PLANNING & DEVELOPMENT COMMITTEE Tuesday, February 16, 2021

6:00 pm
Council Board Room
One Batavia City Centre, Batavia NY

AGENDA

- I. Roll Call
- II. Call to Order
- III. Approval of Minutes -1/19/21
- IV. Proposals

Address: 39-43 Jackson St.
Applicant: Jack Waggoner (owner)

Proposal 1: Alter the exterior appearance of this property that is located within the

Business Improvement District by building out the store front entrances flush to the face of the building; replacing windows; installing exterior down lighting on the west elevation; removing existing ridge canopy projections and installing new retractable fabric awnings; installing new aluminum-clad wooden door with transoms and side lights on the west and south elevations; new aluminum-clad wood store fronts with transom

windows on the west and south elevations

Actions: 1. Review application

2. Discussion and action by the board

Address: 127 North St. (UMMC Radiology / ICU Addition)

Applicant: Dave Hetrick (agent for owner)

Proposal 2: Site plan review to construct a two-story addition covering

approximately 5,113 sq.' of parcel area

Actions: 1. Review application

2. Public hearing and discussion

3. SEQR

Action by the board

- V. Setting of Next Meeting: March 16, 2021
- VI. Adjournment

PLANNING & DEVELOPMENT COMMITTEE DRAFT MINUTES January 19, 2021

6:00 pm

Council Board Room One Batavia City Centre, Batavia NY

Members present: David Beatty, Edward Flynn, Matt Gray, Tammy Hathaway, Duane Preston

Members absent: Robert Knipe

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 Chair Duane Preston declared a quorum.

II. Call to order

Mr. Preston called the meeting to order at 6:02 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 November 17, 2020 meeting minutes.

IV. Proposals

A. Replace the existing internally illuminated, white background roof sign face panels with new, white background, internally illuminated face panels identifying the existing business. The signs are located within the Central Commercial District / Business Improvement District

Address: 60 Liberty Street aka 233 Ellicott Street (Pok A Dot)

Applicant: Mike Hodgins (sign contractor)

Actions: 1. Review application

2. Discussion and recommendation to the ZBA

1. Review Application

[Mr. Hodgins was absent. The board started with the second proposal in case Mr. Hodgins was simply late, and then came back to this proposal.]

Mr. Preston read the summary of the proposal.

2. Discussion and Recommendation to the ZBA

Mr. Gray stated that there is no point in having a code and design guidelines if there is not going to be compliance. Mr. Flynn and Mr. Preston agreed.

MOTION: Mr. Gray moved to recommend disapproval of the proposal to the ZBA on the grounds that neither the illumination nor the light background with dark letters meets with design guidelines; the motion was seconded by Mr. Flynn, and on roll call, was approved 5-0. **RESULT: Recommend disapproval of the application to the ZBA.**

B. Recommendation to the Zoning Board of Appeals for approval of a non-permitted use, food service business (Commit to Wellness / Eat Well Grill meal preparation service) in an existing kitchen / food preparation area of this existing multi-use building

Address: 301 North Street

Applicant: Emily Fraser-Branche (owner)

Actions: 1. Review application

2. Discussion and recommendation to the ZBA

1. Review Application

Mr. Preston read the summary of the proposal.

2. Discussion and Recommendations

Gregory Branche spoke on behalf of the project. He noted that in the past the kitchen was used only by the YWCA solely for its own purposes. If the kitchen remains unused, the area will become dead space. Removal of the kitchen and a remodel of the space would be cost prohibitive.

Mr. Branche pointed out that the service does not substantially increase the traffic flow. The food prep service is consistent with the use of the facility as a medical campus. Ingredients are sourced locally, supporting local farmers, and the food is used to create healthy meals, providing a benefit to the community.

Mr. Flynn asked if the business is for profit, and the owner said yes. She said that while they consider themselves an asset to the community, they also need to make a living.

MOTION: Mr. Flynn moved to recommend approval of the application to the ZBA with the following conditions: any business that occupies the space must be related to the health care business, and it must not create a burden on traffic beyond what is already in existence. The motion was seconded by Ms. Hathaway, and on roll call, was approved 5-0.

RESULT: Recommend approval of the application with conditions.

V. Setting of Next Meeting: February 16, 2021

VI. Adjournment

Mr. Preston adjourned the meeting at 6:27 p.m.

Meg Chilano Bureau of Inspection 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:

1/29/21

Re:

39-43 Jackson St.

Tax Parcel No. 84.049-1-36

Zoning Use District: C-3

The applicant, Jack Waggoner (owner), has applied for a building permit to alter the exterior appearance of this property that is located within the Business Improvement District.

The Exterior changes involve building out store front entrances flush to the face of the building; replacing windows; installing exterior down lighting on the west elevation; removing existing ridged canopy projections and installing new retractable fabric awnings; installing new aluminum clad wooden door with transoms and side lites on the west and south elevations; new aluminum clad wood store fronts with transom windows on the west and south elevations.

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) of the zoning ordinance, the Planning and Development Committee shall review applications involving exterior changes on properties located within the B.I.D.

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 #	 	_



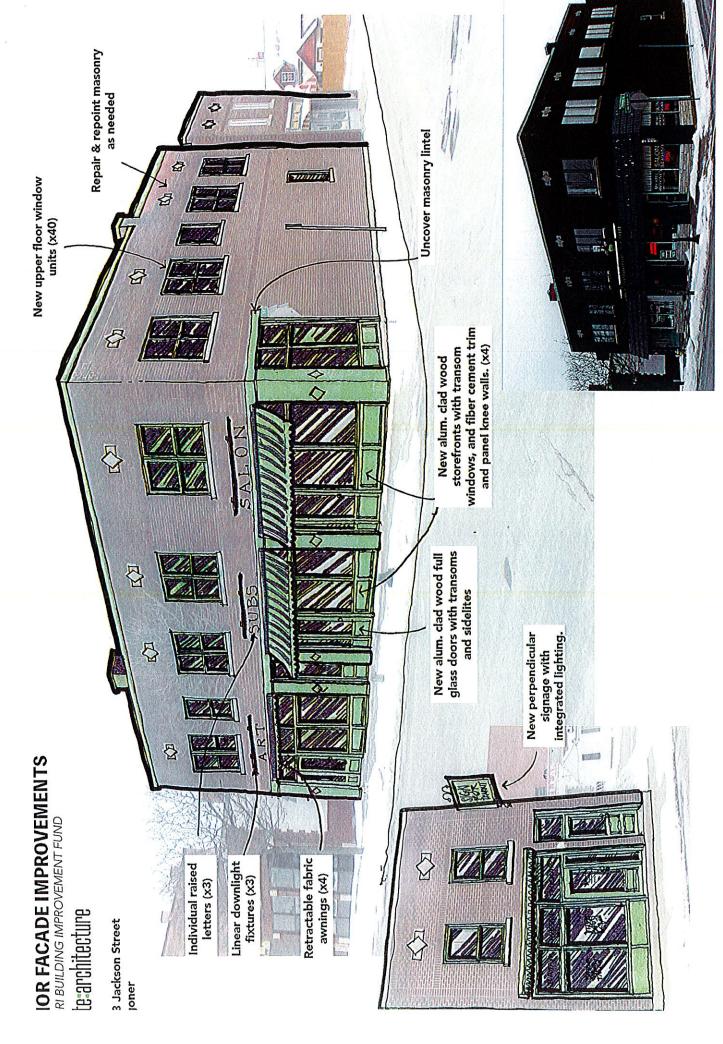
* GENESEE COUNTY * PLANNING BOARD REFERRAL

