

PLANNING & DEVELOPMENT COMMITTEE

Tuesday, May 19, 2015

6:00 pm

Council Board Room

One Batavia City Centre, Batavia NY

AGENDA

- I. Roll Call
- II. Call to Order
- III. Approval of Minutes – 4/21/15
- IV. Proposals

Address: 316, 318, and 320 West Main Street (proposed Arby's)
Applicant: Ron Viele (developer)

Proposal 1: Purchase these three residential parcels located within a commercial use district, clear the parcels of all structures, merge the properties into one parcel, develop the site and construct a 2,100 sq.' Arby's drive-in restaurant

Actions:

- 1. Review application
- 2. Public hearing
- 3. Site plan review
- 4. Special Use Permit
- 5. Special Sign Permits (3)
- 6. Parking variance-recommendation to ZBA

Address: 37 Center Street
Applicant: Brian Kemp (business owner/occupant)

Proposal 2: Placement of a 3' x 15' unlit wall sign on the west elevation of this commercial building located within the BID.

Actions:

- 1. Review application
- 2. Discussion and action by the board

Address: 6 Batavia City Centre
Applicant: Jason Norton (agent for EFFC Church)

Proposal 3: Placement of one offsite wall sign for the church located at 8 Batavia City Centre on the northeast elevation of this commercial property located at 6 Batavia City Centre located within the BID.

Actions:

- 1. Review application
- 2. Discussion and action by the board (Special Sign Permit)

Address: 59 Main Street
Applicant: Ken Mistler (owner)

- Proposal 4: Placement of three 2.25 sq.' vinyl stick window signs on the north elevation of this commercial building
- Actions: 1. Review application
2. Discussion and action by the board

Address: 13 Jackson Street
Applicant: Anupa Hirani (owner)

- Proposal 5: Placement of a 16' x 3.66' externally lit wall sign on the west elevation of this commercial building located within the BID.
- Actions: 1. Review application
2. Discussion and action by the board

Address: 23 Seneca Street
Applicant: George Mirrione (owner)

- Proposal 6: Widen an existing 11.41' wide asphalt driveway to 23.41' by placing a 12' wide stone addition to the north side of the existing driveway
- Actions: 1. Review application
2. Discussion and recommendation to the ZBA

Address: 17 Maple Street
Applicant: Timothy Corcoran (owner)

- Proposal 7: Widen an existing 10' wide stone driveway by placing 13' of stone to the east side of the existing driveway
- Actions: 1. Review application
2. Discussion and recommendation to the ZBA

Address: 139 Jackson
Applicant: Joann Fisher-Plath (owner)

- Proposal 8: Widen an existing 15' wide asphalt driveway by placing an additional width of 4' of asphalt to the south side of the existing driveway
- Actions: 1. Review application
2. Discussion and recommendation to the ZBA

Address: 6 Douglas Street
Applicant: Ronald Jakkett (owner)

- Proposal 9: Place a new driveway that exceeds the maximum permitted width as part of the construction of a one story attached garage with breezeway on the west side of an existing one story dwelling. The new driveway will exceed the maximum permitted width by 6"
- Actions: 1. Review driveway portion of application
2. Discussion and recommendation to the ZBA

Applicant: The City of Batavia

Proposal 10: Amend the approved principal uses within Chapter 190 of the Batavia Municipal Code to eliminate boarding houses, rooming houses, tourist homes, and tourist camps or cabins from the R-2 Residential District [190-9 A (3)]

Actions:

1. Review application
2. Public hearing
3. Recommendation to City Council

V. Other/ New Business/Updates: **Comprehensive Plan Update**

VI. Setting of Next Meeting: June 16, 2015

VII. Adjournment

PLANNING & DEVELOPMENT COMMITTEE

MINUTES

April 21, 2015 6:00 pm

Council Board Room

One Batavia City Centre, Batavia NY

Members present: *Matthew Gray, Alfred McGinnis, Duane Preston, Rachael Tabelski*
(alternate member)

Members late: Jeffrey Scott (6:30 pm)

Others present: *Meg Chilano – Recording Secretary, Jason Molino – City Manager, Doug Randall – Code Enforcement Officer, George Van Ness – City Attorney*

I. Roll Call

Roll call of the members was conducted. Three members and one alternate member were present and Acting Chairman Preston declared a quorum.

II. Call to order

Mr. Preston called the meeting to order at 6:03 pm.

III. Previous Meeting Minutes

Mr. Preston made a motion to approve the minutes; the motion was seconded by Mr. Gray, and on roll call, was approved: 3-aye, 1-abstain (Rachael Tabelski).

Result: Approval of March 17, 2015 meeting minutes.

IV. Proposals

- A. Preliminary site plans for removal of existing buildings, combining three parcels into one, and construction of a drive-in restaurant

Address: *316, 318, and 320 West Main Street*

Applicant: Ronald Viele (developer)

- Actions: 1. Discussion
2. Direction and guidance from the board

1. Review of Application

Mr. Preston read the summary of the proposal. Ron Viele, developer, and Tony Mancuso, realtor, were present to discuss the project. Mr. Mancuso showed the photos of the restaurant prototype to the board and Mr. Viele laid out the large scale drawings of the site. Mr. Viele explained that they had optioned three parcels of land amounting to .5 acres, which would be large enough to accommodate the restaurant. The model selected for the project, referred to as the “Inspired 2000,” was developed by the Arby’s Corporation. Mr. Viele stated that 10-

12 variances would be needed to accommodate this particular parcel. He asked for the board to offer guidance on the variances and to discuss the feasibility of the project.

Mr. McGinnis asked if they had considered purchasing the property at 2 Vernon Avenue. Mr. Viele answered that the purchase of the property would put the project over budget.

Mr. McGinnis asked about snow removal. Mr. Viele said that there are a couple of buffer areas where snow can be pushed but that it would have to be removed at some point.

Mr. McGinnis pointed out that the drawing shows a truck exiting onto Vernon Avenue. He said that he lives on Vernon Avenue and it is a narrow street. He wanted to know if trucks could use that entrance/exit during non-peak traffic hours. Mr. Mancuso responded that he did not know what arrangement would be made for deliveries and that he would have to check on it. Ms. Tabelski asked if tractor trailers would back out or make a loop. Mr. Mancuso replied that they must use the loop.

Mr. McGinnis asked about Arby's schedule and Mr. Mancuso answered that they serve lunch and dinner. Mr. McGinnis asked how late the restaurant is open and Mr. Viele replied that they close between 9:00 and 10:00 pm.

Mr. Preston asked if the proposed location is larger than the location of the current Arby's. Mr. Mancuso stated that it is. He said that the Arby's parcel is just under .5 acres and the proposed parcel is just over .5 acres. According to Mr. Mancuso, the current Arby's is 4,000 sq.' and the proposed Arby's will be 2,000 sq.'. Mr. Mancuso said that the restaurant will seat 4-5 more patrons, and will provide a couple of additional parking places.

Mr. McGinnis asked about the industry ratio of sit-down versus drive-through patrons, but Mr. Mancuso was unsure of the answer.

Mr. Preston once again raised the question of purchasing additional property. He noted that parking vehicle horizontally, pointing down Vernon Avenue, presents problems. He said that additional space might allow for vehicles to be parked parallel to Main Street. Mr. McGinnis asked if the residents of the three properties have been served eviction notices. Mr. Viele answered that they were awaiting City approval of the project.

Mr. Preston noted that there is insufficient room for the landscape buffer along Vernon Avenue. Mr. Viele responded that a fence would be needed. Mr. McGinnis asked if they had spoken with the neighbor on Vernon Avenue and Mr. Viele said no.

Mr. Preston expressed concern about the lighting in the parking area reflecting onto the neighbors. Mr. Mancuso said that the intention of the lighting plan is to prevent light from being cast onto neighbors by using wall packs. Mr. Preston said that he expected the lights would be on all night but Mr. Mancuso said that he did not know. Mr. Viele, however, said that the lights would be set on timers and would not remain on all night. Mr. Preston

observed that some fast-food restaurants have begun staying open all night, and they could not be sure that Arby's would not make a similar decision at some point in the future.

Ms. Tabelski pointed out that vehicles exiting onto Vernon Avenue could possibly create a lighting issue for the resident across the street. Mr. Mancuso said that they would check into it.

Mr. Viele referred to Mr. Randall regarding a possible issue with the driveway entrance. Mr. Randall suggested that they might want to consider a traffic study. Mr. McGinnis said that Vernon Avenue residents were already having an issue with traffic at the other end of the street, and they would not want to encounter a problem that left residents in a bottleneck situation. Mr. Viele commented that they would not expect that kind of problem to occur since it does not currently happen at the present Arby's.

Mr. Preston said that the situation is different because with the current Arby's, the Main Street entrance is commercial and the side street exit is also commercial. With the proposed Arby's, he said that it would be commercial zoning at the Main Street entrance, but residential on the Vernon Street exit. Mr. Mancuso pointed out, however, that the zoning of the first few houses on Vernon is still commercial. He said that there are few other places in the City zoned for Arby's and with this location, they are trying to accommodate what the City wants.

Mr. Preston asked if both Arby's would be running at the same time. Mr. Mancuso said that the old one will close when the new one opens. Mr. McGinnis said he would like to know what the traffic numbers are for the current Arby's owner.

Mr. Preston called for a traffic study. Mr. McGinnis asked if they would take care of landscaping and Mr. Mancuso said they would. Mr. Preston asked if they would put a line of bushes or a fence in front of the dumpster area and Mr. Mancuso said they would do whatever was required of them.

Mr. Gray expressed concern about the landscaping buffer facing 2 Vernon Avenue. Ms. Tabelski and Mr. McGinnis added that signage would be a concern in that area also. Line of sight would have to be clear.

Mr. McGinnis asked about the time frame and Mr. Viele answered that the project would take 90-120 days to complete.

Mr. Randall asked if the Arby's model comes in other sizes. Mr. Mancuso replied that there are other sizes; the proposed model is the smallest. Mr. Gray asked if there were any prototypes where just one side could be used for a drive-through instead of going all the way around the building, as a possible way to free up some space for the buffer. Mr. Mancuso said that he has not seen any models like that; this model is the one used for these types of locations. He asked Mr. Randall if there is anything in the code regarding the issue. Mr.

Randall responded that it is a matter of queueing and the number of vehicles expected in line at one time. He added that if they could get away with using one side, it might fit the site better. Mr. Preston asked about the number of vehicle in the queue and Mr. Mancuso responded that it could fit seven. Mr. Preston observed that they are only requesting a single drive-through lane. Mr. Viele asked if it would be an issue if they wanted to add another lane at a later date. Mr. Preston answered that he did not believe a vehicle would be able to maneuver in the lane and three parking places would be lost.

Mr. McGinnis asked about landscaping along the West Main Street side. Mr. Viele noted that the submitted plan was just a tentative one and that when the site plans were drawn, a landscaping plan would also be developed.

Mr. Mancuso asked if the board believed that it was worth going forward with the process at this location. Mr. Gray responded that the buffers are problematic. Mr. Mancuso said that it would depend on whether the adjacent neighbor would accept a fence. Mr. McGinnis and Ms. Tabelski advised the applicant to speak with the owner of the adjacent property. Mr. Preston stated that it would be helpful if they had more space. Ms. Tabelski pointed out that they should check on lights from exiting vehicles shining onto the property across the street. Mr. Randall suggested that planting bushes might help with that issue. Mr. McGinnis said that they would like to speak to the franchise owner and Mr. Mancuso reported that the owner would attend the next meeting.

City attorney George Van Ness addressed the board. He reminded the board that they only have the authority to approve plans consistent with the City code. He stated that the purpose of the sketch plan is to perform a preliminary analysis and share those comments and concerns. However, if the applicant chooses to move forward and develop a full scale plan and submit a formal plan, then the board, consistent with its charter and mission under the City code, cannot approve a plan that does not meet all the requirements of the City code. They would have to deny it, and the applicant would have to move forward to the Zoning Board of Appeals (ZBA). According to Mr. Van Ness, given the size of this plan and the size of the structure and the number of variances that are necessary, it is impossible to forecast what the ZBA can do with respect to each one of those variances.

V. New Business/Updates/Other: Planning and Comprehensive Plan Development

City Manager Jason Molino provided the board with an overview of the comprehensive planning process in which the City is about to engage. He explained that the purpose of the Comprehensive Plan is to identify the goals and objectives of the community, primarily through a large public engagement process. Once the plan is adopted by the City Council, it would become a tool for the City to use for making decisions and solving problems. Mr. Molino explained that, according to the City Charter, the planning board has the capacity to act as the Steering Committee for the design of the Comprehensive Plan. Mr. Molino described the process to the board and said that at the next Council meeting he would recommend that the planning board begin the process of updating the Comprehensive Plan.

VI. Setting of Next Meeting: May 19, 2015

VII. Adjournment

Mr. Preston moved to adjourn the meeting at 7:05 pm; Mr. McGinnis seconded. All voted in favor.

Respectfully submitted,

Meg Chilano

SEND OR DELIVER TO:

GENESEE COUNTY DEPARTMENT OF PLANNING
3837 West Main Street Road
Batavia, NY 14020-9404
Phone: (585) 344-2580 Ext. 5467

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) Planning and Development CommitteeAddress One Batavia City CentreCity, State, Zip Batavia, NY 14020Phone (585) 345 - 6347 Ext. _____**2. APPLICANT INFORMATION**Name Jason Norton for EFFC ChurchAddress 8 Batavia City CentreCity, State, Zip Batavia, NY 14020Phone (585) 993 - 1888 Ext. _____ Email _____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: Sign permit in BID

- Subdivision Proposal
☐ Preliminary
☐ Final

4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:A. Full Address 6 Batavia City CentreB. Nearest intersecting road Bank St.C. Tax Map Parcel Number 84.049-1-17

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

E. Present zoning district(s) C-3 (BID)**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 190-14 D (2)(b) and 190-43 R and 190-434 H (1)C. Please describe the nature of this request Approval to place a 21 sq.' off site, unlit wall sign for the church located at 8 Batavia City Centre on the northeast elevation of 6 Batavia City Centre.**6. ENCLOSURES** – Please enclose copy(s) of all appropriate items in regard to this referral

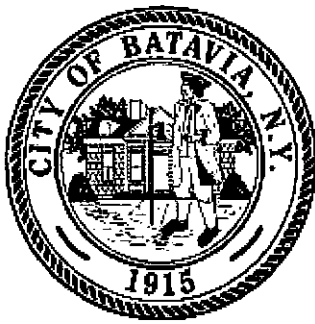
- ☒ Local application
☐ Site plan
☐ Subdivision plot plans
☐ SEQR forms

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

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

If possible, please provide a reduced version or digital copy of any supporting documentation larger than 11 x 17.

Email to planning@co.genesee.ny.us**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



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: 4/20/15

Re: 6 Batavia City Centre
Tax Parcel No. 84.049-1-17

Zoning Use District: C-3

The applicant, Jason Norton (agent for EFFC Church), has applied for approval to place an unlit offsite wall sign for the church located at 8 Batavia City Centre on the northeast elevation of this commercial property located at 6 Batavia City Centre.

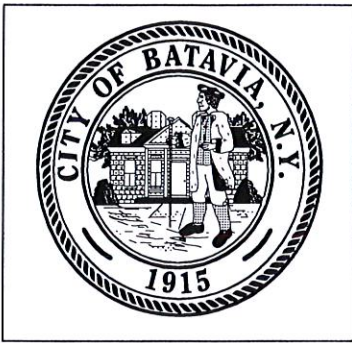
Note: This is a type II action as defined by Environmental Conservation Law and is not subject to review under SEQR 6 NYCRR Part 617.5 (c) (1).

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 boundary of the city; the boundary of a County or State park or other recreation area; **the right of way of a state parkway, thoroughway, expressway, road or highway;** the boundary of county or state owned land on which a public building or institution is situated; the boundary of a farm operation located in an agricultural district (not required for area variances).

City Planning and Development Committee- Pursuant to section 190-14 D (2) (b), the Planning and Development Committee shall review and approve applications for sign permits on properties located within the B.I.D. Also; Per 190-43 R the PDC shall approve or deny Special Sign Permits.

- 1) BMC 190-43 H (1) Off premises signs are not permitted. A Special Sign Permit would be required.



Permit No.: _____
Date: _____
Zone: _____

84,049-1-17

SIGN PERMIT APPLICATION

City of Batavia

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

APPLICANT/OWNER:

Jason Norton EFF Church Pastor Jason@EFFchurch.com
Name E-mail Address

8 Batavia City Centre 993-1888 -
Street Address Phone Fax

Batavia, NY 14020
City, State, Zip Code

ADDRESS OF SIGN:

6 Batavia City Centre Batavia NY 14020

AREA OF SIGN:

height Sign Size
Length 3' high Width 7' wide Area 21 sq'

TYPE OF SIGN:

1. All sign applications must have an illustration of the sign with its dimensions and copy.
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.

<input type="checkbox"/> Freestanding	Set Back _____	Height _____	
<input checked="" type="checkbox"/> Wall	Wall Length 14 feet	Wall Height 14 feet	Area _____
<input type="checkbox"/> Projecting			
<input type="checkbox"/> Marquee			
<input type="checkbox"/> Awning / Canopy	Length _____	Height _____	Area _____
<input type="checkbox"/> Window	Window Length _____	Window Height _____	Area _____
<input type="checkbox"/> Portable			

Lighting: ☐ Internal ☐ External NO LIGHTING

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

Applicant's Signature Jason Norton

Date 4/17/15

Issuing Officer _____

Date _____

Planning Board Chairperson _____

Date _____

FEES: ☒ \$25 Sign Permit ☒ \$50 Special Sign Permit _____ \$10 Portable Sign



actual
Sign Size
7' width
3' Height



36" X 24" SANDWICH BOARD SIGN \$25 EACH



18" X 24" STEP STAKE SIGN
\$25 EACH



7" X 30" 1/2 COROPLAST SIGN \$100



BATAVIA FAMILY DENTAL
STEVE SOKOLOVSKIY, D.D.S.

6 Batavia City Centre
Batavia, New York 14020
Telephone: (585) 343-4246
Fax: (585) 343-4718

To whom it may concern:

I am the owner of the 6 Batavia City Centre. I am Ok with sign for EFF Church as it is scaled on the included photo.

Sincerely,

Steve Sokolovskiy DDS





*** 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) Zoning Board of Appeals

Address One Batavia City Centre

City, State, Zip Batavia, NY 14020

Phone (585) 345 - 6347 Ext. _____

2. APPLICANT INFORMATION

Name Ronald Jackett

Address 6 Douglas St.

City, State, Zip Batavia, NY 14020

Phone (585) 219 - 4677 Ext. _____ Email _____

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: _____

- Subdivision Proposal
☐ Preliminary
☐ Final

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

A. Full Address 6 Douglas St.

B. Nearest intersecting road State St.

C. Tax Map Parcel Number 71.082-1-59.1

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

E. Present zoning district(s) R-1A

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 190-29 A and Schedule 1 (setback) and BMC 190-39 E (1) (driveway)

C. Please describe the nature of this request Approval to place a portion of the one story residential addition within the side and rear yard set backs and to exceed the maximum driveway width.

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

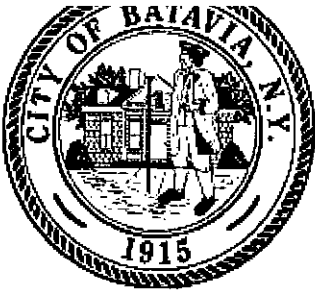
- ☐ New or updated comprehensive plan
☐ Photos
☒ Other: Cover letter

If possible, please provide a reduced version or digital copy of any supporting documentation larger than 11 x 17.
Email to planning@co.genesee.ny.us

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



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: 4/27/15

Re: **6 Douglas St.**
Tax Parcel No. 71.082-1-59.1

Zoning Use District: R-1A

The applicant, Ronald Jackett (owner), has filed an application to construct a one story attached garage with breezeway and enclosed patio on the west side of an existing one story dwelling. A portion of the proposed addition is located within the west side yard and rear (north) yard clear spaces. The new driveway will exceed the maximum permitted width by 6".

Note: The addition 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) (10).

The area variance for the driveway width is an unlisted action and is subject to SEQR. The Zoning Board of Appeals will be lead agency.

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 boundary of state owned land on which a public building or institution is situated.

City Planning and Development Committee- Pursuant to section 190-49 C of the zoning ordinance, the Planning and Development Committee shall review and make recommendation to the ZBA for applications that include parking variances.

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 Sec. 190-29 A. and Schedule I

	<u>Required</u>	<u>Proposed</u>	<u>Difference</u>
Side yard clear space (min) 8'		6.33'	1.67'
Rear yard clear space	35'	22.42'	12.58'

2) BMC 190-39 E (1) Driveway width- Residential driveways located in front yards are not permitted to exceed 25% of the lot frontage.

	<u>Permitted</u>	<u>Proposed</u>	<u>Difference</u>
Driveway width	17.5'	18'	.5'



CITY OF BATAVIA
APPLICATION TO THE ZONING BOARD OF APPEALS

Application No.: _____

Hearing Date/Time: _____

APPLICANT: RONALD L. JACKETT BRE8901@YAHOO.COM
Name E-Mail Address
6 DOUGLAS ST. 585 2194677
Street Address Phone Fax
BATAVIA NY 14020
City State Zip

STATUS: ☒ Owner ☐ Agent for Owner ☐ Contractor

OWNER: SAME AS ABOVE
Name E-Mail Address
Street Address Phone Fax
City State Zip

LOCATION OF PROPERTY: 6 DOUGLAS ST., BATAVIA, NY 14020

DETAILED DESCRIPTION OF REQUEST: SIDE + REAR SETBACK VARIANCE
REQUIRED

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.

Ronald L. Jackett
Applicant's Signature

4-23-2015
Date

Ronald L. Jackett
Owner's Signature

4-23-2015
Date

To be Filled out by Zoning Officer

TAX PARCEL: 71.082-1-59.1 **ZONING DISTRICT:** R-1A **FLOOD PLAIN:** NO

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 190-29 A and Schedule 1 - setbacks
BMC 190-39 E(1) Driveway width.

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.
No

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

3. **Substantiality.** The requested area variance is not substantial. NOT Substantial

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.
not going to have an adverse effect

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. yes

Ronald L. Jockett
Applicant's Signature

4-23-2015
Date



Permit No. _____
Date: _____

DRIVEWAY AND PARKING SPACE PERMIT
\$10 fee – Please attach Survey / Illustration

APPLICANT: RONALD + BRENDA JACKETT
Name _____ E-mail Address _____
6 DOUGLAS ST. 585-219-4677
Street Address _____ Phone _____
BATAVIA NY 14020
City _____ State _____ Zip _____
☒ Owner ☐ Agent for Owner ☐ Contractor

OWNER: _____
Name _____ E-mail Address _____
Street Address _____ Phone _____
City _____ State _____ Zip _____

ADDRESS OF PROPERTY: 6 DOUGLAS ST., BATAVIA, NY 14020

DIMENSIONS OF EXISTING DRIVEWAY: Width _____ Length _____

DIMENSIONS OF NEW DRIVEWAY / ADDITION: Width 18' Length ~~42'~~ 26'

SURFACE MATERIAL: Existing _____ Proposed CONCRETE

Applicant's Signature _____

Date _____

Owner's Signature _____

Date _____

To be filled out by Zoning Enforcement Officer

TAX PARCEL: 71,082-1-59.1 ZONING DISTRICT: R1-A SURVEY: Site Plan

DIMENSIONS OF LOT: Lot Frontage 70' Front Yard 70'

PERCENTAGE OF LOT FRONTAGE: 25.7% SURFACE MATERIAL: Conc.

APPROVED: _____ AREA VARIANCE: Yes, Required. GRADE PLAN: _____

ISSUING OFFICER: _____ DATE: _____

17.5 Permitted
- 18' Proposed.
.5' over (2BA)

DATE: _____

APPLICANT NAME & PHONE: RONALD + BRENDA JACKETT ⁽⁵⁸⁵⁾ 219-4677**Project Location and Information**

Permit #: _____

Fee: _____

Address of Project: 6 DOUGLAS ST., BATAVIA, NY 14020Owner & Address: RONALD + BRENDA JACKETT, 6 DOUGLAS ST., BATAVIA,Phone: 585-219-4677 NY 14020**Project Type/Describe Work**Estimated cost of work: \$32,615.00

Start date: _____

Describe project: CONCRETE SLAB - BREEZEWAY, PATIO, + GARAGE
BREEZEWAY - 12' X 16', PATIO - 8' X 16', GARAGE - 18' X 20'**Contractor Information** – Insurance certificates (liability & workers comp) required to be on file**GENERAL**Name/Address: HAROLD BARIE BUILDERS, 9864 CREEK RD., BATAVIA, NY 14020Phone: 585-343-1015 OR CELL - 716-474-0370**PLUMBING** (City of Batavia Licensed Plumber Required)

Name/Address: _____

Phone: _____

HEATING

Name/Address: _____

Phone: _____

ELECTRICAL (Third Party Electrical Inspection Required)

Name/Address: _____

Phone: _____

FOR OFFICE USE ONLY

Zoning District: _____ Flood Zone: _____ Corner Lot: _____ Historic District/Landmark: _____

Zoning Review: _____ Variance Required: _____ Site Plan Review: _____ Other: _____

National Grid Sign Off (Pools): _____ Lot Size: _____

Existing Use: _____ NYS Building Code Occupancy Class: _____

Proposed Use: _____ NYS Building Code Occupancy Class: _____

Short Environmental Assessment Form

Part 1 - Project Information

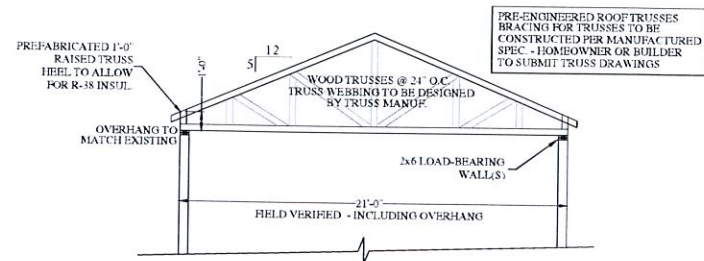
Instructions for Completing

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.

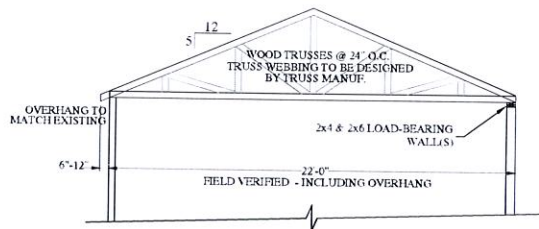
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information							
Ronald Jackett							
Name of Action or Project: Residential Driveway							
Project Location (describe, and attach a location map): 6 Douglas St., Batavia							
Brief Description of Proposed Action: To place an 18' wide x 26' long concrete driveway on the west side of the front yard							
Name of Applicant or Sponsor: Ronald Jackett		Telephone:					
		E-Mail:					
Address: 6 Douglas St.							
City/PO: Batavia,		State: NY	Zip Code: 14020				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action? 468 sq.' acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres							
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/> NO <input type="checkbox"/> YES		



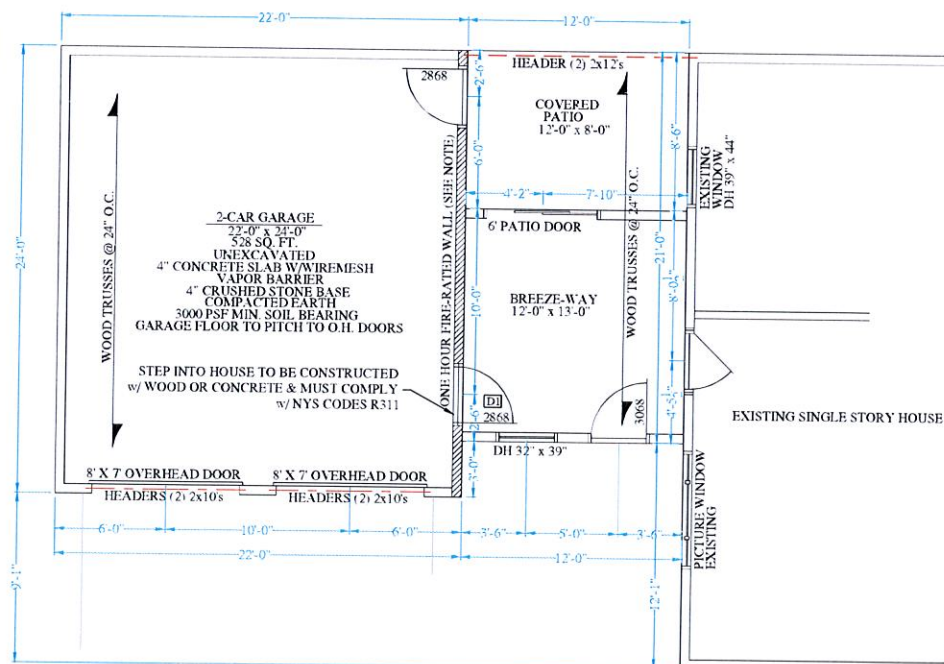
BREEZE-WAY TRUSS DETAIL
SCALE: 1/4" = 1'-0"



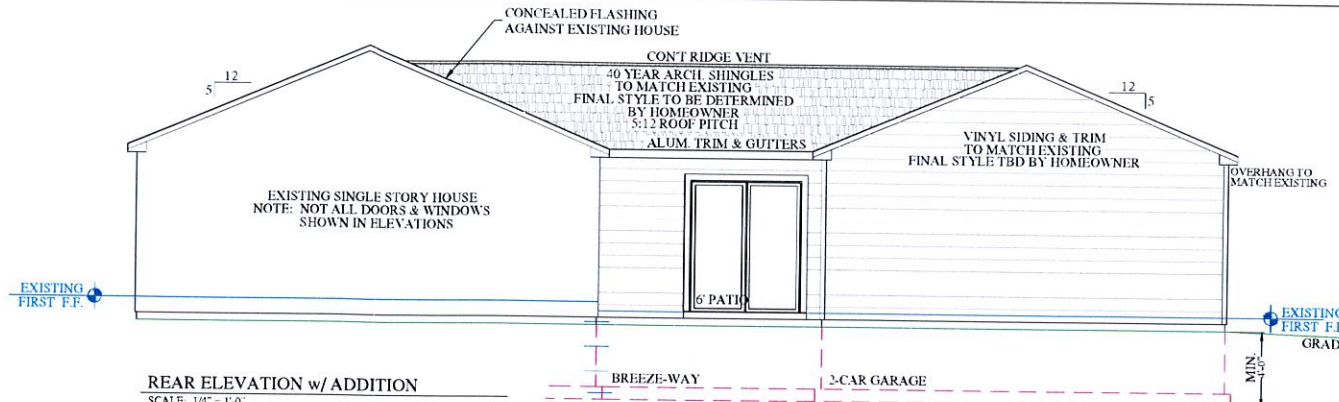
GARAGE TRUSS DETAIL
SCALE: 1/4" = 1'-0"

DOOR CLASS "B" - 3/4" HOUR FIRE-RATED DOOR w/ SELF-CLOSER
NOTE: ONE HOUR FIRE SEPARATION REQ'D AS PER NYS RESIDENTIAL CODES = 1 LAYER 1/2" TYPE "X" DRYWALL ON CEILING w/ NO PENETRATIONS 1/2" TYPE "X" DRYWALL ON INTERIOR OF VERTICAL WALL - GARAGE SIDE & 1 LAYER 1/2" TYPE "X" ON ROOM SIDE

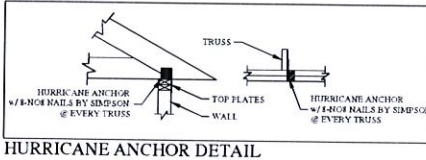
HEADER SCHEDULE UNLESS OTHERWISE NOTED		
OPENING	2X6 WALL	2X4 WALL
UP TO 4'-0"	(3) 2x8	(2) 2x8
5'-0"	(3) 2x8	(2) 2x8
6'-0"	(3) 2x10	(2) 2x10
7'-0"	(3) 2x10	(2) 2x12
8'-0"	(3) 2x12	(2) 2x12
NOTE: PROVIDE (2) 1/2" PLY. WD. GUSSETS - 2X6 WALL PROVIDE (1) 1/2" PLY. WD. GUSSETS - 2X4 WALL GLUE AND NAIL ALL HEADERS		



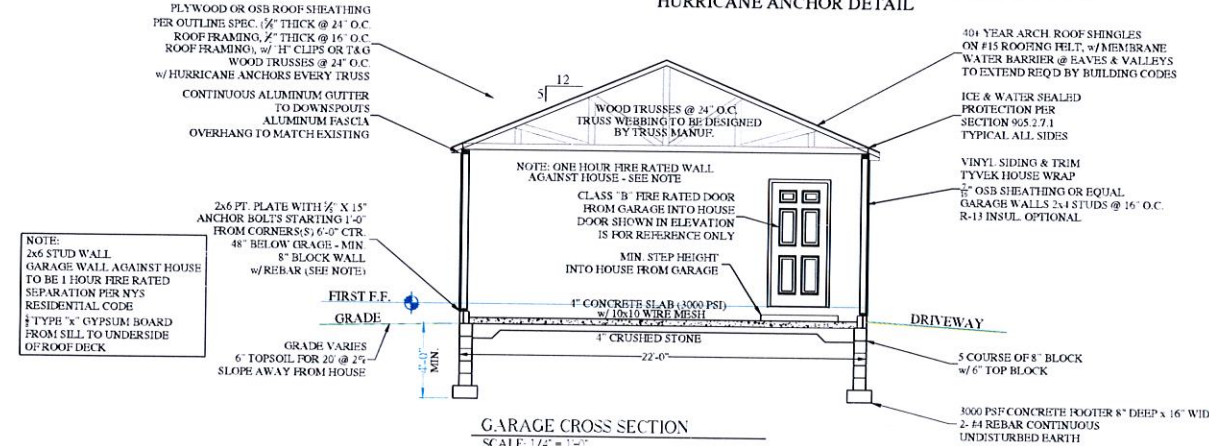
FIRST FLOOR PLAN w/ ADDITION
SCALE: 1/4" = 1'-0"



