

APPENDIX N

City of Rochester Midtown Urban Renewal Plan and District Establishment

MIDTOWN URBAN RENEWAL PLAN

I. DESCRIPTION OF PROJECT

A. LOCATION BOUNDARY

The Midtown Urban Renewal Project is centrally located in downtown Rochester, New York. The district is bounded by East Main Street to the north, Clinton Avenue to the west, Broad Street to the south, and Chestnut and Euclid Streets to the east. Exhibit A includes the project District Boundary Map.

B. LEGAL DESCRIPTION

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 4, 2nd Division, Township 13, Range 7, and more particularly bounded and described as follows: Beginning at the intersection of the easterly ROW line of South Clinton Avenue (66' ROW) with the southerly ROW line of East Main Street (ROW Varies), said intersection being the Point or Place of Beginning; thence

- 1) N 73° 09' 16" E, along said southerly ROW line of East Main Street, a distance of 407.37 feet to the westerly ROW line of Euclid Street (66' ROW), thence
- 2) S 18° 13' 11" E, along said westerly ROW line of Euclid Street, a distance of 169.54 feet to an angle point in said ROW; thence
- 3) S 70° 58' 35" E, along the southwesterly ROW line of said Euclid Street, a distance of 506.1 feet, more or less, to the westerly ROW line of Chestnut Street (66' ROW); thence
- 4) S 18° 58' 11" W, along said westerly ROW line of Chestnut Street, a distance of 459.0 feet, more or less, to the northerly ROW line of East Broad Street (80' ROW); thence
- 5) S 87° 31' 48" W, along said northerly ROW line of East Broad Street, a distance of 340.68 feet to an angle point; thence
- 6) S 88° 46' 17" W, continuing along said northerly ROW line, a distance of 221.44 feet to the said easterly ROW line of South Clinton Avenue; thence
- 7) N 17° 38' 37" W, along said easterly ROW line of South Clinton Avenue, a distance of 694.13 feet to the said southerly ROW line of East Main Street, said ROW intersection being the Point or Place of Beginning.

C. BACKGROUND

The project area is a 12.96 acre site and contains 16 parcels. Approximately 8 acres of the project area is occupied by Midtown Plaza: a 1.4 million square foot mixed-use, office and retail complex. The project area also includes a number of smaller underutilized and vacant buildings, primarily fronting on Chestnut Street.

Midtown Plaza was constructed in 1962 as an enclosed shopping mall which was a destination for most city and county residents for years. The Plaza was anchored by two

department stores McCurdy's and B. Forman, and Wegmans Food Market. The complex also included a 17 story office building and an 1,800 car underground parking garage. The decline of Midtown Plaza began during the rise of suburban shopping malls in the Rochester region. By the mid 1990's, the Midtown retail anchors had closed leaving a significant amount of vacant space.

Today, Midtown Plaza is 60% vacant. This vacancy rate will increase to over 86% in spring 2007 when the last major office tenant relocates to another property. This will leave the property with over 1 million square feet of vacant office and retail space. Compounding the problem for revitalization of Midtown is the fact that much of the structures contain significant asbestos contamination. Remediation of the asbestos has been estimated at over \$40 million. A recent assessment completed for the building concluded that most all the building systems (heating, air conditioning, electrical, elevators, etc.) are the original systems installed over 45 years ago, and are in need of upgrades and replacement. The cost to simply renovate the property "as-is", including environmental abatement, has been estimated at \$141 million.

Just to the east of the Midtown Urban Renewal District is the East End Entertainment District. The East End has experienced significant private sector investment over the past 15 years, including The Sagamore on East, Chevy Place, Eastman Living Center, Symphony Terrace and several other residential and mixed-use projects. The growth of the East End and the influx of private investment has not been realized west of Chestnut Street. This is directly attributable to the conditions and current uses of several of the Elm Street and Chestnut Street properties. 88 Elm Street is currently owned by the City and has significant asbestos contamination. The property is currently 100% vacant and the reuse of the building is unlikely. The Euclid Square building at 65 Chestnut Street is currently 100% vacant and has little redeeming architectural qualities. The Cadillac Hotel at 45 Chestnut Street is currently operated at a single room occupancy hotel and the use presents one of the most significant obstacles to revitalization of the Midtown Urban Renewal District.

II. URBAN RENEWAL OBJECTIVES

The following are key objectives for the Midtown Urban Renewal District:

- A. To eliminate substandard and deteriorated structures and other blighting influences in the project area;
- B. To promote economic development in and around the project area through private development, and asbestos remediation of selected buildings;
- C. To acquire underutilized and vacant properties in the project area for economic development purposes;
- D. To sell city and agency acquired properties for private development;

- E. To generate additional jobs and municipal tax base within the project area; and
- F. To promote uses of underutilized land and buildings within the project area consistent with the Center City Master Plan.

III. URBAN RENEWAL ACTIONS:

The Urban Renewal actions to be undertaken in the project area consist of the following:

- A. Acquire selected properties from private owners;
- B. Consider demolition and removal of non-contributing structures in the project area that are not economically feasible to renovate;
- C. Provide relocation assistance, if needed, in accordance with applicable relocation guidelines;
- D. Undertake asbestos removal for selective buildings; and
- E. Dispose of project area development opportunities by sale to qualified developers for renovation or re-development with standards incorporated in the Plan .

IV. LAND USE PLAN

A. PURPOSE:

The Midtown Urban Renewal District is integral to the revitalization of the core Center City of Rochester. The district regulations, which coincide with the Center City District Zoning Code, are intended to emphasize and strengthen downtown as the region's center for business, entertainment, cultural assets and urban living.

The following Comprehensive Plan campaign goals are supported by this plan:

CAMPAIGN SIX - ECONOMIC VITALITY

Goals:

- (B) Develop a business and financial environment that encourages business and individuals to build on our rich entrepreneurial spirit.
- (C) Develop strong, economically viable and diverse neighborhood commercial areas that help to provide entry-level jobs, high-quality goods and personal services to our citizens, offer entrepreneurial opportunities and help increase our city's economic development and growth.
- (G) Support and promote opportunities for shopping for residents and visitors at stores, businesses and personal shops within our city.

CAMPAIGN EIGHT - TOURISM DESTINATION

Goals:

- (B) Encourage and help create appropriate private, market-driven investments in the local tourism industry that result in additional revenue for businesses and the creation of new jobs for local residents.
- (F) Develop diverse, unique tourism attractions that balance economic issues and impacts with neighborhood preservation, enhancement and preservation.
- (G) Capitalize on our many recreational, historic, civic and business assets as well as our high quality of life to expand recognition of Rochester as a highly desirable tourism destination and attractive place to live.

