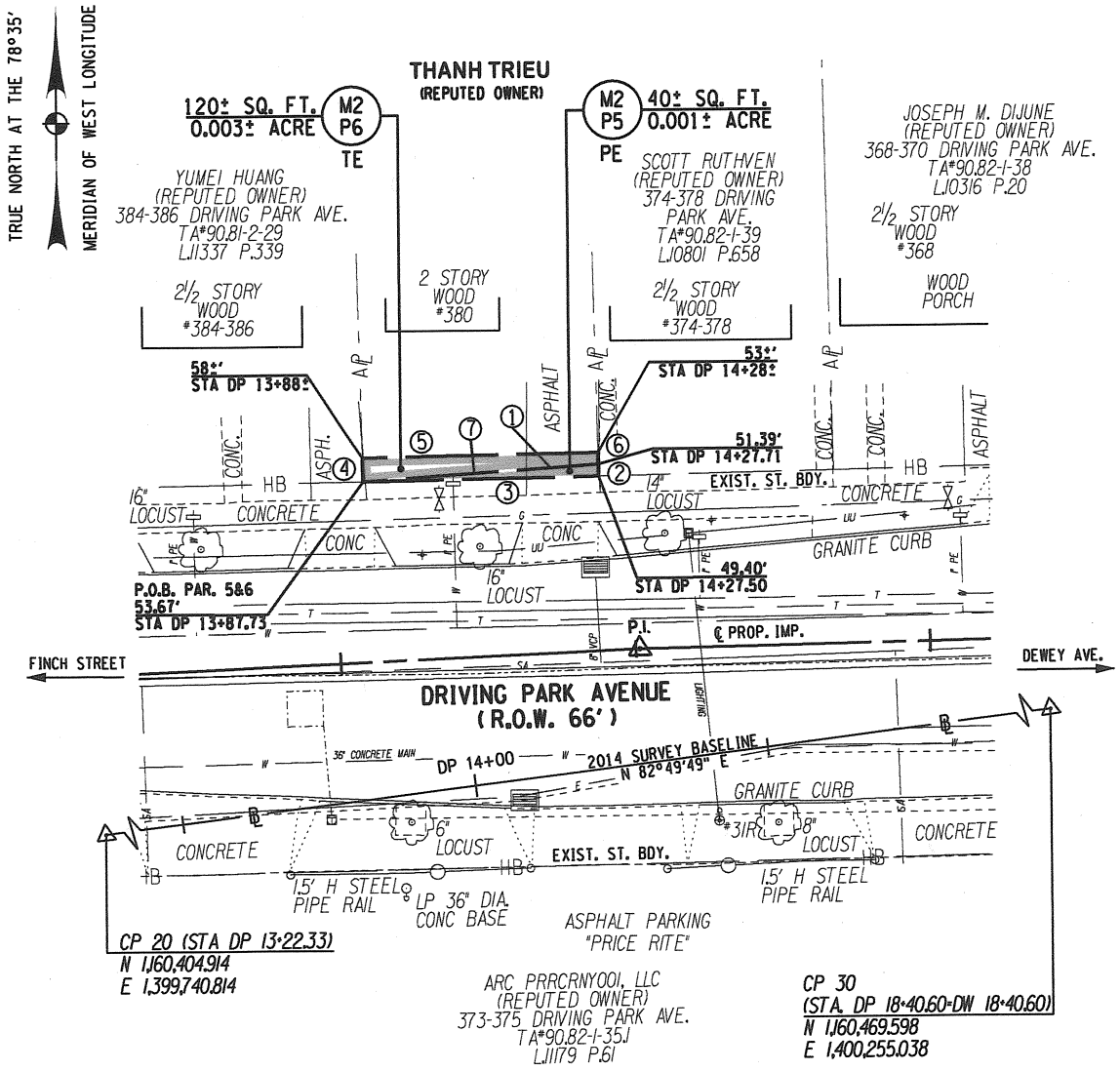
MAP REFERENCE INFORMATION:
Rochester City Survey
District 11 Map 17

Statement of Title
prepared by R.K. Hite & Co.,
Inc. provided on April 28, 2016

Parcel Locator Point:
Parcel No: 5
N: 1,160,466.32
E: 1,399,799.01

THANH TRIEU
(REPUTED OWNER)
CCD L. 10463 P. 280

PARCEL SUMMARY:
Parcel 5 Permanent Easement
Parcel 6 Temporary Easement
380 Driving Park Ave.
Portion of 2013 Tax Map
Ref. No. #090.81-2-28
City of Rochester
County of Monroe
State of New York



PARCEL NO. 5		
NO.	BEARING	DIST FT
1	N 86°05'17" E	40.04'
2	S 01°12'17" E	2.00'
3	S 88°57'03" W	40.00'

PARCEL NO. 6		
NO.	BEARING	DIST FT
4	----------	4±'
5	N 88°57'03" E	40±'
6	----------	2±'
7	S 86°05'17" W	40.04'

Notes:

1. All units of measurement shown hereon are in U.S. Survey Feet unless otherwise specified.
2. Utilities shown are placed from field located evidence and record plan information to ASCE Level C.

10 0 10 20 30 40'
1" = 20'

PREPARED BY DOROTHY CAINE CHECKED BY SEAN BALDWIN FINAL CHECK BY MICHAEL BOGARDUS, L.S.

THANH TRIEU
(REPUTED OWNER)
CCD L. 10463 P. 280

PARCEL NO. 5

PERMANENT EASEMENT FOR HIGHWAY PURPOSES

A permanent easement to be exercised in, on and over the property above delineated for the purpose of constructing, reconstructing and maintaining thereon a City Street together with such sidewalks, drainage structures and facilities in connection therewith as may be deemed necessary by the City of Rochester in and to all that piece or parcel of property designated as Parcel No. 5, located in the City of Rochester, County of Monroe and State of New York, as shown on the accompanying map and described as follows:

Beginning at the point of intersection of the northerly City Street Boundary of Driving Park Avenue and the division line of lands now or formerly owned by Thanh Trieu to the east, and the lands now or formerly owned by Yumei Huang to the west, said point having the NYS Plane Coordinates of N:1,160,466.32 and E:1,399,799.01, and being 53.67 feet left of and at right angles to Station DP 13+87.73 of the hereinafter described 2014 Survey Baseline; thence N 86°05'17" E through said lands of Thanh Trieu a distance of 40.04 to a point on the division line between the property of Thanh Trieu on the west and Scott Ruthven on the east, said point being 51.39 feet left of and at right angles to Station DP 14+27.71 of said Baseline; thence S 01°12'17" E along said division line a distance of 2.00 feet to a point on the northerly City Street Boundary of Driving Park Avenue, said point being 49.40 feet left of and at right angles to Station DP 14+27.50 of said Baseline; thence S 88°57'03" W along said northerly City Street Boundary a distance of 40.00 feet to the POINT OF BEGINNING.

The above described parcel contains 40± sq. ft. or 0.001± acre.

The above mentioned survey baseline is a portion of the 2014 Survey Baseline for the reconstruction of a portion of Dewey Avenue as shown on a map and plan on file in the City of Department of Environmental Services and described as follows:

Beginning at Station DP 10+00.00; thence N 88°38'54" E to Station DP 13+22.33, thence N 82°49'49" E to Station DP 18+40.60; thence N 89°15'56" E to Station DP 23+14.69.

All bearings refer to True North at the 78°-35' Meridian of West Longitude.

RESERVING, however to the owner of any right, title or interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction or reconstruction and as so constructed or reconstructed, the maintenance, of the herein identified project.

PARCEL NO. 6

TEMPORARY EASEMENT FOR WORK AREA

A temporary easement to be exercised in, on and over the property delineated as Parcel No. 6 for the purpose of work areas in connection with the construction or reconstruction of the highway and appurtenances for use and exercisable during the construction or reconstruction of the highway and terminating upon the approval of the completed work, unless sooner terminated if deemed no longer necessary for highway purposes and released by the City of Rochester or other authorized representative acting for the People of the City of Rochester, or its assigns. Such easement shall be exercised in and to all that piece or parcel of property designated as Parcel No. 6, located in the City of Rochester, County of Monroe and State of New York, as shown on the accompanying map.

RESERVING, however, to the owner of any right, title or interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for the construction or reconstruction of the herein identified project.

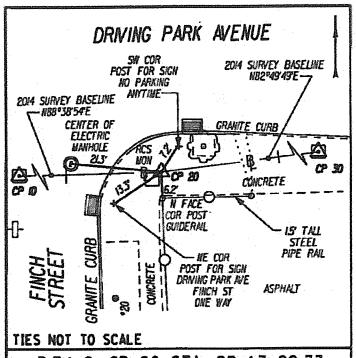
CITY OF ROCHESTER
DEWEY AVENUE AND DRIVING PARK
AVENUE INTERSECTION REALIGNMENT

CITY OF ROCHESTER
ACQUISITION MAP

PIN 4755.55

MAP NO. 2
PARCEL NOS. 5 & 6
SHEET 3 OF 3 SHEETS

THANH TRIEU
(REPUTED OWNER)
CCD L. 10463 P. 280

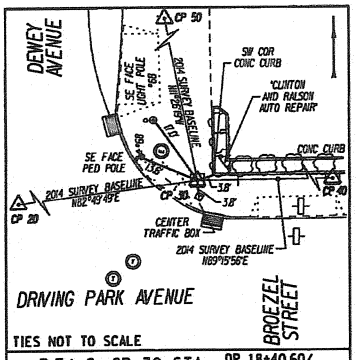


R.E.L.S. CP 20 STA. DP 13+22.33

R.E.L.S. CP 20 IS A MAG NAIL SET IN CONCRETE SIDEWALK LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF FINCH STREET WITH DRIVING PARK AVENUE, AND APPROX. 9.0' SOUTH OF FACE OF GRANITE CURB.

HORIZONTAL DATUM: CITY OF ROCHESTER

NORTHING 1,160,404.914
EASTING 1,399,740.814



R.E.L.S. CP 30 STA. DP 18+40.60/ DW 18+40.60

R.E.L.S. CP 30 IS AN EXISTING GRANITE R.C.S. MONUMENT WITH DRILLHOLE LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF DEWEY AVENUE NORTH WITH DRIVING PARK AVENUE.

HORIZONTAL DATUM: CITY OF ROCHESTER

NORTHING 1,160,469.598
EASTING 1,400,255.038

STATE OF NEW YORK
MICHAEL C. BOGARDUS
050414
LICENSED LAND SURVEYOR

"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map was prepared in accordance with current City of Rochester policies, standards and procedures.

Date MAY 9 2016

Michael C. Bogardus, L.S.
Land Surveyor
P.L.S. License No.050414

PREPARED BY DOROTHY CAINE CHECKED BY SEAN BALDRIN FINAL CHECK BY MICHAEL BOGARDUS, L.S.

CITY OF ROCHESTER
ACQUISITION MAP

CITY OF ROCHESTER
DEWEY AVENUE AND DRIVING PARK
AVENUE INTERSECTION REALIGNMENT

PIN 4755.55

MAP NO. 3
PARCEL NOS. 7 & 8
SHEET 1 OF 3 SHEETS

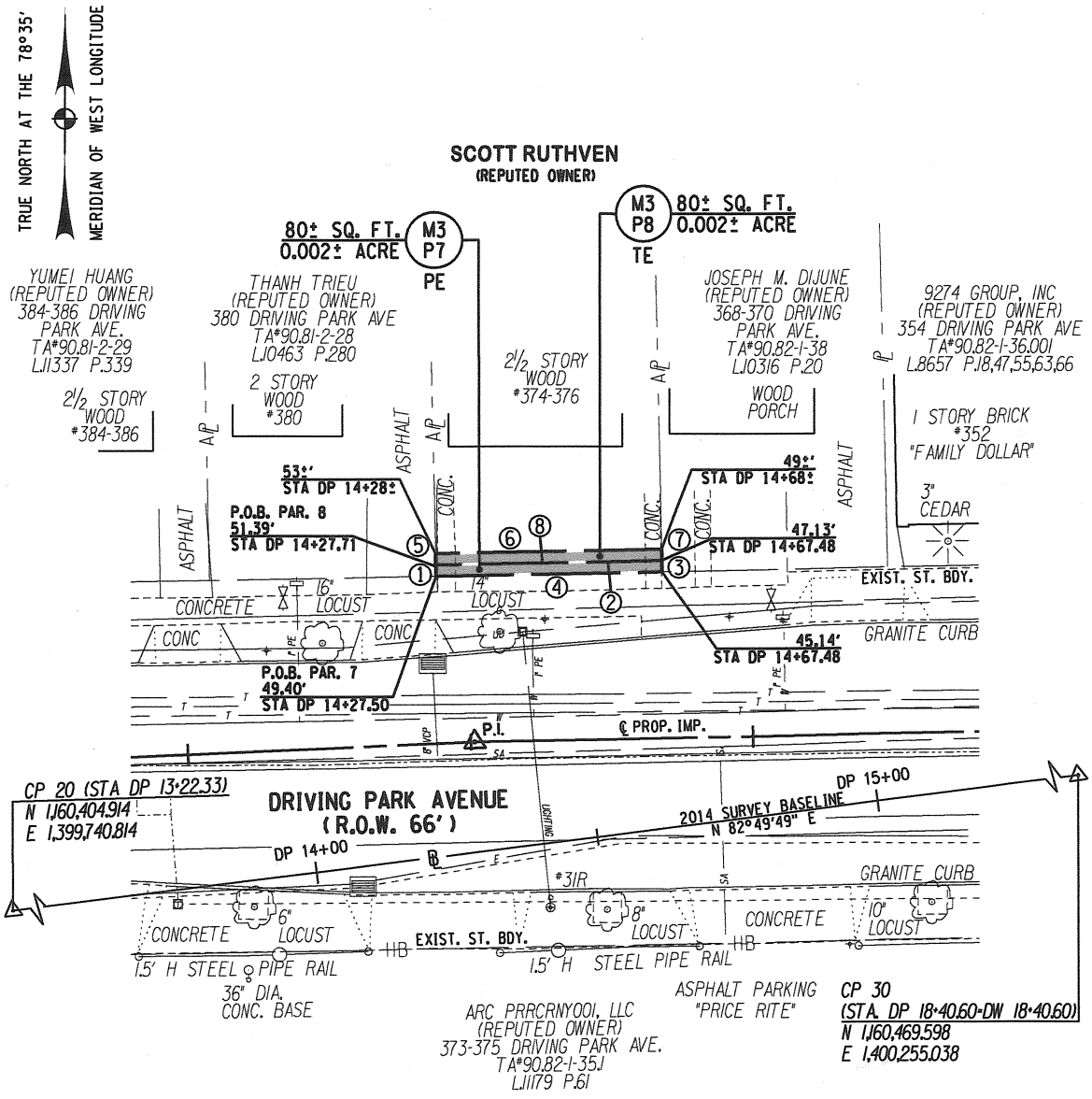
MAP REFERENCE INFORMATION:
Rochester City Survey
District 11 Map 17

Statement of Title
prepared by R.K. Hite & Co.,
Inc. provided on April 28, 2016

Parcel Locator Point:
Parcel No: 7
N: 1,160,467.06
E: 1,399,839.00

SCOTT RUTHVEN
(REPUTED OWNER)
CCD L. 10801 P. 658

PARCEL SUMMARY:
Parcel 7 Permanent Easement
Parcel 8 Temporary Easement
374-376 Driving Park Ave.
Portion of 2013 Tax Map
Ref. No. #090.82-1-39
City of Rochester
County of Monroe
State of New York



PARCEL NO. 7		
NO.	BEARING	DIST FT
1	N 01°12'17" W	2.00'
2	N 88°57'03" E	40.00'
3	S 01°12'17" E	2.00'
4	S 88°57'03" W	40.00'

PARCEL NO. 8		
NO.	BEARING	DIST FT
5	----------	2±'
6	N 88°57'03" E	40±'
7	----------	2±'
8	S 88°57'03" W	40.00'

Notes:

1. All units of measurement shown hereon are in U.S. Survey Feet unless otherwise specified.
2. Utilities shown are placed from field located evidence and record plan information to ASCE Level C.

10 0 10 20 30 40'
1" = 20'

PREPARED BY DOROTHY CAINE CHECKED BY SEAN BALDWIN FINAL CHECK BY MICHAEL BOGARDUS, L.S.

SCOTT RUTHVEN
(REPUTED OWNER)
CCD L. 10801 P. 658

PARCEL NO. 7

PERMANENT EASEMENT FOR HIGHWAY PURPOSES

A permanent easement to be exercised in, on and over the property above delineated for the purpose of constructing, reconstructing and maintaining thereon a City Street together with such sidewalks, drainage structures and facilities in connection therewith as may be deemed necessary by the City of Rochester in and to all that piece or parcel of property designated as Parcel No. 7, located in the City of Rochester, County of Monroe and State of New York, as shown on the accompanying map and described as follows:

Beginning at the point of intersection of the northerly City Street Boundary of Driving Park Avenue and the division line of lands now or formerly owned by Scott Ruthven to the east, and the lands now or formerly owned by Thanh Trieu to the west, said point having the NYS Plane Coordinates of N:1,160,467.06 and E:1,399,839.00, and being 49.40 feet left of and at right angles to Station DP 14+27.50 of the hereinafter described 2014 Survey Baseline; thence N 01°12'17" W along said division line 2.00 feet to a point, said point being 51.39 feet left of and at right angles to Station DP 14+27.71 of said Baseline; thence N 88°57'03" E through said lands of Scott Ruthven a distance of 40.00 feet to a point on the division line of lands now or formerly owned by Scott Ruthven to the west, and the lands now or formerly owned by Joseph M. DiJune to the east, said point being 47.13 feet left of and at right angles to Station DP 14+67.48 of said Baseline; thence S 01°12'17" E along said division line a distance of 2.00 feet to a point on the northerly City Street Boundary of Driving Park Avenue, said point being 45.14 feet left of and at right angles to Station DP 14+67.48 of said Baseline; thence S 88°57'03" W along said northerly City Street Boundary a distance of 40.00 feet to the POINT OF BEGINNING.

The above described parcel contains 80± sq. ft. or 0.002± acre.

The above mentioned survey baseline is a portion of the 2014 Survey Baseline for the reconstruction of a portion of Dewey Avenue as shown on a map and plan on file in the City of Rochester Department of Environmental Services and described as follows:

Beginning at Station DP 10+00.00; thence N 88°38'54" E to Station DP 13+22.33, thence N 82°49'49" E to Station DP 18+40.60; thence N 89°15'56" E to Station DP 23+14.69.

All bearings refer to True North at the 78°-35' Meridian of West Longitude.

RESERVING, however to the owner of any right, title or interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction or reconstruction and as so constructed or reconstructed, the maintenance, of the herein identified project.

PARCEL NO. 8

TEMPORARY EASEMENT FOR WORK AREA

A temporary easement to be exercised in, on and over the property delineated as Parcel No. 8 for the purpose of work areas in connection with the construction or reconstruction of the highway and appurtenances for use and exercisable during the construction or reconstruction of the highway and terminating upon the approval of the completed work, unless sooner terminated if deemed no longer necessary for highway purposes and released by the City of Rochester or other authorized representative acting for the People of the City of Rochester, or its assigns. Such easement shall be exercised in and to all that piece or parcel of property designated as Parcel No. 8, located in the City of Rochester, County of Monroe and State of New York, as shown on the accompanying map.

RESERVING, however, to the owner of any right, title or interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for the construction or reconstruction of the herein identified project.

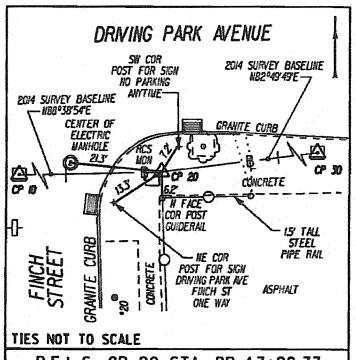
CITY OF ROCHESTER
ACQUISITION MAP

CITY OF ROCHESTER
DEWEY AVENUE AND DRIVING PARK
AVENUE INTERSECTION REALIGNMENT

PIN 4755.55

MAP NO. 3
PARCEL NOS. 7 & 8
SHEET 3 OF 3 SHEETS

SCOTT RUTHVEN
(REPUTED OWNER)
CCD L. 10801 P. 658



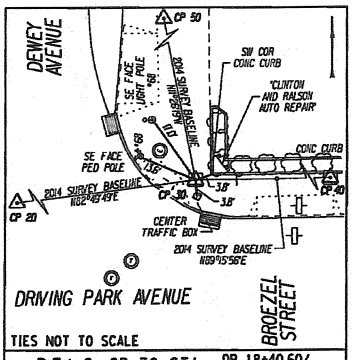
TIES NOT TO SCALE

R.E.L.S. CP 20 STA. DP 13+22.33

R.E.L.S. CP 20 IS A MAG NAIL SET IN CONCRETE SIDEWALK LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF FINCH STREET WITH DRIVING PARK AVENUE, AND APPROX. 9.0' SOUTH OF FACE OF GRANITE CURB.

HORIZONTAL DATUM: CITY OF ROCHESTER

NORTHING 1,160,404.914
EASTING 1,399,740.814



TIES NOT TO SCALE

R.E.L.S. CP 30 STA. DP 18+40.60/ DW 18+40.60

R.E.L.S. CP 30 IS AN EXISTING GRANITE R.C.S. MONUMENT WITH DRILLHOLE LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF DEWEY AVENUE NORTH WITH DRIVING PARK AVENUE.

HORIZONTAL DATUM: CITY OF ROCHESTER

NORTHING 1,160,469.598
EASTING 1,400,255.038

STATE OF NEW YORK
MICHAEL C. BOGARDUS
050414
LICENSED LAND SURVEYOR

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I hereby certify that this map was prepared in accordance with current City of Rochester policies, standards and procedures.

Date May 9 2016

Michael C. Bogardus, L.S.
Land Surveyor
P.L.S. License No.050414

PREPARED BY DOROTHY CAINE CHECKED BY SEAN BALDWIN FINAL CHECK BY MICHAEL BOGARDUS, L.S.

CITY OF ROCHESTER
ACQUISITION MAP

CITY OF ROCHESTER
DEWEY AVENUE AND DRIVING PARK
AVENUE INTERSECTION REALIGNMENT

PIN 4755.55

MAP NO. 4
PARCEL NOS. 9 & 10
SHEET 1 OF 3 SHEETS

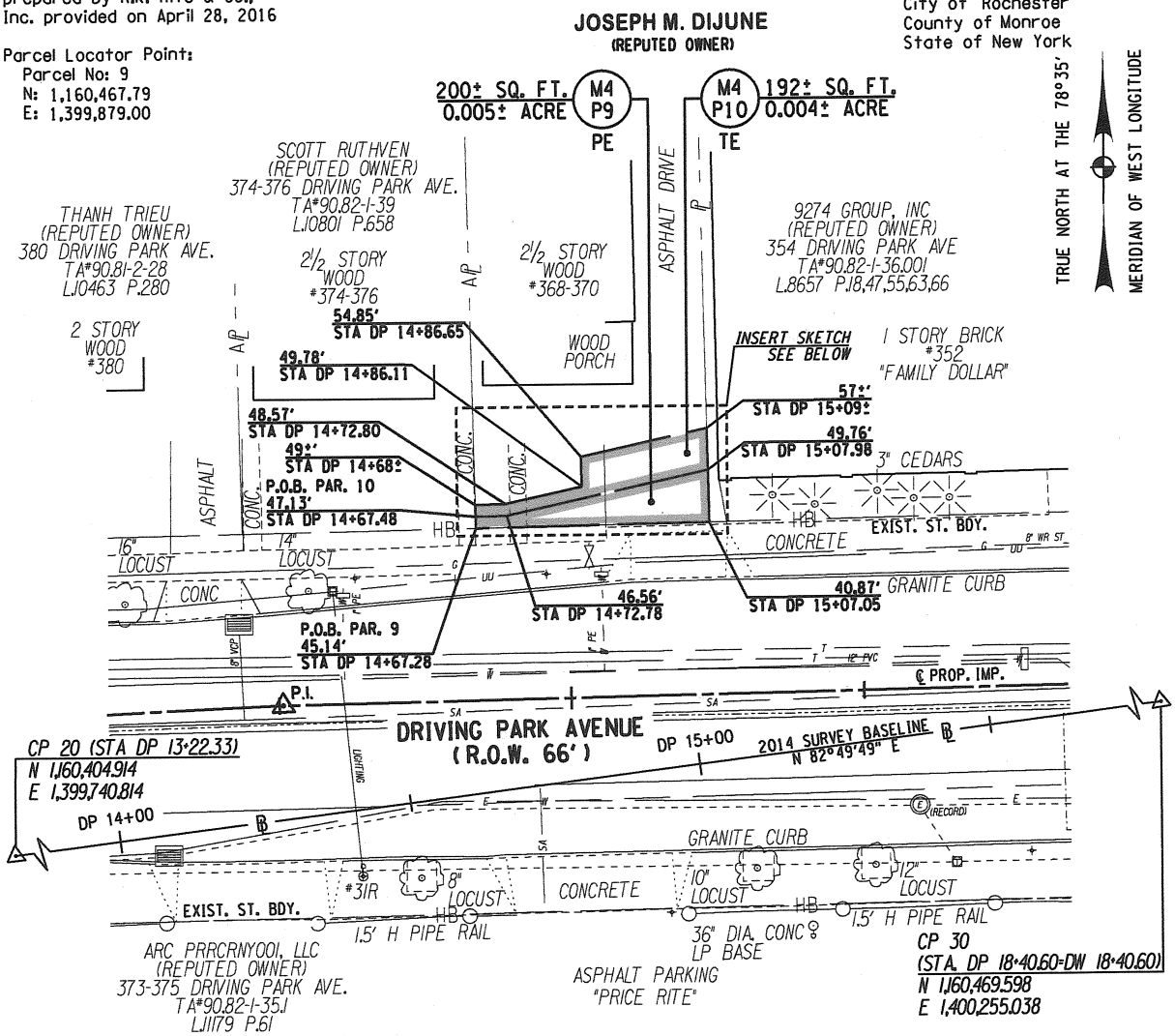
MAP REFERENCE INFORMATION:
Rochester City Survey
District 11 Map 17

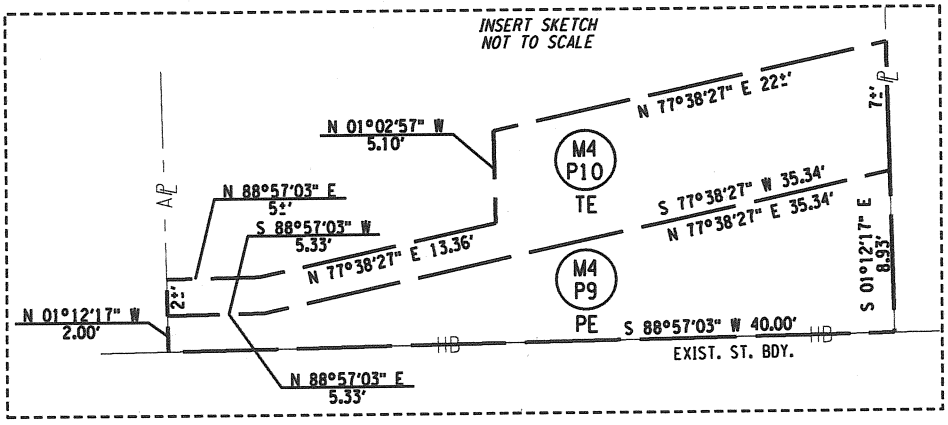
Statement of Title
prepared by R.K. Hite & Co.,
Inc. provided on April 28, 2016

Parcel Locator Point:
Parcel No: 9
N: 1,160,467.79
E: 1,399,879.00

JOSEPH M. DIJUNE
(REPUTED OWNER)
CCD L. 10316 P. 20

PARCEL SUMMARY:
Parcel 9 Permanent Easement
Parcel 10 Temporary Easement
368 Driving Park Ave.
Portion of 2013 Tax Map
Ref. No. #090.82-1-38
City of Rochester
County of Monroe
State of New York





Notes:

1. All units of measurement shown hereon are in U.S. Survey Feet unless otherwise specified.
2. Utilities shown are placed from field located evidence and record plan information to ASCE Level C.

10 0 10 20 30 40'
1" = 20'

PREPARED BY DOROTHY CAINE CHECKED BY SEAN BALDWIN FINAL CHECK BY MICHAEL BOGARDUS, L.S.

JOSEPH M. DIJUNE
(REPUTED OWNER)
CCD L.10316 P.20

PARCEL NO. 9

PERMANENT EASEMENT FOR HIGHWAY PURPOSES

A permanent easement to be exercised in, on and over the property above delineated for the purpose of constructing, reconstructing and maintaining thereon a City Street together with such sidewalks, drainage structures and facilities in connection therewith as may be deemed necessary by the City of Rochester in and to all that piece or parcel of property designated as Parcel No. 9, located in the City of Rochester, County of Monroe and State of New York, as shown on the accompanying map and described as follows:

Beginning at the point of intersection of the northerly City Street Boundary of Driving Park Avenue and the division line of lands now or formerly owned by Joseph M. DiJune to the east, and the lands now or formerly owned by Scott Ruthven to the west, said point having the NYS Plane Coordinates of N:1,160,467.79 and E:1,399,879.00, and being 45.14 feet left of and at right angles to Station DP 14+67.28 of the hereinafter described 2014 Survey Baseline; thence N 01°12'17" W along said division line 2.00 feet to a point, said point being 47.13 feet left of and at right angles to Station DP 14+67.48 of said Baseline; thence N 88°57'03" E through said lands of Joseph M. DiJune a distance of 5.33 feet to a point, said point being 46.56 feet left of and at right angles to Station DP 14+72.78 of said Baseline; thence N 77°38'27" E continuing through said lands Joseph M. DiJune a distance of 35.34 feet to a point on the division line of lands now or formerly owned by Joseph M. DiJune to the west, and the lands now or formerly owned by 9274 Group, Inc to the east, said point being 49.76 feet left of and at right angles to Station DP 15+07.98 of said Baseline; thence S 01°12'17" E along said division line a distance of 8.93 feet to a point on the northerly City Street Boundary of Driving Park Avenue, said point being 40.87 feet left of and at right angles to Station DP 15+07.05 of said Baseline; thence S 88°57'03" W along said northerly City Street Boundary a distance of 40.00 feet to the POINT OF BEGINNING.

The above described parcel contains 200± sq. ft. or 0.005± acre.

The above mentioned survey baseline is a portion of the 2014 Survey Baseline for the reconstruction of a portion of Dewey Avenue as shown on a map and plan on file in the City of Rochester Department of Environmental Services and described as follows:

Beginning at Station DP 10+00.00; thence N 88°38'54" E to Station DP 13+22.33, thence N 82°49'49" E to Station DP 18+40.60; thence N 89°15'56" E to Station DP 23+14.69.

All bearings refer to True North at the 78°-35' Meridian of West Longitude.

RESERVING, however to the owner of any right, title or interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction or reconstruction and as so constructed or reconstructed, the maintenance, of the herein identified project.

PARCEL NO. 10

TEMPORARY EASEMENT FOR WORK AREA

A temporary easement to be exercised in, on and over the property delineated as Parcel No. 10 for the purpose of work areas in connection with the construction or reconstruction of the highway and appurtenances for use and exercisable during the construction or reconstruction of the highway and terminating upon the approval of the completed work, unless sooner terminated if deemed no longer necessary for highway purposes and released by the City of Rochester or other authorized representative acting for the People of the City of Rochester, or its assigns. Such easement shall be exercised in and to all that piece or parcel of property designated as Parcel No. 10, located in the City of Rochester, County of Monroe and State of New York, as shown on the accompanying map.

RESERVING, however, to the owner of any right, title or interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for the construction or reconstruction of the herein identified project.

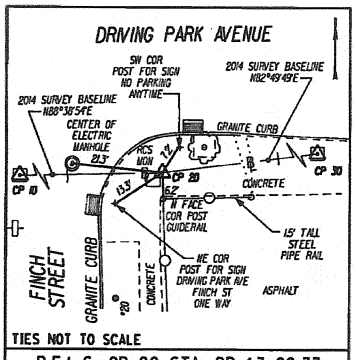
CITY OF ROCHESTER
DEWEY AVENUE AND DRIVING PARK
AVENUE INTERSECTION REALIGNMENT

CITY OF ROCHESTER
ACQUISITION MAP

PIN 4755.55

MAP NO. 4
PARCEL NOS. 9 & 10
SHEET 3 OF 3 SHEETS

JOSEPH M. DIJUNE
(REPUTED OWNER)
CCD L.10316 P.20



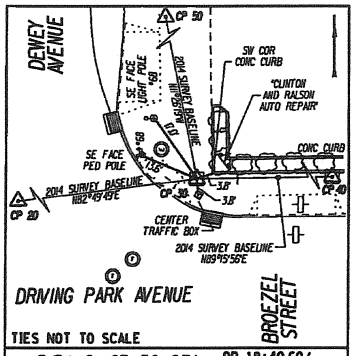
TIES NOT TO SCALE

R.E.L.S. CP 20 STA. DP 13+22.33

R.E.L.S. CP 20 IS A MAG NAIL SET IN CONCRETE SIDEWALK LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF FINCH STREET WITH DRIVING PARK AVENUE, AND APPROX. 9.0' SOUTH OF FACE OF GRANITE CURB.

HORIZONTAL DATUM: CITY OF ROCHESTER

NORTHING 1,160,404.914
EASTING 1,399,740.814



TIES NOT TO SCALE

R.E.L.S. CP 30 STA. DP 18+40.60/ DW 18+40.60

R.E.L.S. CP 30 IS AN EXISTING GRANITE R.C.S. MONUMENT WITH DRILLHOLE LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF DEWEY AVENUE NORTH WITH DRIVING PARK AVENUE.

HORIZONTAL DATUM: CITY OF ROCHESTER

NORTHING 1,160,469.598
EASTING 1,400,255.038

STATE OF NEW YORK
MICHAEL C. BOGARDUS
050414
LICENSED LAND SURVEYOR

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I hereby certify that this map was prepared in accordance with current City of Rochester policies, standards and procedures.

Date MAY 9 2016

Michael C. Bogardus, L.S.
Land Surveyor
P.L.S. License No.050414

PREPARED BY DOROTHY CAINE CHECKED BY SEAN BALDWIN FINAL CHECK BY MICHAEL BOGARDUS, L.S.

CITY OF ROCHESTER
ACQUISITION MAP

CITY OF ROCHESTER
DEWEY AVENUE AND DRIVING PARK
AVENUE INTERSECTION REALIGNMENT

PIN 4755.55

MAP NO. 5
PARCEL NOS. 11 & 12
SHEET 1 OF 4 SHEETS

MAP REFERENCE INFORMATION:
Rochester City Survey
District 11 Map 17

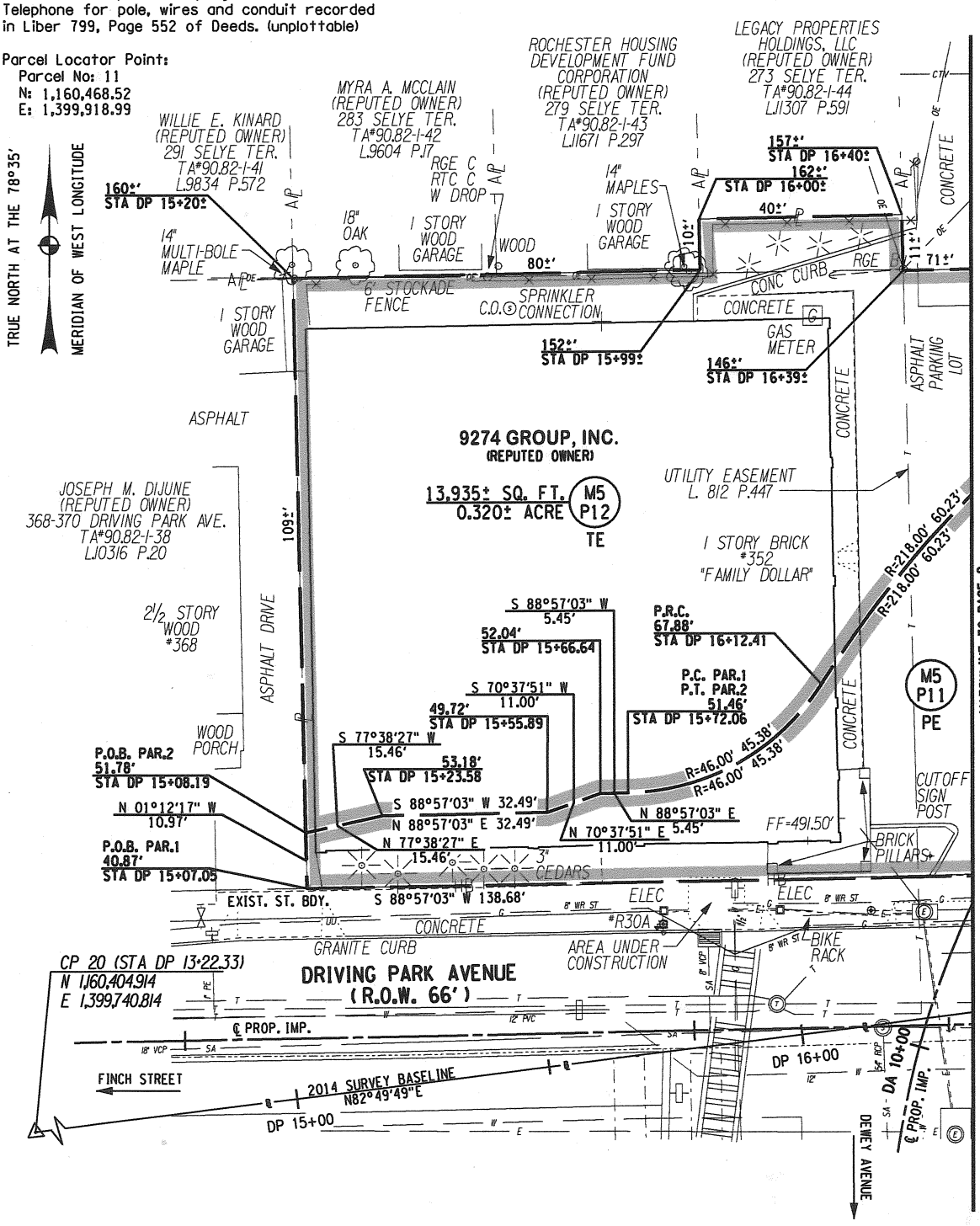
Statement of Title prepared by R.K. Hite & Co., Inc. provided on April 28, 2016

Easement to Rochester Railway and Light, Rochester Telephone Company, and New York Telephone for pole, wires and conduit recorded in Liber 799, Page 552 of Deeds. (unplottable)

Parcel Locator Point:
Parcel No: 11
N: 1,160,468.52
E: 1,399,918.99

9274 GROUP, INC.
(REPUTED OWNER)
CCD L. 8657 P. 18
CCD L. 8657 P. 47
CCD L. 8657 P. 55
CCD L. 8657 P. 63
CCD L. 8657 P. 66

PARCEL SUMMARY:
Parcel 11 Permanent Easement
Parcel 12 Temporary Easement
354 Driving Park Ave.
Portion of 2013 Tax Map
Ref. No. 090.82-1-36.001
City of Rochester
County of Monroe
State of New York



Notes:

1. All units of measurement shown hereon are in U.S. Survey Feet unless otherwise specified.
2. Utilities shown are placed from field located evidence and record plan information to ASCE Level C.

10 0 10 20 30 40'
1" = 20'

PREPARED BY DOROTHY CAINE CHECKED BY SEAN BALDWIN FINAL CHECK BY MICHAEL BOGARDUS, L.S.

CITY OF ROCHESTER
ACQUISITION MAP

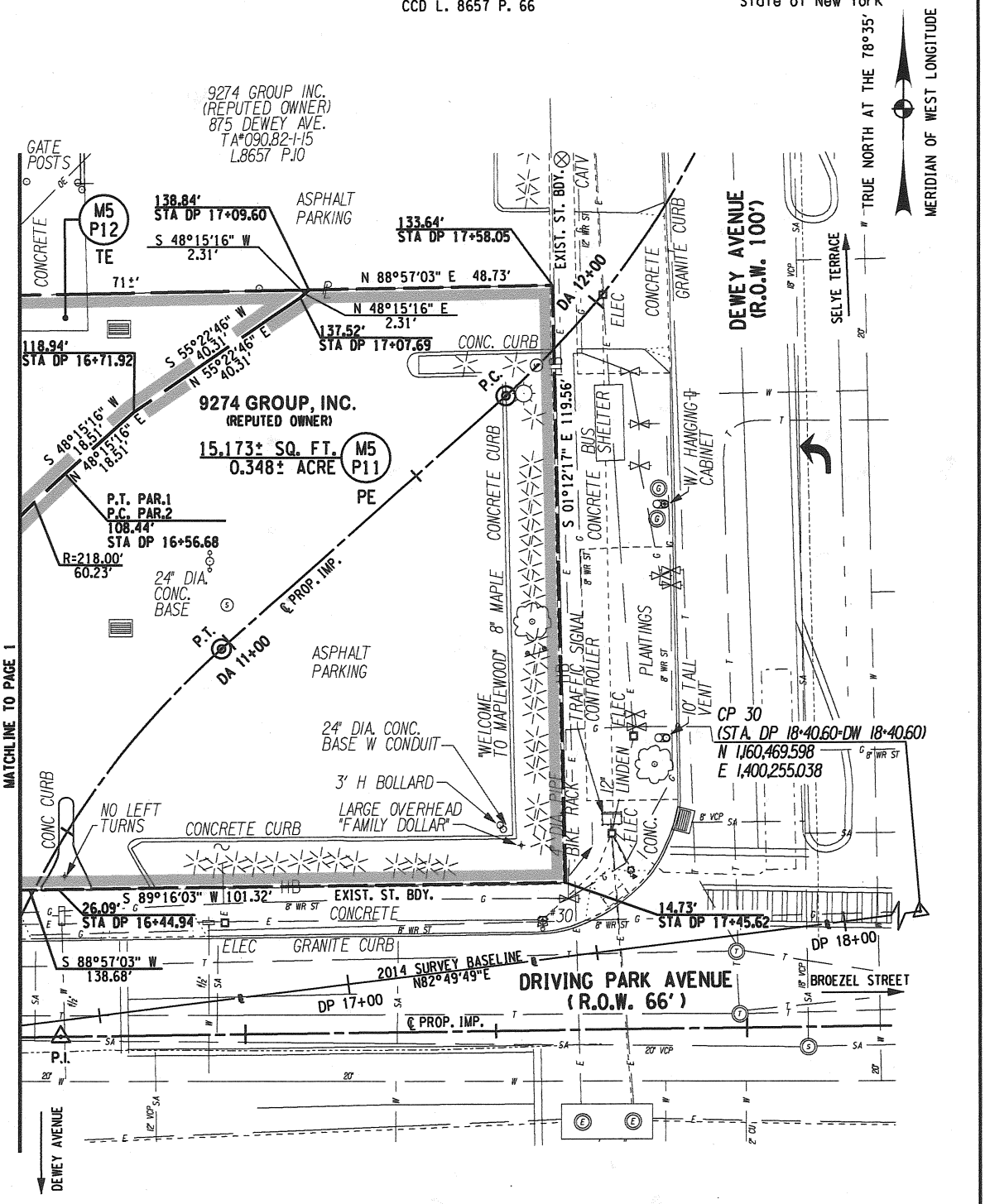
CITY OF ROCHESTER
DEWEY AVENUE AND DRIVING PARK
AVENUE INTERSECTION REALIGNMENT

PIN 4755.55

MAP NO. 5
PARCEL NOS. 11 & 12
SHEET 2 OF 4 SHEETS

9274 GROUP, INC.
(REPUTED OWNER)
CCD L. 8657 P. 18
CCD L. 8657 P. 47
CCD L. 8657 P. 55
CCD L. 8657 P. 63
CCD L. 8657 P. 66

PARCEL SUMMARY:
Parcel 11 Permanent Easement
Parcel 12 Temporary Easement
354 Driving Park Ave.
Portion of 2013 Tax Map
Ref. No. 090.82-1-36.001
City of Rochester
County of Monroe
State of New York



PREPARED BY DOROTHY CAINE CHECKED BY SEAN BALDWIN FINAL CHECK BY MICHAEL BOGARDUS, L.S.

9274 GROUP, INC.
(REPUTED OWNER)
CCD L. 8657 P. 18
CCD L. 8657 P. 47
CCD L. 8657 P. 55
CCD L. 8657 P. 63
CCD L. 8657 P. 66

PARCEL NO. 11

PERMANENT EASEMENT FOR HIGHWAY PURPOSES

A permanent easement to be exercised in, on and over the property above delineated for the purpose of constructing, reconstructing and maintaining thereon a City Street together with such sidewalks, drainage structures and facilities in connection therewith as may be deemed necessary by the City of Rochester in and to all that piece or parcel of property designated as Parcel No. 11, located in the City of Rochester, County of Monroe and State of New York, as shown on the accompanying map and described as follows:

Beginning at the point of intersection of the northerly City Street Boundary of Driving Park Avenue and the westerly division line of lands now or formerly owned by 9274 Group, Inc. to the east, said division line also being the easterly line of lands now or formerly owned by Joseph M. DiJune to the west, said point having the NYS Plane Coordinates of N:1,160,468.52 and E:1,399,918.99 and being 40.87 feet left of and at right angles to Station DP 15+07.05 of the hereinafter described 2014 Survey Baseline; thence northerly along said division line N 01°12'17" W a distance of 10.97 feet to a point, said point being 51.78 feet left of and at right angles to Station DP 15+08.19 of said Baseline; thence through said lands of 9274 Group, Inc. the following nine (9) courses and distances: (1) N 77°38'27" E a distance of 15.46 feet to a point, said point being 53.18 feet left of and at right angles to Station DP 15+23.58 of said Baseline; thence (2) N 88°57'03" E a distance of 32.49 feet to a point; said point being 49.72 feet left of and at right angles to Station DP 15+55.89 of said Baseline; thence (3) N 70°37'51" E a distance of 11.00 feet to a point, said point being 52.04 feet left of and at right angles to Station DP 15+66.64 of said Baseline; thence (4) N 88°57'03" E a distance of 5.45 feet to a point of curvature; said point being 51.46 feet left of and at right angles to Station DP 15+72.06 of said Baseline; thence (5) along a tangent curve to the left with a radius of 46.00 feet a distance of 45.38 feet to a point of reverse curvature, said point being 67.88 feet left of and at right angles to Station DP 16+12.41 of said Baseline, thence (6) along a tangent curve to the right with a radius of 218.00 feet a distance of 60.23 feet to a point of tangency; said point being 108.44 feet left of and at right angles to Station DP 16+56.68 of said Baseline, thence (7) N 48°15'16" E a distance of 18.51 feet to a point; said point being 118.94 feet left of and at right angles to Station DP 16+71.92 of said Baseline, thence (8) N 55°22'46" E a distance of 40.31 feet to a point; said point being 137.52 feet left of and at right angles to DP Station 17+07.69 of said Baseline, thence (9) N 48°15'16" E a distance of 2.31 feet to a point on the northerly division line of lands of said 9274 Group, Inc. to the south, said division line also being the southerly line of lands now or formerly owned by 9274 Group, Inc. to the north, said point being 138.84 feet left of and at right angles to Station DP 17+09.60 of said Baseline, thence continuing easterly along said division line N 88°57'03" E a distance of 48.73 feet to a point on the westerly City Street Boundary of Dewey Avenue, said point being 133.64 feet left of and at right angles to Station DP 17+58.05 of said Baseline; thence along said westerly City Street Boundary of Dewey Avenue S 01°12'17" E a distance of 119.56 feet to a point, said point being 14.73 feet left of and at right angles to Station DP 17+45.62 of said Baseline, also being the point of intersection of said westerly City Street Boundary and the northerly City Street Boundary of Driving Park Avenue, thence along said northerly City Street Boundary S 89°16'03" W a distance of 101.32 feet to a point; said point being 26.09 feet left of and at right angles to Station DP 16+44.94 of said Baseline, thence continuing along said City Street Boundary S 88°57'03" W a distance of 138.68 feet to the POINT OF BEGINNING.

The above described parcel contains 15,173± sq. ft. or 0.348± acre.

The above mentioned survey baseline is a portion of the 2014 Survey Baseline for the reconstruction of a portion of Dewey Avenue as shown on a map and plan on file in the City of Rochester Department of Environmental Services and described as follows:

Beginning at Station DP 10+00.00; thence N 88°38'54" E to Station DP 13+22.33, thence N 82°49'49" E to Station DP 18+40.60; thence N 89°15'56" E to Station DP 23+14.69.

All bearings refer to True North at the 78°-35' Meridian of West Longitude.

RESERVING, however to the owner of any right, title or interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction or reconstruction and as so constructed or reconstructed, the maintenance, of the herein identified project.

PARCEL NO. 12

TEMPORARY EASEMENT FOR REMOVING OR RAZING BUILDINGS AND IMPROVEMENTS

A temporary easement to be exercised in, on and over the property delineated as Parcel No. 12 for the purpose of removing or razing all or a portion of certain buildings and/or improvements located on such property, ALSO, for the implementation of which absolute title is herewith simultaneously to be acquired to the structures or portions thereof, above referred to, lying within said property, and to any material salvaged there from, for use and exercisable during the construction or reconstruction of the hereinafter designated highway and terminating upon the approval of the completed work, unless sooner terminated if deemed no longer necessary for highway purposes and released by the City of Rochester or other authorized representative acting for the People of the City of Rochester, or its assigns. Such easement shall be exercised in and to all that piece or parcel of property designated as Parcel No. 12, located in the City of Rochester, County of Monroe and State of New York, as shown on the accompanying map.

RESERVING, however, to the owner of any right, title or interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for the construction or reconstruction of the herein identified project.

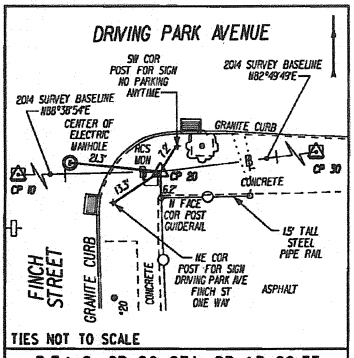
CITY OF ROCHESTER
DEWEY AVENUE AND DRIVING PARK
AVENUE INTERSECTION REALIGNMENT

CITY OF ROCHESTER
ACQUISITION MAP

PIN 4755.55

MAP NO. 5
PARCEL NOS. 11 & 12
SHEET 4 OF 4 SHEETS

9274 GROUP, INC.
(REPUTED OWNER)
CCD L. 8657 P. 18
CCD L. 8657 P. 47
CCD L. 8657 P. 55
CCD L. 8657 P. 63
CCD L. 8657 P. 66

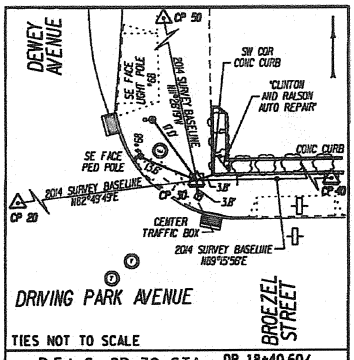


R.E.L.S. CP 20 STA. DP 13+22.33

R.E.L.S. CP 20 IS A MAG NAIL SET IN CONCRETE SIDEWALK LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF FINCH STREET WITH DRIVING PARK AVENUE, AND APPROX. 9.0' SOUTH OF FACE OF GRANITE CURB.

HORIZONTAL DATUM: CITY OF ROCHESTER

NORTHING 1,160,404.914
EASTING 1,399,740.814



R.E.L.S. CP 30 STA. DP 18+40.60/ DW 18+40.60

R.E.L.S. CP 30 IS AN EXISTING GRANITE R.C.S. MONUMENT WITH DRILLHOLE LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF DEWEY AVENUE NORTH WITH DRIVING PARK AVENUE.

HORIZONTAL DATUM: CITY OF ROCHESTER

NORTHING 1,160,469.598
EASTING 1,400,255.038

STATE OF NEW YORK
MICHAEL C. BOGARDUS
050414
LICENSED LAND SURVEYOR

"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map was prepared in accordance with current City of Rochester policies, standards and procedures.

Date MAY 9 2016

Michael C. Bogardus, L.S.
Land Surveyor
P.L.S. License No. 050414

PREPARED BY DOROTHY CAINE CHECKED BY SEAN BALDWIN FINAL CHECK BY MICHAEL BOGARDUS, L.S.

CITY OF ROCHESTER
ACQUISITION MAP

CITY OF ROCHESTER
DEWEY AVENUE AND DRIVING PARK
AVENUE INTERSECTION REALIGNMENT

PIN 4755.55

MAP NO. 7
PARCEL NO. 14
SHEET 1 OF 2 SHEETS

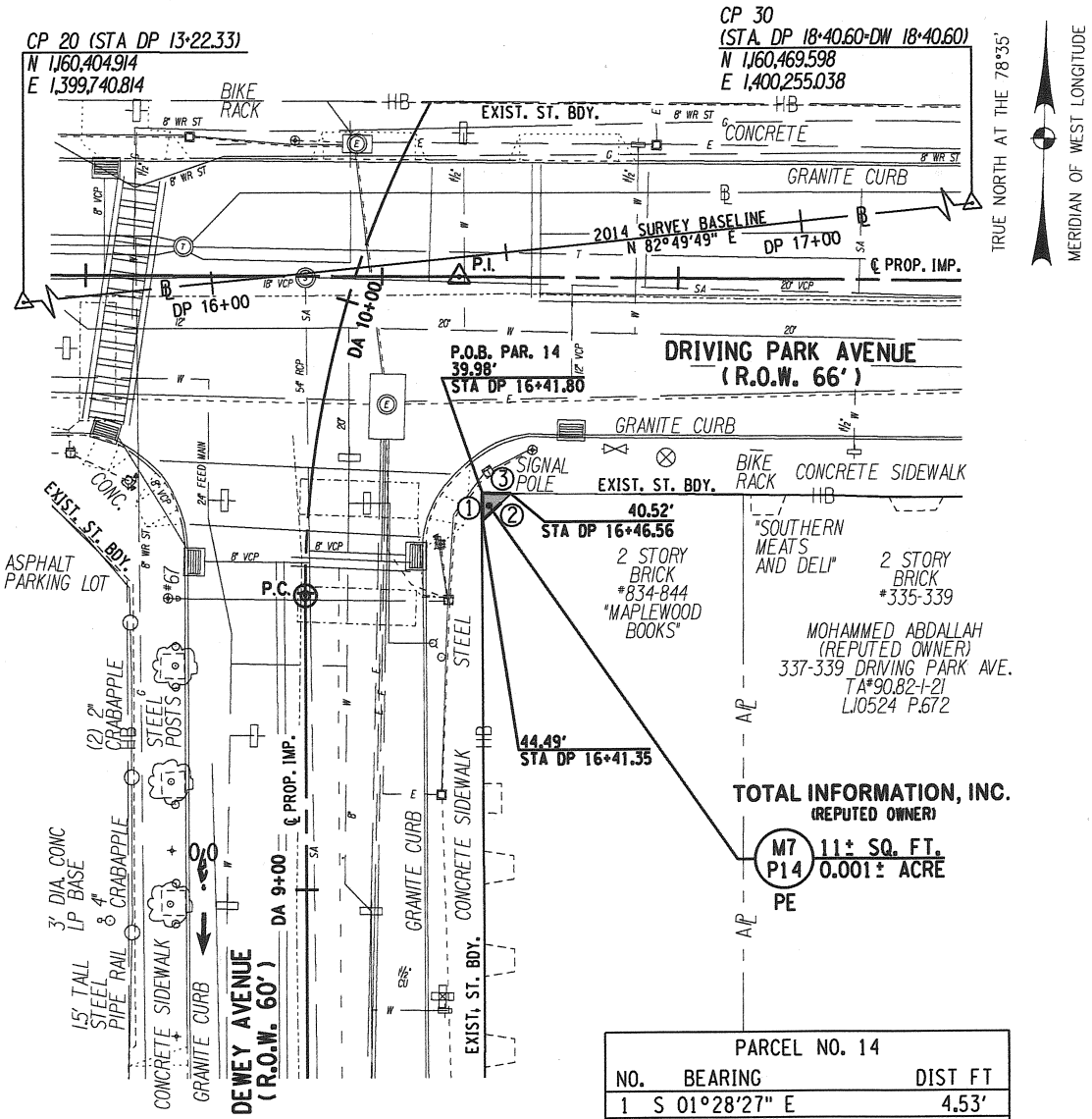
MAP REFERENCE INFORMATION:
Rochester City Survey
District 9 Map 12

Statement of Title
prepared by R.K. Hite & Co.,
Inc. provided on April 28, 2016

Parcel Locator Point:
Parcel No: 14
N: 1,160,405.12
E: 1,400,062.78

TOTAL INFORMATION, INC.
(REPUTED OWNER)
CCD L. 6195 P. 230

PARCEL SUMMARY:
Parcel 14 Permanent Easement
343 Driving Park Ave.
Portion of 2013 Tax Map
Ref. No. 090.82-1-20
City of Rochester
County of Monroe
State of New York



PARCEL NO. 14		
NO.	BEARING	DIST FT
1	S 01°28'27" E	4.53'
2	N 45°30'10" E	6.56'
3	S 89°15'53" W	4.79'

Notes:

1. All units of measurement shown hereon are in U.S. Survey Feet unless otherwise specified.
2. Utilities shown are placed from field located evidence and record plan information to ASCE Level C.

