



# Request for Proposals

## 62-64 Scio Street

Available for Sale & Development

Issued: May 5, 2023

Proposals Due: June 30, 2023



## City of Rochester, New York

Department of Neighborhood & Business Development  
City Hall, 30 Church Street, Rm. 005-A, Rochester, NY

CITY OF ROCHESTER, NY  
REQUEST FOR PROPOSALS

SITE AVAILABLE FOR SALE & DEVELOPMENT  
62-64 SCIO STREET, ROCHESTER, NY

DATE ISSUED: MAY 5, 2023

ISSUED FOR: DEVELOPMENT SITE AT 62-64 SCIO STREET

ISSUED BY: CITY OF ROCHESTER  
DEPT. OF NEIGHBORHOOD & BUSINESS DEVELOPMENT  
30 CHURCH STREET, RM. 005-A  
ROCHESTER, NY 14614

INFORMATION  
SESSION: THURSDAY, MAY 18, 2023 AT 1:30PM VIA ZOOM  
VISIT [HTTPS://CITYOFROCHESTER.GOV/62ScioRFP/](https://cityofrochester.gov/62ScioRFP/) FOR  
ZOOM LINK AND ADDITIONAL INFORMATION

SUBMISSION  
DEADLINE: 4:00 PM, FRIDAY, JUNE 30, 2023

CONTACT: LINDSAY NABOZNY  
E-MAIL: [RFP-DEVELOPMENT@CITYOFROCHESTER.GOV](mailto:RFP-DEVELOPMENT@CITYOFROCHESTER.GOV)  
PHONE: 585-428-1113

**REQUEST FOR PROPOSALS**  
**62-64 SCIO STREET**  
**AVAILABLE FOR SALE & DEVELOPMENT**  
**MAY 5, 2023**

**TABLE OF CONTENTS**

<b>Section 1.</b>	<b>Schedule and Proposal Submission Instructions .....</b>	<b>Page 1</b>
<b>Section 2.</b>	<b>Project Purpose, Site Description, &amp; Development Objectives .....</b>	<b>Page 1</b>
	A. Purpose	
	B. Site Description	
	C. Summary of Parcel Data	
	D. Nearby Developments	
	E. Development Objectives for Center City	
<b>Section 3.</b>	<b>Environmental Conditions and Encumbrances .....</b>	<b>Page 6</b>
<b>Section 4.</b>	<b>Sale Terms .....</b>	<b>Page 7</b>
	A. Purchase Price	
	B. Approvals	
<b>Section 5.</b>	<b>Proposal Submission Requirements .....</b>	<b>Page 7</b>
<b>Section 6.</b>	<b>Evaluation and Selection Criteria.....</b>	<b>Page 11</b>
<b>Section 7.</b>	<b>Offer to Negotiate and Request Refined Proposals.....</b>	<b>Page 12</b>
<b>Section 8.</b>	<b>General Information .....</b>	<b>Page 12</b>
	A. Restriction on Communications	
	B. Rights Reserved	
<b>Section 9.</b>	<b>Attachments and Resources .....</b>	<b>Page 13</b>
	A. Proposal Submission Coversheet	
	B. Standardized Sources and Uses Format	
	C. Tax Map	
	D. "No Further Action" Letter from NYS Department of Environmental Conservation	
	E. Description of Environmental Conditions: 62-64 State Street	
	F. City of Rochester <i>Permit Controls for Environmental Conditions</i>	
	G. 2022 Income and Rent Guidelines for Affordable Housing Units	
	H. Fire Code Appendix D: Fire Apparatus Access Roads	

## SECTION 1 – SCHEDULE AND PROPOSAL SUBMISSION INSTRUCTIONS

### Proposed Schedule & Deadlines

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Release of RFP-----May 5, 2023  
Information/Question Session via Zoom----- May 18, 2023 at 1:30pm  
Questions Deadline----- May 22, 2023 by 5:00pm  
Answers posted to RFP website ----- May 25, 2023  
RFP Submission Deadline -----June 30, 2023 by 4:00pm  
City Review, Interviews (if applicable), & Selection----- July/August 2023  
Notifications & Negotiation of Final Sale Terms ----- September 2023  
City Council authorization approving Land Sale

### Proposals Submission Instructions

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Proposals must be received by the City of Rochester no later than 4:00 PM on June 30, 2023. Submit proposals on a USB, jump drive, or via Dropbox (<https://www.dropbox.com/>) or other file sharing website. Please only submit your proposal one time, using one method. A USB or jump drive may be submitted to:

City of Rochester - Department of Neighborhood and Business Development  
Bureau of Business and Housing Development  
Attn: Lindsay Nabozny, Senior Community Housing Planner  
30 Church Street - Room 005A  
Rochester, New York 14614

Proposals submitted via file sharing site should be sent to Lindsay Nabozny, Senior Community Housing Planner, at [RFP-Development@CityofRochester.gov](mailto:RFP-Development@CityofRochester.gov).

## SECTION 2 – PROJECT PURPOSE, SITE DESCRIPTION, & DEVELOPMENT OBJECTIVES

### Purpose

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The City of Rochester ("City"), through this Request for Proposals ("RFP") solicitation, seeks a qualified developer/team of developers ("Developer") to purchase and creatively improve 62-64 Scio Street (the "Site") in Rochester, NY. It is the City's intention to receive development proposals that will lead to the sale of the Site to a Developer who presents the best use and plan/layout of such use, and demonstrates the best financial capacity to undertake the proposed project within a reasonable time. The Developer will creatively improve the Site with the necessary land use/mix of uses and all necessary infrastructure to service those uses.

Through this RFP process, the City intends to select a development plan that will:

- Present the highest and best use for the location in general, and the Site specifically;
- Return the parcel to the tax roll and increase the City's tax base – the development plan should be maximally productive from a tax perspective;
- Present high quality design and visually enhance the streetscape; and
- Create permanent job opportunities for city residents.

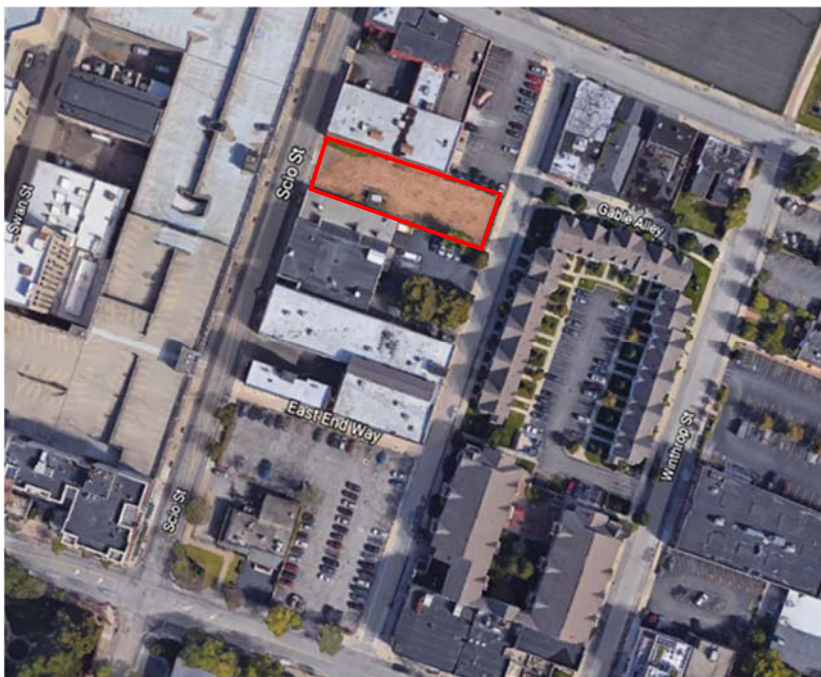
## Site Description

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The Site is located at 62-64 Scio Street, east of the Genesee River and within the Inner Loop, north of East Avenue and south of East Main Street. The Site is generally bounded by Scio Street to the east, a vacant lot to be used for parking to the north, Mathews Street to the west, and Speedy's Cleaners and a parking lot to the south. The East End Garage is directly across Scio Street, and 200 East Avenue Apartments is directly across Mathews Street.