CAMPAIGN TEN - CENTER CITY

Goals:

- (A) Reduce the office and commercial (retail) vacancy rate within our "Center City" through appropriate actions that include attraction of new tenants as well as the removal or conversion of unneeded space.
- (B) Develop unique festivals, events, celebrations and venues within our "Center City" that help create and enhance its identity, draw businesses, residents and visitors and provide a strong "sense of place" and identity for our community.
- (C) Encourage the development of an economically viable "Center City" that functions as the region's 24-hour activity center and is a safe and attractive environment for the cultural, nightlife, business, arts and entertainment center of our region.
- (D) Increase the number of people living in our "Center City" through affordable as well as market-rate housing development.
- (E) Create a strong, competitive and marketable identity for our "Center City" that is locally, regionally and nationally recognized.
- (H) Create a strong visual and aesthetic image for our "Center City" through articulated urban design and unique and inspiring architectural form.

B. LAND USE REGULATIONS

Land uses within the Midtown Urban Renewal District will be regulated by the City of Rochester Center City District (CCD) Zoning. The current zoning allows for a mix of uses within the district, most of which are consistent with the revitalization of the project area. Uses allowed in the Center City District but prohibited in the Midtown Urban Renewal District shall include:

1. Warehousing and distribution, unless accessory to the principal use of the property;
2. Rooming houses;
3. Recycling Centers; and
4. Auto Repair.

All of the requirements of the CCD contained in the Rochester Zoning Code shall apply.

V. ACQUISITION AND DISPOSITION PLAN (see "Exhibit B" for Land Acquisition Map and "Exhibit C" for Land Disposition Map)

A. ACQUISITION PARCELS

The Midtown Plaza parcels may be acquired by the City or Agency. Midtown Plaza (285 East Main Street, 18-26 South Clinton Avenue, 32-58 South Clinton Avenue, and 100 South Clinton Avenue). The purpose of the purchase is to control the future disposition and redevelopment of the properties. It has been determined that renovation, revitalization or redevelopment of the property cannot occur without intervention by the City of Rochester.

B. DISPOSITION PARCELS

1. Midtown Plaza Parcels:

The Plaza properties may be sold individually or collectively to a private developer or developers for uses consistent with the CCD Zoning District and the Urban Renewal Plan. It is assumed that the buildings will be renovated and no demolition of any of the structures are being considered at this time. The City or Agency may sell the properties without public auction or sealed bid to a qualified and eligible sponsor pursuant to Article 15, N.Y.S. Urban Renewal Law, S 507 2(c).

2. 88-94 Elm Street:

The subject property is currently owned by the City of Rochester, and will be sold for residential or mixed-use residential-commercial/retail use consistent with the CCD Zoning District and the Urban Renewal Plan. The property is currently 100% vacant and has considerable asbestos contamination.

VI. URBAN RENEWAL PROCEDURES AND PROPOSALS

A. REVIEW OF SITE AND DEVELOPMENT PLANS:

Site and development plans, including landscaping, shall be submitted to the Director of Zoning for review and approval subject to Site Plan Review. Prior to making a determination, the Director of Zoning shall transmit such plans to the Secretary of the Rochester Urban Renewal Agency for review and comment with respect to the conformance of such plans with the Urban Renewal Plan and its objectives.

B. VARIANCE OF PLAN REGULATIONS:

Variances of Urban Renewal District regulations may be approved by the Zoning Board of Appeals, with the exception of use variances.

VII. TERM OF URBAN RENEWAL PLAN

This Urban Renewal Plan shall continue in effect for a period of forty (40) years from the date of its adoption by the Rochester City Council.

VIII. OBLIGATION OF DEVELOPERS

When land or buildings within the project area are sold or leased by the City of Rochester or the Rochester Urban Renewal Agency, the purchaser(s) or lessee(s) and their successor(s) or assign(s) shall be obligated by the terms of the contract to devote such land to uses set forth in this urban renewal plan and to begin and complete construction of improvements within a reasonable time as established by the instrument of sale or lease.

IX. URBAN RENEWAL PLAN AMENDMENT

This Urban Renewal Plan may be amended at any time by the Rochester City Council in accordance with procedures then in effect for the amendment of an urban renewal plan.

X. RELATIONSHIP TO THE ROCHESTER ZONING CODE

Concurrent with the adoption of the Urban Renewal Plan, Section 120-120 of the Zoning Code of the City of Rochester shall be amended to include Section IV of the plan.