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

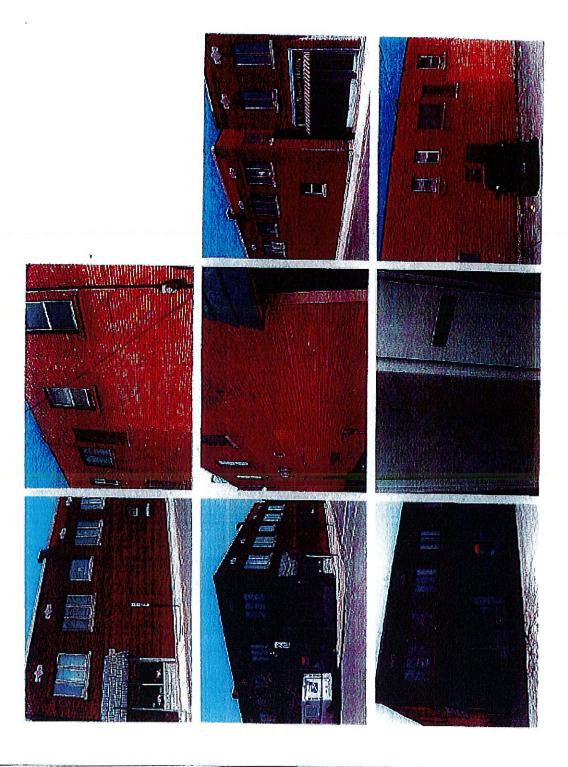
	· ·	J F,
1. REFERRING BOARD(S) INFORM	ATION 2. APPLICANT I	NFORMATION
Board(s) Planning and Developmen	nt Committee Name Jack Wag	ggoner
Address One Batavia City Centre	Address 8130 Ev	vergreen Dr.
City, State, Zip Batavia, NY 14020	City, State, Zip C	orfu, NY 14036
Phone (585) 345-6345	Ext. Phone (716) 560 - 13	883 Ext. Email
MUNICIPALITY: City	Town Uillage of Batavi	ia
3. TYPE OF REFERRAL: (Check all app	olicable 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. <u>Location of the Real Prop</u> e	ERTY PERTAINING TO THIS REFER	RAL:
A. Full Address 39-43 Jackson S	St	
B. Nearest intersecting road School	ol St.	
C. Tax Map Parcel Number <u>84.04</u>	9-1-36	
D. Total area of the property	Area of proper	ty to be disturbed
E. Present zoning district(s)		
 REFERRAL CASE INFORMATION A. Has this referral been previously 	: reviewed by the Genesee County Plans	ning Board?
■ NO YES If yes, give o	late and action taken	
B. Special Use Permit and/or Varia	nces refer to the following section(s) of	the present zoning ordinance and/or law
C. Please describe the nature of this	request Approval to change exterio	or appearance within the 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 pe	erson representing the community in fill	ling 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

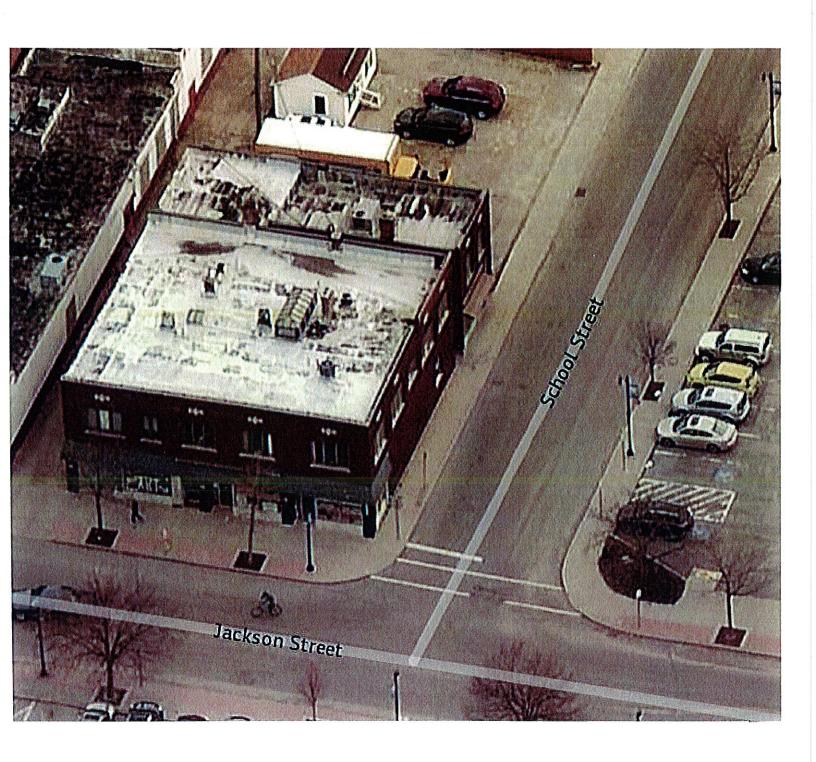
CITY OF BATAVIA BUILDING PERMIT APPLICATION

