

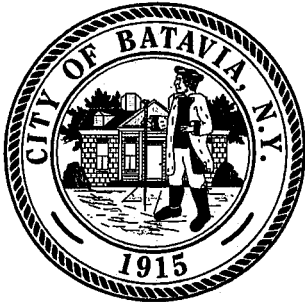


BATAVIA CITY COUNCIL SPECIAL CONFERENCE MEETING

**City Hall - Council Board Room
One Batavia City Centre
Monday, May 10, 2021
(Before the Business Meeting)**

AGENDA

- I. Call to Order
- II. Invocation – Councilmember Christian
- III. Pledge of Allegiance
- IV. Williams Park Baseball Field- Council Member Viele
- V. Petition to Rezone 211 East Main Street
- VI. Closing Mall Fund
- VII. Adjournment



City of Batavia

Memorandum

To: Honorable City Council Members

From: Rachael J. Tabelski, MPA, City Manager

Date: April 29, 2021

Subject: Petition to Re-Zone 211 E. Main St.

United Memorial Medical Center (UMMC), affiliated with Rochester Regional Health (RRH) currently owns a parcel of land located at 211 East Main St.

UMMC/RRH has submitted a petition to re-zone this parcel from a P-2 to a C-3 commercial designation as they plan to collaborate with the GLOW YMCA Inc. to build a collaborative Healthy Living Campus. The Healthy Living Campus will span two parcels 213 and 211 East Main St. 213 East Main St. is currently zoned C-3.

Attached is the Petition to Re-Zone for your review, and the current zoning map.

As New York Consolidated Laws, General City Law - GCT § 27 provides City Council with the authority to refer matters to the Planning and Development Committee, I recommend that Council refer this petition to the City of Batavia Planning and Development Committee for review and recommendation.

#-2021

A RESOLUTION REFERRING THE PETITION TO REZONE 211 EAST MAIN STREET TO THE PLANNING AND DEVELOPMENT COMMITTEE

Motion of Councilmember

WHEREAS, the City Council is desirous of reviewing the Batavia Municipal Code, Section §190, in response to a petition from United Memorial Medical Center (UMMC), requesting a parcel, 211 East Main Street, to be re-zoned; and

WHEREAS, under the City Charter § 13-3 the City Planning and Development Committee shall have such powers and duties to serve in an advisory capacity and provide such advice as to assist the City Council in developing a strategy that interprets, plans and leads in the implementation of land use matters relating to public and private development within the City of Batavia; and

WHEREAS, General City Law - GCT § 27 provides City Council with the authority to refer matters to the Planning and Development Committee requesting reviews and recommendations regarding planning and development within the City of Batavia.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Batavia hereby request that the City Planning and Development Committee review a Petition to Re-Zone 211 East Main Street, and make a recommendation to the City Council for consideration.

**Seconded by Councilmember
and on roll call**

PETITION TO RE-ZONE
211 East Main Street , SBL No. 84.11-1-29
Batavia, New York

United Memorial Medical Center, parcel owners, and Ciurzynski Consulting LLC, the owner's representative, hereby submit the within Petition to Re-zone the above-referenced parcel from P-2 to C-3.

Background

We are seeking to have the City of Batavia re-zone one parcel located at 211 East Main Street, Batavia, NY 14020. The parcel is currently owned by United Memorial Medical Center an affiliate of Rochester Regional Health. We are entering into agreement with the GLOW YMCA to develop 211 and 213 East Main Street for the construction of the GLOW YMCA/UMMC Healthy Living Campus which will house the new YMCA and healthy living offices. United Memorial Medical Center will retain ownership of the proposed rezoned property with plans to enter into a condominium arrangement with the GLOW YMCA for the proposed Healthy Living campus project. Apparently the property was zoned P-2 for many years given the Cary building that currently stands on the property was used by the former St. Jerome Hospital and recently by United Memorial Medical Center hospital, and is currently is listed as P-2 on the City of Batavia zoning map. The property is surrounded by C-3 zoning and was likely kept as P-2 given the use of the building at the time of the zoning map changes. A copy of the existing City zoning map is attached as Exhibit A. The property was most recently used as Medical office Building Storage, however the building will be demolished to make way for the new GLOW YMCA/UMMC Healthy living campus upon approval of this re-zone request.