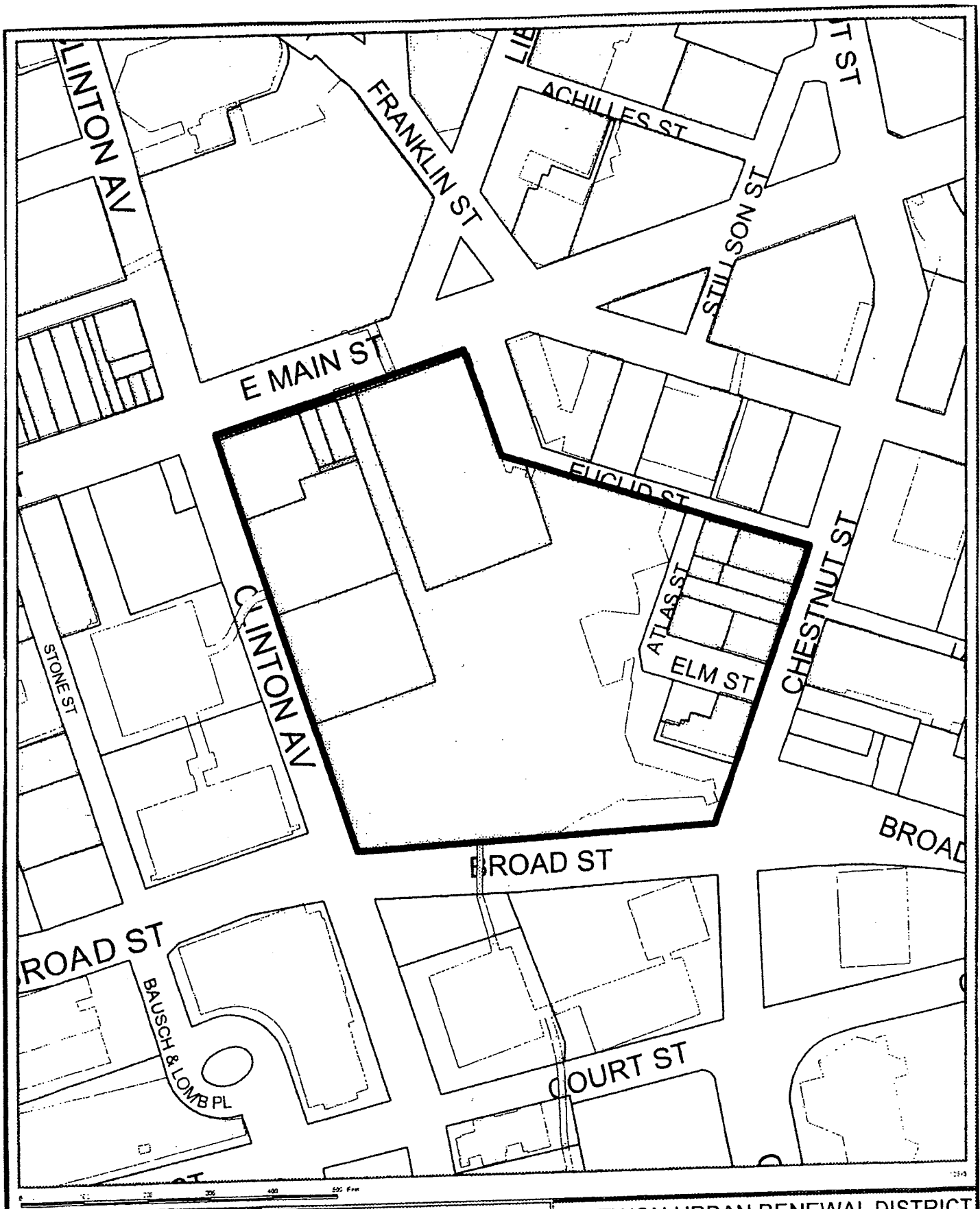
XI. SPECIAL PROVISIONS

ANTI-DISCRIMINATION:

There shall be appropriate covenants running with the land as required by State statutes, rules and regulations with respect to the prohibition of discrimination in the sale, lease, occupancy or use of any real property in the project area on the basis of race, color, creed or national origin.

XII. APPENDICES

- | | |
|------------|-------------------------------|
| EXHIBIT A. | Map 1 - District Boundary Map |
| EXHIBIT B. | Map 2 - Land Acquisition Map |
| EXHIBIT C. | Map 3 - Land Disposition Map |



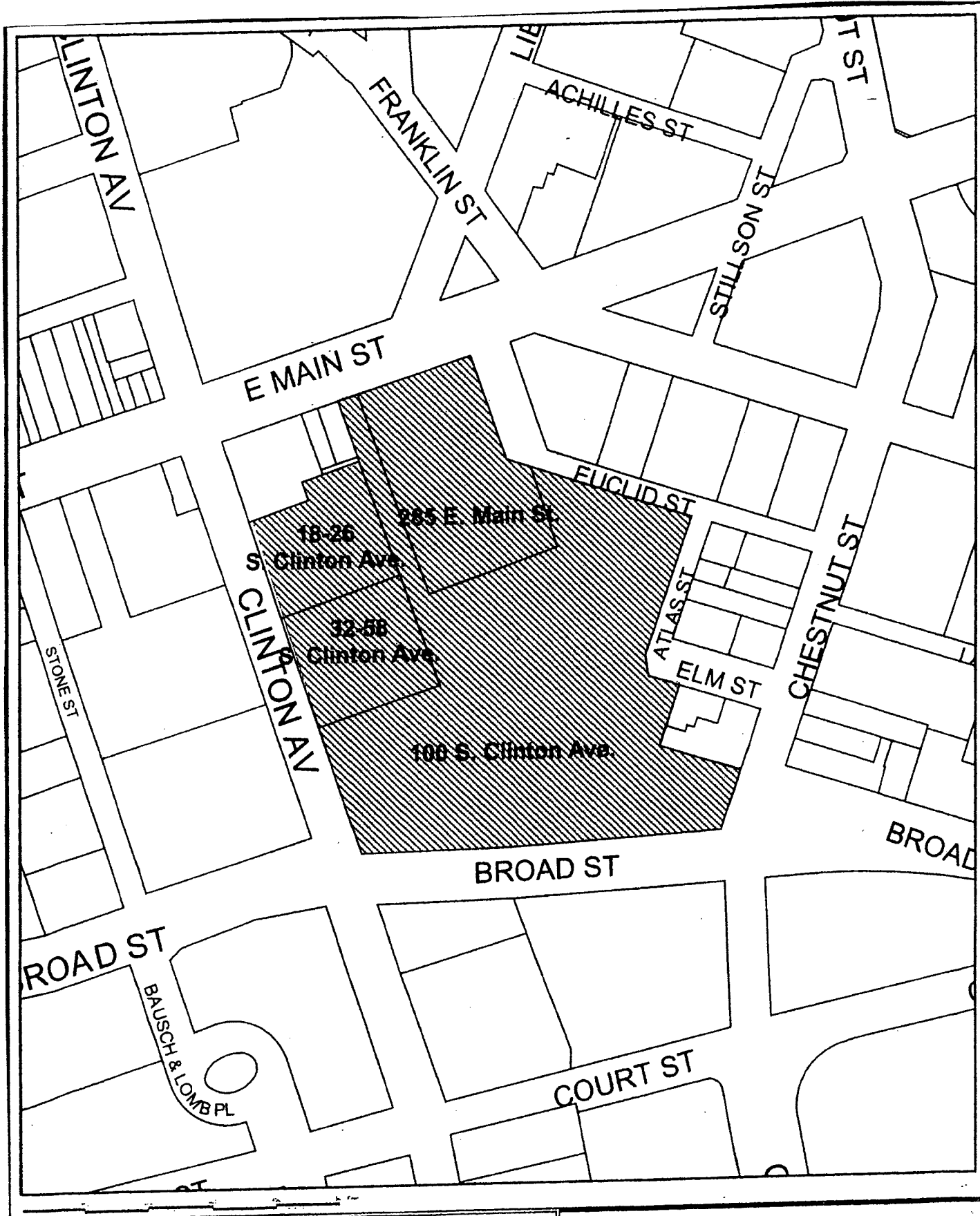
CITY OF ROCHESTER
EDD - ECONOMIC DEVELOPMENT

