

PLANNING & DEVELOPMENT COMMITTEE

Tuesday, May 16, 2023

6:00 pm

Council Board Room

One Batavia City Centre, Batavia NY

AGENDA

- I. Roll Call
- II. Call to Order
- III. Approval of Minutes – 3/21/23
- IV. Proposals

Address: 327 Ellicott Street.
Applicant: Brad Trzecieski, (owner)

- Proposal 1: Demolition permit that involves the complete removal of this building that is located within the Central Commercial District / BID
- Actions: 1. Review application
2. Discussion and action by the board

Address: 31 Batavia City Centre
Applicant: Erika Siverling (tenant)

- Proposal 2: Install an exterior access door in the northeast elevation of this property located within the BID
1. Review application
2. Discussion and action by the board

Address: 114 Jackson Street
Applicant: Brian White (owner)

- Proposal 3: Recommendation to the ZBA: Widen an existing 12'-wide asphalt driveway by placing 12' of asphalt to the south side of the existing driveway
- Actions: 1. Review application
2. Public hearing
3. Discussion and recommendation to the ZBA

Address: 45 Batavia City Centre / aka 6 Alva Place
Applicant: Ken Mistler (owner)

- Proposal 4: Exterior changes to a building that is located within the BID. The applicant is proposing to install an entrance door with a concrete accessible ramp. The proposed access ramp is located within the ROW and will require City management approval prior to placement. The PDC

will be addressing the downtown design guidelines only. It is not within the PDC's powers to approve the location of the ramp on City property

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

Address: *249 Bank Street*

Applicant: Brian Konarski (contractor)

Proposal 5: Recommendation to the ZBA: widen an existing 23'-wide concrete driveway by placing 30' of additional concrete to the west side of the existing driveway

- Actions:
1. Review application
 2. Public hearing
 3. Discussion and recommendation to the ZBA

Address: *425A West Main Street*

Applicant: Mike Haigh (Quattro Development)

Proposal 6: Sketch Plan Review: demolition of the existing building and construction of a new two-bay "Take 5 Oil Change) facility

- Actions:
1. Review application
 2. Discussion

VI. Setting of Next Meeting: June 22, 2023

VII. Adjournment

PLANNING & DEVELOPMENT COMMITTEE

DRAFT MINUTES

March 21, 2023

6:00 pm

Council Board Room

One Batavia City Centre, Batavia NY

Members present: *David Beatty, Edward Flynn, Derek Geib, John Ognibene, Duane Preston*

Members absent: Rebecca Cohen

Others present: Lauren Donovan – Recording Secretary, Doug Randall – Code Enforcement Officer

I. Roll Call

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

II. Call to order

Mr. Preston called the meeting to order at 5:59 p.m.

III. Previous Meeting Minutes

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

RESULT: Approval of February 28, 2023 meeting minutes.

IV. Proposals

Exterior changes to the northern façade of this building in the downtown BID

Address: 210-212 East Main Street (City Church)

Applicant: Jon Flannery (contractor)

Actions:

1. Remove proposal from the table
2. Discussion and action by the board

1. Remove the Application from the Table

MOTION: Mr. Flynn moved to remove the application from the table; the motion was seconded by Mr. Beatty, and on roll call, was approved 5-0.

RESULT: Application removed from table.

2. Discussion and Action by the Board

Mr. Preston reminded the board that they had left the previous discussion at the point where they were talking about tile samples and the front of the building. The curve will remain but the ticket booth will be gone. City Church has chosen a mosaic tile with a repeating pattern.

Mr. Flynn asked if they could match in the stucco on the existing building. Mr. Flannery said that City Church wanted the new materials to flow into the new opening. When the board wanted to know why there appeared to be no interest in using the same materials as the rest of the building, Mr. Flannery said he believes the architect wanted to accent the front.

Mr. Beatty noted that the appearance of a tile wall would conflict with the other structures in the vicinity, which have glass in the front.

Mr. Flynn indicated that while he was unsure of the name of the material, he wanted the contractor to use whatever material is on the rest of the building to maintain the curve in the front, maintain the character of the rest of the buildings in the area, and be able to take some wear-and-tear.

MOTION: Mr. Geib moved to approve project with the following conditions:

Elimination of glass is acceptable

The contour must remain curved

The material must remain consistent with the rest of the building.

The motion was seconded by Mr. Ognibene, and on roll call, was approved 5-0.

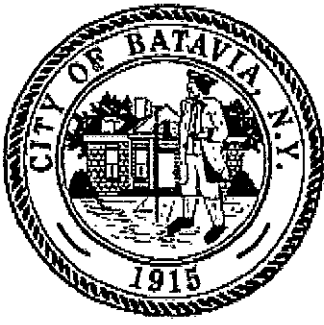
RESULT: Application was approved as stipulated above.

V. Setting of Next Meeting: March 21, 2023

VI. Adjournment

Mr. Geib moved to adjourn the meeting at 6:16 p.m., and Mr. Beatty seconded the motion. All voted in favor.

Meg Chilano
Recording Secretary



City of Batavia
Department of Public Works
Bureau of Inspections

One Batavia City Center, Batavia, New York 14020 (585)-345-6345 (585)-345-1385 (fax)

To: Planning and Development Committee
From: Doug Randall, Code Enforcement Officer
Date: 5/3/23
Re: 31 Batavia City Centre
Tax Parcel No. 84.049-1-4

Zoning Use District: C-3

The applicant, Erika Siverling (tenant), has filed a permit application to install an exterior access door in the northeast elevation of this property located within the Central Commercial District (BID).

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:

City Planning and Development Committee- Pursuant to section 190-14 D (2)(a) of the zoning ordinance, the Planning and Development Committee shall review and approve actions that involve exterior changes located within the Central Commercial district prior to issuance of a building permit.

Application Date: 4/25/23

APPLICANT NAME Enka Siverling PHONE 585 5062304

APPLICANT MAILING ADDRESS 3647 Galloway Rd Batavia NY 14020

APPLICANT EMAIL ekesiverling@gmail.com

Project Location and Information

Address of Project: Batavia City Centre Suite 31

Owner: John McGowan LLC Phone: 585 297-4207

Owners Mailing Address: 15 Simsbury Ln. Rochester NY 14
Pittsford 14534

Project Type/Describe Work Estimated cost of work: 2,000.00

Describe project: 36 men steel fire door w/ top window
Back wall of property

Contractor Information – Insurance certificates (liability & worker comp) required to be on file in our office before issuance of any permit. Liability Workers Comp

GENERAL

Name & Address: _____
Phone: _____

PLUMBING (City of Batavia Licensed Plumber Required)