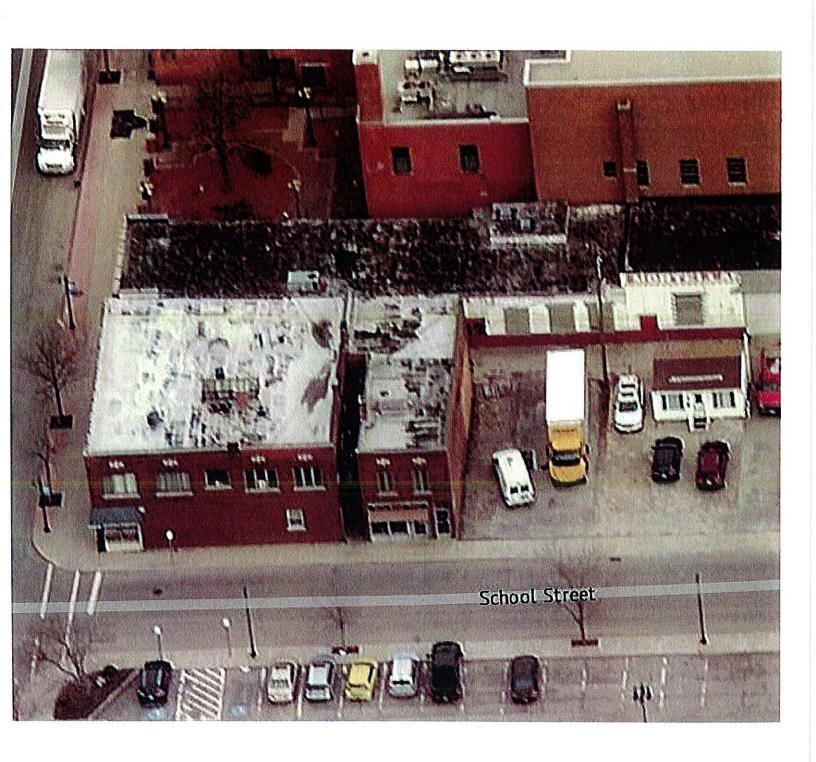
DATE: 01-29-2021	1		
APPLICANT NAME	E & PHONE:Jack W	aggoner - 716-560-1383	
Project Location a			Fee:
	39-43 Jackson Street		
Owner & Address: _ 716-5 Phone:	Jack Waggoner - 8 60-1383	3130 Evergreen Dr., Corfu I	NY 14036
Project Type/Desc	ribe Work		
Estimated cost of w	vork: <u>\$200,000</u>	Start	t date: April, 2021
Describe project:			
Facade Work: Awnin	ngs, signage and entrywa	ys. Roof Work:	
Window Replacen	nents. rehabilitate Cor	mmercial Unit.	
<u>GENERAL</u> Name/Address: <u>TE</u>	BD - Grant Program requir	•	ers comp) required being on file This will occur after Planning Board Approval
	of Batavia Licensed Plu		
<u>HEATING</u>			
ELECTRICAL		al Inspection Required)	
		FOR OFFICE USE ONLY	
			Historic District/Landmark:
		Site Plan Review:	Manufakura da Ma
5	off (Pools):		e:
			pancy Class:
Proposed Use		NYS Building Code Occup	pancy Class:

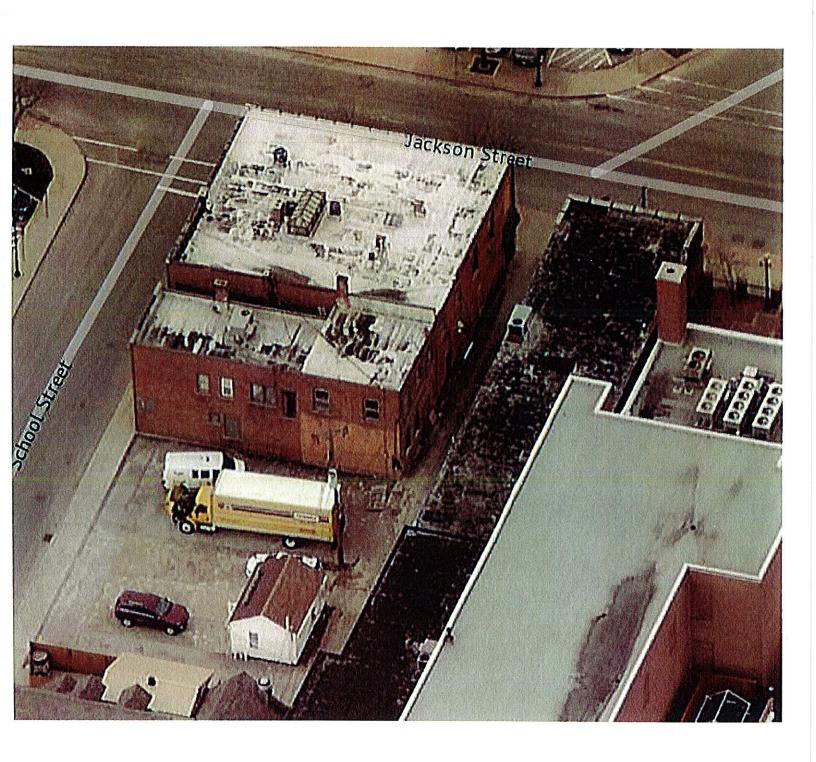


EXISTING CONDITIONS PHOTOGRAPH











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:

Planning and Development Committee

Zoning Board of Appeals

From:

Doug Randall, Code Enforcement Officer

Date:

2/1/21

Re:

127 North St. (UMMC Radiology/ICU Addition)

Tax Parcel No. 84.007-2-2

Zoning Use District: P-2

The applicant, Dave Hetrick (owner rep.), has filed a site plan and zoning variance application to construct a two story addition covering approx. 5,113 sq. ft. of parcel area. A portion of the proposed addition is located within the front yard setback.

Review and Approval Procedures:

City Planning and Development Committee—Pursuant to section 190-25 G (1)(a) of the zoning ordinance, the Planning and Development Committee shall review and determine that the site plan, structures and uses compare favorably with the community prior to permit issuance.

Zoning Board of Appeals Pursuant to BMC Sec. 190-49 of the zoning ordinance, the ZBA shall review and act on required variances.

Required variances- Area

1) BMC 190-25 D (2)

	Required	Proposed	<u>Difference</u>
Front yards	25'	9.25'	15.75'

The PDC will be the lead agency to conduct SEQR.



