

**STATE ENVIRONMENTAL QUALITY REVIEW
(SEQR)**

**DRAFT
GENERIC ENVIRONMENTAL IMPACT STATEMENT
(DGEIS)**

**PROPOSED ACTION:
MIDTOWN REDEVELOPMENT PROJECT**

LOCATION:
Midtown Plaza, City of Rochester, Monroe County, NY
100 South Clinton Avenue, 285 East Main Street
(and associated properties)

LEAD AGENCY:
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DATE OF ACCEPTANCE:
November 10, 2008

COMMENTS MUST BE SUBMITTED ON OR BEFORE:
December 19, 2008

PUBLIC HEARING DATE:
December 2, 2008, 6:30 pm

Prepared for: The City of Rochester
Prepared by: LaBella Associates, P.C.

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COMMONLY USED ACRONYMS AND ABBREVIATIONS

ACMs	Asbestos Containing Materials
ADA	Americans with Disabilities Act
CCD	Center City District
CW	Cushman & Wakefield
dB(A)	decibels, A-Rated
DEC	Department of Environmental Conservation (New York State)
DEIS	Draft Environmental Impact Statement
DGEIS	Draft Generic Environmental Impact Statement
EIS	Environmental Impact Statement
ESDC	Empire State Development Corporation
FAR	Floor to Area Ratio
FEIS	Final Environmental Impact Statement
GEIS	Generic Environmental Impact Statement
LOS	Level of Service
MOU	Memorandum of Understanding
OPRHP	Office of Parks, Recreation and Historic Preservation (New York State)
RRCDC	Rochester Regional Community Design Center
RDDC	Rochester Downtown Development Corporation
RDH	Rochester District Heating Co-Operative
RECs	Recognized Environmental Conditions
RMSC	Rochester Museum and Science Center
RWPD	Rochester Pure Waters District
RWW	Rochester Bureau of Water
SEQR	State Environmental Quality Review
SEQRA	State Environmental Quality Review Act
SF or sf	Square Feet
SHPO	State Historic Preservation Office (New York State)
USFAWS	U.S. Fish and Wildlife Service
VIA	Visual Impact Assessment

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INTRODUCTION

Background. Midtown Plaza (“Midtown” or “the Plaza”) is an enclosed retail mall in Rochester, New York developed according to a plan by prominent architect Victor Gruen that was first conceived in 1956 and subsequently announced in 1958. Completed in 1962, the Plaza occupies a large central downtown block located north of Broad Street, east of Clinton Avenue and south of Main Street. Euclid, Atlas, Elm and Chestnut streets form an irregular eastern boundary. The mall was constructed so as to connect preexisting buildings (the McCurdy and B. Forman buildings) and is recognized as the first downtown enclosed mall in the country. Several existing streets were abandoned to enable development of the Plaza. An underground parking garage providing 1,844 spaces and two additional buildings (the Euclid Building and Midtown Tower) were also constructed as part of the complex and connected to the mall as well. The adjoining Seneca Office building was also constructed in the same period as the Plaza.

The Plaza properties have since fallen into disrepair and come to be identified as a significant source of blighting influence which has persisted despite several (failed) revitalization plans proposed in the private sector. The properties contain significant asbestos containing materials (“ACMs”) and other recognized environmental conditions (“RECs”). The building systems that remain date from the original construction and require replacement. Perceiving a need for public involvement, the City of Rochester (“the City”) established an Urban Renewal District to encompass the site in 2007 and also proposed public acquisition of the Midtown properties. The Plaza vacancy rate had climbed to more than 85 percent when it was finally acquired by the City in 2008. The telecommunications company PAETEC Holding Corp. (“PAETEC”) has expressed an interest in constructing a new corporate headquarters and operations center at the site. Empire State Development Corp. (“ESDC”) has partnered with the City to complete abatement and remediation of ACMs and RECs within the Plaza properties and to undertake this proposed action which would redevelop Midtown and provide a shovel ready site for PAETEC’s proposed facility.

This Action. The action reviewed in this document generally involves the redevelopment of the Midtown Plaza site. In an effort to eliminate the blighting influence of Midtown Plaza and to facilitate redevelopment of this key location so as to attract private investment, contribute to the tax base, support job growth, and catalyze further downtown revitalization, the City and ESDC

have joined together, established a Public Private Partnership with PAETEC, and taken steps to provide the company a shovel ready Midtown site. As originally conceived, this action would follow the abatement and remediation efforts already underway with demolition of the existing Plaza buildings (except the garage), establishment of an interior street grid, and the assembly/resubdivision of Plaza properties to create a suitable site for PAETEC as well additional parcels attractive to private sector developers. A planning and study process which includes market and other analyses has been initiated in order to develop an information base necessary to development of a prudent plan that takes maximum advantage of the many opportunities offered by the site but also takes the existing conditions and market constraints into account as well. More details regarding this action can be found in the following Sections 1.0 (Executive Summary) and 2.0 (Description of the Proposed Action).

This Document. This document concerns the proposed Midtown Redevelopment Project and is an Environmental Impact Statement (“EIS”) prepared pursuant to Chapter 48 of the Rochester City Code and the Environmental Conservation Law of New York in compliance with the implementing State Environmental Quality Review (“SEQR”) regulations adopted and codified in 6NYCRR Part 617 (“the Regulations”). The City of Rochester Director of Zoning has been established as the lead agency in the review of this action. Chapter 48 of the Rochester City Code requires environmental reviews in which the City or a City official serves as lead agency to include a public hearing before the City of Rochester Environmental Commission.

The lead agency has made a determination to rely on a Generic Environmental Impact Statement (“GEIS”) in this instance pursuant to Section 617.10 of the Regulations. The purpose of a GEIS is to deal in a broad or conceptual way with a number of related or similar actions, or with a single extended action, where there is such uncertainty about specific impacts that a conventional EIS would be impractical. The Executive Summary which follows this Introduction concludes with a review of GEIS requirements and implications.

Finally, with respect to procedure, this document is a *draft* GEIS (“DGEIS”), published in compliance with the requirement that impact statements first be made available in draft form for public review and comment prior to finalization. The purpose of this DGEIS is to provide a means for agencies, project sponsors and the public to systematically consider the significant adverse environmental impacts, alternatives and mitigation measures associated with the

Midtown Redevelopment Project in a manner that complies with the foregoing and other SEQR requirements.

Content and Organization. Section 1.0 which immediately follows these introductory paragraphs is an Executive Summary which provides an overview of the proposed action, its purpose, the underlying public need and benefit, the setting, the potential environmental impacts, associated mitigation measures, and alternatives considered in defining the project. Each of these Executive Summary topics is also described in more detail in the sections that follow (as shown in the preceding Table of Contents). The final section of the Executive Summary provides a review of the purpose, use and consequences of reliance on a Generic Environmental Impact Statement.

This balance of this document is generally organized as follows. Section 2.0 which immediately follows the Executive Summary provides a detailed description of the project and Section 3.0 reviews the project's purpose, need and benefits. The next following two sections describe the environmental settings (Section 4.0) and the potential impacts and mitigating measures (Section 5.0). The organizational framework of the two sections mirror one another. In other words, just as subsection 4.1 describes the existing conditions and setting relevant to Geology, Soils and Topography, it is the corresponding subsection 5.1 that describes any associated impacts or mitigation related to Geology, Soils and Topography. Sections 6.0 through 11.0 review a number of general topics, including impacts that are unavoidable, the irreversible commitment of resources, cumulative impacts, growth inducement and others. Section 12.0, the final section, presents a detailed description and evaluation of alternatives to the proposed action. Section 12.0 is followed by an appendix which includes a number of relevant studies and other important information.

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1. EXECUTIVE SUMMARY

This Executive Summary provides an overview of important topics that are also described more fully in the sections that follow. These include a description of the action or project itself, the underlying purpose, need and public need and benefit, the setting, the potential environmental impacts, associated mitigation measures, and the alternatives considered in the project's formulation. This summary closes with a review regarding the reliance on a generic Environmental Impact Statement (EIS) in this instance, how it differs from the alternative "non-generic" form and the potential need for supplemental review in the future.

1.1 Proposed Action

Midtown Plaza ("Midtown" or the "Plaza") is an enclosed retail mall in Rochester, New York developed according to a plan by prominent architect Victor Gruen. The Plaza, which occupies 8.6 acres of a large central downtown block, was constructed to connect several preexisting buildings and is recognized as the first downtown enclosed mall in the country. An underground parking garage of 1,844 spaces and two additional buildings were also constructed as part of the complex. The complex includes approximately 1.4 million square feet of floor area. The Plaza properties have now fallen into disrepair and have come to be a significant source of blighting influence. The properties also contain significant asbestos containing materials (ACMs) and other recognized environmental conditions (RECs) and the building systems require replacement.

The East End Entertainment district just to the east of Chestnut Street and Midtown has attracted significant private sector investment that has not been experienced in the Midtown area to the west. Several plans for redevelopment and revitalization of the site put forth within the private sector have failed. These failed efforts are described in more detail in Section 2.1. In 2007 the City of Rochester (the City) established an Urban Renewal District to encompass the site and subsequently acquired the Midtown properties which were more than 85 percent vacant at the time. PAETEC Communications (PAETEC) has expressed an interest in constructing a new corporate headquarters and operations center at the site. Empire State Development Corp. (ESDC) has partnered with the City to complete abatement and remediation of the Plaza properties and to undertake this action which would redevelop Midtown and provide a shovel ready site for PAETEC's proposed facility. PAETEC's plans call for a new Class A corporate headquarters and operations facility sufficient to accommodate from 1,000 to 1,500 employees.

This action is being undertaken to eliminate the blighting influence of Midtown Plaza and to facilitate redevelopment in order to preserve property values in the area, attract private investment, contribute to the tax base, support job growth, and catalyze further downtown revitalization. A more detailed review of the project objectives can be found in Section 2.0.

As originally conceived, demolition of the existing buildings (except the garage), establishment of an interior street grid, and assembly/resubdivision of properties to create a suitable site for PAETEC as well additional parcels for other private sector developers would follow the abatement and remediation efforts already underway. A 2005 ULI report noted the importance of breaking down the Midtown Block with smaller scale streets and pedestrian ways and concluded that Plaza buildings (with some exceptions) should be demolished to make way for new development.

The scope of this action now under review does not include the earlier establishment of an Urban Renewal District which includes the Plaza, the acquisition of the four major properties comprising the Plaza by the City or the abatement and remediation of ACMs and other RECs undertaken by ESDC. The abatement and remediation efforts have also necessarily included closure of Plaza buildings and the garage as well as efforts to support relocation of the remaining tenants. These actions were reviewed as part of earlier environmental reviews by the City of Rochester.

With respect to the establishment of the Urban Renewal District and the potential for related property acquisitions, a environmental review was conducted which culminated in issuance of a Negative Declaration on January 10, 2007 prior to the proposals which led to the current action intended to redevelop Midtown Plaza.

With respect to the subsequent acquisition of the Midtown Properties, the City pursued a segmented review of these actions pursuant to Section 617.3(g) of the State Environmental Quality Review (SEQR) Regulations. Segmented reviews such as this are justified in the following circumstances:

- When information on future project phase(s) is too speculative;
- When future phase(s) may not occur; or,
- When future phase(s) are functionally independent of current phase(s)

The justification for a segmented review of those earlier actions is summarized as follows:

The City had previously indicated an ongoing intent and consideration of acquisition of the Midtown Plaza as evidenced in the Negative Declaration issued by the Mayor on January 10, 2007. Without government intervention (i.e., acquisition, asbestos abatement), the plaza would continue to be largely vacant and its blighting influence on downtown Rochester would only worsen. For that reason, the City's interest in and intent to pursue acquisition of the property will continue regardless of a specific development plan. Any future actions involving Midtown, 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. Thus the segmentation of the acquisition is no less protective of the environment as required by SEQR. The Rochester Environmental Commission has supported segmentation, as indicated in correspondence dated December 21, 2006.

This action which proposes the redevelopment of Midtown Plaza and is now under review does include provisions for development of a PAETEC headquarters on the site, potential acquisition of additional properties within the Urban Renewal District and the adoption and implementation (or amendment) of an Urban Renewal Plan. Plan implementation would include: the assembly of parcels; demolition and clearance of the site; adaptive reuse of some existing buildings; establishment of an internal street grid; delineation of development parcels; reservations for open space; provisions for parking; subdivision and disposition of properties; and, development of new infrastructure and utilities. The underground parking garage is slated to remain and studies and consultations are underway to evaluate alternatives regarding adaptive reuse of the existing Midtown Tower and the Plaza atrium. A network of skyways and other pedestrian corridors which connects many downtown Rochester buildings will be affected as the segments connecting to the existing Midtown buildings will be severed and remaining elements without structural support will be removed.

Construction would follow demolition and clearance in two phases. The first would generally include the foregoing public improvements and PAETEC's construction of their planned headquarters facility. The second would include construction by other private sector developers on the remaining parcels. A transition plan and improvements would be implemented to maintain the vacant parcels in the interim in a manner that would be safe and would not continue to affect the area negatively.

Market and other studies have been completed in order to facilitate development of a prudent plan that would take maximum advantage of opportunities offered by the site as well as take into account the existing conditions and market constraints. Based upon these studies, a mixed use floor space program and land use plan has been developed which calls for approximately one million square feet (sf) of mixed use space and a floor area ratio of between 2.4 and 3.0. The program calls for approximately 570,000 sf of office uses, 70,000 sf of hotel, 67,000 sf of retail and almost 370,000 sf of residential redevelopment. A preferred street grid and block configuration accommodating such a program have been identified (see Figures 2.10 and 2.11).

A concept plan for general land use illustrated in Figure 2.12 calls for development of the PAETEC facility within a large block extending up Clinton to Main Street, reservation of two open spaces (one being a large plaza south of PAETEC and the other being a central park or square), development of retail uses along a newly reestablished Cortland Street and surrounding the central green space, development of a hotel on Main Street within a block on the eastern boundary of the site and development of residential uses elsewhere on the site also in close proximity to the central green space.

Although the City intends to retain some flexibility to respond in the future to changing market and other conditions, the street and block configuration, the location for PAETEC, the general distribution of uses and the reservations for open space are not anticipated to change significantly. Guidelines and principles adopted as part of the Urban Renewal Plan will continue to guide future development. The City zoning provisions are form based and provide significant flexibility to accommodate the range of future development opportunities now envisioned. Based upon a review of the proposed development and applicable provisions, no revisions to the present zoning code will be anticipated.

