

PLANNING & DEVELOPMENT COMMITTEE

Tuesday, November 17, 2020

6:00 pm

Council Board Room

One Batavia City Centre, Batavia NY

AGENDA

I. Roll Call

II. Call to Order

III. Approval of Minutes – 10/20/20

IV. Proposals

Address: 45-47 Ellicott Street (*Ellicott Place*)

Applicant: V.J. Constructors (owner)

Proposal 1: Alter the previously approved design of the second floor to relocate the elevator

Actions: 1. Review application and discussion
2. Action by the board

Address: 45-47 Ellicott Street (*Save A Lot*)

Applicant: Mike Hodgins (sign contractor)

Proposal 2: Recommendation to the Zoning Board of Appeals for Area Variance to replace four existing internally illuminated sign face panels. The sign will be located within the Central Commercial District / Business Improvement District

Actions: 1. Review application
2. Recommendation to the ZBA

V. Approval of Meeting Dates 2021

VI. Setting of Next Meeting: December 15, 2020

VI. Adjournment

PLANNING & DEVELOPMENT COMMITTEE

DRAFT MINUTES

October 20, 2020

6:00 pm

Council Board Room

One Batavia City Centre, Batavia NY

Members present: *David Beatty, Edward Flynn, Robert Knipe, Duane Preston*

Members absent: Matt Gray, Tammy Hathaway

Others present: Meg Chilano – Recording Secretary, Ron Panek – Code Enforcement Officer

I. Roll Call

Roll call of the members was conducted. Four members were present and Chairman Duane Preston declared a quorum.

II. Call to order

Mr. Preston called the meeting to order at 6:05 pm.

III. Previous Meeting Minutes

There were no corrections to the minutes. Mr. Preston assumed the motion and the minutes were approved as written by unanimous consent.

RESULT: Approval of July 21, 2020 meeting minutes.

IV. Proposals

A. Special Use Permit to alter the exterior appearance of this property located within the Business Improvement District

Address: *206 East Main St.*

Applicant: Paul Marchese (owner)

- Actions:**
1. Review application
 2. Public hearing and discussion
 3. Action by the board

1. Review Application

Mr. Preston read the summary of the proposal.

2. Public Hearing and Discussion

MOTION: Mr. Flynn moved to open the public hearing; the motion was seconded by Mr. Knipe, and on roll call, was approved 4-0.

RESULT: Public hearing opened at 6:08 pm.

Paul Marchese spoke on behalf of the project. He said that the project will be phased. The first phase will be two two-bedroom apartments on the east side of the building along with a stairwell which will create a second means of egress for the second floor.

He explained that there will be a significant rehabilitation of the second floor which will include new plumbing, heating, and air conditioning. There will also be repairs/partial replacement of the roof.

Mr. Marchese said that the old windows on the original part of Main Street Pizza and Artemis Spa will be replaced with something more energy efficient.

He indicated that the name on the façade section will be changed from Mancuso to Marchese, noting that this section is not real granite, but cast concrete made to look like granite.

Mr. Flynn asked if the awnings will be removed from the transom windows above the store front. According to Mr. Marchese, the architect wants to try to save the windows and find a way to re-engage them if possible.

Mr. Flynn asked if the entry of the to-go portion of Main Street Pizza will be changed to eliminate the angle, and Mr. Marchese answered that it will.

Mr. Knipe asked if the original DRI plan had included an elevator to the second floor. Mr. Marchese said that it did not. He added that the plan from over 10 years ago had proposed an elevator, but the cost had been prohibitively huge.

Mr. Knipe asked about what is currently on the second floor. Mr. Marchese explained that there are a lot of boxes with old paper left by the attorneys and surveyor who had at one time had offices on that floor. When those tenants were evicted, the boiler was removed and no heat was available on the second floor. Rather than replacing the boiler, for this project, separate HVAC units will be installed in each apartment.

Mr. Preston asked about expansion, and Mr. Marchese responded that there are no plans at the moment to rehabilitate the other half of the building. Any future work will be dependent upon available sources of funding.

Mr. Preston asked about washers and dryers. Mr. Marchese said that probably efficiency units will be installed.

Mr. Knipe asked about parking, and Mr. Marchese answered that the City handles the parking through permits.

Mr. Flynn asked if the windows will be painted. Mr. Marchese said that the windows will be painted or replaced with aluminum, and will look good when the project is completed.

Mr. Knipe asked about sound reduction, and Mr. Marchese noted that Mr. Vic Marchese's sound diminishing efforts are separate from this project.

Mr. Beatty asked for clarification regarding the windows, and whether they will be renovated or replaced. Mr. Marchese responded that the windows will be renovated where possible, but where they are not in good shape, such as on the upper east side, they will be replaced.

There was no commentary from the public.

MOTION: Mr. Flynn moved to close the public hearing; the motion was seconded by Mr. Knipe, and on roll call, was approved 4-0.

RESULT: Public hearing closed at 6:27 pm.

3. Action by the Board

MOTION: Mr. Flynn moved to approve the Special Use Permit for the façade improvements for the downtown design; the motion was seconded by Mr. Beatty, and on roll call, was approved 4-0.

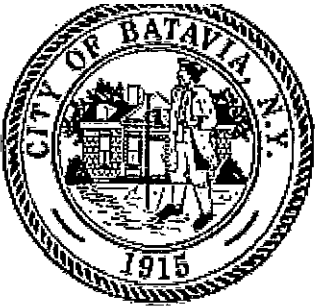
RESULT: Special Use Permit approved.

V. Setting of Next Meeting: November 17, 2020

VI. Adjournment

Mr. Knipe moved to adjourn the meeting at 6:32 p.m., and Mr. Flynn seconded the motion. All voted in favor.

Meg Chilano
Recording Secretary



City of Batavia
Department of Public Works
Bureau of Inspections

One Batavia City Center, Batavia, New York 14020

(585)-345-6345

(585)-345-1385 (fax)

To: Genesee County Planning
Planning and Development Committee

From: Doug Randall, Code Enforcement Officer

Date: 11/2/20

Re: 45-47 Ellicott St. (Ellicott Place)
Tax Parcel No. 84.011-3-7

Zoning Use District: C-3

The applicant, V.J. Gautieri Constructors Inc. (owner), has requested approval to alter the previously approved design of the second floor. The proposal is to relocate the elevator originally planned for the interior of the existing building, to a location on the exterior wall of the north elevation. This would result in an exterior alteration to the building located within the Business Improvement District.

Note: This is a type II action as defined by Environmental Conservation Law and is not subject to review under SEQR 6 NYCRR Part 617.5 (c) (1).

Review and Approval Procedures:

County Planning Board- Pursuant to General Municipal Law 239 m, referral to the County Planning Board is required since the property is within 500 feet of the right of way of a state road or highway.

City Planning and Development Committee- Pursuant to section 190-14 D (2)(a) of the zoning ordinance, the Planning and Development Committee shall review permit applications involving exterior changes that require a building permit on properties located within the Business Improvement District.

SEND OR DELIVER TO:

GENESEE COUNTY DEPARTMENT OF PLANNING
3837 West Main Street Road
Batavia, NY 14020-9404
Phone: (585) 815-7901

DEPARTMENT USE ONLY:

GCDP Referral # _____



*** GENESEE COUNTY ***
PLANNING BOARD REFERRAL

Required According to:
GENERAL MUNICIPAL LAW ARTICLE 12B, SECTION 239 L, M, N
(Please answer ALL questions as fully as possible)

1. REFERRING BOARD(S) INFORMATION

Board(s) Planning and Development Committee

Address One Batavia City Centre

City, State, Zip Batavia, NY 14020

Phone (585) 345-6345

Ext. _____

2. APPLICANT INFORMATION

Name Victor Gautieri

Address 45 Liberty St., Suite 1

City, State, Zip Batavia, NY 14020

Phone (585) 343-0852

Ext. _____

Email vgautieri@gautieri.com

MUNICIPALITY: ☒ City ☐ Town ☐ Village of Batavia

3. TYPE OF REFERRAL: (Check all applicable items)

☐ Area Variance

☐ Use Variance

☐ Special Use Permit

☐ Site Plan Review

☐ Zoning Map Change

☐ Zoning Text Amendments

☐ Comprehensive Plan/Update

☒ Other: Exter. change in BID

Subdivision Proposal

☐ Preliminary

☐ Final

4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:

A. Full Address 45-47 Ellicott St.

B. Nearest intersecting road Jackson St.

C. Tax Map Parcel Number 84.011-3-7

D. Total area of the property _____ Area of property to be disturbed _____

E. Present zoning district(s) _____

5. REFERRAL CASE INFORMATION:

A. Has this referral been previously reviewed by the Genesee County Planning Board?

☒ NO ☐ YES If yes, give date and action taken _____

B. Special Use Permit and/or Variances refer to the following section(s) of the present zoning ordinance and/or law

C. Please describe the nature of this request Approval to make exterior changes to previously approved project located within the Business Improvement District.

6. ENCLOSURES – Please enclose copy(s) of all appropriate items in regard to this referral

☒ Local application

☒ Site plan

☐ Subdivision plot plans

☐ SEQR forms

☐ Zoning text/map amendments

☐ Location map or tax maps

☒ Elevation drawings

☐ Agricultural data statement

☐ New or updated comprehensive plan

☐ Photos

☒ Other: Cover letter

7. CONTACT INFORMATION of the person representing the community in filling out this form (required information)

Name Douglas Randall

Title Code Enf. Officer

Phone (585) 345-6327

Ext. _____

Address, City, State, Zip One Batavia City Centre, Batavia, NY 14020

Email drandall@batavianewyork.com



www.deanarchitects.com



3284 WALDEN AVENUE
DEPEW, NEW YORK 14043
PHONE: (716) 651-0381
FAX: (716) 651-0382

17-437

Ellicott Place

Proposed Mixed Use Build-Out:

75-47 Ellicott Street
Batavia, NY 14020

Fig	Description	Date	By

DATE	6-12-2020	DRAWN BY	D. Wzieniec	CHECKED BY	M. Dean
SCALE					

1st Floor Plan

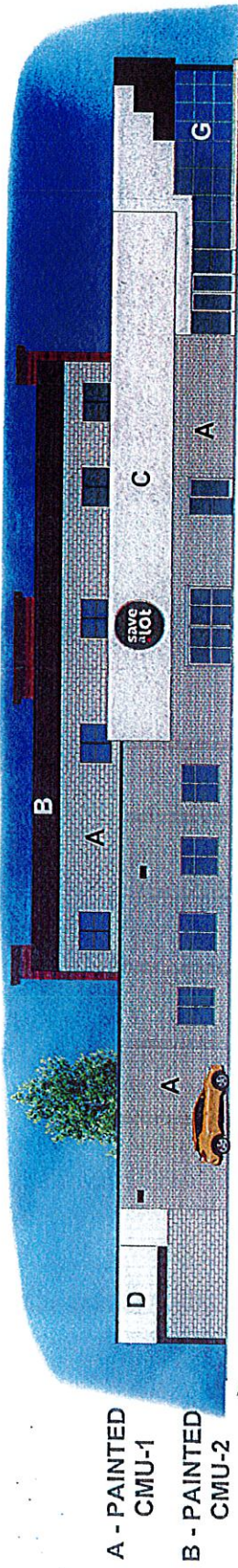
A1

Copyright Dean Architects® 2015

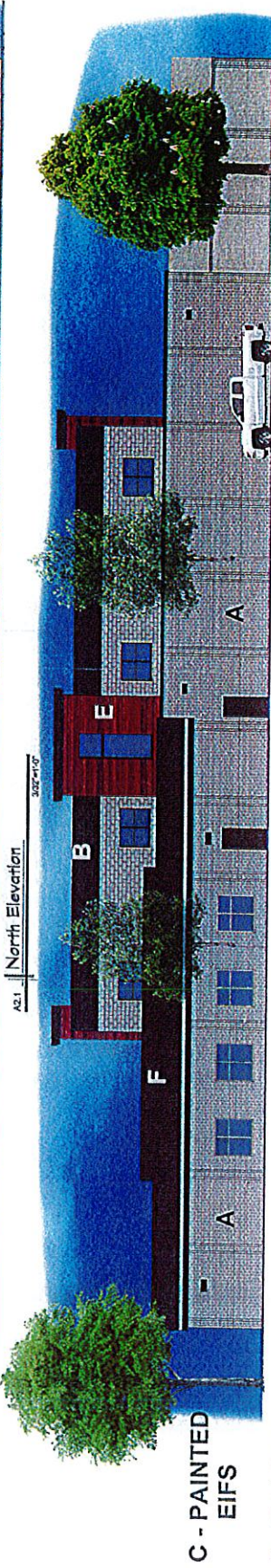
A1.1 | 1st Floor Plan

A1.1.1 | 2nd Floor Plan

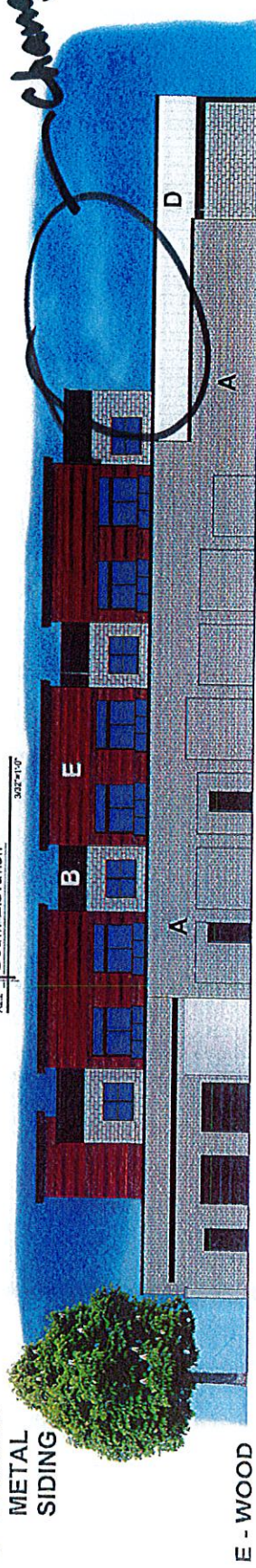
Rev	Description	Date	By
1	01		
2	02		
3	03		
4	04		
5	05		
6	06		
7	07		
8	08		
9	09		
10	10		
11	11		
12	12		
13	13		
14	14		
15	15		
16	16		
17	17		
18	18		
19	19		
20	20		
21	21		
22	22		
23	23		
24	24		
25	25		
26	26		
27	27		
28	28		
29	29		
30	30		
31	31		
32	32		
33	33		
34	34		
35	35		
36	36		
37	37		
38	38		
39	39		
40	40		
41	41		
42	42		
43	43		
44	44		
45	45		
46	46		
47	47		
48	48		
49	49		
50	50		
51	51		
52	52		
53	53		
54	54		
55	55		
56	56		
57	57		
58	58		
59	59		
60	60		
61	61		
62	62		
63	63		
64	64		
65	65		
66	66		
67	67		
68	68		
69	69		
70	70		
71	71		
72	72		
73	73		
74	74		
75	75		
76	76		
77	77		
78	78		
79	79		
80	80		
81	81		
82	82		
83	83		
84	84		
85	85		
86	86		
87	87		
88	88		
89	89		
90	90		
91	91		
92	92		
93	93		
94	94		
95	95		
96	96		
97	97		
98	98		
99	99		
100	100		



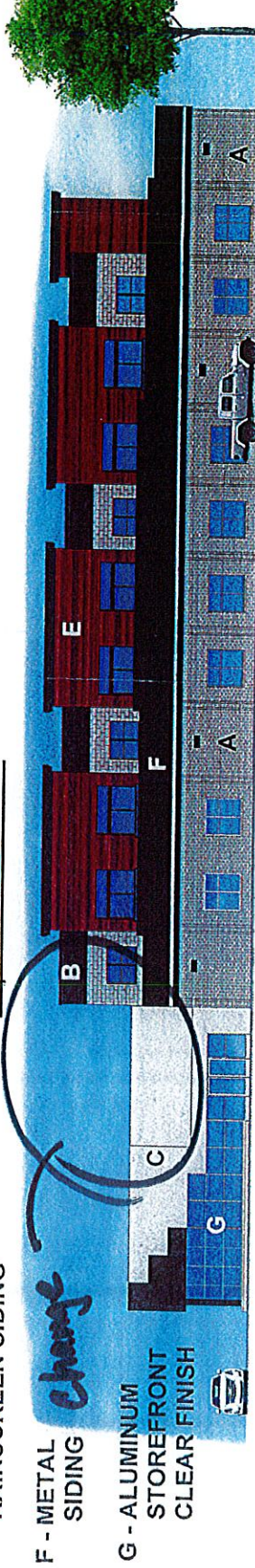
A21 North Elevation 3/32"=1'-0"



A22 South Elevation 3/32"=1'-0"



A23 East Elevation 3/32"=1'-0"



A24 West Elevation 3/32"=1'-0"

A - PAINTED
CMU-1
B - PAINTED
CMU-2

C - PAINTED
EIFS

D - PAINTED
METAL
SIDING

E - WOOD
RAINSREEN SIDING

F - METAL
SIDING

G - ALUMINUM
STOREFRONT
CLEAR FINISH



PLANNING & DEVELOPMENT COMMITTEE

DRAFT MINUTES

July 21, 2020

6:00 pm

Council Board Room

One Batavia City Centre, Batavia NY

Members present: *David Beatty, Edward Flynn, Tammy Hathaway, Robert Knipe, Duane Preston*

Members absent: Matt Gray

Others present: Meg Chilano – Recording Secretary, Doug Randall – Code Enforcement Officer

I. Roll Call

Roll call of the members was conducted. Five members were present and Chairman Duane Preston declared a quorum.

II. Call to order

Mr. Preston called the meeting to order at 6:00 pm.

III. Previous Meeting Minutes

There were no corrections to the minutes. Mr. Preston assumed the motion and the minutes were approved as written by unanimous consent.

RESULT: Approval of June 16, 2020 meeting minutes.

IV. Proposals

A. Special Use Permit to create a “Restricted Residential Use” on the second floor of this commercial building located within the Central Commercial District

Address: 45-47 Ellicott St.

Applicant: V.J. Gautieri Constructors Inc. (owner)

Actions:

1. Review application
2. Public hearing and discussion
3. SEQR
4. Action by the board

1. Review Application

Mr. Preston read the summary of the proposal.

2. Public Hearing and Discussion

MOTION: Mr. Knipe moved to open the public hearing; the motion was seconded by Mr. Flynn, and on roll call, was approved 5-0.

RESULT: Public hearing opened at 6:03 pm.

Victor Gautieri and Dave Rowley spoke on behalf of the project. Mr. Gautieri outlined the changes to the building. Save-A-Lot has a new logo, so the signage will be changing. Four new windows will be installed, allowing for more natural light. The main entrance will be relocated, providing the store with more usable space. The new entrance will also lead to the second floor apartments. Mr. Rowley noted that the roof is scheduled to be replaced as part of the project.

Mr. Knipe asked if the upstairs windows will open. Mr. Rowley answered that the windows will open onto Juliet balconies.

Mr. Flynn asked if the units will have air conditioning, and Mr. Rowley said that each unit will have its own system.

Mr. Flynn observed that the lower windows are clear and asked if the upper windows will be shaded. Mr. Rowley replied that all of the windows will be clear. He noted that the only tinted windows are the already existing ones on the first floor of the northwest corner of the building.

Mr. Flynn asked what is the reason why there are not as many bump-outs on the Ellicott side of the building versus the other sides. He pointed out that the side with only one bump-out will be the one people see from the street. Mr. Flynn said that he would like to see more bump-outs on the Ellicott side because it presents a more appealing esthetic.

Ms. Hathaway commented that she remembered a more elaborate façade from the original renderings and asked if any of the architectural details have changed since the plans were submitted as part of the DRI. Mr. Gautieri said that some of the details have changed. In the time since the DRI submission, it was decided that it would be more desirable to make the exterior on that side generic because there still is no tenant for that space. Some flexibility was left in the rendition to allow for the tenant to create their own exterior esthetic.

Mr. Flynn requested the addition of two more bump-outs, one on either side of the bump-out for the stairs, between the windows. Mr. Gautieri said that the floor layout cannot be changed. Mr. Flynn suggested that architectural detail could be added around the windows, rather than bump-outs between the windows, which would not change the floor plan.

Mr. Flynn asked if the first floor improvements would be part of Phase I, and Mr. Rowley answered that everything shown on the drawings will be completed as part of Phase I. Mr. Preston asked about the location of the tenant parking. Mr. Gautieri said that a conversation with the City will have to take place regarding assigning a place for the tenants to park, by permit.

Mr. Preston asked where the dumpster will be located. Mr. Gautieri indicated it will be located on the southeast side of the building in the same space where the dumpster is currently located. The screen surrounding it will be repaired. He clarified that the dumpster for the tenants will be separate from the dumpster for the store.

Ms. Hathaway asked if each apartment will have its own storage space, and Mr. Gautieri said tenants could have it if they wished.

There was no commentary from the public.

MOTION: Mr. Knipe moved to close the public hearing; the motion was seconded by Mr. Beatty, and on roll call, was approved 5-0.