10 0 10 20 30 40'
1" = 20'

PREPARED BY DOROTHY CAINE CHECKED BY SEAN BALDWIN FINAL CHECK BY MICHAEL BOGARDUS, L.S.

CITY OF ROCHESTER
DEWEY AVENUE AND DRIVING PARK
AVENUE INTERSECTION REALIGNMENT

CITY OF ROCHESTER
ACQUISITION MAP

PIN 4755.55

MAP NO. 7
PARCEL NO. 14
SHEET 2 OF 2 SHEETS

TOTAL INFORMATION, INC.
(REPUTED OWNER)
CCD L. 6195 P. 230

PARCEL NO. 14

PERMANENT EASEMENT FOR HIGHWAY PURPOSES

A permanent easement to be exercised in, on and over the property above delineated for the purpose of constructing, reconstructing and maintaining thereon a City Street together with such sidewalks, drainage structures and facilities in connection therewith as may be deemed necessary by the City of Rochester in and to all that piece or parcel of property designated as Parcel No. 14, located in the City of Rochester, County of Monroe and State of New York, as shown on the accompanying map and described as follows:

Beginning at the point of intersection of the southerly City Street Boundary of Driving Park Avenue and the easterly City Street Boundary of Dewey Avenue, said point having the NYS Plane Coordinates of N:1,160,405.12 and E:1,400,062.78 and being 39.98 feet right of and at right angles to Station DP 16+41.80 of the hereinafter described 2014 Survey Baseline; thence S 01°28'27" E along said easterly City Street Boundary a distance of 4.53 feet to a point, said point being 44.49 feet right of and at right angles to Station DP 16+41.35 of said Baseline; thence N 45°30'10" E, through the lands now or formerly owned by Total Information, Inc. a distance of 6.56 feet to a point on the southerly City Street Boundary of Driving Park Avenue, said point being 40.52 feet right of and at right angles to Station DP 16+46.56 of said Baseline; thence S 89°15'53" W, along said southerly City Street Boundary a distance of 4.79 feet to the POINT OF BEGINNING.

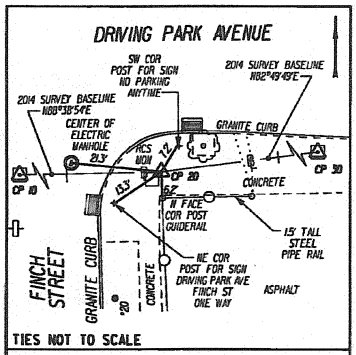
The above described parcel contains 11± sq. ft. or 0.001± acre.

The above mentioned survey baseline is a portion of the 2014 Survey Baseline for the reconstruction of a portion of Dewey Avenue as shown on a map and plan on file in the City of Rochester Department of Environmental Services and described as follows:

Beginning at Station DP 10+00.00; thence N 88°38'54" E to Station DP 13+22.33, thence N 82°49'49" E to Station DP 18+40.60; thence N 89°15'56" E to Station DP 23+14.69.

All bearings refer to True North at the 78°-35' Meridian of West Longitude.

RESERVING, however to the owner of any right, title or interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction or reconstruction and as so constructed or reconstructed, the maintenance, of the herein identified project.

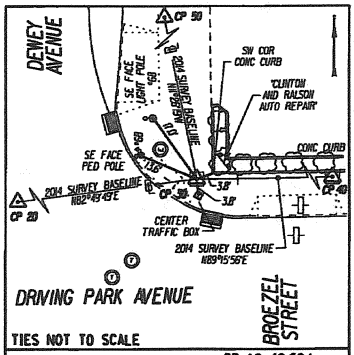


R.E.L.S. CP 20 STA. DP 13+22.33

R.E.L.S. CP 20 IS A MAG NAIL SET IN CONCRETE SIDEWALK LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF FINCH STREET WITH DRIVING PARK AVENUE, AND APPROX. 9.0' SOUTH OF FACE OF GRANITE CURB.

HORIZONTAL DATUM: CITY OF ROCHESTER

NORTHING 1,160,404.914
EASTING 1,399,740.814



R.E.L.S. CP 30 STA. DP 18+40.60/ DW 18+40.60

R.E.L.S. CP 30 IS AN EXISTING GRANITE R.C.S. MONUMENT WITH DRILLHOLE LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF DEWEY AVENUE NORTH WITH DRIVING PARK AVENUE.

HORIZONTAL DATUM: CITY OF ROCHESTER

NORTHING 1,160,469.598
EASTING 1,400,255.038

"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map was prepared in accordance with current City of Rochester policies, standards and procedures.

Date MAY 9 2016

Michael C. Bogardus, L.S.
Land Surveyor
P.L.S. License No. 050414

PREPARED BY DOROTHY CAINE CHECKED BY SEAN BALORIN FINAL CHECK BY MICHAEL BOGARDUS, L.S.

CITY OF ROCHESTER
ACQUISITION MAP

CITY OF ROCHESTER
DEWEY AVENUE AND DRIVING PARK
AVENUE INTERSECTION REALIGNMENT

PIN 4755.55

MAP NO. 8
PARCEL NO. 15
SHEET 1 OF 2 SHEETS

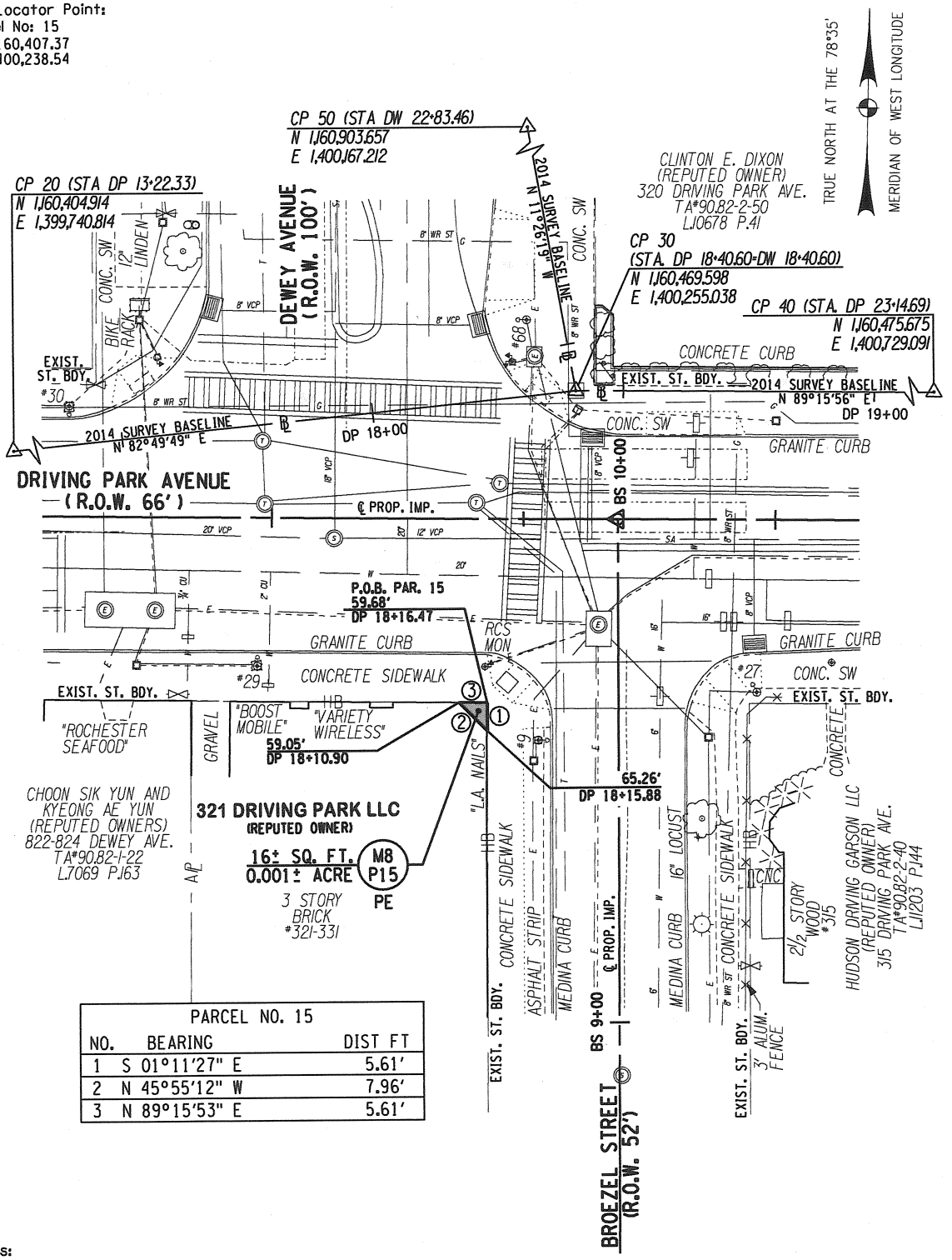
MAP REFERENCE INFORMATION:
Rochester City Survey
District 9 Map 12

Statement of Title
prepared by R.K. Hite & Co.,
Inc. provided on April 28, 2016

Parcel Locator Point:
Parcel No: 15
N: 1,160,407.37
E: 1,400,238.54

321 DRIVING PARK LLC
(REPUTED OWNER)
CCD L. 11389 P. 609

PARCEL SUMMARY:
Parcel 15 Permanent Easement
321-331 Driving Park Ave.
Portion of 2013 Tax Map
Ref. No. 090.82-1-23
City of Rochester
County of Monroe
State of New York



PARCEL NO. 15		
NO.	BEARING	DIST FT
1	S 01°11'27" E	5.61'
2	N 45°55'12" W	7.96'
3	N 89°15'53" E	5.61'

Notes:

1. All units of measurement shown hereon are in U.S. Survey Feet unless otherwise specified.
2. Utilities shown are placed from field located evidence and record plan information to ASCE Level C.

10 0 10 20 30 40'
1" = 20'

PREPARED BY DOROTHY CAINE CHECKED BY SEAN BALDWIN FINAL CHECK BY MICHAEL BOGARDUS, L.S.

CITY OF ROCHESTER
DEWEY AVENUE AND DRIVING PARK
AVENUE INTERSECTION REALIGNMENT

CITY OF ROCHESTER
ACQUISITION MAP

PIN 4755.55

MAP NO. 8
PARCEL NO. 15
SHEET 2 OF 2 SHEETS

321 DRIVING PARK LLC
(REPUTED OWNER)
CCD L. 11389 P. 609

PARCEL NO. 15

PERMANENT EASEMENT FOR HIGHWAY PURPOSES

A permanent easement to be exercised in, on and over the property above delineated for the purpose of constructing, reconstructing and maintaining thereon a City Street together with such sidewalks, drainage structures and facilities in connection therewith as may be deemed necessary by the City of Rochester in and to all that piece or parcel of property designated as Parcel No. 15, located in the City of Rochester, County of Monroe and State of New York, as shown on the accompanying map and described as follows:

Beginning at the point of intersection of the southerly City Street Boundary of Driving Park Avenue and the westerly City Street Boundary of Broezel Street, said point having the NYS Plane Coordinates of N:1,160,407.37 and E:1,400,238.54 and being 59.68 feet right of and at right angles to Station DP 18+16.47 of the hereinafter described 2014 Survey Baseline; thence S 01°11'27" E along said westerly City Street Boundary of Broezel Street a distance of 5.61 feet to a point, said point being 65.26 feet right of and at right angles to Station DP 18+15.88 of said Baseline; thence N 45°55'12" W through the lands now or formerly owned by 321 Driving Park LLC a distance of 7.96 feet to a point on the southerly City Street Boundary of Driving Park Avenue, said point being 59.05 feet right of and at right angles to Station DP 18+10.90 of said Baseline; thence N 89°15'53" E, along said southerly City Street Boundary, a distance of 5.61 feet to the POINT OF BEGINNING.

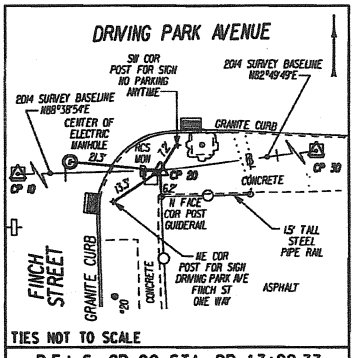
The above described parcel contains 16± sq. ft. or 0.001± acre.

The above mentioned survey baseline is a portion of the 2014 Survey Baseline for the reconstruction of a portion of Dewey Avenue as shown on a map and plan on file in the City of Rochester Department of Environmental Services and described as follows:

Beginning at Station DP 10+00.00; thence N 88°38'54" E to Station DP 13+22.33, thence N 82°49'49" E to Station DP 18+40.60; thence N 89°15'56" E to Station DP 23+14.69.

All bearings refer to True North at the 78°-35' Meridian of West Longitude.

RESERVING, however to the owner of any right, title or interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction or reconstruction and as so constructed or reconstructed, the maintenance, of the herein identified project.



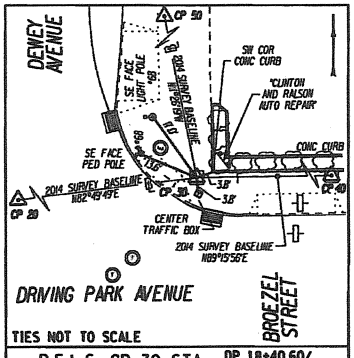
TIES NOT TO SCALE

R.E.L.S. CP 20 STA. DP 13+22.33

R.E.L.S. CP 20 IS A MAG NAIL SET IN CONCRETE SIDEWALK LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF FINCH STREET WITH DRIVING PARK AVENUE, AND APPROX. 9.0' SOUTH OF FACE OF GRANITE CURB.

HORIZONTAL DATUM: CITY OF ROCHESTER

NORTHING 1,160,404.914
EASTING 1,399,740.814



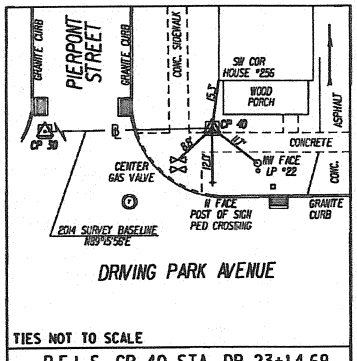
TIES NOT TO SCALE

R.E.L.S. CP 30 STA. DP 18+40.60/ DW 18+40.60

R.E.L.S. CP 30 IS AN EXISTING GRANITE R.C.S. MONUMENT WITH DRILLHOLE LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF DEWEY AVENUE NORTH WITH DRIVING PARK AVENUE.

HORIZONTAL DATUM: CITY OF ROCHESTER

NORTHING 1,160,469.598
EASTING 1,400,255.038



TIES NOT TO SCALE

R.E.L.S. CP 40 STA. DP 23+14.69

R.E.L.S. CP 40 IS AN EXISTING MEDINA STONE R.C.S. MONUMENT LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF PIERPONT STREET WITH DRIVING PARK AVENUE.

HORIZONTAL DATUM: CITY OF ROCHESTER

NORTHING 1,160,475.675
EASTING 1,400,729.091

"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map was prepared in accordance with current City of Rochester policies, standards and procedures.

Date MAY 9 2016

Michael C. Bogardus, L.S.
Land Surveyor
P.L.S. License No. 050414

PREPARED BY DOROTHY CAINE CHECKED BY SEAN BALDRIN FINAL CHECK BY MICHAEL BOGARDUS, L.S.

CITY OF ROCHESTER
ACQUISITION MAP

CITY OF ROCHESTER
DEWEY AVENUE AND DRIVING PARK
AVENUE INTERSECTION REALIGNMENT

PIN 4755.55

MAP NO. 10
PARCEL NO. 17
SHEET 1 OF 2 SHEETS

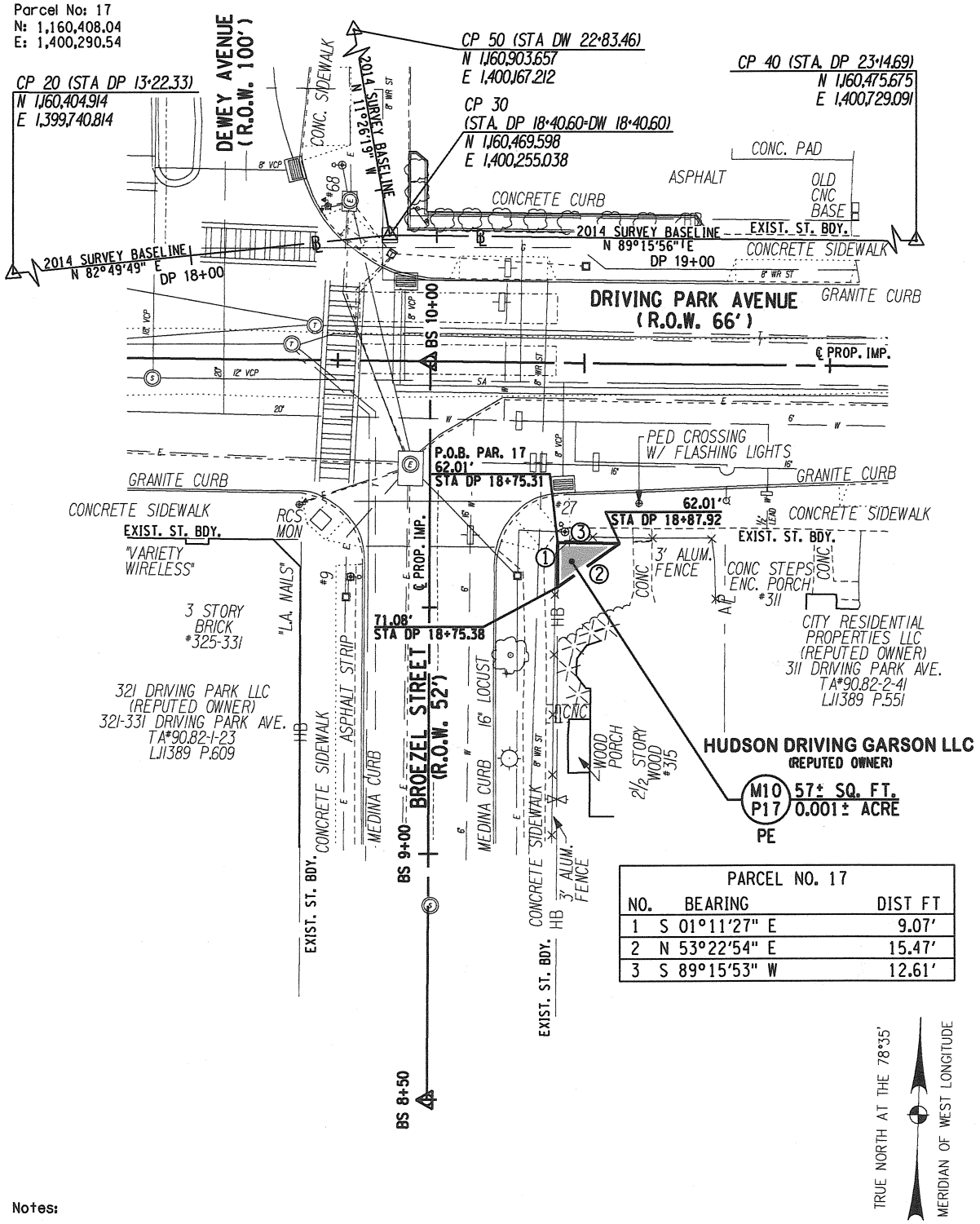
MAP REFERENCE INFORMATION:
Rochester City Survey
District 9 Map 12

Statement of Title
prepared by R.K. Hite & Co.,
Inc. provided on April 28, 2016

Parcel Locator Point:
Parcel No: 17
N: 1,160,408.04
E: 1,400,290.54

HUDSON DRIVING GARSON LLC
(REPUTED OWNER)
CCD L. 11203 P. 144

PARCEL SUMMARY:
Parcel 17 Permanent Easement
315 Driving Park Ave.
Portion of 2013 Tax Map
Ref. No. 090.82-2-40
City of Rochester
County of Monroe
State of New York



PARCEL NO. 17		
NO.	BEARING	DIST FT
1	S 01°11'27" E	9.07'
2	N 53°22'54" E	15.47'
3	S 89°15'53" W	12.61'

Notes:

1. All units of measurement shown hereon are in U.S. Survey Feet unless otherwise specified.
2. Utilities shown are placed from field located evidence and record plan information to ASCE Level C.

PREPARED BY DOROTHY CAINE CHECKED BY SEAN BALDWIN FINAL CHECK BY MICHAEL BOGARDUS, L.S.

CITY OF ROCHESTER
DEWEY AVENUE AND DRIVING PARK
AVENUE INTERSECTION REALIGNMENT

CITY OF ROCHESTER
ACQUISITION MAP

PIN 4755.55

MAP NO. 10
PARCEL NO. 17
SHEET 2 OF 2 SHEETS

HUDSON DRIVING GARSON LLC
(REPUTED OWNER)
CCD L. 11203 P. 144

PARCEL NO. 17

PERMANENT EASEMENT FOR HIGHWAY PURPOSES

A permanent easement to be exercised in, on and over the property above delineated for the purpose of constructing, reconstructing and maintaining thereon a City Street together with such sidewalks, drainage structures and facilities in connection therewith as may be deemed necessary by the City of Rochester in and to all that piece or parcel of property designated as Parcel No. 17, located in the City of Rochester, County of Monroe and State of New York, as shown on the accompanying map and described as follows:

Beginning at the point of intersection of the southerly City Street Boundary of Driving Park Avenue and the easterly City Street Boundary of Broezel Street, said point having the NYS Plane Coordinates of N:1,160,408.04 and E:1,400,290.54 and being 62.01 feet right of and at right angles to Station DP 18+75.31 of the hereinafter described 2014 Survey Baseline; thence S 01°11'27" E along said easterly City Street Boundary of Broezel Street a distance of 9.07 feet to a point, said point being 71.08 feet right of and at right angles to Station DP 18+75.38 of said Baseline; thence N 53°22'54" E, through the lands now or formerly owned by Hudson Driving Garson LLC a distance of 15.47 feet to a point on the southerly City Street Boundary of Driving Park Avenue, said point being 62.01 feet right of and at right angles to Station DP 18+87.92 of said Baseline; thence S 89°15'53" W, along said southerly City Street Boundary a distance of 12.61 feet to the POINT OF BEGINNING.

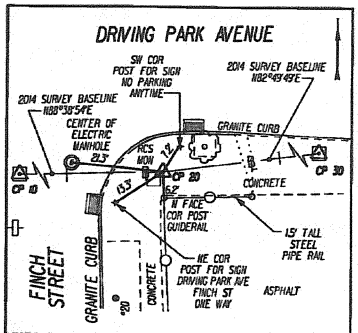
The above described parcel contains 57± sq. ft. or 0.001± acre.

The above mentioned survey baseline is a portion of the 2014 Survey Baseline for the reconstruction of a portion of Dewey Avenue as shown on a map and plan on file in the City of Rochester Department of Environmental Services and described as follows:

Beginning at Station DP 10+00.00; thence N 88°38'54" E to Station DP 13+22.33, thence N 82°49'49" E to Station DP 18+40.60; thence N 89°15'56" E to Station DP 23+14.69.

All bearings refer to True North at the 78°-35' Meridian of West Longitude.

RESERVING, however to the owner of any right, title or interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction or reconstruction and as so constructed or reconstructed, the maintenance, of the herein identified project.



R.E.L.S. CP 20 STA. DP 13+22.33

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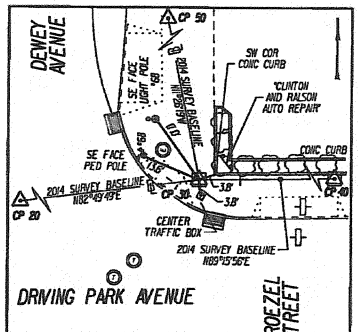
HORIZONTAL DATUM: CITY OF ROCHESTER

NORTHING 1,160,404.914
EASTING 1,399,740.814

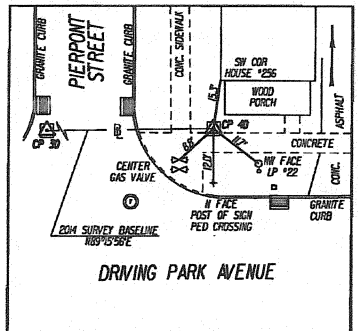


R.E.L.S. CP 30 STA. DP 18+40.60/ DW 18+40.60

R.E.L.S. CP 30 IS AN EXISTING GRANITE R.C.S. MONUMENT WITH DRILLHOLE LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF DEWEY AVENUE NORTH WITH DRIVING PARK AVENUE.

HORIZONTAL DATUM: CITY OF ROCHESTER

NORTHING 1,160,469.598
EASTING 1,400,255.038



R.E.L.S. CP 40 STA. DP 23+14.69

R.E.L.S. CP 40 IS AN EXISTING MEDINA STONE R.C.S. MONUMENT LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF PIERPONT STREET WITH DRIVING PARK AVENUE.

HORIZONTAL DATUM: CITY OF ROCHESTER

NORTHING 1,160,475.675
EASTING 1,400,729.091

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I hereby certify that this map was prepared in accordance with current City of Rochester policies, standards and procedures.

Date MAY 9 2016

Michael C. Bogardus, L.S.
Land Surveyor
P.L.S. License No. 050414

PREPARED BY DOROTHY CAINE CHECKED BY SEAN BALDWIN FINAL CHECK BY MICHAEL BOGARDUS, L.S.

CITY OF ROCHESTER
ACQUISITION MAP

CITY OF ROCHESTER
DEWEY AVENUE AND DRIVING PARK
AVENUE INTERSECTION REALIGNMENT

PIN 4755.55

MAP NO. 13
PARCEL NOS. 20 & 21
SHEET 1 OF 3 SHEETS

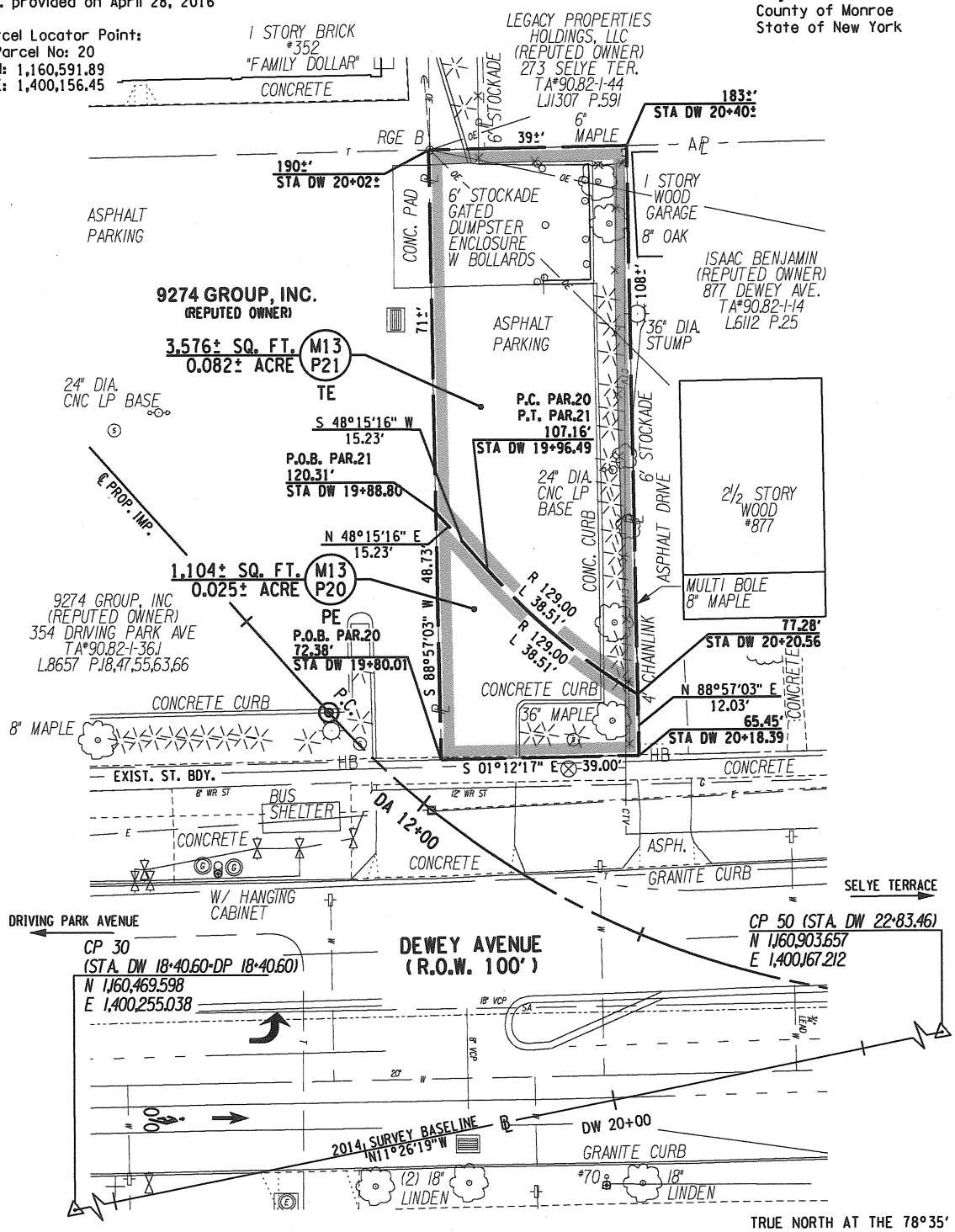
MAP REFERENCE INFORMATION:
Rochester City Survey
District 11 Map 17

Statement of Title
prepared by R.K. Hite & Co.,
Inc. provided on April 28, 2016

Parcel Locator Point:
Parcel No: 20
N: 1,160,591.89
E: 1,400,156.45

9274 GROUP, INC.
(REPUTED OWNER)
CCD L. 8657 P. 10

PARCEL SUMMARY:
Parcel 20 Permanent Easement
Parcel 21 Temporary Easement
875 Dewey Ave.
Portion of 2013 Tax Map
Ref. No. 090.82-1-15
City of Rochester
County of Monroe
State of New York



TRUE NORTH AT THE 78°35'

MERIDIAN OF WEST LONGITUDE

Notes:

1. All units of measurement shown hereon are in U.S. Survey Feet unless otherwise specified.
2. Utilities shown are placed from field located evidence and record plan information to ASCE Level C.

10 0 10 20 30 40'
1" = 20'

PREPARED BY DOROTHY CAINE CHECKED BY SEAN BALDWIN FINAL CHECK BY MICHAEL BOGAROUS, L.S.

9274 GROUP, INC.
(REPUTED OWNER)
CCD L. 8657 P. 10

PARCEL NO. 20

PERMANENT EASEMENT FOR HIGHWAY PURPOSES

A permanent easement to be exercised in, on and over the property above delineated for the purpose of constructing, reconstructing and maintaining thereon a City road together with such sidewalks, drainage structures and facilities in connection therewith as may be deemed necessary by the City of Rochester in and to all that piece or parcel of property designated as Parcel No. 20, located in the City of Rochester, County of Monroe and State of New York, as shown on the accompanying map and described as follows:

Beginning at the point of intersection of the westerly City Street Boundary of Dewey Avenue and the division line of lands now or formerly owned by 9274 Group, Inc. to the north, and the lands now or formerly owned by 9274 Group, Inc. to the south, said point having the NYS Plane Coordinates of N:1,160,591.89 and E:1,400,156.45 and being 72.38 feet left of and at right angles to Station DW 19+80.01 of the hereinafter described 2014 Survey Baseline; thence S 88°57'03" W along said division line a distance of 48.73 feet to a point, said point being 120.31 feet left of and at right angles to Station DW 19+88.80 of said Baseline; thence through said lands of 9274 Group, Inc. N 48°15'16" E a distance of 15.23 feet to a point of curvature; said point being 107.16 feet left of and at right angles to Station DW 19+96.49 of said Baseline; thence continuing through said lands of 9274 Group, Inc. along a tangent curve to the left with a radius of 129.00 feet a distance of 38.51 feet to a point on the northerly line of lands of said 9274 Group, Inc., said division line also being the southerly line of lands now or formerly owned by Isaac Benjamin, said point being 77.28 feet left of and at right angles to Station DW 20+20.56 of said Baseline, thence N 88°57'03" E along said division line a distance of 12.03 feet to a point on the westerly City Street Boundary of Dewey Avenue, said point being 65.45 feet left of and at right angles to Station DW 20+18.39 of said Baseline; thence S 01°12'17" E along said westerly City Street Boundary of Dewey Avenue a distance of 39.00 feet to the POINT OF BEGINNING.

The above described parcel contains 1,104± sq. ft. or 0.025± acre.

The above mentioned survey baseline is a portion of the 2014 Survey Baseline for the reconstruction of a portion of Dewey Avenue as shown on a map and plan on file in the City of Rochester Department of Environmental Services and described as follows:

Beginning at Station DW 18+40.60=DP 18+40.60; thence N 11°26'19" W to Station DW 22+83.46.

All bearings refer to True North at the 78°-35' Meridian of West Longitude.

RESERVING, however to the owner of any right, title or interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction or reconstruction and as so constructed or reconstructed, the maintenance, of the herein identified project.

PARCEL NO. 21

TEMPORARY EASEMENT FOR REMOVING OR RAZING BUILDINGS AND IMPROVEMENTS

A temporary easement to be exercised in, on and over the property delineated as Parcel No. 21 for the purpose of removing or razing all or a portion of certain buildings and/or improvements located on such property, ALSO, for the implementation of which absolute title is herewith simultaneously to be acquired to the structures or portions thereof, above referred to, lying within said property, and to any material salvaged there from, for use and exercisable during the construction or reconstruction of the hereinafter designated highway and terminating upon the approval of the completed work, unless sooner terminated if deemed no longer necessary for highway purposes and released by the City of Rochester or other authorized representative acting for the People of the City of Rochester, or its assigns. Such easement shall be exercised in and to all that piece or parcel of property designated as Parcel No. 21, located in the City of Rochester, County of Monroe and State of New York, as shown on the accompanying map.

RESERVING, however, to the owner of any right, title or interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for the construction or reconstruction of the herein identified project.

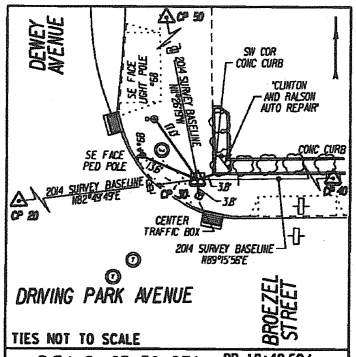
CITY OF ROCHESTER
DEWEY AVENUE AND DRIVING PARK
AVENUE INTERSECTION REALIGNMENT

CITY OF ROCHESTER
ACQUISITION MAP

PIN 4755.55

MAP NO. 13
PARCEL NOS. 20 & 21
SHEET 3 OF 3 SHEETS

9274 GROUP, INC.
(REPUTED OWNER)
CCD L. 8657 P. 10

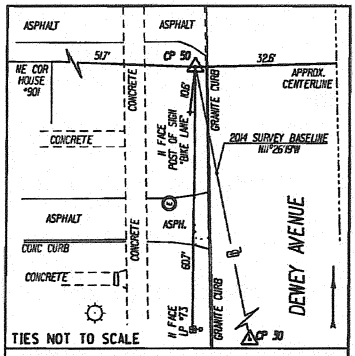


R.E.L.S. CP 30 STA. DP 18+40.60/ DW 18+40.60

R.E.L.S. CP 30 IS AN EXISTING GRANITE R.C.S. MONUMENT WITH DRILLHOLE LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF DEWEY AVENUE NORTH WITH DRIVING PARK AVENUE.

HORIZONTAL DATUM: CITY OF ROCHESTER

NORTHING 1,160,469.598
EASTING 1,400,255.038



R.E.L.S. CP 50 STA. DW 22+83.46

R.E.L.S. CP 50 IS A REBAR WITH PLASTIC CAP STAMPED "RAVI SURVEY" SET ON THE WEST SIDE OF DEWEY AVENUE NORTH LOCATED APPROX. 155' NORTH OF SELYE TERRACE AND APPROX. 2.7' FROM FACE OF GRANITE CURB.

HORIZONTAL DATUM: CITY OF ROCHESTER

NORTHING 1,160,903.657
EASTING 1,400,167.212

STATE OF NEW YORK
MICHAEL C. BOGARDUS
050414
LICENSED LAND SURVEYOR

"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map was prepared in accordance with current City of Rochester policies, standards and procedures.

Date May 9 2016

Michael C. Bogardus, L.S.
Land Surveyor
P.L.S. License No. 050414

PREPARED BY DOROTHY CAINE CHECKED BY SEAN BALDWIN FINAL CHECK BY MICHAEL BOGARDUS, L.S.

CITY OF ROCHESTER
ACQUISITION MAP

CITY OF ROCHESTER
DEWEY AVENUE AND DRIVING PARK
AVENUE INTERSECTION REALIGNMENT

PIN 4755.55

MAP NO. 14
PARCEL NOS. 22 & 23
SHEET 1 OF 3 SHEETS

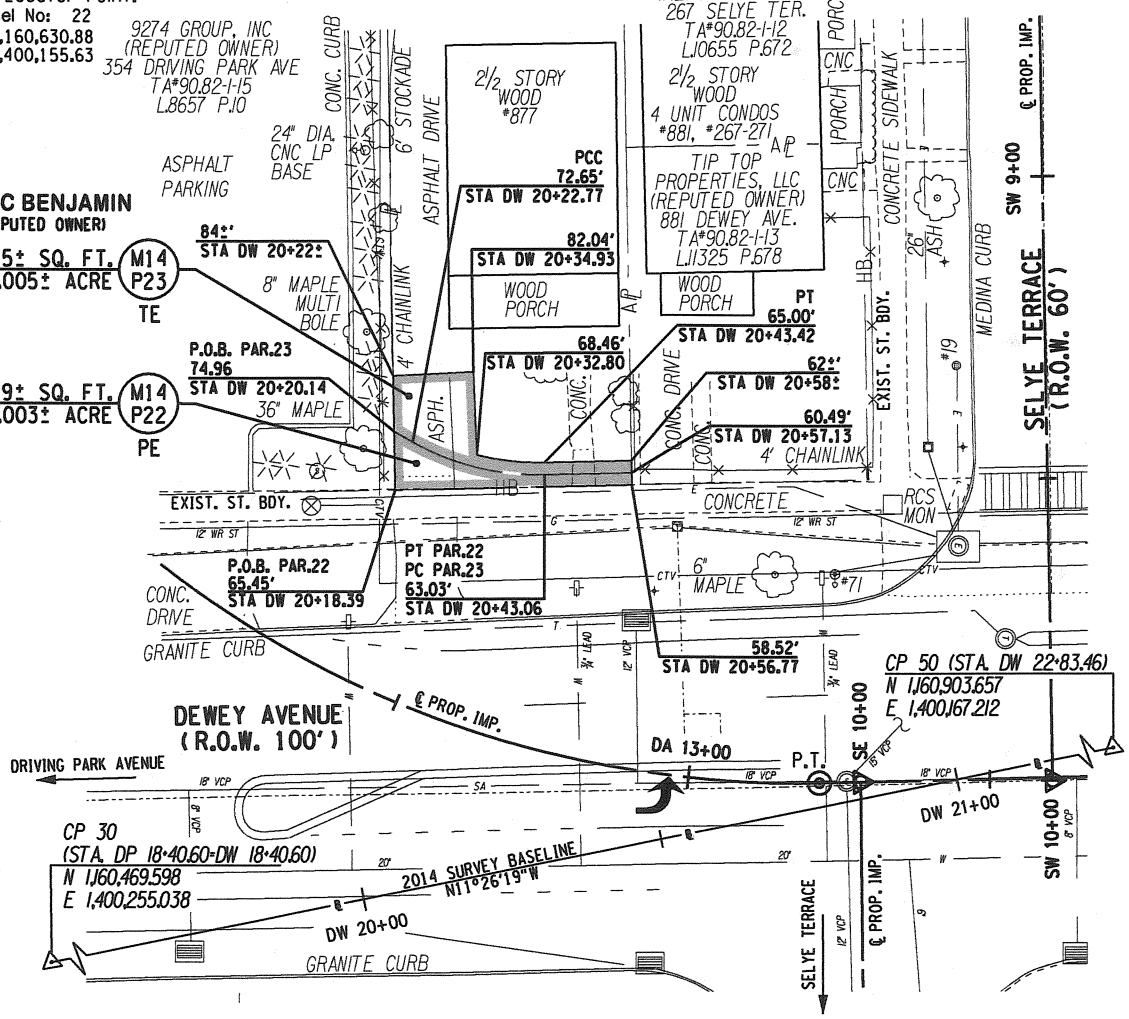
MAP REFERENCE INFORMATION:
Rochester City Survey
District 11 Map 17

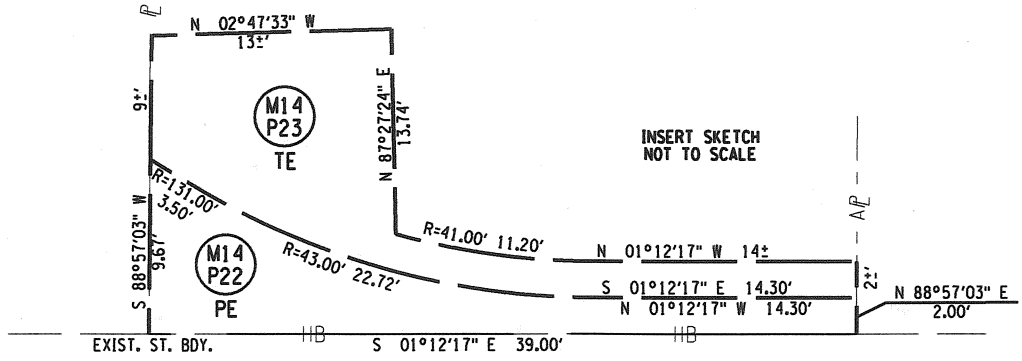
Statement of Title
prepared by R.K. Hite & Co.,
Inc. provided on April 28, 2016

Parcel Locator Point:
Parcel No: 22
N: 1,160,630.88
E: 1,400,155.63

ISAAC BENJAMIN
(REPUTED OWNER)
CCD L. 6112 P. 25

PARCEL SUMMARY:
Parcel 22 Permanent Easement
Parcel 23 Temporary Easement
877 Dewey Ave.
Portion of 2013 Tax Map
Ref. No. 090.82-1-14
City of Rochester
County of Monroe
State of New York





TRUE NORTH AT THE 78°35'

MERIDIAN OF WEST LONGITUDE

10 0 10 20 30 40'
1" = 20'

Notes:

1. All units of measurement shown hereon are in U.S. Survey Feet unless otherwise specified.
2. Utilities shown are placed from field located evidence and record plan information to ASCE Level C.

PREPARED BY DOROTHY CAINE CHECKED BY SEAN BALDWIN FINAL CHECK BY MICHAEL BOGARDUS, L.S.

ISAAC BENJAMIN
(REPUTED OWNER)
CCD L. 6112 P. 25

PARCEL NO. 22

PERMANENT EASEMENT FOR HIGHWAY PURPOSES

A permanent easement to be exercised in, on and over the property above delineated for the purpose of constructing, reconstructing and maintaining thereon a City Street together with such sidewalks, drainage structures and facilities in connection therewith as may be deemed necessary by the City of Rochester in and to all that piece or parcel of property designated as Parcel No. 22, located in the City of Rochester, County of Monroe and State of New York, as shown on the accompanying map and described as follows:

Beginning at the point of intersection of the westerly City Street Boundary of Dewey Avenue and the division line of lands now or formerly owned by Isaac Benjamin to the north, and the lands now or formerly owned by 9274 Group, Inc. to the south, said point having the NYS Plane Coordinates of N:1,160,630.88 and E:1,400,155.63 and being 65.45 feet left of and at right angles to Station DW 20+18.39 of the hereinafter described 2014 Survey Baseline; thence S 88°57'03" W along said division line a distance of 9.67 feet to a point, said point being 74.96 feet left of and at right angles to Station DW 20+20.14 of said Baseline; thence northerly through said lands of Isaac Benjamin the following three (3) courses and distances: (1) along a curve to the left with a radius of 131.00 feet a distance of 3.50 feet to a point of compound curvature, said point being 72.65 feet left of and at right angles to Station DW 20+22.77 of said Baseline; thence (2) along a curve to the left with a radius of 43.00 feet a distance of 22.72 feet to a point of tangency, said point being 63.03 feet left of and at right angles to Station DW 20+43.06 of said Baseline; thence (3) N 01°12'17" W a distance of 14.30 feet to a point on the northerly line of said lands of Isaac Benjamin, said point being 60.49 feet left of and at right angles to Station DW 20+57.13 of said Baseline, thence N 88°57'03" E along said line a distance of 2.00 feet to a point on the westerly City Street Boundary of Dewey Avenue, said point being 58.52 feet left of and at right angles to Station DW 20+56.77 of said Baseline; thence S 01°12'17" E along said westerly City Street Boundary of Dewey Avenue a distance of 39.00 feet to the POINT OF BEGINNING.

The above described parcel contains 139± sq. ft. or 0.003± acre.

The above mentioned survey baseline is a portion of the 2014 Survey Baseline for the reconstruction of a portion of Dewey Avenue as shown on a map and plan on file in the City of Rochester Department of Environmental Services and described as follows:

Beginning at Station DW 18+40.60=DP 18+40.60; thence N 11°26'19" W to Station DW 22+83.46.

All bearings refer to True North at the 78°-35' Meridian of West Longitude.

RESERVING, however to the owner of any right, title or interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction or reconstruction and as so constructed or reconstructed, the maintenance, of the herein identified project.

PARCEL NO. 23

TEMPORARY EASEMENT FOR WORK AREA

A temporary easement to be exercised in, on and over the property delineated as Parcel No. 23 for the purpose of a work area in connection with the construction or reconstruction of the highway and appurtenances for use and exercisable during the construction or reconstruction of the highway and terminating upon the approval of the completed work, unless sooner terminated if deemed no longer necessary for highway purposes and released by the City of Rochester or other authorized representative acting for the People of the City of Rochester, or its assigns. Such easement shall be exercised in and to all that piece or parcel of property designated as Parcel No. 23, located in the City of Rochester, County of Monroe and State of New York, as shown on the accompanying map.

RESERVING, however, to the owner of any right, title or interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for the construction or reconstruction of the herein identified project.

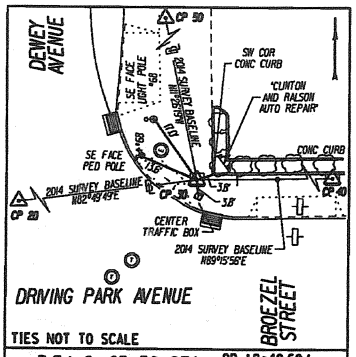
CITY OF ROCHESTER
DEWEY AVENUE AND DRIVING PARK
AVENUE INTERSECTION REALIGNMENT

CITY OF ROCHESTER
ACQUISITION MAP

PIN 4755.55

MAP NO. 14
PARCEL NOS. 22 & 23
SHEET 3 OF 3 SHEETS

ISAAC BENJAMIN
(REPUTED OWNER)
CCD L. 6112 P. 25

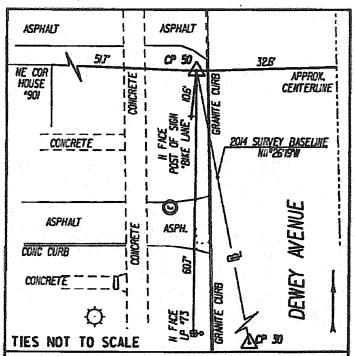


R.E.L.S. CP 30 STA. OP 18+40.60/ DW 18+40.60

R.E.L.S. CP 30 IS AN EXISTING GRANITE R.C.S. MONUMENT WITH DRILLHOLE LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF DEWEY AVENUE NORTH WITH DRIVING PARK AVENUE.

HORIZONTAL DATUM: CITY OF ROCHESTER

NORTHING 1,160,469.598
EASTING 1,400,255.038



R.E.L.S. CP 50 STA. DW 22+83.46

R.E.L.S. CP 50 IS A REBAR WITH PLASTIC CAP STAMPED "RAVI SURVEY" SET ON THE WEST SIDE OF DEWEY AVENUE NORTH LOCATED APPROX. 155' NORTH OF SELYE TERRACE AND APPROX. 2.7' FROM FACE OF GRANITE CURB.

HORIZONTAL DATUM: CITY OF ROCHESTER

NORTHING 1,160,903.657
EASTING 1,400,167.212

STATE OF NEW YORK
MICHAEL C. BOGARDUS
050414
LICENSED LAND SURVEYOR

"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map was prepared in accordance with current City of Rochester policies, standards and procedures.

Date MAY 9 2016

Michael C. Bogardus, L.S.
Land Surveyor
P.L.S. License No. 050414

PREPARED BY DOROTHY CAINE CHECKED BY SEAN BALDRIN FINAL CHECK BY MICHAEL BOGARDUS, L.S.

CITY OF ROCHESTER
ACQUISITION MAP

CITY OF ROCHESTER
DEWEY AVENUE AND DRIVING PARK
AVENUE INTERSECTION REALIGNMENT

PIN 4755.55

MAP NO. 15
PARCEL NO. 24
SHEET 1 OF 2 SHEETS

MAP REFERENCE INFORMATION:
Rochester City Survey
District 11 Map 17

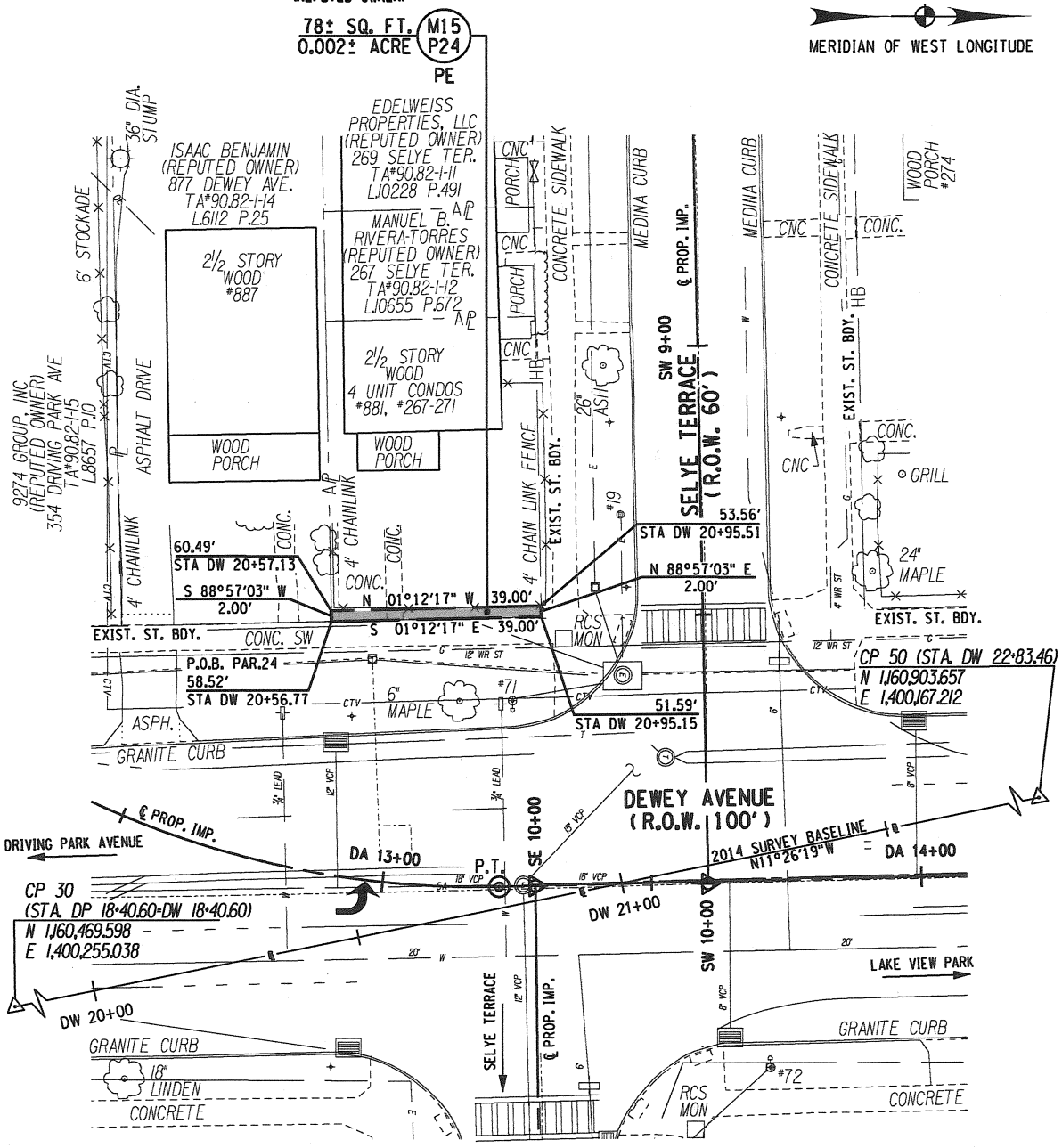
Statement of Title
prepared by R.K. Hite & Co.,
Inc. provided on April 28, 2016

Parcel Locator Point:
Parcel No: 24
N: 1,160,669.87
E: 1,400,154.81

TIP TOP PROPERTIES, LLC
(REPUTED OWNER)
CCD L. 11325 P. 678

PARCEL SUMMARY:
Parcel 24 Permanent Easement
881 Dewey Ave.
Portion of 2013 Tax Map
Ref. No. 090.82-1-13
City of Rochester
County of Monroe
State of New York

TRUE NORTH AT THE 78°35'
MERIDIAN OF WEST LONGITUDE



Notes:

1. All units of measurement shown hereon are in U.S. Survey Feet unless otherwise specified.
2. Utilities shown are placed from field located evidence and record plan information to ASCE Level C.

10 0 10 20 30 40'
1" = 20'

PREPARED BY DOROTHY CAINE CHECKED BY SEAN BALDWIN FINAL CHECK BY MICHAEL BOGARDUS, L.S.

CITY OF ROCHESTER
DEWEY AVENUE AND DRIVING PARK
AVENUE INTERSECTION REALIGNMENT

CITY OF ROCHESTER
ACQUISITION MAP

PIN 4755.55

MAP NO. 15
PARCEL NO. 24
SHEET 2 OF 2 SHEETS

TIP TOP PROPERTIES, LLC
(REPUTED OWNER)
CCD L. 11325 P. 678

PARCEL NO. 24

PERMANENT EASEMENT FOR HIGHWAY PURPOSES

A permanent easement to be exercised in, on and over the property above delineated for the purpose of constructing, reconstructing and maintaining thereon a City Street together with such sidewalks, drainage structures and facilities in connection therewith as may be deemed necessary by the City of Rochester in and to all that piece or parcel of property designated as Parcel No. 24, located in the City of Rochester, County of Monroe and State of New York, as shown on the accompanying map and described as follows:

Beginning at the point of intersection of the westerly City Street Boundary of Dewey Avenue and the division line of lands now or formerly owned by Tip Top Properties, LLC to the north, and the lands now or formerly owned by Isaac Benjamin to the south, said point having the NYS Plane Coordinates of N:1,160,669.87 and E:1,400,154.81 and being 58.52 feet left of and at right angles to Station DW 20+56.77 of the hereinafter described 2014 Survey Baseline; thence S 88°57'03" W along said division line a distance of 2.00 feet to a point, said point being 60.49 feet left of and at right angles to Station DW 20+57.13 of said Baseline; thence N 01°12'17" W through said lands of Tip Top Properties, LLC a distance of 39.00 feet to a point on the southerly City Street Boundary of Selye Terrace, said point being 53.56 feet left of and at right angles to Station DW 20+95.51 of said Baseline, thence N 88°57'03" E along said City Street Boundary of Selye Terrace a distance of 2.00 feet to the point of intersection of said southerly City Street Boundary of Selye Terrace and the westerly City Street Boundary of Dewey Avenue, thence S 01°12'17" E along said westerly City Street Boundary of Dewey Avenue a distance of 39.00 feet to the POINT OF BEGINNING.