Name & Address: N/A
Phone: _____

HEATING

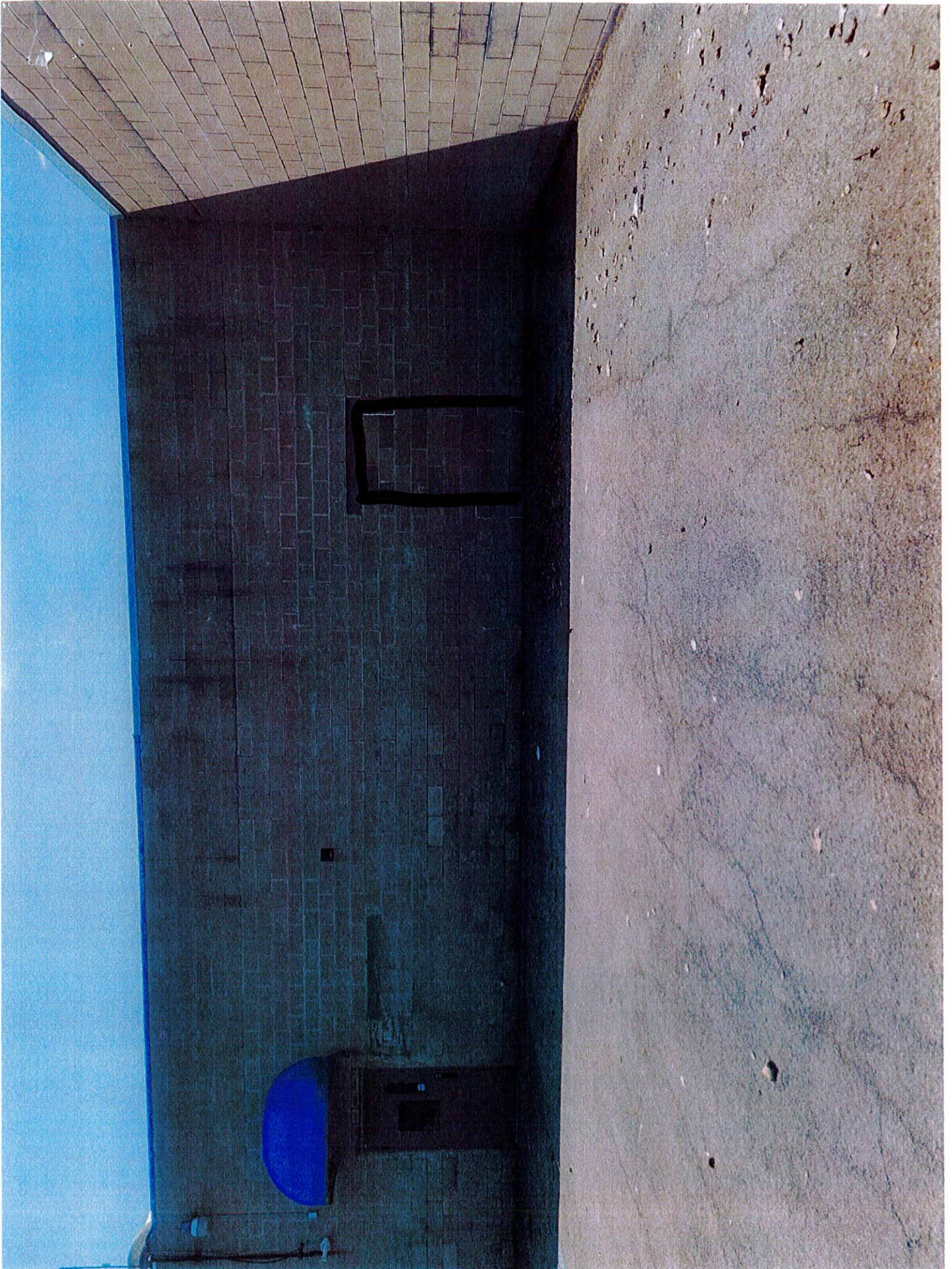
Name & Address: N/A
Phone: _____

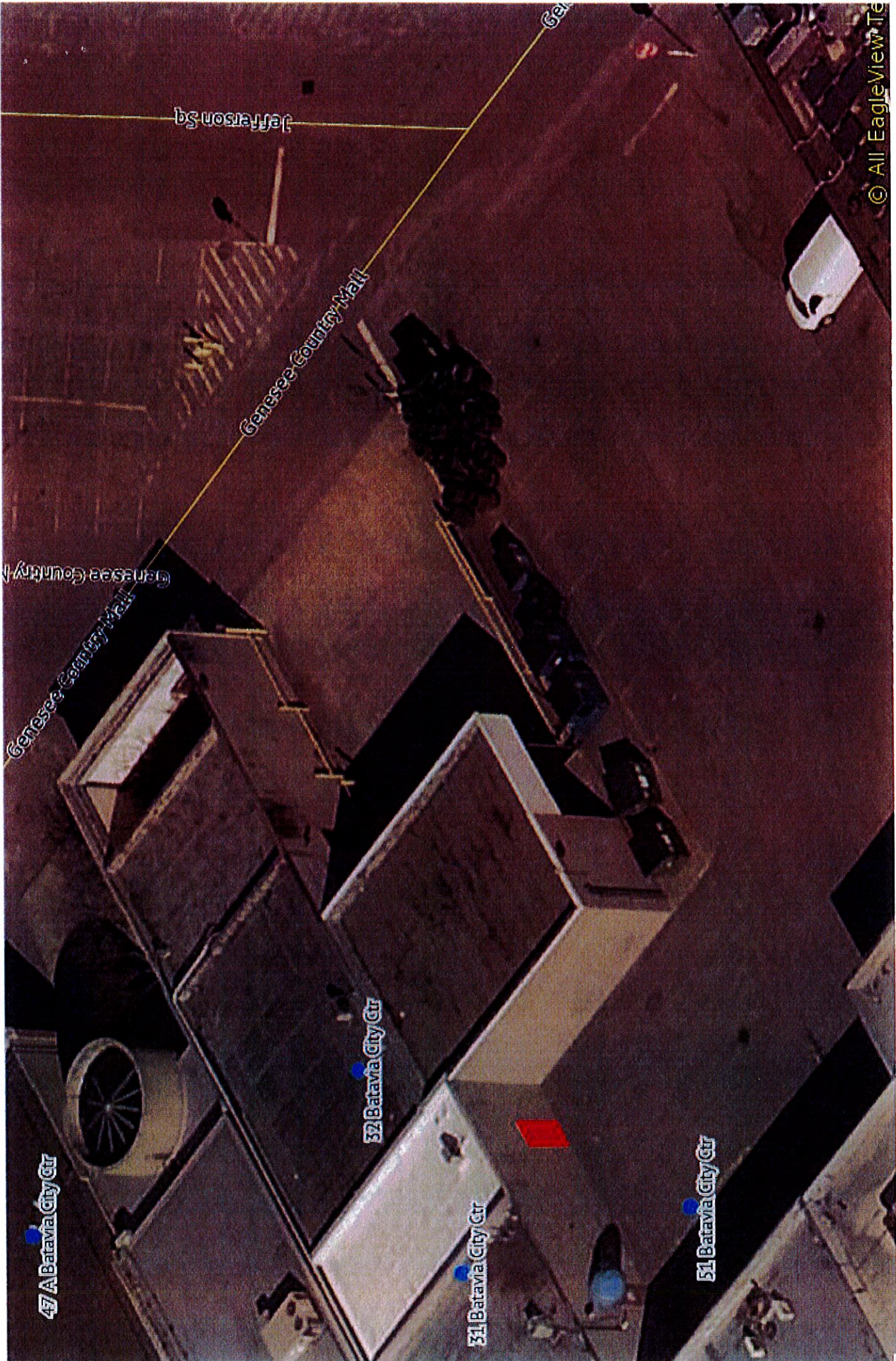
ELECTRICAL (Third Party Electrical Inspection Required)

Name & Address: N/A
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: _____





47 A Batavia City Cir

32 Batavia City Cir

31 Batavia City Cir

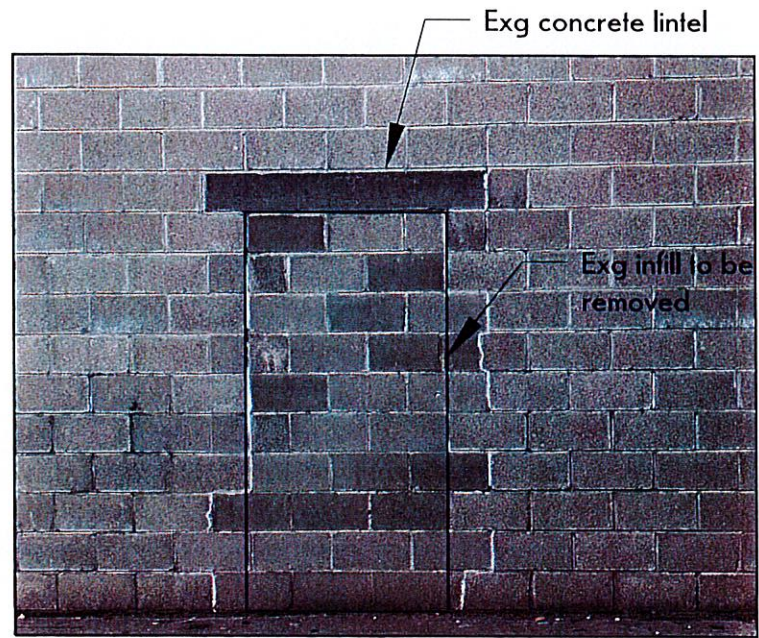
51 Batavia City Cir

Jefferson Sq

Genesee Country Mall

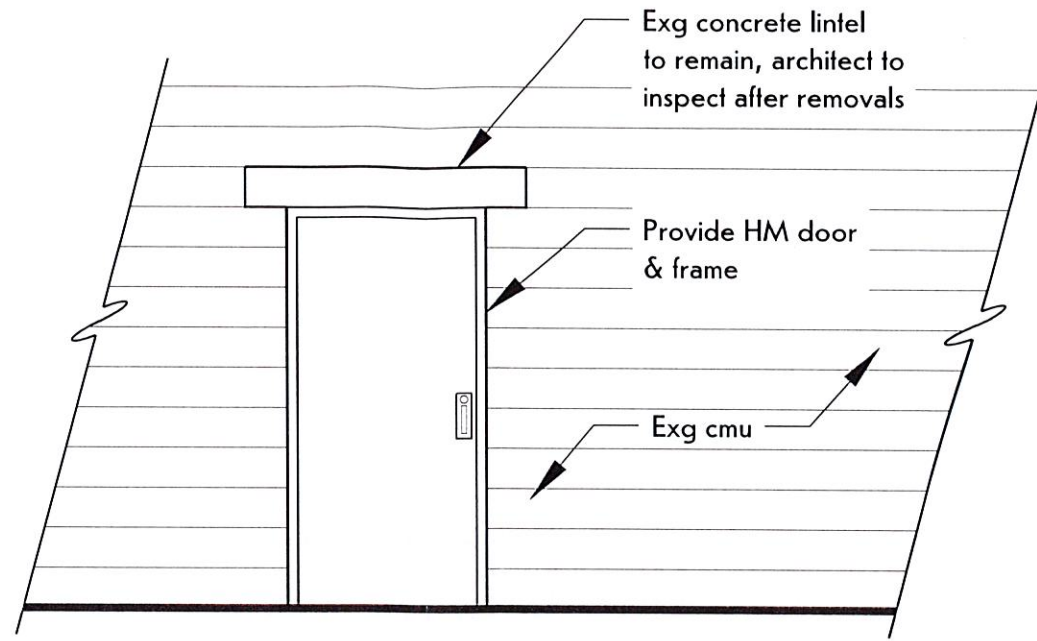
Genesee Country Mall

© All EagleView.Tc



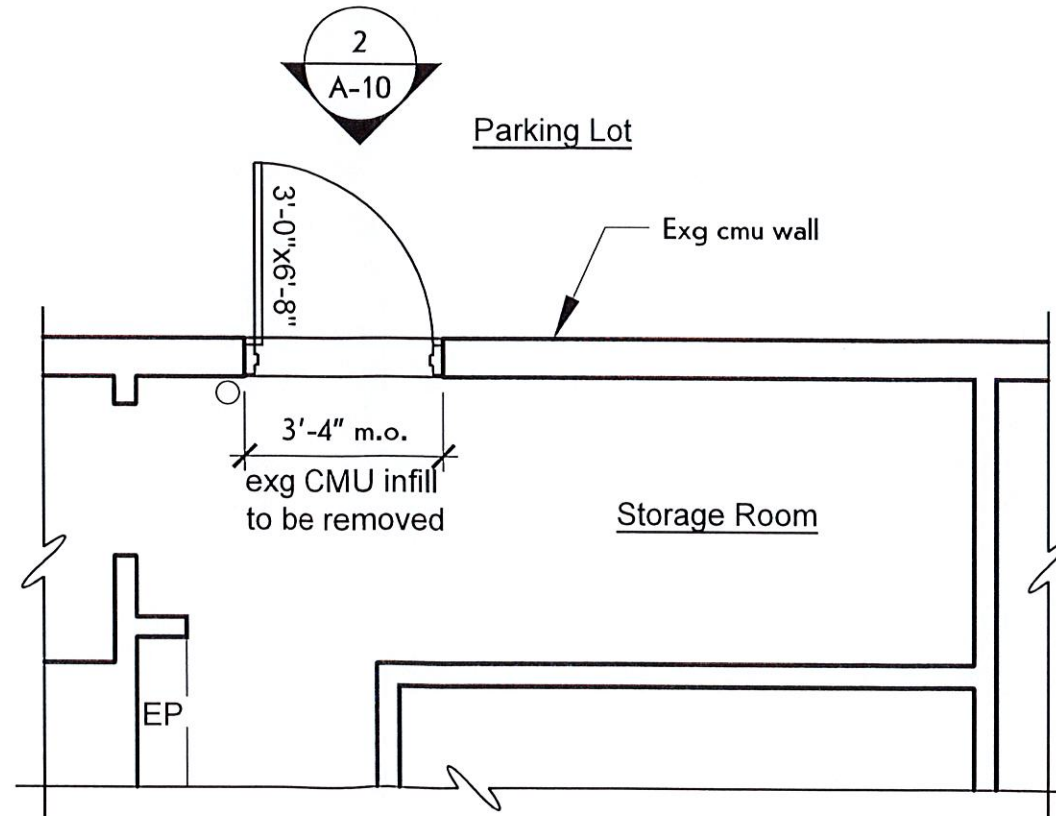
Existing Condition
Exterior Photograph

3
No Scale



Door Exterior Elevation

2
SCALE: 1/4" = 1'-0"



Partial Floor Plan

1
SCALE: 1/4" = 1'-0"

Lindsay Yoder, Architect
8719 Morganville Road
Stafford, NY 14143 | (585) 415-5618

STAMP:



© 2023

CLIENT / OWNER:

Erica Grazioplene
85 Main Street Street
Batavia, NY 14020

PROJECT INFORMATION:

Entry Door Installation
Batavia City Centre Suite 31
Batavia, NY 14020

PROJECT #: --

ISSUE DATE: 4/21/2023

DRAWN BY: LMY

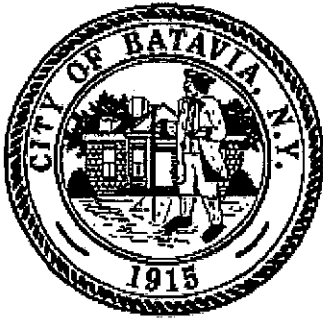
SCALE: 1/4" = 1'-0"

SHEET TITLE:

Exterior Door
Installation

SHEET NUMBER:

A-10



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
From: Doug Randall, Code Enforcement Officer
Date: 5/3/23
Re: 45 Batavia City Centre aka 6 Alva Pl.
Tax Parcel No. 84.049-1-69

Zoning Use District: C-3

The applicant, Ken Mistler, owner, has applied for a permit that involves exterior changes to a building that is located within the Central Commercial district / BID. The applicant is proposing to install an entrance door with a concrete accessible ramp. The proposed access ramp is located within the City ROW and will require City management approval prior to placement. The PDC will be addressing the downtown design guidelines only. It is not within the PDC's powers to approve the location of the ramp on City property.

Note: The submitted documents include renderings depicting a planned façade update and enclosure of an open area presently within the City row. These items are not part of this review.

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:

City Planning and Development Committee- Pursuant to section 190-14 D (2)(a) of the zoning ordinance, the Planning and Development Committee shall review applications involving exterior changes that require issuance of a demolition permit.