The Site is owned by the City of Rochester. It consists of one (1) tax parcel. The Site is grass-covered and currently vacant, and it is served by all public utilities as well as public street improvements including curbing, sidewalks, and overhead street lighting. It is zoned City Center East End District (CCD-E).



The Site is located in the East End neighborhood as defined in the Center City Master Plan ("CCMP"). The CCMP characterizes the neighborhood as "a uniquely combined mixed-use neighborhood and dynamic entertainment district that showcases a variety of safe, convenient city living opportunities along with an exciting variety of nightlife, restaurants, entertainment venues and tourist attractions." The immediate surrounding area is primarily commercial in nature, with several bars, restaurants, and

entertainment, and some residential uses. The Eastman Theatre and School of Music, the Little Theatre, Spot Coffee, Flour City Station, RoCo Gallery, Ugly Duck Coffee, City Blue Imaging, Chick'n Out, and Charlotte Square Apartments are within easy walking distance of the Site. The Rochester International Jazz Festival, one of the world's leading jazz festivals, takes place near the Site each June, with concert venues and outdoor stages throughout the East End.



Additionally, the Site is just blocks from the former Inner Loop East, which has been transformed by the construction of new mixed-use developments. As of April 2023, 470 residential units have been built with more on the way, and over 142,000 square feet of commercial space have been completed or are under construction, including a new hotel, brewery, restaurant, parking garage and an expansion of the Strong Museum of Play.

The City has completed the environmental cleanup of the Site as part of the City of Rochester's 2010 Brownfield Cleanup Grant from the United States Environmental Protection Agency. The Site was remediated assuming future use for commercial and mixed use redevelopment. The City was issued a "No Further Action" letter from the New York State Department of Environmental Conservation in 2018 with a contingency that future intrusive redevelopment activities with the potential to encounter or disturb residual contamination must be conducted in accordance with the July 2018 Soil & Groundwater Management Plan (SGMP) prepared for the Site. The SGMP can be found at <https://www.cityofrochester.gov/62scio/>. Please see Section 3 of this RFP for additional information on environmental conditions.

#### **Summary of Parcel Data**

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**Address:** 62-64 Scio Street

**Size** Approximately 10,890 sq. ft. or 0.25 acres

**Tax ID:** 106.81-2-57

**Ownership:** City of Rochester

**Location:** Downtown, East End

**Current Use:** Vacant Land

**Zoning:** Center City East End District (CCD-E)

**Site Access:** Direct access is available from Scio Street and from Mathews Street.

#### **Nearby Developments: Recently Completed, Underway, and Proposed**

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When considering options for the development, it is imperative that Developers take into consideration, the types of uses and the design features of recently completed, presently underway, and proposed new developments in the vicinity of the Site:

Charlotte Square (50 Charlotte Street): This new construction four-story building includes 72 rental apartments, 80 enclosed parking spaces on the first floor along Charlotte Street, and other tenant amenities. While mostly market-rate, a small percentage of the rents are affordable.

Charlotte Square Townhomes (60-80 Charlotte Street): Constructed by the same developer, Charlotte Square Townhomes consists of ten (10) market-rate owner-occupied town homes. Residents of both

developments enjoy access to a well-designed, aesthetically pleasing public open space located between both developments that affords public pedestrian access between Charlotte Street and Haags Alley.

Charlotte Square on the Loop (120 Charlotte Street – formerly Inner Loop East (“ILE”) Site 1): Located on one of the development sites created by the removal of the former Inner Loop East, this project consists of the new construction of a four-story multifamily building offering 50 rental units for households earning up to 100% of Area Median Income (“AMI”). The City encourages income and economic diversity of housing units in all neighborhoods of the city of Rochester.

270 On East (270 East Avenue – formerly ILE Site 2): This project consists of the new construction of 112 affordable rental units including 55 units of supportive housing with services provided by Eagle Star Housing, as well as first-floor covered parking.

Union Square (275 East Avenue – formerly ILE Site 3): This mixed-use property consists of 72 one- and two-bedroom residential rental units, a pharmacy, and restaurant and retail space. The apartments are affordable to households earning up to 50%, 60%, and 80% of AMI, and 21 units are supportive housing with services provided by Trillium Health. Additionally, the Hickey Freeman factory store is set to move into the first floor retail space.

Strong Neighborhood of Play (Various addresses – formerly ILE Sites 4 & 5): Construction of the “Strong Neighborhood of Play” project is well-underway. The following was complete as of April 2023:

- VIDA, the new construction of a five-building mixed-use community including 236 rental apartments, at least 71 of which are affordable to households earning up to 60% or 80% AMI and 18,000 square feet of commercial space;
- A new six-level parking structure to serve the Strong Museum of Play and surrounding properties, and;
- Construction of a new street, Adventure Place, which connects Union Street to Chestnut Place.

As of April 2023, the following is under construction:

- A 100,000 square foot expansion of the Strong Museum of Play; and
- An approximately 120-unit all-suites hotel.

This project is creating density and vibrancy, as well as significant job opportunities.

ILE Site 6 (125 Howell Street): Five market-rate rental townhomes are planned for this site, with construction commencement expected in late-2023.

Sibley Square (250 East Main Street): The one million square foot Sibley Building has been redeveloped into a mixed-use property with 200,000 square feet of office space, 40,000 square feet of retail, and approximately 200 apartments, 72 of which are for seniors age 55 and up and earning at or below 50%, 60%, and 90% of AMI.

111 East Avenue: One Eleven on East is a 227,000 square foot 14-story building built in 1921 that was renovated into a mix of 2-bedroom, 1 bedroom and studio market-rate apartments. Amenities include a fitness center, swimming pool with a sun deck, community fire pit, and a community bike room.

88 Elm Street: A formerly-vacant 13-story, 80,000 square foot building renovated into a mixed-use property with glass façade, 36 market-rate apartments, 3,000 square feet of first floor retail, two floors of office space, and a roof deck.

Butler/Till Building (260 East Broad Street): On a parcel formerly occupied by Midtown Plaza, this project includes the new construction of a five-story mixed-use building offering 28 residential rental units and commercial space. Part of the first and all of the second and third floors are occupied by the media services company Butler/Till, and six residential units are set aside for households earning up to 60% AMI.

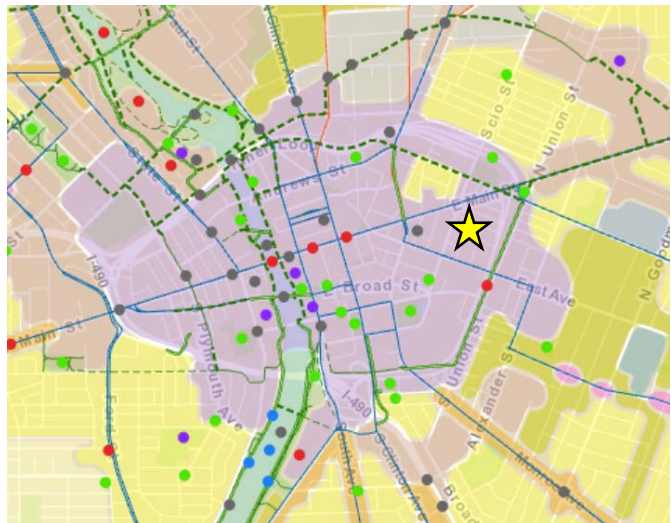
Tower280 (280 East Broad Street): Tower280 included the redevelopment of one of two building shells retained on the former Midtown Plaza site. The building was renovated into 181 apartment units with retail/restaurants and office space on the first 3 floors. 20 of the residential units are set aside for households earning up to 80% AMI and 20 are for households earning up to 120% AMI.

Community Benefits – All the foregoing projects have many things in common, including their contribution of more dense development and the creation of more vibrancy and economic development in general. Of just as important note however, is their contribution to meaningful community benefits for the residents of the city. These benefits include the creation of affordable housing units, the creation/retention of jobs, and the adherence to MWBE and workforce goals during their construction. Community benefits are expected from any proposed new development on the Site.