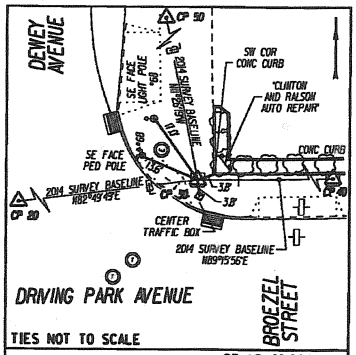
The above described parcel contains 78± sq. ft. or 0.002± acre.

The above mentioned survey baseline is a portion of the 2014 Survey Baseline for the reconstruction of a portion of Dewey Avenue as shown on a map and plan on file in the City of Rochester Department of Environmental Services and described as follows:

Beginning at Station DW 18+40.60=DP 18+40.60; thence N 11°26'19" W to Station DW 22+83.46.

All bearings refer to True North at the 78°-35' Meridian of West Longitude.

RESERVING, however to the owner of any right, title or interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction or reconstruction and as so constructed or reconstructed, the maintenance, of the herein identified project.

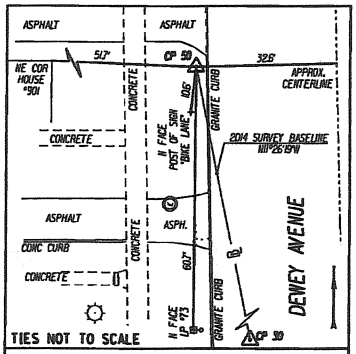


R.E.L.S. CP 30 STA. DP 18+40.60/ DW 18+40.60

R.E.L.S. CP 30 IS AN EXISTING GRANITE R.C.S. MONUMENT WITH DRILLHOLE LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF DEWEY AVENUE NORTH WITH DRIVING PARK AVENUE.

HORIZONTAL DATUM: CITY OF ROCHESTER

NORTHING 1,160,469.598
EASTING 1,400,255.038



R.E.L.S. CP 50 STA. DW 22+83.46

R.E.L.S. CP 50 IS A REBAR WITH PLASTIC CAP STAMPED "RAVI SURVEY" SET ON THE WEST SIDE OF DEWEY AVENUE NORTH LOCATED APPROX. 155' NORTH OF SELYE TERRACE AND APPROX. 2.7' FROM FACE OF GRANITE CURB.

HORIZONTAL DATUM: CITY OF ROCHESTER

NORTHING 1,160,903.657
EASTING 1,400,167.212

STATE OF NEW YORK
MICHAEL C. BOGARDUS
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I hereby certify that this map was prepared in accordance with current City of Rochester policies, standards and procedures.

Date MAY 9 2016

Michael C. Bogardus, L.S.
Land Surveyor
P.L.S. License No. 050414

PREPARED BY DOROTHY CAINE CHECKED BY SEAN BALDWIN FINAL CHECK BY MICHAEL BOGARDUS, L.S.

City of Rochester

Inter-Departmental Correspondence

one city ROCHESTER

To: Mayor Lovely A. Warren

From: Norman H. Jones, Commissioner of DES

Date: July 7, 2014

Subject: Dewey Driving Park Alignment Project – Negative Declaration

The attached Environmental Significance Determination should be signed by the Mayor as Lead agency prior to consideration of and decision on the Dewey Driving Park Realignment Project.

The Significance Determination should be returned to the Bureau of Architecture and Engineering for filing.

NJ:lsn
Attachment

xc: J. Rogers

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information

Name of Action or Project:
Dewey Avenue / Driving Park Avenue intersection Realignment Project

Project Location (describe, and attach a location map):
Intersection of Dewey Avenue and Driving Park Avenue, Right-of-Way within 500 ft on each approach, property acquisition on northwest corner

Brief Description of Proposed Action:
The goal of the project is to realign the offset intersection along Dewey Avenue to reduce congestion and improve highway safety. The project will include enhanced bicycle and pedestrian facilities and streetscape design including on-street parking and curb "bump outs." See attached rendering.

Name of Applicant or Sponsor:	Telephone: 585.428.7415
City of Rochester Department of Environmental Services, Attn: Jeron Rogers, P.E.	E-Mail: rogersj@cityofrochester.gov

Address:
414 Andrew Street

City/PO:	State:	Zip Code:
Rochester	NY	14614

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☑	☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: The project is a Locally Administered Federal Aid Project, with funding from the Federal Highway Administration and administered by the New York State Department of Transportation	☐	☑

3.a. Total acreage of the site of the proposed action? 3.2 acres
b. Total acreage to be physically disturbed? ~3.0 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 3.2 acres

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

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☑	☐
b. Consistent with the adopted comprehensive plan?	☐	☑	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☑

	NO	YES
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify:	☑	☐

	NO	YES
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☑	☐
b. Are public transportation service(s) available at or near the site of the proposed action?	☐	☑
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☐	☑

	NO	YES
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies:	☐	☑

	NO	YES
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: The project will not use potable water, as it is in intersection improvement project.	☑	☐

	NO	YES
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: The project will connect with the City of Rochester's combined sewer system (stormwater and wastewater).	☐	☑

	NO	YES
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	☑	☐
b. Is the proposed action located in an archeological sensitive area?	☐	☑

	NO	YES
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☑	☐
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:	☑	☐

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional

☐ Wetland ☑ Urban ☐ Suburban

	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	☐	☑
16. Is the project site located in the 100 year flood plain?	☑	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☑ NO ☐ YES	☐	☑
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☑ YES Stormwater associated with the runoff from the impervious areas of the proposed roadway will be treated by appropriate stormwater systems and discharged into existing combined sewer systems on site.		

	NO	YES
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size:	✓	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	✓	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: See attached.		✓

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

Applicant/sponsor name: Jeron Rogers, P.E. Date: 7-8-14

Signature: Jeron Rogers

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

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

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☑	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☑	☐

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

See attached.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

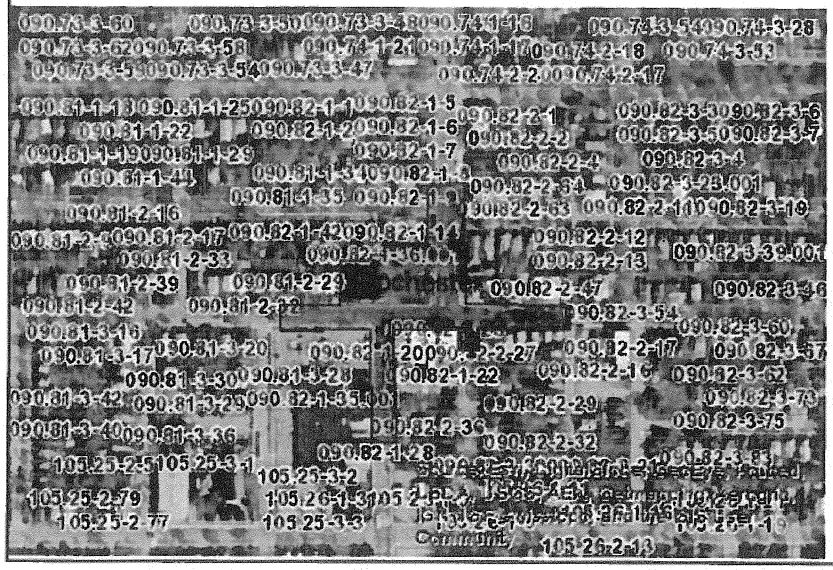
☑ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

City of Rochester	7/7/14
Name of Lead Agency	Date
Lovely A. Warren	Mayor
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Lovely A. Warren	James Z. Bagg, Bergmann Associates
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

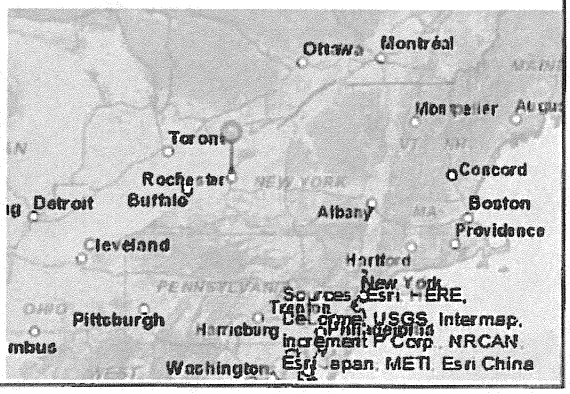
PRINT

EAF Mapper Summary Report

Thursday, May 22, 2014 4:05 PM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered]	Yes
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

Part I Attachment

12b. *Is the proposed action located in an archeological sensitive area?*

The entire project area is located in an archaeologically sensitive area; however, all of the proposed excavation will take place within existing pavement/sidewalk areas or areas previously disturbed by construction activities in the last 20 years. It is anticipated that any excavation below the existing pavement, greater than 2 feet in depth, will be limited to drainage facilities, underground utility relocations, and various light pole/traffic signal pole foundations. All other excavations are anticipated to be less than 2 feet in depth.

A Project Review Package was prepared for review by the New York State Department of Transportation Regional Cultural Resource Coordinator (CRC). In a memorandum dated May 22, 2014, the Regional CRC concluded that "the project activities have no potential to cause effects on historic properties in accordance with 36 CFR 800.3(a)(1) therefore, there are no further obligations for compliance with Section 106 of the National Historic Preservation Act." A copy of this memorandum is attached.

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?

In a letter dated April 7, 2014, the NYSDEC New York Natural Heritage Program stated that they "have no records of rare or state-listed animals or plans, or significant natural communities, at your site or in its immediate vicinity." A copy of this letter is included in Appendix B.

A review of the United States Fish and Wildlife Service (USFWS) Information, Planning and Conservation (IPAC) System of federally threatened and endangered species (listed and proposed species) lists the federally threatened species, bog turtle (*Clemmys muhlenbergii*). It also included the proposed endangered Northern long-eared bat (*Myotis septentrionalis*).

The bog turtle is a semi-aquatic species. The bog turtle prefers open, sunny, spring fed wetlands in muck soils with scattered dry areas. The bog turtle is generally found in "mucky" open areas with high amounts of sunlight for basking and nesting. Since the project area is urban, with no wetlands or surface waters near the project site, there is no suitable habitat for the bog turtle.

In November 2013, the USFWS announced the proposed listing of the northern long-eared bat in October 2014, which will require the review of any tree removals greater than 3" diameter breast height (dbh) as suitable roosting habitat. Suitable habitat is defined as trees providing gaps underneath bark, in cavities, or in crevices of both live and dead trees. Other roosting locations include caves, mines and occasionally in barns and sheds. It should be noted that the "Northern Long-eared Bat Interim Conference and Planning Guidance" of January 6, 2014 notes on page 3 that "trees found in highly-developed urban areas (e.g. street trees, downtown areas) are extremely unlikely to be suitable NLEB habitat." During this interim period a biological evaluation of all tree removals has been conducted. In order to reduce the potential to impact this species, it is recommended that any tree removals occur during the approved winter cutting window of October 1 to March 31. At this time, it is estimated that 22 trees over 3 inches dbh would be removed as shown on Table 1.

Table 1 Estimated Number of Trees to be Removed.		
Quadrant	**Number**	**Size/Type**
NW	1	42" Maple
NE	1	24" Maple
NE	1	18" Maple
NE	1	16" Maple
NE	2	14" Maple
NE	1	10" Maple
NW	2	8" Maple
NW	1	6" Maple
NW	1	42" Hickory
NW	2	16" Locust
NW	1	14" Locust
SW	1	14" Crabapple
SW	1	12" Crabapple
SW	1	10" Crabapple
NW, SW	2	8" Crabapple
SW	1	6" Crabapple
SW	2	4" Crabapple
Total	**22**	

It is recommended that the proposed project will have a "May Affect, not likely to adversely Affect" determination on this new proposed listed species. Consultation with USFWS is ongoing.

20. *Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?*

There are two remediation sites in the general vicinity of the project.

One is the former site of the Dupont E I De Nemours & Co Rochester at 666 Driving Park Avenue which is on the north side of Driving Park Avenue, west of Dewey Avenue, approximately 0.3 miles west of the proposed project. The site is currently vacant, but historically was a manufacturer of photography film and paper. The processes included the use of methanol, silver, cadmium, lead, and mercury. The site entered into the Brownfield Program in May of 2007. Based on the assumed northerly groundwater flow direction and distance from the project area, this site will not have a negative impact on the proposed project.

The other is the RG&E Genesee River Gorge (Lower Falls), at Driving Park Bridge and Lake Avenue. It is located approximately 0.3 miles east of the intersection at Dewey Avenue and Driving Park Avenue. Various aromatic hydrocarbon materials were found during numerous investigations conducted between the Lower Falls and Upper Falls of the Genesee River at the RG&E Station #5 tunnels. The probable source of the contamination is coal tar. Based on the assumed groundwater flow direction to the east, this site will not have a negative impact on the proposed project. Also, the contamination found was within bedrock, and the proposed project will not have an impact on bedrock.

Part 3 Attachment

Following the issuance of Part 1 of the Short Environmental Assessment Form (EAF), the project went through a public and agency review process. This process brought to light a minor safety concern inherent in the proposed geometry where westbound traffic on Driving Park Avenue would turn right (northbound) on to Dewey Avenue. To mitigate this concern, the geometry for the proposed intersection improvement was modified slightly to provide additional sight distance for this movement. The rendering originally attached (dated May 19, 2014) to the issued Part 1 of the Short EAF has therefore been replaced with the rendering attached to this document (dated June 23, 2014).

The address for Mr. Rogers in Part 1 of the Short EAF is being changed to 30 Church Street, Rochester, NY 14614.

Following is an expansion of the Brief Description of the Proposed Action:

> Dewey Avenue and Driving Park Avenue currently meet at an offset intersection resulting in the need for two sets of traffic signals to control movements through the area. The northbound and southbound approaches are offset by approximately 180 feet which complicates mobility through the area. The offset configuration results in congestion, delays and accidents creating difficult travel conditions for all modes of transportation including vehicles, pedestrians, bicyclists, and mass transit users.
>
> The proposed action would consolidate the offset intersections as shown on the attached rendering. The northern approach would be shifted west along Driving Park Avenue to align with the southbound approach of Dewey Avenue. There would be one travel lane and a left turn lane in each direction. There would also be a right turn roadway connecting Driving Park Avenue westbound with Dewey Avenue northbound. The intersection would simplify navigation along Dewey Avenue and eliminate one of two signals.
>
> The proposed action would enhance overall mobility for all users of the intersection. The southbound bicycle lane would extend along Dewey Avenue through the intersection. Northbound travel on Dewey Avenue would be facilitated by a bicycle lane and shared lane use markings. Shared lane use markings would be added eastbound and westbound along Driving Park Avenue extending the existing markings through the project limits. Pedestrian accommodations and safety would be improved by eliminating one traffic signal and consolidating road crossings to a single location. Pedestrian crossings would be enhanced with high visibility markings. Transit mobility would improve through the intersection associated with a reduction in vehicle hours of delay. All sidewalks within project limits would be replaced. The area vacated by shifting Dewey Avenue west would provide an opportunity to develop a pocket park. Community aesthetics would be enhanced with streetscape and landscape features.

The proposed action would reduce congestion and improve highway safety as discussed in the expanded project description. It would also include enhanced bicycle and pedestrian facilities. These would all be **beneficial impacts** to the infrastructure for biking and walking (Part 2, Item 5).

The reduction of congestion and elimination of a traffic signal would also lower the potential for impacts to energy and the emission of greenhouse gases, which would be a **beneficial impact** to energy use (Part 2, Item 6).

As result of further project development, there may be no additional treatment as stated in Part 1, Item 11; however, there would be no net increase in the impervious pavement area as a result of the proposed action. Therefore the same amount of stormwater from the proposed action would continue to be directed to the combined sewer system (wastewater and stormwater), with **no impact** to that system (Part 2, Item 7.b.)

The proposed action is located in an archaeologically sensitive area. A Project Review Package was reviewed by the New York State Department of Transportation Regional Cultural Resource Coordinator (CRC). In a memorandum dated May 22, 2014, the Regional CRC concluded that "the project activities have no potential to cause effects on historic properties in accordance with 36 CFR 800.3(a)(1) therefore, there are no further obligations for compliance with Section 106 of the National Historic Preservation Act." The proposed action would therefore have **no impact** on historic properties, including archaeologic resources (Part 1, Item 12.b / Part 2, Item 8).

In Part 1 (Part 1, Item 15), the potential for the presence of the Northern long-eared bat (*Myotis septentrionalis*) is discussed. Based in the information and guidance available at this time, and <u>assuming that any tree removals occur during the approved winter cutting window of October 1 to March 31</u>, it is concluded that the proposed action would have a "May Affect, not likely to adversely Affect" determination on this new proposed listed species. This would translate to a **small impact** on the Northern long-eared bat (Part 2, Item 9).

U.S. Fish and Wildlife Service

Natural Resources of Concern

This resource list is to be used for planning purposes only — it is not an official species list.

Endangered Species Act species list information for your project is available online and listed below for the following FWS Field Offices:

New York Ecological Services Field Office
3817 LUKER ROAD
CORTLAND, NY 13045
(607) 753-9334
http://www.fws.gov/northeast/nyfo/es/section7.htm

Project Name:

Dewey Ave / Driving Park Ave

U.S. Fish and Wildlife Service

Natural Resources of Concern

Project Location Map:

Project Counties:

Monroe, NY

Geographic coordinates (Open Geospatial Consortium Well-Known Text, NAD83):

MULTIPOLYGON (((-77.6386753 43.1819391, -77.6386705 43.1810002, -77.6376244 43.1810159, -77.6375922 43.1808398, -77.6385471 43.1808477, -77.6385257 43.1806716, -77.6386713 43.1806712, -77.6387188 43.1808633, -77.6394161 43.1808398, -77.6393786 43.1800262, -77.63962 43.1800144, -77.6395985 43.1807851, -77.6396629 43.1808516, -77.6406556 43.1808359, -77.6406499 43.1810159, -77.6399306 43.1810198, -77.6399357 43.1813602, -77.6394639 43.1813445, -77.6394746 43.181458, -77.6390237 43.1814736, -77.6390347 43.1819508, -77.6386753 43.1819391)))

U.S. Fish and Wildlife Service

Natural Resources of Concern

Project Type:

Transportation

Endangered Species Act Species List (USFWS Endangered Species Program).

There are a total of 2 threatened, endangered, or candidate species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fishes may appear on the species list because a project could cause downstream effects on the species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section below for critical habitat that lies within your project area. Please contact the designated FWS office if you have questions.

Species that should be considered in an effects analysis for your project:

Mammals	Status		Has Critical Habitat	Contact
northern long-eared Bat (*Myotis septentrionalis*) Population:	Proposed Endangered	species info		New York Ecological Services Field Office
Reptiles				
Bog Turtle (*Clemmys muhlenbergii*) Population: northern	Threatened	species info		New York Ecological Services Field Office

Critical habitats within your project area:

There are no critical habitats within your project area.

FWS National Wildlife Refuges (USFWS National Wildlife Refuges Program).

There are no refuges found within the vicinity of your project.

FWS Migratory Birds (USFWS Migratory Bird Program).

Most species of birds, including eagles and other raptors, are protected under the Migratory Bird Treaty Act (16 U.S.C. 703). Bald eagles and golden eagles receive additional protection under the

Bald and Golden Eagle Protection Act (16 U.S.C. 668). The Service's Birds of Conservation Concern (2008) report identifies species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become listed under the Endangered Species Act as amended (16 U.S.C 1531 et seq.).

Migratory bird information is not available for your project location.

NWI Wetlands (USFWS National Wetlands Inventory).

The U.S. Fish and Wildlife Service is the principal Federal agency that provides information on the extent and status of wetlands in the U.S., via the National Wetlands Inventory Program (NWI). In addition to impacts to wetlands within your immediate project area, wetlands outside of your project area may need to be considered in any evaluation of project impacts, due to the hydrologic nature of wetlands (for example, project activities may affect local hydrology within, and outside of, your immediate project area). It may be helpful to refer to the USFWS National Wetland Inventory website. The designated FWS office can also assist you. Impacts to wetlands and other aquatic habitats from your project may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal Statutes. Project Proponents should discuss the relationship of these requirements to their project with the Regulatory Program of the appropriate U.S. Army Corps of Engineers District.

There are no wetlands found within the vicinity of your project.

Species Conclusions Table

Project Name:

Date:

Species Name/Critical Habitat	Potential Habitat Present?	Species Present?	Critical Habitat Present?	ESA / Eagle Act Determination	Notes / Documentation Summary (include full rationale in your report)
Northern long-eared bat (*Myotis septentrionalis*)	Yes	No			Note: The Northern Long-eared Bat Interim Conference and Planning Guidance of January 6, 2014 notes on page 3 that "trees found in highly-developed urban areas (e.g. street trees, downtown areas) are extremely unlikely to be suitable NLEB habitat.
Bog Turtle (*Clemmys muhlenbergii*)	No	No			No wetlands present in this urban area.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Division of Fish, Wildlife & Marine Resources
New York Natural Heritage Program
625 Broadway, 5th Floor, Albany, New York 12233-4757
Phone: (518) 402-8935 • **Fax:** (518) 402-8925
Website: www.dec.ny.gov

Joe Martens
Commissioner

April 07, 2014

James Boggs
Bergmann Associates
28 East Main Street, 200 First Federal Plaza
Rochester, NY 14614

Re: Dewey Ave./Driving Park Ave. Intersection Realignment Project (PIN 4755.55)
Town/City: City Of Rochester. County: Monroe.

Dear James Boggs :

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

We have no records of rare or state-listed animals or plants, or significant natural communities, at your site or in its immediate vicinity.

The absence of data does not necessarily mean that rare or state-listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other resources may be required to fully assess impacts on biological resources.

This response applies only to known occurrences of rare or state-listed animals and plants, significant natural communities and other significant habitats maintained in the Natural Heritage Data bases. Your project may require additional review or permits; for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Sincerely,

Andrea Chaloux

Andrea Chaloux
Environmental Review Specialist
New York Natural Heritage Program

MEMORANDUM
DEPARTMENT OF TRANSPORTATION

TO: Frank DiCostanzo, Regional Local Project Liaison

FROM: Chris Caraccilo, Regional Cultural Resource Coordinator

SUBJECT: PROJECT SUBMITTAL PACKAGE – SECTION 106 RECOMMENDATIONS

PIN 4755.55, DEWEY AVE AND DRIVING PARK AVENEUE INTERSECTION REALIGNMENT PROJECT, CITY OF ROCHESTER, MONROE COUNTY

May 22, 2014

As the Regional Cultural Resource Coordinator (RCRC) I have reviewed the Project Submittal Package (PSP) prepared for the above referenced Locally Administered Federal Aid project for assessment of obligations under Section 106 of the National Historic Preservation Act (36 CFR Part 800).

Based on review of this PSP, I conclude:

✓ The project activities have no potential to cause effects on historic properties in accordance with 36 CFR 800.3(a)(1) therefore, there are no further obligations for compliance with Section 106 of the National Historic Preservation Act. This determination should be recorded in the project environmental documentation.

The project activities may cause effects on historic properties:

- ☐ However, this is no potential for historic properties present. Therefore, there are no further obligations for compliance with Section 106 of the National Historic Preservation Act. This determination should be recorded in the project environmental documentation.
- ☐ A Phase I Cultural Resource Survey is needed to identify historic and cultural resources. Based on project description and activities, the following preliminary Area of Potential Effect is recommended.
- ☐ Based on project description and activities in the PSP a preliminary Area of Potential Effect is provided.
- ☐ A bridge inventory and evaluation of National Register eligibility is needed for BIN _____, a pre-1961 bridge that has not been previously evaluated.
- ☐ A Finding Documentation package is needed to assess the project effect on one or more previously identified National Register (NR) listed and/ or NR eligible historic buildings, structures, bridges, districts, objects, or sites.

☐ The following additional information is needed to complete our assessment:

- ☐ Detailed project description & activities
- ☐ Project location map showing project limits (USGS Quad)
- ☐ BIN and date of construction for pre-1961 bridge(s)
- ☐ Approximate limits of ground disturbance associated with proposed project activities (vertical & horizontal)
- ☐ Photos of buildings
- ☐ Other

Bergmann associates
architects // engineers // planners

City of Rochester, NY

Intersection Realigment Plan

Dewey Avenue / Driving Park Avenue Intersection Realignment Project

City of Rochester, New York

September 23, 2015

CITY PLANNING COMMISSION
STAFF REPORT
June 13, 2016

Zoning Map Amendment

Case #2: Staff Reviewer: Jill Wiedrick

File Number: M-06-15-16

Case Type: Zoning Map Amendment

Applicant: Joseph Santacroce, Northeast Property Management

Address: 90 St. John's Park

Zoning District: R-1 Low Density Residential District

Section of Code: 120-190C

Request: **To amend the Zoning Map by rezoning the property at 90 St. John's Park from R-1 Low Density Residential District to H-V Harbortown Village District; an action requiring City Planning Commission recommendation to City Council.**

Analysis:
The applicant is proposing to rezone the property at 90 St. John's Park from R-1 Low Density Residential District to H-V Harbortown Village District. Historically, this property was used as the Ira Jacobson Post. The Ira Jacobson Post functioned as a bar/restaurant/banquet hall until its closure. The applicant has purchased the property and wishes to operate a bar/restaurant/banquet hall here. Rezoning this property is the first step in legalization of this property as a bar/restaurant/banquet hall (private and commercial recreation and amusement facility). A special permit will be necessary to establish the use.

It is important to note that if the rezoning is approved, any H-V use would be permitted on these properties.

Please see the attached list of Permitted and Specially Permitted uses in the H-V District.

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

PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. **PROJECT ADDRESS(ES):** 90 St. Johns Park

2. **APPLICANT:** Joseph Santacroce **COMPANY NAME:** Northeast Property Management

   ADDRESS: PO Box 77339 **CITY:** Rochester **ZIP CODE:** 14617

   PHONE: 585-734-1358 **FAX:** _____

   E-MAIL ADDRESS: joesanta@ymail.com

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

3. **PLAN PREPARER:** n/a

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

   PHONE: _____ **FAX:** _____

   E-MAIL ADDRESS: _____

4. **ATTORNEY:** n/a

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

   PHONE: _____ **FAX:** _____

5. **ZONING DISTRICT:** R1

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

   Proposed rezoning of subject property from R1, Single Family Residential, to HV, Harbortown Village.

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:** May 9, 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:** _____

AMENDMENT CONSIDERATIONS

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

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

The proposed rezoning from R-1 to Harbortown Village District (HV) is consistent with the Charlotte Communities vision and goals for appropriate redevelopment of the areas adjacent to the Genesee River and Lake Ontario. Given the size of the parcel and the size of of the building, the R1 Zoning classification is inconsistent with the historic use of the property.

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

The subject property abuts the HV District to the north and to the east. The HV regulations, as constructed, will serve to properly mitigate future use and development of the property from the remaining R1 and OS areas that abut the property to the west and south.

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

The property has from its inception been utilized in ways that are not consistent with the R1 Zoning classification. Given the size of the building and the parcel, the HV District is a more appropriate and deserving zoning classification for the property.

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

The existing building and site are adequately served by existing public facilities and will continue to do so by any potential redevelopment under the HV regulations.

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

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

NAME (Please Print)	**SIGNATURE**	**ADDRESS OF AFFECTED PROPERTY**
Joseph Santacroce		90 St. Johns Park

"A Community That Cares"
Charlotte Community Association
PO Box 12768 Rochester, NY 14612 www.charlottecca.org

May 24, 2016

Ms. Jill M. Wiedrick, AICP
Bureau of Planning and Zoning
City Hall, Room 125 B
30 Church Street
Rochester, New York 14614

RE: City Planning Commission, Monday June 13, Case #2, File Number M-07-15-16
Applicant - Mr. Joseph Santacroce, Northeast Property Management

Dear Ms. Wiedrick:

The Charlotte Community Association (CCA), Inc. Board of Directors support the efforts of applicant, Mr. Joseph Santacroce, Northeast Property Management to rezone the property of 90 St. John's Park from R-1 Low Density Residential District to H-V Harbortown Village District.

It is our understanding that Mr. Santacroce is requesting this property to be rezoned in order to provide a feasible use of the property. His vision is to keep the existing structure on the property that's been valid for years and replicate some of the architectural items that have been stripped from the building, making it more inviting to a commercial tenant that will utilize the property and be a destination for people to enjoy.

We believe revitalizing the structure will enhance the Charlotte neighborhood and encourage the City Planning Commission to support their application to rezone the property when presented.

If your office has any questions, please contact either of us at (585) 865-6101. Thank you for your consideration.

Sincerely,

Susan M. Roethel

Susan Roethel, Board Secretary
Liaison, CCA Planning & Zoning Committee

Clare A. Stortini

Clare A. Stortini, Board President

cc: Zina Lagonegro, Director of Planning and Zoning
Tom Warth, Law Department

CITY OF
ROCHESTER, NY
CITY CLERK'S OFFICE
(585)428-6617

Amuse Cent	$325.00
TOTAL	$325.00
CASH	$0.00
CHECK	$325.00
CREDIT	$0.00
CHANGE	$0.00

ITEM 1
1/31/2011 4:15:09 PM

City of Rochester

le License Renewal Application
011 Amusement Center

Office of the City Clerk
City Hall, Room 100-A
30 Church Street
Rochester, New York
14614-1285
FAX (585) 428-6347
Phone (585) 428-6617

AL FEE $325.00

ne blanks and correct preprinted information where appropriate.

Date Printed: December 17, 2010

Due By: January 31, 2011

78

WARNING: The Chief of Police may deny a license to any person who makes a material misrepresentation on an application pursuant to the code of the City of Rochester.

rtnership, corporation, or if D.B.A., give name home address and date of birth for all of all ...ers, officers , etc.). Attach a completed addendum form.

Full Name of Applicant (inc. maiden name if applicable)	Home Phone	Cell Phone / Pager	Date of Birth (mm/dd/yy)
DONALD B DANES	(585) 663 - 9432		3/31/1955

Applicant Residence (NO P.O. Box): 3896 LAKE AVE, APT. 2
ROCHESTER, NY 14612

Mailing Address:

Name of Operating Business	Business Phone	Business Corporation
IRA JACOBSON POST MEMORIAL HOME	(585) 663 - 7030	

Business Address: 90 St Johns Pk
City, State, Zip: Rochester, NY 14612

Send Renewal to: Applicant ☐ Business ☐

Business Activity Description: AMERICAN LEGION CLUB #474

Full Name of City Property Owner	Home Phone	Corporation Owner
Ira Jacobson Post	(585) 663 - 7030	

Date of Birth (mm/dd/yy)	Owner Residence (NO P.O. Box)	City, State, Zip
	90 St. John's Pk	Rochester NY 14612

SUSAN E. WIDENER
NOTARY PUBLIC-STATE OF NEW YORK
No. 01WI6210032
Qualified in Livingston County
My Commission Expires August 10, 2013

SUSAN E. WIDENER
NOTARY PUBLIC-STATE OF NEW YORK
No. 01WI6210032
Qualified in Livingston County
My Commission Expires August 10, 2013

I acknowledge that all the information contained in this renewal application is correct.

SUBSCRIBED AND SWORN TO BEFORE ME THIS 31 DAY OF January, 2011

Signature of Applicant: Donald B Danes — Date: 1/31/11

Commissioner of Deeds/Notary: Susan E Widener — Date: 1/31/11

OFFICE USE ONLY

DATE RECEIVED _____ APPLICATION / LIC # _____ CZC NO. _____

CRIMINAL CHECK: ____ RECORDS ____ MCVB GAME LIMIT _____

APPLICANT CONTACT: ____ IN-PERSON ____ TELEPHONE RECORD: ____ APPROVAL DENIAL CR# _____

DOCUMENTS: ____ HEALTH PERMIT ____ BOND/INS.APPR CART INSPECTION: _____ APPROVED ____ DENIED ____

☐ APPROVED ☐ DENIED ☐ ADM CANCELED ☐ CONDITIONALLY APPROVED

RESEARCHER _____ DATE _____ CHIEF OF POLICE _____ DATE _____

CITY OF ROCHESTER
RENEWAL
BUSINESS PERMIT APPLICATION

Neighborhood and Business Development - NSC
30 Church Street - 121B
Rochester, New York 14614

To be completed by Business Owner and/or Operator: **428-6520**

Business Name: JOCONSON POST MEMORIAL HOME Business Phone: (585) 663 - 7030
Business Operator: DON DANES
Business Address: 90 ST. JOHNS PK. Zip: 14612
Business Type: B/R

F = Food Store
R = Restaurant
L = Laundromat
R/S = Retail Store
B = Bar
D = Drug Store
S = Barber Shop/Salon
B/R = Bar/Restaurant
A = Automobile Service Facility

Other Related Licenses:
(i.e. Liquor, Entertainment, Amusement Center, Pawn Broker, Second Hand Dealer, Barber)
(If license is pending, state so)
Type: LIQUOR AMUSEMENT
Number: 3009438 78

Date of Birth: 03 / 31 / 1955
Hours of Operation: from: 12:00 PM to: 02:00 AM

Business Owner and/or Corporation/Partnership **(If other than operator):** DON DANES
Owner/Operator
Home Address: 3896 LAKE AVE. Home Phone: 585 663-9432
ROCHESTER
NEW YORK Zip: 14612

Partners:

I understand that false statements made on this application may result in the denial or revocation of the Business Permit.

Business Operator Signature: Donald B Danes **Date:** 7-8-11

ALL PERMITS WILL BE MAILED TO THE BUSINESS ADDRESS

To Be Completed by City:

FEE: N/C:____ New: $25.00____ Conditional: $300____

NSC ADMINISTRATOR & NSC LIEUTENANT: **(ATTACH PERMIT APPROVAL FORM)** _____

DATE OF NSC INSPECTION (If Necessary): _____ TIME: _____ **VIOLATIONS:**
NSC INSPECTOR: _____ Date: _____ YES ____ NO ____

NSC CODE ENFORCEMENT

Current C/O	Yes ____	No ____	Date _____
Open cases	Yes ____	No ____	
Nuisance Points	Yes ____	No ____	# Points _____
Active Permits	Yes ____	No ____	
MCVB Judgements	Yes ____	No ____	

The required approvals must be signed and dated by the appropriate staff before a Permit will be issued.

Date of Approval: _____ Permit #: 004879

BPA-R

No. 13

License Fee $250.00

Date Issued 02/03/2004

Expires 01/31/2005

ew Amusement License # 15

CITY OF ROCHESTER

AMUSEMENT CENTER LICENSE

This is to certify that a license is hereby granted to:

Applicant Name: JOHN A FAVRET

Location: Ira Jacobson Post Memorial

Address: 90 St Johns Pk

to carry on the business of an Amusement Center in the City of Rochester. with a Limit of 3 Games.

This license is granted subject to the laws of the State of New York and all ordinances of the City of Rochester now and hereafter adopted.

In witness whereof, this license has been issued by the Chief of Police of the City of Rochester and countersigned by the City Clerk.

Caralee A. Conklin

City Clerk

Robert J. Duffy

Chief of Police

R

FLOUR CITY - FLOWER CITY - CITY OF ROCHESTER, N.Y. ®

PERMIT # 004879

BUSINESS PERMIT

IRA JACOBSON POST MEMORIAL HOME

NAME OF BUSINESS

90 ST. JOHNS PARK

ADDRESS

DON DANES

OPERATOR

BAR / RESTAURANT

TYPE OF BUSINESS

12:00 PM – 2:00 AM

PERMITTED HOURS OF OPERATION

AUTHORIZED SIGNATURE

FEBRUARY 14, 2012

DATE ISSUED

FEBRUARY 14, 2013

EXPIRATION DATE

CLUB LIQUOR LICENSE
SERIAL #: 3009438
COUNTY: MONROE

EFFECTIVE DATE: 09/27/2011
EXPIRATION DATE: 09/30/2013
CERTIFICATE #: 799320

NEW YORK STATE LIQUOR AUTHORITY

THE LICENSEE DESIGNATED BELOW IS HEREBY GRANTED PERMISSION, UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW TO TRAFFIC IN ALCOHOLIC BEVERAGE PURSUANT TO THE TYPE OF LICENSE INDICATED IN THE UPPER LEFT HAND CORNER OF THIS CERTIFICATE AND ACCORDING TO THE STATUTES AND REGULATIONS PERTAINING THERETO.

THIS LICENSE SHALL NOT BE TRANSFERABLE TO ANY OTHER PERSON OR TO ANY OTHER PREMISES OR TO ANY OTHER PART OF THE BUILDING CONTAINING SUCH LICENSED PREMISES: IT SHALL NOT BE DEEMED A PROPERTY OR VESTED RIGHT AND MAY BE REVOKED AT ANY TIME PURSUANT TO LAW

METHOD OF OPERATION

CLUB TAVERN SERVING BEER WINE AND LIQUOR

members only

FILING FEE	$90.00
LICENSE FEE	$1,000.00

IRA J JACOBSON POST
MEMORIAL HOME INC
90 ST JOHNS PARK
ROCHESTER NY 14612

Dennis Rosen
Chairman

BEFORE COMMENCING OR DOING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED, THE SAID LICENSE SHALL BE ENCLOSED IN A SUITABLE WOOD OR METAL FRAME, HAVING A CLEAR GLASS SPACE AND A SUBSTANTIAL WOOD OR METAL BACK SO THAT THE WHOLE OF SAID LICENSE MAY BE SEEN THEREIN, AND SHALL BE POSTED UP AND AT ALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN THE ROOM WHERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL PERSONS VISITING SUCH PLACE MAY READILY SEE THE SAME.

Certificate No. B799320

MONROE COUNTY DEPARTMENT OF PUBLIC HEALTH

111 Westfall Road

PERMIT

Rochester, New York 14692

No. 270161701 C
L

AS PROVIDED IN CHAPTER 1, PART 14 OF THE NEW YORK STATE SANITARY CODE THIS PERMIT IS GRANTED TO **IRA JACOBSON POST MEM. HOME** TO OPERATE A FOOD SERVICE ESTABLISHMENT KNOWN AS:

IRA JACOBSON POST MEMORIAL HOME
90 ST. JOHN PARK
ROCHESTER NY 14612

PART 14 OF THE NEW YORK STATE SANITARY CODE REQUIRES THAT THIS PERMIT BE PROMINENTLY DISPLAYED AT EACH FOOD SERVICE ESTABLISHMENT WHERE IT CAN BE SEEN BY THE CONSUMER.

ISSUE DATE: 1/1/2010

12/31/2010

DATE OF EXPIRATION

A S Doniger M.D.

DIRECTOR OF HEALTH

Robert E. Mauro

ISSUED BY

WARNING: ANY ALTERATION INVALIDATES THIS CERTIFICATE. THIS PERMIT IS NOT TRANSFERABLE

AMERICAN LEGION

IRA J. JACOBSON POST 474

90 ST JOHNS PARK, ROCHESTER, NY 14612-4925

(585)663-7030

HALL RENTAL

Date:_____ Occasion:_____ Time of event:_____

Name:_____ Phone:_____

Address:_____

City:_____ State:_____ Zip:_____

Time needed to set up:_____ Number of guest:_____ (Hall Capacity-128)

Hall rental: $200.00

Kitchen required: $50.00

$50.00 clean up charge, this is refundable after inspection.

Deposit to hold hall for 30 days: $100.00

Deposit is NOT refunded if party is canceled within 30 days of the event.

1. Renter accepts full responsibility and liability for themselves and their guest.
2. No minors are to be served alcohol. (NYSLA Law)
3. No conduct unbecoming to an American Legion Post Member.
4. The Hall and outside are must be picked up and cleaned after your event. Any spills mopped up. All garbage removed from the building.
5. Any party that brings in their own alcohol without prior permission from the Post will be asked to leave the premises. Deposits will be forfeited.
6. All ~~beverages~~ BEER must be purchased through the Post.
7. New York State Liquor Authority laws must be followed at all times.

_____ agrees to the above terms. Date:_____

(signature of responsible party)

IRA J. JACOBSON POT 474

OPEN BAR OPTION

You can have either a dollar amount limit or a time limit for open bar. The bartender will keep track of the dollar limit.

There will be an 18% gratuity added to any open bar.

We have found that the first hour of and open bar is approximately $200 and $100 after that. **Remember this is only an estimate and not a guarantee of expense.**

CATERING

The Post can cater your event or recommend a caterer.

You may bring in your own caterer.

Caterer may not use the kitchen facilities. If the kitchen is used by caterer, an additional charge of $50.00 will be added to the rental price.

HALL

All tables and chairs are setup and removed by the Post for paying customers. Member organizations shall either provide their own set up / tear down or pay a fee of $30.00 for set up / $30.00 for teardown.

Heat will be turned up ½ hour before your event during the winter months

Please use masking tape on the walls, no nails or tacks.

IRA J. JACOBSON POST 474

HALL RENTAL AND KITCHEN

HALL $200

KITCHEN $50 PLUS $50 for cleaning up. Cleaning fee refunded after inspection.

SPECIAL SETUP OF HALL BY POST $50

CATERING AVAILABLE IF REQUIRED, COST DEPENDS ON REQUIREMENTS.
CATERING NEEDS TO BE REQUESTED 60 DAYS IN ADVANCE.

50 % DOWN TO SECURE HALL RENTAL AND KITCHEN USE.

BALANCE OF RENTAL FEE MUST BE PAID 10 DAYS BEFORE EVENT DATE.

100 % REFUND IF CANCELED 60 DAYS BEFORE EVENT.

75 % REFUND IF CANCELED 30 DAYS BEFORE EVENT.

We will do our best to meet all your needs.

LEGAL DESCRIPTION OF PROPOSED

REZONING FROM R-1 TO H-V

#90 ST. JOHN'S PARK

T.A. #061.210-01-025

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 30, formerly in the Village of Charlotte, and being more particularly bounded and described as follows: Beginning at a point in the centerline of River Street (66' ROW), at the intersection of the westerly extension of the south line of Lady of The Lake Avenue (Private Drive), said intersection being the Point or Place of Beginning; thence

1) Northerly, along said centerline, a distance of 18.0 feet to the westerly extension of the north line of said Lady of The Lake Avenue; thence

2) Easterly, along said extension and the north line of Lady of The Lake Avenue, a distance of 213.0 feet, more or less, to the southeast corner of lands conveyed to the County of Monroe in Liber 5787 of Deeds, Page 42; thence

3) Northerly, along the east line of said lands of the County of Monroe, a distance of 157.0 feet to the south line of lands conveyed to the Charlotte-Lake River Homes, in Liber 11644 of Deeds, Page 457; thence

4) Easterly, along said south line of the Charlotte-Lake River Homes, a distance of 378.8 feet, more or less, to the westerly line of the former New York Central Railroad (Charlotte Branch); thence

5) Southerly, along said westerly line of the NYCRR, a distance of 323.0 feet, more or less, to an angle point; thence

6) Southerly, continuing along said westerly line of the NYCRR, a distance of 116 feet, more or less, to the centerline of St. John's Park (80' ROW); thence

7) Westerly, along said centerline, a distance of 262.0 feet, more or less, to the southerly extension of the east line of Lot 18 of the John M. Fitzgerald Subdivision, as filed in the Monroe County Clerk's Office in Liber 6 of Maps, Page 54; thence

8) Northerly, along said extension and the east line of Lot 18, a distance of 175.0 feet, more or less, to the northeast corner thereof; thence

9) Westerly, along the north line of Lots 18 through 15 of said Fitzgerald Subdivision, a distance of 145.29 feet to an angle point; thence

10) Westerly, continuing along the north line of Lots 15 & 13 of said subdivision, a distance of 54.78 feet to an angle point; thence

11) Westerly, continuing along the north line of Lots 13 & 11 of said subdivision, a distance of 52.0 feet to an angle point; thence

12) Westerly, continuing along the north line of Lots 9, 7 & 1 of said subdivision, and along the south line of said Lady of The Lake Avenue and it's extension, a distance of 224.0 feet, more or less, to the said centerline of River Street, being the Point or Place of Beginning.

June 1, 2016

G:\DIV\MAPS\DESC\REZONED\STJOHNSPARK90.DOC

Chapter 120. Zoning

Article X. V-C Village Center District

§ 120-77. H-V Harbortown Village District.

The HV Harbortown Village is a distinct neighborhood developing around the mouth of the Genesee River and the shore of Lake Ontario as a unique and lively water- and pedestrian-oriented area. The district regulations improve the harbor environment, promote public access, encourage tourism and preserve the waterfront environment. The development of facilities for fishing, boating, swimming, dining, picnicking, strolling and sightseeing is encouraged, while the Lake Avenue commercial corridor offers diverse activities that are tourist-related and serve the neighborhood. Dense residential development promotes diversity in housing types and a year-round population that will ensure the vitality of the village.

A.

Permitted uses and structures. The following uses are permitted as of right in the H-V Harbortown Village District:

(1)

Public boardwalks, paths, biking trails and outdoor seating/assembly areas.

(2)

Boating and fishing docks.

(3)

Marinas.

(4)

Water passenger transportation terminals.

(5)

Boating and sailing instruction schools.

(6)

Boat sales, rental and charter facilities.

(7)

The following uses are permitted as of right in the H-V Harbortown Village District if located 30 feet or more from the edge of the Genesee River, subject to site plan approval:

(a)

Single-family attached dwellings.

(b)

Live-work spaces.

(c)

Bars and restaurants not exceeding 2,500 square feet and excluding drive-through facilities.

[Amended 9-19-2012 by Ord. No. 2012-363[1]]

[1]

Editor's Note: This ordinance also repealed former Subsection A(7)(d), listing bars, taverns and cocktail lounges, and redesignated former Subsection A(7)(e) and (f) as Subsection A(7)(d) and (e).

(d)

Private clubs not exceeding 2,500 square feet.

(e)

Office space not exceeding 2,500 square feet.

(f)

Retail sales and services, specialty.

[Added 9-19-2012 by Ord. No. 2012-363]

(g)

Retail sales and services, low-impact, not exceeding 2,500 square feet.
[Amended 9-19-2012 by Ord. No. 2012-363]

(h)
Tourist information centers.

(i)
Museums and aquariums.

(j)
Hotels and motels.

(k)
Bed-and-breakfast establishments, subject to the additional requirements for specified uses in § **120-132**.

(l)
Mixed uses when limited to residential and commercial uses as permitted under this section.

(m)
Other establishments relating to and supporting water-dependent activities.

B.
Special permit uses. The following uses are allowed as special permit uses in the H-V District:
(1)
The following uses when located within 30 feet of the edge of the Genesee River:
[Amended 9-19-2012 by Ord. No. 2012-363]
(a)
Museums and aquariums.

(b)
Private clubs.

(c)
Bars and restaurants, excluding drive-through facilities.

(d)
Tourist information centers.

(e)
Other establishments relating to and supporting water-dependent activities.

(2)
Single-family detached located no closer than 100 feet of the edge of the Genesee River.

(3)
Boat launches.

(4)
Community garages and parking lots.

(5)
Multifamily dwellings.

(6)
Outdoor entertainment.

(7)
Outdoor markets.

(8)
Parking areas, lots and garages.

(9)
Private and commercial recreation and amusement facilities.

(10)
Public and semipublic uses.

(11)
Entertainment, subject to the additional requirements for specified uses in § **120-137**.

(12)
Vehicle service stations, subject to the additional requirements for specified uses in § **120-154**.

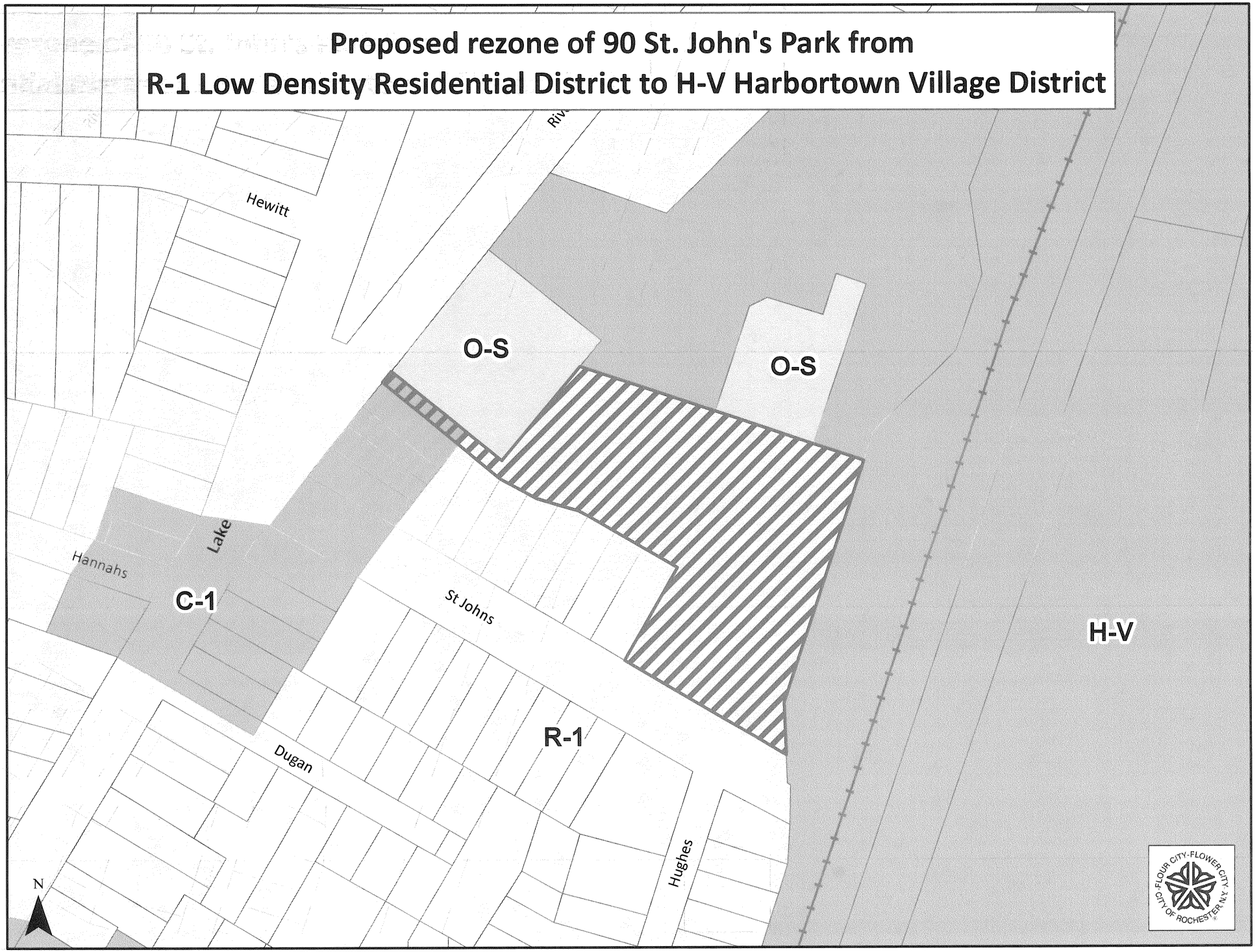
(13)
Retail sales and service, full-line food store, subject to the additional requirements for specified uses in § **120-146.1**.
[Added 9-19-2012 by Ord. No. 2012-363]

(14)
Outdoor storage, subject to the additional requirements set forth in § **120-175**.
[Added 9-16-2015 by Ord. No. 2015-297]

RIVER
LADY OF THE LAKE AVENUE
FITZGERALD SUB.
ST. JOHN'S PARK
LEASED FROM CITY OF ROCHESTER ORD 56-368
ADDITIONAL PER ORDINANCE 18-47-47
RTS MON. ELEV. 329.307
SET SPK
N1,183,000
E757,500
2.681 A
23
WARNING: Use of monument and per
by law. Contact the Monroe County S

Hewitt St
Hannahs Ter
St Johns Park
Dugan Pl
Hughes Pl
Lake Ave
River St
Pettens St Ex
Railroad - CSX - Charlotte Jt
Town Boundary
Workspaces
10 mi
20 km
© 2016 Pictometry

Proposed rezone of 90 St. John's Park from R-1 Low Density Residential District to H-V Harbortown Village District



CITY PLANNING COMMISSION
STAFF REPORT
June 13, 2016

Special Permit

Case #3: Staff Reviewer: Jill Wiedrick

File Number: E-058-15-16

Case Type: Special Permit

Applicant: Jorge C. Hernandez and Ofelia Ferrer

Address: 1269 North Clinton Avenue

Zoning District: R-1 Low Density Residential District

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

Request: **To establish a low-impact grocery store with takeout operating Monday through Saturday between 9:00AM and 7:00PM; an action requiring City Planning Commission approval.**

Analysis:
The subject property is a mixed use building located at the corner of North Clinton Avenue and Mazda Terrace. The building is currently legal as a store, church and one family on the first floor and one family on the second floor. The applicant wishes to establish a low-impact grocery store with takeout in the entire first floor commercial area.

The proposed grocery store with takeout will sell canned goods, chips, pop, ice cream, eggs, bread, et cetera. The applicant noted that most customers will walk to the store. According to the applicant, this business will operate daily between the hours of 9:00AM and 7:00PM.

Code Compliance:
The request is to establish a low-impact use that requires Special Permit approval in an R-1 District and is subject to Sections 120-27L and 120-146.1 of the Zoning Code:

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

   The applicant is proposing to establish a low-impact grocery store with takeout, where none of these items will be sold.

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

   The applicant's proposed hours of operation are from 9:00 AM to 7:00 PM daily, within the hours permitted in the district.

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

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

PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. PROJECT ADDRESS(ES): 1269 N. Clinton Ave

2. APPLICANT: Jorge C. Hdez COMPANY NAME: Cuban Riquen G

ADDRESS: 20 Kohlman St CITY: Roch ZIP CODE: 14621

PHONE: 585-333-2584 FAX: _____

E-MAIL ADDRESS _____

INTEREST IN PROPERTY: Owner _____ Lessee ✓ Other _____

3. PLAN PREPARER: _____

ADDRESS: _____ CITY: _____ ZIP CODE: _____

PHONE: _____ FAX: _____

4. ATTORNEY: _____

ADDRESS: _____ CITY: _____ ZIP CODE: _____

PHONE: _____ FAX: _____

E-MAIL ADDRESS _____

5. ZONING DISTRICT: _____

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

To Establish use of 1269 N. Clinton Ave as a low impact grocery store with take out, hours of operation Mon-Sat 9-7pm

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: [signature] DATE: 5-9-16

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] 5-9-16

Owner Signature date

01/2014

SPECIAL PERMIT STANDARDS

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

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

Yes, it is in compliance w/ Comp Plan because it specially permitted

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

Property was previously a store (not legal), we intend to put back to the neighborhood and be a part in the neighborhood.

important

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

We intend to fit into the neighborhood, we are not proposing any exterior changes

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

this use will be used adequately
Most customers will walk to the store

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

It will not result in the destruction, loss or damage of any natural scenic cultural or historic feature of significant importance

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information

Name of Action or Project:

Project Location (describe, and attach a location map):
1269 N. Clinton Ave

Brief Description of Proposed Action:
to est. use of 1269 N. Clinton Ave as a low-impact grocery store

Name of Applicant or Sponsor:	Telephone: 333-2584
Jorge Hernandez	E-Mail:

Address: 20 Kohlman St

City/PO:	State:	Zip Code:
Rochester	NY	14621

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☒	☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Special permit	☐	☒

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

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

RESET

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☒
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	☒	☐
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☒	☐
b. Are public transportation service(s) available at or near the site of the proposed action?	☐	☒
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☐	☒
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	☐	✓
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	☐	☒
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	☐	☒
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	☒	☐
b. Is the proposed action located in an archeological sensitive area?	☒	☐
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☒	☐
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	☒	☐
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	✓	☐
16. Is the project site located in the 100 year flood plain?	✓	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☐ NO ☐ YES	☒	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☐ YES _____		

RESET

	NO	YES
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size:	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	✓	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	☒	☐

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

Applicant/sponsor name: Date: 5-9-16.