CITY OF BATAVIA, NEW YORK

APPLICATION FOR A BUILDING PERMIT

Application Date: 4/27/2023

APPLICANT NAME Ken Mistler PHONE (585) 409-8406

APPLICANT MAILING ADDRESS 6 Alva Place, Batavia, NY

APPLICANT EMAIL nysl@me.com

Project Location and Information

Address of Project: 45 Batavia City Centre 84.049-1-69 6 Alva Place

Owner: Ken Mistler Phone: (585) 409-8406

Owners Mailing Address: 6 Alva Place, Batavia, NY

Project Type/Describe Work Estimated cost of work: \$120,000

Describe project: Renovate portion of building to construct walk up pizza shop

Contractor Information - Insurance certificates (liability & worker comp) required to be on file in our office before issuance of any permit. Liability Workers Comp

GENERAL

Name & Address: R. A. HAITZ, 128 Cedar St., Batavia, NY Phone: (585) 343-2400

PLUMBING (City of Batavia Licensed Plumber Required)

Name & Address: James Ficarella, 9531 Putnam Rd, Batavia, NY 14020 Phone: 409-5256

HEATING

Name & Address: Turnbull Heating and Air Conditioning, 50 Franklin St., Batavia Phone: (716) 321-2332

ELECTRICAL (Third Party Electrical Inspection Required)

Name & Address: TBD Phone:

FOR OFFICE USE ONLY

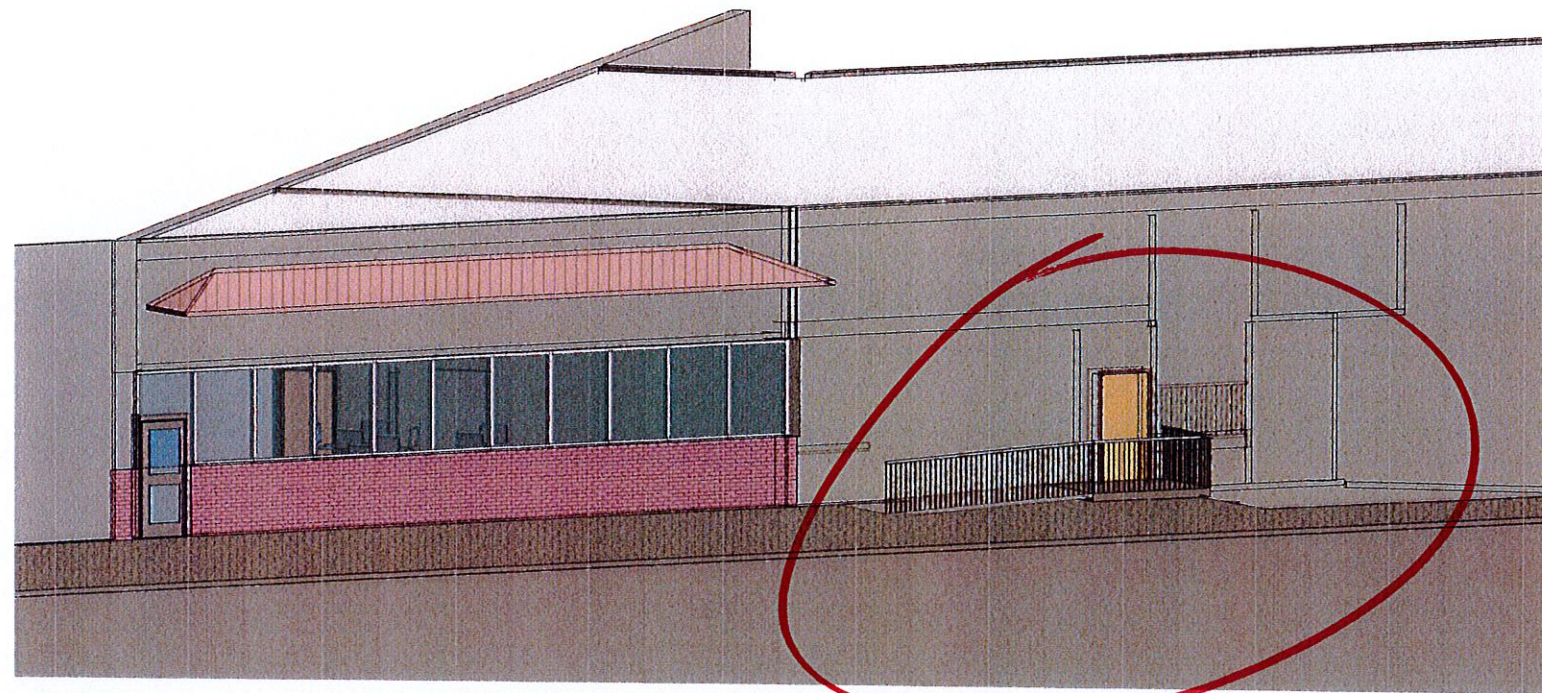
Zoning District: Flood Zone: Corner Lot: Historic District/Landmark: Zoning Review: Variance Required: Site Plan Review: Other: National Grid Sign Off (Pools): Lot Size:

SHOWTIME THEATRE PIZZA SHOP

DRAWING LIST			
Sheet Number	Sheet Name	Current Revision Date	Sheet
A-0	COVER		1
N-1	NOTES		2
A-1	PIZZA SHOP LAYOUT		3
A-2	ELEV./SECTIONS		4
LS-1	LIFE SAFETY		5
C-1	OVERALL SITE PLAN		1 OF 1

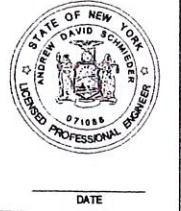
PROJECT NOTES:

- PLANNED PROJECT IS TO RENOVATION FRONT PORTION OF THE BATAVIA SHOWTIME THEATRE, TO BE PIZZA SHOP. THESE PLANS SHOW THE PRELIMINARY CONCEPTUAL LAYOUT.
- SITE IMPROVEMENT WILL INCLUDE THE CONSTRUCTION OF HANDICAPPED ACCESS RAMP.
 - IMPROVEMENTS TO THE FRONT ENTRANCE IS SHOWN FOR INFORMATIONAL PURPOSES ONLY. THIS PORTION OF THE PROJECT IS CURRENTLY OWNED BY CITY OF BATAVIA. OWNER IS LOOKING TO GAIN USE OF THIS PARCEL, AND IF SUCCESSFUL WILL SUBMIT PLANS FOR MAKING THE IMPROVEMENTS AS SHOWN.



CODE SUMMARY				
ITEM	SECTION	PLANNED	ALLOWED	COMMENTS
CHAPT 3		B	B	PIZZA SHOP
		A-2	A-2	FUTURE NIGHTCLUB
CHAPT 4				
CHAPT 5				
ALLOW BLDG HEIGHT	504.3	24	55	
ALLOW NO. STORIES	504.4	2	2	
BLDG AREA	506	B; 393	B; 2300	NON-SPRINKLERED
		A-2: 6076	A-2: 38,000	
CHAPT 6				
CONSTRUCTION TYPE		II-B	II-B	
CHAPT 7				
FIRE RESISTANCE RATING	706.4	2	2	SEPARATION OF PIZZA SHOP (B/A-2)
FIRE AREAS	707.3.10			
CHAPT 10				
OCCUPANT LOAD	1004.5	3	10	B-A-2
MIN NUMBER EXITS	1006.3.3	2	1	
EXIT DOORWAY SIZING	1010.1.1	36	36	
TRAVEL DISTANCE	1017			
CHAPT 29				
MIN NUMBER OF FIXTURES	2902.1			

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ANDREW SCHMIEDER, PE
11142 ALEXANDER ROAD, ATTICA, NY
(585) 297-3552

DRAWING TITLE: **COVER**
PROJECT NAME: **SHOWTIME THEATRE**
CLIENT: **KEN MISTLER**

PROJECT NO.:
DATE: **4/24/23**
SCALE: **AS SHOWN**
DRAWING NO: **A-0**
SHEET NO: **1 CF 6**

GENERAL NOTES

- PROJECT CONSIST OF THE RENOVATION OF EXISTING BUILDING TO SERVE AS PIZZA SHOP. NOT WORK SHALL COMMENCE UNTIL ALL NECESSARY BUILDING AND ZONING PERMITS HAVE BEEN OBTAINED.
- DESIGN, CONSTRUCTION AND SAFETY SHALL CONFORM TO ALL LOCAL, STATE AND OWNER SPECIFIC CODES, INCLUDING (BUT NOT LIMITED TO) THE "NEW YORK STATE UNIFORM FIRE PROTECTION AND BUILDING CODE", LATEST REVISION, THE NFPA 101 LIFE SAFETY CODE, LATEST REVISION, ANSI A117.1 - LATEST REVISION, OSHA, AND ANY OTHER CODES GOVERNED BY THE JURISDICTION IN WHICH THIS PROJECT IS BEING CONSTRUCTED.
- THIS CONTRACT REQUIRES COMPLETE, FINISHED WORKABLE PROJECT OF THE AREAS INDICATED BY THE CONTRACT DOCUMENTS, AND SHALL INCLUDE ALL MATERIALS AND LABOR NECESSARY TO COMPLETE, REGARDLESS OF WHETHER OR NOT ALL WORK OR EACH ITEM IS SPECIFICALLY INDICATED ON ANY OTHER PORTION OF THE DRAWINGS AND/OR NOTES.
- DRAWINGS PRESENTED ARE FOR STRUCTURAL LAYOUT OF PROPOSED BUILDING. ARCHITECTURAL AND CODE COMPLIANCE DETAILS OF THE BUILDING ARE PRESENTED IN ARCHITECTURAL DRAWING PACKAGE. CONTRACTOR TO COORDINATE STRUCTURAL DRAWING PACKAGE WITH THE ARCHITECTURAL DRAWINGS.
- WOOD USED FOR BLOCKING OR OTHER PURPOSES ON OR ABOVE THE ROOF DECK, WITHIN 2'-0" OF GRADE AND OTHER LOCATIONS OUTSIDE THE BUILDING ENVELOPE WHERE EXPOSED TO THE WEATHER, SHALL BE PRESSURE TREATED TYPE.
- CONTRACTOR TO REVIEW ARCHITECTURAL DRAWING FOR ROUGH OPENING SIZES OF ALL WINDOWS AND DOORS.

CONCRETE/FOUNDATION NOTES

- ALL FOOTINGS SHALL BE PLACED ON CLEAN, DRY, LEVEL, UNDISTURBED SOIL. DO NOT PLACE FOUNDATIONS ON FILL MATERIAL UNLESS ORDERED OTHERWISE BY THE ENGINEER.
- CONTROLLED COMPACTED FILL SHALL BE IMPORTED GRANULAR MATERIAL, SIMILAR IN GRADATION TO NYS DOT ITEM 304.02 OR 304.03. FILL SHALL BE SPREAD IN 8" THICK LAYERS AND UNIFORMLY COMPACTED WITH A MIN 4,000 lb ROLLER.
- THE CONTRACTOR SHALL TAKE ALL NECESSARY MEASURES TO ENSURE EXCAVATIONS ARE DRY PRIOR TO PLACING CONCRETE.
- THE CONTRACTOR SHALL NOTIFY ARCHITECT BEFORE THE REMOVAL AND REPLACEMENT OF ANY UNSUITABLE OR UNSTABLE SUB GRADE SOILS ENCOUNTERED DURING CONSTRUCTION.
- FOUNDATIONS HAVE BEEN DESIGNED FOR AN ALLOWABLE SOIL BEARING PRESSURE OF 2,500 PSF. CONTRACTOR TO NOTIFY PROJECT ENGINEER FOR VERIFICATION OF SOIL CONDITIONS PRIOR TO PLACING FOUNDATIONS.
- 28 DAY COMPRESSIVE STRENGTH FOR ALL FOUNDATION CONCRETE SHALL BE 4000 PSI.
- ALL REINFORCING BARS SHALL CONFORM TO ASTM A615 GRADE 60.
- PROVIDE CONCRETE COVER OVER REINFORCING IN ACCORDANCE WITH THE REQUIREMENTS OF A.C.I. 318-83.
- ALL REINFORCING SHALL BE DETAILED, FABRICATED, AND PLACED IN ACCORDANCE WITH THE REQUIREMENTS OF A.C.I. 315-74.
- ALL SLABS-ON-GRADE SHALL BE PLACED OVER A 6" LAYER OF CLEAN, WELL-GRADED TYPE 1 & 2 CRUSHED STONE (CRUSHER RUN).
- CONTROL JOINTS SHOWN ON DRAWINGS, SHALL BE CUT AS SOON AS SLAB HAS HARDENED SUFFICIENTLY TO SUPPORT MEN AND EQUIPMENT (USUALLY WITHIN 4 TO 12 HOURS).
- ALL WELDED WIRE FABRIC (W.W.F.) SHALL CONFORM TO ASTM A185, WITH AN ULTIMATE TENSILE STRENGTH OF 70,000 PSI AND SHALL BE PROVIDED IN SHEETS.
- MESH REINFORCING IN ALL SLABS-ON-GRADE SHALL BE PLACED IN THE UPPER THIRD OF THE SLAB.

