

CITY PLANNING COMMISSION

RECOMMENDATION

OFFICIAL MAP AMENDMENT

Re: To amend the Official Map of the City of Rochester by acquiring by permanent easement and dedicating as additional right-of-way a portion of 23 Pinnard Street for street improvement purposes as part of the Cobbs Hill Drive Reconstruction/Rehabilitation project; an action requiring City Planning Commission recommendation to City Council.

Case No: OMA-02-16-17

Resolution:

RESOLVED, the City Planning Commission recommends that the Official Map of the City of Rochester be amended by acquiring by permanent easement and dedicating as additional right-of-way a portion of 23 Pinnard Street for street improvement purposes as part of the Cobbs Hill Drive Reconstruction/Rehabilitation project; an action requiring City Planning Commission recommendation to City Council.

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|------------------------|---------------------------|
| Vote: | Motion Passes |
| Action: | Recommend Approval |
| Filing date: | September 12, 2016 |
| Record of Vote: | 7-0-0 |
| D. Watson | Recommend Approval |
| S. Rebholz | Recommend Approval |
| H. Hogan | Recommend Approval |
| T. Bruce | Recommend Approval |
| S. Mayer | Recommend Approval |
| E. Marlin | Recommend Approval |
| M. Gaudio | Recommend Approval |

**MINUTES
TEXT AMENDMENT
OMA-02-16-17
CITY PLANNING COMMISSION INFORMATIONAL MEETING (9/12/2016)
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APPLICANT: City of Rochester, City Engineer

PURPOSE: To amend the Official Map of the City of Rochester by acquiring by permanent easement and dedicating as additional right-of-way a portion of 23 Pinnard Street for street improvement purposes as part of the Cobbs Hill Drive Reconstruction/Rehabilitation project; an action requiring City Planning Commission recommendation to City Council.

APPLICANT AND/OR REPRESENTATIVE PRESENTATION:

Frank Bonn: Good evening. I'm Frank Bonn of the City Engineer's Office. Jill has pretty much described everything going on. I believe you have the maps in front of you. The main reason for this change is that we need to increase the radius at the corner so that school buses and garbage trucks can turn the corner without running over the sidewalk. We're also going to increase the size of the sidewalk and add handicapped accessible ramps.

Questions from the Members:

Commissioner Watson: How soon do you anticipate the repairs being completed?

Frank Bonn: The project should kick off next spring. We have a bidder and it is in the award phase right now.

Speakers in Favor: NONE

Speakers in Opposition: NONE

HEARING ENDS

CITY PLANNING COMMISSION

RECOMMENDATION

ZONING MAP AMENDMENT

Re: To amend the Zoning Map by rezoning the properties at 1307, 1311, 1313, 1317, 1337 East Main Street and 48 Breck Street from R-2 Medium Density Residential District to R-3 High Density Residential District to facilitate the development of multi-family housing; an action requiring City Planning Commission recommendation to City Council.

Case No: M-05-16-17

Resolution:

RESOLVED, the City Planning Commission **RECOMMENDS** that the Official Zoning Map be amended by rezoning the properties at 1307, 1311, 1313, 1317, 1337 East Main Street and 48 Breck Street from R-2 Medium Density Residential District to R-3 High Density Residential District to facilitate the development of multi-family housing; an action requiring City Planning Commission recommendation to City Council.

Vote: Motion Passes

Action: Recommend Approval

Filing date: September 12, 2016

Record of Vote: 6-0-1

| | |
|--------------------|---------------------------|
| D. Watson | Recommend Approval |
| S. Rebholz | Recused |
| H. Hogan | Recommend Approval |
| T. Bruce | Recommend Approval |
| S. Mayer | Recommend Approval |
| E. Marlin | Recommend Approval |
| M. Gaudioso | Recommend Approval |

Findings of Fact:

This decision was based on the City Planning Commission's following findings of fact:

A. The proposal will be in harmony with goals, standards and objectives of the Comprehensive Plan.

The applicant, Home Leasing, LLC, proposes that 6 parcels comprising ±2.01 acres (the "Site") be rezoned from R-2 Medium Density Residential to R-3 High Density Residential in order to allow for the development of a mixed income apartment community consisting of 72 dwelling units and including a community center, fitness center, playground, small café and space for counseling services (the "Project"). The community center, playground and café will be open to the public. Sixteen of the Project's dwelling units would be reserved for the developmentally disabled. Eight residential units would be fully accessible and 18 units would be adaptable for accessibility to handicapped residents.

In analyzing this rezoning request, the City Planning Commission (CPC) understood and acknowledged that it must account for all uses that might be permissible under the proposed R-3 District designation and not just those uses contemplated for the Project. The CPC also acknowledged that the State of New York has approved millions of dollars of funding assistance and low income tax credits that would be paired with private funding for a total of \$17 million to construct and operate the Project and that the funding is contingent on the Project going forward in its current form, at this Site, and commencing in early 2017. The State funding also binds the applicant to operate the Project for a minimum of 30 years.

The proposed rezoning would be in harmony with the goals, standards and objectives of the City's Comprehensive Plan. The R-3 High Density Residential District is intended to protect, preserve and enhance existing residential areas of higher density, including multifamily dwellings mixed with other housing types. Zoning Code §120-25. The present Zoning Map already provides for higher density R-2 zoning along both sides of East Main Street in this area, thus acknowledging the appropriateness of development along the East Main Street corridor that is denser than the adjacent East Main, Mustard and Atlantic Avenue (EMMA) and Beechwood neighborhoods. Additionally, by allowing for the development of the Project, the District would promote the Comprehensive Plan's goals of providing a variety of housing choices with appropriate community resources, services and amenities for all City residents. See, Municipal Code Chapter 130, City Comprehensive Plan at §§130-5I (Healthy Urban Neighborhoods), and 130-7A(1) (Housing Policy). The rezoning of the Site would be consistent with the goals of the E. Main Street Four-step Planning Process completed in 2013 and the Community Design Center's Rochester East Main Street Corridor Revitalization Project completed in 2015. The Project design was modified in response to neighbors' comments and the CPC's denial of a prior application at the CPC's June 2016 hearing. The 2013 and 2015 community plans and the adjustments made since June 2016 involved the participation of neighboring residents, the EMMA and

Beechwood neighborhood associations, area businesses and others, which is consistent with the Comprehensive Plan's goal of creating an "ongoing community planning and development review process that actively involves our citizens, anticipates emerging land use trends, appropriately weighs and considers competing land use and development interests as well as local and regional perspectives and results in fair and equitable decisions." Comprehensive Plan §130-5A ("Involved Citizens").

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

Rezoning the above properties to R-3 High Density Residential is appropriate for this neighborhood. There are several zoning districts other than R-2 that are located within the EMMA neighborhood on the south side of East Main Street where the Site is located, including C-2 Community Center, M-1 Industrial, and a similarly small area of C-1 Neighborhood Center. Therefore, rezoning the Site to R-3 High Density Residential District would serve to make the Site an appropriate transition from the M-1 Industrial District, which is adjacent to the south side of the Site, to the R-2 Medium Density Residential District, which adjoins the other three sides of the Site.

The CPC also noted that rezoning these properties to allow for higher density makes sense in the neighborhood's current context because of the variety of uses that already occur along the East Main Street corridor, including a convenience store, driving school and collision shop located on the same block as the Site. Testimony indicated that the existing zoning has not contributed to the revitalization called for in any of the neighborhood plans. This rezoning would enable development of a \$17 million public private investment that will likely spur private and public investments for other desirable improvements nearby.

The design of the Project has been modified to fit with the appearance and scale of the one- and two-family residences nearby. What was originally proposed to be one new 50-unit building has been divided into four separate buildings, including two townhouse-style buildings of 10 units and 4 units along East Main Street and one townhouse-style building of 10 units along Breck Street. Each of the units in these three buildings has its own entrance facing the street. The fourth new building will contain 22 apartments. The existing three-story non-conforming ±23,500 square foot office building would be retrofitted for 26 apartments. The mix of dwelling types has also been changed to be more closely resemble that housing types nearby. The 57 one-bedroom apartment units originally proposed has been changed to a mix of 42 apartment and 4 townhome units of one bedroom each. What was originally proposed as 16 two-bedroom apartment units is now 22 to-bedroom units consisting of 6 apartments and 16 townhomes. What was 3 three-bedroom apartment units is now 4 three-bedroom townhomes.

A market study and numerous "211" emergency assistance calls (including over 1,000 calls from the EMMA and Beechwood neighborhoods regarding housing and homelessness concerns received in 2015), show that there is a large unmet demand for quality affordable housing in the area.

The CPC acknowledges that that R-3 zoning allows multifamily dwellings and a number of other uses without requiring the special permit review that R-2 zoning requires. The members also acknowledge that R-3 zoning could allow development of multifamily dwellings and a number of nonresidential uses at a density and height that exceeds that which is permissible under R-2 zoning. Nevertheless, the CPC found that the confirmed availability of public and private funding and the constraints imposed on that funding means that, in all likelihood, the proposed Project will be developed and that it will be limited to the uses and density described above. If the rezoning is approved, the CPC recommends that the applicant continue working with the surrounding property owners and neighborhood residents to ensure that the Project's final lay-out, design and function stand as a successful model and example to others of how to establish a mixed income supportive housing community that is part of its neighborhood, rather than just being located in it.

The evidence of the proposed rezoning's purpose and the Project's consistency with the Comprehensive Plan and compatibility with the neighborhood indicate that it is not solely or primarily for the benefit of the applicant. Thus, the rezoning does not raise concerns about improper "spot zoning," despite the Site's relatively small size.

C. The property affected by the amendment is suitable for uses under the proposed zoning:

Rezoning the Site from R-2 Medium Density Residential District to R-3 High Density Residential District would not significantly change the types of uses that would be permitted and specially permitted in this area. In particular, this area of the City is appropriate for higher density uses, specifically those permitted in the R-3 High Density Residential District, because East Main Street is a major thoroughfare with numerous transportation options and a variety of uses. Moreover, rezoning the Site to R-3 High Density Residential District would likely serve as a catalyst for development in this area. Thus, rezoning these properties would further the goals of E. Main Street Four-step Planning Process.

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

The utilities and services available are sufficient.

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APPLICANT: Nelson Leenhouts, Home Leasing.
1307, 1311, 1313, 1317, and 1337 East Main Street, and
48 Breck Street

PURPOSE: Is to amend the zoning map by rezoning the properties at 1307, 1311, 1313, 1317, and 1337 East Main Street and 48 Breck Street from R-2 Medium Density Residential District to R-3 High Density Residential District. To facilitate the development of multi-family housing. An action requiring City Planning Commission recommendation to City Council

Comment from Steve Rebholz: Mr. Chairman, this Steve Rebholz. I'll be recusing myself from this case. The company I'm part owner of, SWBR Architects, is working with Home Leasing on other projects, and so I'll be recusing myself from this hearing.

Comment from Dave Watson, (chairperson): Thank you, sir. We'll come and get you after we hear testimony.

APPLICANT AND/OR REPRESENTATIVE PRESENTATION:

Kim Russell. Good evening. Thank you for the opportunity to come before you to discuss the community on East Main, a 72-unit mixed income, mixed-use development.

Comment from Dave Watson, (chairperson): Give us your name and address, please, for the record.

That was my next line. I'm **Kim Russell.** I'm from Home Leasing. I'm also city resident. I live at 11 Selden Street in the city. Home Leasing specializes in the development, construction, and management of high quality apartment communities. We are Rochester based, headquartered downtown, and employ over 100 people who provide support to or are directly involved in the day-to-day operations of affordable mixed income, mixed use, and market rate communities.

Our mission is to improve the lives of our residents. In Rochester, we've partnered with the Rochester Housing Authority to build Voter's Block and Frederick Douglass communities in the Susan B. Anthony neighborhood. Also, a mixed use, mixed income development. This community includes 92 general occupancy apartments, 45 scattered single-family homes, 10 commercial storefronts, and the 1872 café.

We're just completing the historic rehabilitation of the long vacant Eastman gardens, which is the former dental dispensary. That's on East Main Street, and that's 52 beautiful high quality senior apartments. Under construction in the city is also Charlotte Square, 72 new units in the city's east end. We expect to welcome residents there in November.

Home Leasing builds quality homes for people with diverse backgrounds, needs, and incomes. When we last appeared before you in June, requesting a special use permit

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to build in the current R-2 zoning on East Main Street, you denied our request. You cited that our proposed 50 unit newly constructed building was not in character with the surrounding neighborhood. Your decision was influenced by the testimony of many speakers, both within and outside the two neighborhoods adjacent to our development. Those neighborhoods are EMMA and Beechwood.

At that time we did not do a good job addressing the concerns raised at that meeting and in detailing the extensive community engagement and planning process that had occurred prior to that meeting. That was clearly a mistake. We heard your message loud and clear and quickly went back to the design board with our local architects and engineers. We and many others here tonight believe that the new design is consistent with the current mixed-use development along East Main Street and will bring a true benefit to the citizens of Rochester.

Tonight we're here to tell the story of how we got here, we'll demonstrate how development on this scale and in this location is consistent with the city's comprehensive plan, the vision for the centers city corridors, the four step planning process, and the 2015 East Main revitalization plan led by the Community Design Center of Rochester. And we provided you all with a copy of that report.

Now I'm proud to introduce Megan Houppert who will tell you a little bit about Home Leasing's management.

Question from Dave Watson, (chairperson): Just Megan before you continue, I have a question for staff. We're primarily looking for issues related to the zoning, correct? Not for the use?

Answer from Molly Gaudioso: Correct. It's a re-zoning application.

Comment from Dave Watson, (chairperson): All right. So I would prefer that testimony be directed toward the use, the change from C-2 to C-3 and not what's going to be on the site because that's not part of what we're here for. We're here to make a recommendation to City Council about the change in the zoning, which is a land use, so you need to be specific about that. That would help not only us, but help all those who are here to deal with the issue that we have before us.

Comment from Helen Hogan: However if I could add—

Comment from Dave Watson, (chairperson): Yes, ma'am. Staff.

Comment from Helen Hogan: In this instance, yes, any permitted use that's an R-3 would be allowed even if Home Leasing were to walk away. However, because what you're looking at is a multi-unit. It would be good to know the context of that multi-unit because now we're allowing multi-units. So you don't have to be specific about Home Leasing, but in general, the numbers of apartments and so forth probably would be something to look at since that's kind of the upper level of R-3, which is what we're going to be determining. So you don't have to go into, you know, specific details if you were doing a site plan review, but because we're now looking at having a large multi-

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unit project and that's the upper end of what an R-3 district would allow, we should get into a little bit of it. Okay?

Comment from Dave Watson, (chairperson): Okay. But then not extensively. Thank you.

Comment from Megan Houppert: I think we have planned to make sure that we're hitting on all the different points, so I have a couple of talking points that I just want to go through real quick.

My name's Megan Houppert. I live at 33 Barden Street in the Beechwood neighborhood. If this Zoning Amendment is granted, I want to assure you that Home Leasing is committed to managing this community well for the long term. When we develop mixed income projects, we make a minimum 30-year commitment to the state to ensure that the project not only maintains affordable rental rates but that we'll manage the project well.

We have state and investor representatives that come and tour the projects annually to make sure that we are maintaining all of the requirements that come along with our funding.

We're in the business of providing opportunities for our residents that they may not otherwise have, which is housing that includes all of the utilities as well as amenities, such as a community room, a fitness center, laundry facilities, a computer lab and resident activities and holiday parties that are hosted by our management staff. We open up our community room to public use because the health of our properties rely heavily on interaction and rapport with the neighborhood. We want to create an atmosphere that everyone is comfortable with.