Signature:

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

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

RESET

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☐	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☐	☐

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

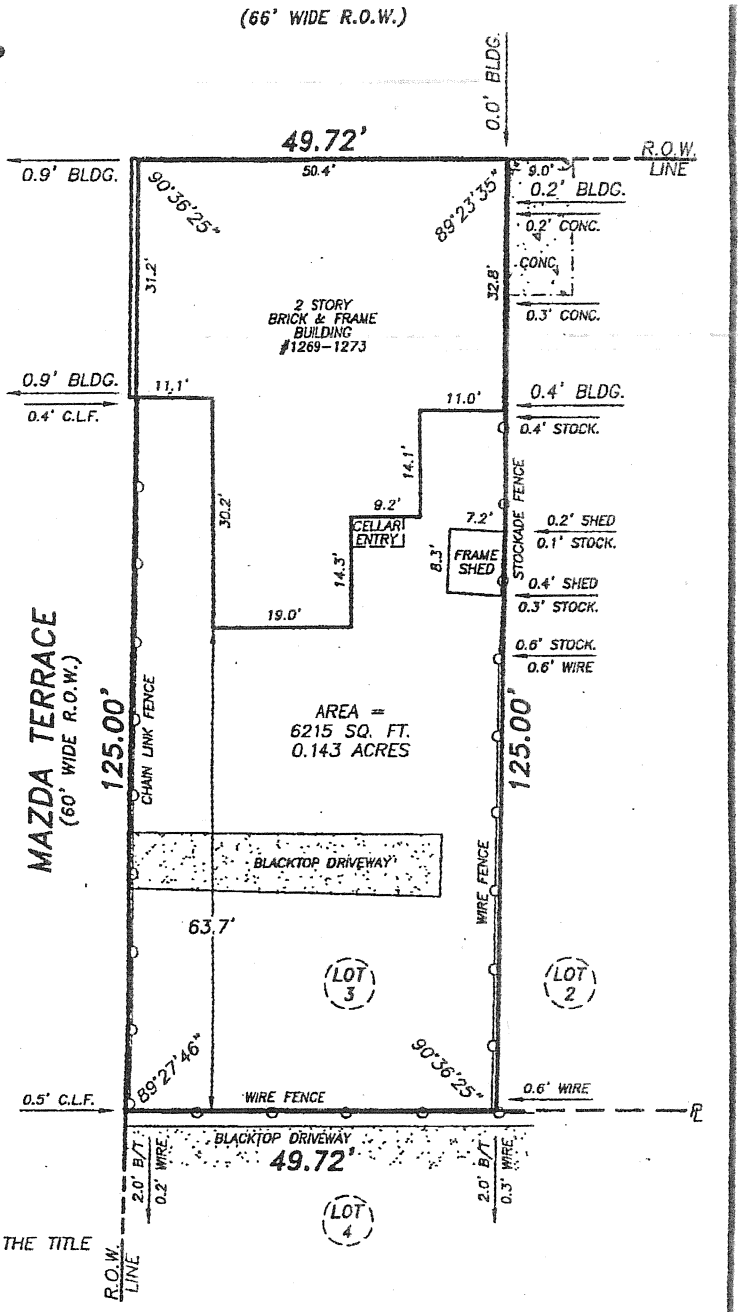
☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

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

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

PRINT

RESET



REFERENCES:
1.) LIBER 20 OF MAPS, PAGE 9.
2.) LIBER 4876 OF DEEDS, PAGE 158.
3.) ABSTRACT OF TITLE NOT PROVIDED.

CERTIFICATION:

I, DAVID A. STAUB, HEREBY CERTIFY TO:

-NI ZHOU BU
-THOMAS J. CUSKER, ESQ.
-TITLE INSURANCE COMPANY INSURING THE TITLE

THAT THIS MAP WAS MADE JUNE 9, 2011
FROM NOTES OF AN INSTRUMENT SURVEY
COMPLETED JUNE 8, 2011
AND REFERENCES CITED HEREON.

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

N.Y.S. L.S. No. [illegible] DATE

Scale: 1" = 20'

Tax Acct 091.70-2-068

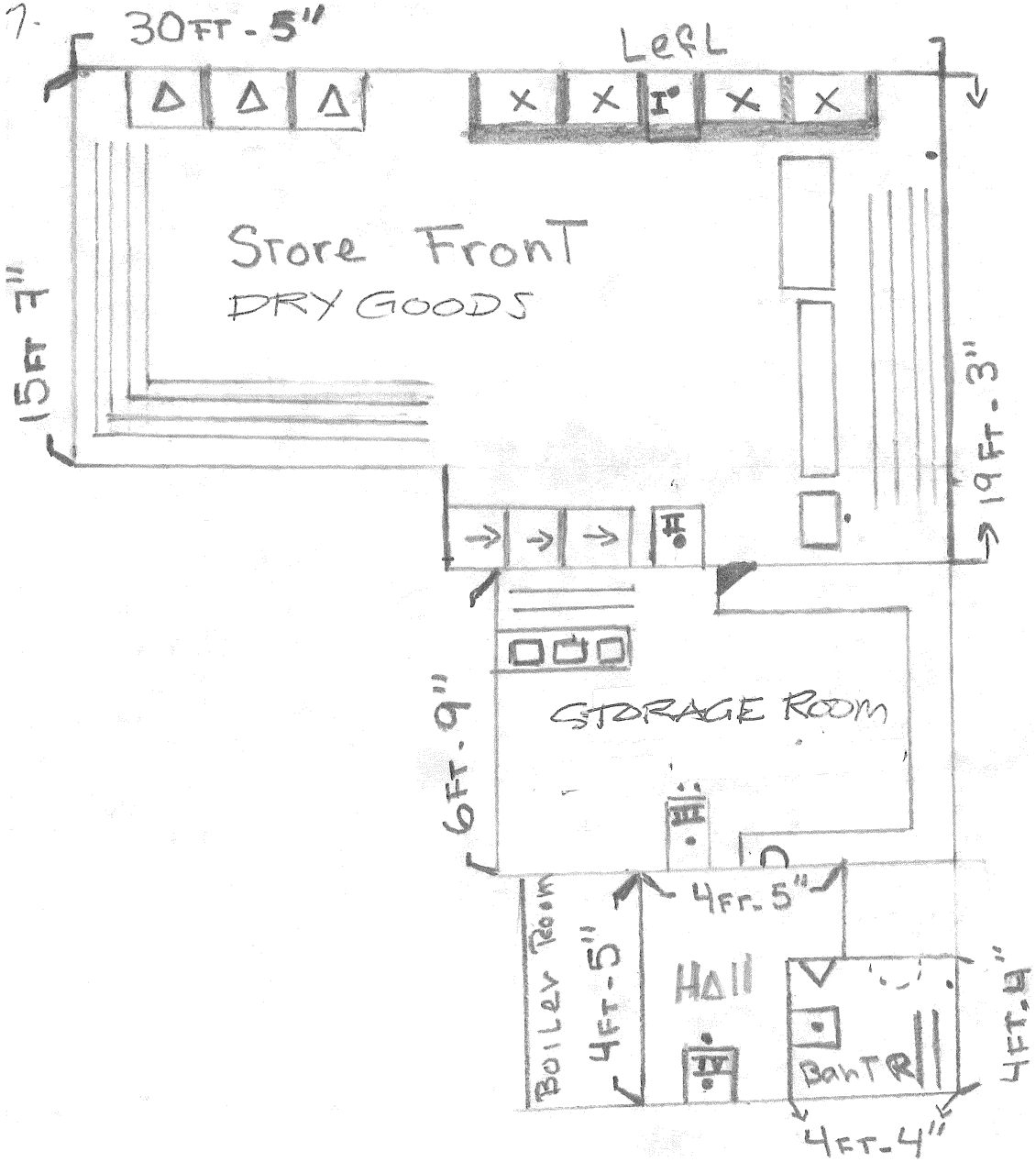
NOTE: PREMISES SUBJECT TO ALL EASEMENTS, RESTRICTIONS & COVENANTS OF RECORD.

TITLE:

INSTRUMENT SURVEY MAP

1269-1273 CLINTON AVENUE NORTH
BEING LOT No. 3 OF THE MAYER & SCHROLL SUBDIVISION, CITY OF ROCHESTER,
COUNTY OF MONROE, STATE OF NEW YORK

7.



FIRST FLOOR—SUITE #1269

1269-N. CLINTON AVE.

Extinguisher

I • DOOR-3FT.L-7FT H
II • DOOR-3FT-L-6FT-8" H
III • DOOR-3FT-L-6FT-8" H
IV • DOOR-2FT-6"L-6FT 5" H

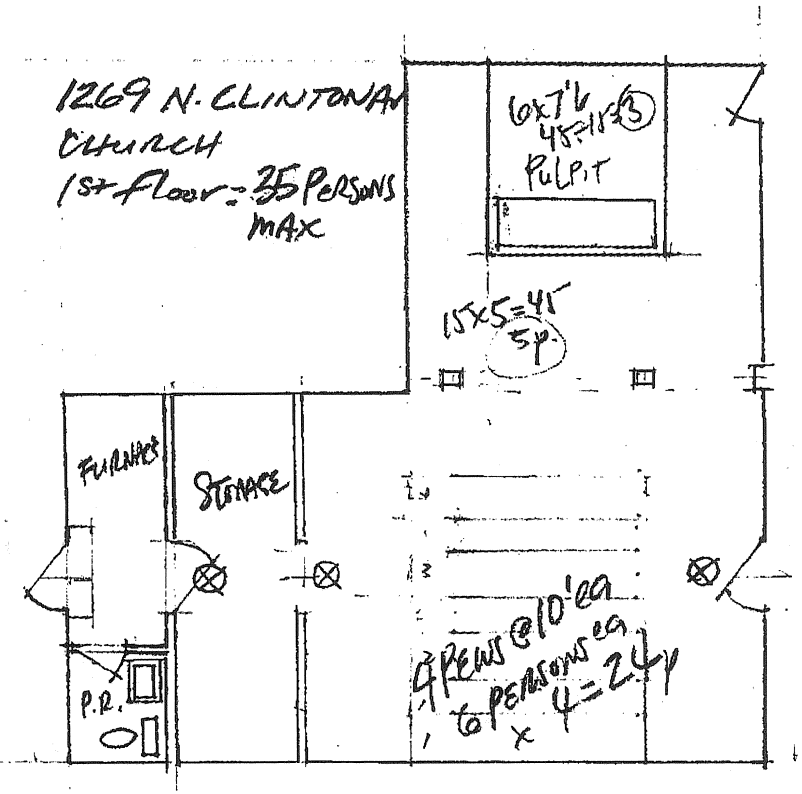
- Shelve
SinK - EXISTING
- cash Register

X Window leFT
4FT-8" L - 5FT-9" H

Δ window RighT
8FT-8" L - 3FT 9" H

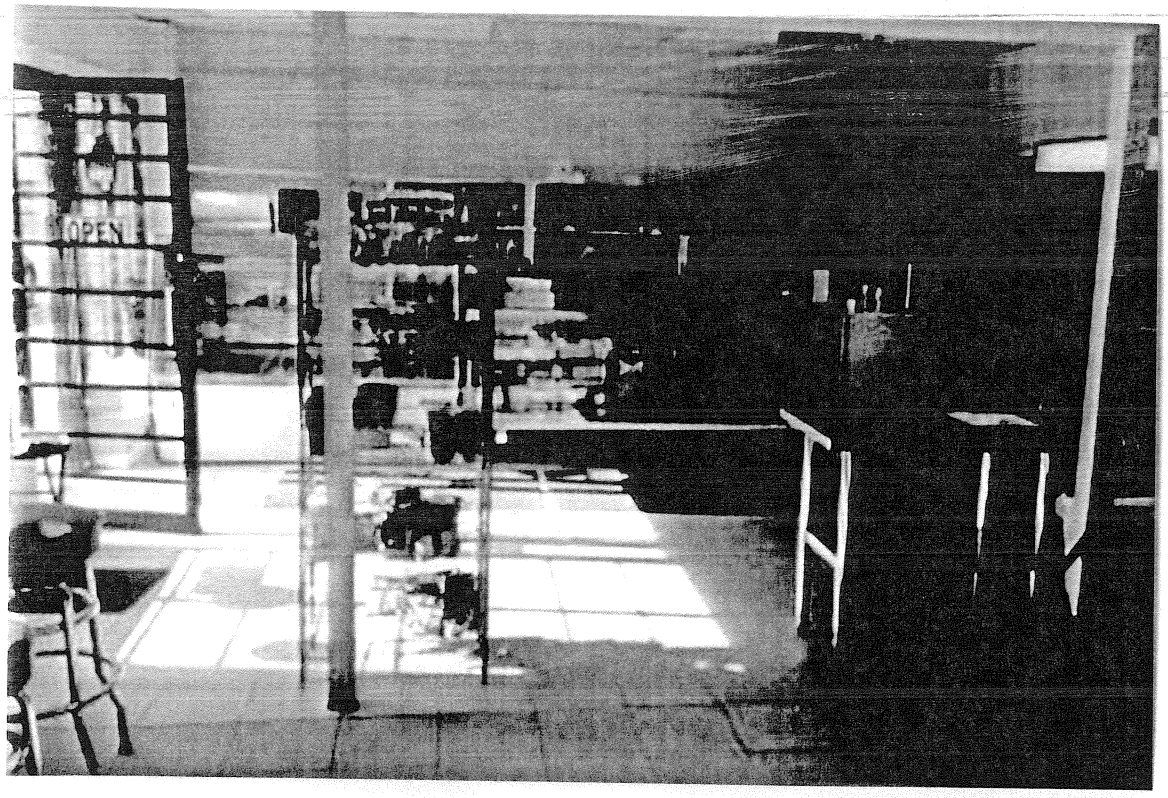
→→→ Freezer
6FT-5" L
6FT-5" H
2FT-8" A

Toilet
Λ - hand Washes
• Fire D
: H. Carbon



CITY OF ROCHESTER
Neighborhood & Business Dev.
Permit Number 121903 Issued By
Date 4-27-12 for the Code of the NBD
A permit issued does not relieve the owner, contractor, architect, engineer or owner's agent from complying with any of the provisions of Chapter 39 of the Code of the City of Rochester and the New York State Uniform Fire Prevention and Building Code or terms, conditions, implied or omitted in these construction documents.

CITY COPY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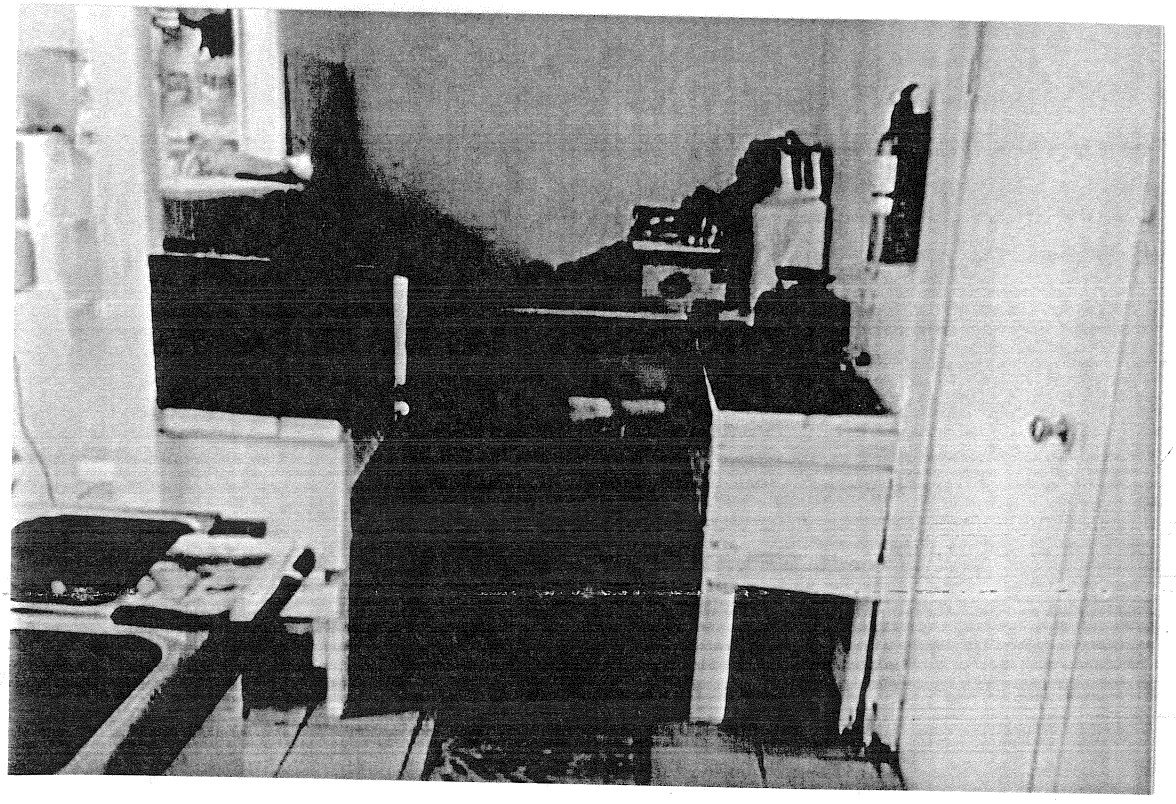

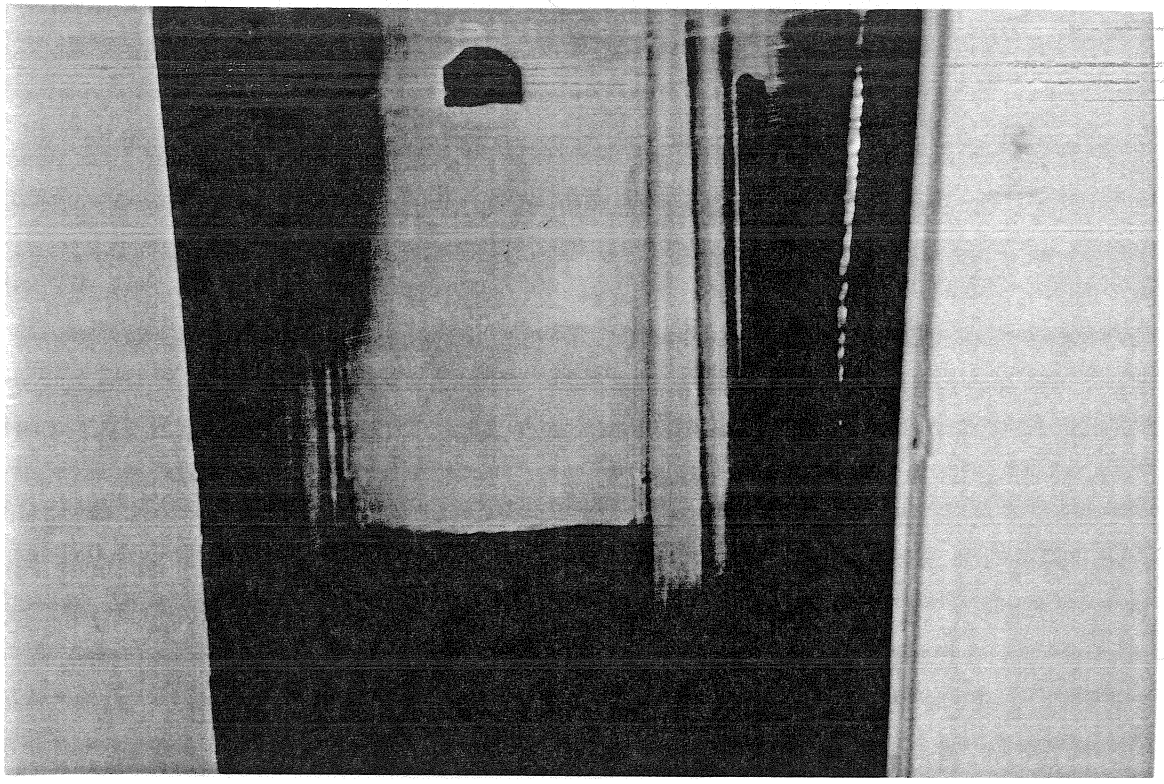

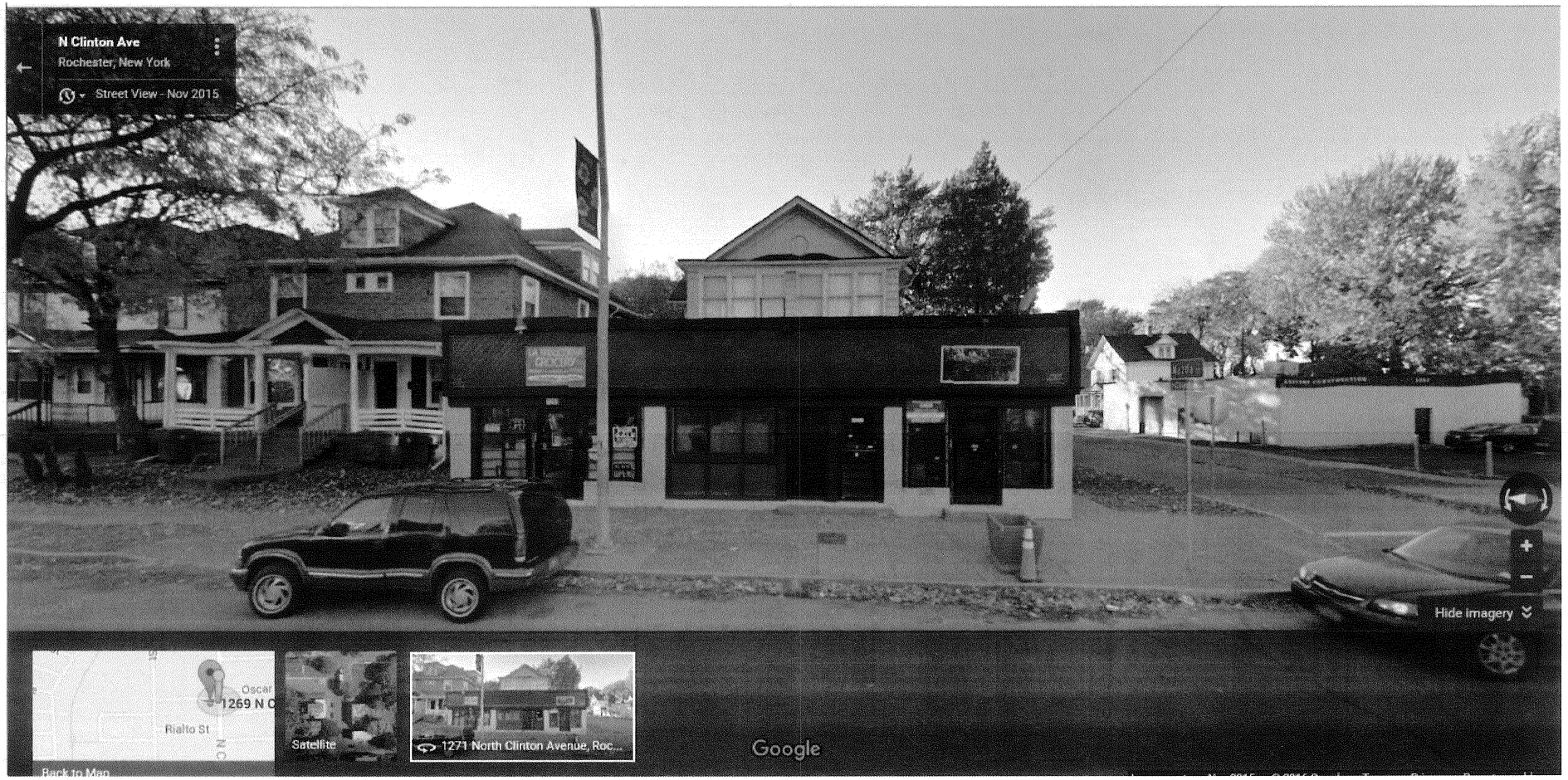
N Clinton Ave
Rochester, New York
Street View - Nov 2015
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Google

Workspaces
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1269-1273 N CLINTON AV

May 9, 2016

This map is intended for general reference only.

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

City of Rochester, NY

City of Rochester, NY
Lovely A. Warren, Mayor

CITY PLANNING COMMISSION
STAFF REPORT
June 13, 2016

Special Permit

Case #4: Staff Reviewer: Jill Wiedrick

File Number: E-059-15-16

Case Type: Special Permit

Applicant: Kimberly Russell, Home Leasing

Address: 1307-1337 East Main Street

Zoning District: R-2 Medium Density Residential District

Section of Code: 120-18H

Request: **To construct a three-story, 50-unit apartment building in conjunction with conversion of an existing office building into 26 apartments with support offices and a small café; and the development of a parking lot; an action requiring City Planning Commission approval.**

Analysis:
Preliminary Site Plan Review Findings (SP-017-15-16) for the project analysis are attached.

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

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

PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. **PROJECT ADDRESS(ES):** 1337 EAST MAIN STREET

2. **APPLICANT:** KIMBERLY RUSSELL **COMPANY NAME:** HOME LEASING

   ADDRESS: 180 CLINTON SQUARE **CITY:** ROCHESTER **ZIP CODE:** 14604

   PHONE: 585.262.6210 **FAX:**

   E-MAIL ADDRESS KIMBERLYRU@HOMELEASING.NET

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

3. **PLAN PREPARER:** PASSERO ASSOCIATES - JESS D. SUDOL PE

   ADDRESS: 242 W. MAIN ST. S100 **CITY:** ROCHESTER **ZIP CODE:** 14614

   PHONE: 585.325.1000 **FAX:** 585.760.8580

4. **ATTORNEY:** N/A

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

   PHONE: **FAX:**

   E-MAIL ADDRESS

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

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

   CONSTRUCTION OF A 3-STORY, 50 UNIT RESIDENTIAL BUILDING AND THE REHAB OF AN EXISTING +/- 8,800 SF BUILDING TO CONTAIN 26 UNITS, A CAFE AND OFFICE SPACE ON THE FIRST FLOOR.

   SEE ATTACHED DRAWINGS FOR ADDITIONAL DETAIL.

7. **LENGTH OF TIME TO COMPLETE PROJECT (Attach schedule if phased:)** 12 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: Jess Sudol **DATE:** 5/10/16

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:**

SPECIAL PERMIT STANDARDS

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

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

The proposed building will satisfy a substantial community need for quality affordable housing. The proposed building is designed to be consistent with the residential style of the adjacent properties and provides a transition from the existing Hillside Building to the single family homes to the west.

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

The proposed building contains architectural elements and site design to compliment the character of the neighborhood. These include vertical facade elements to break up the building, locating the parking in the rear of the site and enhanced green spaces and landscaping along Beck Street and East Main. The existing Hillside building already contains a large parking lot which will be reconstructed and repurposed. The residential use has less impact in terms of traffic and parking than the existing commercial uses. Parking has been repositioned in the rear of the building so that it will not be visible from East Main. There is existing utility infrastructure in place with capacity to support the development.

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

The proposed building is designed to complement the surrounding properties in terms of use and appearance. It includes a residential architectural design and will be integrated with the existing Hillside program providing much needed affordable, quality housing.

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

There are existing adequate services and utilities in place to service the proposed building. The project will include new stormwater management and utility connections. A new parking lot is provided at the rear of the building and is designed to adequately serve the proposed use while remaining out of the view of Main Street. There will also be significant green spaces and new landscaping, especially along Breck Street.

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

There are no on site natural, scenic, cultural or historic features on the site.

PASSERO ASSOCIATES
engineering architecture

May 11, 2016

Jill Wiedrick, AICP
Senior City Planner
City of Rochester
30 Church Street, Room 125B
Rochester, NY 14614

RE: Community on East Main - 1337 East Main Street – SPECIAL USE PERMIT

Dear Ms. Wiedrick:

On behalf of our client, Home Leasing LLC, we respectfully submit the attached materials for consideration of a Special Use Permit for the proposed Community on East Main, a mixed use, primarily residential project at 1307-1337 East Main Street. Hillside's current Cotter Building will be repurposed to offer 26 apartments, +/- 2500 square feet of commercial space for their case management services and a small street-side cafe.

Home Leasing is an industry leading housing developer providing affordable housing options across the Northeast with completed projects in the City of Rochester including the Voters Block and Frederick Douglass communities on West Main Street, and Eastman Gardens - a historic rehabilitation that will provide 52 units of senior housing- is currently under construction. This project includes the redevelopment of several existing parcels, including Hillside's Cotter Building and demolition of two dilapidated properties- one city owned and vacant property and the second investor owned. The final project will include the rehabilitation and conversion of the Cotter building and a newly constructed three story multi-family dwelling for a total of 76 units.

This housing proposal is in response to the mayor's call for improvement of the East Main corridor between Goodman and Culver, a key artery to downtown. In 2014, a steering committee was formed that included key neighborhood stakeholders including sister Dorothy Parham, President of the EMMA Neighborhood and Business Association, Kyle Crandall, president of the Beechwood Neighborhood Coalition, George Moses of NEAD, RGRTA representative Mark Ballerstein, local property investor, Jim Candella, local business owner, Kathy Bernatovich, Pastor Marlowe Washington and others. The goals of the committee included economic growth, improvement of the existing housing stock and improving the life of city residents. In addition, two mixed income housing forums were held in September of 2015 with feedback captured on a Local Voice summary available on the city's web site. In March, 2016 the EMMA and Beechwood neighbors were invited to a presentation at RGRTA given by Home Leasing, the City of Rochester and EMMA leaders. Feedback was captured in small groups and reported back to the group. Members of Home Leasing have also gone door to door in EMMA on 4 separate occasions. Many modifications to the project were made as a result of this feedback and are detailed below.

The project site is located on the south side of East Main Street between Mustard Street and Palmer Street. It is currently comprised of the Hillside's Cotter building, a vacant parcel, and two dilapidated houses on East Main. The site is zoned R-2 and is approximately two acres in area. The site lies within a confluence of land uses and zoning districts with single family homes to the north and west, manufacturing/industrial uses to the south and the existing commercial building and RTS to the East. The proposed multi-family use provides an attractive and appropriate transition between the current land uses while offering residents of the area new quality mixed income housing opportunities. Many of the single family homes along East Main Street have fallen into disrepair over the years and there are minimal rental opportunities outside typical single family residences currently available. This proposal expands housing options and provides high quality and affordable general occupancy apartments to city residents.

The current site layout is a result of the developer's programmatic needs along with input from City Staff and residents over the last two years. Neighborhood meetings were held over the last several months and the City Zoning office recently issued Preliminary Site Plan Findings. That input resulted in a number of modifications to the original proposal including;

a. Reduction in the unit count (density);
b. Addition of porches;
c. Elimination of Breck Street ingress/egress
d. Increased green space along Breck Street;
e. Reduced building height;
f. Widening of entrance to improve safety and visibility;
g. Elimination of entrances on Breck Street.

The current site plan is the culmination of input from many stakeholders and best balances the residential character of the neighborhood, fiscal responsibility and City Zoning requirements. The City Zoning ordinance recognizes the need and importance of multi-family housing in residential districts which is why the use is allowed with a Special Use Permit in the R-2 district. In addition to requiring a Special Use Permit, the project will also require several "waivers" from the Planning Commission:

<u>Waiver 1 – Minimum Lot Area</u>

Based on the proposed Unit Count, the current proposal requires a minimum lot area of 228,000 SF whereas the parcel is 87,120 sf. The lot area is a function of "units" and not necessarily number of people living in the facility. The majority of the project (57 out of 76 units) will include one-bedroom units with only one future resident anticipated. Of those 57, 16 are reserved for the developmentally disabled. This is in contrast to a project which could conceivably contain 3 or 4 bedrooms per unit. So while the total number of units does exceed the typical density allowance, the actual number of future residents is more in line with the spirit of the zoning ordinance. Additionally, it is anticipated that based upon the unit configuration and target demographic, the project will house single individuals of all ages, couples and small families.

The City's lot area requirements are also established to ensure that projects are not overly dense and that future residents have ample amenities and green space. The Community at East Main will satisfy these needs by providing a variety of passive and active recreational opportunities both within the proposed building and on the exterior of the project. The proposed building will include a large community room, computer room, fitness room and common laundry. The exterior of the project includes a playground, programmed open space such as a walking area, a large open green space and extensive new landscaping. There are also other recreational opportunities in the project area such as the playground at Barnum and East Main.

Waiver 2 – Maximum Lot Coverage

Based on the revised site plan the proposed lot coverage is 63% where 50% is the maximum allowed under the code as of right. The original site plan had a lot coverage of 78% but that was reduced based on modifications to the project including eliminating access points and promoting more contiguous green space areas, specifically along the public right-of-ways. Additionally, the existing or "pre-developed" lot coverage is 57% which also exceeds the threshold. As mentioned above, the Community at East Main will offer a range of outdoor amenities including open spaces for the residents, walking areas, a playground and landscaping. There will also be a variety of recreational opportunities inside the building which is not typical in a residential, R-2 project. The lot coverage for the project has also been minimized by providing only the amount of parking needed to satisfy the demands of the project. Based on the zoning ordinance over 80 stalls could be constructed for the project; however, it was determined that only 60 are needed. The reduction in parking improved the amount of green space within the project.

Waive 3 – Unit Sizes in existing building

The existing Hillside building at the eastern portion of the site will be rehabilitated and contain residential units, a small café and office space for Hillside. The units within the existing building are slightly smaller than the minimums offered by the City Zoning Ordinance. The spirit and intent of that portion of the code is largely derived from minimizing the number of small apartments in large single family home conversions.

In the case of the Community on East Main, the units are largely based upon sizes as established by New York State Homes and Community Renewal (HCR) and the needs of future residents. Additionally, the proposed unit sizes are consistent with the units that have been constructed by the developer at Voters Block, Frederick Douglass and Eastman Gardens. In this case, the finished product more than adequately meets the needs of the future residents.

Pending receipt of City and Municipal approvals, it is anticipated that construction will begin in the fall of 2016. In support of our request, attached please find:

(1) Check for $250
(1) Denied Certificate of Zoning Compliance
(1) Application including Special Permit Standards
(1) Instrument Survey
(3) Site Plans Sets
(1) Floor Plan
(1) Summary of unit sizes in similar projects
(1) Building Elevations
(1) Photographs Package
(1) Drawings/Photos Reduced to 8 ½ x 11
(1) Project Information Form
(1) CD

Sincerely,

Jess Sudol

Jess D. Sudol, PE, CPESC, CPSWQ
Associate & Department Manager

JDS:paf
Encs:

CC: File
Home Leasing
Jason Simmons
Kris Rodgers

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

Revised June 2, 2016 as to which decisions are to be made by the City Planning Commission and the Zoning Board of Appeals, as noted by two asterisks on pg. 3.

April 27, 2016

Ms. Kimberly Russell
180 Clinton Square
Rochester, NY 14604

Re: Preliminary Site Plan Findings
SP-017-15-16, 1307, 1311, 1313, 1317 and 1337 E. Main St. and 48 Breck St.
R-2 Medium-Density Residential District

Dear Ms. Russell:

We have completed a preliminary review of your application to demolish two residential structures, convert an office building into 26 apartments and support offices, and construct a three-story, 50-unit multifamily building and an adjacent parking lot. The following findings and recommendations have resulted from this review. It is your responsibility to familiarize yourself with the content of this document.

Existing Conditions:
The project site is located in the southeast quadrant of the city on the main street leading into the downtown area about three-quarters of a mile to the west. The street contains a mix of uses, including residences, small businesses, large industrial buildings, and the offices, shops and bus parking of the Rochester-Genesee Regional Transit Authority (RTS). Behind the site two short blocks to the south lies the region's main rail yard, which is lined with industrial buildings. Between these buildings and the project site is a narrow, residential neighborhood known as EMMA. Across Main Street and to the north is a large, fully residential neighborhood named Beechwood.

Several zoning districts converge in this area. The site is at the edge of an R-2 Medium-Density Residential District, which includes the EMMA neighborhood. The rail yard and industrial buildings are in an M-1 Industrial zone, the Beechwood neighborhood is an R-1 Low-Density Residential zone, and the 15-acre RTS campus on the next block is a C-2 Community Center Commercial zone.

Six contiguous parcels comprise the site, and would be combined into one parcel of 2.0 acres. The parcels are used as follows:

- 1307 E. Main Street is a 0.13 acre parcel that contains a two-story, two-family, wood-framed residence that has been vacant since August, 2012 and is owned by the City of Rochester. The applicant has a contract to purchase the property.

- 1311 E. Main Street is a 0.13 acre parcel under private ownership that contains a 2½-story, 6-family, wood-framed residence. The applicant has a contract to purchase the property.

- 1313 E. Main Street is a 10 foot x 136 foot strip of vacant land planted as lawn and owned by the applicant.

- 1317 E. Main Street is a 0.16 acre parcel that is vacant land planted as lawn and owned by the applicant.

- 1337 E. Main Street is a 1.25 acre parcel that contains a three-story building holding offices of the applicant and a surface parking lot for about 90 vehicles.

- 48 Breck Street is a 0.31 acre parcel that is vacant land planted as lawn and owned by the applicant.

Scope of the Project:
The proposal is to demolish the two buildings at 1311 and 1313 E. Main Street and the parking lot at 1337 E. Main Street, construct a 20,358SF, three-story, 50-unit multifamily building on the western half of the site, and convert the office building on the eastern side of the site to 20 apartments on the upper floors, 6 apartments on the first floor rear, and offices and an 850SF specialty retail café on the first floor front. Hours of operation of the offices and café are limited to 6:00AM-9:00PM. Behind the buildings, and screened from E. Main Street, would be a new parking lot for 60 vehicles. The development would be marketed to tenants of mixed incomes and ages, similar to the Voters Block Community constructed by the applicant on the west side of Center City in the Susan B. Anthony and Mayors Heights neighborhood.

Public Notification:
The applicant formed a project steering committee that includes leaders of the EMMA and Beechwood neighborhoods, local business persons and representatives of RTS. The committee first met on September 17, 2014. Public presentations of the proposal were held in the neighborhood on January 26 and March 8, 2016. City newspaper reported on the proposal on January 27, 2016.

SEQR/Chapter 48 Compliance:
In accordance with Article 8 of the New York State Conservation Law and Chapter 48 of the Rochester City Code, this project has been classified as an Unlisted Action. A Negative Declaration was issued on April 27, 2016, indicating that the proposed action is one which will not have a significant impact on the environment.

Code Compliance:
1. **'Minor' Site Plan Review** approval by the Director of Planning and Zoning is required for new construction of multifamily housing and for the conversion of floor area designed for nonresidential use to residential use (the office building was built as the State Theater, and the two floors were added in 1966).

2. ***Special Permit** approval from the City Planning Commission is required for the construction of the 50-unit multifamily dwelling, subject to zoning code section 120-20 relating to lot, area and yard requirements;

3. ***Area Variances** from the Zoning Board of Appeals are required for:

   a. The partial conversion of the first floor rear and the upper two floors of the existing building from offices to residential, subject to zoning code section 120-20, and section 120-166 relating to dwelling unit conversions,

   b. Minimum lot area required is 3,000SF per residential unit. Collectively, the 76 residential units require 228,000SF of site area, while the site is only 87,120SF.

   c. Maximum lot coverage is not to exceed 50%, where 78% is proposed.

   d. Maximum building height allowed is 2½ stories not to exceed 35 feet. The proposed building is three stories and 39 feet tall.

   e. The Dwelling Unit Conversion Standards of code section 120-166 set minimum sizes of habitable space for each apartment. Habitable spaces, as defined in the code, are those used for sleeping, living, cooking and dining, and not utility rooms, closets, bathrooms and hallways. The minimum sizes are as follows:

      - Studio: 500SF
      - One-bedroom: 650SF
      - Two-bedroom: 800SF

      In the existing building, none of the 26 apartments meets these minimum sizes. Of the 23 one-bedroom units, four have an overall size (including kitchens, closets, etc.) of about 550SF, three are about 600SF, 13 are about 620SF, and three are about 700SF. The three two-bedroom units are about 870SF overall.

   f. The proposal meets the City-wide Design Standards in zoning code section 120-158, except that new construction shall respect existing building widths by providing a division of the building facade into visible building increments no larger than the average width of existing buildings on the block. On this block, most buildings are 2½ story, frame houses about 20 feet wide. The street-facing façade of the new building is about 120 feet wide and is largely planar, not divided into visible increments.

Findings:

1. The project is located along a portion of East Main Street that was the focus of a City-sponsored planning effort in 2012-13. The City's Department of Neighborhood and Business Development collaborated with the Beechwood Neighborhood Coalition in devising a plan to spark commercial activity between Goodman Street and Culver Road. Several recommendations were made, most meant to improve the appearance

of the streetscape and of private properties. One strong recommendation was made to create a steering committee to implement the plan.

2. The R-2 Medium-Density Residential District is intended to provide a mix of housing choices. The inclusion of single-family residential, two-family residential and multifamily residential provides a diversity of housing choices while the bulk and density regulations maintain the lower-density scale of the neighborhoods. These residential areas are located proximate to neighborhood-scale shopping and service opportunities. The district requirements are intended to preserve, promote and protect a quality of urban residential living characterized by unobstructed front yards, pedestrian-scale streetscapes and buildings scaled and designed to be compatible with the neighborhood.

3. Overall building coverage and the setbacks of the new building comply with the R-2 regulations as follows:

   a. Maximum building coverage allowed is 35%. Together, the two buildings would cover 33.5%.

   b. Minimum front yard setback required is the average of buildings on either side of the site, the average of buildings on the block, or 20 feet. The front porches of the new building are set back 13.5 feet, and the front wall is set back 16.8 feet, approximately the average of buildings on the block.

   c. Minimum side yard setback is five feet, and the new building is set back 10 feet from the west property line.

   d. Minimum rear yard setback is 20 feet, and the new building is set back 58.9 feet from the south property line.

4. The Director of Planning & Zoning may approve a parking demand analysis for a development such as this that includes three or more uses, per zoning code section 120-173. The applicant states that the demand for parking would be lower than assumed by the zoning code, and provided an analysis showing that only 59 spaces would be needed (60 would be provided). Code section 120-173C requires parking as follows:

1.0 for each of the 57 one-bedroom units	=	57
1.2 for each of the 16 two-bedroom units	=	19
1.5 for each of the 3 three-bedroom units	=	5
2.0 for every 1000SF of commercial space	=	5
Total	=	86

All other aspects of the parking lot comply with the code requirements, including access location, dimensions, lighting, striping, landscaping and bicycle parking.

5. Off-street loading spaces are not shown on the plan, but must be provided in sufficient number and of sufficient size so that no loading and unloading operations infringe upon any street or sidewalk, per zoning code section 120-172.

6. Site drainage is adequately provided with catch basins in the parking lot and yard drains along the north and west property lines.

7. Site lighting is adequately provided by eight pole-mounted light fixtures in and around the parking lot and driveway. The fixtures are not specified, but code section 120-170 requires that they not produce a strong, dazzling light or glare that is visible from any point along a lot line.

8. Sign details have not been submitted, but any proposed signs must comply with zoning code section 120-177 as follows:

   a. One attached or detached sign is permitted, and may not exceed 15SF in area.

   b. Detached signs shall be no taller than 4 feet above the finished grade and no closer than 10 feet to a residential lot line.

   c. Internally lit signs are prohibited in all residential districts.

   d. No more than 50% of a sign face may be covered with text or graphics.

9. An existing chain link fence along Breck Street would be removed. No new fences are proposed on the site.

10. Landscaping is sufficient to meet the requirements of code section 120-169. Trees include four American hornbeams in a 14 foot deep lawn along E. Main Street, six maples in a 55-foot deep lawn all along Breck Street, and seven honey locusts in islands in the parking lot. Small planting beds are placed at the east end of the new building and outside its main entrance.

11. No outdoor refuse collection areas are shown. Both buildings have indoor trash rooms, and we expect that toters will be used to transport trash to the street. If in the future a refuse collection area is proposed on the site, screening is required in accordance with code section 120-165.

12. Mechanical equipment, consisting of individual condensers for each apartment unit, would be placed on the building roofs and screened from view.

13. The City's Managing Engineer of Street Design provided comments, which are attached.

14. The project was referred to the Monroe County Department of Transportation for review. The MCDOT found that any additional vehicle trips would have no adverse impact on the capacity of East Main Street.

15. The project was referred to the Rochester Fire Department. Any comments received will be forwarded under separate cover.

A copy of these findings will be provided to the City Planning Commission and the Zoning Board of Appeals for consideration in deciding upon a special permit and area variances, respectively. Final Site Plan Review approval will be issued only after any conditions imposed by the Planning Commission, Zoning Board and these site plan findings have been addressed.

Please contact Peter Siegrist at 428-7238 or Peter.Siegrist@cityofrochester.gov if you have any questions regarding these preliminary findings.

Sincerely,

Margaret Allen for

Zina Lagonegro, AICP, EIT
Director of Planning and Zoning

CC: Tom Mann, Permit Office Manager
Al Giglio, Terry Mott, Department of Environmental Services
Jill Wiedrick, City Planning Commission
Jill Symonds, Zoning Board of Appeals

Agency Use Only [If applicable]

Project: 1307-1337 E. Main/48 P

Date: 04/27/16

Short Environmental Assessment Form
Part 3 Determination of Significance

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

The proposal is to demolish the two buildings at 1311 and 1313 E. Main Street and the parking lot at 1337 E. Main Street, construct a 20,358SF, three-story, 50-unit multifamily building on the western half of the site, and convert the office building on the eastern side of the site to 26 apartments on the upper floors and offices and an 850SF specialty retail café on the first floor. Hours of operation of the offices and café are limited to 6:00AM-9:00PM. Behind the buildings, and screened from E. Main Street, would be a new parking lot for 60 vehicles. The development would be marketed to tenants of mixed incomes and ages, similar to the Voters Block Community constructed by the applicant on the west side of Center City in the Susan B. Anthony and Mayors Heights neighborhood.

The multifamily dwellings require special permit approval by the City Planning Commission. Area variances are required for design related deficiencies and the height of the new multifamily dwelling.

There are no use variances, zoning district changes required to facilitate this project.

There are no significant impacts on traffic; historic, cultural and archaeological resources; flora or fauna; steep slopes; water bodies; mature trees; migratory or protected animal or plant species; public services or utilities.

Involved Agencies:
City Planning Commission
Zoning Board of Appeals
Commissioner of Neighborhood and Business Development

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

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

Director of Planning and Zoning	April 27, 2016
Name of Lead Agency	Date
Zina Lagonegro, AICP, EIT	Director of Planning and Zoning
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM

Agency Use Only [If applicable]

Project: 1307-1337 E. Main/48 Breck

Date: 04/27/16

Short Environmental Assessment Form
Part 2 - Impact Assessment

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

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

PRINT FORM

City of Rochester

Inter-Departmental Correspondence

To: James J. Quackenbush, DES/Permits

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

Date: November 30, 2015

Subject: SP #017-15-16: 1337 E Main Street - Community @ East Main

Our office has completed its review of the September 2015 set of subdivision and site plans for the construction of a new 3-story apartment building at 1307 thru 1337 E Main Street and 48 Breck Street, with the development to be known as Community @ East Main. There is an existing 3-stroy building on the site which will remain and will be used for commercial space and apartments.

The overall width of the development site along E Main Street should be 320 feet, not 330 feet as noted.

The developer is proposing to provide a mid-block striped crosswalk along with sidewalk access ramps across a portion of Breck Street. These features may be installed as long as the developer can demonstrate that there is a specific need for them at that location, and only if the Traffic Control Board has approved such installation. If the mid-block crosswalk is strictly a means of convenience versus using the closest intersection, then it should not be installed as there is a safety issue for pedestrians attached with the use of mid-block crosswalks. The developer should also take into consideration the demand for on-street parking for the local residents as the location of the ramps will mean the loss of on-street parking within that immediate area. Such loss may not be looked upon favorably by the adjoining residents who may depend upon all of the on-street available.

There is an existing driveway opening off of E Main Street which the developer is proposing to widen from 20 feet to 31 feet and which will be used as sole access to the site.

The City's standard maximum allowable width for the header curb portion of a driveway opening of this nature and usage is 24 feet for 2-way vehicular access. The developer may propose a driveway opening that is in excess of the maximum allowable width, if necessary to support larger sized vehicles that will be accessing the site on a regular basis, particularly in this instance oversized moving vans both now and in the future. 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 the maximum allowable width, a vehicle turning template analysis is to be done and submitted to the City Engineer's office for review, and final determination of a driveway opening width that is acceptable to both the developer and the City Engineer's office.

The existing sidewalks and curb along the Breck Street side of the development are in very poor condition, and the developer will be responsible to replace them in their entirety along the development site.

All new sidewalk within the public right-of-way is to be a minimum of 5 feet wide.

Areas of the existing public sidewalk or curb that are damaged or otherwise negatively impacted by any portion of the work are to be replaced. Replacement of sidewalk areas is to be to the nearest control joint and in full flag segments only, replacement of curb is to be to the nearest joint. There is to be no saw cutting or partial replacement of the existing sidewalk or curb to accommodate any of the required work within the public right-of-way.

Any form of impact to the existing street trees, including any new tree plantings, removals or transplanting, must be as approved of and done to the requirements of the City's Forestry office. Tree protection fencing is to be installed around all existing street trees that are immediately adjacent to any of the proposed work.

A full grading plan for the site was included with the site plan submittal, and is generally acceptable to our office as submitted. 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 adjacent property or the public right-of-way.

There is a set of notes on drawing C103 which are from another project, and should either be removed or revised for use with this project.