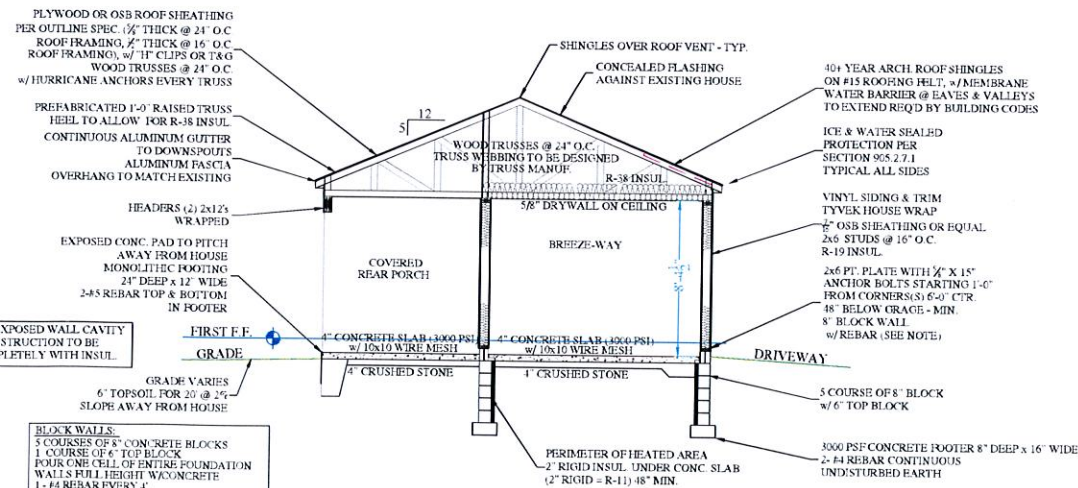
REAR ELEVATION w/ ADDITION
SCALE: 1/4" = 1'-0"



HURRICANE ANCHOR DETAIL



GARAGE CROSS SECTION
SCALE: 1/4" = 1'-0"



BREEZE-WAY CROSS SECTION
SCALE: 1/4" = 1'-0"

Project Name & Address:

JACKETT RESIDENCE
Ronald & Brenda Jackett
6 Douglas Street
Batavia, New York 14020
Genesee County

Consultant/Designer:

Design & Drafting by Gina, LLC

Gina Pestillo
Architectural Designer

8468 Seven Springs Road (585) 469-1113
Batavia, New York 14020 gpestillo@gmail.com

Architect:

ANDREW H. HINTENACH III, AIA

ARCHITECT
92 Putney Street
Geneva, New York 14456
(585) 748-5522
saivindsbb@verizon.net

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Revisions:	Date:

Truss Details
Rear Elevation w/ Addition
Floor Plan w/ Addition
Cross Section(s)

Drawing Name:

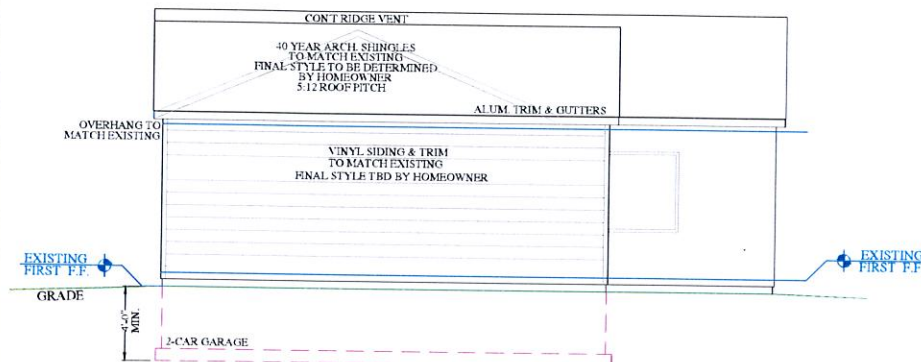
Date: April 16, 2015

Drawn By: GMP

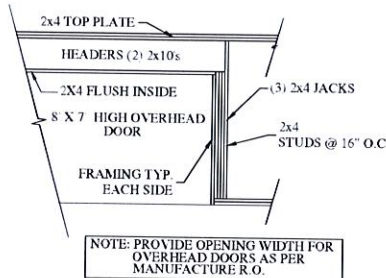
Project #: 2015.15

Scale: AS SHOWN

Sheet #: A102



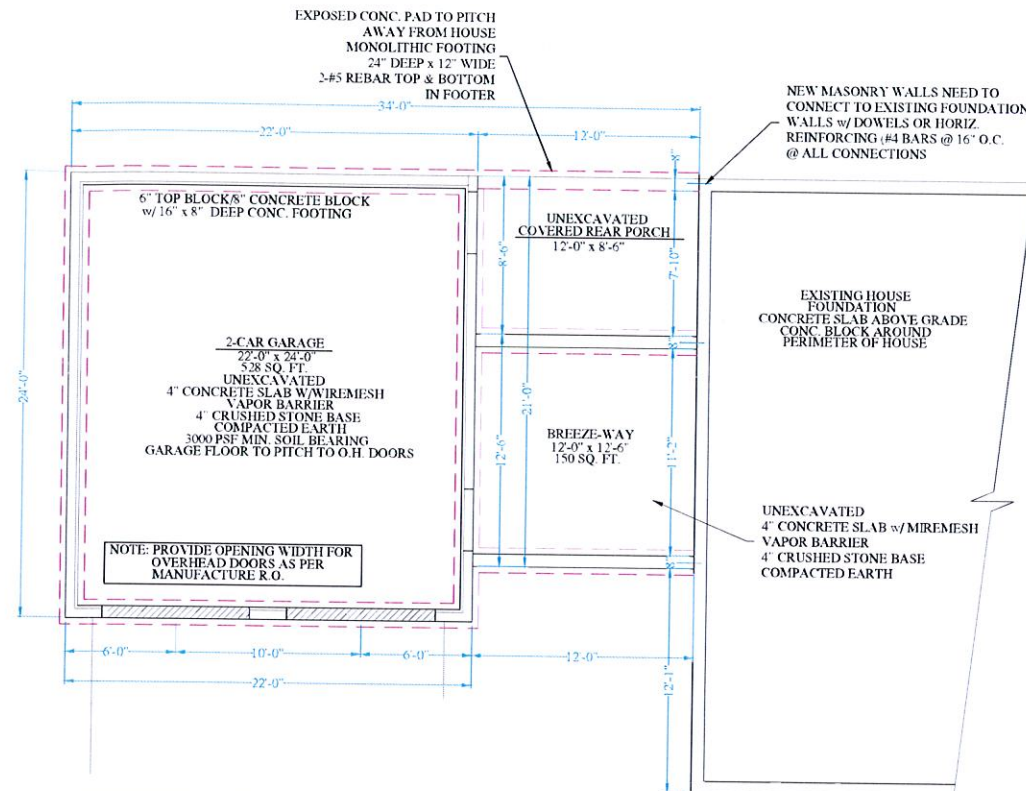
WEST-SIDE ELEVATION w/ ADDITION
SCALE: 1/4" = 1'-0"



GARAGE DOOR FRAMING
SCALE: 1/4" = 1'-0"

FOUNDATION NOTES:

1. THE FOOTERS HAVE BEEN DESIGNED FOR 2500 PSF. IF SOFTER MATERIAL IS ENCOUNTERED, CONTACT ENGINEER FOR REDESIGN IN SOFTER AREA.
2. THE CONCRETE DESIGN MIX FOR THE DESIGNATED COMPRESSIVE STRENGTH IS ACCEPTABLE WITHOUT TESTING AT 28 DAYS.
3. ALL CONSTRUCTION SHALL MEET OR EXCEED THE NYS RESIDENTIAL CODE.
4. BASEMENT WALLS SHALL BE BRACED PRIOR TO BACKFILLING TO PREVENT MOVING.
5. SELECT ON SITE BACKFILL. MATERIAL SHALL HAVE NO DEBRIS, CLAY, ORGANIC, FROZEN MATERIAL OF STONES GREATER THAN 4" IN SIZE.
6. NO DRAIN PIPES SHALL BE CLOSER THAN 5 FEET TO WALLS EXCEPT FOUNDATION DRAINAGE.



FOUNDATION PLAN w/ ADDITION
SCALE: 1/4" = 1'-0"

GENERAL NOTES:

1. THESE PLANS HAVE BEEN PREPARED TO THE BEST OF THE ARCHITECT'S KNOWLEDGE, BELIEF, AND PROFESSIONAL JUDGMENT IN ACCORDANCE WITH THE RESIDENTIAL CODE OF NEW YORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ADAPTING THESE PLANS, IF REQUIRED TO SUIT THE NEEDS OF THE BUILDING ON THE SITE, PROVIDED THAT THE ALTERATIONS DO NOT VIOLATE THE CODE OR ALTER THE STRUCTURAL INTEGRITY OF THE BUILDING.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLIANCE WITH ALL APPLICABLE BUILDING/ELECTRICAL/MECHANICAL/PLUMBING AND ENERGY CODES, STATE OR LOCAL. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLIANCE WITH THE ENERGY CODE FOR ALL HVAC EQUIPMENT, HVAC CONTROLS, WATER HEATING EQUIPMENT, PIPE AND DUCT INSULATION, AND FLUORESCENT LAMPS AND BALLASTS.
3. THE CONTRACTOR SHALL BE RESPONSIBLE SO THAT BRANDS OF WINDOWS AND DOORS INSTALLED MEET THE BOCA ENERGY CODE REQUIREMENTS. WINDOWS AND DOORS SHOWN ARE INDICATED FOR SIZING ONLY.
4. CERTAIN DIMENSIONS WILL VARY DEPENDING ON THE MATERIALS USED AND/OR THE CONTRACTOR'S BUILDING METHODS. IF VARIATIONS EXIST BETWEEN THE BUILDING SITE AND THE PLANS THE CONTRACTOR MUST ADVISE THE ENGINEER AS SOON AS POSSIBLE.
5. CONTRACTOR ASSUMES ALL LIABILITY FOR MAINTAINING THE STRUCTURAL INTEGRITY OF ALL BEAMS, JOISTS, COLUMNS AND STUDS THAT ARE NOTCHED OR DRILLED TO ACCOMMODATE MECHANICAL OR ELECTRICAL LINES.
6. CERTAIN DIMENSIONS WILL VARY DEPENDING ON THE MATERIALS USED AND/OR THE CONTRACTOR'S BUILDING METHODS. IF VARIATIONS EXIST BETWEEN THE BUILDING SITE AND THE PLANS THE CONTRACTOR MUST ADVISE THE ENGINEER AS SOON AS POSSIBLE.
7. BUILDING CONTRACTOR MUST VERIFY ALL DIMENSIONS BEFORE PROCEEDING.
8. THE CONTRACTOR MUST RESPECT IF APPLICABLE, REQUIREMENTS OF DOCUMENTATION ATTACHED TO THESE PLANS (E.G. MANUFACTURER'S SPECIFICATIONS, VENTILATION PLAN, ETC.) AND INFORM THE CLIENT OF ANY CONSEQUENCES RESULTING FROM CHANGES TO THIS PLAN.
9. THE CONTRACTOR SHALL LOCATE ALL SEPTIC FACILITIES PRIOR TO MOBILE/ING EQUIPMENT AND/OR PERFORMING EXCAVATIONS AND BE RESPONSIBLE FOR MARKING AND PROTECTING SAID FACILITIES FROM ANY DISTURBANCE, DAMAGE OR CORRUPTION.
10. THE ARCHITECT DOES NOT ASSUME LIABILITY FOR ANY OMISSIONS ON THESE PLANS.
11. ALL FOOTINGS SHALL REST ON UNDISTURBED VIRGIN SOIL. THE FOOTING FOUNDATION DESIGN ASSUMES MINIMUM SOIL BEARING CAPACITY TO BE 2000 PSF. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL SUBGRADE CONDITIONS. IF REQUIRED, CONTRACTOR SHALL BE RESPONSIBLE FOR HIRING A SOILS ENGINEER TO VERIFY SUBGRADE CONDITIONS AND SUBSTANTIATE ACTUAL BEARING CAPACITY.
12. CONTRACTOR SHALL CONNECT THE PERIMETER DRAIN TO A SLUMP PIT THAT DISCHARGES TO GRADE AWAY FROM THE FOUNDATION OF THE BUILDINGS LOCATED ON THE SITE PLAN.
13. BACKFILL MATERIALS SHALL BE NATIVE SOIL FOR FILL UNDER THE GARAGE FLOOR OR DRAINAGE FLOOR. PROVIDE SAND/GRAVEL FILL FOR COMPACTION AS NEEDED.
14. MINIMUM FOUNDATION DEPTH BELOW FINISHED GRADE IS 4'-0". MINIMUM CONCRETE COMPRESSIVE STRENGTH 3000 PSI FOOTINGS 3000 PSI SLABS 6% AIR ENTRAINED 4" x 8" SUMP
15. CONCRETE STRENGTH PER ACI 301-72 WITH TYPE II CEMENT AT 28 DAYS, 3000 PSI. MASONRY SPECIFICATIONS, ASTM C90 GRADE N-1, Fm = 1350 PSI. MORTAR SPECIFICATIONS, ASTM C476, Fc = 2000 PSI. GROUT SPECIFICATIONS, ASTM C476, Fc = 2000 PSI. STEEL SPECIFICATIONS, STRUCTURAL STEEL, ASTM A36, Fy = 36 KSI. REINFORCING STEEL, ASTM A615, Fy = 60 KSI. WIRE MESH, ASTM A185, 6x6 10/10 WWM REINFORCING. WOOD CONSTRUCTION, FRAMING LUMBER SPF#2 OR BETTER, PLYWOOD OR OSB APA RATED = 2500 PSI, E = 2,000,000 PSI.
16. CONCRETE BLOCK SHALL CONFORM TO ASTM C90 N-1, WALL REINFORCING - ASTM A82. ALL MORTAR SHALL CONFORM TO ASTM C270 TYPE S - 1 PART PORTLAND CEMENT, 1/4 PART LIME, 3 PARTS SAND.
17. STRUCTURAL STEEL SHALL CONFORM TO ASTM A36. SHOP-PRIME PAINT TT-P-20, TT-P-31C, TT-P-83, FABRICATION AND INSTALLATION PER THE LATEST EDITION OF THE AISC MANUAL AND SPECIFICATIONS.
18. MINIMUM FIBER STRESS IN BENDING (Fb) FOR ALL FRAMING LUMBER TO BE 1150 PSI #2, HEV-FIR OR BETTER, PROVIDE DOUBLE FRAMING MEMBERS UNDER PARTITIONS RUNNING IN SAME DIRECTION.
19. CONTRACTOR SHALL PAY STRICT ADHERENCE TO MICROLAM MANUFACTURER'S WRITTEN DIRECTIONS FOR CUTTING, DRILLING, NOTCHING, JOINING AND GENERAL INSTALLATION OF THEIR PRODUCTS.
20. WOOD TRUSSES SHALL BE DESIGNED BY MANUFACTURER. SUPPLIER SHALL BE RESPONSIBLE FOR INSTALLATION DETAILS AND REQUIRED BRIDGING/BRACING.
21. PLYWOOD SHALL CONFORM TO U.S. PRODUCT STANDARD PS-1, THICKNESS AS SHOWN, APARATED SHEATHING EXCEPT NAILING AND SPACING PER APA RECOMMENDATIONS FOR LOCATIONS INTENDED.
22. ALL WOOD IN CONTACT WITH CONCRETE OR MASONRY SHALL BE FULLY WOOD PRESERVATIVE-TREATED WITH OSOMOSALTS OR VOLMAN SALTS.
23. ALL OPENINGS IN THE BUILDING ENVELOPE (DOORS, WINDOWS, UTILITIES) SHALL BE CAULKED WEATHER-STRIPPED, OR OTHERWISE SEALED.
24. BUILDER ASSUMES ALL LIABILITY FOR MAINTAINING THE STRUCTURAL INTEGRITY OF ALL BEAMS, JOISTS, COLUMNS AND STUDS THAT ARE NOTCHED OR DRILLED TO ACCOMMODATE MECHANICAL OR ELECTRICAL LINES.
25. ALL FRAMED CONNECTIONS SHALL BE MADE WITH CODE APPROVED METHODS OR BY HANGERS AUTHORIZED BY NYS RESIDENTIAL CODE. FOR NAILING LAYOUT SEE TABLE R602.3(1).
26. FRAMING LUMBER TO BE NO.1 OR NO. 2 SPF UNLESS OTHERWISE INDICATED.
27. ALL LINTELS/HEADERS TO BE 3 - 2" x 10" UNLESS OTHERWISE INDICATED.
28. USE OF FLOOR JOIST AND ROOF RAFTERS MAY REQUIRE ADJUSTMENTS TO THE PLAN. REFER TO MANUFACTURER'S INSTRUCTIONS.
29. FLOOR JOISTS ARE TO BE DOUBLED UNDER PARALLEL PARTITIONS AND SHOULD BE SPACED 4" WHERE NECESSARY TO ACCOMMODATE PLUMBING.
30. PROVIDE 2" x 2" CROSS BRIDGING SITUATED AT NO MORE THAN 7'-0" FROM A SUPPORT OR ROW OF BRIDGING.
31. REFER TO MANUFACTURER'S INSTRUCTIONS REGARDING KNOCK-OUTS, BRACING WEB STIFFENERS AND BLOCKING WHEN USING ENGINEERED LUMBER.
32. APPLY WOOD PRESERVATIVE TO THE ENDS OF WOOD TIMBERS SUPPORTED BY MASONRY WALLS.
33. AS A PRECAUTION, A FIREPROOF LINER SHALL BE PLACED BETWEEN THE FIREBOX OF PREFABRICATED FIREPLACE AND COMBUSTIBLE WALLS.
34. FIREPLACE & CHIMNEYS SHALL COMPLY WITH CHAPTER 10 OF THE RESIDENTIAL CODE.
35. ANY AND ALL TRUSS DESIGNS SHALL BE BY THE MANUFACTURER. MANUFACTURER SHALL BE RESPONSIBLE FOR ALL ENGINEERING LAYOUT AND INSTRUCTIONS.
36. ENDS OF STEEL BEAMS SUPPORTED ON EXTERIOR WALLS SHALL BE INSULATED A MINIMUM OF 24" FROM THE END.
37. CONTRACTOR SHALL VERIFY ALL NOTES AND DIMENSIONS PRIOR TO CONSTRUCTION. THESE DRAWINGS ARE NOT TO BE SCALED - USE DIMENSIONS GIVEN.
38. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND SAFETY PRECAUTIONS INVOLVED AS PART OF THIS CONTRACT.
39. THE FOLLOWING DESIGN LOADS HAVE BEEN USED IN THE STRUCTURES DESIGN IN ACCORDANCE WITH THE PRINTED SPAN TABLES IN THE RESIDENTIAL CODE OF NEW YORK CONSTRUCTION CODES: SNOW LOAD 50 PSF MAX. (VARIES WITH ROOF PITCH) FLOOR LOADS 40 PSF
40. ACTUAL ROUGH OPENINGS MAY VARY DEPENDING ON THE WINDOW/MANUFACTURER CHOSEN. WINDOWS TO BE LOWE GLASS OR EQUIVALENT UNLESS OTHERWISE LABELED. ALL BEDROOMS SHALL HAVE MINIMUM CLEAR OPENING OF AT LEAST 5.7 SQ. FT.
41. ALL BEDROOMS SHALL HAVE MINIMUM CLEAR OPENING OF AT LEAST 5.7 SQ. FT.
42. ALL EMERGENCY ESCAPE AND RESCUE OPENINGS SHALL HAVE A MINIMUM NET CLEAR OPENING WIDTH OF 20 INCHES.
43. ALL DOOR AND WINDOW SIZES AND STYLES SHALL BE DETERMINED BY THE HOMEOWNER AND MUST COMPLY WITH NYS CODE SECTION R310 AND R613.
44. TEMPERED SAFETY GLASS SHALL BE USED AREAS AS REQUIRED BY SECTION 308.4.
45. ALL STAIRS & HANDRAILS SHALL COMPLY WITH NYS CODE SECTION R311.5.
46. ALL WORK, MATERIALS, METHODS, EQUIPMENT, ETC. SHALL BE IN STRICT ACCORDANCE WITH CONTRACT DOCUMENTS. ALL MATERIALS SHALL BE NEW, UNLESS NOTED OTHERWISE.
47. WORK SEQUENCE AND SCHEDULE SHALL BE MUTUALLY AGREED UPON BY BOTH THE OWNER AND THE CONTRACTOR.
48. IT IS ASSUMED THAT THE SUBSURFACE CONDITIONS WILL BE EARTH OR SOIL. IF BEDROCK IS ENCOUNTERED, REMOVAL WILL BE CONSIDERED AN ADDITION TO CONTRACT.
49. EXAMINATION OF THE SITE SHOULD BE MADE BY ALL CONTRACTORS CONCERNED TO FULLY CONSIDER ALL SITE CONDITIONS WHICH MAY HAVE A BEARING ON THE WORK OF THE ENTIRE PROJECT. IF A BID IS PRESUMPTIVE EVIDENCE THAT THE BIDDER IS CONVERSANT WITH LOCAL JURISDICTION HAS MADE DUE ALLOWANCES IN HIS BID FOR ALL CONTINGENCIES. THE OWNER RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS.
50. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY THE ARCHITECT IN CASE OF ANY DEVIATIONS FROM THESE DRAWINGS.
51. THE CONTRACTOR SHALL OBTAIN AND PAY FOR ALL PERMITS AND APPROVALS REQUIRED BY THE ZONING AND BUILDING DEPARTMENTS AND ANY OTHER GOVERNMENTAL AGENCY HAVING JURISDICTION OVER THE WORK. ALL APPLICABLE REGULATIONS SHALL BE ADHERED TO AND CARRIED OUT BY ALL UNDER THIS CONTRACT.
52. THE CONTRACTOR SHALL FURNISH A CERTIFICATE OF INSURANCE INDICATING THE TYPE AND A COVERAGE AS REQUIRED BY STATE OR LOCAL MUNICIPALITY.
53. THE CONTRACTOR SHALL REMOVE ALL RUBBISH AND LEAVE THE COMPLETED PROJECT IN A CLEAN SATISFACTORY TO THE OWNER.
54. THE CONTRACTOR SHALL GUARANTEE HIS WORK AND HIS SUBCONTRACTOR'S WORK AGAINST FAULT, MATERIALS AND WORKMANSHIP IN ACCORDANCE WITH MAINE GENERAL BUSINESS LAW.
55. ONLY COPIES FROM THE ORIGINALS OF THESE DRAWINGS MARKED WITH AN ORIGINAL OF THE A EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.
56. MAXIMUM U VALUES FOR 70 DEGREE DAYS REQUIRED: A. EXTERIOR WALLS .06 B. CEILING .04 C. FLOORS .04 D. DOORS .04 E. GLASS .06 F. BSMT WALLS TO 48" BELOW GRADE .09
57. SMOKE ALARMS SHALL BE INSTALLED IN ALL SLEEPING ROOMS, OUTSIDE EACH SLEEPING AREA AND ON EACH FLOOR OF THE DWELLING INCLUDING THE BASEMENT AS PER SECTION R313.
58. SMOKE-DETECTING ALARM DEVICES SHALL BE INSTALLED IN COMPLIANCE WITH RESIDENTIAL CODE OF NEW YORK STATE.
59. AFCI PROTECTION SHALL BE PROVIDED TO ALL BRANCH CIRCUITS AS REQD AS PER SECTION E3802.11.
60. MOISTURE RESISTANT GYP. BOARD TO BE USED ON THE INTERIOR OF ALL BATHROOMS AND AREA CREATING MOIST CONDITIONS.

Project Name & Address:

JACKFETT RESIDENCE
Ronald & Brenda Jackett
6 Douglas Street
Batavia, New York 14020
Genesee County

Consultant/Designer:

Design & Drafting by Gina, LLC

Gina Pestillo
Architectural Designer

8468 Seven Springs Road (585) 469-1113
Batavia, New York 14020 gpestillo@gmail.com

Architect:

ANDREW H. HINTENACH III, AIA

ARCHITECT

92 Putney Street
Geneva, New York 14456

(585) 748-5522
sailwindsbb@verizon.net

NOTICE:

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS ACTING UNDER THE SUPERVISION OF A LICENSED ARCHITECT TO ALTER ANY PART OF THE DOCUMENT IN ANY WAY.

ANY PERSON WHO ALTERS THE DOCUMENT IS SUBJECT TO CIVIL PENALTIES AS IMPOSED BY LAW TO THE MAXIMUM OF \$500.00 AND THE WORK SHALL BE FOLLOWED BY HIS OR HER SIGNATURE AND A SIGNED DESCRIPTION OF THE ALTERATION.

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NOTICE: A. HINTENACH III, AIA

Revisions: Date:

Revisions:	Date:

West-Side Elevation
Garage Door Framing
Foundation Plan & Notes
General Notes

Drawing Name:

Date: April 20, 2015

Drawn By: GMP

Project #: 2015.15

Scale: AS SHOWN

Sheet #: A101

Project: Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Agency Use Only [If applicable]

Project: _____

Date: _____

Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
_____ Name of Lead Agency	_____ Date
_____ Print or Type Name of Responsible Officer in Lead Agency	_____ Title of Responsible Officer
_____ Signature of Responsible Officer in Lead Agency	_____ Signature of Preparer (if different from Responsible Officer)

PRINT FORM

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: Ronald Jackett Signature: <u>Ronald Jackett</u> Date: <u>4-29-15</u>		

SEND OR DELIVER TO:

GENESEE COUNTY DEPARTMENT OF PLANNING
3837 West Main Street Road
Batavia, NY 14020-9404
Phone: (585) 344-2580 Ext. 5467

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) Planning and Development CommitteeAddress One Batavia City CentreCity, State, Zip Batavia, NY 14020Phone (585) 345-6347 Ext. _____**2. APPLICANT INFORMATION**Name Anupa HiraniAddress 160 Pearl St.City, State, Zip Batavia, NY 14020Phone (585) 815-9083 Ext. _____ Email jacksonexpress13gmail.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: Sign pmt review (BID)

- Subdivision Proposal
☐ Preliminary
☐ Final

4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:A. Full Address 13 Jackson St.B. Nearest intersecting road East Main St.C. Tax Map Parcel Number 84.049-1-42

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

E. Present zoning district(s) C-3**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 place a 16' x 3.66' externally lit wall sign on the west elevation of this commercial use property located within the BID.**6. ENCLOSURES** – Please enclose copy(s) of all appropriate items in regard to this referral

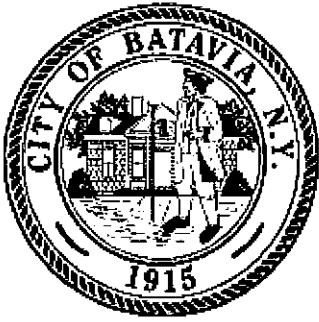
- ☒ Local application
☐ Site plan
☐ Subdivision plot plans
☐ SEQR forms

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

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

If possible, please provide a reduced version or digital copy of any supporting documentation larger than 11 x 17.
Email to planning@co.genesee.ny.us

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



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: 5/5/15

Re: 13 Jackson St.
Tax Parcel No. 84.049-1-42

Zoning Use District: C-3

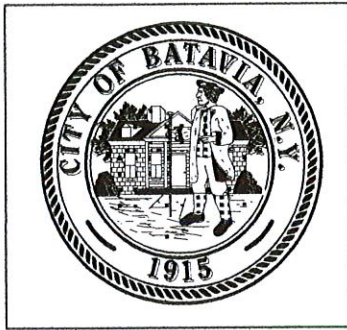
The applicant, Anupa Hirani (owner), has applied for approval to place a 16' x 3.66' externally lit wall sign on the west elevation of this commercial building in the same location as the existing sign.

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 parkway, thoroughway, expressway, road or highway.**

City Planning and Development Committee- Pursuant to section 190-14 D (2) (b), the Planning and Development Committee shall review and approve applications for sign permits on properties located within the B.I.D.



Permit No.: _____

Date: _____

Zone: C-384.049-1-42**SIGN PERMIT APPLICATION****City of Batavia**One Batavia City Centre, Batavia, NY 14020
(585) 345-6345 • Fax (585) 345-1385**APPLICANT/OWNER:**Name ANUPA HIRANI E-mail Address JacksonExpress13@G-mail.comStreet Address 1100 Pearl St Phone 585-815-9083 Fax _____City, State, Zip Code Batavia, NY 14020ADDRESS OF SIGN: 13 Jackson St BataviaAREA OF SIGN: Length 16' Width 44" Area 57.6"**TYPE OF SIGN:**

1. All sign applications must have an illustration of the sign with its dimensions and copy.
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☐ PortableSet Back _____
Wall Length 31"Height 15'
Wall Height 16'

Area _____

Length _____
Window Length _____Height _____
Window Height _____Area _____
Area _____74.4 sq. ft.
58' prop.
OKLighting: ☐ Internal ☒ External

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

The current Sign is 16' x 44" for the current business "YoTwisters"
The current sign will be refaced for the new business "Jackson Express"Applicant's Signature Anupa HiraniDate 4/17/15

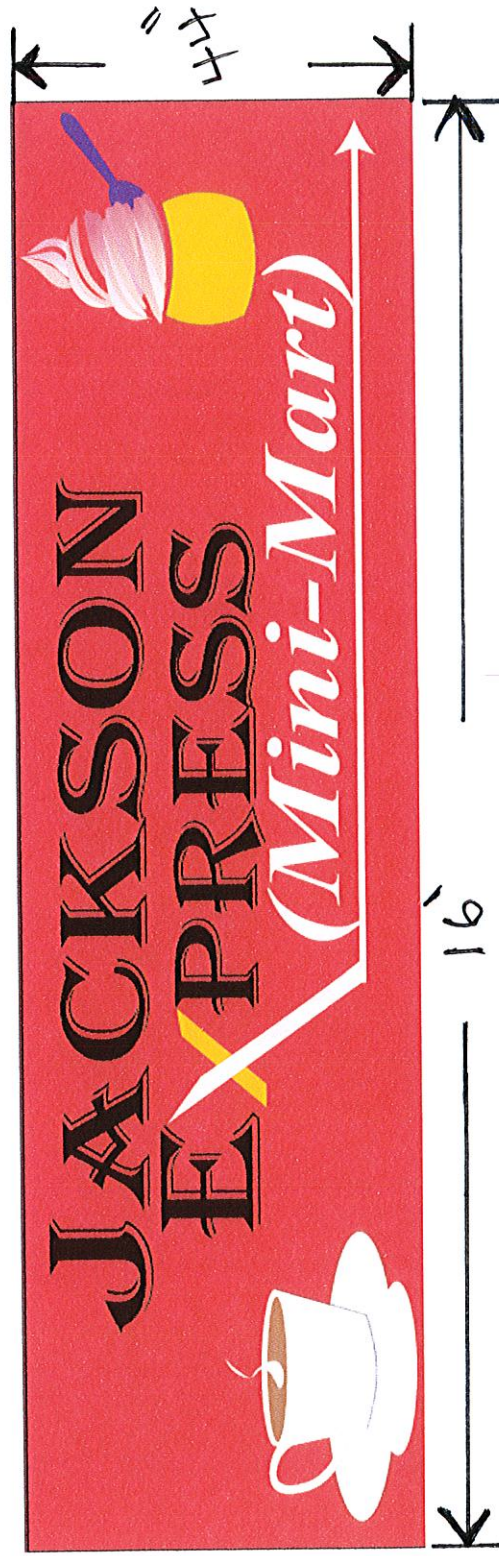
Issuing Officer _____

Date _____

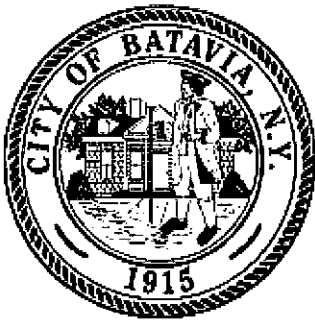
Planning Board Chairperson _____

Date _____

FEES: ☒ \$25 Sign Permit ☐ \$50 Special Sign Permit ☐ \$10 Portable Sign



Refacing the existing Yo Twisted's sign.



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: 4/20/15

Re: 17 Maple St.
Tax Parcel No. 84.015-2-4

Zoning Use District: R-3

The applicant, Timothy L. Corcoran (owner), has applied for a permit to widen an existing 10' wide stone driveway by placing 13' of stone to the east side of the existing driveway.

Review and Approval Procedures:

City Planning and Development Committee- Pursuant to section 190-49 C. of the zoning ordinance, the Planning and Development Committee shall review and make recommendations to the ZBA for applications that include parking variances.

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 Sec. 190-39 E (1) The width of driveways shall not exceed 25% of the lot frontage.**

	<u>Permitted</u>	<u>Proposed</u>	<u>Difference</u>
Driveway width	10.62' (25%)	23' (54%)	12.38' (29%)

The ZBA will be the lead agency to conduct SEQR.

15-04



CITY OF BATAVIA
APPLICATION TO THE ZONING BOARD OF APPEALS

Application No.: _____

Hearing Date/Time: _____

APPLICANT: TIMOTHY L. CORCORAN
Name _____ E-Mail Address _____
17 MAPLE ST.
Street Address _____
BATAVIA N.Y. 14020 (716) 474-4142
City State Phone Fax
Zip

STATUS: ☒ Owner ☐ Agent for Owner ☐ Contractor

OWNER: TIMOTHY L. CORCORAN
Name _____ E-Mail Address _____
17 MAPLE ST. (716) 474-4142
Street Address Phone Fax
BATAVIA N.Y. 14020
City State Zip

LOCATION OF PROPERTY: 17 MAPLE ST. BATAVIA N.Y. 14020

DETAILED DESCRIPTION OF REQUEST: Wider width of driveway from
10 FT to 23 FT for use as off-street parking. The
Driveway will be widened for the first 30 FT in
length. 21 FT

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.

