



**CITY PLANNING COMMISSION
STAFF REPORT
July 11, 2016**

Text Amendment

Case # 1:

Staff Reviewer: Jill Wiedrick

File Number: T-02-15-16

Case Type: Text Amendment

Applicant: City Planning Commission

Zoning District: Citywide

Section of Code: 120-177M; 120-202; 120-208

Request: To amend the Zoning Code of the City of Rochester related to digital advertising signs (billboards) by making modifications to sections of the following regulations: Article XX, Requirements Applying to All Districts, Section 120-177M, Advertising signs; Article XXIV, Nonconforming Uses, Structures, Lots and Signs, Section 120-202, Nonconforming signs; Article XXVI, Definitions, Section 120-208, Definitions; an action requiring City Planning Commission recommendation to City Council.

Analysis:

The proposed draft text amendment adds regulations for digital advertising signs as a specially permitted use in M-1 Industrial Districts, C-3 Regional Destination Center Districts, and portions of CCD Center City District.

Environmental Review: This is a Type I action and has been referred to the Rochester Environmental Commission for their review.

Text Amendment Draft

§120-177. Signs

A. Purpose.

The purpose of this section is to provide standards for the regulation of the height, size, location and appearance of signs, and with respect to non-digital and digital advertising signs (DAS), to address the potential benefits and impacts of these signs, specifically as it relates to community character, driver distraction and impacts on the City's vehicle, bicycle and pedestrian transportation network, and to:

- (1) Protect and enhance property values and neighborhood character;
- (2) Protect public and private investment in buildings and open spaces;
- (3) Encourage sound signing practices to aid businesses and provide information to the public;
- (4) Prevent excessive and confusing sign displays;
- (5) Reduce hazards to motorists, bicyclists and pedestrians;
- (6) Protect the public health, safety and general welfare;
- (7) Encourage and protect pedestrian scaled commercial areas and walkable urban neighborhoods;
- (8) Ensure that the safety and efficiency of the City's transportation network is not affected by the placement of advertising signs adjacent to public rights of way;
- (9) Mitigate the potential impacts associated with lighting, size, height and location of advertising signs as they may potentially impact adjacent and nearby properties;
- (10) Recognize the potential impacts of advertising signs by encouraging the removal of nonconforming off-premises advertising signs from areas of the City designated or zoned as pedestrian scaled commercial areas, residential neighborhoods, or focused urban planning areas, and to restrict the aggregate square footage of all advertising signs.

M. Advertising Signs

(1) Purpose.

The size, number, location and illumination of advertising signs can have a significant impact on the City's visual environment, and pedestrian friendly commercial districts and neighborhoods. Without adequate control, advertising signs can create or contribute to blighted conditions, and reinforce auto-oriented development over walkable urban development. The purpose of this section is to provide reasonable advertising sign control to protect and enhance community appearance; focus new advertising signage to appropriate areas of the City; strengthen walkable commercial districts and neighborhoods; and ensure advertising signs do not negatively impact the safety of drivers, bicyclists, and pedestrians. Additionally, it is the purpose of this Chapter to eventually eliminate nonconforming advertising signs from the City, especially in Residential (R-1, R-2, R-3), Neighborhood Center (C-1), Community Center (C-2), Village Center (V-C) districts, and other sensitive areas, through incentives to remove non-conforming advertising signs in exchange for the development of new conforming advertising signs.

(2) General requirements and restrictions.

(a) Location and design requirements.

(1) Non-digital advertising signs.

(a) Non-digital advertising signs shall be permitted in the M-1 and C-3 Districts subject to the exchange provisions of 120-177.M.(3) and the additional requirements of this chapter. Where any applicable requirements of this chapter are not met, an area variance will be required.

(b) No more than two sign faces, which must be back to back, may be erected at any site. Each "flip" or message change shall not be considered as a sign face.

(c) Distance separation measurements are to be taken from the center point of the sign in its proposed location.

(d) Non-digital advertising signs shall not be placed in such a manner as to obstruct, obscure or otherwise interfere with the effectiveness of an official traffic sign, signal, or device, or with the driver's view of approaching, merging or intersecting traffic, or interfere with the driver's operation of a motor vehicle.

(e) Non-digital advertising signs shall not be located on building rooftops.

(f) Non-digital advertising signs shall not be placed on the face of a building in such a manner as to obstruct windows or architectural details.

(2) Digital advertising signs (DAS).

(a) DAS shall be allowed in the M-1, and C-3 Districts subject to the exchange provisions of 120-177.M.(3) and the additional requirements of this chapter.

(b) DAS shall be specially permitted in the CCD-DAS District subject to the exchange provisions of 120-177.M.(3) and the additional requirements of this chapter. Where the requirements of this chapter are not met, the City Planning Commission may waive such requirements as part of the Special Permit process.

(c) No more than two sign faces, which must be back to back, may be erected at any site. Each "flip" or message change shall not be considered as a sign face.

(d) Distance separation measurements are to be taken from the center point of the sign in its proposed location.

(e) DAS shall not be placed in such a manner as to obstruct, obscure or otherwise interfere with the effectiveness of an official traffic sign, signal, or device, or with the driver's view of approaching, merging or intersecting traffic, or interfere with the driver's operation of a motor vehicle.

(f) Digital advertising signs shall not be located on building rooftops.

(g) Digital advertising signs shall not be placed on the face of a building in such a manner as to obstruct windows or architectural details.

(b) Prohibited signs.

(1) Non-digital advertising signs.

(a) Signs shall not resemble a warning or danger sign or contain any language or graphics or other information that would cause a driver to mistake the sign for such a traffic sign.

(b) Mobile advertising signs shall be prohibited.

(2) Digital advertising signs.

(a) DAS shall not resemble a warning or danger sign or signal or contain any language or graphics or other information that would cause a driver to mistake the sign for such a traffic sign or signal.

(b) Mobile advertising signs shall be prohibited.

(c) Interactive DAS, that permit, support, or encourage personalized communications with the driver in real-time, and DAS signs or devices that emit audible, sound, odor, or visible matter, other than light, shall be prohibited.

(d) Existing non-digital advertising signs shall not be converted to digital advertising signs unless the exchange provisions of 120-177.M.(3) and the additional requirements of this chapter are met.

(c) Distance Separation.

(1) Non-digital advertising signs shall not be located:

(a) Within 400 feet of any other advertising sign structure;

(b) Within 400 feet of any lot line of any residential district;

(c) Within 400 feet of any City preservation district boundary line or any lot line of a City designated landmark property;

(d) At any location within 750 feet of the edge of the Genesee River;

(e) Within 20 feet of any street frontage, unless located on the face of a building.

(2) Digital advertising signs.

(a) DAS in the M-1 and C-3 Districts shall not be located:

(1) Within 2500 feet of any other DAS that is visible at the same time on either side of the road;

(2) Within 400 feet of any non-digital advertising sign structure;

(3) Within 400 feet of any lot line of any residential district;

(4) Within 400 feet of any City preservation district boundary line or any lot line of a City designated landmark property;

(5) At any location within 750 feet of the edge of the Genesee River;

(6) Within 20 feet of any street frontage, unless located on the face of a building.

(b) DAS in the CCD-DAS District shall not be located:

(1) Within 400 feet of a digital or non-digital advertising sign structure;

(2) Within 400 feet of any lot line of any residential district;

(3) Within 400 feet of any City preservation district boundary line or any lot line of a City designated landmark property.

(c) Size.

(1) Non-digital advertising signs.

(a) Sign faces in M-1 or C-3 Districts may have up to 672 square feet of surface area when located within 660 feet of a Federal Interstate Highway or Primary Highway System highway and oriented to be viewed primarily by persons traveling on the highway.

(b) Sign faces in M-1 or C-3 Districts located beyond 660 feet from a Federal Interstate Highway or Primary Highway System highway shall not exceed 382 square feet.

(2) Digital advertising signs.

(a) Sign faces in CCD-DAS District, M-1 or C-3 Districts may have up to 672 square feet of surface area when located within 660 feet of a Federal Interstate Highway or Primary Highway System highway and oriented to be viewed primarily by persons traveling on the highway.

(b) Sign faces in CCD-DAS District, M-1 or C-3 Districts located beyond 660 feet from a Federal Interstate Highway or Primary Highway System highway shall not exceed 382 square feet.

(e) Height. Requirements for non-digital and digital advertising signs.

(1) The maximum allowable height above grade shall be 45 feet.

(2) If adjacent (i.e. within 50 feet) to an elevated roadway additional height may be permitted to achieve sign face clearance above the grade of the elevated roadway, not to exceed 45 feet above that roadway grade.

(3) If adjacent (i.e. within 50 feet) to roadway sound barrier walls additional height may be permitted to achieve sign face clearance above the roadway sound barrier, not to exceed 45 feet above such barrier. This shall apply to signs installed either before or after the construction of the sound barrier.

(f) Messaging display for digital advertising signs.

(1) Luminance.

(a) Maximum DAS brightness shall not exceed 5,000 cd/m² in day light and 200 cd/m² at night.

(b) DAS must be equipped with both a dimmer control and a photocell that will automatically adjust the display intensity according to natural ambient light conditions and not exceed the maximum brightness as per (a) above.

(2) Dwell time.

(a) M-1 and C-3.

(1) The message/image change interval shall be a minimum of ten (10) seconds.

(2) The displayed image shall remain static during the ten (10) second interval.

(b) CCD-DAS District.

(1) The message/image change interval shall be a minimum of thirty (30) seconds.

(3) Message transition time shall be instantaneous, seamless, and imperceptible from one image to the next.

(4) Except in the CCD-DAS District, where specially permitted and subject to the additional requirements of this chapter, there shall be no visual "special effects" of any kind during a message or during the transition between successive messages. The screen shall transition from one message to the next with no perceptible dimming or blanking of the

display, and with no visible effects such as fade, dissolve, animation, flashing or moving lights.

(5) Except in the CCD-DAS District, where specially permitted and subject to the additional requirements of this chapter, sequencing of messages is prohibited such as using two or more successive screens to convey a message on a single sign that will not fit on one screen; or sequencing messages on multiple signs.

(6) DAS shall contain a default mechanism that will freeze the sign in one position if a malfunction occurs. In the event of any failure or combination of failures that affect DAS luminance, the display shall default to an output level no higher than that permitted under normal operation. If this cannot be achieved, then the display shall default to an "off" position until the problem can be resolved.

(7) DAS shall include anti-hacking technology sufficient to prevent the sign message, luminance, dwell time or any other operation of the sign to be changed in violation of any approvals of the sign or the requirements of this Chapter.

(8) Public services.

(a) The City may cause emergency information to be displayed, on off-premise DAS according to the established protocols agreed to by the City and the outdoor advertising sign owner.

(b) Amber and silver alerts, public service messages, public safety messages, public event advertising shall be allowed according to protocols developed and agreed to by the City and the sign owner.

(c) Emergency preemption-access to DAS shall be permitted for public emergency messages according to protocols developed and agreed to by the City and the sign owner.

(3) Exchange Provisions.

(a) Purpose. The following exchange provisions are intended to reduce the amount of non-conforming advertising sign square footage in targeted locations in exchange for new conforming advertising signage.

(b) Non-digital advertising sign exchange.

(1) For every square foot of non-digital advertising signage approved, a minimum of two (2) square feet of advertising signage surface area shall be removed from the existing inventory of nonconforming signs, as set

forth in subsection (2) below.

(2) Targeted removal. The City will develop a priority list for sign removal for the purpose of identifying nonconforming signs to be removed in exchange for a new advertising signs.

(3) Removal of nonconforming signs. All nonconforming signs being exchanged for new non-digital signs shall be removed prior to issuing a building permit for the new sign. Removal shall include the entire advertising sign structure including the sign face, and support structure. It shall be the responsibility of the applicant to demonstrate, to the satisfaction of the Director, the advertising sign has been removed, and the site adequately restored.

(4) Removal credits. When a nonconforming advertising sign is removed, the owner of the sign will accrue square footage credits towards the erection of digital or non-digital advertising signage, whether or not it is erected on the removal premises. Such credits shall expire if they are not exchanged for new advertising signage within 12 months of removal, unless a written request for extension of the expiration deadline is approved by the Director based on good cause.

(5) The provisions of this section shall not apply to applicants that do not own or control non-digital advertising signs in the City of Rochester.

(c) Digital advertising sign exchange.

(1) For every square foot of DAS sign face surface area approved, a minimum of four (4) square feet of non-digital advertising signage surface area shall be removed from the existing inventory of nonconforming signs, as set forth in subsection (2) below.

(2) Targeted removal. The City will develop a priority list for sign removal for the purpose of identifying nonconforming signs to be removed in exchange for a new advertising signs.

(3) Removal of nonconforming signs. All nonconforming signs being exchanged for new non-digital signs shall be removed prior to issuing a building permit for the new sign. Removal shall include the entire advertising sign structure including the sign face, and support structure. It shall be the responsibility of the applicant to demonstrate, to the satisfaction of the Director, the advertising sign has been removed, and the site adequately restored.

(4) Removal credits. When a nonconforming advertising sign is removed, the owner of the sign will accrue square footage credits towards the erection of DAS, whether or not it is erected on the removal premises.

Such credits shall expire if they are not exchanged for new advertising signage within 12 months of removal, unless a written request for extension of the expiration deadline is approved by the Director based on good cause.

(5) The provisions of this section shall not apply to applicants that do not own or control non-digital advertising signs in the City of Rochester.

§120-202. Nonconforming Signs

A. Continuance. Subject to the limitations and termination provisions hereinafter set forth, any lawfully existing nonconforming sign may be continued so long as it otherwise remains lawful after the effective date of this chapter.

B. Alteration, expansion or moving. No nonconforming sign shall be:

(1) Changed or altered in any manner which would increase the degree of its nonconformity;

(2) Expanded;

(3) Changed or altered to prolong its useful life except for legally existing nonconforming advertising signs where safety concerns require such changes or alterations and where any changes or alterations are limited solely to addressing the safety concern.

(4) Moved in whole or in part to any other location where it would remain nonconforming.

C. Termination of nonconforming signs.

(1) Termination by abandonment. Any nonconforming sign, the use of which is discontinued for a period of 90 days, regardless of any intent to resume or not to abandon such use, shall be deemed to be abandoned and shall not thereafter be reestablished. Any period of such discontinuance caused by government actions, strikes, material shortages or forces of nature, and without any contributing fault by the nonconforming user, shall not be considered in calculating the length of discontinuance for purposes of this subsection.

(2) Termination by damage or destruction. Any nonconforming sign damaged or destroyed, by any means, to the extent of 35% of its replacement cost new shall not be restored but shall be terminated.

(3) Termination by change of business. Any nonconforming sign advertising or relating to a business on the premises on which it is located shall be terminated upon any change of such business necessitating any change in the sign.

§120-202. Definitions

Ambient light

The general overall level of lighting in an area.

Back to Back

Sign faces that are on a single support structure and which are oriented so as not to exceed a 60 degree angle.

Brightness

The Strength of the sensation that results from viewing surfaces from which the light comes to the eye.

CCD-DAS District

Center City District – Digital Advertising District. The specific portion of the Center City District (CCD) where digital advertising signs are allowed by special permit. The CCD-DAS District includes the area bound by I-490, Inner Loop, and Union Street, and also includes government owned buildings within the entire Center City Zoning District.

Dissolve

A mode of message transition accomplished by varying the light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the subsequent message.

Digital Advertising Sign (DAS)

An advertising sign with the capability of displaying words, symbols, figures or images controlled by electronic communications, also referred to as electronic billboards; digital billboards; electronic variable message advertising signs:

Dwell Time

The minimum length of time one advertisement must be displayed on a digital advertising sign.

Fade

A mode of message transition accomplished by varying the light intensity or pattern, where the first message gradually reduces the intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

Federal Interstate Highway System

The portion of the national system of interstate and defense highways located within this state, as officially designated, or as may hereafter be so designated, by the Commissioner of Transportation, and approved by the Secretary of Commerce or the Secretary of Transportation of the United States pursuant to the provisions of title twenty-three of the United States code, as amended. Within the City of Rochester this includes I-390, I-490, and I-590.

Flashing

Any pattern of changing light illumination where the sign illumination alternates suddenly between fully illuminated and fully non-illuminated,

Luminance

A measure of the perceived brightness of a surface.

Malfunction

Any interruption in the normal display on the Electronic Message Device that results in flashing, intermittent or moving light display of lighting, and any other abnormal function of the sign that would cause distraction to motorists.

Mobile Advertising Signs

A vehicle, trailer, or other moveable structure with the primary purpose of conveying advertising message.

Primary Highway System

The selected New York State, county and local roads that the NYS Commissioner of Transportation has certified to the U.S. Secretary of Transportation as major travel routes within the State. These roads by virtue of this certification, are eligible for increased funding from the federal government, and fall under the Sign Control Program. Within the City of Rochester this includes I-390, I-490, I-590, Inner Loop, Mt. Read Boulevard between I-490 and West Ridge Road, Route 104, Lake Ontario State Parkway, Lake Avenue from Lake Ontario State Parkway to State Street, State Street from Lake Avenue to Main Street, Exchange Boulevard from Main Street to Ford Street, Ford Street from South Plymouth Avenue to Mt. Hope Avenue, South Plymouth Avenue from Ford Street to Genesee Street, Genesee Street From South Plymouth Avenue to Elmwood Avenue, Scottsville Road from Elmwood Avenue to the City line, Mt. Hope Avenue from Ford Street south to the City line, East Henrietta Road, and Monroe Avenue from I-490 south east to the City line, subject to change based on NYS DOT standards.

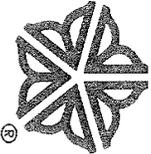
Sign Face

The area of the sign which displays the message; not including sign framing or parts of the sign support structure.

Visible

Capable of being seen (whether or not legible) without visual aid by a person of normal visual acuity.

If should be noted that both Federal and State regulations, determinations and criteria may change as more information and studies are provided for DAS. It is assumed that this proposed regulation will also change at that time, whether more relaxed or more restrictive Federal and State controls are adopted.



**CITY PLANNING COMMISSION
STAFF REPORT
July 11, 2016**

Text Amendment

Case # 2:

Staff Reviewer: Jill Wiedrick

File Number:

T-01-16-17

Case Type:

Text Amendment

Applicant:

City Planning Commission

Zoning District:

Citywide

Section of Code:

Listed Below

Request:

To amend the Zoning Code of the City of Rochester related to retail uses, including the elimination of the high-impact retail sales and service use category in order to comply with preempting State laws and the elimination of the full-line food store and specialty store use categories, by deleting or modifying the following regulations: Article XVIII, Additional Requirements for Specified Uses, Section 120-146.1, Retail sales and service and pawnbrokers; Article XXIV, Nonconforming Uses, Structures, Lots and Signs, Section 120-199, Nonconforming use; Article XIX, City-Wide Design Guidelines and Standards, Section 120-158 City-wide design guidelines; District-specific permitted, special permit, limited and prohibited use rules contained in Articles III (R-1), IV (R-2), V (R-3), VI (C-1), VII (C-2), VIII (C-3), IX (CCD), X (V-C), XI (M-1), XVI (U-R), and the Appendices for Planned Development District Nos. 9 Canalside Business Center, 15 Culver Road Armory, and 16 Century-Strathallan; and Article XXVI, Definitions, Section 120-208, Definitions; an action requiring City Planning Commission recommendation to City Council.

Analysis:

The proposed draft text amendments respond to court rulings and legal opinions regarding the regulation of High Impact Uses.

The following information is attached:

- Letter from Commissioner Muhammad to Neighborhood and Business Leaders regarding Retail Sales and Service Zoning Text Amendments.
- Draft Text Amendment

Environmental Review: This is a Type 1 action and has been referred to the Rochester Environmental Commission for their review.



City of Rochester

Neighborhood and Business Development
City Hall Room 223B, 30 Church Street
Rochester, New York 14614
www.cityofrochester.gov

Baye Muhammad
Commissioner

June 28, 2016

RE: RETAIL SALES AND SERVICE ZONING TEXT AMENDMENTS

Dear Neighborhood and Business Leaders:

In 2012, the Zoning Code was amended to create several new retail sales and service categories, including High Impact Retail Sales and Service. Currently, High Impact uses are subject to restrictions that do not apply to other retail uses, including being prohibited in some zoning districts, requiring special permit review in other districts, and, in all instances, requiring a minimum 500-foot separation requirement from other High Impact uses as well as from pawnbrokers, schools, libraries and other public and community facilities. The following products and activities put a store into the High Impact category: tobacco and tobacco and vaping paraphernalia, lottery sales, secondhand dealers (other than auto sales), and firearms dealers. The High Impact trigger of alcoholic beverage sales was deleted from the Zoning Code last year due to court rulings holding that State Liquor Authority licensing rules preempt the ability of localities to place additional restrictions on stores due only to alcohol sales.

Recently, the NYS Gaming Commission provided us with a legal opinion stating that the City of Rochester can no longer limit the sale of lottery items through zoning restrictions. The elimination of this second category of High Impact use leaves a much smaller subset of High Impact retail uses, which is unsuited to achieving the broad purpose that was intended when High Impact retail was originally enacted in 2012. As a result, we have little choice but to propose the following changes to our Zoning Code:

- Eliminate the individual retail sales and service categories {High Impact, Low Impact, Full-Line Food Store, Specialty}.
- Eliminate the corresponding distance separation and transparency requirements (Section 120-146.1) for these uses. However, the prohibition relating to blocking storefront windows with shelving and the like will be added to the design guidelines in Section 120-159.
- Restore the general retail sales and service category.
- Allow office uses in commercially designed buildings in residential districts.
- Prohibit retail sales and service uses in residential districts. However, legally established retail sales and service uses in residential districts will be able to continue operating as long as they do not go vacant for more than nine months. After that, a new retail sales and service use of equal or lesser intensity may be re-established in that location with a Certificate of Nonconformity from the Director of Planning and Zoning and a Special Permit from the Planning Commission.



Ordinance No.

Amending the Zoning Code, Chapter 120 of the Municipal Code, with regard to retail sales and service

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Chapter 120 of the Municipal Code, Zoning, as amended, is hereby further amended by deleting Section 120-146.1, Retail sales and service and pawnbrokers, in its entirety.

Section 2. Chapter 120 of the Municipal Code, Zoning, as amended, is hereby further amended in Section 120-208 thereof to add or delete certain definitions as follows:

RETAIL SALES AND SERVICE

The sale, provision of service or on-premises incidental production or assembly of general merchandise to the general public for direct use or consumption. This shall include carry-out restaurants and the like with six or fewer seats.

RETAIL SALES AND SERVICE, FULL-LINE FOOD STORE

Retail sales and service offering for sale a full selection of food products, including at least a variety of fresh produce, and not offering for sale products from more than one of the following categories:

- A. Tobacco;
- B. Lottery;

RETAIL SALES AND SERVICE, HIGH-IMPACT

Retail sales and service, (excluding full-line food store), offering for sale any product or service that is within one or more of the following three categories:

- A. Requires an owner, operator or employee to obtain a City of Rochester secondhand dealer's license (excluding vehicle-related dealers);
- B. Requires an owner, operator or employee to obtain any county or state license or registration for tobacco or lottery and/or a federal firearms dealer's license; or
- C. Offering for sale tobacco, tobacco paraphernalia or smoking paraphernalia, including products that contain nicotine, liquid nicotine, vapors or inhalants and/or involve the on-site inhaling or smoking of such products.

RETAIL SALES AND SERVICE, LOW-IMPACT

Retail sales and service not meeting the definitions of "high-impact retail sales and service," "specialty retail," or a "full-line food store."

RETAIL SALES AND SERVICE, SPECIALTY

Low-impact retail sales and service, occupying less than 1,000 square feet, offering for sale only specialized types of foods, products, or services, including, but not limited to, baked goods, candy, health food, antiques, fashion accessories, sporting goods, art objects, art and craft supplies, books, clothing,

~~decorative accessories, flowers and plants, handkerchiefs, jewelry, toys, specialty foods, meats, seafood, shoe repair, and frame shops, and excluding tattoo parlors. No tobacco or lottery may be included in the inventory of specialty retail sales and service.~~

SECONDHAND DEALER

A business required to be licensed as a secondhand dealer in accordance with Municipal Code Chapter 96, Secondhand Dealers, excluding vehicle related dealers.

Section 3. Chapter 120 of the Municipal Code, Zoning, as amended, is hereby further amended by amending certain portions of the sections thereof that specify the permitted, special permit, limited and prohibited uses within various zoning districts as follows:

§ 120-8. Permitted uses.

The following uses are permitted in the R-1 District:

~~H. Retail sales and service, specialty, when in an existing structure built for a nonresidential use, operating between the hours of 6:00 a.m. and 9:00 p.m.; subject to the additional requirements for specified uses in § 120-146-1.~~

I H. Office, when in an existing structure built for a nonresidential use, operating between the hours of 6:00 a.m. and 9:00 p.m.

§ 120-9. Special permit uses.

The following uses are allowed as special permit uses in the R-1 District:

~~G. Retail sales and service, full-line food store and low-impact, when in an existing structure built for a nonresidential use, operating between the hours of 6:00 a.m. and 9:00 p.m.; subject to the additional requirements for specified uses in § 120-146-1.~~

§ 120-17. Permitted uses.

The following uses are permitted in the R-2 District:

~~I. Retail sales and service, specialty, when in an existing structure built for a nonresidential use, operating between the hours of 6:00 a.m. and 9:00 p.m.~~

J I. Office, when in an existing structure built for a nonresidential use, operating between the hours of 6:00 a.m. and 9:00 p.m.

§ 120-18. Special permit uses.

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

~~M. Retail sales and service, full-line food store and low-impact, when in an existing structure built for a nonresidential use, operating between the hours of~~

~~6:00 a.m. and 9:00 p.m., subject to the additional requirements for specified uses in § 120-146-1.~~

§ 120-26. Permitted uses.

The following uses are permitted in the R-3 District:

~~M. Retail sales and service, specialty, when in an existing structure built for a nonresidential use, between the hours of 6:00 a.m. to 9:00 p.m. and subject to the additional requirements for specified uses in § 120-146-1.~~

§ 120-27. Special permit uses.

The following uses are allowed as special permit uses in the R-3 District:

~~L. Retail sales and service, full-line food store and low-impact, when in an existing structure built for a nonresidential use, operating between the hours of 6:00 a.m. and 9:00 p.m., subject to the additional requirements for specified uses in § 120-146-1.~~

§ 120-34. Permitted uses and structures.

The following uses are permitted in the C-1 District when conducted entirely within an enclosed building:

~~K. Retail sales and service, full-line food store, low-impact, and specialty, operating between the hours of 6:00 a.m. and 11:00 p.m., subject to the additional requirements for specified uses in § 120-146-1 provided, however, that retail sales and service establishments licensed by New York State to sell alcoholic beverages pursuant to the Alcoholic Beverage Control Law may operate beyond the hours specified herein to the extent that the alcoholic beverage license so provides.~~

§ 120-35. Special permit uses.

The following uses are allowed as special permit uses in the C-1 District:

~~I. Retail sales and services, full-line food store, low-impact, and specialty, operating beyond the hours of 6:00 a.m. to 11:00 p.m. provided, however, that retail sales and service establishments licensed by New York State to sell alcoholic beverages pursuant to the Alcoholic Beverage Control Law shall not be required to obtain a special permit to operate beyond the hours specified herein to the extent that the alcoholic beverage license authorizes the additional operating hours.~~

§ 120-42. Permitted uses and structures.

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

~~M. Retail sales and service, full-line food store, low-impact, and specialty, subject to the additional requirements for specified uses in § 120-146-1.~~

§ 120-43. Special permit uses.
The following uses are allowed as special permit uses in the C-2 District:

T. ~~Secondhand dealers. Retail sales and service, high impact, limited to the hours of 9:00 a.m. to 2:00 a.m. and subject to the additional requirements for specified uses in § 120-146-1.~~

§ 120-50. Permitted uses and structures.
The following uses are permitted in the C-3 District:

K. Retail sales and service, full-line food store, subject to the additional requirements for specified uses in § 120-146-1.

~~L. Retail sales and service, high impact, subject to the additional requirements for specified uses in § 120-146-1.~~

~~M. Retail sales and service, low impact, subject to the additional requirements for specified uses in § 120-146-1.~~

~~N. Retail sales and service, specialty, subject to the additional requirements for specified uses in § 120-146-1.~~

L. O-Health clubs and similar facilities.

M. P-Theaters.

N. Q-Amusement center.

O. R-Outdoor entertainment.

P. S-Office.

Q. T-Motels and hotels.

R. U-Bars, restaurants and banquet facilities, including outdoor seating/assembly and drive-throughs, subject to the additional requirements for specified uses in § 120-136.

S. V-Drive-throughs, subject to the additional requirements for specified uses in § 120-136.

T. W-Warehouse and wholesale distribution facilities under 15,000 square feet.

U. X-Light industrial services when conducted entirely within a completely enclosed building.

V. Y-Research laboratories including testing facilities.

W. Z-Automotive-related uses, including car washes, vehicle service stations, vehicle sales, vehicle rental services, vehicle repair stations including commercial vehicle repair, and vehicle sales accessory to vehicle repair stations, subject to the additional requirements for specified uses in Article XVIII.

X. AA-Parking lots as a principal use, including ancillary community garages and parking lots, subject to the additional requirements for specified uses in § 120-131.

Y. BB-Sexually oriented businesses, subject to the additional requirements for specified uses in § 120-148, including only limited adult retail store, adult retail store and escort agency.

Z. Pawnbrokers.

AA. Secondhand dealers.

~~GC. Pawnbrokers, subject to the additional requirements for specified uses in § 120-146-1.~~

§ 120-63. Limited uses.

The following limited uses shall meet the requirements set forth in Article XVIII, Additional Requirements for Specified Uses:

~~F. Retail sales and service, high impact.~~

~~§ 120-64. Prohibited uses.~~

The following uses are prohibited in any building or site in the CCD:

- ~~A. Homeless shelters.~~
- ~~B. Sexually oriented businesses.~~
- ~~C. Uses, excluding building parking or outdoor seating/assembly areas, not in a fully enclosed building.~~
- ~~D. Waste centers.~~
- ~~E. Pawnbrokers.~~
- ~~F. Secondhand dealers.~~

§ 120-76. PMV Public Market Village District.

A. Permitted uses and structures. The following uses are permitted in the PMV District:

- ~~(10) Retail sales and service, low impact, subject to the additional requirements for specified uses in § 120-146-1.~~
- ~~(11) Retail sales and service, specialty, subject to the additional requirements for specified uses in § 120-146-1.~~
- ~~(12) Retail sales and service, full-line food store, subject to the additional requirements for specified uses in § 120-146-1.~~
- ~~(11) (13) Bars, restaurants and the like including outdoor seating/assembly areas, provided that the outdoor areas only operate between the hours of 6:00 a.m. and 11:00 p.m., but excluding drive-through facilities.~~
- ~~(12) (14) Manufacturing uses when the products are sold as retail for an individual consumer.~~
- ~~(13) (15) Parks and recreation uses.~~

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

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

- ~~(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:
 - ~~(f) Retail sales and services, specialty.~~
 - ~~(g) (1) Retail sales and services, low impact, not exceeding 2,500 square feet.~~~~

B. Special permit uses. The following uses are allowed as special permit uses in the H-V District:

~~(13) Retail sales and service, full-line food store, subject to the additional requirements for specified uses in § 120-146-1.~~
~~(13) (14) Outdoor storage, subject to the additional requirements set forth in § 120-175.~~

§ 120-81. Permitted uses and structures.

A. The following uses are permitted in the M-1 District:

(1) The following uses are permitted when conducted in a fully enclosed building:

(n) Retail sales and service, full-line food store, when in an existing building, subject to the additional requirements for specified uses in § 120-146-1.

B. The following uses are permitted in the M-1 District when located in any existing multistory building or a single-story building not originally designed for industrial purposes:

(3) Retail sales and service, low-impact, subject to the additional requirements for specified uses in § 120-146-1.

~~(4) Retail sales and service, specialty, subject to the additional requirements for specified uses in § 120-146-1.~~

~~(4) (5) Offices and clinics.~~

~~(5) (6) Bars, restaurants and banquet facilities.~~

~~(6) (7) Entertainment, subject to the additional requirements for specified uses in § 120-137.~~

~~(7) (8) Public and semipublic uses.~~

~~(8) (9) Day-care centers.~~

~~(9) (10) Funeral parlors and mortuaries.~~

~~(10) (11) Places of worship.~~

~~(11) Pawnbrokers.~~

~~(12) Secondhand dealers.~~

§ 120-83. Special permit uses.

The following uses are allowed as special permit uses in the M-1 District:

A. The following uses, when located in a single-story building originally designed for industrial purposes or a vacant lot, subject to a marketability analysis as set forth in § 120-192. The Planning Commission may, in approving a special permit, waive or modify the off-street parking requirements if it finds such action is warranted by reason of the nature of the occupancy, location of the property or availability of shared or public parking facilities.

(1) Retail sales and services, high-impact low-impact and specialty, subject to the additional requirements for specified uses in § 120-146-1.

~~(11) Pawnbrokers, subject to the additional requirements for specified uses in § 120-146-1.~~

§ 120-120. Zoning designations and modifications.

L. Brooks Landing Urban Renewal District.

(1) Land use areas. The District is divided into three land use areas which are comparable to zoning districts listed in the Rochester Zoning Code:

The Open Space land use area (O-S) located along the edge of the Genesee River will remain in City ownership as dedicated parkland. The Neighborhood Commercial land use area (C-1) provides infill development and renovation opportunities on the west side of Genesee Street and nearly two acres of new commercial development opportunities on the east side of Genesee Street north of Brooks Avenue. The Riverfront Commercial land use area (C-2) on the east side of Genesee Street south of Brooks Avenue will provide unique riverfront development opportunities.

(b) Neighborhood Commercial Land Use. The Neighborhood Commercial land use area is comparable to the C-1 Neighborhood Center District. In the sections of the District designated on the Land Use Map as "C-1," all of the requirements of the C-1 shall apply, except as follows:

[1] Permitted uses. The following uses are permitted in the Neighborhood Commercial land use area when conducted entirely within an enclosed building:

[c] Retail sales and services, ~~full-line food stores, low-impact and specialty, subject to the additional requirements for specified uses in § 120-146-1.~~

(c) Riverfront Commercial Land Use. The Riverfront Commercial land use area is comparable to the C-2 Neighborhood Center District. In the sections of the District designated on the Land Use Map as "C-2," all of the requirements of the C-2 shall apply, except as follows:

[1] Permitted uses:

[c] Retail sales and services, ~~full-line food stores, low-impact and specialty, subject to the additional requirements for specified uses in § 120-146-1,~~ when conducted in an entirely closed building.

M. Erie Canal Urban Renewal District.

(1) Permitted uses:

(d) Retail sales and service, ~~full-line food stores, low-impact and specialty, subject to the additional requirements for specified uses in § 120-146-1.~~

N. La Marketa North Clinton Avenue Urban Renewal District.

(1) All of the requirements of the C-2 Zoning District shall apply except as follows:

Permitted uses:

(b) Retail sales and service, ~~full-line food stores, low-impact and specialty, subject to the additional requirements for specified uses in § 120-146-1.~~

(2) Special permit uses:

~~(e) Retail sales and service, high-impact, subject to the additional requirements for specified uses in § 120-146-1.~~

Planned Development District No. 9
(Canalside Business Center)

B. Permitted uses and structures.

(1) The following uses are permitted in Sub-Area 1 when located in an enclosed building:

(t) Retail sales and service, ~~full-line food store, high-impact, low-impact and specialty, subject to the additional requirements for specified uses in § 120-146-1.~~

Planned Development District No. 15
Culver Road Armory

B. Permitted uses. The Culver Road Armory Planned Development District is comprised of three separate buildings as depicted on the development concept plan/site plan (Building I, Building II and Building III).

(1) All of the following uses are permitted in Buildings I, II and III. For nonresidential uses, all activities shall occur within a completely enclosed building, and the hours of operation shall be limited to 6:00 a.m. to 2:00 a.m.

(e) Retail sales and services, ~~low-impact, specialty and full-line food.~~

D. Special permit uses.

~~(2) Retail sales and services, high-impact, operating between the hours of 6:00 a.m. and 2:00 a.m.~~

~~(2) (3) Any temporary use which exceeds five occurrences per calendar year.~~

~~(3) (4) Bars, restaurants and banquet facilities in Building III.~~

~~(4) (5) Entertainment in Building III.~~

Planned Development District (No. 16)
Century-Strathallan

B. Permitted uses. Permitted uses in PD No. 16 are specified for each of the three subareas comprising the district:

(3) Subarea 3: 566 East Avenue (main building and carriage house) and 586 East Avenue (parking lot).

(f) Retail sales and services, ~~especially and low-impact.~~

Section 4. Chapter 120 of the Municipal Code, Zoning, as amended, is hereby further amended in Section 120-159, Non-residential and mixed-use building standards, to amend subsections B(6) and B(7) thereof as follows:

B. Windows and transparency.

(6) The installation of any device which obstructs transparency or impacts the architectural design of a window is not permitted. This prohibition includes the blocking of windows with interior shelving or the like, but does not apply to nonpermanent devices such as curtains, blinds, shades and nonopaque roll-down grills.

~~(7) In addition to the standards of this section, new construction and reoccupancy of an existing building with high-impact retail sales and service and pawnbrokers are subject to the design standards of § 120-146-1B.~~

Section 5. Chapter 120 of the Municipal Code, Zoning, as amended, is hereby further amended in Section 120-199, Nonconforming use, to amend a subsection G(1) thereof as follows:

G. Abandonment or discontinuance.

(1) When the active operation of all or a portion of a nonconforming use is discontinued or abandoned for a period of nine consecutive months, ~~except for nonreforming high-impact retail sales and service, for which the period shall be three consecutive months,~~ regardless of any intent to resume or not to abandon the use, the use or portion thereof shall not be reestablished or resumed. The active operation of a use shall be the typical or normal activities associated with the use. In the case of abandonment or discontinuance of all of a nonconforming use, any subsequent use or occupancy of such land or structure shall comply with the use regulations of the zoning district in which such structure is located. In the case of abandonment or discontinuance of a portion of a nonconforming use, the remaining occupied portion of the nonconforming use may continue subject to the provisions of this subsection.

Section 6. This ordinance shall take effect immediately.

Strikethrough indicates deleted text, new text is underlined



**CITY PLANNING COMMISSION
STAFF REPORT
July 11, 2016**

Special Permit

Held from June 13, 2016 Hearing

Case #5:

Staff Reviewer: Jill Wiedrick

File Number: E-061-15-16

Case Type: Special Permit

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

Address: 853-855 Meigs Street

Zoning District: R-1 Low Density Residential District

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

Request: To install a 'micro cell' wireless telecommunications facility on the rooftop of this residential building that is less than four stories; an action requiring City Planning Commission approval.

Analysis:

At the June 13, 2016 City Planning Commission Hearing, the Special Permit application to install a 'micro cell' telecommunications facility on the rooftop of this residential building that is less than four stories, was held.

The City Planning Commission expressed concern regarding the location of the equipment for the proposed 'micro cell' telecommunications facility (cantenna). The City Planning Commission requests that the equipment be placed within the structure. The Commissioners determined that due to the commercial nature of the proposed use in a residential district, it is necessary to locate the necessary equipment out of view to preserve the integrity of an area that is dominated by residential uses.

If this was not feasible, the City Planning Commission wished to be supplied with specific reasons, based on engineering, mechanics, and/or building code, as to why the equipment cannot be placed indoors. In addition, a demonstration of whether there is or there is not a way to reduce the size of the equipment to be as small as practicable should it be necessary to located the equipment outdoors.

The subject property is a two story structure located at the corner of Meigs Street and Benton Street. The structure is a residential property that is legal for four families on the first floor and four families on the second floor.

The applicant wishes to install a new micro cell wireless telecommunications facility on the rooftop of this residential building. The site consists of leased rooftop space for the 'cantenna' (28.7" tall, 12" diameter), and ground space for the equipment cabinet.



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Nixon Peabody LLP
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Rochester, NY 14604-1792
585-263-1000

July 1, 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:

By application dated May 9, 2016, Bell Atlantic Mobile of Rochester, LP d/b/a Verizon Wireless ("Verizon Wireless") applied to the City of Rochester (the "City") to construct and operate a small cell wireless telecommunications facility at 853-855 Meigs Street in the City of Rochester.

Following deliberations at the June 13, 2016 hearing, the City Planning Commission and City Planning and Zoning Staff requested that Verizon Wireless examine the feasibility of relocating the ancillary ground level equipment to the basement of the building.

Verizon Wireless representatives have since visited the property and have spoken with the property owner to explore the possibility of relocating the equipment into the basement. Upon further review, the basement space (or any other interior space) is not an available or feasible location for the Verizon Wireless equipment. The basement floor is dirt and there is not sufficient head room to safely move around the basement in an upright position to service the equipment. In addition, per the property, Verizon Wireless access to the equipment for service would be limited and would be disruptive to existing tenants in the building.

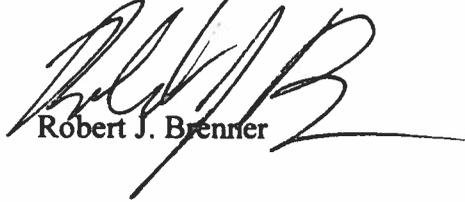
To that end, enclosed, as Exhibit M, is copy of correspondence received from the property owner addressing the feasibility of relocation the equipment into the basement (lettered to correspond with Exhibits A-L previously submitted with the original application). Verizon Wireless also intends to submit photos of the basement space at the upcoming Planning Commission meeting.

Planning Commission
City of Rochester
July 1, 2016
Page 2

Furthermore, enclosed as Exhibit N are revised Project drawings detailing the additional treatments Verizon Wireless has added to screen the proposed ancillary ground level equipment (i.e., the addition of a board on board fence with reconfigured gate location).

Please let us know if you have any questions or need any additional information. Otherwise, we look forward to appearing before the Planning Commission at its July 11, 2016 meeting.

Very truly yours,



Robert J. Brenner

RJB/las
Enclosures

Leiby, Lori

From: David Griggs <david.griggs78@yahoo.com>
Sent: Thursday, June 23, 2016 10:13 PM
To: Kris Boyce
Cc: 'Curtis R. Dehm'
Subject: Re: Cell site Cabinet

The building is old there is no sound proofing in the structure. The route to the basement enters at the locked 855 Meigs Street doorway proceeds to the center of the first floor and descends a stairwell heading back toward the front of the building. In the basement one must crouch to avoid various head strike obstacles and traverse the length of the basement to reach the back of the building. The stairs creak, and the doors make noise. There are pets in the building and the dogs get used to other tenants but bark at strangers. Entering the basement will be noticed by three units if the person is as quiet as possible. If one or more of the dogs bark every unit will know. Several of the dogs know me and do not bark when I enter the building during the day, when I enter at odd hours they will bark at me.

Sincerely,
David Griggs

From: Kris Boyce <kboyce@pyramidnetworkservices.com>
To: 'David Griggs' <david.griggs78@yahoo.com>
Cc: 'Curtis R. Dehm' <crlaw@dehmlaw.com>
Sent: Thursday, June 23, 2016 10:54 AM
Subject: RE: Cell site Cabinet

Hi David,
If possible, can you please expand on how access through the building to the basement can interfere with tenants?
Please describe the layout and pathway.
Thank you.

Kris Boyce
Site Acquisition Specialist
Phone: (607) 242-9946
Fax: (315) 445-0653
kboyce@pyramidnetworkservices.com



6519 Towpath Rd, East Syracuse, NY 13057

From: David Griggs [<mailto:david.griggs78@yahoo.com>]
Sent: Monday, June 20, 2016 7:02 PM
To: Curtis R. Dehm; Kris Boyce
Subject: Cell site Cabinet

Dear Sirs,

The location of the electronics cabinet was chosen by an on site inspection by myself and eight people representing the cell company. This group included engineers, from various disciplines, and individuals responsible for installation and maintenance of this sort of equipment. The best site was chosen taking into account, safety, visual and maintenance impacts. The basement is not an option.

The building was built in 1910 and the basement has a dirt floor. The basement ceiling is low and requires most adults to crouch to avoid pipes and other head bump hazards. During heavy rain and other high run off events the storm sewers are over whelmed and water can accumulate on the floor as the sump pump can not displace the water when there is no place for it to go. There is no basement storage because of this.

The building has common areas with locked doors. If the equipment needs servicing during odd hours it would require the service technician to have the current key and would disrupt tenants.

The chosen location is behind a 6-foot stockade fence which hides it from view by people on Meigs Street and the neighbor at 857 Meigs Street. The only neighbor with a view of the location is located directly behind the building on Benton Street and he mows the lawn it will be located on. His comment when told where it would be located was, that was a good location, as that corner was difficult to mow. A small shrub would screen it from Benton street.

Respectfully,
David Griggs
Owner/ Member

BELL ATLANTIC MOBILE OF ROCHESTER, L.P.