We provide homes for some amazing people, and I'm excited for you to hear from some of our Voter's Block, and Frederick Douglass residents tonight. But one reason why we attract such high-quality residents is because we're extremely diligent in our screening process. We have hundreds of people on our waiting list for Voter's Block, Frederick Douglass, and Eastman, and we screen them all exactly the same. We do credit and background checks on all of our residents, we do landlord references, and then we do a face-to-face interview where we verify the income requirements and make sure that they're suited for the community.

We feel strongly that the people in Rochester will benefit from full-time on-site personnel at all of our communities, which is one of the reasons why this project is sized this way. It's the only way that Home Leasing can merit full-time management and maintenance staff on-site, which we have seen greatly benefits our residents. We have 24/7 emergency maintenance services. They can get that at a simple call in the middle of the night.

In addition, our buildings have secure entry systems, we use FOB so we can control and track who is coming and when. We use video cameras, we have a third party security company that we use to make sure that our residents feel safe. I think any of

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our residents will tell you how challenging it is to find safe, clean, quality housing that they can actually afford and that's what we do.

Our reputation is—Home Leasing's reputation is really carried and defined by our management company, and we wouldn't be successful in our business without really committing to providing that for our residents. Thank you.

Hi. I'm Nelson Leenhouts, 62 Woodbury Place, Rochester, New York. I'm the CEO of Home Leasing, and we're very proud to be primarily a company that provides affordable housing, stable housing, that has been life changing for many families. So what I'd like to do tonight is just tell you a little bit how we got here. Closer to the mic? Okay, excuse me.

Comment from Dave Watson, (chairperson): Much better. Thank you.

Nelson Leenhouts. Okay, okay. In early 2014, I was asked by the city administration to partner with the city and the neighborhood to help revitalize East Main Street between Goodwin and Culver. The proposal was introduced by Dell Smith, the Commissioner of Neighborhood and Business Development to Dorothy Parnham, President of EMMA neighborhood and the Business Association and myself on May 19, 2014. First, we studied the East Main Street four-step planning process that was funded by MVT (sp?). There was a community share on August 7, 2012 and was attended by about 60 people. The report was a good planning tool and it recommended a Steering Committee be formed. Thus, after that, my company met with EMMA and Beechwood neighborhoods and formed a Steering Committee.

The first meeting was in September, 2014 and there were 13 neighborhood leaders that attended that meeting. The committee was later expanded. Over a dozen meetings were held, a charter was established, goals consistent with the four-step program were adopted, and the Community Design Center was engaged to assist with the design recommendations, and they prepared this study that you have a copy, a copy of.

The resulting June, 2015 study includes the proposed project that we have and key improvements along the corridor. During that time, all businesses on East Main Street were contacted and the acquisition and development of land was pursued. We pursued financing for commercial development using the new market tax credit program. We studied many neighborhood possibilities, including developing a neighborhood community center.

But after spending a year or so on this project we learned that we were kidding ourself with the process we were following. It seemed like we were getting the cart before the horse. We could not get any funding for commercial or residential development or motivate owners to make improvements. We needed to establish vitality on East Main Street first. The owner said to us, you get started, and then we will follow.

It also became clear that to create any type of new commercial or residential development at this point, we needed governmental assistance, so we pursued possible financing of a mixed income—this mixed income project that would be large enough to

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accommodate a full-time staff which we would absolutely need for security reasons and many others.

We were able to get agreement with Hillside to acquire the Cotter Building. We received favorable response from the city for their RFP for mixed income housing, we had numerous neighborhood meetings, we then applied to New York State Department of Housing and Community Renewal and received an award. And in June of this year, there was sufficient to fund \$17 million project. This is the only award given in Rochester in this year, 2016.

I'm sure that the success that we had with the city and with New York State was primarily because of the need for affordable housing that was demonstrated by a market study we had and the need to get revitalization started on East Main Street between Goodman and Culver.

Simply put, if we could start construction—if we can get approval, we'll start construction in March, and the revitalization on East Main Street between Goodman and Culver can begin. Many people will have an opportunity to then live in stable, affordable housing. In order to preserve this funding for this \$17 million project, we will need city approval next month. Thank you very much.

Good evening. I'm Erin Correa. I live at 38 Milrace Drive in East Rochester. I work for Home Leasing as a development assistant since September, 2015. In that time that I have worked at Home Leasing, I have watched and supported the team make extensive efforts to engage in the EMMA neighborhood and the community at large to listen, to provide feedback, and to share changes as a result of the numerous conversations.

If you look at page three of your History of Engagement packet, you will see that Home Leasing has participated in seven public neighborhood meetings, two EMMA exclusive meetings, met with EMMA leaders seven times, and offered to meet more. These meetings were held at a variety of locations, days of the week, and times to encourage maximum participation. However, despite all those meetings, participation from EMMA residents was not as high as we would have liked, therefore, we felt the need to go to residents directly by knocking on doors.

A total of 15 neighborhood walks have occurred in which six I have personally done. I am more confident than ever that there are a large number of residents who want this housing and would benefit from it. EMMA leaders have told us that 98% of Breck Street think that this development will ruin their neighborhood and are not supportive. In my canvassing, I certainly didn't experience oppositional conversations anywhere near that percentage. Most of my conversations have been very pleasant with EMMA residents. They have been friendly and generous with their time.

Several conversations I had were clearing up misconceptions about what this development will bring. The two largest misconceptions residents have been told were that this project would be taking homes and that this project would be providing housing for criminals and substance abusers, which is not true.

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Aside from misconceptions, I've heard residents express their dissatisfaction with neighborhood representation, the inaccurate and biased information told to them by their neighborhood leaders and overall lack of support for each other. There were even a handful of residents who had never heard about the development prior to me showing up at their front door. I've also heard residents express their dissatisfaction with their current living conditions, for example, leaky roofs, unresponsive landlords—

Comment from Dave Watson, (chairperson): I'll give you two more minutes.

Erin Correa: —poor insulation and expensive utilities. Moreover, I've heard residents share their strong desire to remain in the neighborhood and have enjoyed meeting many of these residents. Jess Sudol from Passero Associates.

Again, **Jess Sudol** from Passero Associates, 242 West Main Street. In two minutes I'm going to try to cover a lot of ground very quickly because I want to get to specific to the actual zoning. We are obviously talking about a two-acre piece of property on the south side of East Main Street. And although it's re-zoning and not specific to site plan, I think it's important to point out the new site plan and the context of it as it surrounds the neighborhood because when you go through and you consider whether or not this particular property, this particular application is worthy of consideration for re-zoning, the compatibility of it, as it relates to the neighborhood, is one of the important things that you look at.

The first item on that list is actually the conformance with adopted neighborhood plans, whether that be the city's comprehensive plans or other plans. And that is one thing that we were kind of criticized for last time around, but I think we've done a good job and, you know, I know Nelson wanted to make an effort to kind of put in context all the years of planning and specific planning documents that speak to this area and the suitability of the project.

Again, very quickly, this is a radically different site plan than the one that was denied as part of the special permit. Again we are re-zoning and proposing a re-zoning from R-2 to R-3 to support this development. This development could be supported and approved theoretically in the R-2 zone under a Special Use Permit, but because it was denied, we kind of had to hit the reset button and look at what the most viable opportunity was for us to present this new plan.

As you can see with the elevations over here, again, we've dramatically changed the context of the building. We're now proposing townhomes on East Main Street so that it's suitable and comparable with the existing single-family homes that are there. Does everyone have this handout? This is—we handed out a community map that shows an aerial photograph of the immediate developmental area, and when you zoom out just a little bit, what you quickly see is that the general surrounding area has a lot of existing buildings. If you don't mind 60 more seconds—

Comment from Dave Watson, (chairperson): I'll give you 60.

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Jess Sudol: —60 seconds. Just, we're really in a midst of a smorgasbord of different zoning district and land uses. We're not in the middle of a large, dense, single-family residential developed area, and we think that's why the project is ultimately suitable is because the housing options we're offering here would actually draw away the multi-family development pressure that you find in the neighborhoods.

If you travel further north, and look north up into the Beechwood community, certainly, a multi-family residential development of this scale would not be suitable there. But in this case we have all the infrastructure, we have the access, we have all the utilities, everything to support this project, and meanwhile conforming with the underlying zoning requirement should it go to R-3. That's really goes to the argument. This really isn't too dense because it can be supported based on the site and we feel a site is appropriate because it is on a corridor and it is in the midst of all these other existing uses and zoning districts. Thank you.

Question from Suzanne Mayer: I have a few questions concerning you're talking about the EMMA neighborhood and saying that there is some discussion that the EMMA neighborhood that's not agreed with or their saying this is not a good project. Yet, you're saying that this has been the opposite of what you've seen or they were included in everything that you had. Can you talk about that a little bit?

Answer from Kim Russell: Yes, let me address that. EMMA—sorry. Dorothy Parnham, who is the—can you hear now? Okay. Dorothy Parnham is the president of the EMMA Neighborhood and Business Association was on the Steering Committee and attended all the meetings that we had throughout the course of our planning process. We have also had many meetings with them over the course of time. We asked them to help us bring residents into the many public meetings that we held. And what we found is that rather than reaching out to the residents using the flyers that we had prepared to invite them to a meeting at the neighborhood location to hear about our proposal and to give us feedback, that they many times were told that they should oppose the project.

We contrast that to the experience that we had with the other neighborhood, which is the Beechwood Neighborhood Coalition, and in Beechwood we were invited by their association three times over the two years to present to the members of their association. They drew probably anywhere between 50 and 70 people from the neighborhood and included EMMA residents that wanted to come. We were able to present our plan, we got feedback from them, and we made several revisions to the plan based on what they had offered. As a result of that process, the Beechwood Neighborhood Coalition endorsed the project before it really came here the first time and has endorsed the change design.

Question from Suzanne Mayer: There's an indication that it is more of a business decision that people were included more, they were more business aligned as opposed to residential aligned in this particular discussion. Can you talk about that, please?

Answer from Kim Russell: Yes. All along there have been neighborhood residents that have been involved. Of course, we reached out to the businesses because we are

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on the East Main corridor, and this is a mixed-use project and we wanted their support as well. But there was a petition done over this weekend, and we've submitted that and you have a copy of that I think in the materials that were sent to you this afternoon where 265 Beechwood and EMMA residents signed and supported the project. Many of those are the same people that signed the petition that was circulated earlier by Sunshine Jacobs and others that are the leaders of the EMMA Business and Neighborhood Association. What we found, and I think you'll hear people—

Question from Dave Watson, (chairperson): Excuse me a second. Could you please turn your phone off whoever that is? I don't want to single you out, but if you continue, I will do so. Thank you. Ma'am?

Answer from Kim Russell: Okay. Thank you. I'm sorry. So that petition what petitioners found when they were circulating through the neighborhood was that there had been a lot of misinformation shared with residents that created a sense of fear about change and did not discuss our community and how we manage and the quality of the housing that we build locally and build throughout the region.

Question from Suzanne Mayer: I'd like for you to talk about the fact that here we are with a zoning difference. They've been on an R-2, which is were mostly the area is R-2 and why the necessity and also the differences that are allowed on an R-3 as compared to R-2.

Answer from Kim Russell: We'll tag team this one.

Answer from Jess Sudol: Sure. Just quickly as a point of clarification, while the properties immediately surrounding the two acres are all zoned R-2, there is a lot of other different manufacturing and commercial districts are shown down here in this map and as stated earlier, the R-2 district would actually support this project as currently presented with the site plan. The only issue is it would require the issuance of a special use permit, and again, that request was denied based on a drastically different site plan. So when it comes down to the differences between R-2 and R-3, R-3 does allow a slightly or a higher density project and also allows for things like more lot coverage and a higher building area. So under the R-2 zoning along with the Special Use Permit, there are a few variances that we would have also required.

But since that original site plan, this one here has actually been modified to reduce those number of variances. So if we were in an R-2 district, we would still—we would need a density variance and we would need an open space variance or a green space variance. With this revised plan, it remains the same, but with the R-3 district, we just don't require those additional variances. So the use is still the same. It is compatible with what's around it. It just eliminates the need for some of those variances.

Answer from Kim Russell: And in this particular—sorry. And in this particular area if you look on the map and the materials we provided, there are presently a lot of non-conforming commercial use on this block. So on the corner immediately of the neighborhood, there's a mini market store. Next to that is Sophia's Collision. The actual Hillside Cotter Building and its parking lot are non-conforming commercial uses in the R-

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2 right now, and we're right next door to the Morgan School of Driving. So over 50% of this block is already not R-2 use. So we think that's important. We think the R-3 is a nice transitional use between the commercial uses as well as the industrial use behind and the R-2 residential along the northern side of East Main. You do have copies of all those maps. Everything that's up here are in your packages for easy reference.

Question from Dave Watson, (chairperson): This packet?

Answer from Kim Russell: That packet, yep.

Question from Todd Bruce: Would your current plan work under R-2 as it's drawn?

Answer from Jess Sudol: Yes, it would under a Special Use Permit. Unfortunately, we're not able to reapply for a Special Use Permit any time in the near future because a different plan was denied, and it was found that this plan basically was not worthy of a rehearing by a very special margin for the revote. But this current plan would work under the R-2. The one variance being the lot coverage variance, which again, the lot coverage which proposed is similar to what's there now. Right now it's just a giant parking lot that is underutilized and services the Hillside building so there's actually more programmed green space of this plan, but other than that it works.

Question from Molly Gaudioso: I have a question regarding your—the area that you're actually requesting. The rezoning for obviously pretty well matches the development proposal that we're talking about here. But you referenced that obviously was C-2 exist there to the west and the industrial M-1 to the south. Why did you exclude that section where those commercially uses exist west of the site?

Answer from Jess Sudol: Well, a couple reasons. For one they are—we don't have control over those properties, and when you submit the application, we had to get actual consent from each one of the property owners who have all been involved in this project from the beginning.

There's also several houses—I don't know if you can see—your angle might not be great, but there are several houses just to the west of our project that are existing single family homes. Some of which with people living there, so that would kind of create a break to go all the way to the corner. Although, ultimately, with the development of the entire East Main corridor, that could very well happen just for this particular application it doesn't seem to fit.

Question from Dave Watson, (chairperson): Any other questions for the applicant? I guess I have one that was similar to what was just asked. Is that were there other—I think you've answered it—other sites that were considered for this proposal other than the one that currently that you're currently looking at? Because you're looking at what to rezone and you can only take out a portion of the C-2, so—I mean it's an R-2.

Answer from Nelson Leenhouts: We looked at every site that had any size on East Main Street.

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Question from Dave Watson, (chairperson): Of two acres or more or less?

Answer from Nelson Leenhouts: Pardon?

Question from Dave Watson, (chairperson): Two acres or more?

Answer from Nelson Leenhouts: Approximately. The primary one was the site occupied by the bus company, which is about—and Greenovations, which is about four, five acres and the site where the BOA was located near Culver. But other than those two this was the only site large enough to accommodate our goals.

Question from Suzanne Mayer: I have a question. I'm sorry. It's the R-3. There are so many things allowed in R-3. How would we be able to know, I mean you say, "We'll be there for 30 years." How would you help the neighborhoods understand what's going to happen to them, you know, should you not continue? Because R-3 is pretty permanent and there are things in there that not—you know, like such as rooming homes and things like that that are allowed. So talk to us about that, please.

Answer from Jess Sudol: I can start by saying that what's fairly unique about this project is that the funding is already in place and the funding is specific to the site plan. So as soon as—if this project were to move forward, it would start construction immediately where a lot of projects try to get their approval and then they go try to secure the funding. So the funding's in there so that would certainly start. And then as part of that funding, which Megan was speaking about earlier, there is that 30- to 50-year commitment that ensures that the project functions as presented.

In terms of other allowable R-3 uses, such as, you know, if this were to be rezoned and then, you know, we all ran away, I think—it was mentioned earlier that this is towards the top end of that and a lot of those other uses are still managed through the city's process. It's not like someone could just come in here and do a project like that without any oversight.