Created JANUARY 04, 2007

LEGEND

MIDTOWN URBAN RENEWAL DISTRICT
ROCHESTER, NEW YORK

EXHIBIT A



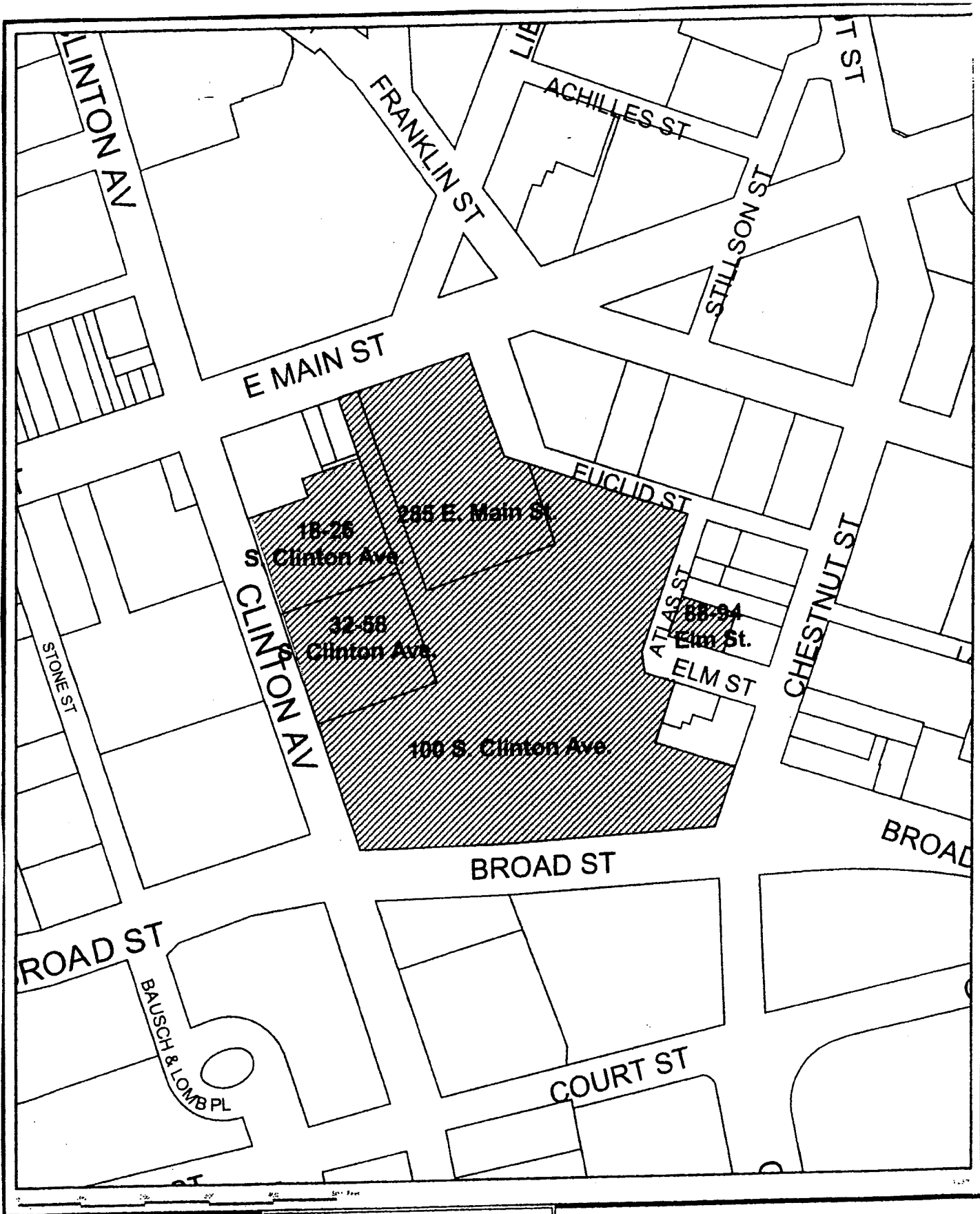
CITY OF ROCHESTER
EDD - ECONOMIC DEVELOPMENT

LEGEND



Acquisition Parcels

ACQUISITION PLAN
MIDTOWN URBAN RENEWAL DISTRICT
EXHIBIT B



Credited: February 04, 2007

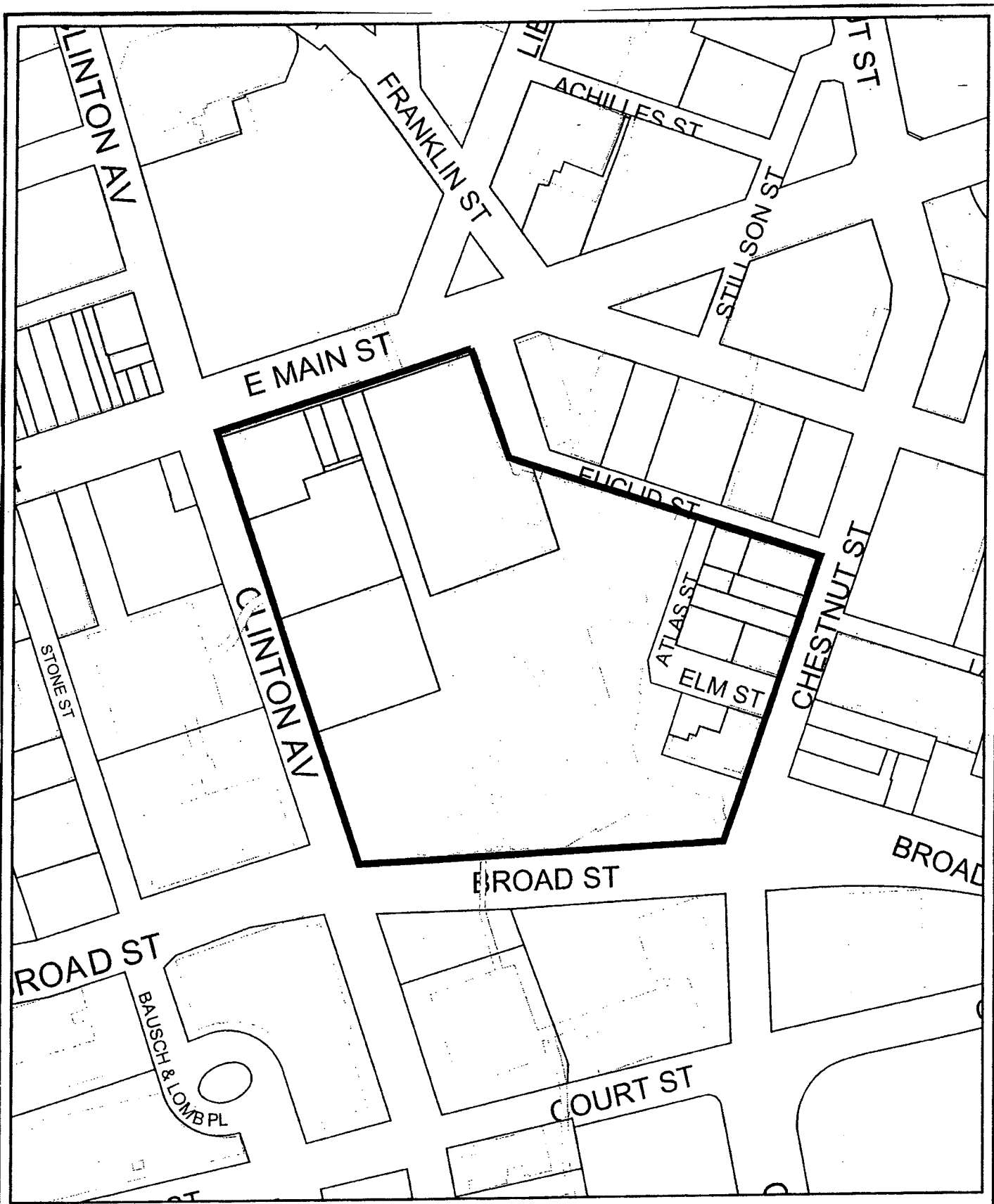
CITY OF ROCHESTER
EDD - ECONOMIC DEVELOPMENT