### Development Objectives for Center City

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There are several ways to create lively streets. While restaurant, retail, and entertainment uses are among the most desirable, the market for these uses in downtown Rochester is not as robust as many would like. Therefore, it is important to reinforce the existing nearby urban retail/restaurant corridors. Conversely, surface parking and first floor parking garage spaces drain vitality and liveliness from the street and should be avoided along Scio and Mathews Streets if possible. Developers are encouraged to consider multiple solutions



related to access such as walking, bicycling, ride-hailing, transit, car share, and parking agreements with the owners of nearby existing parking lots & garages.

In November 2019 Rochester City Council adopted Rochester 2034, a 15-year comprehensive plan to improve the community, enhance the public realm, and contribute to the City's vibrancy. Rochester 2034 includes guidance for development under a section called the "Placemaking Plan". The Site is located in the Downtown Mixed-Use Character Area. Recommended primary uses for the Downtown Mixed-Use area includes mixed-use buildings, large employers, apartment buildings, entertainment venues, restaurants, retail, large public facilities, and primary public spaces. This is the highest density of all



Character Areas, functioning as both the center of the city and the region. The full Rochester 2034 Comprehensive Plan can be accessed at <https://www.cityofrochester.gov/Rochester2034/>.

### SECTION 3 – ENVIRONMENTAL CONDITIONS SUMMARY AND ENCUMBRANCES

The City of Rochester has completed an environmental investigation and cleanup of the Site. The cleanup was completed as part of the City of Rochester's 2010 Brownfield Cleanup Grant from the United States Environmental Protection Agency (EPA). The cleanup was performed under an executed Stipulation Agreement between the City and New York State Department of Environmental Conservation (NYSDEC) Region 8.

Formerly, a 22,000 square foot, two story, brick building constructed around 1920 occupied the Site. The building was mainly used as a warehouse from the date of construction, until approximately 1990. The City of Rochester took ownership of the property in 1996, at which time the building was mainly used as a storage unit until it was demolished in November 2002. It has remained vacant since demolition.

Several environmental investigations were conducted from 1995 to 2012 in order to evaluate Site subsurface environmental conditions and to strategize the cleanup approach to better position the Site for future redevelopment. In 2002, the former building at the Site was demolished and one former fuel oil Underground Storage Tank (UST) was removed from the northeastern portion of the Site. In August 2006 a 2,000-gallon former gasoline UST was excavated and removed from the Site and approximately 30 tons of petroleum-impacted soils were removed from the tank excavation and disposed of off-site at a permitted landfill. Subsequent investigations were completed to evaluate the extent and magnitude of petroleum impacts to overburden soil and groundwater at the Site and the southern adjacent property.

An Analysis of Brownfield Cleanup Alternatives (ABCA) was completed in June 2012 by the City, which compared the feasibility of various remedial strategies for site cleanup. Ultimately, targeted source soil removal and off-site disposal combined with active groundwater remediation were selected as the best remedy. Approximately 1,400 tons of contaminated source soil was removed from the site in August 2013 followed by a period of active groundwater treatment from June 2014 to September 2015. The active groundwater remediation system was decommissioned in August 2016 and periodic groundwater monitoring and sampling was conducted to evaluate groundwater quality at the Site and also on the southern adjacent property. The groundwater monitoring program indicated that petroleum constituents in groundwater at the Site has significantly declined; however, some residual contamination was still present on the southern Site property line and on a portion of the southern adjacent parcel. In 2017 supplemental on-site and off-site groundwater remediation was performed by the City to address this residual contamination.

In 2018, the City was issued a "No Further Action" letter from the New York State Department of Environmental Conservation (attached to this RFP as Attachment D) and the site was remediated for future commercial and mixed use redevelopment. The Description of Environmental Conditions and Environmental Controls for 62-64 Scio Street is attached as Attachment E, the City of Rochester's *Permit Controls for Environmental Conditions* brochure is attached as Attachment F, and additional documents, including the July 2018 Soil & Groundwater Management Plan (SGMP), are available for review at the environmental cleanup project website at <http://www.cityofrochester.gov/62scio/>.

## SECTION 4 – SALE TERMS

Sale and conveyance of the Site for a specified type of development will result from the award of this RFP. The Site will be sold to the Developer that provides the best proposal for the development of the Site that returns it to the tax rolls, enhances the surrounding area, and relies least on public funding.

The land disposition agreement will carry requirements to fulfill MWBE and workforce goals during construction.

There will also be requirements for the inclusion of affordable housing units to be incorporated in projects that include residential uses. If the proposed project is a residential development, twenty percent (20%) of the units will be required to be affordable to households with incomes at or under 60% AMI. Affordability period will be fifteen (15) years. The City of Rochester's 2022 Income and Rent Guidelines for Affordable Housing Units are attached as Attachment G.

The Site will be sold at its appraised value.

### Purchase Price

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The Site will be sold at full market value as determined by an independent appraisal.

By responding to this RFP, Developer confirms willingness to pay a minimum of appraised fair market value for the Site as determined by an appraisal.

An appraisal dated February 7, 2023 established \$110,000 as the market value of the Site.

### Approvals

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Development of the Site will require a number of approvals from the City of Rochester. At a minimum, the following approvals will be required:

- Rochester City Council (for land sale and approval of funding if applicable);
- City Bureau of Zoning (for site plan review and approval);
- State Environmental Quality Review.

Plans for the Site must conform to ***Appendix D to the Fire Code***, which outlines requirements related to Fire Apparatus Access Roads. Fire Code Appendix D is attached to this RFP as Attachment H.

## SECTION 5 –PROPOSAL SUBMISSION REQUIREMENTS

The proposals being submitted must demonstrate a well-planned and detailed development, with high quality and appropriate design concept relying on the information in the attached documents, and the proven financial strength to undertake the project. The City reserves the right to reject any proposals submitted without the minimum requirements listed below.

The minimum items that must be submitted for consideration for the purchase and development of the Site are:

### **A. Attachment A - Proposal Submission Cover Sheet:**

Please complete the attached form found in Attachment A to this RFP. Submit the form as the coversheet to your proposal.

**B. Summary of Overall Proposal**

1. Narrative summarizing the overall project/proposal including the need/demand for the proposed use, key benefits (public and private) of the proposal and project development costs;
2. Vision statement describing the general development program, architectural style, exterior materials, etc.; and
3. Statement as to how/why the proposed development is the highest and best use of the Site.

**C. Project Development Plan**

1. Design concept/rendered drawings and elevations — minimum concept drawings to include:
  - Site plan including how the proposed building will be oriented on the Site, and showing building elements, landscaping, parking and access (vehicular and pedestrian);
  - Description of land use types, styles, and number of bedrooms/square footage proposed for each land use type; and
  - Infrastructure requirements.

**Note:** Detailed perspectives, renderings, 3D modeling and electronic presentations are not required; however, they may enhance understanding of the proposal.

2. A project narrative describing proposal for the Site:
  - Number of buildings to be developed on the Site, specifically the types of use for each building and number of residential units, commercial units, or whatever is proposed;
  - If proposing residential units, number of market rate and number of affordable units;
  - Anticipated rents per unit (residential) and/or rent per square footage (commercial/retail);
  - Square footage by proposed uses, number and, if applicable, size of housing units broken down by floor;
  - Describe your understanding of the relevant sections of the Rochester 2034 Comprehensive Plan and how your design plays to these guidelines;
  - Key development components with an explanation of relevance for each component;
  - Proposed building materials; highlight any use of sustainable and/or environmentally sensitive construction methods and materials, innovative new technology to increase overall building sustainability, and efforts to maximize energy efficiency;
  - How the project responds to the environmental conditions and findings of the Site including compliance with the existing Soil and Groundwater Management Plan; and
  - Any unique and/or highlighted features and how these features will be beneficial.

3. Access and Parking Demand:

Provide a preliminary analysis of the access and parking demand associated with the proposed development and how the demand will be met. Developers are encouraged to consider multiple solutions related to access such as walking, bicycling, ride-hailing, transit, car share and private automobile (parking). Also consider parking agreements with the owners of nearby existing parking lots & garages. On-site parking is not a requirement of proposed developments.