Question from Suzanne Mayer: So do you add two stories to your project?

Answer from Jess Sudol: Well theoretically we could change the proposal. We have no desire to do that, but there's a density issue that would come into play. You know if we were to come in here and show this board two and three stories and then try to show up with five and six, it's not just the lack of a height restriction that would be the issue. There's a lot of other subsequent, you know, for parking, for instance. You know, this particular parking plan is specific to the number of units, which was approved through city staff. If we were to add additional stories and additional units, that parking plan would then be, you know, would not be applicable no longer, and then in which case would trigger a whole new set of review criteria that wouldn't allow us to pass the test of trying to make it bigger.

Answer from Nelson Leenhouts: One other point to that is New York State is very fussy on where they spend all this money, and we're able to get approval from them for the revised plan. And if we were to change that again or delay this project, that would

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be the end. We would not be here anymore. And without government financing, I can't imagine, can't imagine anything happening here. I don't know if that answers your question, but if we—we would have no choice but to do exactly what's planned in order to get the funding from New York State.

Question from Dave Watson, (chairperson): Any other questions for the applicant? Oh, who's phone is that? Ma'am, could you take that and your phone out, please? I'm really getting upset that I'm asking people to cooperate and it's—pardon me?

Comment from Unknown Female: (Inaudible).

Question from Dave Watson, (chairperson): Yeah, but you take it outside. I'm sorry. I've been trying to be pleasant and nice and it's not working. Thank you. You're welcome back when you can follow the rules.

Speakers in Favor:

- 1) Good evening Commissioners. My name is **Joy Pacheca**, and I am the community outreach manager for RTS, the Regional Transit System here in Monroe County. And I am here to provide a brief statement on behalf of RTS in support of the Home Leasing project. As a long time business located at 1372 East Main Street and neighbor in both—a neighbor to both the EMMA and Beechwood neighborhoods, RTS understands the potential that exists on this stretch of Main Street. And we believe that the Home Leasing proposal will go a long way towards helping the city realize that potential.

RTS has made every effort to be a good and responsible neighbor. This is evident in the improvements we have made to our campus and continue to make and in our involvement with neighborhood and community groups, as well as our involvement in this project. Members of our management team have attended community meetings on this project and several of those meetings have even been held in the boardroom at RTS.

We have seen the process of this whole project as an open one, and we have seen how involved the neighborhood groups have been. That in part is why RTS supports Home Leasing's proposal and is excited to see the project move forward. We want to see this area thrive. The people who live and work here deserve it and we are confident that the \$17 million invested will serve as a foundation for the positive change in this community. Thank you.

- 2) Hello my name is **Alison Bottone**. I work at Hillside Children's Center. My address where I work is 410 Atlantic Avenue. I just wanted to share a little bit about how Hillside became involved with the East Main Street project. It was really due to a number of factors, which included timing, resources, and a desire to help provide an important quality of life for resource. Hillside is constantly exploring opportunities to right size its inventory of buildings. We actually have over 93 buildings in central and western New York collectively.

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By selling the 1337 East Main Street building to Home Leasing, we would be moving approximately 70 people who are already there to the 1 Mustard Street building, which is right around the corner. Hillside is currently in Mustard Street building, Atlantic Avenue, and the East Main Street building which we're looking to sell to Home Leasing. When Home Leasing approached Hillside, it was our belief and understanding that the city was in support of revitalizing East Main Street, that selling our building would continue to provide the opportunity for outpatient mental health services to the community, and that we would have an opportunity to create a small café which would add value to the neighborhood. We believe that this would support those efforts of revitalization. Hillside has been represented at 99 percent of the meetings involved with EMMA and with the Beechwood neighborhood. I myself have been there. I think I only missed one.

Our understanding of Home Leasing's work at West Main Street was that it was implemented with a lot of local input as well as support from the city. We understand that its reputation in doing this kind of development was highly respected and that, in fact, they have worked successfully with another service program, Heritage Christian Home, a sister agency that also works with individuals with developmental disabilities.

In the services that we provide, especially in the community, we hear an overarching theme from families and individuals of how important it is to have a safe, affordable home environment. Shared with you is a 211 report last year, and it really actually shows that of the top 10 list, one of the major issues of phone calls that they get for recommendations on what they can do actually has to do with housing.

Comment from Dave Watson, (chairperson): I'll give you another 30 seconds.

Alison Bottone. I did want to say that one of the most important factors to us in this project was the fact that Home Leasing was willing to work with setting aside a certain number of units for individuals with developmental disabilities. We have served that population and I would like Dan Lesinski, who works at Hillside and oversees services for this population, to talk to you a little bit about why it's so important we feel in terms of serving that population and why this project should move forward.

Comment from Dave Watson, (chairperson): I think if we can hold off on that. Again, we're really looking at the land use.

Alison Bottone. I'm all set.

Comment from Dave Watson, (chairperson): Great. Thank you.

Alison Bottone. Thank you.

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- 3) My name's **Amon Hudson**. I reside at 1344 East Main Street directly across the site from the Hillside Work Center. I'm also a city firefighter, so I'm invested into the city. Like I say, when I first heard about this project a year ago, I was excited that it was moving forward, and then later on I heard it was not going to be moving forward. I was kind of taken aback by that. I think it would be a good thing for the neighborhood for several reasons. I'm in favor of the dense population, I'm in favor of the houses that are there now being removed and new construction being put up. I'm in favor of the value of the neighborhood going up. I'm in favor of breaking down the invisible barriers, and when I say by invisible barriers, I mean, it seems like there's a certain area when you get from Culver to Winton and another area from Goodman to downtown. But somewhere right there in the middle it's like a land that's been forgotten. I think that this project could help to break down some of those invisible barriers and invisible fences.

I know there's also some concern in regards to the project and the number of one-family houses that are being presented. Or one family—yeah, units that are being presented. Fifty-seven's a lot, but I mean if we look not too far around the corner on Goodman, south Goodman, Atlantic, and University, a lot of those houses over there are being rented out as single units. And it really hasn't damaged that neighborhood so much. If you look across town to the 19th ward, a lot of those houses have been cut up and used and being rented out as single units. And, again, I believe that that's brought growth to that area over there in the 19th ward. It could possibly do the same thing for us on East Main Street and again, like I said, I live in the neighborhood directly across the way. My kids play outside. I'm in favor of it. I think it will add to the neighborhood.

Lastly, I don't know if I'm allowed to read this. Another gentleman, who was with me, his name's Brian White. He lives at 1890 Grand Avenue and he had to step out but he left a statement. I don't know, am I allowed to read that for him?

Comment from Dave Watson, (chairperson): You have 35 seconds. You can leave it with us and we'll keep it with the record if you like or you can try to get it in.

Amon Hudson. All right, I'll try and get it in. It says, "To whom it may concern, my name's Brian White. I have been a homeowner in the area for over 15 years. I take pride in the area and believe that it has a lot to offer to our great city. I think that the new structure will be an asset to this area. I also think that the time—I also think that it is a good time to add new owners and new models, invisible structures, to this area that needs it." In the—and this plan does not—I'm sorry?"

Comment from Dave Watson, (chairperson): You can finish.

Amon Hudson. "If this plan does not go forward, it will be a great loss to potential residents in the city of Rochester as well as a grave misuse of funding. Best regards, Brian White."

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Comment from Dave Watson, (chairperson): Just give that to staff and we'll put that with the record.

Amon Hudson. All right. Thank you for your time.

Comment from Dave Watson, (chairperson): Thank you, sir.

- 4) Good evening, my name is **Reverend Gwendolyn Dorsey**. I reside at one of the successful apartment complexes managed by Home Leasing, the Voter's Block community at 431 West Main Street, and I am here in favor of this newest project. As a resident of Voter's Block community for the last four years, I'm really happy to say that I, along with my elderly mother and two aunts who are also residents of the building, we each have separate apartments in the building. We have been really amazed at what Home Leasing has been able to provide in the way of concern, care, and management. And I can assure you that if they are granted this approval for this new project, the residents will experience the same successes that we have had.

I want to specifically address the concerns that anyone may have about detrimental affects to the neighborhood, such as violence, crime, et cetera. We have noticed that Home Leasing has taken very, very careful steps to make sure that our neighborhood is as safe as any neighborhood can possibly be. They are very receptive to our requests when we need something, they are very receptive to making sure that we have proper security. And I do believe that the presence of our building reflects even a greater sense of security and safety for the other residents and commercial businesses around there. I believe these same successes can be experienced at the East Main Street area as well, and I strongly urge that consideration be given to giving approval for the project. Thank you.

Comment from Dave Watson, (chairperson): Thank you, ma'am. Also just a reminder, if you're speaking make sure that you sign up on the sheets behind staff. That way we'll get your comments. And, again, remember, we're looking at information regarding the rezoning, but if you want to just talk about the use that's fine, but we're here to make recommendations about the rezoning. Yes, ma'am? Good evening.

- 5) Good evening, ladies and gentlemen, my name is **Mrs. Patty Blanding-Ford**, I'm a community activist. I was given information last year on this project when I was in search of a home and relocating. I have grown up in the Beechwood area then relocated to the north, Marketview Height area. And personally, I have seen where new development brings great change. Reason being, people begin to mimic one another when they see someone else doing something to develop their neighborhood or their homes, planting flowers, painting. Change is good. It's not welcomed always, it's not comfortable always, but once it's understood, it makes a great difference. I have seen East Main Street transitioned from good, worse, to what happened? It would be a great vital improvement for the Beechwood area, it would beautify the area, it would bring some hope back to the area, and it would change the drug dealers perspective when people start

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saying this is our neighborhood. We live here, we're here to stay. It's taking control back when new development come in, so I as a resident and a person of the community, would say it will be a great gift to the community for the board to consider this project being re-entered and thought about and developed back into the Main Street area. It would bring it back to life, and I thank you all so much for your time.

- 6) Hello, I'm Juliet Blake-Lavon. And I'm in favor of this project. I live at 431 West Main Street, their apartments Voter's Block, Apt 203. I've been living there every since it became into existence. I moved back to Rochester, I'm a native of Rochester. I moved back to Rochester to remarry my husband. My husband told me that he had a place for us to stay. I got a transfer from my job, moved to Rochester. When I found out it was on West Main Street I'm like, "I've never lived on the west side of town." We got me into fear of the unknown, but I gave it a chance and when I tell you that being over there have changed my life. It's safe, they have cameras everywhere, you know, they gave us a chance.

I lost my job when I got here. I'm a nurse, came here, the job that they transferred me to I lost the job, had to go back into the office humbly. They said, "Juliet and Ken, we'll work with you all." They worked with me and him with our income.

My daughter, our daughter, ended up moving here with her two children, one of them has special needs. I thank God for Megan. She's one of the managers. Got my daughter, my grandson into Mary Cariola. They don't just do these developments, but they look at the whole man and with that, you know, my grandson now he has transitioned into regular school now and because of just the support that they gave us. I now in Voter's Block Community Center we have groups there, we have NA, AA.

I do a religious church service every Sunday. It's so many things for so many people. I have seen so many lives being transformed, even me and my husband. You know I took a chance, I didn't know was it going to work or not. He came from a place. He's going to speak. You know I don't want to tell his testimony, but because we had a chance to, you know, not be taxed with a light bill, you know, high heat in Rochester, that's why I moved, and all of that. We were able to get something that we can manage, and it turned out to be one of the greatest moves that I have ever made in my adult life, and I'm just grateful.

Even now every Thanksgiving, we do a community Thanksgiving dinner, and people like Kim comes and support us. Mr. Nelson, I'm talking about they give Christmas presents to the kids. They didn't just leave us like that. We can call them. Me and my husband even came to their office. You know like when we have concerns, you don't just have to pick up your phone. They open up their office. They have nothing to hide and they help us. They donate, you know, food, serve, and I'm just so in favor for this place. I know for a fact if you give them a chance, it's going to work, because I've seen it change so many people lives and me and my husband. We're doing good, thank God for Voter's Block.

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7) **Kenneth Lavon**. Good evening. I'm the husband.

Comment from Dave Watson, (chairperson): I'm sure you have a name.

My name is **Kenneth Lavon**. I live in one of the Voter's Block property at 431 West Main Street. Voter's Block gave me an opportunity due to I was addicted to crack cocaine, I was in prison. Once I released in 2010, I went through a halfway house and went through programs. And I met with Megan and a couple of staff at Voter's Block, so I had run through a whole lot of screening, this and that, this and that, and I thought I was to the point that I wasn't going to be able to live there, but they did give me a chance. And I was divorced from my wife, and after doing this service step to get my life back in order, we was remarried and for my first home, that I can say home, that I had my name on the lease, my very first apartment in my life was given to me by Voter's Block. And through that changes, I attended college now, and I'm clean, and I also work at the Open Door Mission as a case manager for the last three years. So I deal with the homeless population every year.

And it gave me a sense of be proud of myself to look at my life and see what I have, what I used to be, and what I have become for the staff of Voter's Block community, because they opened the doors and they gave me a chance. And my wife gave me a chance by remarrying her because I had a home that I established through Voter's Block to bring her home. And it just been so much of up ground, uplifting, like my wife said. We do a community Thanksgiving dinner for the last three years that when we first started, we served the community. Anybody welcome to come in. We started on our first year with 267, our second year we served over 500. And last year we did I think like 567 that we opened our door with donations from the Voter's Block, the Open Door Mission, and different volunteer from the Voter's Block. Corporate office come down as well. A guy from the mission that come down and help us out and a worker from Voter's Block that come help and serve the food to the community.

So it's not like we get the police called there every week because something going on in the building. It's not like that. Everyone in the building that I have met with is friendly. We have young residents, we have senior residents and all the senior resident, most of the guests—tenants come, the city resident, mothers, and we say, "Good morning, good evening, how you doing," this and that. Just a wonderful place to live. But I always feel everyone deserves a second chance in life. I never thought I'd be standing right here addressing the city council. I never dream of that. That's far away from my dream.

Comment from Dave Watson, (chairperson): Well we're not city council, but we're close.

Kenneth Lavon. Well, I'm addressing the community, so and I thank you for listening to my speech. And it would be more grateful that, you know, everyone deserves a second chance and a first chance. Thank you.

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- 8) My name is **Bill Morse**. I work at Morse Lumber Company at 340 Main Street West. My family has done business and lived in the city of Rochester for five generations, and our advertising says we are proud to be part of building this community for 160 some odd years.

We have a location on West Main Street. Until recently, we had a lumberyard on East Main Street right near this project where Otis Lumber Company is, just over the bridge. And I will tell you that we are extremely proud to do business with the Home Leasing company and see that organization as a welcome and refreshing professional organization that produces great results for improving our city's downtown. We saw it happen and we're proud to be part of it in all these West Main Street projects that you have mentioned. Also in Greece. In other cities these guys do a great job and they can't afford to do it without the right kind of density. So from a zoning standpoint, these projects have to work economically or they won't work and that's necessary for these good people to get the job done. It would be a terrible shame to, I believe, to squander this opportunity for the city of Rochester.

And I consider myself a citizen here. We have businesses that we refuse to put wire over the plate glass windows, we are—have been neighbors and are neighbors to everybody we live with and we're proud of being a part of a very wonderful and diverse community that needs a leg up, and this project is an opportunity that I hope you will help make happen. Thanks.

Comment from Dave Watson, (chairperson): Please hold your applause. This takes away people's time. Thank you. We understand your fervor.

- 9) Good evening my name is **Ernie Dodson**. I live at 431 West Main Street of Voter's Block. I moved in there three years ago, and I have to say that the quality, my quality of life has changed immensely. I also am—I am one of the people that does do an AA meeting there on Sunday's, but I have to say that I have seen a—the change on the dynamics of the neighborhood since I've been there. I mean it is—the neighborhood itself has totally changed us. Like since Voter's Block's been there West Main Street has gotten a facelift and that the people in the neighborhood have changed a lot.