LEGEND



Acquisition Parcels

DISPOSITION PLAN
MIDTOWN URBAN RENEWAL DISTRICT
EXHIBIT C



Credit: January 04, 2007

CITY OF ROCHESTER
EDD - ECONOMIC DEVELOPMENT

LEGEND

MIDTOWN URBAN RENEWAL DISTRICT
ROCHESTER, NEW YORK



City of Rochester



TDD/Voice 232-3260

Rochester Environmental
Commission

City Hall Room, 125-B
30 Church Street
Rochester, New York 14614-1290

CHAPTER 48 REFERRAL RECOMMENDATION

Project: Purchase of Midtown Plaza
Lead Agency: Mayor, City of Rochester
Applicant: City of Rochester

Action: Moved by Jonientz, seconded by Doyle, and unanimously approved that the following recommendation be forwarded to the Lead Agency:

The Rochester Environmental Commission agrees that segmentation of the SEQR process is used appropriately in this case. The purchase of Midtown Plaza is not likely to create any significant adverse impacts on the environment and a Negative Declaration is an appropriate determination.

Record of Vote:

| | | | |
|----------|-----|-----------|-----|
| Doyle | yes | Robertson | yes |
| Gartland | yes | Sylvestri | yes |
| Jonientz | yes | Tuori | yes |

Date of Action: December 21, 2006



THIS PAGE INTENTIONALLY LEFT BLANK

CITY OF ROCHESTER NOTICE OF ENVIRONMENTAL DETERMINATION

Issued in accordance with Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the Rochester Municipal Code.

NEGATIVE DECLARATION: The proposed action is one which will not have a significant effect on the environment.

ACTION: **Classification:** Type I
 Description: Purchase of Midtown Plaza by the City of Rochester and Designation of the Midtown Urban Renewal District

PROJECT: **Title:** Midtown Plaza Purchase and Urban Renewal District Designation
 Location: Purchase - 285 East Main Street, 26, 58, and 100 South Clinton Avenue
 Urban Renewal District - those properties bounded by East Main Street Euclid St, N. Clinton Ave., Broad St., and Chestnut Street (see attached map)
 Applicant: City of Rochester, Mayor Robert J. Duffy
 Description: Purchase of real property

REASON(S)FOR DETERMINATION: The project site does not contain sensitive natural features (eg. wetlands, steep slopes, erodible soils, wildlife habitat, etc.). No significant impacts are anticipated with respect to water or air quality. Community facilities/services (eg. water supply, energy supplies, public safety, waste disposal and transportation) are adequate to accommodate and serve the proposed project. The project will not affect historic or archaeological resources. The project is compatible with the area and adjacent uses.

LEAD AGENCY: Mayor Robert J. Duffy

AGENCY CONTACT PERSON: Stephen M. Golding, Manager of Downtown Dev.

DATE ISSUED: January 10, 2007

This declaration and supporting information is on file and available for public inspection with the Bureau of Buildings a Zoning, Room 122-B, City Hall.

FILE REFERENCE NUMBER:

DISTRIBUTION: Mayor
City Clerk/City Council
Environmental Commission
Environmental Notice Bulletin

**ENVIRONMENTAL ASSESSMENT FOR PURCHASE
OF MIDTOWN PLAZA AND ESTABLISHMENT OF AN URBAN RENEWAL DISTRICT**

The following is a description and assessment of the **proposed purchase of Midtown Plaza by the City of Rochester and establishment of the Midtown Urban Renewal District**. It is prepared in lieu of an environmental assessment form (EAF) because no specific detailed plans (renovation or demolition) have been considered by the City at this time. A Condition Analysis, completed in November 2006, determined that further deterioration of the area will continue without a strong public/private initiative.

The purpose of the purchase is, therefore, to control the future disposition and redevelopment of the properties.

The Midtown Urban Renewal District is integral to the revitalization of the core Center City of Rochester. The district regulations, which coincide with the Center City District Zoning Code, are intended to emphasize and strengthen downtown as the region's center for business, entertainment, cultural assets and urban living.

It has been determined that renovation, revitalization or redevelopment of the property cannot occur without intervention by the City of Rochester or establishment of an Urban Renewal District (See map showing proposed Urban Renewal District).

The City is pursuing a segmented review of the project under State Environmental Quality Review (SEQR). Such segmented review is justified when a project has several phases and one of the following circumstances is present:

1. Information on future project phase(s) is too speculative;
2. Future phase(s) may not occur;
3. Future phase(s) are functionally independent of current phase(s).

Any future proposed action for the property, other than renovation of the existing structures with no change in use, will be subject to full review under SEQR and potentially, the preparation of an Environmental Impact Statement.

There are no specific or conceptual plans for the reuse or redevelopment of the subject site at this time. The property is being purchased because it is currently on the market and the opportunity to gain control of the site is immediate.

Applicant

Mayor Robert J. Duffy

Description of Existing Environment

Midtown is located in the central downtown area with frontage on three major streets: Main Street, South Clinton Avenue and Broad Street. Midtown is comprised of 4 properties with a combined land area of approximately 8.6 acres and over 1.2 million square feet of building area. These properties include 285 East Main Street, 26, 58, and 100 South Clinton Avenue. The properties consist of 5 main buildings connected by a two-level plaza mall (see attached map). These include the Seneca Building, B. Foreman Building, McCurdy Building, Euclid Building and Midtown Tower. A 1,820 space underground garage is located beneath the southern half of the project area is currently owned by the City. Midtown Plaza is located in the Center City District (CCD) zoning district. Within the properties there are currently a variety of uses including retail, restaurants, offices, radio stations and a bus terminal.

