

**City Planning Commission Minutes
January 12, 2015**

CASE #	ADDRESS	RECORD OF VOTE	DECISION
<u>T-02-14-15</u> To amend the Zoning Code of the City of Rochester by making modifications to sections of the following regulations: high-impact retail sales and service, and pawnshops.	Citywide	6-0-0	Recommend Approval
<u>E-034-14-15</u> To establish a 4,500 sq. ft. low-impact retail store in the front portion of a one-story building with hours of operation from 6:00AM to 9:00PM, daily.	531 Lyell Avenue	6-0-0	Approve
<u>E-035-14-15</u> To establish indoor vehicle repair and sales, an antique wood shop and storage in a vacant nonconforming building.	175 Hague Street	6-0-0	Approve
<u>E-036-14-15</u> To re-establish a sit-down restaurant in a vacant nonconforming building with hours of operation from 6:30AM to 6:30PM, daily.	249 Saratoga Avenue	6-0-0	Approve
<u>E-037-14-15</u> To approve an alternative parking plan for the proposed low-impact retail store and restaurant at 480-484 West Main Street	480-484 West Main Street	6-0-0	Approve
<u>E-038-14-15</u> To re-establish live entertainment, specifically trivia games, karaoke, DJs and small bands, in a bar/restaurant with hours of operation from 2:00PM to 2:00AM, daily.	4783-4785 Lake Avenue	6-0-0	Approve for three years until January 31, 2018 with Condition

Planning Commission Members Present: Watson, Rebholz, Marlin, Zimmer-Meyer, Hogan, Bruce

DISTRIBUTION:

Mayor's Office	NBD Commissioner's Office	NSC Administrators
D. Algarin	J. Artuso	A. Guzzetta
V. Wehbring	G. Kirkmire	Zoning Staff
Permit Office		

CONDITIONS:

E-038-14-15

- All exterior doors, except for the front door located near Lake Avenue, shall remain closed at all times during all live entertainment.

**City Planning Commission Minutes
February 9, 2015**

CASE #	ADDRESS	RECORD OF VOTE	DECISION
<p><u>T-04-14-15</u> To amend the Zoning Code of the City of Rochester by making modifications to sections of the following regulations: bars and restaurants in C-1 Neighborhood Center District and O-B Overlay-Boutique District, live entertainment, and outdoor storage.</p>	Citywide	5-0-0	Recommend Approval of live entertainment and outdoor storage; hold bars and restaurants in C-1 and O-B until March 16, 2015 CPC Hearing
<p><u>OMA-05-14-15</u> To amend the Official Map of the City of Rochester by abandoning a portion of Wayne Place.</p>	Wayne Place	5-0-0	Recommend Approval
<p><u>OMA-06-14-15</u> To amend the Official Map of the City of Rochester by dedicating additional right-of-way for Humboldt Street to create a right turn lane.</p>	Humboldt Street	5-0-0	Recommend Approval
<p><u>E-039-14-15</u> To establish a low-impact retail store on the first floor of a nonconforming mixed use building with hours of operation from 6:00AM to 9:00PM, daily.</p>	580 Jay Street	5-0-0	Approve
<p><u>E-040-14-15</u> To establish a day care center on the first floor of a vacant nonconforming mixed use building.</p>	72 Thurston Road	5-0-0	Approve
<p><u>E-041-14-15</u> To install a 'micro-cell' wireless telecommunications facility on a rooftop of an existing building.</p>	650-672 East Main Street	5-0-0	Approve

**Planning Commission Members Present: Watson, Rebholz, Marlin, Hogan, Bruce
Absent: Zimmer-Meyer**

DISTRIBUTION:

Mayor's Office	NBD Commissioner's Office	NSC Administrators
D. Algarin	J. Artuso	A. Guzzetta
V. Wehbring	G. Kirkmire	Zoning Staff
Permit Office		