RESULT: Public hearing closed at 6:23 pm.

3. SEQR

Mr. Preston asked if the board had reviewed part one of the SEQR application and they indicated they had. The board went through the questions for part two.

MOTION: Mr. Flynn moved to approve a negative declaration of SEQR; the motion was seconded by Mr. Knipe, and on roll call, was approved 5-0.

RESULT: Negative declaration of SEQR

4. Action by the Board

MOTION: Mr. Knipe moved to approve the Special Use Permit; the motion was seconded by Mr. Beatty, and on roll call, was approved 5-0.

RESULT: Special Use Permit approved.

MOTION: Mr. Flynn moved to amend the previous motion to include the addition of the architectural detail discussed above to the two south windows; the motion was seconded by Mr. Knipe, and on roll call, was approved 5-0.

RESULT: Special Use Permit approval amended to include the window detail.

B. Site Plan Review of a two story, 8,788 sq.', 20 bed detoxification facility that will be added to the existing Atwater Residence located on this treatment campus

Address: 424 East Main St.

Applicant: John Bennett (GCASA)

Actions: 1. Review application
2. Public hearing and discussion

CITY OF BATAVIA
PLANNING AND
DEVELOPMENT
COMMITTEE
REVISED
SUBMISSION

ELLICOTT PLACE

45-47 ELLICOTT STREET BATAVIA, NY 14020

V.J. GAUTIERI
CONSTRUCTORS, INC.
45 Liberty Street
Batavia, NY 14020

October 29, 2020
(Revised)

INTRODUCTION

We respectfully request the following changes to our prior **Ellicott Place** submission for your thoughtful consideration.

1. **Basis for changes:** To develop a more easily accessible, safe entry for the 2nd floor apartment tenants, wherein the travel distance and corridor turns to the 1st floor elevator access point would both be reduced to a more desirable condition.

2. **Changes:**

South Elevation (see attached rendering): Utilize the existing stair to the 2nd floor in lieu of pushing it outside of the 2nd floor footprint which required a 2nd floor addition. To offset the removal of the 2nd floor addition and the visual wood cladding it presented, we proposed to build a wood clad accent wall panel adjacent to the existing masonry wall in its prior position. We have also added two (2) accent walls at either end of this elevation as requested at our last meeting with the planning board. The removal of this addition will help to offset the increased cost of building the much larger North addition while maintain the necessary exit path.

North Elevation (see attached rendering): Shortening the distance to the apartment elevator, required the shaft and associated exit stair to be pushed outside the 2nd floor footprint. In this case, we will now be required to construct a 2nd floor addition. This addition is approx. 19 ft. wide by 23 ft. deep. The exterior of this structure will be wood cladding in keeping with the 2nd floor visual design.

Interior Modifications (see attached floor plan): The aforementioned changes require the south- west apartment to be modified from a two bedroom to a one-bedroom unit. Conversely, the north-west apartment will be modified from a one bedroom to a two-bedroom unit. The total number of one and two-bedroom units will not change.

3. **Exterior Elements:** The exterior elements listing will remain the same in function and appearance (see attached).

ELLCOTT PLACE

45-47 Ellicott St. Batavia, NY

DESCRIPTION OF EXTERIOR ELEMENTS (REFER TO ELEVATIONS FOR LOCATIONS/EXTENTS):

- A: **Painted CMU-1:** Existing 1st floor 4" rock faced masonry units will be painted color SW 6073 Perfect Geige

Existing 2nd floor stacked bond masonry units will be painted color SW 6073
- B: **Painted CMU-2:** Existing 2nd floor stacked bond masonry units will be painted color SW 6076 Turkish Coffee
- C: **Painted EIFS:** Existing EIFS will be repaired and painted color SW 6070 Heron Plume
- D: **Painted Metal Siding:** Existing Metal siding will be repaired and painted color SW 6070 Heron Plume
- E: **Wood Rainscreen Siding:** New 1x6 heat treated, white ash cladding as manufactured by Thermory, Inc.; texture: smooth faced; T&G – no groove; to receive oil stain to achieve color as shown on elevations.
- F: **Metal Siding:** New vertical metal siding fascia as manufactured by MCBI; panel type PBU; color Signature 200 Koko Brown
- G: **Aluminum Storefront:** Existing Aluminum storefront to remain; finish Clear Anodized Aluminum with 1" insulated glazing

Exterior Windows – 1st Floor: Windows to be thermally broken, 4-1/2" deep, fixed frames; Clear Anodized Aluminum with 1" insulated clear glazing

Exterior Doors – 1st Floor: New main entry doors to the apartments and commercial/retail spaces will be clear anodized aluminum entrances, medium stile type with insulated glazing; existing hollow metal doors/overhead doors to be painted SW 6076 Turkish Coffee . The existing exterior sliding doors servicing Save A Lot will be relocated and are automatic type as manufactured by Besam; clear anodized aluminum.

Exterior Windows & Doors – 2nd Floor: Anderson 100 Series, Fibrex composite material; color Cocoa Bean

A - PAINTED CMU-1

B - PAINTED
CMU-2

C - PAINTED
EIFS

D - PAINTED
METAL SIDING

E - WOOD
RAINSCREEN SIDING

F -- METAL
SIDING

G - ALUMINUM
STOREFRONT
CLEAR FINISH



D.E.A.N
ARCHITECTS

www.deanarchitects.com



3284 WALDEN AVENUE
DEPEW, NEW YORK 14043
PHONE: (716) 651-0381
FAX: (716) 651-0382

17-437

Proposed Mixed Use Build-Out:

Ellicott Place

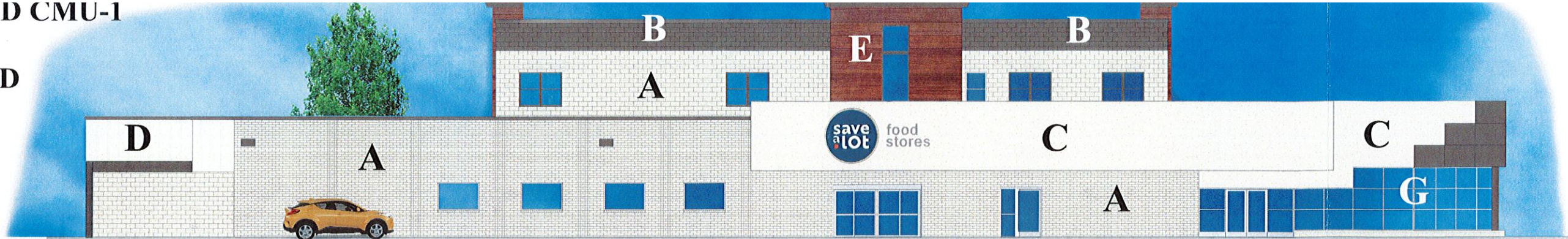
45-47 Ellicott Street
Batavia, NY 14020

No.	Description	Date	By

DATE: 6-12-2020
DRAWN BY: D. Wzientek
CHECKED BY: M. Dean
SCALE: 3/32"= 1'-0"

Elevations

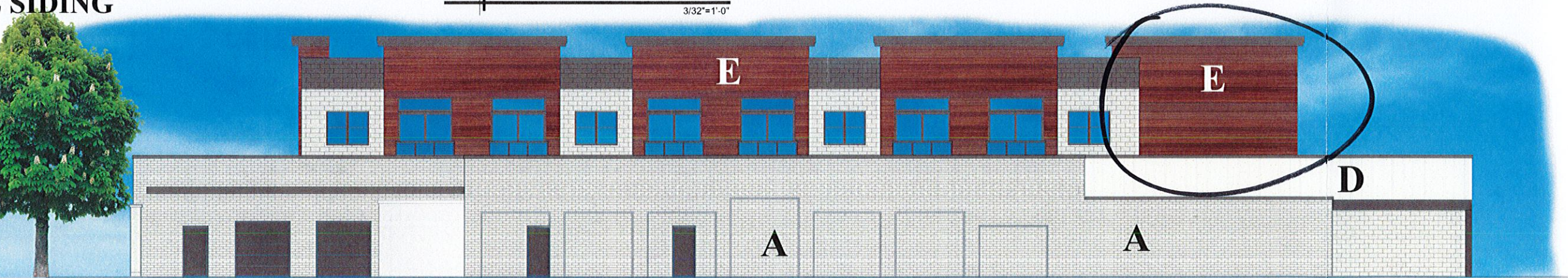
A2



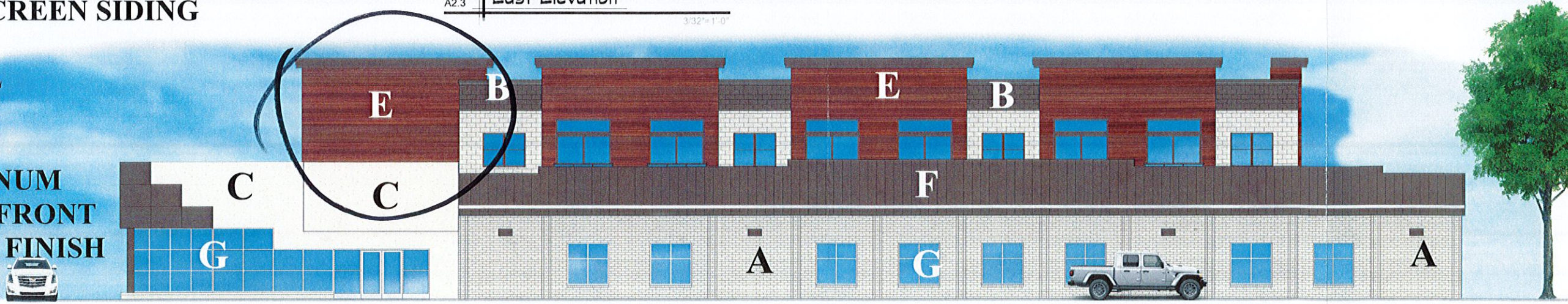
A2.1 | North Elevation
3/32"= 1'-0"