CARPENTRY NOTES

- PROVIDE ALL ROUGH FRAMING AND SHEATHING AS SHOWN INCLUDING ANCHORS. PLYWOOD THICKNESS AS SHOWN. SURFACE LUMBER 4 SIDES TO COMPLY WITH SR-16 RECOMMENDATIONS, KILN DRIED TO A MOISTURE CONTENT NOT TO EXCEED 15%.
- LAYOUT, CUT, FIT AND ERECT FRAMING FOR ROUGH CARPENTRY WORK. BRACE, PLUMB AND LEVEL ALL MEMBERS, AND IN TRUE ALIGNMENT, RIGIDLY SECURE IN PLACE WITH SUFFICIENT FASTENERS.
- WOOD TRUSSES SHALL BE DESIGNED TO MEET NYS BUILDING CODE AND SHALL BE MANUFACTURED BY A RECOGNIZED SUPPLIER. SUPPLIER SHALL PROVIDE NYS PE STAMPED WORK DRAWINGS PRIOR TO FABRICATION. INSTALLATION OF THE WOOD TRUSSES SHALL BE IN STRICT COMPLIANCE WITH THE RECOMMENDATIONS OF THE TRUSS SUPPLIER INCLUDING, BUT NOT LIMITED TO BRACING, BRIDGING, AND SEQUENCING.
- MINIMUM STRUCTURAL & FRAMING LUMBER SHALL HAVE A MINIMUM FB=1000 PSI, FV=95 PSI, Ft=450 PSI, Fc=1150 PSI & E= 1,300,000.
- ALL LUMBER IN CONTACT WITH GRADE SHALL BE PRESSURE TREATED. WOOD PRESERVATIVE SHALL MEET THE MINIMUM RETENTION AS SET FORTH IN THE LATEST AMERICAN WOOD-PRESERVERS ASSOCIATION COMMODITY STANDARDS.

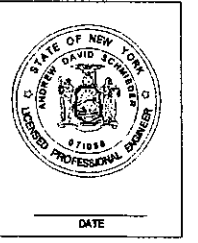
GENERAL NOTES

- ALL SPECIFIED ITEMS TO BE FURNISHED AS NOTED OR APPROVED EQUAL.

SITE NOTES:

- PROVIDE HANDICAPPED ACCESSIBLE RAMP TO ENTRANCE.
- CONTRACTOR/OWNER SHALL CALL DIG SAFE A MINIMUM OF 24 HOURS PRIOR TO PERFORMING ANY EXCAVATIONS.
- CONTRACTOR TO COORDINATE WITH OWNER AND CITY OF BATAVIA FOR SUITABLE STAGING AREA FOR STORAGE OF MATERIALS AND EQUIPMENT.

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DRAWING IS A VIOLATION OF NEW YORK STATE EDUCATION LAW ARTICLE 146, SECTION 7309	
3	NO.
2	DATE
1	DESCRIPTION
	REVISIONS



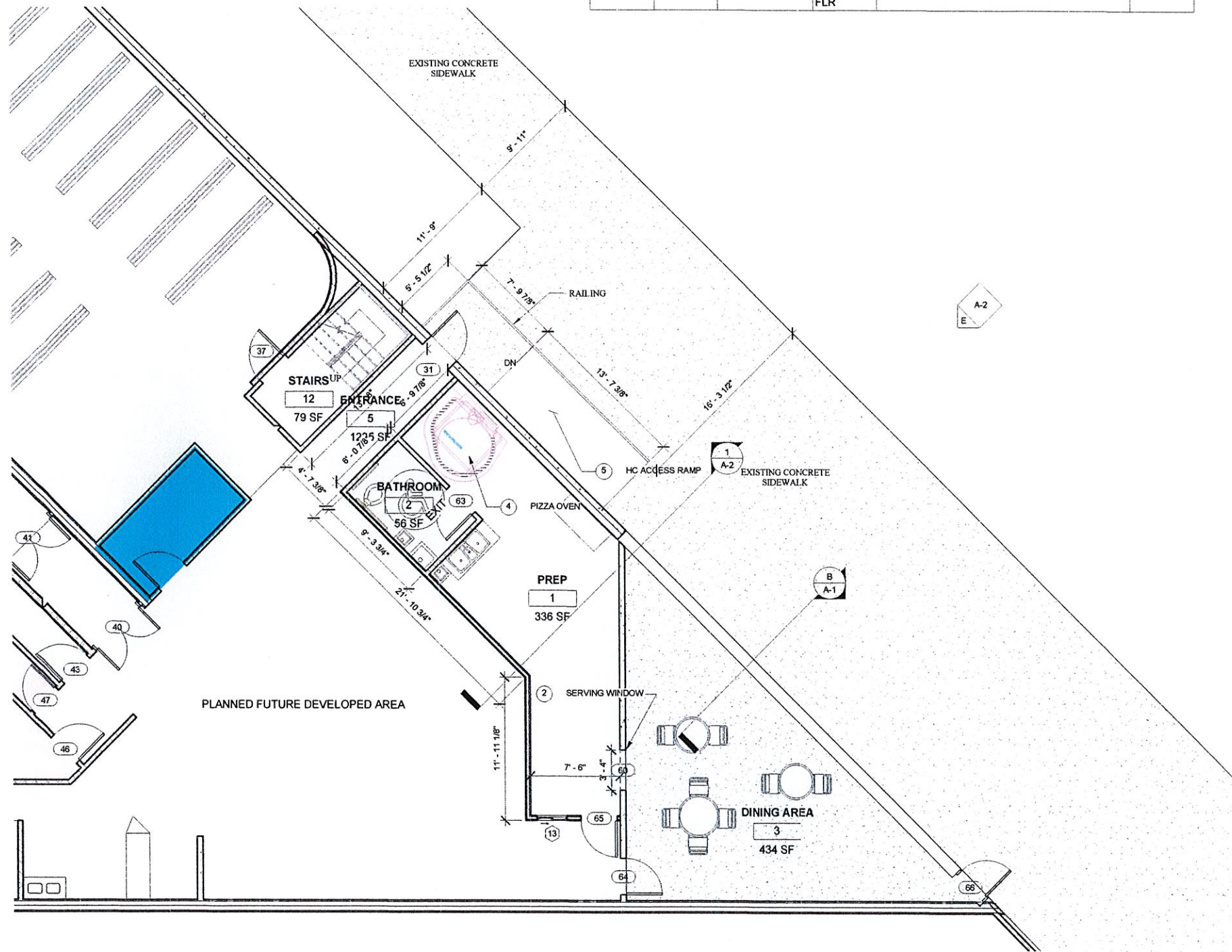
ANDREW SCHMEDDER, PE
 11142 ALEXANDER ROAD, ATTICA, NY
 (585) 297-3552

NOTES
 PROJECT NAME: **SHOWTIME THEATRE**
 CLIENT: **KEN MISTLER**

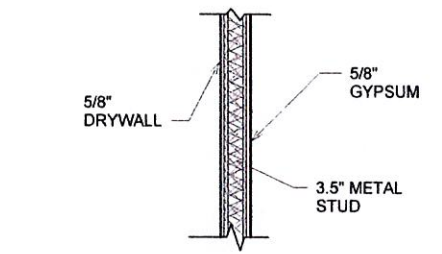
PROJECT NO.:	PROJ. MGR.:
DATE: 4/24/23	DRWN. BY:
SCALE: AS SHOWN	CHKD. BY:
DRAWING NO. N-1	
SHEET NO. 2 OF 6	

DOOR FIRST FLOOR					
Mark	Type	Phase Created	Level	Family and Type	Fire Rating
31	36" x 80"	New Construction	LOBBY FLR	Single-Flush: 36" x 80"	
60	40" x 84"	New Construction	LOBBY FLR	Door-Opening: 40" x 84"	
63	36" x 80"	New Construction	LOBBY FLR	Single-Flush: 36" x 80"	
64	36" x 80"	New Construction	LOBBY FLR	Single-Flush: 36" x 80"	
65	36" x 80" 1 HR	New Construction	LOBBY FLR	Single-Flush: 36" x 80" 1 HR	1 HR
66	36" x 80"	New Construction	LOBBY FLR	Door-Exterior-Single-Two_Lite: 36" x 80"	

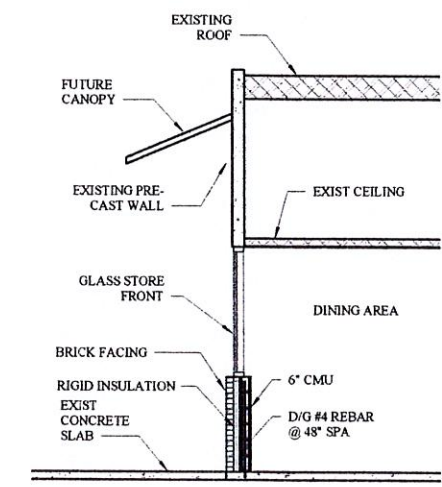
WINDOW SCHEDULE			
Mark	Family and Type	Height	Width
13	Window-Sliding-Double: 30" x 24"	2' - 0"	2' - 6"



1 PLANNED PIZZA SHOP
3/16" = 1'-0"



(A) (TYP) INTERIOR WALL
3/4" = 1'-0"



(B) Section A
1/4" = 1'-0"

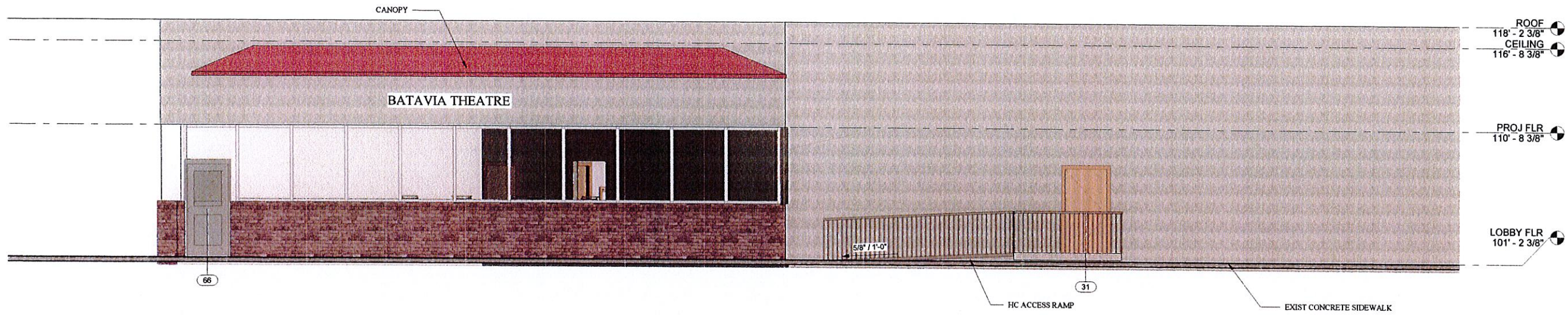
UNAUTHORIZED ALTERATION OR ADDITION TO THIS DRAWING IS A VIOLATION OF NEW YORK STATE EDUCATION LAW ARTICLE 146, SECTION 209