MEMORANDUM

TO:

Douglas Randall, Code Enforcement Officer, City of Batavia

FROM:

Richard Waite ASLA

DATE:

January 27, 2021

RE:

UMMC Radiology/ICU Addition

Mr. Randall, as you requested, following is a brief project description and design statement regarding proposed storm drainage, parking, and landscaping associated with the proposed Radiology/ICU addition at UMMC in Batavia, New York.

Project Description

United Memorial Medical Center proposes to add on to its hospital at 127 North Main Street in Batavia, New York in order to expand its Radiology and ICU facilities. The project will add 5,113 sf to the existing hospital footprint and will include a new building entrance off of Summit Street Extension, three new parking spaces, and a small amount of landscaping. Approximately three quarters of the proposed addition perimeter will abut the existing hospital structure.

Storm Drainage

Existing drainage patterns in the vicinity of the proposed addition will remain largely unchanged. Most of the storm water runoff in the vicinity of the proposed addition will be collected by an existing catch basin on the east side of Summit Street in front of the Cancer Center. Roof runoff generated by the proposed addition will be collected by a new drywell located in the lawn on the west side of the proposed addition.

Parking

Three new parking spaces are proposed. These will be an extension of the 90 degree parking area which exists in front of the Cancer Center. The proposed addition will not include any new beds, so no expansion of parking is required by the City Code.

Landscaping

Landscaping is proposed along the entire frontage of the proposed addition. The proposed plants include both deciduous and coniferous woody shrubs which were selected for their ornamental qualities and low maintenance requirements.



CITY OF BATAVIA

APPLICATION TO THE ZONING BOARD OF APPEALS

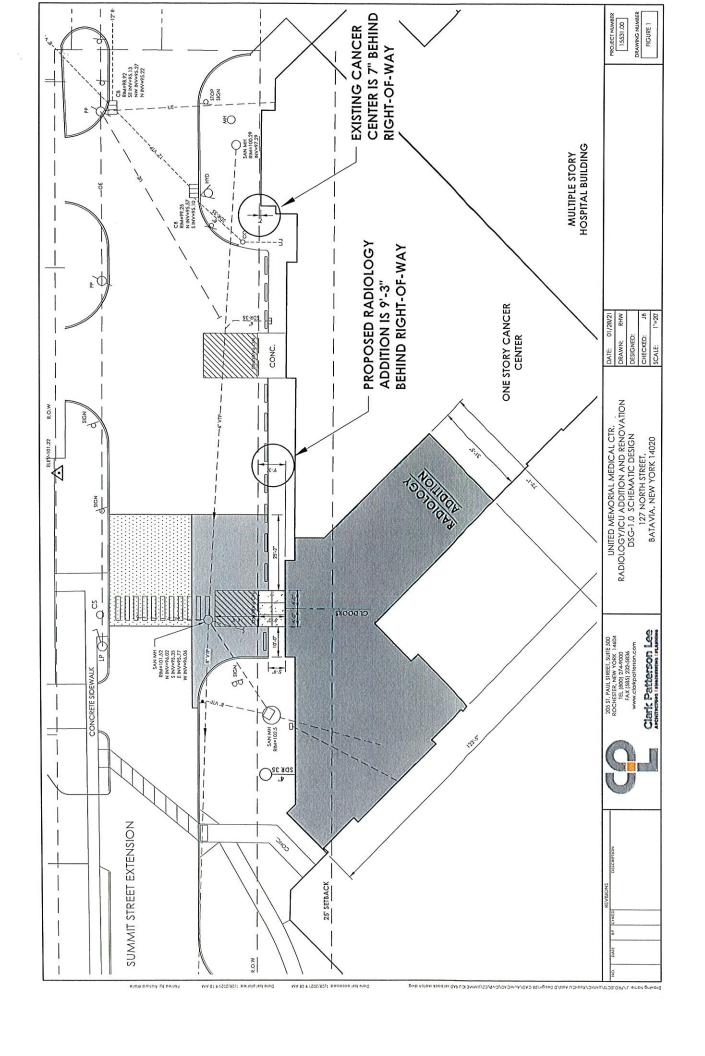
1915	9				
ADDI ICANT	Dave Hert	rik	dh	etrick@um	mc.org
AII DICANT.	Name 27 North	Street	585	E-Mail Address -727-8185	5
•	Street Address Batavia]		Phone	Fax
	City		State		Zip
STATUS:	_X Owner	Aį	gent for Owner		Contractor
OWNER:		ik	dh	etrick@un	mc.org
	Name 27 North S	Street	585	E-Mail Address - 727 - 8185	;
	Street Address	Į.	1Y	Phone	Fax 4020
Street Address Batavia NY State Street Address Batavia NY State State Street Address Batavia NY State State State State Agent for Owner OWNER: Dave Hertrik Name 27 North Street Street Address Batavia NY State Street Address Batavia NY State Street Address Batavia NY State State State State City State City State City State Approval for the front yard setback DETAILED DESCRIPTION OF REQUEST: to be less than the 25-feet required by the zoning code. The proposed building addition will match the exis front face of the building. Applicant must be present at the hearing date. Fallure to do so will result in the application being discarded. It is the responsibility the applicant to present evidence sufficient to satisfy the Zoning Board of Appeals that the benefit of the applicant does not outwelg the health, safety, morals, sesthetics and general welfare of the community or neighborhood. To be Filled out by Zoning Officer					
APPLICANT: Dave Hertrik Street S85-727-8185					
to be	cription of request less than the	25-feet	required	by the z	oning
code. Th	e proposed b	uilding ad	dition v	vill matcl	n the existin
front	face of the	building.			
the applicant to pro	sent evidence sufficient to az	tisfy the Zoning Boar	d of Appeals that t	he benefit of the app	It is the responsibility of licant does not outweigh
Applicant's Sig	nature	· · · · · · · · · · · · · · · · · · ·	Date	1/20/20	2/
Owner's Signar	ture		Date	1100 1000	×/
		To be Filled out by	Zoning Officer		
TAX PARCEL:	84.007-2-2	ZONING DI	STRICT: P-	2 FLO	OD PLAIN: NA
TYPE OF APPE	Use Varian	ce on		\$50 (One or \$100 (All ot	Two Family Use) ner Uses)
			- Front S	Setback	