The City anticipates dedicating the majority of the spaces within the underground garage to PAETEC's use. The remaining spaces will likely be relied upon to provide parking for other uses to be developed on site and would not be available for monthly parking by occupants of neighboring office buildings as they have been in the past. The redevelopment plan does assume that additional parking demand associated with other uses developed on the Midtown site would be met on site via construction of additional parking.

The capacities of existing water mains, sanitary sewers and other improvements serving the site are sufficient and improvements will not be required to provide additional capacity. However, in

several instances existing utilities and infrastructure will be affected by demolition or redevelopment activities and will require relocation or replacement. Furthermore, as a consequence of plans to establish an internal street grid on the site, there will be an associated need for investments in paving, curbing, sidewalks, water mains, hydrants, sewers and other associated infrastructure.

In addition to a number of related alternatives focused upon a variety of potential impacts or determinations, two primary alternatives have been identified for evaluation in this review:

1. A “no action” scenario in which the plaza and the existing buildings remain without demolition; and,
2. A “preferred alternative” intended to optimize the successful redevelopment through elimination of blighting influences and accommodation of a range of development densities.

As described in more detail in Section 12.0, the no action scenario itself consists of two subsidiary alternatives: one in which no direct action is taken by the project sponsors and another in which the existing buildings would remain following action by the project sponsors to complete their abatement and restoration (by replacement or updating of building systems). The preferred alternative includes the continued use of the Midtown garage and a subsidiary alternative regarding the possible adaptive reuse of the Midtown Tower, but would otherwise demolish all existing structures. These two and others, including several alternatives that could be considered to minimize or mitigate potential impacts to historic resources through the preservation or more extensive adaptive reuse of existing buildings, are described more fully in Section 12.0.

A number of approvals and funding commitments are anticipated by the City of Rochester and by Empire State Development Corporation as a part of this action. With respect to ESDC, these include remediation and abatement of ACMs and RECs (not formally a part of this action), funding of Urban Planning and SEQRA compliance through a grant to the City, demolition of existing buildings and provision of a shovel-ready site; and, approval of an agreement between ESDC, the City and PAETEC for development and related investments including approval of economic incentives to PAETEC. With respect to the City of Rochester, these include acquisition of Midtown properties and potential acquisition of additional properties within the

district, amendments to the Urban Renewal District development plans and Zoning requirements, subdivision and Site Plan approvals, subsequent property conveyances, development of necessary infrastructure and utilities and dedication of rights of way, and approval of an agreement between ESDC, the City and PAETEC for development and investment including economic incentives to PAETEC.

1.2 Purpose, Underlying Public Need and Benefit

The action is a response to the blighting effects of the outdated, underutilized and deteriorated complex, the failed efforts in the past to revitalize the Midtown Plaza site and the apparent need for direct public participation and investment to lead a successful redevelopment effort. The proposed action would mount a productive and reasonable response to the ongoing deterioration and eliminate the blighting influences as quickly as is practical. Implementation of the proposed plan would build upon the prominence of the site as one of the most important downtown and maximize the potential for a redeveloped Midtown site to catalyze further revitalization and investment throughout the area. The project is intended to provide a reasonable return on public investments through preservation of property values, attraction of private investment, contributions to the tax base, support for job growth, and transformation of the negative market dynamic now afflicting the site and the surrounding district.

Twenty-seven specific objectives have been described in Section 3.1. These include many related to the blight mitigation and economic development purposes referenced above and others, including positioning of the site and the surrounding district as a regional center for business, entertainment, and urban living and as a premier site for high quality office, residential and retail development.

Despite the complexity of the implementation and the multiplicity of specific objectives, the vision itself is simple: elimination of the negative effects to the community resulting from the deteriorated and blighted Midtown Plaza and redevelopment of the site in a manner which will instead make it a powerful revitalizing force and a valuable contributor to economic health within the downtown area.

The public need for direct public involvement and investment in the efforts to redevelop the Midtown site and revitalize downtown Rochester is real. In the Section 3.2 description of this need, the following topics are reviewed in detail:

- The recent history of development in downtown Rochester;
- The underlying market dynamics and forces that have led to decline (and that are described in a market feasibility analysis described in Section 4.24));
- The market factors that could support a successful Midtown redevelopment;
- The physical conditions at the Midtown site;
- The physical conditions within the Midtown buildings and the estimated costs to restore these;
- The need for revitalization of the existing complex and likely outcome in the absence of intervention;
- Obstacles associated with the superblock and the need for establishment of a functional street grid;
- The need for demolition and/or potential adaptive reuse of component buildings; and,
- The need for improved connectivity to the East End.

The discussion of benefits provided in Section 3.3 focuses upon three aspects. The first is the benefit to state and regional interests accruing from public involvement and investment in the redevelopment process and the benefits of the establishment of a Public Private Partnership to lead and sustain revitalization efforts. Second is the benefit to community and neighborhood interests and how the proposed project is consistent with major campaigns identified by the City in the comprehensive planning process. Finally, Section 3.2.3 describes fourteen principles of placemaking and urban design that will guide redevelopment efforts and summarizes how their application will create great urban spaces of benefit to the site and the community. Among these fourteen are the following:

- Locating active land uses such as retail, dining and hospitality at the ground level along major streets and open spaces to create an engaging public realm and encourage pedestrian movement across the city;
- Developing a new street network to provide greater access to the interior of the site from Main Street and East Avenue and generate active and inviting public spaces;

- Maintaining residential buildings in proximity to parks and open spaces so as to extend the life of the public realm into the night and weekends and develop a strong sense of ownership and stewardship which will ultimately add long term value to adjacent properties;
- Promoting visual and physical connections across the site (including new streets) to develop a sense of interconnectivity and physical connections that will help to engage adjacent land uses with spaces on the site;
- Creating a public space connection from Chase Plaza to the Theater District on East Avenue to create a strong pedestrian relationship between the employment centers in the west with the cultural center along East Avenue and another connecting Liberty Pole Plaza to the new plaza at Broad and Clinton Streets to create a strong relationship between the office center along Broad Street with the more traditional center of the downtown;
- Maintaining a consistent street wall along major roadways to help create a sense of an urban environment that is conducive to pedestrian traffic and to help better define the public realm and avoid the sense of empty spaces along the sidewalk; and,
- Positioning both taller and lower buildings in a manner that maintains the pattern of lower buildings that is one of the defining features of Main Street, reinforces the current development patterns along Broad Street and avoids blocked views from new and existing buildings.

The reader is referred to the text of [Section 3.3.3](#) for a more detailed review of the applicable placemaking and urban design principles and how they will benefit the site and the surrounding neighborhood.

1.3 Setting, Potential Impacts and Mitigation

A detailed review of the environmental setting, potential impacts and anticipated mitigation is provided in [Section 4.0](#) which reviews the setting and in [Section 5.0](#) which reviews, in the same sequence, the related potential impacts and mitigating factors or steps to be undertaken.

Of those settings and impacts reviewed in Sections 4.0 and 5.0, the most prominent include the following:

Aesthetic/Visual Resources (Section 5.5). While not expected to be negative, the action would have a fundamental effect upon the viewscape within the downtown area. As the project proposes to demolish all of the buildings comprising Midtown Plaza, establish a traditional street grid and develop new buildings (including the PAETEC headquarters) on the newly delineated blocks, every existing view of Midtown Plaza, without exception, would be modified in some way. As the exterior appearance of the Plaza has been subject to some criticism and has never been considered an important visual landmark, and as there will be guidelines and form based regulations in place to guide development and ensure that it is consistent with and complimentary to the existing built environment, this document takes the position that the visual impact will actually be positive. Contributing to this positive effect will be the creation of multiple view corridors through the site which is now visually impenetrable. Development of a central open space will also provide opportunities for viewing facades of newly developed buildings from some distance. A second open space south of the proposed PAETEC facility has been included to ensure a prominent view of that facility when entering the downtown on Clinton Avenue. Resolution of the unattractive and complex eastern back door of the Plaza in the vicinity of Atlas Street (a key location impeding connectivity to the East End) will also improve the appearance of the site. Section 5.5 includes references to photo simulations and other information relative to the topic of visual impacts.

Historic Buildings (Section 5.6.2). Midtown Plaza has been identified as a resource eligible for listing on national and state registers of historic places (see Section 5.6.2 for a more detailed discussion). Demolition would constitute an adverse negative impact to this historic resource. Section 6.0 of this document has therefore characterized the demolition of all or part of Midtown Plaza as an unavoidable impact. A no action alternative that would preserve the entire complex is evaluated in Section 12.0 of the DGEIS. Other alternatives that would seek to minimize or mitigate the impact have also been described and evaluated as part of a formal consultation process undertaken by the City, ESDC, OPRHP and other interested parties. While the preferred alternative described in this document does not propose to either reuse or interpret the atrium, a final determination relative to alternatives that would do so has yet to be made. This document invites comments upon the demolition impacts to historic resources, the identification of alternatives that would potentially minimize or mitigate the impact and other

issues related to the effect upon historic buildings. It is anticipated that the resolution of this matter will be arrived at in consultation with OPRHP and subsequently reported in the Final GEIS.

Although not a major focus of the effort to minimize or mitigate demolition impacts upon historic resources, commenter's have also recommended consideration of the adaptive reuse of the existing Midtown Tower. As described in Section 2.5.6.2, the retention and adaptive reuse of the Midtown Tower has not been excluded as an alternative. Due to schedule and other constraints described in the referenced section, it is anticipated that this issue will be resolved by issuance of a Request for Proposals to developers or others with a potential interest in the investment in and reuse of the existing tower. If suitable proposals and accompanying commitments are not received, the tower would likely be demolished to make way for other redevelopment opportunities and to eliminate the blighting influence associated with the continued presence of the vacant and deteriorated building.

Parks, Recreation and Open Space (Section 5.7). The action is anticipated to have a positive impact upon open space resources. Two open spaces have been proposed (see Section 2.5.3, Figure 2.11, Figure 2.12 and Figure A1. The first is a central open area delineated by a newly proposed street grid shown in Figure 2.10. The second is a corporate plaza proposed for a space immediately south of the anticipated PAETEC building at the intersection of Clinton Avenue and Broad Street. These additions are anticipated to augment, rather than detract from, the current complement of open spaces, parks and other recreational areas now present within the downtown area.

Transportation: Traffic and Parking (Section 5.12), The action would breakdown the existing superblock established during the development of Midtown Plaza and establish a more traditional street grid in its place to delineate development parcels and provide access to the site interior. These streets would provide improved access to uses developed on the site, would be local in nature and would be subject to temporary closure for festivals and similar events. The extension of the newly established Cortland Street all the way to Broad Street remains a possibility, the resolution of which would depend upon plans for use of the adjoining parcels and for reuse of the existing Tower with which the street would conflict. No adverse traffic impacts are anticipated as a result of the establishment of this traditional street grid.

A program for development on the site has been compiled based upon an assessment of market conditions (included in Table 2.1). An analysis of potential traffic impacts to surrounding streets and intersections which takes this program into account has been provided (see [Section 5.12](#) for a discussion). The analysis included the anticipated impacts of the Renaissance Square project, the ESL headquarters project and a general allowance for other projects already suggested within the baseline condition. Among the eleven intersections studied, two movements were identified that would encounter a significant additional delay (Level of Service F). These two (the movement from Court Street eastbound turning left onto northbound Clinton Avenue and the movement from East Main Street eastbound turning left onto northbound Clinton Avenue) have been identified in [Section 6.0](#) as unavoidable impacts.

With respect to parking, the Midtown garage was available to a large number of monthly parkers working in nearby office buildings prior to its closure for abatement. This use had developed progressively over the years as parking demand directly associated with the Plaza declined due to continued increases in vacancy within the facility. As described above in more detail in [Section 5.12.1](#), these monthly parkers were displaced when the garage closed for abatement in September, 2008 and are now believed to have been accommodated by a variety of other city-owned parking facilities in the downtown area. As it would likely allocate a large share of the spaces available within the garage when it reopens to PAETEC and would rely on the others (together with newly developed parking spaces) to meet the parking demand of other uses developed on the site, this action would make the current temporary displacement of monthly parkers permanent. Alternate parking resources have been sufficient to accommodate the displaced parkers.

Skyway System Impacts ([Section 5.14.2](#)). Several segments of the existing skyway system connect to Midtown buildings slated for demolition and will necessarily also be demolished and terminated at the adjoining building:

- The elevated walkway over Broad Street connecting Midtown Tower to the Xerox Tower;
- The elevated walkway over Clinton Avenue connecting the Seneca Building to the Chase Tower; and,
- The elevated walkway over Main Street connecting the McCurdy Building to the Sibley Centre.

These impacts to the skyway system have been identified in Section 6.0 as unavoidable impacts.

Utilities and Infrastructure (Section 5.15). Potential impacts to utilities and infrastructure are of three types. First, is the potential need to increase the capacity of existing utilities to accommodate the demands of the anticipated redevelopment. (This has proven to be unnecessary as the capacity of existing utilities has been found to be adequate.) Second is the need to abandon, relocate and/or replace utilities impacted by demolition or construction. The third consideration is the need to develop new utilities and infrastructure to accompany the new streets that will be constructed to break down the superblock and establish a traditional street grid.

Section 5.15 includes a detailed review of the utilities that are expected to be directly impacted by demolition or redevelopment. These have also been characterized as unavoidable impacts in Section 6.0. With respect to the need to potentially increase the existing capacity of utilities now in place in order to accommodate the demands of the proposed redevelopment, the analysis reported in Section 5.15 has determined that the existing utilities can meet that demand and that no such need for expansion exists. Finally, regarding establishment of a new street grid, these improvements have been identified in the engineering analysis provided in Section 5.15.3. As reviewed in Section 5.22 the cost for these necessary improvements has been estimated at approximately \$18.5 million.

Economic/Fiscal (Section 5.22). The action is anticipated to have a positive fiscal impact upon the City of Rochester and Monroe County. The magnitude of the anticipated impact (reviewed in Section 5.22) would improve over time and would vary in dependence upon a number of factors or circumstances. The project is anticipated to generate increases in both sales and property tax revenues. The anticipated increase in property tax revenues would not commence in the initial years after development as a full exemption is available for seven years. The exemption would progressively abate over years eight through ten and the full increase in property tax revenue would be available in year eleven.

Increased revenues would be offset by increased capital and operational costs. No increases in such costs are anticipated in the case of Monroe County, but the City would likely encounter capital costs associated with the development of new streets, utilities and associated improvements and could also experience some increase in operational costs as a consequence

of the need to serve the businesses and residents anticipated to occupy the redeveloped site. (A best scenario has been described in which the City would experience no increase in operational costs as a consequence of residual capacity to serve the redevelopment with no increased cost.)