DBA

verizon

PROJECT NUMBER: 20141095028

LOCATION CODE: 304208

SITE NAME:

ELLWANGER AND BARRY

SHEET NO.	DESCRIPTION	REV.	DATE
0001	TITLE SHEET	1	08/12/14
0002	GENERAL NOTES SHEET 1 OF 2	1	08/12/14
0003	GENERAL NOTES SHEET 2 OF 2	1	08/12/14
0004	GENERAL NOTES SHEET 3 OF 2	1	08/12/14
0005	GENERAL NOTES SHEET 4 OF 2	1	08/12/14
0006	GENERAL NOTES SHEET 5 OF 2	1	08/12/14
0007	GENERAL NOTES SHEET 6 OF 2	1	08/12/14
0008	GENERAL NOTES SHEET 7 OF 2	1	08/12/14
0009	GENERAL NOTES SHEET 8 OF 2	1	08/12/14
0010	GENERAL NOTES SHEET 9 OF 2	1	08/12/14
0011	GENERAL NOTES SHEET 10 OF 2	1	08/12/14
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0100	GENERAL NOTES SHEET 99 OF 2	1	08/12/14
0101	GENERAL NOTES SHEET 100 OF 2	1	08/12/14



PROJECT NUMBER	304208
LOCATION CODE <td>304208</td>	304208
PROJECT ADDRESS <td>175 JOHNS STREET, SUITE 410 ROCHESTER, NY 14608</td>	175 JOHNS STREET, SUITE 410 ROCHESTER, NY 14608
COUNTY <td>MONROE</td>	MONROE
CITY <td>ROCHESTER</td>	ROCHESTER
PROJECT NUMBER, TAX MAP NUMBER <td>175 JOHNS STREET, SUITE 410 ROCHESTER, NY 14608</td>	175 JOHNS STREET, SUITE 410 ROCHESTER, NY 14608
AMERICAN ACADEMY FOR ARCHITECTURE <td>175 JOHNS STREET, SUITE 410 ROCHESTER, NY 14608</td>	175 JOHNS STREET, SUITE 410 ROCHESTER, NY 14608
PROJECT OWNER <td>BELL ATLANTIC MOBILE OF ROCHESTER, L.P.</td>	BELL ATLANTIC MOBILE OF ROCHESTER, L.P.
PROJECT ARCHITECT <td>ELLWANGER AND BARRY, INC.</td>	ELLWANGER AND BARRY, INC.
PROJECT ENGINEER <td>ELLWANGER AND BARRY, INC.</td>	ELLWANGER AND BARRY, INC.
PROJECT DATE <td>08/12/14</td>	08/12/14
PROJECT SCALE <td>1/4" = 100'</td>	1/4" = 100'
PROJECT SHEET <td>5997</td>	5997
PROJECT SHEET <td>GC001</td>	GC001

175 JOHNS STREET, SUITE 410
ROCHESTER, NY 14608

ELLWANGER AND BARRY, INC.
PROJECT #20141095028
LOCATION CODE 304208

CITY OF ROCHESTER
COUNTY OF MONROE
STATE OF NEW YORK

TITLE SHEET
5997 GC001

CONTRACT NUMBER: 2014
CONTRACT DESCRIPTION: D.C.

CONTRACT DATE: 08/12/14

CONTRACT SCALE: 1/4" = 100'

CONTRACT SHEET: 5997



1975 JOHN STREET - SUITE 402
 NEW YORK, NY 10038
 800-933-7992



C. E. FINE
 ENGINEER
 LICENSE NO. 10000
 PROFESSIONAL ENGINEER
 STATE OF NEW YORK

CONTRACT NO. 10000
 PROJECT NO. 10000

NO.	DATE	DESCRIPTION
1	08/20/14	PRELIMINARY
2	10/20/14	REVISED PER CITY
3	11/20/14	REVISED PER CITY
4	01/20/15	REVISED PER CITY

DESIGNED BY	DATE
DRAWN BY	DATE
CHECKED BY	DATE
APPROVED BY	DATE

CONTRACTOR
 CITY OF NEW YORK
 DEPARTMENT OF CITY PLANNING
 115 W. 4th Street
 New York, NY 10007

OWNER
 CITY OF NEW YORK
 DEPARTMENT OF CITY PLANNING
 115 W. 4th Street
 New York, NY 10007

PROJECT
 CITY OF NEW YORK
 DEPARTMENT OF CITY PLANNING
 115 W. 4th Street
 New York, NY 10007

OVERALL SITE PLAN AND NOTES
 PROJECT NO. 10000
 CITY OF NEW YORK
 DEPARTMENT OF CITY PLANNING
 115 W. 4th Street
 New York, NY 10007

DATE
 08/20/14

City Safety
 New York
 800-933-7992

GRAPHIC SCALE
 1" = 10' (1:120)
 1/4" = 2 1/2' (1:12)

NORTH ORIENTATION
 SCALE: 1" = 10' (1:120)

MAP REFERENCES

GENERAL NOTES

1. APPROXIMATE LOCATION OF EXISTING UTILITIES SHOWN FOR INFORMATION PURPOSES ONLY. EXISTING UTILITIES SHOULD BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.

2. NO EXISTING UTILITIES OR SERVICES ARE SHOWN WITHIN THE PROPOSED ANTENNA AREA. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES AND SERVICES IN THE FIELD PRIOR TO CONSTRUCTION.

3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF NEW YORK AND THE STATE OF NEW YORK PRIOR TO CONSTRUCTION.

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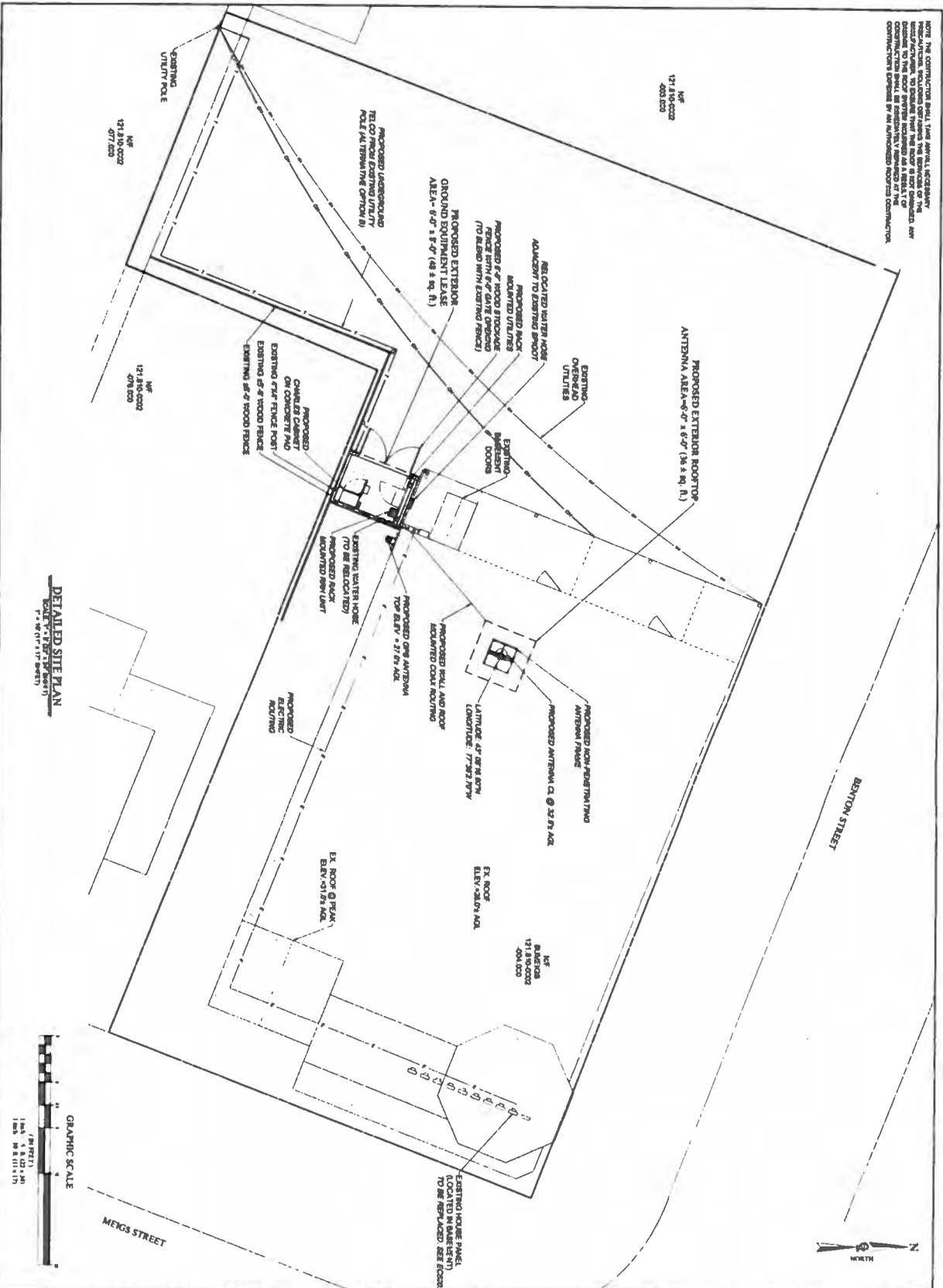
32. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF NEW YORK AND THE STATE OF NEW YORK PRIOR TO CONSTRUCTION.

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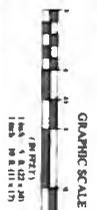
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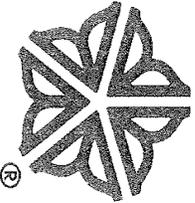
NOTE: THE CONTRACTOR SHALL TAKE APPROPRIATE NECESSARY PRECAUTIONS TO PROTECT THE SERVICES OF THE UTILITIES SHOWN ON THIS PLAN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF ROCHESTER AND THE STATE OF NEW YORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF ROCHESTER AND THE STATE OF NEW YORK.



DETAILED SITE PLAN
SCALE: 1/8" = 1'-0" (SEE SHEET 1)



 <p>170 JONES STREET, SUITE 800 ROCHESTER, NEW YORK 14609</p>		 <p>GEORGE E. COCHRAN ENGINEERING</p>		<p>DATE: 11/11/11 PROJECT NO: 1111111111 SHEET NO: 1111111111</p>	
<p>CLIENT: CITY OF ROCHESTER COUNTY OF MONROE STATE OF NEW YORK</p>		<p>PROJECT: ANTENNA INSTALLATION</p>		<p>DESIGNER: DAV EJC SJS</p>	
<p>PROJECT NO: 1111111111</p>		<p>SHEET NO: 1111111111</p>		<p>SCALE: 1/8" = 1'-0"</p>	



**CITY PLANNING COMMISSION
STAFF REPORT
July 11, 2016**

Special Permit

Case #6:

Staff Reviewer: Jill Wiedrick

File Number:

E-001-16-17

Case Type:

Special Permit

Applicant:

10 Gold Street Properties, LLC

Address:

16, 24 Gold Street and 17 Langslow Street

Zoning District:

R-1 Low Density Residential District

Section of Code:

120-9A, 120-131

Request:

To develop a 47 space ancillary parking lot to serve the proposed residential apartment building located at 1176-1188 Mt. Hope Avenue; an action requiring City Planning Commission approval.

Analysis:

At the May 16, 2016 City Planning Commission, the application to develop a 47 space ancillary parking lot to serve the proposed residential apartment building located at 1176-1188 Mt. Hope Avenue was denied.

As per Section 120-1880, the applicant may submit an application for a Request for Rehearing. The City Planning Commission voted unanimously to rehear the application. It was determined by the City Planning Commission that the revised drawings were materially different from the prior application, as the new proposal is to develop a nine space ancillary parking lot at 16 and 24 Gold Street; to legalize a 27 space ancillary parking lot at 17 Langslow Street; and to consider an Alternative Parking Plan for six parking spaces for the proposed residential apartment building located at 1176-1188 Mt. Hope Avenue.

The project analysis is attached.

Code Compliance:

The proposal meets all the requirements of Section 120-131, except for those requirements in Section 120-173. Please refer to the project analysis.

E-001-16-17

**16, 24 Gold Street and 17 Langslow Street
Page 2**

Site Plan and Environmental Review

Site Plan Review is required for this proposal. The addendum to the Preliminary Site Plan Findings is 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. PROPERTY ADDRESS(ES): 1176, 1182, 1186-1188 Mt. Hope Ave. 16, 24 Gold Street. **17 Langslow Street.**
2. APPLICANT: 10 Gold Street Properties, LLC COMPANY NAME: 10 Gold Street Properties, LLC
ADDRESS: 1080 Pittsford-Victor Rd, Suite 202 CITY: Pittsford ZIP CODE: 14534
PHONE: 585-704-6464 FAX: 585-381-0313
E-MAIL ADDRESS mackenzie1@gmail.com
- INTEREST IN PROPERTY: Owner Lessee Other
3. PLAN PREPARER: CJS Architects: Craig Jensen
ADDRESS: 54 South Union St. CITY: Rochester ZIP CODE: 14607
PHONE: 585-244-3780 FAX: _____
4. ATTORNEY: Morgenstern DeVoesick, PLLC: Jeff DeVoesick
ADDRESS: 1080 Pittsford-Victor Rd., Suite 200 CITY: Pittsford ZIP CODE: 14534
PHONE: 585-672-5500 FAX: 585-672-5599
E-MAIL ADDRESS jeff@morgdevo.com
5. ZONING DISTRICT: C-1
6. DETAILED PROJECT DESCRIPTION (additional information can be attached): _____

Construction of a +/- 63,000 square foot mixed use building on Mt Hope Avenue in the C-1 district including 32 residential units, residential amenity space and 2,700 square foot of commercial space. Removal of the parking lot in the C-1 district and creation of a parking lot (9 parking spaces) in the R-1 district at 16-24 Gold Street. Use of existing parking lot at 17 Langslow Street to support the development at 1176-1188 Mt. Hope Ave.

7. LENGTH OF TIME TO COMPLETE PROJECT (Attach schedule if phased:) Approximately 16 Mos.

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: 06/20/16

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

Special Permit Standards

- A. 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 is mixed-use, including ground floor neighborhood retail and residential units above. The building design is consistent with the goals and objectives of the Comprehensive Plan. (Healthy Neighborhoods, Environmental Stewardship, and Economic Vitality) and will add to the pedestrian oriented development in the Mt. Hope Neighborhood.
 - The proposed mixed-use building in consistent with the zoning and the existing uses along Mt. Hope Avenue. The Avenue includes a mix of Multi-Family and Commercial uses, including larger multifamily buildings (one block north) and larger commercial uses (two and three blocks north and two blocks south).
 - The proposal will increase the appeal of Mt. Hope Avenue and strengthen the public realm by creating a continuous streetscape along the Avenue. The current parking lot on Mt. Hope Ave. does not build community.
 - The parking lot at 17 Langslow has been in existence for at least 60 years. A sworn affidavit dated 1985 in City records documents that this lot was originally used by the Salmon Florist. An application for parking lot screening was made, and a Certificate of Zoning Compliance issued, and stamped by the Director of Zoning (John Spoohof) in 1985. The lack of a Special Permit shows that the use of the property, as a parking lot, is not directly tied solely to the Distillery by Special Permit.
 - The revised proposal for the new parking lot at 16- 24 Gold Street complies with the requirements for a parking lot in an R-1 district and acts as a low impact enabler for the proposed mixed-use building on Mt Hope Avenue that will promote healthy urban neighborhoods, economic vitality, and environmental stewardship (walkability).
- 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 public health, safety and general welfare.**
- The proposal for the new parking lot at 16- 24 Gold Street is modified to provide maneuvering space for all parking spaces. Autos parked in perpendicular spaces will have clearances to turn around prior to exiting the lot. The two parallel parking spaces also have the required maneuvering clearances, but would back out of the lot similar to the other driveways on Gold Street.
 - The proposal for the new parking lot at 16- 24 Gold Street includes landscape screening at the front and side of the parking lot. Eight trees will be planted along the east side of the property and two street trees planted in the right of way.

- The proposal for the new parking lot at 16- 24 Gold Street includes landscape screening at the front of the parking lot. A sixteen foot long hedge row will be planted on each side of the parking lot entrance, within the twenty foot setback, between the sidewalk and the parking area.
 - The proposal for the existing parking lot at 17 Langslow Street includes landscape screening at the front of the parking lot. Two street trees we be planted in the right of way.
 - The proposal for the existing parking lot at 17 Langslow Street includes landscape screening at the front of the parking lot. A sixteen foot long hedge row will be planted on each side of the parking lot entrance, within the setback, between the sidewalk and the parking area.
 - The proposal for the parking lot at 16-24 Gold Street includes a six foot high board on board (shadow box) fence along the east property line of 24 Gold Street starting twenty feet from the right of way and extending to the rear property line.
 - Existing residential structure at 10 Gold Street will remain. This will preserve the residential character of Gold Street.
 - The removal of the curb cut on Mt Hope Avenue will improve safety for both vehicles and pedestrians. The proposed building will create a pedestrian friendly streetscape along Mt Hope Ave in contrast to the auto oriented condition that currently exists.
- 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 the neighboring properties in accordance with the applicable district regulations.**
- The existing parking lot at 17 Langslow Street is directly across from a C-1 property with parking directly abutting the R-1 district. This existing parking lot will therefore not impact an R-1 property directly across the street.
 - The proposed parking lot at 16- 24 Gold Street has been modified to meet the twenty foot front setback requirement. This setback is greater than the setback of adjacent structures to the east and west on Gold Street so the parking lot will not impact on the streetscape.
 - The proposed parking lot at 16- 24 Gold Street has been modified to meet the combined twenty-five foot side setback requirement with a seventeen foot setback from the adjacent R-1 property to the east.
 - The proposed parking lot at 16- 24 Gold Street New parking lot has been modified to meet the 50 percent maximum lot coverage requirement for a parking lot in an R-1 district, allowing for space for landscaping and reducing the parking count on this lot to nine cars
 - The proposed parking lot will be constructed and arranged so as to not dominate the immediate vicinity or interfere with the development or use of the neighboring properties. The lot will be screened from the adjacent property by fencing and landscaping and screened from Mt, Hope

- Ave. by the proposed mixed-use building. The location of the parking lot is unobtrusive with one of its long sides directly adjacent to C-1 district properties.
- The residential unit count supported by the parking lot is reduced by eight residential units. This is a twenty percent reduction in the total number of residential units proposed for the project.
 - The depth of the C-1 district on the adjacent blocks to the north of the project site is greater than the C-1 district on the block between Gold Street and Langslow Street. The C-1 district on these adjacent blocks extends to a depth that is greater than the combined depth of our C-1 district plus the width of 17 Langslow Street.
 - The existing parking lot at 17 Langslow Street is consistent with the parking lots that exist on parcels in similar locations both across the street and on adjacent blocks.
 - The proposed building at 1176–1188 Mt. Hope Avenue will not dominate the neighborhood, it has fewer residential units per acre than the adjacent multi-family building at 1150 Mt. Hope Ave. and the size of the development parcel is consistent with other uses in the neighborhood.
 - The proposed building at 1176–1188 Mt. Hope Avenue replaces an existing parking lot and a one story building, both of which are closer to the side property lines and adjacent structures than the proposed building.
 - Both the total surface area and the number of parking spaces proposed to support the mixed use development at 1176-1188 Mt. Hope Avenue are a reduction from what currently exists on the project site.
- D. The proposed building or use will be served adequately by essential public facilities and services such as highways, streets, parking spaces, police, fire protection, drainage structures, refuse, disposal, water and sewers, and schools, or that the persons or agencies responsible for the establishment of the proposed building or use will provide adequately for such services.**
- The site plan is modified to move the dumpster away from adjacent property. The dumpster is over 40 feet away from the adjacent R-1 property and will be screened. The access to the dumpster is from the north which will further shield it from the adjacent R-1 properties.
 - The grading east of the proposed parking lot at 16-24 Gold Street is revised to drain away from adjacent property. Seventeen feet of width exists to create a swale between the proposed parking lot and the existing property.
 - The site plan for the proposed parking lot at 16-24 Gold Street is revised to provide an area for snow storage that is approximately eight feet by twenty five feet and seventeen feet away from the adjacent R-1 property.
 - The proposal for 1176-1188 Mt Hope Ave is within 1,000 feet of nine existing on street parking spaces that support an alternative parking plan. A credit of three spaces is requested based on this proximity.

- The proposal for 1176-1188 Mt Hope Ave is within 1,000 feet of three bus stops (23, 45 & 50) that support an alternative parking plan. A credit of one space is requested based on this proximity.
- The proposal for 1176-1188 Mt Hope Ave includes indoor bicycle parking for tenants and exterior bicycle parking for patrons of the commercial space as part of an alternative parking plan. A credit of one space is requested based on this accommodation.
- Drainage for both existing and new parking areas will be provided as required, and dark sky compliant light fixtures will be used at both parking areas.
- Public facilities are available and adequate to service the proposed building and the persons responsible for the building will provide for establishment of such services.
- E. The proposed building or use will not result in the destruction, loss or damage of any natural, scenic, cultural or historic feature of significant importance.**
- The existing structure and landscaping on site and directly adjacent are not historic and the construction will not damage cultural or historic features of significance.

Additional Information Related to Special Permit Standards

The proposed building is mixed use including ground floor neighborhood retail and 32 residential units above. The building design is consistent with the goals and objectives of the Comprehensive Plan (Healthy Urban Neighborhoods, Environmental Stewardship, and Economic Vitality) and will add to the pedestrian oriented development in the Mt Hope Neighborhood.

The existing parking lot at 17 Landslow st has served multiple commercial uses along Mt. Hope Avenue for at least 60 years.

The proposed parking lot at 16-24 Gold Street complies with all lot coverage and setback requirements for a parking lot in an R-1 District and two layers of screening is proposed along the street and adjacent property.

A F F I D A V I T

STATE OF NEW YORK)
COUNTY OF MONROE) SS:

CHARLES VANDEVELDE being duly sworn deposes

and says:

1. That I reside at 6166 FALLS MEADOW
VICTOR NEW YORK.
2. That I am fully familiar with property located on Langslow Street which property was part of Salmon Florist Business and is more particularly described as numbers 17-31 - 33 Langslow Street and 16-26 Gold Street, city of Rochester, Monroe County, New York.
3. That since I can remember and prior to the year 1957 these lots have been used primarily for parking of vehicles.
4. That during this period of time these lots have been continuously used for the purpose of parking of vehicles for neighbors, employees and customers of the Salmon Florist which is located at the corner of Mt. Hope Avenue and Langslow Street.
5. That the basis of my knowledge is as follows:

I worked at Salmon Florist from approximately
1941 until 1971 on the above described property.
as Bookkeeper & an occasional other capacities of the
business and I recalled several trucks cars & other
mechanical equipment & site as mentioned above.
Charles Vandeveld

Sworn to before me this 16
day of April, 1985.

State of NY
County of Monroe
MARGORIE R. FLANSEBURG
Notary Public, State of New York
Qualified in Genesee County
My Commission Expires March 30, 1988

1/27/85

TO ATTACHED CONDITIONS

John C. Spackhoff
Director of Planning & Zoning

005-0113/85

64 SECOND STREET, 1ST FLOOR

EXISTING BLACK

1-C

PRO DUMPER
RAIL

ROCKERS
BLACK TOP

PARKING LOT

17-29 RAUGS LOW ST PROPERTY

PROPERTY SP

STORAGE
SHED

STORAGE
SHED

DRIVE

CONCRETE
COLLECTOR

NEW CURB

932-6050

TRUCKS
EQUIPMENT
CRAP APPLIES

CONCRETE
COLLECTOR

ROCKERS MOVE
TWO FAMILY
/ USE VARIANCE

SB
17-29

1 A N C S I N W

ST

CERTIFICATE OF ZONING COMPLIANCE

018531

PROPERTY ADDRESS 1729 Langston St CERTIFICATE NO. _____

THIS CERTIFICATE HAS BEEN APPROVED FOR THE FOLLOWING PURPOSE Manufacturing & Processing
Manufacturing Parking Area; metal stacked board on
board box fence 25 ft x 45 ft and also
in shall a 300 ft x 22 ft wooden bumper tail
and two plaster boards.

THIS APPROVAL IS SUBJECT TO COMPLIANCE WITH THE FOLLOWING: (Where special approval has been granted on condition(s), compliance with such condition(s), although not specifically enumerated herein, is required. See Notice of Decision for list of conditions).

1. VARIANCE
 Case Number _____ Date of Approval _____ Yes No
 Conditions Applicable
2. SPECIAL PERMIT
 Case Number _____ Date of Approval _____ Yes No
 Conditions Applicable
3. CERTIFICATE OF APPROPRIATENESS
 Case Number _____ Date of Approval _____ Yes No
 Conditions Applicable
4. SITE PLAN REVIEW
 Case Number 22-150-84-88 Date of Approval June 12 88 Yes No
 Conditions Applicable See file
5. USE LIMITATIONS SECTION(S) _____
 Description _____
6. Other _____

THIS CERTIFICATE DOES NOT SIGNIFY BUILDING CODE REVIEW OR APPROVAL NOR SUBDIVISION REVIEW OR APPROVAL NOR REVIEW OR APPROVAL OF ANY OTHER CITY CODE AND IS NOT AUTHORIZATION TO UNDERTAKE ANY WORK WITHOUT SUCH REVIEW AND APPROVAL WHERE EITHER IS REQUIRED. SEE CHAPTERS 38 AND 128 OF THE ROCHESTER MUNICIPAL CODE FOR DETAILS.

BEFORE ANY STRUCTURE TO WHICH THIS CERTIFICATE IS APPLICABLE MAY BE OCCUPIED OR USED FOR ANY PURPOSE, A CERTIFICATE OF OCCUPANCY MUST BE OBTAINED. SEE SECTION 115.25 OF CHAPTER 115 AND SECTION 38-7 OF CHAPTER 38 OF THE ROCHESTER MUNICIPAL CODE FOR DETAILS.

A CERTIFICATE OF ZONING COMPLIANCE SHALL BECOME NULL AND VOID SIX (6) MONTHS AFTER THE DATE ON WHICH IT WAS ISSUED UNLESS WITHIN SUCH PERIOD CONSTRUCTION, RECONSTRUCTION, REMODELING, ALTERATION OR MOVING OF A STRUCTURE IS COMMENCED OR A USE IS COMMENCED.

for work
 Director of Planning & Zoning (Staff) _____ Date of Approval 11/4/85

2/2/85

APPLICATION FOR CERTIFICATE OF ZONING COMPLIANCE (115.24)

1. APPLICANT Leslie Hollowell ADDRESS 6168 Sibley Drive Phone 924-2060
INTEREST IN PROPERTY Owner _____ Lessee _____ Other Contra City
OWNER Jerry Earl ADDRESS 34 Park Av. Phone 274-1105
PROPERTY ADDRESS 17-29 Longview NUMBER OF LOTS INVOLVED 1
PRESENT USE OF PROPERTY Parking area

HOW LONG SO OCCUPIED OR SO USED? _____ IF VACANT, HOW LONG? _____
NUMBER OF PARKING SPACES CURRENTLY EXISTING ON SITE _____

3. STATE SPECIFICALLY THE NATURE OF YOUR REQUEST Maintain a preexisting parking area! Install street light board on board box
Fence 245 ft x 45 ft. install 300ft x 2 1/2 wood planks and plywood borer.
4. BRIEFLY DESCRIBE ANY CONSTRUCTION RECONSTRUCTION, REMODELING, ALTERATION OR MOVING ASSOCIATED WITH YOUR REQUEST FS3

5. I CERTIFY THAT THE ABOVE INFORMATION IS COMPLETE AND ACCURATE, AND THAT THE PROJECT, IF APPROVED, WILL BE COMPLETED IN CONFORMANCE WITH THE CITY OF ROCHESTER ZONING ORDINANCE.

SIGNATURE OF APPLICANT Leslie Hollowell DATE 11/14/85
I CONSENT TO THE FILING OF THIS APPLICATION. _____ DATE _____
SIGNATURE OF OWNER _____

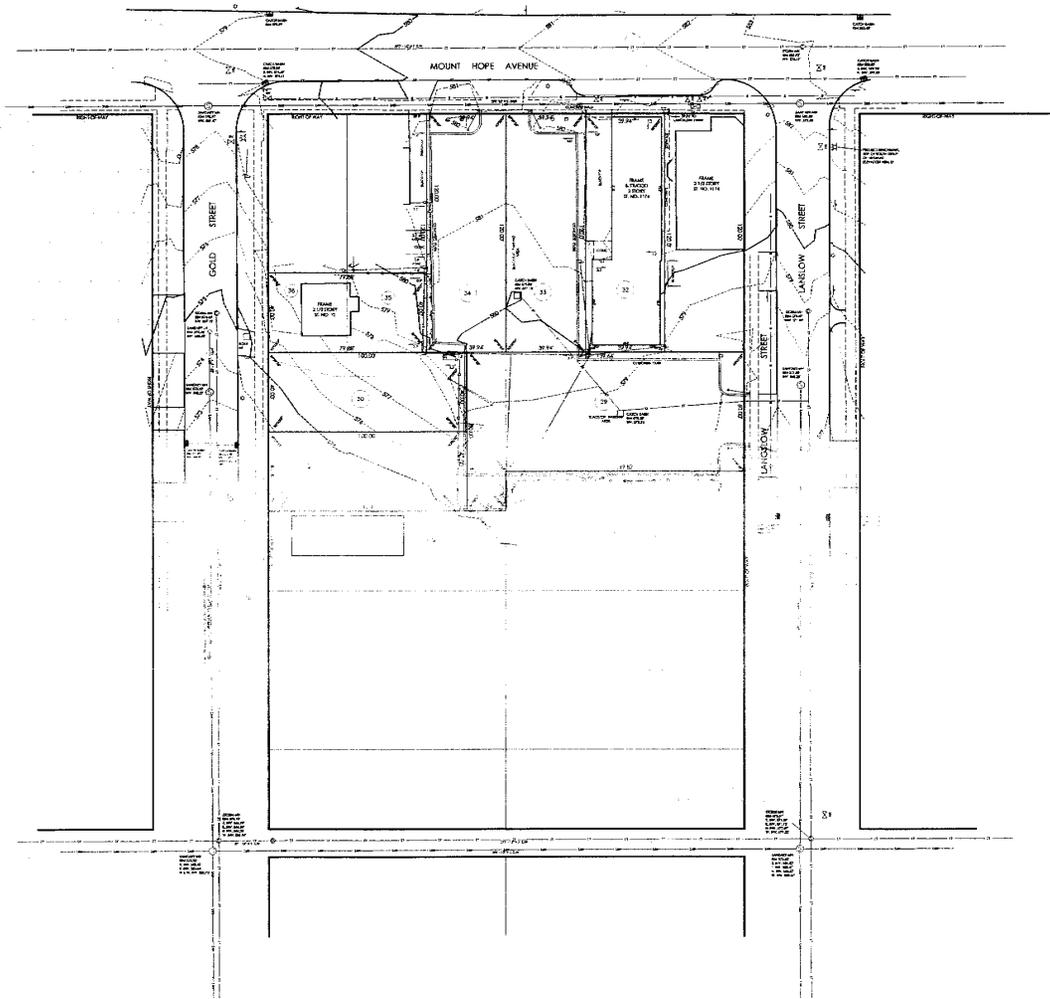
NO BE COMPLETED BY STAFF

ZONING DISTRICT R-1 DISTRICT BOUNDARY LOT Yes No
CURRENT LEGAL USE parking area
BASIS FOR LEGAL USE _____
APPLICATION DENIED PURSUANT TO CODE SECTION(S) _____
APPLICATION DENIED DUE TO OUTSTANDING NOTICE OF VIOLATION NO. _____
SPECIFIC REASON FOR DENIAL _____

FOR APPLICATIONS DENIED PURSUANT TO CODE, THE FOLLOWING FORM OF RELIEF IS AVAILABLE:

- | | | |
|--|---|---|
| <input type="checkbox"/> USE VARIANCE | <input type="checkbox"/> SPECIAL PERMIT | <input type="checkbox"/> CERT. OF APPROPRIATENESS |
| <input type="checkbox"/> AREA VARIANCE | <input type="checkbox"/> ZONING MAP AMENDMENT | <input type="checkbox"/> SEQR |
| <input type="checkbox"/> ADMINISTRATIVE VARIANCE | <input type="checkbox"/> OFFICIAL MAP AMENDMENT | <input type="checkbox"/> USE INTERPRETATION |
| <input type="checkbox"/> OFFICIAL MAP VARIANCE | <input type="checkbox"/> SUBDIVISION | <input type="checkbox"/> NON-USE INTERPRETATION |
| <input type="checkbox"/> SITE PLAN REVIEW | <input type="checkbox"/> ADMIN. RESUBDIVISION | <input type="checkbox"/> CERT. OF NONCONFORMITY |

STAFF _____ DATE _____



REFERENCES
 DESE 105 MAPS PAGES 29
 18ER 1297 OF DEED PAGE 395

I, WARREN R. MCGRAIL, CERTIFY THAT
 THIS MAP WAS MADE FROM NOTES OF
 AN INSTRUMENT SURVEY COMPLETED
 DECEMBER 14, 2015.

BY: WARREN R. MCGRAIL 1 S. 49513

SURVEY NOTES
 ALL ELEVATIONS ARE ABOVE SEA LEVEL
 ON ROCHESTER DATUM. BENCHMARK USED
 TO ESTABLISH ELEVATION WAS AN R.T.S.
 MONUMENT FOUND ON THE SOUTHEAST
 CORNER OF STEWARD STREET AND MOUNT
 HOPE AVENUE.

PROJECT BENCHMARK IS LOCATED ON
 LANGSLOW STREET AND IS THE TOP OF
 THE SOUTH OUTLET OF THE HYDRANT, ELEV.
 = 584.12'

ALL UTILITIES ARE PLOTTED BASED ON IN
 FIELD LOCATIONS AND SOME OBSERVATIONS
 AND FROM CITY OF ROCHESTER RECORD
 DRAWINGS. THE CONTRACTOR SHALL FIELD
 VERIFY ALL INFORMATION ON UTILITIES
 BY REQUESTING A UPPO STAKEOUT OF UTILITIES.

This map is subject to any amendments or corrections that are indicated on the map. The word "survey" as shown here and elsewhere on this map is intended to mean a survey as defined in the laws of the state of New York. The survey is not to be construed as a warranty of accuracy or as a representation of the accuracy of the survey. The survey is not to be construed as a warranty of accuracy or as a representation of the accuracy of the survey. The survey is not to be construed as a warranty of accuracy or as a representation of the accuracy of the survey.

MAP OF A SURVEY
 OF LOTS 32, 33, 34, 28 & 30 AND PARTS OF LOTS 27, 29, 35 & 36 IN
 SECTION SIX OF MOUNT HOPE AND SOUTH AVENUE BUILDING
 LOT ASSOCIATION TRACT
 CITY OF ROCHESTER
 MONROE COUNTY, NEW YORK

DATE DECEMBER 14, 2015	SCALE 1 INCH = 30 FEET	WARREN R. MCGRAIL 1 S. 49513
FILE 15033-85-2 24022-13-2		



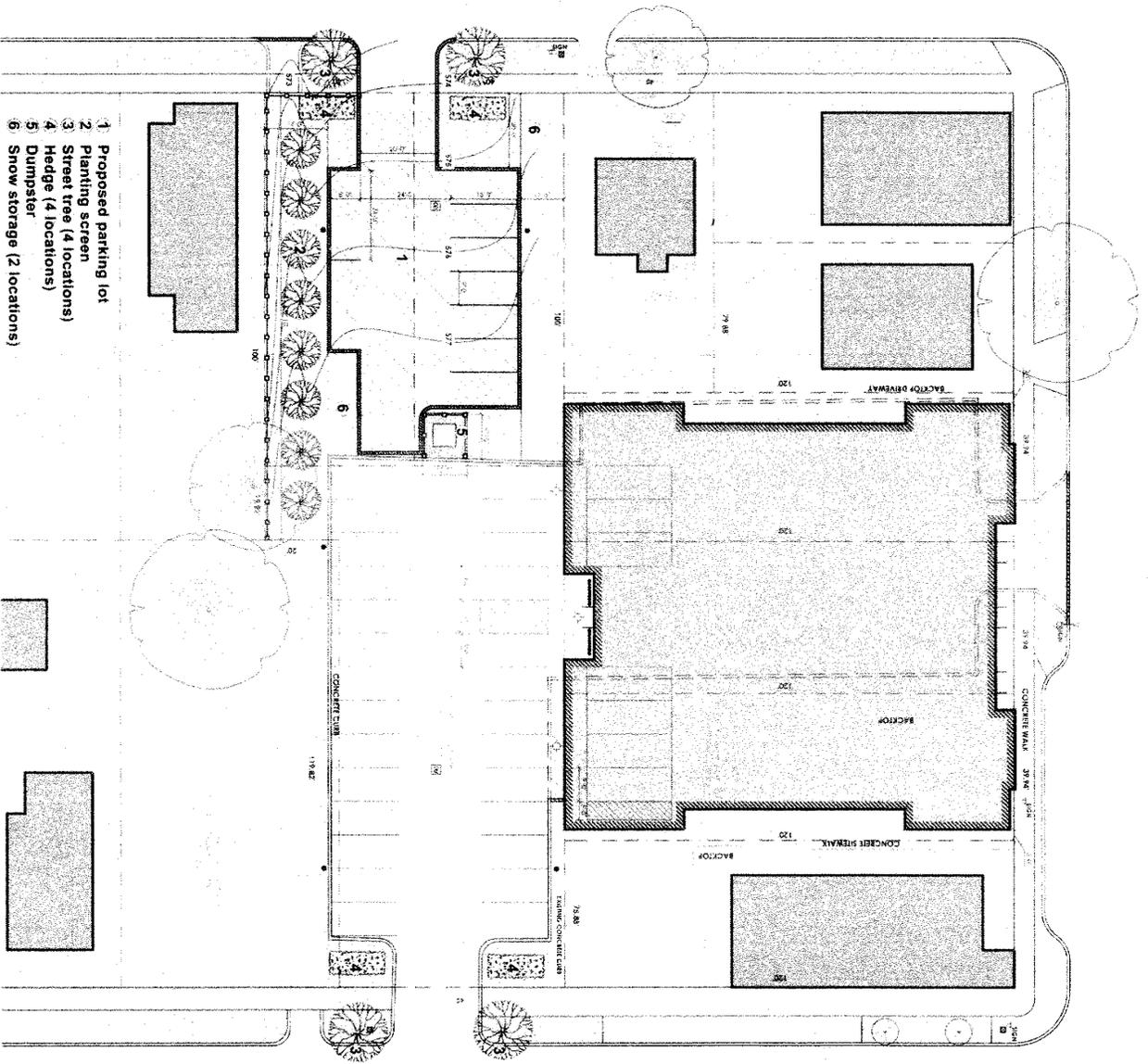
EXTERIOR PERSPECTIVE

LOFTS AT GOLD ST
1180 MT HOPE AVE

**Alternative Parking Plan
For Lofts at Gold st**

Submitted to City Planning Commission

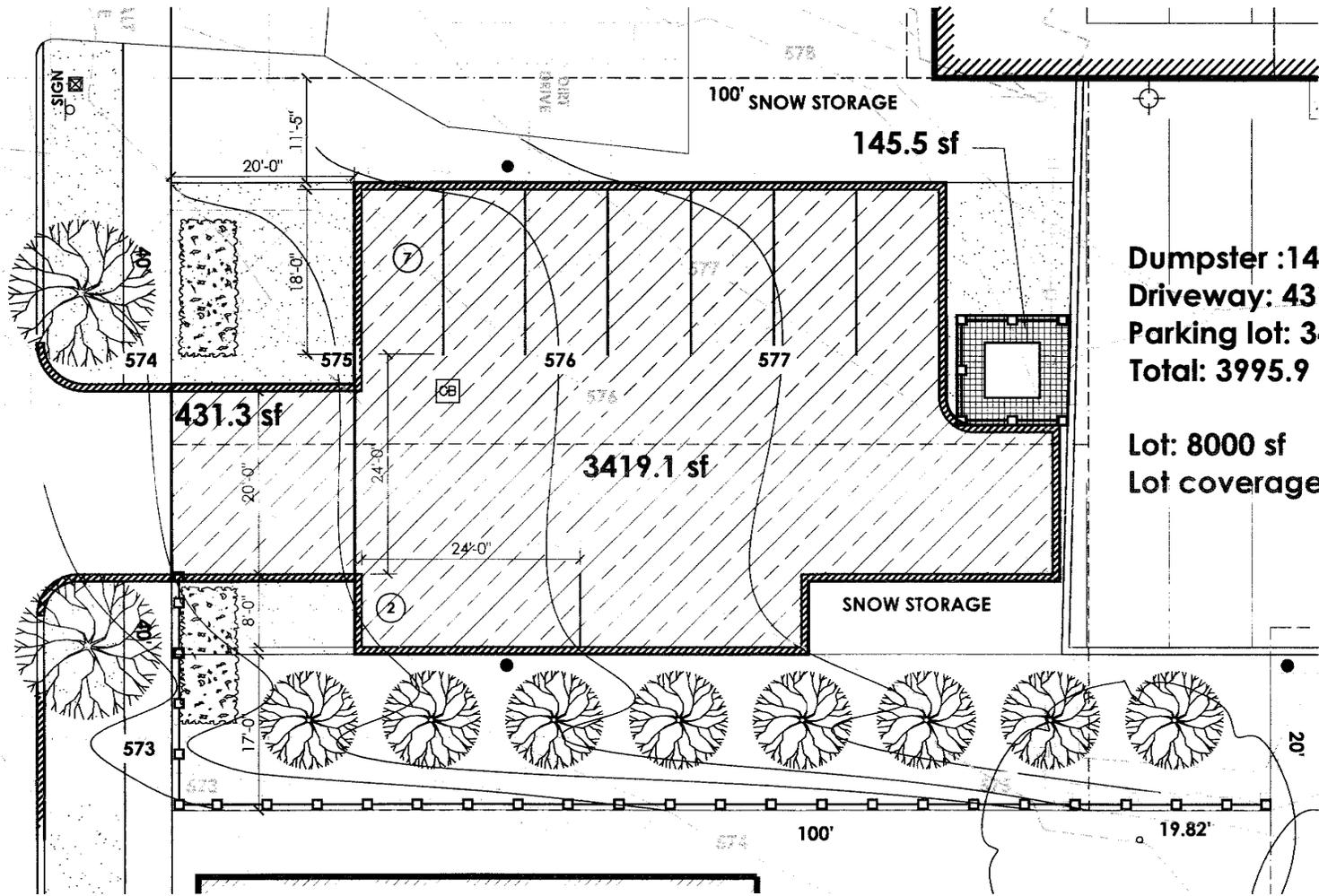
Proposal:	5 story residential/retail building			
Parking Requirements:	14	4-bed apartment @ 1.5 per unit	21	spaces
	18	2-bed apartment @ 1.2 per unit	21.6	spaces
	2900	retail @2 per 1000 SF	5.8	spaces
		Total	48.4	spaces
Proposed Parking:	16, 24	Gold st lot	9	spaces
	17	Landslow st lot	27	spaces
		parking garage	7	spaces
		Total	43	spaces
Proposed Credit for On-Street Spaces:	9	spaces on Mt Hope Ave, between Gold St and May st	3	spaces
Proposed Credit for Bike Parking:			1	space
Transit Credit:	3	bus routes stop at Elmwood Ave and Mt Hope Ave	1	spaces
Total Spaces/ Credits:			48	spaces
Summary/Rationale:	The availability of on-street parking, bike parking on our site and a transit credit for public transportation provide the balance of the required.			