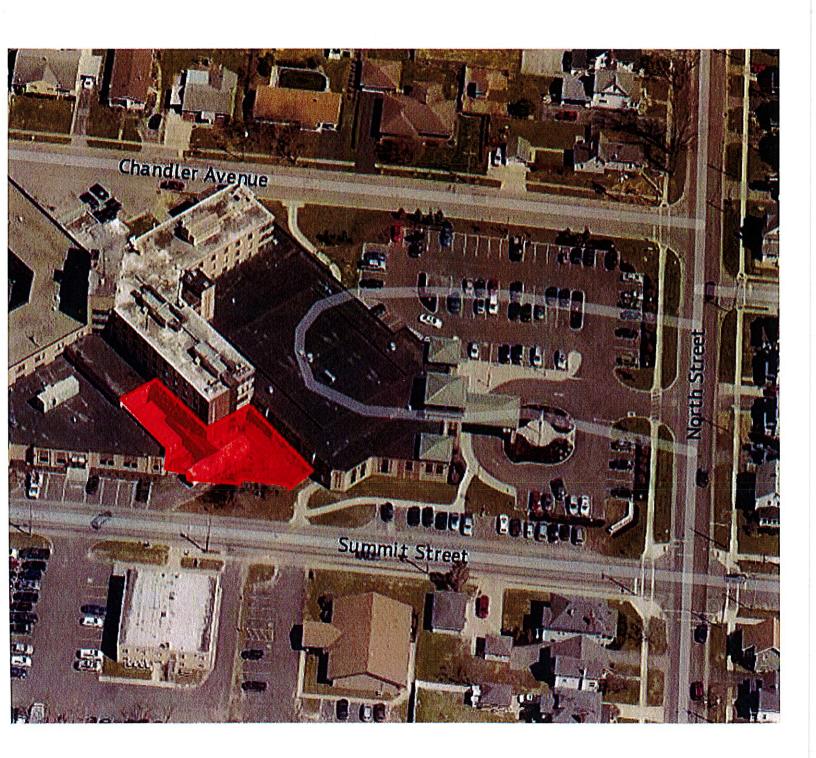
Criteria to Support Area Variance

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 <u>how</u> the proposal conforms to EACH of the following requirements:

1.	<u>Undesirable Change in neighborhood Character.</u> The granting of the variance will not produce an undesirable change in the neighborhood or a detriment to nearby properties.
	The improvements will match the existing building.
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.
	No- the existing building does not meet the the current
3.	zoning code. Substantiality. The requested area variance is not substantial. It meets the existing condition.
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.
	The setback matches the existing environment of the area.
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 setback is an existing condition.
	Date Date
A	oplicant's Signature Date





Short Environmental Assessment Form Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

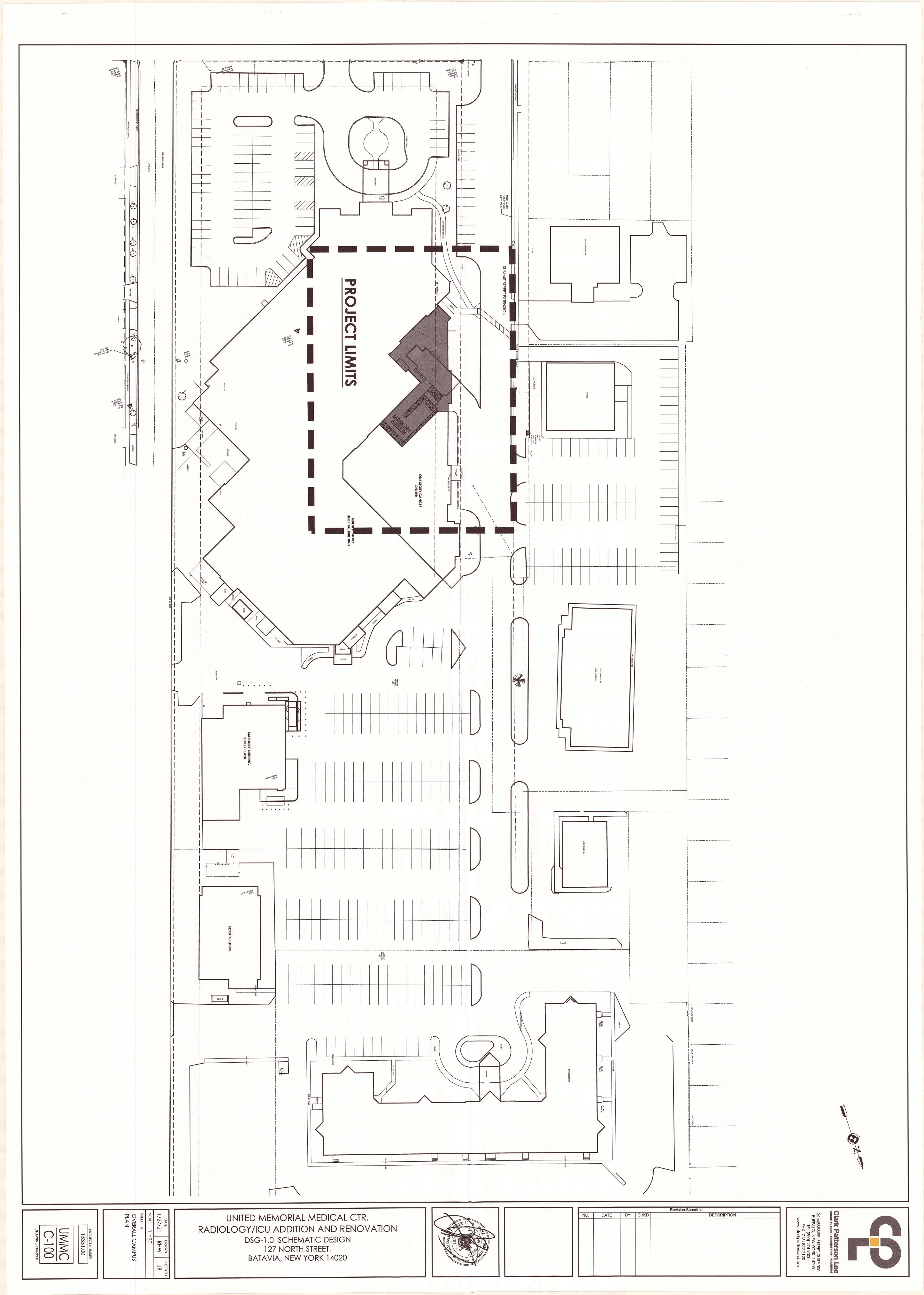
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