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 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 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:rks

xc: Erik L. Frisch, DES/Engineering Services
Brian M. Liberti, DES/Forestry
Terry L. Mott, DES/Permits
Willard VanDame, DES/Permits

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EASTMAN GARDENS
800 MAIN STREET
ROCHESTER, NEW YORK

SQUARE FOOTAGE CALCULATIONS
December 22, 2014

Total Building:

Lower Level	17,566 s.f.	16,331 s.f.*	*note: square footages in this column are according to HCR's description of gross square footage
First Floor	14,722 s.f.	13,443 s.f.*	
Second Floor	9,113 s.f.	8,222 s.f.*	
Third Floor	14,968 s.f.	13,719 s.f.*	
Total Building:	**56,369 s.f.**	**51,715 s.f.***	

Total Residential:

Lower Level

One Bedroom- Unit #001	1	@	652 s.f. =	652 s.f.	682 s.f.*	510 s.f.#	*note: square footages in this column are according to City of Rochester description of gross square footage
One Bedroom- Unit #002	1	@	650 s.f. =	650 s.f.	600 s.f.*	523 s.f.#	
One Bedroom- Unit #003	1	@	816 s.f. =	816 s.f.	623 s.f.*	695 s.f.#	
One Bedroom- Unit #004	1	@	668 s.f. =	668 s.f.	612 s.f.*	517 s.f.#	
One Bedroom- Unit #005	1	@	676 s.f. =	676 s.f.	632 s.f.*	555 s.f.#	
One Bedroom- Unit #006	1	@	694 s.f. =	694 s.f.	666 s.f.*	536 s.f.#	
One Bedroom- Unit #007	1	@	662 s.f. =	662 s.f.	604 s.f.*	496 s.f.#	
One Bedroom- Unit #008	1	@	814 s.f. =	814 s.f.	650 s.f.*	621 s.f.#	
One Bedroom- Unit #009	1	@	691 s.f. =	691 s.f.	632 s.f.*	562 s.f.#	
One Bedroom- Unit #010	1	@	753 s.f. =	753 s.f.	610 s.f.*	666 s.f.#	
One Bedroom- Unit #011	1	@	650 s.f. =	650 s.f.	600 s.f.*	531 s.f.#	
One Bedroom- Unit #012	1	@	724 s.f. =	724 s.f.	689 s.f.*	575 s.f.#	
One Bedroom- Unit #013	1	@	699 s.f. =	699 s.f.	655 s.f.*	522 s.f.#	
One Bedroom- Unit #014	1	@	662 s.f. =	662 s.f.	620 s.f.*	519 s.f.#	
One Bedroom- Unit #015	1	@	733 s.f. =	733 s.f.	691 s.f.*	582 s.f.#	
One Bedroom- Unit #016	1	@	684 s.f. =	684 s.f.	615 s.f.*	534 s.f.#	
Total First Floor Residential:				**11,228 s.f.**	**10,181 s.f.***	**8,944 s.f.#**	

HILLSIDE MAIN STREET APARTMENTS
ROCHESTER, NEW YORK
SQUARE FOOTAGE CALCULATIONS
May 6, 2016

Total Building:

Renovation Hillside

First Floor	8,776	s.f.
Second Floor	8,776	s.f.
Third Floor	8,776	s.f.
Total Building:	**26,328**	**s.f.**

Total Residential:

First Floor

							*note: square footages in this column are according to HCR's description of gross square footage	#note: square footages in this column are according to City of Rochester description of gross square footage
Two Bedroom- Unit #101- Type A	1	@	998 s.f.	=	998 s.f		928 s.f.*	769 s.f.#
One Bedroom- Unit #102- A/V	1	@	687 s.f.	=	687 s.f		631 s.f.*	554 s.f.#
One Bedroom- Unit #103	1	@	687 s.f.	=	687 s.f		631 s.f.*	552 s.f.#
One Bedroom- Unit #104- Type A	1	@	687 s.f.	=	687 s.f		631 s.f.*	552 s.f.#
One Bedroom- Unit #105	1	@	714 s.f.	=	714 s.f		642 s.f.*	603 s.f.#
One Bedroom- Unit #106	1	@	804 s.f.	=	804 s.f		692 s.f.*	622 s.f.#
Total First Floor Residential:					**4,577 s.f**		**4,155 s.f.***	**3,652 s.f.#**

Total Residential:

Second Floor

One Bedroom- Unit #201	1	@	638 s.f.	=	638 s.f		602 s.f.*	518 s.f.#
One Bedroom- Unit #202	1	@	761 s.f.	=	761 s.f		679 s.f.*	654 s.f.#
One Bedroom- Unit #203	1	@	745 s.f.	=	745 s.f		662 s.f.*	629 s.f.#
One Bedroom- Unit #204	1	@	636 s.f.	=	636 s.f		600 s.f.*	514 s.f.#
Two Bedroom- Unit #205	1	@	998 s.f.	=	998 s.f		928 s.f.*	769 s.f.#
One Bedroom- Unit #206	1	@	681 s.f.	=	681 s.f		625 s.f.*	548 s.f.#
One Bedroom- Unit #207- Type A	1	@	687 s.f.	=	687 s.f		631 s.f.*	552 s.f.#
One Bedroom- Unit #208	1	@	687 s.f.	=	687 s.f		631 s.f.*	552 s.f.#
One Bedroom- Unit #209	1	@	714 s.f.	=	714 s.f		642 s.f.*	603 s.f.#
One Bedroom- Unit #210	1	@	804 s.f.	=	804 s.f		692 s.f.*	622 s.f.#
Total Second Floor Residential:					**7,351 s.f**		**6,692 s.f.***	**5,961 s.f.#**

Total Residential:

Third Floor

One Bedroom- Unit #301	1	@	638 s.f.	=	638 s.f	602 s.f.*	518 s.f.#
One Bedroom- Unit #302	1	@	761 s.f.	=	761 s.f	679 s.f.*	654 s.f.#
One Bedroom- Unit #303	1	@	744 s.f.	=	744 s.f	662 s.f.*	629 s.f.#
One Bedroom- Unit #304	1	@	631 s.f.	=	631 s.f	600 s.f.*	514 s.f.#
Two Bedroom- Unit #305	1	@	998 s.f.	=	998 s.f	928 s.f.*	769 s.f.#
One Bedroom- Unit #306	1	@	687 s.f.	=	687 s.f	625 s.f.*	548 s.f.#
One Bedroom- Unit #307	1	@	687 s.f.	=	687 s.f	631 s.f.*	552 s.f.#
One Bedroom- Unit #308	1	@	687 s.f.	=	687 s.f	631 s.f.*	552 s.f.#
One Bedroom- Unit #309	1	@	714 s.f.	=	714 s.f	642 s.f.*	603 s.f.#
One Bedroom- Unit #310	1	@	804 s.f.	=	804 s.f	692 s.f.*	622 s.f.#
Total Third Floor Residential:					**7,351 s.f**	**6,692 s.f.***	**5,961 s.f.#**
Total Residential Overall:					**19,279 s.f**	**17,539 s.f.***	**15,574 s.f.#**

Total Building:

New Building- Hillside

First Floor	19,715	s.f.
Second Floor	18,743	s.f.
Third Floor	19,520	s.f.
Total Building:	**57,978**	**s.f.**

*note: square footages in this column are according to HCR's description of gross square footage

#note: square footages in this column are according to City of Rochester description of gross square footage

Total Residential:

First Floor

Two Bedroom- Unit #101- Type A	1	@	1094 s.f.	=	1094 s.f	932 s.f.*	775 s.f.#
One Bedroom- Unit #102	1	@	804 s.f.	=	804 s.f	689 s.f.*	542 s.f.#
One Bedroom- Unit #103	1	@	853 s.f.	=	853 s.f	689 s.f.*	542 s.f.#
One Bedroom- Unit #104	1	@	804 s.f.	=	804 s.f	689 s.f.*	542 s.f.#
One Bedroom- Unit #105- Type A	1	@	853 s.f.	=	853 s.f	689 s.f.*	542 s.f.#
Two Bedroom- Unit #106	1	@	1101 s.f.	=	1101 s.f	968 s.f.*	800 s.f.#
Two Bedroom- Unit #107	1	@	1101 s.f.	=	1101 s.f	968 s.f.*	800 s.f.#
Two Bedroom- Unit #108	1	@	982 s.f.	=	982 s.f	902 s.f.*	746 s.f.#

One Bedroom- Unit #109	1	@	804 s.f.	=	804 s.f	689 s.f.*	542 s.f.#
One Bedroom- Unit #110- Type A	1	@	804 s.f.	=	804 s.f	689 s.f.*	542 s.f.#
One Bedroom- Unit #111	1	@	804 s.f.	=	804 s.f	689 s.f.*	542 s.f.#
One Bedroom- Unit #112	1	@	804 s.f.	=	804 s.f	689 s.f.*	542 s.f.#
One Bedroom- Unit #113	1	@	804 s.f.	=	804 s.f	689 s.f.*	542 s.f.#
One Bedroom- Unit #114- A/V	1	@	804 s.f.	=	804 s.f	689 s.f.*	542 s.f.#
One Bedroom- Unit #115	1	@	804 s.f.	=	804 s.f	689 s.f.*	542 s.f.#
Three Bedroom- Unit #116- A/V	1	@	1244 s.f.	=	1244 s.f	1111 s.f.*	875 s.f.#
Total First Floor Residential:					**14,513 s.f**	**12,460 s.f.***	**9,958 s.f.#**

Total Residential:

Second Floor

Two Bedroom- Unit #201	1	@	1098 s.f.	=	1098 s.f	957 s.f.*	778 s.f.#
One Bedroom- Unit #202	1	@	804 s.f.	=	804 s.f	689 s.f.*	542 s.f.#
One Bedroom- Unit #203- Type A	1	@	804 s.f.	=	804 s.f	689 s.f.*	542 s.f.#
One Bedroom- Unit #204	1	@	804 s.f.	=	804 s.f	689 s.f.*	542 s.f.#
One Bedroom- Unit #205	1	@	804 s.f.	=	804 s.f	689 s.f.*	542 s.f.#
Two Bedroom- Unit #206	1	@	1101 s.f.	=	1101 s.f	968 s.f.*	800 s.f.#
Two Bedroom- Unit #207	1	@	1101 s.f.	=	1101 s.f	968 s.f.*	800 s.f.#
Two Bedroom- Unit #208	1	@	982 s.f.	=	982 s.f	902 s.f.*	746 s.f.#
One Bedroom- Unit #209- A/V	1	@	804 s.f.	=	804 s.f	689 s.f.*	542 s.f.#
One Bedroom- Unit #210	1	@	804 s.f.	=	804 s.f	689 s.f.*	542 s.f.#
One Bedroom- Unit #211	1	@	804 s.f.	=	804 s.f	689 s.f.*	542 s.f.#
One Bedroom- Unit #212	1	@	804 s.f.	=	804 s.f	689 s.f.*	542 s.f.#
One Bedroom- Unit #213- Type A	1	@	804 s.f.	=	804 s.f	689 s.f.*	542 s.f.#
One Bedroom- Unit #214	1	@	804 s.f.	=	804 s.f	689 s.f.*	542 s.f.#
One Bedroom- Unit #215	1	@	804 s.f.	=	804 s.f	689 s.f.*	542 s.f.#
Three Bedroom- Unit #216	1	@	1244 s.f.	=	1244 s.f	1111 s.f.*	875 s.f.#
Total Second Floor Residential:					**14,370 s.f**	**12,485 s.f.***	**9,961 s.f.#**

Total Residential:

Third Floor

Two Bedroom- Unit #301- A/V	1	@	924 s.f.	=	924 s.f	817 s.f.*	693 s.f.#
One Bedroom- Unit #302	1	@	833 s.f.	=	833 s.f	744 s.f.*	596 s.f.#
One Bedroom- Unit #303	1	@	804 s.f.	=	804 s.f	689 s.f.*	542 s.f.#

Two Bedroom- Unit #304	1	@	978 s.f.	=	978 s.f	950 s.f.*	877 s.f.#
One Bedroom- Unit #305	1	@	804 s.f.	=	804 s.f	689 s.f.*	542 s.f.#
One Bedroom- Unit #306	1	@	804 s.f.	=	804 s.f	689 s.f.*	542 s.f.#
Two Bedroom- Unit #307	1	@	1101 s.f.	=	1101 s.f	968 s.f.*	800 s.f.#
Two Bedroom- Unit #308	1	@	1101 s.f.	=	1101 s.f	968 s.f.*	800 s.f.#
One Bedroom- Unit #309	1	@	714 s.f.	=	714 s.f	644 s.f.*	536 s.f.#
One Bedroom- Unit #310	1	@	804 s.f.	=	804 s.f	689 s.f.*	542 s.f.#
One Bedroom- Unit #311	1	@	804 s.f.	=	804 s.f	689 s.f.*	542 s.f.#
Two Bedroom- Unit #312	1	@	1026 s.f.	=	1026 s.f	950 s.f.*	877 s.f.#
One Bedroom- Unit #313	1	@	804 s.f.	=	804 s.f	689 s.f.*	542 s.f.#
One Bedroom- Unit #314	1	@	804 s.f.	=	804 s.f	689 s.f.*	542 s.f.#
One Bedroom- Unit #315	1	@	804 s.f.	=	804 s.f	689 s.f.*	542 s.f.#
One Bedroom- Unit #316	1	@	804 s.f.	=	804 s.f	689 s.f.*	542 s.f.#
One Bedroom- Unit #317	1	@	804 s.f.	=	804 s.f	689 s.f.*	542 s.f.#
Three Bedroom- Unit #318	1	@	1244 s.f.	=	1244 s.f	1111 s.f.*	875 s.f.#
Total Third Floor Residential:					**15,961 s.f**	**14,042 s.f.***	**10,185 s.f.#**
Total Residential Overall:					**44,844 s.f**	**38,987 s.f.***	**30,104 s.f.#**

VOTERS BLOCK ASSOCIATES, LLC
560 WEST MAIN
ROCHESTER, NEW YORK

SQUARE FOOTAGE CALCULATIONS
February 5, 2010

Total Building:

First Floor	3,700 s.f.	
Second Floor	3,760 s.f.	
Third Floor	3,760 s.f.	
Total Building:	**11,220 s.f.**	

#note: square footages in this column are according to City of Rochester description of gross square footage

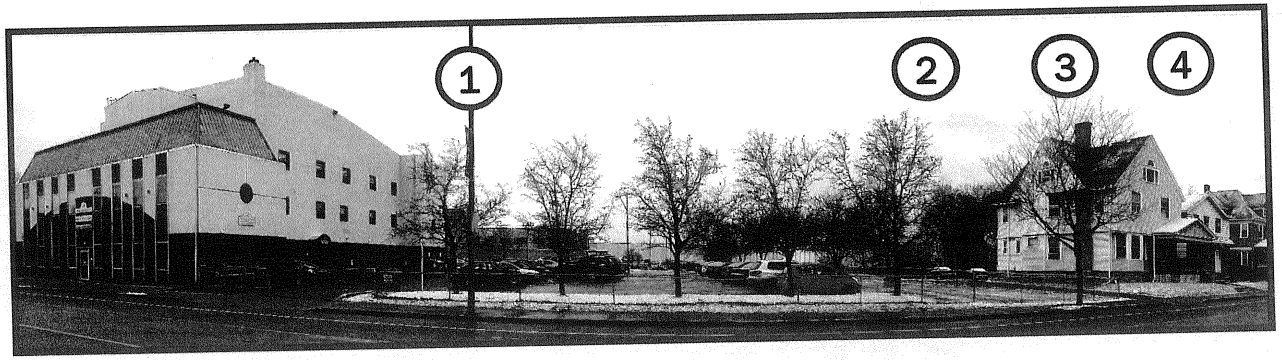
Total Residential:

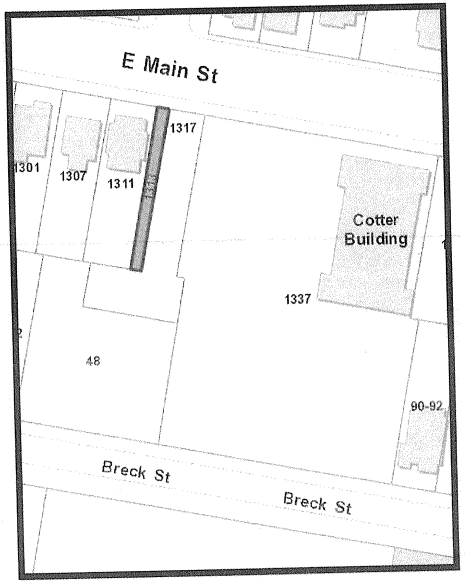
One Bedroom- Unit #204	1	@	725 s.f. =	725 s.f.	544 s.f.#
One Bedroom- Unit #203	1	@	717 s.f. =	717 s.f.	577 s.f.#
One Bedroom- Unit #202	1	@	714 s.f. =	714 s.f.	593 s.f.#
One Bedroom- Unit #201	1	@	685 s.f. =	685 s.f.	610 s.f.#
One Bedroom- Unit #304	1	@	725 s.f. =	725 s.f.	544 s.f.#
One Bedroom- Unit #303	1	@	717 s.f. =	717 s.f.	577 s.f.#
One Bedroom- Unit #302	1	@	714 s.f. =	714 s.f.	593 s.f.#
One Bedroom- Unit #301	1	@	685 s.f. =	685 s.f.	610 s.f.#
Total Residential:				**5,682 s.f.**	**4,648 s.f.#**

View from Breck

Existing Site

1307-1337 E. Main/48 Breck
Site is currently zoned R2





City Tax Map

1. Cotter Building, owned by Hillside Family of Agencies (#1317 & #1337 Main Street & #48 Breck Street)
2. Small vacant strip purchased from Land Bank in November (#1313)
3. Privately owned multi-family, under contract (#1311)
4. City-owned abandoned and foreclosed property, under contract (#1307)

BUILDING DATA / NOTES:

1. OCCUPANCY: R-2 - RESIDENTIAL OCCUPANCY (APARTMENT HOUSES)
   ACCESSORY OFFICE AND COMMUNITY ROOM SPACES
   INCIDENTAL STORAGE AND LAUNDRY AREAS
   A-2 - COMMUNITY ROOM
2. CONSTRUCTION CLASSIFICATION: TYPE VA
3. FIRE AREA ALLOWED: 12,000 s.f / FLOOR (BASE ALLOWANCE) SEE CODE REPORT IN THE SPECIFICATIONS FOR THE INCREASED FIRE AREA ALLOWANCE
4. NUMBER OF STORIES: 3 STORIES (MAXIMUM STORIES ALLOWED - PER TABLE 504.2 AUTOMATIC SPRINKLER SYSTEM INCREASE)
5. MINIMUM FIRE RESISTANCE REQUIREMENTS OF STRUCTURAL ELEMENTS (PER TABLE 601):
   STRUCTURAL FRAME (COLUMNS, GIRDERS & TRUSSES) - 1 Hr.
   EXTERIOR BEARING WALLS - 1 Hr.
   INTERIOR BEARING WALLS - 1 Hr.
   INTERIOR NONBEARING WALLS AND PARTITIONS - 0
   FLOOR CONSTRUCTION INCLUDING SUPPORTING BEAMS AND JOISTS - 1 Hr.
   ROOF CONSTRUCTION INCLUDING SUPPORTING BEAMS AND JOISTS - 1 Hr.
   FIRE WALLS - 3 Hr. (PER TABLE 705.4)
   SHAFT ENCLOSURE - 1 Hr. (CONNECTING LESS THAN FOUR STORIES, SECTION 707.4)
   CONSTRUCTION SEPARATING TENANT SPACES - 1 Hr. FIRE PARTITION (SECTION 708)
   PARTITIONS ENCLOSING CORRIDORS - 1 Hr. FIRE PARTITION (SECTION 708.3.8)
   CONSTRUCTION SEPARATING MIXED OCCUPANCIES - 2 Hr. FIRE BARRIER (SECTION 706.3.8)
6. FIRE DISTANCE RATING REQUIREMENTS FOR EXTERIOR WALLS BASED ON FIRE SEPARATION DISTANCE - N/A
7. SPRINKLERS: NFPA 13R SYSTEM SHALL BE PROVIDED THROUGHOUT.
   NFPA SYSTEM IN NON-RESIDENTIAL AREAS.
8. SMOKE & FIRE DETECTION SYSTEM / FIRE ALARM: NFPA 72
9. ATTIC, SECOND AND THIRD FLOOR DRAFT STOPPING REQUIRED

DWELLING UNIT TYPE & NUMBER

HANDICAPPED ACCESSIBILITY

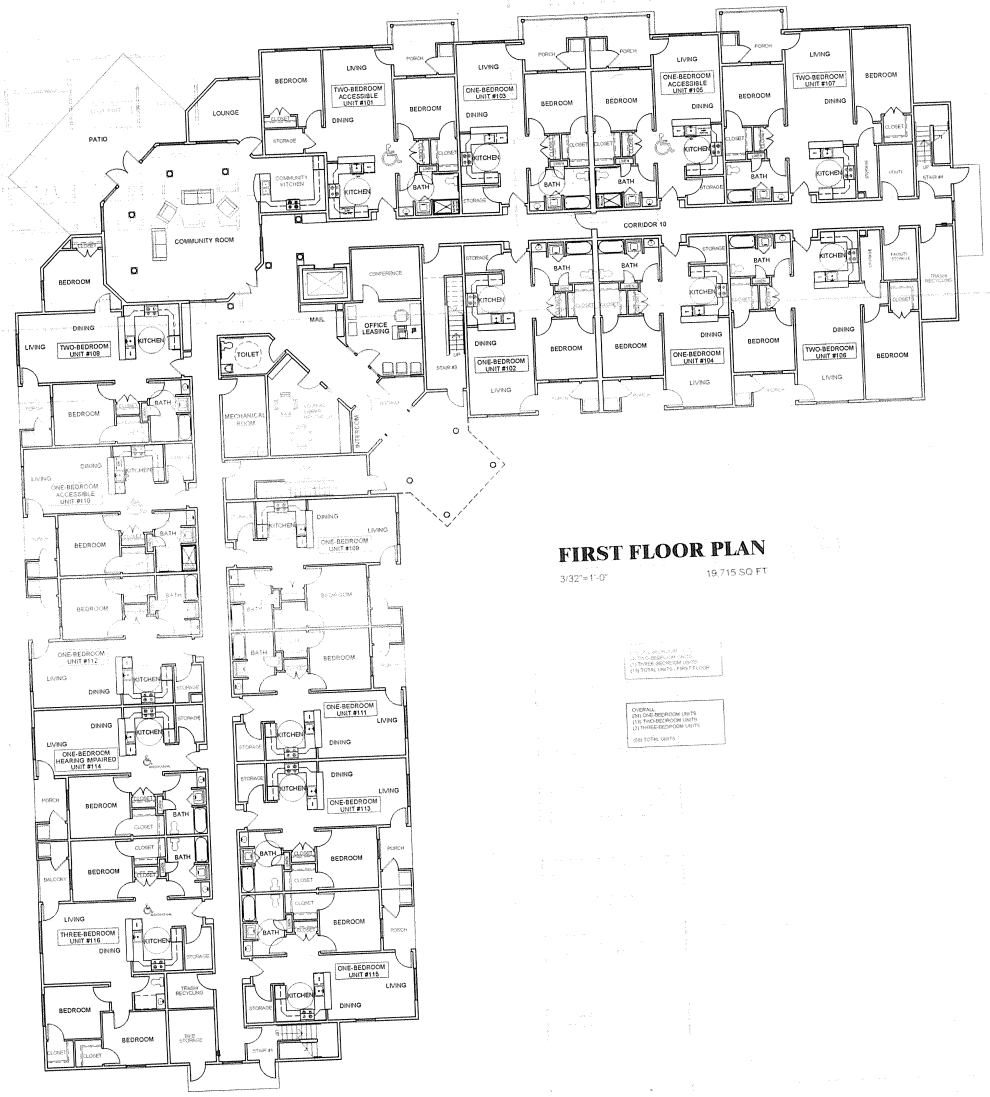
FRONTAGE INCREASE FORMULA

BUILDING AREA #1 (LEFT/CENTER):

BUILDING AREA #1 (LEFT)

BUILDING AREA #2 (RIGHT):

Actual Building Area = 4,708 s.f
Basic Allowable Area (R-2 Type V-A) = 12,000 s.f
4,708 s.f. < 12,000 s.f. Therefore building #2 is
Compliant with Chapter 5



FIRST FLOOR PLAN

3/32"=1'-0"

19,715 SQ FT

OVERALL
(24) ONE-BEDROOM UNITS
(13) TWO-BEDROOM UNITS
(1) THREE-BEDROOM UNITS
(38) TOTAL UNITS - 1 PART FLOOR

OVERALL
(24) ONE-BEDROOM UNITS
(13) TWO-BEDROOM UNITS
(1) THREE-BEDROOM UNITS
(38) TOTAL UNITS

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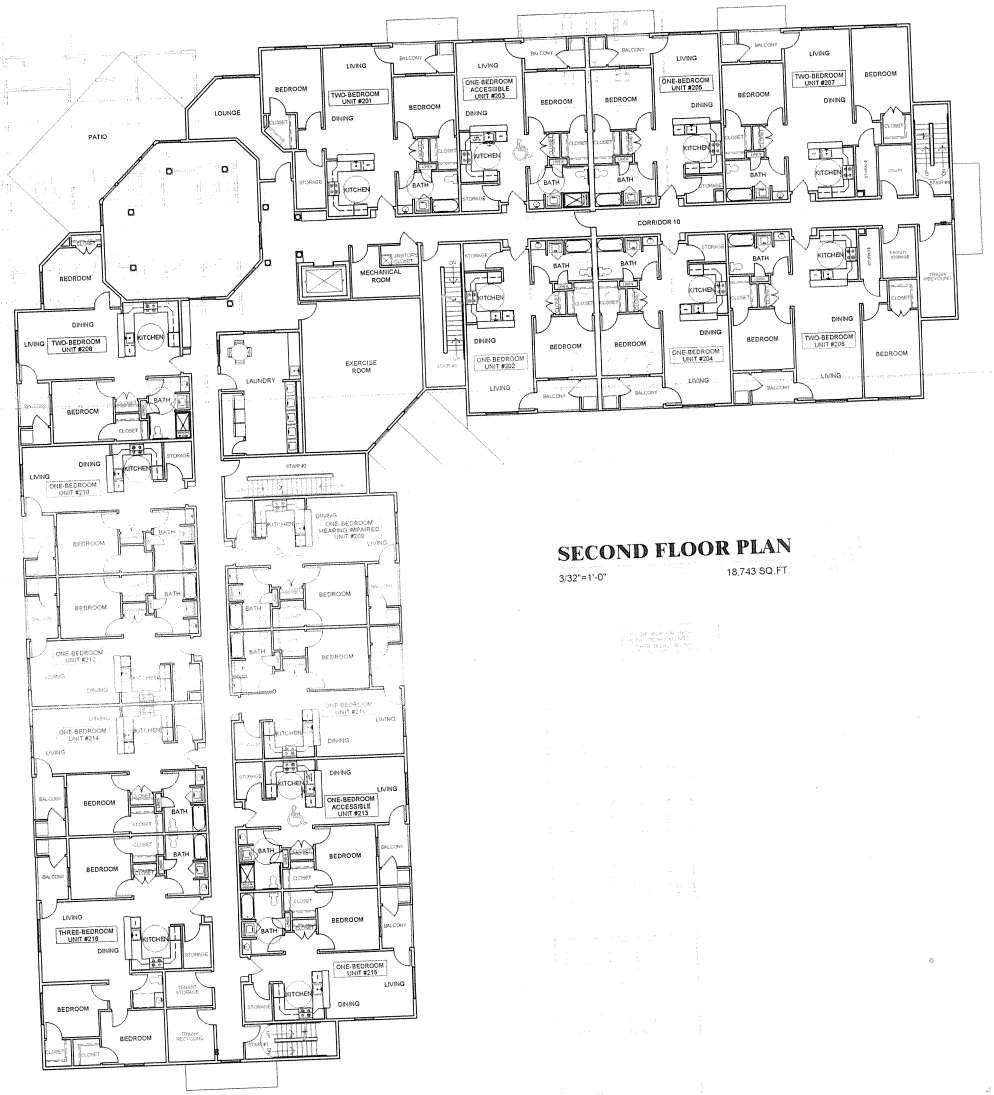
Drawing Attention:
Exempt from the New York State Education Law Article 145 Section 7209 and applies to the following:

It is a violation of this law for any person unless he is acting under the direction of a licensed professional engineer, architect or landscape architect, to alter an item in any way. If an item bearing the stamp and signature of a licensed professional engineer, architect or landscape architect is affixed to this document, the stamp and signature and date the item was sealed, and a specific description of the alteration.

JOB NO.	
DIRECTORY	HILLSIDE
FILE	FPrev
SCALE	3/32"=1'-0"
DRAWN	JTS
CHECKED	DPG
DATE	12/1/15
PLOT	12/1/15
ISSUED	
REVISIONS	

A-1



SECOND FLOOR PLAN

3/32"=1'-0"

18,743 SQ.FT.

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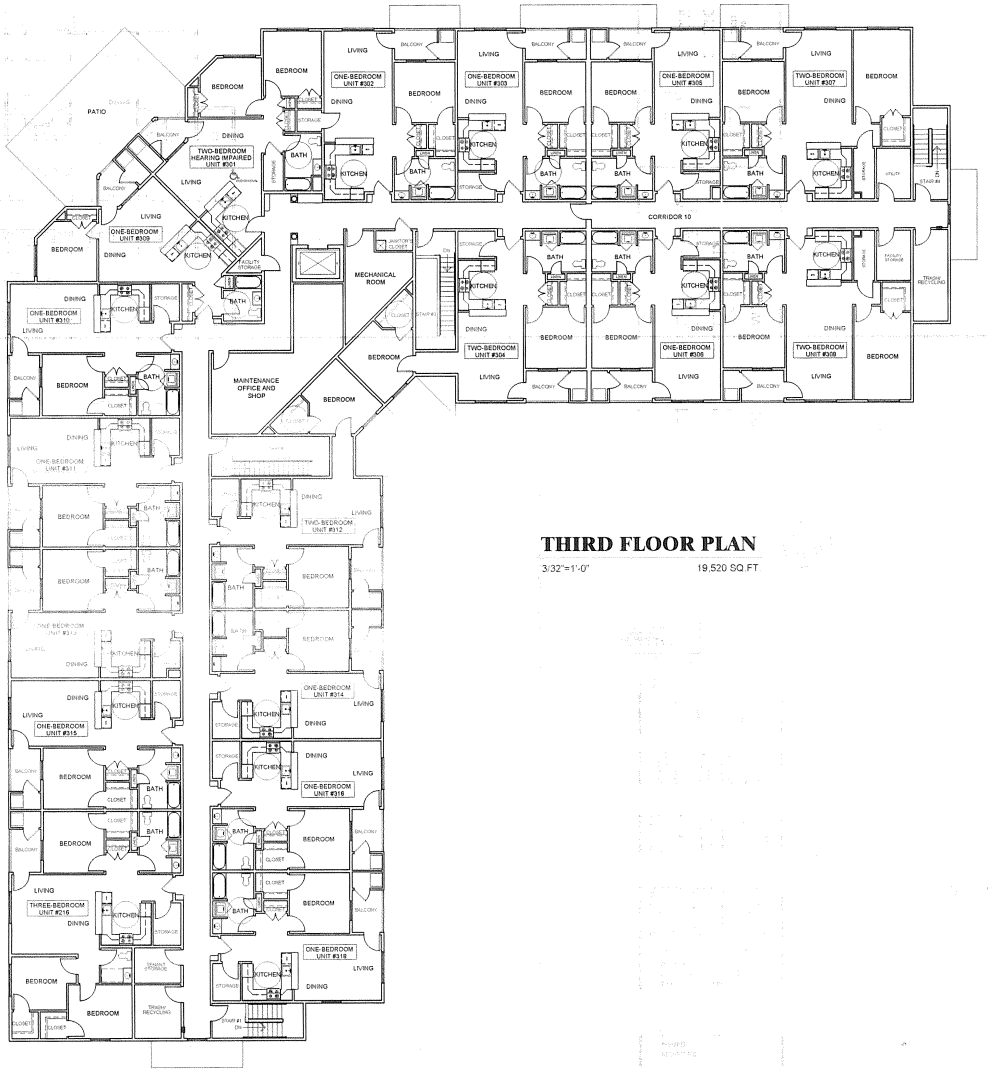
Drawing Attention:
This drawing is an instrument of service from the New York State Education Law Article 145 Section 7209 and applies to the following:

It is a violation of this law for any person unless a licensed professional engineer is also an employee of a licensed professional engineer to alter an item in any way. If an item bearing the stamp of a licensed professional engineer is altered, the altering engineer shall affix to the item his signature and date together with the notation "altered by" followed by his signature and a description of such alteration and a specific description of the alteration.

JOB NO.	
DIRECTORY	HILLSIDE
FILE	FPelev
SCALE	3/32"=1'-0"
DRAWN	JTS
CHECKED	DPG
DATE	12/1/15
PLOT	12/1/15
ISSUED	
REVISIONS	

A-2



THIRD FLOOR PLAN

3/32"=1'-0" 19,520 SQ.FT

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Drawing Attention:
The following is an excerpt from the New York State Education Law Section 7209 Subdivision 2 Paragraph (a) and (b):
It is a violation of this law for any person unless he is acting under the direct supervision of a licensed architect or a licensed professional engineer, to make any changes on a plan, bearing the seal of an architect or engineer. If a person is acting under the direct supervision of a licensed professional, the notation "ACTING UP" followed by the signature and date of such person and the specific description of the revision.

JOB NO.	
DIRECTORY	HILLSIDE
FILE	FPrlev
SCALE	3/32"=1'-0"
DRAWN	JTS
CHECKED	DPG
DATE	12/1/15
PLOT	12/1/15
ISSUED	
REVISIONS	

A-3

BUILDING DATA / NOTES:

1 OCCUPANCY: R-2 - RESIDENTIAL OCCUPANCY (APARTMENT HOUSES)
A-3 - ASSEMBLY
ACCESSORY: SERVICE SPACE,
INCIDENTAL: STORAGE AREAS

GROUPS A-2 AND A-3 WILL BE SEPARATED FROM THE GROUP R-2 WITH 2-HOUR FIRE RATED ASSEMBLIES, BUT THEY WILL BE NON-SEPARATED BETWEEN THE GROUP A-2 AND A-3 USES

2 CONSTRUCTION CLASSIFICATION: TYPE IIIA

3 FIRE AREA ALLOWED: 15,000 s.f./FLOOR (BASE ALLOWANCE)
Building area per floor is less than the maximum allowable area, therefore the fire area complies with code

4 NUMBER OF STORIES: 4 STORIES (MAXIMUM STORIES ALLOWED: FIRE TABLE 504.3)

5 MINIMUM FIRE RESISTANCE REQUIREMENTS OF STRUCTURAL ELEMENTS (PER TABLE 601)
STRUCTURAL FRAME (COLUMNS, GIRDERS, TRUSSES): 0 HR
EXTERIOR BEARING WALLS: 0 HR
INTERIOR BEARING WALLS: 0 HR
INTERIOR NONBEARING WALLS AND PARTITIONS: 0
FLOOR CONSTRUCTION INCLUDING SUPPORTING BEAMS AND JOISTS: 0 HR
ROOF CONSTRUCTION INCLUDING SUPPORTING BEAMS AND JOISTS: 0 HR
FIRE WALLS: 3 HR (PER TABLE 705.4)
SHAFT ENCLOSURE: 2 HR (FOUR STORIES, SECTION 707.4)
CONSTRUCTION SEPARATING TENANT SPACES: 1 HR FIRE PARTITION (SECTION 708)
PARTITIONS ENCLOSING CORRIDORS: 1 HR FIRE PARTITION (SECTION 708)
CONSTRUCTION SEPARATING MIXED OCCUPANCIES: 1 HR FIRE BARRIER (SECTION 508.3.3)

FIRE SUPPRESSION SYSTEM REQUIREMENTS (FIRE PROTECTION WALLS, BASED ON FIRE SEPARATION DISTANCE, 2006 IBC)

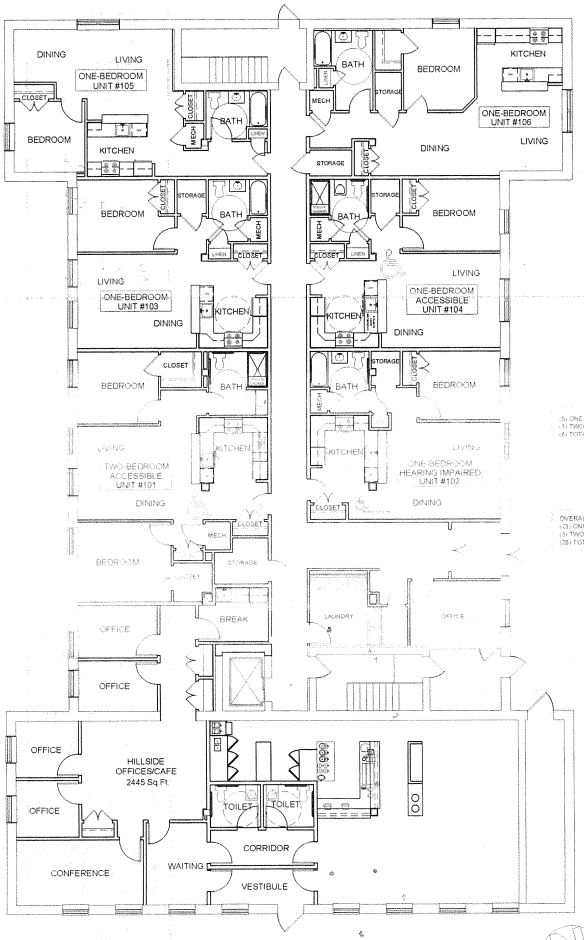
TABLE 1017.1 - MAXIMUM TRAVEL DISTANCE - 250 FEET (NON-SPRINKLERED)

DWELLING UNIT TYPE & NUMBER

(2) ONE-BEDROOM UNITS
(1) TWO-BEDROOM UNIT
(3) TOTAL UNITS

HANDICAPPED ACCESSIBILITY

1 UNIT ACCESSIBLE - 33%
1 UNIT ADAPTABLE - 33%
1 UNIT HEARING IMPAIRED - 33%



(5) ONE-BEDROOM UNITS
(1) TWO-BEDROOM UNIT
(6) TOTAL UNITS - FIRST FLOOR

OVERALL
(23) ONE-BEDROOM UNITS
(3) TWO-BEDROOM UNITS
(26) TOTAL UNITS

PROPOSED FIRST FLOOR PLAN

1/8"=1'-0" 8,776 SQ.FT.

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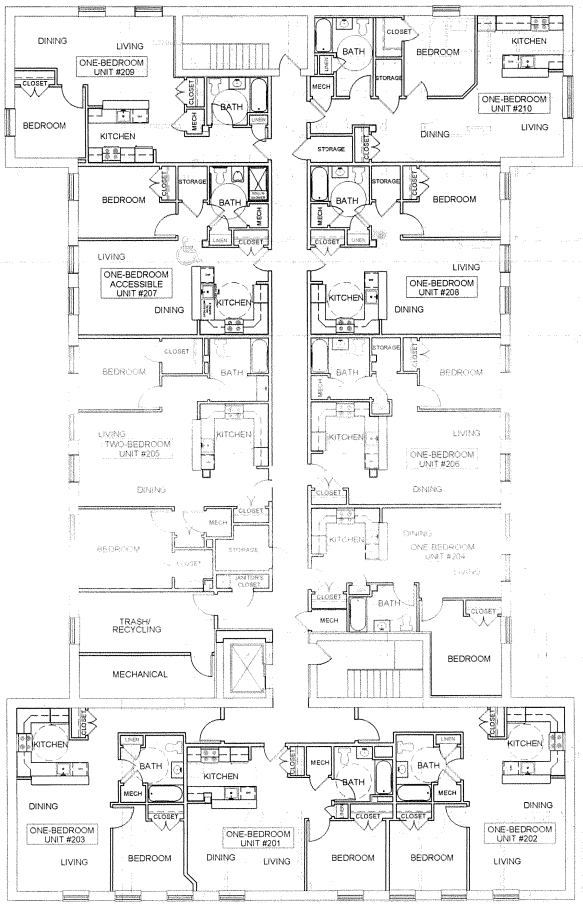
Drawing Alteration:
Section 7209 of the Education Law Article 145 Section 7209 and applies to the following:
It is a violation of this law for any person unless he is acting under the direction of a licensed professional engineer to alter an item in any way. If an item bearing the stamp and signature of a licensed professional engineer, architect or landscape architect affix his seal and add his notation to the item followed by his signature and date of such alteration and a specific description of the alteration.

JOB NO.	
DIRECTORY	HILLSIDE
FILE	FPelev
SCALE	1/8"=1'-0"
DRAWN	JTS
CHECKED	DPG
DATE	12/1/15
PLOT	12/1/15
ISSUED	
REVISIONS	

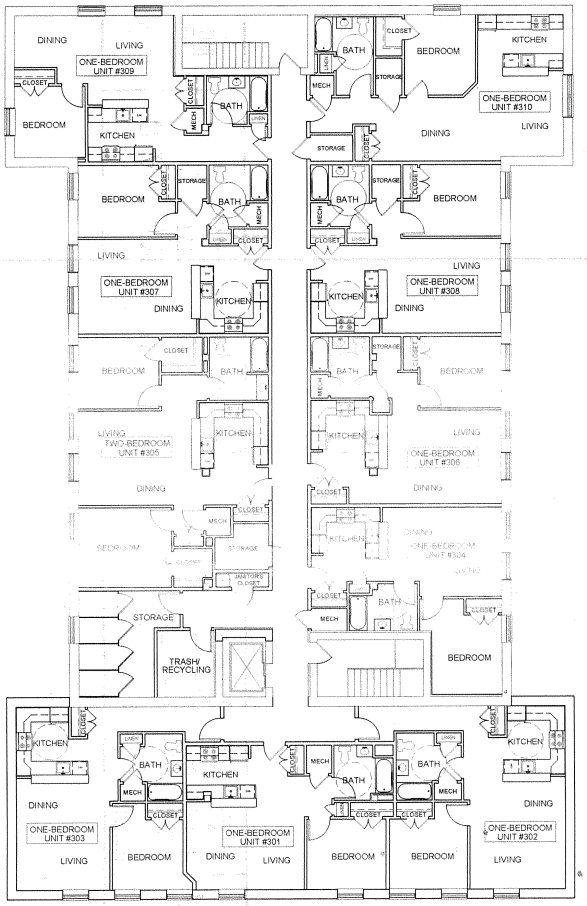
A-12



(9) ONE-BEDROOM UNITS
(1) TWO-BEDROOM UNIT
(10) TOTAL UNITS - SECOND FLOOR

PROPOSED SECOND FLOOR PLAN

1/8"=1'-0" 8,776 SQ.FT.



(9) ONE-BEDROOM UNITS
(1) TWO-BEDROOM UNIT
(10) TOTAL UNITS - THIRD FLOOR

PROPOSED THIRD FLOOR PLAN

1/8"=1'-0" 8,776 SQ.FT.

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Drawing Attention:
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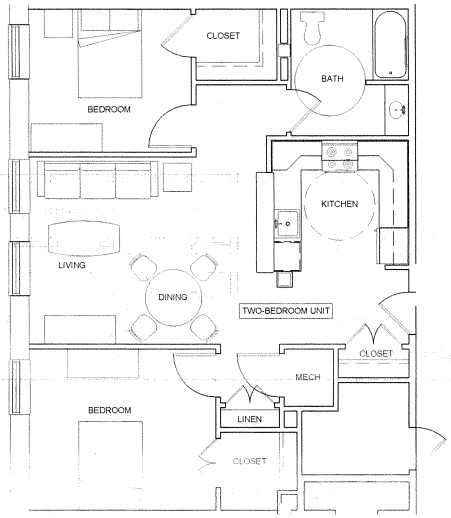
It is a violation of this law for any person unless he is acting under the supervision of a licensed architect or a licensed professional engineer to alter an item in any way. If an item bearing the seal of an architect or engineer is altered, the architect or engineer shall affix his seal and the notation "ALTERED BY" followed by his signature and date of such alteration and a specific description of the alteration.

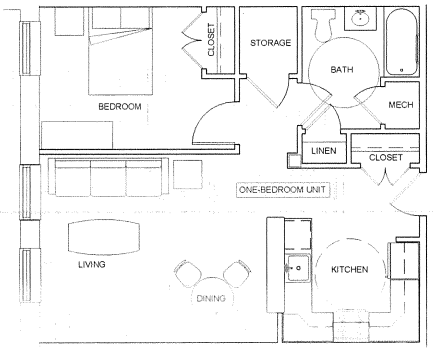
JOB NO.	
DIRECTORY	HILLSIDE
FILE	FPelev
SCALE	1/8"=1'-0"
DRAWN	JTS
CHECKED	DPG
DATE	12/1/15
PLOT	12/1/15
ISSUED	
REVISIONS	

A-13



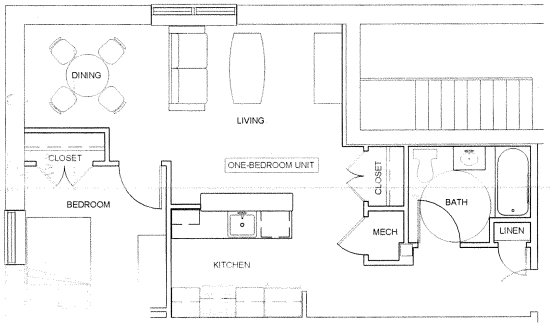
FLOOR PLAN A

1/4"=1'-0"



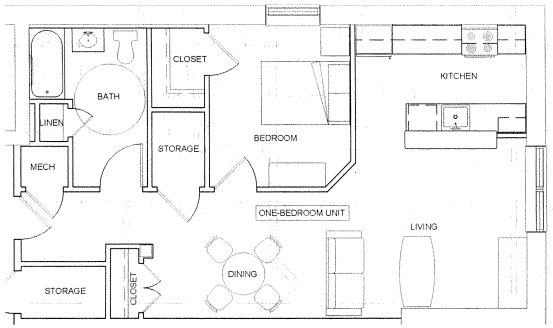
FLOOR PLAN B

1/4"=1'-0"



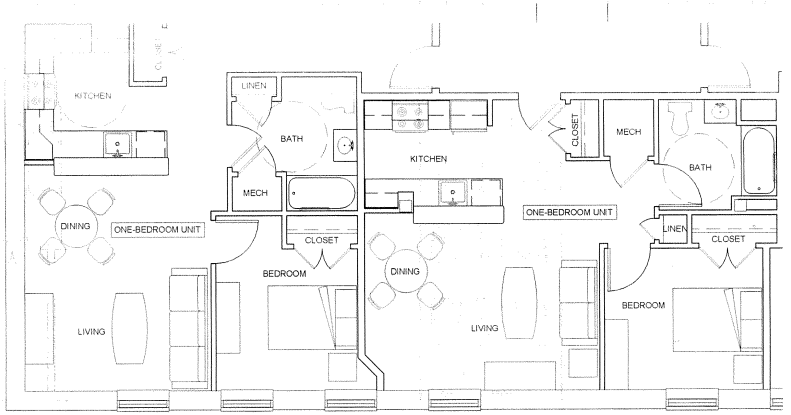
FLOOR PLAN C

1/4"=1'-0"



FLOOR PLAN D

1/4"=1'-0"



FLOOR PLAN E

1/4"=1'-0"

FLOOR PLAN F

1/4"=1'-0"

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It is a violation of this law for any person unless he is acting under the direct supervision of a licensed architect or a licensed professional engineer to alter an item in any way. If an item bearing the seal of an architect or engineer is altered, the architect or engineer shall affix his seal and the notation "ALTERED BY" followed by his signature and date of such alteration and a specific description of the alteration.

JOB NO	
DIRECTORY	HILLSIDE
FILE	FPelev
SCALE	1/4"=1'-0"
DRAWN	JTS
CHECKED	DPG
DATE	12/1/15
PLOT	12/1/15
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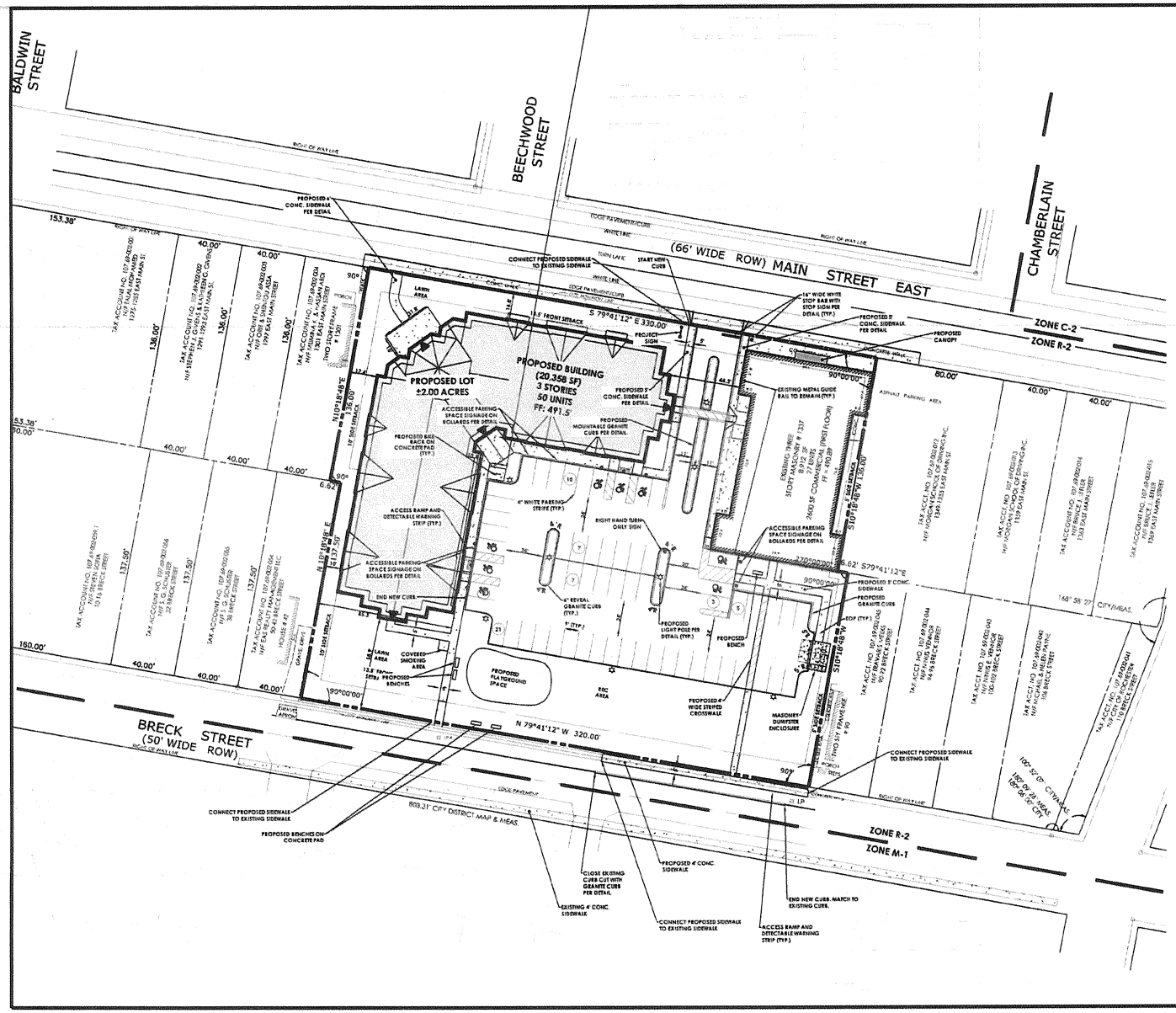
REVISIONS	

A-14



HORIZONTAL SCALE

30 0 15 30 60

SCALE: 1"=30'

LEGEND:

- PROPERTY BOUNDARY
- RIGHT OF WAY
- SETBACK
- PROPOSED BUILDING
- PROPOSED PARKING COUNT
- PROPOSED CONCRETE
- PROPOSED ACCESS RAMP W/ DETECTABLE WARNING STRIP
- PROPOSED PAVEMENT STRIPING
- PROPOSED CURB
- PROPOSED SIGN
- PROPOSED LIGHT POLE

SITE DATA

1. TAX ACCOUNT NUMBER: 107.690-0002-011.001000, 107.690-0002-005.0000000 & 107.690-0002-006.0020000 & 107.690-0002-006.0030000 & 107.690-0002-007.0010000 & 107.690-0002-003.0010000
2. PARCEL ADDRESS: 1337 E. Main St, Rochester, NY
3. TOTAL PARCEL AREA: 2.01 ACRES OR 87,520 S.F.
   TOTAL LOT R-2 AREA: 2.01 ACRES OR 87,520 S.F.
4. EXISTING ZONING: MEDIUM DENSITY RESIDENTIAL DISTRICT (R-2)
   PROPOSED ZONING: MEDIUM DENSITY RESIDENTIAL DISTRICT (R-2 W/ SPECIAL USE PERMIT)
5. EXISTING USE: SINGLE FAMILY & OFFICE
   PROPOSED USE: MULTI-FAMILY & RETAIL
6. THERE ARE NO FEDERALLY REGULATED WETLANDS ON THIS PARCEL ACCORDING TO THE USACOE FEDERAL WETLAND INVENTORY.
7. THERE ARE NO STATE REGULATED WETLANDS ON THIS PARCEL ACCORDING TO NYSDEC WETLAND INVENTORY.
8. PUBLIC WATER WILL BE PROVIDED BY THE ROCHESTER WATER BUREAU
9. ELECTRIC & GAS SERVICE WILL BE SUPPLIED BY RG&E.
10. SANITARY SEWER WILL BE PROVIDED BY THE CITY OF ROCHESTER.
11. STORM SEWER AND DRAINAGE FACILITIES WILL BE PRIVATE.
12. ALL IMPROVEMENTS SHALL BE MADE IN ACCORDANCE WITH THE CURRENT DEVELOPMENT STANDARDS AND SPECIFICATIONS OF CITY OF ROCHESTER.

ZONING ANALYSIS (R-2 MEDIUM DENSITY RESIDENTIAL))

	REQUIRED	PROPOSED
REQUIRED FRONTAGE	N/A	320.00'
BUILDING SEPARATION	EQUAL TO OR EXCEEDING AVERAGE OF THE BUILDING HEIGHTS	43.0'
MAXIMUM BUILDING HEIGHT	2.5 STORIES NOT TO EXCEED 35'	3 STORIES
MINIMUM FRONT YARD SETBACK	13.5'	17'
MINIMUM SIDE YARD SETBACK	5'	10'
REAR YARD SETBACK	20' OR EXISTING SETBACK	59'
MAX BUILDING COVERAGE	35%	33.5% (29,270 SF)
OPEN AREA REQUIREMENT (GREEN SPACE)	50% OPEN AND UNUSED	28.0%
MINIMUM PARKING STALLS	REQUIRED PARKING DEMAND ANALYSIS	60 SPACES
MINIMUM STALL SIZE	9'X18'	9'X18'
DENSITY	3,000 SF PER UNIT 240,000 SF	87,120 SF

PASSERO ASSOCIATES

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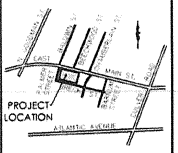

City of Rochester

LOCATION SKETCH

Client:

HOME LEASING
180 CLINTON SQUARE
ROCHESTER, NY, 14604

PASSERO ASSOCIATES

242 West Main Street Suite 100
Rochester, New York 14614

(585) 325-1650
Fax: (585) 325-1691

Principalin Charge	John P. Carlson, P.E.
Project Manager	Jesse D. Siddal, P.E.
Designed by	Matthew Moore

STATE OF NEW YORK · JESSE D. SIDDAL · LICENSED PROFESSIONAL ENGINEER

Revisions

No.	Date	By	Description
1	4/28/16	JS	PER CITY COMMENTS

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SITE PLAN

1337 EAST MAIN STREET
COMMUNITY @ EAST MAIN

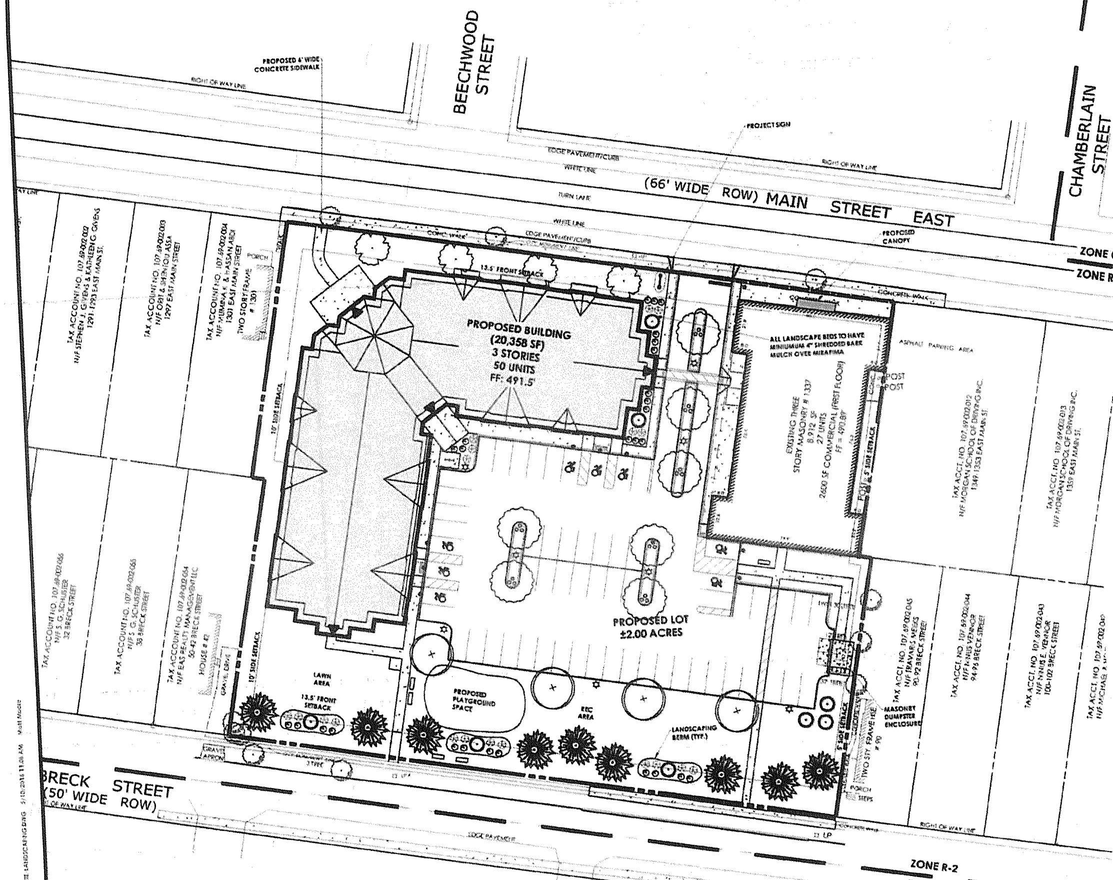
Town/City: ROCHESTER
County: MONROE
State: New York

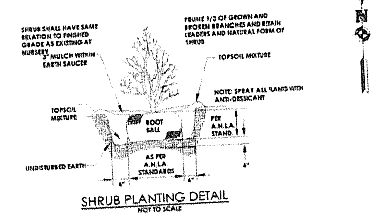
Project No.
20152089.0001

Drawing No.: C 102
Sheet No.: 3

Scale: 1" = 30'

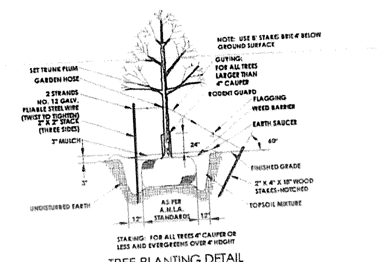
Date: SEPTEMBER 2015





SHRUB PLANTING DETAIL

NOT TO SCALE



TREE PLANTING DETAIL

NOT TO SCALE

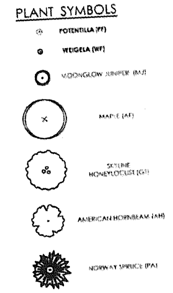
HORIZONTAL SCALE

SCALE: 1"=30'

PLANTING SCHEDULE

KEY	COMMON NAME	BOTANICAL NAME	SIZE	MATURE HT.	SPACING	COMMENTS	QUANTITY
DECIDUOUS SHADE TREES							
AF	FREEMAN'S MAPLE	ACER X FREEMANII	2½ CAL. B&B	40-60'	AS SHOWN	20'-40' SP.	4
EVERGREEN TREES							
MJ	MOONGLOW JUNIPER	JUNIPERUS SCOPULORUM 'MOONGLOW'	NO. 20 CONT.	15-20'	AS SHOWN	6'-8' SP.	8
PA	NORWAY SPRUCE	PICEA ABIES	B&B 6'-7'	50'-70'	AS SHOWN	20'-25' SP.	9
ORNAMENTAL TREES							
GJ	SKYLINE HONEY LOCUST	GLEDITSIA TRIACANTHOS F. INERMIS 'SKYCOLE'	2½ CAL. B&B	35-45'	AS SHOWN	25'-35' SP.	7
AH	AMERICAN HORNBEAM	CARPINUS CAROLINA	2½ CAL. B&B	15-20'	AS SHOWN	6'-8' SP.	4
SHRUBS							
PF	ABBOTSWOOD POTENTILLA	POTENTILLA FRUTICOSA	NO. 3 CONT.	2'	AS SHOWN	2'-3' SP.	19
WF	DARK HORSE WEIGELA	WEIGELA FLORIDA	NO. 3 CONT.	3'	AS SHOWN	2-3' SP.	27

PLANT SYMBOLS



LANDSCAPING NOTES

1. ALL PLANTS SHALL MEET OR EXCEED THE MINIMUM REQUIREMENTS AS NOTED IN THE LATEST EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK BY AMERICAN NURSERY AND LANDSCAPE ASSOCIATION.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR HIS OWN QUANTITY TAKEOFF.
3. CONTRACTOR SHALL STAKEOUT PLANTINGS FOR OWNER'S APPROVAL PRIOR TO BEGINNING WORK.
4. THE CONTRACTOR IS HEREBY NOTIFIED THAT UNDERGROUND UTILITIES EXIST AND HE SHOULD CALL FOR A COMPLETE UTILITY STAKEOUT BEFORE COMMENCING WORK.
5. SHOULD LOCATION OF TREES BE WITHIN 5' OF UNDERGROUND UTILITIES, RELOCATE SAID TREES TO MIN. OF 5' FROM BALL TO UTILITIES.
6. SHOULD LOCATIONS OF TREES BE WITHIN 20' OF OVERHEAD WIRES, RELOCATE SAID TREES TO MINIMUM OF 20' FROM WIRES.
7. PLANTING BACKFILL MIXTURE: 4 PARTS TOPSOIL; 1 PART PEAT MOSS, 10 LBS 5-0-5 PLANTING FERTILIZER THOROUGHLY MIXED PER CUBIC YARD.
8. STAKE AND WRAP TREES IMMEDIATELY AFTER PLANTING.
9. PROVIDE BLACK HARD RUBBER EDGING AT AL PLANTING AREAS.
10. A SEED MIX TYPE "A" (MOWED) APPLY AT A ATE OF 100 LBS/ACRE USING THE FOLLOWING PROPORTIONS BY WEIGHT:
    CITATION PERENNIAL RYE 30%
    GLADE CERTIFIED KENTUCKY BLUE 20%
    ADELPHI CERTIFIED KENTUCKY BLUE 20%
    PENNLAWN RED FESCUE 20%
    CHEWINGS FESCUE 10%
11. ALL SEEDED AREAS SHALL RECEIVE 10-0-10 COMMERCIAL FERTILIZER APPLIED AT A RATE OF 20LBS/100 S.F. NO FERTILIZER CONTAINING PHOSPHORUS IS PERMITTED ON SITE.
12. ALL NEWLY SEEDED AREA SHALL RECEIVE STRAW AT A RATE OF 2000 LBS/ACRE OR HYDROSEED METHOD MAY BE UTILIZED.
13. UPON COMPLETION AND ACCEPTANCE OF THE LANDSCAPING, A TWO (2) YEAR MAINTENANCE GUARANTEE IS REQUIRED. A CHECK IN THE AMOUNT OF 10% OF THE TOTAL LANDSCAPING COST WILL NEED TO BE FURNISHED TO HE TOWN OF HENRIETTA.
14. FINE GRADE & HAND RAKESOIL IN AREAS TO RECEIVE NEW SEED
15. ALL AREAS TO BE SEEDED SHALL RECEIVE 6" DEPTH OF TOPSOIL.
16. ANY PROPOSED DEVIATION TO THIS PLAN MUST FIRST BE REVIEWED AND APPROVED BY THE PLANNING BOARD CHAIRMAN AND THE DIRECTOR OF ENGINEERING AND PLANNING, PRIOR TO THE INSTALLATION OF THOSE PROPOSED LANDSCAPE CHANGES.