Adjoining Uses


The property is surrounded on 3 sides (east, west and south) by the C-3 zoning district and is bordered on the north by the P-2 district. We have discussed our proposed use with the adjoining property owners to the west, the GLOW YMCA (UMMC owns the property to the east and north). Attached as Exhibit B is a petition signed by the owners of the adjoining property, indicating they are in favor of having the property re-zoned to C-3.

Proposed Future Use

We intend to take the following steps regarding the existing buildings:
Demolish the existing building located on the property, combine the 211 and 213 properties and build the new GLOW YMCA/UMMC Healthy Living Campus. Upon completion of the construction of the new campus, the existing YMCA will be demolished.

WHEREFORE, Petitioners respectfully request that the City Council of the City of Batavia amend the zoning for 211 East Main Street, SBL No. 84.11-1-29, Batavia, New York to C-3

DATED: April 6, 2021



Daniel Ireland, President
Rochester Regional Health/United Memorial Medical Center




David Ciurzynski, Ciurzynski Consulting

STATE OF NEW YORK)
COUNTY OF (Genesee) SS.:


On the 22 day of April, 2021, before me, personally appeared Daniel Ireland, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Anne M. Hardle
Notary Public - State of New York
No. 01HA6151948
Qualified In Genesee County
My Commission Expires August 28, 2022


Notary Public
(Anne Hardle)

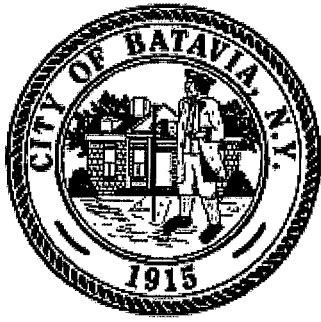
STATE OF NEW YORK)
COUNTY OF (Genesee) SS.:

On the 26 day of April, 2021, before me, personally appeared David Ciurzynski, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

LISA L. LYONS
Notary Public - State of New York
No. 01LY6254122
Qualified In Genesee County
Commission Expires January 9, 2024





City of Batavia

TO: Rachael Tabelski, City Manager
FROM: Lisa Neary, Deputy Director of Finance
DATE: April 28, 2021
RE: Closing the Mall Fund

Pursuant to the October 24, 2017 settlement agreement between the City and the Batavia City Centre Merchants Association, Inc., on August 27, 2020, the City sent the Mall Fund Balance check to the Mall Merchants. That check was cashed April 19, 2021, leaving no other cash in that fund. With that being said, there will be no further transactions in the City's Mall Fund (CM). I am requesting we close that fund on the City's financial books at this time.

Attached please find the resolution supporting this action to be presented to City Council at the May 10th, 2021 council meeting. Please let me know if you have any questions.

#-2021

**A RESOLUTION CLOSING THE MALL FUND – A GOVERNMENTAL SPECIAL
REVENUE FUND EFFECTIVE MAY 10, 2021**

Motion of Councilmember

WHEREAS, the City of Batavia financial records contain a Governmental – Special Revenue Fund called the Mall Fund (CM); and

WHEREAS, pursuant to the City of Batavia’s settlement agreement with the Batavia City Centre Merchants Association, Inc., dated October 24, 2017, the Mall fund balance was turned over to the Merchants Association; and

WHEREAS, the payment of the Mall Fund Balance has cleared the City’s financial institution effective April 19, 2021, leaving no cash or future transactions to be recorded in that fund.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia that the City Manager is hereby authorized to close the Mall Fund (CM) effective May 10, 2021.

**Seconded by Councilmember
and on roll call**

DRAFT