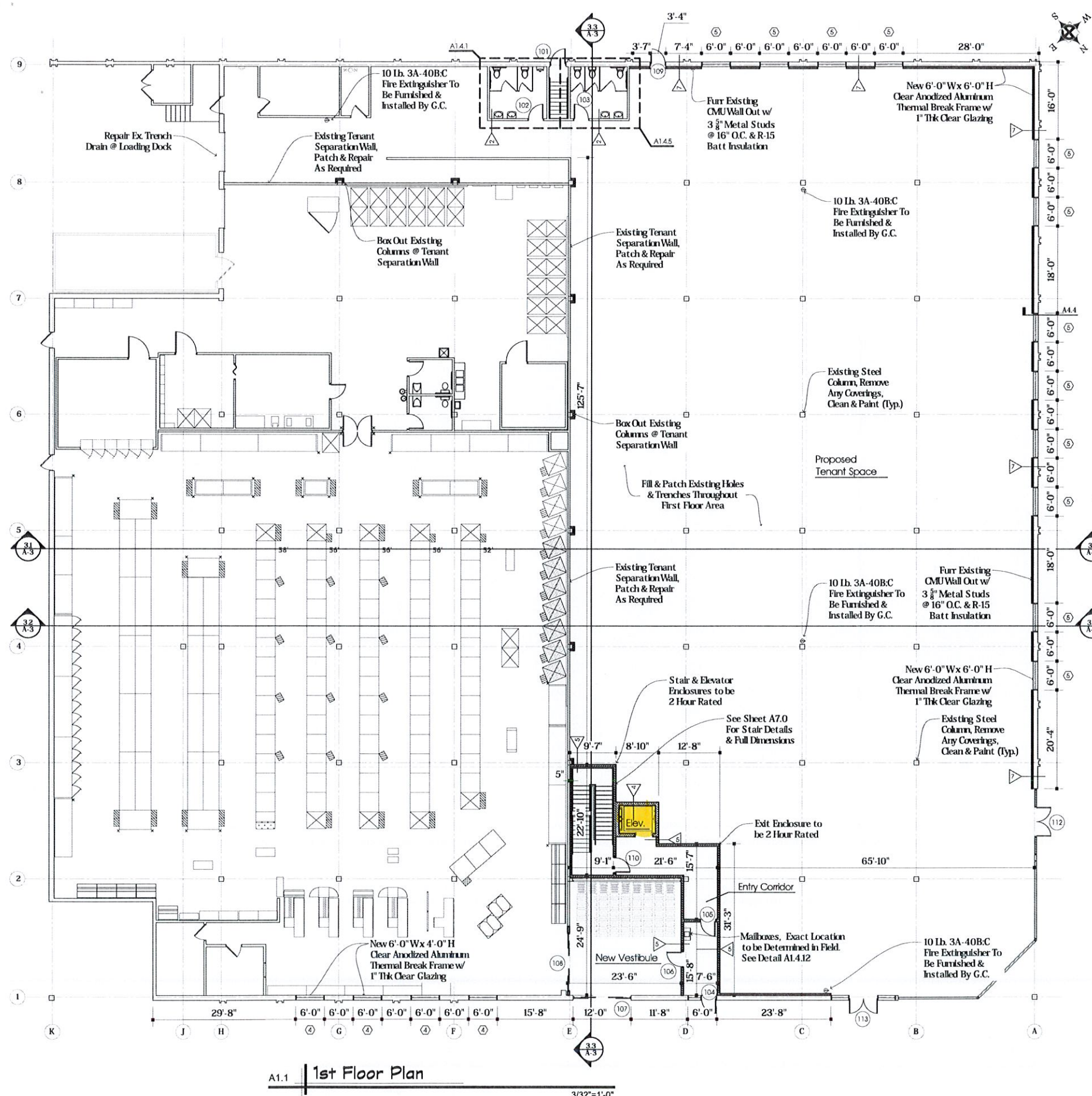
A2.2 | South Elevation
3/32"= 1'-0"



A2.3 | East Elevation
3/32"= 1'-0"



A2.4 | West Elevation
3/32"= 1'-0"

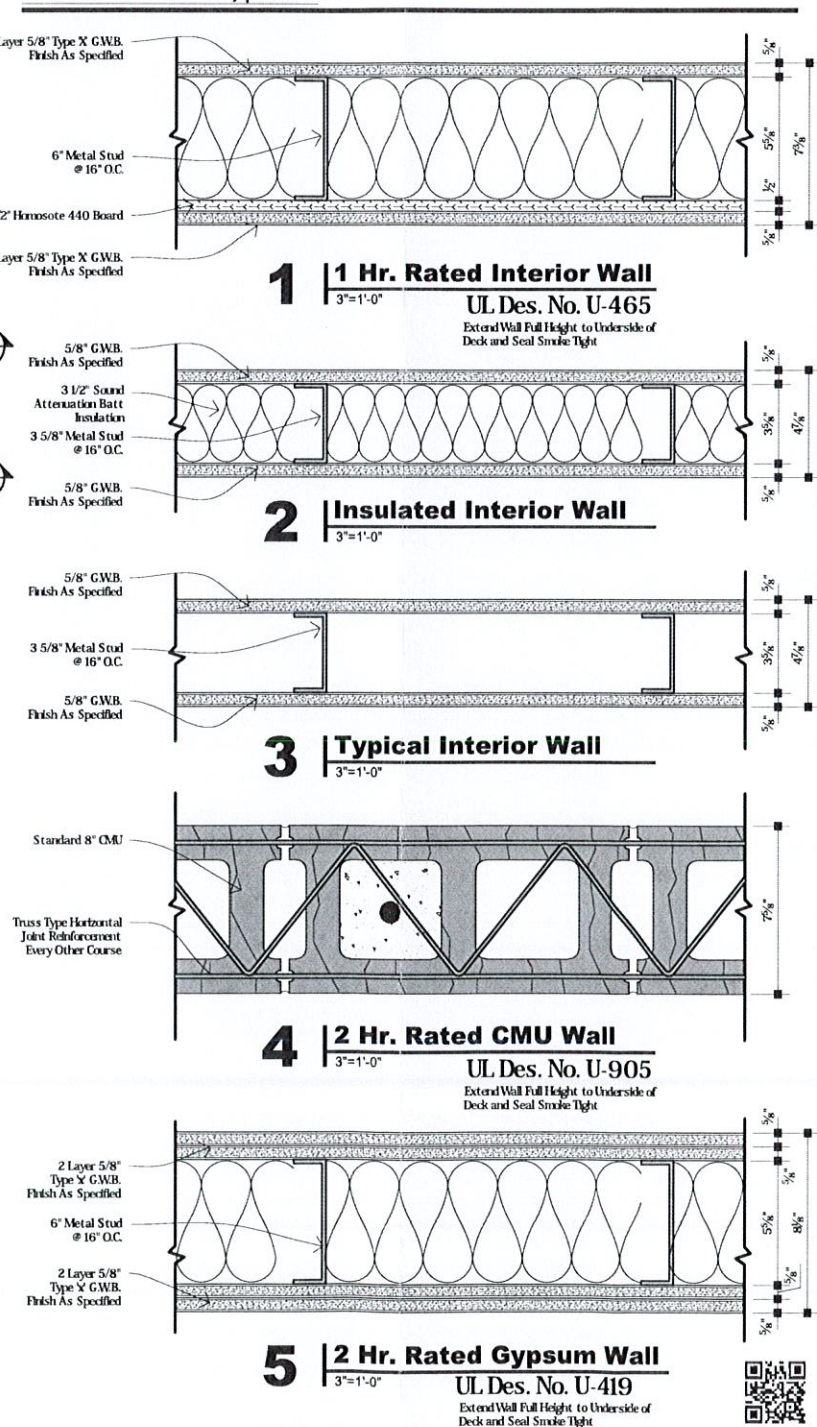


A1.1 | 1st Floor Plan
3/32"=1'-0"

General Notes

1. Do Not Scale Drawings.
2. The Contractor Shall Verify All Dimensions, Grades, Boundaries, And Construction And Immediately Report Any Discrepancies To Owner Before Proceeding With The Work.
3. All Work Shall Conform To The Requirements Of All Local State And Federal Codes. Local, State And Federal Codes Are To Be Taken Precedence Over The Drawings And Specifications. If Discrepancy Is Noted Inform Owner Immediately And Before Proceeding With The Work.
4. All Dimensions, Notes, Finishes And Fixtures Shown On Typical Floor Plans, Sections Or Details Shall Apply To All Similar, Symmetrical Or Opposite Hand Plans, Sections Or Details.
5. All Dimensions Are To Face Stud Or Actual Face Of Masonry Unless Otherwise Noted.
6. All Wood Blocking And Plywood Sheathing To Be Fire Retardant (FRT) In Accordance With Latest AWPA Standards For Plywood And Lumber.
7. The Contractor Shall Follow All Safety Regulations As Recommended By OSHA.
8. The Contractor Shall Confine Operations At The Site To Areas Indicated On The Drawings And Shall Not Encumber The Site With Material And Equipment.
9. Guarantee Material, Equipment And Labor For A Period Of One Year After Owner Acceptance Of Work.
10. Failure To Show Or Mention Minor Details Shall Not Be Warrent For Omission Of Necessary Apputenances For The Normal, Usual And Proper Completion Of The Work.
11. All New Wall And Floor Finishes Shall Be Of Class 'A' Or 'B' And Class '1' Or Class '2' Ratings Respectively, And Shall Be Installed Per The Manufacturers Instructions.

Interior Wall Types



Legend

- 2 Hour Rated Fire Wall
- Typ. Interior Wall
- New Door
- Existing Wall To Remain
- X New Door Number
- XXX Room Number

DEAN
ARCHITECTS
www.deanarchitects.com

BBB
ACCREDITED
BUSINESS

3284 WALDEN AVENUE
DEPEW, NEW YORK 14043
PHONE: (716) 651-0381
FAX: (716) 651-0382

17-437

Proposed Mixed Use Build-Out:

Ellicott Place

45-47 Ellicott Street
Batavia, NY 14020

No.	Description	Date	By
1	First Floor RCP	8/18/20	DW

DATE:
6-30-2020

DRAWN BY:
D. Wzientek

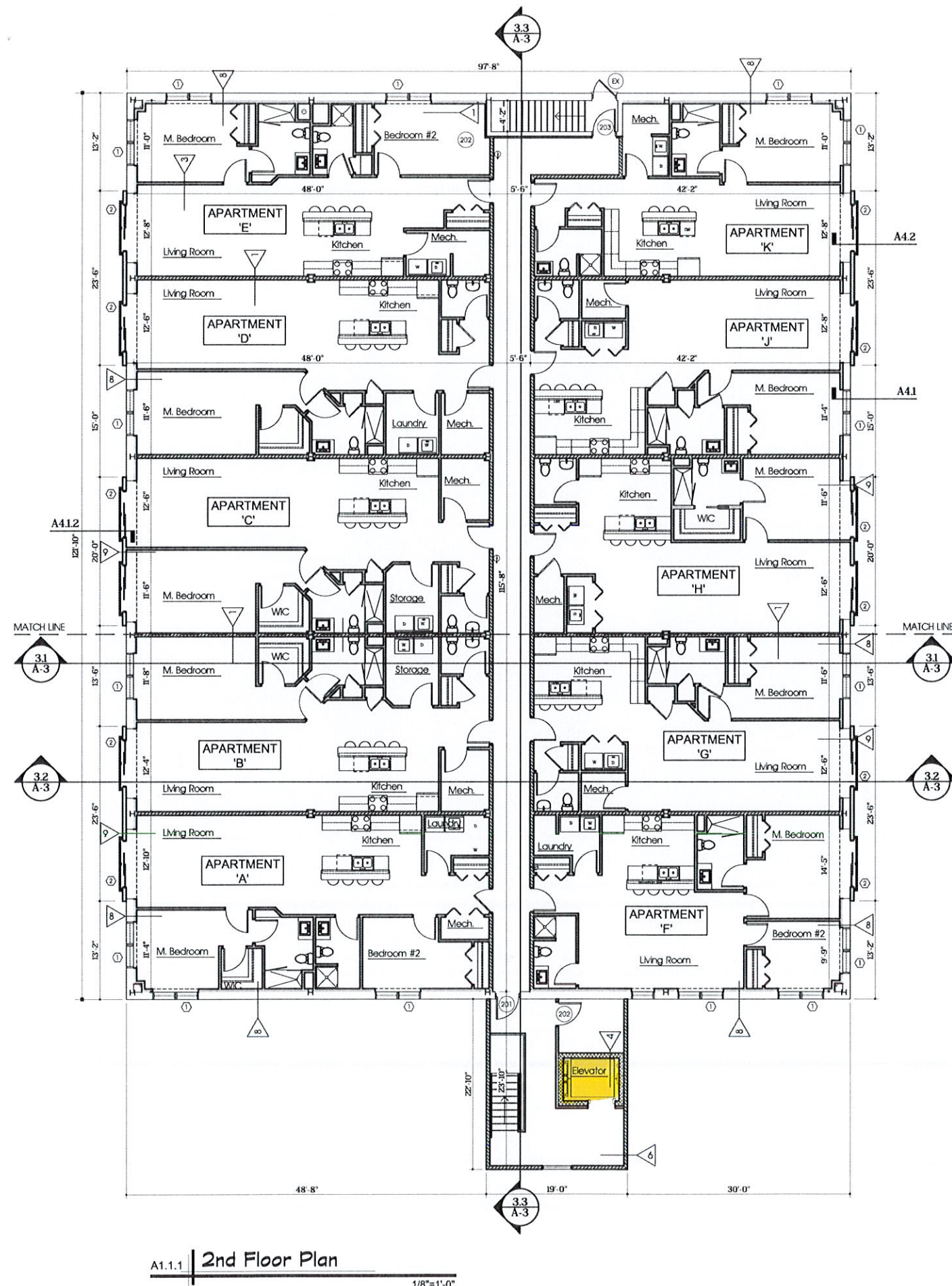
CHECKED BY:
M. Dean

SCALE:
3/32"=1'-0"

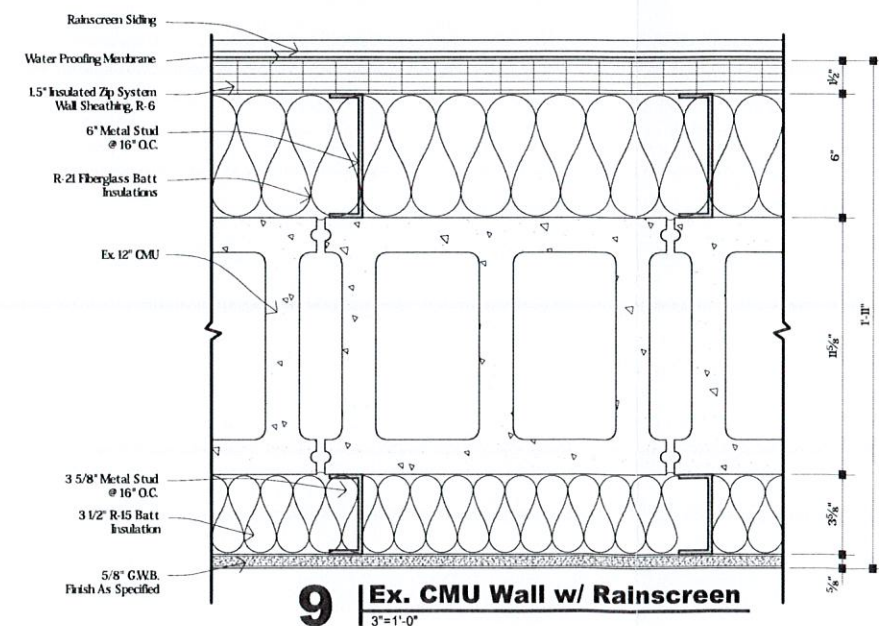
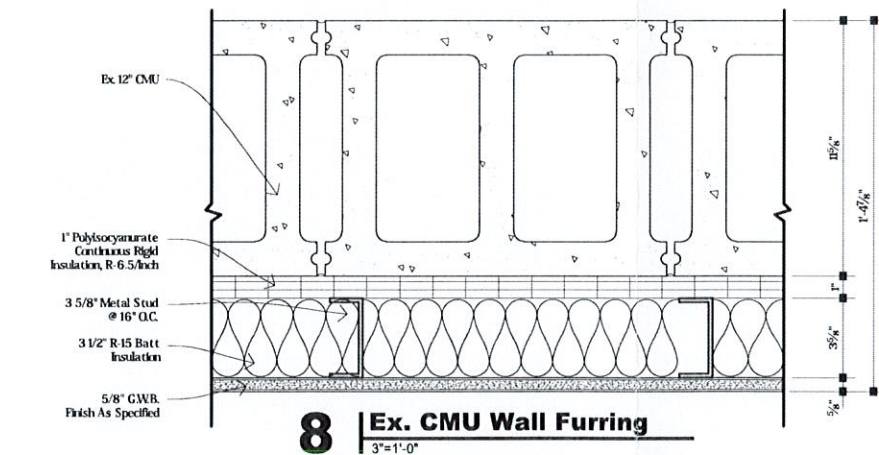
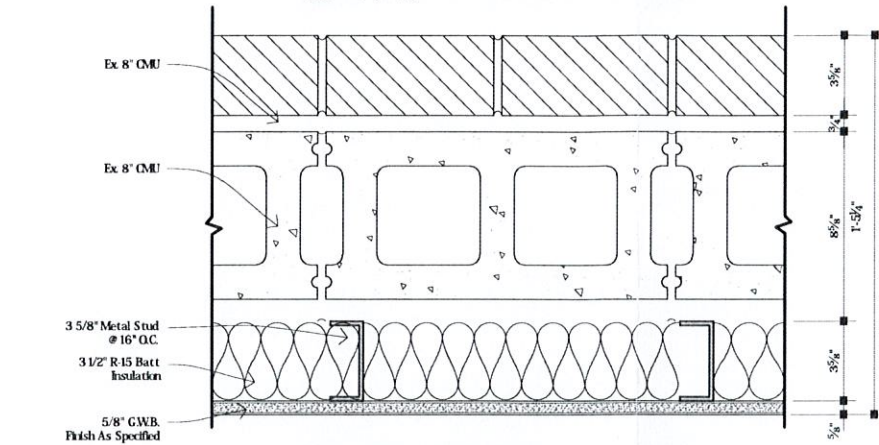
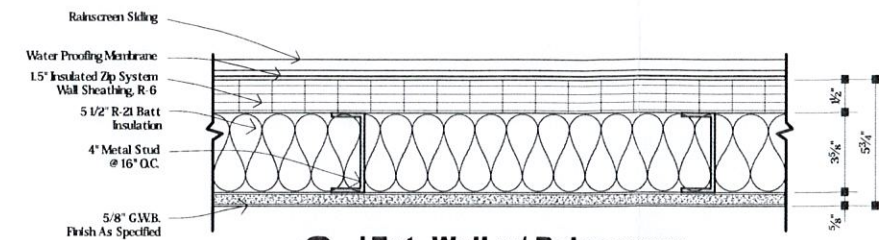
1st Floor Plan

A1

Copyright Dean Architects® 2019



Exterior Wall Types



3284 WALDEN AVENUE
DEPEW, NEW YORK 14043
PHONE: (716) 651-0381
FAX: (716) 651-0382

17-437

Proposed Mixed Use Build-Out:
Ellicott Place
45-47 Ellicott Street
Batavia, NY 14020

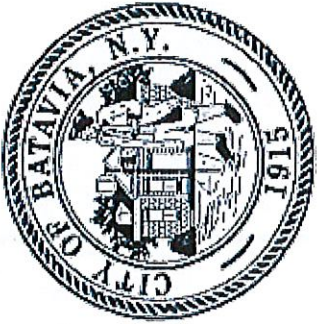
No.	Description	Date	By
1	First Floor RCP	8/18/20	DW

DATE:
6-30-2020
DRAWN BY:
A. Brose
CHECKED BY:
M. Dean
SCALE:
3/32"= 1'-0"

2nd Floor Plan

A1.1





City of Batavia
Department of Public Works
Bureau of Inspections

One Batavia City Center, Batavia, New York 14020

(585)-345-6345

(585)-345-1385 (fax)

To: Genesee County Planning
Planning and Development Committee
Zoning Board of Appeals

From: Doug Randall, Code Enforcement Officer

Date: 10/27/20

Re: 45-47 Ellicott St. (Save A Lot)
Tax Parcel No.

Zoning Use District: C-3

The applicant, Mike Hodgins (sign contractor), has applied for approval to replace four existing internally illuminated sign face panels with new internally illuminated face panels identifying the existing business. The signs are located within the Central Commercial District / Business Improvement District.

Note: This is a type II action as defined by Environmental Conservation Law and is not subject to review under SEQR 6 NYCRR Part 617.5 (c) (1).

Review and Approval Procedures:

County Planning Board- Pursuant to General Municipal Law 239 m, referral to the County Planning Board is required since the property is within 500 feet of the **right of way of a state road or highway.**

City Planning and Development Committee- Pursuant to section 190-43 EE., the Planning and Development Committee shall review and issue recommendations to the ZBA for variances pertaining to signs located within the Central Commercial District (C-3).

Zoning Board of Appeals- Pursuant to section 190-49 and 190-43 EE., the ZBA shall review and act on required variances.

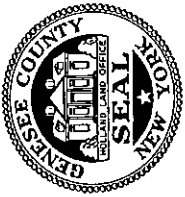
Variance- Area

1) BMC 190-43 Z (8) Internal illumination is not permitted for signs located within the Central Commercial (C-3) District.

BMC 190-43 AA (3) Existing non-conforming signs may change the face panel of a sign that does not meet the area or height standards, but the new panels must conform to the illumination standards of subsection Z.