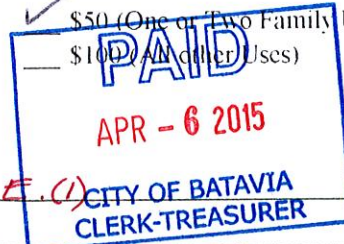
Timothy Corcoran 4/6/15
Applicant's Signature Date
Timothy Corcoran 4/6/15
Owner's Signature Date

To be Filled out by Zoning Officer

TAX PARCEL: 84.015-2-4 ZONING DISTRICT: R-3 FLOOD PLAIN: NA

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 190-39 F.(1)

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 would not interfere in with other properties.
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 only available property is area requested
3. **Substantiality.** The requested area variance is not substantial.
Only the necessary area to park a vehicle is being requested
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.
Requests would match identical requests on street that were approved.
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.
Condition has existed for many years (1923) this condition results in constant impingement/trespass as well as access issues

Linda J. Courman
Applicant's Signature

4/6/15
Date



Permit No. _____

Date: _____

DRIVEWAY AND PARKING SPACE PERMIT
\$10 fee – Please attach Survey / IllustrationAPPLICANT: TIMOTHY CORCORAN
Name _____ E-mail Address _____17 MAPLE ST
Street Address _____ Phone _____BATAVIA N.Y. 14020
City _____ State _____ Zip _____X Owner _____ Agent for Owner _____ Contractor _____OWNER: TIM CORCORAN
Name _____ E-mail Address __________
Street Address _____ Phone __________
City _____ State _____ Zip _____ADDRESS OF PROPERTY: 17 MAPLE ST. BATAVIA N.Y.DIMENSIONS OF EXISTING DRIVEWAY: Width 10' Length 75'DIMENSIONS OF NEW DRIVEWAY / ADDITION: Width 13' Length 10' 21"SURFACE MATERIAL: Existing STONE Proposed STONE
*Total new width 23'*Applicant's Signature _____ Date 3/27/15

Owner's Signature _____ Date _____

To be filled out by Zoning Enforcement Officer

TAX PARCEL: 84.015-2-4 ZONING DISTRICT: R-3 SURVEY: YesDIMENSIONS OF LOT: Lot Frontage 42.50' Front Yard _____PERCENTAGE OF LOT FRONTAGE: 54.9@23' SURFACE MATERIAL: StoneAPPROVED: _____ AREA VARIANCE: Yes GRADE PLAN: _____

ISSUING OFFICER: _____ DATE: _____

*10.62' permitted.
23' Proposed.
12.38' over. (2BA req.)*



MAPLE ST

21

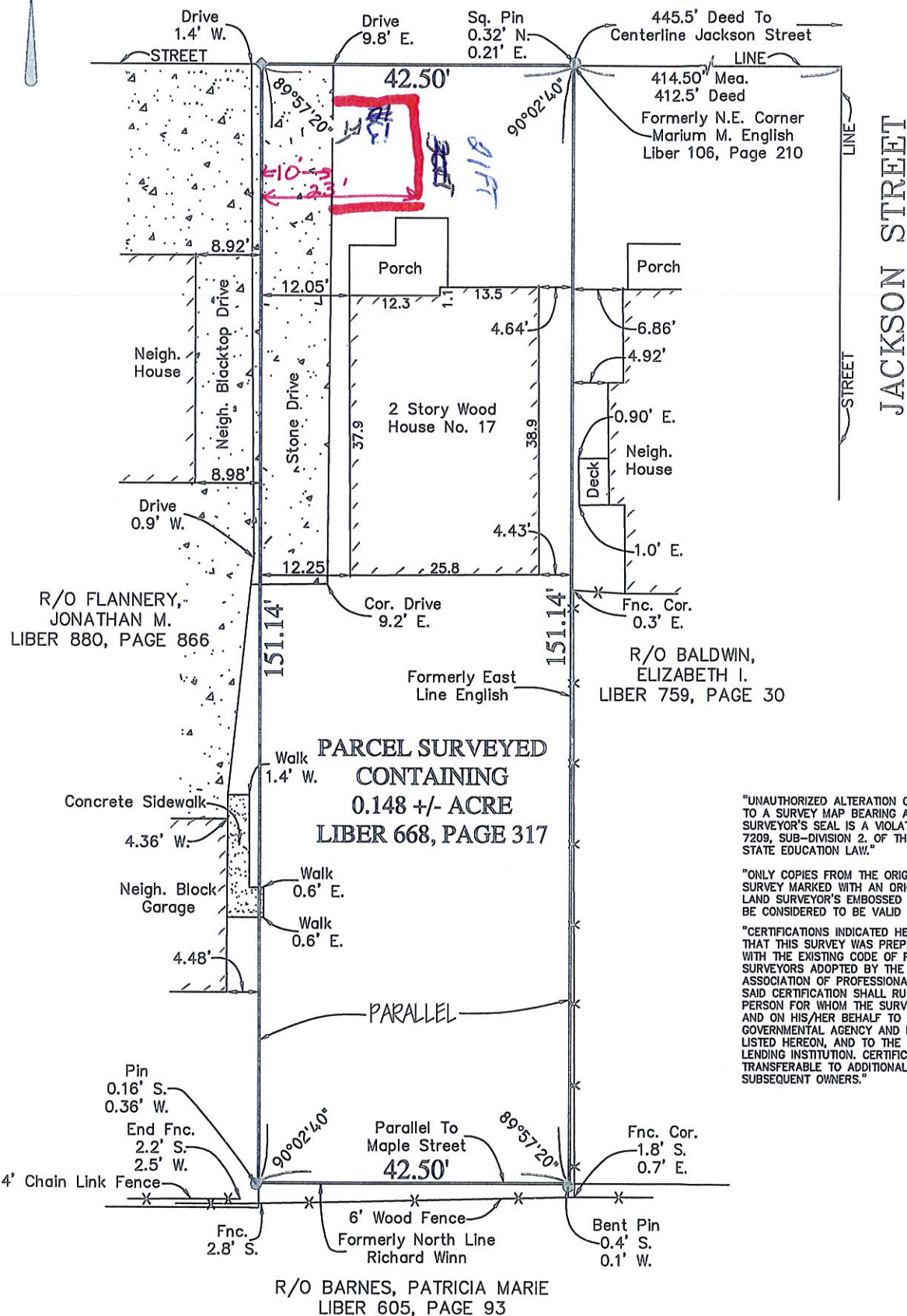
21

13



DAVID S. LAMENDOLA
GREGORY W. TOWNSEND
Licensed Land Surveyors
435 East Main Street
Batavia, New York 14020
Phone (585) 344-1331
Fax (585) 219-4313

MAPLE STREET (49.5' R.O.W.) (Formerly Hill Street)



"UNAUTHORIZED ALTERATION OR ADDITIONS TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW."

"ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES."

"CERTIFICATIONS INDICATED HEREON SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYORS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS. SAID CERTIFICATION SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON HIS/HER BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREON, AND TO THE ASSIGNEES OF THE LENDING INSTITUTION. CERTIFICATION ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS."

617.20
Appendix B
Short Environmental Assessment Form

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: <i>Creation of off-street parking spot</i>			
Project Location (describe, and attach a location map): <i>17 MAPLE ST. BATAVIA NY. 14020</i>			
Brief Description of Proposed Action: <i>create a parking spot of crushed stone for use as an off street parking area for 1 vehicle</i>			
Name of Applicant or Sponsor: <i>TIM CORCORAN</i>		Telephone: <i>616 474-4142</i>	
		E-Mail:	
Address: <i>17 MAPLE ST.</i>			
City/PO: <i>BATAVIA NY. 14020</i>		State: <i>NY</i>	Zip Code: <i>14020</i>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/> YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input checked="" type="checkbox"/> YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?			
b. Total acreage to be physically disturbed? <i>~ 3/4</i> acres			
c. Total acreage (project site and any contiguous properties) owned <i>10 FT X 30 FT</i> acres			
or controlled by the applicant or project sponsor? <i>ALL</i> acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
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	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation service(s) available at or near the site of the proposed action?			
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?			
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>NOT NEEDED</u>	NO	YES	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
b. Is the proposed action located in an archeological sensitive area?			
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? 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: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
16. Is the project site located in the 100 year flood plain?	NO	YES	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	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? If Yes, describe: _____	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? If Yes, describe: _____	NO	YES

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Timothy L. Concoran Date: 4/6/15

Signature: _____

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing: <ul style="list-style-type: none"> a. public / private water supplies? b. public / private wastewater treatment utilities? 		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency

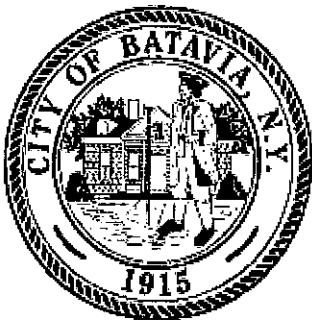
Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)



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: 12/12/14

Re: 23 Seneca St.
Tax Parcel No. 84.034-3-46

Zoning Use District: R-2

The applicant, George Mirrione (owner), has applied for a permit to widen an existing 11.41' wide asphalt driveway to 23.41' by placing a 12' wide stone addition to the north side of the existing driveway.

Review and Approval Procedures:

City Planning and Development Committee- Pursuant to section 190-49 C. of the zoning ordinance, the Planning and Development Committee shall review and make recommendations to the ZBA for applications that include parking variances.

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 Sec. 190-39 E (1)** The width of driveways shall not exceed 25% of the lot frontage.

	<u>Permitted</u>	<u>Proposed</u>	<u>Difference</u>
Driveway width	14.20' (25%)	23.41' (41%)	9.21' (16%)

The ZBA will be the lead agency to conduct SEQR.

15-05



CITY OF BATAVIA
APPLICATION TO THE ZONING BOARD OF APPEALS

Application No.: _____

Hearing Date/Time: _____

APPLICANT: George F. & Michelle R. Mirrione creativity29@yahoo.com

Name E-Mail Address

23 Seneca Ave. (585) 409-6733

Street Address Phone Fax

Batavia, NY 14020

City State Zip

STATUS: ☒ Owner ☐ Agent for Owner ☐ Contractor

OWNER: George F. & Michelle R. Mirrione creativity29@yahoo.com

Name E-Mail Address

23 Seneca Ave. (585) 409-6733

Street Address Phone Fax

Batavia, NY 14020

City State Zip

LOCATION OF PROPERTY: 23 Seneca Ave., Batavia, NY 14020

DETAILED DESCRIPTION OF REQUEST: Placement of a gravel driveway (12' wide x 35.14' length) adjacent to existing driveway.

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.

George Mirrione

Applicant's Signature

12/10/14

Date

George Mirrione

Owner's Signature

12/10/14

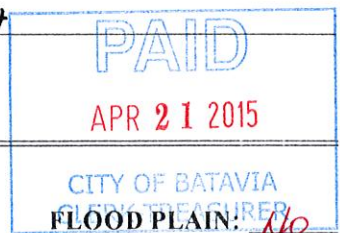
Date

To be Filled out by Zoning Officer

TAX PARCEL: 84.034-3-46 ZONING DISTRICT: R-2

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 190-39 E. (1) The width of driveways located in front yards shall not exceed 25% the lot frontage.

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:

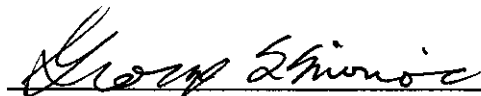
1. **Undesirable Change in neighborhood Character.** The granting of the variance will not produce an undesirable change in the neighborhood or a detriment to nearby properties.
The driveway will have a 4' buffer between it and the neighbors property line.

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 driveway will provide additional parking for family.

3. **Substantiality.** The requested area variance is not substantial. The driveway would be 12' wide x 35.14' length.

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 driveway will provide additional parking for family

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 driveway will provide additional parking for family


Applicant's Signature

12/10/14
Date



Permit No. _____

Date: _____

DRIVEWAY AND PARKING SPACE PERMIT
\$10 fee – Please attach Survey / Illustration

APPLICANT: George F. Mirrione creativity29@yahoo.com
Name E-mail Address
23 Seneca Ave. 409-6733
Street Address Phone
Batavia, NY 14020
City State Zip
☒ Owner ☐ Agent for Owner ☐ Contractor

OWNER: George F. Mirrione creativity29@yahoo.com
Name E-mail Address
23 Seneca Ave. 409-6733
Street Address Phone
Batavia, NY 14020
City State Zip

ADDRESS OF PROPERTY: 23 Seneca Ave., Batavia, NY 14020

DIMENSIONS OF EXISTING DRIVEWAY: Width 11.41' Length 35.14'

DIMENSIONS OF NEW DRIVEWAY / ADDITION: Width 12' Length 35.14'

SURFACE MATERIAL: Existing grass Proposed gravel

George F. Mirrione
Applicant's Signature

10/30/14
Date

George F. Mirrione
Owner's Signature

10/30/14
Date

To be filled out by Zoning Enforcement Officer

TAX PARCEL: _____ **ZONING DISTRICT:** _____ **SURVEY:** _____

DIMENSIONS OF LOT: Lot Frontage _____ Front Yard _____

PERCENTAGE OF LOT FRONTAGE: _____ **SURFACE MATERIAL:** _____

APPROVED: _____ **AREA VARIANCE:** _____ **GRADE PLAN:** _____

ISSUING OFFICER: _____ **DATE:** _____

14.20' permitted
23.41' Proposed
9.21' over
2 BA. Ry.

617.20
Appendix B
Short Environmental Assessment Form

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: <i>Addition to existing driveway for 23 Seneca Ave., Batavia, NY 14020</i>			
Project Location (describe, and attach a location map): <i>23 Seneca Ave., Batavia, NY 14020</i>			
Brief Description of Proposed Action: <i>Placement of a gravel driveway (12' wide x 35.14' length) adjacent to existing driveway</i>			
Name of Applicant or Sponsor: <i>George F. & Michelle R. Mirrione</i>		Telephone: <i>(585) 409-6733</i> E-Mail: <i>creativity29@yahoo.com</i>	
Address: <i>23 Seneca Ave., NY ¹⁴⁰²⁰ 14020</i>			
City/PO: <i>BATAVIA</i>		State: <i>NY</i>	Zip Code: <i>14020</i>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		<i>X</i>	
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		<i>X</i>	
3.a. Total acreage of the site of the proposed action?		_____ acres	
b. Total acreage to be physically disturbed?		_____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	X	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	X	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	X	
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>George F. Mirrione</u> Date: <u>12/10/14</u> Signature: <u>George F. Mirrione</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	X	
2. Will the proposed action result in a change in the use or intensity of use of land?	X	
3. Will the proposed action impair the character or quality of the existing community?	X	
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	X	
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	X	
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	X	
7. Will the proposed action impact existing:		
a. public / private water supplies?	X	
b. public / private wastewater treatment utilities?	X	
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	X	
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	X	

SENECA AVENUE (R.O.W. VARIES)



This particular referenced action is not subject to
Genesee County Health Department review under
New York State Public Health Law Article 11 Title II

LEGEND
● EXISTING IRON STAKE
○ SET IRON PIN

REFERENCES
MAHANEY AND SNELL SUBDIVISION FILED AT BOOK
1 OF MAPS, PAGE 48
SURVEY MAP NO. 14-134 BY GREGORY W. TOWNSEND,
L.S., LAST DATED MAY 22, 2014

NOTES:
* The parcel surveyed is part of land conveyed to
the Ray and Marilyn Colantonio Living Trust at
Liber 621 of Deeds, page 60
* The parcel surveyed is part of Tax Map No.
84.34-3-47
* The parcel surveyed is to be merged with Tax
Map No. 84.34-3-46

REAL PROPERTY TAX SERVICES

DATE _____

APPROVED BY _____

APPROVED BY CITY OF BATAVIA PLANNING BOARD

CHAIRMAN _____

DATE _____

APPROVED BY CITY OF BATAVIA ENGINEERS

ENGINEER _____

DATE _____

FILED IN GENESEE COUNTY CLERK'S OFFICE AS:

MAP No. _____, SLIDE No. _____,

CABINET No. _____

COUNTY CLERK _____

DATE _____

DAVID S. LAMENDOLA
GREGORY W. TOWNSEND
Licensed Land Surveyors
435 East Main Street
Batavia, New York 14020
Phone (585) 344-1331
Fax (585) 219-4313

"UNAUTHORIZED ALTERATION OR ADDITIONS
TO A SURVEY MAP BEARING A LICENSED LAND
SURVEYOR'S SEAL IS A VIOLATION OF SECTION
7209, SUB-DIVISION 2, OF THE NEW YORK
STATE EDUCATION LAW."

"ONLY COPIES FROM THE ORIGINAL OF THIS
SURVEY MARKED WITH AN ORIGINAL OF THE
LAND SURVEYOR'S EMBOSSED SEAL SHALL
BE CONSIDERED TO BE VALID TRUE COPIES."

"CERTIFICATIONS INDICATED HEREON SIGNIFY
THAT THIS SURVEY WAS PREPARED IN ACCORDANCE
WITH THE EXISTING CODE OF PRACTICE FOR LAND
SURVEYORS ADOPTED BY THE NEW YORK STATE
ASSOCIATION OF PROFESSIONAL LAND SURVEYORS.
SAID CERTIFICATION SHALL RUN ONLY TO THE
PERSON FOR WHOM THE SURVEY IS PREPARED,
AND ON HIS/HER BEHALF TO THE TITLE COMPANY,
GOVERNMENTAL AGENCY AND LENDING INSTITUTION
LISTED HEREON, AND TO THE ASSIGNEES OF THE
LENDING INSTITUTION. CERTIFICATION ARE NOT
TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR
SUBSEQUENT OWNERS."

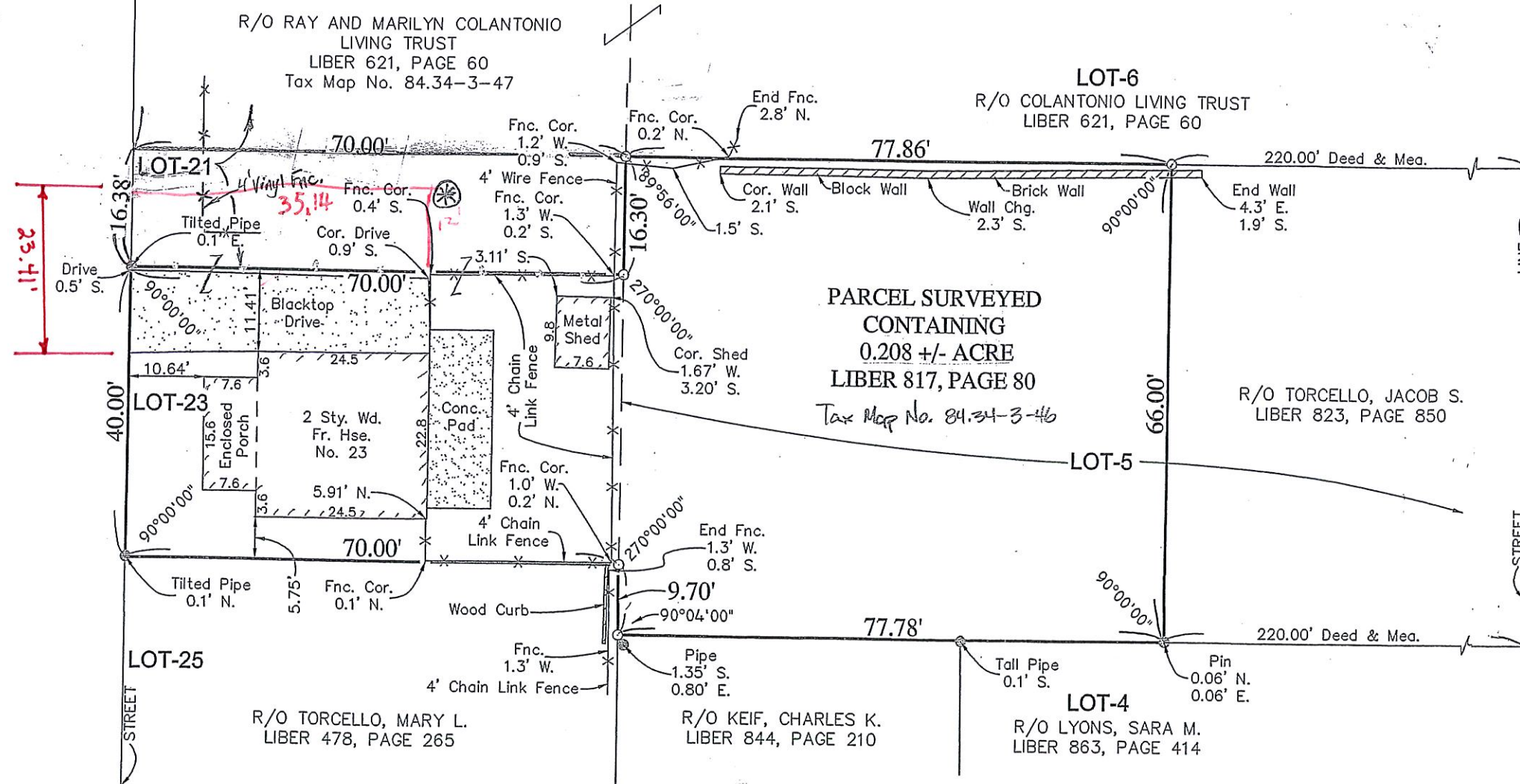
I HEREBY CERTIFY THAT THIS LAND SEPARATION AND
MERGER WAS PREPARED BY ME, AND WAS MADE FROM
AN ACTUAL SURVEY COMPLETED BY ME ON MAY 15,
2014 AND REFERENCES LISTED HEREON

BOUNDARY SURVEY SHOWING THE SEPARATION
AND MERGER OF LANDS OF THE RAY AND
MARILYN COLANTONIO LIVING TRUST, BEING
PART OF ORIGINAL VILLAGE LOT NO. 30,
DISTINGUISHED AS BEING PART OF SUBDIVISION
LOT NO. 21 OF THE MAHANEY AND SNELL
SUBDIVISION. SITUATE IN THE CITY OF
BATAVIA, COUNTY OF GENESEE AND STATE OF
NEW YORK

SEPTEMBER 9, 2014 SCALE 1" = 20'
JOB NO. 14-134-A

REVISED 12/10/2014
12/10/14 Gregory W. Townsend
DATE _____
N.Y.S.R.L.S. No. 50249

ROSS STREET





Office of the Genesee County Clerk
Don M. Read, County Clerk

DOCUMENT # 5180

RETT: 438 \$.00

E-Mail: coclerk@co.genesee.ny.us
Website: www.co.genesee.ny.us
Regular Mail Address:
PO Box 379
Batavia, N.Y. 14021-0379

Phone: 585-344-2550 ext 2242
Fax: 585-344-8521
Shipping & Express Mail Address:
County Bldg #1, 15 Main Street
Batavia, N.Y. 14020

10/29/2014 03:22:47 P.M.
RECEIPT: 13073 FEE: \$185.00
GENESEE COUNTY CLERK
LIBER: 909 PAGE: 250

Type/Print LEGIBLY - Black Ink: After Recording Return this Document to:

Robert Humphrey

Method of Document Return:

☐ Postage Paid Return Envelope☒ Office Box ☐ Courier☐ Inter Office Mail Service ***☐ Periodic Mail - No Return Envl☐ Mail - General Public

This Document Was Recorded By: _____

THE SPACE BELOW IS RESERVED FOR THE COUNTY CLERK REQUIRED RECORDING INFORMATION

DOCUMENT TYPE

Deed

TAX DISTRICT

Batavia / City

Pages to Validate

4

MORTGAGE RECORDING TAX RECEIPT

CROSS REFERENCES

Total Amount Secured By Mortgage:

\$ _____

BASIC \$ _____

~L _____ P _____ Yr _____

LOCAL \$ _____

~L _____ P _____ Yr _____

- ☐ 1-2 Family Clause Applicable
☐ Mortgage Tax Affidavit Attached
☐ To be Apportioned
☐ Mortgage Tax Exempt
☐ Recapture Obligation Included *

ADDTL \$ _____

~L _____ P _____ Yr _____

SPECIAL \$ _____

~L _____ P _____ Yr _____

~L _____ P _____ Yr _____

TOTAL TAX \$ _____

State of New York)
County of Genesee)

I do hereby certify that I have received the amounts cited above on the within Mortgage,
being the amount of the Recording Tax imposed thereon and paid at the time of recording.

Don M. Read

Genesee County Clerk

DO NOT DETACH THIS PAGE FROM THE DOCUMENT:

This page constitutes the County Clerk's Endorsement as Required by Section 319 of the Real Property Law of New York State.

Don M. Read

Genesee County Clerk

THIS SPACE RESERVED FOR COUNTY CLERK NOTES

WARRANTY DEED

THIS INDENTURE made 10/23, 2014,

BETWEEN

THE RAY and MARILYN COLANTONIO LIVING TRUST, established October 3, 1992, Raymond B. Colantonio and Marilyn J. Colantonio, Trustees, whose mailing address is 19 Seneca Avenue, Batavia, New York 14020,
party of the first part, and

GEORGE F. MIRRIONE and MICHELLE R. MIRRIONE, residing at 23 Seneca Avenue, Batavia, NY 14020,
party of the second part,

WITNESSETH, that the party of the first part, in consideration of One and 00/100 Dollars (\$1.00) plus other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, their heirs or successors and assigns of the party of the second part,

SEE SCHEDULE A ATTACHED HERETO AND MADE A PART HEREOF

Subject to easements, covenants, restrictions and rights-of-way of record, if any.

Being and intending to convey the same premises conveyed to first party by deed recorded in the Genesee County Clerk's Office on June 9, 2014, in Liber 906 of Deeds, page 148 and

TOGETHER with the appurtenances and all the estate and rights of the party of the first in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants as follows:

FIRST, That the party of the first part is seized of the said premises in fee simple, and has good right to convey the same;

SECOND, That the party of the second part shall quietly enjoy the said premises;

THIRD, That the premises are free from incumbrances, except as aforesaid,

FOURTH, That the party of the first part will execute or procure any further necessary assurance of the title to said premises;

FIFTH, That the party of the first part will forever **WARRANT** the title to said premises;

SIXTH, the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

In Presence of

THE RAY AND MARILYN
COLANTONIO LIVING TRUST

By: Raymond B. Colantonio
Raymond B. Colantonio, Sole Trustee

STATE OF NEW YORK
COUNTY OF GENESEE

On the 23 day of October, in the year 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared RAYMOND B. COLANTONIO, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

AMBER L. REESE
Notary Public, State of New York
Qualified in Genesee County
No. 01RE6249594
My Commission Expires 10-17-20 15

Amber L. Reese
Notary Public

SCHEDULE A

PARCEL "A"

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Batavia, County of Genesee and State of New York, bounded and described as follows:

Beginning at a point in the south line of Lot No. 5 of the Bissell Subdivision of Original Lot No. 32, as the same is shown on a map by David E. E. Mix, surveyor, and now filed in the Genesee County Clerk's Office in Liber 1 of Maps at page 8, at a point 220 feet westerly along said south line from the southeast corner of Lot No. 5, thence northerly 66 feet on a line parallel to the easterly boundary of said Lot No. 5 which said easterly boundary is also the west line of Ross Street, to a point in the north line of Lot No. 5; thence westerly along said north line 77 feet to a point; thence southerly 66 feet along a line parallel to the first mentioned course to a point in the south line of Lot No. 5; thence easterly 77 feet to the place of beginning.

PARCEL "B"

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Batavia, County of Genesee and State of New York being subdivision Lot No. 23 situate on Seneca Avenue as shown on "Map of Mahaney and Snell Subdivision of part of City Lot No. 30" made by R.A. Wentworth October 6, 1919 and filed in Genesee County Clerk's Office October 7, 1919 in Book 1 of Maps at page 48. Being a lot 40 feet wide and 70 feet deep the property is located on the east side of Seneca Avenue and known as Lot No. 23.

Property Mailing Address: 23 Seneca Avenue, Batavia, New York 14020
Tax Map No: 84.034-3-46.

PARCEL "C"

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Batavia, County of Genesee and State of New York, being part of Original Village Lot No. 30, distinguished as being part of Subdivision Lot No. 21 of the Mahaney and Snell Subdivision, and more particularly described as follows:

Beginning at a point on the easterly street line of Seneca Avenue at the northwest corner of Subdivision Lot No. 23 and southwest corner of Subdivision Lot No. 21 of the Mahaney and Snell Subdivision, said point being the northwest corner of land conveyed to George F. and Michelle R. Mirrione at Liber 906 of Deeds, page 148;

Thence northerly, along the street line of Seneca Avenue, a distance of 16.38' to a point;

Thence easterly, forming an interior angle of $89^{\circ}56'-00''$, a distance of 70.00' to a point on the easterly line of Subdivision Lot No. 21;

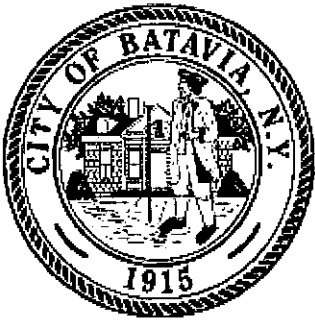
Thence southerly, along the east line of Lot No. 21 and forming an interior angle of $90^{\circ}04'-00''$, a distance of 16.30' to a point, said point being the southeast corner of Lot No. 21 and northeast corner of Lot No. 23 and the northeast corner of Mirrione lands;

Thence westerly, along the northerly line of Mirrione lands and forming an interior angle of $90^{\circ}00'-00''$, a distance of 70.00' to the point of beginning, said final course forming an interior angle of $90^{\circ}00'-00''$ with the street line of Seneca Avenue, containing 0.026 +/- acre

The above Parcels A and B are presently owned by the grantees herein George F. Mirrione and Michelle R. Mirrione.

This parcel (Parcel C) is being conveyed by party of the first part to parties of the second part. Parcel C is being added to Parcels A and B. Subsequent transfer of Parcel C except in conjunction with Parcels A and B is a violation of the zoning ordinance of the City of Batavia.

Parcel C is part of premises conveyed to Party of the First Part by quitclaim deed recorded in the Genesee County Clerk's Office on January 12, 1993 in Liber 621 of Deeds, at page 60.



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: 4/15/15

Re: 37 Center St.
Tax Parcel No. 84.058-1-47

Zoning Use District: C-3

The applicant, Brian Kemp (business owner/occupant), has applied for approval to place a 3' x 15' unlit wall sign on the west elevation of this commercial building.

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 boundary of the city; the boundary of a County or State park or other recreation area; **the right of way of a state parkway, throughway, expressway, road or highway;** the boundary of county or state owned land on which a public building or institution is situated; the boundary of a farm operation located in an agricultural district (not required for area variances).

City Planning and Development Committee- Pursuant to section 190-14 D (2) (b), the Planning and Development Committee shall review and approve applications for sign permits 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) 344-2580 Ext. 5467

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) Planning and Development CommitteeAddress One Batavia City CentreCity, State, Zip Batavia, NY 14020Phone (585) 345 - 6347 Ext. _____**2. APPLICANT INFORMATION**Name Brian KempAddress 37 Center St.City, State, Zip Batavia, NY 14020Phone (585) 345 - 1993 Ext. _____ Email _____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: Sign pmt in BID

- Subdivision Proposal
☐ Preliminary
☐ Final

4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:A. Full Address 37 Center St.B. Nearest intersecting road School St.C. Tax Map Parcel Number 84.058-1-47

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

E. Present zoning district(s) C-3 (BID)**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 190-14 D (2)(b)C. Please describe the nature of this request Approval to place a 45 sq.' unlit wall sign on the west elevation of this commercial building.**6. ENCLOSURES** – Please enclose copy(s) of all appropriate items in regard to this referral

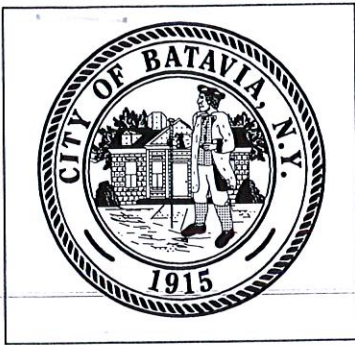
- ☒ Local application
☐ Site plan
☐ Subdivision plot plans
☐ SEQR forms

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

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

If possible, please provide a reduced version or digital copy of any supporting documentation larger than 11 x 17.

Email to planning@co.genesee.ny.us**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



Permit No.: _____
Date: _____
Zone: C-3

84.058-1-47

SIGN PERMIT APPLICATION

City of Batavia

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

APPLICANT/OWNER:

T-Shirts Etc.

tshirtsetc@rochester.rr.com

Name

E-mail Address

37 Center St.

345-1993

345-1414

Street Address

Phone

Fax

Batavia, NY 14020

City, State, Zip Code

ADDRESS OF SIGN:

37 Center St. Batavia, NY 14020

AREA OF SIGN:

Length 15ft. Width 3ft. Area 45 sq. ft.

112.5 sq. ft. permitted
45 sq. ft. proposed
oh

TYPE OF SIGN:

1. All sign applications must have an illustration of the sign with its dimensions and copy.
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

Set Back _____

Height _____

☒ Wall

Wall Length 15ft. 30ft.

Wall Height 25ft. 25ft.

Area 750 sq. ft.

☐ Projecting

☐ Marquee

☒ Awning / Canopy

Length 10ft.

Height 5ft.

Area _____

☐ Window

Window Length _____

Window Height _____

Area _____

☐ Portable

Lighting:

☐ Internal

☐ External

Changing out canvas to corrugated metal awning.

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

Applicant's Signature

Elizabeth Kemp

Date

3/23/15

Issuing Officer

Date

Planning Board Chairperson

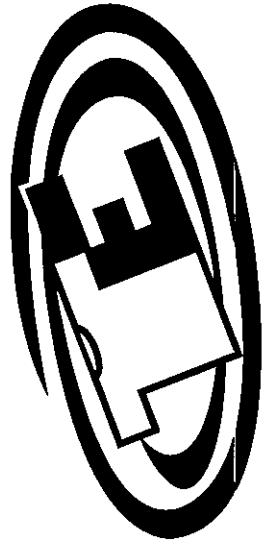
Date

FEES:

\$25 Sign Permit

\$50 Special Sign Permit

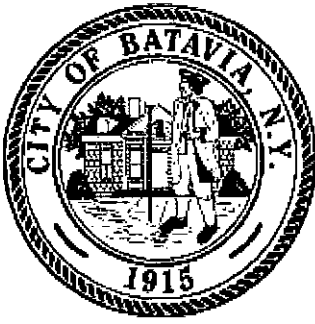
\$10 Portable Sign



T-SHIRTS ETC.



 **TSHIRTS ETC.**



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: 4/27/15

Re: 59 Main St.
Tax Parcel No. 84.011-3-4

Zoning Use District: C-3

The applicant, Ken Mistler (owner), has applied for approval to place three 2.25 sq.' vinyl stick window signs on the north elevation of this commercial building.