- 1. Proposed parking lot
- 2. Planting screen
- 3. Street tree (4 locations)
- 4. Hedge (4 locations)
- 5. Dumpster
- 6. Snow storage (2 locations)

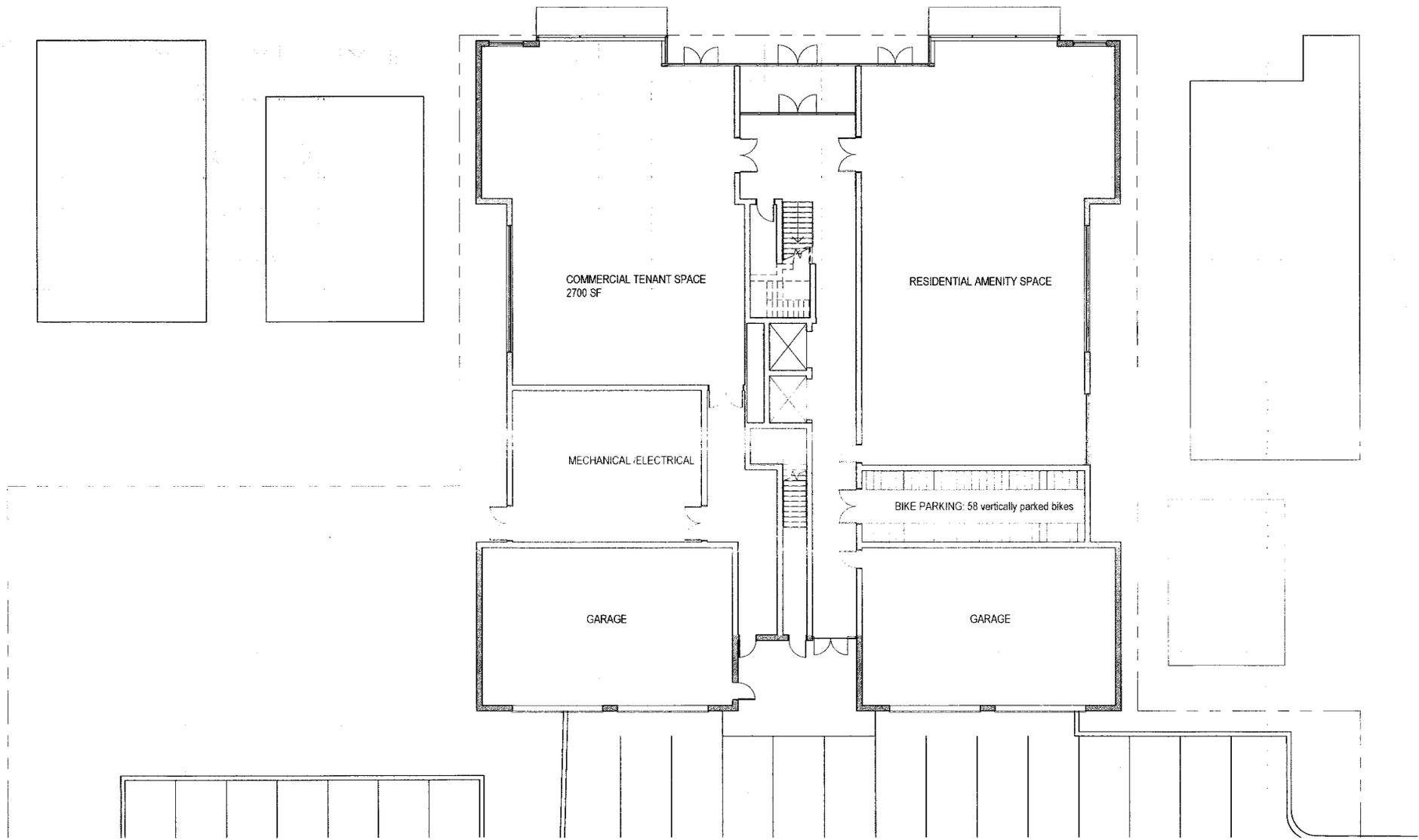
Lofts at Gold St





Dumpster : 145.5 sf
Driveway: 431.3 sf
Parking lot: 3419.1 sf
Total: 3995.9 sf

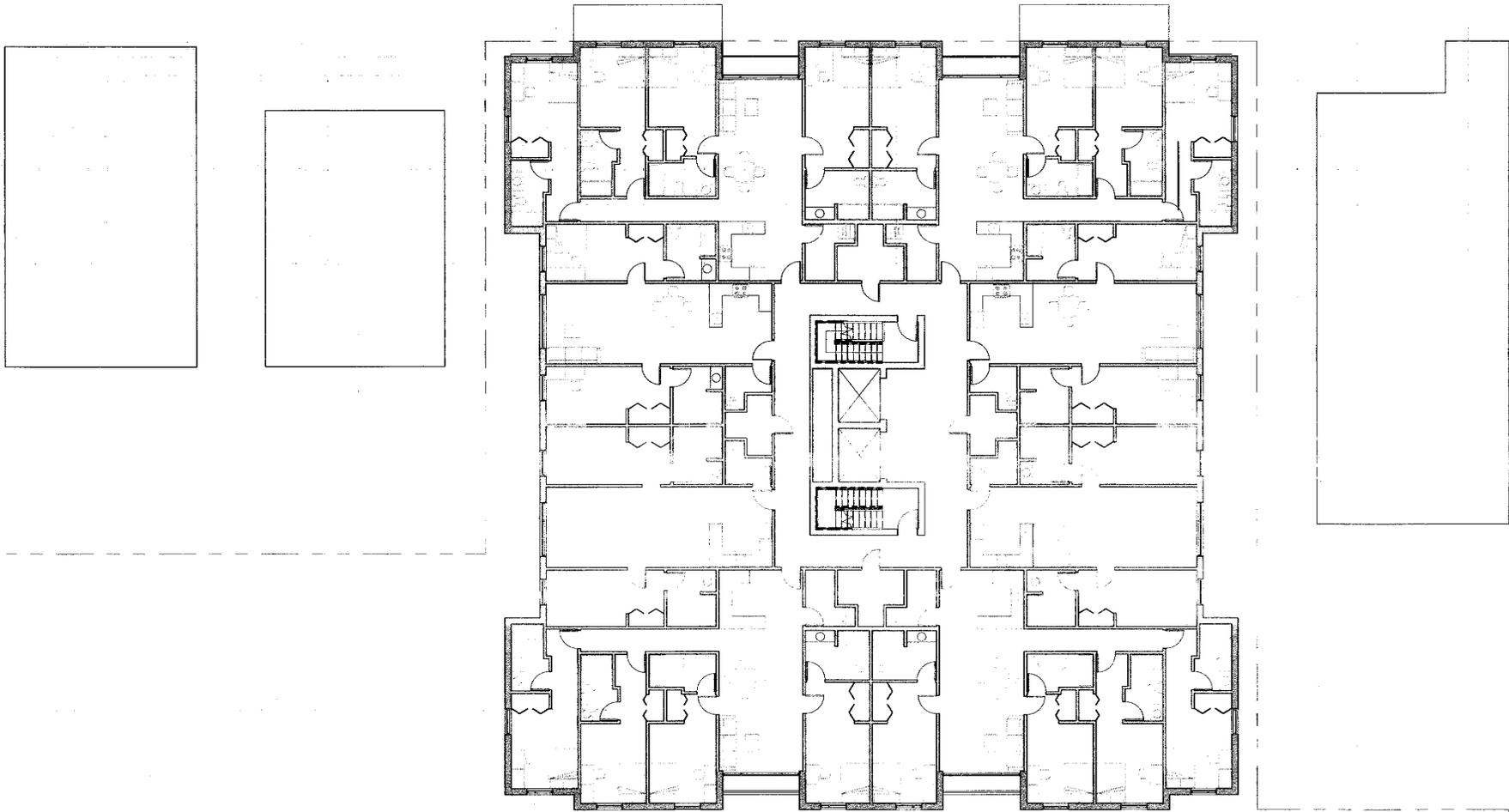
Lot: 8000 sf
Lot coverage: $3995.9/8000 \text{ sf} = 49.9\%$



GROUND FLOOR PLAN

LOFTS AT GOLD ST
1180 MT HOPE AVE

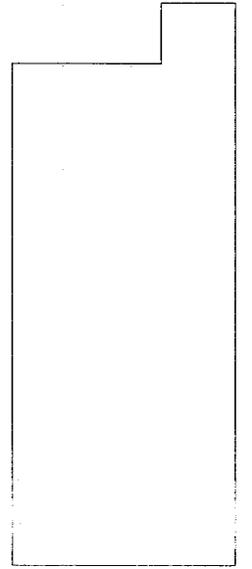
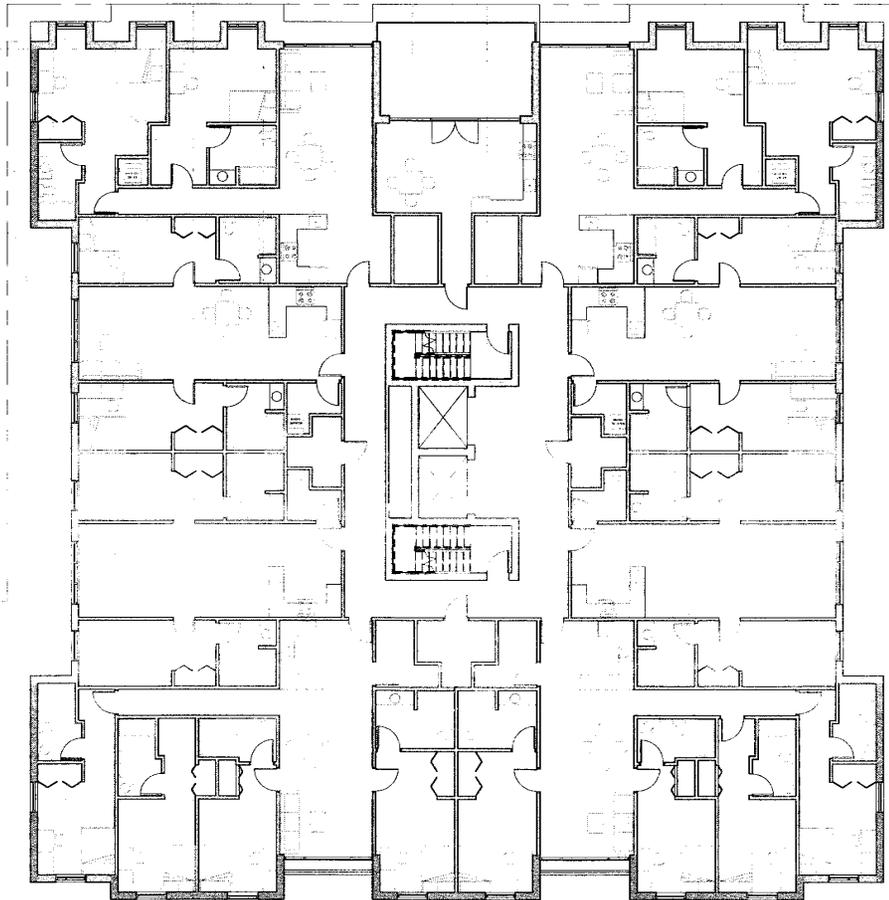
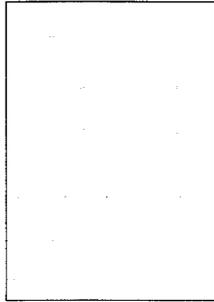
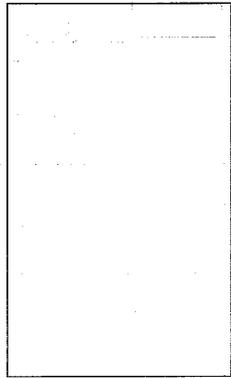




TYPICAL FLOOR PLAN

LOFTS AT GOLD ST
1180 MT HOPE AVE





FIFTH FLOOR PLAN

LOFTS AT GOLD ST
1180 MT HOPE AVE



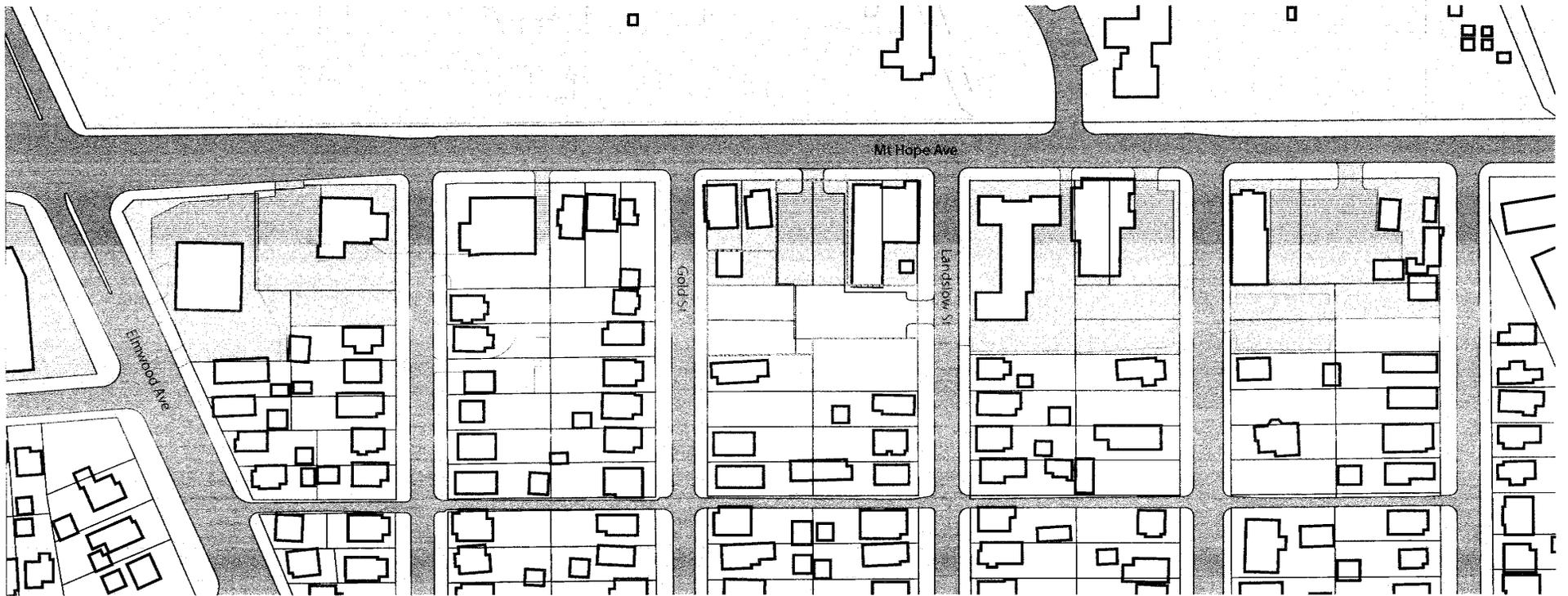
① Elevation 2 Copy 1
3/32" = 1'-0"

1180 MT HOPE WEST ELEVATION

LOFTS AT GOLD ST
1180 MT HOPE AVE



04/13/16

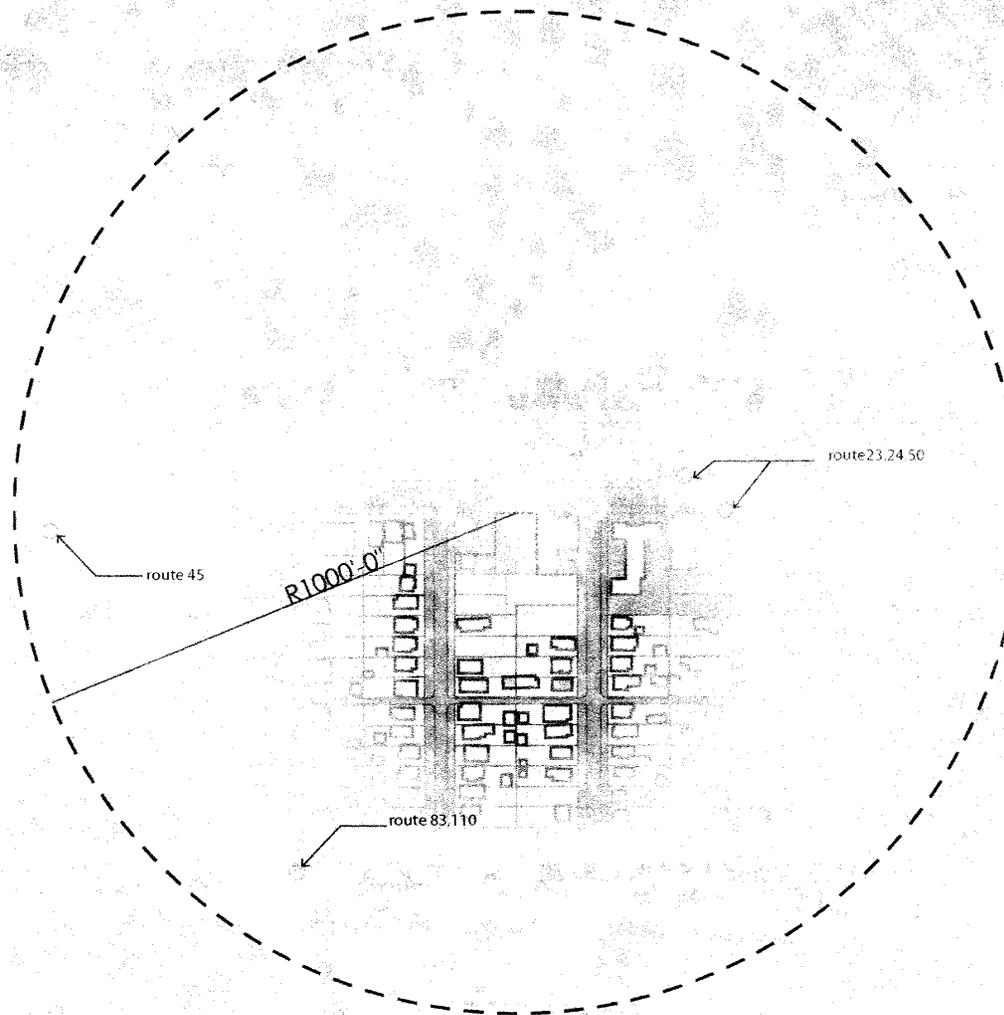


C-1/C-V
 R-1
 Parking Lot



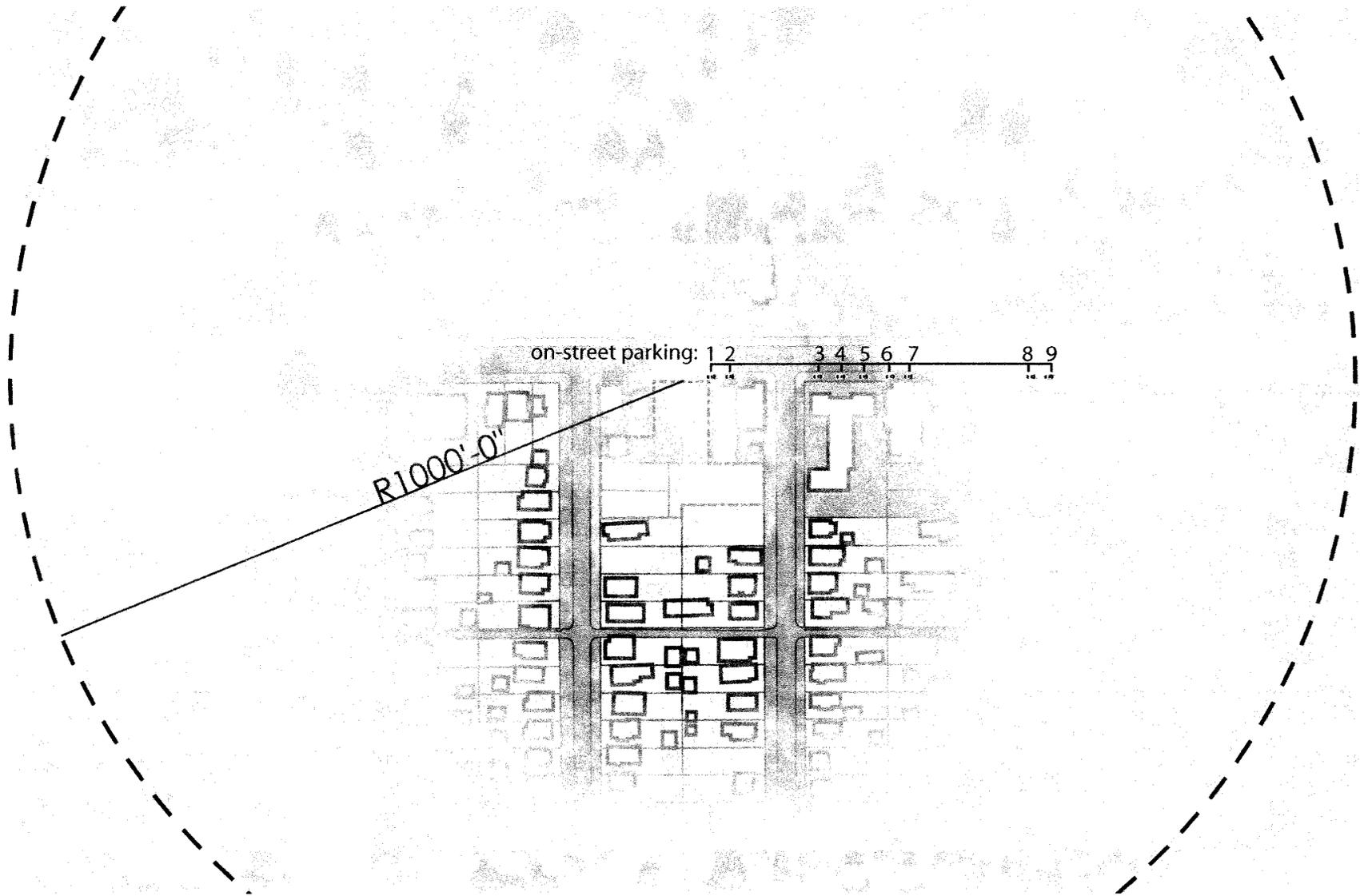
LAND USE DIAGRAM

LOFTS AT GOLD ST
1180 MT HOPE AVE



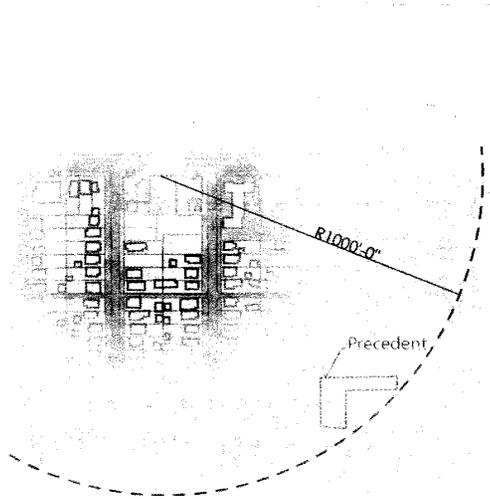
BUS STOP WITHIN 1000 FEET

LOFTS AT GOLD ST
1180 MT HOPE AVE



ON-STREET PARKING WITHIN 1000 FEET

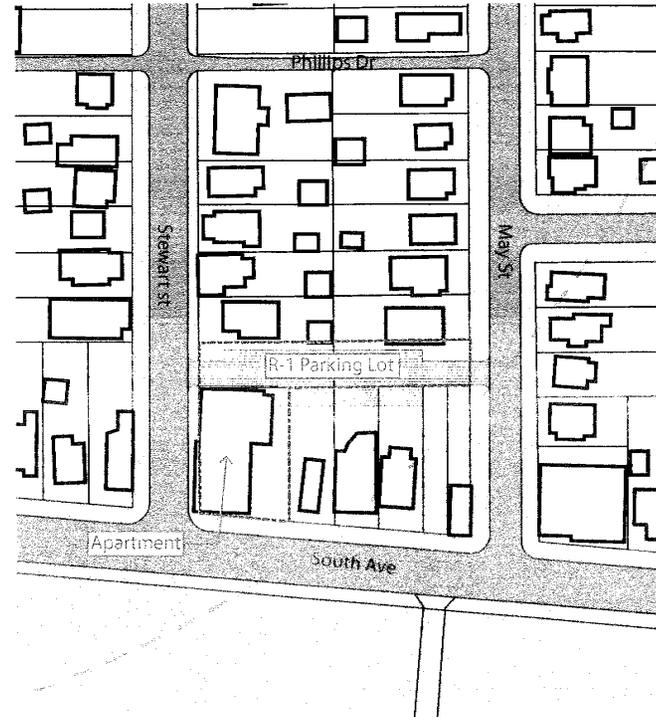
LOFTS AT GOLD ST
1180 MT HOPE AVE



R-1



Parking Lot



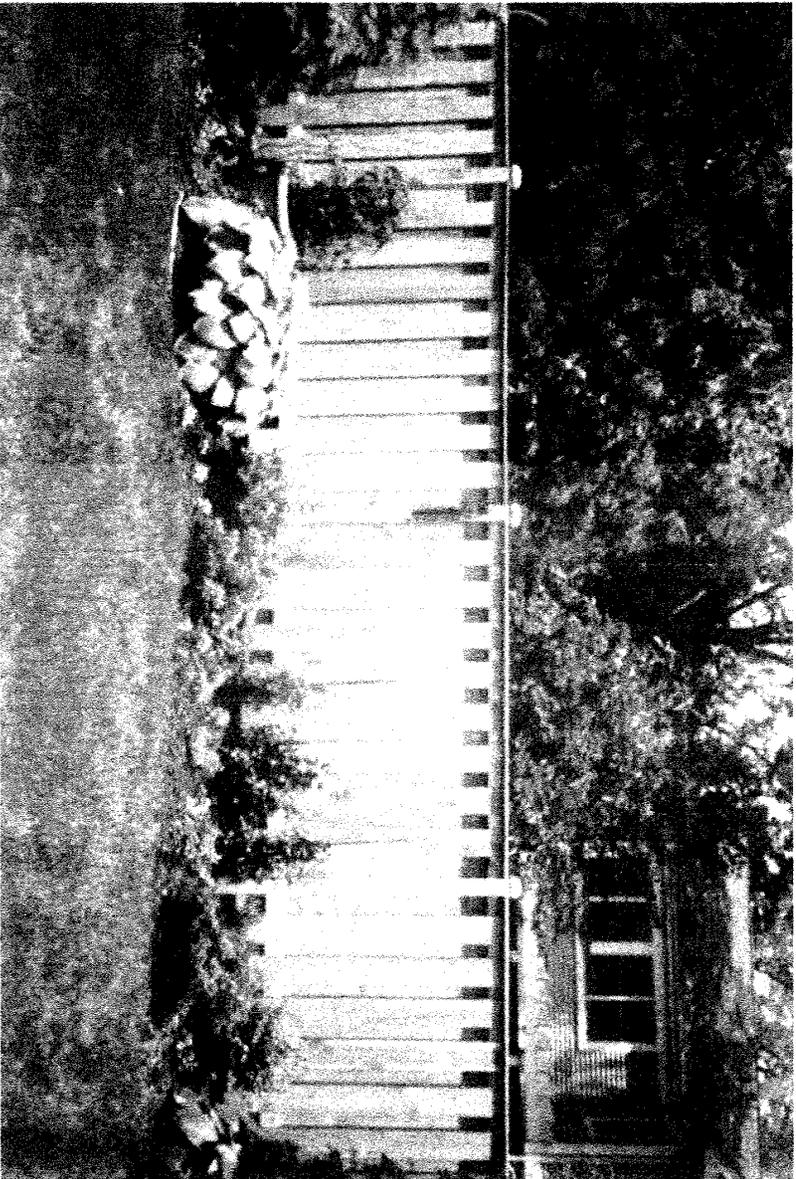
1433 South Avenue, one block from our project, is an example of a site utilizing two (2) R-1 parcels as parking lots for a residential apartment building. The R-1 parking lots both appear to exceed 90% lot coverage.

PRECEDENT IN THE NEIGHBORHOOD

LOFTS AT GOLD ST
1180 MT HOPE AVE

Proposed fence at 24 Gold Street.

6 feet high x 80 feet long on east property line, starting 20 feet from right of way.



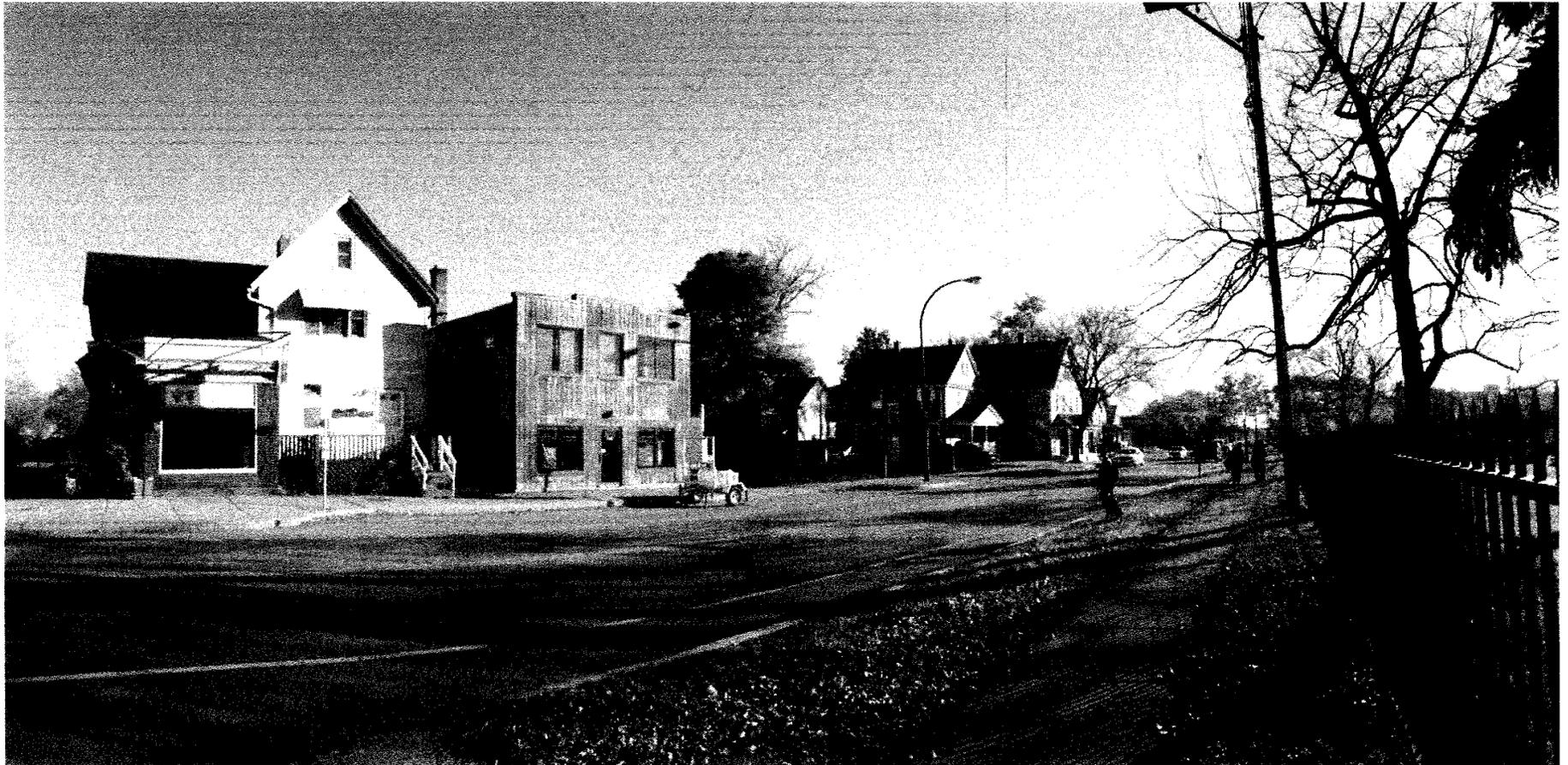
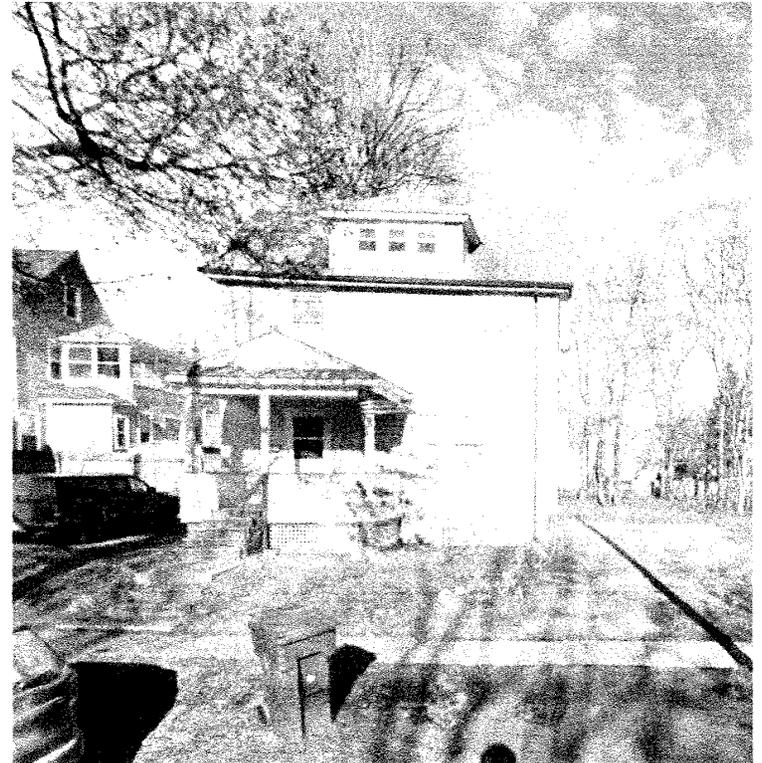
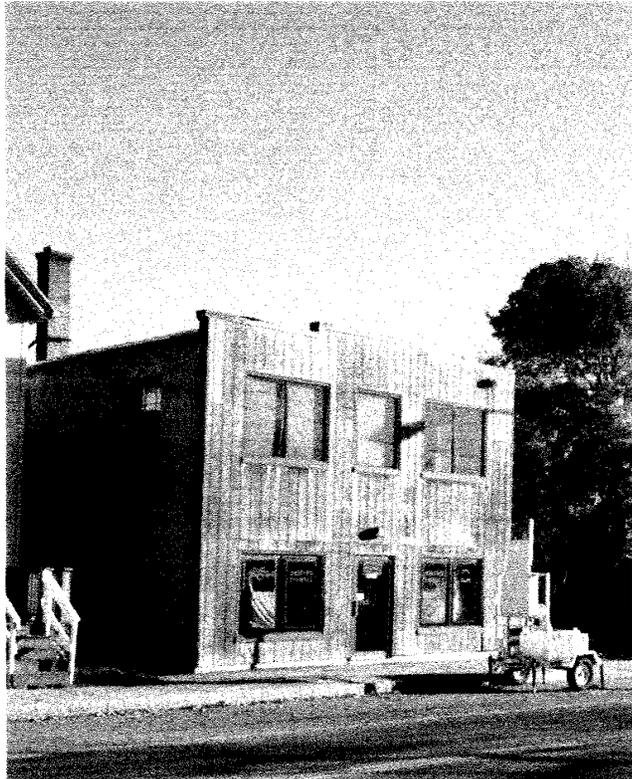


PHOTO OF THE SITE



LOFTS AT GOLD ST
1180 MT HOPE AVE

04/13/16



PHOTOS OF STRUCTURES ON THE SITE



SURROUNDING PROPERTIES ON MT HOPE



SURROUNDING PROPERTIES ON MT HOPE



SURROUNDING PROPERTIES ON GOLD ST



SURROUNDING PROPERTIES ON LANDSLOW ST



PHOTOS OF ADJACENT PROPERTIES

LOFTS AT GOLD ST
1180 MT HOPE AVE

04/13/16



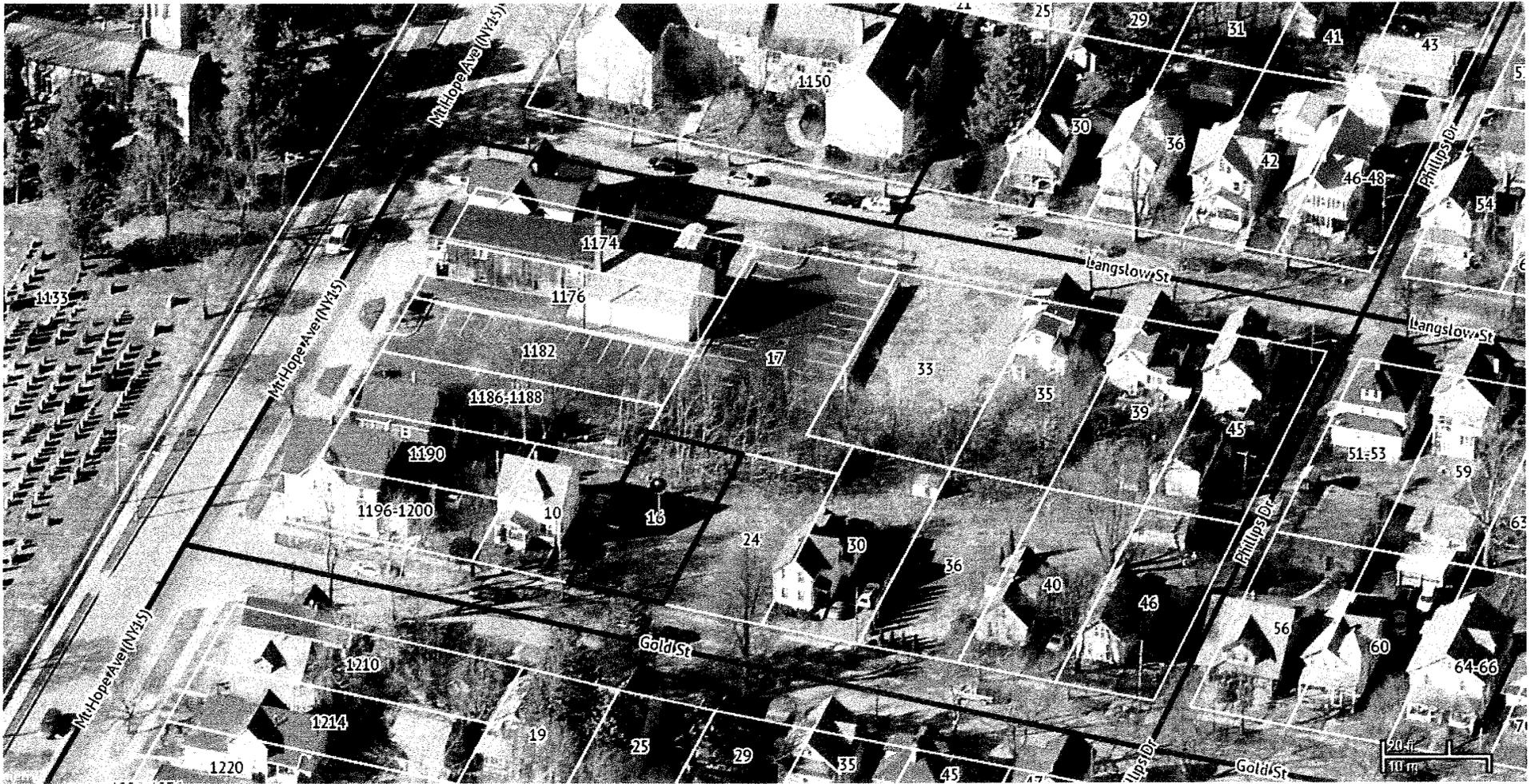
Gold St
Rochester, New York
Street View - Jan 2016

Hide imagery

Langslow St
Rochester, New York
Street View - Jan 2016



Hide imagery



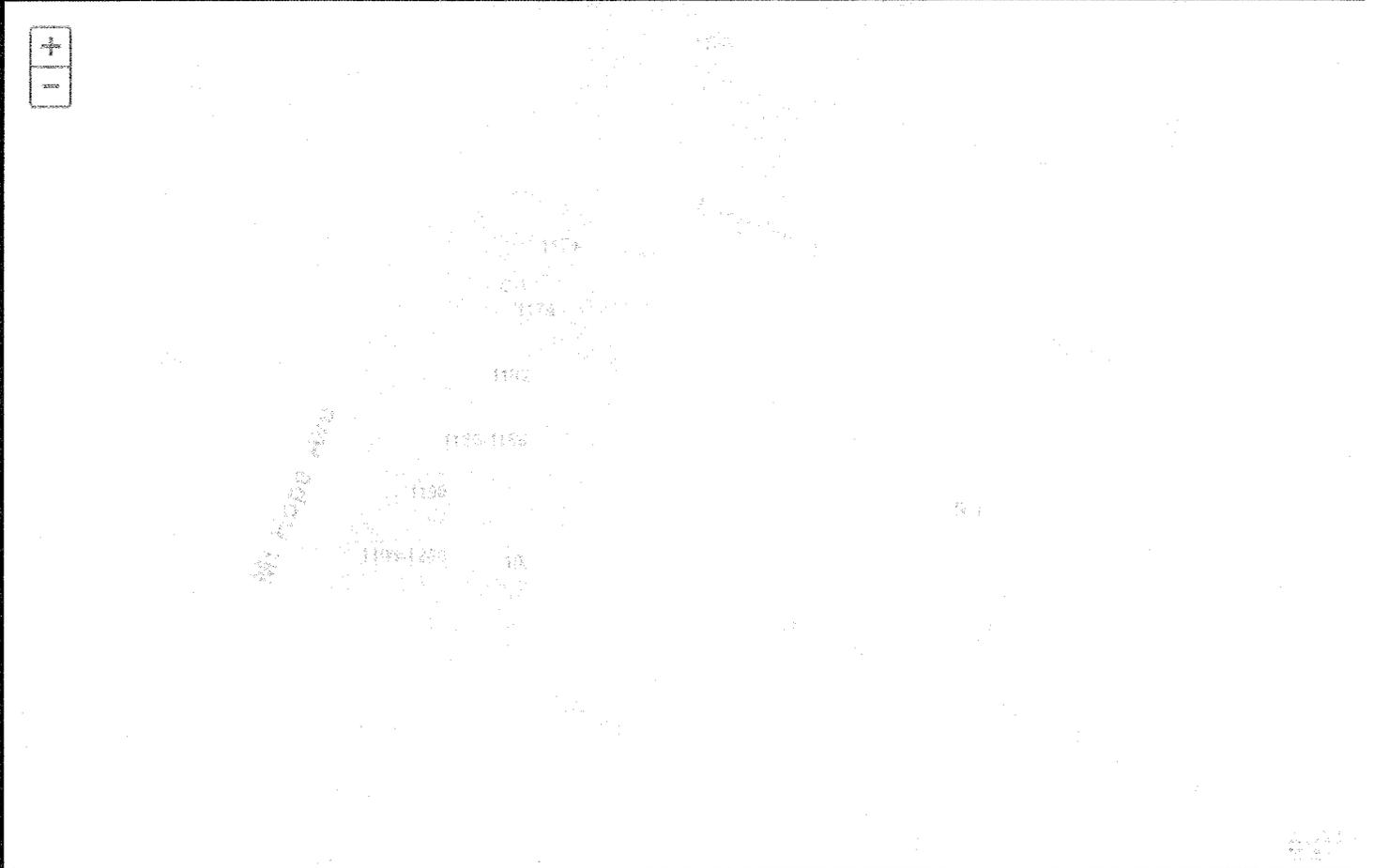


16 gold

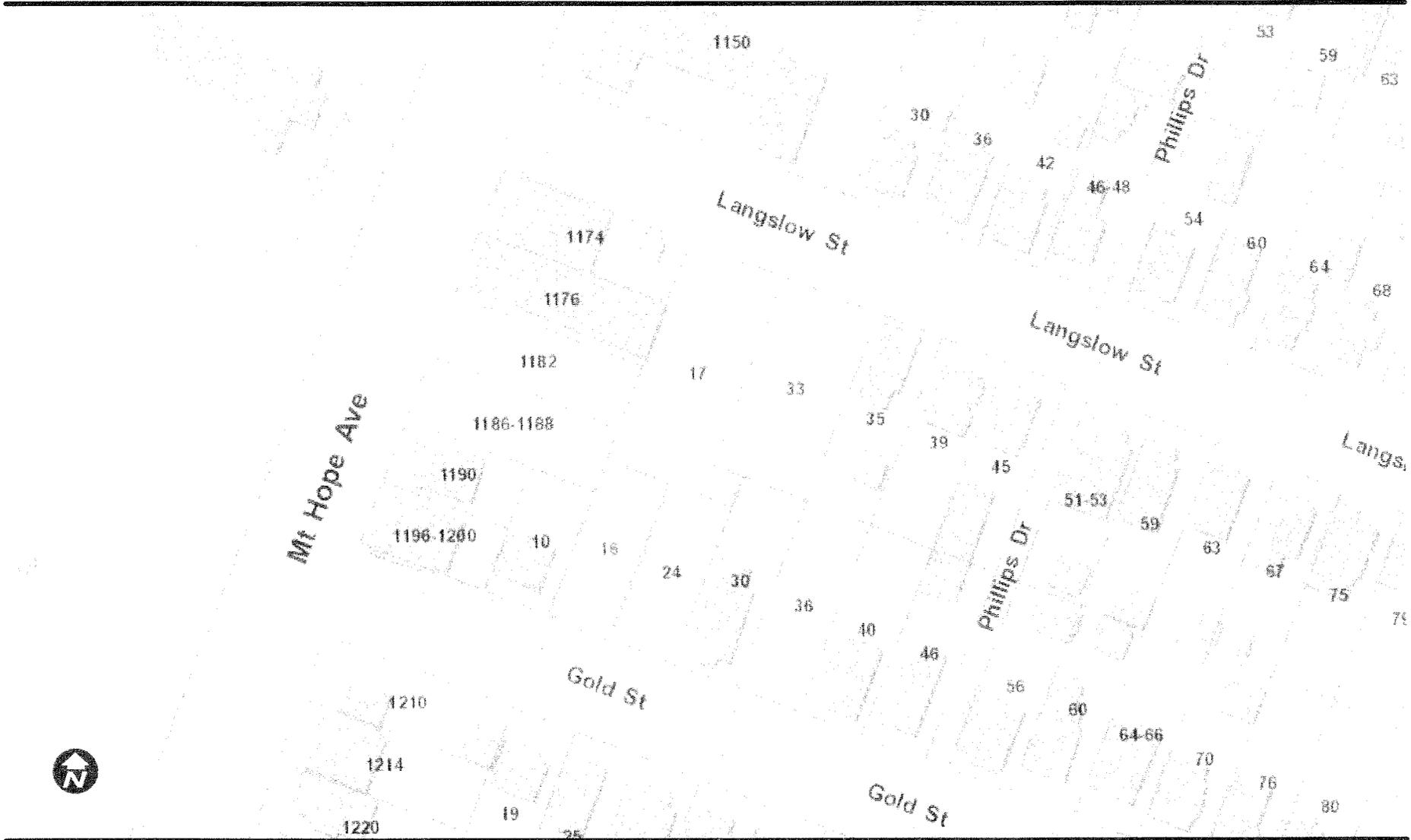
Search By: Address Owner SBL

SBL ▲ Address ▲

136.46-1-23.001 16 Gold St



16 GOLD ST



June 30, 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



July 5, 2016

Messrs. Ken Burnham and Duncan Frame
1080 Pittsford Victor Road, Ste. 202
Pittsford, NY 14534

**Re: Preliminary Site Plan Findings (SP-022-15-16) - REVISED
1176, 1182 and 1186-1188 Mt. Hope Avenue (C-1 Neighborhood Center District)
10, 16 and 24 Gold Street and 17 Langslow Street (R-1 Low Density
Residential District)**

Dear Mr. Messrs. Burnham and Frame:

These Revised Preliminary Site Plan Findings are being issued as a result of project changes as noted herein.

The original development proposal, for which Preliminary Site Plan Findings were issued on April 20, 2016, included the demolition of a 2-story building at 1176 Mt. Hope Avenue and a single family dwelling at 10 Gold Street, both located in the C-1 district, to construct a 5-story, 63,000 sq. ft. residential/retail building at 1176, 1182 and 1186-1188 Mt. Hope Avenue, and a 4-story, 8,300 sq. ft. residential building at 10 Gold Street. The target market for the mixed-use development is for student housing.