**City Planning Commission Minutes
March 16, 2015**

CASE #	ADDRESS	RECORD OF VOTE	DECISION
<u>OMA-07-14-15</u> To amend the Official Map of the City of Rochester by dedicating additional right-of-way for Culver Road.	2102 and 2092 Culver Road	7-0-0	Recommend Approval
<u>E-042-14-15</u> To continue live entertainment in an existing bar which includes karaoke on Sundays until 11:00PM, small bands and DJs on Fridays and Saturdays until 1:00AM, and no live entertainment Monday through Thursday, and also to continue an amusement center with four games.	938 South Clinton Avenue	7-0-0	Approve for THREE YEARS until April 30, 2018
<u>E-043-14-15</u> To establish a seasonal restaurant with outdoor seating and with hours of operation 10:00AM to 2:00AM, daily and outdoor entertainment Sunday through Wednesday from 10:00AM to 11:00PM, and Thursday through Saturday from 10:00AM to 12:00AM.	490 River Street	7-0-0	Seasonal Restaurant with Outdoor Seating Approved on Condition; Outdoor Entertainment HELD for further study
<u>E-044-14-15</u> To establish outdoor storage for tenants of a mixed-use industrial facility.	1275 Mt. Read Boulevard	7-0-0	Approve
<u>E-045-14-15</u> To construct an 11 space ancillary parking lot for use by a wholesale heating, ventilating and air conditioning distributor.	213 Garson Avenue	7-0-0	Approve with Conditions
<u>E-046-14-15</u> To determine validity of Temporary Special Permit (E-040-12-13) and consider request for renewal of the Previous Special Permit approval (E-040-12-13) to establish a retail liquor store in a vacant, nonconforming building with hours of operation from 11:00AM to 9:00PM Monday – Saturday, and 12:00PM to 5:00PM on Sunday	1534 North Goodman Street	2-4-1	Deny (Building Permit invalid, no Renewal considered)
<u>T-05-14-15</u> To amend the Zoning Code of the City of Rochester by establishing a Moratorium for SIX MONTHS on the consideration and approval of all development and building applications in all Residential Districts, in the C-1 Neighborhood Center District, and in the O-B Overlay Boutique Zoning District relating to uses affected by the regulations of the New York State Alcoholic Beverage Control (ABC) Law in order to evaluate the implications of recent court decisions on City regulations.	Citywide	7-0-0	Recommend Approval

**Planning Commission Members Present: Watson, Rebholz, Marlin, Hogan, Bruce, Mayer,
Zimmer-Meyer
Absent: None**

DISTRIBUTION:	Mayor's Office D. Algarin V. Wehbring Permit Office	NBD Commissioner's Office J. Artuso G. Kirkmire	NSC Administrators A. Guzzetta Zoning Staff
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CONDITIONS:

E-043-14-15 (490 River Street)

- The hours of operation of the seasonal restaurant with outdoor seating shall be 10:00AM – 11:00PM Sunday through Thursday and 10:00AM – 12:00AM Friday and Saturday.

E-045-14-15 (213 Garson Avenue)

- The 6' high fence is approved. The portion of the fence fronting on Garson Avenue shall be located behind the front building line of the adjacent residential property. Landscaping shall be located between the fence and the sidewalk. The applicant is encouraged to consider installing a more attractive fence.
- A geotechnical report shall be completed and submitted to the Bureau of Planning and Zoning to ensure that the construction of the parking lot shall not affect the property located at 215-217 Garson Avenue.
- An alternative location for the dumpsters shall be chosen to ensure that the dumpsters are not located in the front yard. The dumpsters shall also be completely screened from view.

**City Planning Commission Minutes
April 20, 2015**

CASE #	ADDRESS	RECORD OF VOTE	DECISION
<u>M-07-14-15</u> To amend the Zoning Map be rezoning the property at 4 Edgewood Park from R-2 Medium Density Residential District to C-2 Community Center District so that it can be combined with the properties at 715-723, 731 and 737 West Main Street to facilitate the construction of a high-impact retail store (Family Dollar).	4 Edgewood Park	1-5-0	Recommend Denial
<u>T-06-14-15</u> To amend the Zoning Code of the City of Rochester by making modifications to sections of the following regulations: Article XIX City-Wide Design Guidelines and Standards.	Citywide	Postponed by the City Law Department	
<u>E-047-14-15</u> To continue live entertainment in an existing bar until 2:00AM daily.	780-814 South Clinton Avenue	6-0-0	Approve for five years until April 30, 2020
<u>E-048-14-15</u> To continue operating a grocery store (pre-existing, nonconforming high-impact retail) with hours of operation from 8:00AM to 11:00PM daily.	190-192 Glide Street	6-0-0	Approve for five years until April 30, 2020
<u>E-049-14-15</u> To establish an outdoor market with up to two food trucks Monday evenings from 3:00PM to 8:00PM, June through September.	4370 Lake Avenue	6-0-0	Approve for five years until April 30, 2020
<u>E-050-14-15</u> To establish a high-impact retail sales operation by adding lottery and beer sales to an existing full line food store, currently selling only tobacco.	989 Chili Avenue	0-6-0	Deny
<u>E-051-14-15</u> To establish a 24-hour drive-through operation accessory to the proposed building located on lot 1 in the CityGate Planned Development District.	350 East Henrietta Road (CityGate Lot 1)	5-0-1*	Approve
<u>E-052-14-15</u> To install 'micro cell' wireless telecommunications facilities on rooftops of existing buildings.	571 South Avenue	6-0-0	Approve
	1104-1112 Monroe Avenue	6-0-0	
	486 Alexander Street	5-1-0	
	368-368.5 Alexander Street	5-1-0	
	521 Chili Avenue	6-0-0	
	405 Fernwood Avenue	4-2-0	