SEND OR DELIVER TO:

GENESEE COUNTY DEPARTMENT OF PLANNING
3837 West Main Street Road
Batavia, NY 14020-9404
Phone: (585) 815-7901

**DEPARTMENT USE ONLY:**

GCDP Referral # _____

*** GENESEE COUNTY *
PLANNING BOARD REFERRAL**

Required According to:

GENERAL MUNICIPAL LAW ARTICLE 12B, SECTION 239 L, M, N
(Please answer ALL questions as fully as possible)

1. REFERRING BOARD(S) INFORMATIONBoard(s) Zoning Board of AppealsAddress One Batavia City CentreCity, State, Zip Batavia, NY 14020Phone (585) 345 - 6345 Ext. _____Name Mike HodginsAddress 56 Harvester AveCity, State, Zip Batavia, NY 14020Phone (585) 345 - 1030 Ext. _____ Email mhodgins@johnsstudio.comMUNICIPALITY: ☒ **City** ☐ **Town** ☐ **Village of Batavia****3. TYPE OF REFERRAL:** (Check all applicable items)

- ☒ Area Variance
☐ Use Variance
☐ Special Use Permit
☐ Site Plan Review

- ☐ Zoning Map Change
☐ Zoning Text Amendments
☐ Comprehensive Plan/Update
☐ Other: _____

- Subdivision Proposal
☐ Preliminary
☐ Final

4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:A. Full Address 45-47 Ellicott St.B. Nearest intersecting road Jackson StC. Tax Map Parcel Number 84.011-3-7./A

D. Total area of the property _____

Area of property to be disturbed _____

E. Present zoning district(s) _____

5. REFERRAL CASE INFORMATION:

A. Has this referral been previously reviewed by the Genesee County Planning Board?

☒ **NO** ☐ **YES** If yes, give date and action taken _____B. Special Use Permit and/or Variances refer to the following section(s) of the present zoning ordinance and/or law
BMC 190-43 Z (8)C. Please describe the nature of this request Approval to permit internally illuminated signs within the C-3 BID**6. ENCLOSURES** - Please enclose copy(s) of all appropriate items in regard to this referral

- ☒ Local application
☒ Site plan
☐ Subdivision plot plans
☐ SEQR forms

- ☐ Zoning text/map amendments
☐ Location map or tax maps
☒ Elevation drawings
☐ Agricultural data statement

- ☐ New or updated comprehensive plan
☒ Photos
☒ Other: Cover letter

7. CONTACT INFORMATION of the person representing the community in filling out this form (required information)Name Douglas RandallTitle Code Enf. OfficerAddress, City, State, Zip One Batavia City Centre, Batavia, NY 14020Phone (585) 345 - 6327

Ext. _____

Email drandall@batavianewyork.com

PAID

OCT 27 2020



CITY OF BATAVIA
APPLICATION TO THE ZONING BOARD OF APPEALS

Application No.: _____
Hearing Date/Time: _____

APPLICANT: Signs by John's Studio whodanis@johnstudio.com
Name: _____
56 Harvester Ave 345-1030 343-4469
Street Address E-Mail Address
Batavia NY Phone Fax
City State Zip

STATUS: _____ Owner _____ Agent for Owner _____ Contractor ☒

OWNER: V.J. Gantieli Constructors, Inc. vjgantielesgantieeli.com
Name: _____
45 Liberty St. 343-0852 343-4661
Street Address E-Mail Address Phone Fax
Batavia, NY State Zip

LOCATION OF PROPERTY: 45-47 Ellicott St. Batavia NY 14020

DETAILED DESCRIPTION OF REQUEST: To replace existing illuminated signs with updated signs reflecting the new logo and graphics of the Save A Lot store. The previous signs at that location were internally illuminated.

Applicant must be present at the hearing date. Failure to do so will result in the application being discarded. It is the responsibility of the applicant to present evidence sufficient to satisfy the Zoning Board of Appeals that the benefit of the applicant does not outweigh the health, safety, morals, aesthetics and general welfare of the community or neighborhood.

Applicant's Signature: Maril J. Gantieli Date: 10/20/20
Owner's Signature: [Signature] Date: 10/21/2020

To be Filled out by Zoning Officer

TAX PARCEL: 84.011-3-7.1A ZONING DISTRICT: C-3 FLOOD PLAIN: C
TYPE OF APPEAL: ☒ Area Variance ☐ Use Variance ☐ Interpretation ☐ Decision of Planning Committee
FEE: _____ \$50 (One or Two Family Use) ☒ \$100 (All other Uses)

Provision(s) of the Zoning Ordinance Appealed: BMC 190-43.7 (8) Internal illumination
is not permitted in the C-3 BIP.

Criteria to Support Area Variance

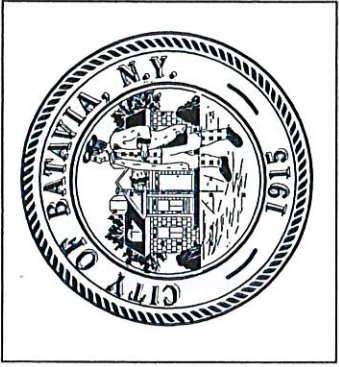
In making its determination, the zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety, moral, aesthetics and welfare of the neighborhood or community. The Zoning Board of Appeals shall consider the following test, as per §81-b of the General City Law when making its determination:

Explain how the proposal conforms to EACH of the following requirements:

- 1. Undesirable Change in neighborhood Character.** The granting of the variance will not produce an undesirable change in the neighborhood or a detriment to nearby properties. The variance will not produce an undesirable change as the proposed signs will exactly replace the previous.
- 2. Alternative Cure Sought.** There are no other means feasible for the applicant to pursue that would result in the difficulty being avoided or remedied, other than the granting of the area variance. The area variance being sought is a continuation of the previous use and there is no other way to provide similar signage.
- 3. Substantiality.** The requested area variance is not substantial. The requested variance is not substantial as the proposed sign plan is the same as the previous one.
- 4. Adverse Effect or Impact.** The requested variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or community. There will be no adverse impact in the neighborhood because the use will not change from previous
- 5. Not Self-Created.** The alleged difficulty existed at the time of the enactment of the provision or was created by natural force or governmental action, and was not the result of any action by the owner or the predecessors in title. The use will be no change in use and the existing sign format has been in existence and has not been newly created.

Amir G. Khan
Applicant's Signature

10/20/20
Date



SIGN PERMIT APPLICATION

City of Batavia

One Batavia City Centre, Batavia, NY 14020
(585) 345-6345 • Fax (585) 345-1385

Permit No.: _____
Date: _____
Zone: _____

84.011-3-7.1A

APPLICANT/OWNER:

Name Signs by John's Studio E-mail Address whodajins@johnsstud.
56 Harvester Ave, 585-345-1030 343-4469 Co
Street Address Batavia Phone 149 14020
City, State, Zip Code NY

ADDRESS OF SIGN:

45-47 Elliott Street Batavia

AREA OF SIGN:

Length # A 15' 5 1/4" Width 96" Area 123.50 (Wall sign) Internal lit.
Length # B 44" Width 145" Area 44.31 (Pole sign) Non-Conforming sig
Inter. lit.

TYPE OF SIGN:

- # C + D 23.25 36.25 5.85 each (Ent. and Ext. signs)
1. All sign applications must have an illustration of the sign with its dimensions and copy. Inter. lit.,
2. Freestanding signs must have a Sit Plan to show the sign's location on the property.
3. All other signs must include an elevation plan to show the sign's placement on the building.

☒ Freestanding

☒ Wall

☐ Projecting

☐ Marquee

☐ Awning / Canopy

☐ Window

☐ Portable

Set Back _____

Wall Length _____

Height 6 ft.

Wall Height 83' 3"

Height 16 ft.

Wall Height 120"

Area 838.5

Length _____

Window Length _____

Height _____

Window Height _____

Area _____

Area _____

Lighting:

☒ Internal

☐ External

Existing Signs (Please list all existing signs with dimensions):

Wall sign 83 ft x 96" Enter & Exit 2 @ 23.25 x 36.25

Pylon sign 44" x 145"

Applicant's Signature Mario G. Harpurs

Issuing Officer _____

Planning Board Chairperson _____

Date 10/19/20

Date _____

Date _____

FEES:

☒ \$25 Sign Permit

☐ \$50 Special Sign Permit

☐ \$10 Portable Sign

**RESOLUTION TO SELL PROPERTY TO SUPER DUPER FOR
SERVICE RAMP**

9. Motion of Councilman Franco

WHEREAS, Batavia Super Duper of 2 Alva Place, Batavia, New York, has submitted an offer to purchase certain real property owned by the City of Batavia on the east side of the Montgomery Ward building located in the City of Batavia Court Street Urban Renewal Plaza for purposes of constructing thereof an entrance ramp to said Montgomery Ward building; and

WHEREAS, the City Administrator and City Engineer have reviewed said request and have recommended to this Council that it favorably consider selling the same upon certain terms and conditions; and

WHEREAS, Batavia Super Duper has requested permission to locate entrance and exit signs on City property on the south side of said Montgomery Ward store to which it is relocating;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Batavia that the public use of a strip of land 23.5 feet long by 5 feet wide contiguous to the east side of the Montgomery Ward building, the north end of said strip of land being 115 feet south from the northeast corner of said building and the south end of said strip of land being 55 feet north of the southeast corner thereof, be and the same hereby is discontinued;

BE IT FURTHER RESOLVED that the offer of Batavia Super Duper to purchase said strip of land for \$1.00 be and the same hereby is accepted, provided, that the sale and purchase be made with Vito J. Gautieri of 45 Liberty Street, Batavia, New York, as owner of the contiguous property rather than to Batavia Super Duper, the tenant thereof; and.

BE IT FURTHER RESOLVED that said conveyance to said Vito J. Gautieri be made upon the following conditions:

1. That said purchaser prepare and provide at his sole expense a legal description of the property to be conveyed acceptable to both the City of Batavia engineering and legal departments.
2. That said purchaser enter into a written agreement with the City of Batavia in form acceptable to the City legal department agreeing to construct a sidewalk at purchaser's sole cost and expense to City specifications and in accordance with a timetable to be established by the City of Batavia 10 feet wide by 90 feet long on the east side of said Montgomery Ward building, said sidewalk to extend from the north side of a loading dock on the south northerly to and

abutting the presently existing 10 foot wide sidewalk on the north.

3. That said purchaser agree to maintain, repair and clean all the sidewalk presently existing contiguous to the Montgomery Ward building as well s the one to be constructed by him.

4. That said purchaser at his sole cost and expense maintain, repair and clean the presently existing sign and planter area situated at the intersection of said Ellicott and Jackson Streets.