The existing parking lot at 17 Langslow Street would be expanded to include the properties at 16 and 24 Gold Street and would accommodate a total of 57 off-street parking spaces, thereby meeting the required number of parking spaces to serve the proposed development. It was identified that Special Permit approval by the City Planning Commission (CPC) was required for the development/redevelopment of the ancillary parking lots in the R district to serve the mixed-use development in the C district; and Area Variance approval from the Zoning Board of Appeals (ZBA) to waive the rear setback requirement for the 5-story building and city-wide design standards for the proposed building at 10 Gold Street.

At the May 16, 2016 CPC hearing, the Special Permit for the ancillary parking lot was denied. The CPC cited concerns with the lack of response in the design to the required lot, area and yard requirements, grading and drainage, and the dumpster location in the R district, and various negative impact the ancillary parking lot would have on nearby residential uses. As a result of the CPC denial, the ZBA hearing scheduled for the June 16, 2016 was postponed.

On June 13, 2016, the CPC reviewed a request for a rehearing. Based on new drawings and project modifications, the request was unanimously granted. The CPC is scheduled to conduct a public hearing on July 11, 2016 for the ancillary parking lot. The ZBA hearing is scheduled for July 14, 2016 to consider the area variance request.

Preliminary Site Plan Findings

SP-028-15-16

1176, 1182 & 1186-1188 Mt. Hope Avenue, 10, 16 & 24 Gold Street, and 17 Langslow Street

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Existing Conditions:

The site is located in the southeast quadrant of the city, just north of the University of Rochester and its new mixed-use College Town development and across the street from the City's historic Mt. Hope Cemetery. It is on the west edge of a compact neighborhood just one block wide by six blocks long consisting mainly of vernacular, wood-frame, one- and two-family dwellings on narrow, tree-lined streets. The neighborhood is bound by Mt. Hope and South Avenues, which are the primary north-south connections between the developing areas to the south and the re-emergent city center two miles to the north. The avenues contain a mix of uses, including family residences, restaurants, small commercial spaces, and two- and three-story apartment buildings.

Seven parcels comprise the site, totaling 0.78 acres and spanning two zoning districts. Three parcels on 1176, 1182 and 1186-88 Mt. Hope Avenue and 10 Gold Street are in a C-1 Neighborhood Center Commercial District. Three adjacent parcels, 16 and 24 Gold Street and 17 Langslow Street, are in an R-1 Low-Density Residential District. The parcels are used as follows:

- 1176 Mt. Hope Avenue contains a two-story commercial building with a 1½ story rear addition. The building is vacant, but had most recently held a comic book store. City records show that it had housed a wholesale store, a warehouse, and laboratory.
- 1182 and 1186-88 Mt. Hope Avenue and 17 Langslow Street contain a 54+/- space surface parking lot with access from both streets. City records show that a permit was issued in 1984 to construct a parking lot at 1186-88 Mt. Hope Avenue. A Certificate of Zoning Compliance (CZC) was located for 17-29 Langslow Street to maintain an existing parking lot, which also noted the installation of 245 feet of board on board fencing, 300 feet of pipe bumper rail and two planter boxes. The CZC references a Site Plan Review file (SP-150-84-85) was reviewed. A map in the file suggests that there was an existing blacktop parking lot at 1182 and 1186-1188 Mt. Hope Avenue. The official city map indicates that in 1985 lots on Langslow Street and Gold Street were either combined or reconfigured to the current layout, suggesting it was to facilitate a particular development. The records do not reflect what properties the parking lots serve or served. It is believe that the Langslow Street parking lot was once used by Salmon Florist, formerly located at 1174 Mt. Hope Avenue. Most recently, it is believed that the parking lot was used as overflow parking for the nearby Distillery restaurant, the previous owner, but the required ancillary parking lot approval from the CPC cannot be located to confirm this belief.
- 10 Gold Street holds a single-family dwelling of a vernacular style, with no garage.
- 16 and 24 Gold Street are vacant parcels with no permit history. City maps from 1924 and 1935 and a later insurance map show both parcels as undeveloped.

Preliminary Site Plan Findings

SP-028-15-16

1176, 1182 & 1186-1188 Mt. Hope Avenue, 10, 16 & 24 Gold Street, and 17 Langslow Street

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Mt. Hope Cemetery, considered to be America's oldest municipal Victorian burial ground, consists of 196 acres of glacially-formed terrain with a recognized collection of tree species and historic structures. It is the resting place of over 350,000 Rochesterians, including many of the community's most renowned. Much of the cemetery, including the portion facing the proposed development site, is part of a city-designated preservation district. The cemetery's main entrance is about 100 feet north of 1176 Mt. Hope Avenue.

Bordering the site on the north is a three-family dwelling with a commercial space on the first floor that held a florist until recently and has been converted to a medical office. Adjacent to the site on the south is a two-family dwelling followed by a four-family dwelling.

Revised Scope of the Project:

The new proposal is to demolish the 2-story structure at 1176 Mt. Hope Avenue to construct a 5-story, 63,000 sq. ft. mixed-use building at 1176, 1182 and 1186-1188 Mt. Hope Avenue; to re-establish a 27-space ancillary parking lot at 17 Langslow Street; and to construct a new 9-space ancillary parking lot at 16 and 24 Gold Street to serve the proposed use. The single family dwelling at 10 Gold Street has been removed from the project and will remain. This structure, according to assessment records, has four bedrooms and may continue to be used as single family dwelling.

The new building fronting the avenue is divided equally into five stories, and is approximately 55 feet tall. On the first floor, 2,900 sq. ft. will be devoted to commercial space, and the remainder of the space, +/-4,700 sq. ft., will be reserved for tenant amenities, such as bicycle parking, and indoor parking will be provided for 7 vehicles, accessed from the rear. Access to the apartment lobby and the commercial space would be from both the avenue side and the parking lot in the rear. On floors two through five there will be (14) 4-bedroom units and (18) 2-bedroom units, a total of 82 bedrooms to house 92 residents.

The Gold Street and Langslow Street parking lots will be constructed to prevent drive-through traffic, and the dumpster has been located away from the neighboring residential properties and placed central to the parking lots with access from Langslow Street. Additional landscaping is proposed along the street frontages and adjacent to the property at 30 Gold Street. The parking lots will be graded to prevent stormwater from running onto neighboring properties. These two parking lots are being reviewed as single parking lot because it serves a single mixed-use building,

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 a Type 1 Action. A Negative Declaration was issued on April 11, 2016, indicating that the proposed action is one which will not have a significant impact on the environment.

Preliminary Site Plan Findings

SP-028-15-16

1176, 1182 & 1186-1188 Mt. Hope Avenue, 10, 16 & 24 Gold Street, and 17 Langslow Street

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Code Compliance:

1. **'Major' Site Plan Review** approval by the Director of Planning and Zoning is required for projects which: involve construction of new multifamily dwelling; is larger than 20,000 sq. ft. and does not meet zoning requirements; abuts a site listed on the National Register of Historic Places; and is a Type 1 Action under the State Environmental Quality Review Act.

2. **Special Permit approval is required** from the CPC for the development or redevelopment of an ancillary parking lot, defined as a lot which is ancillary to a principal use not situated on the same parcel, and which is not operated as a separate commercial enterprise available to the public at large. Ancillary parking lots are subject to additional requirements for specified uses, Section 120-131 of the Zoning Code. Any provision of Section 120-131 that cannot be met may be considered by the CPC for the granting of waiver as follows:

Requirements of 120-131:	In Compliance?
A. Ancillary parking lots shall only be allowed in the district where the principal use is located or a less restrictive district.	No, the ancillary parking lot is located in an R-1 district, which is more restrictive than the C-1 district where the principal use will be located.
B. Ancillary parking lots shall be subject to all the provisions of § 120-173, Off-street parking, and all the lot, area, yard and bulk requirements of the R-1 district.	<p><u>Off-street parking (total project):</u> No. A total of 48 spaces are required; 43 on-site parking spaces are provided. The CPC will need to consider acceptance an Alternative Parking Plan to meet the needs of the proposed use.</p> <p><u>17 Langslow Street</u> Lot, area and yard requirements: No. <i>The existing ancillary parking lot was developed in the mid 1980's according to city records. Solid fencing was installed along the east property line and landscaping was installed along the street frontage, which met the design requirements for parking lots at that time. Since the ancillary parking lot is being repurposed to serve the mixed-use development, a special permit is required.</i></p> <p>Landscaping: No. <i>A minimum of one landscaped area of 162 sq. ft. (approximately one space) shall be provided for every 15 parking spaces and developed as islands within the parking surface area. There was no requirement for interior islands until the 2003 Zoning Code was</i></p>

Preliminary Site Plan Findings

SP-028-15-16

1176, 1182 & 1186-1188 Mt. Hope Avenue, 10, 16 & 24 Gold Street, and 17 Langslow Street

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	<p><i>adopted. The CPC will need to determine if it is acceptable to waive this requirement given its pre-existing condition.</i></p> <p><u>16 and 24 Gold Street</u> Lot, area and yard requirements. <i>Yes. The proposed ancillary parking lot will meet the 20' front yard setback as well as the 5' minimum with a combined total side yard setback of 15'. The maximum lot coverage of 50% will also be met.</i></p> <p>Maneuvering: <i>No. Parking spaces shall be designed to prevent any vehicles from backing into the public right-of-way, except for one-family, two-family and attached dwellings. Accessing the parallel parking spaces may require maneuver in the right-of-way, which creates an unsafe condition for pedestrians and motorists. The Site Plan Review Committee recommends these two spaces be eliminated and included in the request for acceptance of an Alternative Parking Plan.</i></p>
<p>C. Ancillary parking lots shall be used exclusively for parking of passenger vehicles.</p>	<p><i>Yes. However, the dumpster will be centrally located with access from Langslow Street. The CPC will need to consider approving the dumpster location in conjunction with the Special Permit.</i></p>
<p>D. Ancillary parking lots shall be equipped and controlled to discourage illegal parking, vandalism and other unlawful or nuisance-creating activities. When so equipped and controlled, such lots and garages may be open 24 hours a day.</p>	<p><i>No. 24-hour access is required for residential use.</i></p>
<p>E. No commercial repair work or services of any kind shall be conducted in any ancillary parking lot.</p>	<p><i>Yes. It is not proposed.</i></p>
<p>F. No sign of any kind other than designating entrances, exits and conditions of use shall be maintained on any ancillary parking lot.</p>	<p><i>Yes. A sign is not proposed.</i></p>

3. **Area Variance** approval from the Zoning Board of Appeals is required for not meeting a required rear yard setback of 20 feet; 3 feet is provided.

Preliminary Site Plan Findings

SP-028-15-16

1176, 1182 & 1186-1188 Mt. Hope Avenue, 10, 16 & 24 Gold Street, and 17 Langslow Street

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Findings:

1. The C-1 Neighborhood Center District provides for small-scale commercial uses offering primarily convenience shopping and services for adjacent residential areas. Proximity to residences requires that commercial operations in the C-1 District are low intensity, unobtrusive and conducted at a scale and density compatible with the surrounding neighborhood. There is a relatively low demand on public services, transportation and utilities.
2. The proposed 5-story mixed-use building is a permitted use in the C-1 district. It is in substantial compliance with the lot, area yard and bulk (height) requirements, except for the rear yard setback, and it is in compliance with the City-Wide Design Standards. Buildings in the C-1 district are required to be at least two stories in height, but there is no maximum height requirement. Dwelling units are permitted in the C-1 District when part of a mixed-use development that includes commercial uses permitted in the district. There is no limit to the number of commercial uses as long as the total square footage does not exceed 3,000 sq. ft.
3. Pursuant to Section 120-159 of the Zoning Code, the design standards for new mixed-use buildings prohibits certain materials on exterior walls. The following should be avoided when materials are selected:
 - Concrete finishes or panels that are not exposed aggregate, hammered, embossed, imprinted, sandblasted or covered with a cement-based acrylic coating;
 - Metal panels with a depth of less than one inch or a thickness less than U.S. Standard 26 gauge;
 - Plain concrete block and glass block;
 - Exterior insulating finish systems (EIFS) on the first floor;
 - Plastic and vinyl;
 - Corrugated metal, except as decorative or detail elements on <25% of the facade.
4. An unusually high number of written comments were received from property owners in the neighborhood regarding the original development proposal, most opposing the development. It is assumed that with the most recent project modifications that the resident comments remain the same. In general, the five key concerns are:
 - An excessively high concentration of students, with commensurate noise, poor behavior, and loitering;
 - Inadequate onsite parking, when street parking is already limited;
 - Buildings that are out of character in scale and bulk;
 - Unattractive architecture;
 - High traffic volume on Mt. Hope and South Avenues.

Preliminary Site Plan Findings

SP-028-15-16

1176, 1182 & 1186-1188 Mt. Hope Avenue, 10, 16 & 24 Gold Street, and 17 Langslow Street

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The applicant responded to these concerns in writing on February 16, 2016.

To address student behavior the following mitigation factors were identified:

- 1) Security cameras and 24-hour monitoring would be provided;
- 2) Full-time employees on site;
- 3) Enforceable rules and regulations;
- 4) Coordination with the university's off-campus housing and security personnel.

The Site Plan Review Committee agrees that the proposed staffing, monitoring and security measures are essential for this project to be a good neighbor.

Responding to concerns that every student might have a car, the applicant wrote that national statistics show that less than 0.5 car per student can be expected, and that to control vehicle numbers, he would:

- 1) Register each car and provide a form of identification to be placed on the car;
- 2) Limit the number of cars per apartment;
- 3) Assign parking spaces to units;
- 4) Monitor and enforce parking 24/7.

These proposed parking management techniques are essential since, without a street grid either side of this narrow neighborhood, there is no place to absorb excess parking. The parking management plan is highly recommended and will be stressed in the Site Plan Approval.

The previous development proposal met the off-street parking requirement. As a result of a project redesign, the current plan is deficient by 5 spaces. The rationale for an Alternative Parking Plan, defined as a means of meeting vehicle parking requirements other than providing parking spaces on site, will be submitted and reviewed by the City Planning Commission in their evaluation of the request for ancillary parking lot approval.

In response to concerns that there is so much traffic on Mt. Hope that tenants will be afraid to use the sidewalks and thus resort to driving, the applicant wrote that this is highly speculative and that sidewalks are designed to safely accommodate pedestrians regardless of traffic conditions.

Responding to concerns that heavy traffic on Mt. Hope limits vehicular access from the side streets, the applicant Mr. Burnham wrote that it is more practical to use South Avenue.

5. This proposal was referred to the Monroe County Department of Transportation (MCDOT) and the traffic engineers and transportation planner in the City's Department of Environmental Service (DES) for review and comment. After assessing the data, the MCDOT reported that the streets' current capacities meet federal safety standards, and that the volumes are not high enough to warrant

Preliminary Site Plan Findings

SP-028-15-16

1176, 1182 & 1186-1188 Mt. Hope Avenue, 10, 16 & 24 Gold Street, and 17 Langslow Street

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changes in the street configurations or traffic control devices. The engineers found that this project is not large enough to cause a significant rise in volumes, and commented that, with average daily vehicle trips on Mt. Hope Avenue in the range of 20,000, any added vehicles from this project will have a negligible impact on traffic volumes. The DES engineers and planner concurred with the findings of the MCDOT and indicated that they are working on solutions to mitigate the concerns.

6. The City's Project Review Committee, at its meetings of January 6 and March 2, 2016, provided recommendations relative to façade articulation, architectural details and materials of a human scale. Committee members suggested pulling the main building back from the public sidewalk and stepping back the upper floors.
7. The Rochester Environmental Commission reviewed the proposal at its meeting on January 21, 2016 and recommended issuance of a Positive Declaration pursuant to SEQRA, based on its concerns that the project does not meet the purpose and intent of the C-1 district. Upon further review of these concerns, the Director of Planning and Zoning determined that the concerns have been mitigated, and issued a Negative Declaration on April 11, 2016.
8. Site plan approval will require that the parcels within the C-1 zone are combined into a single tax parcel, and the parcels within the R-1 zone are combined into a separate, singular tax parcel through the resubdivision process. Parcels located in different zoning districts cannot be combined.
9. The City's Department of Environmental Services provided comments on driveway aprons, modifications to the Mt. Hope curb line, and site drainage. Those comments were forwarded to the applicant in early January, and are attached.
10. There were several forms of public notification and media coverage for the previous development proposal. All owners of properties bounded by Mt. Hope, South and Elmwood Avenues and Cook Street, along with the South Wedge Planning Committee, the Upper Mt. Hope Neighborhood Association and the Southeast Area Coalition, were notified of the proposal by postcards mailed from this office on December 14, 2015. The standard 30-day period for public comments was extended to February 22, 2016 due to the holidays.

The Democrat and Chronicle published an article about the proposal on December 19, 2015; the developers held a public meeting at St. Anne's social hall on the evening of January 18, 2016 (about 40 persons attended); and Neighborhood NBN6 sponsored a public meeting on February 8, 2016 where the developers presented their proposal (about 20 persons attended).

Preliminary Site Plan Findings

SP-028-15-16

1176, 1182 & 1186-1188 Mt. Hope Avenue, 10, 16 & 24 Gold Street, and 17 Langslow Street

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A copy of these findings will be provided to the City Planning Commission and Zoning Board of Appeals for consideration in deciding upon the Special Permit and Area Variance, respectively. Final Site Plan Review approval will not be issued until the Notice of Decisions have been issued and all conditions imposed by the City Planning Commission and Zoning Board of Appeals have been addressed, as well as any additional requirements as noted in these findings.

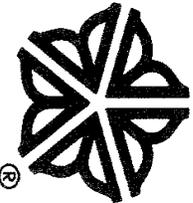
Please contact Peter Siegrist at 428-7238 or Peter.Siegrist@cityofrochester.gov if you have any questions regarding these preliminary findings.

Sincerely,



Zina Lagonegro, AICP, EIT
Director of Planning and Zoning

CC: Tom Mann, Permit Office Manager
Al Giglio, Terry Mott, Erik Frisch, Department of Environmental Services
Jill Wiedrick, City Planning Commission
Jill Symonds, Zoning Board of Appeals
Jason Haremza, Rochester Environmental Commission
Brent Penwarden, Monroe County Department of Transportation



**CITY PLANNING COMMISSION
STAFF REPORT
July 11, 2016**

Special Permit

Case #7:

Staff Reviewer: Jill Wiedrick

File Number:

E-002-16-17

Case Type:

Special Permit

Applicant:

Jim DeLuca, Abundance Cooperative Market

Address:

553-557 and 561-565 South Avenue

Zoning District:

C-2 Community Center District

Section of Code:

120-43D, 120-131

Request:

To establish an 18 space ancillary parking lot in conjunction with the redevelopment of an existing parking lot that will serve the proposed 13,000 +/- square foot grocery store (Abundance Cooperative Market) that will reoccupy an existing commercial building; an action requiring City Planning Commission approval.

Analysis:

Preliminary Site Plan Review Findings (SP-030-15-16) 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): 553-557, 561-563, 571-585, & 591 South Ave; 206 Averill Ave

2. APPLICANT: Jim DeLuca COMPANY NAME: Abundance Cooperative Market

ADDRESS: 62 Marshall St CITY: Rochester ZIP CODE: 14607

PHONE: (585) 454-2667 FAX: _____

E-MAIL ADDRESS: jim@abundance.coop

INTEREST IN PROPERTY: Owner Lessee Other

3. PLAN PREPARER: Marathon Engineering

ADDRESS: 39 Cascade Dr CITY: Rochester ZIP CODE: 14614

PHONE: 585-458-7770 FAX: _____

E-MAIL ADDRESS: eschaaf@marathoneng.com

4. ATTORNEY: _____

ADDRESS: _____ CITY: _____ ZIP CODE: _____

PHONE: _____ FAX: _____

5. ZONING DISTRICT: C-2

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

The 0.84+/- acre site is zoned C-2 Community Center District – a grocery store is an allowed use.

The existing building is being re-purposed into a 13,000+/- square foot facility operating as a grocery store. Refer to the Letter of Intent and Long Form EAF for additional details.

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

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

SIGNATURE: _____ DATE: _____

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: _____

January 25, 2016

City of Rochester
Building and Planning Department
30 Church Street
Rochester NY 14614

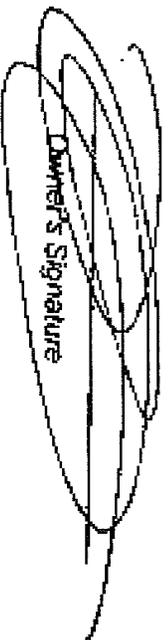
Re: Proposed Abundance Cooperative Market
553-557, 561-563, 571-585, & 591 South Ave; 206 Averill Ave
City of Rochester

To Whom It May Concern:

As the owner of 553-557, 561-563, 571-585, & 591 South Ave; 206 Averill Ave, I hereby give my permission to Abundance Cooperative Market and/or its agents, including but not limited to Marathon Engineering and Northeast Preconstruction Ventures (NPV), to make application for site plan approval and /or all other necessary or required municipal approvals regarding a project to construct and operate the Abundance Cooperative Market, which may involve the above referenced properties currently owned by me, the undersigned.

Respectfully submitted,


Owner's Printed Name


Owner's Signature

cc: Abundance Cooperative Market
Marathon Engineering
Northeast Preconstruction Ventures (NPV)



39 Cascade Drive / Rochester, NY 14614 / Phone (585) 458-7770

May 11, 2016

Jill Wiedrick

City of Rochester

City Hall, Room 125B

30 Church St

Rochester NY 14614

Re: Special Permit Approval – Ancillary Parking Lot
Abundance Cooperative Market
553–557 & 561–563 South Ave

Dear Jill,

On behalf of our client, Abundance Cooperative Market (Abundance Co-op), we are submitting materials for the above referenced project for Special Permit Approval – Ancillary Parking Lot, and ask to be placed on the June 13, 2016 agenda of the City Planning Commission.

Abundance Co-op is relocating to a larger grocery store in the South Wedge neighborhood to allow more people in Rochester to take advantage of the cooperative business model it offers alongside the healthy, wholesome food it has specialized in since 2001.

The 0.84+/- acre site is zoned C-2 Community Center District – a grocery store is an allowed use. The existing building is being re-purposed into a 13,000+/- square foot facility operating as a grocery store.

The applicant is leasing all five parcels; we are proposing to combine the three parcels containing the building (571–585, & 591 South Ave; 206 Averill Ave) into one parcel. The two parcels to the north of the building (553–557 and 561–563 South Ave) contain parking for the market, but, as required by the lease agreement, will remain separate parcels; thus a Special Permit for Ancillary Parking is required. To the casual observer, the lot lines will not be discernible – the Abundance Co-Op Market building and associated parking will appear to be on one parcel.

In addition to parking spaces, we have proposed to locate a dumpster on the ancillary parking lot. It should be noted this is not a trash dumpster, rather, in keeping with the operating philosophy of Abundance Co-Op Market, it will be solely used for recycling (cardboard). Therefore, the normal detriments associated with a dumpster (odor, rodents, et al) will not be present.

Locating the dumpster in this location provides a direct (safe) route for the recycling truck to access the dumpster. The dumpster will be enclosed in an enclosure (board-on-board). In addition, there is a 6-foot board-on-board fence along the western perimeter of the ancillary parking area, adjacent to the neighboring parcels.

Going the distance for you.

Special Permit Approval – Ancillary Parking
Abundance Cooperative Market
South Ave, City of Rochester
05/11/2016

The City has issued Preliminary Site Plan Findings; Site Plan Review will not be completed until the City Planning Commission has filed their notice of decision regarding the Ancillary Parking.

Enclosures

Enclosed is the following information to aid in your review:

- Responses to the Special Permit Standards
- Project Information Sheet
- Long Form EAF
- Photos of the existing site
- Proposed Site Plans (3 Full Size & 1 11x17)
- Proposed Floor Plans and Elevations (11x17)
- 1 pdf of each of the above items (submitted electronically)
- Check for the \$250 Special Permit Application fee

If you have any questions, please do not hesitate to contact our office.

Respectfully submitted,



Eric W Schaaf
MARATHON ENGINEERING

cc: Jim Deluca, Abundance Cooperative Market
Joseph Burkart, NPV
Joe Kosiorek, SWBR Architects

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 ancillary parking lot is an integral part of the proposed Abundance Co-Op Market operation; having this be part of the South Avenue corridor and the larger South Wedge Neighborhood supports and is consistent with the Comprehensive Plan.

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.

This proposal is supported by the neighbors and community groups. The Abundance Co-Op Market, with a sit down restaurant and outdoor seating area, will have a positive impact on the neighborhood and revitalize this block of the South Avenue Corridor. Safety and general welfare will be improved by improving the existing vacant building and parking facility.

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.

To buffer the neighboring parcels, there is a 6-foot board-on-board fence along the western perimeter of Abundance Co-Op parcels, including the ancillary parking area. The parking areas will not dominate neighboring properties, nor interfere with their development or use.

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 Abundance Co-Op Market operation is a re-purposing of an existing building; there is no impact on utilities or public facilities and services.

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

The proposed Abundance Co-Op Market operation is a re-purposing of a vacant building originally constructed in 1982 and thus does not have any negative impacts on any natural, scenic, cultural, or historic feature of significant importance.



City of Rochester

Bureau of Planning
and Zoning

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

May 9, 2016

Mr. Jim DeLuca
Abundance Cooperative Market
62 Marshall Street
Rochester, NY 14607

**Re: Preliminary Site Plan Findings, SP-030-15-16
553-557, 561-563, 571-585 and 591 South Avenue and 206 Averill Avenue**

Zoning: C-2 Community Center District

Dear Mr. DeLuca:

A preliminary review of your application for site plan approval to establish a low impact retail operation (Abundance Cooperative Market) with a sit down restaurant, renovate the façade, and redevelop the site, has been completed. The review was based on the following plans prepared by Marathon Engineering, dated January 27, 2016:

- existing conditions
- site
- utility, grading, and erosion control
- landscaping and lighting plans

The review also included a floor plan and elevations prepared by SWBR Architects, dated October 16, 2015. Please email or call Jason Haremza at jason.haremza@cityofrochester.gov or 585-428-7761 if you have any questions.

Neighborhood Context

South Avenue is one of Rochester's historic mixed use corridors that originally developed in the 19th Century along public transit routes. South Avenue, and the larger South Wedge Neighborhood, is one of the city's most active and vibrant neighborhoods. After a period of decline in the mid-20th century, it is well known for the revitalization that has occurred since the 1980s.

South Avenue is generally characterized by two to four story mixed use buildings, although in the immediate vicinity of the project site, there are larger footprint single story buildings, including the subject building. The side streets off South Avenue are relatively high density residential neighborhoods consisting generally of closely spaced one and two family frame or brick dwellings, with some small apartment buildings interspersed.

Averill Avenue provides a secondary access corridor for the project site, connecting Mount Hope Avenue and the Genesee Riverway Trail to the west, with South Clinton Avenue, Monroe Avenue, and the Monroe Village neighborhood to the east.

Walkscore (www.walkscore.com) gives the project site a score of 97 (very walkable or “daily errands do not require a car”).

Existing Conditions

The 0.84 acre site consists of five separate parcels, all located in the C-2 District:

Address	Current Legal Use
553-557 South Avenue	Vacant land (permit history)
561-563 South Avenue	Vacant land (permit history)
571-585 South Avenue	Store and recording studio (2005 C of O). Original use, film processing facility, permitted by variance granted in 1981.
591 South Avenue	Vacant land (permit history)
206 Averill Avenue	unclear

The 13,000 +/- square foot single story masonry structure was constructed in 1982 as a film processing facility. The building straddles the properties at 571-585 and 591 South Avenue. The last know legal use was a low impact retail (music store) operation.

There is an existing paved area behind the structure that is not striped. It has space for approximately 24 cars and is accessed from a curb opening on Averill Avenue.

North of the building, on 553-557 and 561-565 South Avenue, is a grass lawn area that formerly contained a frame two family dwelling and a three story, brick, mixed use building. These were demolished in the late 1960s and early 1970s.

The adjoining properties at 161-163 and 165 Hamilton Street and 194 Averill Avenue are listed on the State and National Register of Historic Places. Because of this, the proposed project requires a higher level of review and was referred to the Project Review Committee and Rochester Environmental Commission. Please see their attached recommendations.

Project Scope

The proposal is to establish a 9,900 square foot low impact retail food store and teaching kitchen with a 1,600 square foot sit down restaurant in a vacant retail structure, including facade renovations. The project includes the redevelopment and expansion of the parking lot from approximately 24 spaces to 42 spaces, with associated site and landscaping improvements. The proposed hours of operation will be 8AM to 8PM.

Three of the five parcels that make up the site will be combined (571-585 and 591 South Avenue and 206 Averill) for the proposed retail operation, while the remaining two parcels will be retained separately (553-557 and 561-563 South) and developed as an ancillary parking lot to serve the proposed retail operation.

Environmental Review

Pursuant to New York State Environmental Conservation Law and Chapter 48 of the Rochester City Code, this project has been classified as a Type 1 Action. A Notice of Environmental Determination was issued on April 11, 2016, with a **NEGATIVE DECLARATION**. The proposed action is one which will not have a significant adverse impact on the environment.

Findings:

1. Use

The C-2 District permits retail sales and service operation (full-line food, low impact retail and specialty retail) as of right with hours of operation from 6AM to 2AM. The proposed use is being listed as low impact because of its size, because of the sit-down restaurant and test kitchen and because there are no plans to sell tobacco or lottery.

2. Building Renovation

The project utilizes an existing structure built as a film processing facility in the early 1980s. Although the building is placed at the street frontage with parking in the rear, the film processing operation dictated there be limited windows. Thus for over 30 years, the building has presented a long, blank, masonry wall along South Avenue.

The 13,000 +/- square foot building is pre-existing and has always operated as a single tenant space. Therefore, the change of use to a low impact retail operation is not subject to the 6,000 square foot size limitations in the C-2 District.

a. Windows: The applicant is to be commended for the proposed windows. However, the four new windows, as proposed, may not be the best solution to activating a façade that has long deadened the adjacent street.

The best solution would be four new, large, storefront windows, similar in size and orientation to the existing storefront window at the south end of the South Avenue façade.

Short of this, the next best solution would be to concentrate the amount of transparency into two large storefront windows and install two large display windows. The display windows, with a three to four foot display space depth, would preserve interior wall area for placement of shelving.

b. Entrance: Having a fully active entrance on South Avenue is critical to enlivening the street. The applicant is to be commended for revising their interior floor plan to ensure the South Avenue entrance will be fully operational during business hours. A revised floor plan shall be submitted to document this.

c. Awnings and Lighting: The applicant is encouraged to consider straight sides, rather than flared, awnings in a durable fabric materials. Façade lighting that takes advantage of the building's recesses along South Avenue and makes these into an amenity that enlivens the street after dark is strongly recommended and encouraged.

3. Site Design

a. Parking: Reconstructing the existing rear parking area is a positive element of this project. The amount of parking, as proposed, is the maximum amount allowed by code:

- 9,900 square foot retail store; 20 spaces required.
- 1,600 square foot sit down restaurant; 16 spaces required

36 spaces are required. Maximum parking allowed is 40 spaces; 42 spaces are proposed including two handicapped spaces.

It should be noted that the South Wedge is one of Rochester's most walkable neighborhoods. This particular location is adjacent to dedicated on-street bicycle lanes on South Avenue and is a short distance from the Genesee Riverway Trail. The applicant has committed to maintaining a fully operational entrance from the public sidewalk on South Avenue and providing the required bicycle parking. A revised site plan shall be submitted to document this. Given the anticipated clientele, the applicant is encouraged to provide more bicycle parking than required by code. The bike parking should be easily accessible, in reasonable proximity to the store entrance, and commodious enough to accommodate bicycles with bags and/or trailers.

The expanded parking area on the north side of the building, as an ancillary parking lot on separate parcels, requires a Special Permit. Eliminating this parking area may eliminate the need for the Special Permit.

b. Dumpster: The proposed dumpster location at the far north edge of the site is along the Hamilton Street frontage and immediately adjacent to the front yard a residential property to the west at 165 Hamilton Street, listed on the National Register of Historic Places. Dumpsters should be placed as close as possible to the use it is serving to minimize impacts, particularly odors and noise, on adjacent properties, and shall not be placed in close proximity to residential uses. See also Code Compliance Review #2.

c. Landscaping: Regardless of the final use for the north portion of the site, the landscaping should consist of a formal row of columnar trees along South Avenue and Hamilton Street. These trees will, over time, create a vertical element that will frame the streets in the absence of a building at this corner.

4. Signage

The proposed signs were not detailed or dimensioned and therefore were unable to be assessed as part of this review. The proposed signs seem small and not fully thought out. Creative, imaginative, signs are an integral part of enlivening this building and promoting and giving visibility to the new use. Suggested signage type and locations include: a projecting sign over the South Avenue entrance, or signs on the north and south walls visible to motorists and pedestrians on South Avenue

5. Department of Environmental Services (DES) comments

DES made several comments based on their review of the project. Please see the attached memo from James McIntosh, City Engineer, to John Hart, dated February 29, 2016.

Prior to final site plan approval, DES will have the opportunity to review any revised drawings.

6. Resubdivision

The site consists of five separate parcels. Three of these shall be combined into a single parcel through a resubdivision. The remaining two parcels will be retained as separate parcels. The applicant is to submit a complete resubdivision application prior to issuance of the Building Permit.

7. Project Review Committee (PRC) recommendations

PRC recommendations are attached.

8. Rochester Environmental Commission (REC) recommendations

REC recommendations are attached.

Code Compliance Review:

1. Site Plan Review. Major site plan review is required for the following:

a. Section 120-191D(3)(a)[10]. Projects involving or abutting a designated landmark or those involving or abutting a site listed or eligible for listing on the State or National Register of Historic Places. The properties to the west, 161 -163 and 165 Hamilton Street and 194 Averill Avenue are all listed on both the National and State Registers.

b. Section 120-191D(3)(a)[19]. Any redevelopment in all districts that involves the installation of a new curb cut in the public right-of-way of principal arterials, minor arterials and collector streets. South Avenue is a minor arterial.

c. **Section 120-191D(3)(c)[1]**. All Type I actions as identified in Section 48-4 of the City Code. This is a Type I action due to adjacency to property listed on the National Register of Historic Places.

**2. Special Permit approval by the City Planning Commission is required for:
Ancillary Parking, Section 120-43D**

Special Permit approval is required by the City Planning Commission (CPC) for the construction of an ancillary parking lot, defined as a lot which is ancillary to a principal use not situated on the same parcel, and which is not operated as a separate commercial enterprise available to the public at large. The proposed parking area on 553-557 and 561-565 South Avenue is an ancillary lot because it is on a separate parcel/parcels from the principal use.

Ancillary parking lots are subject to additional requirements for specified uses, Section 120-131 of the Zoning Code. Any provision of Section 120-131 that cannot be met is subject to waivers by the CPC as follows:

Requirements of 120-131:	Compliance
A. Ancillary parking lots shall only be allowed in the district where the principal use is located or a less restrictive district.	Yes. Both the principal use and the ancillary parking lot are in the C-2 District.
B. Ancillary parking lots shall be used exclusively for parking of passenger vehicles.	No. The proposed parking area will be used for maneuvering of delivery vehicles accessing the loading area on the north wall of the building. In addition, the project proposes to locate the dumpster for the retail store on the ancillary parking lot adjacent to the residential structure at 165 Hamilton Street. See Finding 3b.
C. Ancillary parking lots shall be equipped and controlled to discourage illegal parking, vandalism and other unlawful or nuisance-creating activities. When so equipped and controlled, such lots and garages may be open 24 hours a day.	No. No control devices are proposed.
D. No commercial repair work or services of any kind shall be conducted in any ancillary parking lot.	Yes. No commercial repair work is proposed.
E. No sign of any kind other than designating entrances, exits and conditions of use shall be maintained on any ancillary parking lot.	Yes. No signs are proposed.

A copy of these Site Plan findings will be provided to the City Planning Commission so that they may be taken into consideration while making decisions on your application for the Special Permit. If you have any questions regarding the Special Permit process, please contact Jill Wiedrick at 585-428-6914 or jill.wiedrick@cityofrochester.gov.

Site Plan Review will not be completed until the City Planning Commission has filed their notice of decision.

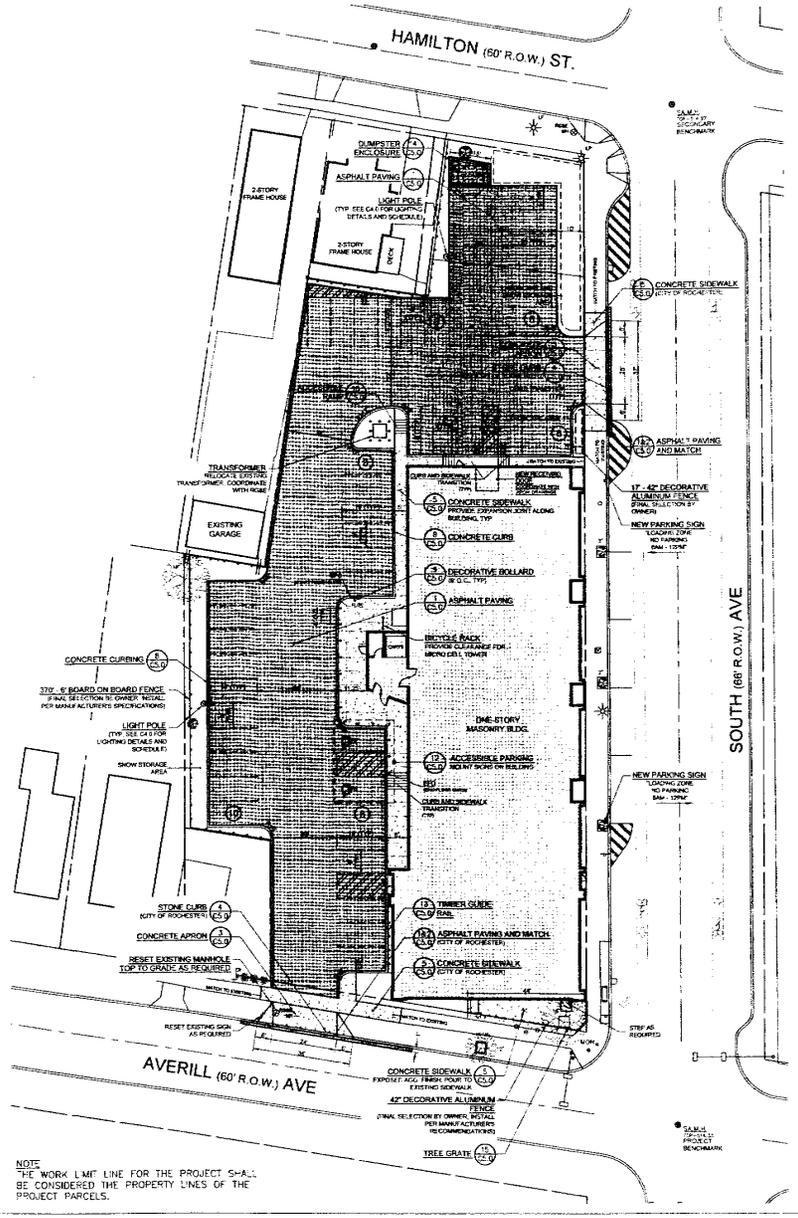
If you have questions about the Site Plan Review process, please call or email Jason Haremza at 585-428-7761 or jason.haremza@cityofrochester.gov.

Sincerely,



Zina Lagonegro, AICP, EIT
Director of Planning and Zoning

xc: John Hart, DES Permit Office
Matt McCarthy, Bureau of Business and Housing Development
Terry Mott, DES Permit Office
Eric Schaaf, Marathon Engineering
Jill Wiedrick, Bureau of Planning and Zoning, CPC staff
Project file



NOTE:
THE WORK LIMIT LINE FOR THE PROJECT SHALL BE CONSIDERED THE PROPERTY LINES OF THE PROJECT PARCELS.

PROJECT STATISTICS

- GENERAL:**
 - 1.1 PROPERTY OWNER - ABUNDANCE COOPERATIVE MARKET
 - 1.2 PROPERTY ADDRESS AND TAX ACCOUNTY:

555 577 SOUTH AVENUE	(716) 580-2067 / 713 300
571 481 SOUTH AVENUE	(716) 580-2067 / 014 000
571 695 SOUTH AVENUE	(716) 580-2067 / 014 300
812 SOUTH AVENUE	(716) 580-2067 / 015 000
296 AVERILL AVENUE	(716) 580-2067 / 017 000
 - ZONING REGULATIONS:**
 - 2.1 ZONING DISTRICT - C2 COMMUNITY CENTER DISTRICT
 - CODE REQUIREMENTS:**

PROJECT FEATURES	REQUIRED	PROPOSED	NOTES
PERMITS	YES	YES	
SEAL RETENTION	NO	NO	
PERMITS	NO	NO	
RELOCATE LOT CORNERS	YES	NO	NO PERMITS
TOTAL LOT COVERAGE	80%	58%	81.3%
BUILDING HEIGHT	3 STORY MAX	1.5	NO PERMITS
PARKING SPACES	1	1	NO PERMITS
 - VARIANCES:** ABUNDANCE COOPERATIVE MARKET REQUESTING APPROVAL FOR TOTAL LOT COVERAGE REQUESTED
- PARCEL STATISTICS:**
 - 3.1 AREA - 0.4 ACRES
 - 3.2 EXISTING CONDITIONS: SINGLE STORY MASONRY BUILDING (CAVART); BROKEN ASPHALT PARKING LOT
 - 3.3 PROPOSED CONDITIONS: SINGLE STORY MASONRY BUILDING (GROCCO STORE); NEW ASPHALT PARKING LOT (42 SPACES); NEW LED LIGHT POLES

CONSTRUCTION

- 1. SCHEDULE:** THE CONSTRUCTION STARTUP SHALL BE PERFORMED BY A LICENSED LAND SURVEYOR USING CONTROL PROVIDED ON THE "LAYOUT PLAN". THE BUILDING FOOTPRINTS, DATED 10/18/2016, WERE PROVIDED BY OWNER ARCHITECTS. DISCREPANCIES WITH BALANCED CONTROL POINTS AND/OR THE DIMENSIONS SHALL BE REPORTED TO THE DESIGN ENGINEER PRIOR TO THE INSTALLATION OF IMPROVEMENTS FOR CONSTRUCTION AND CLARIFICATION.
- 2. LABELS:** DIMENSIONS SHOWN WHERE APPLICABLE SHALL BE FROM THE FACE OF CURB UNLESS SPECIFICALLY CALLED OUT OTHERWISE.
- 3. UTILITIES:** THE CONTRACTOR SHALL COORDINATE INSTALLATION OF UTILITY WORK WITH OTHER SITE UTILITIES (E.G. GAS, ELECTRIC, LIGHTING, COMMUNICATIONS) TO AVOID POTENTIAL INTERFERENCE CONFLICTS.
- 4. STAGING:** AS DENIED BY THE CONTRACT DOCUMENTS THE CONTRACTOR SHALL CONSTRUCT A SECURE STAGING AREA FOR STORAGE OF EQUIPMENT, MATERIALS, EXCESSIVE WASTE AND OFFICE SPACE. IF THE ALLOCATION IS NOT SPECIFICALLY STIPULATED ON THE DOCUMENTS THEN IT SHALL BE COORDINATED WITH THE OWNER'S ON-SITE REPRESENTATIVE.
- 5. CLOSE-OUT:** THE CONTRACTOR'S WORK SCOPE INCLUDES BUT IS NOT LIMITED TO THE FOLLOWING AT PROJECT CLOSE-OUT TO THE SATISFACTION OF OWNER'S ON-SITE REPRESENTATIVE:
 - REMOVAL OF ALL CONSTRUCTION DEBRIS
 - CLEANING, PAINTING AND WAXING SURFACES
 - RESTORATION OF ALL DISTURBED GRASS AND LANDSCAPED AREAS
 - PROVIDING BONDS, GUARANTEES, CERTIFICATIONS, ETC. AS REQUIRED BY CONTRACT DOCUMENTS
 - PROVIDING A RECORD DRAWING
 - COMPLETION OF FINAL PUNCH LIST ITEMS

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

SITE PLAN
ABUNDANCE
- COOPERATIVE MARKET -
561-563, 571-585, 591 SOUTH AVENUE
CITY OF ROCHESTER
COUNTY OF MONROE
STATE OF NEW YORK

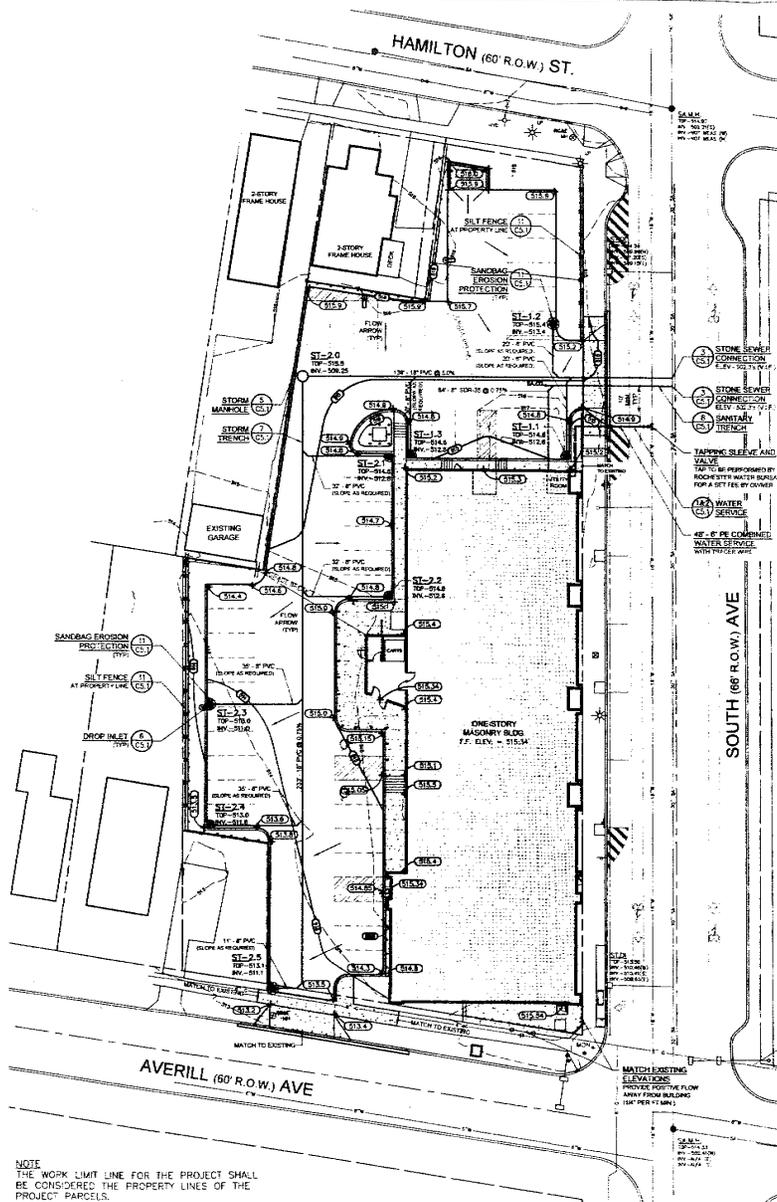
JOB NO: 0664-15
SCALE: 1" = 20'
DRAWN: PBG
DESIGNED: RPB
DATE: 01/21/2016

REVISIONS	
DATE	REVISION

ROBERT P. BRINGLEY

DRAWING TITLE:
LAYOUT PLAN

2 of 6
SHEET No: **C2.0**
JOB No: 0664-15
DRAWING No:



NOTE:
THE WORK LIMIT LINE FOR THE PROJECT SHALL
BE CONSIDERED THE PROPERTY LINES OF THE
PROJECT PARCELS.