I think that, I think it's a really good idea. If it can happen on West Main Street, that it can happen on East Main Street. I believe that it would only benefit the neighborhood to with all the zoning so they can move forward with the construction, and it can only do good. I mean that's all I've seen on West Main Street is—and life there it gets better, and I love the community I live in. I get along well with all the tenants in my building and, you know, I don't see—I really don't see any bad things happening if the project moves forward, you know?

It also brings the community together. I mean as far as—and like we have a café in front of our building, and it brings people in from all over the neighborhood. So again, and, you know we do have contact with those people and it's just a great

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thing, and I don't understand why it should be a problem to go ahead and do what needs to be done in East Main Street. It could only benefit the neighborhood. Thank you.

- 10) Good evening. My name is Regina Seabrook. I reside at 238 Molson Street. I am the manager of Visions Federal Credit Union on East Main Street, located at 1130 East Main Street. I also stand before you as the board president for Northeast Area Development and Group 14621. And just to give you a little background in our Visions commitment to what's going on Main Street. I actually had some issues at my location where my bank was robbed four times within a six-month period and management got involved. They were a little bit distraught. They're 170 miles away, and we sit up here isolated by ourself, so one of the key things was do, we move the branch? We run up and down the street to kind of see what the happenings were. You know we see that Hillside's there, we see that RTS was there, we see that there was a Rite Aid that was down on the corner that had since left and then the Salvation Army or something was there and they left. And, you know, there was a concern for our safety there. So we decided to come to this city and at the time Commissioner Dell Smith and Kate Washington embraced us and talked to us about new business development and what we can actually do for our business.

With that being said, we kind of jumped on board finding out about connected communities and being a part of walking and talking to people that were on the strip of Main Street to see what their commitment is. And I think, you know, albeit the zoning thing, again somebody said it before, change is never easy but you don't really know what it's going to come out to be until you actually invest in that. And I think there are residents and businesses that are here today represented that are willing to invest this property, whether it be time, money, effort to make sure that it's done, and it's done correctly so that everybody is appeased as to the end result. So I just wanted to come and let you guys know that and thank you for your time.

Comment from Dave Watson, (chairperson): Thank you, ma'am. Step up, sir. I just realized that we have several more people got in line. I assume that you're all in favor of this application? Okay. I would be happy that if you could, you know—if there's—bring something new to your presentation that we haven't heard yet. Because, again, you have the right, and we want to give you the right to speak, but you have to understand that we have deliberations and things that we have to do tonight as well. So we want to make it fair, but we want to make sure everybody's heard. So feel free to stay in line, and if you can add anything new to what's already been said, we'd love to hear it. If you're just repeating it, do it very, very, very, very, very, very quickly so that we can get through and hear the rest of the testimony. Thank you. Yes, sir?

- 11) Kyle Crandall, president of the Beechwood Neighborhood Coalition, and I do believe that I get a couple extra minutes as president.

Comment from Dave Watson, (chairperson): Get started.

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Kyle Crandall. I'm also a vice chair of the Connected Community's Board, but I'm speaking primarily as the president of the Beechwood Neighborhood Coalition. Legal counsel has said that we are allowed to speak about some use as well as zoning tonight so I'm here to speak about both. I want to give you some background.

During the Duffy Administration, we advocated for this four-step economic impact process to take place along East Main Street. As you heard tonight, there was—we kind of felt like we were the forgotten section of Main Street, so under Carlos Carbellata (sp?), we advocated, we pushed for that. There was then a change in administration, Tom Richards took over. At that point, the four-step economic impact process was in question. At a meeting at Beechwood, we pressed and pressed Carl Carbellata and Mayor Richards to continue with the process. They chose to. In May of 2013, there was this completed summary document, which I believe in the first case that was heard, was referenced in terms of Home Leasing and giving them some input how this may not be consistent with what we did in the four-step process.

I want to read to you items 14, 15, 16, 17 and 18. Fourteen, item 14 for suggestion. Continue to work with the city to implement the bridging neighbors plan. Fifteen, develop an East Main Street revitalization organization with the Steering Committee or board along the subcommittees to address specific needs and/or topics. Done. Sixteen, identify specific people and organizations, including local block clubs, faith based organizations in the community who could make significant contributions to the revitalization program and ask for their participation. Done. Seventeen, develop an annual work for the Steering Committee and necessary subcommittees to guide the revitalization program. Done. Eighteen, seek funding sources, including grants programs, member items, et cetera to help fund the program. Done.

I don't understand what parts of this were inconsistent in Home Leasing's plan. This does not stress retail. This stresses community engagement along the process and that is what we did.

EMMA completed a market study for retail. We were so pleased that EMMA stepped out and really wanted to see retail come, and I'm sorry folks, we have struggled to get businesses to plant themselves on East Main Street. It is going to take a project like this to be able to get retail to become attracted to Main Street.

So one year ago there were many concerns about this project, in the Fall of 2015, Connected Communities hosted two conceptual meetings. Beechwood invited Hillside and Home Leasing to our monthly meeting last year prior to the June application here. We have a process in Beachwood. When I stand before, you it is not Kyle Crandall who is supporting this. It is the Beechwood Neighborhood Coalition. We hold meeting, transparent. You heard 50 to 70 people minimum in attendance, including those from EMMA and other organizations. We allow everyone to come. We hear their voices, we allow them to participate in a democratic process. At the end, we get a pulse from our neighborhood. Where

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do you stand on this? Our board then meets in executive session and our board makes a recommendation. This is not one person saying this. This is a neighborhood that says, "This project is good for our neighborhood."

Let's talk about zoning a little bit. In 2003, there was a new zoning code. As you know Beechwood played a major, major role in revising the zoning map. Most of Beechwood was zoned R-2 or R-3 prior to 2003. I formed a group of 20 volunteers to go around and rezone all of Beechwood to an R-1 district. The question came up, what do we do with our corridor streets? What do we do with East Main? What do we do with Culver? What do we do with North Goodman? So I met with the director of zoning then, Margaret Worsley, and we decided to leave East Main and other corridors as they were to support various levels of use. Various levels of residential use. Various levels of commercial use. Not to change the zoning so that projects like this could ultimately be considered. Let me point out, although many parts of Beechwood were zoned R-3, I don't see any skyscrapers in Beechwood. And it was zoned R-3 for over 30 years.

In summary, despite pressure to not be involved, the Beechwood Neighborhood Coalition believes that any project on either side of a shared street should be of equal importance to both perspective neighborhoods. Extensive feedback from members of many neighborhood organizations and our board feel this project will benefit the neighborhood.

Home Leasing has modified their plans after receiving input from the neighborhood. We recognize the concerns from our neighbors in EMMA, but we believe that such development has more positive outcomes than negative ones.

Several years ago, we challenged RTS to be a good neighbor when at that point they weren't. They responded to that challenge, and they have been an anchor on East Main Street. Today, we have the chance to see Home Leasing be another anchor in the development of East Main Street.

Many eastside leaders put pressure on the city over the last several years to see economic impact dollars on the east side. Many actually referenced Hillside's transformation of Voter's Block on West Main Street. The city responded, and they said it's time that the east side get some of that as well. This is the beginning of many changes proposed to improve our neighborhood. Failure to allow this project to advance will hinder, stunt, or potentially stop further efforts to improve East Main Streets.

I've spent too much time over the last 15 years fighting for East Main Street to see this time then to see our vision die. So I stand before you tonight, and I say, I feel there was a little bit of a mistake in June. Thankfully in life, we get second opportunities and second chances. Perhaps it's time to take a look at this project and see this is exactly what the neighborhood needs. Thank you very much for your time.

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12) Good evening. My name is Shawn Burr, I'm the deputy director of the Rochester Housing Authority. We support this project as an essential housing resource for the greater Rochester area providing quality housing opportunities and related services for over 27,000 people. We support the housing opportunities that this project provides, especially with the rezoning. We feel that the two bedroom townhouse increase will help provide more opportunities for our participants. Not only that but the accessible units will meet a demand as our waiting lists have shown. Along with the amenities that are involved with this project are also a big plus, and we don't see that a lot with that offered in housing developments for participants in our programs. And again, the supporting services are another big factor in this project. They will aid in housing opportunities for our participants. Thank you for your time.

13) Good evening. George Moses, executive director of Northeast Area Development and Group 1461 Community Association and actually a lifelong resident of the neighborhood where I'm currently blessed to work and live in my neighborhood. I stay right on Parcel's Avenue, and I've been involved in this area all my life. My children go to school in this neighborhood, and my grandchildren are also in this neighborhood, so we plan on being here for a long time.

If you open just to page two, where it shows a map. I'm here to speak in favor of the amendment because before there was an EMMA Neighborhood Association, before there was a Beechwood Neighborhood Association, this is the service area for the Northeast Area Development. And our job—we're a state designated NPC and our job is to inspire development, which we have done in different parts of the neighborhood.

We're here tonight, one, to give you some historical context on. There are different things that have been said that maybe, just to bring some clarity to them. Northeast Area Development, which traditionally don't get involved in when neighbors have disputes, but in this case, we have to kind of really kind of set the record straight.

We actually are a fiduciary agent for EMMA, so we're their fiduciary agent. We are actually the fiduciary agent for Beechwood, so we're entrusted with their resources so they're spent correctly and accounted for correctly that better the neighborhood.

Mr. Burr, who is here before us, today is September 12th. The Section 8 waiting list—it's hard not to ignore them—the Section 8 waiting list was opened up after a decade of it being closed, which providing housing opportunities. As of 3:15 this afternoon, we have over 9,000, 9,000 applications for folks looking for quality, affordable housing. It was very relevant to have those folks from the Voter's Block on West Main to come, because in some cases, we've heard that folks coming into this proposed development will be villainized. It's good to put faces with those names. Those are folks who needed a hand, there was someone there to give them a hand. So I would always be opposed to other residents

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villainizing potential residents to their neighborhood based off them not knowing, so I was in support of those folks really coming up here.

With those 9,000 plus applications that we received at the Housing Authority within a matter of eight hours, those folks are looking for quality, affordable housing. Those working families, those disabled families with disabled children or adults need quality, affordable housing.

I reminisced with a conversation I had with Miss Parnham when she actually said when we actually purged the first Section 8 waiting list that some people had to leave the area. That is correct. You said they had to leave. Because at that time—

Comment from Dave Watson, (chairperson): I'll give you 30 more seconds. No, I'm sorry, he gets 30 more seconds.

Comment from Unidentified Female: He had enough time.

Comment from Dave Watson, (chairperson): No, I'm sorry, he gets 30 more seconds.

George Moses. Wait. Do you want them all to come up or do you just want me to take the time?

Comment from Dave Watson, (chairperson): Then you can sit down.

Comment from Unidentified Female: Okay, as long as I get my time.

Comment from Dave Watson, (chairperson): You will have your time. You'll get extra time.

George Moses. That's fine. I just want to make sure there is some clarity brought to the situation so there's a clear understanding of what is going on in this neighborhood and why we need a Zoning Amendment changed to spur development. As President Crandall said, for Beechwood. You have to start somewhere, and we know once you start, because I've seen it. We've investigated, we've been just as critical of Home Leasing as anyone has, but we've been critical with knowledge. Understanding how development works.

So we've sat down with them. The plans have changed. We've sat down each time that the neighborhood have said we want to have something changed they've met it. Now they're coming to say we need to have more quality, affordable housing. One of the questions was, how do we know you're not going to change? You're going to have to trust folks at some point. We have trusted them. This is, like Kyle said, I've been in Northeast Area Development 20 years. I've seen different types of development occur and not occur. What we need on East Main Street, what I've seen since I was little, we got to have something that spurs some other development going on, and we have to have is neighbors

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talking to potential residents who are coming in so you can dispel any type of villainization, of what they're going to do bad to the neighborhood.

What we have seen from the Home Leasing Development on Voter's Block, which the Housing Authority's also part of, is we've seen not only just that development but it also spurs home ownership, it also spurs scattered site development, which means you can have other single family rental houses, but you have to start somewhere. You have to have a catalyst project. And I know in some cases I'm preaching to the choir and some who've done development here that there has to be something that starts the process, that attracts other development, and converted some R-2 to R-3. Have someone who's at the table and says, "We're willing to invest in this neighborhood because of the planning that has occurred in this neighborhood over the past 20 years."

This is not something that happens in a short period of time and as Mr. Crandall said, we've been working on this over 20 years. He was there 15. Before he got there, I was there. This is what we've been looking for in this neighborhood to get to this point and to have it not happen because of misconceptions or misinformation. And we would encourage any resident of the neighborhood to sit with us and have a productive conversation that addresses truths. This is a truth about what we're going to do. This is the truth about who is going to stay there. This is the truth about what will happen based off of past history in this neighborhood, not falsities and villainizing folks. And I'm just adamant about when other residents villainize potential people coming in their neighborhood because if you've ever been the victim of someone discriminated against you, it doesn't feel good at all.

So we are again in support of changing this from R-2 to R-3 and in support of the Home Leasing Hillside project. Because it is the flagship project that we have worked on for the past 20 years. And as Kyle said, we've worked with RTS, we've worked with the city school district, now we're working with Hillside. And each one of these major projects spurs something else. So I thank you Mr. Watson. Thank you for your time and I'll actually do you a favor. I may take some of those folks with me when I go take my seat.

- 14) Well good evening. My name's **Dawn Noto**. I live at 42 Madison Street. I'm the president of the Susan B. Anthony Neighborhood Association for the past ten years. I've lived in the city of Rochester for 13 years. In 2007, our neighborhood did a charret, much like the EMMA neighborhood has undergone their charret with the Design Center. I see a lot of similarities in our two communities. We're kind of triangled communities. We're bounded by Main Street on one side, railroad tracks on another side. We're wedged in between. We're transitional neighborhoods—transitional low, transitional high. The city rates neighborhoods on their stability. And when I first moved in we did our charret. We were a transitional low neighborhood. I can tell you that since our charret, our first development that sparked all the rest of the development was Home Leasing's project at 431 West Main Street. That project came to us from the guidance.

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They went to the city first and the city said, “You have to go to the Susan B. Anthony neighborhood and meet with them.” We had several meetings with them, like they have with EMMA.

Again, many similarities. They go to the communities, they really want your input. They’re not just there to build something that they want to build and not blend with your community and be a lifelong member of your community like you are. So when they came and built in 2012, you know, yeah, were a little hesitant too. We’ve had those conversations. There are some beds that aren’t going to be market rate. We’re not going to get all market rate apartments on Main Street, you know. People have dreams for the hi-rise and the million dollar mansions, but we don’t. We didn’t want gentrification in our neighborhood. We really want to make sure we remain a mixed-use community, and this project on West Main Street maintained that for us and it started the catalyst of our industrial area.

We have very similar—we had a vacant industrial area with contamination in Brownfields and now since that project, we’ve had DePaul come in and do the Cunningham Carriage Factory apartments. So we’ve had over about \$50 million in two projects bringing over 140 apartments into our community. We’re only a three-and-a-half block neighborhood, but we have 140 new apartments and new neighbors that we share daily walks with, coffee at the pizza shop or a donut or a pizza. We share concerns when we meet on the street of the litter.

Comment from Dave Watson, (chairperson): Excuse me a second. Could you please hold down your conversation there in the back.

Dawn Noto. So when you bring these projects into your community, you can dispel all the myths about what kind of people are going to come very easily by meeting and sitting at the table with your new neighbors. And then you don’t just grow. East Main Street really needs some tender loving care, and they have found the right people to bring it to East Main Street. If you don’t take seriously this opportunity, you will probably not see anybody else follow-up on East Main Street.