Temporary Impacts Related to Construction Activities (Section 5.26). The proposed project would involve both demolition and construction. The temporary potential impacts related to these activities are reviewed in Section 5.26. The Section 5.26 review of temporary construction-related impacts addresses the following resource areas: surface water and the potential for soil erosion and sedimentation; air and dust management measures; aesthetic and visual resources; transportation, traffic and parking; public transit; pedestrians; utilities; noise and odor; and, public health and safety. A separate discussion of similar impacts uniquely associated with demolition activities is included in Section 5.26.10. None of these impacts are expected to deviate from what would commonly be encountered in an urban redevelopment project of this scale. Given the available mitigating measures reviewed in Section 5.26, these impacts are not characterized in this statement as adverse impacts of significance.

1.4 Unavoidable Impacts

The action is anticipated to result in unavoidable impacts. These include demolition impacts to the Midtown Plaza block which has been determined to be eligible for listing on the State / National Registers of Historic Places, demolition impacts to the Skyway pedestrian system, impacts to utilities within buildings or structures proposed for demolition, and traffic impacts. Some temporary impacts related to the demolition and construction process would also be unavoidable.

1.5 Alternatives

Section 12 reviews a number of alternatives (in addition to the preferred alternative) that were identified as available to either minimize or mitigate potential impacts or that were considered as part of the planning process. These alternatives include a no action alternative in which Midtown Plaza remains as it is and none of the proposed activities take place and a closely-related no action alternative in which abatement and remediation of the facility takes place but in which no other demolition, improvement or demolition is undertaken. Also reviewed in Section

12 are alternatives that would retain and reuse the Midtown Mall atrium and another in which the existing Midtown Tower would be adaptively reused rather than demolished.

1.5 Generic Environmental Impact Statements and SEQR

As described in the 6NYCRR Part 617 SEQR regulations (“the Regulations”) promulgated by the New York State Department of Environmental Conservation (“DEC”), an Environmental Impact Statement (EIS) is intended to provide a means for agencies, sponsors and the public to systematically consider significant adverse environmental impacts, alternatives and mitigation. The Regulations state that an EIS also facilitates the weighing of social, economic and environmental factors early in the planning and decision-making process. Development of an EIS begins with preparation of a draft EIS (DEIS) by the project sponsor or lead agency that is then circulated for review and comment. According to the Regulations (Section 617.2), an EIS may be a ‘generic’ document. The Regulations (Section 617.10) give four examples in which a generic EIS may be used to assess environmental impacts:

- “a number of separate actions in a given geographic area which, if considered singly, may have minor impacts, but if considered together may have significant impacts”; or
- “a sequence of actions, contemplated by a single agency or individual”; or
- “separate actions having generic or common impacts”; or
- “an entire program or plan having wide application or restricting the range of future alternative policies or projects, including new or significant changes to existing land use plans, development plans, zoning regulations . . .”.

Regarding the content and specificity of generic EISs, the Regulations (Section 617.10) provide that generic EISs “may be broader, and more general than site or project specific EISs and should discuss the logic and rationale for the choices advanced” and that they “may be based on conceptual information in some cases”. The most important procedural distinction between a conventional and a generic EIS is the potential for a GEIS to be followed by one or more supplemental EISs. The need for further review of a subsequently proposed action following the conclusion of a generic review is determined by compliance with the conditions and thresholds found in the generic EIS. Where a subsequent proposed action will be carried out in conformance with the conditions and thresholds established in the generic EIS or its findings statement, no further SEQR compliance is required. Alternatively, where a subsequent

proposed action is later found to have not been adequately addressed in the generic EIS, the SEQR regulations set forth two possibilities:

- A negative declaration must be prepared if the subsequent action will not result in any significant environmental impacts; or,
- A supplement to the final generic EIS must be prepared if the subsequent action may have one or more significant adverse environmental impacts.

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2. DESCRIPTION of the PROPOSED ACTION

The proposed action under review is focused on the demolition and successful redevelopment of Midtown Plaza (“Midtown” or “the Plaza”). The action includes a number of procedural steps or transactions as well as other associated physical alterations proposed at the site by the primary project sponsors, the City of Rochester (“the City”) and Empire State Development Corporation (“ESDC”). The City and ESDC have been joined by PAETEC Communications (“PAETEC”) in a public private partnership.

2.1 Overview: Objectives, History, Conditions and Considerations

The Plaza. The Plaza is an 8.6 acre site in downtown Rochester, NY, located southeast of the central intersection of Main Street with Clinton Avenue in an extensive block bounded to the north by Main Street, to the west by Clinton Avenue, by Broad Street to the south and by Chestnut Street to the east. The central location of the Midtown Plaza site within the City of Rochester can be seen in Figure 2.1, below.

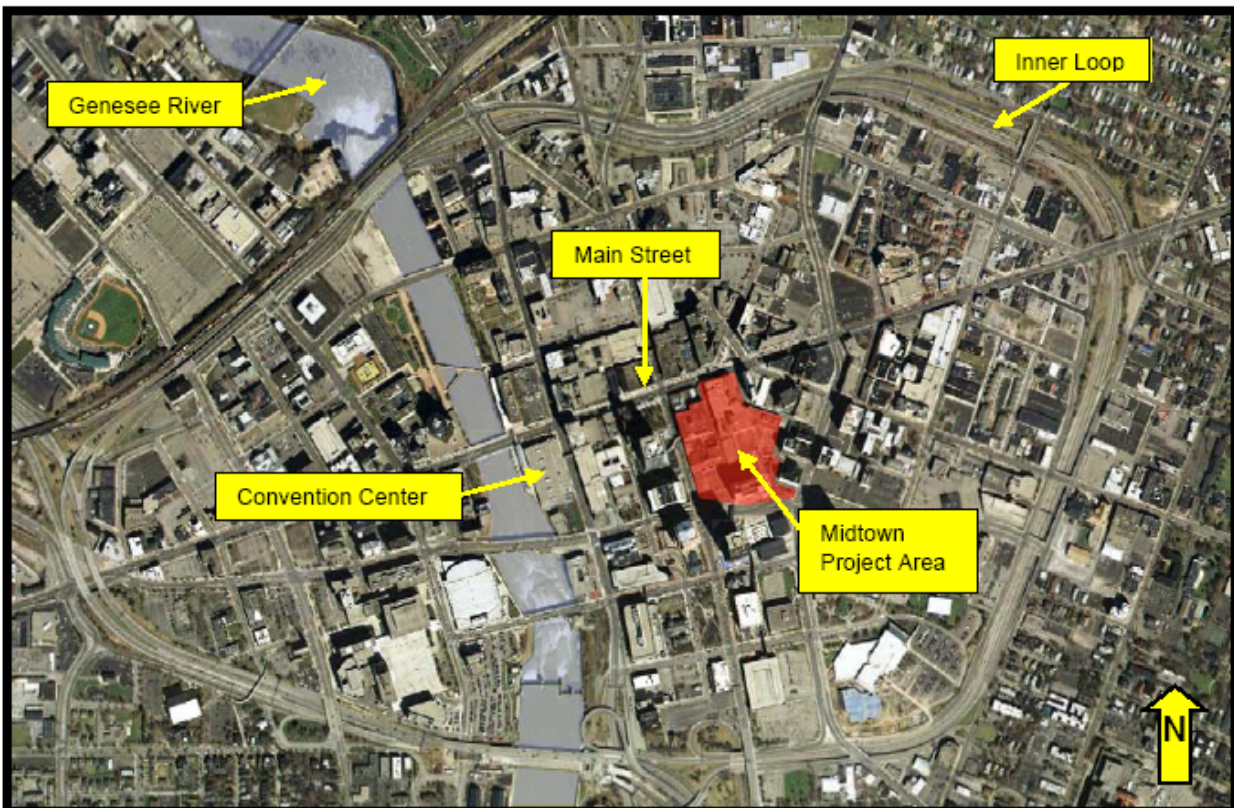


FIGURE 2.1, MIDTOWN PLAZA SITE

The location of the Midtown site and use of surrounding downtown parcels is shown in the following Figure 2.2 and the relationship to the built environment is shown in Figure 2.3 below.

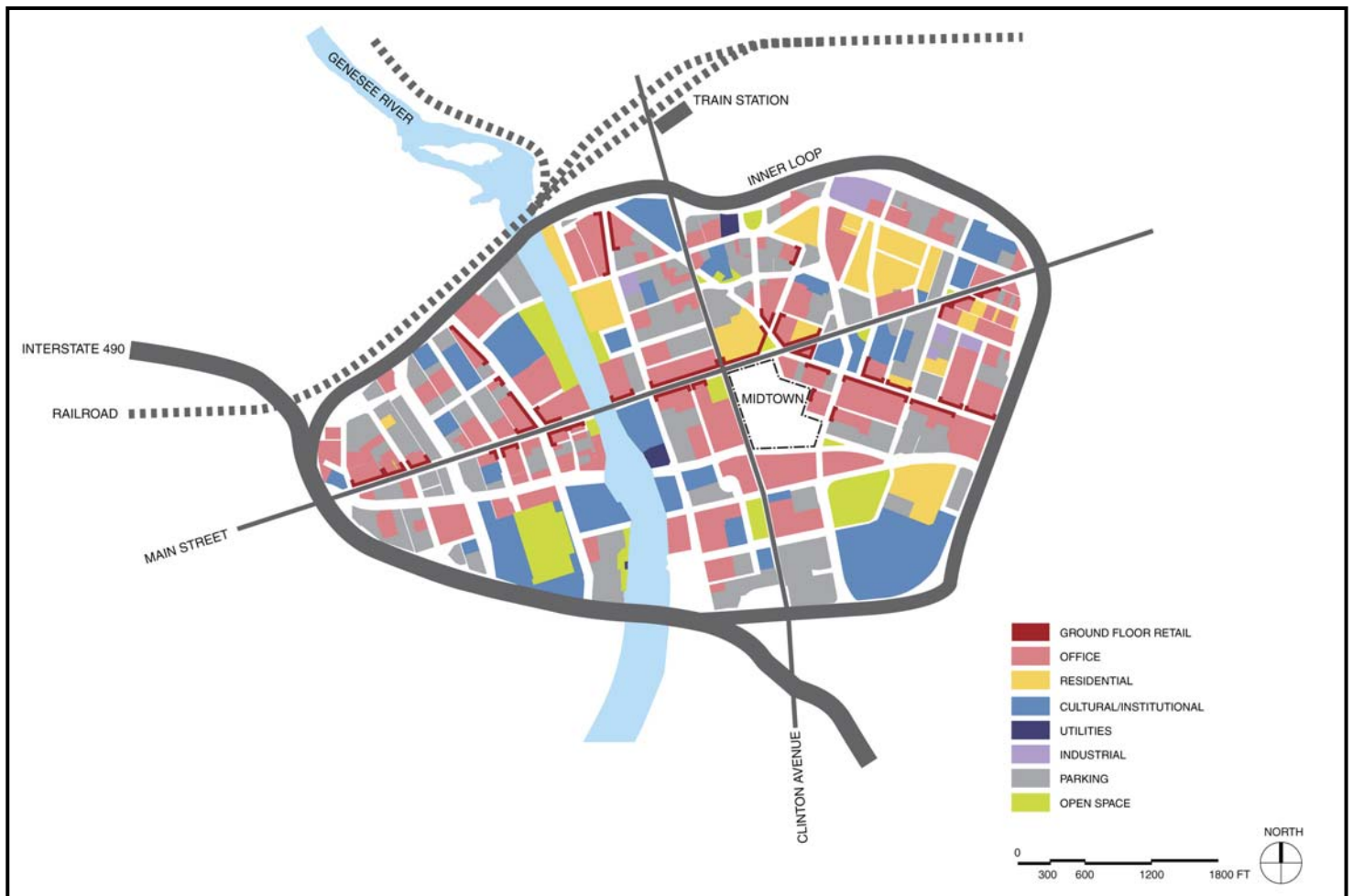


FIGURE 2.2, LOCATION OF MIDTOWN SITE AND USE OF SURROUNDING PARCELS

The Plaza is comprised of a two-level mall which connects to two pre-existing buildings (the B. Forman Building and the McCurdy Building) and to two newer buildings developed in conjunction with the mall (the Euclid Building and the 17 story Midtown Tower office building) as well as the adjoining Seneca Office building constructed in the same period. The Plaza provides approximately 1.4 million square feet of floor area and includes an underground garage of 1,844 spaces also developed contemporaneously with the mall and the other buildings immediately above. (The approximate building locations can be seen in the aerial photograph included in [Section 2.5.2](#) as Figure 2.5.)