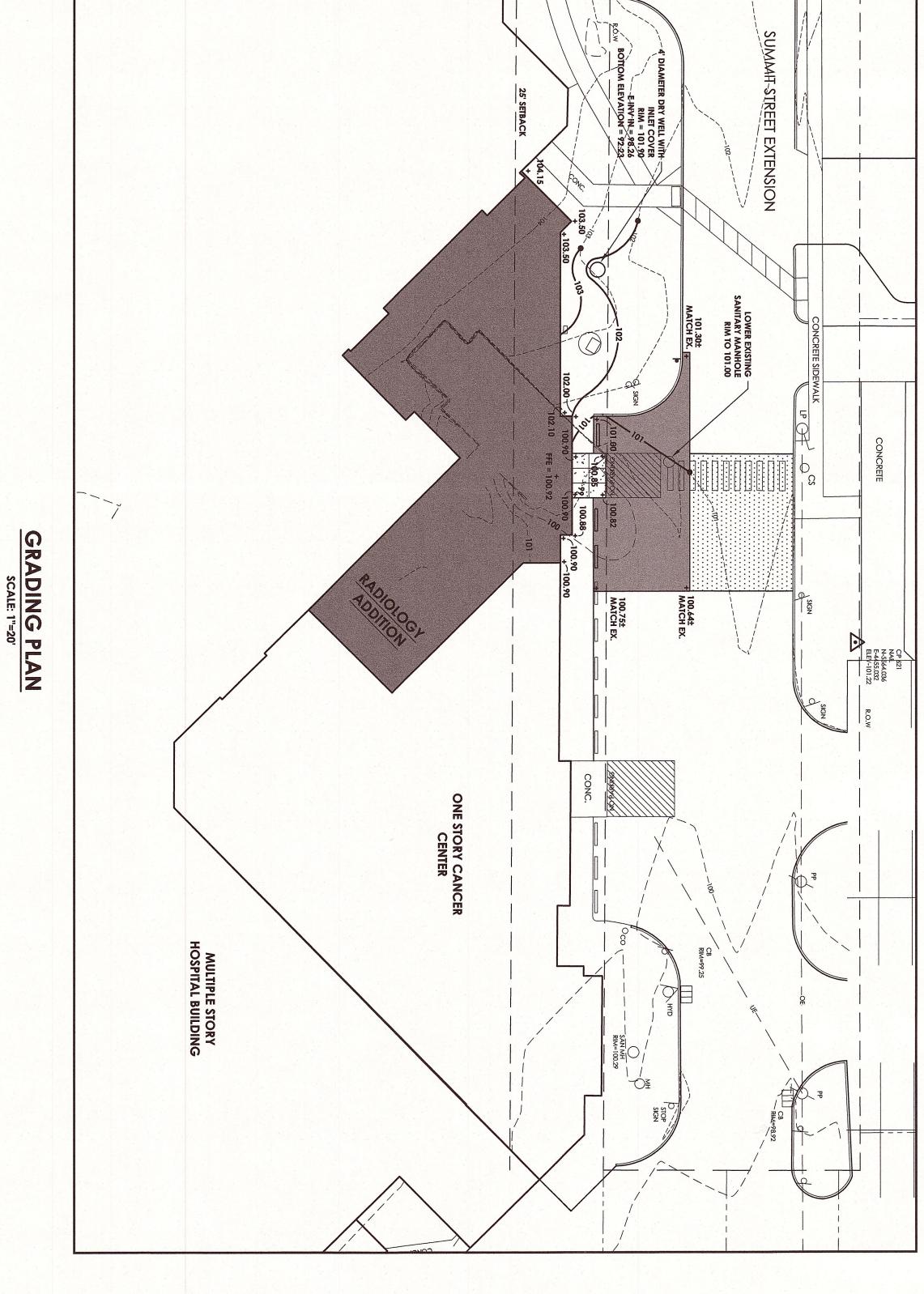
Part 1 - Project and Sponsor Information				
Name of Action or Project:				
UMMC New Radiology and ICU Shell Project				
Project Location (describe, and attach a location map):				
127 North Street , Batavia NY				
Brief Description of Proposed Action:				
Radiology Building Addition on the west side of the existing hospital.				
NY CA W	T"			
Name of Applicant or Sponsor:	Telephone: 585-727-818	5		
United Memorial Medical Center	E-Mail: dhetrick@ummc.org			
Address:	<u> </u>			
127 North Street				
City/PO:	State:	Zip Code	;	
Batavia	NY	14020		
1. Does the proposed action only involve the legislative adoption of a plan, loca administrative rule, or regulation?	il law, ordinance,	N	10	YES
If Yes, attach a narrative description of the intent of the proposed action and the e	nvironmental resources th	at [
may be affected in the municipality and proceed to Part 2. If no, continue to ques		L		_ Ш _
2. Does the proposed action require a permit, approval or funding from any other If Yes, list agency(s) name and permit or approval:	er government Agency?	N	10	YES
it ites, list agency(s) name and permit of approval:				
3. a. Total acreage of the site of the proposed action?	10 acres			
b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned	.14 acres			
or controlled by the applicant or project sponsor?	10 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:				
	1 - 7 - 10 - 11 - 11 - 1			
	_ ,	ban)		
☐ Forest ☐ Agriculture ☐ Aquatic ☑ Other(Spec	cify): Hospital			
Parkland				