4. Project schedule (proposed) including:
  - Closing on property sale;

- Design;
- Anticipated permit approvals;
- Funding commitments based on the proposed funding sources;
- Construction start/completion; and
- Occupancy.

#### **D. Project Costs and Funding**

1. Provide cost estimates detailing land acquisition, hard costs and soft costs. Include all assumptions.
2. Use the attached standardized Sources and Uses Form for summarizing the sources of funds (including bank participation, owner equity, and any other sources that may be pursued) for both construction and permanent financing, and uses of the funds.

The standardized form will assist the selection committee in comparing proposals during the evaluation process.

3. List expected terms for the project financing by source, including loan amounts, interest rates, term length, and any special loan covenants/requirements.
4. The proposed financing arrangements must be verified by a letter from the financial source/institution indicating that the project has been reviewed and the source/institution is willing to favorably consider a loan application to finance the project.
5. Projects requiring subsidies should identify the other resources that may be sought, specifically noting the entity names and specific program (such as Monroe County Economic Development, New York State, the Federal Home Loan Bank, etc.).
6. Developers expecting to apply for Monroe County Economic Development assistance by way of a Payment In Lieu of Tax (PILOT) should note that the City expects respondents to apply for the JobsPlus Program (an existing Monroe County tax abatement program). If residential use is proposed, and since JobsPlus does not accommodate residential uses, the City will consider supporting an application to Monroe County Economic Development with the same abatement schedule as the JobsPlus (subject to the approval of the City's PILOT Review Committee). More information on Monroe County Economic Development PILOT Incentive Programs can be found by following this link <https://monroecountybusiness.org/incentives-and-programs/pilot-incentive-programs/>. If an affordable housing development is proposed, the Developer may apply for a Shelter Rent PILOT as appropriate.
7. Provide a 10 year pro forma showing all revenues, expenses, debt service, rate of return and detailed assumptions (vacancy, rents by BR size or per sq. ft. for commercial/retail and if the latter is triple net, etc.).

#### **E. Development Team & Development Experience**

1. Provide a listing of, and an organization chart for the development team members, including the developer, project manager, construction manager, architects/engineers and marketing personnel;
2. Provide resumes of the principal participants involved in the project;
3. The proposals should include a summary of the experience of the project team, similar projects that the development team has been involved with and how that experience will be useful in undertaking the proposed project;
4. Provide a list of all current projects and development commitments for the next 24 months; and
5. Submit a detailed history of all projects that have been completed in the last five (5) years with an emphasis on projects similar to those being proposed here.

**F. Market Study or Analysis**

Please provide a Market Study that supports any proposed use(s) and rents. If a market study is not available, please provide the following information:

1. Comparable properties that support proposed use(s) and rents, including year built, number of units and unit mix, square footage, rents per unit and per square foot, occupancy, and amenities;
2. Relevant demographic information; and
3. Nearby amenities that will support the proposed project.

**G. Marketing plan**

Please include a marketing plan that includes, at a minimum, the following items: Rent/lease marketing plan for all uses; Promotion schedule/phasing; Identification of targeted market sector/population that the project is intended to serve; A narrative describing how the project will be successfully marketed to reach the intended targeted market sector/population; Any applicable pre-sale marketing strategies; and Marketing team.

**H. Issues and Concerns**

The proposal should identify any issues or concerns in relation to the project. Any financial assistance requested from the public sector should be presented in detail.

**I. Community Benefits and Public Purpose**

1. During the construction of the project, the Developer will be expected to meet the City's goals for utilizing Minority and Women-owned Enterprise and Minority and Women Workforce participation as follows

The City's MWBE Goals are:

- Minority-owned Businesses (MBE) – 20%
- Women-owned Businesses (WBE) – 10%

The City's Workforce Participation Goals are:

- City Residents – 25% of current or new hires working on the project
- Minorities – 20% of current or new hires working on the project
- Women – 6.9% of current or new hires working on the project

Reporting for City MWBE and Workforce Participation occurs monthly. Developer must show capacity for collection and reporting participation data as well as capacity for recruiting and educating contractors, subcontractors, and other project participants on the City's reporting requirements. The City's MWBE and Workforce forms are available upon request.

**\*\* At the City's discretion and depending on the development team's capacity, Developer may be required to utilize the services of a MWBE/Workforce consultant to fulfill and report on the above goals. \*\***

2. Affordable Housing – If the proposed project is a market-rate housing and/or mixed-use development, developer is required to commit to, and include 20% of the housing units to be affordable to households earning up to 60% AMI. As of April 2023, the income limit for a two-person household earning 60% AMI is \$43,080; the maximum rent limit, including utilities, for a one bedroom is \$1,029 to be affordable to a 60% AMI household.
3. Job creation – If the proposed project includes commercial or retail space, describe the number and types of jobs anticipated to be created and how the new jobs will benefit city residents.



***Final Note: The City reserves the right to reject any proposal submitted without the minimum items indicated above.***

## **SECTION 6 – EVALUATION AND SELECTION CRITERIA**

Each proposal will be evaluated based on the information submitted. A committee will be formed with members appointed from various City departments. Proposals received within the stated deadline and containing all required information will be evaluated using the following criteria:

1. **Project Design, Conformance with RFP, Quality, Sustainability**
  - a) Conformance with the ideas, themes, and concepts detailed in RFP
  - b) Quality & appeal of design concept
  - c) Consistency with, and support of, the objectives and design strategies in the comprehensive plan, Rochester 2034 found here: <https://www.cityofrochester.gov/Rochester2034/>
  - d) Appropriateness of proposed use(s) & alignment with local community and context
  - e) Materials - use of sustainable and/or environmentally sensitive construction methods and quality materials. Additional consideration will be given to projects that use innovative new technology to increase overall building sustainability and efforts to maximize energy efficiency.
  - f) Provision to address new parking demand as a result of the proposed development. Surface parking is discouraged
2. **Financing and Market Feasibility**
  - a) Feasibility of financing plan, including budget, proforma, sources/uses
  - b) Realistic projections of costs, expenses, and project income
  - c) Demonstration of project financial feasibility and Proof of project funding/ ability to secure project funding
  - d) Compatibility with market/market demand in the neighborhood
  - e) Demonstration of potential for, and ability to attract, appropriate commercial and retail tenants (if applicable)
3. **Development Team Experience and Capacity**
  - a) Track record on completion of similar projects in scope and size
  - b) Experience developing and managing projects of similar scope and size or larger
  - c) Development timeline; developer's ability to commence project within a year and complete it within a reasonable timeframe. If the project does not commence within a year of closing, the City has the right to retake title to the Property
  - d) Experience working with the public sector and/or on a public/private partnership
4. **Community Benefit and Public Purpose**
  - a) Commitment to W/MBE goals
  - b) Commitment to Workforce goals
  - c) If proposing a market-rate housing development, inclusion of 20% of units affordable to households earning up to 60% AMI. If project is mixed-use or all commercial/retail use, inclusion of jobs for city residents
5. **Offer Price**

Upon initial review of the submitted proposals, the evaluation team may choose to establish a short-list for subsequent interviews, and may require the submission of more detailed information related to the financial condition of the development company (company financial statements, personal financial statements, global real estate report, etc.). Any additional financial information provided will be confidential and not subject to the Freedom of Information Law. All RFP respondents will be notified if and when a short-list is established. The City reserves the right to accept or reject any and all submissions.

## **SECTION 7 – OFFER TO NEGOTIATE AND REQUEST REFINED PROPOSALS**

The Developer selected for consideration under this RFP will enter into a period of exclusive negotiations with the City of Rochester for up to 90 days. If the City and the Developer are able to reach an agreement on the development terms (purchase price, development programs, financing plan, and development schedule), the City will move forward with the public and legal processes to sell the parcel. If the City and the Developer are unable to reach an agreement, either party may withdraw from the project with no liabilities. The City may open discussion with other Developers at that time.

The City may request any additional information as it determines appropriate to select a Developer whose Proposal is best suited to this project. All Developers are responsible for the cost of preparing all information in response to this RFP and any additional information as requested by the City.