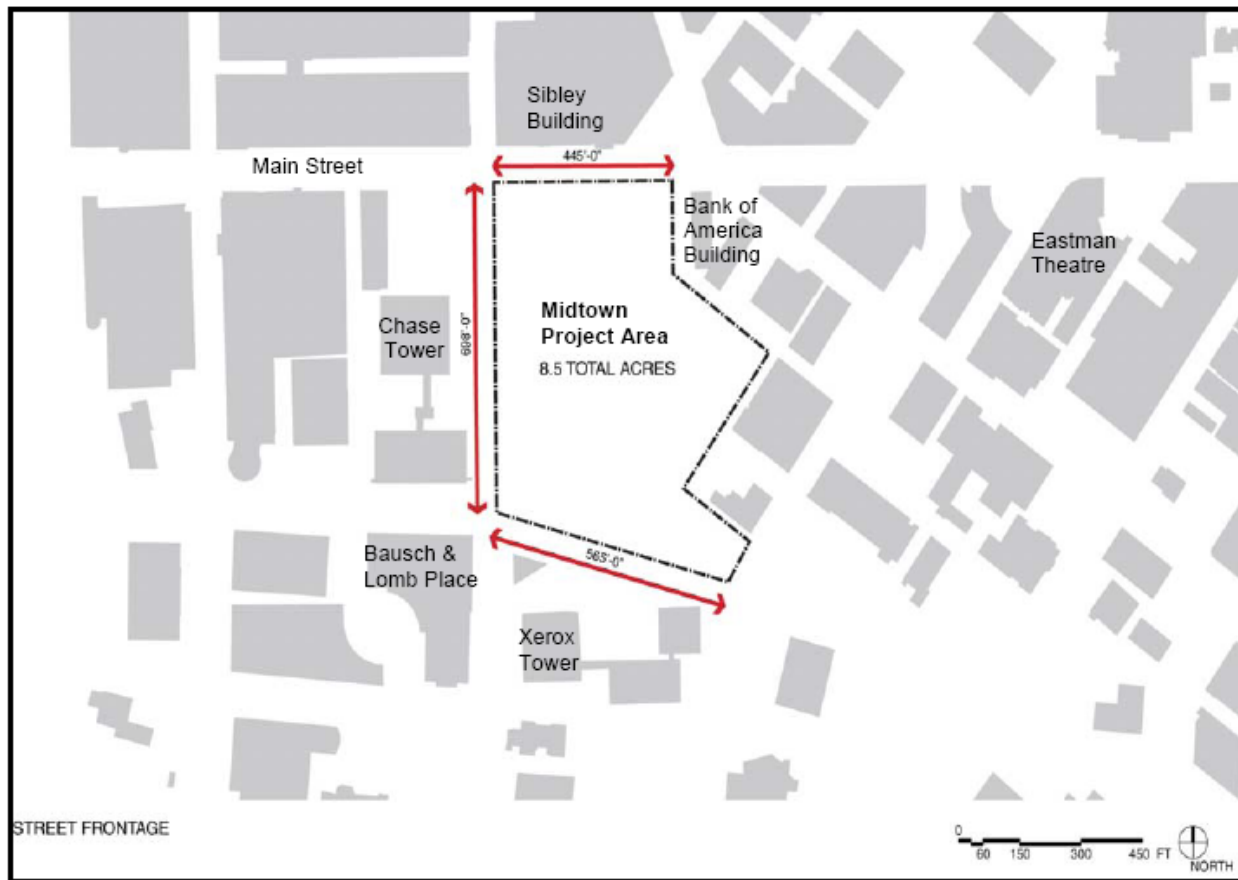


FIGURE 2.3, SCALE AND RELATIONSHIP OF THE SITE TO THE BUILT ENVIRONMENT

The Plaza is comprised of a two-level mall which connects to two pre-existing buildings (the B. Forman Building and the McCurdy Building) and to two newer buildings developed in conjunction with the mall (the Euclid Building and the 17 story Midtown Tower office building) as well as the adjoining Seneca Office building constructed in the same period. The Plaza provides approximately 1.4 million square feet of floor area and includes an underground garage of 1,844 spaces also developed contemporaneously with the mall and the other buildings immediately above. (The approximate building locations can be seen in the aerial photograph included in [Section 2.5.2](#) as Figure 2.5.)

Objectives. The importance of the steps, transactions and activities (and the rationale for their having been proposed by the project sponsors) are limited to the role each plays in realizing a set of specific revitalization goals and redevelopment objectives. This is described more fully

below and then reviewed in detail in Section 3.0 of this document. While the implementation is complex, focused on multiple aspects and accompanied by numerous alternatives, the vision itself is straightforward: elimination of the negative effects to the surrounding properties and community resulting from the deteriorated and blighted Midtown Plaza and redevelopment of the site in a manner which will maximize the potential for this key location to preserve property values, attract private investment, contribute to the tax base, support job growth, and catalyze further revitalization throughout the downtown area.

The City, ESDC and PAETEC Communications have formed a private public partnership to pursue redevelopment of the Midtown site including PAETEC's development of a new corporate headquarters and operations facility at Midtown. The City has acquired the site (see Figure 2.5) and ESDC has committed to administering the remediation and demolition costs needed to make the site "shovel-ready" for PAETEC's headquarters (the City would then subsequently convey the PAETEC site). The parties have also agreed to work together to develop an overall site and use plan for the project prior to finalizing a formal development.

The efforts of the City and ESDC to facilitate and commit resources to the redevelopment of Midtown Plaza have been undertaken with a number of redevelopment objectives in mind. These have been articulated in more detail within documents which accompanied: the City approvals for establishment of an Urban Renewal District to encompass the site; authorizations for the City's acquisition of the site; and, grant awards from ESDC to the City to enable progress on the redevelopment planning and related efforts. Included in these objectives were the following important public revitalization goals (presented in more detail in the Section 3.0 discussion of Purpose, Need and Benefits) being relied upon to generate the return required to justify the necessary investment of public funds:

- Revitalize downtown, reduce vacancy rates and preserve property values;
- Generate municipal tax base and additional jobs;
- Capitalize on site's potential to spur private investment and job creation;
- Promote reuse of underutilized land and buildings consistent with the Center City Master Plan;
- Redevelop the site as a mixed-use urban space to accommodate PAETEC headquarters;
- Provide economically attractive opportunities for development on the site;

- Emphasize and strengthen downtown as the regional center for business, entertainment, cultural assets and urban living;
- Develop a strong, economically viable and diverse commercial area;
- Position the district as a premier site for high quality office, residential and retail;
- Position the site as a critical downtown node for existing corridors;
- Break down the superblock, improve access & establish a street grid including elements that historically existed in the project area;
- Reconnect neighborhoods, enhance adjacent districts and improve walkability;
- Enhance connections to other key districts including the East End;
- Create meaningful open and green spaces that enhance the public realm;
- Enhance and activate the street environment and the public realm;
- Create active/intimate street environment and intensify use of street front retail; and,
- Use proven placemaking methods to encourage activity and create a destination.

History. Midtown Plaza, opened in 1962 as the nation's first indoor downtown shopping mall and office complex, was anchored by two department stores and a food market. Development of Midtown was itself a response to suburbanization trends and declining prospects for downtown retail establishments. Midtown did become a destination for many area residents, particularly during the holiday shopping season, and flourished until the mid-to-late 1970s.

The large block of more than eight acres occupied by Midtown Plaza has been referred to as a superblock given its extent and the absence of any interior streets. Superblocks like that now found at Midtown were once popular with planners hoping to provide pedestrian friendly, open plazas and other spaces uninterrupted by a street grid. The Midtown Plaza superblock was only one element in an aggressive Victor Gruen plan (see Figure 2.4, shown below) that included elimination or closure of many streets as well as the development of multiple U-shaped arterials (and associated parking lots) that would approach, but not penetrate, an extensively pedestrianized downtown. This plan called for vehicles to be excluded from a large segment of Main Street and the surrounding area extending from Broad Street to the south, northerly across Main nearly to Andrews and from East Avenue west across the River to State and to Plymouth.

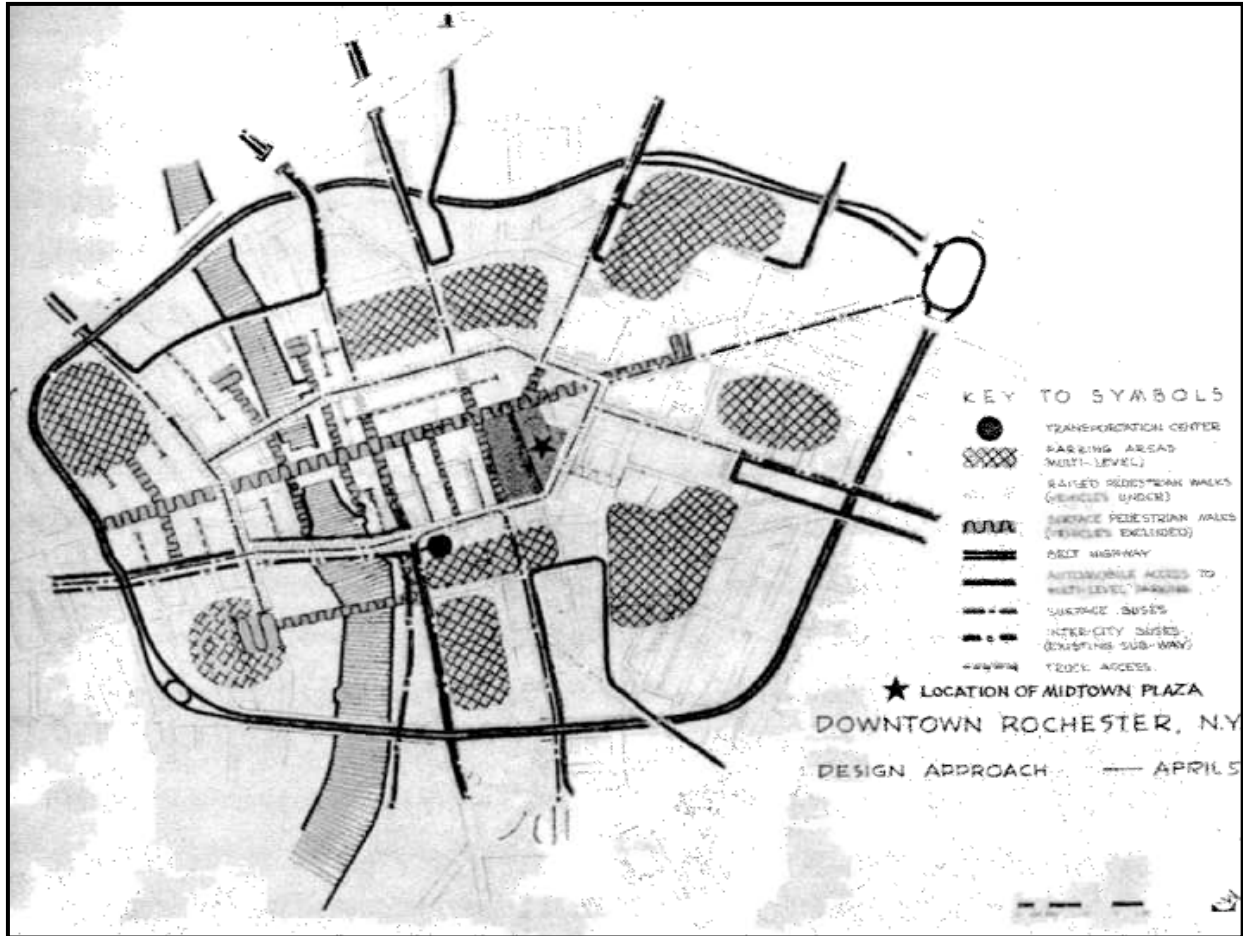


FIGURE 2.4, VICTOR GRUEN'S PLAN FOR A PEDESTRIANIZED DOWNTOWN

Conditions. The Midtown Plaza site is within a New York State Empire Zone, a Federal Renewal Communities Zone, and was recently designated by the City of Rochester as being within an Urban Renewal District. Midtown Plaza was located in the Center City zoning district prior to establishment of the Midtown Urban Renewal District in 2007. The Midtown Urban Renewal district itself is a 12.96 acre site in the central downtown area which includes 16 parcels. Approximately 8.6 acres of the district is occupied by the Midtown Plaza. The district also includes a number of smaller underutilized and vacant buildings, including a number on Chestnut Street.

The Plaza site is itself comprised of four major properties upon which buildings with a combined floor area of more than 1.4 million square feet have been developed. These consist of a two-level plaza mall connecting five main buildings including three pre-existing buildings and several newer buildings constructed when the plaza was established. An underground garage of 1,844

spaces that has been owned by the City is located beneath the southern half of the Plaza property. Although the Plaza has been underutilized and suffering for some time from extensive vacancy, a small number of uses were nonetheless operating recently on the premises including retail, restaurants, offices, radio stations, and a bus terminal.

First opened as an indoor downtown shopping mall and office complex, the Plaza was itself a response to suburbanization trends and a decline in the prospects for downtown retail establishments that began to surface in the 1950's. Midtown was an initial success and flourished for a time. However, as the Plaza was designed and built to be supported by large destination retail stores that have generally not had success in downtown settings since the late 1970's, a decline eventually ensued. Past attempts to redevelop or revitalize Midtown Plaza have failed. These are reviewed in more detail below.

The decline of Midtown Plaza began during the rise of suburban shopping malls in the Rochester region during the 1970's. Held back in part by a declining Rochester population and a stagnant downtown office market, the Plaza ultimately proved unable to compete with the continuing rise of the several suburban shopping malls in the area.

The closure of the Sibley Department Store located at an adjacent property contributed to the Plaza's decline. With dated buildings and inefficient floor layouts, Midtown was unable to attract new major retailers and office tenants continued to leave. The central Plaza atrium area, originally envisioned as an indoor public square or gathering area, features a geometry that is at odds with modern approaches to retail mall layout (now more reminiscent of a linear "dumbbell" shape than the rectangular form of the Midtown atrium).

By the late 1980's, a very serious decline in Midtown conditions had become evident. By the mid 1990's, the Midtown retail anchors had closed leaving a significant amount of vacant space and Midtown had been unsuccessful in attracting new tenants. In early 2007, the City of Rochester reported the vacancy rate for the complex to be 49 percent and noted that the plan for a major tenant of the Seneca Building to relocate to the Chase Tower would increase the vacancy rate to almost 75 percent. The vacancy rate subsequently increased to at least 85 percent when the last major office tenant relocated to another property in Spring 2007.

Dated, inefficient floor layouts and buildings requiring extensive investments for hazardous material abatement and building system updates compounded the demographic and market

challenges faced by Midtown. Reports completed in 2006 estimated the need for an investment of more than \$140 million to restore the Plaza buildings, of which \$45 million was required for abatement of asbestos containing materials (ACMs) and other recognized environmental conditions (RECs). This investment of nearly \$100 per square foot would not have included any significant changes to building exteriors or to interior configurations.

Despite having been envisioned as a means to encourage pedestrian activity, in the absence of functional vehicular cul-de-sacs and/or successful pedestrian malls, the superblock at Midtown which was formed when the Plaza was constructed came to isolate the interior spaces, discourage entry and activity, limit opportunities for traditional street side commerce and impede connections to adjoining neighborhoods. The negative influence of Midtown and the associated superblock is pronounced and has likely been exacerbated by an uninviting exterior and a complex, unattractive “back door” along its eastern boundary.

The City of Rochester took title to the Midtown Plaza properties in May of 2008. The vacancy rate for the complex remained above 85 percent at the time. The remaining plaza tenants have since been relocated (or have closed) in preparation for a joint City-State effort to abate ACMs and other hazardous building materials found throughout the buildings and site.

Other properties within the district have experienced comparable decline. The property 88 Elm Street is 100 percent vacant, owned by the City and an unlikely candidate for reuse given the significant asbestos presence within the building and the decline of neighboring properties. The Euclid Square building at 65 Chestnut Street is currently 100 percent vacant and has few redeeming architectural qualities. The Cadillac Hotel at 45 Chestnut Street is currently operated as a hotel with single-occupant rooms and the use presents a significant obstacle to revitalization of the Midtown Urban Renewal District.

The onset of the Plaza’s decline has been met by a variety of activities and proposals focused on the redevelopment and revitalization of the facility. A summary of that onset and the responses that followed appears below.