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 parkway, throughway, expressway, road or highway.**

City Planning and Development Committee- Pursuant to section 190-14 D (2) (b), the Planning and Development Committee shall review and approve applications for sign permits 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) 344-2580 Ext. 5467

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) Planning and Development CommitteeAddress One Batavia City CentreCity, State, Zip Batavia, NY 14020Phone (585) 345 - 6347 Ext. _____**2. APPLICANT INFORMATION**Name Ken MistlerAddress 85 Main St.City, State, Zip Batavia, NY 14020Phone (585) 409 - 8405 Ext. _____ Email nys1@me.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: Sign pmt (BID)

- Subdivision Proposal
☐ Preliminary
☐ Final

4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:A. Full Address 59 Main St.B. Nearest intersecting road Court St.C. Tax Map Parcel Number 84.011-3-4

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

E. Present zoning district(s) C-3 (BID)**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 190-14 D (2)(b)C. Please describe the nature of this request Approval to place three 1.5' x 1.5' vinyl stick window signs on the north elevation of this commercial building.**6. ENCLOSURES** – Please enclose copy(s) of all appropriate items in regard to this referral

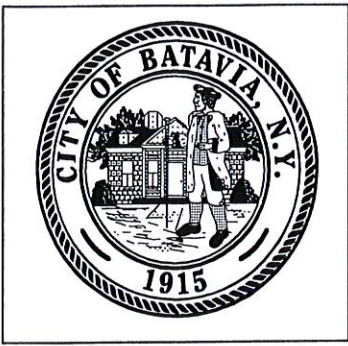
- ☒ Local application
☐ Site plan
☐ Subdivision plot plans
☐ SEQR forms

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

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

If possible, please provide a reduced version or digital copy of any supporting documentation larger than 11 x 17.

Email to planning@co.genesee.ny.us**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



Permit No.: _____

Date: _____

Zone: _____

84.011-3-4

SIGN PERMIT APPLICATION**City of Batavia**

One Batavia City Centre, Batavia, NY 14020

(585) 345-6345 • Fax (585) 345-1385

APPLICANT/OWNER:

KEN MISTLER

NY91@ME.COM

Name

E-mail Address

85 MAIN ST

5854098405

Street Address

Phone

Fax

BATAVIA NY 14020

City, State, Zip Code

ADDRESS OF SIGN:

59 MAIN ST BATAVIA NY 14020

AREA OF SIGN:

Length 18"

Width 18"

Area 2.25 sq. ft. GLASS (X) Decals

TYPE OF SIGN:

1. All sign applications must have an illustration of the sign with its dimensions and copy.
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.

☐ FreestandingSet Back 0"
Wall Length 34"Height 18"
Wall Height 84"

Area 18x18" (X) Decals

☐ Wall☐ Projecting☐ Marquee☐ Awning / CanopyLength _____
Window Length 34"Height _____
Window Height 84"Area _____
Area 19.81 sq. ft. (11%)☒ Window☐ Portable4.95 sq. ft. Permitted
2.25 sq. ft. Proposed.

Lighting:

☐ Internal☐ External

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

City stickers sign 12' x 4' exterior w/ 3 lights (oh)

Applicant's Signature

Kenneth Miller

Date

4/27/15

Issuing Officer

Date

Planning Board Chairperson

Date

FEES:

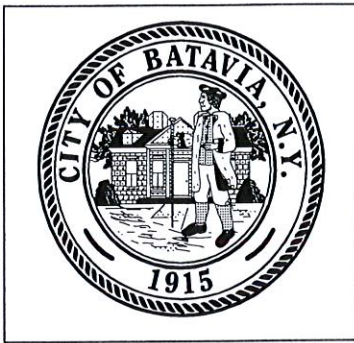


\$25 Sign Permit

\$50 Special Sign Permit

\$10 Portable Sign

3- DECALS IN TOTAL



Permit No.: _____

Date: _____

Zone: _____

SIGN PERMIT APPLICATION**City of Batavia**

One Batavia City Centre, Batavia, NY 14020

(585) 345-6345 • Fax (585) 345-1385

APPLICANT/OWNER:

KEN MISTLER

NY91@ME.COM

Name

E-mail Address

85 MAIN ST

5854098405

Street Address

Phone

Fax

BATAVIA NY 14020

City, State, Zip Code

ADDRESS OF SIGN:

59 MAIN ST BATAVIA NY 14020

AREA OF SIGN:

Length

18"

Width

18"

Area

GLASS 2.25 sq. ft.

(X)

Decals

TYPE OF SIGN:

1. All sign applications must have an illustration of the sign with its dimensions and copy.
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

Set Back

0"

☐ Wall

Wall Length

34"

☐ Projecting☐ Marquee☐ Awning / Canopy

Length

☒ Window

Window Length

34"
2.23'☐ Portable

Height

18"

Wall Height

84"

Height

Window Height

84"
7'

Area

18x18"

Area

19.81 sq. ft.

(X) DECALS

Lighting:

☐ Internal☐ External

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

CITY SIGNERS SIGN 12' x 4' exterior w/ 3 lights

Applicant's Signature

Ken Mistler

Date

4/27/15

Issuing Officer

Date

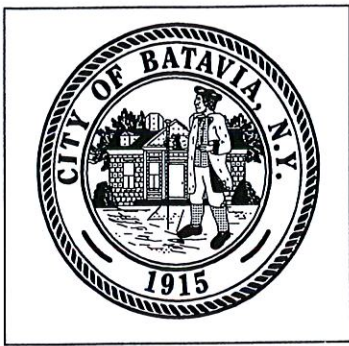
Planning Board Chairperson

Date

FEES:

☒ \$25 Sign Permit☐ \$50 Special Sign Permit☐ \$10 Portable Sign

3- DECALS IN TOTAL



Permit No.: _____

Date: _____

Zone: _____

SIGN PERMIT APPLICATION**City of Batavia**

One Batavia City Centre, Batavia, NY 14020

(585) 345-6345 • Fax (585) 345-1385

APPLICANT/OWNER:

KEN MISTLERNY91@ME.COM

Name

E-mail Address

85 MAIN ST5854098405

Street Address

Phone

Fax

BATAVIA NY 14020

City, State, Zip Code

ADDRESS OF SIGN:

59 MAIN ST BATAVIA NY 14020

AREA OF SIGN:

Length 18"Width 18"Area GLASS ^{2.25 sq'} (X) Decals

TYPE OF SIGN:

1. All sign applications must have an illustration of the sign with its dimensions and copy.
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.

☐ FreestandingSet Back 0"
Wall Length 34"Height 18"
Wall Height 84"Area 18x18" (X) Decals☐ Wall☐ Projecting☐ Marquee☐ Awning / CanopyLength _____
Window Length 34"Height _____
Window Height 84"Area _____
Area 19.81 sq'☒ Window☐ Portable

Lighting:

☐ Internal☐ External

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

CITY SLICKERS SIGN 12' x 4' EXTERIOR w/ 3 LIGHTS

Applicant's Signature

Kenneth Miller

Date

4/27/15

Issuing Officer

Date

Planning Board Chairperson

Date

FEES:

☒ \$25 Sign Permit☐ \$50 Special Sign Permit☐ \$10 Portable Sign3- DECALS IN TOTAL

City Slickers

Bar & Grill

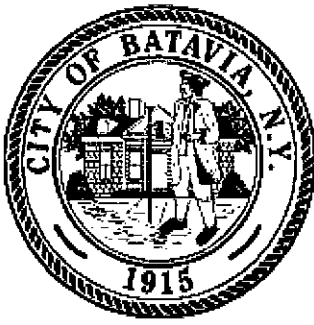
KEN'S
CHARCOAL
PITS

KEN'S
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KEN'S
CHARCOAL
PITS

CHARCOAL
PITS
OPEN
AM
DISHES
DRINKS
PITS

NO
OPEN FLAMES
PERMITTED



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: 5/4/15

Re: 139 Jackson St.
Tax Parcel No. 84.065-2-32

Zoning Use District: R-3

The applicant, Joann M. Fisher-Plath (owner), has applied for a permit to widen an existing 15' wide asphalt driveway by placing an addition width of 4' of asphalt to the south side of the existing driveway.

Review and Approval Procedures:

City Planning and Development Committee- Pursuant to section 190-49 C. of the zoning ordinance, the Planning and Development Committee shall review and make recommendations to the ZBA for applications that include parking variances.

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 Sec. 190-39 E (1)** The width of driveways shall not exceed 25% of the lot frontage.

	<u>Permitted</u>	<u>Proposed</u>	<u>Difference</u>
Driveway width	12.65' (25%)	19' (37.5%)	6.35' (12.5%)

The ZBA will be the lead agency to conduct SEQ. R.

15-06



CITY OF BATAVIA

APPLICATION TO THE ZONING BOARD OF APPEALS

Application No.: _____

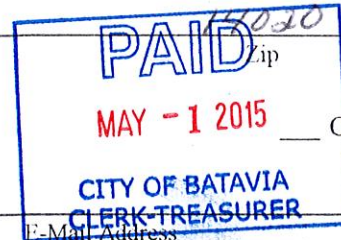
Hearing Date/Time: _____

APPLICANT: Jo Ann M. Fisher Plath

Name 139 Jackson Street E-Mail Address _____
 Street Address _____ Phone _____ Fax _____
Batavia N.Y. _____
 City State Zip

STATUS: ☒ Owner _____ Agent for Owner _____OWNER: Jo Ann M. Fisher Plath

Name 139 Jackson Street E-Mail Address _____
 Street Address _____ Phone _____ Fax _____
Batavia N.Y. 14020
 City State Zip

LOCATION OF PROPERTY: 139 Jackson St. Batavia, N.Y. 14020

DETAILED DESCRIPTION OF REQUEST: To retop and widen driveway
(existing driveway) to the fullest we can
asking 19ft wide

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.

Jo Ann M. Fisher Plath
 Applicant's Signature

4/24/15
 Date

Jo Ann M. Fisher Plath
 Owner's Signature

4/24/15
 Date

To be Filled out by Zoning Officer

TAX PARCEL: 84.065-2-32 ZONING DISTRICT: R-3 FLOOD PLAIN: No

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 19D-39 E(1) width of driveway not
to exceed 25% of the lot frontage



Permit No. _____
Date: _____

DRIVEWAY AND PARKING SPACE PERMIT
\$10 fee – Please attach Survey / Illustration

APPLICANT: Jo Ann^M Fisher Plath
Name _____ E-mail Address _____
139 Jackson Street (585) 344-5626
Street Address _____ Phone _____
Batavia NY 14020
City _____ State _____ Zip _____
X Owner _____ Agent for Owner _____ Contractor _____

OWNER: Jo Ann M. Fisher Plath
Name _____ E-mail Address _____
139 Jackson Street (585) 344-5626
Street Address _____ Phone _____
Batavia NY 14020
City _____ State _____ Zip _____

ADDRESS OF PROPERTY: 139 Jackson Street

DIMENSIONS OF EXISTING DRIVEWAY: Width 15.1 Length 57.7

DIMENSIONS OF NEW DRIVEWAY / ADDITION: Width 19.4 Length _____
Extra
Sq. Ft. 90+27
SURFACE MATERIAL: Existing X Black Top Proposed X Blacktop 117 Sq. Ft. Total

Jo Ann M. Fisher Plath 4/24/15
Applicant's Signature _____ Date _____
Jo Ann M. Fisher Plath 4/24/15
Owner's Signature _____ Date _____

To be filled out by Zoning Enforcement Officer

TAX PARCEL: 84.065-2-32 **ZONING DISTRICT:** R-3 **SURVEY:** _____
DIMENSIONS OF LOT: Lot Frontage 50.62' Front Yard 50.62'
PERCENTAGE OF LOT FRONTAGE: 37.5% (proposed) **SURFACE MATERIAL:** Asphalt
APPROVED: _____ **AREA VARIANCE:** _____ **GRADE PLAN:** _____
ISSUING OFFICER: _____ **DATE:** _____

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.

No, it will not change the neighborhood.

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 there are not.

3. **Substantiality.** The requested area variance is not substantial. Yes it is.
We need to fit 2 trucks side by side for us to get out.

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.

No it won't

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. NO

JoAnn M. Fisher Plath
Applicant's Signature

4/24/15
Date

617.20
Appendix B
Short Environmental Assessment Form

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			
<i>Widen Driveway</i>			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
<i>139 Jackson St. Batavia, N.Y.</i>			
Brief Description of Proposed Action:			
<i>Top off existant driveway and widen. To the fullest we can.</i>			
Name of Applicant or Sponsor:		Telephone: <i>(585) 344-5626</i>	
<i>JoAnn M. Fisher Plath</i>		E-Mail:	
Address:			
<i>139 Jackson Street</i>			
City/PO:		State:	Zip Code:
<i>Batavia</i>		<i>N.Y.</i>	<i>14020</i>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			YES
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?			NO
If Yes, list agency(s) name and permit or approval:			YES
3.a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	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? If Yes, describe: _____	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? If Yes, describe: _____	NO ✓	YES

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

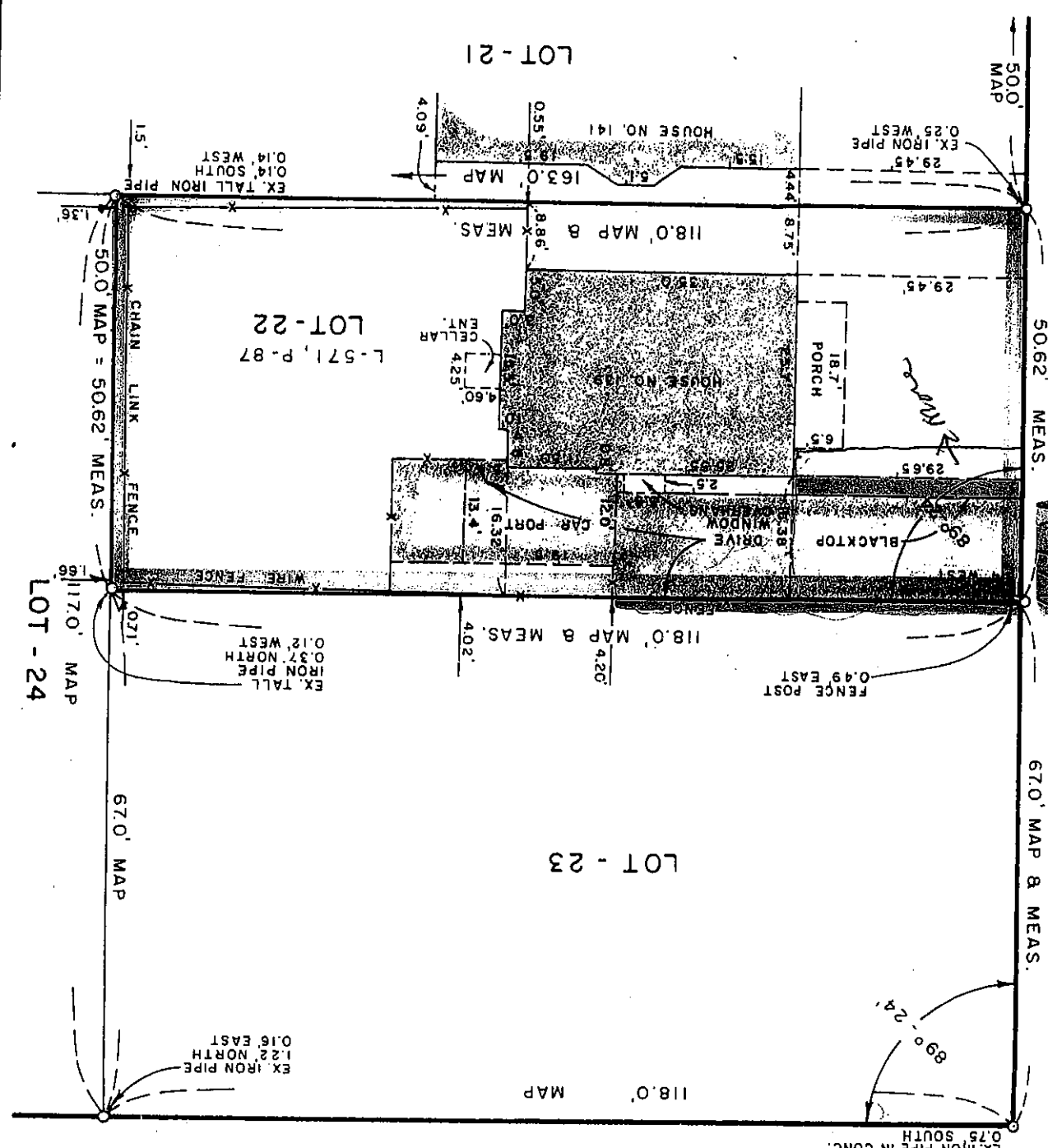
Applicant/sponsor name: JoAnn M. Fisher Plath Date: 4/24/15

Signature: JoAnn M. Fisher Plath

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing:		
a. public / private water supplies?		
b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		

' (66.0' WIDE

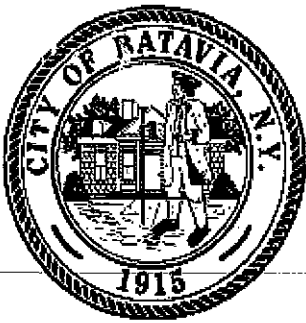


Built around 1920

NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF SECTION 2209, PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW	RESERVED
	SEPTEMBER 15, 1989
	JULY 17, 1990
	REVISION







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: 5/4/15

Re: 316, 318 and 320 West Main St. **(proposed Arby's)**
Tax Parcel No. 84.006-3-36, 84.006-3-44, 84.006-3-43 (respectively)

Zoning Use District: C-2

The applicant, Ronald Viele (developer), has proposed to purchase these three residential parcels located within a commercial use district, clear the parcels of all structures, merge the properties into one parcel, develop the site and construct a 2,100 square foot Arby's drive-in restaurant.

BMC 190-37 E(13) Drive-in restaurants for the purposes of Special Use Permits are defined as eating establishments for customers normally arriving by motor vehicles, who are provided quick service, food and drink, and such customers obtain their own food and drink at a counter or other place for dispensing food therein and consuming such food and drink upon the premises; or in such type restaurants where customers may be waited upon without leaving their vehicles by employees of the drive-in restaurant.

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 parkway, throughway, expressway, road or highway.**

City Planning and Development Committee- Pursuant to:

- | | |
|------------------|---|
| BMC 190-44 B (1) | The PDC shall review and approve or deny site plans in compliance with BMC 190-44 D (3)(a-f). |
| BMC 190-37 | The PDC shall review and authorize or deny Special Use Permits in compliance with BMC 190-37 E (1-14) and 190-37 K (1-14) for drive-in restaurants. |
| BMC 190-43 R | The PDC shall review and approve or deny Special Sign Permits. There are 3 Special sign permit applications and 2 applications for permitted signs. |
| BMC 190-49 C | The PDC shall review applications for area variances that include parking and shall make recommendation to the ZBA. |

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 190-39 B(1)(c)(3) A 10' landscaped buffer is required between commercial and residential use properties.

	<u>Required</u>	<u>Proposed</u>	<u>Difference</u>
Required buffer	10'	2'	8'

- 2) BMC 190-39 B(1)(b) Front yard parking in the C-2 use district shall be set back from the front lot line by a landscaped buffer at least 10' in width.

	<u>Required</u>	<u>Proposed</u>	<u>Difference</u>
Required buffer	10'	3.7'	6.3'

- 3) BMC 190-29 A. and Schedule I Yard, area and height restrictions.

	<u>Required</u>	<u>Proposed</u>	<u>Difference</u>
Height (max)	18'	19'	1'

- 4) BMC 190-37 E(3) Driveways of drive-in restaurants shall not be less than 20' in width at any point. The proposed driveways are restricted to less than the minimum width in four locations.

<u>Minimum driveway width:</u>	<u>Required</u>	<u>Proposed</u>	<u>Difference</u>
West side of bldg.	20'	18'	2'
South side of bldg.	20'	15'	5' (between drive-through and landscape peninsula)
East side of bldg.	20'	14'	6' (between drive-through and east prop. line)
North side of bldg.	20'	15'	5' (between drive-through and 8' wide parking spaces parallel to the north property line)

- 5) BMC 190-37 E(3) Driveways of drive-in restaurants shall not be more than 24' in width at any point. The proposed driveways exceed the maximum width in three locations.

<u>Maximum driveway width:</u>	<u>Required</u>	<u>Proposed</u>	<u>Difference</u>
Southeast entrance	24'	25'	1'
Northwest entrance	24'	25'	1'
Northeast parking area	24'	36'	12'

6) BMC 190-37 E(3)

Driveways are required to be no less than 20' from any side lot line. The proposed driveway is 2' from the east and north side lot lines.

Distance to lot line:

----- East side lot line
North side lot line

<u>Required</u>	<u>Proposed</u>	<u>Difference</u>
20'	2'	18'
20'	2'	18'

7) BMC 190-37 E(10)

No public garage shall be located within 500' of any public entrance to a place of public assembly. The entrance to this proposed restaurant is approximately 45' from the parcels property line that borders a public garage use.

Distance to garage parcel

<u>Required</u>	<u>Proposed</u>	<u>Difference</u>
500'	45'	455'

8) BMC 190-37 E(8)

Parking for drive-in restaurants shall be provided in the ratio of 4 spaces for each 100 square feet of floor area of the principal building. The building is proposed to be 2,100 square feet.

Required parking spaces

<u>Required</u>	<u>Proposed</u>	<u>Difference</u>
84	24	60

The granting of area variances for non-residential uses is an unlisted action subject to review. The ZBA will be lead agency to conduct SEQR.

April 30, 2015

City of Batavia
City Hall
One Batavia City Centre
Batavia, New York 14020

ATTN: Planning Board Members

RE: Request for Site Plan, Special Use
Permit and Sign permit Approval
Arby's Restaurant
316-320 West Main Street

Dear Board Members:

On behalf of Viele Construction Company, we are submitting the following information for Site Plan, Special Use permit and Sign permit review and approval:

- Check in the amount of \$100 for Special Use Permit
- (12) Copies of the Letter of Intent
- (12) Copies of the Building Permit Application
- (12) Copies of the Special Use Permit Application
- (12) Copies of the Sign Permit Applications
- (12) Copies of the Short Form EAF
- (12) Copies of the Traffic Summary Memo
- (12) Copies of the Sign Details
- (12) Copies of the Building Rendering
- (12) 11x17 copies of the Building Floor Plan and Elevations
- (12) 11x17 copies of the Schematic Site Plan Drawings

We respectfully request to be placed on the agenda for the May 19th Planning and Development Committee meeting for Site Plan, Special Use Permit and Sign Permit approval.

The project site is located on the north side of West Main Street (NYS Route 5) at the intersection with Vernon Avenue. The proposed project site consists of three separate individual residential properties. It is proposed to construct an approx. 2,100 sq. ft. restaurant building and associated site features including dumpster enclosure, drive-thru\access lanes, asphalt parking, utilities, landscaping, lighting and signage.

Zoning

The project site is approx. 0.568 acres. The parcels are zoned C-2, General Commercial District, in addition to the adjacent residential use parcel to the rear with frontage on Vernon Avenue. The project will require approval of a Special Use permit being a drive-thru restaurant in addition to area variances being required to develop the property, which are as follows:

- Minimum front parking setback\buffer: 10 ft. required where x ft. is proposed
- Minimum rear parking setback\buffer between commercial and residential properties: 10 ft. required where x ft. is proposed
- Minimum distance of driveway from side lot line: 20 ft. required where x ft. is proposed
- Minimum driveway width: 20 ft. required where 15 ft. is proposed
- Minimum number of parking spaces: 84 required (4 spaces/100 sq. ft. of floor area) where 24 are proposed
- Minimum distance from drive-thru restaurant (place of public assembly) to garage: 500 ft. required, xx ft. proposed (Chrysler\ Dodge\Jeep dealership)
- Building height: 18 ft. maximum allowed where 19.33 ft. is proposed

Building Architecture & Signage

The proposed building façade will consist of the following materials:

- Brick veneer on all four facades (white)
- IPE wood rain screen on the south, east and west facades
- Hardie Plank siding on the east and west facades (Iron gray)
- EIFS on all four facades (China white)
- Metal Canopy over the windows and doors (red)
- Metal Coving along the roof line (Regal white)
- Aluminum storefront on south, east and west

The proposed site, drive-thru and building signs will consist of the following:

- (1) Sign S1: "Arby's" pole sign (45.5 sq. ft., 25 ft. height) – located at the northeast corner
- (2) Sign S2: Directional enter signs (3.1 sq. ft. each, 4 ft. height) – one at each access drive
- (2) Sign S3: Directional exit signs (3.1 sq. ft. each, 4 ft. height) – one at each access drive
- (1) Sign S4: Order Here Canopy – located on the south side of the building
- (1) Sign S5: Menu board sign (45.0 sq. ft.) - located on the south side of the building
- (1) Sign S6: "Arby's" wall logo sign (17.67 sq. ft.) - located on the south facade
- (2) Sign S7: "Arby's" canopy signs (6.88 sq. ft. each) - located on south and east facades

Site \ Pedestrian Access

The site is proposed to have two two-way access drives, one from West Main Street and one from Vernon Avenue. A new ADA compliant walk is proposed to connect the restaurant to the public walk along West Main Street. T.Y. Lin International (TYLI) will obtain any necessary approvals and permits from the NYSDOT for any proposed work within the state ROW.

Storm Drainage

Currently, storm water runoff from the proposed project site sheet flows to West Main Street and Vernon Avenue. With the proposed development, all storm water runoff from the impervious areas will be collected via on-site catch basins and discharged to the storm sewer system along Vernon Avenue via a closed storm sewer system. The proposed disturbed area is less than (1) acre, therefore a Storm Water Pollution Prevention Plan is not required. The necessary sediment and erosion control measures will be utilized during construction. The proposed redevelopment represents an increase in impervious area of approx. 0.2 acres.

Water / Sanitary Sewer

There is an existing 12-inch water main along the property frontage on the north side of West Main Street. A new domestic water service will be constructed to service the new building. Domestic meter and backflow prevention devices per the requirements of the Bureau of Water and Wastewater will be provided inside the building. TYLI will obtain the necessary approvals from the City Bureau of Water and Wastewater and Genesee County Department of Health.

There is an existing 12-inch sanitary sewer located in the center of West Main Street. It is proposed to reuse the existing sanitary lateral for 316 West Main Street as the new service for the building. The condition of the existing lateral will be confirmed prior to construction. A new grease trap will be provided, which will be sized according to NYSDEC Design Standards for Wastewater Treatment Works, 2014. T.Y. Lin will obtain the necessary approvals from the City Bureau of Water and Wastewater.

Landscaping / Lighting

Landscaping is proposed for the new green areas of the site. New site lighting fixtures are proposed for the parking areas. The lighting has been designed by Security Lighting and meets dark sky compliant and Energy Code requirements.

Construction Schedule / Duration

The intent is for construction to commence in the summer of 2015 once all the necessary permits and approvals have been obtained. The time frame to complete the construction will be approximately 75-85 calendar days.

Should you have any questions or require additional information, please do not hesitate to contact us.

Sincerely,
T.Y. Lin International



Randy Bebout
RLB/ams

Enclosures

Cc: Viele Construction Company, Ron Viele (electronic)

T:\rochester\user\temp project folder\Arby's\corresp\4-29-15_Planning & Development Committee Submission\PDC_Letter of Intent_4-29-15

Special Use Permit Standards

Standards applicable for all special use permits. The Planning and Development Committee may issue a special use permit only after it has found that all the following standards and conditions have been satisfied, in addition to any other applicable standards and conditions contained elsewhere in this chapter.

- (1) The location and size of such use and intensity of the operations involved in or conducted therewith, its site layout and its relation to access streets shall be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons therewith will not be hazardous and shall be in harmony with the orderly development of the district. *The proposed use is consistent with the zoning and the surrounding commercial properties on West Main Street. The site will provide for a safe and efficient pedestrian and vehicle circulation.*
- (2) The location, nature and height of buildings, walls and fences will not discourage the appropriate development and use of adjacent land and buildings, nor impair their value. *The building is appropriate size and height for the project site. The proposed solid fence will provide appropriate buffering to the adjacent residential neighbor to mitigate any potential impacts to the property.*
- (3) The operation of any such use shall not be more objectionable to nearby properties than would be operation of any permitted use. *The proposed use should not be objectionable compared to other similar permitted uses.*
- (4) The operation of any such use shall not cause undue noise, vibration, odor, lighting glare, and unsightliness so as to detrimentally impact adjacent properties. *The proposed project will not create unreasonable noises, odor, lighting glare or unsightliness upon completion of the project. The order speaker is on the street side of the building and is directed towards West Main Street. Some temporary vibrations may occur during demolition and construction of the site parking lot (compaction of soil via vibratory rollers). Site lighting will be directed towards the building and parking areas. Light spill will be controlled via internal glare and house side shields. The solid fence will prevent any views of the new parking/driveway areas from the adjacent neighbor's property.*
- (5) When a commercial or industrial special use abuts a residential property the Planning and Development Committee may find it necessary to require screening of sufficient height and density (i.e. fences, hedges, etc.) to reduce or eliminate the conflicting environmental conditions previously mentioned. *A solid fence will be installed along the entire length of the side and rear lot line of the neighbor's residential property.*
- (6) Electrical disturbances shall not be caused so as to disrupt radio or television communications in the immediate area. *There is nothing in the project scope that will disrupt radio or television communications.*

- (7) The proposed use shall meet the off-street parking and loading requirements of similar uses. *The applicant is requesting an area variance for the number of off street parking spaces proposed. The code requires (84) while (24) are proposed. The number of spaces proposed is sufficient for Arby's based on similar locations and proposed number of seats, approximately (53).*
- (8) Appropriate on-lot drainage shall be provided so as to eliminate any potential on-site water related problems. Also, the drainage systems created shall not detrimentally impact on adjacent properties. *All of the storm water run-off from impervious areas will be contained on-site by proposed curbs around the entire perimeter. There will be new on-site catch basins to capture the water and will be conveyed to the existing storm sewer on Vernon Avenue via a closed storm sewer pipe.*
- (9) Traffic access to and from the use site, as well as on-lot traffic circulation, shall be designed so as to reduce traffic hazards. *There are two driveways proposed which provide appropriate ingress and egress to the site. The site is designed to be a one-way circulation, which minimizes any potential traffic hazards on-site.*
- (10) Such use shall be attractively landscaped. *New landscaping is proposed in the available green areas of the site.*
- (11) A special use permit shall not be issued for use on a lot where there is an existing violation of this chapter unrelated to the use which is the subject of the requested special use permit, as determined by the Planning and Development Committee. *The applicant is not aware of any know issues with the (3) separate properties.*
- (12) As a condition of all special use permits, right of entry for inspection with reasonable notice shall be provided to determine compliance with the conditions of said permit. *The owner will comply with the requirements of the Special Use Permit.*

CITY OF BATAVIA

BUILDING PERMIT APPLICATION

DATE: 4/29/15APPLICANT NAME & PHONE: VIELE CONSTRUCTION COMPANY 716-474-0237Project Location and Information

Permit #: _____ Fee: _____

Address of Project: 316-320 WEST MAIN STREETOwner & Address: 61 SWAN STREET OF BATAVIA, INC., 61 SWAN ST., #3, BATAVIA, NY
14020Phone: 716-474-0237Project Type/Describe WorkEstimated cost of work: \$500,000.00Start date: SUMMER 2015Describe project: CONSTRUCTION OF A 2,100 SQ. FT. ARBY'S RESTAURANT
BuildingContractor Information – Insurance certificates (liability & workers comp) required to be on fileGENERALName/Address: VIELE CONSTRUCTION COMPANY, 61 SWAN STREET, #3, BATAVIA, NY, 14020Phone: 716-474-0237PLUMBING (City of Batavia Licensed Plumber Required)Name/Address: TBD

Phone: _____

HEATINGName/Address: TBD

Phone: _____

ELECTRICAL (Third Party Electrical Inspection Required)Name/Address: TBD

Phone: _____

FOR OFFICE USE ONLY

Zoning District: _____ Flood Zone: _____ Corner Lot: _____ Historic District/Landmark: _____

Zoning Review: _____ Variance Required: _____ Site Plan Review: _____ Other: _____

National Grid Sign Off (Pools): _____ Lot Size: _____

Existing Use: _____ NYS Building Code Occupancy Class: _____

Proposed Use: _____ NYS Building Code Occupancy Class: _____

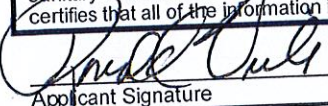
REQUIRED INSPECTIONS

Contact the Bureau of Inspection at (585) 345-6345 twenty-four (24) hours in advance to schedule all inspections.

IT IS THE RESPONSIBILITY OF THE OWNER AND/OR AGENT TO CONTACT THIS OFFICE & BE PRESENT FOR ALL INSPECTIONS

- | | | |
|---|---|---|
| <input type="checkbox"/> Site | <input type="checkbox"/> Water Service | <input type="checkbox"/> Sewer Service |
| <input type="checkbox"/> Footing before Placing Concrete | | |
| <input type="checkbox"/> Foundation before backfill | | |
| <input type="checkbox"/> Framing before enclosing (After mechanical inspection) | | |
| <input type="checkbox"/> Electrical before enclosing (Third Party Electrical Inspection Agency) | | |
| <input type="checkbox"/> Plumbing before enclosing (City of Batavia Licensed Plumber Required) | | |
| <input type="checkbox"/> Insulation before enclosing | <input type="checkbox"/> Ice/Water Shield | <input type="checkbox"/> Final Completion |

In consideration of the granting of the permit hereby petitioned for, the undersigned hereby agrees to: 1) comply with the terms thereof, the laws of the State of New York, the Ordinance of the City of Batavia, and the Regulations of the various departments of the County of Genesee and the State of New York; 2) preserve the established building line; 3) request all the necessary inspections and authorize and provide the means of entry to the premises and building to the Bureau of Inspection, and 4) will not use or permit to be used the structure or structures covered by the permit until sanitary facilities are completely furnished and either a Certificate of Occupancy or Certificate of Completion is issued. The undersigned hereby certifies that all of the information in this petition is correct and true.


Applicant Signature

4/29/15
Date

Roofing Disclaimer - Per the Residential & Building Code of New York State

R907.3 Recovering versus Replacement

New roof coverings shall not be installed without first removing existing roof coverings where any of the following conditions occur:

1. Where the existing roof or roof coverings is water-soaked or has deteriorated to the point that the existing roof or roof covering is not adequate as a base for additional roofing.
2. Where the existing roof covering is wood shake, slate, clay, cement or asbestos-cement tile.
3. Where the existing roof has two or more applications of any type of roof covering.

Exceptions:

1. Complete and separate roofing systems, such as standing-seam metal roof systems, that are designed to transmit the roof loads directly to the building's structural system and that do not rely on existing roofs and roof coverings for support shall not require the removal of existing roof coverings.
2. Metal panel, metal shingle, and concrete and clay tile roof coverings shall be permitted to be installed over existing wood shake roofs when applied in accordance with Section R907.4.

I, _____ owner and/or agency of the property located at _____ for Building Permit No. _____
_____ have reviewed and understand the requirements of Section 907.3 Recovering versus Replacement.