## **SECTION 8 - GENERAL INFORMATION**

### **Restriction on Communication**

News releases pertaining to this RFP or the services to which it is related will not be issued by an offeror/bidder/proposer or the selected offeror/bidder/proposer without the prior written approval of the City. In the event an offeror/bidder/proposer issues a news release pertaining to this RFP or the purposes to which it relates without the prior approval of the City, the offeror/bidder/proposer may be excluded from consideration.

### **Rights Reserved**

- A. Only submissions that comply with all the objectives, provisions and requirements of this Request for Proposals (RFP) will be considered for review by the City of Rochester (City).
- B. The City reserves the right to independently investigate or request clarification of the contents of any proposal, including requesting that any prospective purchaser provide additional information, or make a presentation before the final selection is made.
- C. All materials submitted in response to this RFP become the property of the City, without obligation of the City to return such materials.
- D. All determinations of completeness of any submission and compliance with the objectives, provisions and requirements of this RFP, and the eligibility or qualification of any developer, shall be at the sole and absolute discretion of the City.
- E. Subsequent to the submission of the proposals, the City, in its sole and absolute discretion, may enter into parallel negotiations with two or more developers, may designate two or more developers for "short list" consideration, may request best and final offers and/or may conduct competitive proceedings with respect to the potential disposition of the property described in this RFP. This is not a competitive process; the City will assess proposals and select developers in its sole and absolute discretion.
- F. The City of Rochester may waive any of the provisions, requirements, terms and conditions of this RFP.
- G. The City reserves the right to cancel or reissue the RFP at its sole discretion and that the City shall have no liability for any costs incurred in preparing a proposal.

- H. The City reserves the right to issue an addendum should it become necessary to revise any section of this RFP, provide additional information necessary to adequately interpret provisions and requirements of this RFP, or respond to written inquiries concerning the RFP.
- I. The City reserves the right at its sole discretion to accept or reject any and all proposals received as a result of this RFP, to waive minor irregularities, to withdraw from the sale of the property, to elect not to proceed with the process set forth in this RFP, and to conduct discussions with all responsible respondents, in any manner necessary, to serve the best interest of the City of Rochester.
- J. The City has no obligation to discuss its reasons for selecting, accepting or rejecting any proposals with any proposers or representatives of said proposers.
- K. The City shall not be liable for any costs or expenses (including but not limited to the foregoing costs and expenses of legal counsel) incurred by any proposer in responding to this Request.
- L. All costs and expenses incurred by each proposer in connection with this RFP will be borne by the proposer, including without limiting the foregoing, all costs and expenses in connection with: surveys, reports, plans, designs, schematics, studies, research and any other due diligence work; preparation of each proposal; advice and representation of legal counsel responding to this RFP.
- M. The City reserves the right to withdraw from, or lease any or all of the properties for which the City has made a public request for Proposals at any time prior to approval by Rochester City Council.
- N. Proposals shall be accepted from principals only. No brokerage fees, finder's fees, commissions or other compensation will be payable by the City in connection with selection of a developer.
- O. Should it become necessary to review any part of this RFP, provide additional information necessary to adequately interpret provisions and requirements of this RFP, or respond to written inquiries concerning this RFP, the City reserves the right to issue Addenda to the RFP and post it to the City website (<http://www.cityofrochester.gov>) – it is the responsibility of all interested parties to regularly check the City website for any Addenda. The City reserves the right to extend the Submission Deadline by a reasonable time.
- P. The City of Rochester has the right in its sole and absolute discretion to reject any and all proposals, to accept any proposal and to elect not to proceed with the process set forth in this Request for Proposals.

## SECTION 9 – ATTACHMENTS AND RESOURCES

### Attachments:

- A. Proposal Submission Cover Sheet
- B. Standardized Sources and Uses Format
- C. Tax Map
- D. "No Further Action" Letter from New York State Department of Environmental Conservation
- E. Description of Environmental Conditions: 62-64 State Street
- F. City of Rochester *Permit Controls for Environmental Conditions*
- G. 2022 Income and Rent Guidelines for Affordable Housing Units
- H. Fire Code Appendix D: Fire Apparatus Access Roads

### Resources:

- 1. Environmental Cleanup of City-Owned Brownfield Site 62-64 Scio Street:  
<http://www.cityofrochester.gov/62scio/>
- 2. Rochester 2034: <https://www.cityofrochester.gov/Rochester2034/>
- 3. Monroe County Economic Development PILOT Incentive Program Descriptions:  
<https://monroecountybusiness.org/incentives-and-programs/pilot-incentive-programs/>

**62-64 Scio Street – Proposal Submission Checklist**

**Attachment A – Proposal Submission Coversheet**

**Please use this form only & include it with your proposal submission**

**Developer Information**

Developer's Name:	
Address:	
City, State & Zip:	
Contact Person (Name, Title):	
Telephone Number:	
Email Address:	
Federal Taxpayer I.D. No.:	

**Proposed Use(s) & Offer Price (Check all that apply)**

Mixed Use	<input type="checkbox"/>	Market Rate Residential	<input type="checkbox"/>	Retail	<input type="checkbox"/>	Restaurant	<input type="checkbox"/>
Single Use	<input type="checkbox"/>	Affordable Residential	<input type="checkbox"/>	Office	<input type="checkbox"/>	Other	<input type="checkbox"/>
Price Offered for Property: _____							

**Proposed Unit & Rent Mix (Residential)**

Unit Size	60% AMI		80% AMI		Market Rate		Total
	Max Rent	# Units	Max Rent	# Units	Rent	# Units	
Studio	\$942		\$1,256		>\$1,256		
1	\$1,029		\$1,346		>\$1,346		
2	\$1,212		\$1,615		>\$1,615		
3+	\$1,346		\$1,794		>\$1,794		
Total							

\*Max rent includes rent plus utilities. 2022 rent limits.

**Other Uses**

	No. of Units	Square Footage	Rent / Sq. Ft.
Retail			
Restaurant			
Office			
Parking spaces			
Amenities			

**Affirmations (Check to confirm understanding if applicable)**

Projected total development cost realistically accounts for all aspects of the proposed development.	<input type="checkbox"/>	I understand the City's MWBE and workforce requirements and will adhere to them if selected.	<input type="checkbox"/>
A market analysis shows proposed uses and proposed rents are attainable and can be supported in this area.	<input type="checkbox"/>	Affordable units for 60% AMI households are included if residential units are proposed.	<input type="checkbox"/>
If Project does not commence in a reasonable timeframe, the City has the right to retake title to the property.	<input type="checkbox"/>		

## Attachment B - Standardized Sources and Uses

### USES OF FUNDS

PROJECT: \_\_\_\_\_

<u>USE</u>	<u>ESTIMATED COST</u>	<u>NOTES</u>
Property Acquisition		
Professional Fees (Arch., Legal, Eng., etc.)		
Site Work/Mobilization/Staging		
Construction Costs		
FF&E/Finishes		
Financing Fees/Carrying Costs/Closing Costs		
Contingency		
Other:		
Other:		
Other:		
<b><u>TOTAL</u></b>		

**Additional Comments:**



## CONSTRUCTION SOURCES OF DEVELOPMENT FUNDS

PROJECT: \_\_\_\_\_

<u>TYPE</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>TERMS (Term, Interest Rate)</u>	<u>NOTES</u>
Cash Equity				
Const. Loan				
Other				
Other				
Other				
Other				
Other				
<b>TOTAL</b>				

Additional Comments:

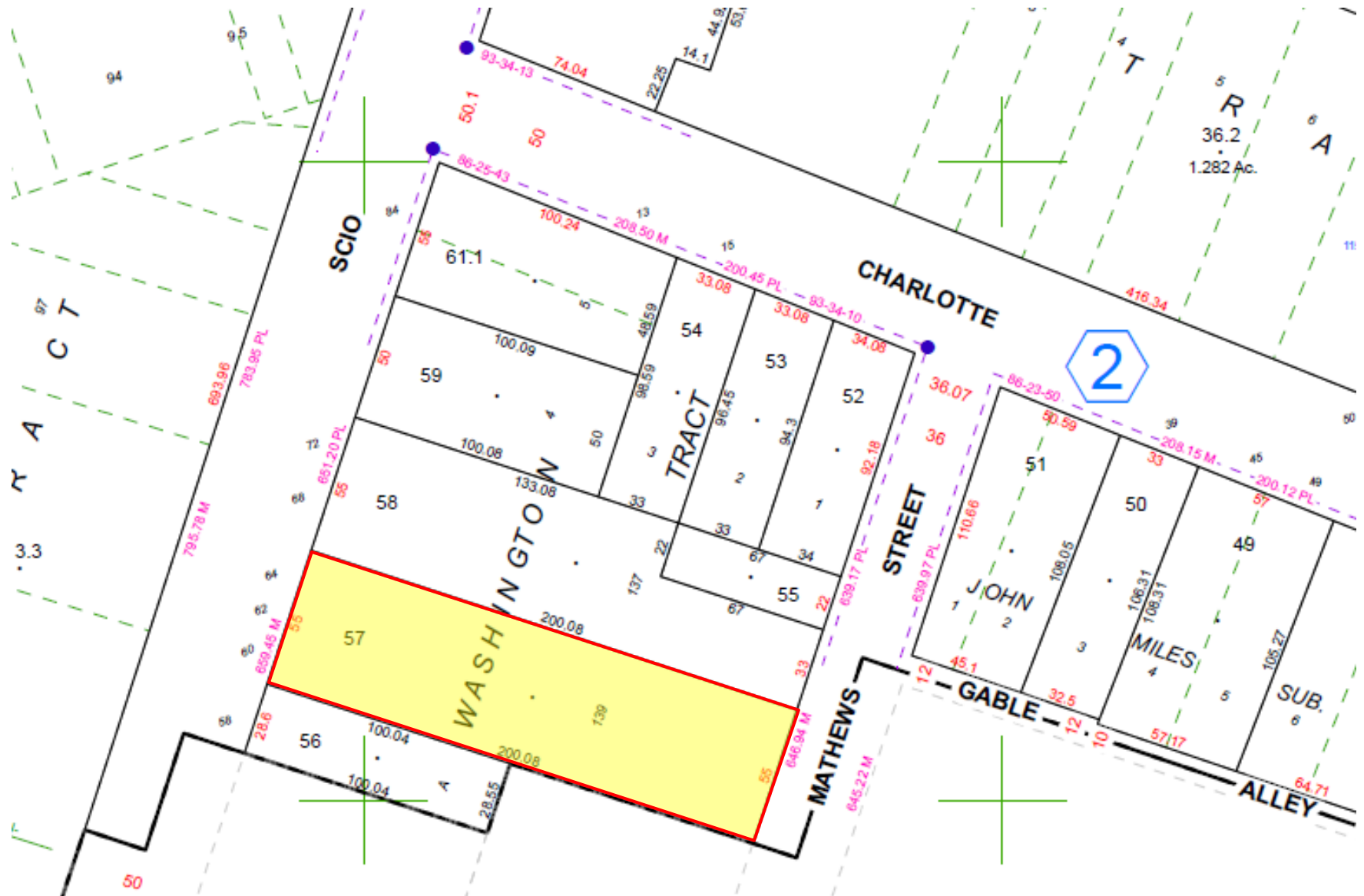
**PERMANENT SOURCES OF DEVELOPMENT FUNDS**

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

<u>TYPE</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>TERMS (Term, Interest Rate)</u>	<u>NOTES</u>
Cash Equity				
Bank Loan				
Other				
Other				
Other				
Other				
Other				
<b>TOTAL</b>				

**Additional Comments:**

## Attachment C – Tax Map



**Attachment D – “No Further Action” Letter from New York State Department of  
Environmental Conservation**

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Spill Prevention and Response Program, Region 8  
6274 East Avon-Lima Road, Avon, NY 14414-9516  
P: (585) 226-5433 | F: (585) 226-8139  
[www.dec.ny.gov](http://www.dec.ny.gov)

August 6, 2018

Ms. Jane MH Forbes, MPA  
Environmental Specialist  
City of Rochester  
Division of Environmental Services  
30 Church Street Room 300B  
Rochester, New York 14614

Dear Ms. Forbes:

Re: NYSDEC Spill # 0650898  
Vacant Parcel – City of Rochester  
62-64 Scio Street  
Rochester (C), Monroe County

The Department is in receipt of the July 2018 Soil & Groundwater Management Plan (SGMP), prepared by Lu Engineers, for the above referenced spill location and for the subsurface impacts on the adjacent property at 17-19 Matthews Street. Upon review of the aforementioned SGMP and previously submitted information, the residual impacts identified in the subsurface do not appear to pose a threat to human health and safety or the environment in their current location and state. The Department does not require active remedial efforts at this time.

This spill has been removed from the Department's active case files. However, be aware that this ruling does not preclude reactivation of this case should new information become available, an impact to a receptor be discovered and/or the residual petroleum impacts are encountered/unearthed on either parcel/property in the future. Should the latter occur, the Department must be notified and the SGMP must be followed.

If there are any questions or comments, feel free to contact me at either the above address or by telephone at 585-226-5438.

Sincerely,



Michael F. Zamiarski, P.E.  
Environmental Engineer II  
Division of Environmental Remediation



Department of  
Environmental  
Conservation



**Attachment F – City of Rochester *Permit Controls for Environmental Conditions***



**Properties that may have residual contamination are flagged** to notify property owners in order to protect their health and the environment. By limiting or restricting activities on the property, the potential for exposure to residual contamination is minimized, protecting the construction workers, future building occupants and community.

**FOR MORE INFORMATION:**  
[www.cityofrochester.gov/EICproperties](http://www.cityofrochester.gov/EICproperties)

City of Rochester, New York  
Department of Environmental Services  
**Division of Environmental Quality**  
30 Church St., Rm. 300B  
Rochester, NY 14614  
585-428-6855

**Jane MH Forbes**  
Jane.Forbes@CityofRochester.Gov  
585-428-7892

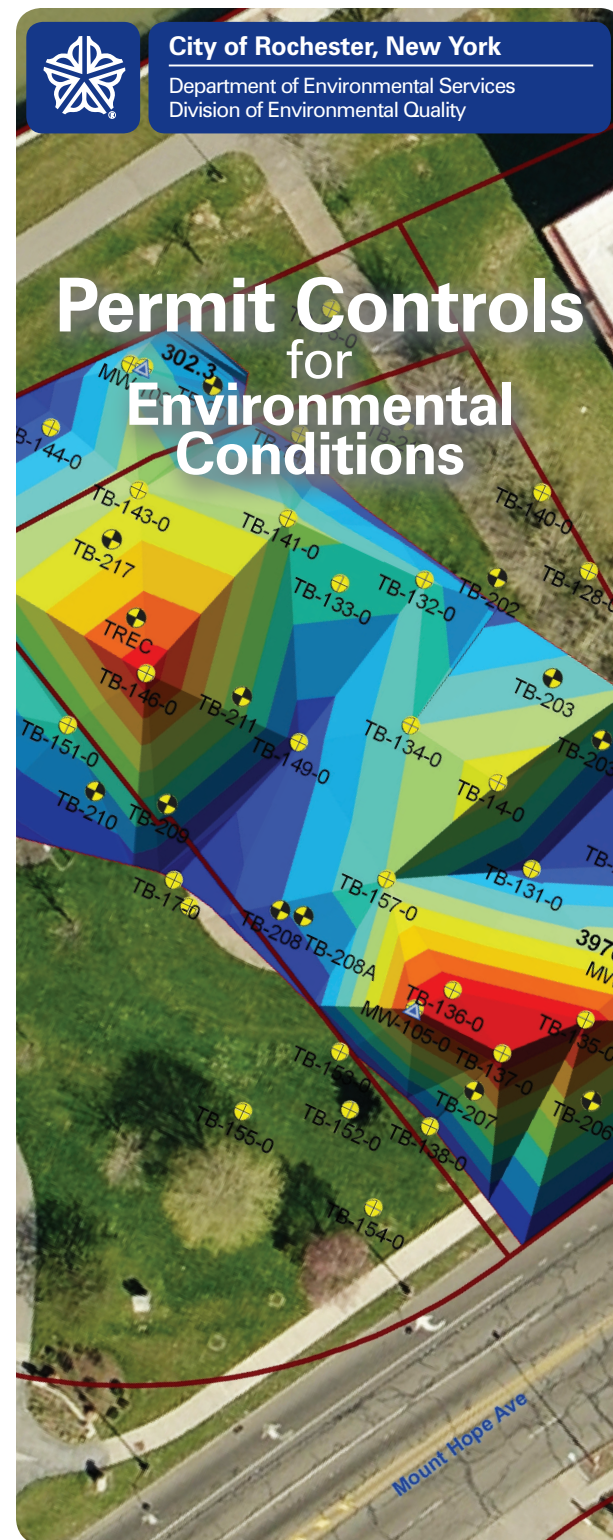
**Joseph Biondolillo**  
Joseph.Biondolillo@CityofRochester.Gov  
585-428-6649