As described above, signs of the Plaza’s economic decline first surfaced in the early 1980’s and became progressively more obvious and prevalent in the 1990’s. These included a number of significant closures. In 1980, the hotel at the top of the Midtown Tower was closed and then subsequently converted to office and restaurant space. This was followed by the closure of the

Sibley's department store across Main Street from the Plaza which preceded similar closures at Midtown. The Forman's and McCurdy's stores within the Plaza closed in 1994 following the sale of a majority of the McCurdy and Forman stores to May Department Stores. The Wegmans grocery closed shortly thereafter in 1995. Another grocer operated temporarily within the Wegmans space, but was unable to persist and ultimately failed. The Peebles store which was recently located at the Plaza reportedly relied on a rent-free agreement without which it would have not otherwise occupied the facility.

The closures and progressive decline of the Plaza were responsible, at least in part, for ensuing changes in ownership. Following the closures described above, including that of the McCurdy and Forman stores in 1994, the Plaza was sold by McCurdy's to Arnold Enterprises of California in 1997. In 1999 Blackacre Bridge Capital LLC filed for foreclosure against Arnold Enterprises which subsequently filed a Chapter 11 petition concerning the Plaza and other holdings. Following the bankruptcy of Arnold Enterprises in 2001, Blackacre Bridge Capital LLC assumed ownership of the Plaza for \$14.9 million. Blackacre Capital Management and Pembroke Companies Inc. subsequently formed Midtown Rochester Properties to own and operate the Plaza. The owners actively sought purchasers for the property in 2005 and 2006, but were unsuccessful. In 2006, the City of Rochester acquired an option to purchase Midtown Plaza which was allowed to expire in 2007. The property was later acquired by the City in a condemnation proceeding at which time the property had an increasing negative cash flow that had already surpassed \$600,000 annually.

Beginning in the mid-1990's and continuing until 2005/2006 ongoing attempts were made on a national scale to attract retail tenants. The City of Rochester assisted in many of these efforts. These included exploratory conversations with many developers and ongoing contacts intended to attract "big box" retailers. Little interest was shown and most replied that Rochester did not have sufficient population density to support their urban business model. Many also reported that the size and floor plates of the available buildings were inappropriate for their operations. These efforts failed and the facility continued to decline. In 2003, Midtown Rochester Properties contracted with Kravco to study options for Plaza retail space. Overall vacancy within the Plaza had increased to more than 50 percent by this time including a vacancy rate of 90 percent within Midtown Tower. Kravco subsequently reported that retail uses could succeed in the Plaza, but only if capital improvements were completed first.

With respect to alternate uses, in 1999 the City and the County commissioned a study to place a performing arts center in Midtown Plaza. The objectives of the study were to develop a performing arts center for the community and to place the center in Midtown Plaza to revitalize the plaza. The proposed plan contained three theaters, a Broadway theater, and midsize theater and a Black Box. The Broadway Theater and the Black Box were sited within midtown Plaza at the north east corner which is currently occupied by the McCurdy Building. The midsize theater was sited adjacent to the east side of the Broadway Theater on the site currently occupied by the Bank of America Building. Renovation of the mall was also planned to provide more connectivity to the three theaters. The plan was to fund the project with public and private funding. The cost was greater than expected which hindered the committee's ability to attract both public and private funding. Several attempts were made to revive the project with no success.

In 2004, New York state began pursuing an agreement with the Cayuga Indian Nation that would support plans for the tribe to develop a casino in Sullivan County and that would also allow the Senecas to purchase and exercise sovereignty over additional lands. This was followed by reports that the governor was also negotiating with the Seneca-Cayugas of Oklahoma to resolve their claims in a manner that would allow development of Video Lottery Terminals within the Sibley Centre Complex and Midtown Plaza. While there was support from the local development community, the plan met significant opposition, some of which was raised by concerns over the presence of sovereign property within the city center and by the potential effect of a casino upon the character of the neighborhood. A variety of legal challenges also followed. Despite ongoing efforts by some to lobby in Albany in support of a downtown Rochester casino, it was announced late in 2004 that the Pataki administration had reached a settlement with the Seneca-Cayugas of Oklahoma which would include a NYS gaming compact for a casino in Sullivan County, but would not include a casino in Rochester.

In 2006, the incoming Mayor met with local developers to review the prospects for redevelopment of the Plaza. The consensus expressed by those in attendance was that the facility, in addition to its other challenges, was too large for a single developer to tackle and that city involvement to break the property up would likely be necessary. The property owners independently pursued scenarios in which the Midtown Tower would be redeveloped to provide Class A office space in the same time frame. The return on investment was found not to support the interest in such a scenario, due in part to the cost for asbestos and other

abatement. It was concluded that such a redevelopment of the Tower would require significant investment of public funds to supplement funding within the private sector. Prospects for the prevalent ACMs to be encapsulated rather than removed in its entirety also proved to be unacceptable to potential Class A tenants. The view was expressed that prospective tenants looking for Class B space would likely have similar objections.

The City also announced a non-binding contract with the Vice President of Italy's Parma province in 2006. The purpose was to explore the feasibility of creating an Italian-themed shopping and entertainment attraction that would absorb approximately one-third of the complex (the atrium and much of the department store spaces) and feature an Epcot Center-style array of up to 150 food and fashion vendors. The project failed to progress when it was unable to attract sufficient investors and the anticipated investments by the Italian government proved to not be forthcoming.

The next proposal of significance regarding Midtown Plaza was the announcement of multiple ESDC redevelopment initiatives which included one focused on Rochester and Midtown and the corresponding interest of PAETEC in developing a new headquarters facility at the downtown Plaza site. This has led to the action now under review and described in this document.

Considerations. In considering the need for establishment of an Urban Renewal District, the City noted a vacancy rate of 49 percent projected to increase to almost 75 percent as a consequence of a major Seneca Building tenant's plan to relocate to the Chase Tower. The vacancy rate had subsequently increased to approximately 85 percent when the City took title to the four primary Plaza properties in 2008. While less prominent, other properties within the district have also experienced similar declines and some are without any tenants. According to a 2005 Urban Land Institute ("ULI") report (see Appendix A), "... the Midtown Mall and most of the associated office space has come to the end of its functional life. The unsightly complex contributes to a glut of office space that can be eliminated. Therefore, the panel recommends that most of the Midtown Plaza be demolished... ". The panel also concluded that "this centerpiece of Rochester's 1960's revitalization efforts now needs to move aside to facilitate a new urban re-creation".

The high rate of vacancy, the blighting influence on the urban core, the outdated floor plates and configurations, the significant investment required for asbestos abatement and building system updates, the impediments associated with the superblock and the history of failed revitalization

efforts have all contributed to a perceived need to demolish the Midtown buildings (with some possible exceptions) to make way for new redevelopment on blocks defined by a more traditional street grid. The 2005 ULI report also referenced the need for a new street to segment the Midtown Block and restore the natural street grid that was disrupted by the abandonment of streets (Cortland and Elm) during Plaza construction. According to the panel, “Breaking down the Midtown Block with smaller scale streets and pedestrian ways is also important.” Demolition of existing Midtown buildings is necessary to facilitate breaking down of the Midtown Block.

The East End Entertainment district which lies just to the east of Midtown has recently attracted significant private sector investment. Unfortunately the activity, interest and investment experienced in this neighborhood has not extended west of Chestnut Street. The barriers and blighting influence presented by the Plaza are believed to be important factors blocking the extension of this type of activity into the downtown core.

The elimination of the blighting influences and obstacles to redevelopment resulting from the ongoing presence of the deteriorated and vacant Midtown buildings, the breaking down of the superblock and establishment of an interior street grid, the removal of barriers to improved connections from Midtown to the East End and to other districts, and the identification of blocks or parcels suitable for economically feasible development by the private sector are all seen as essential precursors to redevelopment and revitalization within the Midtown and nearby downtown areas. Redevelopment and revitalization will lead, in turn, to: private interest and investment within the downtown area; preservation of property values; contributions to the tax base; additional sales tax revenues; and, retention and growth of jobs.

Other urban planning considerations identified by EDAW/AECOM¹ that have contributed to the development of the preferred alternative described in this document are illustrated in Appendix B.

¹ **EDAW/AECOM** is a global firm with specialties in Urban Design and Revitalization, Landscape Architecture, Community Planning, Ecological and Environmental Sciences, Resource Management and Planning, Environmental Impact Assessment and Economics. EDAW/AECOM is consistently ranked among the world's leading design firms, and has 34 offices world-wide.

2.2 Specific Activities Under the Proposed Action

Specifically, the scope of this action now under review includes:

- Provisions for development of a PAETEC headquarters on the Midtown site;
- Acquisition of additional properties within the Urban Renewal District;
- Adoption and implementation of an Urban Renewal Plan including:
 - Development of a mixed use program for spaces;
 - Assembly of parcels, establishment of an internal street grid, and delineation of development parcels;
 - Adoption of a Land Use Plan and reservations for Open Space;
 - Plans for adaptive reuse or demolition of existing buildings;
 - Provisions for parking;
 - Development of new infrastructure and utilities;
- Clearance of the site and staging of demolition;
- Adoption of Redevelopment Principles and Land Use Requirements;
- Subdivision and disposition of property;
- Phase I development, which would include the elements defined in Section 2.9;
- Phase II and subsequent development including the elements defined in Section 2.10;
- Scheduling of implementation and development activities; and,
- Transition plans and improvements.

2.3 PAETEC Headquarters

Responding in part to the City's announcement of a plan to acquire Midtown Plaza and of an interest in developing a partnership with the private sector focused upon identification of an economically feasible plan for redevelopment of the property, PAETEC Communications expressed a corresponding interest in the potential development of a new Class A corporate headquarters and operations facility on the site sufficient to accommodate between 1,000 to 1,500 PAETEC employees. In October of 2007, PAETEC, ESDC and the City announced the formation of a private public partnership established to pursue redevelopment of the site including PAETEC's development of a new corporate headquarters and operations facility at Midtown. The parties signed a Memorandum of Understanding ("MOU") whereby the City would

acquire the site from the current owner (the City had authorized acquisition previously) and, subject to approval by the New York State Legislature, ESDC would administer the remediation and demolition costs needed to make the site “shovel-ready” for PAETEC’s headquarters (the City would then subsequently convey the PAETEC site). The parties agreed to work together in the coming months to develop an overall site and use plan for the project and a community participation plan prior to finalizing a formal development.

PAETEC has since engaged a development and design team and is developing a full understanding of its programmatic and site needs in preparation for the design of their headquarters facility.

2.4 Property Acquisition

Main and Clinton Properties. The City of Rochester has already acquired the four primary Midtown properties (outlined in blue in Figure 2.5). With respect to further acquisition necessary to realize the project objectives, the planning process has now identified a likely need for acquisition of three additional properties located at the intersection of Main and Clinton and adjacent to the Midtown Plaza. The three properties (the “Main and Clinton properties” or “Main and Clinton parcels”) proposed for acquisition are:

- 233-247 East Main Street, Tax Map No. 121.24-01-003;
- 249-253 East Main Street, Tax Map No. 121.24-01-004; and,
- 255-257 East Main Street, Tax Map No. 121.24-01-005.

The Main and Clinton properties, while not formally a part of the Midtown Plaza, have been within the area designated as an Urban Renewal District since its establishment in 2007. The three Main and Clinton properties being considered for acquisition can also be seen below in the Figure 2.5 illustration as the three in the extreme upper left adjacent to the Midtown properties at the intersection of Main Street and Clinton Avenue. They include a larger parcel and two much smaller parcels located just to the east of, and contained within, the larger parcel located at the intersection.

There is a possibility that direct acquisition by PAETEC or some other transaction could ultimately eliminate the need for acquisition of the foregoing three parcels by the City. (Pending a final determination relative to the need for acquisition by the City of the three parcels listed

below and shown in Figures 2.5 and 2.6, the acquisitions are being considered likely components of the action under review.

The three parcels are strongly linked to Midtown Plaza in terms of their use and condition. The absence of control over these privately held parcels was identified as a potential obstacle by urban planning professionals early in the planning process due to their close proximity to the Plaza, the potential for them to affect the redeveloped Midtown Plaza properties (for better or for worse), their key location at the intersection on Main and Clinton and the geometric role they play in completing the block that comprises the Plaza site. As an anticipated anchor tenant, PAETEC also understandably expressed some concern regarding the future development and

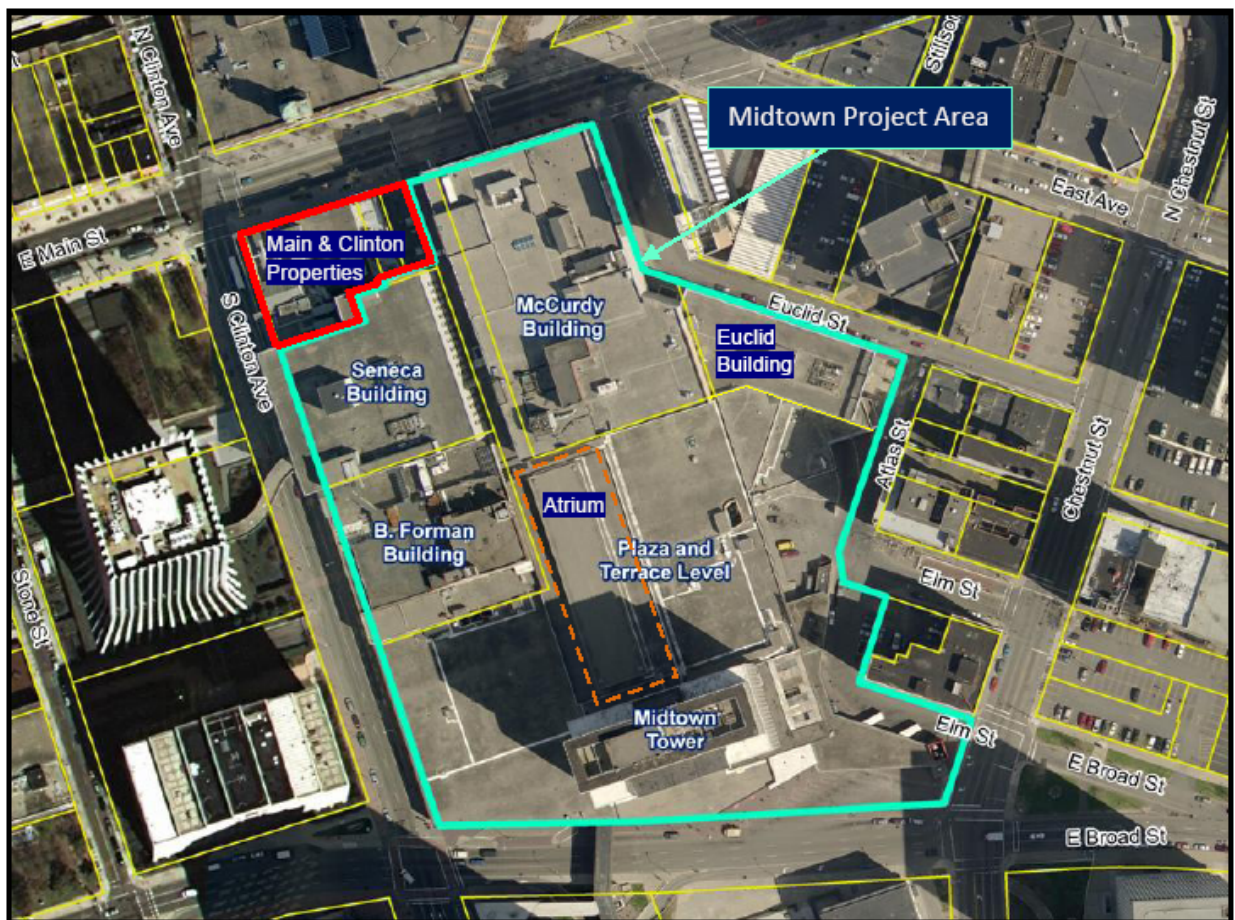


FIGURE 2.5, AERIAL VIEW OF THE MIDTOWN SITE AND SURROUNDING PROPERTIES

disposition of these Main and Clinton properties early in the planning process. As consideration of the preferred location for PAETEC's facility progressed, it became clear that the criteria relied

upon by PAETEC to identify a preferred configuration would likely lead to a proposed PAETEC headquarters location that would include part of all of the Main and Clinton parcels in question. For all these reasons, acquisition of the Main and Clinton parcels by the City of the Rochester has come to be considered a formal part of this action and remains so as this statement is drafted. Similar to an earlier action already underway in which the abatement and remediation of ACMs and other RECs within the Midtown properties has been undertaken, remediation and abatement ACMs and RECs will also be completed within these Main and Clinton properties following their acquisition.