Opened in 1962, as the nation's first downtown indoor shopping and office complex the mall flourished up until the mid-to-late 1970s. By the late 1980s the mall had experienced a significant decline as it was unable to compete with several malls located in the surrounding suburban area. Contributing to this decline was closing of the Sibley Department Store located at an adjacent property. With dated buildings and inefficient floor layouts, Midtown was unable to attract new major retailers to the property.

The current vacancy rate for the complex is 49%. In April 2007, a major tenant of the Seneca Building will relocate to the Chase Tower bringing the vacancy rate to approximately 74%. Over the past 45 years, there has been nominal capital investment in the property and updating of the building systems. Additionally, there is significant asbestos contamination throughout the structures.

Description of Proposal

It is the intent of the City of Rochester to purchase the Midtown Plaza properties. The City has entered into an Option to Purchase with Midtown Rochester Properties LLC, effective through February 14, 2007. The City will pursue a partnership with the private sector to identify an economically feasible plan for the revitalization of the properties. At this time, it is not known what actions will be required under the plan.

Establishment of the Urban Renewal District will enable the City or Agency to sell the properties at a reduced price. It is anticipated that this will be required in to attract private investment in the project area.

Potential Impacts and Mitigation

There will be no adverse environmental impacts resulting from the proposed purchase of the properties by the City, or establishment of an Urban Renewal District, since no actions to alter the properties or affect existing uses are being proposed. If a course of action is undertaken for renovation of the existing facilities, with no changes in uses, no subsequent review would be required under SEQR. If an action is proposed that will include a demolition or a new construction component, a full review under SEQR will be initiated. This review may require the preparation of an Environmental Impact Statement.

SEQR Involved Agencies

Mayor - Legislative Approval

City Council - Legislative Approval

617.20
Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

THIS AREA FOR LEAD AGENCY USE ONLY

DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project:

☐ Part 1

☒ Part 2

☐ Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- ☒ A. The project will not result in any large and important impact(s) and, therefore, is one which **will not** have a significant impact on the environment, therefore a **negative declaration will be prepared**.
- ☐ B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED negative declaration will be prepared.***
- ☐ C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a **positive declaration will be prepared**.

*A Conditioned Negative Declaration is only valid for Unlisted Actions

Purchase of Midtown Plaza and a Approval of the Midtown Urban Renewal District
Name of Action

Robert J. Duffy Mayor, City of Rochester
Name of Lead Agency

Robert J. Duffy
Print or Type Name of Responsible Officer in Lead Agency

Mayor
Title of Responsible Officer

RJ Duffy
Signature of Responsible Officer in Lead Agency

Stephen Holding
Signature of Preparer (If different from responsible officer)

January 10, 2007
Date

PART 2 - PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

General Information (Read Carefully)

- In completing the form the reviewer should be guided by the question: Have my responses and determinations been **reasonable**? The reviewer is not expected to be an expert environmental analyst.
- The **Examples** provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- The number of examples per question does not indicate the importance of each question.
- In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read carefully)

- a. Answer each of the 20 questions in PART 2. Answer **Yes** if there will be **any** impact.
- b. **Maybe** answers should be considered as **Yes** answers.
- c. If answering **Yes** to a question then check the appropriate box(column 1 or 2)to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- d. Identifying that an Impact will be potentially large (column 2) does not mean that it is also necessarily **significant**. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- e. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- f. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the **Yes** box in column 3. A **No** response indicates that such a reduction is not possible. This must be explained in Part 3.

| 1 | 2 | 3 |
|--------------------------------|------------------------------|---|
| Small to Moderate Impact | Potential Large Impact | Can Impact Be Mitigated by Project Change |

Impact on Land

1. Will the Proposed Action result in a physical change to the project site?

NO ☒ YES ☐

Examples that would apply to column 2

- | | | | | |
|--|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction on land where the depth to the water table is less than 3 feet. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction of paved parking area for 1,000 or more vehicles. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction that will continue for more than 1 year or involve more than one phase or stage. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

- | | 1
Small to
Moderate
Impact | 2
Potential
Large
Impact | 3
Can Impact Be
Mitigated by
Project Change |
|---|-------------------------------------|-----------------------------------|--|
| • Construction or expansion of a sanitary landfill. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction in a designated floodway. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.)

☒ NO ☐ YES

- | | 1
Small to
Moderate
Impact | 2
Potential
Large
Impact | 3
Can Impact Be
Mitigated by
Project Change |
|------------------------|-------------------------------------|-----------------------------------|--|
| • Specific land forms: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

Impact on Water

3. Will Proposed Action affect any water body designated as protected? (Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL)

☒ NO ☐ YES

Examples that would apply to column 2

- | | 1
Small to
Moderate
Impact | 2
Potential
Large
Impact | 3
Can Impact Be
Mitigated by
Project Change |
|--|-------------------------------------|-----------------------------------|--|
| • Developable area of site contains a protected water body. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Dredging more than 100 cubic yards of material from channel of a protected stream. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Extension of utility distribution facilities through a protected water body. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction in a designated freshwater or tidal wetland. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

4. Will Proposed Action affect any non-protected existing or new body of water?

☒ NO ☐ YES

Examples that would apply to column 2

- | | 1
Small to
Moderate
Impact | 2
Potential
Large
Impact | 3
Can Impact Be
Mitigated by
Project Change |
|--|-------------------------------------|-----------------------------------|--|
| • A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction of a body of water that exceeds 10 acres of surface area. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

| | 1 Small to Moderate Impact | 2 Potential Large Impact | 3 Can Impact Be Mitigated by Project Change |
|--|-------------------------------------|-----------------------------------|--|
| 5. Will Proposed Action affect surface or groundwater quality or quantity? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES | | | |
| Examples that would apply to column 2 | | | |
| • Proposed Action will require a discharge permit. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction or operation causing any contamination of a water supply system. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will adversely affect groundwater. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action would use water in excess of 20,000 gallons per day. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will allow residential uses in areas without water and/or sewer services. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | |

| 1 | 2 | 3 |
|--------------------------------|------------------------------|---|
| Small to Moderate Impact | Potential Large Impact | Can Impact Be Mitigated by Project Change |

6. Will Proposed Action alter drainage flow or patterns, or surface water runoff?

☒ NO ☐ YES

Examples that would apply to column 2

- | | | | |
|--|--------------------------|--------------------------|--|
| • Proposed Action would change flood water flows | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action may cause substantial erosion. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action is incompatible with existing drainage patterns. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will allow development in a designated floodway. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

IMPACT ON AIR

7. Will Proposed Action affect air quality?

☒ NO ☐ YES

Examples that would apply to column 2

- | | | | |
|---|--------------------------|--------------------------|--|
| • Proposed Action will induce 1,000 or more vehicle trips in any given hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will result in the incineration of more than 1 ton of refuse per hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Emission rate of total contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTU's per hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will allow an increase in the amount of land committed to industrial use. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will allow an increase in the density of industrial development within existing industrial areas. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