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<p><u>E-053-14-15</u> To establish live entertainment in an existing bar/restaurant, specifically karaoke, a DJ and small bands between 10:00PM and 2:00AM daily, and to add accessory outdoor seating between 11:00PM and 2:00AM daily.</p>	<p>503 South Avenue</p>	<p>6-0-0</p>	<p>Approve live entertainment for two years until April 28, 2017 on condition; Deny accessory outdoor seating</p>
<p><u>E-054-14-15</u> To establish an amusement center with 25 games operating from 11:30AM to 2:00AM daily.</p>	<p>830 South Clinton Avenue</p>	<p>6-0-0</p>	<p>Approve for three years until April 30, 2018</p>
<p><u>E-055-14-15</u> To establish live entertainment in an existing coffee house/café, specifically small acoustic ensembles and poetry readings from 7:00AM to 9:00PM daily.</p>	<p>4435 Lake Avenue</p>	<p>6-0-0</p>	<p>Approve</p>

**Planning Commission Members Present: Watson, Rebholz, Marlin, Hogan, Bruce, Mayer,
Absent: None**

***Recusal by Commission Member Rebholz**

DISTRIBUTION:

Mayor's Office	NBD Commissioner's Office	NSC Administrators
D. Algarin	J. Artuso	A. Guzzetta
V. Wehbring	G. Kirkmire	Zoning Staff
Permit Office		

CONDITIONS:

E-053-14-15

- Live entertainment shall be until 11:00PM, Sunday through Wednesday and until 1:00AM, Thursday through Saturday.

**City Planning Commission Minutes
May 18, 2015**

CASE #	ADDRESS	RECORD OF VOTE	DECISION
<u>M-08-14-15</u> To amend the Zoning Map be rezoning the properties at 818 Hudson Avenue and 28, 32, 36, 42, 46 Herald Street from R-1 Low Density Residential District to M-1 Industrial District and 854 Hudson Avenue from C-1 Neighborhood Center District to M-1 Industrial District so that it can be combined with the property at 850 Hudson Avenue to continue expansion of the manufacturing use (Quality Vision International).	818, 854 Hudson Avenue and 28, 32, 36, 42, 46 Herald Street	6-0-0	Recommend Approval
<u>E-056-14-15</u> To continue the Farmers' Market in the parking lot at Church of the Blessed Sacrament on Wednesdays from 3:00PM to 8:00PM, June through October.	534 Oxford Street	6-0-0	Approve
<u>E-057-14-15</u> To install 'micro cell' wireless telecommunications facilities on rooftops of existing building.	1800 East Avenue	6-0-0	Approve
	523 Meigs Street	2-3-1	No Action
	446-450 Meigs Street	Held by Staff	
<u>E-058-14-15</u> To construct a telecommunications tower on an industrial property.	105 Craig Street	6-0-0	Approve
<u>E-059-14-15</u> To establish live entertainment in an existing bar/restaurant, specifically karaoke, a DJ and small bands between 9:00PM and 2:00AM daily.	160 Lyell Avenue	Withdrawn by Applicant	
<u>E-060-14-15</u> To establish a high-impact retail store operating 24-hours and a drive-through pharmacy operation between the hours of 6:00AM and 12:00AM.	1431 Mt. Hope Avenue	6-0-0	To establish a high-impact retail store operating 24-hours withdrawn by applicant; Drive-through pharmacy Approve on Condition
<u>E-061-14-15</u> To expand a previously specially permitted use (Boys and Girls Club) and to construct an ancillary parking lot at 480 Genesee Street and 497-499 Hawley Street to serve the health center located at 480 Genesee Street.	500 Genesee Street; 480 Genesee Street and 497-499 Hawley Street	6-0-0	Approve

**Planning Commission Members Present: Watson, Marlin, Hogan, Bruce, Mayer, Richards
Absent: Rebholz**

DISTRIBUTION:	Mayor's Office	NBD Commissioner's Office	NSC Administrators
	D. Algarin	J. Artuso	A. Guzzetta
	V. Wehbring	G. Kirkmire	Zoning Staff
	Permit Office		

CONDITIONS:

E-60-14-15

- The applicant shall work with Site Plan Review staff to design a barrier that is 4' high at the drive-through entrance to mitigate headlight glare onto adjacent properties and ensure pedestrian safety.