All of the parcels acquired, or considered for acquisition by the City are within the boundaries of the Midtown Urban Renewal District, shown below in Figure 2.6. which also illustrates the parcel and street configuration in the area.

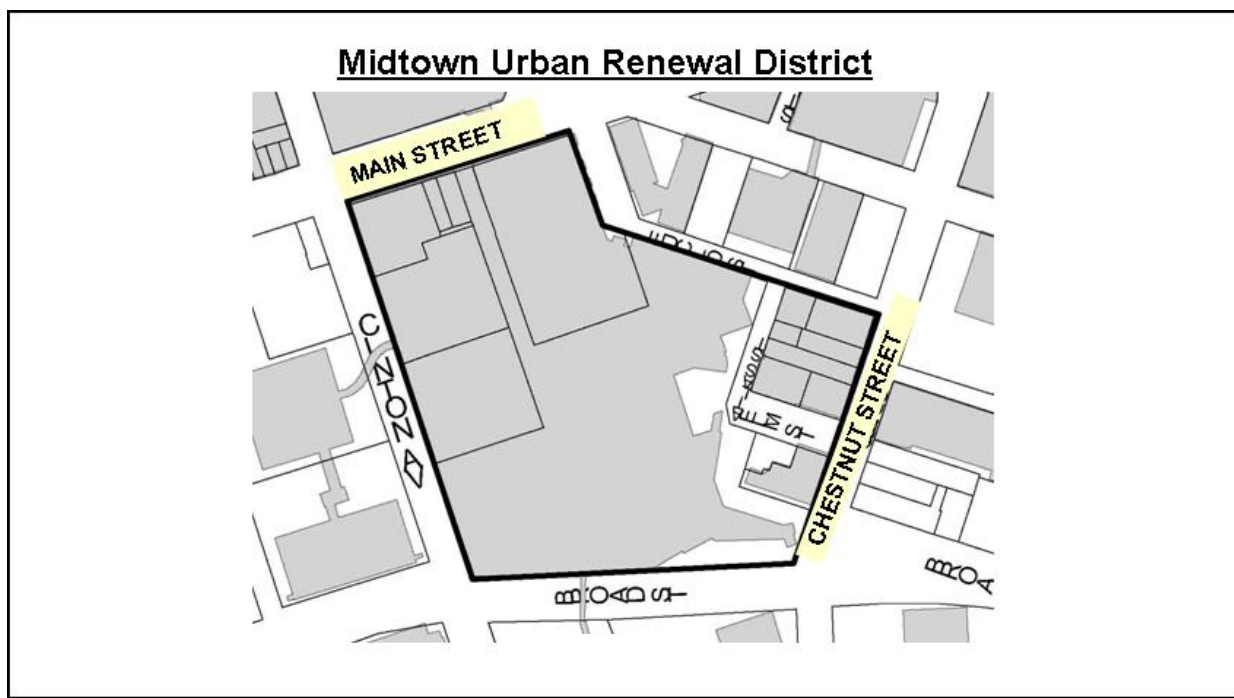


FIGURE 2.6, PARCEL AND STREET CONFIGURATION IN THE MIDTOWN PLAZA AREA

2.5 Urban Renewal Plan (Preferred Conceptual Redevelopment Scenario)

A conceptual plan for redevelopment of the Midtown Plaza site has been developed and is proposed for adoption as part of this action. The plan consists of the following elements or parameters (described in the sections which immediately follow): development of a space and

mixed use program; assembly of parcels; establishment of an internal street grid; delineation of development parcels; adoption of a Land Use Plan and reservations for Open Space; plans for adaptive reuse of existing buildings; plans to provide for parking; and, plans for development of new infrastructure and utilities. A concept site plan is included with the Figures (Figure A1) and in the text below as Figure 2.14.

2.5.1 Mixed-use Development Program

Site Capacity and Flexibility. Progression of a redevelopment plan for the Plaza site began with an assessment of the site's capacity to accommodate development. Such a capacity analysis considers only the physical constraints on site and does not take into account the impacts of density on traffic or parking, the market capacity for absorption or basic economic feasibility.

The capacity analysis found that the physical development capacity for Midtown Plaza is much greater than the current development on site which, despite the relatively high lot coverage (the proportion of the site occupied by buildings and structures as opposed to open space), represents a floor-area ratio ("FAR") of only about 3.75. (The FAR is the ratio of total floor area within buildings on the site to the area of the site itself.) An analysis of precedents from similar urban settings, including those illustrated in Figure 2.7, below, revealed that the Midtown site could accommodate a building coverage as high as 65% and a floor-area ratio of over 4.0. Development at this density could result in a building program of 1.8 million square feet. Even at an FAR of 4.0, there would still be opportunities to develop meaningful public spaces and to provide adequate spacing of the building masses to avoid detrimental environmental impacts such as impaired access to daylight or severe wind tunneling.

As described in more detail below under the topic *Mixed Use Program Alternatives*, three alternative mixed use programs were identified as a consequence of an analysis of the market and the forecast capacity for absorbance of new spaces. The three mixed use program alternatives differ primarily with regard to the number of square feet each would propose for development on the site. The three are characterized by FARs that range from approximately 2.0 to 3.0. This action has incorporated a development plan that is intended to accommodate a range of development densities (an approximate FAR ranging from 2.4 to 2.9) that is bounded by the two more dense mixed use program alternatives reviewed below. While this has been the goal, it is likely that the preferred redevelopment alternative could actually accommodate

even greater density should conditions indicate the need, although increases in the program leading to a FAR in excess of 3.0 could require alternate strategies to address parking needs (such as off-site parking).

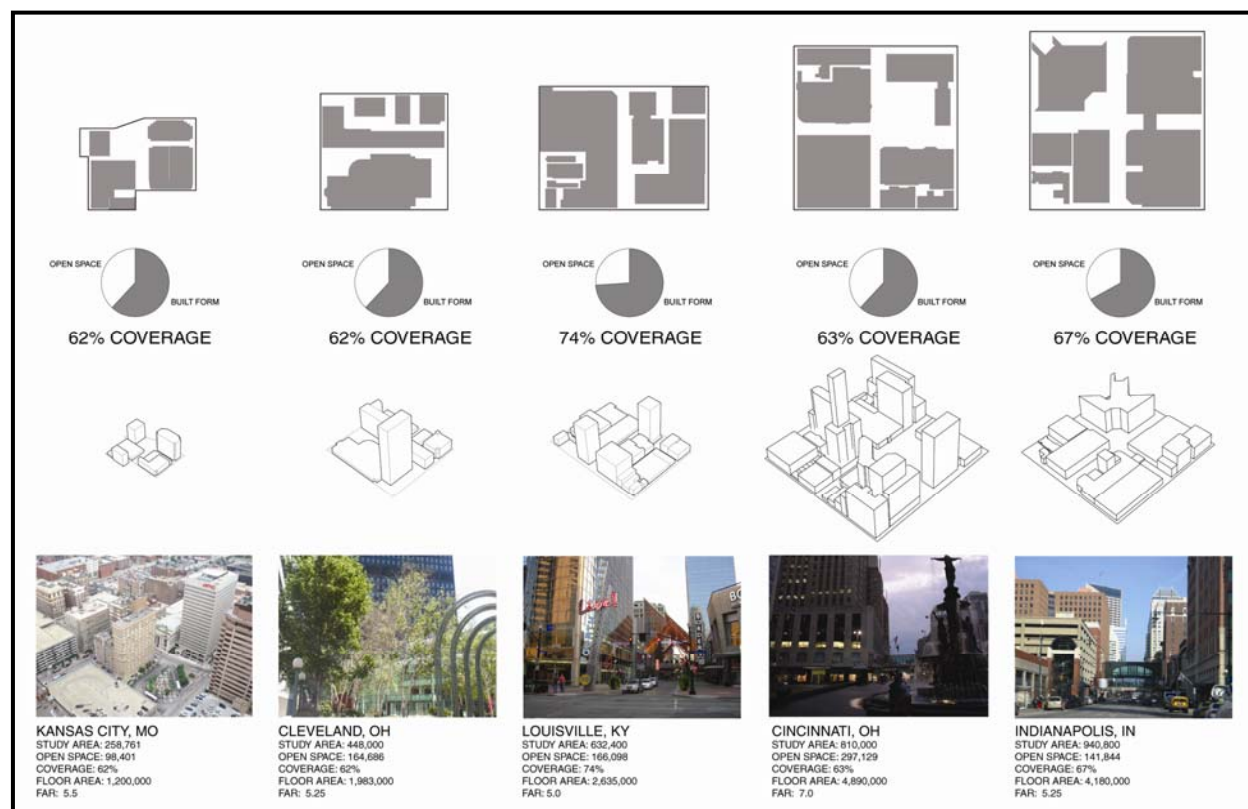


FIGURE 2.7, PHYSICAL DEVELOPMENT CAPACITY IN SIMILAR URBAN SETTINGS

Market Constraints. The Rochester market and the associated capacity to absorb new development is constrained by demographic trends and related developments experienced during the last half of the 20th century. As reviewed in more detail in the Section 3.0 discussion of *Purpose, Needs and Benefits* and as described in the Market Feasibility Analysis (Appendix C), there has been no population growth within the Rochester Metropolitan Statistical Area (“MSA”) since 1970. Furthermore, the Monroe County share within the MSA of the 25 to 34 age group has fallen disproportionately and is forecast to continue falling. Within the City of Rochester, the population has declined by one-third since 1950. Regarding employment, the Rochester economy has trailed national average employment growth and little future growth in employment has been forecast. Reflecting these circumstances, the inventory of Class A office space within the Central Business District has not grown over the past decade despite

significant growth in surrounding communities. With respect to Midtown Plaza and surrounding properties, vacancy at the Plaza had increased to 85 percent by 2007 and the values of many nearby downtown properties, including more recently constructed office buildings, have been declining. These and other related findings emphasize the urgent need for revitalization within the Rochester downtown area. At the same time, this history and the associated market constraints also indicate the need for a cautious assessment of redevelopment opportunities and for the identification of an economically feasible plan that takes all important factors into account in a way that can maximize the likelihood of a successful redevelopment and revitalization effort despite the many constraining conditions.

Mixed Use Program Alternatives. The action now under review consists of a redevelopment plan described in this section and identified throughout this document as the Preferred Alternative in order to distinguish it from other approaches (a no action alternative, for example) that have also been considered and that are reviewed in [Section 12.0](#). Formulation of this preferred redevelopment plan has itself involved the consideration of a number of related, subsidiary alternatives regarding a number of different project components, characteristics or proposals. The development density (total number of square feet of floor space and/or FAR) and the relative mix of uses that ought to be anticipated and accommodated by the proposed site plan are characteristics that have been involved in consideration of a number of alternatives. The anticipated development density and the associated program for mixed uses on the site have been the focus of much study and evaluation given the importance of identifying a redevelopment plan that is realistic and economically feasible given the applicable market dynamics.

In pursuing a realistic redevelopment plan, three alternative mixed use programs were first identified in reliance on a Market Feasibility Analysis (Appendix C) undertaken as part of the planning process. These are summarized below in Table 2.1 and differ primarily with respect to the density or total number of square feet each proposes for mixed-use development on the site. The density proposed by each has, in turn, been defined by the anticipated market capacity for absorption of new spaces within a ten year period and an estimate of the proportion of this absorption potential that the Midtown site might reasonably be expected to capture.

The program alternatives shown in the table below were defined as part of an effort to ensure that the preferred plan proposed for site redevelopment reflected the market capacity to absorb

newly proposed uses and spaces (see the underlying market feasibility analysis included in Appendix C). Specifically, the three identified alternatives shown in the table consist of a base scenario flanked, on the one hand, by a second scenario reflecting a less positive forecast of how demographic changes and revitalization efforts will affect future market demand and, on the other hand, by a third scenario reflecting a much more positive forecast of the effects of these same factors on future demand. While the base and high alternatives anticipated development of a PAETEC headquarters of at least 350,000 sf on the site, the low alternative did not. It is worth noting that even the most expansive alternative called for fewer than the 1.4 million square feet of space now existing on the site.