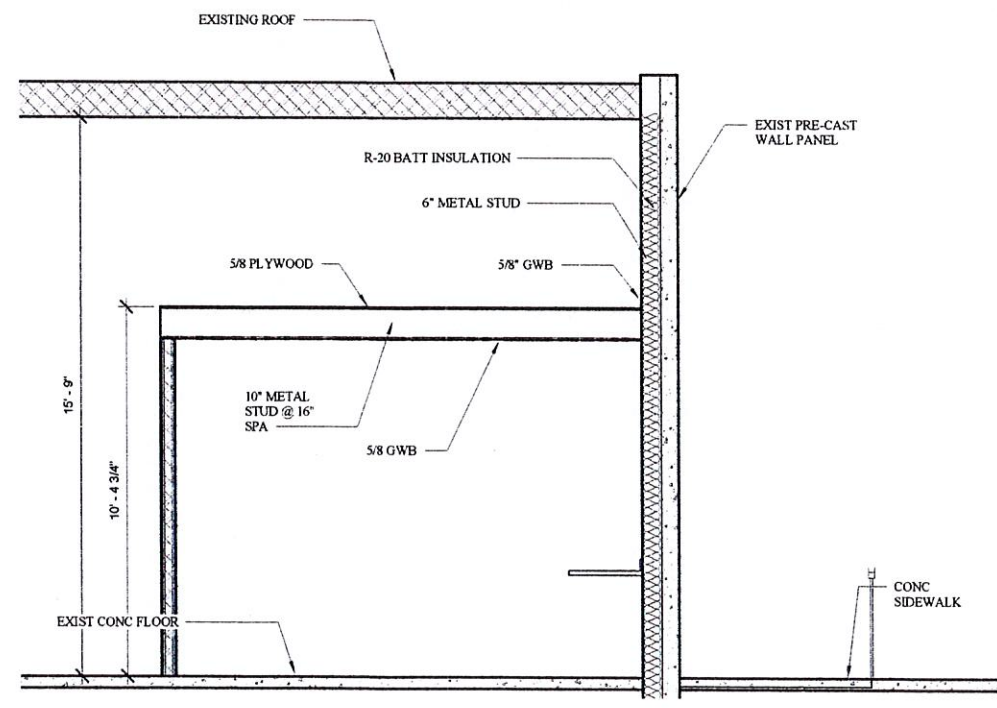
ANDREW SCHMIEDER, PE
11142 ALEXANDER ROAD, ATTICA, NY
(585) 297-3552

DRAWING TITLE: PIZZA SHOP LAYOUT
PROJECT NAME: SHOWTIME THEATRE
CLIENT: KEN MISTLER

PROJECT NO.:	PROJ. MGR.
DATE: 4/24/23	DRWN. BY:
SCALE: AS SHOWN	CHKD. BY:
DRAWING NO. A-1	
SHEET NO. 3 OF 5	

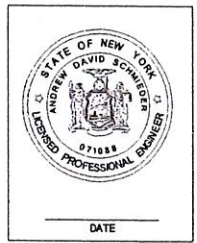


E FRONT ELEVATION
1/4" = 1'-0"



1 Section 1
3/8" = 1'-0"

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NEW YORK STATE EDUCATION LAW ARTICLE 145, SECTION 7209

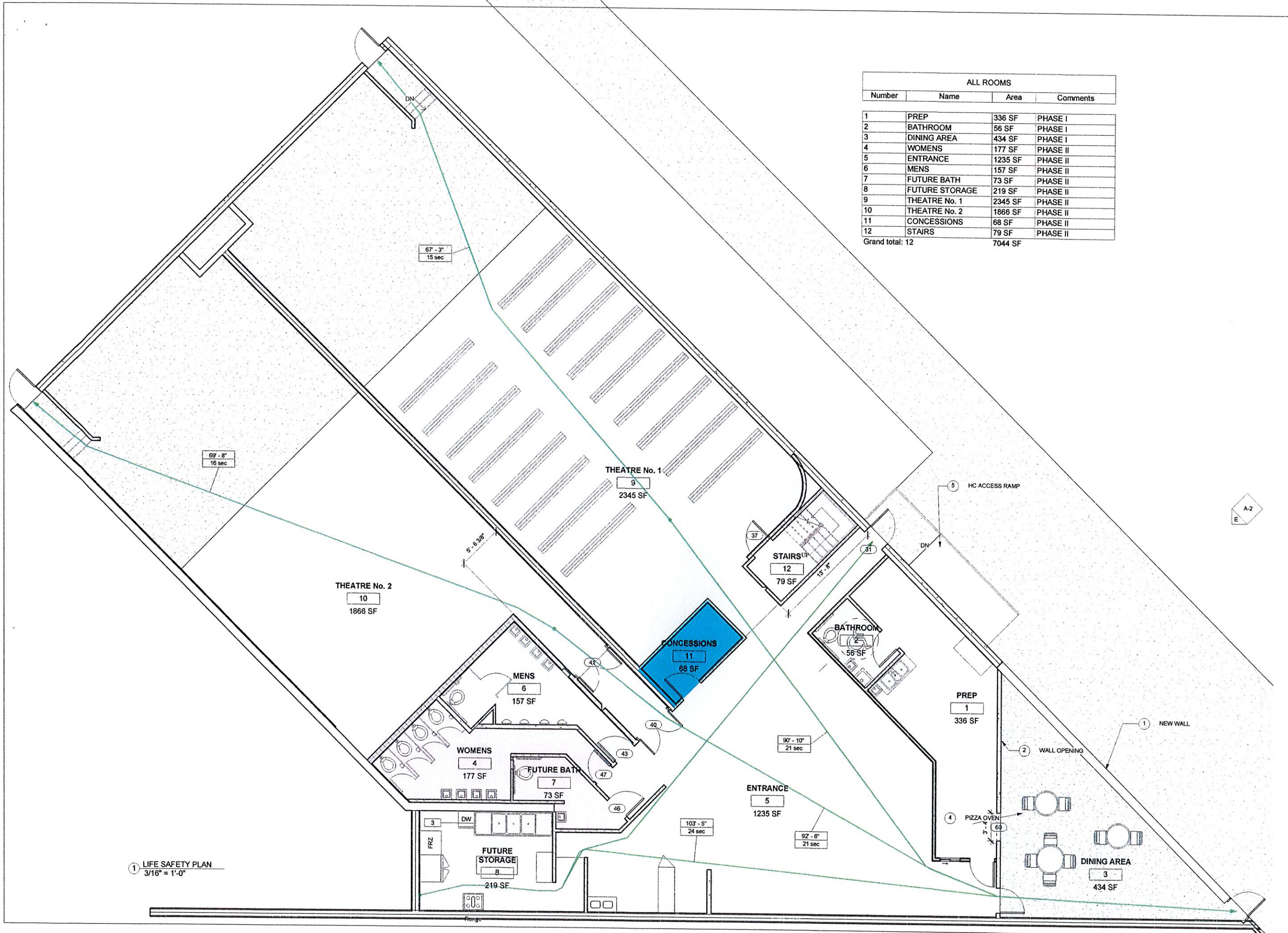


ANDREW SCHMIEDER, PE
11142 ALEXANDER ROAD, ATTICA, NY
(585) 297-3552

ELEV./SECTIONS
SHOWTIME THEATRE
Enter address here
KEN MISTLER

PROJECT NO.	PROJ. MGR.
DATE 4/24/23	DRWN. BY:
SCALE AS SHOWN	CHKD. BY:
DRAWING NO A-2	
SHEET NO. 4 OF 5	

NO	DATE	DESCRIPTION	REVISIONS
3			
2			
1			

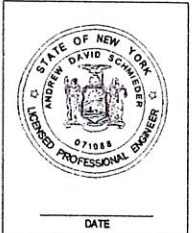


1 LIFE SAFETY PLAN
3/16" = 1'-0"

ALL ROOMS			
Number	Name	Area	Comments
1	PREP	336 SF	PHASE I
2	BATHROOM	56 SF	PHASE I
3	DINING AREA	434 SF	PHASE I
4	WOMENS	177 SF	PHASE II
5	ENTRANCE	1235 SF	PHASE II
6	MENS	157 SF	PHASE II
7	FUTURE BATH	73 SF	PHASE II
8	FUTURE STORAGE	219 SF	PHASE II
9	THEATRE No. 1	2345 SF	PHASE II
10	THEATRE No. 2	1866 SF	PHASE II
11	CONCESSIONS	68 SF	PHASE II
12	STAIRS	79 SF	PHASE II
Grand total: 12		7044 SF	

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DRAWING IS A VIOLATION OF NEW YORK STATE EDUCATION LAW ARTICLE 146, SECTION 7209

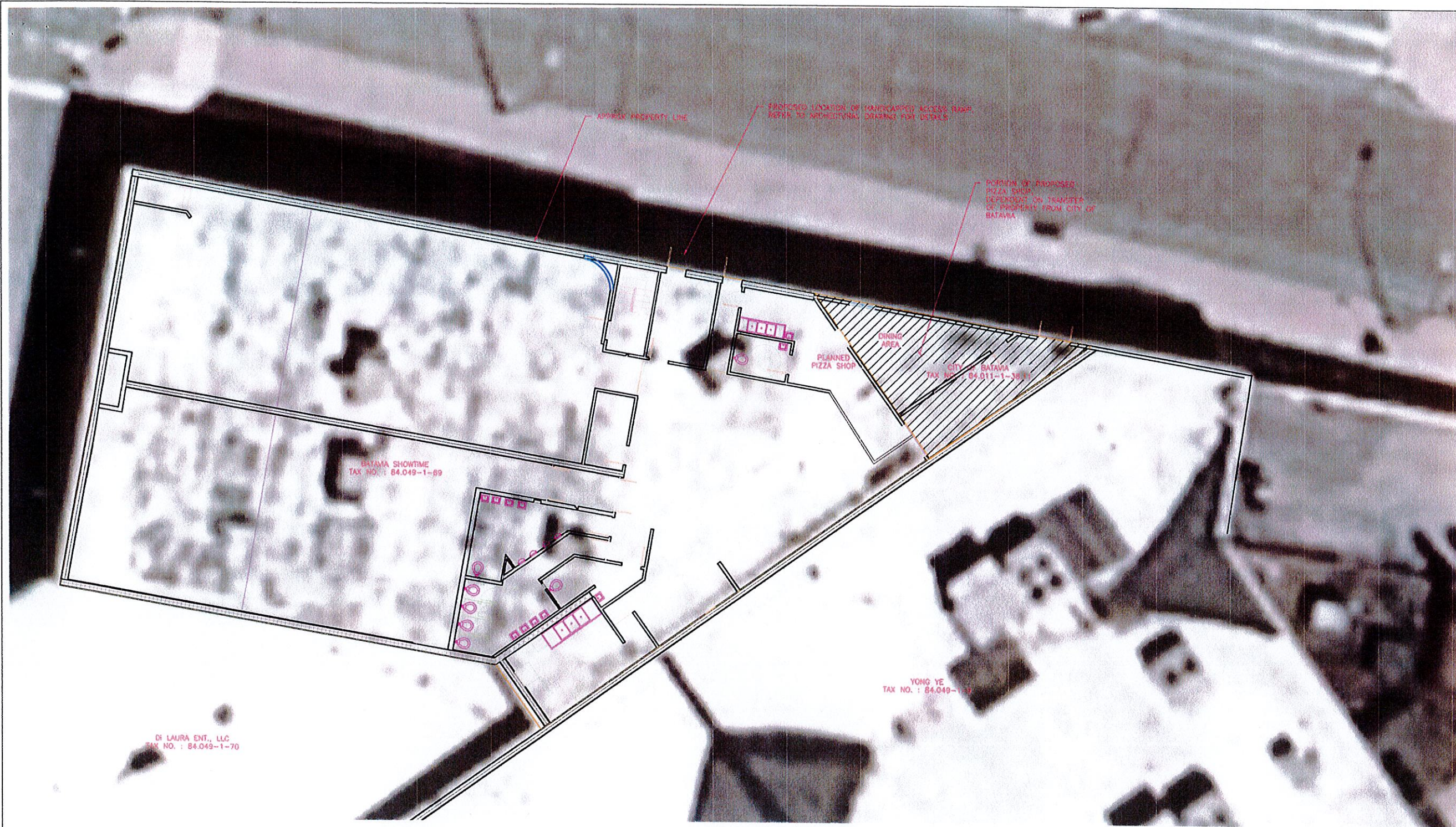
NO.	DATE	DESCRIPTION	REVISIONS
3			
2			
1			