**City Planning Commission Minutes
June 15, 2015**

CASE #	ADDRESS	RECORD OF VOTE	DECISION
<p><u>T-06-14-15</u> To amend the Zoning Code of the City of Rochester by making modifications to sections of the following regulations: Article XIX City-Wide Design Guidelines and Standards.</p>	City-Wide	6-0-0	Recommend Approval
<p><u>T-07-14-15</u> To amend the Zoning Code of the City of Rochester by removing bars and restaurants from the list of permitted uses and adding them to the list of specially permitted uses in the C-1 (Neighborhood Center) District.</p>	City-Wide	Withdrawn by Staff	
<p><u>OMA-08-14-15</u> To amend the Official Map of the City of Rochester by renaming (memorializing) Loomis Street as Ira White Way.</p>	Loomis Street	6-0-0	Recommend Approval
<p><u>OMA-09-14-15</u> To amend the Official Map of the City of Rochester by abandoning a portion of Hayward Avenue.</p>	Hayward Avenue	6-0-0	Recommend Approval
<p><u>E-062-14-15</u> To establish a low-impact retail store (cellular telephones and cellular telephone accessories) in an existing, nonconforming building with hours of operation from 9:00AM to 9:00PM, daily.</p>	599 Chili Avenue	6-0-0	Approve for one year until June 30, 2016 with Conditions
<p><u>E-063-14-15</u> To convert a low-impact retail store to a full-line food store with hours of operation Monday through Saturday 7:00AM to 9:00PM, and Sunday 7:00AM to 7:00PM.</p>	743 South Plymouth Avenue	5-1-0	Approve for one year until June 30, 2016 with Conditions
<p><u>E-064-14-15</u> To construct a 16 space ancillary parking lot at 143-147 Webster Avenue to serve the Theater (school) located at 110 Webster Avenue.</p>	143-147 Webster Avenue	6-0-0	Approve
<p><u>E-065-14-15</u> To establish a motor vehicle repair shop at 264 Spencer Street and to construct an 11 space ancillary parking lot at 258 Spencer Street for customers and employees to serve the proposed use.</p>	258 and 264 Spencer Street	6-0-0	Approve
<p><u>E-066-14-15</u> To establish a warehouse, distribution and production facility with offices for a wholesale bakery in a facility formerly used for construction of tradeshow exhibits with hours of operation from 6:00AM to 6:00PM.</p>	580 Child Street	Withdrawn by Staff	

Planning Commission Members Present: Watson, Rebholz, Marlin, Bruce, Mayer, Richards

Absent: Hogan

DISTRIBUTION:

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V. Wehbring	G. Kirkmire	Zoning Staff
Permit Office		

CONDITIONS:

599 Chili Avenue (E-062-14-15):

- 1) The applicant shall remove all neon lighting from the windows.
- 2) The applicant shall enclose the existing dumpster.
- 3) The applicant shall obtain a permit for any and all signage.
- 4) The applicant shall replace the deteriorated asphalt with new asphalt on the west side of the property.

743 S. Plymouth Avenue (E-063-14-15):

- 1) The applicant shall install additional lighting on the building to illuminate the property.
- 2) The applicant shall place trash receptacles on the property to ensure that patrons have a location on site to dispose of refuse.
- 3) The applicant shall install additional cameras on the property to ensure the safety of patrons.

**City Planning Commission Minutes
July 20, 2015**

CASE #	ADDRESS	RECORD OF VOTE	DECISION
<u>T-01-15-16</u> To amend the Zoning Code of the City of Rochester by adding regulations for Solar Energy Systems and making Solar Energy Systems a Specially Permitted use in the M-1 Industrial District.	City-Wide	Held by City Planning Commission	
<u>E-057-14-15</u> To install a 'micro cell' wireless telecommunications facility on the rooftop of an existing building.	523 Meigs Street	Held by City Planning Commission	
<u>E-001-15-16</u> To establish live entertainment, specifically karaoke, a DJ and small bands, 8:00PM to 1:30AM, daily.	668 West Ridge Road	5-0-0	Approve for one year until July 31, 2016 with conditions
<u>E-002-15-16</u> To establish a bed and breakfast establishment in an owner occupied single family dwelling.	28 Arlington Street	5-0-0	Approve
<u>E-003-15-16</u> To establish an Alternative Sign Program for Charlotte Appliance.	3200 Lake Avenue	5-0-0	Approve
<u>E-004-15-16</u> To establish a high-impact retail store dealing in secondhand merchandise.	447 Lyell Avenue	5-0-0	Deny
<u>E-005-15-16</u> To establish a homeless shelter in a former manufacturing building.	285 Ormond Street	5-0-0	Approve
<u>E-006-15-16</u> To establish a high-impact retail store (Family Dollar).	205 and 215 Lyell Avenue	5-0-0	Approve
<u>E-007-15-16</u> To establish a high-impact retail store (Family Dollar) and to provide more than 110% of the required parking.	715, 731 and 737 West Main Street	0-3-2	No Action

**Planning Commission Members Present: Watson, Marlin, Hogan, Bruce, Richards
Absent: Rebholz, Mayer**

DISTRIBUTION: Mayor's Office NBD Commissioner's Office NSC Administrators
D. Algarin J. Artuso A. Guzzetta
V. Wehbring G. Kirkmire Zoning Staff
Permit Office