**Juan Pablo Linares**  
Juan.Linares@CityofRochester.Gov  
585-428-7771

**Questions? Call 311 • [www.cityofrochester.gov](http://www.cityofrochester.gov)**  
Outside the City call 428-5990

**Believe.**

 **City of Rochester, NY**  
Lovely A. Warren, Mayor  
Rochester City Council





Pre-remediation



Cleanup



Redevelopment

## Background

**The City of Rochester** uses a permit control tool on some properties which have undergone environmental cleanups. At these properties, cleanup systems and some contaminants may remain in the ground after cleanup projects have been completed.

**The City's permit control tool**, sometimes referred to as an environmental "institutional control," begins with a warning "flag" on the City's computerized building information system. This system is used by the City's Building and Zoning office when an individual applies for a permit or submits a site plan for review.

**The warning flag prohibits the issuance of a permit until a preliminary environmental review is completed.** The environmental review ensures that the applicant is made aware of the environmental conditions at the property before site work begins.

**If a proposed permit activity could disturb contaminated soil or groundwater or might damage a cleanup system**, the City provides the permit applicant with existing environmental reports and guidance documents for the property. In some cases, the City refers the application to the New York State Department of Environmental Conservation (NYSDEC) for its review before approving the permit.

**Activities at flagged properties requiring permits** include new construction, alterations, fences, plumbing work and demolition.

## Quick Facts about Environmentally Flagged Properties

### What are they?

Flagged properties are parcels currently or formerly owned by the City of Rochester where environmental cleanups have been started or completed, but where precautions are needed to prevent the disturbance of remaining subsurface contamination or the disruption of cleanup systems. Flagged properties now also include environmental easements under New York State Brownfield Cleanup Program (NYSBCP).

### Where are they?

There are numerous flagged properties located throughout the City. A list of these properties is available at [www.cityofrochester.gov/EICproperties](http://www.cityofrochester.gov/EICproperties) along with links to the associated environmental management plans and environmental easements where applicable.

### When does it matter?

Flagged properties are subject to an environmental review during the permit application process or site plan review. This determines if the proposed work or proposed change in work could result in disturbance or release of contamination or damage cleanup systems that may be installed on the property.

### Who is affected?

Property owners, contractors and developers applying for permits to construct, demolish or change the use of a flagged property. Permit applicants may be required to obtain NYSDEC approval prior to permit issuance or site plan approval.

### How does it work?

When a permit application is made for a flagged property:

- An initial review is performed by the City permit and environmental staff to determine if the proposed site plan or permit activity could cause an environmental issue.
- If a potential issue is identified, environmental staff will discuss the issue(s) with the permit applicant and provide guidance documents regarding the contamination at the property.
- The permit application uses the guidance documents to assist with the management of potentially contaminated materials that may be distributed during the construction process.
- In some cases, a site-specific plan must be submitted to the NYSDEC for review. Upon NYSDEC approval, the permit application process continues.

### Are site specific plans and NYSDEC approvals required for all permits?

Many permit activities not involving excavation or intrusive work do not require plans and NYSDEC approval. Call the City's Division of Environmental Quality (585-428-6855) before coming to City Hall to see if your property is flagged and if special plans and approvals will be required.

## Attachment G - 2022 Income and Rent Guidelines for Affordable Housing Units

**2022**

### Income and Rent Limits - City of Rochester

<u><i>Family Size</i></u>	<u><i>30% Income Limits</i></u>	<u><i>50% Income Limits</i></u>	<u><i>60% Income Limits</i></u>	<u><i>65% Income Limits</i></u>	<u><i>80% Income Limits</i></u>	<u><i>90% Income Limits</i></u>	<u><i>100% Income Limits</i></u>	<u><i>115% Income Limits</i></u>	<u><i>120% Income Limits</i></u>
1 Person	\$18,850	\$31,400	\$37,680	\$41,633	\$50,250	\$57,645	\$64,050	\$73,658	\$76,860
2 Person	\$21,550	\$35,900	\$43,080	\$47,580	\$57,400	\$65,880	\$73,200	\$84,180	\$87,840
3 Person	\$24,250	\$40,400	\$48,480	\$53,528	\$64,600	\$74,115	\$82,350	\$94,703	\$98,820
4 Person	\$27,750	\$44,850	\$53,820	\$59,475	\$71,750	\$82,350	\$91,500	\$105,225	\$109,800
5 Person	\$32,470	\$48,450	\$58,140	\$64,233	\$77,500	\$88,938	\$98,820	\$113,643	\$118,584
6 Person	\$37,190	\$52,050	\$62,460	\$68,991	\$83,250	\$95,526	\$106,140	\$122,061	\$127,368
7 Person	\$41,910	\$55,650	\$66,780	\$73,749	\$89,000	\$102,114	\$113,460	\$130,479	\$136,152
8 Person	\$46,630	\$59,250	\$71,100	\$78,507	\$94,750	\$108,702	\$120,780	\$138,897	\$144,936

<u><i>Bedroom Size</i></u>	<u><i>30% Gross Rent Limits</i></u>	<u><i>50% Gross Rent Limits</i></u>	<u><i>60% Gross Rent Limits</i></u>	<u><i>65% Gross Rent Limits</i></u>	<u><i>80% Gross Rent Limits</i></u>	<u><i>90% Gross Rent Limits</i></u>	<u><i>100% Gross Rent Limits</i></u>	<u><i>115% Gross Rent Limits</i></u>	<u><i>120% Gross Rent Limits</i></u>
Efficiency	\$471	\$785	\$942	\$1,041	\$1,256	\$1,441	\$1,601	\$1,841	\$1,922
1 Bedroom	\$505	\$841	\$1,029	\$1,115	\$1,346	\$1,544	\$1,716	\$1,973	\$2,059
2 Bedrooms	\$606	\$1,010	\$1,212	\$1,338	\$1,615	\$1,853	\$2,059	\$2,368	\$2,471
3 Bedrooms	\$694	\$1,121	\$1,346	\$1,487	\$1,794	\$2,059	\$2,288	\$2,631	\$2,745
4 Bedrooms	\$812	\$1,211	\$1,454	\$1,606	\$1,938	\$2,223	\$2,471	\$2,841	\$2,965
5 Bedrooms	\$930	\$1,301	\$1,562	\$1,725	\$2,081	\$2,388	\$2,654	\$3,052	\$3,184

The maximum monthly rent levels must be reduced by utility allowances for utilities and services (excluding telephone) if the tenants in the City-assisted units are paying for utilities and services. The Developer must ensure that the rents do not exceed the maximum rent levels minus the monthly allowances for utilities and services as set on annual basis by the Rochester Housing Authority.

Sources: [https://www.huduser.gov/portal/datasets/home-datasets/files/HOME\\_IncomeLmts\\_State\\_NY\\_2021.pdf](https://www.huduser.gov/portal/datasets/home-datasets/files/HOME_IncomeLmts_State_NY_2021.pdf) for 30%, 50%, and 80%  
City of Rochester for Income Limits of 65%, 90%, 100%, 115% and 120%

Effective Dates: April 1, 2022 for all non-HOME funded HUD activities  
June 1, 2021 for HOME 60% funded HUD activities (numbers will be updated upon release of limits from HUD)

Assumptions: 65%, 90%, 100%, 115% and 120% Income Limits calculated based on 100% MFI for family of 4 published by HUD  
Rent limits are based upon 30% of income.  
Rent limits are based upon incomes for the following household sizes: Efficiency=1 person; 1BR=1.5 people; 2BR=3 people; 3BR=4 people; 4BR=5 people; 5BR=6 people.