BE IT FURTHER RESOLVED that this Council grant permission to Batavia Super Duper to erect two (2) 3 foot wide signs on City property at the southwest entrance to the parking lot servicing said Montgomery Ward store, the exact location and size of said signs to be first approved by the City Engineering Department; that said Super Duper be solely responsible for said maintenance and repair of said signs and that the permission to place said signs on City property granted by this resolution be subject to revocation by this Council at any time upon thirty (30) days notice being given by the City to said tenant; and

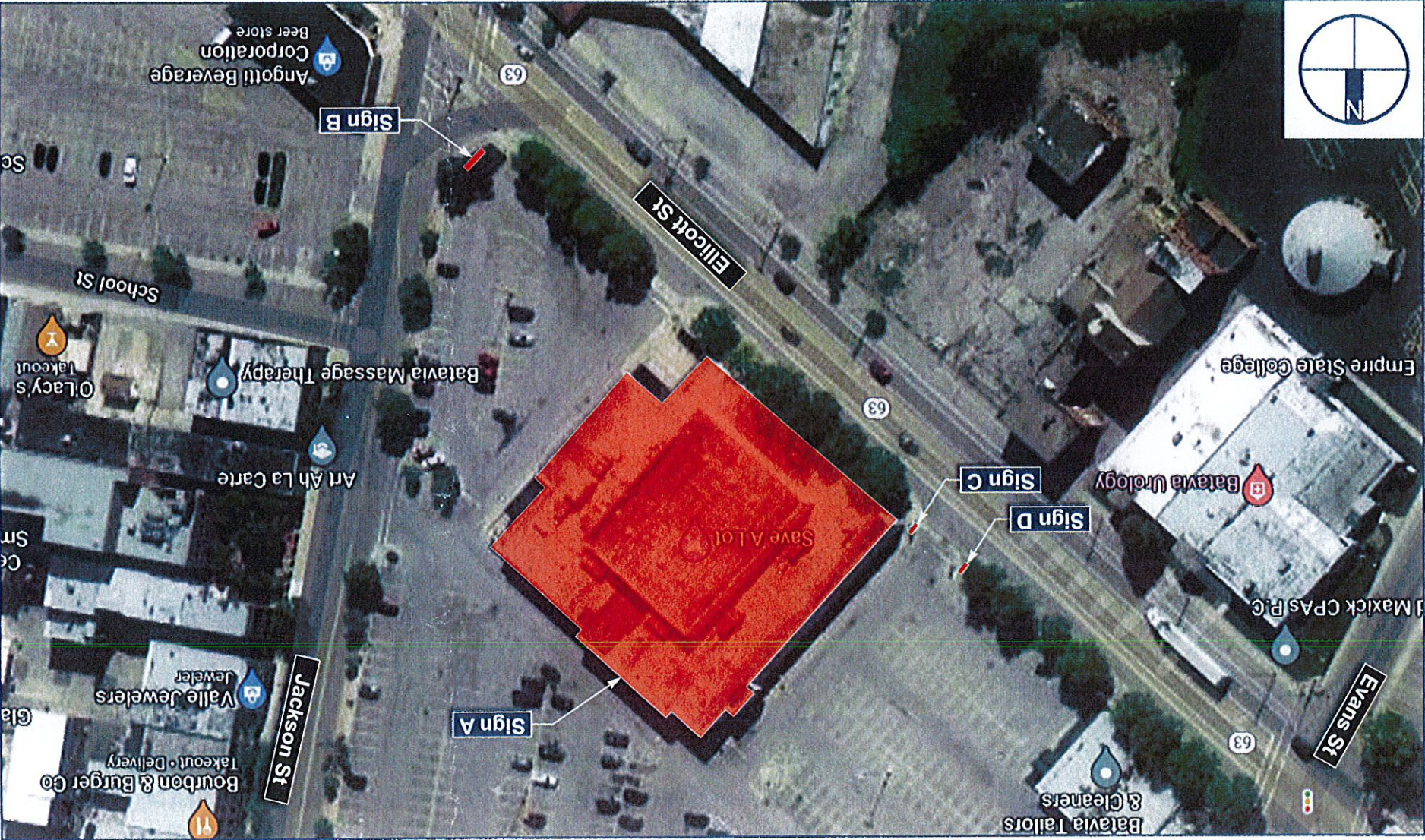
BE IT FURTHER RESOLVED that the Council President be and he hereby is authorized and directed to execute the quitclaim deed and other documents necessary to accomplish the intent of this resolution.

Seconded by Councilman Bostwick and on roll call approved unanimously.

STATE OF NEW YORK
COUNTY OF GENESEE
CITY OF BATAVIA

I hereby certify that the foregoing is a true and correct transcript of a Resolution duly adopted by the City Council of the City of Batavia on the 5th day of October, 1990, and of the whole thereof.

Dated at Batavia, N.Y. October 18, 1990
City Clerk, Batavia, N.Y.



SIGN A	96" Save A Lot 15" food stores
Type:	Wall Sign Channel Letters
Illumination:	Internally Illuminated LED
Square Footage:	123.50
To Grade:	Top of Sign to Grade = 18'-8 1/4" Bottom of Sign to Grade = 10'-8 1/4"

SIGN B	Save A Lot
Type:	New Panformed Panels w/ Applied Vinyl
Actual Size:	44" x 145"
Viewable Size:	40" x 141"
Square Footage:	44.31

SIGN C	Save A Lot
Type:	New Panformed Panels w/ Applied Vinyl
Actual Size:	23 1/4" x 36 1/4"
Viewable Size:	20" x 33"
Square Footage:	5.85

SIGN D	Save A Lot
Type:	New Panformed Panels w/ Applied Vinyl
Actual Size:	23 1/4" x 36 1/4"
Viewable Size:	20" x 33"
Square Footage:	5.85

Client:	Save A Lot
Site #:	SAV-24853
Address:	45-47 Ellicott Street Batavia, NY 14020

REVISION INFO	
09/09/2020	Original Renderings
09/11/2020	Updated Sign A Specs
09/21/2020	Updated Sign A location
10/19/2020	Updated Elevation


SD	Original Renderings
SD	Updated Sign A Specs
SD	Updated Sign A location
NB	Updated Elevation
SD	
SD	
SD	
SD	

This rendering is the property of Anchor Sign, Inc. It is for the exclusive use of Sign, Inc. and the party which requested the rendering. It is an unpublished original drawing not to be distributed, reproduced or exhibited without the consent of Anchor Sign, Inc. Please contact your account manager with questions regarding this statement.

SIGN A		Type:	Illumination:	Square Footage:	To Grade:
96" Save A Lot 15" food stores	Wall Sign Channel Letters	Internally Illuminated LED	123.50	Top of Sign to Grade = 18'-8 1/4"	Bottom of Sign to Grade = 10'-8 1/4"


Electrical: Wall Sign

White LEDs
(2) 60W Transformers
Total Amps: 2.2
(1) 20 amp 120V Circuit Req.

 LISTED

Electrical: Channel Letters

White LEDs
(1) 60w Transformers
Total Amps: 1.1
(1) 20 amp 120V Circuit Req.

 LISTED

General Notes:

This sign is to be installed in accordance with the requirements of Article 600 of the National Electrical Code.

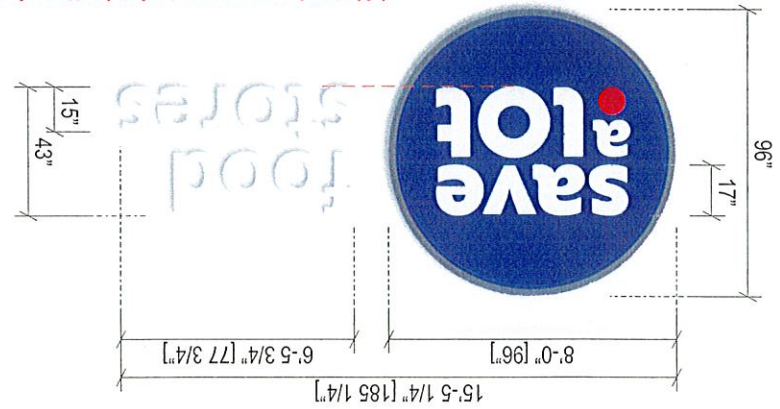
- 1) Grounded and bonded per NEC 600.7/NEC 250
- 2) Existing branch circuit in compliance with NEC 600.5, not to exceed 20 amps
- 3) Sign is to be UL listed per NEC 600.3
- 4) UL disconnect switch per NEC 600.6- required per sign component before leaving manufacturer*
- *For multiple signs, a disconnect is permitted but not required for each section

Client:	Save A Lot
Site #:	SAV-24853
Address:	45-47 Elliott Street
	Batavia, NY 14020

REVISION INFO	
09/09/2020	
09/11/2020	
09/21/2020	
10/19/2020	

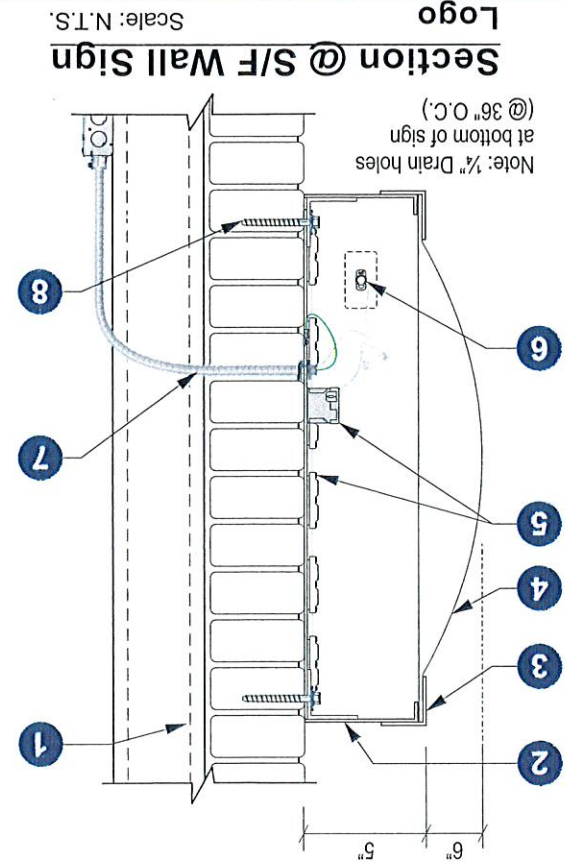
SD	Original Renderings
SD	Updated Sign A Specs
NB	Updated Sign A Location
SD	Updated Elevation

This rendering is the property of Anchor Sign, Inc. It is for the exclusive use of Anchor Sign, Inc. and the party which requested the rendering. It is an unpublished original drawing not to be distributed, reproduced or exhibited without the consent of Anchor Sign, Inc. Please contact your account manager with questions regarding this statement.