CONDITIONS:

E-001-15-16

- Small bands (live music) shall be permitted Thursday, Friday and Saturday from 8:00PM to 1:30AM, ONLY.
- All exterior doors shall remain closed during all live entertainment

**City Planning Commission Minutes
August 17, 2015**

FILE #	ADDRESS	RECORD OF VOTE	DECISION
<p><u>E-057-14-15</u> To install a 'micro cell' wireless telecommunications facility on the rooftop of an existing building; an action requiring City Planning Commission approval.</p>	523 Meigs Street		<p style="text-align: center;">POSTPONED until September 21, 2015 Hearing at the request of the applicant</p>
<p><u>T-01-15-16</u> To amend the Zoning Code of the City of Rochester by adding regulations for Solar Energy Systems and making Solar Energy Systems a Specially Permitted use in the M-1 Industrial District; an action requiring City Planning Commission recommendation to City Council.</p>	Citywide	5-0-0	<p style="text-align: center;">Recommend Approval</p>
<p><u>T-02-15-16</u> To amend the Zoning Code of the City of Rochester by making modifications to sections of the following regulations as related to digital advertising signs (billboards): Article XX, Requirements Applying to All Districts, Section 120-177M, Advertising signs; Article XXIV, Nonconforming Uses, Structures, Lots and Signs, Section 120-202, Nonconforming signs; Article XXVI, Definitions, Section 120-208, Definitions; an action requiring City Planning Commission recommendation to City Council.</p>	Citywide		<p style="text-align: center;">HELD until the September 21, 2015 Hearing by the City Planning Commission pending submission of additional information</p>
<p><u>M-01-15-16</u> To amend the Zoning Map by rezoning the properties at 1776 and 1790 North Clinton Avenue and 21 Rau Street from C-2 Community Center District to R-1 Low Density Residential District to facilitate the expansion of the recreation fields of Helen Barrett Montgomery School #50 and the construction of new affordable single-family housing; an action requiring City Planning Commission recommendation to City Council.</p>	1776, 1790 North Clinton Avenue and 21 Rau Street	<p style="text-align: center;">4*-0-0 (*Todd Bruce recused)</p>	<p style="text-align: center;">Recommend Approval</p>
<p><u>OMA-01-15-16</u> To amend the Official Map of the City of Rochester by accepting dedication of lands as right-of-way to be named Brookscree Way; an action requiring City Planning Commission recommendation to City Council.</p>	Brookscree Way	5-0-0	<p style="text-align: center;">Recommend Approval</p>
<p><u>E-008-15-16</u> To establish a low-impact take-out restaurant with six convenience seats with daily hours of operation from 6:00 am to 9:00 pm in an existing nonconforming building; an action requiring City Planning Commission approval.</p>	8 Bay Street	5-0-0	<p style="text-align: center;">Approved for 3 Years until August 31, 2018</p>
<p><u>E-009-15-16</u> To establish outdoor entertainment in an existing outdoor restaurant seating area, specifically live small bands and recorded music, between the hours of 1:00 pm and 8:30 pm, Thursday to Sunday; an action requiring City Planning Commission approval.</p>	1000 North River Street	4-1-0	<p style="text-align: center;">Approved for 2 Years until August 31, 2017</p>

E-007-15-16 To establish a high-impact retail store (Family Dollar) and to provide more than 110% of the required parking; an action requiring City Planning Commission approval.	715, 731 and 737 West Main Street	5-0-0	Granted Applicant's Request to Re-open Hearing on September 21, 2015
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Planning Commission Members Present: Bruce, Marlin, Mayer, Richards, Watson
Absent: Hogan, Rebholz

DISTRIBUTION: Mayor's Office NBD Commissioner's Office NSC Administrators
D. Algarin J. Artuso A. Guzzetta
V. Wehbring G. Kirkmire Zoning Staff
Permit Office