Applicant Signature

Date

Fence Disclaimer

I understand Section 190-33.B Fences, Walls and Hedges of the City of Batavia Zoning Ordinance regulated the installation of fences as follows:

"Fences, hedges and walls in Residential Districts shall not exceed three (3) feet above ground level when located within fifteen (15) feet of the property line abutting any street and shall not exceed six (6) feet above ground level when located elsewhere on the property. However, there shall be no height limit for hedges in rear yards within residential zones. In commercial and Industrial Districts, fences, hedges, and walls shall not exceed eight (8) feet in height unless permitted by a special use permit from the Planning & Development Committee. A fence designed to be structurally supported by posts, cross members or rails on one (1) side only shall be erected with the posts, cross members or rails on the fence owner's side, and the finished side of the fence shall face adjacent properties."

I, _____ owner and/or agent of the property located at _____ for Permit No. _____
_____ understand that this permit is issued based on information supplied by owner/agent and that the City of Batavia accepts no responsibility for inaccurate documentation or information supplied to secure the permit.

Applicant Signature

Date

PERMIT NO. _____



SPECIAL USE PERMIT

CITY OF BATAVIA, NEW YORK

LOCATION: 316-320 West Main St.
OWNER: 61 SWAN ST. OF BATAVIA INC.
Address: 61 SWAN ST, #3, BATAVIA, NY 14202

Application Date: 4/29/15
Tax Parcel No.: 84.006-3-36/43/44
Phone No. 716-474-0237

YES COUNTY PLANNING REVIEW

C-2 ZONING DISTRICT

NO FLOOD ZONE

YES CORNER LOT

YES SITE PLAN REVIEW

NO BID

YES ZONING VARIANCE REQUIRED

No HISTORIC DISTRICT

No HISTORIC LANDMARK

No CITY ENGINEER REVIEW

No CITY COUNCIL REVIEW

____ OTHER

PROJECT DESCRIPTION:

CONSTRUCTION OF A 2,100 SQ. FT. ARBY'S RESTAURANT BUILDING
AND ASSOCIATED SITE IMPROVEMENTS

EXISTING USE: RESIDENTIAL

N.Y.S. BLDG. CODE OCC. CLASS: A-2

LOT SIZE: 160' x 201' +/-

PROPOSED USE: RESTAURANT (NEW bldg.)

N.Y.S. BLDG. CODE OCC. CLASS: A-2

LOT AREA: 0.568 AC.

CITY PLANNING & DEVELOPMENT REVIEW:

____ APPROVAL AS PRESENTED ____ DISAPPROVAL ____ APPROVAL WITH CONDITIONS

CHAIRMAN SIGNATURE: _____

DATE: _____

Applicant Signature

Date

Issuing Officer

Permit Fee: _____

Issue Date: _____





SIGN PERMIT APPLICATION

Permit No.: _____

Date: _____

Zone: _____

Special Sign: Yes

CITY OF BATAVIA

10 West Main Street, Batavia, NY, 14020
Phone: (716) 343-8180 • Fax (716) 343-9221

APPLICANT:

Name Viele CONSTRUCTION COMPANY E-mail Address RONALDVIELE@YMAIL.COM
Street Address 61 SWAN STREET, #3 Phone (716) 474-0237
BATAVIA, NY 14020 Fax _____
City, State, Zip Code

OWNER:

Name 61 SWAN STREET OF BATAVIA, INC. E-mail Address RONALDVIELE@YMAIL.COM
61 SWAN ST. #3 Phone 716-474-0237
Street Address BATAVIA, NY 14202 Fax _____
City, State, Zip Code

ADDRESS OF SIGN: 316-320 WEST MAIN STREET

SIGN AREA: Length 5'-1" Width 1'-9 3/8" Area 6.88

SIGN 57 (x2)

TYPE OF SIGN:

South Elev.

1. All sign applications must have an illustration of the sign with its dimensions and copy.
2. Freestanding signs must have a Site 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:

Set Back _____

Height _____

☐ Wall

Wall Length _____

Wall Height _____

Area _____

☐ Projecting

☐ Marquee

☒ Awning/Canopy

Length 37'-4 9/16"

Height 2'-0"

Area 74.8 sq. FT. (FRONT)

☐ Window

Window Length _____

Window Height _____

Area _____ ELEV

☐ Portable

57'-2 3/4"

H 2'-0"

A 114.4 sq. FT. (SIDE)

ELEV

LIGHTING: ☒ Internal

☐ External

EXISTING SIGNS (Please list all existing signs with dimensions):

Applicant's Signature: [Signature]

Date: 4/29/15

Issuing Officer: _____

Date: _____

Planning Board Chairperson: _____

Date: _____

FEES: ☐ \$25 Sign Permit ☒ \$50 Special Sign Permit ☐ \$10 Portable Sign

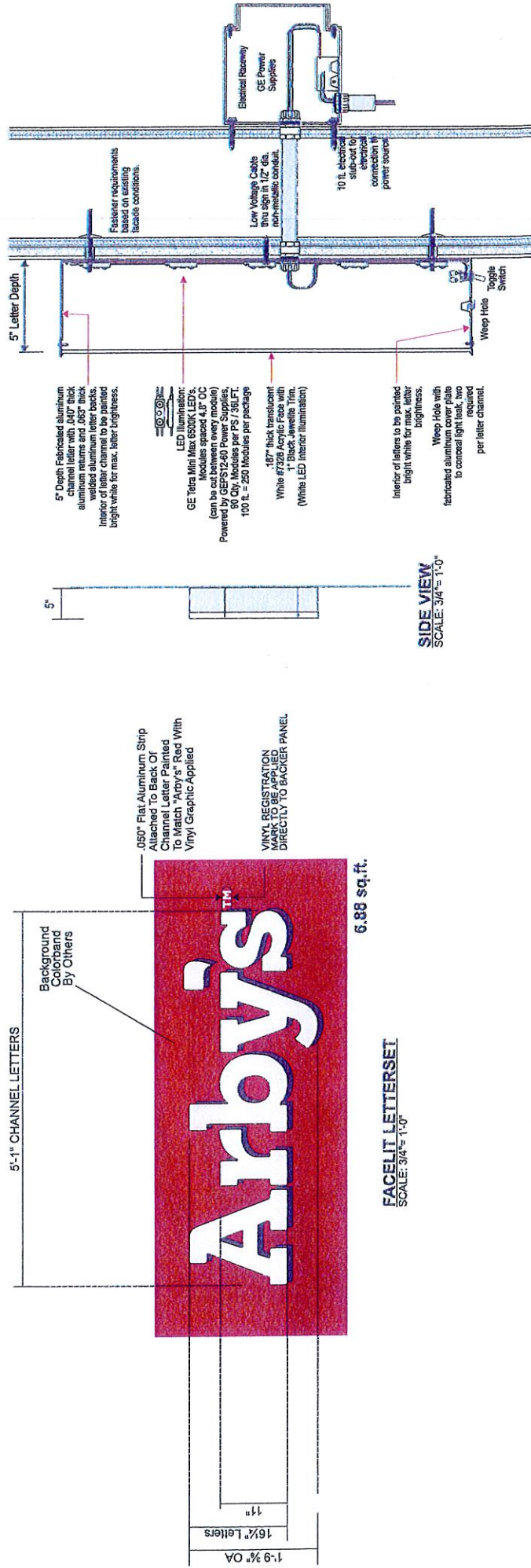
(Second Canopy Sign)
one Permitted.

18.7 sq. Permitted
6.88 Proposed.
(oh)

(6.88 sq. ft.) S7

Face Illuminated Letters

16 1/2" x 5'-1" Letterset December, 2013 Page 5



GENERAL SPECIFICATIONS:

- LETTERSET**
- LETTERSET TO BE FABRICATED .040" RETURNS WITH .063" BACKS.
 - FACES TO BE 3/16" THICK, #7328 WHITE ACRYLIC WITH 1" BLACK JEWELITE TRIM.
 - RETURNS TO BE DETERMINED.
 - ILLUMINATION PROVIDED BY GE WHITE LED (GEWHMMS8).
 - LETTERSET TO MOUNT TO EXISTING FACADE WITH APPLICABLE FASTENERS.

Allen Industries
FILE NUMBER ET1202

ELECTRIC SIGN
LISTED

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70B CODE. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

Client Review Status
Allen Industries, Inc. requires that an "Approved" drawing be obtained from the client prior to any production release or production release revision.
☐ Approved ☐ Approved as Noted ☐ Review & Resubmit
Name _____ Title _____ Date _____

Notes
This is an original unpublished drawing created by Allen Industries, Inc. It is submitted for your approval for use by Allen Industries, Inc. It is not to be shown to anyone outside your organization, nor used, reproduced, copied or exhibited in any fashion whatsoever. All or part of the design (except for registered trademarks) remain the property of Allen Industries, Inc.

Date / Description	Project Information
12/16/13 Issue Date	Client Arby's
12/20/13 Pylon Added	11212 S. Memorial Pkwy
12/23/13 File Split / Revisions	Huntsville, AL 35803
12/30/13 Revision	File Huntsville AL ARBY-C 220 Proposed
	Site EW Design WA PM DL

Corporate Identity Programs
Architectural Signage Division
4100 S. Main Street, Greensboro, NC 27410
Phone 888-284-4331 Fax 336-284-4335
Because Image is Everything



SIGN PERMIT APPLICATION

CITY OF BATAVIA
10 West Main Street, Batavia, NY, 14020
Phone: (716) 343-8180 • Fax (716) 343-9221

Permit No: _____
Date: _____
Zone: _____
Special Sign: Yes

APPLICANT: Viele Construction Company RONALDVIELE@YMAIL.COM
Name _____ E-mail Address _____
61 SWAN STREET, #3 (716) 474-0237
Street Address _____ Phone _____ Fax _____
BATAVIA, NY 14020
City, State, Zip Code _____

OWNER: 61 SWAN STREET OF BATAVIA, INC. RONALDVIELE@YMAIL.COM
Name _____ E-mail Address _____
61 SWAN ST. #3 716-474-0237
Street Address _____ Phone _____ Fax _____
BATAVIA, NY 14202
City, State, Zip Code _____

ADDRESS OF SIGN: 316-320 WEST MAIN STREET

SIGN AREA: Length 9'-4" Width 5'-6" Area 45 sq. ft. SIGN S5

TYPE OF SIGN: Menu Board.

1. All sign applications must have an illustration of the sign with its dimensions and copy.
2. Freestanding signs must have a Site 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

<input checked="" type="checkbox"/> Freestanding:	Set Back <u>NA</u>	Height <u>8'-0"</u>	
<input type="checkbox"/> Wall	Wall Length _____	Wall Height _____	Area _____
<input type="checkbox"/> Projecting			
<input type="checkbox"/> Marquee			
<input type="checkbox"/> Awning/Canopy	Length _____	Height _____	Area _____
<input type="checkbox"/> Window	Window Length _____	Window Height _____	Area _____
<input type="checkbox"/> Portable			

LIGHTING: ☒ Internal ☐ External

EXISTING SIGNS (Please list all existing signs with dimensions):

40 sq' Permitted
45 sq' Proposed.
5 over
special signpost.

Applicant's Signature: [Signature] Date: 4/29/15

Issuing Officer: _____ Date: _____

Planning Board Chairperson: _____ Date: _____

FEES: ___ \$25 Sign Permit ☒ \$50 Special Sign Permit ___ \$10 Portable Sign

sign too large

S5
(45 sq. ft.)

55"



70"

21"

50"



SIGN PERMIT APPLICATION

CITY OF BATAVIA

10 West Main Street, Batavia, NY, 14020
Phone: (716) 343-8180 • Fax (716) 343-9221

Permit No.: _____
Date: _____
Zone: _____
Special Sign: Yes

APPLICANT:

Viele Construction Company RONALDVIELE@YMAIL.COM
Name _____ E-mail Address _____
61 SWAN STREET, #3 (716) 474-0237
Street Address _____ Phone _____ Fax _____
BATAVIA, NY 14020
City, State, Zip Code _____

OWNER:

61 SWAN STREET OF BATAVIA, INC. RONALDVIELE@YMAIL.COM
Name _____ E-mail Address _____
61 SWAN ST. #3 716-474-0237
Street Address _____ Phone _____ Fax _____
BATAVIA, NY 14202
City, State, Zip Code _____

ADDRESS OF SIGN: 316-320 WEST MAIN STREET

SIGN AREA: Length 7'-1" Width 6'-5 1/8" Area 45.5 sq. ft SIGN S1

TYPE OF SIGN:

1. All sign applications must have an illustration of the sign with its dimensions and copy.
2. Freestanding signs must have a Site 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

<input checked="" type="checkbox"/> Freestanding:	Set Back <u>5'-0"</u>	Height <u>25'-0"</u>	
<input type="checkbox"/> Wall	Wall Length _____	Wall Height _____	Area _____
<input type="checkbox"/> Projecting			
<input type="checkbox"/> Marquee			
<input type="checkbox"/> Awning/Canopy	Length _____	Height _____	Area _____
<input type="checkbox"/> Window	Window Length _____	Window Height _____	Area _____
<input type="checkbox"/> Portable			

40 sq' Permitted
45.5 Proposed
5.5 over
Special Sign

LIGHTING: ☒ Internal ☐ External

EXISTING SIGNS (Please list all existing signs with dimensions):

Applicant's Signature: _____

Date: 4/29/15

Issuing Officer: _____

Date: _____

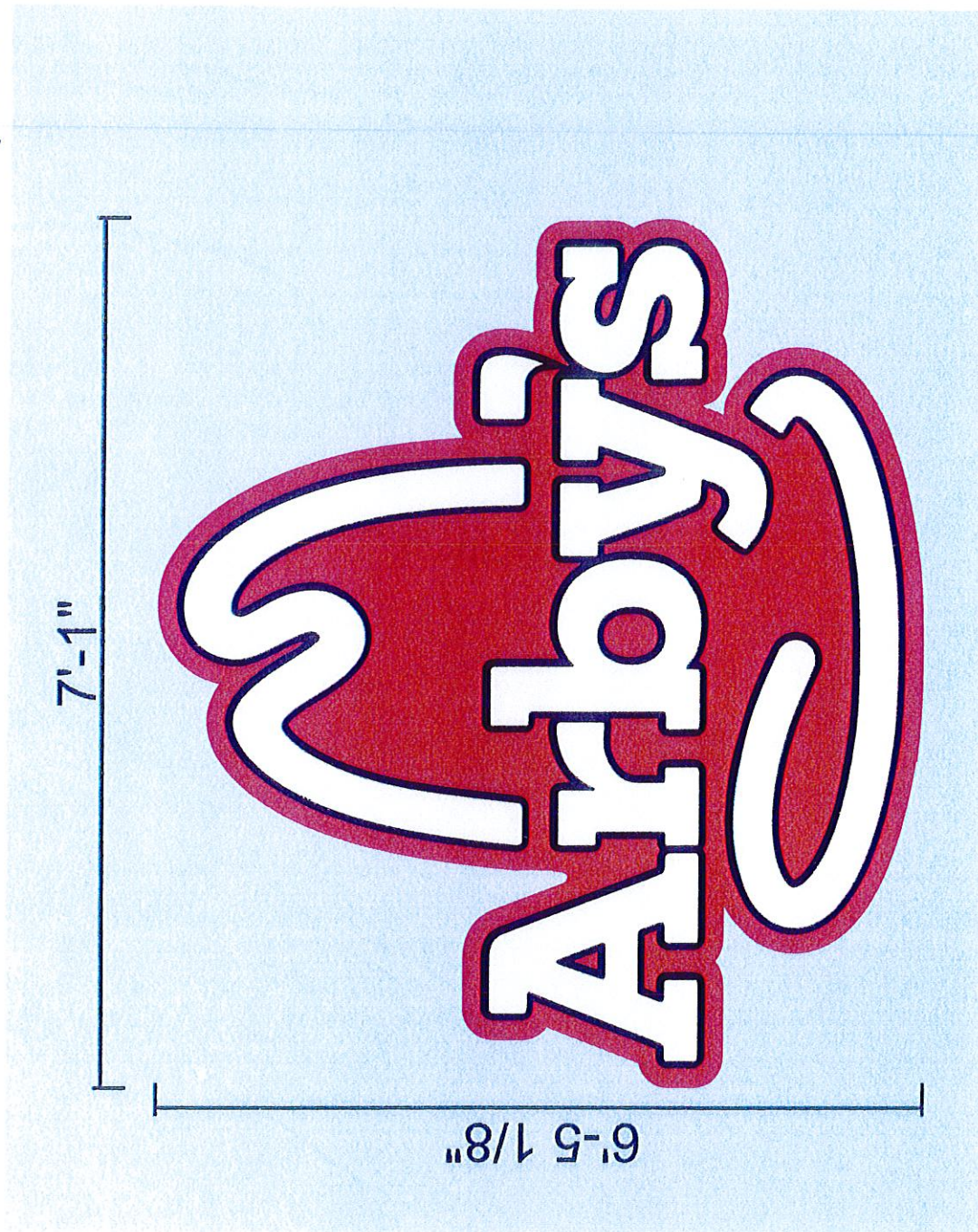
Planning Board Chairperson: _____

Date: _____

FEES: _____ \$25 Sign Permit ☒ \$50 Special Permit _____ \$10 Portable Sign

sign too large

S1
(45.5 sq. ft.)





SIGN PERMIT APPLICATION

CITY OF BATAVIA

10 West Main Street, Batavia, NY, 14020
Phone: (716) 343-8180 • Fax (716) 343-9221

Permit No.: _____
Date: _____
Zone: _____
Special Sign: NO

APPLICANT:

Viele Construction Company RONALDVIELE@YMAIL.COM
Name _____ E-mail Address _____
61 SWAN STREET, #3 (716) 474-0237
Street Address _____ Phone _____ Fax _____
BATAVIA, NY 14020
City, State, Zip Code _____

OWNER:

61 SWAN STREET OF BATAVIA, INC. RONALDVIELE@YMAIL.COM
Name _____ E-mail Address _____
61 SWAN ST. #3 716-474-0237
Street Address _____ Phone _____ Fax _____
BATAVIA, NY 14020
City, State, Zip Code _____

ADDRESS OF SIGN: 316-320 WEST MAIN STREET

SIGN AREA: Length 48" Width 53" Area 17.67 sq. ft. SIGN S6

TYPE OF SIGN:

1. All sign applications must have an illustration of the sign with its dimensions and copy.
2. Freestanding signs must have a Site 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

<input type="checkbox"/> Freestanding:	Set Back _____	Height _____	
<input checked="" type="checkbox"/> Wall	Wall Length <u>29'10"</u>	Wall Height <u>17'-6"</u>	Area <u>522 1/2 sq. ft.</u>
<input type="checkbox"/> Projecting			
<input type="checkbox"/> Marquee			
<input type="checkbox"/> Awning/Canopy	Length _____	Height _____	Area _____
<input type="checkbox"/> Window	Window Length _____	Window Height _____	Area _____
<input type="checkbox"/> Portable			

78.3 sq. ft. proposed
17.67 sq. ft. proposed
(oh)

LIGHTING: ☒ Internal ☐ External

EXISTING SIGNS (Please list all existing signs with dimensions):

Applicant's Signature: _____

Date: 4/29/15

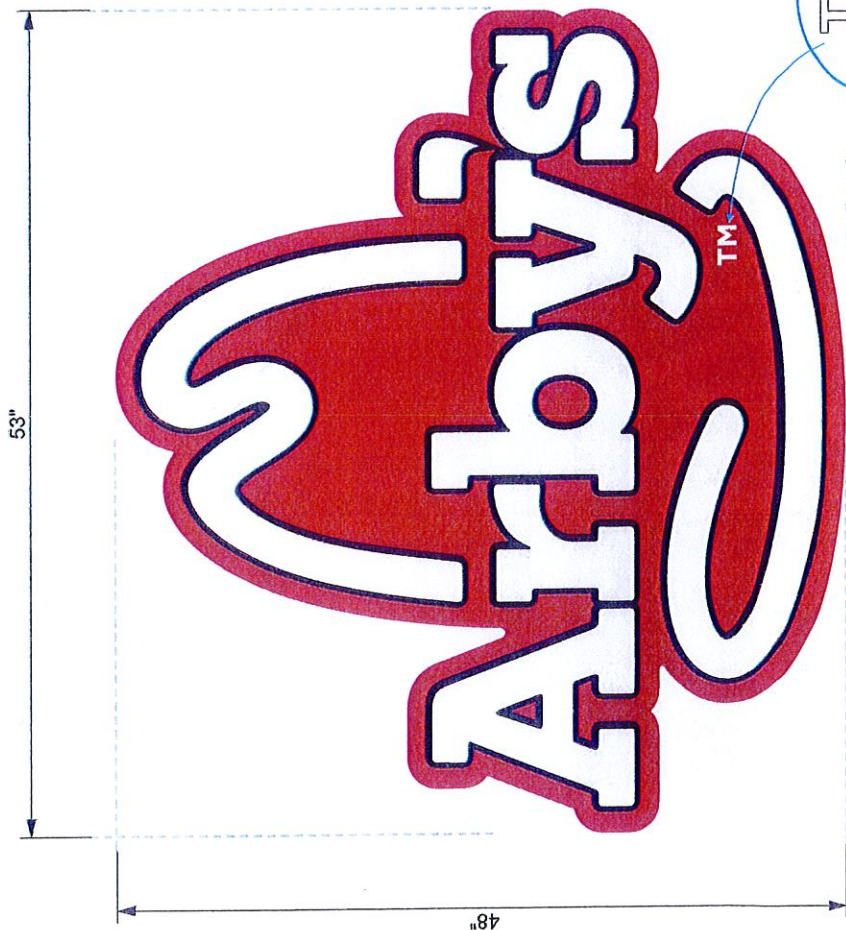
Issuing Officer: _____

Date: _____

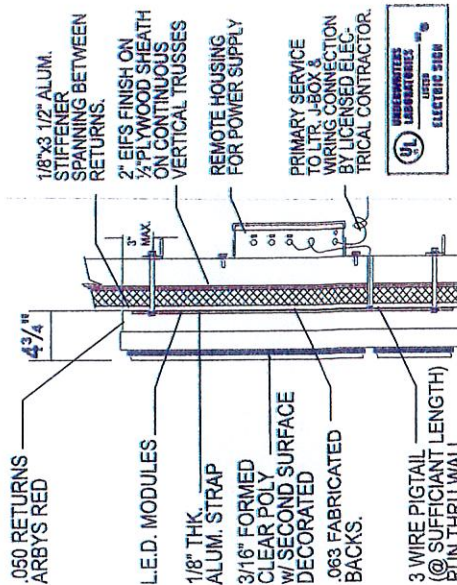
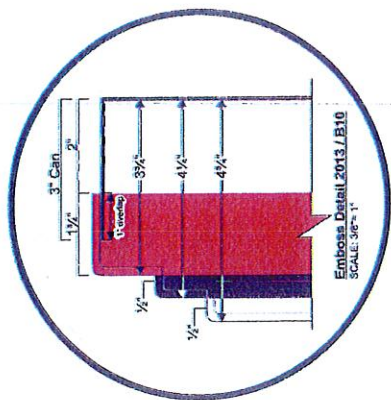
Planning Board Chairperson: _____

Date: _____

FEES: ☒ \$25 Sign Permit ☐ \$50 Special Sign Permit ☐ \$10 Portable Sign



Front View
Scale: 1/8" = 1"



Client Review Status		Notes		Date / Description		Project Information	
Allen Industries, Inc. requires that an "Approved" drawing be obtained from the client prior to any production release or production release revision.				12/16/13 Issue Date		Client: ARBY'S	
<input type="checkbox"/> Approved <input type="checkbox"/> Approved as Noted <input type="checkbox"/> Revise & Resubmit				12/20/13 / A Pylon Added		11212 S. Memorial Pkwy	
				12/23/13 / A File Split / Revisions		Huntsville, AL 35803	
				12/30/13 / A Revision		Huntsville, AL ARBY'S-C 220 Proposed	
						Sales EW Design WA	
						PIL DL	

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SIGN PERMIT APPLICATION

CITY OF BATAVIA
10 West Main Street, Batavia, NY, 14020
Phone: (716) 343-8180 • Fax (716) 343-9221

Permit No.: _____
Date: _____
Zone: _____
Special Sign: No

APPLICANT: Viele CONSTRUCTION COMPANY RONALDVIELE@YMAIL.COM
Name 61 SWAN STREET, #3 E-mail Address (716) 474-0237
Street Address BATAVIA, NY 14020 Phone _____ Fax _____
City, State, Zip Code

OWNER: 61 SWAN STREET OF BATAVIA, INC. RONALDVIELE@YMAIL.COM
Name 61 SWAN ST. #3 E-mail Address 716-474-0237
Street Address BATAVIA, NY 14020 Phone _____ Fax _____
City, State, Zip Code

ADDRESS OF SIGN: 316-320 WEST MAIN STREET

SIGN AREA: Length 5'-1" Width 1'-9 3/8" Area 6.88

SIGN 57 (x2)

- TYPE OF SIGN: West ELEV.
1. All sign applications must have an illustration of the sign with its dimensions and copy.
 2. Freestanding signs must have a Site 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

<input type="checkbox"/> Freestanding:	Set Back _____	Height _____	
<input type="checkbox"/> Wall	Wall Length _____	Wall Height _____	Area _____
<input type="checkbox"/> Projecting			
<input type="checkbox"/> Marquee			
<input checked="" type="checkbox"/> Awning/Canopy	Length <u>57'-2 3/4"</u>	Height <u>2'</u>	Area <u>114.4 sq ft</u>
<input type="checkbox"/> Window	Window Length _____	Window Height _____	Area _____
<input type="checkbox"/> Portable			

LIGHTING: ☒ Internal ☐ External

EXISTING SIGNS (Please list all existing signs with dimensions):

28.6 sq. ft. permitted
6.88 Proposed.
(aw)

Applicant's Signature: [Signature]

Date: 4/29/15

Issuing Officer: _____

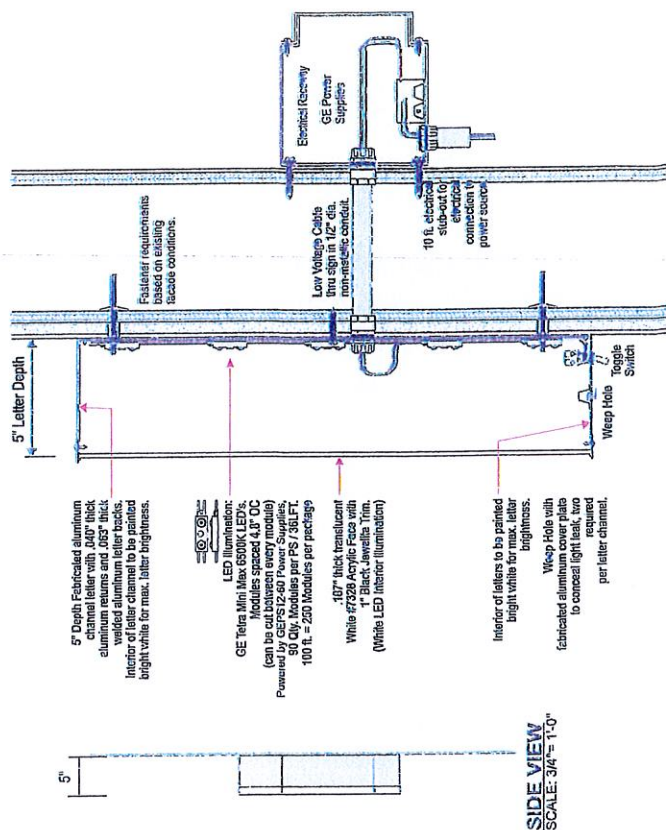
Date: _____

Planning Board Chairperson: _____

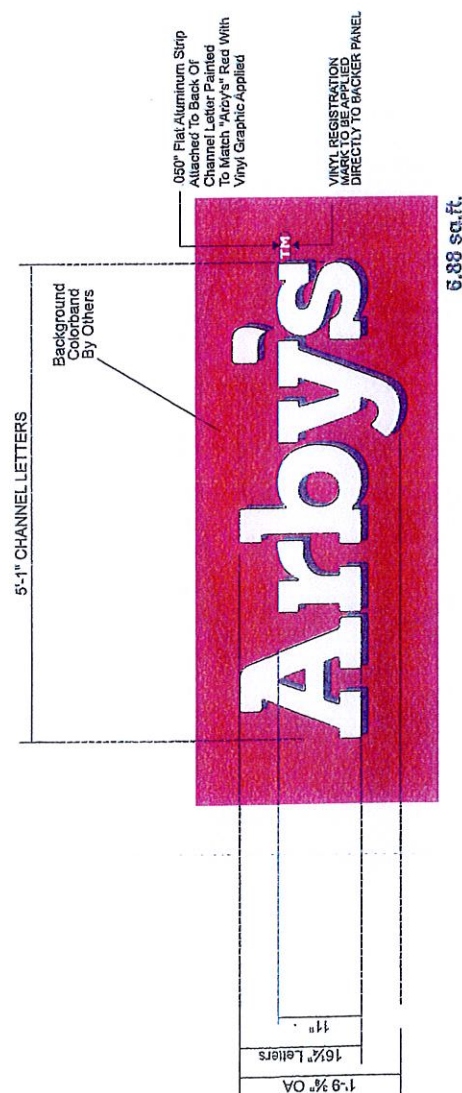
Date: _____

FEES: ☒ \$25 Sign Permit ☐ \$50 Special Sign Permit ☐ \$10 Portable Sign

Face Illuminated Letters
16 1/2" x 5 1/4" Letterset December, 2013
Page 5



Letter Construction Detail - Scale 3/16" = 1"



LETTERSET
LETTERSET TO BE FABRICATED .040" RETURNS WITH .063" BACKS.
FACES TO BE 3/16" THICK, #7328 WHITE ACRYLIC WITH 1" BLACK JEWELITE TRIM.
RETURNS TO BE DETERMINED.
ILLUMINATION PROVIDED BY GE WHITE LED (GEWHMMS8).
LETTERSET TO MOUNT TO EXISTING FACADE WITH APPLICABLE FASTENERS.



Arby's

Corporate Identity Presents

Allen Industries

**GUARANTEED
SATISFACTION
OR
FREE
REWORK
OR
REFUND**

Allen Industries

FILE NUMBER: E16202

**ELECTRIC
SIGN**

LISTED

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE
NATIONAL ELECTRICAL CODE AND ALL APPLICABLE LOCAL CODES. THIS INCLUDES PROPER
GROUNDING AND BONDING OF THE SIGN.

Client Review Status

Allen Industries, Inc. requires that an "I" (Approved) "G" (Gowing) be obtained from the client prior to any production release or production release to union.

☐ Approved ☐ Approved as Noted ☐ Revised & Resubmit

Title _____ Date _____

Notes

Date / Description	Project Information
12/16/13 Issue Date	Client: Arby's
12/20/13 Pylon Added	11212 S. Memorial Pkwy
12/23/13 File Split / Revisions	Huntsville, AL 35893
12/30/13 Revision	File: Huntsville AL - ARBY'S-C 220 Proposed
	Site: EW Design WA
	IN DL

Corporate Identity Presents

Architectural Signage Division

4100 Stratford Court Greensboro, NC 27410

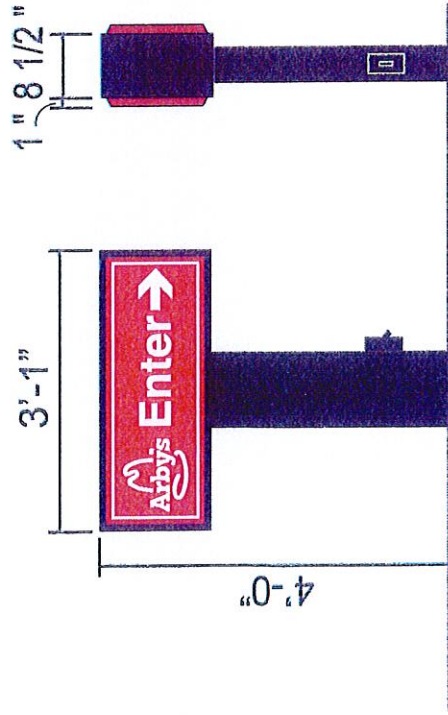
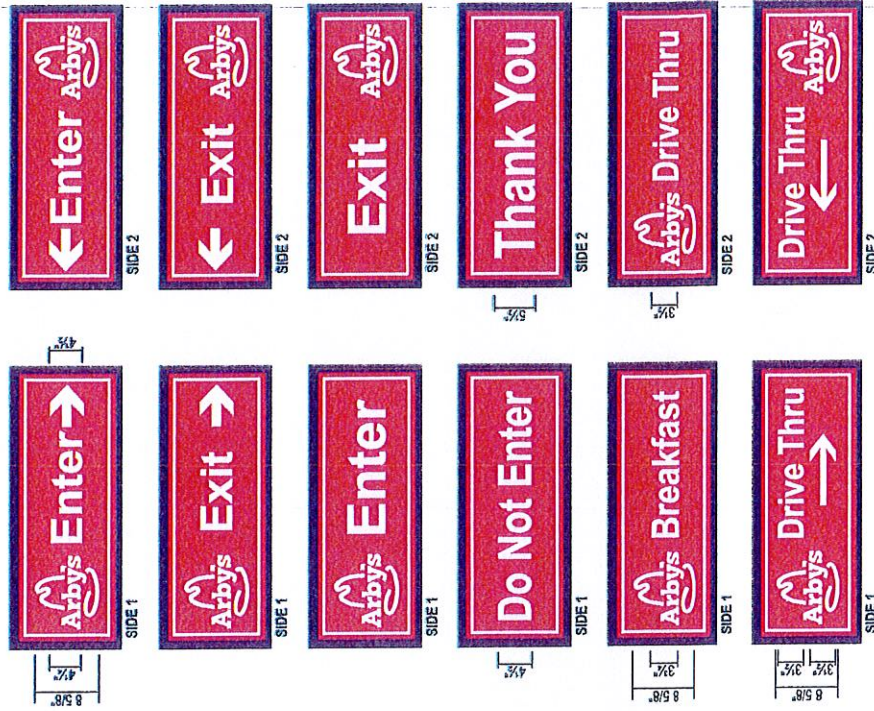
Phone: 800-294-2007 Fax: 336-294-4323

"Because Image is Everything"

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S2/S3

(3.1 sq.ft.)