UTILITIES

1. SANITARY

1.1 MATERIALS

- MANHOLE - RINGS SHALL BE POLYETHYLENE CHLORIDE (PVC) WITH GASKETS SUITABLE FOR ELASTOMERIC GASKET JOINTS, AND A MINIMUM WALL THICKNESS OF 50#-35 TYPE III FIBERGLASS REINFORCED PLASTIC.
- ASTM A 153 AS FULFILLING
- ASTM A 153 AS FULFILLING
- LATERALS - FITTINGS SHALL BE POLYETHYLENE CHLORIDE (PVC) WITH GASKETS SUITABLE FOR ELASTOMERIC GASKET JOINTS, AND A MINIMUM WALL THICKNESS OF 50#-35 TYPE III FIBERGLASS REINFORCED PLASTIC.
- JOINTING MATERIALS - SHALL BE BELL AND SPIGOT WITH RUBBER FLUSH ON PIPE ELASTOMERIC GASKET JOINTS. GASKET MATERIAL TO BE NEOPRENE MEETING ASTM D 1571.
- MANHOLES SHALL BE PRECAST CONCRETE WITH NEOPRENE GASKETS MEETING ASTM G 15.4 AND ASTM C 400.

- 1.2 INFILTRATION EXFILTRATION - MAXIMUM ALLOWABLE INFILTRATION OR EXFILTRATION SHALL NOT EXCEED 100 GALLONS PER HOUR PER INCH DIAMETER PER LINE OF PIPE PER DAY FOR THE FULL STANDARD LENGTH OF THE MAIN SEWER. THE PROCEEDING SHALL BE DETERMINED BY THE PROCEEDING TEST TO BE CONDUCTED IN ACCORDANCE WITH THE PROCEEDING TEST. THE TEST SHALL BE CONDUCTED IN ACCORDANCE WITH THE PROCEEDING TEST. THE TEST SHALL BE CONDUCTED IN ACCORDANCE WITH THE PROCEEDING TEST.

- 1.3 FLOOR DRAINAGE - FLOOR DRAINAGE, IF CONSTRUCTED IN THE PROJECT, MUST BE CONNECTED TO THE SANITARY SEWER. FLOOR DRAINAGE DOES NOT INCLUDE FOUNDATION OR EXTERIOR WALL DRAINAGE. FOUNDATION DRAINAGE SHALL BE CONSTRUCTED FROM THE FLOOR DRAIN TO THE SANITARY SEWER MAIN COMPANY WITH THE EFFLUENT LIMITS OF THE LOCAL AGENCY. THE MAIN COMPANY SHALL BE DETERMINED BY THE LOCAL AGENCY.

- 1.4 TESTING - DESIGN TESTS SHALL BE PERFORMED ON ALL EXPOSED PIPE. THE TEST SHALL BE CONDUCTED AFTER THE FINAL BACKFILL HAS BEEN IN PLACE AT LEAST 24 HOURS. THE TEST SHALL EXCEED A DEFLECTION OF 1% OF THE DEFLECTION TEST. THE TEST SHALL BE CONDUCTED AFTER THE FINAL BACKFILL HAS BEEN IN PLACE AT LEAST 24 HOURS OF THE INSIDE DIAMETER OF THE PIPE. THE TEST SHALL BE PERFORMED WITHOUT MECHANICAL PULLING DEVICES.

- 1.5 SEPARATION - MINIMUM VERTICAL SEPARATION BETWEEN WATER MAINS AND SEWER LINES SHALL BE 18" MEASURED FROM THE OUTSIDE OF THE PIPE AT THE POINT OF CROSSING. ONE FULL STANDARD LENGTH OF WATER MAIN SHALL BE COVERED UNDER THE SEWER TO COVER THE SEWER TO THAT POINT. JOINTS SHALL BE AS FAR FROM THE SEWER AS POSSIBLE. IN ADDITION, WHEN THE WATER MAIN PLACES UNDER A SEWER, ADEQUATE STRUCTURAL SUPPORT SHALL BE PROVIDED FOR THE SEWER TO PREVENT FLOORING. THE SEWER SHALL BE COVERED UNDER THE WATER MAIN THROUGHOUT THE SEPARATION BETWEEN PARALLEL WATER MAINS AND SEWER LINES. MINIMUM VERTICAL SEPARATION SHALL BE 18" FEET MEASURED FROM THE OUTSIDE OF THE PIPES MANHOLES OR VALVES.

2. STORM

- 2.1 REGULATIONS - STORM SEWERS AND APPURTENANCES SHALL BE CONSTRUCTED IN CONFORMANCE WITH THE LATEST REGULATIONS OF THE MUNICIPALITY.
- 2.2 MATERIALS - THE CONTRACTOR MAY USE THE FOLLOWING PIPE MATERIAL AS ALLOWED BY THE MUNICIPALITY, PROVIDED THAT THE PROPOSED PIPE MATERIAL SHALL BE APPROVED BY THE MUNICIPALITY. THE PIPE MATERIAL SHALL BE APPROVED BY THE MUNICIPALITY. THE PIPE MATERIAL SHALL BE APPROVED BY THE MUNICIPALITY.

- 2.3 ROOF DRAINAGE - ALL ROOF DRAINAGE SHALL BE COLLECTED AND Piped TO THE STORM SEWER SYSTEM UNLESS SPECIFIED OTHERWISE.
- 2.4 TESTING - UPON COMPLETION OF SYSTEM INSTALLATION, THE MAIN SEWER SYSTEM AND LEADS TO STRUCTURES SHALL BE FLUSHED AND LAMPED TO THE SATISFACTION OF THE MUNICIPALITY.

EARTHWORK

- 1. PREPARATION - PRIOR TO START OF EARTHWORK OPERATIONS THE CONTRACTOR SHALL COMPLETE THE FOLLOWING APPLICABLE ITEMS AS DEFINED BY CONTRACT DOCUMENTS:
 - SITE DEMOLITION - REMOVE AND DISPOSAL OFF-SITE IN A LEGAL MANNER STRUCTURES, UTILITIES, PAVEMENTS, ETC.
 - CLEARING AND GRUBBING - REMOVE AND DISPOSAL OFF-SITE IN A LEGAL MANNER TREES, BRUSH, STUMPS, ETC.
 - TOPSOIL STRIPPING - STRIP AND STOCKPILE TOPSOIL FOR REUSE. EXCESS TOPSOIL MAY BE REMOVED FROM SITE WITH APPROVAL OF OWNER AND MUNICIPALITY.

- 2. RESPONSIBILITY - THE CONTRACTOR IS RESPONSIBLE FOR:
 - ESTIMATE - COMPLETION OF A QUANTITY TAKEOFF TO DETERMINE THE VOLUME OF CUT, FILL, AND TOPSOIL, COMPARE AND COORDINATE WITH INFORMATION PROVIDED BY THE DESIGN ENGINEER.
 - GRADE TOLERANCES - ESTIMATE DESIGN SURFACE ELEVATIONS TO WITHIN ONE TENTH OF ONE FOOT TO SIX INCHES FOR ALL REMAINING AREAS.
 - COMPACTING - ACHIEVING THE SPECIFIED MINIMUM COMPACTION VALUES FOR DRAINAGE/INFILTRATION AREAS. THE TERMS "FILL" AND "EMPALEMENT" ARE INTERCHANGEABLE.
 - CUTS - ONCE EXCAVATION HAS BEGUN TO THE DESIGN GRADE, THE AREA SHALL BE PROTECTED TO ASSURE THAT THE PROTECTIVE MATERIAL IS NOT COMPROMISED BY CONSTRUCTION VIBRATIONS AND IMPROPER DRAINAGE. AREAS DETERMINED BY CONTRACTOR TO BE HIGH SUSCEPTIBLE FOR SINKING PLACEMENT SHALL BE IMMEDIATELY STABILIZED UNDER THE UNDERLAYER IS ESTABLISHED TO OWNER'S REPRESENTATIVE. STABILIZATION MEASURES FOR CUT AREAS MAY BE CONSIDERED BY OWNER'S REPRESENTATIVE TO BE A PART OF THE BASE CONTRACT.

- 3. TESTING - THE FOLLOWING MAXIMUM PERCENTAGE SHALL BE ACHIEVED AS MEASURED BY THE WORKER PROCTOR METHOD ASTM D 1557:
 - 95% UNDER PAVEMENT, WALKS, AND IN STRUCTURAL FILL AREAS
 - 85% IN REMAINING AREAS

- 4. LIFT THICKNESS - THE MAXIMUM LIFT THICKNESS UNDER PAVEMENT, WALKS, AND STRUCTURAL FILL SHALL BE 12 INCHES. MAXIMUM LIFT THICKNESS UNDER PAVEMENT SHALL NOT EXCEED 6 INCHES.

- 5. PROOF ROLLING - THE OWNER'S DESIGN ENGINEER MAY REQUEST A PROOF ROLL OF EXPOSED NEW ELEVATION OF SURFACE AREAS PRIOR TO PLACEMENT OF SURFACE MATERIALS. AREAS THAT FAIL SHALL BE REMOVED AND REPAIRED TO CORRECT THE SURFACE FINISH.

EROSION CONTROL

- 1. CERTIFICATION - THE STORM WATER POLLUTION PREVENTION PLAN (SWPPP) WHICH INCLUDES THE "SWPPP PLAN," EROSION CONTROL PLAN, "EROSION CONTROL NOTES," ALONG WITH THE "DRAINAGE REPORT," DESIGN AND MEETS THE REQUIREMENTS OF THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC) LATEST STORM WATER REGULATIONS.

- 2. CONTRACTOR RESPONSIBILITY - ALL CONTRACTORS AND SUB-CONTRACTORS SHALL CERTIFY WITHIN THE SWPPP THAT THEY WILL IMPLEMENT AND MAINTAIN STORM WATER MANAGEMENT PRACTICES.

- 3. INSPECTION - EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED BY THE SITE WORK CONTRACTOR AND SUBJECT TO THE REVIEW AND APPROVAL OF THE MUNICIPALITY, DESIGN ENGINEER, INSPECTOR, AND OWNER'S REPRESENTATIVE. IMMEDIATE ACTION BY THE CONTRACTOR SHALL BE TAKEN IF ADDITIONAL CORRECTIVE MEASURES ARE REQUIRED BY ANY ONE OF THESE CITED REFERENCED. EROSION CONTROL MEASURES NOT SPECIFICALLY SHOWN ON CONTRACT DRAWINGS (E.G., STRAW BALES, COLLARS, FABRICS, ETC.) SHALL BE INSTALLED AS WARRANTED BY FIELD CONDITIONS, AND AS DIRECTED BY THE WORKMAN APPROVED REFERENCING.

- 4. PRE-CONSTRUCTION - THE APPROPRIATE EROSION CONTROL MEASURES AS DEFINED BY THE CONSTRUCTION DOCUMENTS SHALL BE INSTALLED PRIOR TO THE START OF ANY CONSTRUCTION ACTIVITIES.

- 5. TOPSOIL - UPON COMPLETION OF THE STOCKPILE STRIPPING OPERATION, STOCKPILES SHALL BE STABILIZED IN ACCORDANCE TO HYDROLOGIC REGULATIONS.

- 6. SLOPES - UPON COMPLETION OF GRADING, SLOPES WITH A GRADIENT OF ONE FOOT VERTICAL TO THREE FEET HORIZONTAL TO 1:3 OR GREATER SHALL BE TOPSOILED, SEEDED, FERTILIZED AND TREATED AS SPECIFIED ON CONTRACT DRAWINGS.

- 7. DUST - THE CONTRACTOR SHALL APPLY WATER AND/OR CALCIUM CHLORIDE, AS CONDITIONS WARRANT, TO CONTROL WIND BORN EROSION. THIS MEASURE APPLIES TO HAUL ROAD, CUT AND FILL OPERATIONS, SUBGRADE AND ANY OTHER EXPOSED SURFACES.

- 8. OPERATION & MAINTENANCE - THROUGHOUT THE PERIOD OF CONSTRUCTION AND PRIOR TO CELEBRATING FINAL GROUND COVER, THE SITE CONTRACTOR IS RESPONSIBLE FOR THE OPERATION AND MAINTENANCE OF THE TEMPORARY EROSION CONTROL MEASURES. FOR EXAMPLE, THE SIX-TON FACED SHALL BE RE-CALCULATED WHEN THE VOLUME FROM CURB TO DISTURBED AREAS IS REDUCED BY ONE-HALF OR MORE OF ITS SPECIFIED CAPACITY AND/OR THE MATERIAL IS WITHIN ONE FOOT OF THE DISTURBED AREAS.

- 9. WORK STOPPAGE - ALL DISTURBED AREAS NOT TO BE WORKED WITHIN 21 DAYS MUST BE STABILIZED WITHIN 14 DAYS FROM THE LAST CONSTRUCTION ACTIVITY IN THAT AREA.

- 10. SCHEDULE - THE CONTRACTOR SHALL INSTALL EROSION CONTROL MEASURES IN THE FOLLOWING SEQUENCE UNLESS AUTHORIZED OTHERWISE AT ANY CONSTRUCTION METHOD:
 - INSTALL PERMANENT SEDIMENT CONTROL BASINS, EROSION FENCING
 - INSTALL STABILIZED CONSTRUCTION ENTRANCE
 - PROTECT VEGETATION TO REMAIN
 - CLEAR DRAINAGE AND CONSTRUCTION ENTRANCES AND SEDIMENT BASINS
 - COMPLETE CLEARING AND GRUBBING OPERATION
 - PLACE EROSION CONTROL MEASURES INCLUDING STOCKPILES AND STRIP TOPSOIL
 - CONTRACTOR SHALL USE EROSION CONTROL DEVICES AS PART OF WORK OPERATIONS
 - MAINTAIN EROSION CONTROL MEASURES AND PLACE ADDITIONAL MEASURES AS EARTHWORK AND UNDERGROUND UTILITIES ARE CONSTRUCTED
 - REPAIR AREAS AS SPECIFIED BY CONTRACT DOCUMENTS
 - REMOVE EROSION CONTROL MEASURES AS AREAS ARE RESTABILIZED WITH GRASS COVER.

MARATHON ENGINEERING
39 CASCADE DRIVE
ROCHESTER, NY 14614
PHONE 585-458-7770
WWW.MARATHONENG.COM

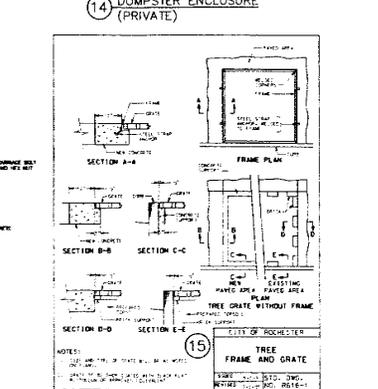
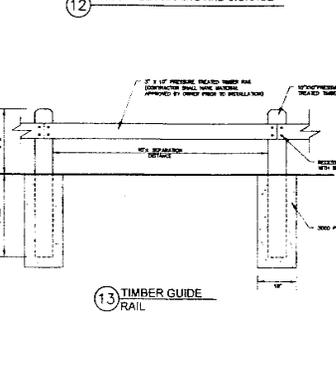
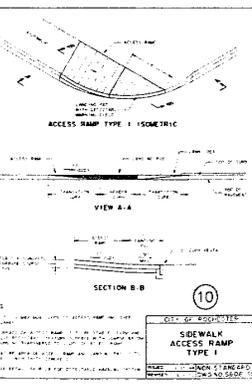
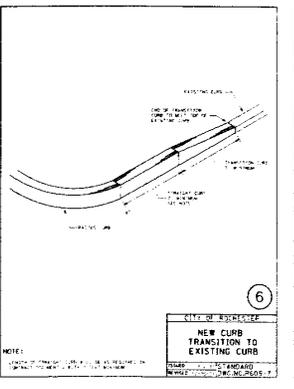
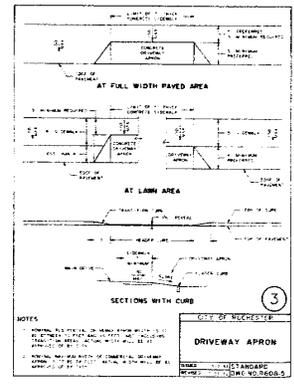
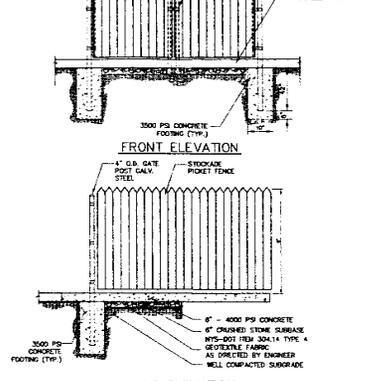
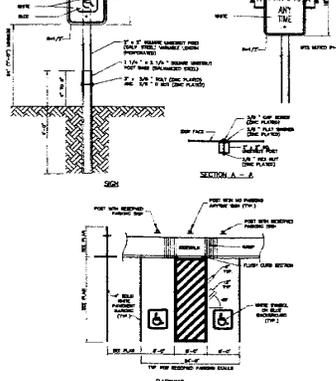
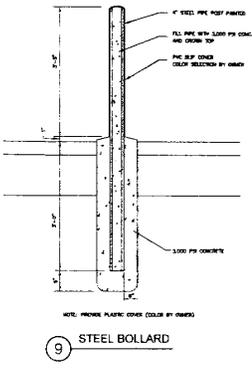
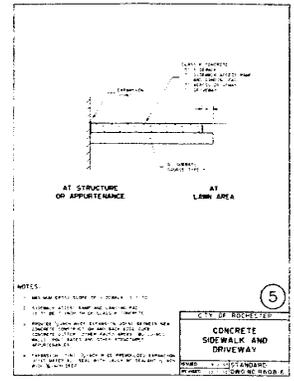
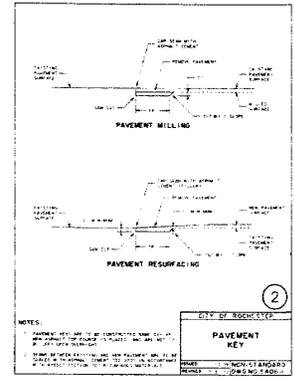
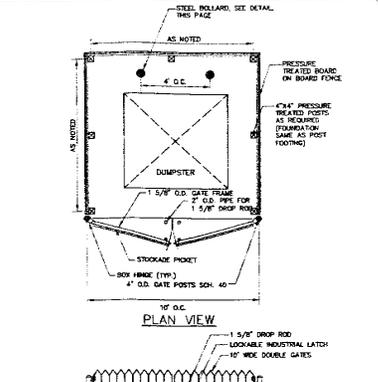
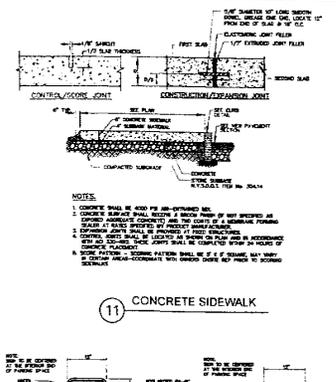
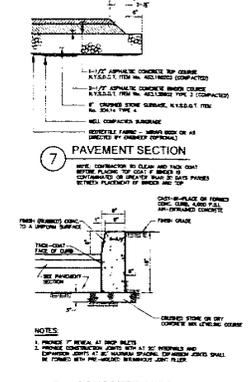
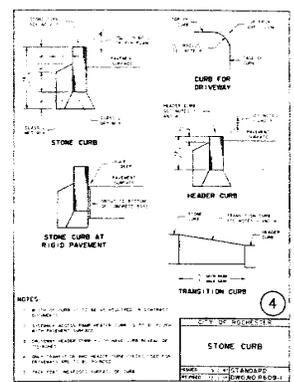
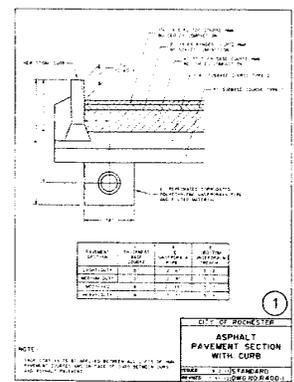
SITE PLAN
ABUNDANCE
COOPERATIVE MARKET
561-563, 571-585, 591 SOUTH AVENUE
COUNTY OF MONROE
CITY OF ROCHESTER
STATE OF NEW YORK

JOB NO.	0664-15
SCALE	1" = 20'
DRAWN	RFB
DESIGNED	RFB
DATE	01/27/16

REVISIONS	
DATE	BY / REVISION

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ROBERT P. BRINGLEY

DRAWING TITLE
UTILITY, GRADING AND EROSION CONTROL PLAN
3 of 6
SHEET NO. **C3.0**
JOB NO. 0664-15
DRAWING NO.

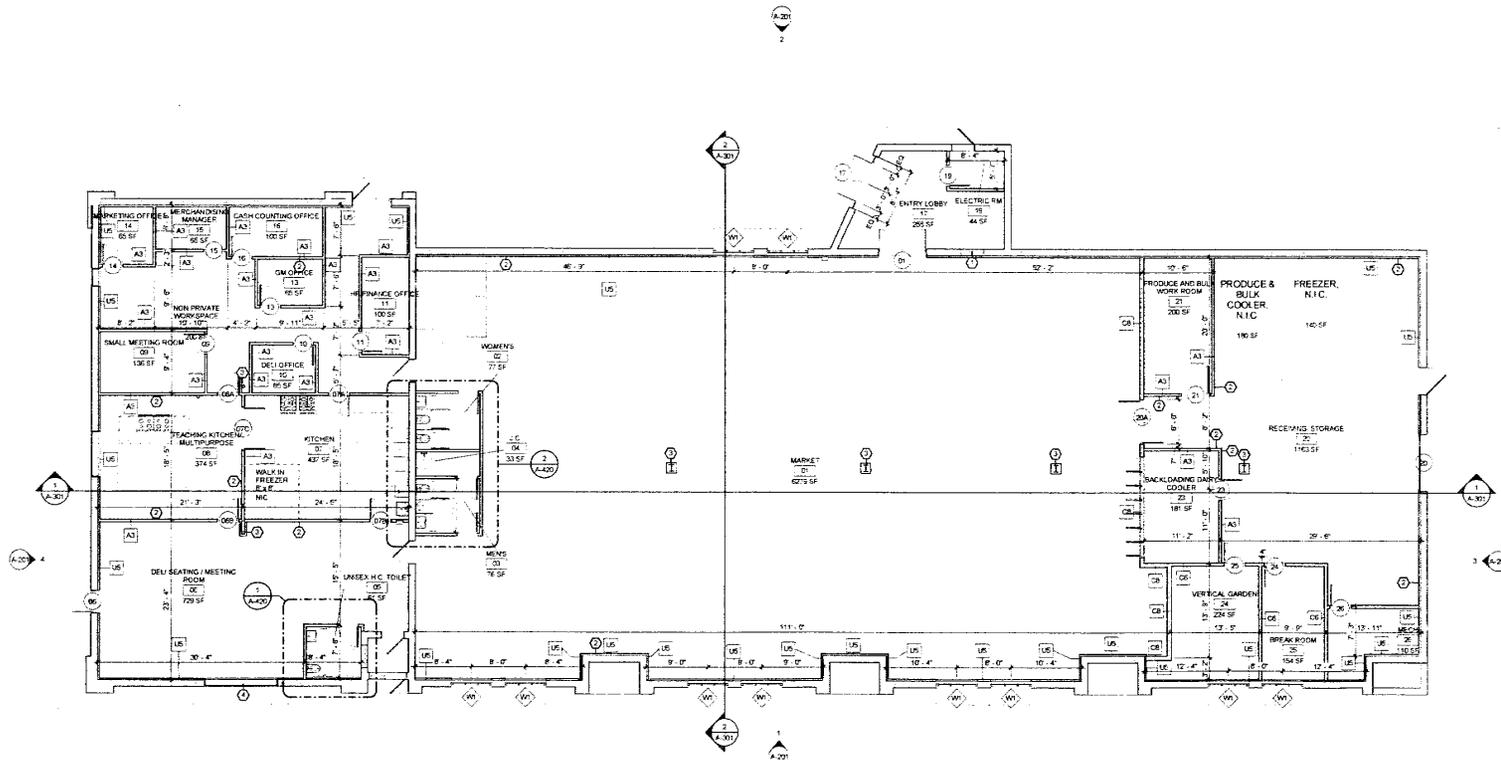


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PLAN KEY NOTES		
NO	NOTED AS	DESCRIPTION
1		IMPL. WALL MATCH ADJACENT TO EXISTING
2		PROVIDE ABUSE RESISTANT GLASS BOARD UP TO 2" OFF FINISH. 15/1" GRID WALL INDICATED
3		WORK COLUMNS PLUMB TO REEL'S AND CYPRESS/SHEDS USING WALL TYPE US. PROVIDE CORNER GUARDS
4		PROVIDE FALSE MULLIONS IN EXISTING WINDOW FRAME TO MATCH ADJACENT NEW WINDOWS ON EAST FACADE

REFER TO DRAWING G-001 FOR PARTITION TYPES.

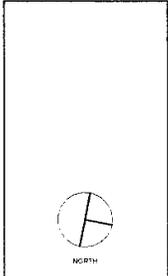


1 FIRST FLOOR PLAN
1/8" = 1'-0"



387 East Main Street
Rochester, NY 14604-2107
Voice: 585.232.8300
Fax: 585.232.9221
www.swbr.com

ROCHESTER, NEW YORK



REVISIONS	
no.	description

PROJECT
ABUNDANCE
COOPERATIVE MARKET

CLIENT
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COOPERATIVE MARKET
570 SOUTH AVE
ROCHESTER, NY 14620

DRAWING TITLE
FIRST FLOOR PLAN

DRAWING NO	DATE	BY	CHECKED
A-102	10/16/2015	JK	JK

STATUS
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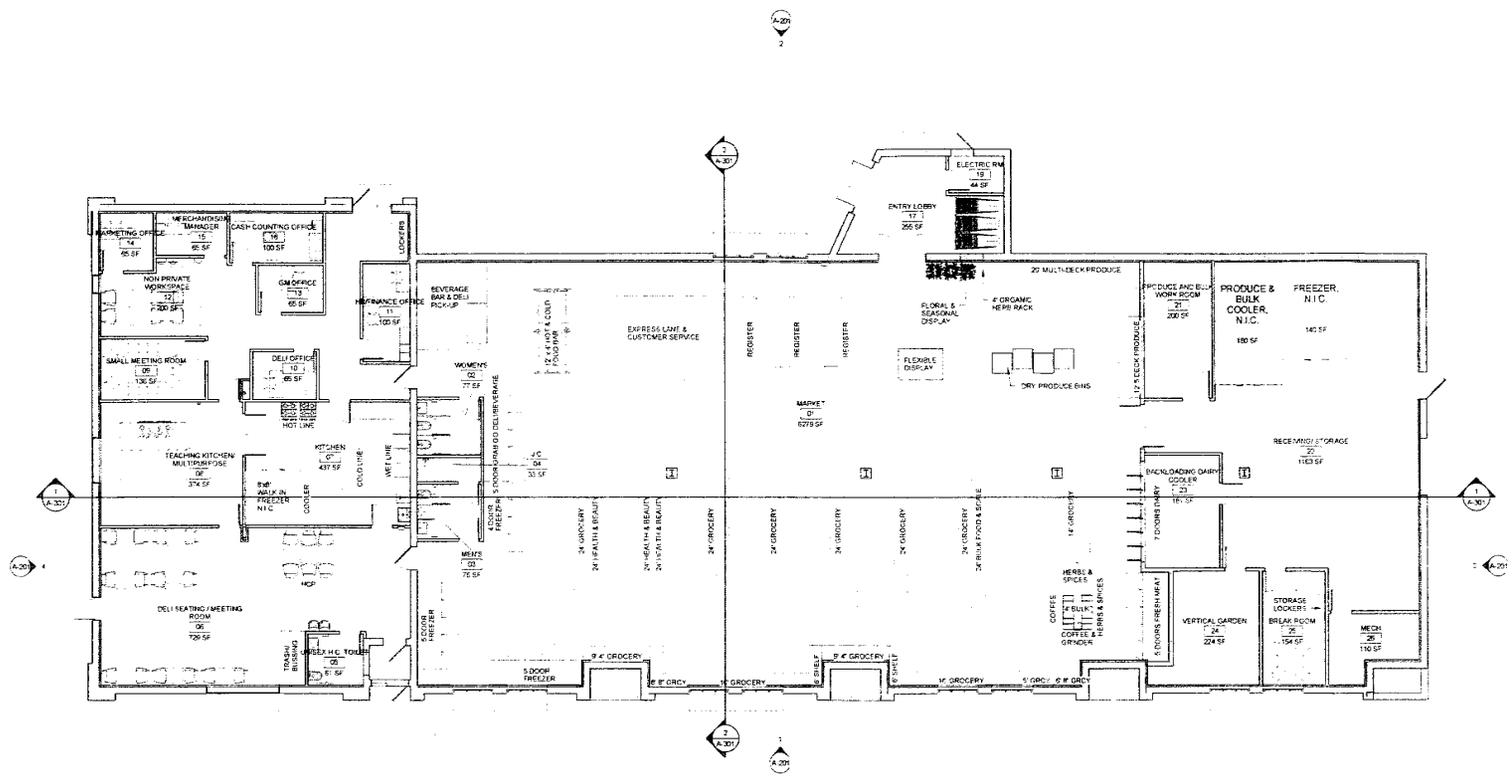
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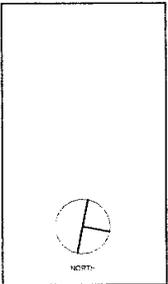
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1 FIRST FLOOR F.F.E. PLAN
 1/8" = 1'-0"



REVISIONS			
no.	date	by	description

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DRAWING TITLE
FIRST FLOOR F.F.E. PLAN

DRAWING NO. **A-140**

drawn by	SIE
checked	JK
proj. mgr.	JK
plot. no.	15540

STATUS: **99% REVIEW SET**

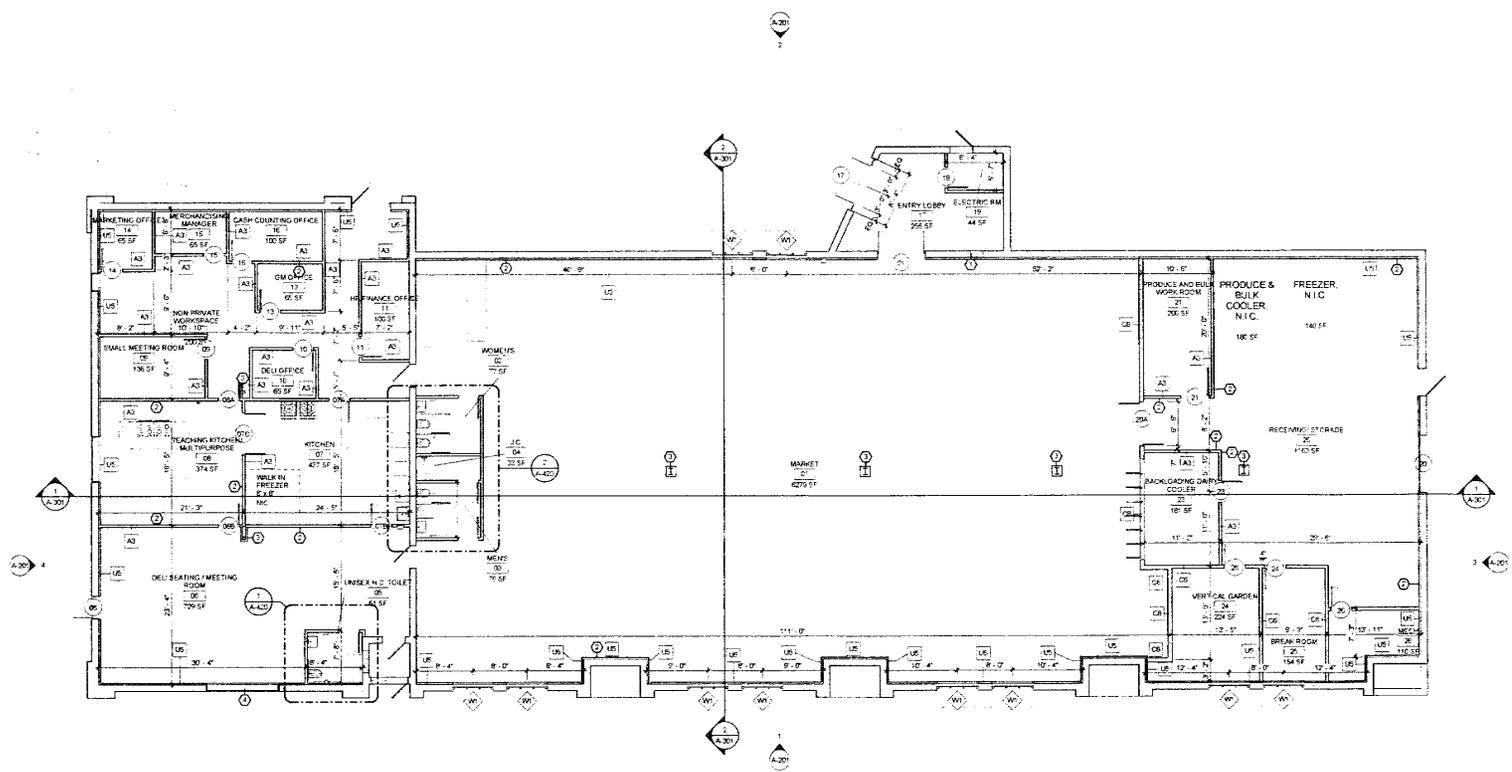
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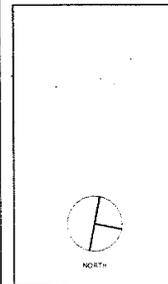
PLAN KEY NOTES		
NOTED AS	DESCRIPTION	ON PLAN
1	WALL MATCH-ADJUST TO EXISTING	
2	PRODUCE ABUSE REPAIR PART SYSTEM BOARD 1/2" x 4" AFF. BY THE LENGTH OF WALL INDICATED	
3	WRAP COLUMN IN ABUSE REPAIR TYPE MESSAS. BY THE LENGTH OF PRODUCE CENTER GUARD	
4	PROVIDE ALUM. MESH-GUARD ELECTRIC WINDOW FRAME TO MATCH EX. FACED NEW WINDOWS ON EAST EGRADE	

REFER TO DRAWING G-001 FOR PARTITION TYPES.



1 FIRST FLOOR PLAN
10'-0" = 1" = 0'

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DRAWING TITLE
 FIRST FLOOR PLAN

DRAWING NO.
 A-102

Drawn by: DDE
 Checked by: JJK
 Date: 10/16/15

STATUS
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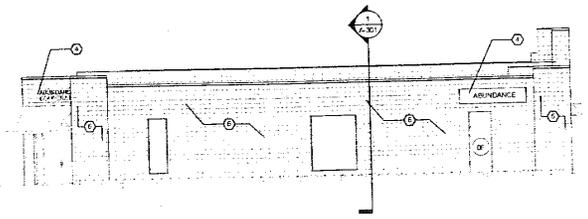
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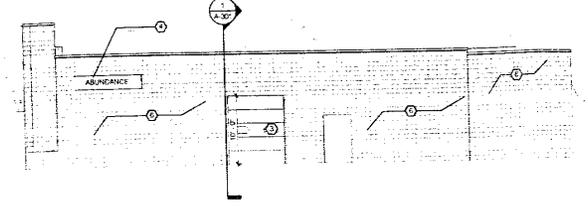
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ELEVATION KEY NOTES

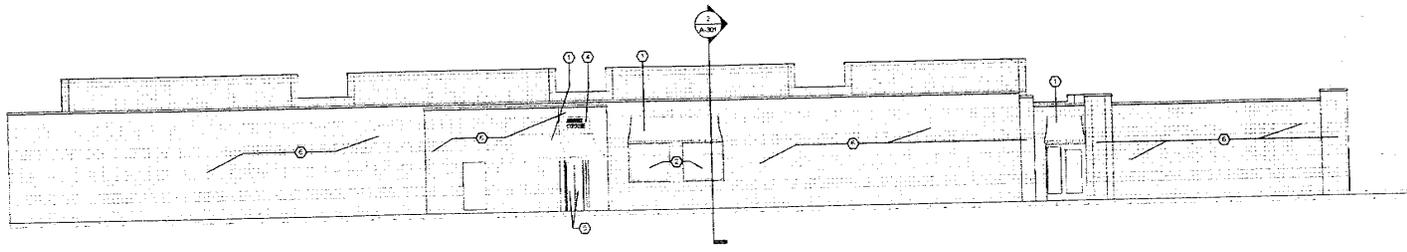
NOTED AS	ON PLAN
NO	DESCRIPTION
1	FABRIC CANDY
2	ALUMINUM WINDOW
3	OVERHEAD DOOR
4	BRIDGE
5	TRUSS
6	PARTY WALL EXTERIOR SURFACE WITH SURFACE APPLIED FENESTRATION WATER RESISTANT



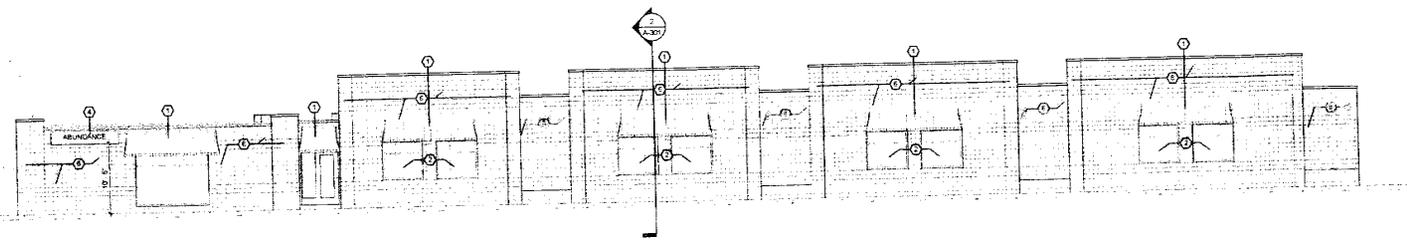
4 SOUTH ELEVATION
1/8" = 1'-0"



3 NORTH ELEVATION
1/8" = 1'-0"



2 WEST ELEVATION
1/8" = 1'-0"



1 EAST ELEVATION
1/8" = 1'-0"



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 570 SOUTH AVE
 ROCHESTER, NY 14620

DATE: 11/16/15
EXTERIOR ELEVATIONS AND DETAILS

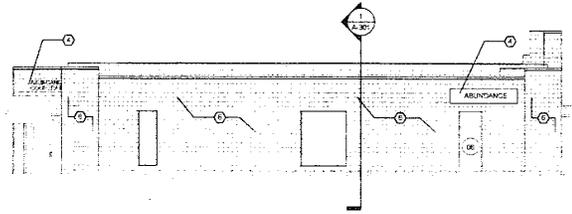
DRAWING NO. **A-201**
 drawn by: DJE
 checked by: JK
 proj mgr: JK
 pld no: 15540

STATUS: **99% REVIEW SET**
 ISSUE DATE: **10.16.2015**

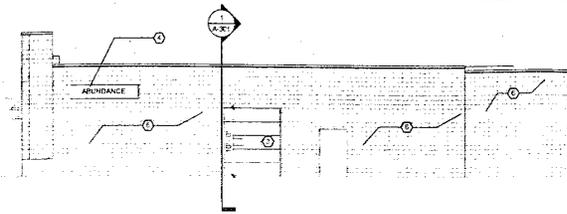
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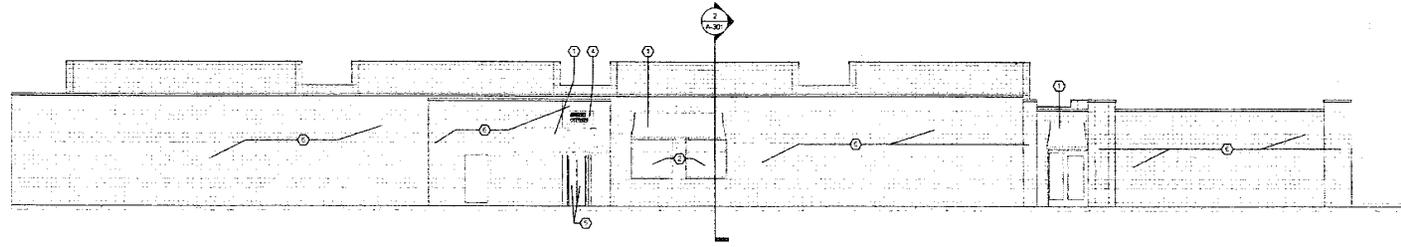
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NOTED AS		ON PLAN
NO		
1	FABRIC GLAZERY	
2	ALUMINUM WINDOW	
3	OVERHEAD DOOR	
4	SCREEN	
5	FRE DOOR	
6	FAB GLAZERY ERROR UNLESS WITH SURFACE APPLIED PENETRATING WATER RESISTANT	



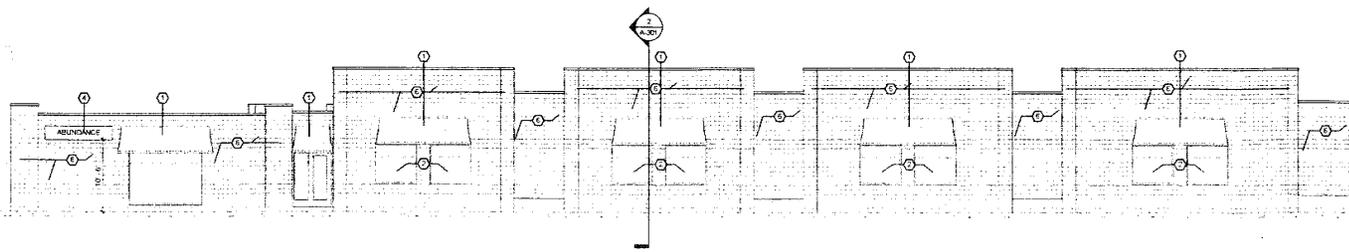
4 SOUTH ELEVATION
1/8" = 1'-0"



3 NORTH ELEVATION
1/8" = 1'-0"



2 WEST ELEVATION



1 EAST ELEVATION
1/8" = 1'-0"



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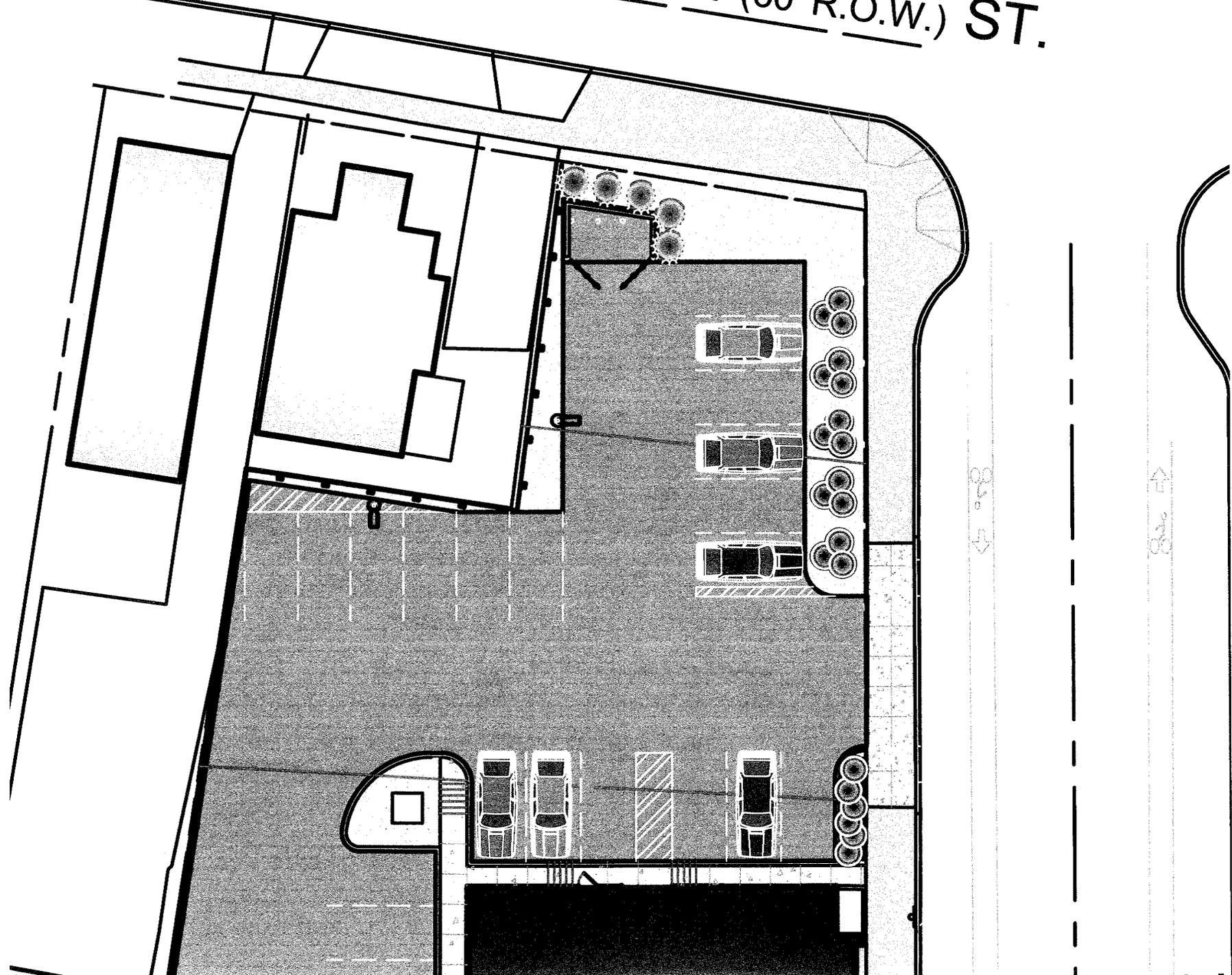
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ROCHESTER, NY 14620

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EXTERIOR ELEVATIONS
AND DETAILS

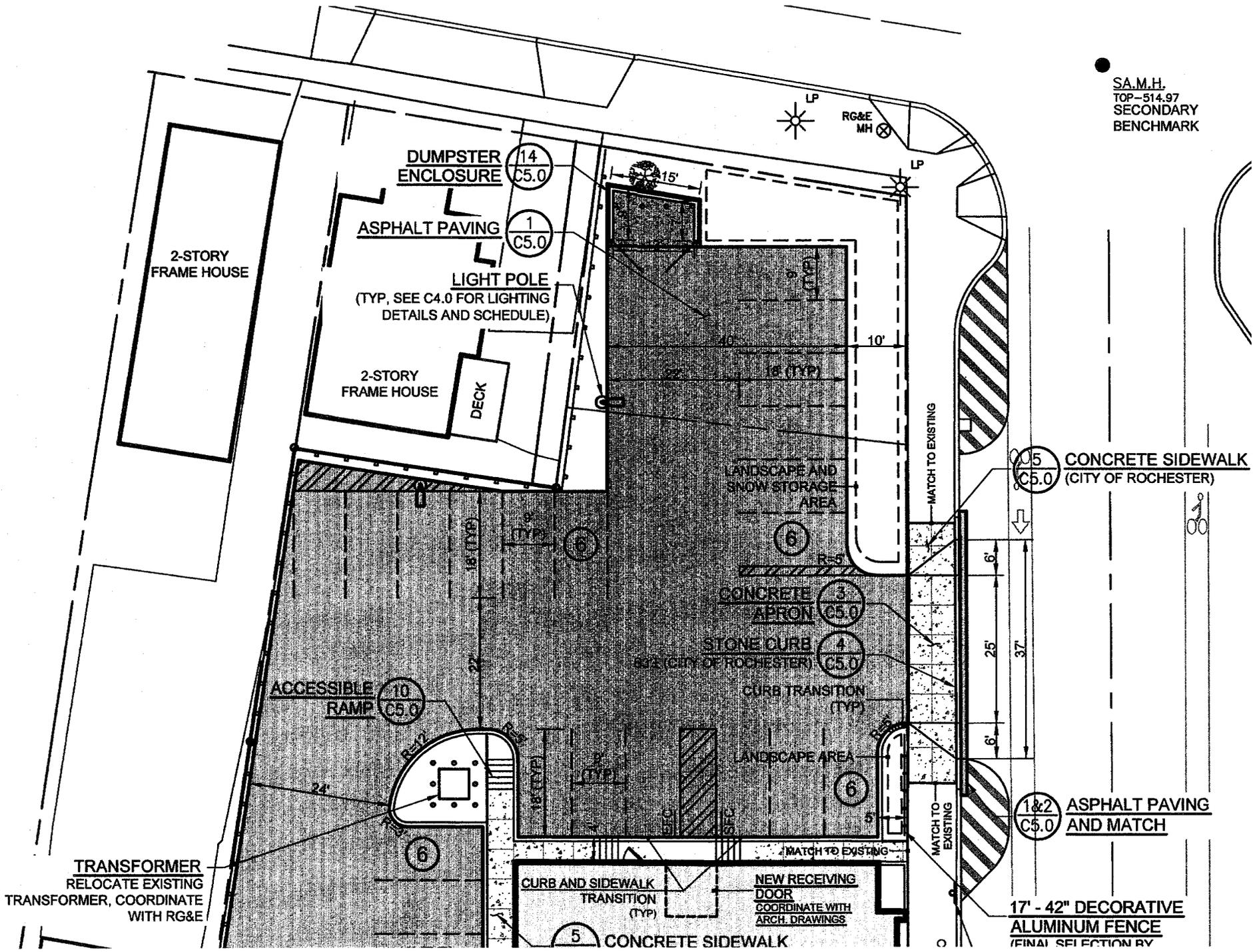
DRAWING NO. A-201
 DRAWN BY: S.B.
 CHECKED BY: J.K.
 DESIGNED BY: J.K.
 PLOTTED BY: S.B.