**City Planning Commission Minutes
September 21, 2015**

CASE # / FILE #	ADDRESS	RECORD OF VOTE	DECISION
<p><u>Case 1/File E-007-15-16</u> To establish a high-impact retail store (Family Dollar) and to provide more than 110% of the required parking; an action requiring City Planning Commission approval.</p>	715, 731 and 737 West Main Street		HELD until the October 19, 2015 Hearing for Deliberations and Vote Only
<p><u>Case 2/File T-02-15-16</u> To amend the Zoning Code of the City of Rochester by making modifications to sections of the following regulations as related to digital advertising signs (billboards): Article XX, Requirements Applying to All Districts, Section 120-177M, Advertising signs; Article XXIV, Nonconforming Uses, Structures, Lots and Signs, Section 120-202, Nonconforming signs; Article XXVI, Definitions, Section 120-208, Definitions; an action requiring City Planning Commission recommendation to City Council.</p>	Citywide		Postponed by Staff until the October 19, 2015 Hearing for Additional Research
<p><u>Case 3/File E-010-15-16</u> To demolish two residential structures on Watkin Terrace, combine 7 parcels into one, and construct a 2½ story, 30,000SF classroom addition to a school building and an associated 9-space parking lot; an action requiring City Planning Commission approval.</p>	8-14 and 18 Mark Street; 540-544, 548-550, and 554 Hudson Avenue; 13, 15, and 17-19 Watkin Terrace	6-0-0	Approved
<p><u>Case 4/File E-011-15-16</u> To re-establish a vehicle repair operation with future gasoline sales; an action requiring City Planning Commission approval.</p>	1065 Culver Road	0-6-0	Denied
<p><u>Case 5/File E-012-15-16</u> To establish a bed-and-breakfast; an action requiring City Planning Commission approval.</p>	215 Dartmouth Street	6-0-0	Approved
<p><u>Case 6/File E-013-15-16</u> To establish a residential care facility and consider a parking demand analysis; actions requiring City Planning Commission approval.</p>	531 Post Avenue	0-3-2	NO ACTION VOTE (Case will be Reconsidered at the October 19, 2015 Hearing)
<p><u>Case 7/File E-014-15-16</u> To consider an Alternative Parking Plan for a proposed sit down restaurant; an action requiring City Planning Commission approval.</p>	209 Monroe Avenue	6-0-0	Approved
<p><u>Case 8/File E-015-15-16</u> To establish a high impact retail use (second hand dealer); an action requiring City Planning Commission approval.</p>	1144 North Clinton Avenue	1-5-0	Denied

**Planning Commission Members Present: Hogan, Marlin, Mayer, Rebholz, Richards, Watson
Absent: Bruce**

DISTRIBUTION:

Mayor's Office	NBD Commissioner's Office	NSC Administrators	
D. Algarin	J. Artuso	A. Guzzetta	
V. Wehbring	G. Kirkmire	Zoning Staff	
Permit Office			

**City Planning Commission Minutes
October 19, 2015**

CASE # / FILE #	ADDRESS	RECORD OF VOTE	DECISION
<p><u>Case 1/File T-02-15-16</u> To amend the Zoning Code of the City of Rochester by making modifications to sections of the following regulations as related to digital advertising signs (billboards): Article XX, Requirements Applying to All Districts, Section 120-177M, Advertising signs; Article XXIV, Nonconforming Uses, Structures, Lots and Signs, Section 120-202, Nonconforming signs; Article XXVI, Definitions, Section 120-208, Definitions; an action requiring City Planning Commission recommendation to City Council.</p>	Citywide		Took testimony; adjourned hearing to allow Text Amendment proposal to be finalized
<p><u>Case 2/File T-03-15-16</u> To amend the Zoning Code of the City of Rochester by adding language to the C-1 (Neighborhood Center District) and O-B (Overlay Boutique District) that removes the hours of operation restrictions for bars and restaurants holding a NYS ABC law license; and by amending the definitions of retail sales and service by deleting alcoholic beverages from the definitions of High Impact, Specialty and Full-Line retail uses; an action requiring City Planning Commission recommendation to City Council..</p>	Citywide	6-0-0	Recommend Approval, with suggestion that City consider additional Text Amendments
<p><u>Case 3/File M-02-15-16</u> To amend the Zoning Map by rezoning the properties at 1033 Maple Street and 83 Potomac Street from R-1 Low Density Residential District to M-1 Industrial District; an action requiring City Planning Commission recommendation to City Council.</p>	83 Potomac Street, 1033 Maple Street	6-0-0	Recommend Approval
<p><u>Case 4/File E-013-15-16</u> To establish a residential care facility and consider a parking demand analysis; actions requiring City Planning Commission approval.</p>	531 Post Avenue	0-6-0	Denied
<p><u>Case 5/File E-057-14-15</u> To install 'micro cell' wireless telecommunications facilities on the rooftops of existing buildings; an action requiring City Planning Commission approval.</p>	523 Meigs Street ¹ , 338-350 Thurston Road, 489 South Avenue, 1322-1370 Lyell Avenue, 944-950 Atlantic Avenue	6-0-0	Approved
<p><u>Case 6/File E-016-15-16</u> To establish an entertainment use; an action requiring City Planning Commission approval.</p>	610 Monroe Avenue	0-6-0	Denied
<p><u>Case 7/File E-017-15-16</u> To establish a high-impact retail use (liquor store); an action requiring City Planning Commission approval.</p>	1749 East Avenue	6-0-0	Approved with Conditions
<p><u>Case 8/File E-018-15-16</u> To consider an Alternative Parking Plan for a proposed sit down restaurant; an action requiring City Planning Commission approval.</p>	4 Elton Street		Subsequently adjourned to December 21, 2015 to allow the CPC time to review materials that were inadvertently omitted from their staff reports.