DIRECTIONALS

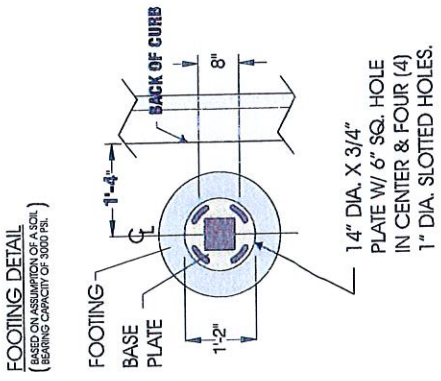
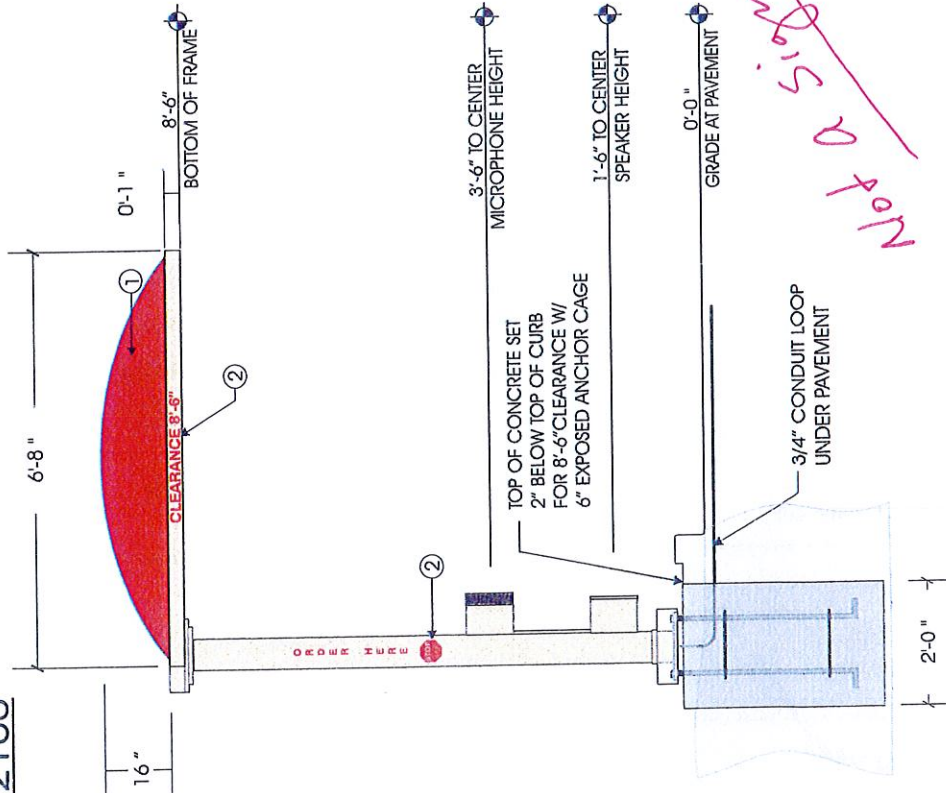
* Exempt from Sign permits per BMC 190-4360

CANOPY SYSTEM #CP-2100

SCALE: 1'-2" = 1'-0"

COLOR PLACEMENT:

1. FABRIC TOP (HERCULITE- CANOPY PLUS 132 CLASSIC RED #812872)
 2. 3M HP VINYL " CARDINAL RED"
 3. TO MATCH SHERWIN WILLIAMS #1134 "MASTERPIECE TAN"
- ALL PAINT: AKZO - NOBEL "GRIP GUARD"
ACRYLIC POLYURETHANE



DRIVE UP VIEW

SCALE: 1'-2" = 1'-0"

FRONT VIEW

SCALE: 1'-2" = 1'-0"

Uni-Structures, Inc.
8540 Cobb Center Dr., Ste 100 Kennesaw, GA 30152
770-499-2000

CUSTOMER: **Arbys** S.F.
LOCATION: **VARIOUS**
FILE LOCATION: **DWG USMARRY'S** SCALE: **VARIOUS**
SALES: **K. SEBREE**
DATE: **09-24-08**
PAGE: **1-OF-2**

DESCRIPTION



PIVOTING CANOPY

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April 29, 2015

Planning & Development Committee
City of Batavia
One Batavia City Centre
Batavia, NY 14020

ATTN: Planning & Development Board Members RE: Proposed Arby's – Traffic Analysis
Vernon Avenue / West Main Street
Batavia, New York

Dear Members of the Planning & Development Board:

T.Y. Lin International (TYLI) has conducted a review of the traffic associated with the proposed new Arby's restaurant in the City of Batavia, New York. The 0.568 acre project site is located on the north side of West Main Street (NYS Route 5) approximately 1,500 feet west of the current Arby's location on West Main Street. The proposed site is bound to the west by Vernon Avenue, a residential street that runs between West Main Street and Richmond Avenue and to the east by a car dealership. Currently, three residential homes are located on the property. Planned improvements include razing the three structures for the proposed development which consists of a 2,100 s.f. Arby's restaurant with a drive-through window, 24 parking spaces and two full access driveways. One driveway access point is proposed along the east side of the site's property line on West Main Street approximately 150 feet east of Vernon Avenue and a second access driveway is proposed on Vernon Ave. approximately 100 feet north of West Main Street. The site plan for the proposed retail development is included in **Attachment 1**.

This study was conducted in order to estimate the anticipated change in peak hour traffic associated with the proposed development at the intersection of Vernon Avenue / West Main Street, the proposed driveways and to identify the expected traffic patterns. It is anticipated that the property, where the existing 1,200 square foot Arby's restaurant is located (approximately 3 ½ blocks to the east), will be redeveloped, therefore, no trips were removed from the network.

Existing Traffic Conditions

West Main Street is an urban minor arterial that transverses primarily east-west within the project area. Based on data collected by New York State Department of Transportation (NYSDOT) and detailed in the Traffic Count Hourly Report, the two-way Annual Average Daily Traffic (AADT) on West Main Street just west of the project location is estimated at 23,600 vehicles. Within the project area West Main Street is comprised of two lanes in each direction with a shared two way left turn lane. The posted speed limit is 30 MPH. The hourly traffic volumes are included in **Attachment 2**.

Future (Build) Traffic Volumes

The most commonly used source of trip generation information is the Institute of Transportation Engineers’ (ITE) Report Trip Generation, 9th Edition. The ITE Trip Generation Report contains vehicle trip data for many types of developments, including Land Use Codes for Fast Food Restaurants with a Drive-Through Window (934). The trip generation rates documented by the ITE are expressed as the number of vehicles generated per 1,000 square feet of gross floor building area and are based on the peak hour of the adjacent street traffic. Trip generation calculations are provided in **Attachment C**. The vehicle trip projections for the anticipated development use are summarized in **Table 1** for the weekday evening and Saturday midday peak hour periods.

Table 1: Trip Generation Summary

Land Use	Size	Evening Peak Hour			Saturday Midday		
		Peak Hour			Peak Hour		
		Enter	Exit	Total	Enter	Exit	Total
Fast Food Restaurant with a Drive-Through Window (LUC 934)	2,100	36	33	69	63	61	124

Some of the trips to the proposed development would be drawn from the existing traffic stream passing by the site on West Main Street. These vehicles, referred to as “pass-by trips”, represent intermediate stops at the site on the way to another trip destination. An ITE publication called the Trip Generation Handbook (2004) indicates that the average pass-by rate for similar sized restaurant with a drive through window is about 50% of the total site-generated traffic during the peak hours.

The trip projections for Arby’s, categorized by primary (new) and pass-by trips, are summarized in **Table 2**. Refer to **Attachment C** for trip generation calculations.

Table 2: Trip Generation Primary/Pass-by Summary (LUC 934)

Land Use	Evening Peak Hour			Saturday Midday		
	Peak Hour			Peak Hour		
	Enter	Exit	Total	Enter	Exit	Total
Primary (50%)	18	17	35	32	31	63
Pass-by (50%)	18	16	34	31	30	61
Total	36	33	69	63	61	124

Of the trips entering Arby's, approximately 50% are anticipated to use the drive-through window. Based on the layout of the site, a majority of the vehicles using the drive-through window are anticipated to enter the site via the entrance on Vernon Avenue. As indicated on the site plan, the drive-through stacking lane allows for seven vehicles to stack between the order board and the service window.

The projected traffic for the proposed new development was distributed to the proposed driveways and to the intersection of West Main Street and Vernon Avenue in consideration of the existing traffic patterns and logical routing patterns. Based on the peak hour traffic volume on West Main Street, approximately 54 percent of the site's trips are anticipated to originate from the east and approximately 46 percent of the site's trips are anticipated to originate from the west. Due to the site's proposed configuration, approximately 40 percent of the site's exiting traffic is presumed to turn left out of the driveway onto Vernon Avenue and turn left onto West Main Street. The estimated vehicle trips for the proposed Arby's during the weekday PM and Saturday midday peak hours are identified in **Figure 1** and **Figure 2**, respectively and are included in **Attachment C**.

Recommendations

Based upon existing traffic patterns on West Main Street and the proposed one-way site circulation, full access to West Main Street as identified on the proposed site plan for Arby's is recommended. In conclusion, two driveways are recommended for the site; one on West Main Street (one entering lane, one exiting lane) and one on Vernon Avenue (one entering lane, one exiting lane).

Please contact our office at (585) 512-2000 if you have any questions, or if any additional information is needed.

Sincerely,

T.Y. Lin International Engineering



Christine A. Bianchi
Project Engineer

CAB/sw

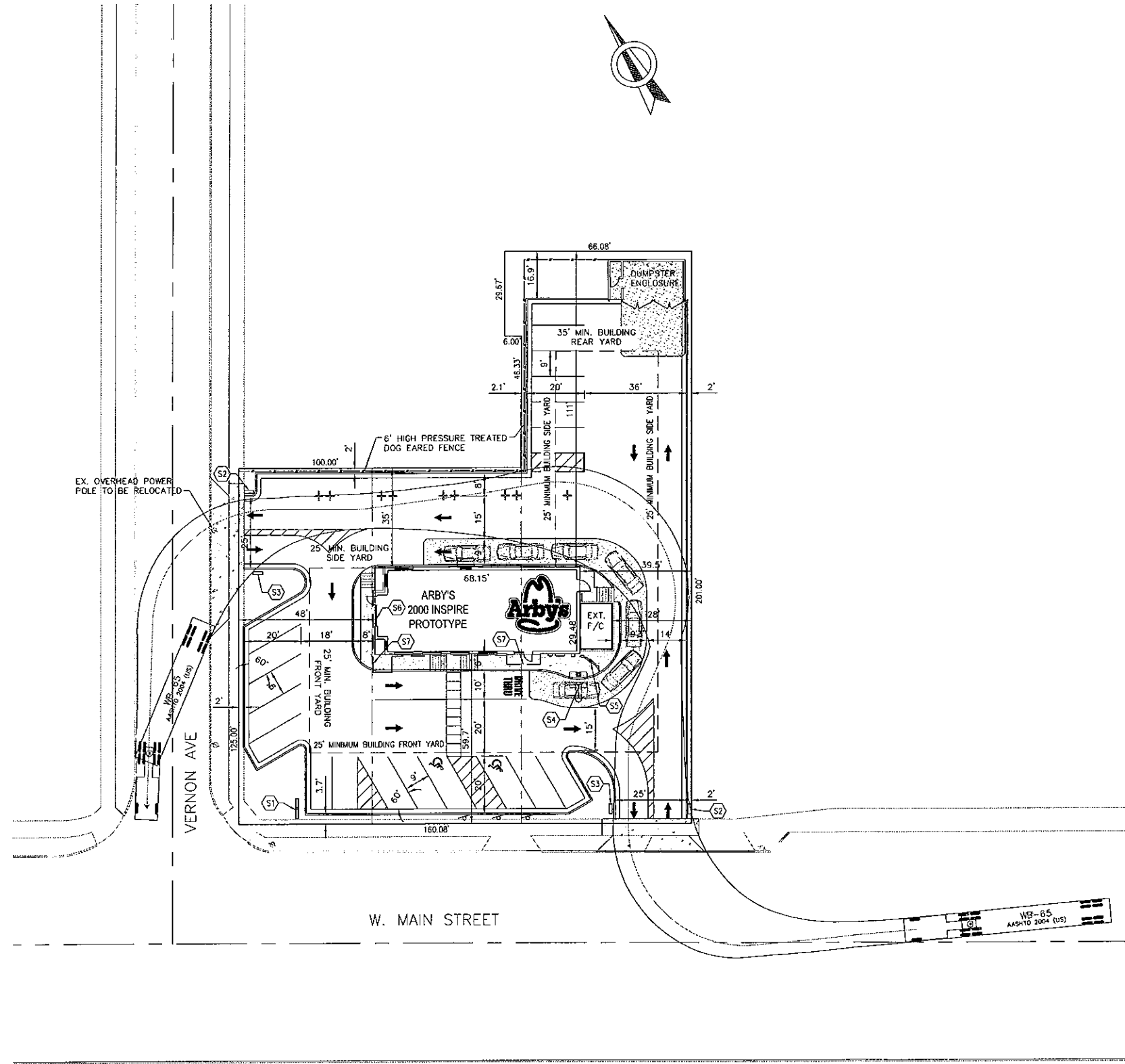
Attachments

ATTACHMENT 1

Site Plan

TY·LININTERNATIONAL

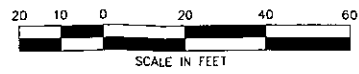
engineers | planners | scientists



SITE DATA		
TAX ACCOUNT NUMBERS: 84,006-3-43, 84,006-3-44, 84,006-3-36		
PROPOSED LEASE AREA: 0.568 ACRES (24,754 SQ. FT.)		
CURRENT ZONING: C-2 (GENERAL COMMERCIAL DISTRICT)		
ZONING REQUIREMENTS	REQUIRED	PROPOSED
MINIMUM LOT AREA	15,000 SQ. FT.	24,754 SQ. FT.
MINIMUM LOT WIDTH	125 FT.	125 FT.
MAX. BUILDING/LOT COVERAGE	20% (6,815 SQ. FT.)	8.5% (2,100 SQ. FT.)
MAX. BUILDING HEIGHT	18 FT.	19.33 FT.
BUILDING SETBACKS		
FRONT	25 FT.	48 FT.
SIDE	25 FT.	28 FT.
REAR	35 FT.	111 FT.
PARKING SETBACKS		
FRONT	10 FT.	2 FT.
SIDE	10 FT.	2 FT.
REAR	10 FT.	16.9 FT.
DRIVE AISLES		
ONE-WAY	20 FT.	-
TWO-WAY	24 FT.	25 FT.
MINIMUM DRIVEWAY SETBACK FROM SIDE PROPERTY LINE	20 FT.	2 FT.
PARKING STALL SIZE		
60' PARKING	8'x19'	9'x20'
90' PARKING	8'x19'	9'x20'
PARKING RESTAURANT: MIN. PARKING SPACES RESTAURANT, W/DRIVE THRU: 4 SPACES PER 100 S.F. OF NET FLOOR AREA		
TOTAL SPACES	39	24

- GENERAL NOTES**
- COORDINATE START-UP AND ALL CONSTRUCTION ACTIVITIES WITH OWNER.
 - CONSTRUCTION METHODS AND OWNER'S MATERIALS NOT SPECIFIED IN THESE PLANS ARE TO MEET OR EXCEED THE TOWN STANDARD SPECIFICATIONS.
 - THE CONTRACTOR SHALL CONDUCT THE WORK IN A MANNER THAT WILL INSURE, AS FAR AS PRACTICABLE, THE LEAST OBSTRUCTION TO TRAFFIC AND SHALL PROVIDE FOR THE CONVENIENCE AND SAFETY OF THE GENERAL PUBLIC ALONG AND ADJACENT TO ROADS IN THE CONSTRUCTION AREA, IN AN ADEQUATE AND SATISFACTORY MANNER.
 - THE CONTRACTOR SHALL LOCATE, MARK, SAFEGUARD AND PRESERVE ALL SURVEY CONTROL MONUMENTS AND R.O.W. MONUMENTS IN THE AREAS OF CONSTRUCTION.
 - THE CONTRACTOR IS RESPONSIBLE TO ENSURE THAT ALL REQUIRED INSPECTIONS AND/OR CERTIFICATIONS REQUIRED BY CODES AND/OR THE JURISDICTIONAL AUTHORITY ARE COMPLETED.
 - THE CONTRACTOR SHALL COORDINATE WITH ALL UTILITY COMPANIES TO DETERMINE EXACT POINT OF SERVICE CONNECTION AT EXISTING UTILITY. REFER TO THE BUILDING ELECTRICAL AND PLUMBING DRAWINGS FOR UTILITY SERVICE ENTRANCE LOCATIONS, SIZES, AND CIRCUITING.
 - ALL ELEVATIONS SHOWN ARE IN REFERENCE TO THE BENCHMARK AND MUST BE VERIFIED BY THE GENERAL CONTRACTOR AT GROUND BREAK.
 - FINISH WALK AND CURB ELEVATIONS SHALL BE 6" ABOVE FINISH PAVEMENT, UNLESS OTHERWISE NOTED.
 - ALL ON-SITE CONCRETE WALKS TO BE 4" THICK AND BROOM FINISHED.

BUSINESS SIGN DATA TABLE						
SIGN ID	SIGN QUANTITY	SIGN TYPE	SIGN MODEL	NO. OF SIDES	SIGN AREA PER SIDE (SQ. FT.)	TOTAL AREA (SQ. FT.)
S1	1	POLE SIGN "ARBY'S"	INTERNALLY ILLUMINATED	2	45.5 SQUARED	45.5
S2	2	DIRECTIONAL (4' POLE) "ENTER"	INTERNALLY ILLUMINATED	2	3.1 SQUARED	3.1
S3	2	DIRECTIONAL (4' POLE) "EXIT"	INTERNALLY ILLUMINATED	2	3.1 SQUARED	3.1
S4	1	DRIVE-THRU CANOPY	CP-2100	1	N/A	N/A
S5	1	POLE "MENU BOARD"	INTERNALLY ILLUMINATED	1	45.0 SQUARED	45.0
S6	1	WALL LOGO "ARBY'S"	INTERNALLY ILLUMINATED	1	17.67 SQUARED	17.67
S7	2	CANOPY "ARBY'S"	INTERNALLY ILLUMINATED	1	6.88 SQUARED	6.88
TOTAL BLDG. SIGNAGE						24.55



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New York
800-962-7962
www.digsafelynewyork.org

☐ Call Before You Dig
☐ Wait The Required Time
☐ Confirm Utility Response
☐ Respect the Marks
☐ Dig With Care



NO.	DATE	DESCRIPTION	REVISIONS
6			
5			
4			
3			
2			
1			

DATE _____

TYLIN INTERNATIONAL

285 EAST AVENUE
ROCHESTER, NY 14604
(585) 312-2000

SITE PLAN

PROJECT NAME: ARBY'S RESTAURANT
318-320 WEST MAIN STREET, CITY OF BATAVIA, GENESSE COUNTY, NY

CLIENT: VIELE CONSTRUCTION COMPANY
61 SWAN STREET, #3
BATAVIA, NY 14020

PROJECT NO.: 43.XXXX.00
DATE: 4/30/15
SCALE: 1"=20'

PROJ. MGR.: RLB
DRWN. BY: DMD
CHKD. BY: RLB

DRAWING NO.: **C-1**
2 OF 7

ATTACHMENT 2

Volume Calculations

TY·LININTERNATIONAL

engineers | planners | scientists

Trip Generation Calculations

1,200 SF Fast-Food Restaurant w/ Drive-Through Window (LUC 934)

<u>Weekday AM</u>				
T=	45.42	(X) +		0
T=	45.42	(1.20) +		0
T=	55 Trips		CHECK	
	entering = 51%	28.05	28	
	exiting = 49%	26.95	27	
		55	55	

<u>Weekday PM</u>				
T=	32.65	(X) +		0
T=	32.65	(1.20) +		0
T=	39 Trips		CHECK	
	entering = 52%	20.28	20	
	exiting = 48%	18.72	19	
		39	39	

<u>Saturday Midday</u>				
T=	59.00	(X) +		0
T=	59.00	(1.20) +		0
T=	71 Trips		CHECK	
	entering = 51%	36.21	36	
	exiting = 49%	34.79	35	
		71	71	

<u>Summary</u>									
Fast-Food	<u>AM Peak Hour</u>			<u>PM Peak Hour</u>			<u>SAT Peak Hour</u>		
	<u>Enter</u>	<u>Exit</u>	<u>Total</u>	<u>Enter</u>	<u>Exit</u>	<u>Total</u>	<u>Enter</u>	<u>Exit</u>	<u>Total</u>
	28	27	55	20	19	39	36	35	71

ITE Trip Generation, 9th edition

Table 1 - Trip Generation

Land Use	<u>Weekday Morning</u>			<u>Weekday Evening</u>			<u>Saturday Midday</u>		
	<u>Enter</u>	<u>Exit</u>	<u>Total</u>	<u>Enter</u>	<u>Exit</u>	<u>Total</u>	<u>Enter</u>	<u>Exit</u>	<u>Total</u>
Fast-Food Resturant (with drive through) - 1,200 SF									
Primary Trips	14	14	28	10	10	20	18	18	36
Pass-By Trips (50%pm)	14	13	27	10	9	19	18	17	35
Total	28	27	55	20	19	39	36	35	71

STATION: 410003

New York State Department of Transportation
Traffic Count Hourly Report

ROUTE #: NY 5 ROAD NAME: W MAIN ST
DIRECTION: Eastbound FACTOR GROUP: 30
STATE DIR CODE: 1 WK OF YR: 13
DATE OF COUNT: 03/24/2008
NOTES LANE 0: EB Two Lanes 30 MPH

FROM: BATAVIA LN ST 63 OLAP
REC. SERIAL #: 8397
PLACEMENT: 75' W of Woodrow Rd
@ REF MARKER: 5 41032002
ADDD DATA:
COUNT TYPE: AXLE PAIRS
PROCESSED BY: R04 INITIALS: RHC

TO: RT 98 START 33 OLAP
FUNC. CLASS: 16
NHS: no
JURIS: NYSDOT
CC Sht:
BATCH ID: R04-R04R04TSWW13

COUNTY: Genesee
CITY: BATAVIA
BIN:
RR CROSSING:
HPMS SAMPLE:

COUNT TAKEN BY: ORG CODE: TST INITIALS: TST											
PROCESSED BY: ORG CODE: R04 INITIALS: RHC											
COUNT TYPE: AXLE PAIRS											
DAILY TOTAL											
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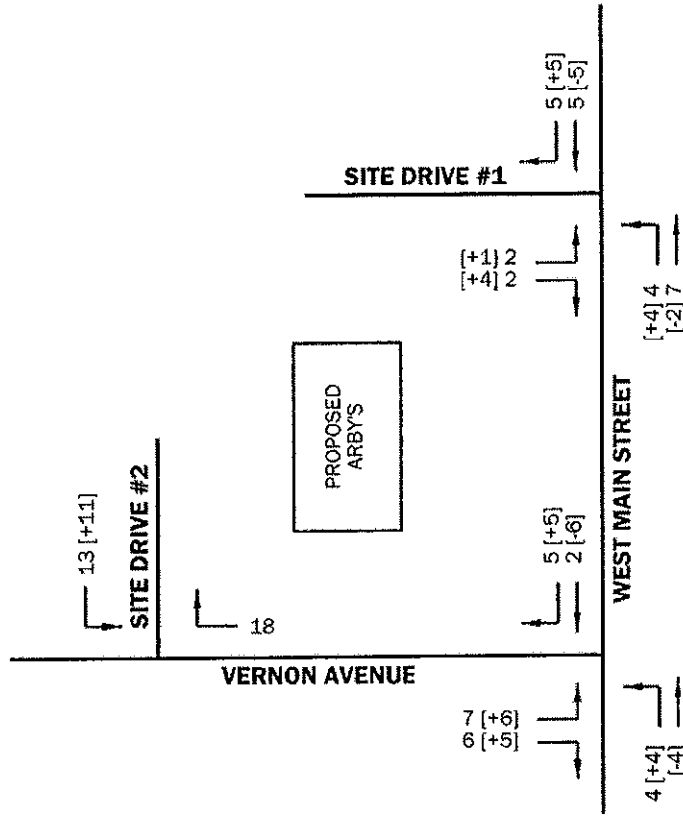
ROUTE #NY 5 ROAD NAME: W MAIN ST TO: RT 98 START 33 OLAP
STATION: 410003 STATE DIR CODE: 2 FROM: BATAVIA LN ST 63 OLAP
PLACEMENT: 75' W of Woodrow Rd


ATTACHMENT 3

Traffic Figures

TY·LININTERNATIONAL

engineers | planners | scientists





TYLIN INTERNATIONAL
233 EAST AVENUE
ROCHESTER, NY 14604
(585) 512-2000

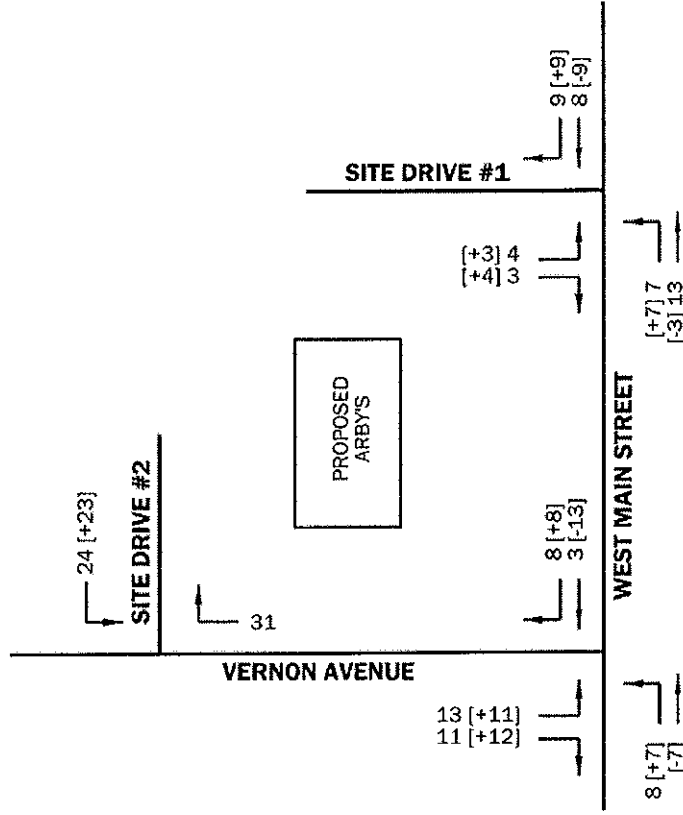
ARBY'S RESTAURANT

TRIP GENERATION
WEEKDAY EVENING PEAK HOUR
BATAVIA, NY

FIGURE 1

LEGEND

XX - PEAK HOUR TRIPS
[XX] - PASS-BY TRIPS



LEGEND

XX - PRIMARY TRIP
[XX] - PASS-BY TRIP



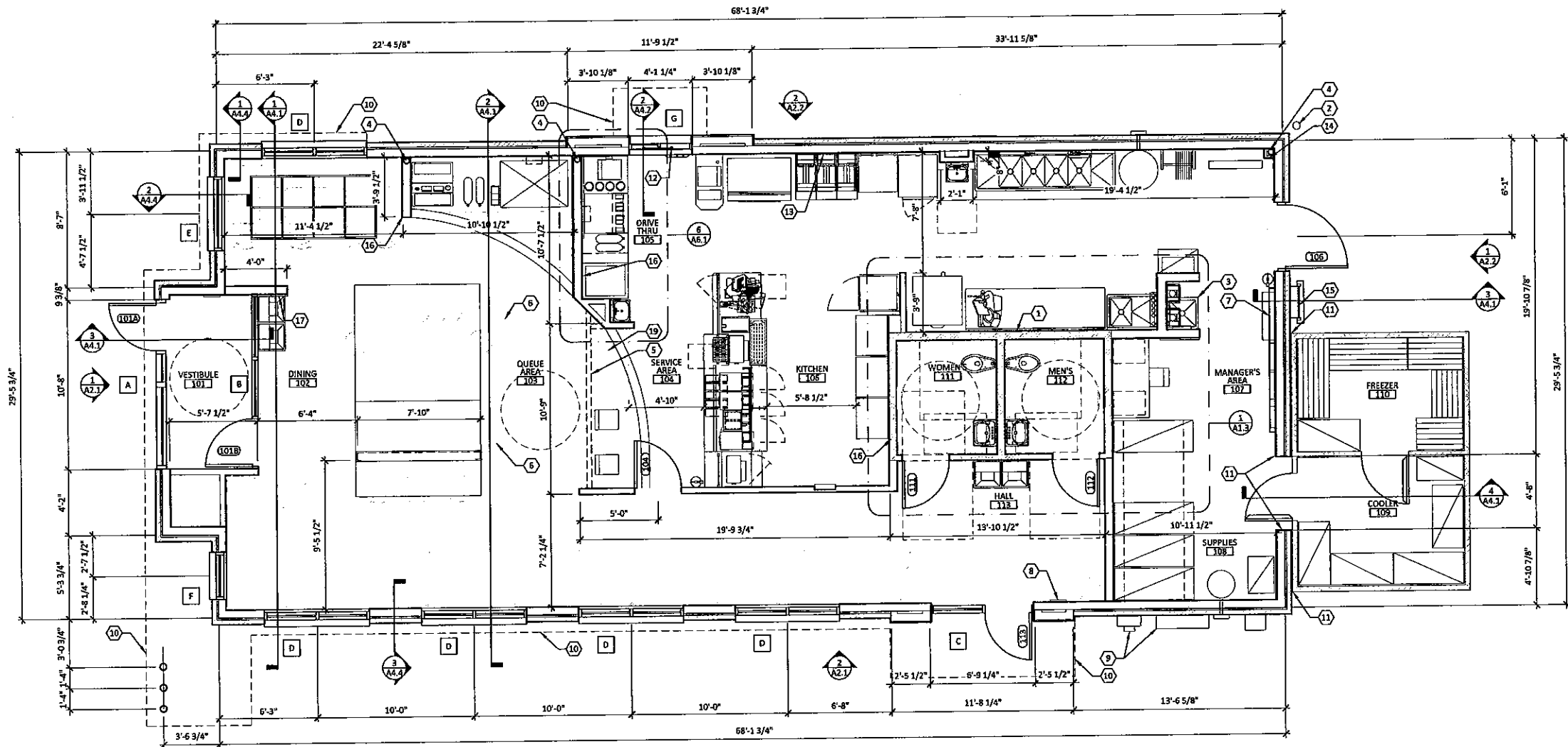
TYLIN INTERNATIONAL

255 EAST AVENUE
ROCHESTER, NY 14604
(585) 512-2000

ARBY'S RESTAURANT

FIGURE 2

**TRIP GENERATION
SATURDAY MIDDAY PEAK HOUR
BATAVIA, NY**



1
A1.1
ARCHITECTURAL FLOOR PLAN
1/4" = 1'-0"

OWNER FURNISHED ITEM LIST

THE FOLLOWING ITEMS MAY OR MAY NOT BE SUPPLIED BY THE OWNER/FRANCHISEE. G.C. IS TO CONFIRM WITH OWNER THAT THESE ITEMS ARE BEING SUPPLIED AND/OR INSTALLED BY OWNER. PLEASE CONTACT OWNER IF YOU HAVE ANY QUESTIONS ABOUT THIS LIST. ON SHEET SD-1 IN THE ARCHITECTURAL SPECIFICATIONS THERE IS ALSO A LIST THAT OUTLINES SEVERAL OWNER SUPPLIED ITEMS THAT ARE INCLUDED IN THIS LIST, THE SAME INSTRUCTIONS APPLY TO THAT LIST.