STATUS: 99% REVIEW SET
 ISSUE DATE: 10.15.2015

HAMILTON (60' R.O.W.) ST.



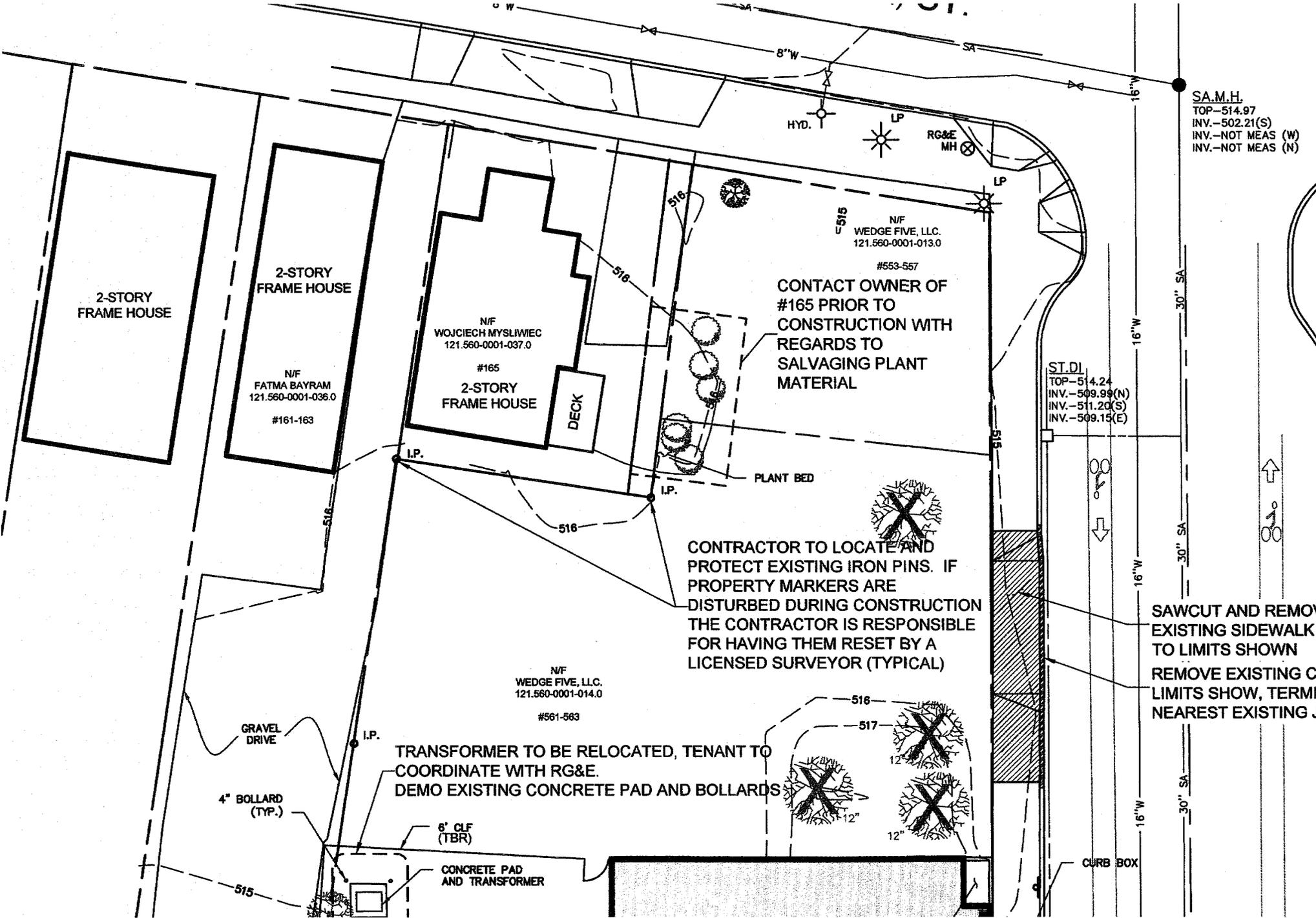
S.A.M.H.
TOP-514.97
SECONDARY
BENCHMARK



05
C5.0 CONCRETE SIDEWALK
(CITY OF ROCHESTER)

1&2
C5.0 ASPHALT PAVING
AND MATCH

17' - 42" DECORATIVE
ALUMINUM FENCE
(FINAL SELECTION BY



SA.M.H.
 TOP-514.97
 INV.-502.21(S)
 INV.-NOT MEAS (W)
 INV.-NOT MEAS (N)

N/F
 WEDGE FIVE, LLC.
 121.560-0001-013.0
 #553-557

CONTACT OWNER OF
 #165 PRIOR TO
 CONSTRUCTION WITH
 REGARDS TO
 SALVAGING PLANT
 MATERIAL

N/F
 WOJCIECH MYSLIWIEC
 121.560-0001-037.0
 #165
 2-STORY
 FRAME HOUSE
 DECK

N/F
 FATMA BAYRAM
 121.560-0001-036.0
 #161-163

2-STORY
 FRAME HOUSE

2-STORY
 FRAME HOUSE

ST.DI
 TOP-514.24
 INV.-509.99(N)
 INV.-511.20(S)
 INV.-509.15(E)

CONTRACTOR TO LOCATE AND
 PROTECT EXISTING IRON PINS. IF
 PROPERTY MARKERS ARE
 DISTURBED DURING CONSTRUCTION
 THE CONTRACTOR IS RESPONSIBLE
 FOR HAVING THEM RESET BY A
 LICENSED SURVEYOR (TYPICAL)

N/F
 WEDGE FIVE, LLC.
 121.560-0001-014.0
 #561-563

TRANSFORMER TO BE RELOCATED, TENANT TO
 COORDINATE WITH RG&E.
 DEMO EXISTING CONCRETE PAD AND BOLLARDS

SAWCUT AND REMOVE
 EXISTING SIDEWALK
 TO LIMITS SHOWN
 REMOVE EXISTING CURB
 LIMITS SHOW, TERMINATE
 NEAREST EXISTING J

GRAVEL
 DRIVE

4" BOLLARD
 (TYP.)

6' CLF
 (TBR)

CONCRETE PAD
 AND TRANSFORMER

CURB BOX





3
C4.0
SHRUB PLANTINGS
5 - MOHAWK VIBURNUM
(VIBURNUM BUKR. 'MOHAWK')
3.5'-4' HIGH

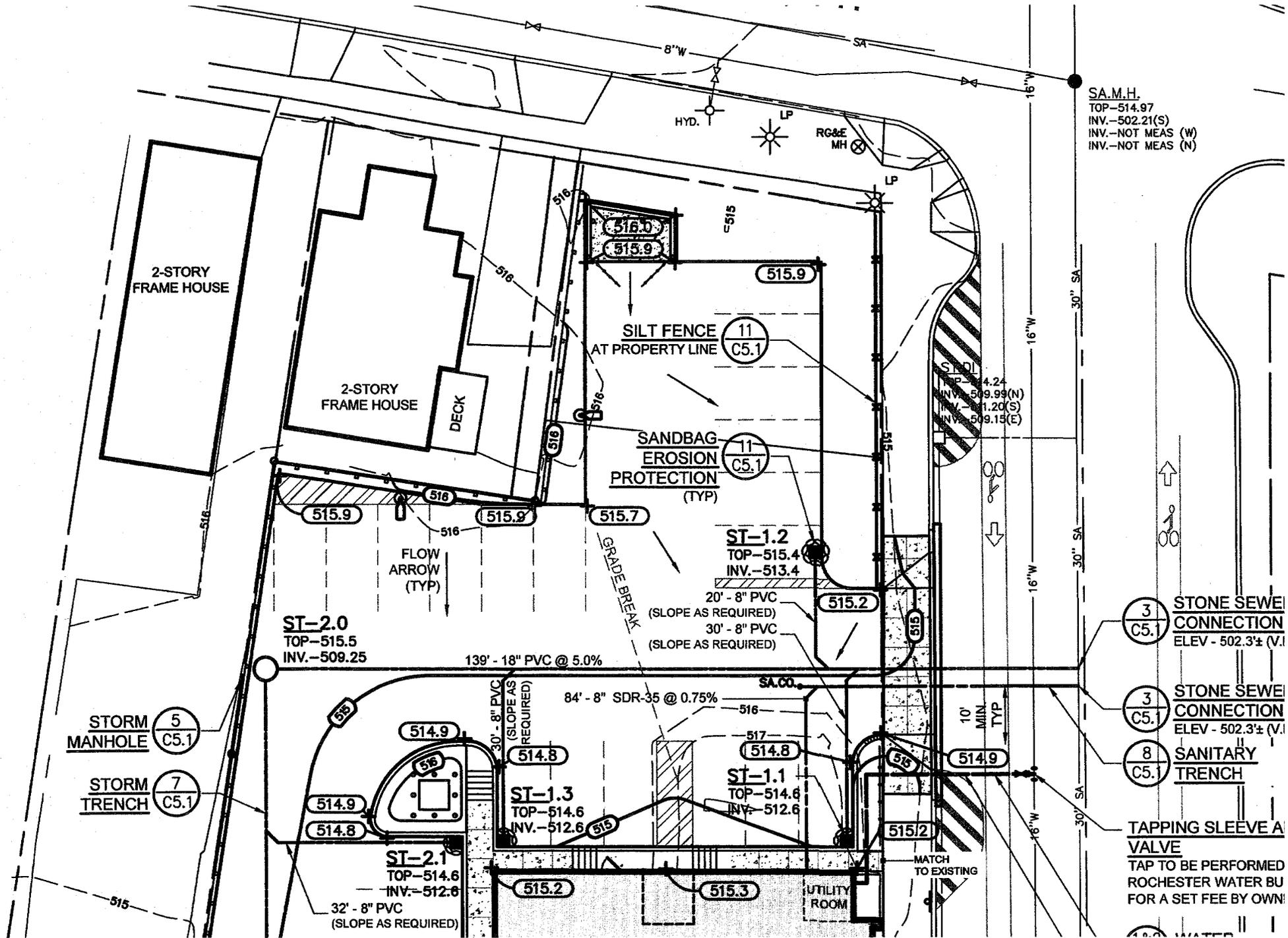
● S.A.M.H.
TOP - 514.97
INV. - 502.21(S)
INV. - NOT MEAS (W)
INV. - NOT MEAS (N)

4.24
INV. - 509.99(N)
INV. - 501.20(S)
INV. - 509.15(E)

02
C4.0
GROUND COVER PLANTINGS
15 - MORNING LIGHT MAIDEN GRASS (#2 CO
-OR-
15 - SWITCH GRASS (#2 CONTAINER)
-OR-
MIX

LANDSCAPE AREA. PROVIDE SALT TOLERANT DECORATIVE GRASSES AND SEASONAL COLOR. FINAL SELECTION BY OWNER.

2
C4.0
GROUND COVER PLANTINGS
6 - MORNING LIGHT MAIDEN GRASS (#2 CO
-OR-
6 - SWITCH GRASS (#2 CONTAINER)
-OR-
MIX



SA.M.H.
 TOP-514.97
 INV.-502.21(S)
 INV.-NOT MEAS (W)
 INV.-NOT MEAS (N)

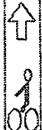
ST-1.4
 TOP-514.24
 INV.-509.99(N)
 INV.-511.20(S)
 INV.-509.15(E)

3 STONE SEWER CONNECTION
 C5.1
 ELEV - 502.3± (V.I)

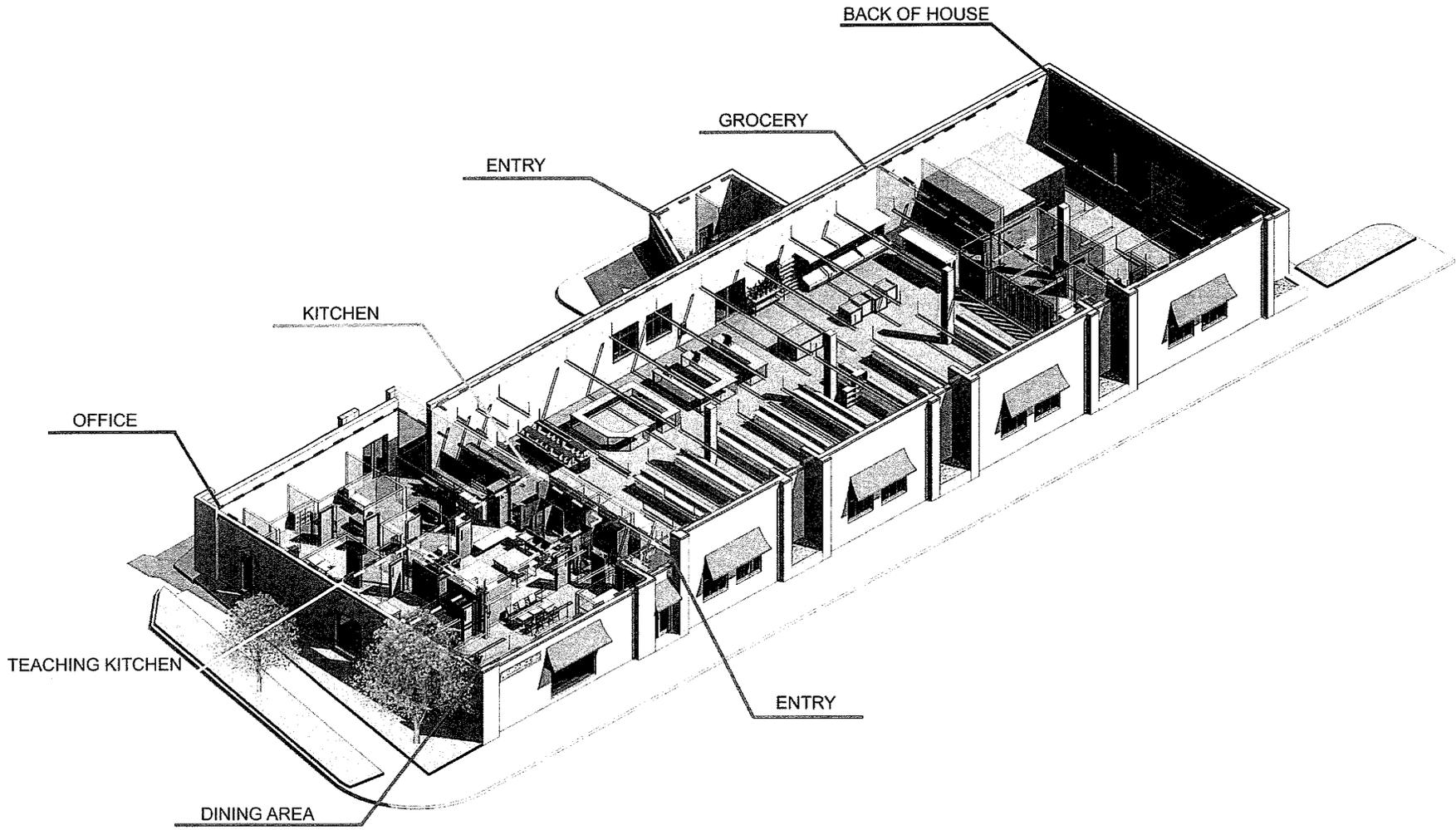
3 STONE SEWER CONNECTION
 C5.1
 ELEV - 502.3± (V.I)

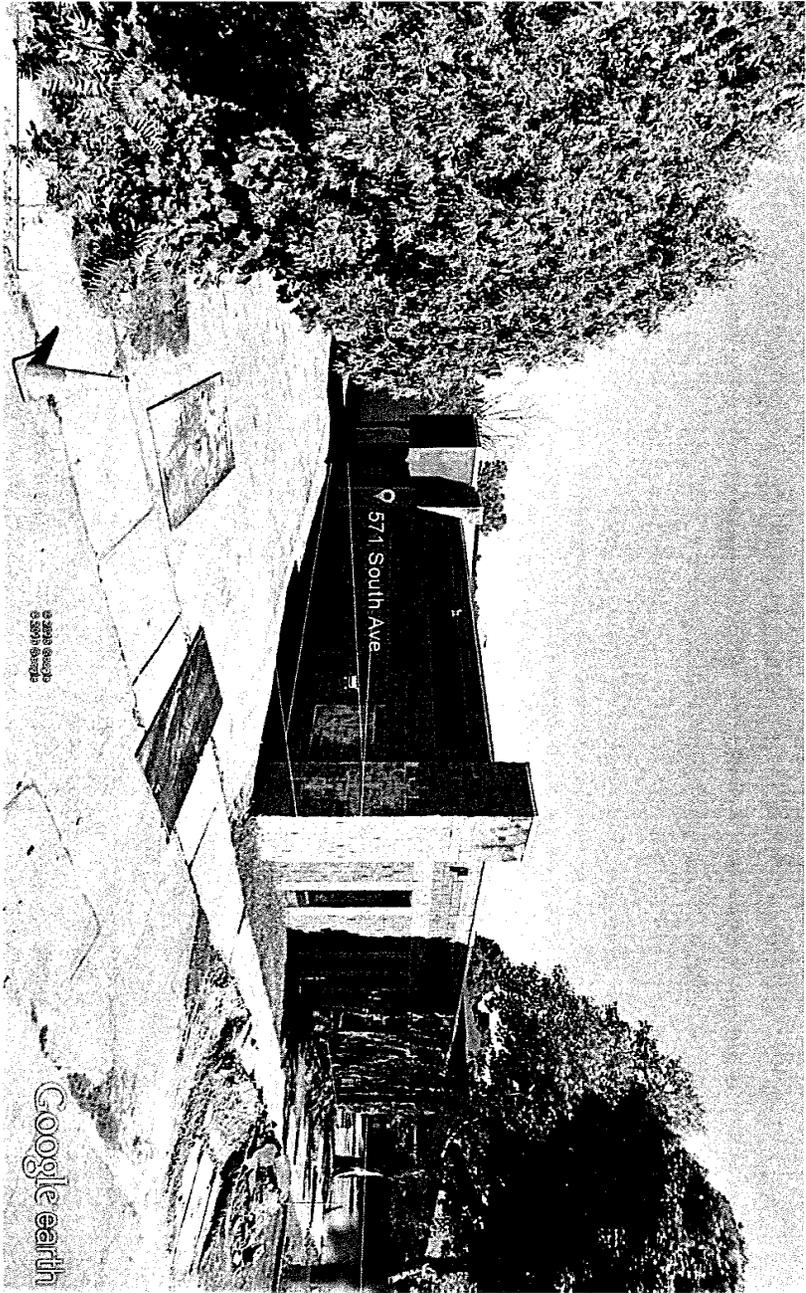
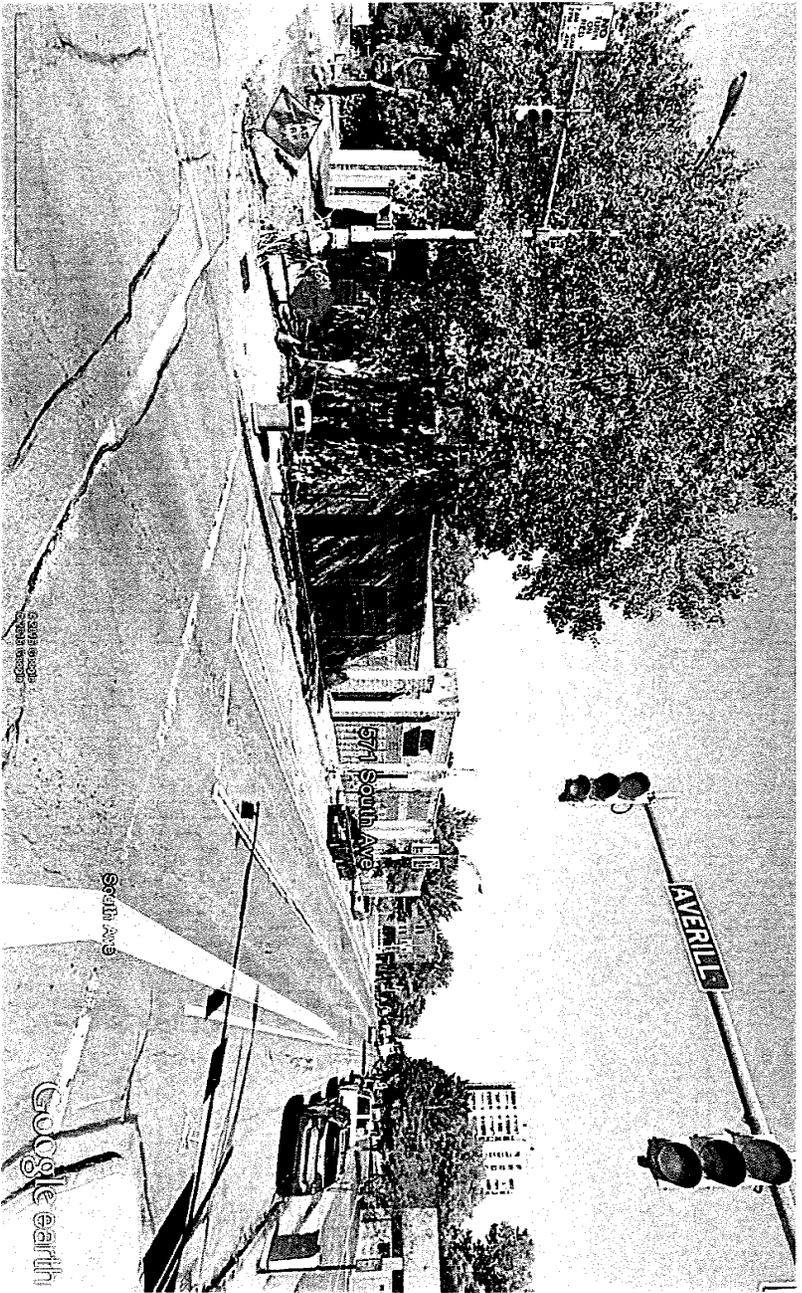
8 SANITARY TRENCH
 C5.1

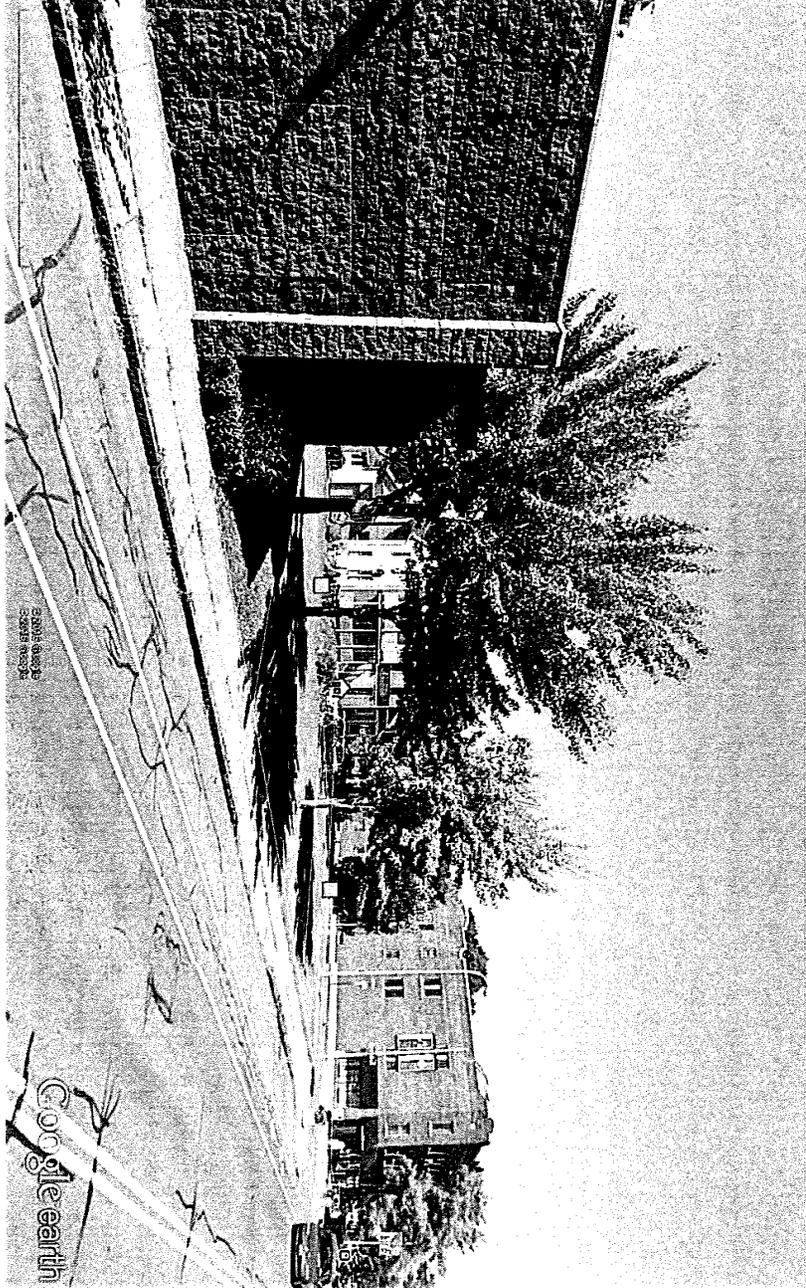
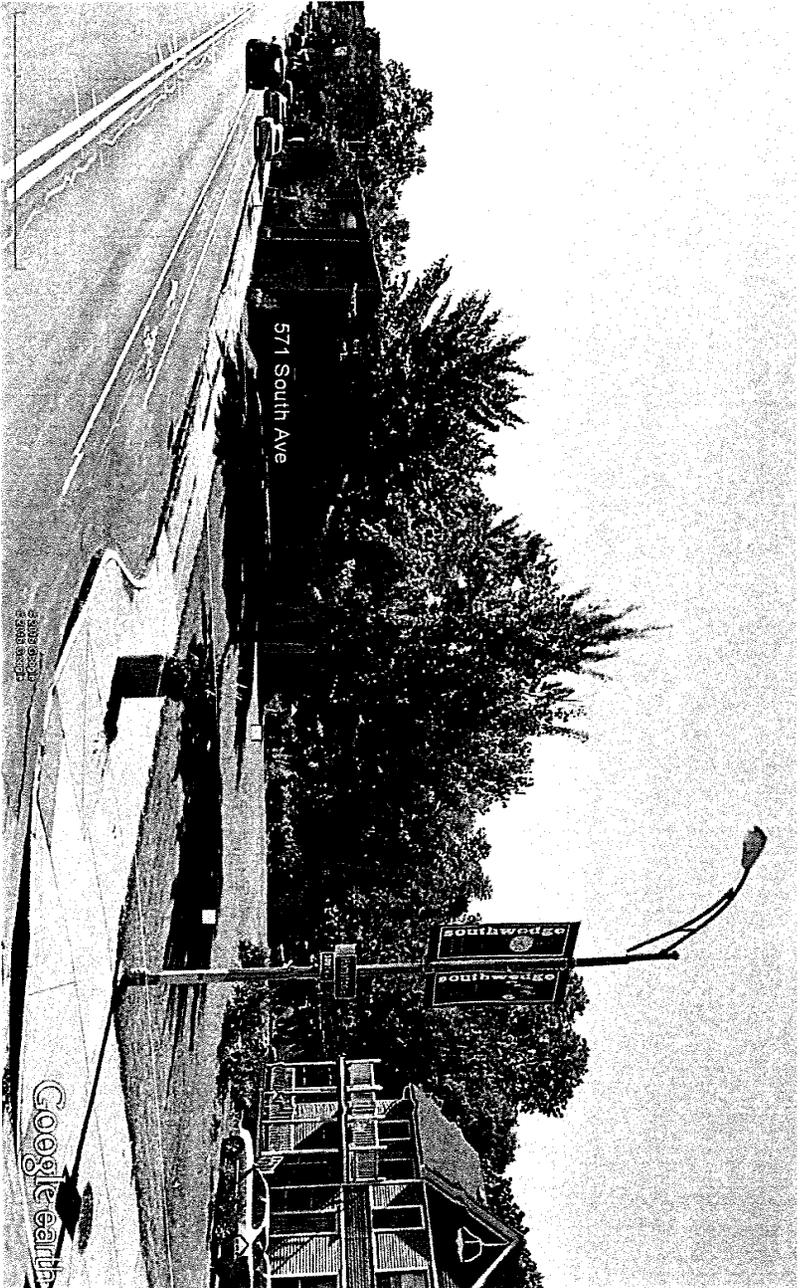
TAPPING SLEEVE A VALVE
 TAP TO BE PERFORMED ROCHESTER WATER BU FOR A SET FEE BY OWN



4.0 WATER







South Ave and Hamilton Development Concerns

As a long standing member of the South Wedge I have seen drastic changes to this area, some for the better and some for the worse. I am very excited for the Abundance Coop to move to the wedge, but after reviewing the proposed blue print I am at most disappointed.

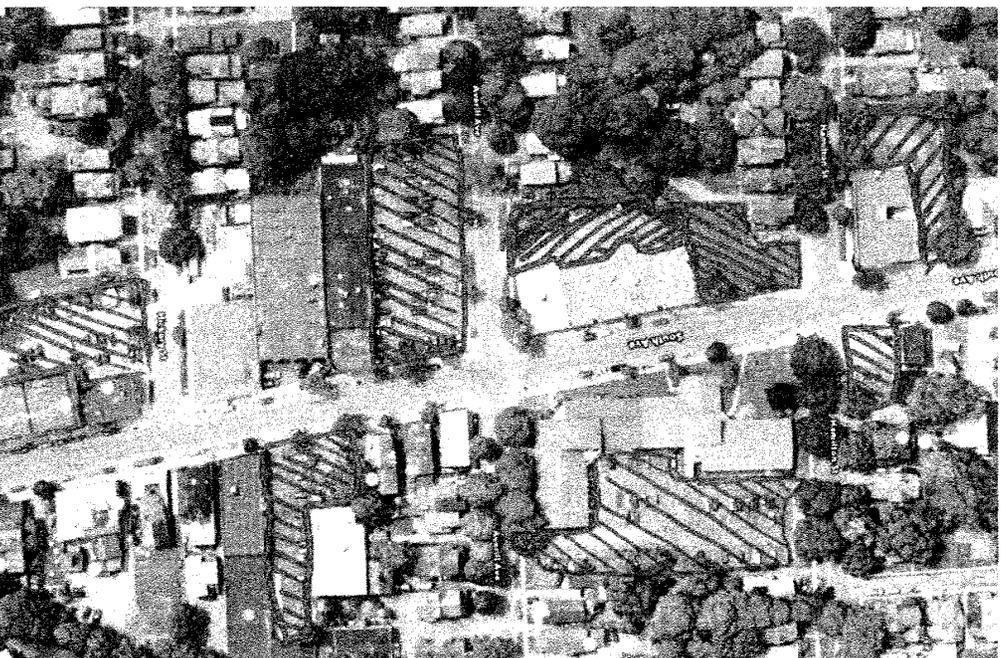
The selfishness of the suggested construction is nothing from what the Abundance Coop claims to be. I was left in the complete dark on any aspects of the project and only came to realize while walking from work when was surprised by several pillars put into place. Later which I learned the people installing it without permission decided to use my water hose to clean up. I would have had no problem but the idea of not asking was disrespectful.

Not asking and not wanting inputs from the community is exactly the underlining undertones this project has gone by.

Foremost, I am concerned as a member of this community of the quickly diminishing green space. Rochester is known for our parking lots. We are so known for our parking lots that we actually won a price for it! The “Golden Crater” award which we received for our asphalt ridden city when we managed to outperform Detroit and Kansas City to take this crown home. This is not something that we as a community should be proud off. I have attached the links talking about our “win” in the appendix.

As you can see in the screen shot of google maps of how many parking lots are there in just several blocks along South Ave with the proposed new parking space.

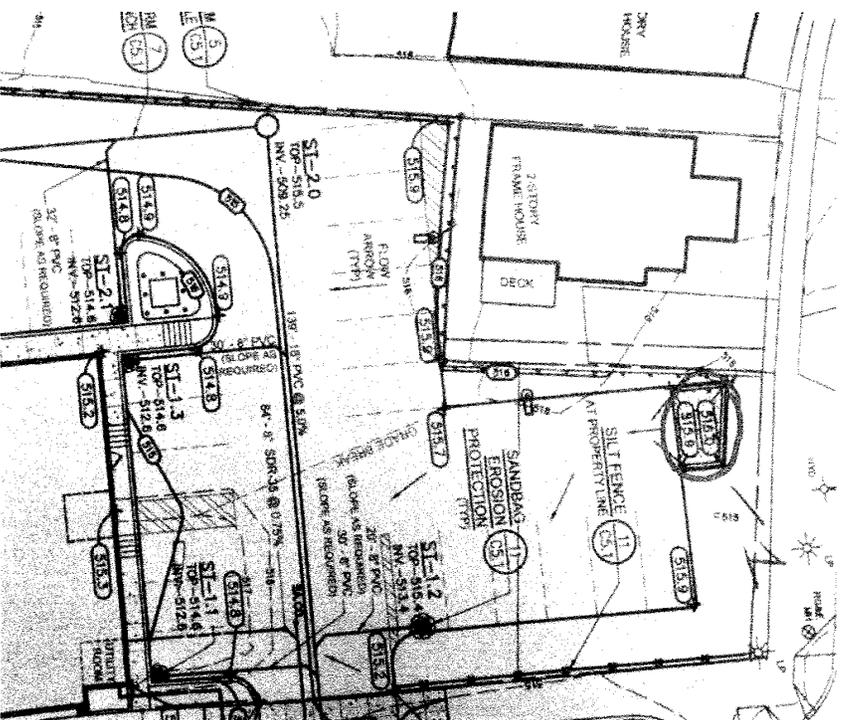
Looking further into the expansion of this “needed” parking lot I came to realize that it is only for cars. As many members in the South wedge will agree with me is that we enjoy cycling and walking. If we look at this blue print we can quickly realize that it only accommodates cars. A place that portrays itself as a cooperative market clearly does not care about being cooperative with the community on the infrastructure of the project. Again, not asking or wanting any inputs from the community. Seem like the only input that was used was from OPEC.



These are several concerns of mine from the community aspect of this almost secret project.

From a house ownership aspect I have lots of questions and concerns as no one has ever asked or notified me about.

Foremost, I am extremely disappointed in the location of the massive garbage. It is right next to the house! It will bring bugs, bees, insects and a horrible smells. We may not be the hottest place on earth but in the summers that is a zest pool for smells and flying critters. I cannot even believe this was actually thought of as an idea. Very disappointing but not surprised based on the lack of inputs from the community.



Next is the water drainage and snow plowing location. The ground is able to seep the rain water uniformly but with this parking lots in place I am extremely worried it will flood 165-167 Hamilton and over time destroy the foundation. Furthermore I am even more worried that if the snow clearing is put near 165-167 Hamilton over the winter the built up melt during the April warmth will be even worse with water damage.

Furthermore the proposed parking lots lights I feel are too close as well. No one wants to live next to a spot light shining into their house and so do I. The proposed locations of the street lights are too close to the house especially the southern lamp. I believe light pollution is a huge issue in affecting a good night sleep and this will be a major nuisance.

Few more areas of concern I would like to bring up is crime. As a resident of Rochester crime is a huge issue. With a new parking lot being erected and its location with several access points I can see this become a perfect place for drug trades and drug handoffs as well as night time loitering. I feel it's the building owners responsibility to make sure that his/hers dwelling does not become a mecca for loitering and crime.

Moreover, the grassy land was a great absorber of acoustics. The new proposed parking lot has no such thing and noise pollution will sky rocket. I would like to see some changes to the current design to eliminate this problem. More plants and more green space to act like acoustic dampeners.

In all I am very disappointed in the execution of this development. The selfishness and greediness is uncanny. The lack of openness in the development process with the community is disheartening.

As I strongly believe that the Abundance coop is a great new addition to the community the current proposed infrastructure is not. Between the overly abundant amounts of parking lot space in such a small area of the South Wedge to the commercial building that lacks windows and is more of a historical reminder of a cold war era bunker than a grocery store.

The only way to describe this project is that from the start it just has been rushed. As a member of the South Wedge I believe that the current proposal is not a good fit for this area. The people that are building this don't live here, they don't care. I live here and I do care and I am strongly opposing the current blue-prints. I do not want the South Wedge to be notorious for parking lots and sure don't want us to be a holder of the Golden Crater price.