PASSERO ASSOCIATES

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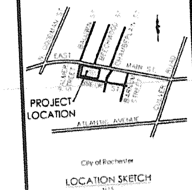


City of Rochester

LOCATION SKETCH

Client:

HOME LEASING
180 CLINTON SQUARE
ROCHESTER, NY, 14604

PASSERO ASSOCIATES

Principal-in-Charge: John F. Caruso, P.E.
Project Manager: Jess D. Sudol, P.E.
Designed by: Matthew Moore

Revisions

No.	Date	By	Description
1	4/18/18	JS	PER CITY COMMENTS

LIGHTING AND LANDSCAPING PLAN

1337 EAST MAIN STREET
COMMUNITY @ EAST MAIN

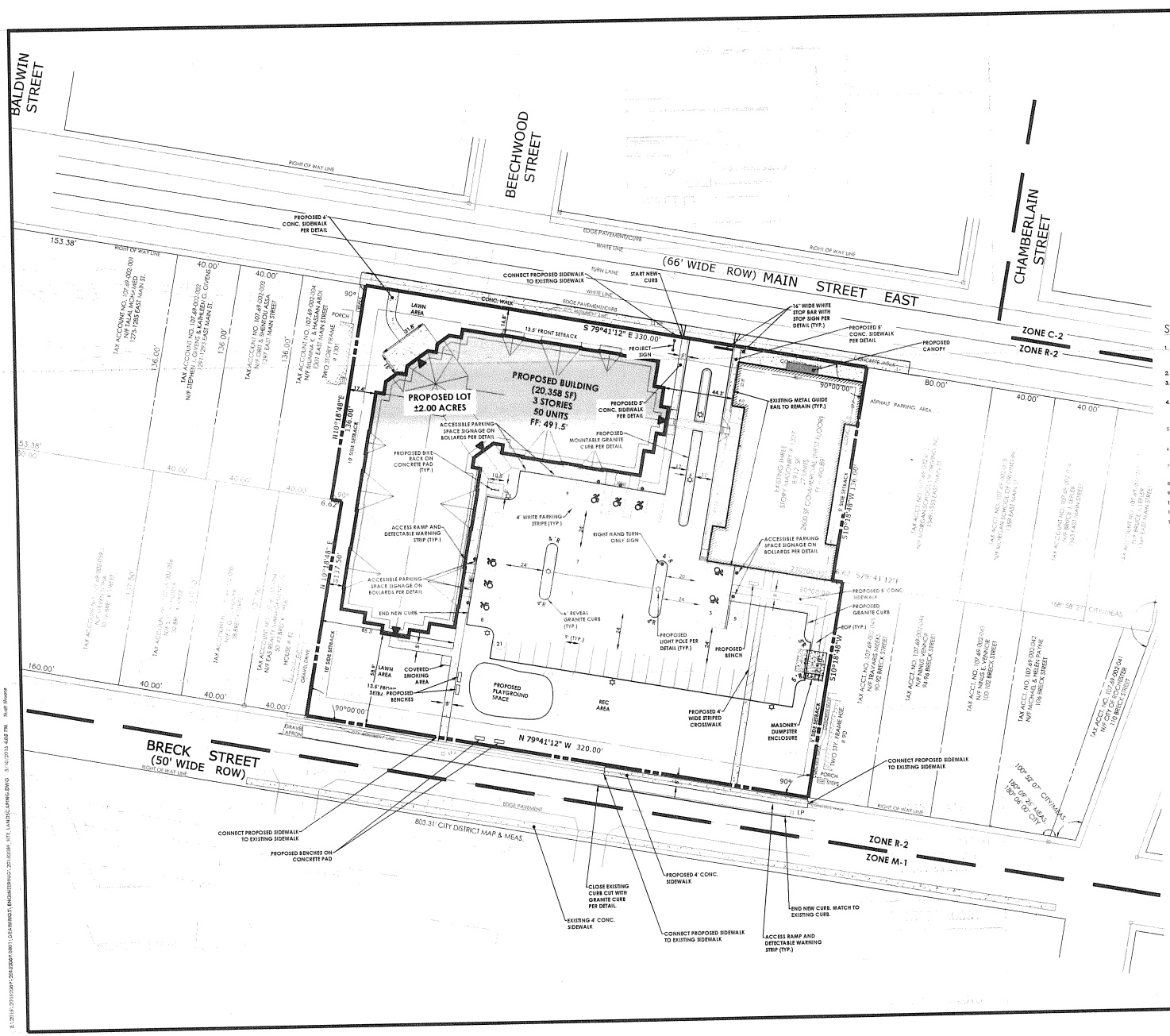
Town/City: ROCHESTER County: MONROE State: New York

Project No: 20152089.0001

Drawing No: C 105 Sheet No: 6

Scale: 1" = 30'

Date: SEPTEMBER 2015



HORIZONTAL SCALE

30 0 15 30 60

SCALE: 1"=30'

LEGEND:

- PROPERTY BOUNDARY
- RIGHT OF WAY
- SETBACK
- PROPOSED BUILDING
- (14) PROPOSED PARKING COUNT
- PROPOSED CONCRETE
- PROPOSED ACCESS RAMP W/ DETECTABLE WARNING STRIP
- PROPOSED PAVEMENT STRIPING
- PROPOSED CURB
- PROPOSED SIGN
- PROPOSED LIGHT POLE

SITE DATA

1. TAX ACCOUNT NUMBER: 107.690-0002-011.0010000 & 107.690-0002.005.0000000 & 107.690-0002-006.0020000 & 107.690-0002-004.0030000 & 107.690-0002-007.0010000 & 107.690-0002-053.0010000
2. PARCEL ADDRESS: 1337 E. Main St., Rochester, NY
3. TOTAL PARCEL AREA: 2.01 ACRES OR 87,520 S.F.
   TOTAL LOT R-2 AREA: 2.01 ACRES OR 87,520 S.F.
4. EXISTING ZONING: MEDIUM DENSITY RESIDENTIAL DISTRICT (R-2)
   PROPOSED ZONING: MEDIUM DENSITY RESIDENTIAL DISTRICT (R-2 W/ SPECIAL USE PERMIT)
5. EXISTING USE: SINGLE FAMILY & OFFICE
   PROPOSED USE: MULTI FAMILY & RETAIL
6. THERE ARE NO FEDERALLY REGULATED WETLANDS ON THIS PARCEL ACCORDING TO THE USACOE FEDERAL WETLAND INVENTORY.
7. THERE ARE NO STATE REGULATED WETLANDS ON THIS PARCEL ACCORDING TO NYSDEC WETLAND INVENTORY
8. PUBLIC WATER WILL BE PROVIDED BY THE ROCHESTER WATER BUREAU
9. ELECTRIC & GAS SERVICE WILL BE SUPPLIED BY RG&E.
10. SANITARY SEWER WILL BE PROVIDED BY THE CITY OF ROCHESTER.
11. STORM SEWER AND DRAINAGE FACILITIES WILL BE PRIVATE.
12. ALL IMPROVEMENTS SHALL BE MADE IN ACCORDANCE WITH THE CURRENT DEVELOPMENT STANDARDS AND SPECIFICATIONS OF CITY OF ROCHESTER.

ZONING ANALYSIS (R-2 MEDIUM DENSITY RESIDENTIAL)

	REQUIRED	PROPOSED
REQUIRED FRONTAGE	N/A	320.00
BUILDING SEPARATION	EQUAL TO OR EXCEEDING AVERAGE OF THE BUILDING HEIGHTS	43.0'
MAXIMUM BUILDING HEIGHT	2.5 STORIES NOT TO EXCEED 35'	3 STORIES
MINIMUM FRONT YARD SETBACK	13.5'	17'
MINIMUM SIDE YARD SETBACK	5'	10'
REAR YARD SETBACK	20' OR EXISTING SETBACK	59'
MAX BUILDING COVERAGE	35%	33.5% (29,270 SF)
OPEN AREA REQUIREMENT (GREEN SPACE)	50% OPEN AND UNUSED	28.0%
MINIMUM PARKING STALLS	REQUIRES PARKING DEMAND ANALYIS	60 SPACES
MINIMUM STALL SIZE	9'X18'	9'X18'
DENSITY	3,000 SF PER UNIT 240,000 SF	87,120 SF

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City of Rochester

LOCATION SKETCH

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ROCHESTER, NY, 14604

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SITE PLAN

1337 EAST MAIN STREET
COMMUNITY @ EAST MAIN

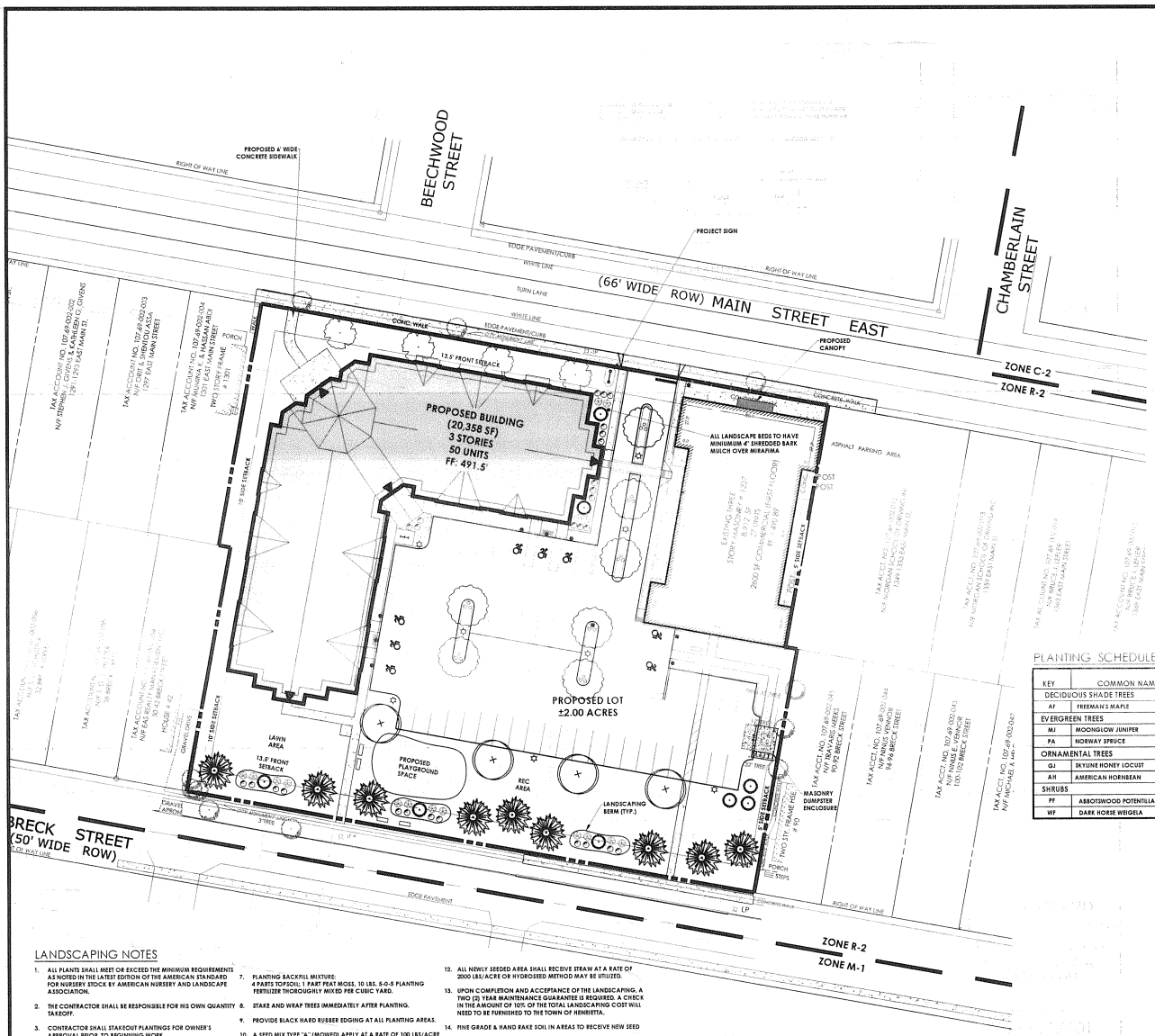
Town/City: ROCHESTER
County: MONROE State: New York

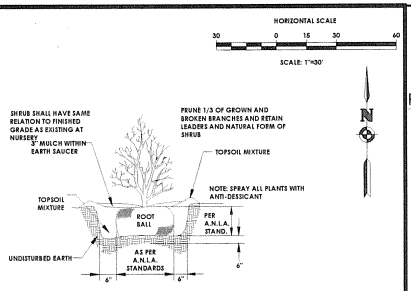
Project No. 20152089.0001

Drawing No. C 102 | Sheet No. 3

Scale: 1" = 30'

Date: SEPTEMBER 2015





SHRUB PLANTING DETAIL
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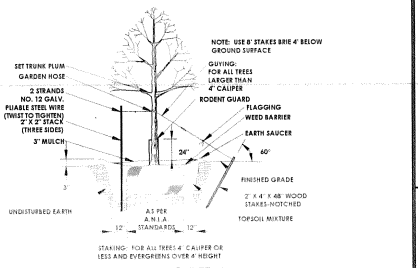

TREE PLANTING DETAIL
NOT TO SCALE

PLANTING SCHEDULE

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PLANT SYMBOLS

- POTENTILLA (PF)
- WEIGELA (WF)
- MOONGLOW JUNIPER (MJ)
- MAPLE (AF)
- SKYLINE HONEYLOCUST (GJ)
- AMERICAN HORNBEAM (AH)
- NORWAY SPRUCE (PA)

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PASSERO ASSOCIATES
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LOCATION SKETCH

HOME LEASING
180 CLINTON SQUARE
ROCHESTER, NY, 14604

PASSERO ASSOCIATES
John F. Caruso, P.E.
Jay D. Sugar, P.E.
Matthew Moore

Revisions

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LIGHTING AND LANDSCAPING PLAN

1337 EAST MAIN STREET
COMMUNITY @ EAST MAIN

Town/City: ROCHESTER
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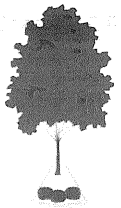


The Community on East Main

Rochester, New York

OWNER: HOME LEASING

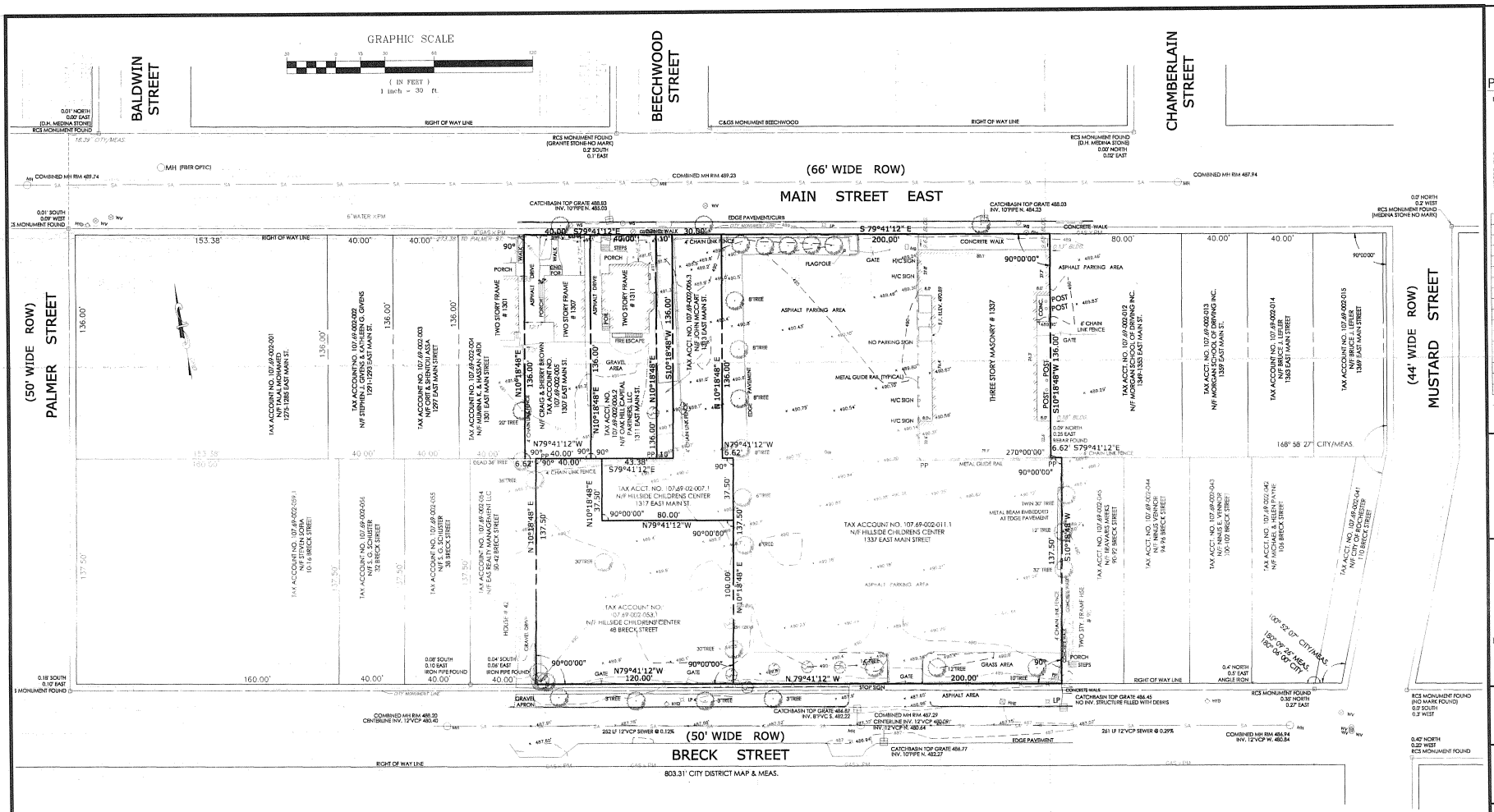
DEVELOPER: KLR CONSULTING, LLC

ARCHITECT: GLASOW SIMMONS ARCHITECTURE L.L.P.

MEP ENGINEERING: EC4B

CIVIL ENGINEERING: PASSERO ASSOCIATES

BUILDER: HOME LEASING SERVICES



SURVEY NOTES:

1. THE HORIZONTAL DATUM IS REFERENCED TO THE N.Y.S. PLANE COORDINATE SYSTEM, WEST ZONE. TRANSVERSE MERCATOR SYSTEM, NAD 83 THROUGH GPS REAL TIME KINETIC OBSERVATIONS OF PROJECT CONTROL POINTS USING NYSNET CONTINUOUSLY OPERATING REFERENCE STATIONS.
2. DISTANCES SHOWN HEREON ARE GROUND DISTANCES. BEARINGS AND COORDINATES ARE REFERENCED TO GRID. ELEVATIONS SHOWN HEREON ARE REFERENCED TO NAVD 88 DATUM.
3. SURVEY FIELD WORK ON THIS SURVEY WAS DONE TO AN ACCURACY GREATER THAN ONE PART IN 10,000, (1-10,000), USING MONUMENTS SHOWN HEREON.

REFERENCE:

1. CITY OF ROCHESTER DES/ENGINEERING SERVICES, MAPS AND SURVEY RECORD INFORMATION FOR THE RIGHT OF WAY OF EAST MAIN STREET, PALMER STREET, BRECK STREET AND MUSTARD STREET.
2. MAP PREPARED BY R. J. SMITH, SURVEYOR ENTITLED "MAP OF J.B. PERKINS SUBDIVISION OF PART OF THE THOMPSON TRACT" FILED IN THE MONROE COUNTY CLERKS OFFICE IN LIBER 7 OF MAPS PAGE 88.
3. MAP PREPARED BY CHARLES R. BABBITT, SURVEYOR OF GEORGE H. THOMPSON'S SUBDIVISION FILED IN THE MONROE COUNTY CLERKS OFFICE IN LIBER 4 OF MAPS PAGE 172.
4. DEED RECORDED IN THE MONROE COUNTY CLERKS OFFICE IN LIBER 9282 PAGE 326.
5. DEED RECORDED IN THE MONROE COUNTY CLERKS OFFICE IN LIBER 8408 PAGE 84.
6. DEED RECORDED IN THE MONROE COUNTY CLERKS OFFICE IN LIBER 8614 PAGE 344.
7. DEED RECORDED IN THE MONROE COUNTY CLERKS OFFICE IN LIBER 11502 PAGE 434.
8. DEED RECORDED IN THE MONROE COUNTY CLERKS OFFICE IN LIBER 10587 PAGE 104.

NO ABSTRACT OF TITLE HAS BEEN PROVIDED FOR THE COMPLETION OF THIS SURVEY.

CERTIFICATION:

WE, PASSERO ASSOCIATES, CERTIFY THAT THIS MAP WAS PREPARED ON SEPTEMBER 09, 2015, USING PORTIONS OF THE REFERENCE MATERIAL AS LISTED HEREON AND FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED SEPTEMBER 03, 2015. THIS PARCEL IS SUBJECT TO ANY EASEMENTS OR ENCUMBRANCES OF RECORD.

ROBERT A. VENTO, N.Y.S.P.L.S. NO. 049701

PASSERO ASSOCIATES

Engineering + Architecture

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ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL INKED OR EMBOSSED SEAL AND INKED SIGNATURE SHALL BE CONSIDERED A TRUE AND VALID COPY.

CERTIFICATION INDICATED HEREON SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON HIS, HER OR ITS BEHALF TO THE BANKS LISTED HEREON. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

LEGEND
Catchbasin
Cleanout
Gas Valve
Hydrant
Lightpole
Manhole (Unknown Type)
Manhole Electric
Manhole Inlet Storm Drainage
Manhole Storm Drainage
Manhole Sanitary Sewer
Sign Post (Single)
Utility Pole
Utility Pole Anchor Wire
Utility Pole with Light
Water Service
Water Valve
Traffic Light Span Pole

Revisions

Passero Associates
142 West Main Street, Suite 100
Rochester, NY 14614
Principal-in-Charge: John F. Caruso, P.E.
Project Manager: Robert A. Vento, P.L.S.
Drafted by: D. Sauve

Home Leasing
180 Clinton Square
Rochester, N.Y. 14604
585-262-6210

Boundary And Topographic Survey
Hillside Childrens Center
1337 Main Street East

Tax Account No: 107.690-002-005
107.690-002-006.2
107.690-002-007.1
107.690-002-011.1
107.690-002-053.1

City of Rochester, Monroe County, State of N.Y.

Project No.	20152089.0001
Drawing No.	TS-1
Sheet No.	1 of 1
Scale:	1" = 30'
Date	09.03.15

Breck St
Mustard St
E Main St
Chamberlain St
Beechwood St
Palmer St
Workspaces
149-151
145
139-141
135
129
117-123
59-65
37-39
150
146
138
128-130
122-124
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110
106
100-102
94-96
90-92
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19-21
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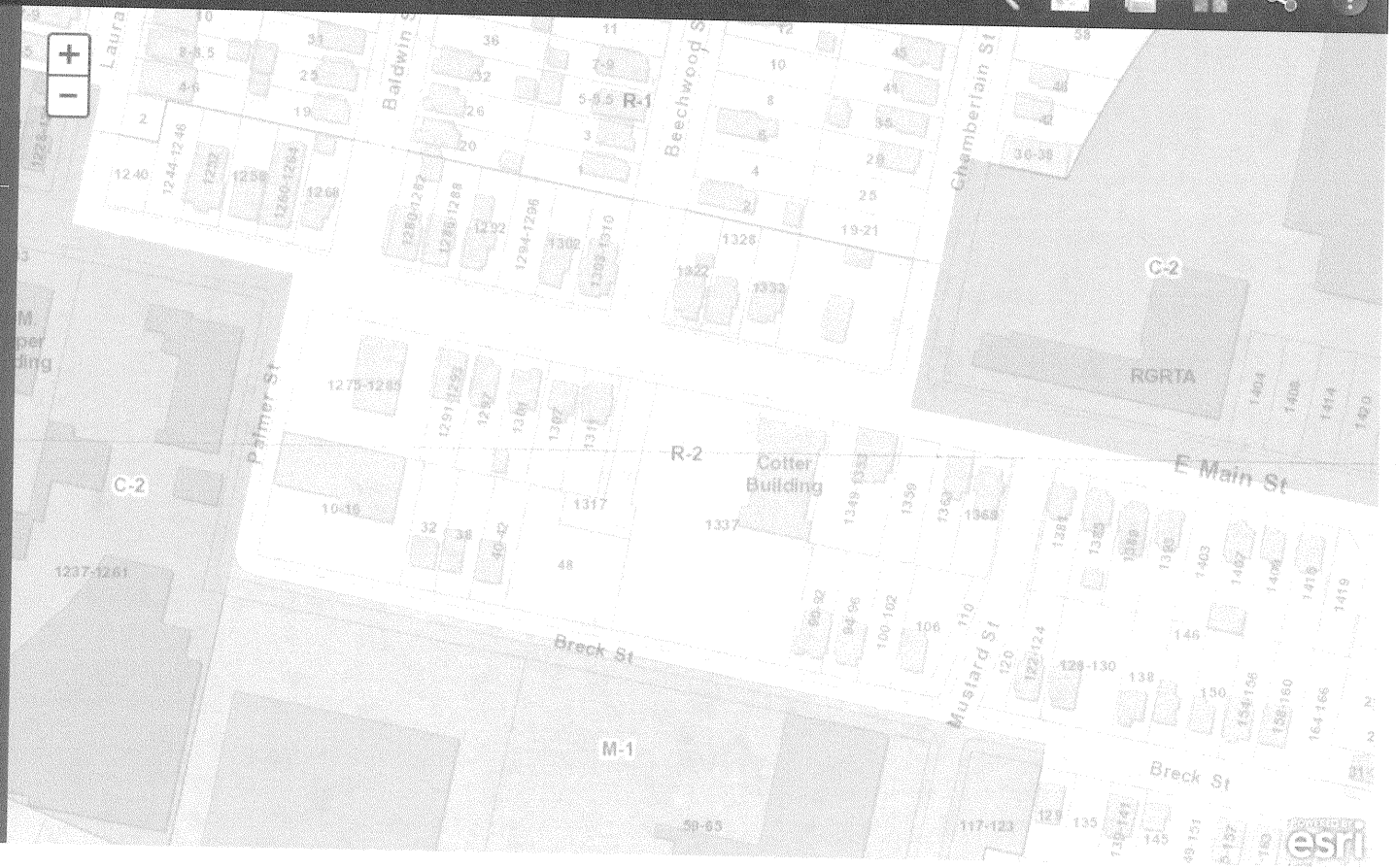
2
36-38
1308-1310
1302
1294-1296
1292
1286-1288
© 2016 Pictometry

City of Rochester, NY
Property Information

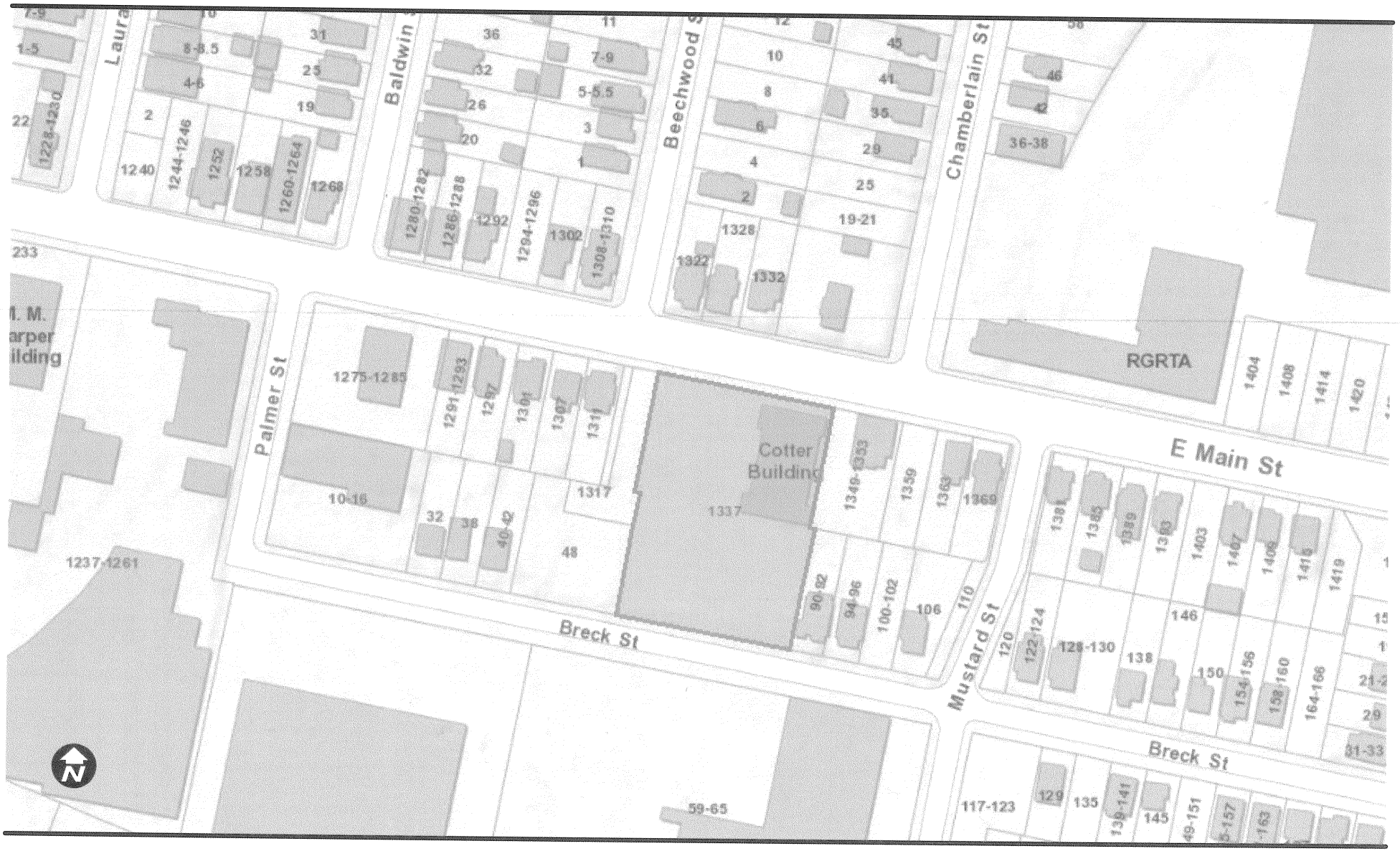
1307 east main

Search By: Address Owner SBL

SBL	Address
107.69-2-5	1307 East Main St



1337 E MAIN ST



June 1, 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

NIXON PEABODY

NIXON PEABODY LLP
ATTORNEYS AT LAW

NIXONPEABODY.COM
@NIXONPEABODYLLP

Thomas C. Greiner Jr.
Partner
T 585-263-1456
tgreiner@nixonpeabody.com

1300 Clinton Square
Rochester, NY 14604-1792
585-263-1000

April 13, 2016

VIA HAND DELIVERY

Planning Commission
City of Rochester
City Hall – Room 121B
30 Church Street
Rochester, New York 14614

RE: Application for a Special Permit from the City of Rochester Planning Commission by Bell Atlantic Mobile of Rochester, LP d/b/a Verizon Wireless to construct and operate a wireless telecommunications facility on the rooftop of the existing building located at 228 South Avenue, in the City of Rochester, New York (Tax Parcel No. 121.40-1-19) (Verizon Wireless' "Inner Loop South" Site).

Dear Members of the City Planning Commission:

Bell Atlantic Mobile of Rochester, LP d/b/a Verizon Wireless ("Verizon Wireless") is a public utility and wireless telecommunications licensee of the Federal Communications Commission ("FCC"). To increase and improve wireless telecommunications service in the City of Rochester, Verizon Wireless proposes to construct and operate a new wireless telecommunications facility on the rooftop of the existing building (the "Building") located at 228 South Avenue (Tax Parcel No. 121.40-1-19) in the City of Rochester, New York (the "Site").

The Site consists of five hundred (500) square feet of licensed Building rooftop space for the antennas, together with two hundred fifty-five (255) square feet of licensed interior space on the 5th floor of the Building for the equipment. The facility will consist of three (3) two (2) panel antenna array structures installed on the Building's rooftop at an antenna centerline of 85.8' above ground level, interior equipment and other improvements as shown on the enclosed site plan prepared by Costich Engineering, P.C. (the "Project").

The Project is located in the City's CCD-R zoning district. Because the proposed Project improvements extend more than 20' above the roofline of the existing Building (the Project will extend 26.7' above the roofline), a Special Permit from the Planning Commission is required (City of Rochester Zoning Code (the "Zoning Code") §§ 120-143(A)(1)(a)).

Please accept this letter and the following exhibits and enclosures as Verizon Wireless' application for a Special Permit from the Planning Commission:

Exhibit A:	Completed City-supplied application form;
Exhibit B:	Project description;
Exhibit C:	Applicable legal standards;
Exhibit D:	Compliance with the City's Special Permit approval standards set forth in Zoning Code § 120-192(B)(3);
Exhibit E:	Statement of need and site selection analysis by RF engineering department (including propagation studies);
Exhibit F:	Short form environmental assessment form;
Exhibit G:	Structural integrity letter;
Exhibit H:	Proof of compliance with applicable federal regulations;
Exhibit I:	Copy of Verizon Wireless' FCC licenses;
Exhibit J:	Photosimulation report (including viewshed map);
Exhibit K:	11" x 17" copy of the site plan;
Exhibit L:	Evidence of landowner consent to the Project; and
Exhibit M:	Summary of existing and proposed Verizon Wireless facilities in the City (or providing service to the City).

- Twelve (12) copies of this Application booklet;
- One (1) copy of the full-size Project site plan prepared by Costich Engineering, P.C.; and
- Check in the amount of $250.00 for the application fee (previously submitted to the City).

We request that this application be placed on the May 16, 2016 agenda for the Planning Commission.

Please let us know if you have any questions or need any additional information.

Thank you.

Very truly yours,

Thomas C. Greiner Jr /las

Thomas C. Greiner Jr.

TCG/las
Enclosures

cc: Robert McCabe

4826-1944-3248 1

City of Rochester, NY

SPECIAL PERMIT

(Section 120-192B)
BUREAU OF PLANNING AND ZONING
CITY HALL, 30 CHURCH STREET, ROOM 125B
ROCHESTER, NEW YORK 14614

APPLICATION

APPLICATIONS ARE ACCEPTED BY APPOINTMENT ONLY. To schedule an appointment, please call or e-mail Jill Wiedrick at (585) 428-6914 or jill.wiedrick@cityofrochester.gov

Office Use	APPLICATION REQUIREMENTS:
☐	1. Fee: $250.00.
☐	2. One (1) copy of the Denied Certificate of Zoning Compliance (CZC), including signature by a Building Code Plan Review.
☐	3. One (1) copy of the application including responses to all Special Permit Standards.
☐	4. One (1) copy of the Environmental Assessment Form, if applicable.
☐	5. One (1) copy of an Instrument Survey Map.
☐	6. Three (3) copies of a scaled site plan.
☐	7. One (1) copy of a scaled floor plan.
☐	8. One (1) copy of scaled elevations of proposed structures, or of facade renovations to existing structures.
☐	9. Photographs of the existing structures, the site and surrounding properties.
☐	10. One (1) set of all drawings, graphics and photographs no larger than 8-1/2" x 11" or reduced to 8-1 2" x 11" or provided digitally in PDF format on CD-ROM.

IMPORTANT

Completed applications must be submitted before the published deadline.
Application documents must be submitted in the appropriate number as specified above.

POSTING REQUIREMENT

After submission of a complete application, a public notification sign will be issued and must be posted on the property at least 20 days prior to the hearing. The sign shall be placed on the property readily visible from the public right-of-way. It is the applicant's responsibility to obtain and post the sign. Signs are available in Room 125B, City Hall.

WHAT IS A SPECIAL PERMIT?

The Special Permit procedure is intended to provide a means to establish those uses having some special impact or uniqueness which requires a careful review of their location, design, configuration and special impact to determine, against fixed standards, the desirability of permitting their establishment at any given location. They are uses that may or may not be appropriate in a particular location depending on a weighing, in each case, of the public need and benefit against the local impact and effect.

[FOR OFFICE USE ONLY]

ADDRESS: _____ **FILE NUMBER:** _____

DATE FILED: _____ **FEE:** _____

PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. **PROJECT ADDRESS(ES):** 228 South Avenue

2. **APPLICANT:** Bell Atlantic Mobile of Rochester L.P. d/b/a Verizon Wireless **COMPANY NAME:** _____

ADDRESS: 1275 John Street, Suite 100 **CITY:** West Henrietta **ZIP CODE:** 14586

PHONE: (585) 321-5358 **FAX:** _____

E-MAIL ADDRESS _____

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

3. **PLAN PREPARER:** Costich Engineering, P.C.

ADDRESS: 217 Lake Avenue **CITY:** Rochester **ZIP CODE:** 14608

PHONE: (585) 458-3020 **FAX:** _____

4. **ATTORNEY:** Nixon Peabody LLP; Thomas C. Greiner Jr., Esq.

ADDRESS: 1300 Clinton Square **CITY:** Rochester **ZIP CODE:** 14604

PHONE: (585) 263-1456 **FAX:** _____

E-MAIL ADDRESS tgreiner@nixonpeabody.com

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

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

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

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.

Bell Atlantic Mobile of Rochester, L.P. d/b/a Verizon Wireless
By its attorneys Nixon Peabody LLP; Thomas C. Greiner Jr., Esq.

SIGNATURE: Thomas C. Greiner Jr./Les **DATE:** April 13, 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.

SPECIAL PERMIT STANDARDS

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

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

See Exhibit D

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

See Exhibit D

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

See Exhibit D

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

See Exhibit D

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

See Exhibit D

EXHIBIT B

PROJECT DESCRIPTION

Bell Atlantic Mobile of Rochester, L.P. d/b/a Verizon Wireless ("Verizon Wireless"), a federally licensed wireless telecommunications provider, currently has service inadequacies in and around the City of Rochester, including in the vicinity of Interstate 490 and the surrounding area. The only way to remedy this is to locate a wireless telecommunications facility in a technologically appropriate site. The proposed site is located at 228 South Avenue in the City of Rochester (the "**Site**"). This application includes, on behalf of Verizon Wireless, a request for a Special Permit from the Planning Commission to construct and operate a rooftop wireless telecommunications facility at the Site (the "**Project**") in order to render adequate and reliable wireless telecommunications service to emergency services, businesses and individuals in and around the City of Rochester.

The Project consists of five hundred (500) square feet of leased rooftop space for the antenna, two hundred fifty-five (255) square feet of leased space on the 5th floor for the equipment room, together with other site improvements as shown on the enclosed site plan prepared by Costich Engineering, P.C., attached as Exhibit K.

Wireless telecommunications use has burgeoned since the technology was introduced in the mid-1980s. Wireless telecommunications technology provides a critical link for emergency services, such as ambulances, which use such service to transmit vital signs and medical information via medical telemetry. Increasingly, police forces are relying on wireless telecommunication devices to communicate with dispatch and receive calls for assistance. Additionally, many businesses heavily rely on wireless telecommunications service, and individuals use it not only for their convenience, but for safety reasons as well.

Essentially, wireless telecommunications devices operate by transmitting a very low power radio signal between the wireless telecommunication device and an antenna mounted on a tower, pole, building or other structure. The antenna feeds the signal to electronic apparatus housed in a small equipment shelter located near the antenna (the "**Base Station**"), where it is

connected to an ordinary telephone line, and is then routed anywhere in the world. The antennas and Base Station are known as a "cell site."

Because of the low power, a cell site is capable of transmitting to and from wireless telecommunication devices only within a limited geographic area. This limited geographic area is called a "cell." A cell site must be located within a prescribed area in order to provide coverage for the entire cell.

Wireless telecommunications technology requires that cells overlap somewhat in order to provide uninterrupted service. When the wireless telecommunications user moves into a new cell, the transmission is automatically transferred to the cell site in the new cell. If there is no cell site in the new cell, there is no wireless telecommunications service.

Because each cell site must be placed in such a manner as to provide service within a particular cell, and so as to provide overlapping (but not duplicate) coverage with the existing or planned cells around it, there is limited flexibility as to where a cell site can be placed. Wireless telecommunication providers conduct a thorough engineering study, using an elaborate computer program known as a "propagation study." A propagation study shows, based on cell boundaries, topography and other factors, where a cell site needs to be located in order to provide wireless telecommunications coverage in a particular cell. The wireless telecommunication companies and RF engineers identify technologically feasible locations for the cell site.

As set forth in this application, Verizon Wireless meets the legal standards for receiving a Special Permit for the Project. Moreover, the Project will not pollute, will not create noise or vibration, will not create any significant increase in traffic, will not create any environmental problems, will not increase population density, and will not create any demand on governmental facilities. Thus, the Project will not create any detriment to adjoining properties or change the character of the neighborhood. Instead, the Project will enhance governmental facilities and promote the public welfare by providing a modern, more efficient system of communications for police, fire and other emergency services, as well as provide modern wireless telecommunications service to business, industry and individuals.

EXHIBIT D

COMPLIANCE WITH THE CITY'S SPECIAL PERMIT STANDARDS UNDER ZONING CODE § 120-192(B)(3)

As discussed in Exhibit C, the legal standard applicable to Verizon Wireless is the standard afforded to public utilities, rather than the standard generally applied. This standard is the same regardless of whether the utility applies for a special permit, site plan approval, or other type of zoning approval. Nonetheless, as demonstrated below, Verizon Wireless complies with the City's requirements for a special permit as set forth in Section 120-192(B)(3) of the Zoning Code. Zoning Code § 120-192(B)(3) is reproduced below in bold italics with Verizon Wireless' responses in regular type:

§ 120-192(B)(3) Special Permit Standards

(a) Approval standards

(1) A special permit shall be approved only if evidence is presented which establishes that:

(a) The proposed application will be in harmony with the general purpose, goals, objectives, standards and implementation strategies of the Comprehensive Plan, this chapter and, where applicable, the Subdivision Code.

The Project furthers the purpose and goals of the Comprehensive Plan and the Zoning Code. Specifically, an express goal of the Comprehensive Plan is to "[d]evelop and maintain a public utility system that provides safe, reliable, and adequate public services to our citizens and to properties, in full compliance with federal and state regulations." Comprehensive Plan § 130-5(G)(2)(c).

The Applicant is a public utility and the Project will provide safe and reliable wireless telecommunications service to businesses and residents of the City.

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

The Project will not have any significant adverse impacts. The Project will not pollute, will not generate waste, will not create any increase in traffic, will not create any environmental problems, will not increase population density, and will not create any demand on governmental facilities. The Project will not create any detriment to adjoining properties or change the character of the neighborhood. In fact, the Project will enhance and promote the public welfare by providing reliable wireless telecommunications service to business, industry, and individuals.

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

The Project will not interfere with the use or development of neighboring properties. There will be no increase in traffic, and the Project will not affect, impair, or prohibit any actual or permitted use in the neighborhood. Instead, the Project will enhance the area by enhancing wireless telecommunications service in the area (through added capacity).

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

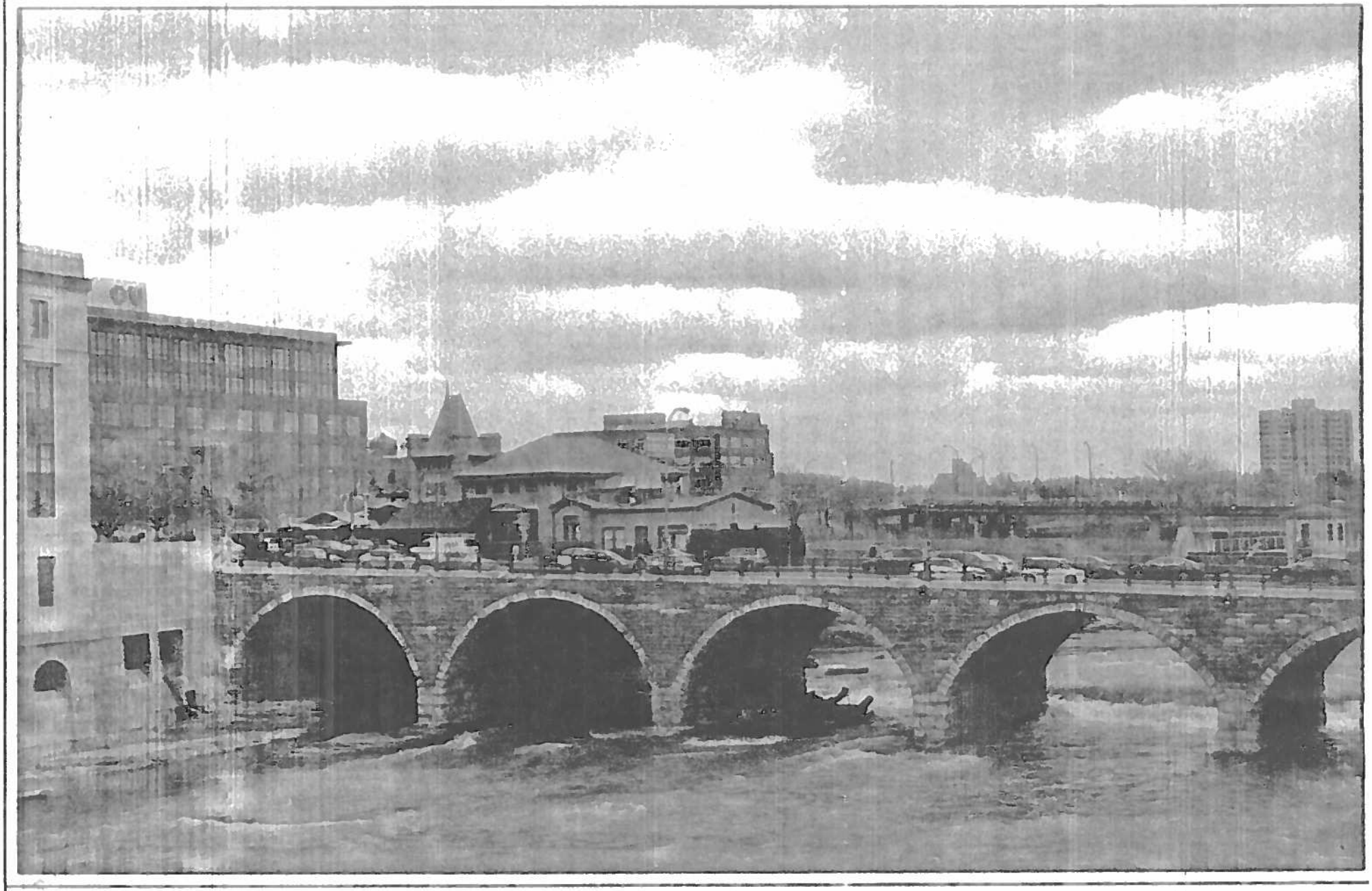
See the enclosed Site Plan at Exhibit K. The Project will be served adequately by essential public facilities and services. The Project will not increase drainage, refuse disposal, water, sewer, or school demands.

(e) ***The proposed application will not result in the destruction, loss or damage of any natural, scenic, cultural or historic feature of significant importance.***

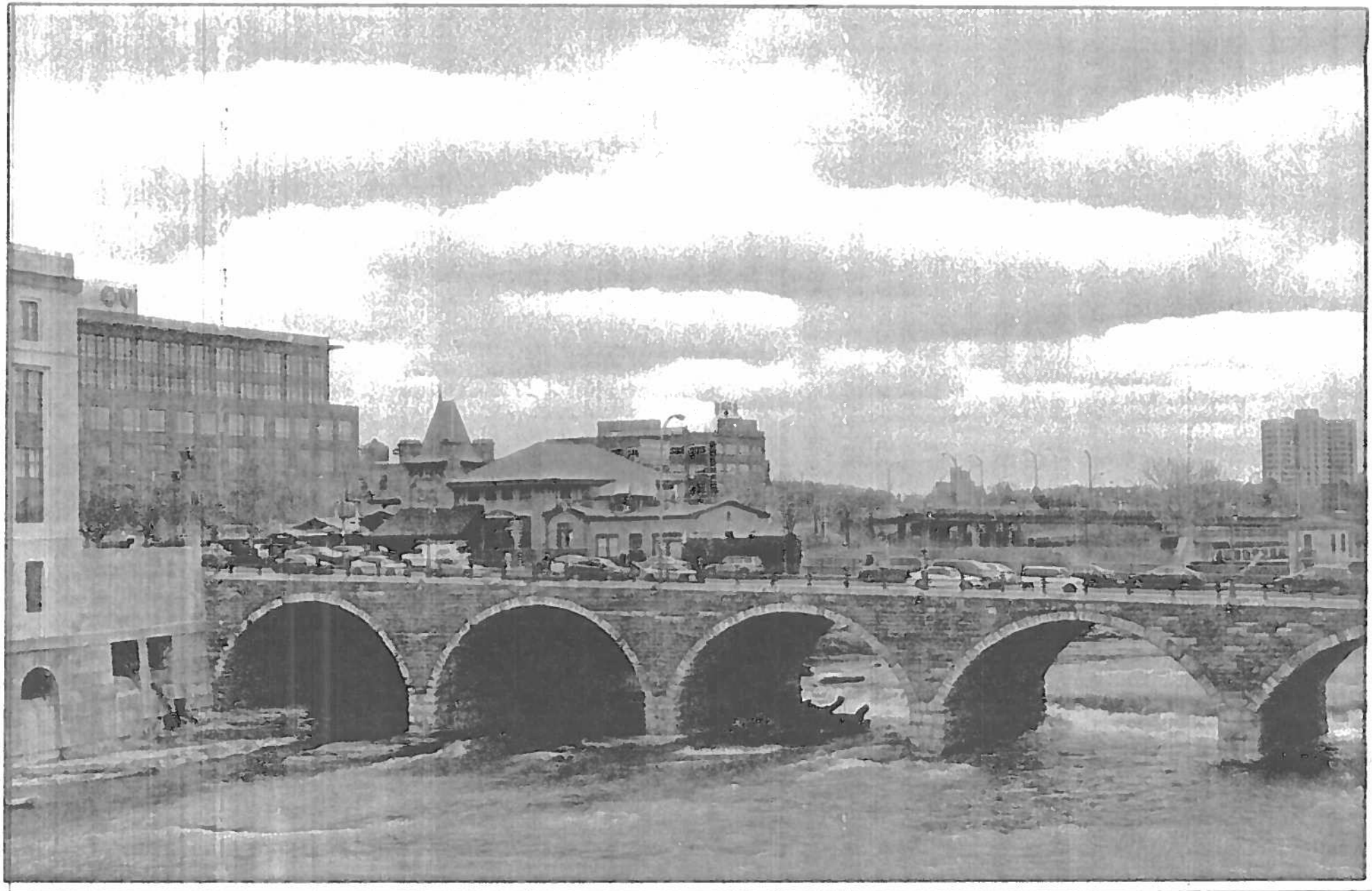
See the enclosed Site Plan at Exhibit K. The Project will not result in the destruction, loss or damage of, any natural, scenic, cultural or historic feature of significant importance.

(2) ***In determining whether the evidence establishes that the foregoing standards have been met, the Planning Commission may determine that an overriding public need mitigates certain impacts or effects of the proposed application and support approval.***

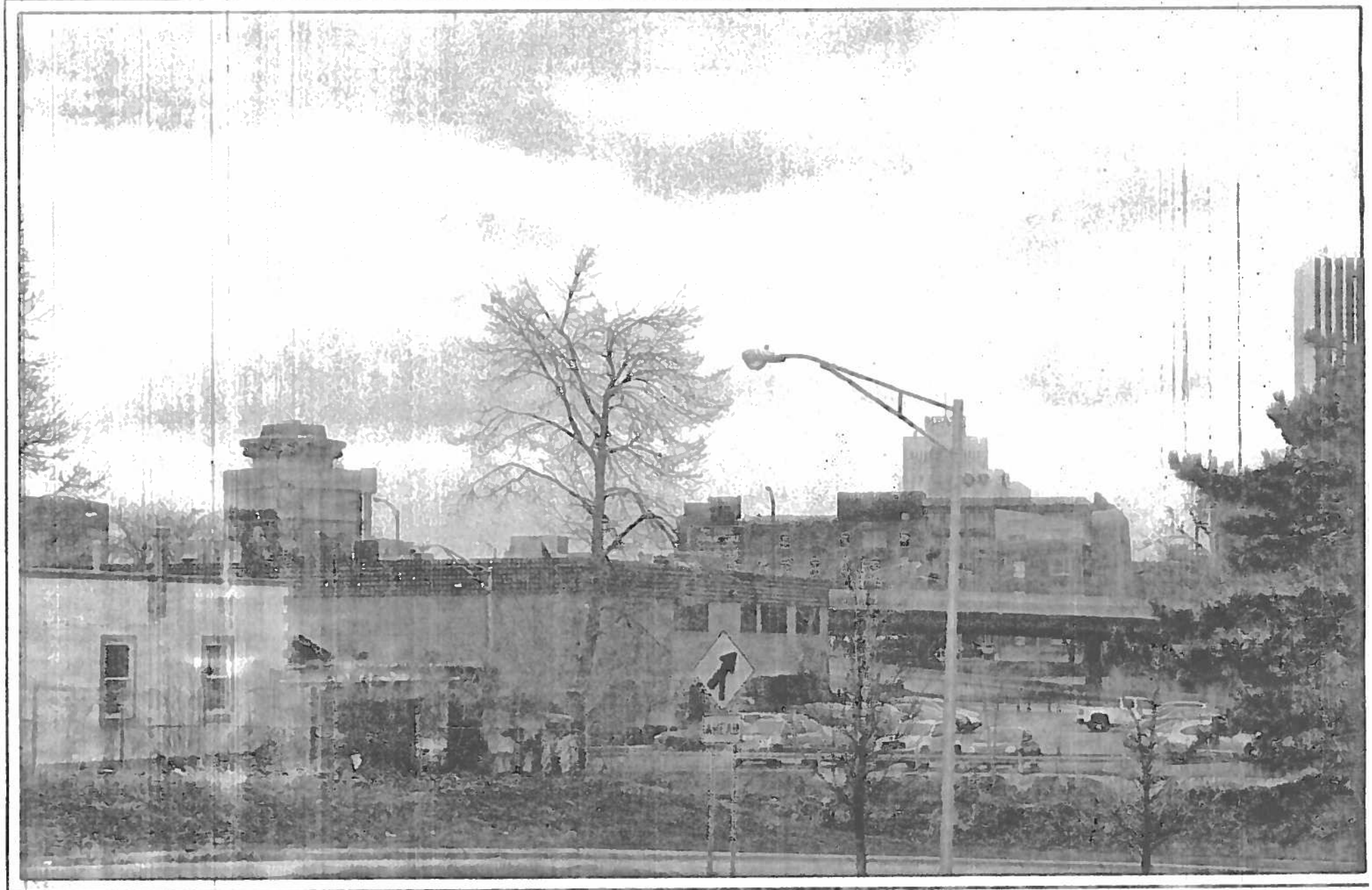
As detailed in this Application, there is a public need for the Project, as current levels of wireless telecommunications service in the area are inadequate to meet the needs of the public, businesses, and local governmental entities. See the project description and proof of need document contained in Exhibits B and E.