IMPACT ON PLANTS AND ANIMALS

8. Will Proposed Action affect any threatened or endangered species?

☒ NO ☐ YES

Examples that would apply to column 2

- | | | | |
|---|--------------------------|--------------------------|--|
| • Reduction of one or more species listed on the New York or Federal list, using the site, over or near the site, or found on the site. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
|---|--------------------------|--------------------------|--|

| | 1 Small to Moderate Impact | 2 Potential Large Impact | 3 Can Impact Be Mitigated by Project Change |
|---|-------------------------------------|-----------------------------------|--|
| • Removal of any portion of a critical or significant wildlife habitat. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Application of pesticide or herbicide more than twice a year, other than for agricultural purposes. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | |

9. Will Proposed Action substantially affect non-threatened or non-endangered species?

☒ NO ☐ YES

Examples that would apply to column 2

- | | 1
Small to
Moderate
Impact | 2
Potential
Large
Impact | 3
Can Impact Be
Mitigated by
Project Change |
|--|-------------------------------------|-----------------------------------|--|
| • Proposed Action would substantially interfere with any resident or migratory fish, shellfish or wildlife species. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

IMPACT ON AGRICULTURAL LAND RESOURCES

10. Will Proposed Action affect agricultural land resources?

☒ NO ☐ YES

Examples that would apply to column 2

- | | 1
Small to
Moderate
Impact | 2
Potential
Large
Impact | 3
Can Impact Be
Mitigated by
Project Change |
|--|-------------------------------------|-----------------------------------|--|
| • The Proposed Action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction activity would excavate or compact the soil profile of agricultural land. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • The Proposed Action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

- | | 1
Small to
Moderate
Impact | 2
Potential
Large
Impact | 3
Can Impact Be
Mitigated by
Project Change |
|---|-------------------------------------|-----------------------------------|--|
| • The Proposed Action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g. cause a farm field to drain poorly due to increased runoff). | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

IMPACT ON AESTHETIC RESOURCES

11. Will Proposed Action affect aesthetic resources? (If necessary, use the Visual EAF Addendum in Section 617.20, Appendix B.)

☒ NO ☐ YES

Examples that would apply to column 2

- | | | | |
|---|--------------------------|--------------------------|--|
| • Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Project components that will result in the elimination or significant screening of scenic views known to be important to the area. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES

12. Will Proposed Action impact any site or structure of historic, prehistoric or paleontological importance?

☒ NO ☐ YES

Examples that would apply to column 2

- | | | | |
|---|--------------------------|--------------------------|--|
| • Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Any impact to an archaeological site or fossil bed located within the project site. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

| | 1 - Small to Moderate Impact | 2 Potential Large Impact | 3 Can Impact Be Mitigated by Project Change |
|----------------|---------------------------------------|-----------------------------------|--|
| Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

IMPACT ON OPEN SPACE AND RECREATION

13. Will proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities?

☒ NO ☐ YES

Examples that would apply to column 2

- | | | | |
|---|--------------------------|--------------------------|--|
| • The permanent foreclosure of a future recreational opportunity. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • A major reduction of an open space important to the community. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

IMPACT ON CRITICAL ENVIRONMENTAL AREAS

14. Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6NYCRR 617.14(g)?

☒ NO ☐ YES

List the environmental characteristics that caused the designation of the CEA.

Examples that would apply to column 2

- | | | | |
|---|--------------------------|--------------------------|--|
| • Proposed Action to locate within the CEA? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will result in a reduction in the quantity of the resource? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will result in a reduction in the quality of the resource? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will impact the use, function or enjoyment of the resource? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

1
Small to
Moderate
Impact

2
Potential
Large
Impact

3
Can Impact Be
Mitigated by
Project Change

IMPACT ON TRANSPORTATION

15. Will there be an effect to existing transportation systems?

☒ NO ☐ YES

Examples that would apply to column 2

- | | | | | |
|--|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Alteration of present patterns of movement of people and/or goods. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will result in major traffic problems. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

IMPACT ON ENERGY

16. Will Proposed Action affect the community's sources of fuel or energy supply?

☒ NO ☐ YES

Examples that would apply to column 2

- | | | | | |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

NOISE AND ODOR IMPACT

17. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action?

☒ NO ☐ YES

Examples that would apply to column 2

- | | | | | |
|--|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Blasting within 1,500 feet of a hospital, school or other sensitive facility. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Odors will occur routinely (more than one hour per day). | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will remove natural barriers that would act as a noise screen. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

| | | |
|--------------------------------|------------------------------|---|
| 1 | 2 | 3 |
| Small to Moderate Impact | Potential Large Impact | Can Impact Be Mitigated by Project Change |

IMPACT ON PUBLIC HEALTH

18. Will Proposed Action affect public health and safety?

☒ NO ☐ YES

- | | | | |
|--|--------------------------|--------------------------|--|
| • Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Storage facilities for one million or more gallons of liquefied natural gas or other flammable liquids. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD

19. Will Proposed Action affect the character of the existing community?

☒ NO ☐ YES

Examples that would apply to column 2

- | | | | |
|---|--------------------------|--------------------------|--|
| • The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will conflict with officially adopted plans or goals. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will cause a change in the density of land use. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Development will create a demand for additional community services (e.g. schools, police and fire, etc.) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

| | 1 Small to Moderate Impact | 2 Potential Large Impact | 3 Can Impact Be Mitigated by Project Change |
|--|-------------------------------------|-----------------------------------|--|
| • Proposed Action will set an important precedent for future projects. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will create or eliminate employment. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

20. Is there, or is there likely to be, public controversy related to potential adverse environment impacts?

☒ NO ☐ YES

If Any Action In Part 2 Is Identified as a Potential Large Impact or If you Cannot Determine the Magnitude of Impact, Proceed to Part 3

THIS PAGE INTENTIONALLY LEFT BLANK

MINUTES

ZONING MAP AMENDMENT

M-05-06-07/T-01-06-07

Midtown Urban Renewal District and Zoning Text Amendment

CITY PLANNING COMMISSION INFORMATIONAL MEETING (02/15/07)

Applicant: Mayor Robert J. Duffy

Purpose: To amend the Zoning Map by rezoning the properties at 233-247 E. Main Street, 249-253 E. Main Street, 255-257 E. Main Street, 285 E. Main Street, 18-26 S. Clinton Avenue, 32-58 S. Clinton Avenue, 100 S. Clinton Avenue, 27-33 Chestnut Street, 35 Chestnut Street, 41 Chestnut Street, 45-51 Chestnut Street, 65-67 Chestnut Street, 88-94 Elm Street, 89-95 Elm Street, 6 Atlas Street, and 45 Euclid Street from Center City District-Tower District (CCD-T) to Midtown Urban Renewal District.