I can tell you from other housing agencies within my community they’re not all the same. Not everybody has supportive housing services. I’m 100% for supportive housing services. If you don’t provide support to the people that come into your communities and help them step up and give somebody a fair shake at life, that’s why we see so many people in boarding houses and so many homes being turned into boarding houses because we don’t have enough people that do supportive housing. We have probably housing providers, but not supportive housing. So please reconsider your questions about the zoning on this site, because if you don’t stimulate something over there, you know, we’ll take you. We’ve got a building for you, Nelson.

15) My name is **Jim Candella**, and I own a piece of property at 1292 East Main Street. I’ve owned it for approximately 27 years, and I’ve watched East Main Street crumble. It’s bad enough when I first got there but it’s worse now than it

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was. And I keep hoping and have continued to have the feeling that we might see some change and it just hasn't come. You had a gentleman up here earlier, Mr. Morse from Morse Lumber Company. The only wood that I think he sells on East Main Street is to board up another window on another empty store or another empty house because it's been either vandalized or let go or just people getting sick and tired of what that street is all about. They're moving off the block, they're not paying attention. No one living there anymore hardly pays attention to what goes on and it's really a shame. This is, I think as a citizen of Rochester, of Monroe County, and everybody in this room, we have to take some responsibility for what we've let happen between Culver Road and Goodman Street heading into downtown Rochester, New York. It's disgraceful.

You've all driven it, you've all seen it, we've had studies on, whether they represented tonight I didn't hear, but I know last time there was probably 25 to 30,000 people that go by this street, on this street every day to drive downtown and out of town. What a picture we set for our community. And I've heard questions tonight about well how can the zoning be—how could this fit in R-2? I mean that was two months ago. I don't understand what I missed that tonight we're talking about why this might work in R-2 when the opportunity for us to make that decision seems to have been blown off. I don't get it.

But, anyway, whatever—there's been enough said, everybody said their peace, and I just want to give you my little two cents worth and hopefully we'll have an opportunity to see something really concrete and real begin to happen on the one street that makes a significant difference.

I was on the joint committee of Brooks Landing Genesee Street for 20 years. We talked about doing something, talked about doing something. Finally zoning happened and Brooks Landing came into play. It turned the neighborhood around. It is the significant—there's a hotel there, and that's on more floors than we're talking about here. There's a lot of—there's coffee shops, there's grocery stores. There are things that the neighbors did not have before that the neighbors on East Main Street need now, and it won't happen unless we start looking at the investment that individuals and companies are willing to make and for the benefit of not only the residents on Main, but in the surrounding neighborhoods, the EMMA and Beechwood neighborhood. And I, you know—you could cross Culver and you go down towards Goodman. I know that there was some talk at the last meeting, some representation from that neighborhood. Well, hell, their neighborhood looks great. Their stores are all rented.

Comment from Dave Watson, (chairperson): I'll give you 30 more seconds. You got your time.

Jim Candella. Okay. Well I've said my peace. Thank you.

16) My name's **Mo Duggan**, I'm the executive director at the Community Design Center Rochester. We're located at 1115 East Main Street. In June of 2015, the Community Design Center in conjunction with other members of the community

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prepared a corridor revitalization study for the East Main Street corridor. In that report we call for new development and in the report, we specifically say that the architectural edge is an important element to the public realm where buildings have been removed or there's a large setback. It is critical to replace the missing teeth and re-establish that edge. Additionally, vacant lots and other development sites provide opportunities for new residential, commercial, and mixed-use buildings.

When these new developments are designed appropriately and with consideration to the context of the surrounding neighborhood, they increase the aesthetic and viability of the corridor.

Along the East Main Street corridor we called for five locations where new infill development is recommended. They include: The Hunger for A Complex site, 1200 East Main, the Greenovations site in the rear, the RGRTA development site, the Culver Road intersection and finally the Hillside site. Thank you.

Question from Unknown Female: Can I just make a note?

Answer from Dave Watson, (chairperson): Yes.

Comment from Unknown Female: Make sure, please if you're speaking that you sign in,

Comment from Dave Watson, (chairperson): Make sure you sign if you're speaking at the desk right in front.

17) Good evening, thank you so much for the opportunity to present before you. My name is **Paul Whitehouse**. Live at 599 Garson Avenue in the Beechwood neighborhood. I'm here wearing three hats tonight. One as a resident of Beachwood, secondly as the executive director of 441 Ministries, and also as a representative Connected Communities. And if I may take a moment, I would like to read a letter from Holly Bud and Lashanda Leslie Smith from Connected Communities to your board.

Comment from Dave Watson, (chairperson): You got three minutes total.

Paul Whitehouse. Okay. This letter's to show Connected Communities, Inc. formal support for the Hillside and Home Leasing development project on East Main Street. The board of directors of Connected Communities seeks to support projects aimed at addressing the gaps in affordable and safe housing in the EMMA and Beechwood neighborhoods. In addition, this project aligns with the purpose of built communities model of building healthy neighborhoods. Connected Communities is a not-for-profit, formed locally to assist with the practical application of Rochester's anti-poverty initiatives.

Specifically, our mission is to break the cycle of poverty and revitalize the EMMA and Beechwood neighborhoods. Together our goal is to build a thriving

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community featuring safe streets, high quality early childhood development, neighborhood schools, ready access to healthcare and community facilities, local opportunities for a job creation and attractive and affordable housing.

According to the data from our local 211 hotline, more than 1,100 calls came from the EMMA and Beechwood neighborhoods regarding housing and homelessness concerns in 2015. Many residents in the area are struggling to maintain adequate housing for themselves, for their families. Through the Eastside Street project alone—though the Eastside Street project alone cannot solve the housing problems in the targeted areas, it is a healthy start in the right direction. This project, combined with other housing strategies, such as homeowner repair programs, lease to own, and other affordable rental units will aid in the communities goal to build a strong, vibrant neighborhood. Ultimately, we want to ensure that every person and family has the opportunity to live, work and play safely within their neighborhood, with the service and support needed to overcome poverty and create a successful future.

And as for myself, as far as 441 Ministries is concerned, we're located at Parcel's Avenue. For the past 10 years, people involved in our neighborhood development organization have been working toward this goal. We see this as an ultimate great first step. And in regards to the Connected Community's Association with purpose built communities, we have seen that positive collaboration between private and corporate sectors to see transformation happen in neighborhoods. And for myself as a resident of Beechwood, my wife and I have moved into that neighborhood from the south wedge because we want to be a presence there, we want to see that entire neighborhood lifted up. So that's why we're here tonight. We support this and we ask that you'd reconsider or consider the zoning changes. Thank you very much.

- 18) Good evening my name is **Dan Lesinski**. I work at Hillside Children's Center at 1 Mustard Street, 14609. Seventy-two apartments are part of the R-3 zoning requirement, 16 of the 72 apartments would be available for individuals with developmental disabilities. I spend my career supporting individuals with developmental disabilities in our community. There's over 2,000 people that happen to have developmental disabilities that are in need of residential services.

Numerous New York State and federal laws uphold the fundamental principle that individuals with disabilities have a right to live, work and receive services in an integrative setting alongside non-disabled individuals.

Concerns have been expressed that individuals with disabilities may be taken advantage of by others at this project. The Center for Disabilities Rights, an independent organization of this project, has provided a letter of support for this project in response to this issue as follows. I quote: "Critics of this project fail to realize that just like everyone else we are capable of risk assessment, employing necessary precautionary safety measures in making decisions that best our needs, including housing." About 20% of Rochester's poor are people with

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disabilities. The need for affordable accessible and integrated housing will only grow in the coming years. Thank you.

Speakers in Opposition:

- 1) Hello, my name is **Dorothy Parnham**. I am a founder and president of EMMA Neighborhood and Business Association.

Comment from Dave Watson, (chairperson): Could you please step forward. We can't hear you.

Dorothy Parham. You can't hear me?

Comment from Dave Watson, (chairperson): Yeah, just pull the microphone closer to you.

Dorothy Parham. Is that better?

Comment from Dave Watson, (chairperson): Much better.

Dorothy Parham. Okay. First of all I'd like to say, I have never heard so many untrue facts in my life. You know, I don't understand why people don't just tell the truth. It bothers me. I like to say that no one in there has gotten up opposing it lives in EMMA. I like to say they don't care about the quality of life for the kids. They don't care what come here, what kind of building, or what type of peoples. These people of West Main Street. This is East Main Street. We have kids, children that we have to be concerned about. To put a—turn this into an RSV, you're allowing any and everything that come within, and I care about the youth there. No, I don't live in EMMA, I live elsewhere, but I'm in EMMA mostly 20, 30, 40 hours per week. I care about the youth there. They need a lot of—we say well our kids are doing this. We'd let anything happen to them. We don't care.

This complex to me is a—it's bad for the kids, let me say that. We need our kids to have quality stuff. The folks that approve of this they don't have not one child living in EMMA, and I know one in particular already lives in Beechwood. He don't even allow his kids to go to public school. So how can you make up your mind and say what you want in EMMA. We love the kids there. We want them to have a quality of life, good education, and we want to show them that we love them and care about them. That is what's wrong with our youth today. We don't show love. We talk down instead of showing love bringing them up. And I pray, I pray to my God that you under no circumstances approve the C-3 or R-3 or whatever it is. It will be a disaster. I thank you.

- 2) I did sign up. My name is **Kaeri Carroll**. I live at 71 Greenleaf Street. I also live in EMMA. You've sat through a whole lot of testimony tonight, and I appreciate your patience and your endurance. I'm not sure I'd be as chipper as you all are. I actually do want to talk about the zoning, because I've lived in EMMA and on Greenleaf for almost 20 years. When I bought my house, I had a high school

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education, worked two jobs, and part of my part-time work was walking around the neighborhood, picking up trash, shooing away drug dealers. There actually used to be prostitutes that came into the parking lot next to my house, and I didn't want to have a confrontation but I'd be out, you know, raking the lawn at three in the morning. What's going on over there?

Things have changed pretty dramatically in the last 20 years. They have—the gentleman earlier who said, you know, it's just gone downhill, that's not true. We have gorgeous art murals now. We have all sorts of changes that have happened because of a grassroots collective movement on the part of the people who actually live here. Changing from an R-2 to an R-3 district changes the nature of things pretty dramatically. You're talking about adding 20% or 30% more people. You're talking about—I have no doubt that the housing project that's going in it's going to be run by a development company that's actually ethical. They seem to really care about their residents. You heard from a whole slew of people talking about how great they are.

This isn't about the people living in that house. It's—or the housing project, this is about the impact and the actual neighborhood that's already there. It's been there for 75 years and that's really fought to try and make things better. So the project that's coming in dramatically changes the kind of texture of the neighborhood by putting a sort of an industrial building in the middle of a single-family neighborhood. There's a couple of rental places. I think there's one on the corner that has a couple of units. But really it's single-family homes. We know each other, we shovel each other's driveways. We—I mean it's not idealic, it's not utopia, but it's definitely still up and coming. And if you start throwing major industrial R-3 development into the middle of that, you're going to put a lot of stress on an already stressed infrastructure with absolutely no consideration for all the progress that's already been made. It's just basically saying, you tried, sorry, give up. We're going to flatten what you've made and put something else in there instead.

So I appreciate you listening to all of us go through the motions of giving our opinions, particularly, since this first half kind of didn't have a lot to do with what we're actually talking about which is the change to the neighborhood. So thank you for your time.

- 3) **Dean Becker**. I hope everybody's enjoying the cool weather.

Comment from Dave Watson, (chairperson): We can't quite hear you.

I said I hope everybody's joining the cool weather. My name is **Dean Becker**. I do run a business on East Main Street at the Federal Industrial Building, Dino Speed Shop. I've been there about approximately about 13 years. And since I've been there, the neighborhood has been fine the way it has. I have no problems with anybody around, the crime rate is very low. And I mean if we get this housing development, I think the crime will probably go up.

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But I was approached the other day or yesterday actually on 9/11/16, about 4:15, 4:45 in the afternoon by King City, which is on the corner of Palmer and East Main about this housing project. But they're talking about putting a petition out in which he would not give me no information with so regards to that petition unless I signed the petition. And it stated that he wanted, you know, he owes from \$475 to \$900 a month for property because the houses were being dilapidated on East Main Street, on the corner of—what was it—going by on the north side of East Main and going up to Auto Zone. So they was talking about taking that property there too. For me I don't understand why. But I will not sign this petition, because he would not give me information. I believe everybody should have information before they sign a petition about what's going on. And I think we're being lied to. Thank you for your time.

- 4) Good evening. I'm **Bridget Overton**. I'm a resident. I live on Breck Street. I'm approximately 300 feet from this housing project. I'm not here to bash Home Leasing. I'm all for improvement, but not when it encroaches negatively on my street, which is 300 feet from this project. I'm a United States Army Veteran. I retired from the Rochester Police Office in 2013. I've been on Breck Street since 1994, 22 years, from a city program, wanting city employees to invest within the city neighborhoods. Been there. I enjoy where I am. EMMA is German for universal or whole. She is a small but safe neighborhood of good neighbors of approximately 330 homes, consisting of homeowners and long-time renters. My neighbors are military Veterans, city police officers, firefighters. We have a medical doctor, city employees. My neighbors are multi-cultural. We have African American, Caucasian, American Indian, Asian, Hispanic, Caribbean, Polish, American, and African, and I know I'm missing a few. I apologize.

The six-month crime status for EMMA was five larcenies, one stolen recovery that was parked at Sophia, and one domestic assault. That's six months for 330 homes. Our borders for EMMA are East Main Street, that's south of the street. It is not Beechwood. It does not concern Beechwood. We go to Culver Road, west side of the street. We go from Atlantic Avenue to the CS, that's railroad, surrounding by business, trains, and traffic lights. EMMA is enclosed within all these main streets. We do not have any lights. We have just stop signs, one-way streets, no parking within 300 feet of this Home Leasing's project. There's no parking on East Main Street. There's no parking on Palmer Street. There's no parking on Barnum Street. There's no parking on Chapel Street. There's one side alternate parking on Breck Street with the 50 homes within 300 feet, there's 50 homes. Almost half of those homes have no driveways. Those neighbors park on the street.

I am not in agreement and I have vocalized many times to Home Leasing my issues and my problems with this plan. No problem with having a housing unit. Just that it encroaches onto Breck Street. They have their interests for the homes. They also have their interests for their community center. The problem that I have is—let me slow down. I'm sorry. I'm very nervous. I don't like public speaking. Okay, this project is a total of 72 rent only one, two, and three bedroom apartments, a café, unsure how many employees selling to the public

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without parking space. Hillside office space. Unknown how many employees are going to be working in the office space. Are they going to see clients? Where are those clients going to park if you cannot park anywhere around the building?

The city of Rochester director of Planning and Zoning stated the demand for parking in this rental project will be a projected 86 parking spots. Home Leasing has planned 60 parking spots, which can be modified to less than 60 if they are approved to change the zoning, which is spot zoning from R-2 to R-3.

Comment from Dave Watson, (chairperson): I'll give you another minute. Another minute.

Bridget Overton. Thank you sir. There is no parking in front of this housing rental project. I said that again. I'm repeating myself. I believe I'm very good. There's also a known low water pressure and drainage problems on Breck Street with repeated flooded basements to add to this housing project with over 102 people. Onto Breck Street, I think, would be negatively impacted for us. Thank you.

5. Good evening. I'm **Sunshine Jacobs**. I'm using the address, my business, 1525 East Main Street. I want to ensure before I begin, because I came with a brief prepared statement. I have to move this. It's up my nose. Sorry. Did you receive from us last week a formal rebuttal addressing the zoning concerns from the neighborhood?

Answer from Molly Gaudioso: Everything that was submitted was emailed today to all City Planning Commission members.