A worried member of the South Wedge,

Wojciech Mysliwicz

Appendix

<http://www.democratandchronicle.com/story/news/local/columnists/andreatta/2015/01/16/andreatta-parking-downtown-rochester-golden-crater/21866261/>

<http://usa.streetsblog.org/2014/04/09/rochester-wins-2014-parking-madness-title-and-claims-the-golden-crater/>

Hamilton St
Rochester, New York
Street View - Nov 2015



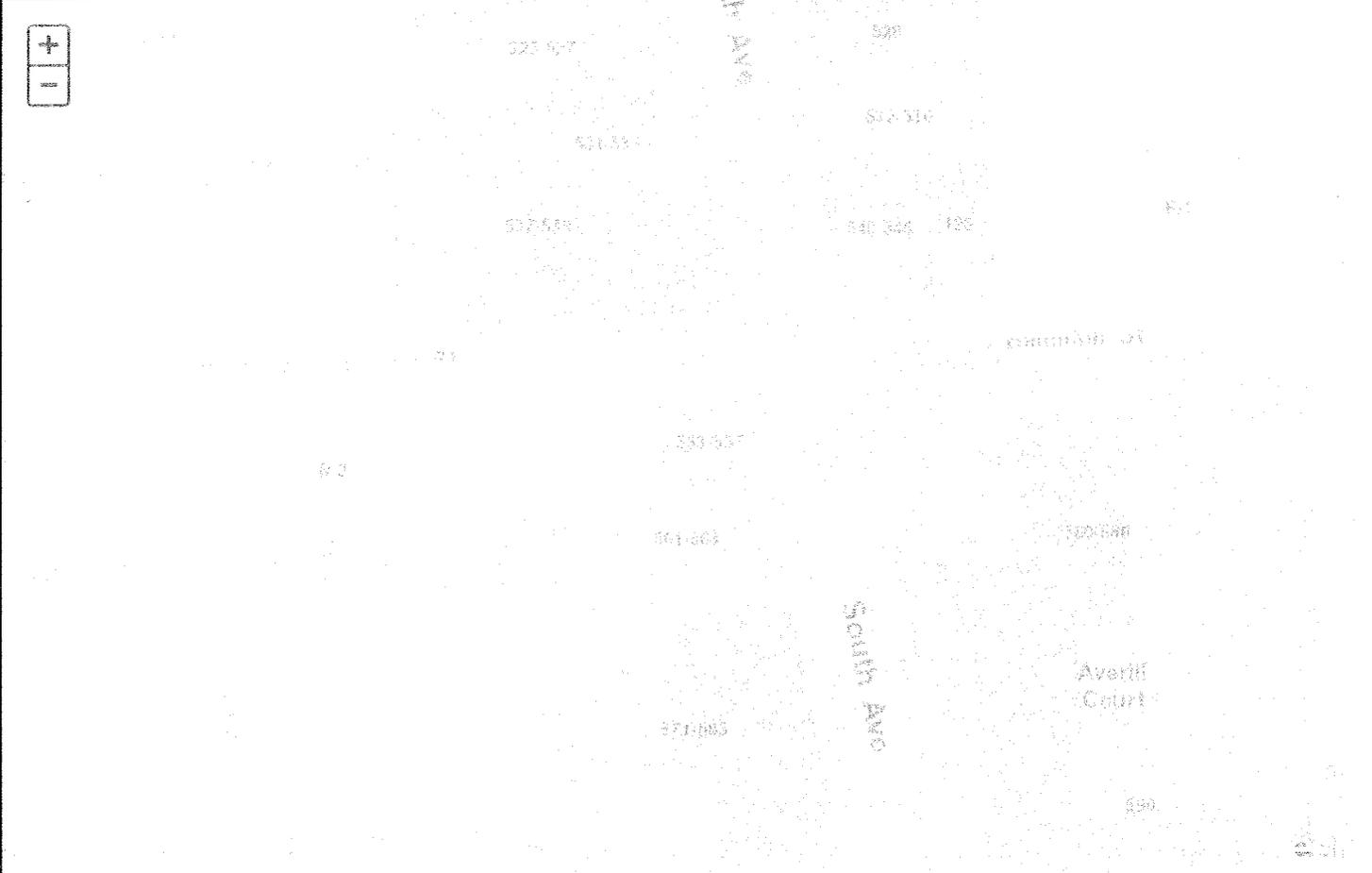


553 south

Search By: Address Owner SBL

SBL ▲ Address ▲

553 South Ave





151-153

155-157

161-163

165

571-585

561-563

553-557

537-539

531-533

South Ave

South Ave

Hamilton St

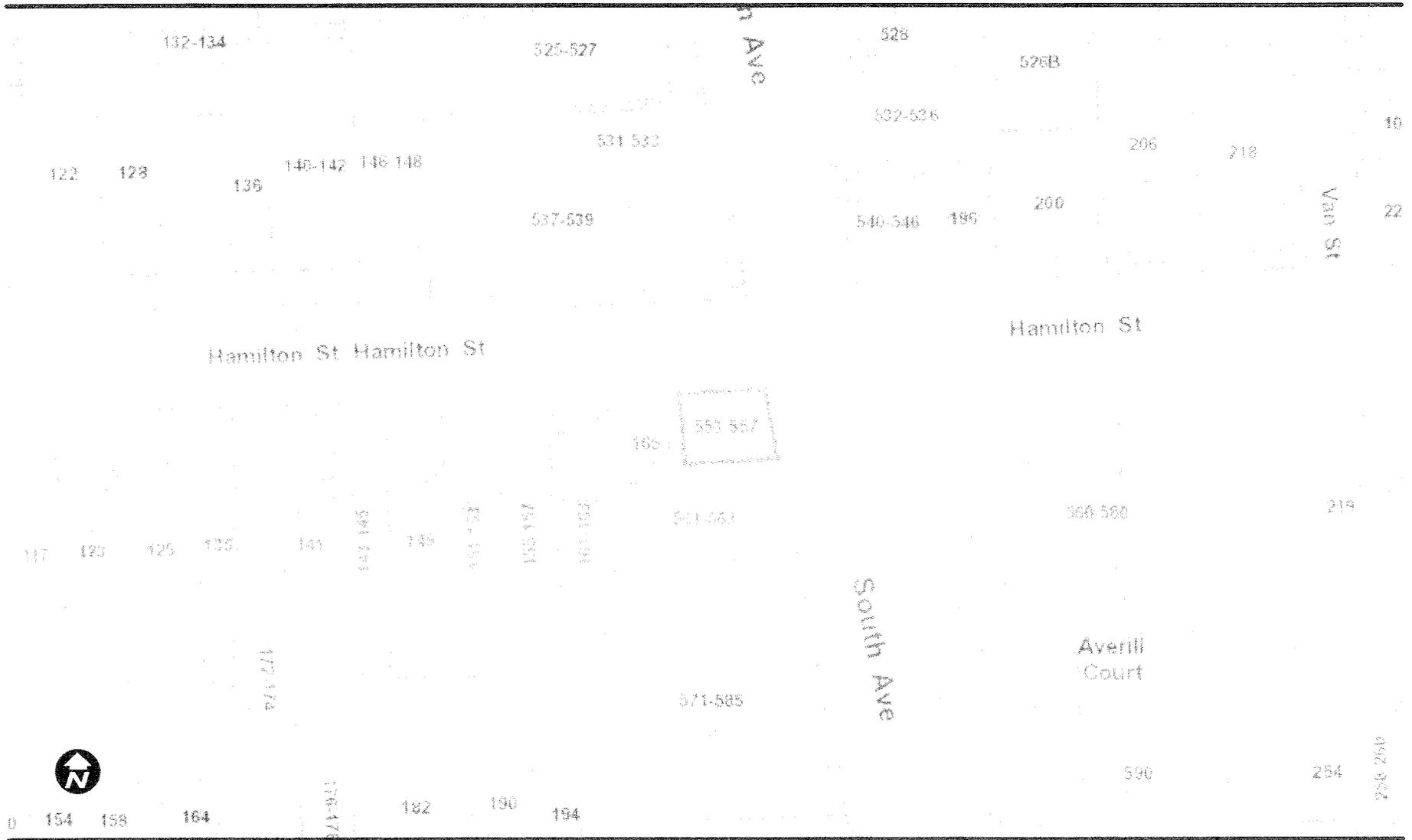
Hamilton St

540-546

532-534



553-557 SOUTH AV



June 30, 2016

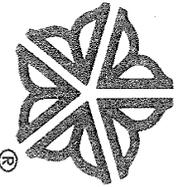
This map is intended for general reference only.

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
July 11, 2016**

Special Permit

Case #8:

Staff Reviewer: Jill Wiedrick

File Number: E-003-16-17

Case Type: Special Permit

Applicant: Jeffrey Benjamin

Address: 1096 Joseph Avenue

Zoning District: R-1 Low Density Residential District

Section of Code: 120-9D

Request: **To establish a community center in this vacant building to provide educational, recreational, athletic programs and social events for area residents; an action requiring City Planning Commission approval.**

Analysis:

At the February 10, 2014 City Planning Commission hearing, the applicant's request to establish a community center to provide educational, recreational and athletic programs for area youth was granted. This permit was never acted upon. As it has been two years since the initial request, this proposal is eligible to be heard by the City Planning Commission.

The subject property is situated on an atypical lot, approximately 73'W x 252' D in an R-1 District between Bremen Street and Joseph Avenue. Based on the previous Certificate of Non-Conforming Use application from January 31, 2011, the subject building was formerly used as an apartment on the first floor of the front building, an office and rooming unit on the first floor of the middle building, an indoor vehicle repair facility in the rear building, and a disco/party room on the second floor on the rear building based on a previous certificate of non-conforming use application from January 31, 2011. Ancillary off-street parking is also provided on the adjacent lot at 1088 Joseph Avenue, also owned by the owner and part of this application, for which a Permit was issued in 1979.

The applicant wishes to provide educational, recreational, athletic programs and social events for area residents in the existing building. Amenities will include an indoor golf area, an indoor playground, and basketball court. The applicant is aware that the apartment in the front of 1096 Joseph Avenue can only be used for residential use.

Site Plan and Environmental Review:

Site Plan Review is not required for this proposal. The City 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 ADDRESSES: 1088-1096 Joseph Ave
2. APPLICANT: JEFFERY BENJAMIN COMPANY NAME: LIBERTY INC
ADDRESS: 1096 Joseph Ave CITY: Rochester ZIP CODE: 14621
PHONE: 585-266-0180 FAX: 585-544-9167
E-MAIL ADDRESS jeffbenjamin@aol.com
INTEREST IN PROPERTY: Owner Lessee Other
3. PLAN PREPARER: JEFFERY BENJAMIN
ADDRESS: SAME AS ABOVE CITY: _____ ZIP CODE: _____
PHONE: _____ FAX: _____
4. ATTORNEY: _____
ADDRESS: _____ CITY: _____ ZIP CODE: _____
PHONE: _____ FAX: _____
E-MAIL ADDRESS _____
5. ZONING DISTRICT: R1
6. DETAILED PROJECT DESCRIPTION (additional information can be attached): TO ESTABLISH
A Community Center at 1096 Joseph Ave, that will provide
the following: Education/Job Training Classes; Services for Medicaid/Medicare
Recipients; Recreational Activities; Community Social Events
7. LENGTH OF TIME TO COMPLETE PROJECT (Attach schedule if phased): 6mo Mths - One Year

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

SIGNATURE: Jeffery Benjamin DATE: 6-7-2011

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

SPECIAL PERMIT STANDARDS

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

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

The subject Property shall be used as an essential economic resource for the general neighborhood, which is in alignment with the 2010 Vision Plan for Joseph Avenue.

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 property location is centrally positioned for residents to access and will not have a negative impact on the composition of the neighborhood.

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

The Future Services Being Developed, and the overall investment are feasible for the neighborhood, and shall serve as an example of a positive model for the 1421 community district,

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 Property is located in a high traffic area and accessible to public transportation, public services and municipalities services

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

N/A

617.20
Appendix B
Short Environmental Assessment Form

REGISTRATION FOR COMMENT

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. Fieldwork research or investigation would be needed to fully respond to any item; please answer as thoroughly as possible based on current information.

A complete list of sites in the _____ (You may also provide any additional information which you believe will be benefited by or useful to the lead agency) are on additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project:	MAYWOOD COMMUNITY CENTER		
Project Location (describe, and attach a location map):	1111 Broadway, Mayfield, NY 11762		
Brief Description of Proposed Action:	RENOVATION OF THE EXISTING ACTIVITIES		
Name of Applicant or Sponsor:	MAYWOOD COMMUNITY CENTER		
Address:	Telephone: 845-484-2222	E-Mail: maywood@maywoodny.org	
City/PO:	State:	Zip Code:	
1. Does the proposed action only provide the legislative definition of a plan, local law, ordinance, administrative code, or resolution?	<input type="checkbox"/> NO	<input type="checkbox"/> YES	
If Yes, provide a narrative description of the nature of the proposed action and the environmental resources that may be affected in the municipality and provided to Part 2. If no, continue to question 2.	<input type="checkbox"/> NO	<input type="checkbox"/> YES	
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(ies) name and permit or approval:	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
3a. Total acreage of the site of the proposed action?	33	acres	
b. Total acreage to be physically disturbed?	0	acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	33	acres	
4. Check all land uses that occur on, adjacent, and near the proposed action:	<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (nonurban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Vacant <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Pasture		

RESET

5. Is the proposed action: a. A permitted use under the zoning regulations?		<input type="checkbox"/> NO	<input type="checkbox"/> YES	<input type="checkbox"/> N/A
b. Consistent with the adopted comprehensive plan?		<input type="checkbox"/> NO	<input type="checkbox"/> YES	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		<input type="checkbox"/> NO	<input type="checkbox"/> YES	<input type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____		<input type="checkbox"/> NO	<input type="checkbox"/> YES	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		<input type="checkbox"/> NO	<input type="checkbox"/> YES	<input type="checkbox"/>
b. Are public transportation services available at or near the site of the proposed action?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____		<input type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/>
10. Will the proposed action contribute to an existing public/private water supply? If No, describe method for providing potable water: _____		<input type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/>
11. Will the proposed action require an existing water treatment plant? If No, are other methods for providing wastewater treatment _____		<input type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archaeological sensitive area?		<input type="checkbox"/> NO	<input type="checkbox"/> YES	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____		<input type="checkbox"/> NO	<input type="checkbox"/> YES	<input type="checkbox"/>
14. Identify the special habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/Grasslands <input type="checkbox"/> Fairy Trough Successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		<input type="checkbox"/> NO	<input type="checkbox"/> YES	<input type="checkbox"/>
15. Does the site of the proposed action contain any species of animals or associated habitats listed by the State or listed preservation as threatened or endangered? If Yes, name proposed action in the 100' on Road plan: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Will the proposed action create storm water discharge either from point or non-point sources? If Yes, _____		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES	<input type="checkbox"/>
17. Will the proposed action create storm water discharge either from point or non-point sources? If Yes, _____		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES	<input type="checkbox"/>
18. Will storm water discharges flow to adjacent properties? If Yes, briefly describe: _____		<input type="checkbox"/> NO	<input type="checkbox"/> YES	<input type="checkbox"/>
19. Will storm water discharges be directed to residential or business systems (roof and down spout)? If Yes, briefly describe: _____		<input type="checkbox"/> NO	<input type="checkbox"/> YES	<input type="checkbox"/>

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g., retention ponds, waste lagoons, dams)? If Yes, explain purpose and size.	<input type="checkbox"/> NO	<input type="checkbox"/> YES
19. Has the site of the proposed action or an adjoining property from the location of an active or closed solid waste management facility? If Yes, describe.	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
20. Has the site of the proposed action or an adjoining property been the subject of remediation planning or completed for hazardous waste? If Yes, describe.	<input type="checkbox"/> NO	<input type="checkbox"/> YES
<p>ASSERTION THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>LAURENCEVILLE, INC.</u> Date: <u>8-25-2016</u></p> <p>Signature: <u>[Signature]</u></p>		

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 other parties available to the reviewer. When answering the questions the reviewer should be guided by the reviewer's "Have my responses been accurate considering the scope and context of the proposed action?"

	No. of small projects	Moderate to large project	Percent of exp.
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>	
3. Will the proposed action impact the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>	
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a critical environmental Area in LA 7?	<input type="checkbox"/>	<input type="checkbox"/>	
5. Will the proposed action result in an adverse change in the existing level of traffic or other existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>	
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>	
7. Will the proposed action impact existing: a. parks / greens / water supplies b. public / private water supplies c. public / private wastewater facilities?	<input type="checkbox"/>	<input type="checkbox"/>	
8. Will the proposed action impact the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, vernal pools, riparian areas, and riparian habitat)?	<input type="checkbox"/>	<input type="checkbox"/>	

RESET

	Yes, or small impact may occur	No or no impact occur
11. Will the proposed action cause a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "probable 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 be 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, frequency, geographic scope and magnitude. Also consider the potential for substantial 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 _____

Title 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)

Ubiquity Inc.
1096 Joseph Avenue
Rochester New York 14621
(585) 266-0180

Application Outline:

Joseph Avenue has experienced an historical economic hardship fifty years ago during the 1964 riots that has plagued the neighborhood's economic conditions which has lead to high crime, unemployment sub standard housing and poverty.

Ubiquity Inc. plan for residents is to develop tangible services and resources for low-income residents to access and create opportunities that will help improve their lives.

Secondly, to fill the unemployment gap for "unskilled labor" population by forming a collaboration with community partners that focus on job creation.

Thirdly, to re-direct individuals in the 'most highly' "At Risk" neighborhoods that have been plagued by drug abuse and illegal activities, by offering recreation and social engagement activities as other alternatives.

Through this project the expectation is to create economic development vehicles via local businesses, to increase and encourage entrepreneurship within the city; partner with educational institutions and community organizations to help achieve the goals of the under-served population that exist in the 14621 quadrant Rochester community.

Staff:

- (1) Administrator**
- (1) Receptionist**
- (2) Supervisors 1 FTE/ 1 PTE**
- (2) Intake Counselors P/TE**
- (1) Director**

- (2) Gym Instructors P/TE**
- (2) Community Liason P/T**
- (4) Volunteers**
- (5) Security (2 FTE/3 PTE)**

The Property at 1088-1096 Joseph Avenue is approximately 6,100 square feet which was once an auto body shop. The community center that will administer programs and classes included but are not limited to the following:

- Community Social Events
 - Youth Sports & Fitness
 - Teen / Adult Fitness
 - Financial Literacy Instructional Workshops
 - Nutrition Classes
 - Medicaid/Medicare Enrollment Services
 - Education/Job Training Classes

Currently there are no neighborhood facilities within a two mile radius in the northeast quadrant) that provides a venue for non-profit events that are affordable and accessible for neighboring residents:

- *The Banquet Hall area will be offered to the public for various events will be staffed by Ubiquity personnel which would include the following events:*
 - **Fundraising Events* Quinceañera
 - **Baby Showers* Neighborhood Workshops
 - **Intervention Clinics*
 - **Wedding Receptions* Passover(s)
 - Staffing
 - *Security Personnel*
 - *Host(Coordinator)*
 - *Maintenance Person*

- The banquet facility will be utilized where people can fellowship with one another, a potluck. If any members are graduating from the group, have them talk about their experience in the community and give words of wisdom to the newer kids. Members can share stories of their faith and give awards to people who have ministered to the community.

Culture Celebration

- For youth groups that focus on ethnic and cultural identity, plan a banquet that celebrates the food, music and clothing of your people. Members can dress up in traditional folklore dresses, capes, hats and paints. Hire a mariachi band that uses guitars, trumpets and violins to play time-honored tunes. Cater the banquet with traditional Cultural food . For a guest speaker, choose someone in the community who exemplifies the positive attributes of the culture. This person can relay his or her experience to the youth members and instill in them a sense of cultural pride.
- the box of statistics and hand out trophies for Most Positive Attitude and Wackiest Team Spirit. Guest speakers could be former youth members or any person who has overcome physical hardship to athletically succeed.

- ***Tickets will be sold at a minimum price and the proceeds will be used to cover the costs of the Facility and to fund future programs.***
-

- Nutritional Counseling in Planning Healthier Lifestyles

The Physical Health and Nutritional services strives to educate residents of the importance of healthy eating and engage them in physical activity.

Program elements include:

- Food Link Mobile Services
- A Safe Place for residents
- Recreation for Youths/Adults
- Aerobic Dance & Exercise
- Senior Citizen/Disability Enrollment Center
- Ubiquity Community Center will be a Non-Alcoholic facility that will be available for reservation and rental, for community events, non-profit fund-raising activities ect.
- In addition, the event planning and management team will be housed at 1096 Joseph Avenue.
- The staff will provide services to customers accessing the center, for details such as decoration, table settings, and officials for sporting events selection and related activities that are needed for creating successful events.

The Agency (Ubiquity Inc.) will offer a planning menu and will provide assistance in the selection of catering services, but will generally leave the responsibility for the preparation and serving of food up to the public in combination.

Hours of Operation

Administrative Office

Tuesday-Friday 11:00am-9pm

After School Events

Monday- Friday 3:00pm-9:00pm

Saturdays 9am-11pm

Sundays(Scheduled Events Only) Between

12pm-8pm

***Ubiquity agreement will state that there will be no weekly activities begin after 8pm.**

***In addition, all weekly activities and events must conclude no later than 11:00pm.**

In response to the conditions that currently exist in the 14621 quadrant, Ubiquity Inc is governed by a board of directors that has been focused on the development of inner programs that will enhance the educational qualities for individuals that are a necessity in today's society.

- 1.3 Mission Statement

Program Benefits:

"By providing an essential, conveniently located facility in the inner-city this will allow our organization

To provide outreach services in a"challenged neighborhood by providing supportive series and personalized educational instruction that will improve the exchange values for the underserved population.

Employment & Training:

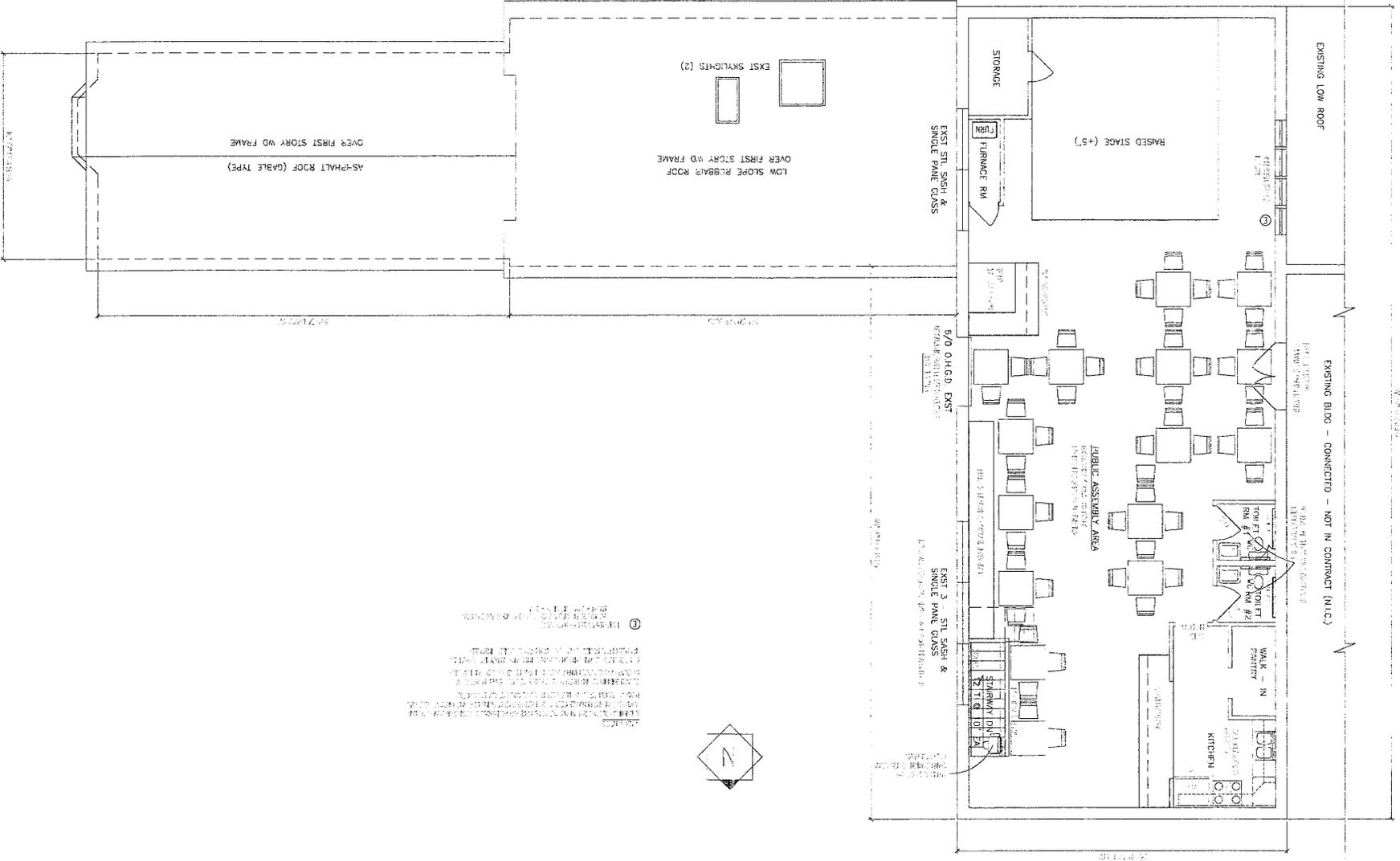
The “Coordinator of Employment & Training” will have the primary responsibility of providing direct leadership, oversight, and support of organization initiatives as it relates to the following areas:

- *Civic Engagement*
- *Job-Readiness Training (NWRC)*
- *Life-Skills/Character Education*
- *Investing in the Stock Market*
- *Entrepreneurship*
- *Job-Development Services*
- *Adult Basic Education*
- *Parenting Skills*
- *Financial Management*
- *Green Management*
- *Pre-TASC*



COMMUNITY CENTER - PROPOSAL REMODEL OF AN EXISTING BUILDING	
1095 JOSEPH AVENUE ROCHESTER, MONROE COUNTY, NY	
DATE: 10/1/06	SCALE: A-2
DESIGNER: R.C.	OWNER: R.C.
SECOND FLOOR PLAN	

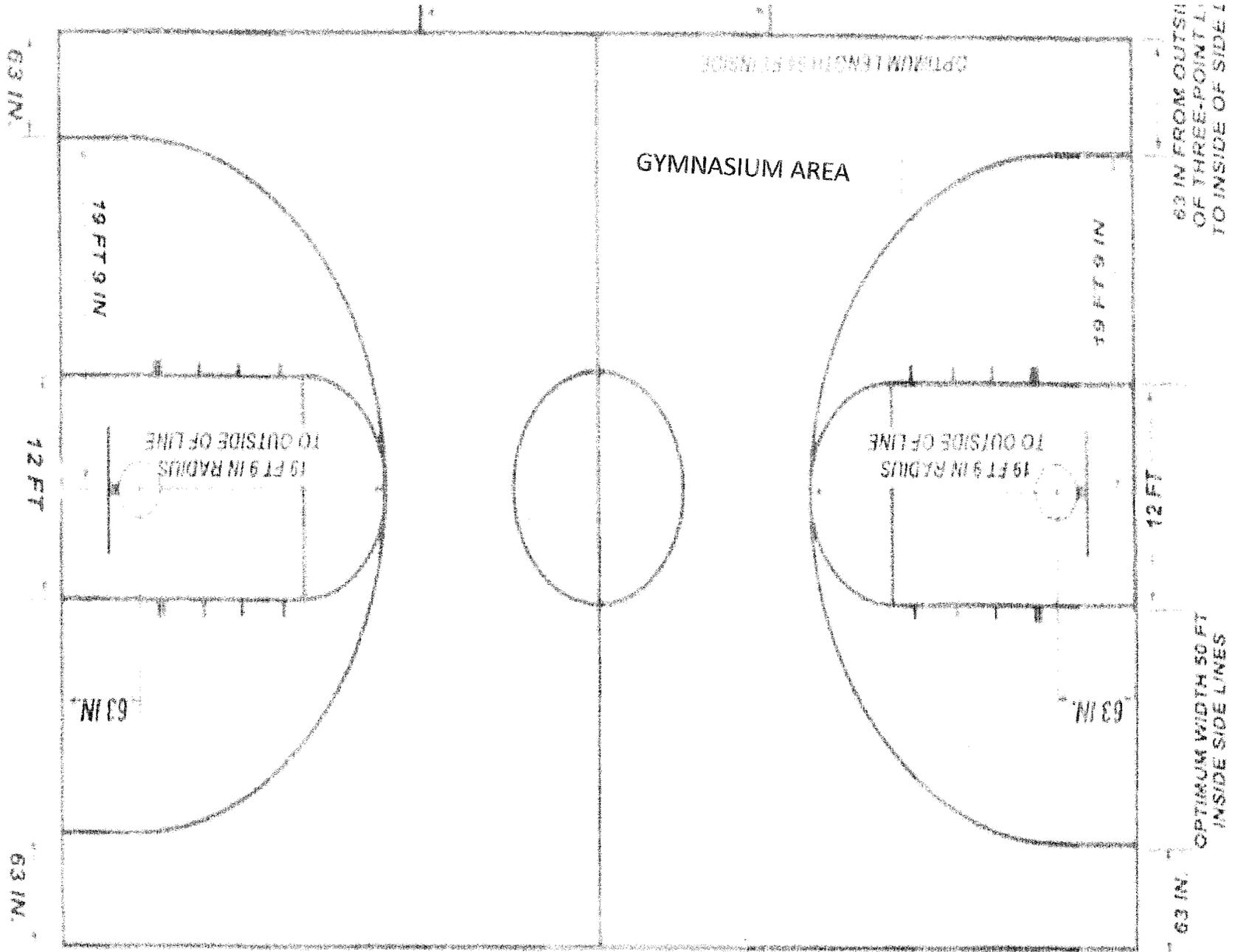
THIS DRAWING IS THE PROPERTY OF THE ARCHITECT. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. ANY REUSE OR MODIFICATION OF THIS DRAWING WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT IS STRICTLY PROHIBITED. THE ARCHITECT ASSUMES NO LIABILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS.



1. EXISTING ROOF TO REMAIN AS SHOWN. 2. EXISTING ROOF TO BE REPAIRED AS SHOWN. 3. EXISTING ROOF TO BE REPLACED AS SHOWN. 4. EXISTING ROOF TO BE DEMOLISHED AS SHOWN. 5. EXISTING ROOF TO BE REPAIRED AND REFINISHED AS SHOWN. 6. EXISTING ROOF TO BE REPAIRED AND REFINISHED WITH NEW FINISH AS SHOWN. 7. EXISTING ROOF TO BE REPAIRED AND REFINISHED WITH NEW FINISH AND NEW FLASHING AS SHOWN. 8. EXISTING ROOF TO BE REPAIRED AND REFINISHED WITH NEW FINISH AND NEW FLASHING AND NEW DRAINAGE AS SHOWN. 9. EXISTING ROOF TO BE REPAIRED AND REFINISHED WITH NEW FINISH AND NEW FLASHING AND NEW DRAINAGE AND NEW INSULATION AS SHOWN. 10. EXISTING ROOF TO BE REPAIRED AND REFINISHED WITH NEW FINISH AND NEW FLASHING AND NEW DRAINAGE AND NEW INSULATION AND NEW VENTILATION AS SHOWN.



10/1/06



GYMNASIUM AREA

OPTIMUM LENGTH 84 FT (INDOR)

63 IN.

19 FT 9 IN

12 FT

19 FT 9 IN RADIUS
TO OUTSIDE OF LINE

63 IN.

63 IN.

19 FT 9 IN

12 FT

19 FT 9 IN RADIUS
TO OUTSIDE OF LINE

63 IN.

63 IN.

62 IN FROM OUTSIDE
OF THREE-POINT LINE
TO INSIDE OF SIDE LINE

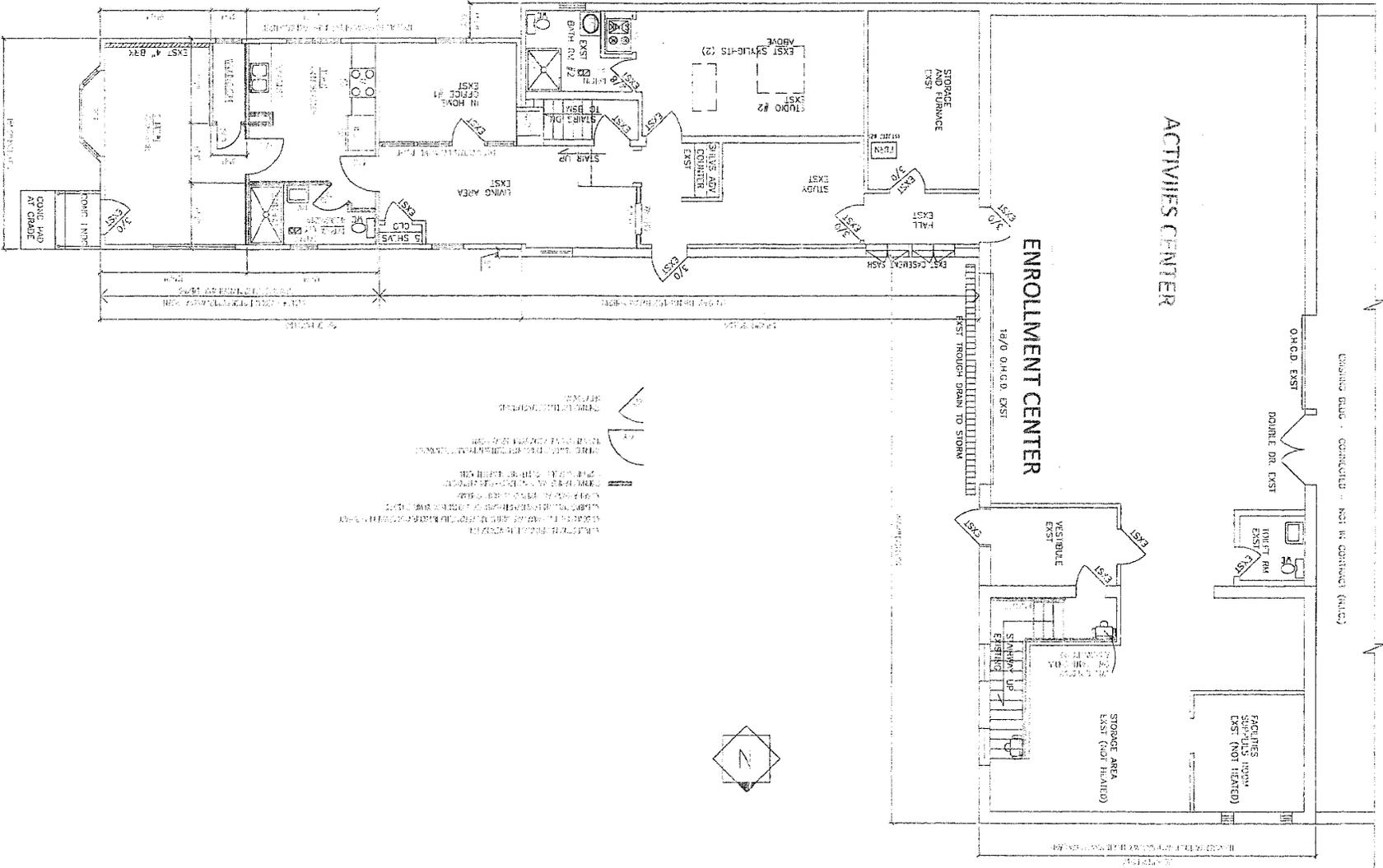
OPTIMUM WIDTH 50 FT
INSIDE SIDE LINES

ENTRANCE FROM AEROBICS AREA

COMMUNITY CENTER
 REMODEL OF AN EXISTING BUILDING
 1095 JOSEPH AVENUE
 ROCHESTER, MONROE COUNTY, NY
 ARCH. NO. 14-173
 DATE: 11-10-11
 FIRST FLOOR PLAN

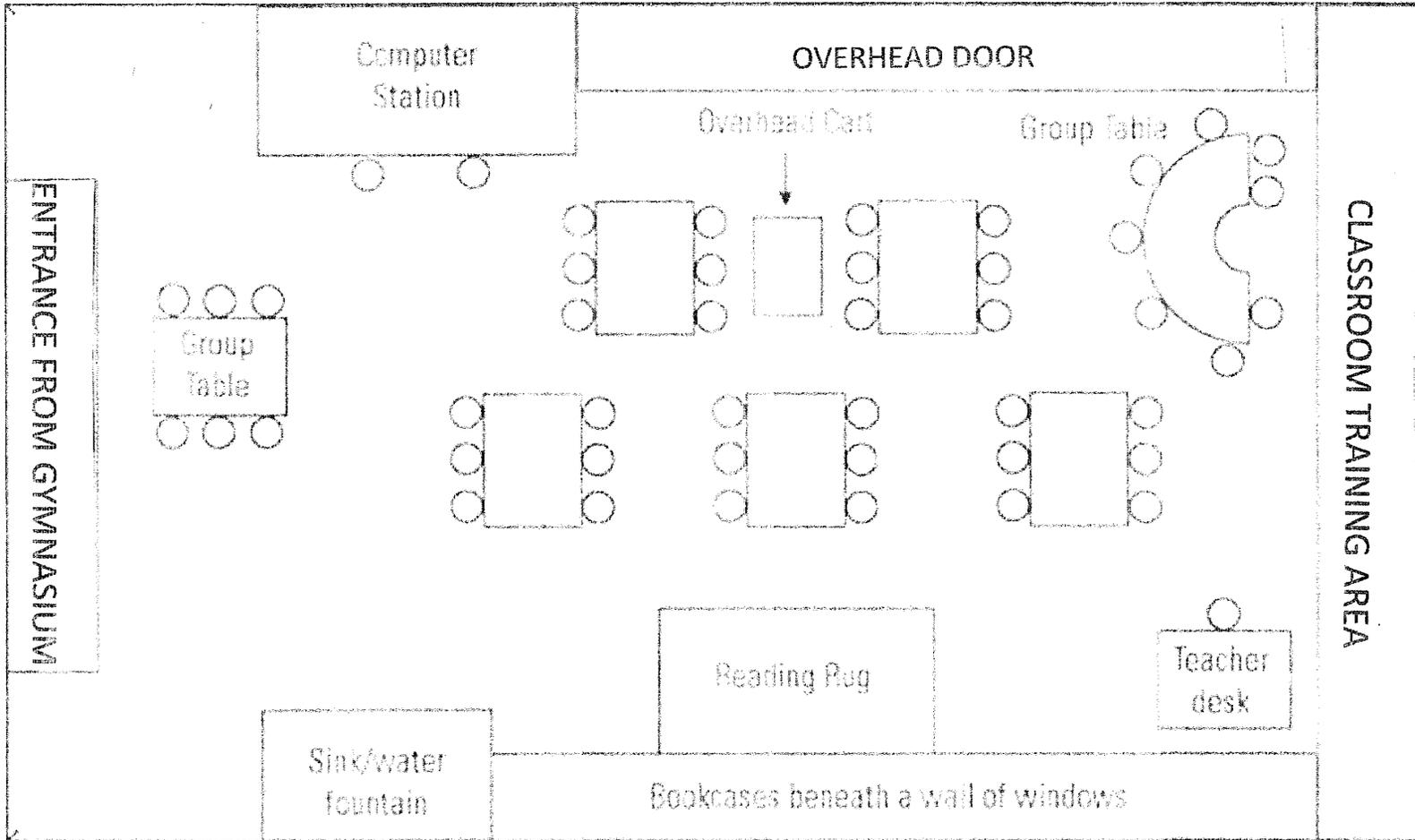
ALL DIMENSIONS ARE IN FEET AND INCHES
 UNLESS OTHERWISE SPECIFIED
 ALL WORK SHALL BE IN ACCORDANCE WITH THE
 2010 INTERNATIONAL RESIDENTIAL CODE BOOK
 AND THE 2010 INTERNATIONAL MECHANICAL
 AND PLUMBING CODE BOOK

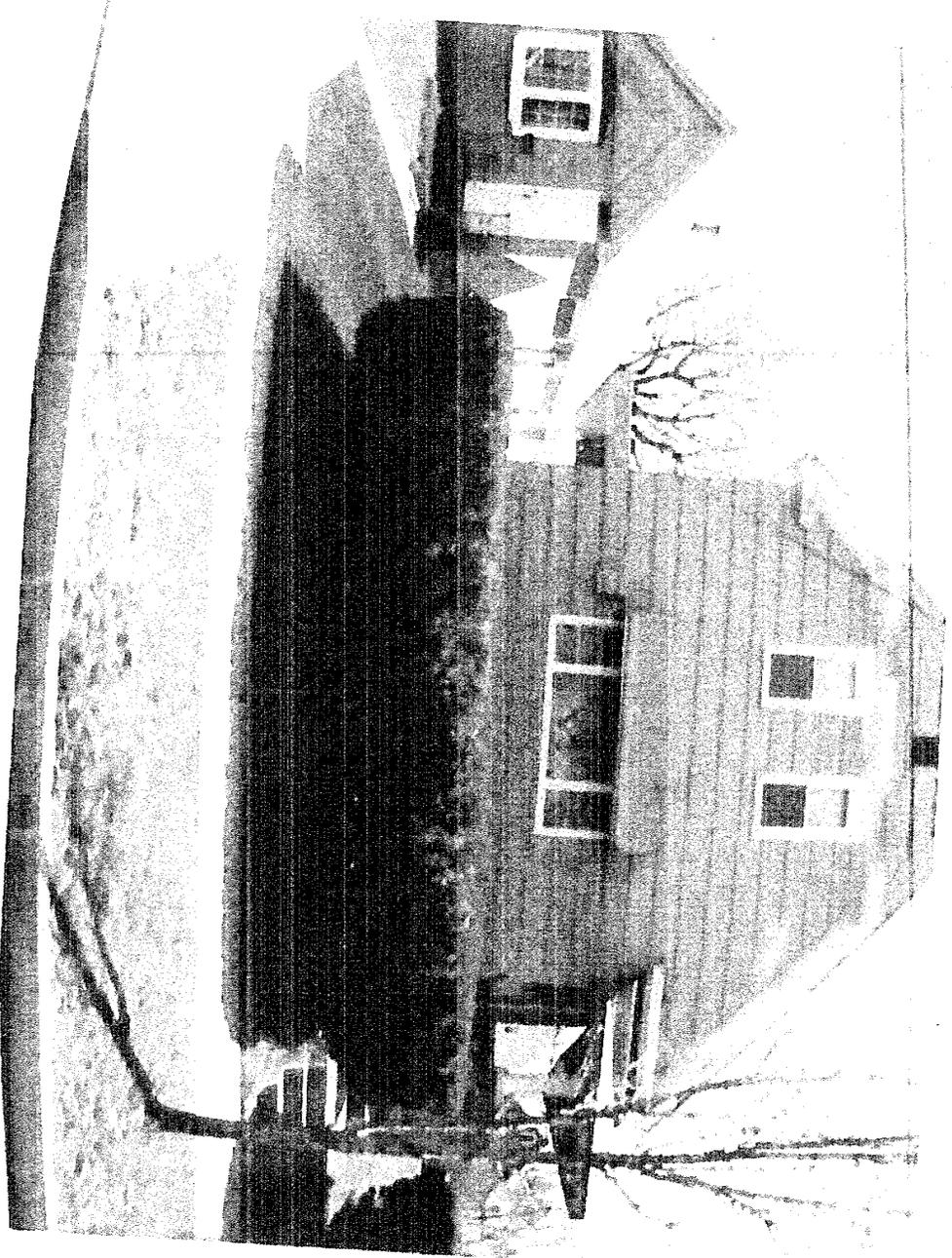
FIRST FLOOR PLAN

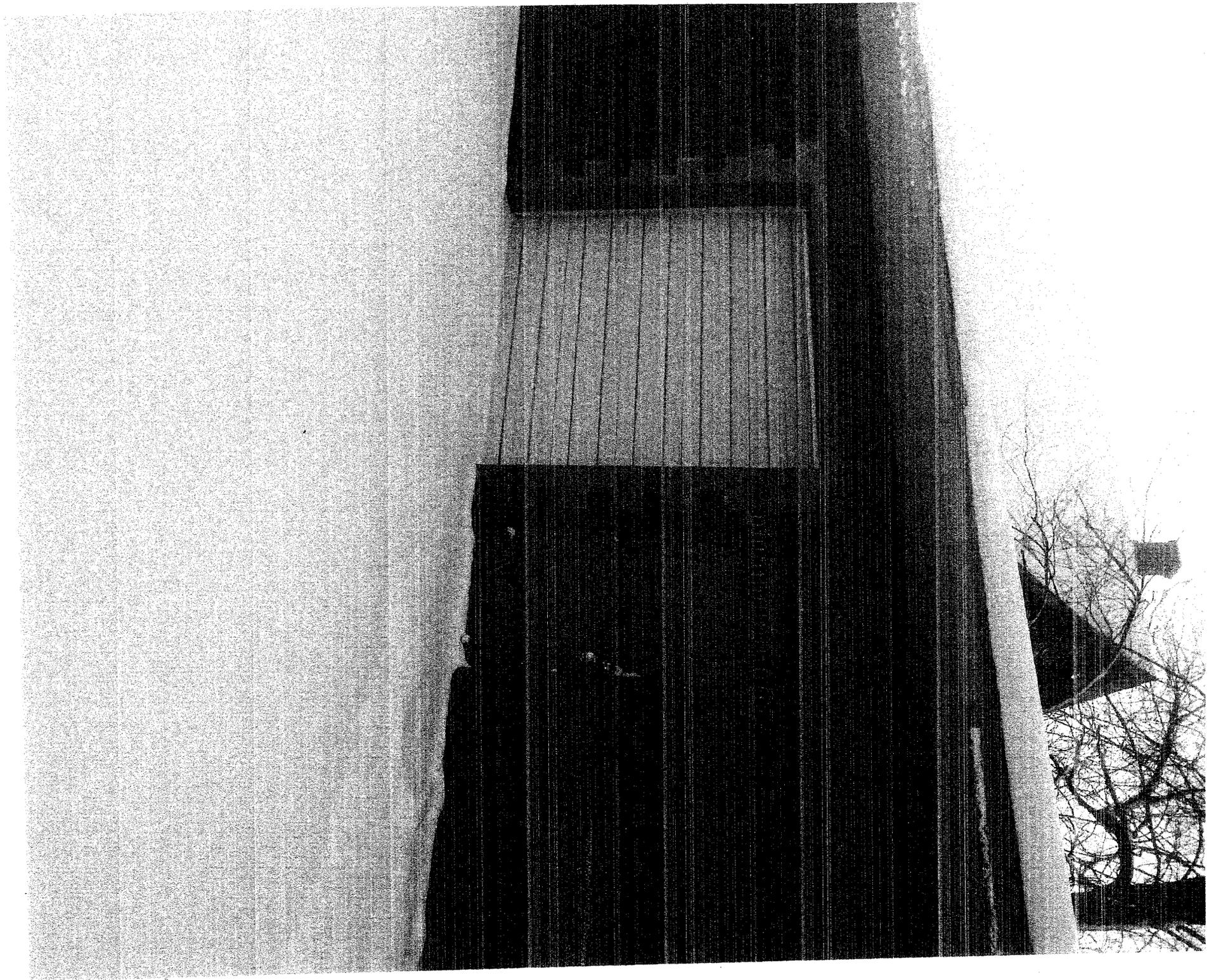


1. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE SPECIFIED.
 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2010 INTERNATIONAL RESIDENTIAL CODE BOOK AND THE 2010 INTERNATIONAL MECHANICAL AND PLUMBING CODE BOOK.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES.
 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING STRUCTURAL MEMBERS.
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING FINISHES.
 7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING MECHANICAL AND ELECTRICAL SYSTEMS.
 8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING PAVEMENT AND CURBS.
 9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING LANDSCAPE AND PLANTING.
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES ADJACENT TO THE PROJECT.