Midtown Mixed Use Program Alternatives						
<u>Program Alternatives</u>						
<u>Program Elements</u>	<u>Low</u>		<u>Base</u>		<u>High</u>	
	<u>SF</u>	<u>Units</u>	<u>SF</u>	<u>Units</u>	<u>SF</u>	<u>Units</u>
OFFICE	- 0 -		438,000		570,000	
HOTEL	70,000	100	70,000	100	70,000	100
RETAIL	61,600		65,800		67,600	
RESIDENTIAL	<u>296,250</u>	237	<u>331,250</u>	265	<u>367,500</u>	294
TOTAL:	427,850		905,050		1,075,100	
Floor Area Ratio	1.14		2.42		2.87	

TABLE 2.1, MIDTOWN MIXED USE PROGRAM ALTERNATIVES

With respect to development density and program, the plan proposed for the redevelopment of the Midtown site (identified as the preferred plan) has been formulated in a manner that would accommodate either the base or high program alternatives summarized in Table 2.1. This approach has provided some additional flexibility that avoids the need to settle on one or the other of these two programs. At the same time, the City and ESDC recognize that a level of uncertainty will still remain in the face of even the best market forecasts. That being so, the City and ESDC also intend to retain the flexibility to improve the return on public investment by supporting an even more robust program should a more favorable market manifest as phased

development progresses. This impact statement assumes that the above program could be exceeded by 15 to 20 percent should there be sufficient future improvement in the market.

2.5.2 Assembly, Street Grid and Block Configuration

Urban Renewal District. The block and street configuration now existing within the Midtown Plaza area are shown in Figure 2.6, above. The heavy dark boundary included in the figure describes the Urban Renewal District established by the City in 2007. As the figure shows, the district includes all those parcels within the area bounded by Clinton Avenue, Main Street, Euclid Street, Chestnut Street and Broad Street. Although closely associated with the district and the properties within, the block located north of Euclid, south of East Avenue and west of Chestnut Street is not within the Urban Renewal District.

Central Location and Intersecting Street Grids. The location of Midtown Plaza and the surrounding Urban Renewal District is unique. In addition to the central location shown above in Figure 2.1, they also occupy a key location in which the dominant downtown street grid defined by the alignments of Main Street and Clinton Avenue to the west intersects with and is reconciled to the “off-axis” grid to the east which is characterized by the alignments of East Avenue and the segment of Chestnut Street located south of East Avenue.

The convergence of these two distinct grids within this area leads to street directional changes and off-axis intersections that form an articulated “knuckle”. This knuckle helps to create an impression of having arrived at a unique hub or transition which is related geometrically to each of the two dissimilar grids by which it is surrounded. These two converging and intersecting grids are reconciled here within an area circumscribed by the five primary principal streets of Main Street, East Avenue, Chestnut Street, Broad Street and Clinton Avenue. This form is recognizable in Figure 2.6 above, which depicts the area and the boundary of the Midtown Urban Renewal District.

Midtown Plaza. The Plaza itself occupies most of the area within the Urban Renewal District. An aerial view of the Midtown site and surrounding properties is shown above in Figure 2.5.

The convergence of the two grids, including the prominent intersection of Main Street and East Avenue found near the top of the photograph, is also recognizable in Figure 2.5. The Midtown Plaza buildings shown in the photo have been identified by name and the boundaries of

individual parcels have been indicated in yellow. District parcels that have not been acquired by the City are found within three blocks shown above in Figure 2.5: the Main and Clinton properties located at that intersection just beyond the blue/green boundary, a second block of seven parcels in the eastern portion of the district bounded by Euclid, Chestnut, Elm and Atlas streets, and a third, smaller block of two parcels located west of Chestnut and south of Elm Street and just to the south of the foregoing block.

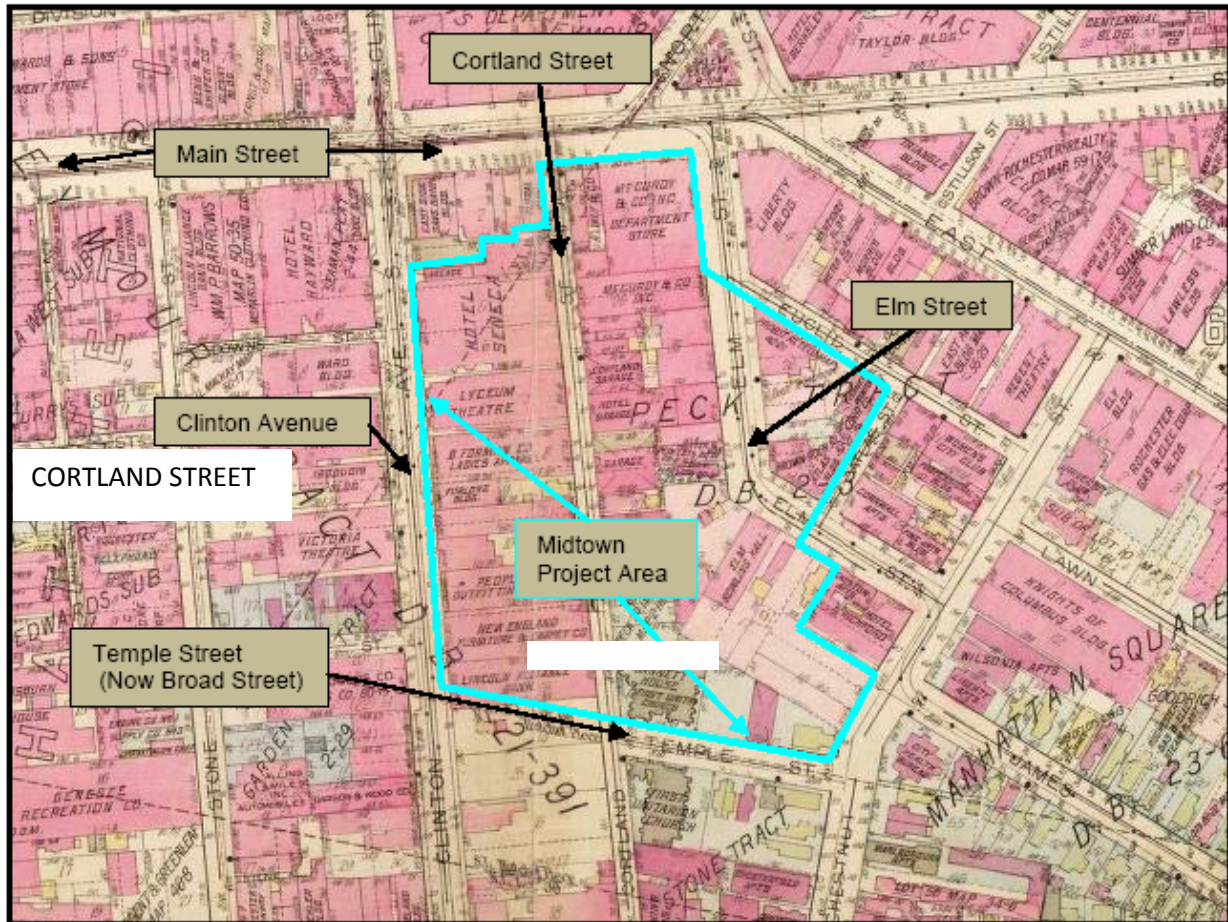


FIGURE 2.8, HISTORIC MIDTOWN STREET GRID

Streets were abandoned during the development of Midtown Plaza including Cortland Street which once bisected the Midtown site and segments of Elm Street which once proceeded south from the current intersection of Main and Euclid and then turned easterly to intersect Chestnut Street on an alignment that was parallel to both East Avenue and Euclid Street. Both Cortland and Elm Street can be seen above in Figure 2.8, which depicts the historic street grid as it existed in 1926. In the years before the development of Midtown Plaza, the intersection of

Cortland Street and Main Street was recognized as the premier retail location in Rochester. The abandoned Cortland Street right of way is still recognizable in the Main Street entrance to the Midtown Plaza which was formed by incorporation of a roof over the space once occupied by the street (between the McCurdy building to the east and the B. Forman and other buildings to the west).

As can be seen in the figure above, the Midtown Block was also originally bound to the east by Elm Street, a major segment of which was abandoned during the development of the Plaza. The intersection of Cortland with Main Street was approximately midway between the intersection with Clinton Avenue to the west, and the intersection with Elm Street to the east. A northerly remnant of Elm Street still intersects Main Street in the original location, but the segment is now identified instead as an extension of Euclid Street. Another segment of Elm Street also remains to the south where it intersects Chestnut. However, the intervening segment of Elm that once connected these two remnants is no longer present, having been covered by the eastern portion of the mall when Midtown was constructed. The southern boundary of the Midtown Block is incomplete in the 1926 street grid shown above as Broad Street had not yet been extended through to Clinton Avenue at the time.

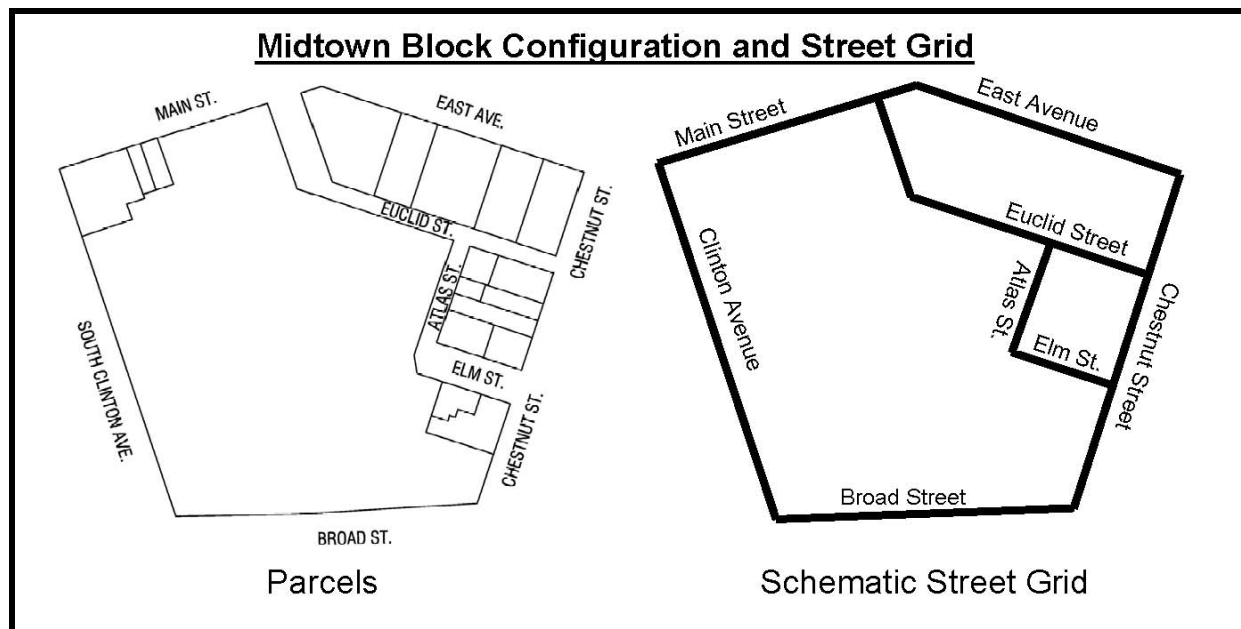


FIGURE 2.9, MIDTOWN BLOCK CONFIGURATION AND STREET GRID

The current configuration of parcels together with a schematic rendering of the existing street

grid is shown above in Figure 2.9. The left hand portion of the figure depicts the parcels, their boundaries and the street grid defined by these boundaries as they exist today. The street grid alone is shown schematically in the right hand portion of the figure. As it is a schematic illustration only, no attempt has been made to represent the width of the street rights of way. As can be seen from the figure, it is the street grid which principally defines the parcels (or contiguous blocks of parcels) available for development as a single site. Midtown Plaza and the adjacent Main and Clinton properties discussed above now occupy the large, prominent block (also called “the superblock”) that is visible above in the Figure 2.9 illustration of the existing street grid. This superblock is located north of Broad, east of Clinton, south of both Main and Euclid and bounded to the East by Atlas, Elm and Chestnut.

Together, the objectives listed on the foregoing page, the existing street pattern shown in the figure above and the convergence of the distinct grids described above operate to progressively narrow the range of possible street and block configurations and to define a range of configurations with adequate potential to support a successful redevelopment. Prior to settling on a single preferred street grid reviewed below, a number of grids were first conceived and then evaluated with respect to their capacity to accommodate the program alternatives described in Table 2.1. With respect to alternate grids first proposed to accommodate the base and high program alternatives, it ultimately became clear that these differed from one another only in minor respects and that a single grid could be proposed to accommodate either program alternative. A single grid was therefore developed so as to provide the City valuable flexibility to support a range of density alternatives and respond in the future to a corresponding range of future market conditions. The existing street grid is shown on the left in Figure 2.10 below. To the right in the figure the preferred street grid now being proposed is shown.

Preferred Street Grid. The preferred grid reviewed below was developed in an effort to improve connectivity to the East End, to reduce the extent of a central parcel intended for development as a key open space, and to simplify the intersections and alignments within the southern portion of the site. Again, refer to Figure 2.10 below for comparison.

As can be seen on the right in the figure below, the preferred grid would involve abandonment of a portion of Euclid Street to provide for a more direct transition into the interior of the site. The plan would also potentially increase or otherwise affect two blocks of parcels not owned by the City. The first block potentially affected is the block south of Elm Street that is within the

district but privately held. This block could be increased in extent by the potential inclusion of a “toe” of City-owned property located just to the south. (This “toe” and the potential effect can

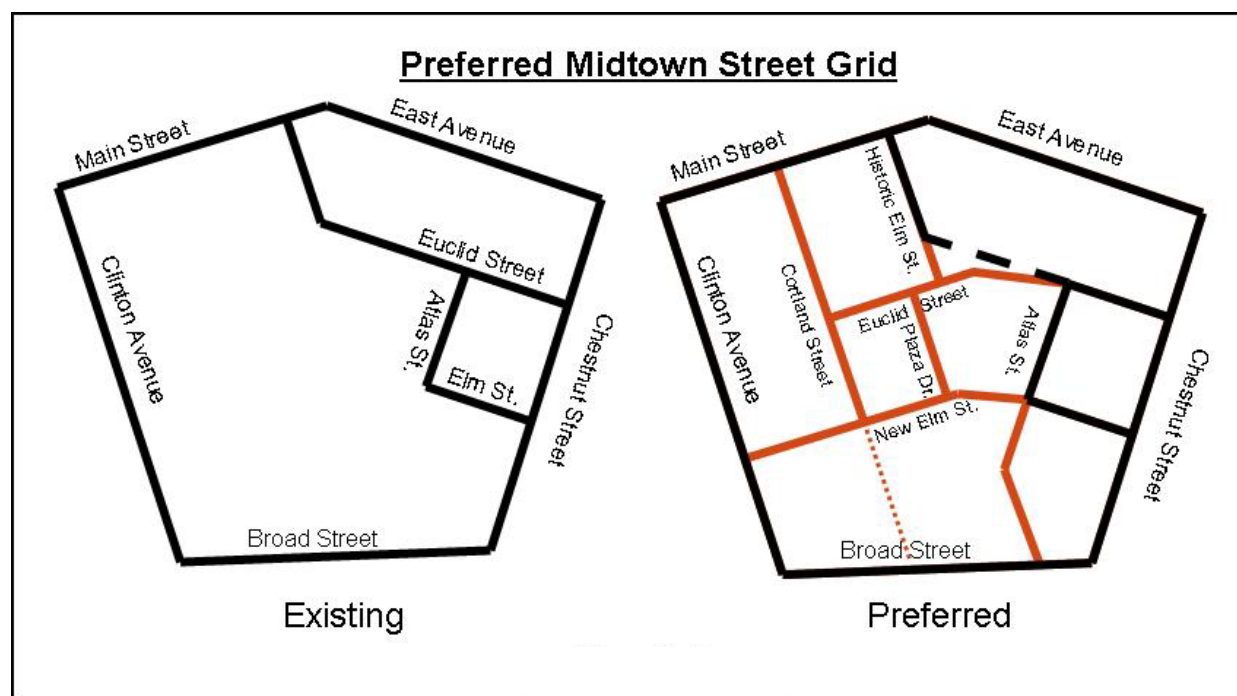


FIGURE 2.10, PREFERRED MIDTOWN STREET GRID

be seen more clearly in the following Figure 2.11) The second block potentially affected is that located between Euclid Street and East Avenue which, while it is neither owned by the City nor within the district, could be increased nonetheless by the abandoned segment of Euclid and some associated property immediately south of the existing rights of way.