Costich Engineering Land Surveying Landscape Architecture 217 LAKE AVENUE ROCHESTER, NY 14608 (585) 458 3020 COSTICH ENGINEERING	PROJECT NAME Inner Loop South Photo 1 PHOTO COORDINATES 43° 09' 16.2308" N, 77° 36' 35.2984" W	PHOTO DESCRIPTION View of Existing building PHOTO LOCATION View SE from Broad St. Bridge 1319' from site	DATE OF PHOTO 4/8/2016 C.E. JOB# V3174 VZW JOB# 20130932328

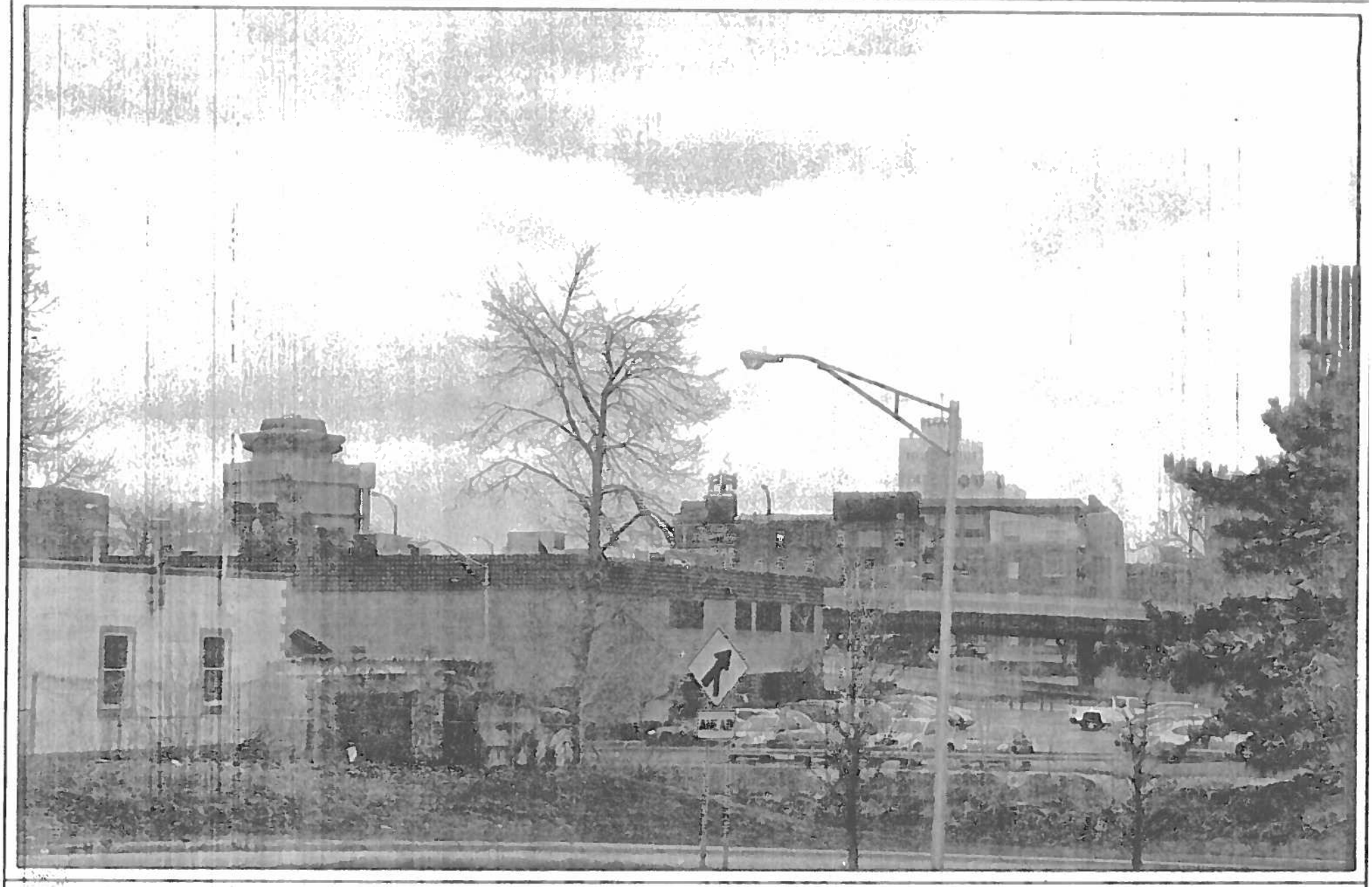


Costich Engineering Land Surveying Landscape Architecture 217 LAKE AVENUE ROCHESTER, NY 14608 (585) 458 3020 COSTICH ENGINEERING	PROJECT NAME Inner Loop South Photo 1 PHOTO COORDINATES 43° 09' 16.2308" N, 77° 36' 35.2984" W	PHOTO DESCRIPTION Photosimulation of proposed Rooftop cellular equipment PHOTO LOCATION View SE from Broad St. Bridge 1319' from site	DATE OF PHOTO 4/8/2016 C.E. JOB# V3174 VZW JOB# 20130932328

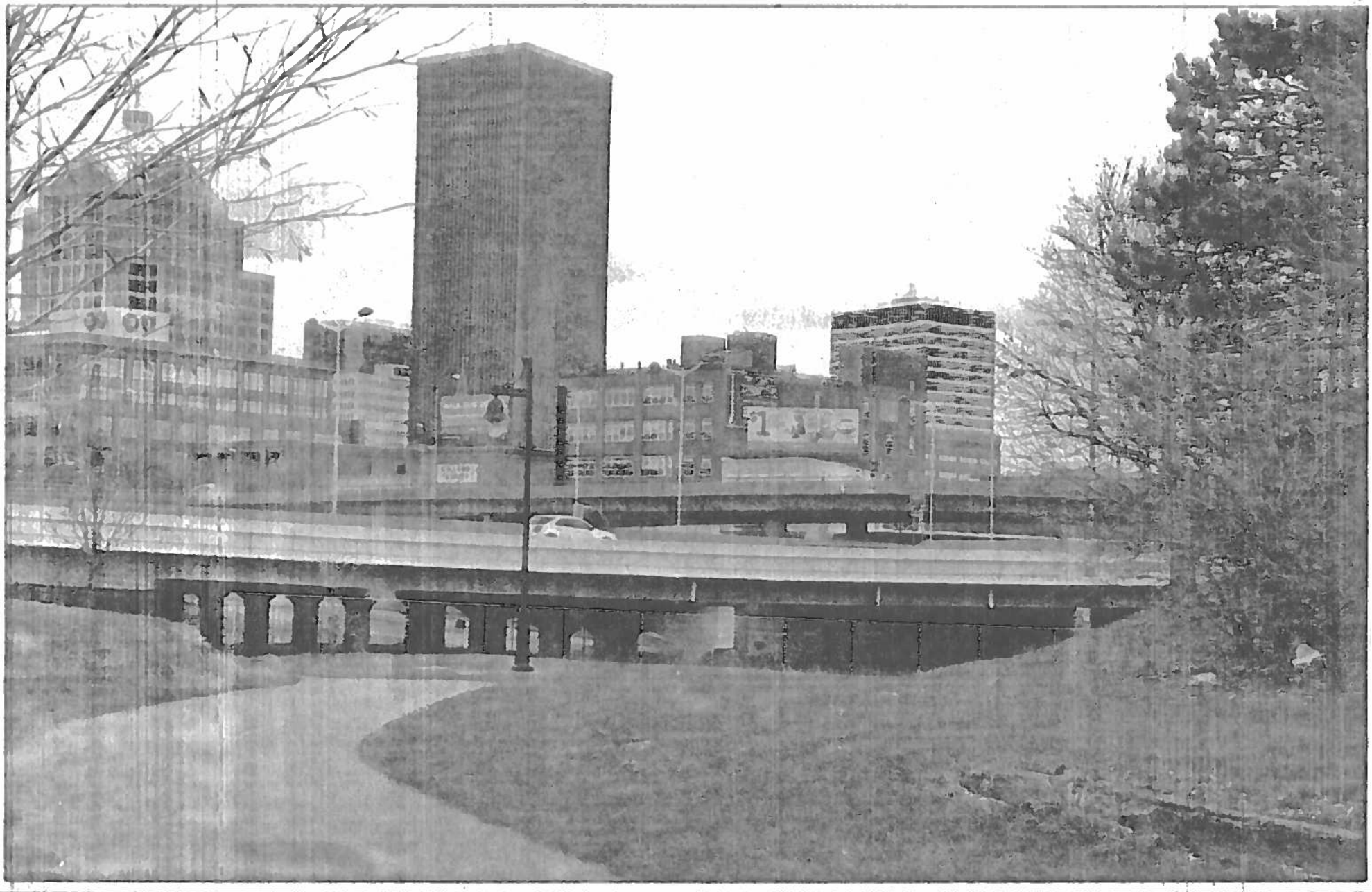


Costich Engineering
Land Surveying
Landscape Architecture
217 LAKE AVENUE
ROCHESTER, NY 14608
(585) 458-3020
COSTICH ENGINEERING

PROJECT NAME	PHOTO DESCRIPTION	DATE OF PHOTO
Inner Loop South	View of Existing building	4/8/2016
Photo 2	PHOTO LOCATION View NW from Byron St. 1235' from site	C.E. JOB# V3174
PHOTO COORDINATES 43° 08' 54.4866" N, 77° 36' 17.9564" W		VZW JOB# 20130932328

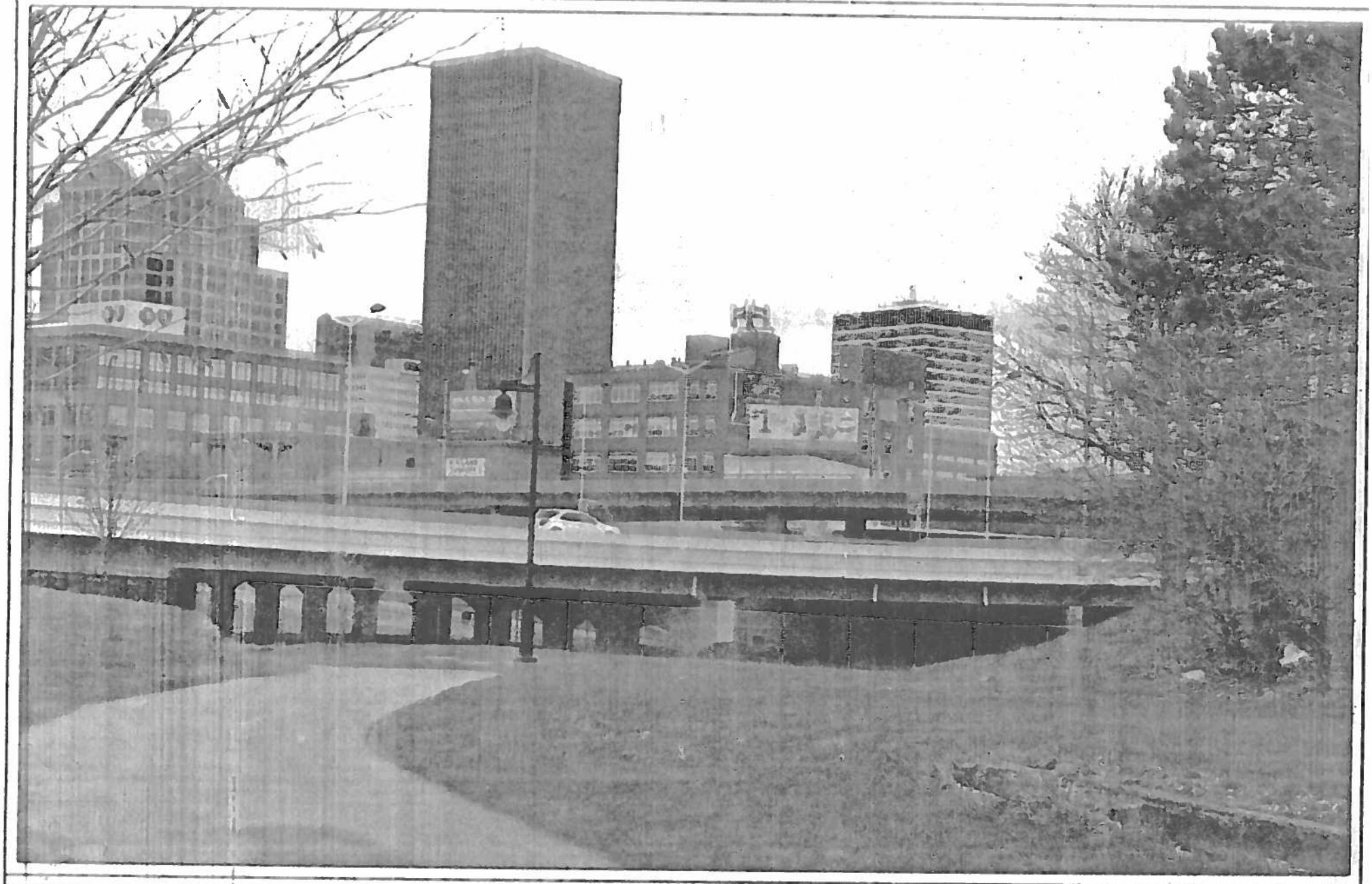


Costich Engineering Land Surveying Landscape Architecture 217 LAKE AVENUE ROCHESTER, NY 14608 (585) 458-3020 COSTICH ENGINEERING	PROJECT NAME Inner Loop South Photo 2 PHOTO COORDINATES 43° 08' 54.4866" N, 77° 36' 17.9564" W	PHOTO DESCRIPTION Photosimulation of proposed Rooftop cellular equipment PHOTO LOCATION View NW from Byron St. 1235' from site	DATE OF PHOTO 4/8/2016 C.E. JOB# V3174 VZW JOB# 20130932328



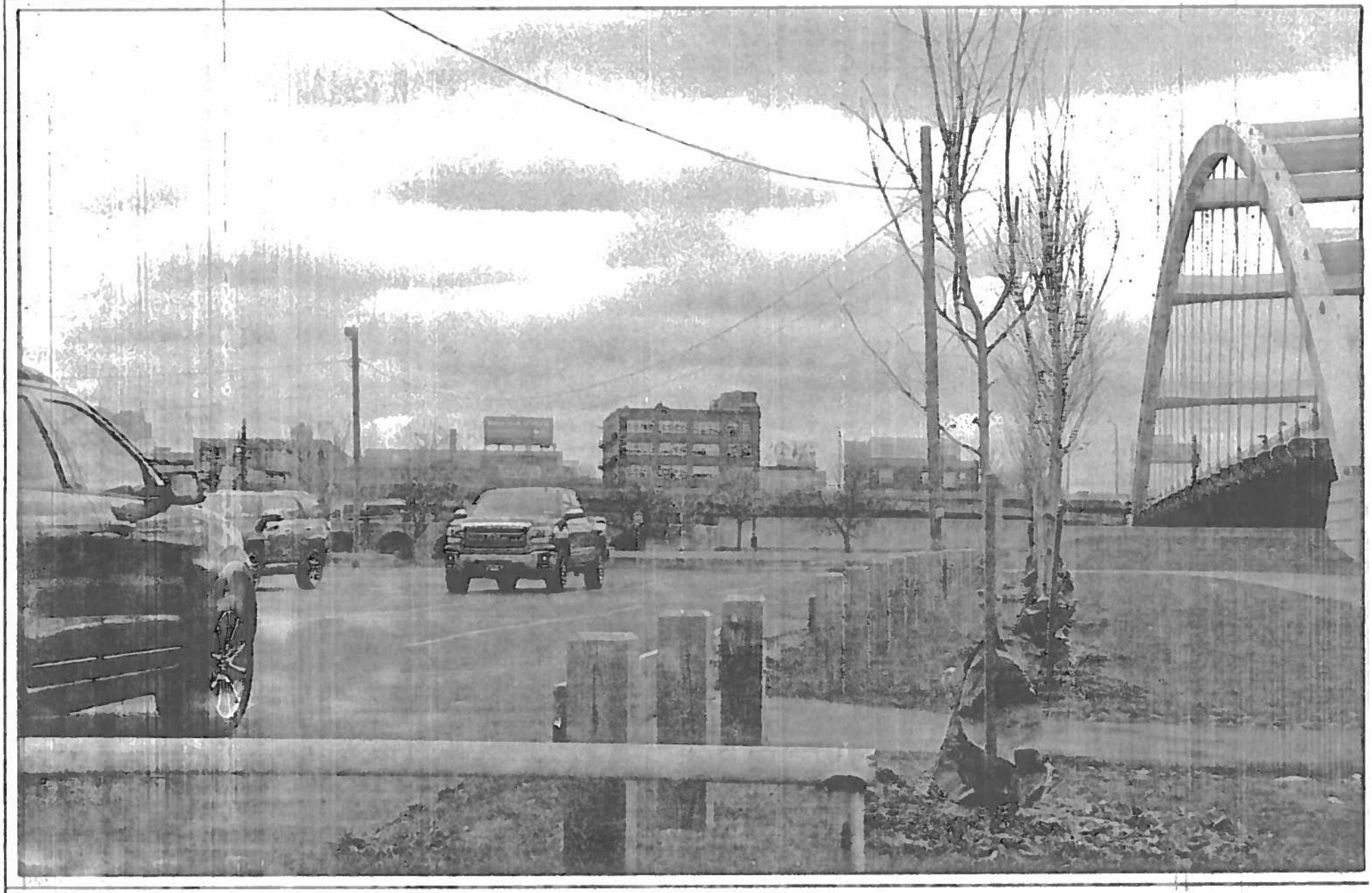
Costich Engineering
Land Surveying
Landscape Architecture
217 LAKE AVENUE
ROCHESTER, NY 14608
(585) 458-3020
COSTICH ENGINEERING

PROJECT NAME	PHOTO DESCRIPTION	DATE OF PHOTO
Inner Loop South	View of Existing building	4/8/2016
Photo 3	PHOTO LOCATION View NE from Riverwalk 717' from site	C.E. JOB# V3174
PHOTO COORDINATES 43° 09' 0.8211" N, 77° 36' 30.1639" W		VZW JOB# 20130932328

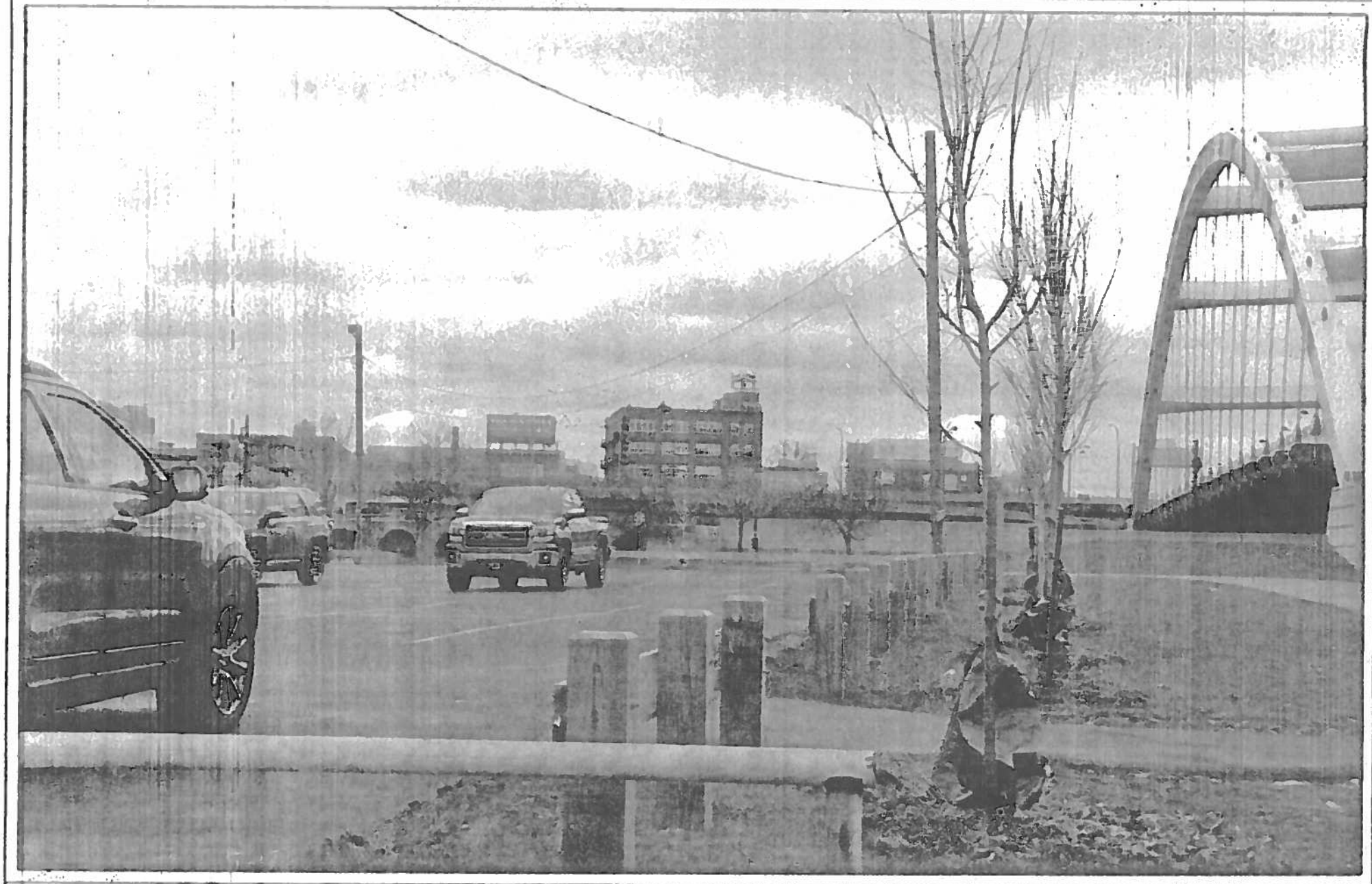


Costich Engineering
Land Surveying
Landscape Architecture
217 LAKE AVENUE
ROCHESTER, NY 14608
(585) 458-3020
COSTICH ENGINEERING

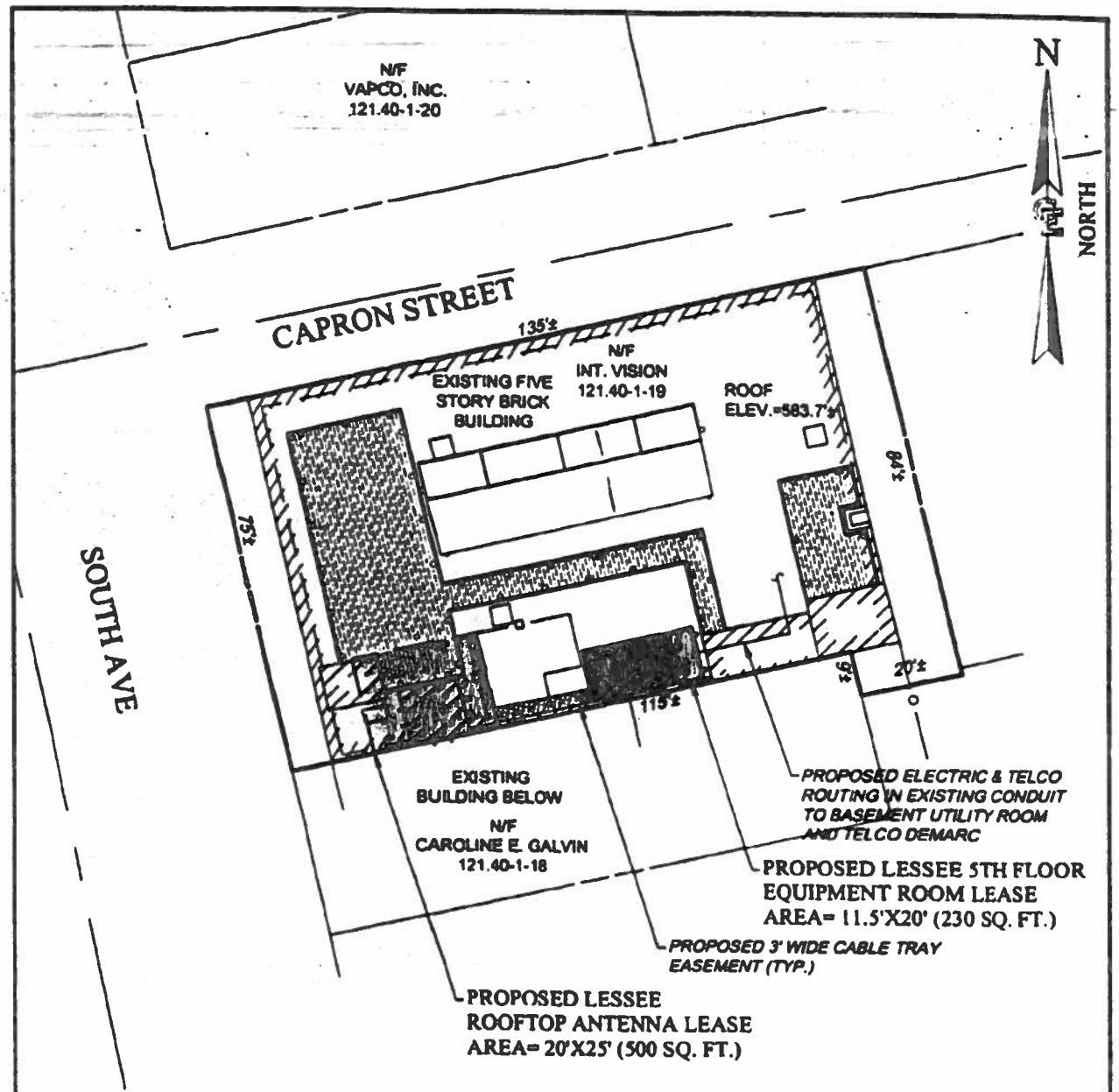
PROJECT NAME	PHOTO DESCRIPTION	DATE OF PHOTO
Inner Loop South	Photosimulation of proposed Rooftop cellular equipment	4/8/2016
Photo 3	PHOTO LOCATION: View NE from Riverwalk 717' from site	C.E. JOB# V3174
PHOTO COORDINATES: 43° 09' 0.8211" N, 77° 36' 30.1639" W		VZW JOB# 20130932328



Costich Engineering Land Surveying Landscape Architecture 217 LAKE AVENUE ROCHESTER, NY 14608 (585) 458-3020 COSTICH ENGINEERING	PROJECT NAME Inner Loop South Photo 4 PHOTO COORDINATES 43° 09' 5.4578" N, 77° 36' 39.3376" W	PHOTO DESCRIPTION View of Existing building PHOTO LOCATION View East from Exchange Blvd. 1150' from site	DATE OF PHOTO 4/8/2016 C.E. JOB# V3174 VZW JOB# 20130932328



Costich Engineering Land Surveying Landscape Architecture 217 LAKE AVENUE ROCHESTER, NY 14608 (585) 458-3020 COSTICH ENGINEERING	PROJECT NAME Inner Loop South Photo 4 PHOTO COORDINATES 43° 09' 5.4578" N, 77° 36' 39.3376" W	PHOTO DESCRIPTION Photosimulation of proposed Rooftop cellular equipment PHOTO LOCATION View East from Exchange Blvd. 1150' from site	DATE OF PHOTO 4/8/2016 C.E. JOB# V3174 VZW JOB# 20130932328



NOTES

1. THE PLAN WAS DEVELOPED FROM AERIAL IMAGERY, TAX MAPS & A SITE VISIT PERFORMED BY COSTICH ENGINEERING, P.C. ON 11/04/2014. EXISTING CONDITIONS ARE APPROXIMATE AND NOT THE RESULT OF A FORMAL INSTRUMENT SURVEY.
2. NORTH ORIENTATION IS APPROXIMATE AND WAS ESTABLISHED FROM AERIAL IMAGERY.
3. THIS PLAN IS FOR EXHIBIT PURPOSES ONLY AND SHALL NOT BE USED FOR CONSTRUCTION.

GRAPHIC SCALE
0 15 30
(IN FEET)
1 inch = 30 ft.

COSTICH ENGINEERING
• CIVIL ENGINEERING
• LAND SURVEYING
• LANDSCAPE ARCHITECTURE
217 LAKE AVENUE
ROCHESTER, NY 14608
(585) 436-3020

SITE
ADDRESS: 229 SOUTH AVENUE
ROCHESTER, NEW YORK 14604
PROJECT NUMBER: 20130932328
LOCATION CODE: 273323
PARCEL T.A.P. 121.40-1-19
(.28± AC. PER TAX MAP)

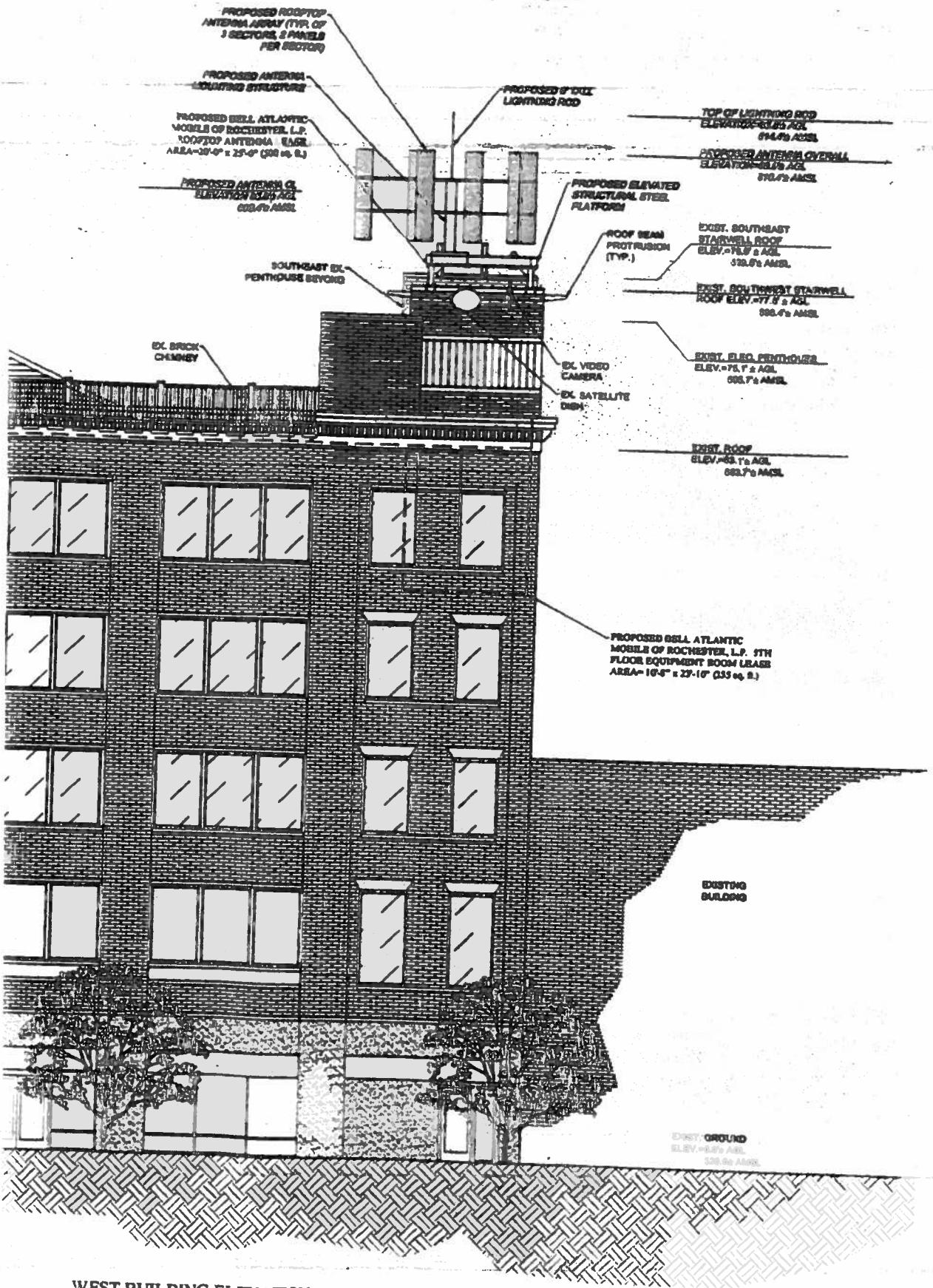
DATE: 12/11/2014
SCALE: 1" = 30'

TITLE OF PROJECT
INNER LOOP SOUTH
CITY OF ROCHESTER
COUNTY OF MONROE
STATE OF NEW YORK

TITLE OF DRAWING
EXHIBIT "A"

C.E. JOB NUMBER
V3174

SHEET NUMBER 1 OF 1
LE100



WEST BUILDING ELEVATION

SCALE: 1" = 6' (22 x 34 SHEET)
1" = 12' (11 x 17 SHEET)

NIXON PEABODY

NIXON PEABODY LLP
ATTORNEYS AT LAW

NIXONPEABODY.COM
@NIXONPEABODYLLP

Robert J. Brenner
Associate
T 585-263-1035
rbrenner@nixonpeabody.com

1300 Clinton Square
Rochester, NY 14604-1792
585-263-1000

May 9, 2016

VIA HAND DELIVERY

Planning Commission
City of Rochester
City Hall – Room 121B
30 Church Street
Rochester, New York 14614

RE: Application for a Special Use Permit from the City of Rochester Planning Commission by Bell Atlantic Mobile of Rochester, LP d/b/a Verizon Wireless to Construct and Operate a Small Cell Wireless Telecommunications Facility on the Rooftop of the Existing Building Located at 853-855 Meigs Street, City of Rochester, New York (Tax Parcel No. 121-810-2-4) (Verizon Wireless' "Ellwanger and Barry" Site).

Dear Members of the City Planning Commission:

Bell Atlantic Mobile of Rochester, LP d/b/a Verizon Wireless ("Verizon Wireless") is a public utility and wireless telecommunications licensee of the Federal Communications Commission ("FCC"). To provide adequate and reliable wireless telecommunications service in its Meigs Clinton cell, Verizon Wireless proposes to construct and operate a small cell wireless telecommunications facility located on the rooftop of the existing building located at 853-855 Meigs Street in the City of Rochester (the "Site").

The Site consists of a 6'-0" x 6'-0" area of leased rooftop space for the "cantenna" and 6'-0" x 8'-0" ground space for the equipment cabinet(s) from 8UMeigs, LLC (the "Landowner"). Verizon Wireless proposes to construct and operate a small cell wireless telecommunications facility, consisting of a single-sector radio unit with one approximately 28.7" tall (12" diameter), roof mounted external "cantenna," together with other site improvements on the Site, as shown on the enclosed site plan prepared by Costich Engineering, P.C. (the "Project"). Verizon Wireless' proposed Project conforms to the PCIA consensus definition of a small cell facility, which states that such installations "consist of relatively inconspicuous, small form-factor installations consisting of one or more radio transceivers, antennas, interconnecting cables, power supply, and other associated electronics."

The Project is located in the City's R-1 zoning district and on a structure less than four stories in height, therefore a Special Use Permit from the Planning Commission is required (City of Rochester Zoning Ordinance (the "Zoning Ordinance") §§ 120-143(A)).

Please accept this letter and the following exhibits and enclosures as Verizon Wireless' application for a Special Use Permit from the Planning Commission:

Exhibit A: Completed City-supplied application form;

Exhibit B:	Project description;
Exhibit C:	Applicable legal standards;
Exhibit D:	Compliance with the City's special use permit standards as set forth in Zoning Code § 120-192(B)(3);
Exhibit E:	Statement of need and site selection analysis by RF engineering department (including propagation studies);
Exhibit F:	A report detailing the Applicant's existing and proposed wireless telecommunication sites in the City;
Exhibit G:	Structural integrity letter;
Exhibit H:	Proof of compliance with applicable federal regulations;
Exhibit I:	11" x 17" copy of the site plan;
Exhibit J:	Copy of Lease evidencing Landowner's consent to this Application;
Exhibit K:	Copy of Verizon Wireless' FCC licenses; and
Exhibit L:	Photosimulation report (including viewshed map).

- Twelve (12) copies of this Application booklet;
- Check in the amount of $250.00 for the application fee.

Under City of Rochester Code § 48-5(B)(25), the proposed Project is classified as a Type II action for purposes of the New York State Environmental Quality Review Act.

We request that this application be placed on the agenda for the June 13, 2016 Planning Commission meeting. Please let us know if you have any questions or need any additional information.

Thank you.

Very truly yours,

Robert J. Brenner

RJB/las
Enclosures

PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. **PROJECT ADDRESS(ES):** 853-855 Meigs Street, Rochester, NY

2. **APPLICANT:** Bell Atlantic Mobile of Rochester L.P. d/b/a Verizon Wireless **COMPANY NAME:** _____

   ADDRESS: 1275 John Street, Suite 100 **CITY:** West Henrietta, NY **ZIP CODE:** 14586

   PHONE: (585) 263-1035 **FAX:** _____

   E-MAIL ADDRESS rbrenner@nixonpeabody.com

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

3. **PLAN PREPARER:** Costich Engineering, P.C.

   ADDRESS: 217 Lake Avenue **CITY:** Rochester **ZIP CODE:** 14608

   PHONE: (585) 458-3020 **FAX:** _____

4. **ATTORNEY:** Nixon Peabody LLP; Robert J. Brenner, Esq.

   ADDRESS: 1300 Clinton Square **CITY:** Rochester **ZIP CODE:** 14604

   PHONE: (585) 263-1312 **FAX:** _____

   E-MAIL ADDRESS rbrenner@nixonpeabody.com

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

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

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

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.

Bell Atlantic Mobile of Rochester, L.P. d/b/a Verizon Wireless
By its attorneys Nixon Peabody LLP; Robert J. Brenner, Esq.

SIGNATURE: _____ **DATE:** 5/9/16

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

SPECIAL PERMIT STANDARDS

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

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

See Exhibit D

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

See Exhibit D

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

See Exhibit D

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

See Exhibit D

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

See Exhibit D

EXHIBIT B

PROJECT DESCRIPTION

APPLICATION FOR APPROVAL TO CO-LOCATE A MICRO CELL WIRELESS TELECOMMUNICATIONS FACILITY ON THE ROOFTOP OF THE EXISTING BUILDING LOCATED AT 853-855 MEIGS STREET IN THE CITY OF ROCHESTER, NEW YORK.

Bell Atlantic Mobile of Rochester, LP d/b/a Verizon Wireless ("Verizon Wireless"), a federally licensed wireless telecommunications provider, proposes to construct a small cell wireless telecommunications facility (the "Small Cell") in the City of Rochester in order to provide additional wireless telecommunications network bandwidth and improved performance for emergency services, businesses, and individuals in its Ellwanger and Barry cell and the surrounding area (the "Project").

The proposed facility will be co-located on the rooftop of existing building located at 853-855 Meigs Street (the "Existing Building") in the City of Rochester (the "Site"). The ground level improvements will be located at the same address. This application includes, on behalf of Verizon Wireless, a request for a Special Use Permit from the City Planning Commission for the Project.

The Small Cell will consist of a 6'-0" x 6'-0" area of leased rooftop space for the "cantenna" and 6'-0" x 8'-0" ground space for the equipment cabinet(s) with one approximately 28.7" tall (12" diameter) small external "cantenna," together with other site improvements as shown on the enclosed site plan prepared by Costich Engineering, P.C. contained in Exhibit I.

The Project is a direct result of increased customer usage and demand on the existing Verizon Wireless 4th Generation LTE macro wireless telecommunications network in the vicinity of the Ellwanger and Barry cell. Verizon Wireless' existing surrounding macro sites are not able to adequately satisfy the existing and emerging usage demand in this cell.

As high powered macro communications facilities provide network-wide broad coverage, in areas of high intensity usage, a layer of low-powered small cells must be underlaid beneath to create what is termed a Heterogeneous Network ("HetNet"). This network topology is necessary to achieve significantly improved overall network capacity and to ensure that wireless

telecommunications service is available to users within cells where there is a high level of user demand.

Traditionally, the primary and most effective way to increase capacity is to implement a cell split. A cell split simply refers to adding a second macro cell (either a new tower or rooftop co-location) to provide coverage to the same footprint, effectively splitting the intended coverage area between two macro cells. However, continual cell splitting will yield lower and lower spectrum efficiency as inter-cell interference starts to dominate. This is typical for inter-cell distances below ½ mile. Therefore, at short inter-cell distances the more effective way to gain capacity is to deploy small cells as an underlay. Moreover, in a typical urban/suburban area, data users tend to be concentrated in hotspots rather than evenly distributed throughout. It is, therefore, much more effective to deploy low powered "small" cells at these congested hotspots, creating a HetNet, to maximize user signal-to-noise ratio while minimizing interference generated to the macro network or nearby small cells.

Because each macro and small cell site must be placed in such a manner as to provide service within a particular cell, there is limited flexibility as to where such macro and small cell sites can be placed. Wireless telecommunications providers conduct a thorough engineering study, using an elaborate computer program known as a "propagation study." A propagation study shows, based on cell boundaries, topography and other factors, where a cell site needs to be located in order to provide wireless telecommunications coverage in a particular cell. The wireless telecommunication companies and RF engineers identify technologically feasible locations for the cell site.

Verizon Wireless' approach to small cell placement is a two part process. The first step is to identify sectors within the macro cell network that are reaching or are at maximum capacity (through usage reports generated by the Company). These sectors are deemed "exhausted," which means one or more of its components has reached the maximum load it can handle. The result of a sector becoming exhausted varies from slow data speeds to blocked sessions for the user (i.e., the user cannot make a connection to the wireless telecommunications network). The second step is to identify hotspot locations within the footprint of a specific sector. These

locations are then proposed as potential small cell locations with a goal of sufficiently offloading capacity from the macro network.

In this case, the area in the vicinity of the Ellwanger and Barry cell was identified by Verizon Wireless as being an area where there is a high level of user demand in a concentrated area. The Site is located within the targeted coverage area and was available to Verizon Wireless to meet the technological requirements necessary to provide adequate coverage and capacity by under laying the existing macro cell network with a small cell.

As set forth in this application, the proposed small cell Project will not pollute, will not create noise or vibration, will not create any significant increase in traffic, will not create any environmental problems, will not increase population density, and will not create any demand on governmental facilities. Thus, the Project will not create any detriment to adjoining properties or change the character of the neighborhood. Instead, the Project will enhance governmental facilities and promote the public welfare by providing a modern, more efficient system of communications for police, fire and other emergency services, as well as provide modern wireless telecommunications service to business, industry and individuals in the Ellwanger and Barry cell in the City of Rochester.

EXHIBIT D

COMPLIANCE WITH THE CITY'S SPECIAL PERMIT STANDARDS UNDER ZONING CODE § 120-192(B)(3)

As discussed in Exhibit C, the legal standard applicable to Verizon Wireless is the standard afforded to public utilities, rather than the standard generally applied. This standard is the same regardless of whether the utility applies for a special permit, site plan approval, or other type of zoning approval. Nonetheless, as demonstrated below, Verizon Wireless complies with the City's requirements for a special permit as set forth in Section 120-192(B)(3) of the Zoning Code. Zoning Code § 120-192(B)(3) is reproduced below in bold italics with Verizon Wireless' responses in regular type:

§ 120-192(B)(3) Special Permit Standards

(a) Approval standards

(1) A special permit shall be approved only if evidence is presented which establishes that:

(a) The proposed application will be in harmony with the general purpose, goals, objectives, standards and implementation strategies of the Comprehensive Plan, this chapter and, where applicable, the Subdivision Code.

The Project furthers the purpose and goals of the Comprehensive Plan and the Zoning Code. Specifically, an express goal of the Comprehensive Plan is to "[d]evelop and maintain a public utility system that provides safe, reliable, and adequate public services to our citizens and to properties, in full compliance with federal and state regulations." Comprehensive Plan § 130-5(G)(2)(c).

The Applicant is a public utility and the Project will provide safe and reliable wireless telecommunications service to businesses and residents of the City.

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

The Project will not have any significant adverse impacts. The Project will not pollute, will not generate waste, will not create any increase in traffic, will not create any environmental problems, will not increase population density, and will not create any demand on governmental facilities. The Project will not create any detriment to adjoining properties or change the character of the neighborhood. In fact, the Project will enhance and promote the public welfare by providing reliable wireless telecommunications service to business, industry, and individuals.

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

The Project will not interfere with the use or development of neighboring properties. There will be no increase in traffic, and the Project will not affect, impair, or prohibit any actual or permitted use in the neighborhood. Instead, the Project will enhance the area by enhancing wireless telecommunications service in the area (through added capacity).

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

See the enclosed Site Plan at Exhibit I. The Project will be served adequately by essential public facilities and services. The Project will not increase drainage, refuse disposal, water, sewer, or school demands.

(e) ***The proposed application will not result in the destruction, loss or damage of any natural, scenic, cultural or historic feature of significant importance.***

See the enclosed Site Plan at Exhibit I and Photosimulation Report at Exhibit L. The Project will not result in the destruction, loss or damage of, any natural, scenic, cultural or historic feature of significant importance.

(2) ***In determining whether the evidence establishes that the foregoing standards have been met, the Planning Commission may determine that an overriding public need mitigates certain impacts or effects of the proposed application and support approval.***

As detailed in this Application, there is a public need for the Project, as current levels of wireless telecommunications service in the area are inadequate to meet the needs of the public, businesses, and local governmental entities. See the RF Report contained in Exhibit E.

BELL ATLANTIC MOBILE OF ROCHESTER, L.P.
DBA

verizon

PROJECT NUMBER: 20141095028

LOCATION CODE: 304208

SITE NAME:

ELLWANGER AND BARRY

SHEET NO.	DESCRIPTION	REV NO	REVISION DATE
[illegible]	TITLE SHEET	3	[illegible]
[illegible]	GENERAL NOTES (SHEET 1 OF 3)	3	[illegible]
[illegible]	GENERAL NOTES (SHEET 2 OF 3)	3	[illegible]
[illegible]	OVERALL SITE PLAN AND NOTES	3	[illegible]
[illegible]	DETAILED SITE PLAN	3	[illegible]
[illegible]	ELEVATION	3	[illegible]
[illegible]	DETAILS (SHEET 1 OF 3)	3	[illegible]
[illegible]	DETAILS (SHEET 2 OF 3)	3	[illegible]
[illegible]	DETAILS (SHEET 3 OF 3)	3	[illegible]
[illegible]	ELECTRICAL DETAILS, ABBREVIATIONS & SYMBOLS	3	[illegible]
[illegible]	ELECTRICAL GROUNDING DETAILS & NOTES	3	[illegible]

THIS SET OF PLANS SHALL NOT BE UTILIZED AS CONSTRUCTION DOCUMENTS UNTIL ALL ITEMS OF CONCERN HAVE BEEN ADDRESSED AND EACH OF THE DRAWINGS HAS BEEN REVISED AND ISSUED "FOR CONSTRUCTION"

SHEET INDEX

DIRECTIONS TO SITE: FROM 1275 JOHN STREET, WEST HENRIETTA NY, START OUT GOING NORTHEAST ON JOHN ST TOWARD PARK CENTRE DR. 0.9 MI. TURN RIGHT ONTO BAILEY RD. 1.0 MI. TURN LEFT ON NY-15 N. 3.8 MI. TURN RIGHT ON ELMWOOD AVENUE. 0.7 MI. TURN LEFT ONTO S GOODMAN STREET. 0.9 MI. TURN LEFT ONTO LINDEN STREET. 0.2 MI. TURN RIGHT ONTO MEIGS STREET.
THE SITE IS ON THE LEFT.

VICINITY MAP

SCALE: 1" = 2000'±

PROJECT NUMBER:	20141095028
LOCATION CODE:	304208
SITE ADDRESS:	833 [illegible] MEIGS STREET ROCHESTER, NEW YORK 14620
MUNICIPALITY:	CITY OF ROCHESTER
COUNTY:	MONROE
PARENT PARCEL TAX MAP NUMBER:	121.[illegible] (8.12± ACRES PER TAX MAP)
ANTENNA PLACEMENT PER PICTOMETRY:	LATITUDE: 43°-[illegible] NAD 83 LONGITUDE: 77°-[illegible] NAD 83
PROPERTY OWNER:	[illegible] 14 NEWCOMB DRIVE HILTON, NEW YORK 14620
APPLICANT:	BELL ATLANTIC MOBILE OF ROCHESTER, L.P. d/b/a VERIZON WIRELESS 1275 JOHN STREET, SUITE [illegible] WEST HENRIETTA, NEW YORK 14620 CONTACT: ANDY CLARK PHONE: (315) 719-7757
BELL ATLANTIC MOBILE OF ROCHESTER, L.P.	
EXTERIOR ROOFTOP EQUIPMENT LEASE AREA:	[illegible] ACRES (8' x 8')
EXTERIOR ROOFTOP ANTENNA LEASE AREA:	[illegible] ACRES (8' x 8')

PROJECT INFORMATION

verizon

1275 JOHN STREET, SUITE #103
WEST HENRIETTA, NEW YORK 14620

COSTICH ENGINEERING

- CIVIL ENGINEERING
- LAND SURVEYING
- LANDSCAPE ARCHITECTURE

NO.	DATE	ISSUE
1	[illegible]	EQUIPMENT UPDATE & SITE NAME
2	[illegible]	ADDRESS & LOGO / ANTENNA UPDATE PER RF
3	[illegible]	REVISED UTILITIES & DATE

RELEASED BY | DATE

D.A.W.

K.C.C.

04/13/2015

AS NOTED

COPYRIGHT 2015
COSTICH ENGINEERING, D.P.C.
[illegible]

ORIGINAL SIZE IN INCHES

SITE INFORMATION

ELLWANGER AND BARRY
PROJECT #20141095028
LOCATION CODE: 304208

CITY OF ROCHESTER
COUNTY OF MONROE
STATE OF NEW YORK

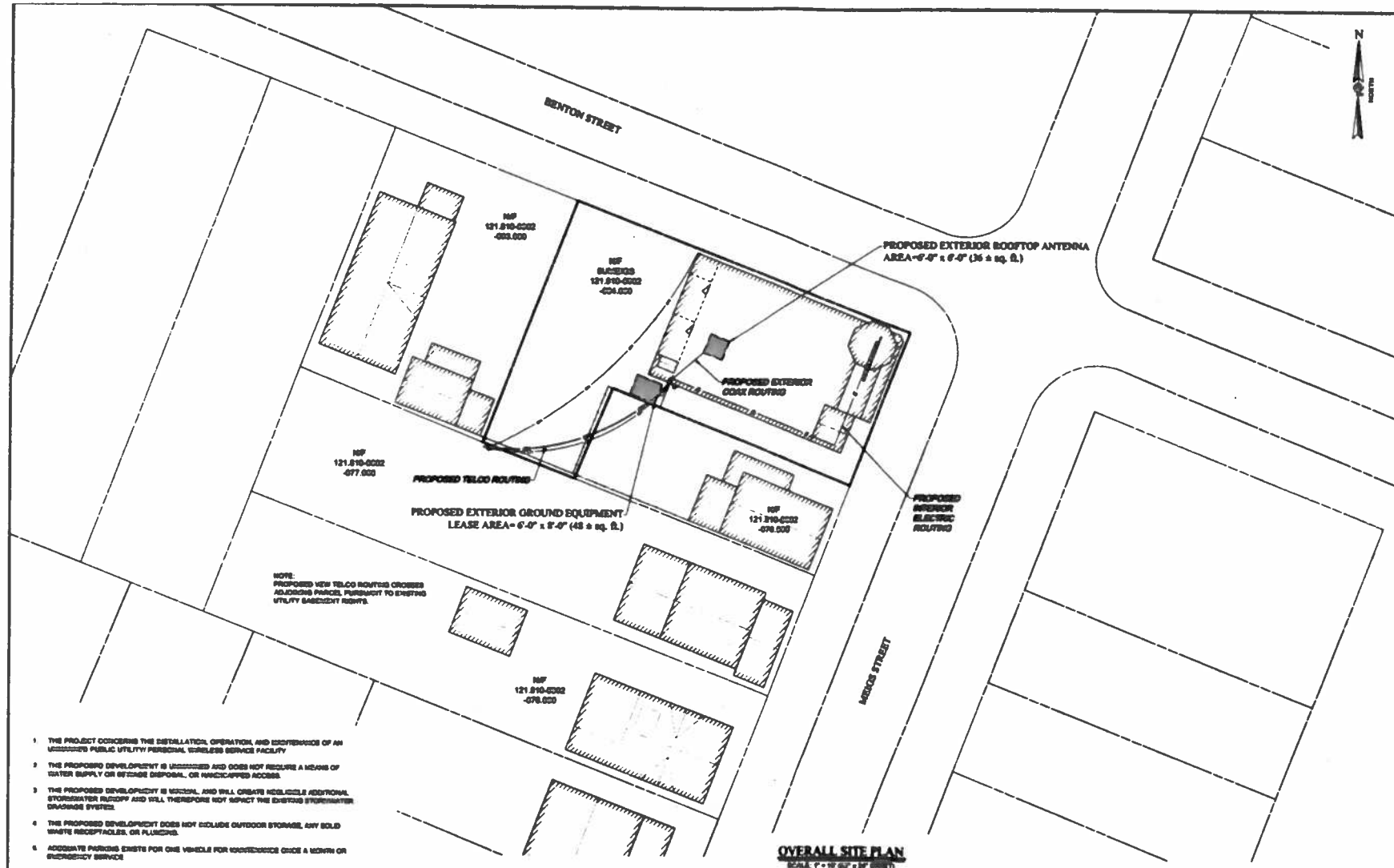
SHEET TITLE

TITLE SHEET

C.E. JOB NUMBER: 5997

SHEET NUMBER: GC001

SHEET 1 OF 11



OVERALL SITE PLAN

SCALE: 1" = 10' (22" x 34" SHEET)
1" = 20' (11" x 17" SHEET)

1. THE PROJECT CONCERNS THE INSTALLATION, OPERATION, AND MAINTENANCE OF AN UNMANNED PUBLIC UTILITY PERSONAL WIRELESS SERVICE FACILITY
2. THE PROPOSED DEVELOPMENT IS UNMANNED AND DOES NOT REQUIRE A MEANS OF WATER SUPPLY OR SEWAGE DISPOSAL, OR HANDICAPPED ACCESS.
3. THE PROPOSED DEVELOPMENT IS MINIMAL, AND WILL CREATE NEGLIGIBLE ADDITIONAL STORMWATER RUNOFF AND WILL THEREFORE NOT IMPACT THE EXISTING STORMWATER DRAINAGE SYSTEM.
4. THE PROPOSED DEVELOPMENT DOES NOT INCLUDE OUTDOOR STORAGE, ANY SOLID WASTE RECEPTACLES, OR PLUMBING.
5. ADEQUATE PARKING EXISTS FOR ONE VEHICLE FOR MAINTENANCE ONCE A MONTH OR EMERGENCY SERVICE
6. THERE ARE NO NEW STREETS, CURBS, SIDEWALKS OR LIGHTING PROPOSED.
7. THERE ARE NO COMMERCIAL SIGNS PROPOSED FOR THIS INSTALLATION.
8. EXISTING UTILITIES (LOCATION, SIZES AND INVERTS) SHOWN ON THE PLANS ARE APPROXIMATE AND ARE NOT CERTIFIED AS TO THE ACCURACY OF THEIR LOCATION OR COMPLETENESS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE EXACT LOCATIONS AND DEPTHS OF ALL UTILITIES AND STRUCTURES IN THE PATH OF, OR CLOSELY PARALLEL TO, OR UNDER, THE PROPOSED CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DELAYS OR DAMAGES OCCURRING AS A RESULT OF INCORRECTLY LOCATED UTILITIES. IT IS THE CONTRACTORS RESPONSIBILITY TO NOTIFY THE VARIOUS UTILITY OWNERS IN ADVANCE TIME FOR THEM TO LOCATE AND MARK THEIR FACILITIES. THE CONTRACTOR SHALL ALSO NOTIFY UNDERGROUND UTILITY LOCATION SERVICE AT LEAST 48 HOURS IN ADVANCE OF COMMENCING ANY WORK.