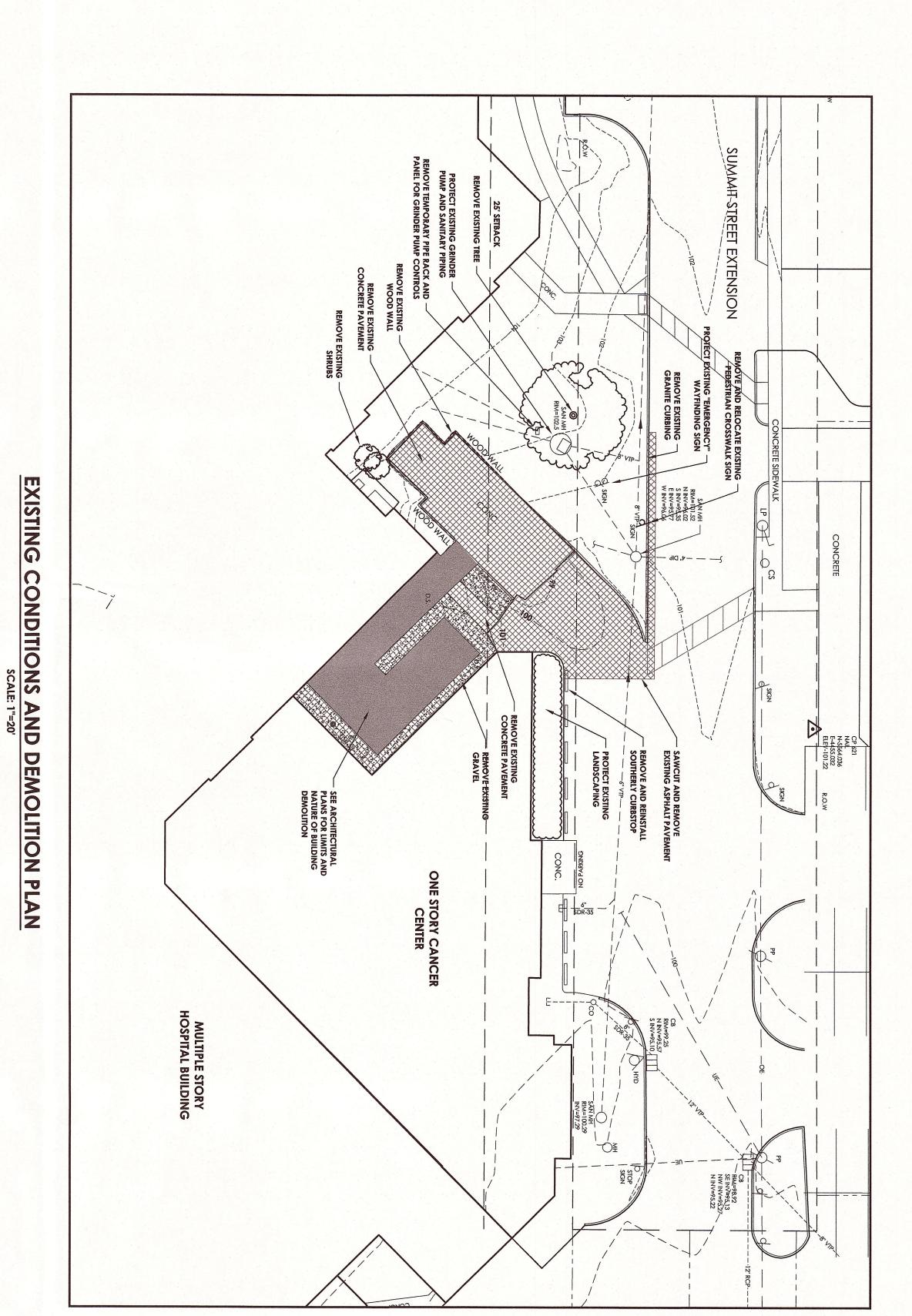
5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?		V	
b. Consistent with the adopted comprehensive plan?		✓	
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO	YES
o. Is the proposed action consistent with the predominant character of the existing of the first randscape?	·		V
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES
If Yes, identify:		✓	
		NO	YES
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		1	
b. Are public transportation services available at or near the site of the proposed action?			1
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?		<u> </u>	
9. Does the proposed action meet or exceed the state energy code requirements?		NO	YES
If the proposed action will exceed requirements, describe design features and technologies:			
			✓
10. Will the proposed action connect to an existing public/private water supply?		NO	YES
If No, describe method for providing potable water:			
11. Will the proposed action connect to existing wastewater utilities?		NO	YES
		110_	125
If No, describe method for providing wastewater treatment:			
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the Netional or State Register of Historic Places, or that her been determined by the	t	NO	YES
which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the			
State Register of Historic Places?			
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for			✓
archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?			
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		NO	YES
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	ł		
			Щ
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:	—		

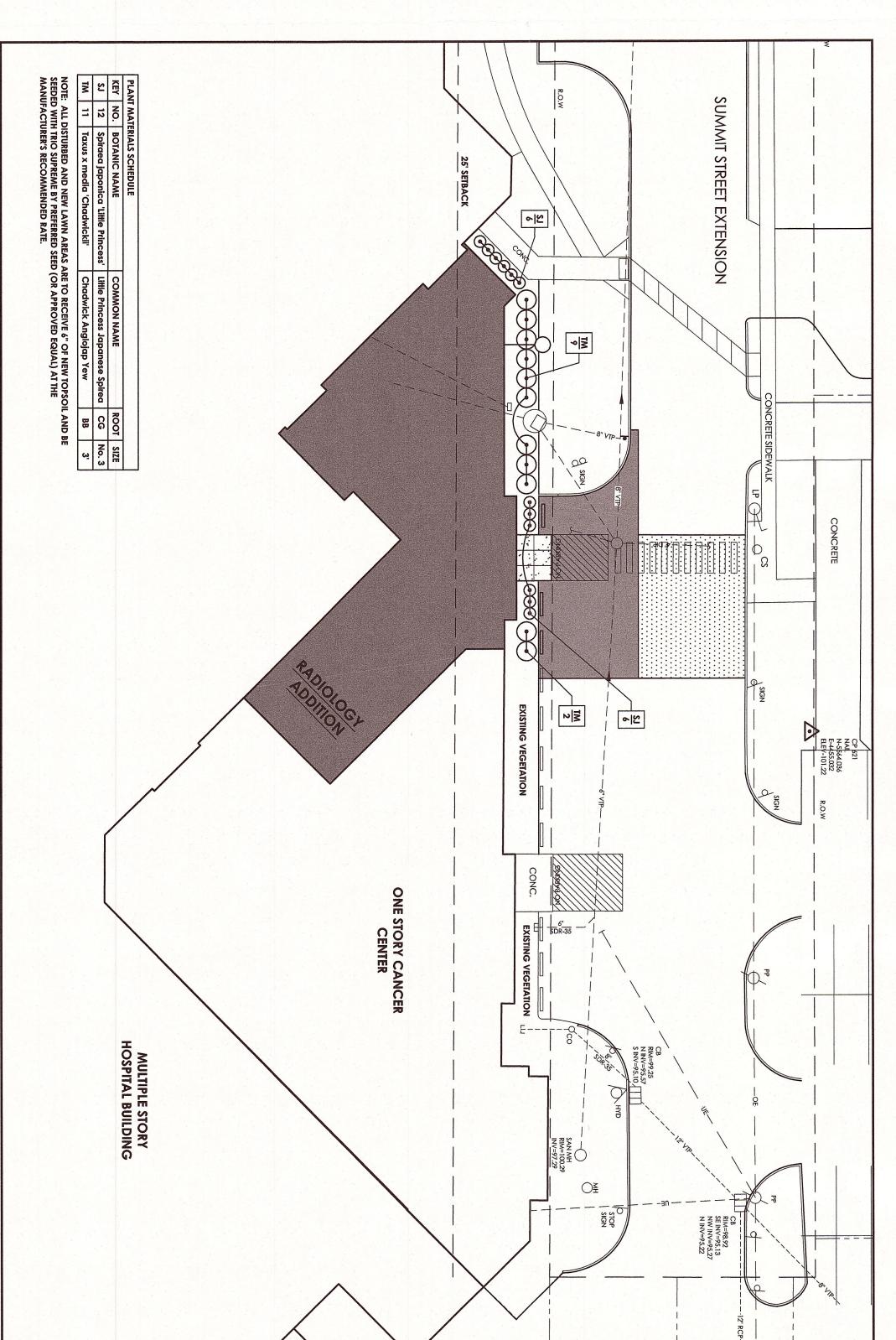
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
Shoreline Forest Agricultural/grasslands Early mid-successional		
☐ Wetland ☐ Urban ☑ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or	NO	YES
Federal government as threatened or endangered?		
		75.0
16. Is the project site located in the 100-year flood plan?	NO	YES
		$ \sqcup $
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,		\checkmark
a. Will storm water discharges flow to adjacent properties?	V	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:		V
it i es, prietty describe.		
Aitigated on site with a dry well		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment:		
	NO	YES
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:		
	V	
20 XX 12 12 Cd	NO	YES
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	11.3
If Yes, describe:	\	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE B	EST OF	
MY KNOWLEDGE	01	
Applicant/sponsor/name: Dave Hetrick Signature: Title: D: FAc. / fc, //	1s	
Signature: Oir TAC. 1. f	Mare	gous