STOREFRONT GLAZING
STANDARD DRIVE-THRU WINDOW
DRIVE-THRU MUSIC SYSTEM
HVAC UNITS
KITCHEN EQUIPMENT
STANDARD SMALLWARES
ATM CASH MACHINE
REGISTERS
HOOD SYSTEM
BULK CO2
DRINK SYSTEM
DRINK EQUIPMENT INSTALLATION
INTERIOR MENU BOARD
EXTERIOR MENU BOARD
MENU BOARD CANOPY
AWNINGS/CANOPY
DECOR PACKAGE
DECOR LIGHTING
SEATING
PAINT & WALL COVERINGS
FLOORING
MAX. OCCUPANCY SIGNAGE
CUSTOMER BELL
STORE SIGNAGE
LOT LIGHTING (F)
ROOF LIGHTING
FIRE EXTINGUISHERS

GENERAL FLOOR PLAN NOTES

- A. VERIFY ALL UNMARKED WALLS WITH ARCHITECT.
- B. GENERAL CONTRACTOR TO PROVIDE ALL WALLS INDICATED ON FLOOR PLAN.
- C. GENERAL CONTRACTOR TO PROVIDE ALL ROOF PATCHING AROUND MECHANICAL EQUIPMENT. VERIFY ROOF WARRANTY REQUIREMENTS WITH OWNER.
- D. PROVIDE 2x6 FIRE RETARDANT TREATED WOOD BLOCKING IN PARTITIONS TO SUPPORT ALL CASEWORK, DOOR WALL STOPS, ELECTRICAL AND MECHANICAL DEVICES, AND FIRE EXTINGUISHERS.
- E. ELECTRICAL CONTRACTOR TO COORDINATE LOCATIONS WITH MECHANICAL EQUIPMENT AND FIRE PROTECTION PRIOR TO STARTING WORK.
- F. GENERAL CONTRACTOR TO PATCH ALL ROOF PENETRATIONS MADE BY THIS PROJECT WITH ROOFING CONTRACTOR.
- G. SEE SECTION A4.x FOR WALL SECTIONS AND DETAILS.
- H. SEE DECOR DRAWINGS FOR FINISH SPECIFICATIONS AND PLAN.
- I. SEE SHEETS A7.1 FOR REFLECTED CEILING PLAN.
- J. SEE SHEET A8.1 FOR DOOR SCHEDULE.
- K. SEE SHEET A8.2 FOR WINDOW SCHEDULE.
- L. VERIFY ALL OWNER SUPPLIED EQUIPMENT BEFORE ROUGH-INS ARE COMPLETED & GYP. BOARD IS INSTALLED.
- M. ELECTRICAL CONTRACTOR TO COORDINATE LIGHT FIXTURE LOCATIONS WITH MECHANICAL EQUIPMENT PRIOR TO INSTALLATION.
- N. METAL STUD CONTRACTOR TO COORDINATE FRAMING AROUND HVAC DUCTS, PIPES, CONDUITS AND OTHER ITEMS LOCATED ABOVE THE CEILING.
- O. SOUND ATTENUATION BLANKETS TO EXTEND FROM SLAB TO TOP MTL. TRACK AND FROM CORNER TO CORNER UNLESS OTHERWISE NOTED.
- P. THERMAL AND ACOUSTICAL INSULATION IN FLOORS, WALLS AND CEILING TO COMPLY WITH STATE AND LOCAL CODE REQUIREMENTS FOR FLAME SPREAD AND SMOKE DEVELOPMENT RATINGS.
- Q. HOT-DIPPED GALVANIZED ADJUSTABLE WALL TIES @ 16" O.C. (VERT.) & 24" O.C. (HORIZ.) TO BE ANCHORED THROUGH TO METAL STUD FRAMING. PROVIDE TAPE SEALANT AT ALL ANCHOR LOCATIONS.
- R. ALL FLASHING AND SEAMS BETWEEN SHEATHING IN COMPOSITE METAL STUD WALL CONSTRUCTION CONDITIONS TO BE TAPED & SEALED WITH TAPE SEALANT.
- S. ALL SEAMS IN FOIL FACED (FSK-25) BATT INSULATION TO BE TAPED TO ENSURE CONTINUITY OF VAPOR BARRIER.
- T. ALL SHEATHING THAT IS TO RECEIVE FULLY ADHERED ROOF MEMBRANE IS TO BE ATTACHED TO METAL FRAMING BY THE USE OF NON-REVERSING SCREWS. NO NAIL FASTENERS ARE PERMITTED.
- U. EC TO PROVIDE CONDUIT & FULL STRINGS FOR OWNER SUPPLIED COMMUNICATION.
- V. PROVIDE TACTILE EXIT SIGNAGE AT EACH DOOR TO AN EGRESS STAIRWAY, AN EXIT PASSAGEWAY AND ALL EXIT DISCHARGE POINTS.
- W. ALL MATERIALS SPECIFIED ARE TO BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS AND SPECIFICATIONS. CONTRACTOR IS TO CONSTRUCT THE PROJECT ACCORDING TO THE CONTRACT DOCUMENTS. ANY DEVIATION FROM THE INTENT OF THE CONTRACT DOCUMENTS WITHOUT ARCHITECT OR OWNER APPROVAL ARE AT THE CONTRACTOR'S OWN RISK.
- X. ALL EXTERIOR WALLS ARE 3 1/2" STUDS U.N.O.
- Y. ALL INTERIOR WALLS ARE 3 1/2" STUDS U.N.O.
- Z. ALL INTERIOR DIMENSIONS GIVEN ARE FROM FACE OF STUD TO FACE OF STUD UNLESS OTHERWISE NOTED.
- AA. VERIFY LOCATION OF ALL EQUIPMENT AND VERIFY SIZES, WALL OPENINGS, AND SUPPORT REQUIREMENTS WITH MANUFACTURE. PROVIDE REINFORCEMENT AS REQUIRED BY MANUFACTURER.
- AB. ALL DOORS TO BE LOCATED 4" FROM ADJACENT WALL OR COUNTER, OR CENTERED IN WALL UNLESS OTHERWISE NOTED.
- AC. ALL WALLS TO RECEIVE LAMINATE MUST HAVE PLYWOOD BACKING IN LIEU OF GYP. BD. COORDINATE LOCATION WITH DECOR DRAWINGS.
- AD. PROVIDE 1/2" M.R. GYP. BD. AT RESTROOM WALLS BEHIND FIXTURES.
- AE. LOW WALLS BELOW SERVICE COUNTER AND SELF-SERVE DRINK STATION TO BE 2X4 FRAMING W/ 1/2" GYP. BD. AND FAP AT BACK OF HOUSE EXPOSED SIDES AND 1/2" PLYWOOD AT FRONT OF HOUSE SIDE. VERIFY EXACT CONFIGURATION WITH DECOR DRAWINGS.
- AF. COUNTER DETAILS BY DECOR SUPPLIER.
- AG. 2X2 FULL HEIGHT STAINLESS STEEL CORNER GUARDS ON ALL OUTSIDE CORNERS IN KITCHEN. PROVIDED AND INSTALLED BY K.E.S.
- AH. VERIFY LOCATION OF FIRE EXTINGUISHERS W/ LOCAL FIRE MARSHAL.
- AI. FIRE EXTINGUISHER NOTE: THE GENERAL CONTRACTOR IS TO CONTRACT WITH THE LOCAL FIRE SUPPRESSION INSTALLER TO PROVIDE AND INSTALL PORTABLE FIRE EXTINGUISHER(S) AS FOLLOWS: INSTALL ONE (1) PORTABLE (A-A, 40-B, C) FIRE EXTINGUISHER. TO BE INSTALLED ON THE KITCHEN SIDE OF THE WALL AT THE FULL SIDE OF DOOR 5. INSTALL ONE (1) PORTABLE (CLASS K) FIRE EXTINGUISHER. TO BE INSTALLED ON THE LATCH SIDE OF DOOR 3. THE GENERAL CONTRACTOR IS TO VERIFY SIZE, QUANTITY AND LOCATION W/ LOCAL FIRE MARSHAL PRIOR TO INSTALLATION AND CONFIRM WITH OWNER WHO IS TO PROVIDE THEM.
- AJ. PROVIDE CEMENTITIOUS BOARD FROM BASE OF WALL TO 24" A.F.F. IN THE ENTIRE KITCHEN AREA AND IN THE RESTROOMS.
- AK. 2x BLOCKING TO BE PROVIDED AT ALL SINKS, GRAB BARS, MIRRORS, DISPENSERS, AND HAND DRYERS PER MFR. SPECIFICATIONS.

CODED NOTES

1. SOUND ATTENUATION BATT INSULATION IN WALL AROUND RESTROOMS, TYP.
2. 6" DIA. CONCRETE FILLED STEEL PIPE BOLLARD @ 48" A.F.F.
3. FIBERGLASS FLOOR MOUNTED MOP SINK.
4. INTERIOR ROOF DRAIN. CONNECT TO LOCAL STORM OR EXTEND THROUGH CONC. CURB TO DISCHARGE AT GRADE. REFER TO CIVIL DRAWINGS.
5. LINE OF WALL BELOW SERVICE COUNTER. REFER TO DECOR DRAWINGS FOR EXACT LOCATION.
6. REFER TO DECOR DRAWINGS FOR ELEVATIONS OF WALLS, PLANTERS AND DIVIDERS.
7. FURR OUT WALL 4" (ACTUAL) FOR ELECTRICAL PANELS.
8. INSTALL MAXIMUM OCCUPANCY SIGNAGE (WHERE REQUIRED). SIGNAGE SHALL BE INSTALLED AT 60" A.F.F. THE G.C. IS TO VERIFY THE SIZE, QUANTITY AND LOCATION(S) OF SIGNAGE WITH LOCAL FIRE MARSHAL PRIOR TO INSTALLATION. (G.C. TO CONFIRM WITH OWNER THAT THIS ITEM IS TO BE PROVIDED BY OWNER.)
9. ELECTRIC PANELS AND METER. REFER TO ELECTRICAL DRAWINGS.
10. CANOPY ABOVE.
11. STAINLESS STEEL CLOSURE PIECE PROVIDED BY COOLER MANUFACTURER. INSTALLED BY G.C. CAULK TO ADJACENT SURFACE.
12. DRIVE-THRU WINDOW. COLOR: CLEAR ANODIZED, FURNISHED AND INSTALLED BY OWNER. POWER HOOK UP BY G.C. (G.C. TO CONFIRM WITH OWNER THAT THIS ITEM IS TO BE PROVIDED BY OWNER.)
13. INSTALL STAINLESS STEEL PANEL BEHIND THE FRYER HOOD AND OVEN HOOD. SEE EQUIPMENT ELEVATIONS ON SHEETS AND A-10 FOR SIZE AND PLACEMENT. (G.C. PROVIDED AND INSTALLED.)
14. 6" X 6" R.O. CHASE WITH 2X2 FRAMING FOR ROOF DRAIN. CONNECT TO LOCAL STORM OR EXTEND THROUGH CONC. CURB TO DISCHARGE AT GRADE. REFER TO CIVIL.
15. ROOF ACCESS LADDER.
16. LOCATION OF INTERIOR SHEAR WALLS, REFER TO STRUCTURAL DRAWINGS.
17. G.C. IS TO INSTALL OWNER FURNISHED "CUSTOMER BELL" AT 54" A.F.F. ALIGN WITH EDGE OF WALL TO PREVENT CONFLICT WITH TRASH ENCLOSURE. (G.C. TO CONFIRM WITH OWNER THAT THIS ITEM IS TO BE PROVIDED BY OWNER)
18. G.C. IS TO COORDINATE THE LOCATION OF THE SECURING BOLTS FOR THE SAFE WITH THE MANUFACTURER'S REQUIREMENTS.

ARBY'S RESTAURANT GROUP
INSPIRE PROTOTYPE - 2014 VERSION
PROJECT ADDRESS
CITY, STATE 12345

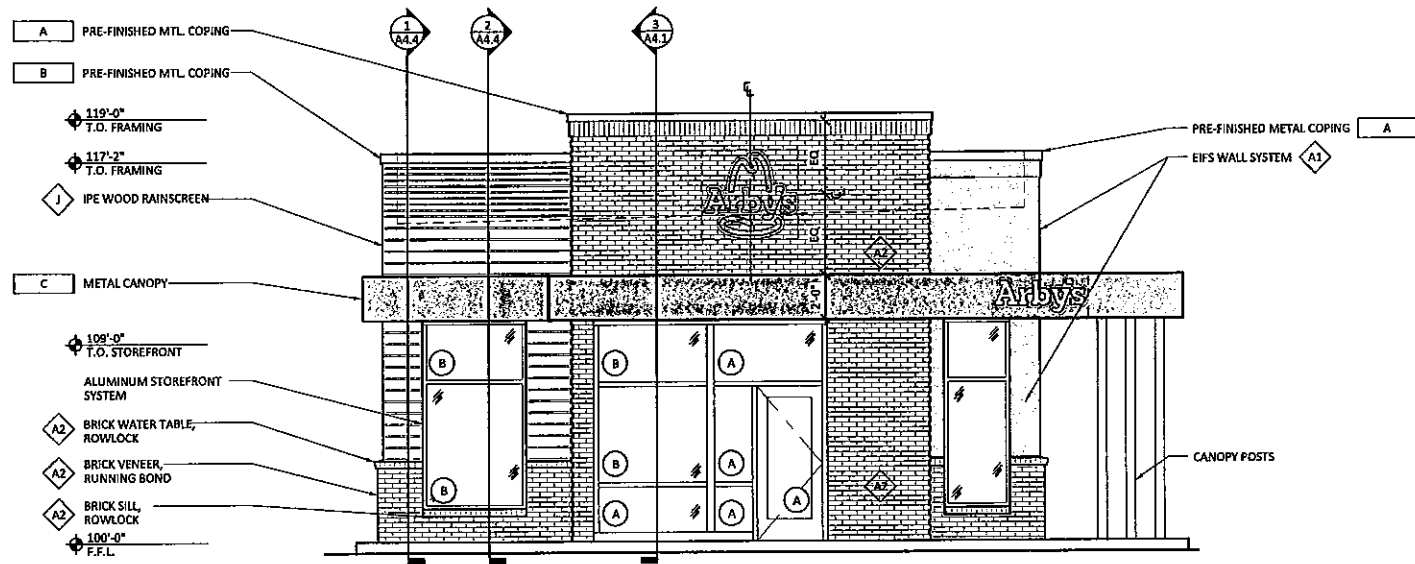
PROJECT NUMBER:
ARG064

ISSUE	DATE
PROTOTYPE	JUNE 25, 2014

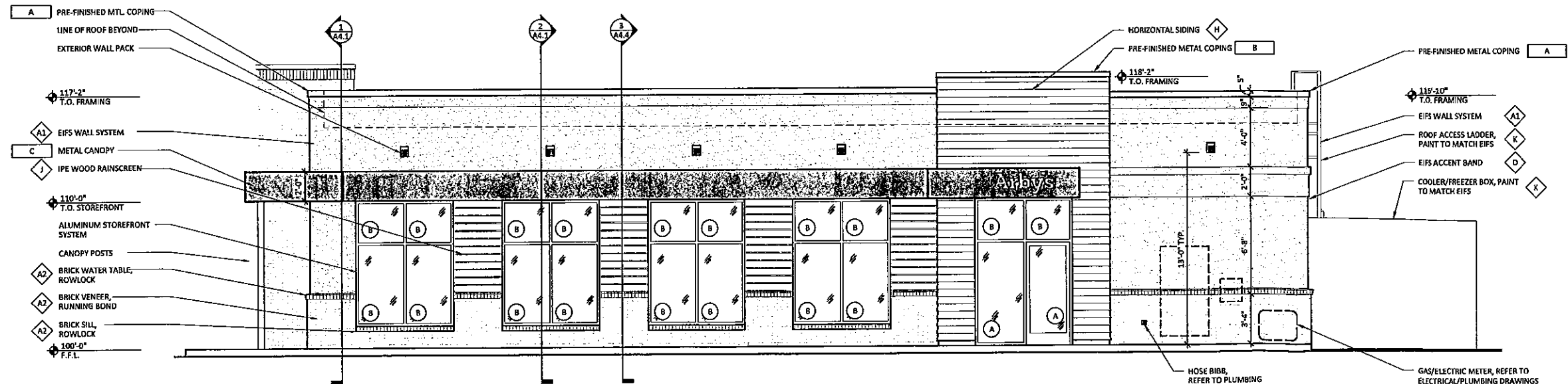
ARCHITECTURAL
FLOOR PLAN

SHEET:

A1.1



1
A2.1
1/4" = 1'-0"



2
A2.1
1/4" = 1'-0"

FINISH SCHEDULE

MARK	MANUFACTURER	DESCRIPTION	NOTES
GLASS TYPES			
A	—	1" CLEAR TEMPERED INSULATED GLASS UNIT	LOW "E"
B	—	1" CLEAR INSULATED GLASS UNIT	LOW "E"
C	—	1/4" CLEAR TEMPERED SAFETY GLASS	IN DRIVE THRU WINDOW UNIT

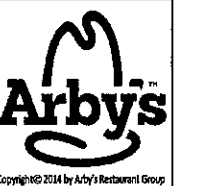
FINISHES			
A1	DRYVIT	#310 CHINA WHITE SANDBLAST TEXTURE	EIFS WALL SYSTEM
A2	COUNTY MATERIALS	HERITAGE COLLECTION WHITE NF	SMOOTH
B	NOT USED	---	---
C	NOT USED	---	---
D	SHERWIN WILLIAMS	PRIMER: LOXON ACRYLIC MASONRY PRIMER, A-24-300 FINISH: DTM ACRYLIC GLOSS, B66R38	TINT PRIMER TO SW P2 USE AT LEAST (2) TWO COATS OF FINISH
E	NOT USED	---	---
F	SHERWIN WILLIAMS	#SW 7024 FUNCTIONAL GRAY	SATIN FINISH
G	NOT USED	---	---
H	JAMES HARDIE	ARTISAN LAP SIDING - SMOOTH (IRON GRAY)	5/8" THICK 7 1/4" WIDTH (6" EXPOSURE)
J	IPE WOOD RAINSCREEN	---	PROVIDE UV SEALER
K	SHERWIN WILLIAMS	#SW 2123 WHITE	SATIN FINISH

METALS			
A	EXCEPTIONAL METALS/ DURO-LAST	TWO-PIECE SNAP-ON METAL COPING REGAL WHITE/ DURO-LAST #SR70/TE87	FOR USE WITH DURO-LAST ROOFING SYSTEM DETAIL FA3110
B	EXCEPTIONAL METALS/ DURO-LAST	TWO-PIECE SNAP-ON METAL COPING DARK BRONZE/ DURO-LAST #SR70/TE87	FOR USE WITH DURO-LAST ROOFING SYSTEM DETAIL FA3110
C	PRE-FABRICATED AWNING	PRIMER: BOND-PLX WATERBASED ACRYLIC COATING, B71-200 FINISH: DTM ACRYLIC GLASS, B66R38	TINT PRIMER TO SW P2 USE AT LEAST (2) TWO COATS OF FINISH

1. PAINT ALL EXPOSED METERS, SERVICE ENTRANCES, GAS PIPE, ROOF ACCESS LADDER, ETC. TO MATCH ADJACENT EXTERIOR WALL SURFACE.
2. PROVIDE TEMPORARY MASKING OF EXPOSED STAINLESS STEEL DURING ACID WASHING OF MASONRY.
3. PROVIDE SOLID MASONRY UNITS AT THE ENDS OF JAMBS, SILLS, ETC.
4. TO HELP PREVENT EFFLORESCENCE ALL MASONRY UNITS ARE TO BE MANUFACTURED WITH INTEGRAL WATER REPELLANT. WATER REPELLANT ADMIXTURE IS TO BE MIXED IN AND PRE-WASHED SAND IS TO BE USED IN ALL MORTAR MIXES.
5. MAKE SURE THAT WALL WEEPS AND FLASHING ARE INSTALLED CORRECTLY. DO NOT BLOCK WEEPS. REFER TO SPECIFICATIONS ON SHEET SP-2.

red
architecture + planning
855 grandview ave.
suite 295
columbus, ohio 43215
tel: 614.487.8770
fax: 614.487.8777

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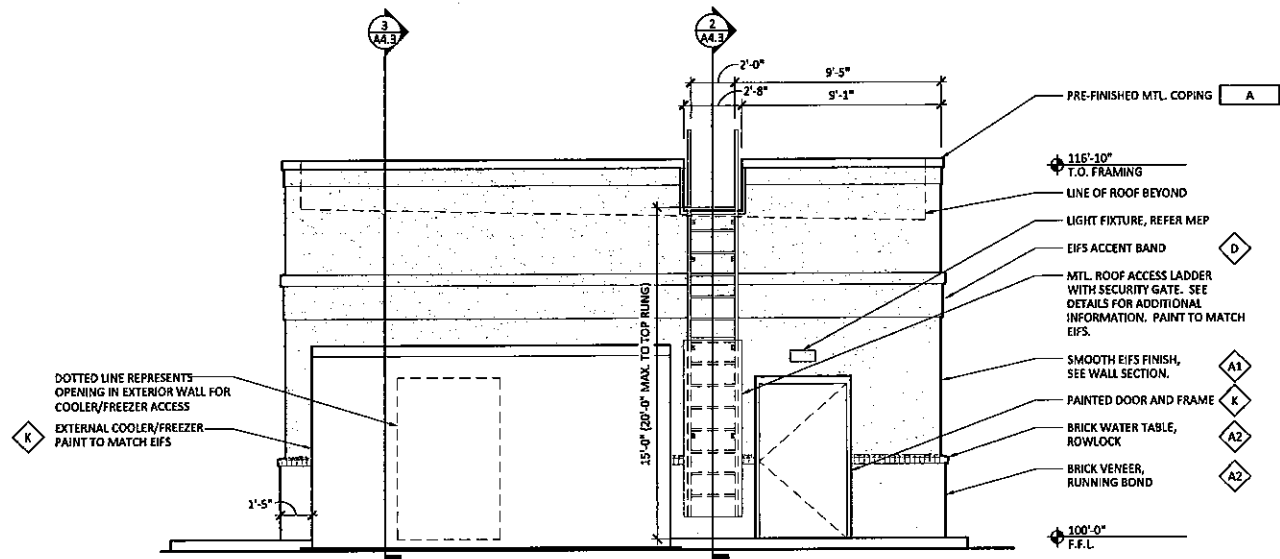
ARBY'S RESTAURANT GROUP
INSPIRE PROTOTYPE - 2014 VERSION
PROJECT ADDRESS
CITY, STATE 12345

PROJECT NUMBER:
ARG064

ISSUE
PROTOTYPE
DATE
JUNE 25, 2014

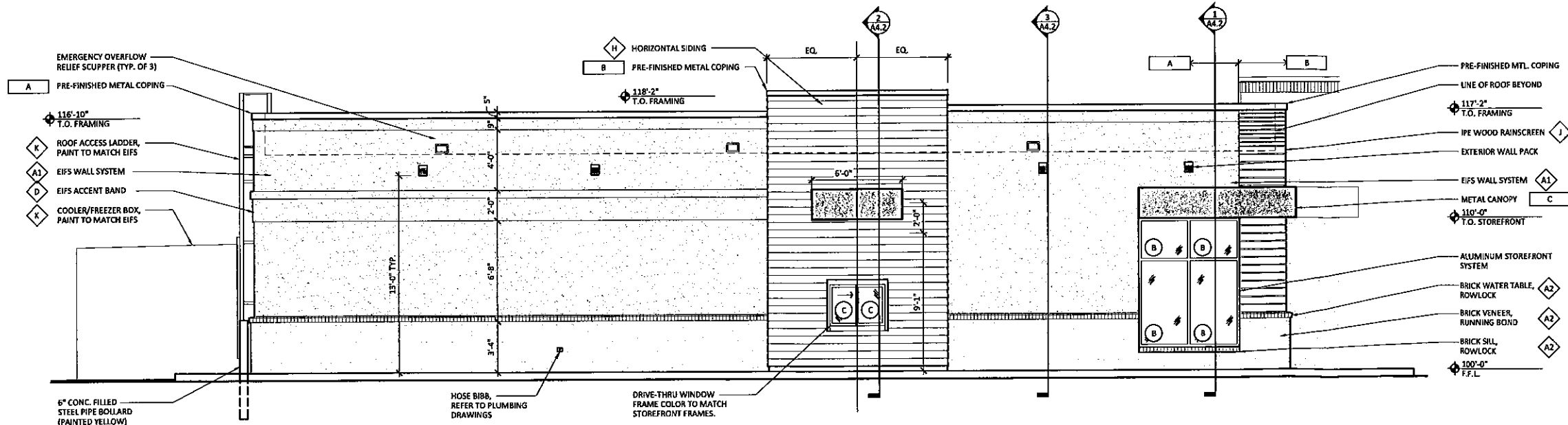
EXTERIOR ELEVATIONS

SHEET:
A2.1



1
A2.2
1/4" = 1'-0"

REAR ELEVATION



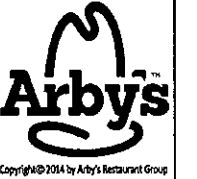
2
A2.2
1/4" = 1'-0"

SIDE ELEVATION

FINISH SCHEDULE

MARK	MANUFACTURER	DESCRIPTION	NOTES
GLASS TYPES			
(A)	--	1" CLEAR TEMPERED INSULATED GLASS UNIT	LOW "E"
(B)	--	1" CLEAR INSULATED GLASS UNIT	LOW "E"
(C)	--	1/4" CLEAR TEMPERED SAFETY GLASS	IN DRIVE THRU WINDOW UNIT
FINISHES			
(A1)	DRYVIT	#310 CHINA WHITE SANDBLAST TEXTURE	EIFS WALL SYSTEM
(A2)	COUNTY MATERIALS	HERITAGE COLLECTION WHITE NF	SMOOTH
(B)	NOT USED	--	--
(C)	NOT USED	--	--
(D)	SHERWIN WILLIAMS	PRIMER: LOXON ACRYLIC MASONRY PRIMER, A-24-300 FINISH: DTM ACRYLIC GLOSS, B66R38	TINT PRIMER TO SW P2 USE AT LEAST (2) TWO COATS OF FINISH
(E)	NOT USED	--	--
(F)	SHERWIN WILLIAMS	#SW 7024 FUNCTIONAL GRAY	SATIN FINISH
(G)	NOT USED	--	--
(H)	JAMES HARDIE	ARTISAN LAP SIDING - SMOOTH IRON GRAY	5/8" THICK 7 1/4" WIDTH (6" EXPOSURE)
(J)	IPE WOOD RAINSCREEN	--	PROVIDE UV SEALER
(K)	SHERWIN WILLIAMS	#SW 2123 WHITE	SATIN FINISH
METALS			
(A)	EXCEPTIONAL METALS/ DURO-LAST	TWO-PIECE SNAP-ON METAL COPING REGAL WHITE/ DURO-LAST #SR70/TE87	FOR USE WITH DURO-LAST ROOFING SYSTEM DETAIL FA3110
(B)	EXCEPTIONAL METALS/ DURO-LAST	TWO-PIECE SNAP-ON METAL COPING DARK BRONZE/ DURO-LAST #SR70/TE87	FOR USE WITH DURO-LAST ROOFING SYSTEM DETAIL FA3110
(C)	PRE-FABRICATED AWNING	PRIMER: BOND-PLEX WATERBASED ACRYLIC COATING, B71-200 FINISH: DTM ACRYLIC GLASS, B66R38	TINT PRIMER TO SW P2 USE AT LEAST (2) TWO COATS OF FINISH
1. PAINT ALL EXPOSED METERS, SERVICE ENTRANCES, GAS PIPE, ROOF ACCESS LADDER, ETC. TO MATCH ADJACENT EXTERIOR WALL SURFACE.			
2. PROVIDE TEMPORARY MASKING OF EXPOSED STAINLESS STEEL DURING ACID WASHING OF MASONRY.			
3. PROVIDE SOLID MASONRY UNITS AT THE ENDS OF JAMBS, SILLS, ETC.			
4. TO HELP PREVENT EFFLORESCENCE ALL MASONRY UNITS ARE TO BE MANUFACTURED WITH INTEGRAL WATER REPELLANT. WATER REPELLANT ADMIXTURE IS TO BE MIXED IN AND PRE-WASHED SAND IS TO BE USED IN ALL MORTAR MIXES.			
5. MAKE SURE THAT WALL WEEPS AND FLASHING ARE INSTALLED CORRECTLY. DO NOT BLOCK WEEPS. REFER TO SPECIFICATIONS ON SHEET SP-2.			

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ARBY'S RESTAURANT GROUP
INSPIRE PROTOTYPE - 2014 VERSION
PROJECT ADDRESS
CITY, STATE 12345

PROJECT NUMBER:
ARG064

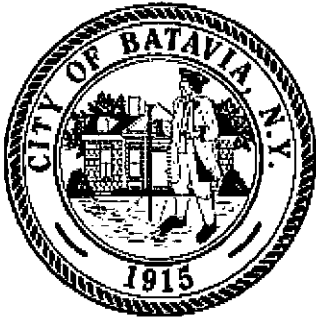
ISSUE
PROTOTYPE

DATE
JUNE 25, 2014

EXTERIOR
ELEVATIONS

SHEET:

A2.2



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: 5/1/15

Re: **Change in allowable zoning uses**

Zoning Use District: R-2

The City of Batavia is proposing to amend the approved principal uses within Chapter 190 of the Batavia Municipal Code to eliminate boardinghouses, lodging houses, rooming houses, tourist homes and tourist camps or cabins from the R-2 Residential District [190-9 A (3)].

Review and Approval Procedures:

County Planning Board- Pursuant to General Municipal Law 239 m, referral to the County Planning Board is required for adoption or amendment of a zoning ordinance or local law.

City Planning and Development Committee- Pursuant to section 13-3 of the City Charter the Planning and Development Committee shall serve in an advisory capacity to City Council and assist in developing a plan to maximize the proper use of public and private lands as outlined in the Comprehensive Master Plan.

- 1) **The City Manager has asked the Planning and Development Committee to review the proposed amendment, hold a public hearing and provide recommendations to City Council.**

The Batavia City Council will serve as lead agency to conduct SEQR.

SEND OR DELIVER TO:

GENESSEE COUNTY DEPARTMENT OF PLANNING
3837 West Main Street Road
Batavia, NY 14020-9404
Phone: (585) 344-2580 Ext. 5467

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 - 6347 Ext. _____

2. APPLICANT INFORMATION

Name Jason Molino, City Manager, City of Batavia

Address One Batavia City Centre

City, State, Zip Batavia, NY 14020

Phone (585) 345 - 6330 Ext. _____ Email _____

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: _____

- Subdivision Proposal
☐ Preliminary
☐ Final

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

A. Full Address City of Batavia

B. Nearest intersecting road Various

C. Tax Map Parcel Number Various

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

E. Present zoning district(s) R-2, R-3, C-1, C-2 and C-3

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 The City of Batavia is proposing to amend the permitted principal use list of BMC 190-9 A (3) by eliminating boarding houses, lodging houses, rooming houses, tourist homes and tourist camps or cabins from the R-2 Residential 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

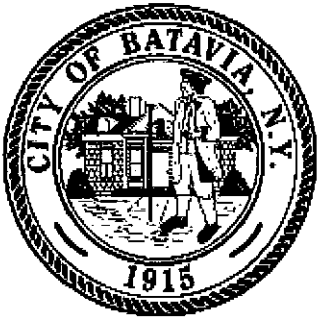
- ☐ New or updated comprehensive plan
☐ Photos
☒ Other: Cover letter,

If possible, please provide a reduced version or digital copy of any supporting documentation larger than 11 x 17.
Email to planning@co.genesee.ny.us


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 drrandall@batavianewyork.com



City of Batavia

To: Planning & Development Committee
From: Jason Molino, City Manager 
Date: April 29, 2015
Subject: R-2 District – Permitted Principle Uses

In response to recent conversions of large single-family properties into permitted rooming houses it is recommended that the R-2 zone be amended to prohibit such uses. The proposed change to the R-2 permitted principle uses prohibiting new boardinghouse, lodging house, rooming house, tourist home, tourist camps or cabins is consistent with the City's Master Plan (1997) as well as the City's Community Improvement Plan (2012). Both planning documents reference and correlate the City's deteriorating neighborhoods and property values, particular single-family homes, with multi-family properties. Also both plans outline recommendations targeting the minimization of growth of multi-family conversions from single-family properties. Conversely both documents encourage down-zoning and the reversal of multi-family units. The following is an outline from both plans:

Master Plan

1. Section I – Introduction, Constraints

- *Deteriorating Neighborhoods – Many residential properties in the City's poorer neighborhoods suffer from a significant lack of maintenance and the conversion of larger single family home to multi-unit apartment buildings.*

This is supported by the attached map, Batavia Rooming House, demonstrating that nine (9) of the ten (10) authorized rooming houses in the City are located within lower median income areas of the City, or directly adjacent to a lower income area. In addition the attached map, Batavia Opportunity Area, further demonstrates that all but one rooming house is either in a highly distressed census tract or within close distance to a highly distressed census tract.

- *Strip Development – Because of haphazard mixed-use development, multiple sign styles and numerous curb cuts, East and West Main Street and Ellicott Street detract from the overall visual quality of the City. Bringing clarity and harmony to these area would enhance the City's aesthetic character and create positive community gateways.*

The current zoning code allows rooming houses as permitted principle uses in R-2, R-3, C-1, C-2 and C-3 zones adding to the potential “haphazard mixed-use development” as most of the area along the City’s primary thoroughfares (Rt. 5 and Rt. 63) are zoned C-1, C-2 or C-3.

2. Section III – Recommendations, Clarify Uses in the R-1 and R-2 Residential Districts.

- *Currently, the R-1 district allows one-, two- and multi-family uses as well as large multi-family development. In order to maintain the integrity of the single family neighborhoods modify the R-1 uses to disallow multi-family and large scale multi-family developments. Likewise, modify the R-2 district to disallow large scale multi-family developments. The resulting uses for R-1 would be one and two family units and the resulting uses for R-2 would be one, two and multi-family units.*

As outlined this recommendation was targeted towards disallowing large scale multi-family developments and down-zoned much of the prior R-1 and R-2 zoning code to preserve the character of the of the single-family neighborhoods.

Community Improvement Plan

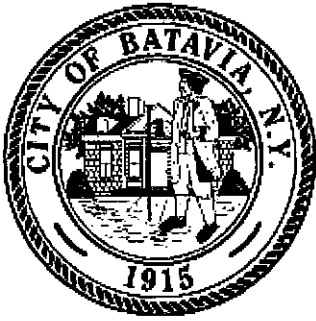
The attached sections from the Community Improvement Plan demonstrate that as the number of multi-family parcels increases per block the average sale value of properties on the block decreases. In conclusion the plan states, *“Since smaller multifamily properties are currently selling for less, on average, than single family homes, the City has an opportunity to establish a grant or loan (or other type of incentive) program to encourage current or new owners to de-convert these buildings back into single family homes.”*

Summary

The current R-2 permitted principle uses which allow new applications for a boardinghouse, lodging house, rooming house and tourist homes is inconsistent with the City’s adopted Mater Plan and Community Improvement Plan. The recommendations from both plans provide for preventing multi-family like structures from growing so as to prevent or contribute to deteriorating neighborhoods and property values. Amending the R-2 permitted principle uses to prohibit new applications for a boardinghouse, lodging house, rooming house and tourist homes is consistent with supporting and encouraging reinvestment into single-family structures, as well as the recommendations in both planning documents.

Documents

1. List of existing properties with rooming house permits.
2. Copy of relevant sections from the City Master Plan, Section I & III.
3. Copy of relevant section from the City Community Improvement Plan.
4. Maps of Batavia Rooming Houses and Batavia Opportunity Area: Highly Distressed Areas and Empire Zones.
5. Full Environmental Assessment Form, Part 1 – Project and Setting.
6. Draft amendment to Chapter § 190-9. R-2 Residential Districts and § 190-39. Parking requirements.



City of Batavia
Department of Public Works
Bureau of Inspections

One Batavia City Centre, Batavia, New York 14020 (585)-345-6345

(585)-345-1385 (fax)

4/29/2015

Re: Rooming house information

The following is a list of rooming houses that are presently operating by approved permit.

<u>Address:</u>	<u># rms:</u>	<u>Use district:</u>
332 West Main St.	4	C-2
134 West Main St.	5 and 1 Apt.	C-2
130 West Main St.	13	C-2
216-218 State St.	10 and 1 Apt.	R-1A*
7-9 Mill St.	8	I-1*
14 Highland Pk.	7	R-3
111 Liberty	8	C-2
220 West Main St.	14	C-2
16 Oak St.	7	R-3
316 East Main St.	11	C-1

The BMC presently permits the use of "rooming house" in the R-2, R-3, C-1 and C-2 use districts.

* Two of the above properties would be considered non-conforming use properties.

The City of Batavia Master Plan – Section I – Introduction, Constraints

April 29, 2015

- *Available Labor Force* - The closing of some manufacturing businesses and the downsizing of others has left a skilled workforce available for new employment opportunities.
- *Rich Cultural Heritage and Historic Resources* - The fact that Batavia was the birth place of Western New York exudes community pride in its' residents. The pride is reflected in the numerous historic resources located throughout the City.
- *Recreation* - Batavia possesses numerous parks and recreational facilities for its residents throughout the City.
- *Utilities* - In general, the City's water and sewer system contains excess capacity for expansion. Because the Town of Batavia purchases water and sewer services from the City, the City is in an advantageous position to coordinate the growth of the Town with its' own plans.
- *Manufacturing Base* - The City of Batavia has fared well in the face of a declining manufacturing base in New York State. There are a number of businesses still in operation and, given the proximity to the Thruway, the potential for additional businesses to open is relatively high. Additionally, Batavia is the birthplace of the business incubator with the Batavia Industrial Center being one of the first in America.
- *Quality of Life* - Batavia residents posses a strong sense of community pride. They favor the quality neighborhoods, having goods and services readily available, being in close proximity to major metropolitan areas without having to live in a large city, good schools and a relatively low cost of living compared to other western New York communities.