<p>Case 9/File E-019-15-16 To establish an ancillary parking lot; an action requiring City Planning Commission approval.</p>	<p>355 and 359 Hayward Avenue</p>	<p>4-2-0</p>	<p>Approved with Conditions</p>
<p>Case 10/File E-020-15-16 To waive the parking maximum for a grocery store (Aldi Food); an action requiring City Planning Commission approval.</p>	<p>235, 237, 239, 245 North Winton Road and 650, 658 Blossom Road</p>	<p>6-0-0</p>	<p>Approved</p>
<p>Other Business/File E-007-15-16 To establish a high impact retail store (Family Dollar) and to waive the parking maximum; an action requiring City Planning Commission approval.</p>	<p>715, 731 and 737 West Main Street</p>	<p>3-3-0</p>	<p>NO ACTION VOTE (Denied²)</p>

Planning Commission Members Present: Bruce, Hogan, Mayer, Rebholz, Richards, Watson, Zimmer-Meyer³
Absent: Marlin

Conditions:

E-017-15-16

- Re-occupancy shall require renovations to front façade so as to comply with the 70% transparency requirement per 120-159.
- There shall be sturdy, decorative barrier installed between the parking lot and the public sidewalk to protect pedestrians from vehicles encroaching on or crossing the sidewalk outside of the designated curb cut.

E-019-15-16

- Proposed parking shall be reduced to 16 spaces with additional green space provided at the southern end of the site
- A physical barrier shall be installed along the east side of the parking lot to protect the adjacent wood fence from vehicle damage

Notes:

- 1) 523 Meigs Street was withdrawn by the applicant.
- 2) E-007-15-16 was deemed a denial pursuant to Zoning Code Sections 120-184D(1)(a) and 120-192B(4)(c)[2] because of the failure to obtain a concurring vote of at least four members, thereby constituting a failure to make a decision on the merits within the required 62 days following the commencement of the hearing. A denial arising from a no action vote is not subject to the Section 120-188O(1) against making a successive application.
- 3) Commissioner Rebholz recused himself from Case 4. Commissioner Zimmer-Meyer was present in her capacity as an alternate member for Cases 1 and 4.

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City Planning Commission Minutes

***Amended**

November 16, 2015

CASE # / FILE #	ADDRESS	RECORD OF VOTE	DECISION
Case 1/File T-02-15-16 To amend the Zoning Code of the City of Rochester by making modifications to sections of the following regulations as related to digital advertising signs (billboards): Article XX, Requirements Applying to All Districts, Section 120-177M, Advertising signs; Article XXIV, Nonconforming Uses, Structures, Lots and Signs, Section 120-202, Nonconforming signs; Article XXVI, Definitions, Section 120-208, Definitions; an action requiring City Planning Commission recommendation to City Council.	Citywide		Took testimony; adjourned hearing to December 21, 2015 to allow proposed Text Amendment to be finalized
Case 2/File E-021-15-16 To establish a vehicle repair operation.	1065 Culver Road	6-0-0	Approved with Conditions
Case 3/File E-022-15-16 To re-establish a bar/restaurant in the commercial space on the first floor of this mixed-use building.	532 Upper Falls Boulevard		Held by City Planning Commission pending submission of additional information by the applicant
Case 4/File E-023-15-16 To establish a rooming house.	550 West Ridge Road	5-0-1	Temporary Approval until May 31, 2017 on Condition
Case 5/File E-024-15-16 To establish a 24-hour high-impact retail operation at 340-360 Culver Road; to retain the rights to a 24-hour service station at 1219 University Avenue; and to add a second 24-hour wash bay to the existing car wash at 1219 University Avenue.	1219 University Avenue, 340-360 Culver Road	24 hr Retail: 6-0-0	Approved on Condition
		24 Service Station: 6-0-0	
		24 hr Wash Bay: 5-1-0	

Planning Commission Members Present: Watson, Rebholz, Marlin, Mayer, Bruce, Richards
Absent: Hogan

Conditions:

Case 2/File E-021-15-16 (1065 Culver Road)

- 1) The hours of operation shall be 8am – 7pm, seven days per week**
- 2) The curb cut on Grand Avenue shall be eliminated.
- 3) Perimeter landscaping shall be a minimum of 10’ deep along the street frontages, as per Code.
- 4) The dumpster shall be relocated to the south side of the building and enclosed, as per Code.
- 5) A 6’ solid wood fence shall be installed on the south side of the property, where a 6’ chain link fence is proposed.
- 6) A lighting plan shall be provided to Site Plan Review staff to ensure there are no negative impacts associated with light spill onto surrounding properties.
- 7) Façade improvements are subject to approval by the Director of Planning and Zoning through Site Plan Review.