GENERAL NOTES

1. APPROXIMATE LOCATIONS EXISTING FEATURES SHOWN PER SITE INSPECTION TAPE SURVEY COMPLETED BY COSTICH ENGINEERING, PC ON 02/22/2013, AND REFERENCE #2.
2. NO BOUNDARY SURVEY OR SEARCH OF DEEDS WAS PERFORMED. APPROXIMATE PROPERTY LINES SHOWN HEREON FROM CITY OF ROCHESTER TAX MAPS, AND FIELD LOCATIONS OF PROPERTY CORNERS.
3. PER THE NYSDEC FRESHWATER WETLANDS MAP, THERE ARE NO STATE WETLANDS IN PROJECT AREA.
4. PER THE NATIONAL WETLANDS INVENTORY MAPS, THERE ARE NO FEDERAL WETLANDS IN PROJECT AREA
5. PER THE ERIS/FEMA PROJECT DIRECT HAZARD INFORMATION AND ATTENDENCE SITE MAP THERE IS NO 100 YR FLOOD PLAIN IN THE PROJECT AREA

MAP REFERENCES

NORTH ORIENTATION

1. NORTH ORIENTATION ESTABLISHED BY A SITE COMPASS OBSERVATION PERFORMED BY COSTICH ENGINEERING, P.C. ON 02/22/2013.
2. DECLINATION OBTAINED FROM THE NATIONAL GEOPHYSICAL DATE CENTER DURING THE MONTH OF FEBRUARY, 2013.

GRAPHIC SCALE

(IN FEET)
1 inch = 10 ft. (22 x 34)
1 inch = 20 ft. (11 x 17)

Dig Safely. New York
800-962-7962

verizon
1275 JOHN STREET, SUITE #100
WEST HENRIETTA, NEW YORK 14586

COSTICH ENGINEERING
• CIVIL ENGINEERING
• LAND SURVEYING
• LANDSCAPE ARCHITECTURE
211 PLAZA DRIVE
WEBSTER, NEW YORK 14580
(585) 436-3240

NO.	DATE	DESCRIPTION
1	02/14/2013	ISSUED FOR REVIEW
2	02/22/2013	ANTENNA OFFSET FOR RF
3	03/22/2013	REVISED UTILITIES & GATE

REVISED BY | DATE

D.A.W.
E.C.C.
04/13/2013
AS NOTED

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COSTICH ENGINEERING, D.P.C.

ORIGINAL SIZE IN INCHES

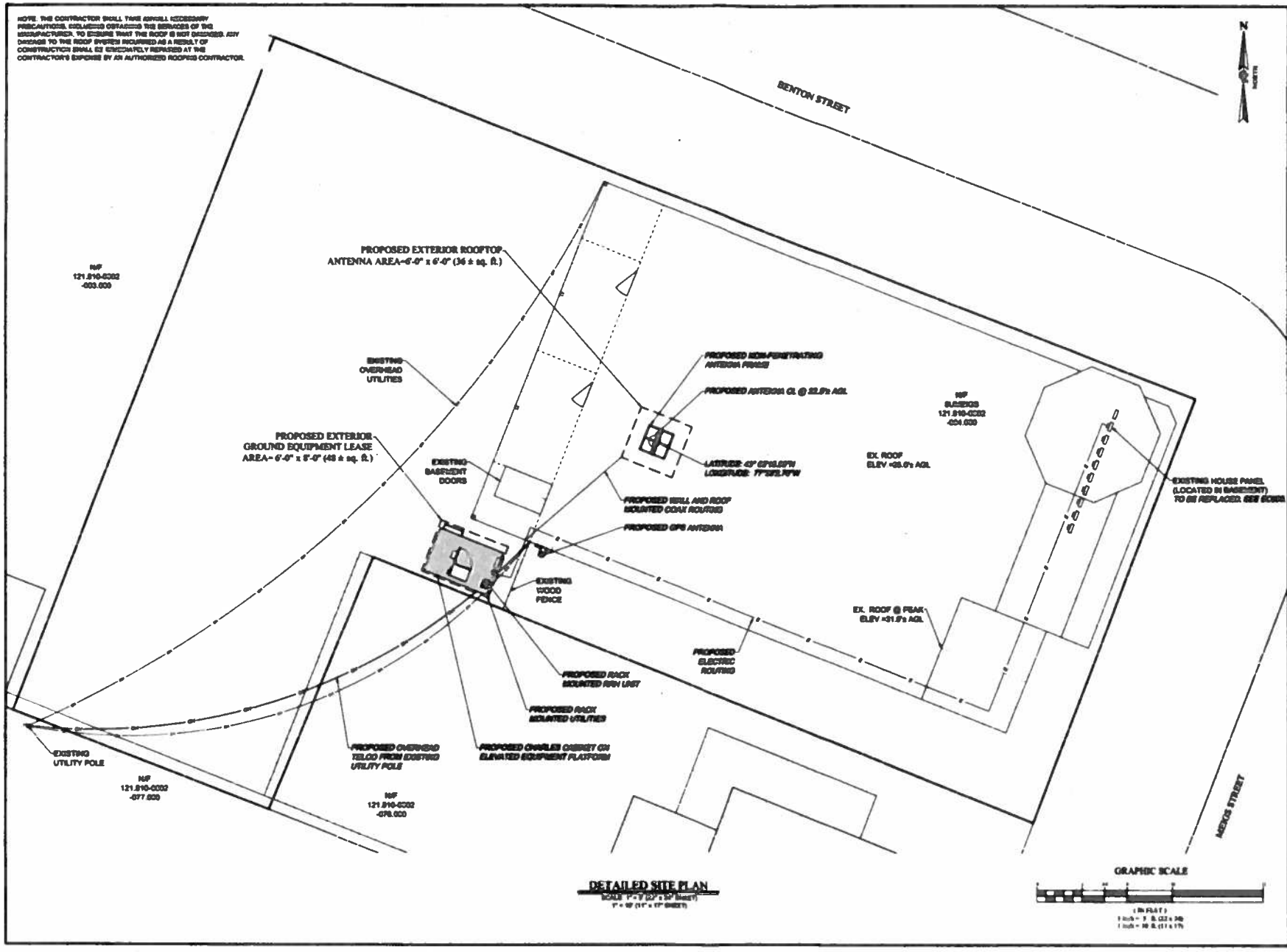
ELLWANGER AND BARRY
PROJECT #20141099028
LOCATION CODE: 304208

CITY OF ROCHESTER
COUNTY OF MONROE
STATE OF NEW YORK

OVERALL SITE PLAN AND NOTES

5997 | CC100

NOTE: THE CONTRACTOR SHALL TAKE ANY/ALL NECESSARY PRECAUTIONS, INCLUDING OBTAINING THE SERVICES OF THE MANUFACTURER, TO ENSURE THAT THE ROOF IS NOT DAMAGED. ANY DAMAGE TO THE ROOF SYSTEM INCURRED AS A RESULT OF CONSTRUCTION SHALL BE IMMEDIATELY REPAIRED AT THE CONTRACTOR'S EXPENSE BY AN AUTHORIZED ROOFING CONTRACTOR.



DETAILED SITE PLAN

SCALE: 1" = 5' (22" x 34" Sheet)
1" = 10' (11" x 17" SHEET)

verizon

1275 JOHN STREET, SUITE #103
WEST HENRIETTA, NEW YORK 14586

COSTICH ENGINEERING

- CIVIL ENGINEERING
- LAND SURVEYING
- LANDSCAPE ARCHITECTURE

217 Lake Avenue
Rochester, NY 14608
(585) 232-5135

NO.	DATE	DESCRIPTION
1	03/14/2013	REVISED TITLE BLOCK, ADDED ANTENNA & UPDATED ANTENNA UPDATE PER RF
2	02/15/2013	ANTENNA UPDATE PER RF
3	03/08/2013	REVISED UTILITIES & DATE

DRAWN BY: D.A.W.
CHECKED BY: E.C.C.
DATE: 06/13/2013
SCALE: AS NOTED

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COSTICH ENGINEERING, D.P.C.

ORIGINAL SITE IN SCALE

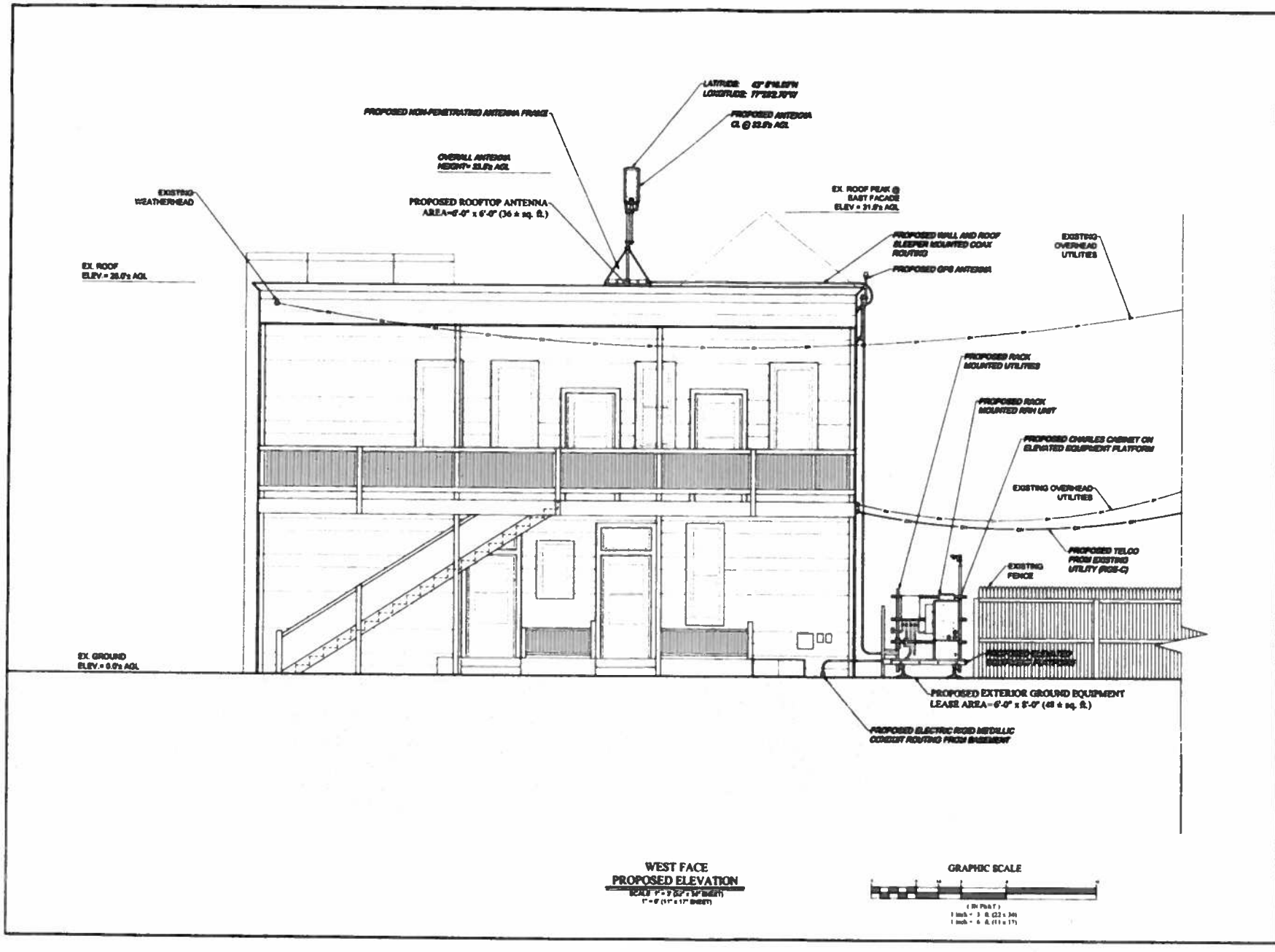
ELLWANGER AND BARRY
PROJECT #20141095028
LOCATION CODE: 304208

CITY OF ROCHESTER
COUNTY OF MONROE
STATE OF NEW YORK

DETAILED
SITE PLAN

5997

CC110



WEST FACE
PROPOSED ELEVATION
SCALE 1" = 5' (24" x 36" SHEET)
1" = 6' (11" x 17" SHEET)

GRAPHIC SCALE
(IN FEET)
1 inch = 3 ft. (24 x 36)
1 inch = 6 ft. (11 x 17)

verizon

1275 JOHN STREET, SUITE #100
WEST HENRIETTA, NEW YORK 14586

COSTICH ENGINEERING, D.P.C.
• CIVIL ENGINEERING
• LAND SURVEYING
• LANDSCAPE ARCHITECTURE
117 LAKE AVENUE
ROCHESTER, NEW YORK 14608
(585) 458-3020

NO.	DATE	REVISION
1	03/14/2014	MODIFIED PER UPDATE & SITE PLAN REVISIONS 11/20/2013
2	12/16/2014	ANTENNA UPDATE PER RF
3	03/31/2015	REVISED UTILITIES & DATE

REVISED BY | DATE

D.A.W
E.C.C.
04/13/2015
AS NOTED

COPYRIGHT 2015
COSTICH ENGINEERING, D.P.C.
IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, LAND SURVEYOR, ARCHITECT OR LANDSCAPE ARCHITECT, TO ALTER ANY ITEM ON THIS DOCUMENT IN ANY WAY. ANY LICENSED ENGINEER, LAND SURVEYOR, ARCHITECT OR LANDSCAPE ARCHITECT, WHO ALTERS THIS DOCUMENT IS REQUIRED BY LAW TO ADD TO THE ITEM HIS OR HER SEAL AND THE NOTATION "ALTERED BY", FOLLOWED BY HIS OR HER SIGNATURE AND SPECIFIC DESCRIPTION OF THE ALTERATION, TO THE DOCUMENT.

ORIGINAL SIZE IN INCHES
1 2 3 4

ELLWANGER AND BARRY
PROJECT #20141095028
LOCATION CODE: 304208

CITY OF ROCHESTER
COUNTY OF MONROE
STATE OF NEW YORK

SHEET TITLE
ELEVATION

SITE ID NUMBER: 5997
SHEET NUMBER: CC111
SHEET 10 OF 11

CITY PLANNING COMMISSION
STAFF REPORT
June 13, 2016

Special Permit

Case #7: Staff Reviewer: Jill Wiedrick

File Number: E-062-15-16

Case Type: Special Permit

Applicant: Sharif Mhiji, Grape and Orange Minimart

Address: 111 Orange Street

Zoning District: R-1 Low Density Residential District

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

Request: **To establish a low-impact grocery store operating between the hours of 6:00AM to 9:00PM; an action requiring City Planning Commission approval.**

Analysis:
The subject property is a mixed use building located near the intersection of Orange Street and Grape Street. The applicant proposes to use the first floor of the building. The first floor was previously a grocery store. The space is currently vacant.

The applicant proposes to establish a low-impact grocery store. Customers will be able to purchase both food and clothing here. The applicant has indicated that most of his customers will walk to the proposed store. According to the applicant, this business will operate daily between the hours of 6:00AM and 9:00PM.

Code Compliance:
The request is to establish a low-impact use that requires Special Permit approval in an R-1 District and is subject to Sections 120-27L and 120-146.1 of the Zoning Code:

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

   The applicant is proposing to establish a low-impact grocery store, where none of these items will be sold.

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

   The applicant's proposed hours of operation are from 6:00 AM to 9:00 PM daily, within the hours permitted in the district.

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

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

PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. PROJECT ADDRESS(ES): 111 Orange st.

2. APPLICANT: Sharif mhiji COMPANY NAME: Grape and Orange Mini market

ADDRESS: 73 Emerson CITY: Rochester ZIP CODE: 14613

PHONE: 585-752-4708 FAX: _____

E-MAIL ADDRESS _____

INTEREST IN PROPERTY: Owner ☑ Lessee ☐ Other ☐

3. PLAN PREPARER: Sharif Mhiji

ADDRESS: _____ CITY: _____ ZIP CODE: _____

PHONE: _____ FAX: _____

4. ATTORNEY: _____

ADDRESS: _____ CITY: _____ ZIP CODE: _____

PHONE: _____ FAX: _____

E-MAIL ADDRESS _____

5. ZONING DISTRICT: _____

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

Convience store, Corner store that will sell food and beverages

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: x SHARIF MHIJI 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.

SPECIAL PERMIT STANDARDS

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

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

Yes, The Proposed building or use will be in harmony with the general Purpose, it will be used to sell food and beverage to local residents.

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

The Proposed building would have no effect on all that was mentioned above

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

The Proposed building will not take any other space than the space that is available for that building.

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

The Proposed building will be served adequately by Essential Public facilities and services listed above

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

The proposed building or use will not result in the destruction, loss or damage of any historic feature because its not a location of significant importance.

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information

Name of Action or Project:
Grape and Orange mini market

Project Location (describe, and attach a location map):
111 Orange st.

Brief Description of Proposed Action:
Convience store, corner store that will sell food and beverages, and clothes.

Name of Applicant or Sponsor:	Telephone: 585-752-4708
Sharif Mhiji	E-Mail: sharifmhiji1234@gmail.com

Address:
73 Emerson st.

City/PO:	State:	Zip Code:
Rochester	New York	14613

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☒	☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:	☒	☐

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

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

RESET

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☒

	NO	YES
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	☒	☐

	NO	YES
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☒	☐
b. Are public transportation service(s) available at or near the site of the proposed action?	☐	☒
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☐	☒

	NO	YES
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	☐	✓

	NO	YES
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	☐	☒

	NO	YES
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	☐	☒

	NO	YES
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	☒	☐
b. Is the proposed action located in an archeological sensitive area?	☒	☐

	NO	YES
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☒	☐
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	☒	☐

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional

☐ Wetland ☒ Urban ☐ Suburban

	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	✓	☐

	NO	YES
16. Is the project site located in the 100 year flood plain?	✓	☐

	NO	YES
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☒ NO ☐ YES	☒	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☒ NO ☐ YES		

RESET

	NO	YES
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size:	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	☑	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	☒	☐

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

Applicant/sponsor name: SHARIF MHIJI Date: 5/10/16

Signature: SHARIF MHIJI

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

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

RESET

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☐	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☒	☐

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

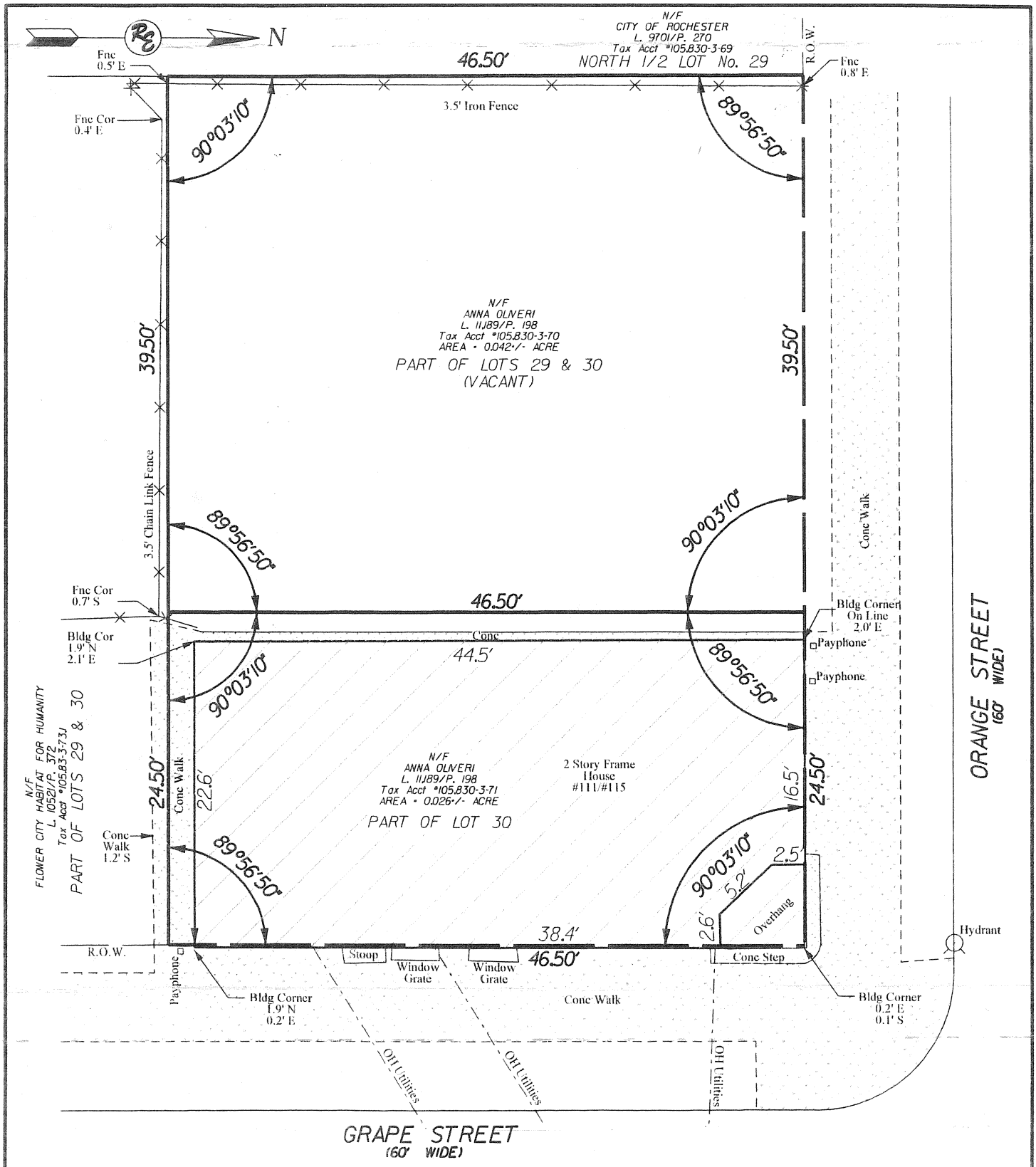
☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

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

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

PRINT

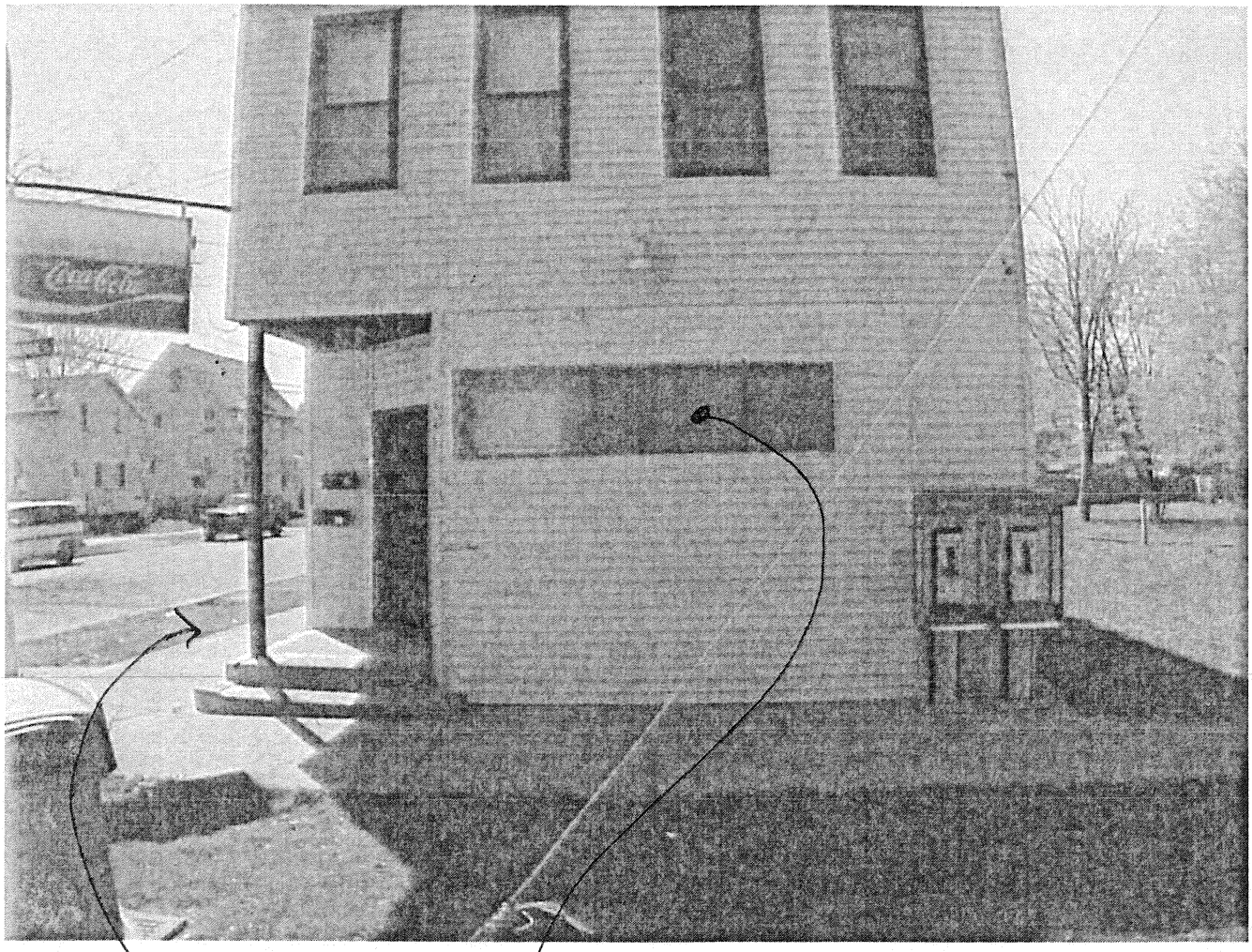
RESET



REFERENCES:

1. Abstract by Metro Real Estate Services of Western New York, LLC being search no. MRE-A-12922, Order No. E5309 and dated

We, Ravi Engineering and Land Surveying, hereby certify that this map was completed on August 13, 2015 from an instrument survey completed on July 30, 2015. It is further



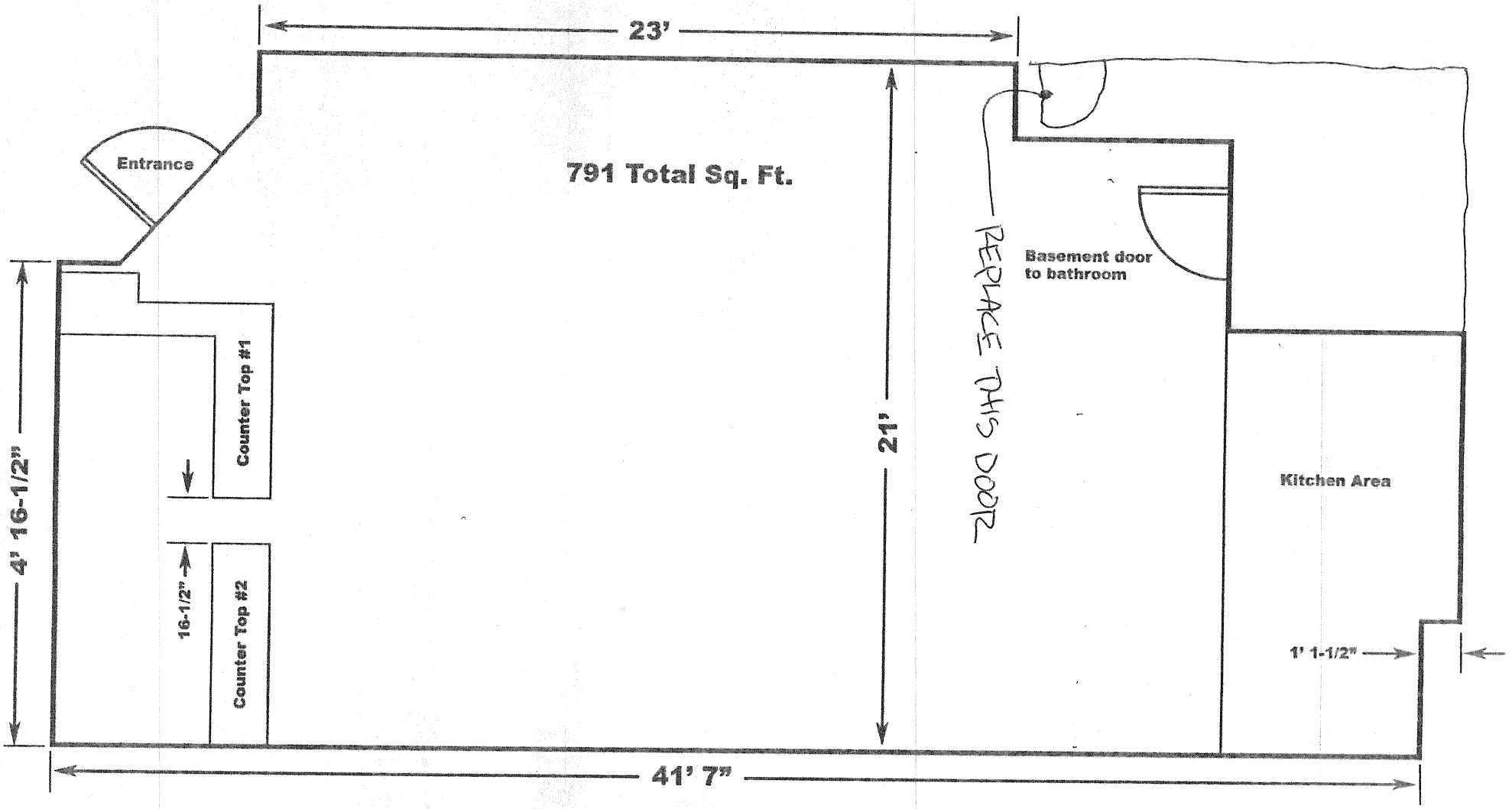
REPLACE THIS WINDOW & SIMILAR WINDOW ON GRAPE ST SIDE. NEW WINDOWS MUST BE NO SMALLER THAN EXISTING

REPLACE BASEMENT WINDOWS ON GRAPE ST SIDE

Certificate of Zoning Compliance # 1151955
replace basement & first floor windows, handrail to roof, door on grape st. windows must be same or greater size [illegible]
Issued and Filed in the Division of Zoning

CITY OF ROCHESTER
Neighborhood & Business Dev.
Permit Number: 1154986 Issued By: JTR
Date: 10/15/15 for the Commissioner/NBD
A permit issued does not relieve the owner, contractor, architect, engineer or owner's agent from complying with any of the provisions of Chapter 39 of the Code of the City of Rochester and the New York State Uniform Fire Prevention and Building Code whether stated, implied or omitted in these construction documents

1st Floor Plan



111 Orange St. Rochester, NY

Grape

Wiedrick, Jill

From: Alexandria Curry <arcurry85@yahoo.com>
Sent: Tuesday, May 31, 2016 3:12 PM
To: Wiedrick, Jill
Subject: Case 7 File Number E-062-15-16 Special permit

Good afternoon,

I am writing to express my concerns and objection to the opening of the proposed mini mart for the above mentioned case. I am the homeowner of 43 Grape Street and have lived here for 8 years. My home is directly next to this building. My husband and I object to the opening of this store for the following reasons:

1. There are 3 other corner stores in close proximity of this location.
   The One Stop Market on Grape St and Jay St.
   Fine City Mini Market at the corner of Broad St. and Jay St
   Chester's Liquor Store and Check Cashing plaza almost directly across from the above store. All three of these stores sell similar items.

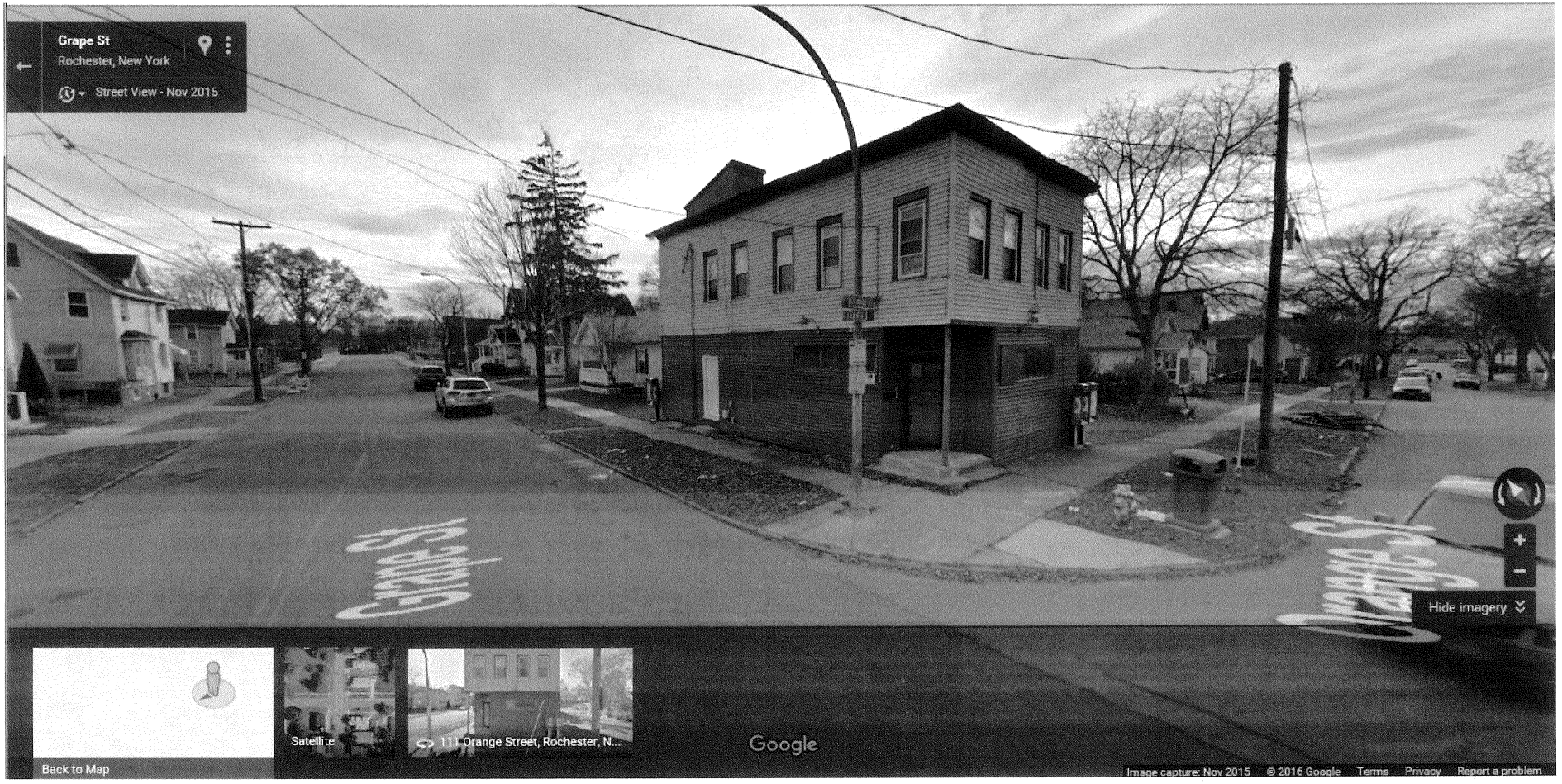
2. The tenants currently living in the building do not maintain the property. There is trash in my yard daily. I can only imagine what my yard will look like when there are people in and out buying things and littering.

3. Because Grape Street is right off of 490, there is already a lot of traffic up and down the street. Most times at a speed above the limit. Adding a corner store is only going to increase the traffic both by cars and people on foot. If history is any indication, opening this store could invite loitering, violence, drug and gang activity, loud music and other nonsense. The traffic coming off of 490 already fly down the street as there are no 4 way stops or speed bumps in the area.

My home was built by Habitat for Humanity and there are several other homeowners in the area. My understanding is that these houses are being built to revilatize the area along with other projects going on in the area. Opening another corner store, to me, is counter productive. And if and when I or other homeowners decide to sell our property, we are going to have an even tougher time with a corner store directly next door.

Thank you for your time in this matter.

Alexandria Curry


Grape St
Rochester, New York
Street View - Nov 2015
Hide imagery
Back to Map
Satellite
111 Orange Street, Rochester, N...
Google
Image capture: Nov 2015
© 2016 Google
Terms
Privacy
Report a problem

Parker Pl
Grape St
Orange St
Orange St
Grape St
Grape St
76
72
21
17
11-15
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68
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80
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58
60
57
59
120
132
140
20 ft
10 m
© 2016 Pictometry
Workspaces

City of Rochester, NY
Property Information

111 orange street

Search By: Address Owner SBL

SBL	Address
105.83-3-71	111 Orange St

111 ORANGE ST

June 1, 2016

This map is intended for general reference only.

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

City of Rochester, NY

City of Rochester, NY
Lovely A. Warren, Mayor

CITY PLANNING COMMISSION
STAFF REPORT
June 13, 2016

Special Permit

Case #8: Staff Reviewer: Jill Wiedrick

File Number: E-063-15-16

Case Type: Special Permit

Applicant: Brian Van Etten, The Playhouse // Swillburger

Property Address: 830 South Clinton Avenue

Zoning District: C-2 Community Center District

Section of Code: 120-177K

Request: **To establish an Alternative Sign Program for 'The Playhouse // Swillburger,' a restaurant and amusement center; an action requiring City Planning Commission approval.**

Analysis:
This request involves approving an Alternative Sign Program for 'The Playhouse // Swillburger,' a restaurant and amusement center at the corner of South Clinton Avenue and Meigs Street. This building is currently legal as restaurant and amusement center.

The applicant is seeking to legalize the signage facing Meigs Street (see attachment).

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

The C-2 Zoning District allows for one attached sign identifying uses or services on the premises that includes .5 square feet in area for every foot of building frontage per street frontage; no more than one 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.

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

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

PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. PROJECT ADDRESS(ES): 820 CLINTON AVE SOUTH

2. APPLICANT: BRIAN VAN ETTEN COMPANY NAME: THE PLAYHOUSE

ADDRESS: 264 HUMBOLDT CITY: ROCHESTER ZIP CODE: 14610

PHONE: 857 719 1934 FAX: _____

E-MAIL ADDRESS BRIANVANETTEN@GMAIL.COM

INTEREST IN PROPERTY: Owner _____ Lessee ✓ Other _____

3. PLAN PREPARER: _____

ADDRESS: _____ CITY: _____ ZIP CODE: _____

PHONE: _____ FAX: _____

4. ATTORNEY: _____

ADDRESS: _____ CITY: _____ ZIP CODE: _____

PHONE: _____ FAX: _____

E-MAIL ADDRESS _____

5. ZONING DISTRICT: _____

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

to establish an alternative sign program for the Playhouse // Swillburger, a restaurant and amusement center

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: 5/10/16

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

SPECIAL PERMIT STANDARDS

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

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

YES, IT IS IN COMPLIANCE WITH THE COMPREHENSIVE PLAN, AS THE ZONING CODE ALLOWS FOR THE APPROVAL OF AN ALTERNATIVE SIGN.

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

OUR SIGN WILL NOT HAVE AN ADVERSE EFFECT, AND OUR HOPE IS THAT IT WILL CONTRIBUTE POSITIVELY TO THE NEIGHBORHOOD.

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

OUR SIGN ADDS TO THE NEIGHBORHOOD, REPRESENTING THE NEIGHBORHOOD NAME AND GENERATES NEIGHBORHOOD PRIDE.

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

THE SIGN DOESN'T REQUIRE ANY OF THOSE SERVICES, AND WILL NOT REQUIRE ANY IN THE FUTURE.

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

WE FEEL THAT OUR SIGN ONLY ADDS TO THE CULTURAL AND HISTORIC IMPORTANCE TO THE AREA.

The Playhouse // Swillburger
820 Clinton Avenue South
Rochester NY 14620

Dear Planning & Zoning Committee,

In developing The Playhouse business plan, we were searching to produce a product, both on the interior as well as the exterior, that would bring a breath of fresh air and nostalgia to Rochester, and specifically, the Swillburg neighborhood. In reviewing the options for signage, we were eager to show our love for the classic American roadside burger with a throwback logo, painted on the building, as a nod to the way that the hamburger and signs were made in the 1940's and 50's. A simple cursive font, with two complimenting colors, bold enough to be seen, yet subtle enough to potentially be interpreted as a logo of a business that was 50 years old. Creatively incorporating the name of our neighborhood into our design is something that we are very proud of, as we operate in a neighborhood that we both have lived in for a time, and for Jeff, the one in which he grew up in. Swillburg is on the upswing, and we are excited to be part of that momentum.

Not fully grasping the fact that we were doing something that wasn't permitted, we designed our logo, and hand painted it on the exterior of our business. We sincerely apologize for not obtaining the proper permissions. Owning and operating a restaurant comes with a vast array of problems and pitfalls, and we were unaware of that we were potentially breaking certain rules and restrictions.

That said, we would appreciate your consideration for letting us keep our current signage. We believe that it was constructed well, and generates a feeling of pride amongst the Swillburg neighborhood. Every day, groups of people have their photo taken in front of our sign, and due to the way the sign was designed, many people believe that it is a mural supporting the neighborhood, and that alone.

Thank you for your consideration.

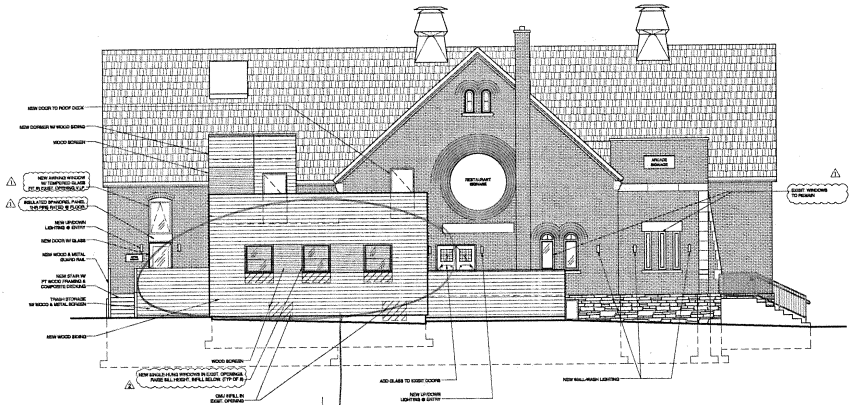
Sincerely,

Brian Van Etten

Jeffrey Ching

GENERAL NOTES:

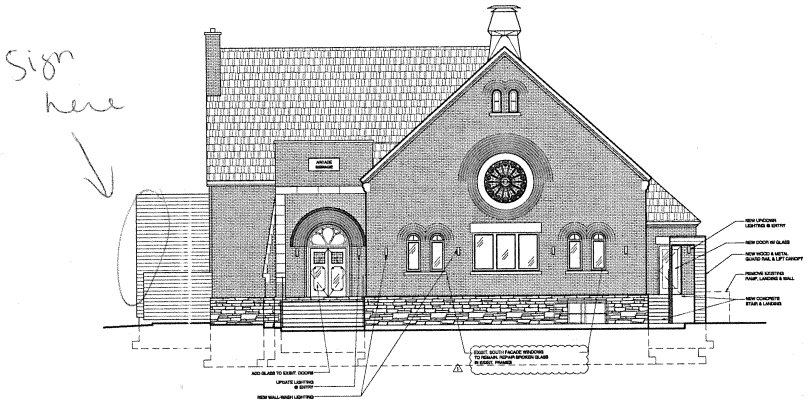
1. REMOVE ALL PAINT FROM BRICK AND STONE.
2. RE-POINT BRICK AND STONE MORTAR JOINTS, WHERE NEEDED, PER U.S. DEPT. OF THE INTERIOR DOCUMENT: 'REPOINTING MORTAR JOINTS IN HISTORIC MASONRY BUILDINGS.'
3. REPLACE BOARDED, BROKEN & INFILLED WINDOW OPENINGS W/ NEW WINDOWS. NEW WINDOWS SHALL BE ALUMINUM-CLAD WOOD WINDOWS TO MATCH THE SIZE OF EXISTING OPENINGS. V.I.F.
4. NEW DOORS SHALL BE FIRE-RATED, W/ WINDOWS & EMBOSSED PANELS.



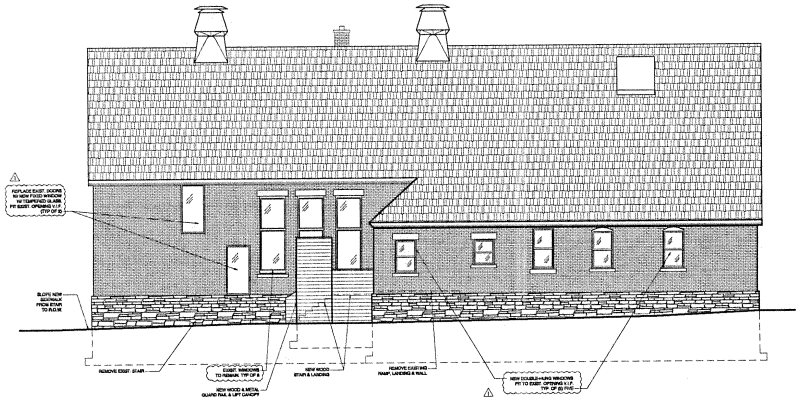
4 A200 **WEST ELEVATION**
SCALE: 1/8" = 1'-0"

Sign here

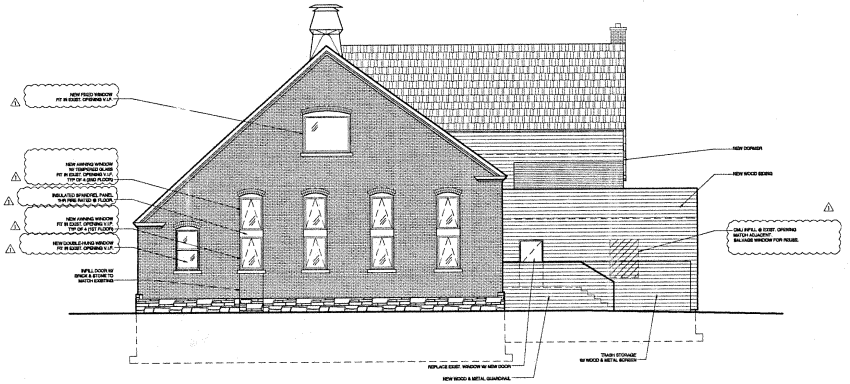
Sign here



3 A200 **SOUTH ELEVATION**
SCALE: 1/8" = 1'-0"



2 A200 **EAST ELEVATION**
SCALE: 1/8" = 1'-0"



1 A200 **NORTH ELEVATION**
SCALE: 1/8" = 1'-0"

ARCHITECT OF RECORD

CHRISTIAN DUERR ARCHITECT

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

DESIGN CONSULTANT

Staach
250 Cumberland St. Rochester, NY 14605
585.301.0800 www.staach.com

CLIENT

COMMUNITY PLAYHOUSE, LLC.
830 SOUTH CLINTON AVENUE
ROCHESTER, NY 14620

PROJECT

ARCADE, RESTAURANT & OFFICE

830 SOUTH CLINTON AVENUE
ROCHESTER, NY 14620

DRAWING TITLE

ELEVATIONS

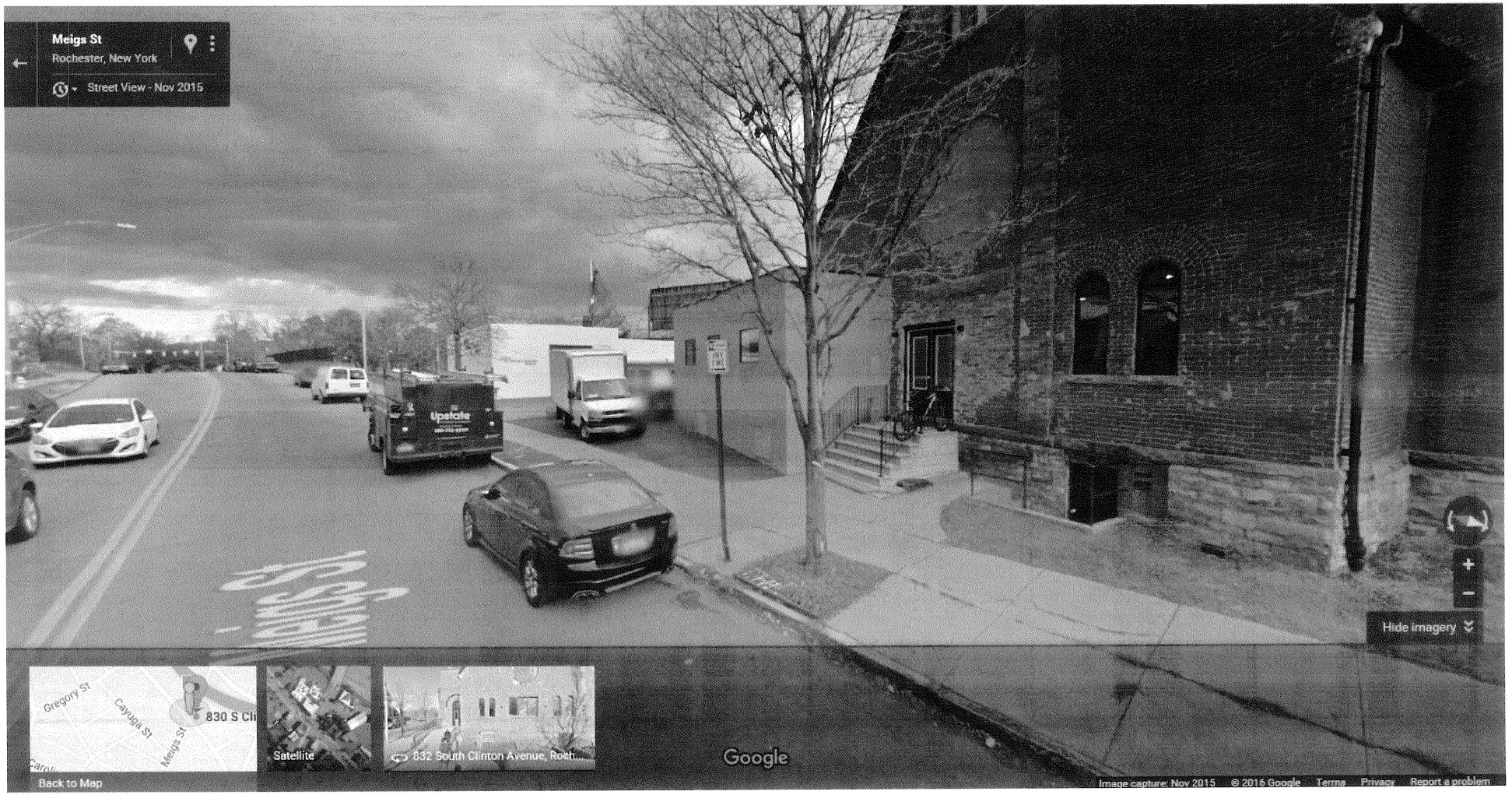
PROJECT No.	1303
SCALE	1/8" = 1'-0"
DRAWN BY	BC
CHECKED BY	CD
ISSUE DATE	6.4.2014
REVISIONS	
1	8.24.2014
2	9.09.2014
3	9.18.2014

THIS IS A SINGLE SHEET OF A COHESIVE SET OF CONSTRUCTION DOCUMENTS (INCLUDING DRAWINGS & SPECIFICATIONS). INTERPRETATION OF THE INFORMATION AS PRESENTED SHOULD BE BASED ON THE ENTIRE SET OF DOCUMENTS.

A200

CONSTRUCTION DOCUMENTS

ANY
TIME


Meigs St
Rochester, New York
Street View - Nov 2015
Upstate
Hide imagery
Gregory St
Cayuga St
Meigs St
830 S Cli
Satellite
832 South Clinton Avenue, Roch...
Google
Back to Map
Image capture: Nov 2015
© 2016 Google
Terms
Privacy
Report a problem

Workspaces
2
880
866-868
854
858-862
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681-683
20 ft
10 m
© 2016 Pictometry

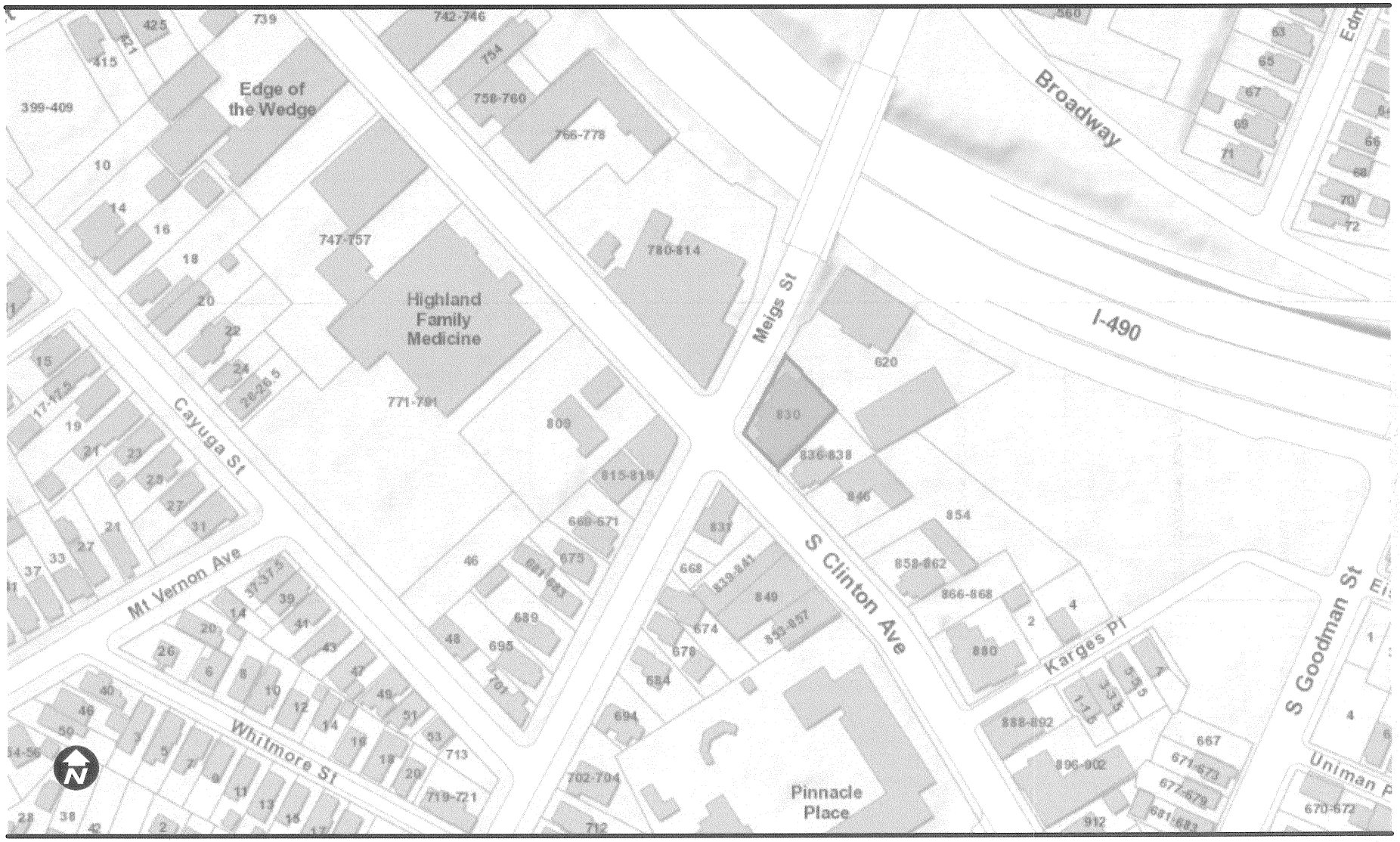
City of Rochester, NY
Property Information

830 south clinton

Search By: Address Owner SBL

SBL	Address
121.65-2-21	830 South Clinton Ave

830 S CLINTON AV



June 2, 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