Comment from Dave Watson, (chairperson): So we received it.

Sunshine Jacobs. Okay, so you received it. Okay, then I'm going to retreat to this much briefer statement which references that. But I do want to make—the comment that—the character of Home Leasing has never been the issue. The issue is R-3 zoning in an R-2 neighborhood with R-1 across the street. The issue for us is high-density housing abutting single-family homes and more single-family homes. So before this evening, we submitted to you a lot of information, photographs, petitions, crime statistics, and a formal rebuttal to the application.

I would like to offer you a more personal view of EMMA. My name is Sunshine Jacobs, and I have been an EMMA resident for most of my adult life. I came to Rochester to find work. I found work, and then quickly realized that if I was careful, a mortgage and rent would cost about the same. The difference was that with a mortgage, I would have something of value in exchange for my efforts.

I bought my house with the intention of staying five years, and then going back to the country where I thought I belonged. What I found was that I met neighbors who became family. They helped me to grow and to navigate the complexities of

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urban culture. They've taught me many important things, but most of all, to take pride in whatever I had, to know the difference between wanting and needing, and never to hesitate in offering kindness.

I've watched our neighborhood pull together in tough times. The closing of French's had a terrible effect on us, but we recovered. Job losses at Nortel and Bausch & Lomb have taken a toll, but most people are working. Some homes have fallen to Randall, but we work with landlords in the city to resolve problems. So many years have passed since I arrived that I know a story for almost every home here.

Many things have changed, but what has not changed are the traditions of reaching out to help each other, the sense of pride in whatever we have, and our sense of accountability to the whole neighborhood. I have been honored to watch EMMA's torch of unity pass from two generations and now onto the third. Our three high-density spot zoning in an established R-2 low-density neighborhood of mostly single-family homes. Simply to accommodate a developer is destructive to our neighborhood. It would negate the city's goal of building neighborhoods by destroying ours. It is unprecedented. I add my voice to my neighbors in opposition of the Zoning Map Amendment for these prices of land. And thank you for the opportunity to speak.

- 5). Good evening. My name is **Sern Phan**. I reside at 38 Breck Street. Thank you for the opportunity to speak in front of the Board again, once again. I'm against the zoning, the rezoning to R-3 simply because we are a small neighborhood. There's only like around 800 people in my neighborhood. I've lived there for 15 years, and it's a very safe neighborhood and very low on crime rate. Anything, I mean, serious. We can walk the dog at night, at 2:00 in the morning, and not having to worry about it. Adding another 100 and something people to the neighborhood that's a huge change for us. I'm also worried about the drainage and the low pressure in the water system and the parking, like one of my neighbors mentioned earlier.

In the summertime, it's not too bad, but in the wintertime, the city usually don't plow the street, the small side streets that well. And if now, if you have like 100 more people with cars, it's adding, you know, too difficultly to the whole neighborhood. So zoning it to R-3 is definitely going to affect us like greatly as far as the way of life for all of us.

The funding if we don't get it this time, we probably are going to get it some other time somewhere else. I'm not really against Home Leasing for their character or their ability to, you know, put that apartments to be successful. Thank you for your time.

- 6). How are you doing? My name is **Dewitt Overton**. I reside at 138 Breck Street for 24 years. There's been times where I've left my garage open for a week straight, you know what I mean? Nothing was ever taken [sic], stolen, anything. The front door's unlocked, the gate's unlocked. There was no issue. You know

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what I'm saying? Also, it feels like everybody that came up here didn't live in the area where it directly impacts them. I don't live on West Main. I don't live on, you know I mean, Beechwood. I live directly 300 feet from this project. Everybody knows each other. If we don't know you personally, we know of your face, you know, hi, bye. Your kids come out, we get snacks, the storeowners know us over there. I just don't want it to negatively impact my community where my mother stays. You know what I'm saying? Like my mom's elderly. You know what I'm saying? There's not a lot of young kids in the neighborhood anymore. It's not really. You know what I'm saying? I'm 24. I grew up with everybody over there. You know what I mean? We're all old, going to college, and doing other things now. So it's like it's all homeowners and really long-time renters. Like nobody has ever been there for the last three, four, five years, you know what I mean? So that's just everything I have to say. Thank you.

- 7). Good evening. **Kim Hare**. I live at Alameda Street. And I don't have the pleasure of living in Beechwood or EMMA. I do have the pleasure of living in Maplewood though. And I'm here tonight because—to speak about the Amendment, the Zoning Amendment. Our concern is spot zoning. This has been an issue for the city. It's been an issue that's been opposed by neighborhoods, because the impact this has on neighborhoods when you spot zone pieces of property within larger districts. When once we start spot zoning, it sets a precedent. So somebody can come in now and start arguing that they're going to put an M-1 in an area that we don't want on just an acre or just a slot. This is only two acres. It's in the middle of an R-2 district.

The proposal that the applicant is making is allowable within an R-2. It does not require a change in the zoning. What happened is that they got turned down two months ago. The plan has changed, and I understand that. But I also want to mention that in their previous plan 63% of their units did not meet the minimum site expectations for the city. The square footage for those apartments, 63% did not meet the minimums. That's a concern. So you can dress it up and make it look different, but there were no specs provided in the current application or in any of the information. I don't know you all got a packet tonight, so I don't know what's in your packet. But in the public packet, there's nothing that gives any specs to the dimensions of those apartments. So we don't know if the applicant addressed that issue.

That's a concern when you talk about high density. If you have large parts of this unit, 63% in the previous plan not meeting the city's minimums. And there's not a lot of green space. And as people have mentioned, the parking is a major challenge on a good day with the residents there. It's going to be very difficult with Hillside running a business in there, residents being in there, visitors coming to see the residents, people coming to that café, people coming to the exercise room, people coming to the community center. This is going to be a major problem, and we would ask that you reconsider spot zoning this two-acre property. Thank you.

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- 8). My name is Maddie Reed. I live at 30 Byron (sp?) Street. I have been living there for 33 years, and I'm against the project.
- 9). Hi, Mary Coffey. I do not live in EMMA. Like most people, I think, a lot of people who spoke don't live in EMMA, but I'm a close neighbor of EMMA. I live in North Winton—I am co-chair of North Winton Village. I live in Browncroft. So all our neighborhoods are very, very connected. So a long time ago I met little Dorothy Parnham. And we had been trying, North Winton Village, and we were 24/7 to keep and raise the quality of life in our neighborhood. And we asked the caretakers who had that neighborhood before Dorothy walked in to please do something, clean that neighborhood up. Dorothy, when we met her, said, "I'm going to do something," because she was going with her conscience.

Now, when they talk about plans, when there's a four-part plan, and what was to be done was public safety. By the way, there were gunshots down there Thursday night, I believe. Luckily, no one was hurt, but they did find the gun in a yard, and schools, good schools, and good housing, and bringing good businesses. You know what that's called? That's called raising people out of poverty. That's what it's called. And it's raising the quality of life. Not a building is not going to live it. You can live in the Taj Mahal, and if you can't walk outside, you've got problems.

So, now, and let me tell you, Megan, a lovely young lady, Nelson, I mean, they have a business to run. And I understand that. And businesses are important in Rochester. However, he even said we put the horse before the cart, which means we should have cleaned it up. It should have been cleaned up, businesses brought in, and education. We're lucky U of R now is taking over. And we have a great new charter school just came in in North Winton Village, but it will serve EMMA. So here they are now so we couldn't do it. Now, we're just going to put the building in there.

Now, when you say 72, some of these are two and three bedroom apartments. You're talking two heartbeats to a room. So you're talking—could be talking up to 200 people. All of a sudden in this small unstable area. So we're saying—all right, one minute. So we're supporting them by saying no, no, no. And shame on all of us. Shame on the city of Rochester that they have this neighborhood that is in such deplorable condition. No one is fixing up the houses or the people who live there right now. And the crime and the drug dealers on the other side of around Sidney Place. Nobody is doing it, so shame on us and shame on the city of Rochester. And let's do that before we bring more people into this neighborhood. And then let's do it right, like on West Main, some nice housing development. Thank you.

- 10). Good evening. My name is La Ann. I'm a minister, and I've lived in the community. In the process of living in the community, it was beautiful housing, beautiful service, but it was put in the wrong place. No one considered the fact of the people and the environment on how we're going to clean the problem up. During the time that I stayed in their property, I almost got raped. Cameras were

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not working in the building for some apparent reason. But the housing themselves that they're developing for the area they're beautiful. They're beautiful. But we got to understand the fact the safety and the environments that these buildings are being put in. You don't just put up a building and figure the environment is going to fix itself. We've got to figure out a plan before we build this building and put these people in it.

I'm over 55 years old. I don't think it's a pretty picture of an almost 60-70-year-old woman being raped. And then when you ask the complex where you live, "Where's the tapes?" And they say, "It's not working." I don't agree with building this in that area zoning. I don't agree to it until it can show better safeties for a senior. A senior has worked all their life and now wish to retire and be comfortable and safe and secure. One goes in an apartment, and you got to worry about who's coming in the window or who's kicking your door down. And here it is you're 60 years old. It could be your mother, it could be my mother.

Let's consider the safety where this is being put, and to top it all, can the seniors afford it? No, they can't. Everything I get I pay for. These apartments run as much as \$1,400 per month. This year they went up on the rent. Government did not give us an increase. I didn't find a part-time job. But, yet, the rent went up. How is that possible?

If we're going to build this, let it be fair to the seniors. Let it be fair to the working women with children. The apartments are big enough to house really three kids to a bedroom. They can be quite comfortable. As I said before, I deny this. I don't vote for this. I wish that you all would take it into consideration and realize it could be your mother in one of those buildings.

11). Hello, my name is **Marilyn Partrise**. I live at 2271 East Main Street, which is in the North Winton Village Neighborhood Association area. I am opposed to this rezoning from R-3 to R-4, because my concept in cleaning up the neighborhood is to code violate and also we need more funds for the residents and also for the landlords to fix up the properties and make sure that we have a viable, economically, good citizens in the neighborhood. That's why I'm opposed to it.

12). I am **Marilynn Schutte**. I'm co-chairman of North Winton Village. And the reason the North Winton Village Board has voted and some of us have spent many, many times going to meetings with this project being presented with the Home Leasing. And I would like to say one thing it's not like when we've had developers come to North Winton Village. As all of you know, because we've been down here so many times with all of our development problems. But what we've been able to do with our developers is we sit down at a table, and we've been able to discuss back and forth how to do the development.

I want to tell you from all of these meetings I've gone to, it's been one side. Home Leasing, as great as they are, in terms of what people are saying about their establishments. They present their program to the community, and that's what the program is. There's been no dialogue, and I've been to a lot of the

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Beechwood sit-down meetings and to the EMMA. And it's been the same thing. I keep thinking, "What's wrong here? Why can't these people dialogue back and forth?"

In the last meeting, I asked Mr. Leenhouts, "Why do you have to have such a large unit? Why can't you fit in with the neighborhood with the zoning that we have and have less units?" You know, get into some housing, doubles, whatever would fit in with the zoning. But you see there is a problem here. They want the \$17 million. They want to make money. It's a moneymaking project. But that doesn't mean it's good for the neighborhood. I do not like to see spot zoning.

In North Winton Village, we certainly would not allow spot zoning, and we've had plenty of experiences with large units of 22 units. Now, you talk about 72, then we have Cedarwood Towers with about 200 units, I guess. We have all kinds of issues. I mean, this is taking a serious, serious chance if you change this zoning to R-3. This neighborhood is not compatible to that type of development.

And I would also like to say Home Leasing has been told twice by our Planning Commission. You've done a great job, you've listened, you've understood the neighborhood. And for some reason they want to go around the backdoor and come in and ask for this major zoning. It's pointed out by Beechwood themselves that they have R-3 zoning. Well, maybe that's where Home Leasing should have gone over to Beechwood with their R-3, not in the EMMA neighborhood on East Main Street.

And as I said before, I am—and North Winton Village is very concerned. We have worked for 16 years on East Main from Culver Road going East to Winton. It's been long, long hours of volunteer work. We've been able to finally through beautification safety and working with our businesses and the residents, we've improved and the place is cleaned up. We have many years yet to go, to tell you the truth, but and the Design Center is part of it. I do think you need to seriously, seriously consider the EMMA neighborhood, the people that this is most directly affecting, and get on the right track, keep zoning in order. I have said for 21 years since we started in North Winton Village as zoning goes so goes the neighborhood. Thank you.

Applicant Rebuttal:

Jess Sudol. Yes, just for clarification. How much time do we have for the rebuttal? Is it timed?

Answer from Dave Watson, (chairperson): Yeah, but I will give you some leniency, but.

Jess Sudol. Okay, well, I'm just going to—

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Comment from Dave Watson, (chairperson): You probably answer the major issues that may have heard or issues that made need clarification, and we may have some questions that some may want to ask also, so.

Jess Sudol. Right, absolutely. Sure.

Comment from Dave Watson, (chairperson): You're not on the clock until I say it's—

Comment from Molly Gaudioso: Mr. Chair, there is no time limit for rebuttal.

Comment from Dave Watson, (chairperson): I understand. Like I said, he wasn't on the clock.

Jess Sudol. Well, thank you. A couple of the comments that were mentioned, I just wanted to clarify for the benefit of the Board. For starters, there was a comment made regarding flattening or destructing any portion of the parcel. We're actually rehabilitating and reusing with a very adaptive reuse the existing Hillside building. We're not knocking that down. The only thing we're really knocking down is some old dilapidated homes that are really an eyesore and a problem for the community. So it's not like we're coming in and knocking down a whole portion of the community just to build this particular project. It's actually an adaptive reuse. That's introducing a lot more green space that's not there now. What you can see under this particular rendering, which is on top of the site, is this big vast open underutilized parking lot that sits there today that certainly doesn't do any benefit to anybody.

With respect to parking, I do want to say that the parking—the number of parking spaces that we could fit on the development is integral to the amount of units that we can fit on the project and whether or not this is too dense. And part of our conversation earlier talked about would you go higher, put more units with this R-3 zoning. And I mentioned that it really ties back to the parking. And the way we know that is because Home Leasing has the benefit of constructing and operating similar uses with similar unit sizes with similar bedrooms in the city of Rochester. So what we were able to do is go back into each one of these facilities and establish actual parking ratios based on number of people that have cars, number of people parking in the parking lot. And for this particular case, the current proposal as is, and I'm trying not to dive into the site plan too much, but does actually exceed and provide more parking on a per unit basis than any of those other projects, which also include a small café, similar to what we're proposing. So we're fully confident in those numbers. We had previously presented all that information to City Zoning staff, but reviewed it and basically agreed with the analysis that we did, which, again, was based on real life projects and not some kind of projections.

Another thing I wanted to mention was mention about having the entrances on Breck. This was really a significant program change from what was previously proposed. I believe one of the commenters referenced a large industrial building when in fact this proposal is anything but that. The original proposal that was denied did have a single large building that really took up the whole northwest corner of the site, and admittedly so, you know, perhaps that building was out of context with the neighborhood. I won't

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argue against that. But the revised proposal and buildings are really townhomes. They're proposed townhomes. If you look at where they front on the street, you know, and how deep they are and even the density of them as you move down East Main Street looking at the existing single family homes that are there. Now, granted with each one of those homes, there happens to be eight to ten feet of separation in between them. But really the massing along both East Main Street and Breck Street is consistent with what's there today. And that's what we've tried to demonstrate with these elevations.