ANDREW SCHMEDER, PE
11142 ALEXANDER ROAD, ATTICA, NY
(585) 297-3552

DRAWING TITLE: LIFE SAFETY
PROJECT NAME: SHOWTIME THEATRE
CLIENT: KEN MISTLER

PROJECT NO.:	PROJ. MGR.
DATE: 4/24/23	DRWN. BY:
SCALE: AS SHOWN	CHKD. BY:
DRAWING NO: LS-1	
SHEET NO: 5 OF 5	



1 OVERALL PROJECT VIEW
Scale: 1/8"=1'

GENERAL SITE NOTES:
 1. A PORTION OF THE PROPERTY PLANNED TO BE USED FOR THE PIZZA SHOP IS OWNED BY THE CITY OF BATAVIA. FINAL SITE PLAN APPROVAL WILL BE CONTINGENT UPON OWNER OBTAINING USE OF THIS PROPERTY. OWNER IS CURRENTLY NEGOTIATING FOR THE USE OF THIS AREA. PLANS PROVIDED ARE BASED ON OWNER OBTAINING USE OF THIS PROPERTY.
 2. BUILDING PLANS SHOW FUTURE CANOPY TO BE CONSTRUCTED AT FRONT ENTRANCE. A SEPARATE PERMIT WILL BE REQUIRED TO INSTALL PROPOSED CANOPY. IT IS SHOWN ON THE PLANS FOR INFORMATION ONLY.
 3. SITE IMPROVEMENTS INCLUDE CONSTRUCTION OF HANDICAPPED ACCESS RAMP. THIS RAMP IS TO BE LOCATED ON CITY OF BATAVIA PROPERTY AND WILL REQUIRE CITY APPROVAL PRIOR TO CONSTRUCTION.

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DRAWING IS A VIOLATION OF NEW YORK STATE EDUCATION LAW ARTICLE 145, SECTION 7209

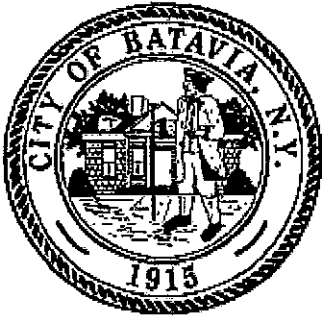
NO.	DATE:	DESCRIPTION	REVISIONS
3			
2			
1			



ANDREW SCHMIEDER, PE
 11142 ALEXANDER ROAD, ATTICA, NY
 (585) 297-3552

DRAWING TITLE: OVERALL SITE PLAN
 PROJECT NAME: WALK UP PIZZARIA
 BATAVIA, NY
 CLIENT: SHOWTIME THEATRE
 GENESEE COUNTRY MALL, BATAVIA, NY

PROJECT NO.: 004-2023	PROJ. MGR.: ADS
DATE: 4-18-23	DRWN. BY:
SCALE: AS NOTED	CHKD. BY: ADS
DRAWING NO.: C-1	
SHEET NO. 1 of 1	



City of Batavia
Department of Public Works
Bureau of Inspections

One Batavia City Center, Batavia, New York 14020 (585)-345-6345 (585)-345-1385 (fax)

To: Planning and Development Committee
Zoning Board of Appeals

From: Doug Randall, Code Enforcement Officer

Date: 5/3/23

Re: 114 Jackson St.
Tax Parcel No. 84.056-1-38

Zoning Use District: R-3

The applicant, Brian White (owner), has applied for a permit to widen an existing 12' wide asphalt driveway by placing 12' of asphalt to the south side of the existing driveway.

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) (13).

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	16.72' (25%)	24' (36%)	7.28' (11%)



CITY OF BATAVIA
APPLICATION TO THE ZONING BOARD OF APPEALS

PAID
MAY - 3 2023
CITY OF BATAVIA
CLERK-TREASURER

Application No.: 2023-11
Hearing Date/Time: _____

APPLICANT: Brian White
Name Brian White E-Mail Address _____
Street Address 114 Jackson Street Phone (716) 531-2758
City Batavia State NY Fax 14020
Zip _____

STATUS: Owner _____ Agent for Owner _____ Contractor _____

OWNER: Brian White bwhite81284@gmail.com
Name Brian White E-Mail Address _____
Street Address 114 Jackson Street Phone 716 531 2758
City Batavia State NY Fax 14020
Zip _____

LOCATION OF PROPERTY: 114 Jackson Street Batavia NY

DETAILED DESCRIPTION OF REQUEST: We are looking to make the driveway the same width from the garage to the road so that our tenants family and guests dont have to park on the street overnight.

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

Applicant's Signature _____
Brian White
Owner's Signature _____

Date _____
4-16-23
Date _____

To be Filled out by Zoning Officer

TAX PARCEL: 84.065-1-38 ZONING DISTRICT: R-3 FLOOD PLAIN: C

TYPE OF APPEAL: Area Variance Use Variance Interpretation Decision of Planning Committee
FEE: \$50 (One or Two Family Use) \$100 (All other Uses)

Provision(s) of the Zoning Ordinance Appealed: BMC 190-39 E(1) driveways shall not exceed 25% of the lot width at the frontage.



Permit No. _____

Date: _____

DRIVEWAY AND PARKING SPACE PERMIT \$55 fee – Please attach Survey / Illustration

ADDRESS OF PROPERTY: 114 Jackson Street

OWNER: Brian White 6white81284@gmail.com
 Name E-mail Address
114 Jackson Street (716) 531 2758
 Street Address Phone
Batavia NY 14020
 City State Zip

CONTRACTOR: R and R construction
 Name E-mail Address
6030 Crosby Rd (716) 433-3482
 Street Address Phone
Lockport NY 14094
 City State Zip

Owner/Contractor's Signature Date

DIMENSIONS OF EXISTING DRIVEWAY: Width 12' Length 42'
 DIMENSIONS OF NEW DRIVEWAY / ADDITION: Width 24' Length 42'
 SURFACE MATERIAL: Existing Blacktop Proposed Blacktop

16.72' prop.
24' Prop.
7.28' over ZBA

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: _____

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.
It will not produce undesirable change, because it will keep cars off the street and be safer.
- 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.
There is not enough parking for the 2 units without parking on the street
- 3. Substantiality.** The requested area variance is not substantial.
We are looking to extend the width of the driveway ~~only~~ by only 12 ft to match the width of the garage
- 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.
It will make the neighborhood safer because there will be less cars parked on the street causing traffic congestion.
- 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 house was designed for a single family, but it is a multifamily, not leaving enough space for all tenants to park or have any company overnight

Applicant's Signature

Date

R White

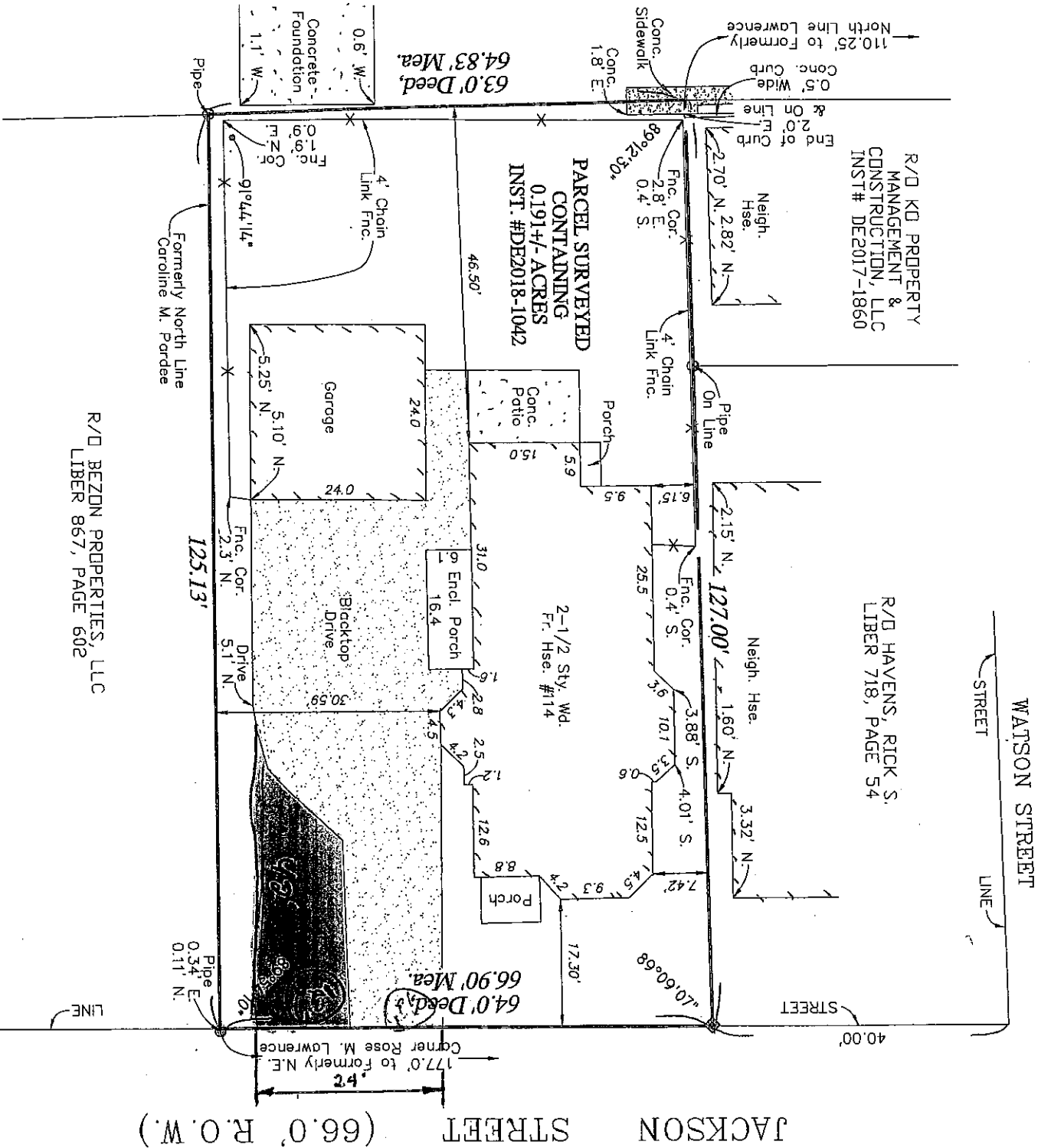
4-16-23



Watson St

Jackson St

© All EagleView Te



R/D BEZON PROPERTIES, LLC
LIBER 867, PAGE 602

R/D KD PROPERTY
MANAGEMENT &
CONSTRUCTION, LLC
INST# DE2017-1860

R/D HAVENS, RICK S.
LIBER 718, PAGE 54

JACKSON STREET (66.0' R.O.W.)



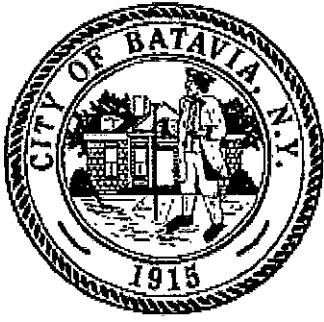
LEGEND
 ● EXISTING IRON S
 ◆ EXISTING RAILR

REFERENCES
 SURVEY MAP NO
 L.S. LAST DATE
 SURVEY MAP NO
 L.S. DATED DEC
 SURVEY MAP NO
 L.S. LAST DATE

BOUNDARY SU
 TO BE CONVEY
 OF BATAVIA, C
 STATE OF NEW

MAY 14, 2019
 J01

DATE
 05/15/19



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
From: Doug Randall, Code Enforcement Officer
Date: 5/3/23
Re: 327 Ellicott St.
Tax Parcel No. 84.066-2-9

Zoning Use District: C-3

The applicant, Brad Trzeciecki, owner, has applied for a demolition permit that involves the complete removal of this building that is located within the Central Commercial district / BID.