## **Attachment H – Fire Code Appendix D: Fire Apparatus Access Roads**

## APPENDIX D

# FIRE APPARATUS ACCESS ROADS

*The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.*

### SECTION D101 GENERAL

**D101.1 Scope.** Fire apparatus access roads shall be in accordance with this appendix and all other applicable requirements of the *International Fire Code*.

### SECTION D102 REQUIRED ACCESS

**D102.1 Access and loading.** Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an *approved* fire apparatus access road with an asphalt, concrete or other *approved* driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (34 050 kg).

### SECTION D103 MINIMUM SPECIFICATIONS

**D103.1 Access road width with a hydrant.** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 mm), exclusive of shoulders (see Figure D103.1).

**D103.2 Grade.** Fire apparatus access roads shall not exceed 10 percent in grade.

**Exception:** Grades steeper than 10 percent as *approved* by the fire chief.

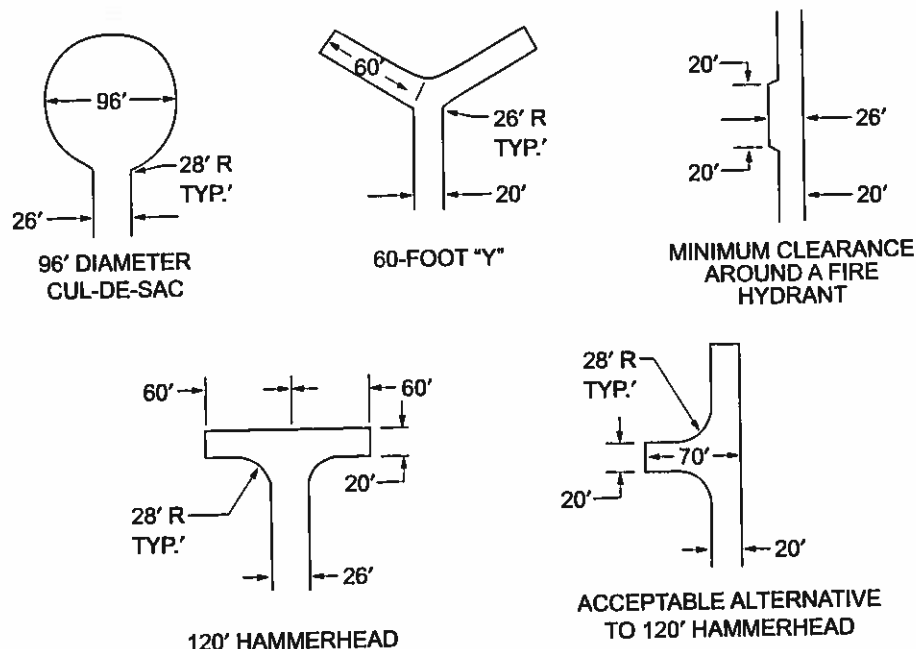
**D103.3 Turning radius.** The minimum turning radius shall be determined by the *fire code official*.

**D103.4 Dead ends.** Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4.

**TABLE D103.4**  
**REQUIREMENTS FOR DEAD-END**  
**FIRE APPARATUS ACCESS ROADS**

LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	20	None required
151-500	20	120-foot Hammerhead, 60-foot "Y" or 96-foot diameter cul-de-sac in accordance with Figure D103.1
501-750	26	120-foot Hammerhead, 60-foot "Y" or 96-foot diameter cul-de-sac in accordance with Figure D103.1
Over 750		Special approval required

For SI: 1 foot = 304.8 mm.



For SI: 1 foot = 304.8 mm.

**FIGURE D103.1**  
**DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND**



**D103.5 Fire apparatus access road gates.** Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. Where a single gate is provided, the gate width shall be not less than 20 feet (6096 mm). Where a fire apparatus road consists of a divided roadway, the gate width shall be not less than 12 feet (3658 mm).
2. Gates shall be of the swinging or sliding type.
3. Construction of gates shall be of materials that allow manual operation by one person.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be *approved* by the *fire code official*.
6. Methods of locking shall be submitted for approval by the *fire code official*.
7. Electric gate operators, where provided, shall be *listed* in accordance with UL 325.
8. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

**D103.6 Signs.** Where required by the *fire code official*, fire apparatus access roads shall be marked with permanent NO PARKING—FIRE LANE signs complying with Figure D103.6. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.

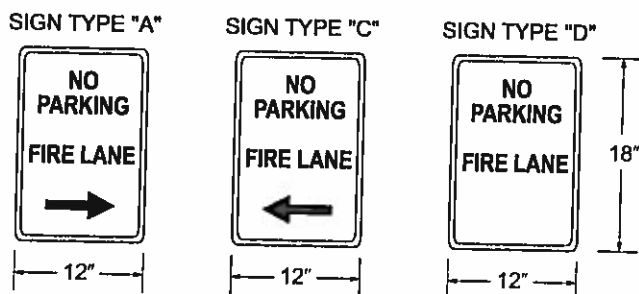


FIGURE D103.6  
FIRE LANE SIGNS

**D103.6.1 Roads 20 to 26 feet in width.** Fire lane signs as specified in Section D103.6 shall be posted on both sides of fire apparatus access roads that are 20 to 26 feet wide (6096 to 7925 mm).

**D103.6.2 Roads more than 26 feet in width.** Fire lane signs as specified in Section D103.6 shall be posted on one

side of fire apparatus access roads more than 26 feet wide (7925 mm) and less than 32 feet wide (9754 mm).

## SECTION D104

### COMMERCIAL AND INDUSTRIAL DEVELOPMENTS

**D104.1 Buildings exceeding three stories or 30 feet in height.** Buildings or facilities exceeding 30 feet (9144 mm) or three stories in height shall have at least two means of fire apparatus access for each structure.

**D104.2 Buildings exceeding 62,000 square feet in area.** Buildings or facilities having a gross building area of more than 62,000 square feet (5760 m<sup>2</sup>) shall be provided with two separate and *approved* fire apparatus access roads.

**Exception:** Projects having a gross building area of up to 124,000 square feet (11 520 m<sup>2</sup>) that have a single *approved* fire apparatus access road when all buildings are equipped throughout with *approved automatic sprinkler systems*.

**D104.3 Remoteness.** Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.

## SECTION D105

### AERIAL FIRE APPARATUS ACCESS ROADS

**D105.1 Where required.** Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet (9144 mm), *approved* aerial fire apparatus access roads shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater.

**D105.2 Width.** Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders, in the immediate vicinity of the building or portion thereof.

**D105.3 Proximity to building.** At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be *approved* by the *fire code official*.

**D105.4 Obstructions.** Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the *fire code official*.

## SECTION D106 MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS

**D106.1 Projects having more than 100 dwelling units.** Multiple-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads.

**Exception:** Projects having up to 200 dwelling units may have a single approved fire apparatus access road when all buildings, including nonresidential occupancies, are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.3.1.1 or 903.3.1.2.

**D106.2 Projects having more than 200 dwelling units.** Multiple-family residential projects having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system.

**D106.3 Remoteness.** Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

## SECTION D107 ONE- OR TWO-FAMILY RESIDENTIAL DEVELOPMENTS

**D107.1 One- or two-family dwelling residential developments.** Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.

### Exceptions:

1. Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 of the *International Fire Code*, access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

**D107.2 Remoteness.** Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

## SECTION D108 REFERENCED STANDARDS

ASTM	F 2200—13	Standard Specification for Automated Vehicular Gate Construction	D103.5
ICC	IFC—15	International Fire Code	D101.1, D107.1
UL	325—02	Door, Drapery, Gate, Louver, and Window Operators and Systems, with Revisions through June 2013	D103.5