With this two-story building—so this small two-story building, which is actually proposed on East Main is shorter than most homes in the area. And then it steps up to this existing Hillside facility. So I think that as it relates to the zoning and looking at whether or not it's compatible, which is one of the items that this Board is charged with. I think that we have done a good job to try to blend in with our surroundings. It's not one big industrial type building. Another thing with the project is each one of these units has a proposed entrance right out to the sidewalk, right out to both East Main Street and Breck Street. I think if you look at any of the plans that pertain to not only this portion of the city but quite frankly any kind of urban planning certainly promotes walkable, communities, having the entrances right on the street to activate the street. Again, when you look around our project, especially, to the south, there is not much residential development. I mean, this all up here, all these homes are all Beechwood. But where we are right now is really the smorgasbord of very large manufacturing buildings, some commercial buildings. There's not a whole lot of residential activity there. So the more that we can put our entrances onto the street and get people activated and walking up and down the streets, I think, that anyone would agree that that's ultimately better for the community. And that same philosophy essentially goes towards the spot zoning.

There's a whole plethora of different zoning districts spotted around in this area. When you take away the context of spot zoning and just look at the transitional use of what's actually proposed, and that is multi-family housing, on a corridor that has the capacity to support the project and provides a transition from some of those big, large manufacturing buildings that you see here right next to us over here to the south. I think when you put it in that context, it's a lot more appropriate.

In terms of some of the quick engineering items, you know, in terms of drainage and things like that, really site planning issues, but you could be rest assured that we all are providing all new, brand new infrastructure, all new drainage, storm water management. All those types of things that will greatly improve what's there today in similar situation for the water system.

Kim Russell. Hi, thank you for your time. I know this is long and arduous for all of us, but we wanted to just wrap up with saying that Home Leasing responded to an RFP from the city to build quality, affordable housing in the city. One of the requirements of doing that was to show how this project could be part of a greater revitalization effort for a community. And as you probably know, EMMA, Beechwood, and Marketview Heights were chosen as the three neighborhoods in the city that are the primary focus of the rollout of our mapping and Connected Communities. This is looking at the integration not only of safe, stable housing but how education could be neighborhood based, how

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people can have the services and support they need to thrive, and how we can build neighborhood strength through associations and social connections.

We are not doing this in a vacuum. There has been a lot of effort behind the scenes working on bringing economic development into the neighborhoods that I think we'll all agree the city desperately need. The city's considering where to bring in their market-driven co-ops. Ted Filer, who owns the property, the former Mustard Street Factory, has been working with perspective tenants in his 300,000 square foot facility. Looking to bring jobs to the neighborhood.

Ted has shared with me that in his discussions with perspective tenants that their concern about the safety of their employees, what their employees would do on Main Street, and want some assurances that everybody that's talking about redevelopment of East Main, including the work that the city already has planned for the streetscape is actually going to happen.

When you have opposition to developments like this, there's a message, a clear message, that goes to anybody else that's going to consider building in that neighborhood. You're not going to get other people to make this kind of investment. And the only reason this project can work is because there are government subsidies that make it happen. This development serves a pressing and critical community need to provide safe, affordable housing for the residents of the city of Rochester. You've heard clearly what the demand is for those people with developmental disabilities that do not have safe integrated housing. You've heard clearly that Section 8 and other affordable housing lists have thousands of people waiting for this kind of opportunity. We are at a crossroads where we have received the financing to build this project. This comes from a very competitive process. This is the city's priority project. The city has voted to provide \$500,000 worth of funding to support this use, because they know that this is an important use.

We are back before you today for a Zoning Map Amendment because it is our last shot. We were turned down when we came back with what we very much considered a substantial design change. And if you look at our original proposal and what we've done now, and that request for a rehearing to come do what we've done tonight was denied. This is why we have brought people to tell you about our communities. This is why we have brought the support people, like RHA here that show you the need. Ideally, we would have loved to do this under R-2, and that's what we tried to do. Unfortunately, we were not given the opportunity to make this case then.

So we are here before you now with our last option to save this development and economic infusion into an area of the city, which you can clearly see needs it. If this does not happen, we lose the financing. We will not come back. And I can tell you from an HCR perspective, they will look very closely at any other projects that come in from the city, because they feel the city cannot deliver on their promises to build housing.

So I want to have you consider the import of what your decisions are tonight. We know you're in an advisory capacity to City Council and City Council will make the ultimate decision. But we hope that we have given you enough ammunition and enough

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information about how this R-3 is actually a transitional use that can be supported based on the surrounding use that you can feel comfortable making this recommendation to City Council to support the Zoning Map Amendment. So thank you for your time, and I want to thank all the people that came out to give their impressions of what we're doing, and we hope that you'll agree with us that bringing this kind of investment and quality homes to individuals is something worth supporting.

Question from Molly Gaudio: Yeah, I just wanted to ask a question on clarification for—you're talking about clearly you talked about the difference between the first proposal that we had made a decision on and included that three-story structure that wrapped the northwest corner versus this. And you're talking about this as tied to funding. Is it to the project in general or to this proposal that we see?

Kim Russell. To this proposal. We had to go back—when we were not able to get the Special Use Permit, which we needed to get to move forward to get a building permit. We had to go back to HCR and spend hours on the phone explaining to them that this was a project that was not substantially different from what they had funded. The original application was 76 units. In the design change, we dropped it to 72. We broke one building up into four buildings. To try to convince their architects and engineers that this was the same type of project and worthy of funding being maintained was a very difficult task. With a lot of support from people here in the city, including your Housing Department and the Mayor's Office, we were able to get HCR to give us basically a two-month extension to the time period that we're able to provide ability to show that we have local approvals.

Without this coming, we will pass that extension and we won't close. That money will not be diverted elsewhere in Rochester. It can't be diverted to do home repair. This money is low income housing tax credits for the specific generation of affordable housing of this scale and size. You've heard many times how if this does not work, if we want to keep two full-time individuals on staff, a property manager, and a maintenance person, plus, have the ability to have the security, we need to do this scale and this size.

Question from Todd Bruce: So I want to make it clear you presented plans, elevations, specifics on what everything looks like to this organization.

Answer from Kim Russell. Correct.

Question from Suzanne Mayer: So, Kim, it seems to me that a lot of things that we have to consider here is the spot zoning. And also it seems to me that I think we all—I hear you that it's—I believe that there is accountability with you as well, and you said so to begin with that the first proposal was not something that was listened to. The question is is how much did you listen to the neighborhoods? We hear both stories, and we're sitting here listening to two sides that it was mostly the business people that we're in here, and that's what's going to save the Main Street. But there is a residential requirement here. And when you move from R-2 to R-3, what safeguards can you put in to this so you can say, "We're going to," you know, other than what you say you normally do in other places?

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This is the issue here. And it's not something I—I don't think you're clear—you're free of not being accountable or this is not necessarily a success. This is something that I wasn't at the first hearing, but this is—it's really a shame actually that it's come to this. So some misstep has happened here. And I think we have to learn a lot from this so this—you know, you're pushing us to the point where you have to do this or it's all wrong. There's something wrong with the way we're doing this. And I think we have a lot to learn here. So you're asking us all of a sudden, "Okay, forgive us, but we need this project." So how are you going to make sure that this is the only one you're going to do, that it's going to be an H-3, you know, this change in the spot zoning? How do you talk to us about that, please?

Kim Russell. Well, I think the answer to that is we can only build what the market will bear. And the only way that any kind of density is going to be put on this site is if it's something that's fundable. The answer is that we can only build what the market will bear and what we can get financed. This particular project with this particular scale at this particular location is what's been financed. And we do have those funding commitments. It's not as if, I think, Jess mentioned earlier, that we are going forward. We're getting this approval, and then we're going to try to get financing, so that if it doesn't happen, then somebody can build on that R-3. Yeah.

Question from Suzanne Mayer: I understand you're being specific about this project, but that's not what we're talking about here in the big picture. A lot of what we have to do is big picture. How is it credible? How is the city credible for a section when you're trying to plan and decide to a lot of developers what are going to do with this section of the land? And that's what we have to look at. What is zoning but to protect us and to help us plan. And when you spot zone something, then it breaks that whole thing up. So it's really about do I believe in projects? Yes, I do. But this is really—it's like no matter what you do, it's going to be wrong. And I don't think that's where we want to be in the city. So if you're going to lecture, I'd like to lecture back a little bit. And that's the public prepared to do it. And this is not necessarily the correct way to do it. There must be much more cooperation and communication. And I'm not sure that it existed here, if you listened to everything here.

I think that I just want to know how are you going to tell people we're not going to mess around with you. We're not going to be an R-3, we're going to be an R-2, and we're going to still be in your neighborhood. What do you do?

Kim Russell. You know, Suzanne, I think, we've made the best case that we can by bringing in information about the other communities that we've built in Rochester. We are a trusted developer that has made a commitment to this city. The, you know, the process if you ask what's wrong with the process is that we listened to the comments from all of you, invested, went back to the neighborhoods, got information about whether or not they liked our proposed design changes. Got the support from the neighborhoods that allowed us to come in and have a dialogue, and came back with a substantially different plan having done that neighborhood engagement. And because a unanimous decision of this body was required to allow us just to come back and present again, and that was not done because of one vote out of five. Now, if you want to ask

MINUTES
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ZONING MAP AMENDMENT
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what is wrong with the system, I think that's what was wrong with the system. We did—the staff, the Home Leasing, the community, that just sent a shockwave through the whole effort. And we have no other choice, because what we did was I think what we were supposed to do. And we were denied the opportunity to come back with R-2 and a Special Use Permit by that vote.

Comment from Helen Hogan: I just want to say one thing. From listening to what I listened to tonight I have no doubt that Home Leasing doesn't do a wonderful job in the community. I think the Connected Community group maybe a really good idea to help revitalize neighborhoods. But as we sit up here, we have to serve so many people, and one of those groups we continually ask as a Planning Commission did you talk to the Neighborhood Association that you are going to develop in? And, I guess, for me, I'm just struggling with where the disconnect was or how that happened. And for future reference just in terms of if the Connected Community is going to go into other neighborhoods. That is such a key and crucial area that I think we all struggle with. But those are the people that live there 24/7, so as our role as Planning Commissioners, we have to pay very close attention to that.

Kim Russell. And I understand you, Helen. And in the materials that we presented to you tonight, if you look at the community engagement. It's the thick two-sided document.

Question from Molly Gaudioso: I have a question. So July 20, 2016, neighborhood meeting invite, an informative flyer mailed out to over 200 EMMA residents. That was the advertisement for the following meeting that was held exclusively with EMMA. So this is the result of that meeting?

Kim Russell. We went back after the Planning Commissions comments about not wanting the monolithic building and came up with a redesign, working with our architects, knowing what the parameters were that we would we would need to keep in order to try to preserve the funding. And, yes, we did go back. We went back to a city council representative who is in that area. We also went back to neighborhood leaders. We met personally with Dorothy Parnham as well as Sunshine Jacobs. We attempted many times to have them even host the meeting at TILC. Over the course of three weeks, they kept on asking for delays. We were on a very tight time schedule to make this happen. So we scheduled a meeting at RGRTA, which is on East Main Street. And we sent invitations and the flyer that you have, the four-page flyer that shows the old plan and the new plan directly to EMMA residents. And for many, this is the first time that they had any true information about our proposed development.

There have been if you look in your documents that we provided, there had been at least I will say, and the numbers are there, but we've had at least 15 meetings, probably closer to 20 where the president of the EMMA neighborhood and Beechwood Association has been present. She was on the Steering Committee. They have had a seat at the table. The argument that this neighborhood only affects EMMA, I think, is something we really have to look at. If you look at the location of our property—where is the other map? I think we've got it covered up. And you look at who's in proximity to the development, the development is here in green. All this area up here is all occupied

MINUTES
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ZONING MAP AMENDMENT
CITY PLANNING COMMISSION MEETING
Page 43 of 43

by Beechwood residents. This area back here is all industrial. This small area through here is EMMA. And we agreed that these people should be considered. In fact, to say that EMMA is the only group that should have a say in what happens here is, I think, a fallacious argument.

Comment from Suzanne Mayer: I don't think we're saying that.

Kim Russell. Well, I think—

Comment from Helen Hogan: No, I was asking where you the thought the disconnect was.

Kim Russell. The disconnect was—

Nelson Leenhouts: When we worked on our Voter's Block project on West Main Street, we had 14 neighborhood meetings. And they were well attended, and it went very well. And as a result when we built the project, we had just tremendous support. There wasn't—our property was protected by the neighbors. There was no—nothing was stolen, and so on. And there were several, I think, 14 or 15 different sites involved. Here, I've worked on this project for two years now. And I've probably gone to 40 meetings. I've personally gone door-to-door to find out what the people that live there really feel about it. So we've done everything we can to meet with the neighbors. Thank you.

Comment from Dave Watson, (chairperson): Before we close down, question, staff, City Council meeting when is that next scheduled?

Comment from Helen Hogan: Yes, so the hearing for the Council Meeting is actually following committee meetings now. So that is at 5 p.m. on Thursday, October 13. And then the actual Council Meeting is on Tuesday, the 18th. So if you want to speak at the hearing, you have to come on Thursday, October 13 at 5 p.m. to the City Council hearing.

Comment from Todd Bruce: But a transcript of this hearing will be printed up and sent to Council ahead of time too.

Comment from Dave Watson, (chairperson): Again, we've been given this information because, again, we're basically making a recommendation to City Council regarding the zoning. City Council will be making that determination if in fact that is the case. So regardless of what our recommendation is, City Council will have to make their final determination. All right. That being said, this case is closed. We will take a ten-minute quick break for the Chair and members to get together and get Steve back in here, and we will return in ten minutes.

HEARING ENDS



September 19, 2016

Mr. Mike Gebre
Solada LLC
815-819 South Clinton Avenue
Rochester, New York 14620

NOTICE OF DECISION

In the matter of the request for a Special Permit to: consider an Alternative Parking Plan for 16 parking spaces for the proposed restaurant and gift shop.

ON THE PREMISES AT: 815-819 South Clinton Avenue

ZONING DISTRICT: C-2 Community Center District

APPLICATION NUMBER: E-005-16-17

VOTE: 7-0-0

PLEASE TAKE NOTICE that at the City Planning Commission meeting held on September 12, 2016, said application was **APPROVED**.

Please Note: Pursuant to Section 120-192B(7) of the City Code, a Special Permit shall become null and void one (1) year after the date on which it was issued unless a Building Permit is obtained and maintained. **Please call Jill Wiedrick at (585) 428-6914 to complete this process.**

CITY PLANNING COMMISSION


Zina Lagonegro, AICP, EIT
Secretary, City Planning Commission

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Resolution and Findings of Fact:

This decision was based on the following findings of fact:

Pursuant to Section 120-192B(2) and (3) of the Zoning Code, the Special Permit procedure is intended to provide a means to evaluate any use that is identified as having some special impact or uniqueness which requires a careful review of its location, design, configuration and special impact to determine the desirability of permitting its establishment on particular given site. A Special Permit use 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 and with regard to the following five criteria:

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

- 1) The goals and objectives of the Comprehensive Plan are reflected in the 2003 Zoning Code.
- 2) Within the 2003 Zoning Code is the potential for an Alternative Parking Plan. An Alternative Parking Plan is a means to meet vehicle parking requirements other than providing parking spaces on site in accordance with the ratios established in this section.

B. The proposed use will not have substantial or undue adverse effect upon adjacent property.

- 1) The proposed sit-down restaurant and gift shop is located on South Clinton Avenue where it intersects with Meigs Street. The first floor is currently vacant. The second floor is legal as three families. The proposed sit-down restaurant and gift shop will be located on the first floor and will operate between 11:00 AM and 11:00 PM, daily.
- 2) The proposed restaurant and gift shop has a parking requirement of 24 spaces. There is a pre-existing deficiency of 8 spaces. Therefore, a total of 16 parking spaces are required to establish this use. There are no parking spaces on site. As a result, the applicant is seeking to resolve the parking deficit through an Alternative Parking Plan.
- 3) In oral testimony, the applicant's representative noted that it is the intention of the owners of the restaurant for it to function as a neighborhood establishment. As such, they anticipate that many of their diners will come from the neighborhood and will likely walk or bike to the restaurant. In addition, the applicant's representative stated that the owners will be hiring from within the neighborhood, thus decreasing the amount of parking spaces that will be required for employees.