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) (34).

Review and Approval Procedures:

City Planning and Development Committee- Pursuant to section 190-14 D (2)(a) of the zoning ordinance, the Planning and Development Committee shall review applications involving exterior changes that require issuance of a demolition permit.



City of Batavia, New York
Building Demolition Application - Permit

CONTRACTOR

NAPOLEONE PLUMBING + CARPENTRY, LLC
6976 KINE RD LOCKPORT NY 14094 716-525-2781 Permit No.

Applicant's Name BRADLEY J TRZECIESKI

Address 7 FARNSWORTH AVE OAKFIELD NY 14125 Phone 716-481-1646

Owner's Name BRADLEY J TRZECIESKI

Address 7 FARNSWORTH AVE OAKFIELD NY 14125

Location of Structure 327 ELLECOTT ST BATAVIA NY 14020 Type of Structure WOOD

Last Use of Structure MIXED USE No. of Dwelling Units 2

Starting Date ASAP Extent of Demolition COMPLETE REMOVAL

Insurance Certificates: Workman's Compensation ON FILE Expiration Date
Liability Insurance ON FILE Expiration Date

Explosives to be used? Yes No X
If yes, name and address of Licensed Operator

Notification of City Departments & Utilities via signature:

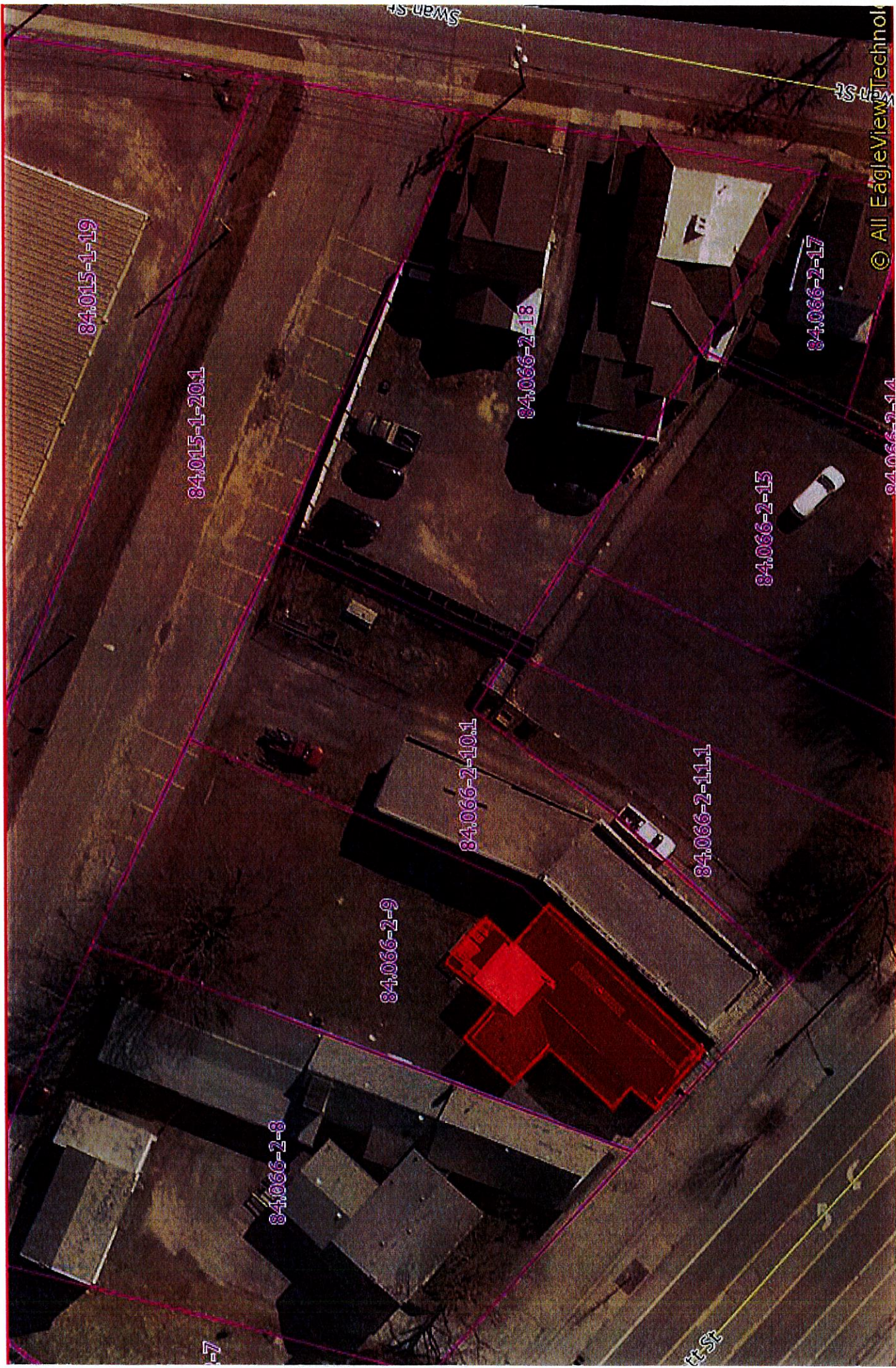
Table with 3 columns: Department (Police Chief, Fire Chief, Water Superintendent, Sewer inspector, Power Company, Gas Company, Telephone Company, Cablevision), Notified, Terminated.

Method of Demolition EXCAVATOR

I (We) hereby agree to be bound by the provisions of the Ordinances, Specifications, and Regulations of the City of Batavia governing demolition work and to such special conditions, restrictions, and regulations as may be imposed by the Director of Public Works.

Signature of Applicant Bradley Trzeczski

Date 04-24-2023



84.015-1-19

84.015-1-20.1

84.066-2-18

84.066-2-17

84.066-2-15

84.066-2-10.1

84.066-2-11.1

84.066-2-9

84.066-2-8

Swan St

St

St

© All EagleView Technol

84.066-2-14



Image capture: Sep 2022 © 2023 Google

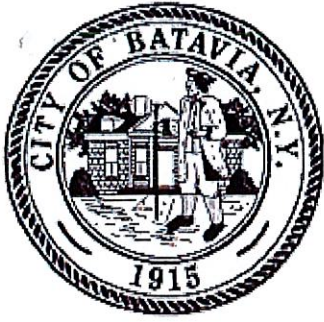


327 Ellicott St

All

Street View & 360°





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
From: Doug Randall, Code Enforcement Officer
Date: 5/4/23
Re: 425 A West Main St.
Tax Parcel No. 84.005-2-1./2

Zoning Use District: C-2

The applicant, Mike Haigh, representative for Quattro Development, has submitted renderings of a proposed project that will result in the demolition of the existing building and construction of a new 2 bay "Take 5 Oil Change" facility.

The purpose of this "sketch plan review" submittal is to provide the applicant with the opportunity to familiarize the PDC with the proposal and to obtain direction prior to final site plan submission.

Review and Approval Procedures:

City Planning and Development Committee- Pursuant to section 190-44 B(1) and 190-44 D(1) of the zoning ordinance, the Planning and Development Committee is authorized to conduct "sketch plan reviews".



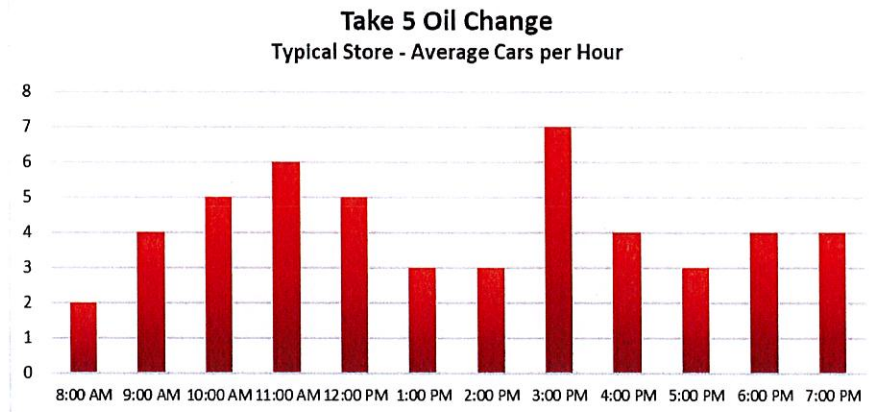
December 19, 2022

RE: Proposed Site Development for Take 5 Oil Change

Take 5 Oil Change has a unique business model that is focused exclusively on oil changes and the customer experience. Customers stay in their car during the entire service and average service times are approximately 10 minutes. Take 5 is able to serve its customers with this speed because we only perform oil changes and no other maintenance activities other than ancillary services such as windshield wiper and filter replacements. There are more than 700 Take 5 Oil Change locations across the country.

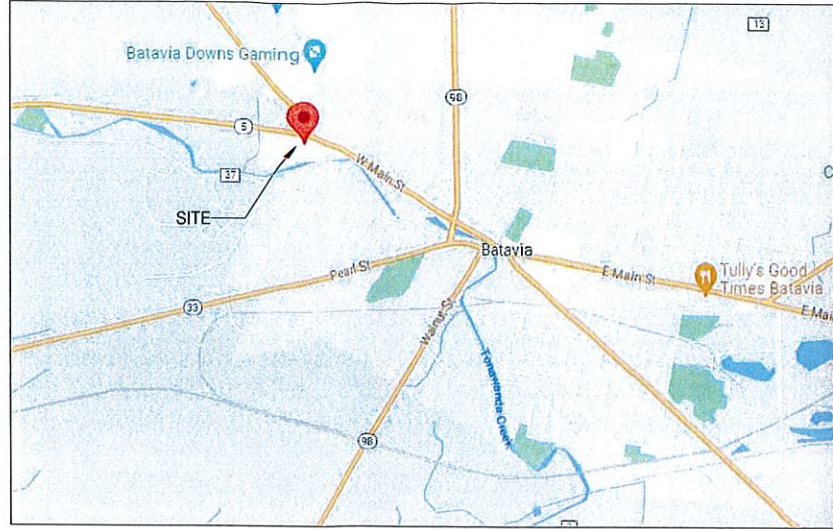
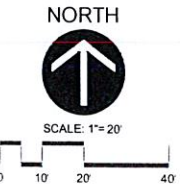
The average Take 5 Oil Change location services 50 cars a day, which is less than most any kind of retail establishment. Typical hours of operation are 7am – 8pm Monday thru Friday; 7am – 7pm Saturdays; and 9am – 5pm Sundays.

A typical Take 5 Oil Change location generates traffic in non-peak traffic hours. Based on common customer patterns, these facilities do not impact rush hour traffic. Below is a graph of a typical daily customer distribution.



Please let me know if you need any additional information at this time.

Henry Robert
Director of Franchise Construction
Driven Brands, Inc.



VICINITY MAP
N.T.S.

SITE DATA

Zoning: C-2 General Commercial (City of Batavia)
 Site Area: 13,068 S.F. (0.30 Acres)
 Proposed Building: 1,324 S.F.
 Building Fronts W. Main Street

Parking:
 14 Parking Spaces Required
 14 Parking Spaces Provided (13 Standard & 1 Accessible)

Setbacks:
 Front: 25'
 Side: 25'
 Rear: 35'

Landscaping:
 5' Landscaping Buffer Along Property Lines

SURFACE LEGEND

- ASPHALT PAVEMENT
- CONCRETE SIDEWALK
- CONCRETE PAVEMENT

Quattro

Development

PROPOSED DEVELOPMENT

425 W Main Street
Batavia, NY

Date:
Expires:

Rev.	Date	Description

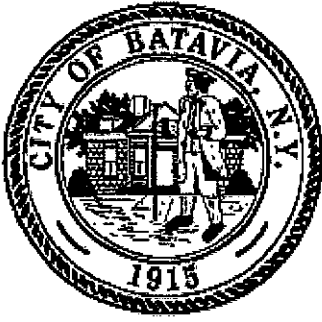
Project #: Batavia NY - Take 5
 Drawn By: PP
 Checked By:
 Issue Date: 4/20/23
 Sheet Title:

SITE PLAN -
OPTION 4

SP4.0

Sheet. 1 of 1

C:\shortcuts\targets by c:\cgm\cgm\BSP\EL03\hd\B\W\Z\W\CV\Project\Fax\New York\Batavia (Take 5) 425A Main St\Development\Civil\Engine\Drawings\SP1 Site Plan.dwg



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: 5/4/23

Re: 249 Bank St.
Tax Parcel No. 84.026-1-80

Zoning Use District: R-1A

The applicant, Brian Konarski, (contractor), has applied for a permit to widen an existing 23' wide concrete driveway by placing 30' of additional concrete to the west side of the existing driveway.