November 16, 2015

CPC Decision Grid

Page 2

Case 4/File E-023-15-16 (550 West Ridge Road)

- 1) One proposed room is to be eliminated and utilized as common space.
- 2) A maximum of 10 roomers shall be allowed, with one roomer per room.
- 3) A 24-hour resident property manager shall be available.

Case 5/File E-024-15-16 (1219 University Avenue, 340-360 Culver Road)

The floor plan for the high-impact retail store shall be modified so that the windows along Culver Road are devoted to either the adjacent retail space or to an additional retail space such that the high-impact retail operation is not visible along the Culver Road frontage.

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**City Planning Commission Minutes
December 21, 2015**

CASE # / FILE #	ADDRESS	RECORD OF VOTE	DECISION
<p><u>Case 1/File T-02-15-16</u> To amend the Zoning Code of the City of Rochester by making modifications to sections of the following regulations as related to digital advertising signs (billboards): Article XX, Requirements Applying to All Districts, Section 120-177M, Advertising signs; Article XXIV, Nonconforming Uses, Structures, Lots and Signs, Section 120-202, Nonconforming signs; Article XXVI, Definitions, Section 120-208, Definitions; an action requiring City Planning Commission recommendation to City Council.</p>	Citywide		Testimony received; meeting adjourned to January 25, 2016
<p><u>Case 2/PD #6</u> To amend the Zoning Map and Zoning Text of Planned Development District #6 (Rochester General Hospital) by incorporating Institutional Planned Development #6 (Wilson Health Center), amending the current development concept plan, and amending the PD#6 District Regulations in the Zoning Code.</p>	720-740, 770, 772 and 800 Carter Street, 1425 and 1455 Portland Avenue	6-0-0	Recommend Approval with Conditions
<p><u>Case 3/PD #15</u> To amend the Zoning Text of Planned Development District #15 (Culver Road Armory) by amending the current development concept plan, and amending the PD#15 District Regulations in the Zoning Code.</p>	155 Culver Road	6-0-0	Recommend Approval with Conditions
<p><u>Case 4/OMA-02-15-16</u> To amend the Official Map of the City of Rochester by dedicating lands at 1365 Mt. Hope Avenue as Right-of-Way to be named "Celebration Way."</p>	1365 Mt. Hope Avenue	6-0-0	Recommend Approval
<p><u>Case 5/E-018-15-16</u> To consider an Alternative Parking Plan for a proposed sit down restaurant.</p>	4 Elton Street	5-1-0	Approve on Condition
<p><u>Case 6/E-025-15-16</u> To establish a high-impact retail store (Family Dollar) and to provide more than 110% of the required parking.</p>	715, 731 and 737 West Main Street	5-0-0*	Approve on Condition
<p><u>Case 7/E-026-15-16</u> To establish a 118 bed senior assisted living facility and to consider a parking demand analysis.</p>	1175 Monroe Avenue	6-0-0	Approve on Condition
<p><u>Case 8/E-027-15-16</u> To establish live entertainment in an existing bar/restaurant in the form of small ensembles from 5:00 PM to 10:00 PM.</p>	4705 Lake Avenue	6-0-0	Approve
<p><u>Case 9/E-028-15-16</u> To install an equipment shelter containing a Centralized Radio Access Network (CRAN) hub to serve radio transmitting locations.</p>	242 Ormond Street	6-0-0	Approve on Condition

Planning Commission Members Present: Watson, Rebholz, Marlin, Mayer, Hogan, Zimmer-Meyer
Absent: Bruce

*Commissioner Mayer recused herself from this case as she had a conflict, as stated on the record.

Conditions:

Case 2/PD #6 (Rochester General Hospital)

Recommend approval on condition that the regulations identify alternative energy systems as a specially permitted use.

Case 3/PD#15 (Culver Road Armory)

Recommended approval on condition that the regulations identify that bar/restaurants, banquet facilities, and live entertainment as specially permitted uses.

Case 5/File E-018-15-16 (4 Elton Street)

Approved on condition that the applicant shall provide staff a signed parking agreement for 12 spaces in the Gleason Corporation parking lot.

Case 6/File E-025-15-16 (715, 731 and 737 West Main Street)

Approved on condition that the applicant shall install the proposed 6' board on board fence on the south property line.

Case 7/File E-026-15-16 (1175 Monroe Avenue)

Approved on condition that:

- 1) That the applicant shall work with staff to relocate the dumpster to a new location that does not impact the neighboring properties.
- 2) That the applicant shall repair or replace the 6' wood fence along the northwest property line.

Case 9/File E-028-15-16 (242 Ormond Street)

That the applicant shall install an 8' chain link fence without barbed wire at the top surrounding the proposed equipment shelter and remove the barbed wire at the top of the 8' chain link fence along the existing equipment shelter.

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