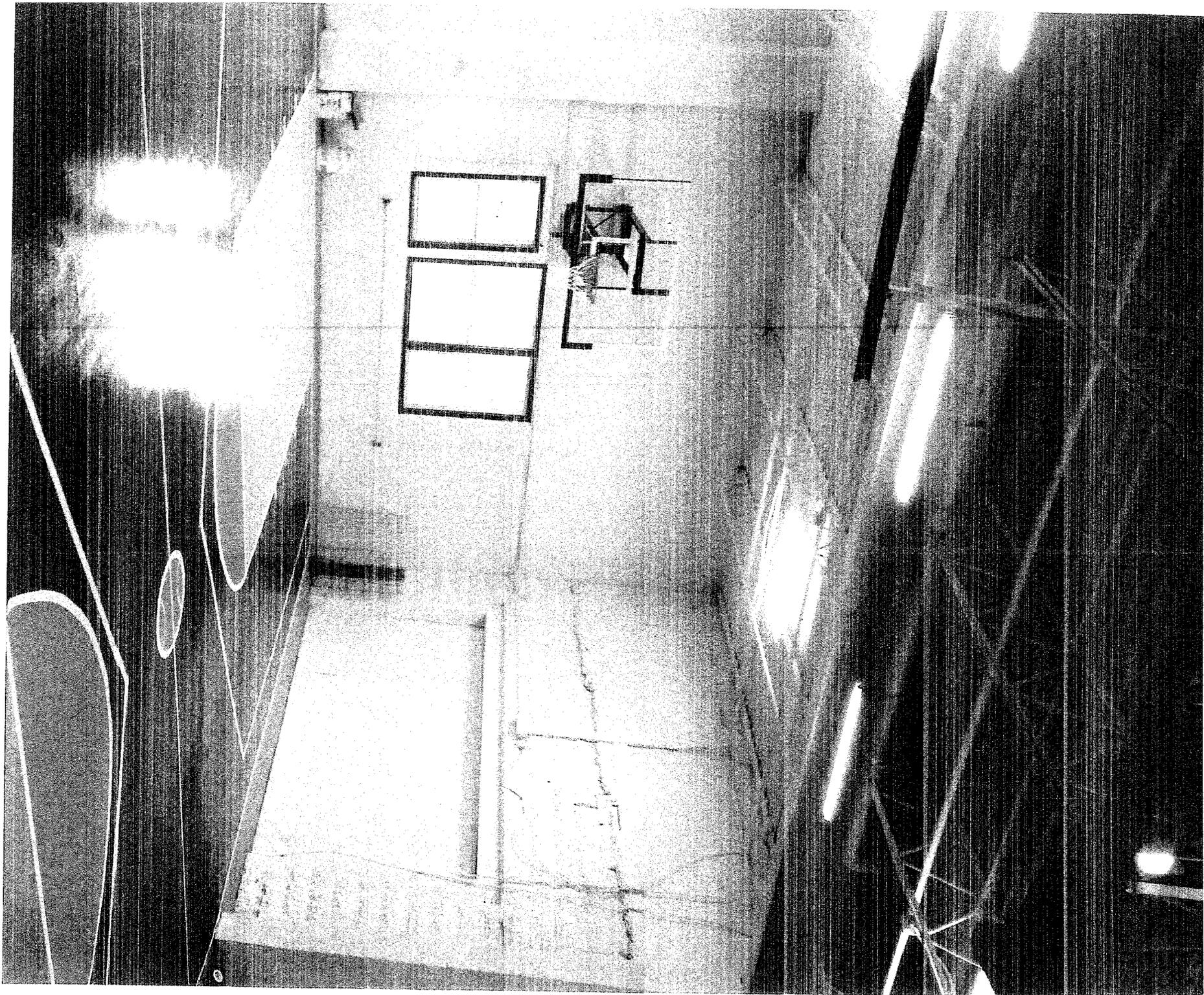


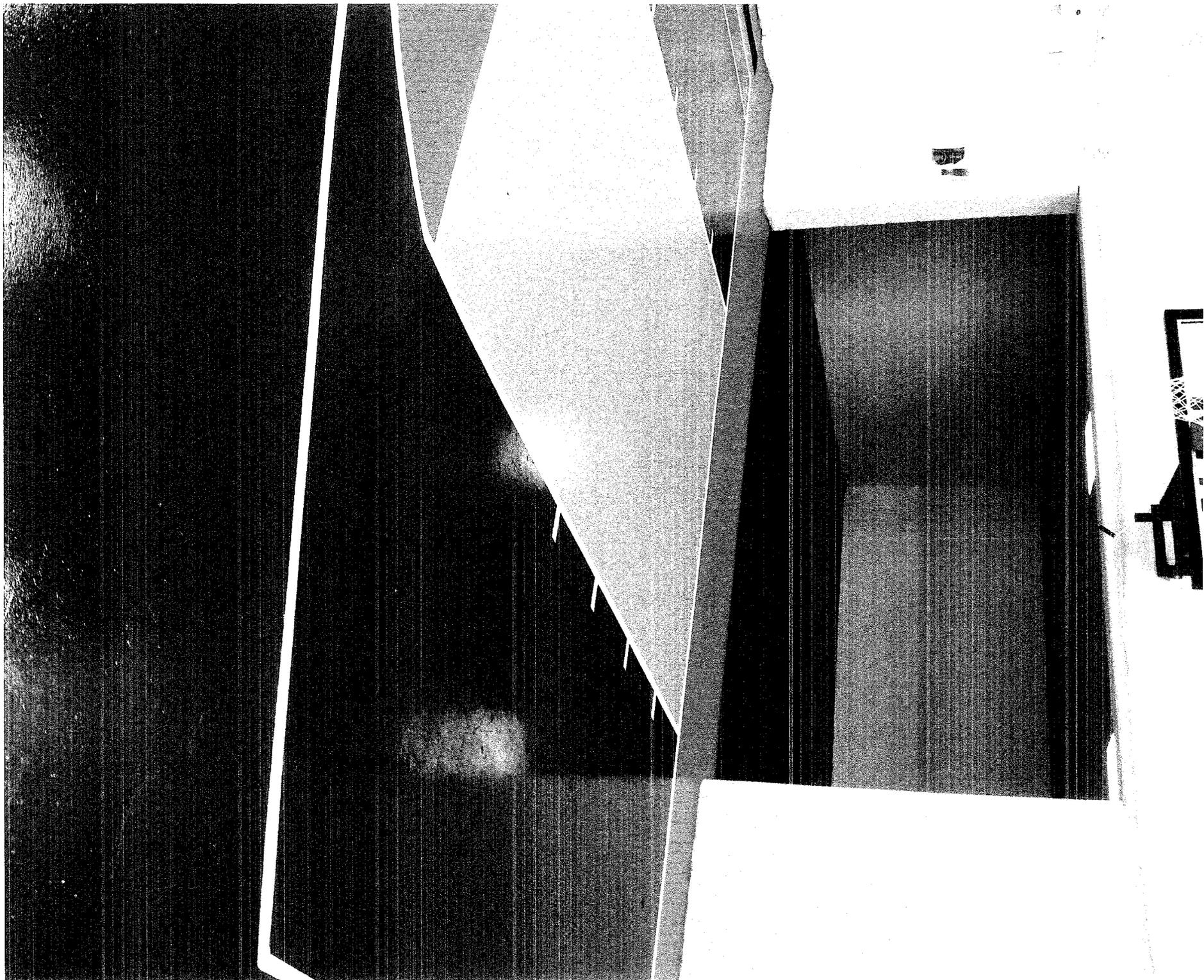




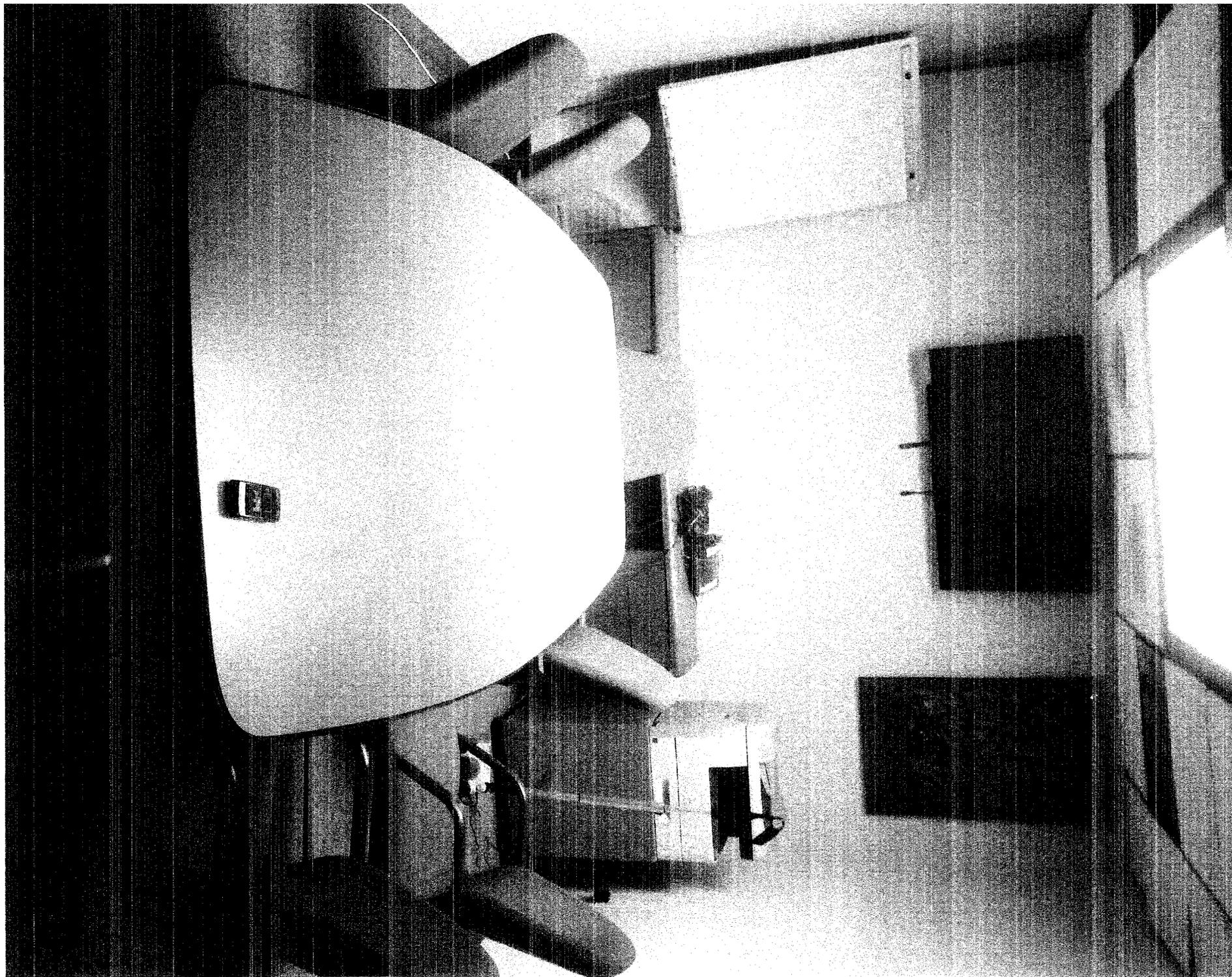




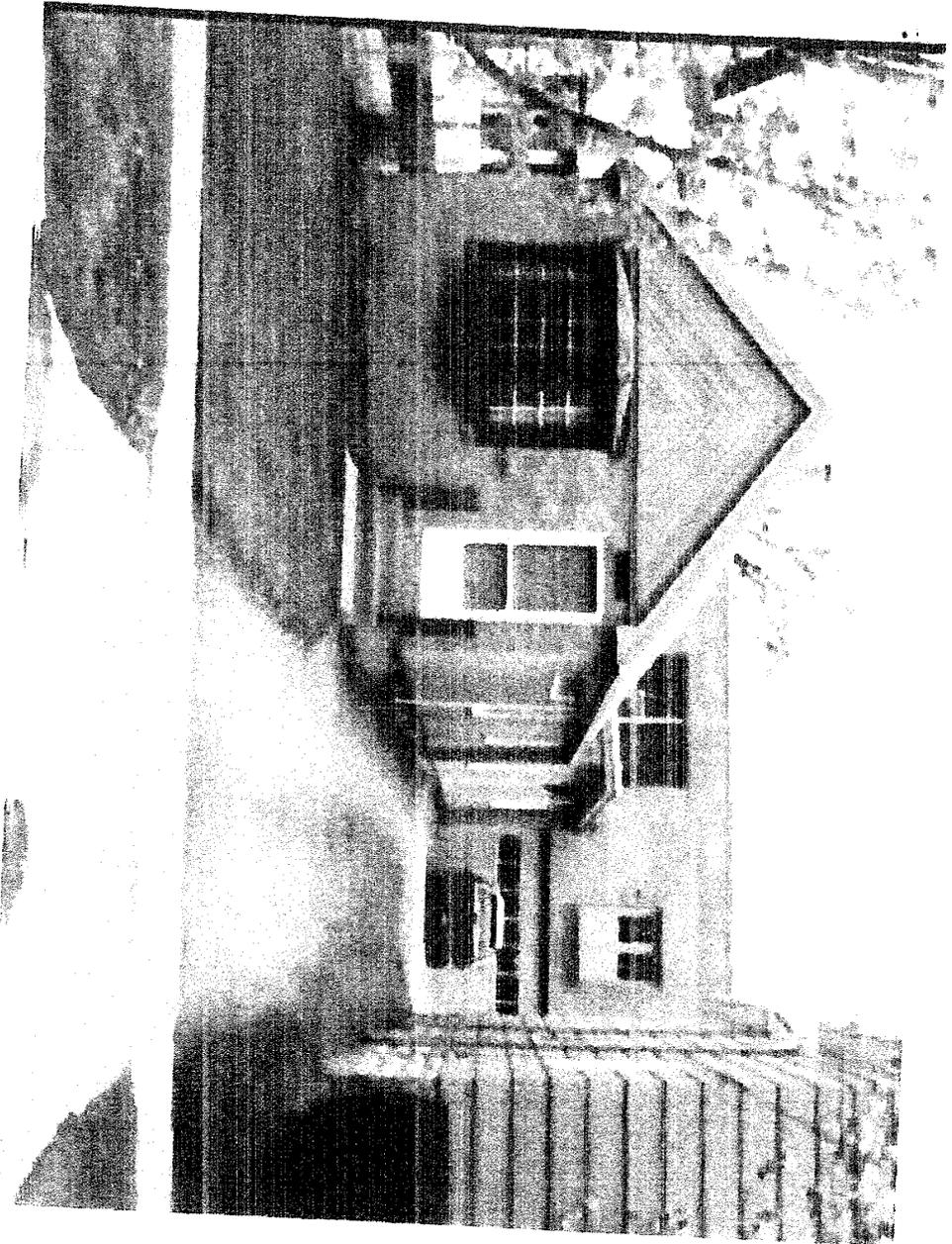












← Joseph Ave
Rochester, New York
📍
🕒 Street View - Nov 2015



Hide Imagery





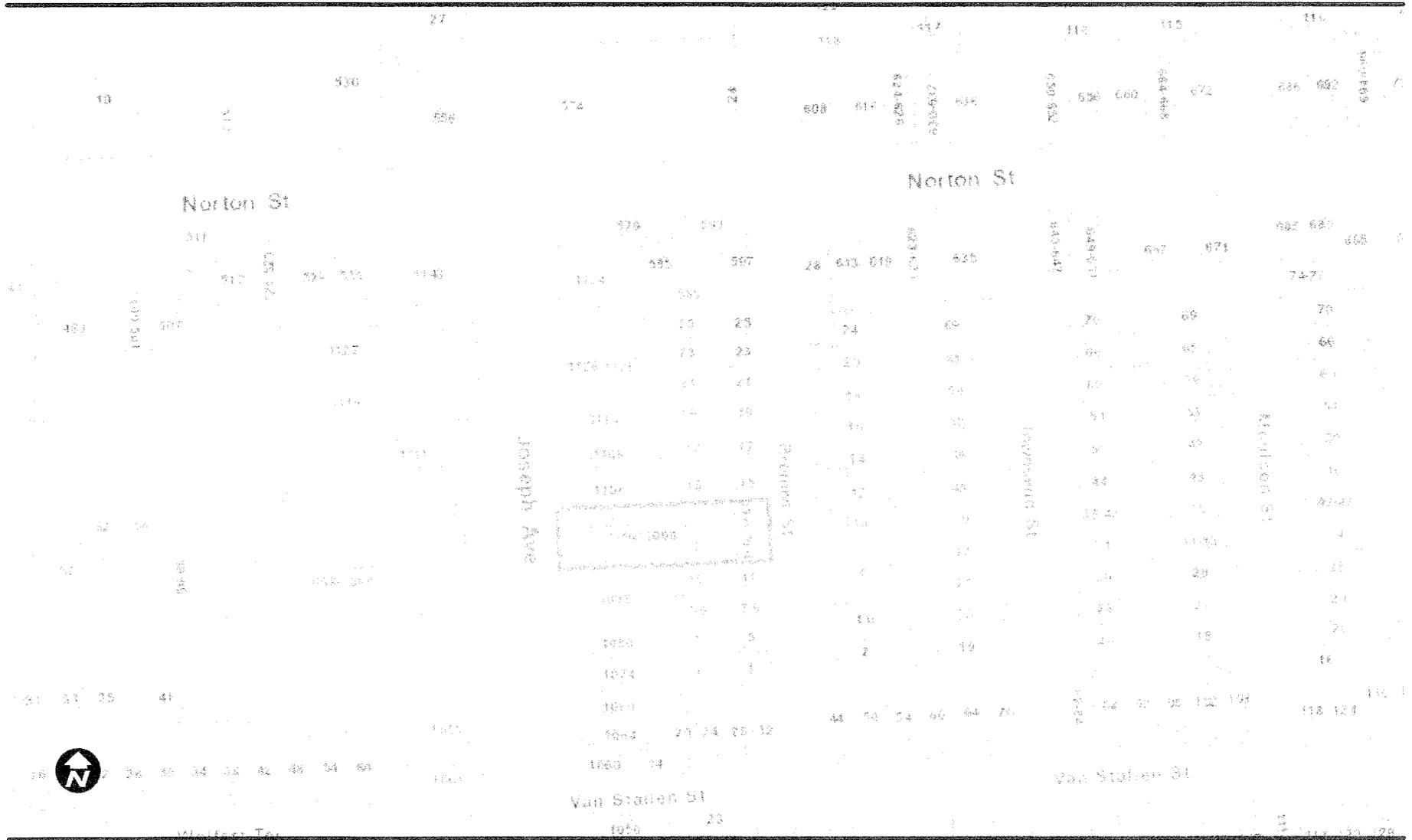
Search By: Address Owner SBL

SBL ▲ Address ▲

1096 Joseph Ave



1092-1096 JOSEPH AV



June 30, 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
July 11, 2016**

Special Permit

Case #9:

Staff Reviewer: Jill Wiedrick

File Number: E-004-16-17

Case Type: Special Permit

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

Address: 552 Meigs Street

Zoning District: R-2 Low Density Residential District

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

Request: **To install a 'micro cell' wireless telecommunications facility on the rooftop of this building that is less than four stories; an action requiring City Planning Commission approval.**

Analysis:

The subject property is a place of worship located on Meigs Street, between Lawton Street and Broadway.

The applicant wishes to install a new micro cell wireless telecommunications facility on the rooftop of this residential building. The site consists of a 48+/- square foot area of leased exterior ground space for the equipment cabinet and a 36+/- square foot area of leased rooftop spaces for the 'micro cell' wireless telecommunications facility. The applicant proposes to construct and operate a 'micro cell' wireless telecommunications facility, consisting of a single-sector radio unit with one, approximately 38.7" tall, roof-mounted external antenna, together with other site improvements.

Code Compliance:

As noted above, a 'cantenna' is proposed to be installed on a building that is fewer than four stories. Telecommunications facilities that are proposed on buildings that are fewer than four stories in height require Special Permit approval.

Site Plan and Environmental Review:

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

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

See attached.



NIXON PEABODY LLP
ATTORNEYS AT LAW

NIXONPEABODY.COM
@NIXONPEABODYLLP

Robert J. Brenner
Associate
T 585-263-1035
rbrenner@nixonpeabody.com

Nixon Peabody LLP
1300 Clinton Square
Rochester, NY 14604-1792
585-263-1000

July 1, 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 552 Meigs Street, City of Rochester, New York (Tax Parcel No. 121.65-2-11.001) (Verizon Wireless’ “Lawton Meigs” Site).

Dear Members of the City Planning Commission:

By application dated June 9, 2016, Bell Atlantic Mobile of Rochester, LP d/b/a Verizon Wireless (“Verizon Wireless”) applied to the City of Rochester to construct and operate a small cell wireless telecommunications facility at 552 Meigs Street in the City of Rochester.

Following the submission of the above-referenced application, City Planning and Zoning Staff requested that Verizon Wireless examine the feasibility of relocating the ancillary ground level equipment to the basement of the building.

Verizon Wireless representatives have since visited the property and have spoken with the property owner to explore the possibility of relocating the equipment into the basement. Upon further review, the property owner has confirmed that there is no interior space available to Verizon Wireless for its equipment. However, in order to further screen the ancillary ground level improvements from view, Verizon Wireless has relocated the equipment to a location adjacent to an outdoor staircase.

To that end, enclosed are supplemental application materials (lettered to correspond with Exhibits A-L previously submitted with the original application):

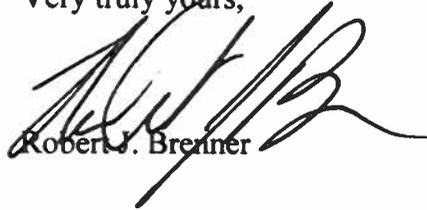
Exhibit M: Documentation from the property owner confirming the lack of availability of interior space of the equipment; and

Exhibit N: Revised 11”x17” Project plan set depicting the location of the relocated outdoor equipment.

Planning Commission
City of Rochester
July 1, 2016
Page 2

Please let us know if you have any questions or need any additional information. Otherwise, we look forward to appearing before the Planning Commission at its July 11, 2016 meeting.

Very truly yours,



Robert J. Brenner

RJB/las
Enclosures



AMERICAN METHODIST EPISCOPAL CHURCH
The Reverend James C. Simmons, M. Div., Pastor

June 29, 2016

City of Rochester
Planning Commission
30 Church Street
Rochester, NY 14614
585-428-6988

Re
550/552 Meigs Street Micro Cell Installation

Dear City of Rochester-Planning Commission

This letter is being written in support of the Micro Cell Installation proposed for Baber AME Church. It has come to our attention that there is a preference to have the Micro Cell supporting equipment installed inside our church building; currently we have no available space in the church building for any equipment. The building is being fully utilized and the loss of any existing space would be a hardship.

Sincerely,

Rev. James C. Simmons,
Pastor

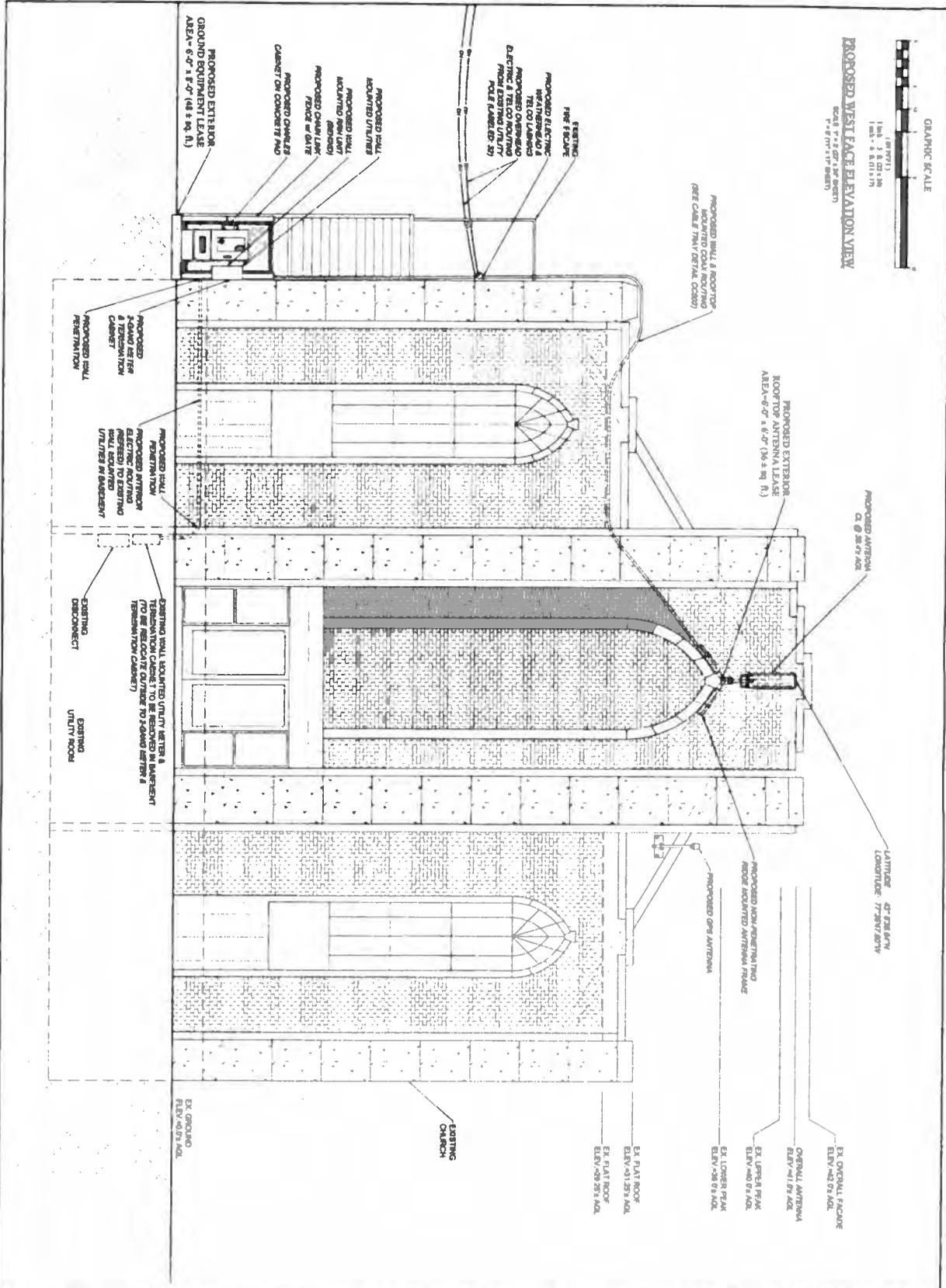
JCS/mw

550 Meigs Street, Rochester, New York 14607
Phone: 585-461-1395 | Fax: 585-271-6429 | www.BaberRochester.org

THERE IS NOTHING TOO HARD FOR GOD!



PROPOSED WESTFACE ELEVATION VIEW
 DATE: 07/28/2014
 DRAWN BY: [Name]



vertizon
 1270 JONES STREET SUITE 900
 WEST HONOLULU, HAWAII 96813

CFE
 CONSULTING ENGINEERS
 100 W. WASHINGTON ST.
 SUITE 200
 ROCHESTER, NY 14602
 TEL: 716.243.1100
 FAX: 716.243.1101
 WWW.CFE-ENGINEERS.COM

NO.	DATE	DESCRIPTION	DESIGNED BY
1	07/28/14	ISSUED FOR PERMITS	[Name]
2	08/08/14	REVISION: [Description]	[Name]
3	08/20/14	REVISION: [Description]	[Name]
4	09/02/14	REVISION: [Description]	[Name]
5	09/15/14	REVISION: [Description]	[Name]
6	09/29/14	REVISION: [Description]	[Name]
7	10/13/14	REVISION: [Description]	[Name]
8	10/27/14	REVISION: [Description]	[Name]
9	11/10/14	REVISION: [Description]	[Name]
10	11/24/14	REVISION: [Description]	[Name]
11	12/08/14	REVISION: [Description]	[Name]
12	12/22/14	REVISION: [Description]	[Name]
13	01/05/15	REVISION: [Description]	[Name]
14	01/19/15	REVISION: [Description]	[Name]
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17	02/28/15	REVISION: [Description]	[Name]
18	03/12/15	REVISION: [Description]	[Name]
19	03/26/15	REVISION: [Description]	[Name]
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23	05/21/15	REVISION: [Description]	[Name]
24	06/04/15	REVISION: [Description]	[Name]
25	06/18/15	REVISION: [Description]	[Name]
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100	05/03/18	REVISION: [Description]	[Name]

CONTRACT INFORMATION
 CONTRACT NO. 2014-11-30760
 PROJECT NO. 141130760
 LOCATION CODE: 313344

CITY OF ROCHESTER
 COUNTY OF MONROE
 STATE OF NEW YORK
 REFERENCE

ELEVATION
 5947.01
 CC111
 SHEET 21



NIXON PEABODY LLP
ATTORNEYS AT LAW

NIXONPEABODY.COM
@NIXONPEABODYLLP

Nathan E. Vander Wal, Esq.
T 585-263-1312
nvanderwal@nixonpeabody.com

1300 Clinton Square
Rochester, NY 14604-1792
585-263-1000

June 9, 2016

VIA MESSENGER

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 552 Meigs Street, City of Rochester, New York (Tax Parcel No. 121.65-2-11.001) (Verizon Wireless' "Lawton Meigs" 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 Lawton Meigs cell, Verizon Wireless proposes to construct and operate a small cell wireless telecommunications facility located on the rooftop of the existing building located at 552 Meigs Street in the City of Rochester (the "Site").

The Site consists of a 48± sq. ft. area of leased exterior ground space for the equipment cabinet and a 36± sq. ft. area of leased rooftop space for the "cantenna" from Baber Chapel of the African Methodist Episcopal Church, Inc. (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 38.7" tall, roof-mounted external antenna, 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-2 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)(1)).

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 wireless telecommunications facility standards as set forth in Zoning Code § 120-143;
- 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).

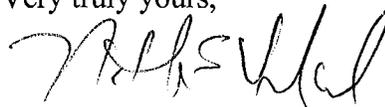
- Sixteen (16) copies of this Application booklet;
- Three (3) copies of the full-size Project site plan prepared by Costich Engineering, P.C.; and
- Check in the amount of \$250.00 for the application fee.

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,



Nathan E. Vander Wal

NEV/las

cc: Mark Coon
Brett Morgan
Jared C. Lusk



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	<u>APPLICATION REQUIREMENTS:</u>
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	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.
<p align="center"><u>IMPORTANT</u></p> <p>Completed applications must be submitted before the published deadline. Application documents must be submitted in the appropriate number as specified above.</p>	
<p align="center"><u>POSTING REQUIREMENT</u></p> <p>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.</p>	

JUN 27 15 001#28247 BUD
 CHECK #250.00
 BUILDING BUREAU
 ROOM 121
 01-0002 001 BUD
 #250.00
 INFO 552 ME16S

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): 552 Meigs Street
Bell Atlantic Mobile of Rochester

2. APPLICANT: L.P. d/b/a Verizon Wireless COMPANY NAME: _____

ADDRESS: 175 Calkins Road, Rochester, New York CITY: Rochester ZIP CODE: 14623

PHONE: (585) 321-5358 FAX: _____

E-MAIL ADDRESS mark.coon@verizonwireless.com

INTEREST IN PROPERTY: Owner Lessee 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; Nathan E. Vander Wal, Esq.

ADDRESS: 1300 Clinton Square CITY: Rochester ZIP CODE: 14604

PHONE: (585) 263-1312 FAX: _____

E-MAIL ADDRESS nvanderwal@nixonpeabody.com

5. ZONING DISTRICT: R-2

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; Nathan E. Vander Wal, Esq.

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.

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 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.

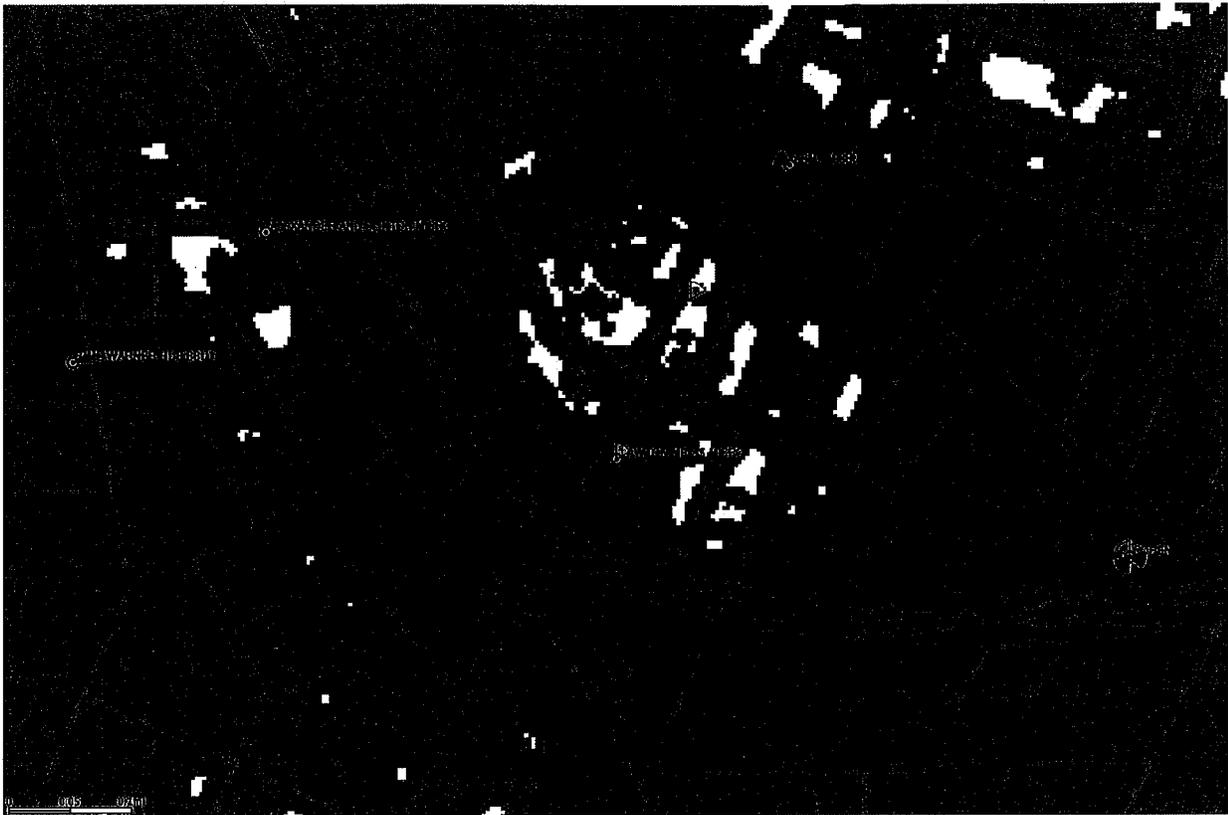


Exhibit 1

BELL ATLANTIC MOBILE OF ROCHESTER, L.P.
DBA

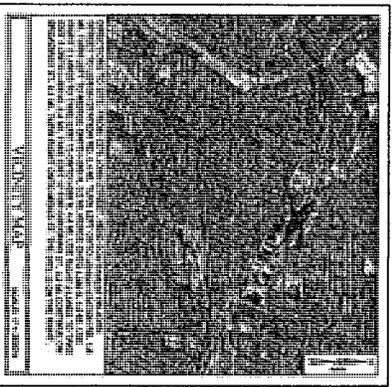


PROJECT NUMBER: 20141130760
LOCATION CODE: 313334

SITE NAME:

LAWTON MEIGS

SHEET NO.	DESCRIPTION	REV.	REASON	DATE
GC001	TITLE SHEET	2	02/22/2015	
GC002	GENERAL NOTES (SHEET 1 OF 2)	1	04/07/2015	
GC003	GENERAL NOTES (SHEET 2 OF 2)	1	04/07/2015	
GC004	OVERALL SITE PLAN	2	02/22/2015	
GC005	UTILITIES PLAN	2	02/22/2015	
GC006	ELEVATION	2	02/22/2015	
GC007	DETAILS (SHEET 1 OF 3)	1	04/07/2015	
GC008	DETAILS (SHEET 2 OF 3)	2	02/22/2015	
GC009	DETAILS (SHEET 3 OF 3)	2	02/22/2015	
ES001	ELECTRICAL SYMBOLS, DIMENSIONS & SYMBOLS	1	04/07/2015	
ES002	ELECTRICAL SYMBOLS, DIMENSIONS & SYMBOLS	2	02/22/2015	



PROJECT INFORMATION	
PROJECT NUMBER:	20141130760
LOCATION CODE:	313334
SITE ADDRESS:	600 WEDGES STREET ROCHESTER, NEW YORK 14607
COUNTY:	MONROE
TOWNSHIP:	ROCHESTER
PARCEL NUMBER:	1214143-11401
TAX MAP NUMBER:	01.013 ACRES PER TAX MAP
ANTENNA PLACEMENT PER PERMITS:	LATITUDE: 43° 02' 38.47" N LONGITUDE: 79° 02' 48.00" W
PROPERTY OWNER:	600 WEDGES STREET ROCHESTER, NY 14607
APPLICANT:	600 WEDGES STREET ROCHESTER, NY 14607
CELL SITE NAME:	600 WEDGES STREET ROCHESTER, NY 14607
EXTERIOR EQUIPMENT USER NAME:	600 WEDGES STREET ROCHESTER, NY 14607
EXTERIOR EQUIPMENT USER PHONE:	600 WEDGES STREET ROCHESTER, NY 14607

VERIZON
1275 JOHN STREET SUITE #100
WEST ROCHESTER, NY 14626

CFE
CIVIL ENGINEERING
LAND SURVEYING
LANDSCAPE ARCHITECTURE
MECHANICAL ELECTRICAL PLUMBING ENGINEERING

WORK ORDER NUMBER: 0000000000
DRAWN BY: []
NO. DATE REVISIONS
1. 02/22/2015
2. 02/22/2015

DESIGNED BY: []
CHECKED BY: []
DATE: []

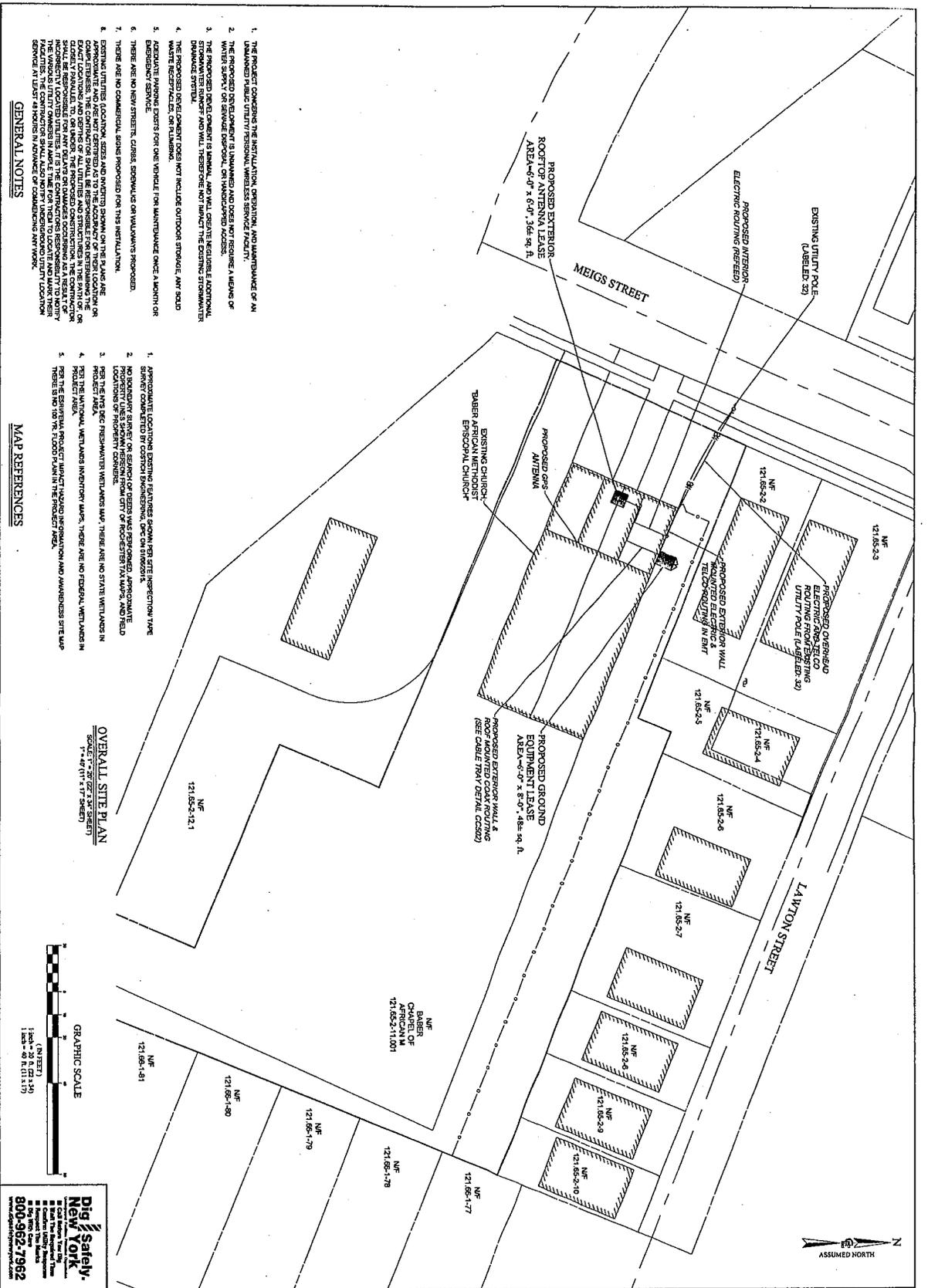
DRAWN BY: []
DATE: []
K.C.C.
02/22/2015
AS NOTED

STATE OF NEW YORK
COUNTY OF MONROE
CITY OF ROCHESTER

PROJECT #20141130760
LOCATION CODE: 313334

CITY OF ROCHESTER
COUNTY OF MONROE
STATE OF NEW YORK

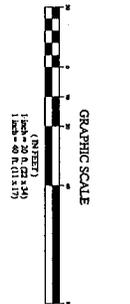
TITLE SHEET
SHEET NUMBER: GC001
JOB NUMBER: 5947.01
SHEET 01 OF 11



1. THE PROJECT CONCERNING THE INSTALLATION, OPERATION, AND MAINTENANCE OF AN UNMOUNTED WIRELESS SERVICE FACILITY.
2. THE PROPOSED DEVELOPMENT IS UNMOUNTED AND DOES NOT REQUIRE A LICENSE OF OPERATION FROM THE STATE OF NEW YORK.
3. THE PROPOSED DEVELOPMENT IS UNMOUNTED AND DOES NOT REQUIRE A LICENSE OF OPERATION FROM THE STATE OF NEW YORK.
4. THE PROPOSED DEVELOPMENT DOES NOT INCLUDE OUTDOOR STORAGE, ANY SOLID WASTE RECEPTACLES, OR PLUMBING.
5. ACQUAIRE EVIDENCE FOR ONE VEHICLE FOR MAINTENANCE ONCE A MONTH OR MORE.
6. THERE ARE NO NEW STREETS, CANALS, SIDEWALKS OR WALKWAYS PROPOSED.
7. THERE ARE NO COMMERCIAL SIGNS PROPOSED FOR THIS INSTALLATION.
8. EXISTING UTILITIES LOCATION, SIZE, AND DEPTH SHOWN ON THE PLANS ARE APPROXIMATE AND ARE NOT GUARANTEED AS TO THE ACCURACY OF THEIR LOCATION OR DEPTH. LOCATIONS AND DEPTHS OF ALL UTILITIES AND STRUCTURES IN THE PATH OF THE PROPOSED DEVELOPMENT SHALL BE DETERMINED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION AND DEPTH OF ALL UTILITIES AND STRUCTURES IN THE PATH OF THE PROPOSED DEVELOPMENT. THE CONTRACTOR SHALL ALSO NOTIFY ALL UTILITIES AT LEAST 72 HOURS IN ADVANCE OF COMMENCING ANY WORK.

1. APPROXIMATE LOCATIONS EXISTING FEASIBLE SHOWERS, SITE INSPECTION TYPE, SHOWER COMPLIANT BY COSTUM BROTHERS, ONE ON SITE.
2. NO SIGNATURE REQUIRED ON SEALS OF FEES WAS PERFORMED, APPROXIMATE LOCATION OF FENCED CORNER.
3. PER THE NYC RECORDS, THERE ARE NO STAIRS WITHIN IN PRODUCT AREA.
4. PER THE NATIONAL WETLANDS INVENTORY MAPS, THERE ARE NO FEDERAL WETLANDS IN PRODUCT AREA.
5. THERE IS NO 100 YEAR FLOOD PLAIN IN THE PRODUCT AREA.

OVERALL SITE PLAN
 SCALE: 1" = 20' (20' x 30' SHEET)
 1" = 40' (11' x 17' SHEET)



Dig Safety
 New York
 800-962-7962

<p>1271 JOHN STREET, SUITE 8100 WEST HENRIETTA, NEW YORK 14286</p>			
<p>GENERAL NOTES</p>		<p>MAP REFERENCES</p>	
<p>GENERAL NOTES</p>		<p>MAP REFERENCES</p>	
<p>GENERAL NOTES</p>		<p>MAP REFERENCES</p>	

<p>DATE: 05/11/2016</p> <p>PROJECT: LAWTON MEIGS</p> <p>LOCATION: 1271 JOHN STREET, SUITE 8100, WEST HENRIETTA, NY 14286</p>	<p>CLIENT: VERIZON</p> <p>PROJECT #: 20141130760</p> <p>LOCATION CODE: 313334</p>	<p>SCALE: 1" = 20'</p> <p>DATE: 05/11/2016</p>	<p>PROJECT #: 20141130760</p> <p>LOCATION CODE: 313334</p>	<p>DATE: 05/11/2016</p> <p>PROJECT #: 20141130760</p> <p>LOCATION CODE: 313334</p>
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