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) (13).

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	35' (25%)	53' (38%)	18' (13%)



CITY OF BATAVIA
APPLICATION TO THE ZONING BOARD OF APPEALS

PAID
APR 27 2023
CITY OF BATAVIA
CLERK-TREASURER

Application No.: 2023-10
Hearing Date/Time:

APPLICANT: Brian Kearns
Name: Brian Kearns
E-Mail Address: Teliaboth098@gmail.com
Street Address: 2016 Lewiston Rd
Phone: 585-356-8746
City: Batavia NY 14013
State: NY Zip: 14013

STATUS: Owner Agent for Owner Contractor

OWNER: Pamela Phelps
Name: Pamela Phelps
E-Mail Address:
Street Address: 249 BANK ST
Phone: 322-3716
City: Batavia NY 14020
State: NY Zip: 14020

LOCATION OF PROPERTY: City of Batavia 249 BANK ST.

DETAILED DESCRIPTION OF REQUEST: Excavate form and pour concrete pad 10x30 TO PARK Camping trailer on it.

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

Applicant's Signature: [Signature] Date: 4/27/23
Owner's Signature: Pamela Phelps Date: 4/27/23

To be Filled out by Zoning Officer

TAX PARCEL: 84.026-1-80 ZONING DISTRICT: R1-A FLOOD PLAIN: C

TYPE OF APPEAL: Area Variance Use Variance Interpretation Decision of Planning Committee
FEE: \$50 (One or Two Family Use) \$100 (All other Uses)

Provision(s) of the Zoning Ordinance Appealed:

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.

This 11x30 pad will not produce an undesirable change to 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.

This variance will provide parking for her camper that can not be parked on the grass

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.

This concrete pad will have no adverse effect or impact the physical or environmental cond. of the comm

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.

This pad is needed to comply with the zoning laws in place that have no parking on the lawn


Applicant's Signature

4/27/23
Date



Permit No. _____

Date: _____

DRIVEWAY AND PARKING SPACE PERMIT \$55 fee – Please attach Survey / Illustration

ADDRESS OF PROPERTY: _____

OWNER: Pamela Phelps Che4ster@aol.com
 Name E-mail Address
249 Banks St 322-3716
 Street Address Phone
Batavia NY 14020
 City State Zip

CONTRACTOR: BDK Const Juliaroth098@gmail
 Name E-mail Address
2016 Lewiston Rd Brian 585-356-8746
 Street Address Phone
Batavia NY 14013
 City State Zip

[Signature] 4/18/23
 Owner/Contractor's Signature Date

DIMENSIONS OF EXISTING DRIVEWAY: Width 23'-0" Length 12'0"
 DIMENSIONS OF NEW DRIVEWAY / ADDITION: Width 30' Length 10.96'
 SURFACE MATERIAL: Existing 276 sq' Proposed 372 sq'

35' Permit
58' Propose
ZBA.

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: _____

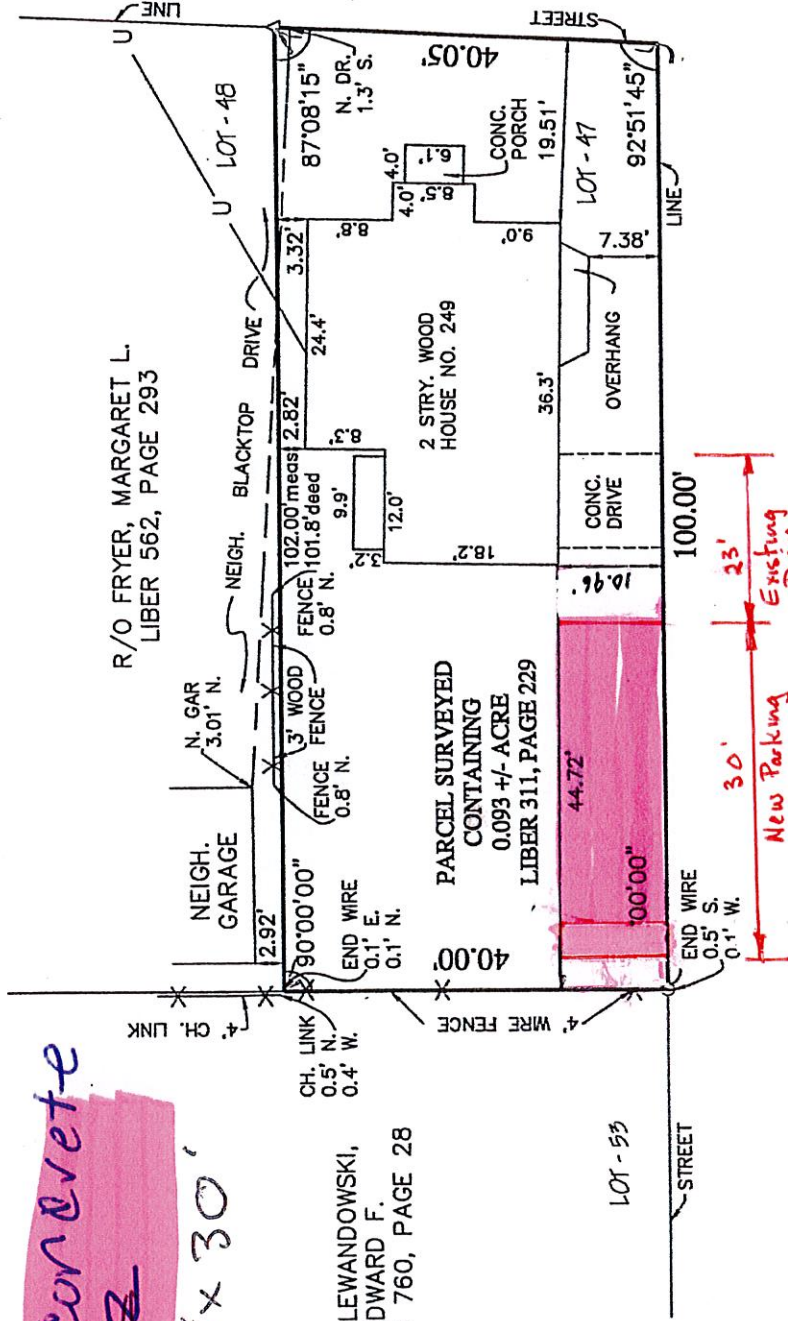
REFERENCES:
 NORRIS ADDITION SUBDIVISION FILED AT BOOK 3
 OF MAPS, PAGE 113.

New concrete
~~31 x 12~~
 10.96' x 30'

R/O LEWANDOWSKI,
 EDWARD F.
 LIBER 760, PAGE 28

R/O FRYER, MARGARET L.
 LIBER 562, PAGE 293

PARCEL SURVEYED
 CONTAINING
 0.093 +/- ACRE
 LIBER 311, PAGE 229



HART STREET (50.0' R.O.W.)

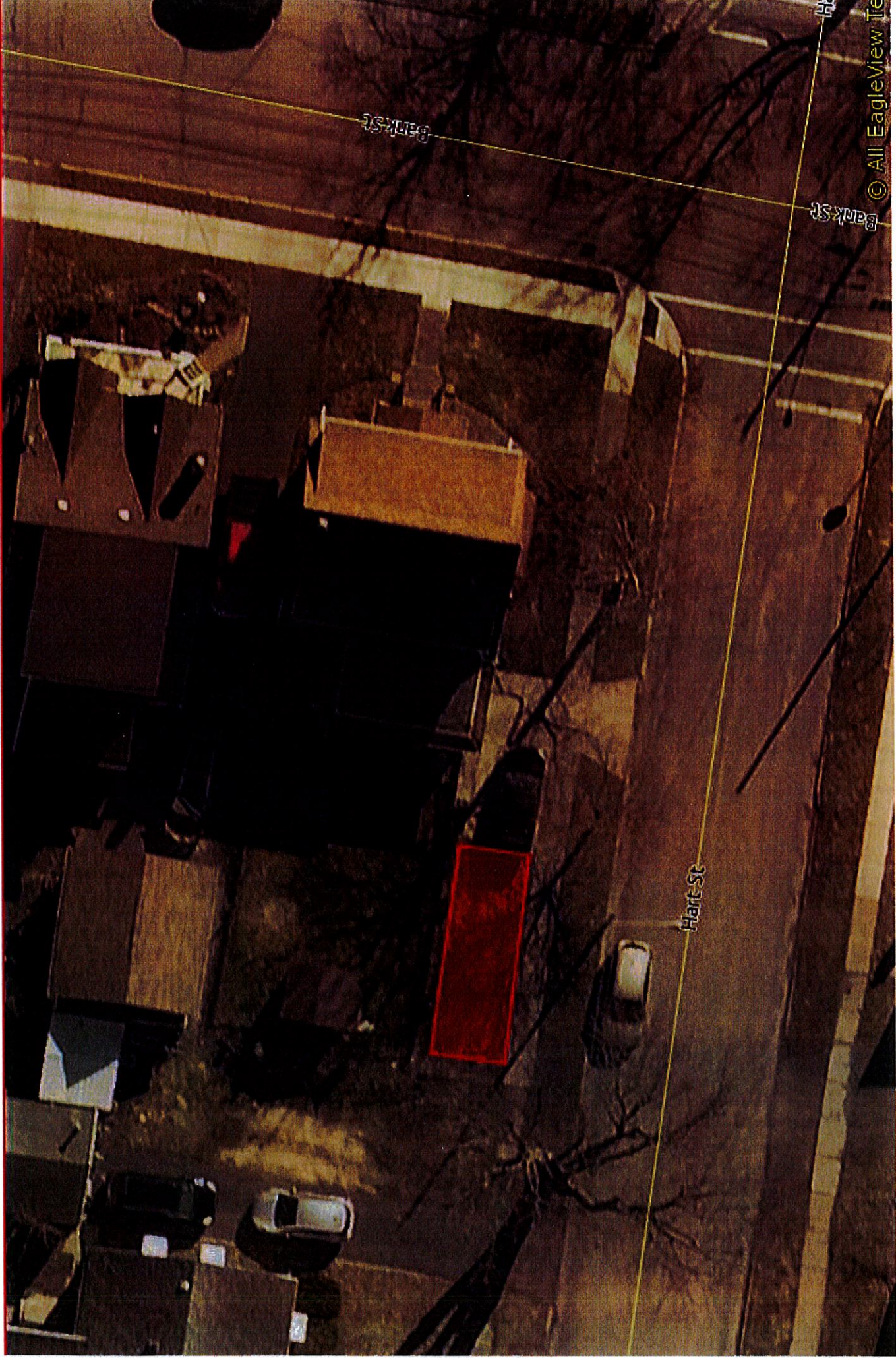
BOUNDARY
 BEING PART
 DISTINGUISH
 ADDITION. S
 GENESEE AN

LEGEND
 ○ SET IRON PIN
 △ SET PK NAIL
 U OVERHEAD UTILITY LINE

APRIL 15, 2

DAVID S. LAMENDOLA
 Licensed Land Surveyor
 206 East Main Street
 Batavia, New York 14020
 Phone (585) 344-1331
 Fax (585) 343-2691

DATE



Bank St

Bank St

Hart St

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