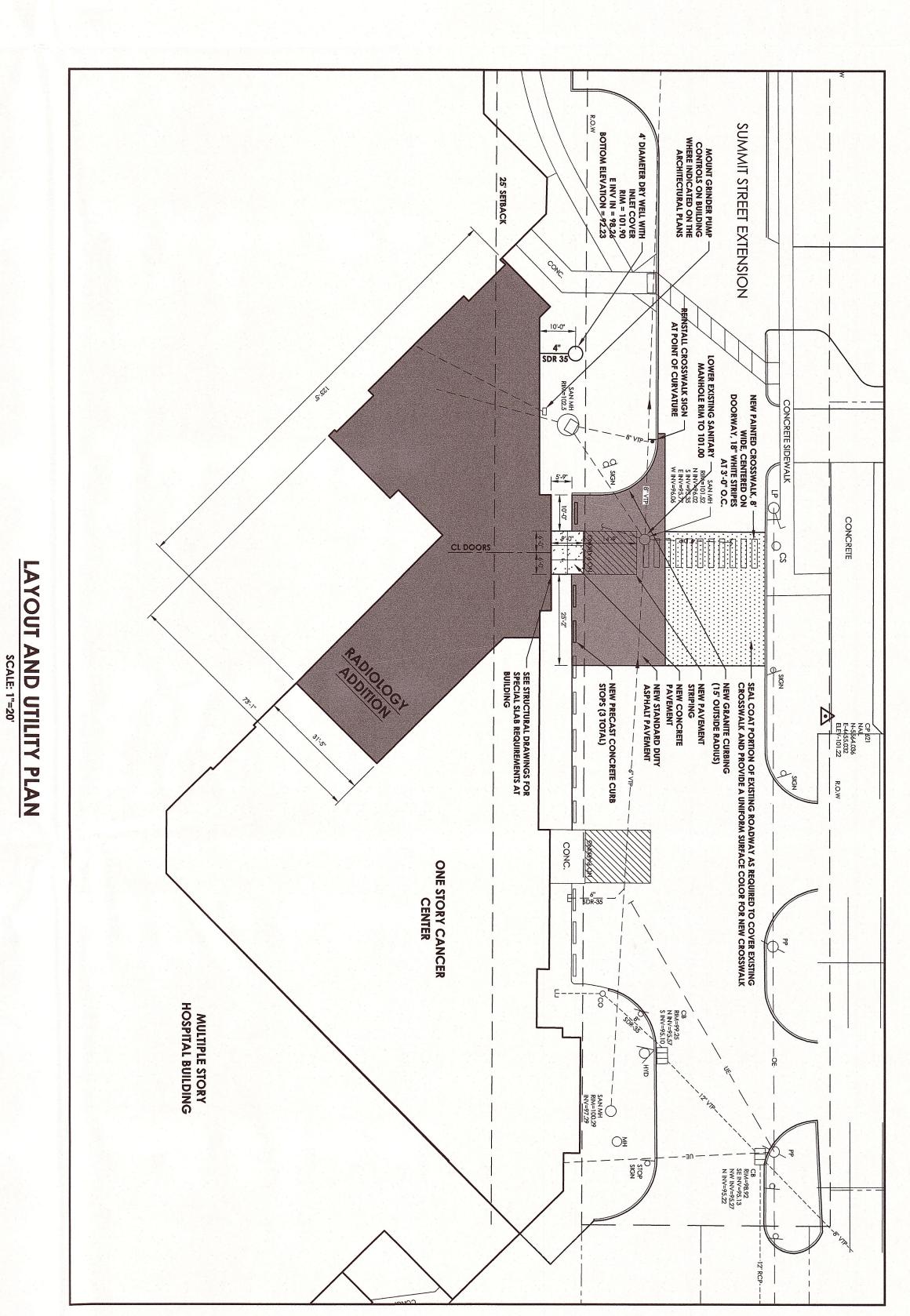


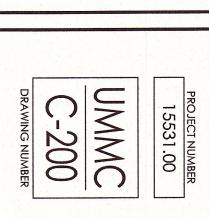












PLANTING PLAN
SCALE: 1"=20'

DATE DRAWN CHECKED

1/27/21 RHW JB

SCALE AS NOTED

SHEET TITLE

DEMOLITION, SITE,
GRADING, UTILITY, AND
PLANTING PLANS

UNITED MEMORIAL MEDICAL CTR.

RADIOLOGY/ICU ADDITION AND RENOVATION

DSG-1.0 SCHEMATIC DESIGN

127 NORTH STREET,

BATAVIA, NEW YORK 14020