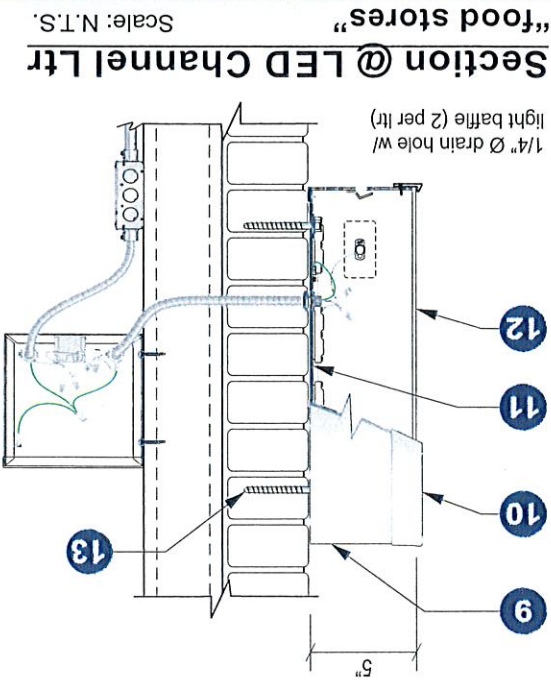
Sign Layout Detail

* Note: Logo copy to be bottom justified w/ the 's' in 'food stores'



Section @ S/F Wall Sign

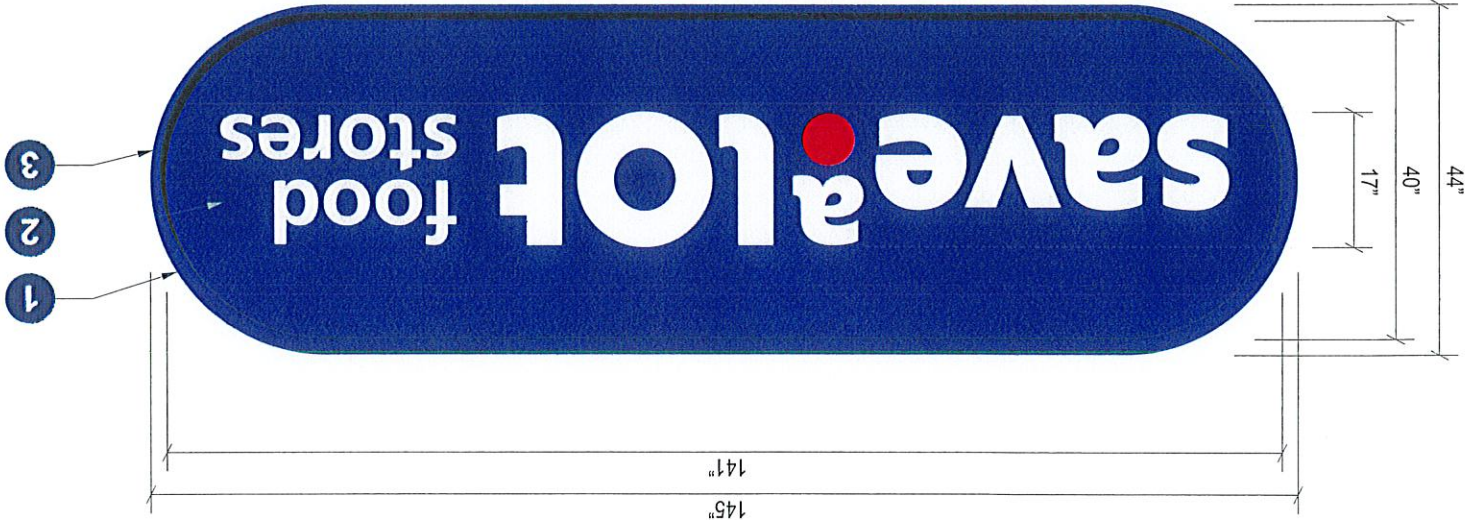
Scale: N.T.S.



Section @ LED Channel Ltr
Scale: N.T.S. "Food stores"

Scale: N.T.S.

SIGN B	
Save A Lot	Type:
New Panformed Panels w/ Applied Vinyl	Actual Size:
44" x 145"	Viewable Size:
40" x 141"	Square Footage:
44.31	



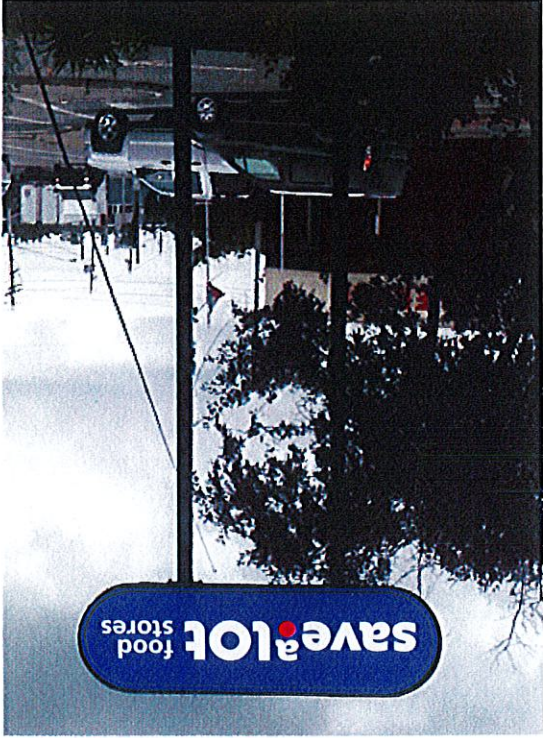
Panel Replacement On Existing D/F Pylon
QTY 2 (1 SET)

Scale: 1/2" = 1'-0"

Specifications:	
1. New panformed panel	
2. First surface applied vinyl	
3M 3630-36 Blue (PMS 280C)	
3M 3630-143 Poppy Red (PMS 485C)	
3. Existing retainers	



Existing

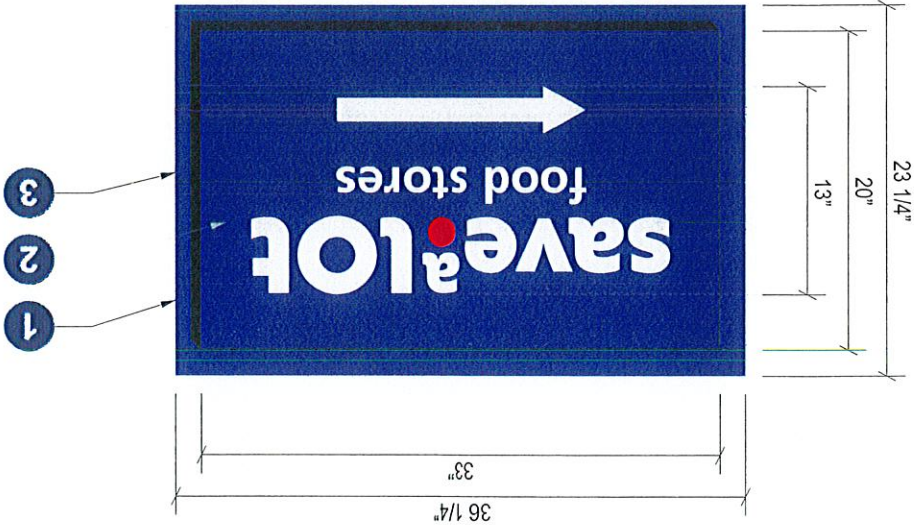


Pylon Elevation

Scale: N.T.S.

Client: Save A Lot		Site #: SAV-24853		Address: 45-47 Elllicott Street		Batavia, NY 14020	
REVISION INFO							
09/09/2020	Original Renderings	SD					
09/11/2020	Updated Sign A Specs	SD					
09/21/2020	Updated Sign A location	NB					
10/19/2020	Updated Elevation	SD					
This rendering is the property of Anchor Sign, Inc. It is for the exclusive use of Anchor Sign, Inc. and the party which requested the rendering. It is an unpublished original drawing not to be distributed, reproduced or exhibited without the consent of Anchor Sign, Inc. Please contact your account manager with questions regarding this statement.							
AnchorSign		1.800.213.3331					

SIGN C	
Type:	New Panelformed Panels w/ Applied Vinyl
Actual Size:	23 1/4" x 36 1/4"
Viewable Size:	20" x 33"
Square Footage:	5.85



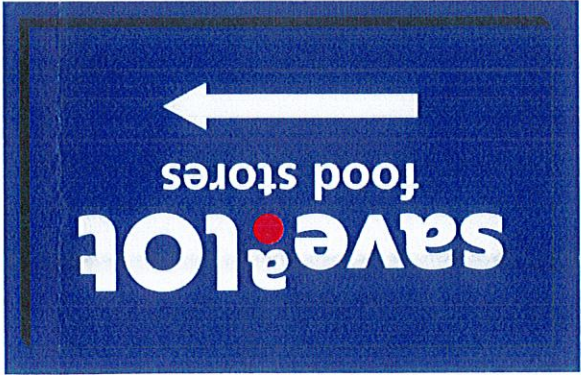
Panel Replacement On Existing D/F Directional
QTY 2 (1 SET)

Scale: 1" = 1'-0"

Specifications:	
1. New panelformed panel	
2. First surface applied vinyl	
3M 3630-36 Blue (PMS 280C)	
3M 3630-143 Poppy Red (PMS 485C)	
3. Existing retainers	



Existing



Opposite Side



Directional Elevation

Scale: N.T.S.

SD	Original Renderings
SD	Updated Sign A Specs
NB	Updated Sign A location
SD	Updated Elevation
SD	10/19/2020
SD	09/21/2020
SD	09/11/2020
SD	09/09/2020
SD	Original Renderings

This rendering is the property of Anchor Sign, Inc. It is for the exclusive use of Anchor Sign, Inc. and the party which requested the rendering. It is an unpublished original drawing not to be distributed, reproduced or exhibited without the consent of Anchor Sign, Inc. Please contact your account manager with questions regarding this statement.

Client:	Save A Lot
Site #:	SAV-24853
Address:	45-47 Ellicott Street Batavia, NY 14020
REVISION INFO	
09/09/2020	Original Renderings
09/11/2020	Updated Sign A Specs
09/21/2020	Updated Sign A location
10/19/2020	Updated Elevation

2021
Meeting Dates for
Planning and Development Committee
Deadline for applications is the last Thursday of the month

Planning and Development Committee

January 19	6:00 p.m.
February 16	6:00 p.m.
March 16	6:00 p.m.
April 20	6:00 p.m.
May 18	6:00 p.m.
June 15	6:00 p.m.
July 20	6:00 p.m.
August 17	6:00 p.m.
September 21	6:00 p.m.
October 19	6:00 p.m.
November 16	6:00 p.m.
December 14	6:00 p.m.