Constraints

- *Downtown Core* - While well-defined, the downtown core suffers from retail expansion and business relocation to the City's edge. Businesses are closing and the Genesee Country Mall is largely vacant forcing residents to shop elsewhere.
- *Creek Access* - Tonawanda Creek provides a great deal of potential, however, access to the creeks edge is limited to Kibbe Park on the south side of the City. Additionally, there is very little public land along the Creek's on which to develop a park.
- *Deteriorating Neighborhoods* - Many residential properties in the City's poorer neighborhoods suffer from a significant lack of maintenance and the conversion of larger single family homes to multi-unit apartment buildings.
- *Strip Development* - Because of haphazard mixed-use development, multiple sign styles and numerous curb cuts, East and West Main Street and Ellicott Street detract from the

overall visual quality of the City. Bringing clarity and harmony to these areas would enhance the City's aesthetic character and create positive community gateways.

- *Floodplain* - Much of the area south of Main and Ellicott Streets is located within a 100 year floodplain which limits the amount of land available for economic development.

Together, these opportunities and constraints help shape and provide direction for the Master Plan Update. The following sections outline and explain the existing conditions in the City, recommendations for future actions and an evaluation of the recommended actions in terms of their fiscal impact on the City.

**The City of Batavia Master Plan – Section III – Recommendations, Clarify Uses in the R-1
and R-2 Residential Districts**

April 29, 2015

often result in non-conforming poorly maintained properties. Moreover, many of the homes in the R2 and R3 zones that were originally constructed as single family homes have been converted over time to multiple family dwellings. Such conversions in an area that was not originally planned for such density contribute to overcrowding service problems and under-maintained rental units.

However, not all of the City's neighborhoods are experiencing these pressures. In fact, some neighborhoods have a healthy rental market while others have remained as well maintained single family homes. The mix of use in some neighborhoods have created a positive environment. These characteristics have helped shape the City and provide a high quality of lifestyle.

- *Maintain the Integrity of the Single Family Neighborhoods.* Low density R1 residential areas in Batavia, such as the area north of West Main Street and east of Vine Street, are both attractive and stable. These neighborhoods are valuable community assets and should continue to be protected from higher density residential encroachment. Continue strict code enforcement and disapproval of inappropriate use variances to maintain the positive character of these neighborhoods.

Poor administration and the indiscriminate granting of variances can dilute the effectiveness of the zoning ordinance in a short period of time. The Planning Board should continue to work with the Zoning Board of Appeals to explain the intent of the Master Plan.

- *Downzone to Single Family Residential (R-1) Zoning.* R-2 zones that have not yet experienced significant two-three family conversion should be rezoned to R-1. Accomplish this as a measure to prevent outward migration of blighting conditions into currently stable residential neighborhoods. Allowing such conversion will lead to diminution of the tax base and reduced living conditions for residents of these neighborhoods. The purpose of this action is to reestablish the integrity of the neighborhoods so that potential homeowners will regain confidence in housing investments in the City. Examples of areas that should be rezoned are highlighted in Figure III-1 Future Land Use Concept Map.
- *Clarify Uses in the R-1 and R-2 Residential Districts.* Currently, the R-1 district allows one-, two- and multi-family uses as well as large scale multi-family development. In order to maintain the integrity of the single family neighborhoods modify the R-1 uses to disallow multi-family and large scale multi-family developments. Likewise, modify the R-2 district to disallow large scale multi-family developments. The resulting uses for R1 would be one and two family units and the resulting uses for R2 would be one, two and multi family units.
- *Maintain R-2 and R-3 Districts.* These zones should continue to provide a transition between the City's central core and its single family neighborhoods. Continuation of

these uses will provide affordable living and property investment opportunities within the City.

Other methods of maintaining the integrity of the R2 and R3 districts include:

Revising the zoning code to include design guidelines relating to residential construction. In order to create a positive pedestrian realm, the revised code should address setbacks, parking, public parkways along the street and sidewalks.

Continuing Batavia's active and successful community development housing programs to encourage residential reinvestment and restoration of these multi-family neighborhoods.

In conjunction with rehabilitation and ownership financing programs, continuing aggressive code enforcement and the rental inspection program are essential to assure reasonable property maintenance.

Encouraging and establishing Neighborhood Watch Groups as a means of maintaining neighborhood stability.

- *Recognize and Create Neighborhood Centers.* Understanding that the basis of defining a neighborhood is a 1,500 foot walkable distance from a center point, the City should work to recognize the different neighborhoods and establish an identity and sense of public ownership. Examples of neighborhood centers include parks, churches, schools and small commercial centers. Once certain neighborhoods are defined, identification can be achieved through a coordinated sign program.

Another method of identifying a neighborhood is through small commercial districts. Revise the zoning code to create additional neighborhood commercial districts that recognizes some of these centers. Allowable uses should be small scale and oriented towards walking and bicycling rather than the automobile. Examples of potential neighborhood commercial districts include the area surrounding Pontillo's Pizzeria and Platten's Deli. Additional areas include: intersection of Harvester Avenue and Ellicott Street, Cedar Street near Florence Avenue and the intersection of Liberty and Ellicott Streets.

Recognize Aging Population

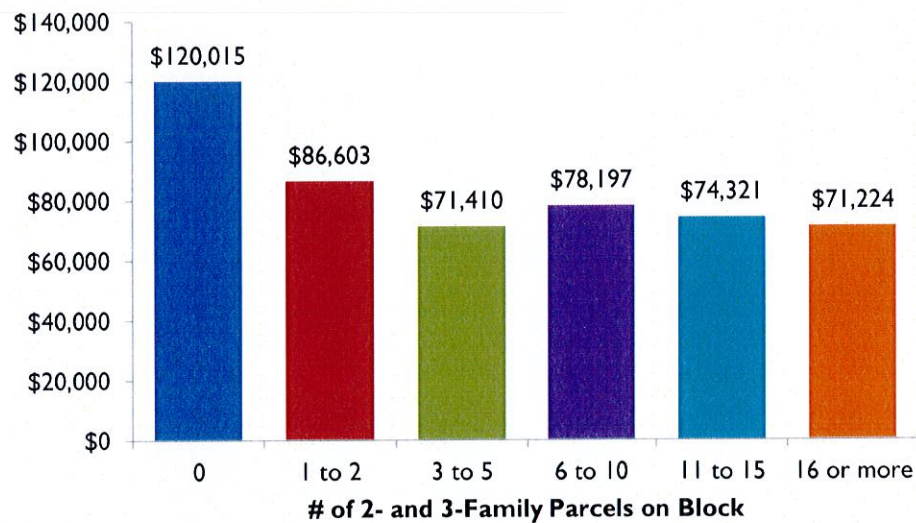
As with many communities, Batavia's population is becoming increasingly older. The City has a number of benefits, such as its central location, developed infrastructure and numerous amenities. Considering these facts, it is conceivable that many seniors will look to the City as a place of retirement. It will be the challenge to the City to respond to the growing housing needs of this population.

The City of Batavia Community Improvement Plan

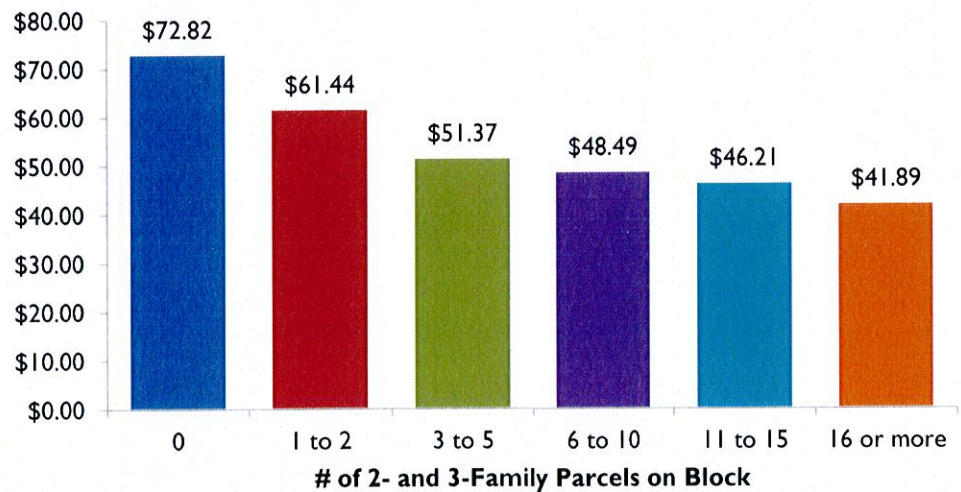
April 29, 2015

Property surveys and informational interviews with residents, landlords, and Realtors, suggested that these smaller multifamily properties provide marginal rental options for tenants, ones far inferior to units in better managed, larger complexes in other parts of the city. A closer look at the parcel data also suggested that these units bring down the values of surrounding properties. According to county sales data in the parcel file, the average sale price, and average sale price per square foot, both declined as selling properties were on blocks with increasing numbers of smaller multifamily properties.

**Average Sale Price by the # of 2- and 3-Family
Parcels
on the Block**



**Average Sale Price per Square Foot by the # of 2- and 3-Family
Parcels on the Block**



Since smaller multifamily properties are currently selling for less, on average, than single-family homes, the City has an opportunity to establish a grant or loan (or other type of incentive) program to encourage current or new owners to de-convert these buildings back into single-family homes. This could both remove problematic or low-quality rental units from the housing stock and also increase demand for single-family homes, and ownership opportunities, close to downtown Batavia.

Batavia Affordability Analysis

With both owner-occupied units and rentals, though, the vast majority of Batavia's stock is priced at levels affordable to households at or below 80% of the region's average income (or with incomes less than roughly \$50,000). In fact, over half (51%) of owner units are valued below \$90,000 (affordable to households below 50% of the area average income, or with incomes below \$30,000) and another third (33%) of owner units are priced between \$90,000 and \$149,999, affordable to households with incomes between 50% and 79.9% of the area average income.

Similarly, more than two-thirds (68%) of Batavia's rental units are affordable to households below 50% of the area's average income, with rents below \$750, and another 29% are affordable to households between 50% and 79.9% of the area average income, with rents between \$750 and \$1,249. Just 7% of all owner units and 1% of rental units are priced at levels appropriate for households above 120% of the area average income (with values greater than \$225,000 or rents higher than \$1,875).

Batavia Opportunity Area Highly Distressed Areas and Empire Zones



Legend

- Rooming Houses
- Census Tracts
- BOA_Boundary_Final
- Strategic Sites
- Parcels
- Empire Zones
- Highly Distressed Census Tracts

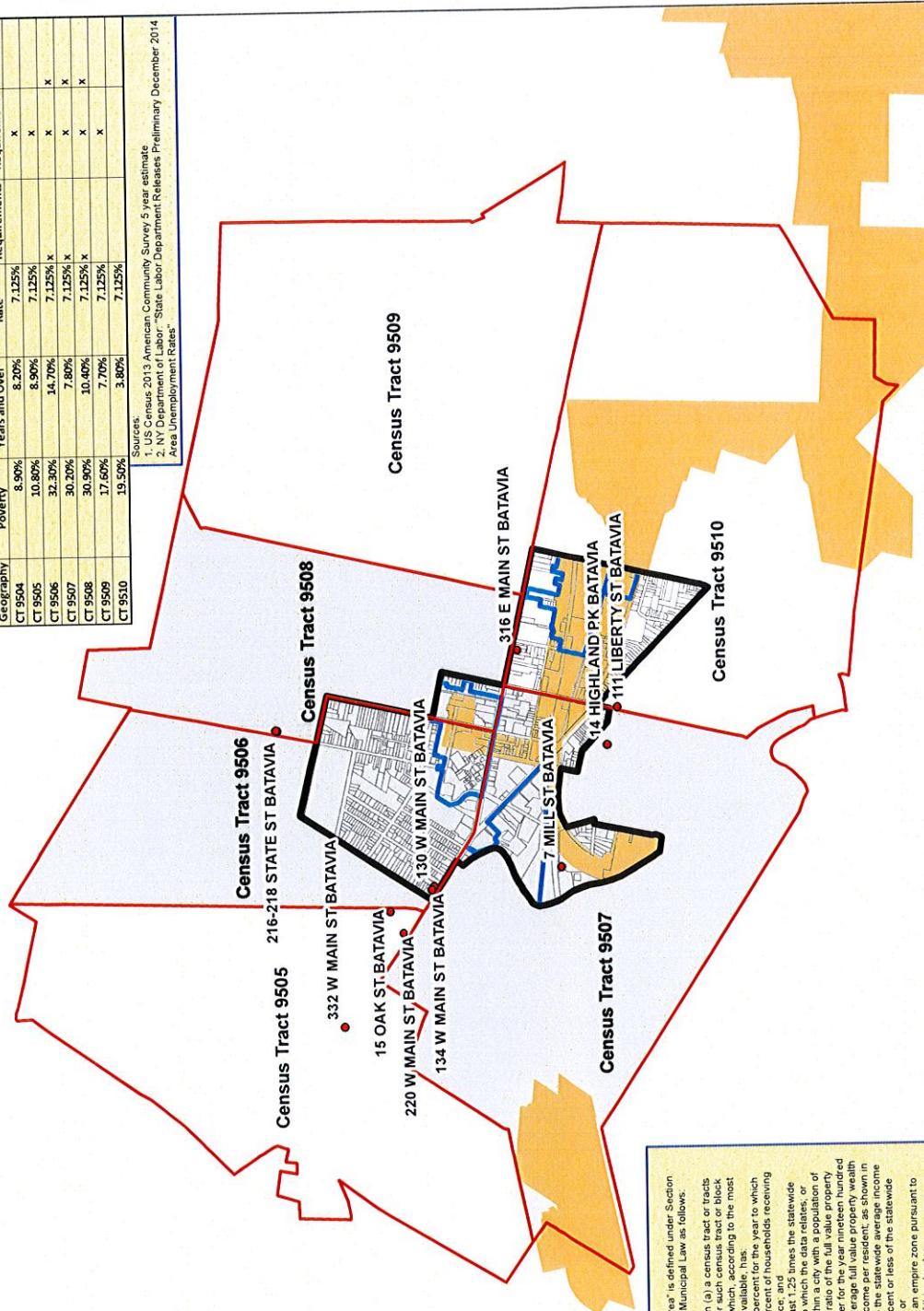


Feet
0 1,000 2,000 3,000

Map created by the
Genesee County
Department of Planning
February 2015

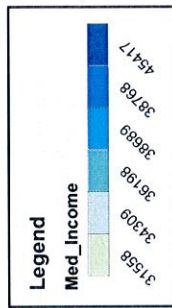
Geography	Percent Below Poverty	Unemployment Rate for Pop. 16 Years and Over	1.25 Times the State Unemployment Rate	Meet Poverty Requirements	Meet Unemployment Requirement	Qualified Census Tracts
CT 9504	8.90%	8.20%	7.125%		x	
CT 9505	10.80%	8.90%	7.125%		x	
CT 9506	32.30%	14.70%	7.125%	x	x	x
CT 9507	30.20%	7.80%	7.125%	x	x	x
CT 9508	30.90%	10.40%	7.125%	x	x	x
CT 9509	17.60%	7.70%	7.125%		x	
CT 9510	19.50%	3.80%	7.125%		x	

Sources:
1. U.S. Census 2013 American Community Survey 5 year estimate
2. NY Department of Labor "State Labor Department Releases Preliminary December 2014 Area Unemployment Rates"

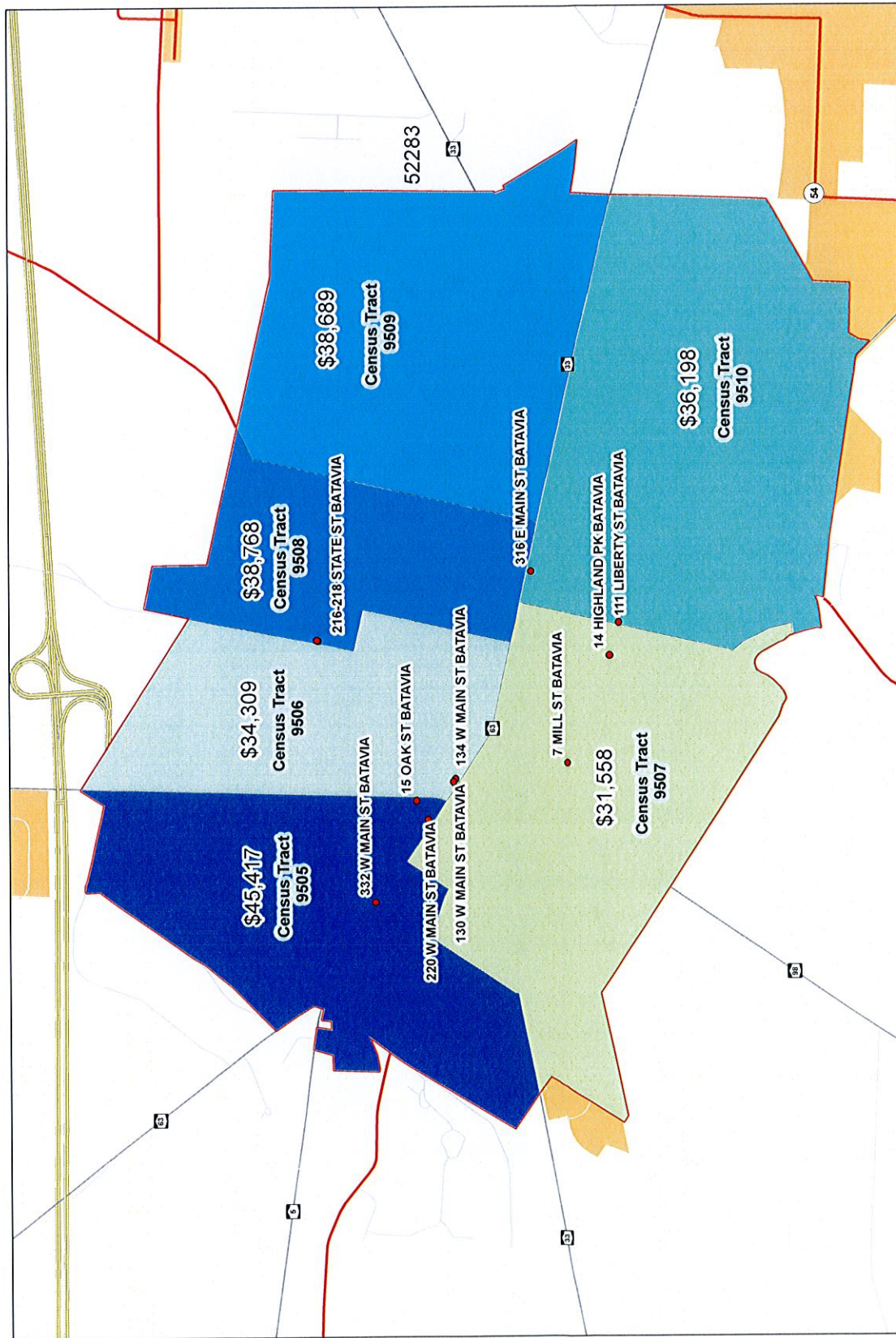


Note: The term "Highly Distressed Area" is defined under Section 854(18) of the New York General Municipal Law as follows:
"Highly distressed area" shall mean (a) a census tract or tracts or (b) a city, town, village or county within a city with a population of one million or more for which (i) the ratio of the full value property tax to the full value property tax of the county is at least one and one-half times the ratio of the county to the state, or (ii) the ratio of the income per resident, as shown in the nineteen hundred ninety census to the statewide average income per resident, is each fifty-five percent or less of the statewide average, or (c) an area which was designated as an empire zone pursuant to article eight of this chapter.

Batavia Rooming Houses



Map created by the
Genesee County
Department of Planning
April 2015



Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Amendment of Residential Districts (R-2) - § 190-9 A. Principle permitted uses.		
Project Location (describe, and attach a general location map): All R-2 zones throughout the City of Batavia, NY		
Brief Description of Proposed Action (include purpose or need): Amending § 190-9 A. Principle permitted uses. to prohibit any boardinghouse, lodging house, rooming house, tourist home, tourist camps or cabins as permitted principle uses for new applications.		
Name of Applicant/Sponsor: City of Batavia		Telephone: 585-345-6330
		E-Mail: jmolino@batavianewyork.com
Address: One Batavia City Centre		
City/PO: Batavia	State: New York	Zip Code: 14020
Project Contact (if not same as sponsor; give name and title/role): Jason Molino, City Manager		Telephone: 585-345-6330
		E-Mail: jmolino@batavianewyork.com
Address: One Batavia City Centre		
City/PO: Batavia	State: New York	Zip Code: 14020
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	City Council	4/27/2015
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	City Planning & Development Committee	4/27/2015
c. City Council, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☒ Yes ☐ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part I

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☒ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☒ Yes ☐ No

If Yes, identify the plan(s):

Batavia Brownfield Opportunity Area Plan

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☒ No

If Yes, identify the plan(s):

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<u>Residential District R-2</u>	
b. Is the use permitted or allowed by a special or conditional use permit?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
c. Is a zoning change requested as part of the proposed action?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, i. What is the proposed new zoning for the site? _____	
C.4. Existing community services.	
a. In what school district is the project site located? <u>Batavia City School District</u>	
b. What police or other public protection forces serve the project site? <u>City of Batavia Police Department, Genesee County Sheriffs Office, New York State Police</u>	
c. Which fire protection and emergency medical services serve the project site? <u>City of Batavia Fire Department, Mercy EMS</u>	
d. What parks serve the project site? <u>All park located within the City of Batavia.</u>	

D. Project Details

D.1. Proposed and Potential Development	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? _____	
b. a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres	
c. Is the proposed action an expansion of an existing project or use? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____	
d. Is the proposed action a subdivision, or does it include a subdivision? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____ ii. Is a cluster/conservation layout proposed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No iii. Number of lots proposed? _____ iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	
e. Will proposed action be constructed in multiple phases? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No i. If No, anticipated period of construction: _____ months ii. If Yes: <ul style="list-style-type: none"> • Total number of phases anticipated _____ • Anticipated commencement date of phase 1 (including demolition) _____ month _____ year • Anticipated completion date of final phase _____ month _____ year • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____ <div style="border-bottom: 1px solid black; height: 15px; width: 100%;"></div> <div style="border-bottom: 1px solid black; height: 15px; width: 100%;"></div> 	

f. Does the project include new residential uses? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes,	
i. Total number of structures _____ ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes,	
i. Purpose of the impoundment: _____ ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____ iii. If other than water, identify the type of impounded/contained liquids and their source. _____ iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes:	
i. What is the purpose of the excavation or dredging? _____ ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site? • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ _____ _____	
iv. Will there be onsite dewatering or processing of excavated materials? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, describe. _____ _____ _____	
v. What is the total area to be dredged or excavated? _____ acres vi. What is the maximum area to be worked at any one time? _____ acres vii. What would be the maximum depth of excavation or dredging? _____ feet viii. Will the excavation require blasting? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ix. Summarize site reclamation goals and plan: _____ _____ _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ _____ _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments?

☐ Yes ☐ No

If Yes, describe:

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation?

☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____

- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water?

☐ Yes ☒ No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?

☐ Yes ☒ No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☒ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No
- Do existing lines serve the project site? ☐ Yes ☒ No

iii. Will line extension within an existing district be necessary to supply the project?

☐ Yes ☒ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site?

☐ Yes ☒ No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes?

☐ Yes ☒ No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities?

☒ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? _____ • Will line extension within an existing district be necessary to serve the project? _____ <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____</p> <p>If Yes:</p> <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans): _____</p> <p>_____</p>	
<p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____</p> <p>_____</p>	
<p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____</p> <p>If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel?</p> <p>_____ Square feet or _____ acres (impervious surface)</p> <p>_____ Square feet or _____ acres (parcel size)</p> <p>ii. Describe types of new point sources. _____</p> <p>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____</p> <p>_____</p> <ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: _____ <p>_____</p> <ul style="list-style-type: none"> • Will stormwater runoff flow to adjacent properties? _____ 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____</p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____</p> <p>If Yes:</p> <p>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

<p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>			
<p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>			
<p>j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend <input type="checkbox"/> Randomly between hours of _____ to _____.</p> <p>ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____</p> <p>iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p>iv. Does the proposed action include any shared use parking? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p>			
<p>vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>			
<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____</p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p>iii. Will the proposed action require a new, or an upgrade to, an existing substation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>			
<p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> </tr> </table>		<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 		

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Describe: _____</p>	
<p>n.. Will the proposed action have outdoor lighting? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Describe: _____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:</p> <p>_____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally describe proposed storage facilities: _____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ 	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☒ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☒ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

All residential, commercial and industrial zoning districts within the City. _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? i. If Yes: explain: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? If Yes, i. Identify Facilities: _____ _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
e. Does the project site contain an existing dam? If Yes: i. Dimensions of the dam and impoundment: <ul style="list-style-type: none"> • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet ii. Dam's existing hazard classification: _____ iii. Provide date and summarize results of last inspection: _____ _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? If Yes: i. Has the facility been formally closed? • If yes, cite sources/documentation: _____ ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____ _____ iii. Describe any development constraints due to the prior solid waste activities: _____ _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? If Yes: i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____ _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? If Yes: i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div> <input type="checkbox"/> Yes – Spills Incidents database <input type="checkbox"/> Yes – Environmental Site Remediation database <input type="checkbox"/> Neither database </div> <div> Provide DEC ID number(s): _____ Provide DEC ID number(s): _____ </div> </div> ii. If site has been subject of RCRA corrective activities, describe control measures: _____ _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? If yes, provide DEC ID number(s): _____ iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____ _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

v. Is the project site subject to an institutional control limiting property uses? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<ul style="list-style-type: none"> • If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No • Explain: _____ 	
E.2. Natural Resources On or Near Project Site	
a. What is the average depth to bedrock on the project site? _____ feet	
b. Are there bedrock outcroppings on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site: _____ %	
_____ %	
_____ %	
d. What is the average depth to the water table on the project site? Average: _____ feet	
e. Drainage status of project site soils: <input type="checkbox"/> Well Drained: _____ % of site	
<input type="checkbox"/> Moderately Well Drained: _____ % of site	
<input type="checkbox"/> Poorly Drained: _____ % of site	
f. Approximate proportion of proposed action site with slopes: <input type="checkbox"/> 0-10%: _____ % of site	
<input type="checkbox"/> 10-15%: _____ % of site	
<input type="checkbox"/> 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, describe: _____	
h. Surface water features.	
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
ii. Do any wetlands or other waterbodies adjoin the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes to either i or ii, continue. If No, skip to E.2.i.	
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:	
• Streams: Name _____	Classification _____
• Lakes or Ponds: Name _____	Classification _____
• Wetlands: Name _____	Approximate Size _____
• Wetland No. (if regulated by DEC) _____	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If yes, name of impaired water body/bodies and basis for listing as impaired: _____	
i. Is the project site in a designated Floodway? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
j. Is the project site in the 100 year Floodplain? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
k. Is the project site in the 500 year Floodplain? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. Name of aquifer: _____	

<p>m. Identify the predominant wildlife species that occupy or use the project site:</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p>	
<p>E.3. Designated Public Resources On or Near Project Site</p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places? If Yes: i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input checked="" type="checkbox"/> Historic Building or District ii. Name: <u>Historic District Overlay</u> iii. Brief description of attributes on which listing is based: _____	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
f. 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site? If Yes: i. Describe possible resource(s): <u>See attached.</u> ii. Basis for identification: <u>Local designation by the Historic Preservation Commission.</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? If Yes: i. Identify resource: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Jason Molino Date 4/27/2015

Signature _____ Title City Manager

Designated Properties by the Batavia Historic Preservation Commission

Historic Landmark Designations					
	Address		Zoning	Date Designated	Effective Date if different from Date Designated
1	20 Center Street	Batavia Times	C-3	2/26/1998	
2	201 East Main Street	Batavia Club	C-3	4/10/1997	
3	302 East Main Street	First Presbyterian Church	C-1	12/1/1999	
4	306 East Main Street	First Baptist Church	C-1	11/1/2000	
5	312 East Main Street	Residence	C-1	6/16/1999	
6	314 East Main Street	Residence	C-1	4/27/1999	
7	420 East Main Street		C-1	5/28/2003	rescinded on 3/5/04
8	431 East Main Street	Residence	C-1/R-2	1/28/1999	effective 1/28/02
9	434 East Main Street		C-1	12/6/2000	
10	539 East Main Street	Adam's Insurance Agency	C-2/R-1	8/2/2000	
11	32 Ellicott Avenue	Residence	R-1	1/20/1999	
12	39 Ellicott Avenue		R-1	6/28/2000	
13	71 Ellicott Avenue		R-1	10/4/2000	
14	10 Ellicott Street	St. James Rectory	C-2/H-O	5/8/1996	effective 5/8/1999
15	7 Evans Street	Gas Holder Building	C-3	10/21/1998	
16	100 Evans Street	Roundhouse	C-3	6/28/2000	
17	65 Harvester Avenue	Batavia Cemetery	R-2	3/22/1996	
18	19 Jackson Street	Marshall News Building	C-3	2/26/1998	
19	21 Jackson Street	Marshall News Building	C-3	2/26/1998	
20	23 Jackson Street	Old Daily News Building	C-3	2/26/1998	
21	113 Jackson Street	Pringle House	R-3	4/22/1998	effective 1/28/1998
22	123-125 Jackson Street		R-3	10/24/2001	
23	5 James Street	James Street Historic District	R-1A	8/25/1999	
24	7 James Street	James Street Historic District	R-1A	8/25/1999	
25	9 James Street	James Street Historic District	R-1A	8/25/1999	
26	11 James Street	James Street Historic District	R-1A	8/25/1999	
27	13 James Street	James Street Historic District	R-1A	8/25/1999	
28	4 Mix Place	Residence	R-1A	3/17/1999	

Designated Properties by the Batavia Historic Preservation Commission

29	2 Richmond Avenue		R-1A	5/24/2000	
30	44 Roosevelt Avenue		R-2	5/6/2010	
31	20 Ross Street	Ross Street Historic District	R-2	6/12/1996	
32	21 Ross Street	Ross Street Historic District	R-2	6/12/1996	
33	22 Ross Street	Ross Street Historic District	R-2	6/12/1996	
34	24 Ross Street	Ross Street Historic District	R-2	6/12/1996	
35	25 Ross Street	Ross Street Historic District	R-2	6/12/1996	
36	26 Ross Street	Ross Street Historic District	R-2	6/12/1996	
37	28 Ross Street	Ross Street Historic District	R-2	6/12/1996	
38	29 Ross Street	Ross Street Historic District	R-2	6/12/1996	
39	33 Ross Street	Ross Street Historic District	R-2	6/12/1996	
40	39 Ross Street	Ross Street Historic District	R-2	6/12/1996	
41	41 Ross Street	Ross Street Historic District	R-2	6/12/1996	
42	5 Thomas Avenue		C-2	3/7/2001	
43	101 Washington Avenue	Scofield's Photography	R-3	11/18/1998	
44	1 West Main Street	AGA Enterprises	C-2/H-O	3/22/1996	
45	3 West Main Street	Engine House	C-2/H-O	3/22/1996	
46	130 West Main Street	Platt Residence	C-2	9/6/2000	
47	222 West Main Street		C-2	5/4/2001	

Properties or Districts listed on the National Register of Historic Places

<u>Resource Name</u>	<u>Address</u>	<u>Listed Date</u>
Batavia Cemetery	Harvester Ave.	4/8/2002
Batavia Club	Main and Bank Sts.	6/19/1973
Batavia Veterans Administration Hospital	222 Richmond Ave.	3/27/2012
First Presbyterian Church	300 E. Main St.	12/6/2004
Genesee County Courthouse	Main and Ellicott Sts.	6/18/1973
Genesee County Courthouse Historic District	Bounded by Porter and Jefferson Aves., and Main, Court, and Ellicott Sts.	12/10/1982
Holland Land Office	W. Main St.	10/15/1966
Richmond Memorial Library	19 Ross St.	7/24/1974
Saint James' Episcopal Church	405 E. Main St.	9/24/2004

Chapter 190. Zoning

Article III. Residential Districts

§ 190-9. R-2 Residential Districts.

In R-2 Residential Districts, no building or structure shall be erected, altered, or extended, and no land, building, structure, or part thereof shall be used for other than one or more of the following uses:

A. Permitted principal uses.

- (1) Any principal use permitted in R-1 Residential Districts and two-family dwellings.
- (2) Hospital, day nursery, sanitarium, nursing or convalescent home for the treatment of human beings, philanthropic or eleemosynary institutions, other than a penal or correctional institution.
- (3) Boardinghouse, lodging house, rooming house, tourist home, but not tourist camps or cabins. **[Effective July 1, 2015 boardinghouse, lodging house, rooming house and tourist home will not be a permitted principle use for new applications. Only existing permits prior to July 1, 2015 will be authorized.]**

B. Permitted accessory uses.

- (1) Such accessory uses as are customarily incidental to the above uses including home occupations and home professional uses subject to the provisions of § 190-35 excepting physicians' and dentists' offices.
- (2) Off-street parking, subject to the provisions of § 190-39.
- (3) Signs subject to the provisions of § 190-43.

C. Uses permitted with special use permit.

- (1) Municipal or public utility structures, and/or facilities when necessary for the service of a neighborhood and of a kind and character in keeping with the residential character of the neighborhood.

Article IX. Supplementary Regulations

§ 190-39. Parking requirements.

For every building or structure erected, altered, or extended after the enactment of this chapter there shall be provided parking facilities of vehicle storage as set forth below. As defined in this chapter an off-street parking space shall measure no less than eight feet in width and 19 feet in depth and include sufficient space for aisles and maneuverability.

A. Off-street parking.

(1)

Purpose: The City finds that large and highly visible parking areas represent one of the most objectionable aspects of commercial development. Such parking lots may damage the historic layout and architectural fabric of historic areas, harm the natural environment and visual character of the community, interfere with pedestrian safety and accessibility and reduce the quality of life in developed areas, as measured by the City's Visual Preference Survey. However, the City also recognizes that inadequate parking can diminish quality of life by creating traffic congestion, safety hazards and inconvenience. The City therefore seeks to balance the need for adequate parking with the need to minimize harm resulting from the provision of parking and to avoid the negative impacts of excessive parking requirements.

(2)

Residential and related uses. Minimum parking spaces required for residential and related uses:

(a)

Provisional parking standards.

[9]

Boarding- or rooming house: one space for each bedroom. **[roomer keeping a motor vehicle.]**