4) The applicant submitted the following Alternative Parking Plan:

- Verbal shared parking agreement with Sunoco Gas Station located at 809 South Clinton Avenue
- Over 50 on-street parking spaces in the immediate vicinity
- Off-street bicycle parking
- Bus stop directly across the street
- Neighborhood is very pedestrian oriented

5) The City Planning Commission evaluated the Alternative Parking Plan that was submitted by the applicant and concluded that the following credits were reasonable:

| | |
|-------------------------|------------------|
| On-Street Parking | 3 parking spaces |
| Nearby Transit | 3 parking spaces |
| Bicycle Parking | 3 parking spaces |
| Pedestrian-oriented use | 7 parking spaces |

6) As such, the City Planning Commission accepted the Alternative Parking Plan.

C. The proposed use will be developed so as not to interfere with the development and use of neighboring properties.

The City Planning Commission determined that approving this Alternative Parking Plan is unlikely to interfere with the development and use of neighboring properties. Although written testimony was submitted that there was a lack of available parking in the area for existing businesses, the City Planning Commission determined that this area was pedestrian-oriented and urban in nature. The City Planning Commission acknowledged that some of the most successful areas of the City often have what visitors and neighbors perceive to be parking problems, when, in fact, this is a sign that an area is full of activity and vitality. Although parking requirements must be adhered to and should not be ignored, the Alternative Parking Plan is an opportunity to justify, in areas that are pedestrian-oriented and have transit options other than the use of personal vehicles, that there are other means available that may satisfy the off-street parking requirement. Therefore, the City Planning Commission accepted the Alternative Parking Plan.

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

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

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

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

Based on these facts and findings, be it resolved that the City Planning Commission APPROVES application E-005-16-17 by Mike Gebre, To consider an Alternative Parking Plan for 16 parking spaces for the proposed restaurant and gift shop at 815-819 South Clinton Avenue.

This decision was based on the following testimony and evidence:

Supporting Testimony:

William Hall (representative for applicant)

Opposing Testimony:

None

Evidence:

Staff Report

Special Permit Application and Standards

Alternative Parking Plan

Floor Plan

Photographs of on-street parking, parking located at 809 South Clinton Avenue, and bus stops near subject property

Exterior Photographs

Location Map

Zoning Map

Aerial Photograph

Email of Opposition from Margaret Maracle and Rose Marie Clause, dated August 8, 2016

Email of Opposition from John Trickey, dated August 8, 2016

Letter of Support from Highland Park Neighborhood Association, dated July 7, 2016

Email of Support from Nereida Vazquez, dated September 6, 2016

Personal Appearance Notice

Notification Labels

Speakers' List

Record of Vote:

| | |
|-------------|---------|
| D. Watson | Approve |
| S. Rebholz | Approve |
| E. Marlin | Approve |
| H. Hogan | Approve |
| T. Bruce | Approve |
| S. Mayer | Approve |
| M. Gaudioso | Approve |



September 19, 2016

Mr. Scott Benjamin
Charles Settlement House
71 Parkway
Rochester, New York 14608

NOTICE OF DECISION

In the matter of the request for a Special Permit to: establish a community center for client services, property oversight and community space, to serve the existing Stadium Estates and the proposed Stadium Estates II projects.

ON THE PREMISES AT: 364 and 370 Jay Street

ZONING DISTRICT: R-1 Low Density Residential

APPLICATION NUMBER: E-008-16-17

VOTE: 6-0-1

PLEASE TAKE NOTICE that at the City Planning Commission meeting held on September 12, 2016, the Planning Commission, as Lead Agency, issued a negative declaration for the proposed action, determining no significant effect on the environment in accordance with Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the Rochester Municipal Code said application was **APPROVED**.

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

CITY PLANNING COMMISSION

Zina Lagonegro, AICP, EIT
Secretary, City Planning Commission

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Resolution and Findings of Fact:

This decision was based on the following findings of fact:

Pursuant to Section 120-192B(2) and (3) of the Zoning Code, the Special Permit procedure is intended to provide a means to evaluate any use that is identified as having some special impact or uniqueness which requires a careful review of its location, design, configuration and special impact to determine the desirability of permitting its establishment on particular given site. A Special Permit use 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 and with regard to the following five criteria:

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

The goals and objectives of the Comprehensive Plan are reflected in the 2003 Zoning Code that requires Special Permit approval to establish a community center in an R-1 Low Density Residential District.

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

- 1) The subject properties are located on Jay Street, between Walnut Street and Grape Street. These properties are currently vacant.
- 2) The applicant proposes to construct a 2,495 square foot building that will serve as a community center for client services, property oversight and community space to serve the existing Stadium Estates and Stadium Estates II.
- 3) The City Planning Commission determined that the location was acceptable for the community center, as it was within close proximity to the existing Stadium Estates and Stadium Estates II.

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

The proposal to establish a community center will not dominate the immediate vicinity or interfere with the development or use of neighboring properties. The City Planning Commission noted that the design of the community center gave the impression that it was a residential structure, thus ensuring that the building fits into the area and does not dominate or interfere with the development and use of surrounding properties.

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

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

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

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

Based on these facts and findings, be it resolved that the City Planning Commission APPROVES application E-008-16-17 by Scott Benjamin, Charles Settlement House to establish a community center for client services, property oversight and community space, to serve the existing Stadium Estates and Stadium Estates II projects at 364 and 370 Jay Street.

This decision was based on the following testimony and evidence:

Supporting Testimony:

Scott Benjamin
Malinda Gaskamp

Opposing Testimony:

None

Evidence:

Staff Report
Special Permit Application and Standards
Schematic Site Plan
Floor plans
Elevations
Photographs of Site
Aerial Photograph of location
Location Map
Zoning Map
Short Environmental Assessment Form Parts I and II
Notice of Environmental Determination dated September 12, 2016
Personal Appearance Notice
Notification Labels
Speakers' list

Record of Vote:

| | |
|------------|---------|
| D. Watson | Approve |
| S. Rebholz | Recusal |
| E. Marlin | Approve |
| H. Hogan | Approve |
| T. Bruce | Approve |
| S. Mayer | Approve |
| M. Gaudio | Approve |

**CITY OF ROCHESTER
NOTICE OF ENVIRONMENTAL DETERMINATION**

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

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

ACTION: Classification: Unlisted
Description: Special Permit Determination

PROJECT: Location: 364 and 370 Jay Street
Applicant: Scott Benjamin, Charles Settlement House
Description: To establish a community center for client services, property oversight and community space, to serve the existing Stadium Estates and the proposed Stadium Estates II projects.

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

LEAD AGENCY: City Planning Commission

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

DATE ISSUED: September 12, 2016

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

FILE REFERENCE NUMBER: E-008-16-17

DISTRIBUTION: Planning Commission
Case File



September 19, 2016

Mr. Angel Robledo
Iglesia Fuego y Sanidad
16 Borchard Street
Rochester, New York 14621

NOTICE OF DECISION

In the matter of the request for a Special Permit to: consider an Alternative Parking Plan for eight parking spaces for the proposed place of worship.

ON THE PREMISES AT: 747 Joseph Avenue
ZONING DISTRICT: R-1 Low Density Residential District
APPLICATION NUMBER: E-009-16-17
VOTE: 7-0-0

PLEASE TAKE NOTICE that at the City Planning Commission meeting held on September 12, 2016, said application was **APPROVED**.

Please Note: Pursuant to Section 120-192B(7) of the City Code, a Special Permit shall become null and void one (1) year after the date on which it was issued unless a Building Permit is obtained and maintained. **Please call Jill Wiedrick at (585) 428-6914 to complete this process.**

CITY PLANNING COMMISSION

Zina Lagonegro, AICP, EIT
Secretary, City Planning Commission

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Resolution and Findings of Fact:

This decision was based on the following findings of fact:

Pursuant to Section 120-192B(2) and (3) of the Zoning Code, the Special Permit procedure is intended to provide a means to evaluate any use that is identified as having some special impact or uniqueness which requires a careful review of its location, design, configuration and special impact to determine the desirability of permitting its establishment on particular given site. A Special Permit use 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 and with regard to the following five criteria:

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

- 1) The goals and objectives of the Comprehensive Plan are reflected in the 2003 Zoning Code.
- 2) Within the 2003 Zoning Code is the potential for an Alternative Parking Plan. An Alternative Parking Plan is a means to meet vehicle parking requirements other than to provide parking spaces on site in accordance with the ratios established in the Zoning Code.

B. The proposed use will not have substantial or undue adverse effect upon adjacent property.

- 1) The proposed place of worship will be located in a mixed use building located at the intersection of Joseph Avenue and Wilkins Street. The first floor was formerly a store, and the second floor is one family.
- 2) The applicant proposes to establish a place of worship. Services will be held every Sunday at 2:00PM.
- 3) The proposed place of worship has a parking requirement of ten spaces. There is a pre-existing deficiency of two parking spaces. Therefore, a total of eight parking spaces are required. There are no parking spaces on-site. As a result, the applicant is seeking to resolve the parking deficit through an Alternative Parking Plan.
- 4) In testimony, it was noted that the congregation has two buses that they use to pick up members and take them back to their homes after service. Therefore, very few members will be driving to services, resulting in little need for parking spaces. In addition, it was noted in testimony that the applicant anticipates that many who attend services will walk to the church.

5) The applicant submitted the following Alternative Parking Plan:

- One bus stop on Joseph Avenue, approximately two block away
- On-street parking on Joseph Avenue and Wilkins Street
- Many church members bike or walk
- The applicant owns two buses and picks up members for services

6) The City Planning Commission evaluated the Alternative Parking Plan that was submitted by the applicant and concluded that the following credits were reasonable:

| | |
|--|------------------|
| On-Street Parking | 2 parking spaces |
| Transit (including bus transportation by church) | 3 parking spaces |
| Pedestrian-oriented use | 3 parking spaces |

7) As such, the City Planning Commission accepted the Alternative Parking Plan.

C. The proposed use will be developed so as not to interfere with the development and use of neighboring properties.

Given the above analysis as well as the fact that there was no opposition expressed either in testimony or in writing regarding this proposal, the City Planning Commission determined that accepting this Alternative Parking Plan is unlikely to interfere with the development and use of neighboring properties.

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

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

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

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

Based on these facts and findings, be it resolved that the City Planning Commission APPROVES application E-009-16-17 by Angel Robledo, Iglesia Fuego y Sanidad, consider an Alternative Parking Plan for eight parking spaces for the proposed place of worship at 747 Joseph Avenue.

This decision was based on the following testimony and evidence:

Supporting Testimony:

Angel Robledo
Angel R. Montes

Opposing Testimony:

None

Evidence:

Staff Report
Special Permit Application and Standards
Alternative Parking Plan
Floor Plan
Survey Map
Location Map
Zoning Map
Aerial Photograph
Personal Appearance Notice
Notification Labels
Speakers' List

Record of Vote:

| | |
|-------------|----------|
| D. Watson | Approved |
| S. Rebholz | Approved |
| E. Marlin | Approved |
| H. Hogan | Approved |
| T. Bruce | Approved |
| S. Mayer | Approved |
| M. Gaudioso | Approved |



September 19, 2016

Ronnie and Queen Esther Young
510 Arnett Boulevard
Rochester, New York 14619

NOTICE OF DECISION

In the matter of the request for a **Special Permit** to: consider an Alternative Parking Plan for nine parking spaces for the proposed place of worship.

ON THE PREMISES AT: 688 Maple Street
ZONING DISTRICT: R-1 Low Density Residential District
APPLICATION NUMBER: E-010-16-17
VOTE: 7-0-0

PLEASE TAKE NOTICE that at the City Planning Commission meeting held on September 12, 2016, said application was **APPROVED**.

Please Note: Pursuant to Section 120-192B(7) of the City Code, a Special Permit shall become null and void one (1) year after the date on which it was issued unless a Building Permit is obtained and maintained. **Please call Jill Wiedrick at (585) 428-6914 to complete this process.**

CITY PLANNING COMMISSION

Zina Lagonegro, AICP, EIT
Secretary, City Planning Commission

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Resolution and Findings of Fact:

This decision was based on the following findings of fact:

Pursuant to Section 120-192B(2) and (3) of the Zoning Code, the Special Permit procedure is intended to provide a means to evaluate any use that is identified as having some special impact or uniqueness which requires a careful review of its location, design, configuration and special impact to determine the desirability of permitting its establishment on particular given site. A Special Permit use 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 and with regard to the following five criteria:

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

- 1) The goals and objectives of the Comprehensive Plan are reflected in the 2003 Zoning Code.
- 2) Within the 2003 Zoning Code is the potential for an Alternative Parking Plan. An Alternative Parking Plan is a means to meet vehicle parking requirements other than to provide parking spaces on site in accordance with the ratios established in the Zoning Code.

B. The proposed use will not have substantial or undue adverse effect upon adjacent property.

- 1) The proposed place of worship will be located in a mixed use building located at the intersection of Maple Street and Ames Street. The first floor was formerly a store and an office, and the second floor is residential with four families.
- 2) The applicant proposes to establish a place of worship. Sunday school is held at 9:30 AM, followed by a worship service at 11:00 AM. Bible study occurs on Wednesdays at 7:00 PM. The applicants also note that there may be special events that take place within the building, such as a special service. These events would be scheduled between 9:00 AM and 9:00 PM, any day of the week.
- 3) The proposed place of worship has a parking requirement of 11 spaces. There is a pre-existing deficiency of 2 spaces. Therefore, a total of 9 parking spaces are required. There are no parking spaces on-site. As a result, the applicant is seeking to resolve the parking deficit through an Alternative Parking Plan.
- 4) The applicant submitted the following Alternative Parking Plan:
 - One bus stop at the corner of Maple Street and Ames Street
 - Many church members walk, carpool or bike
 - On-street parking on Maple Street and Cedar Street

- 5) The City Planning Commission evaluated the Alternative Parking Plan that was submitted by the applicant and concluded that the following credits were reasonable:

| | |
|-------------------------|------------------|
| Parking Agreement | 3 parking spaces |
| On-Street Parking | 2 parking spaces |
| Nearby Transit | 2 parking spaces |
| Pedestrian-oriented use | 2 parking spaces |

- 6) As such, the City Planning Commission accepted the Alternative Parking Plan.

- C. The proposed use will be developed so as not to interfere with the development and use of neighboring properties.**

Given the above analysis as well as the fact that there was no opposition expressed either in testimony or in writing regarding this proposal, the City Planning Commission determined that accepting this Alternative Parking Plan is unlikely to interfere with the development and use of neighboring properties.

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

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

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

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

Based on these facts and findings, be it resolved that the City Planning Commission APPROVES application E-010-16-17 by Ronnie and Queen Esther Young, to consider an Alternative Parking Plan for nine parking spaces for the proposed place of worship at 688 Maple Street.

This decision was based on the following testimony and evidence:

Supporting Testimony:

Queen Esther Young
Ronnie Young
Tammy Galley
Kenneth Galley

Opposing Testimony:

None

Evidence:

Staff Report
Special Permit Application and Standards
Alternative Parking Plan
Parking agreement with 685 Maple Street
Order of Services
Exterior Photographs
Floor Plan
Location Map
Zoning Map
Aerial Photograph
Personal Appearance Notice
Notification Labels
Speakers' List

Record of Vote:

| | |
|-------------|----------|
| D. Watson | Approved |
| S. Rebholz | Approved |
| E. Marlin | Approved |
| H. Hogan | Approved |
| T. Bruce | Approved |
| S. Mayer | Approved |
| M. Gaudioso | Approved |