APPLICANT AND/OR REPRESENTATIVE PRESENTATION:

Stephen Golding, Manager of Downtown Development, Department of Economic Development, presented the application. I am here to present the Urban Renewal Plan for the Midtown area which includes the Midtown property and some properties along Chestnut, Elm and Euclid Streets and S. Clinton Avenue. The City was looking at acquiring the Midtown property, but at this point the option has expired and we are not. We are still pursuing the urban renewal zoning for the area. The reasons for creating the urban renewal district are that: the City could still in the future acquire the Midtown property or a portion of the property; it allows the urban renewal agency to sell property below the market value which will assist in attracting investors to the area; and, the designation increases the City's eligibility to secure State grants and funding.

QUESTIONS FROM THE PLANNING COMMISSION:

None

There were no speakers in opposition to this proposal

HEARING CLOSED

THIS PAGE INTENTIONALLY LEFT BLANK



City of Rochester



FAX (585) 428-6137
TDD/Voice 232-3260

Bureau of Buildings and Zoning
Department of
Community Development

City Hall, Room 122-B
30 Church Street
Rochester, New York 14614-1290
(585) 428-7043

February 15, 2007

CITY PLANNING COMMISSION

RECOMMENDATION

ZONING MAP AMENDMENT and TEXT AMENDMENT

Re: 233-247 E. Main Street, 249-253 E. Main Street, 255-257 E. Main Street, 285 E. Main Street, 18-26 S. Clinton Avenue, 32-58 S. Clinton Avenue, 100 S. Clinton Avenue, 27-33 Chestnut Street, 35 Chestnut Street, 41 Chestnut Street, 45-51 Chestnut Street, 65-67 Chestnut Street, 88-94 Elm Street, 89-95 Elm Street, 6 Atlas Street, 45 Euclid Street

Case No: M-05-06-07/T-01-06-07

Resolution:

RESOLVED, that the City Planning Commission recommends that the Zoning Map be amended by rezoning sixteen (16) parcels bounded by East Main Street, South Clinton Avenue, Broad Street, Chestnut Street and Euclid Street from Center City District-Tower District (CCD-T) to Midtown Urban Renewal District, and to amend the text of the Zoning Code to include the Zoning Regulations for the Midtown Urban Renewal District.



Findings of Fact:

This decision was based on the following findings of fact:

A. The proposal will be in harmony with goals, standards and objectives of the Comprehensive Plan.

The proposed rezoning is supportive of the policies and goals of the City's Comprehensive Plan - Rochester 2010 as follows:

Campaign Six - Economic Vitality, encourage the development of a business and financial environment that encourages business and individuals to build on our rich entrepreneurial spirit; develop strong, economically viable and diverse neighborhood commercial areas that help to provide entry-level jobs, high quality goods and personal services to our citizens, offer entrepreneurial opportunities and help increase our city's economic development and growth; and, support and promote opportunities for shopping for residents and visitors at stores, businesses and personal shops within our city.

Campaign Eight - Tourism Destination, encourage and help create appropriate private, market-driven investments in the local tourism industry that result in additional revenue for businesses and the creation of new jobs for local residents; develop diverse, unique, tourism attractions that balance economic issues and impacts with neighborhood preservation, enhancement and preservation; and, to capitalize on our many recreational, historic, civic and business assets as well as our high quality of life to expand recognition of Rochester as a highly desirable tourism destination and attractive place to live.

Campaign Ten - Center City, reduce the office and commercial (retail) vacancy rate within our "Center City" through appropriate actions that include attraction of new tenants as well as the removal or conversion of unneeded space; develop unique festivals, events, celebrations and venues within our "Center City" that help create and enhance its identity, draw businesses, residents and visitors and provide a strong "sense of place" and identity for our community; encourage the development of an economically viable "Center City" that functions as the region's 24-hour activity center and is a safe and attractive environment for the cultural, nightlife, business, arts and entertainment center of our region; increase the number of people living in our "Center City" through affordable as well as market-rate housing development; create a strong, competitive and marketable identity for our "Center City" that is locally, regionally and nationally recognized; create a strong visual and aesthetic image for our "Center City" through articulated urban design and unique and inspiring architectural form.



Findings of Fact (continued):

B. The proposed Zoning Map and Text Amendments are compatible with the present zoning and conforming uses of nearby properties and with the character of the neighborhood:

- 1) The purpose of the Midtown Urban Renewal District is to emphasize and strengthen downtown as the region's center for business, entertainment, cultural assets and urban living. The key objectives of the rezoning request are to: eliminate substandard and deteriorated structures and other blighting influences in the project area; promote economic development in and around the project area through private development; acquire underutilized and vacant properties in the project area for economic development purposes; sell city and agency acquired properties for private development; generate additional jobs and a municipal tax base within the project area; and, promote use or reuse of underutilized land and buildings within the project area that is consistent with the Center City Master Plan.
- 2) Land uses within the Midtown Urban Renewal District will be regulated by the City of Rochester Center City District (CCD) Zoning Regulations. The Midtown Urban Renewal Regulations coincide with and are comparable to the Center City District Regulations of the surrounding downtown area. The Midtown Urban Renewal District Regulations are intended to emphasize and strengthen downtown as the region's center for business, entertainment, cultural assets and urban living.

C. The properties affected by the Zoning Map and Text Amendment are suitable for uses under the proposed zoning:

Land uses within the Midtown Urban Renewal District will be regulated by the City of Rochester Center City District (CCD) Zoning Code. The current zoning allows for a mix of uses within the district, most of which are consistent with the revitalization of the project area. All of the permitted uses in the Center City District will apply to the Midtown Urban Renewal District, except for: warehousing and distribution, unless accessory to the principal use of the property; rooming houses; recycling centers; and, auto repair.



Findings of Fact (continued):

- D. The proposed mixed use development will be served by essential public facilities and services.

The existing services and facilities are expected to be sufficient for those uses permitted in the Midtown Urban Renewal Project area. Any new infrastructure that may be required will be subject to all applicable local review and approval processes.

| | |
|------------------------|---------------------------------|
| Vote: | Motion Passes |
| Action: | Recommended for Approval |
| Record of Vote: | 5-0-0 |
| D. Watson | Recommend Approval |
| S. Rebholz | Absent |
| D. Suchy | Absent |
| H. Zimmer-Meyer | Recommend Approval |
| E. Marlin | Recommend Approval |
| W. Clark | Recommend Approval |
| E. Chin | Recommend Approval |

C:\WINDOWS\Temp\GWViewer\Recommendation.wpd