Modification of the existing street grid to provide the preferred street plan shown on the right in Figure 2.10 above would require development of six primary elements (shown in color in Figure 2.10). Various hypothetical names are adopted below merely for ease of reference. The actual designations of any proposed streets discussed below are unknown. The six elements are:

1. **New Elm Street (a new street with an east/west alignment on the southern portion of the site).** Establish a new street along an east/west alignment which would extend the current segment of Elm Street which lies between Chestnut and Atlas, westerly across the southerly portion of the site and to the north of the existing Midtown Tower to an intersection with Clinton Avenue near the southern boundary of the B. Forman building. The proposed

alignment would curve from the intersection with Atlas Street, at which point it is perpendicular, so as to also be perpendicular at the intersections with the reestablished Cortland Street and with Clinton Avenue. The arc of this street mimics the angle of inflection found at the intersection of East Avenue with Main Street so that the easterly segment of the extension, which is parallel with East Avenue, is joined with the westerly segment which is parallel with Main Street. For ease of reference, this document will refer to this new street as 'New Elm Street'.

2. **Cortland Street (reestablishment of a major segment of the abandoned Cortland Street).** The plan would reestablish a major segment of Cortland Street, from Main Street, where the Main Street entrance to Midtown Mall now exists, southerly to an intersection with New Elm Street (the new street proposed to be established along an east/west alignment as described above in the immediately preceding paragraph). The reestablishment of Cortland Street is accompanied by an alternative that depends primarily upon a determination as to whether the existing Midtown Tower will be demolished or whether it will remain instead to be adapted for reuse (see Section 2.5.6.2 for a discussion of reuse or demolition of the existing tower). The alternative would extend the newly reestablished Cortland Street further south to a point of intersection with Broad Street. While it has been determined that the further extension of Cortland Street beyond New Elm Street to an intersection with Broad Street is not essential to provide access to the Midtown Block interior, such an extension is preferred and will be pursued so long as it does not conflict with the adaptive reuse of the Midtown Tower or operate to limit future opportunities by restricting development of the block immediately north of Broad, east of Clinton and south of New Elm Street.
3. **Euclid Street (a new street with an east/west alignment on the northern portion of the site).** The plan would establish a new street along an east/west alignment to bisect the larger block that would otherwise be formed south of Main Street, east of the reestablished Cortland Street, west of Atlas and north of New Elm Street. The proposed alignment would actually extend Euclid Street westerly beyond the existing intersection with Atlas, curving to the south (and abandoning an existing segment of Euclid in the process) from the intersection with Atlas Street (at which point it is perpendicular) so as to also be perpendicular at the intersections with the newly established Cortland Street and with

Clinton Avenue. For ease of reference, this document refers to this new street as “Euclid Street’.

4. **Historic Elm Street.** The plan would extend the segment of the historic Elm Street which now intersects Main Street (and has since been renamed Euclid rather than Elm) so as to extend it along the present alignment to a new intersection with the newly proposed extension of Euclid Street (element number 3 described in the immediately preceding paragraph). An alternative once associated with the establishment of this street would have extended it beyond the newly proposed Euclid Street further south to an intersection beyond with the newly proposed New Elm Street. The proposed extension was replaced instead by the street described in the following paragraph which reduced the size of the central block bordering it to the west.
5. **Plaza Drive.** This newly proposed street segment was originally envisioned as a continuation of the Historic Elm Street segment (element number 4, as described in the paragraph immediately above). However, it has now been shifted to the west instead so as to limit the size of the adjoining parcel which would lie between it and Cortland Street. This newly proposed segment referenced as Plaza Drive would feature a north/south alignment and would extend from a northerly intersection with the extended Euclid Street (element number 3) to a southerly intersection with newly established New Elm Street (element number 1).
6. **Atlas Street.** Atlas Street would also be extended beyond its present intersection with Elm Street southerly to a point where it would turn slightly to the east and then along its new course to a terminating intersection with Broad Street. The change in alignment midway between New Elm and Broad has been proposed primarily to avoid a conflict with the Midtown Tower. Were it determined that the Tower would not remain, the segment would potentially be realigned further to the west so as to be perpendicular at its intersection with Broad Street.

Proposed Block Configuration. The preferred street grid would delineate a total of seven new blocks shown below on the right in Figure 2.11.

From the land now occupied by Midtown Plaza, the preferred configuration shown in the figure below delineates a total of seven blocks including six new primary development blocks or

parcels and a seventh smaller block or parcel (identified in the figure as number 7) that could either be developed or, alternatively, annexed to adjoining lands. The seven blocks are:

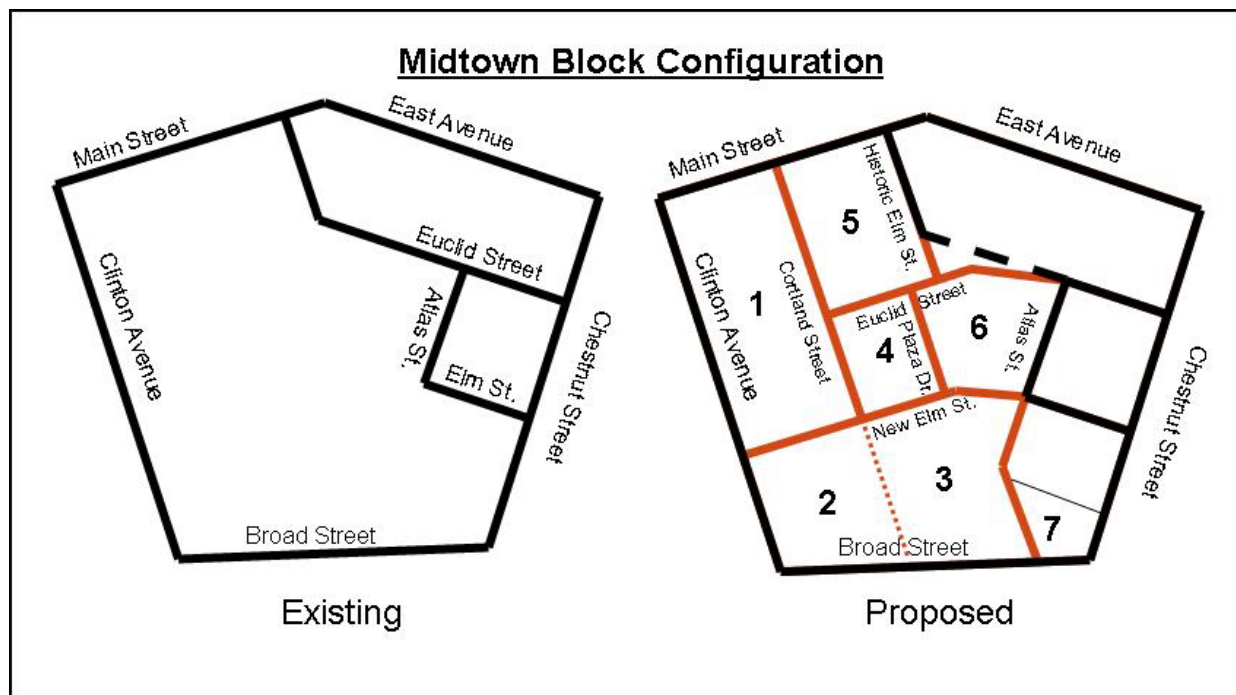


FIGURE 2.11, MIDTOWN BLOCK CONFIGURATION

1. **Block 1 - PAETEC.** A development parcel of approximately 1 4/5 acres located at the intersection of Main and Clinton and bounded by Main Street to the north, by the new established Cortland Street to the east, by the newly proposed New Elm Street to the south and by Clinton Avenue to the west. This block generally comprises the areas now occupied by the B. Forman Building, the Seneca Building and the properties north of Seneca Building at the corner of Main and Clinton. PAETEC's proposed headquarters and operation facility would be developed within this block.
2. **Block 2.** A block or parcel of approximately 1 acre in the southern portion of the site including much of what is now occupied by the Midtown Plaza and bounded by the newly proposed New Elm Street to the north, by the boundary of an adjoining parcel to the east (the location of which would approximate an extension of Cortland Street), by Broad Street to the south and by Clinton Avenue to the west. This parcel would be designated for development as a plaza or other form of planned open space. Responsibility for ownership, development, maintenance and programming of this parcel has not been determined, but

the likely possibilities include PAETEC, the City, or a partnership of the two. While not separated by a right of way, the parcels shown in the figure above as numbers 2 and 3 are designated separately because of the primary designation of this parcel as open space. Development of an eastern portion of parcel 2 as a building site does remain a possibility. An important consideration in this regard is maintaining a clear view to the north of the proposed PAETEC facility from Clinton Avenue. Development of the eastern portion of this parcel could be integrated with that on the parcel adjoining to the east (Block 3) were Cortland Street not to extend beyond the intersection with New Elm Street.

3. **Block 3.** This is a block or parcel of approximately 1 3/8 acres which would be bordered on the west by block or parcel number 2 described in the foregoing paragraph (the location of the boundary would approximate an extension of Cortland Street). The block or parcel would be bounded by the newly proposed New Elm Street to the north, by the proposed extension of Atlas Street to the east and by Broad Street to the south. Much of this block or parcel is now occupied by the Midtown Tower. While the block or parcel adjoining it to the west would be designated as open space, this block or parcel would be available for development of a new building (or, alternatively, for adaptive reuse of the existing tower).
4. **Block 4.** This central block of approximately 1/3 acres would be bounded by the established Cortland Street to the west, by the newly extended Euclid Street to the north, by a newly proposed Plaza Drive to the east and by the newly proposed New Elm Street to the south. This block would be designated as open space, likely to be developed as a central square or park closely associated with retail uses around its perimeter. This block is now occupied by the northern reaches of the existing plaza mall.
5. **Block 5.** A Main Street block of approximately 1 acre bounded by Main Street to the north, by the extended Historic Elm Street to the east, by the newly extended Euclid Street to the south and by the established Cortland Street to the west. Block 5 would be available for private development. This block includes most of the area now occupied by the McCurdy Building.
6. **Block 6.** A central block of approximately 5/6 acres near the eastern boundary of the site bounded by the newly proposed Plaza Drive and the central open space to the west, by the newly extended Euclid Street to the north, by the existing Atlas Street to the east, and by Atlas Street to the east, and by the newly extended New Elm Street to the south. Block 6

would share an important interface with the central open space. It includes most of the area now occupied by the Euclid Building.

7. **Block 7.** A southerly block or parcel of approximately 1/3 acres in the southeastern corner of the site bounded by the newly proposed New Elm Street to the north, by Chestnut Street to the east, by Broad Street to the south and by the proposed extension of Atlas Street to the west. The configuration of this block or parcel has been driven by the plans for a functional street grid. It is relatively small and has always projected and been somewhat isolated from the balance of the properties that have made up the Midtown Plaza site. Block 7 could be developed independently, but not as a major building site. There is also some potential to explore annexation of this parcel to adjoining lands held privately as a highest and best use.

2.5.3 Land Use Plan and Reservations for Open Space

Limitations and Flexibility. With the exceptions noted in the discussions above, the general street grid and block configuration described in the foregoing sections are not expected to change significantly. In other words, although alignments of streets could shift somewhat in one direction or another or be rotated to some degree, the number and general orientation of the proposed streets, the number of contiguous blocks and their general layout is not expected to change.

On the other hand, although flexibility regarding the foregoing street grid and block configuration will be limited, it is the intent of the City of Rochester to nonetheless retain as much flexibility as possible regarding the conceptual land use plan. Such flexibility may prove valuable going forward in adapting to changing market conditions or in accommodating the preferences of interested private sector developers presenting proposals with the potential to contribute to an economically feasible redevelopment of the site or otherwise promote the City's revitalization goals.

Concept Land Use Plan. A concept plan that has been developed for land use based upon the preferred street grid and block configuration is shown below in the right side of Figure 2.12. (Additional detail and guidelines concerning the uses to be made of these blocks is included in Appendix D) As indicated above, with the exception of the PAETEC block, the two open spaces and the plans for street level retail, the distribution of uses illustrated in the figure below

is intended only as a general guide and as merely one of several possible solutions. The City intends to retain flexibility in the land use plan and building configuration in order to respond to changing market conditions and in order to accommodate the preferences of developers or others interested in investing in redevelopment at the site.

PAETEC would occupy the large block (Block 1) shown in the figure along Clinton extending up to Main Street and bounded by the newly reestablished Cortland Street to the east and by a newly extended Elm Street to the south. Retail uses would be developed within the ground floor of the PAETEC building along Cortland Street. Retail uses would also be developed within the ground floor spaces of other buildings to the east of Cortland Street and of all others facing the central green space identified as Block number 4. The Main Street block identified as number 5 would be the preferred location for a hotel and associated spaces. Some residential development could accompany the hotel if market conditions warrant. Block number 6 would be intended for residential development exclusively save for the ground floor retail space

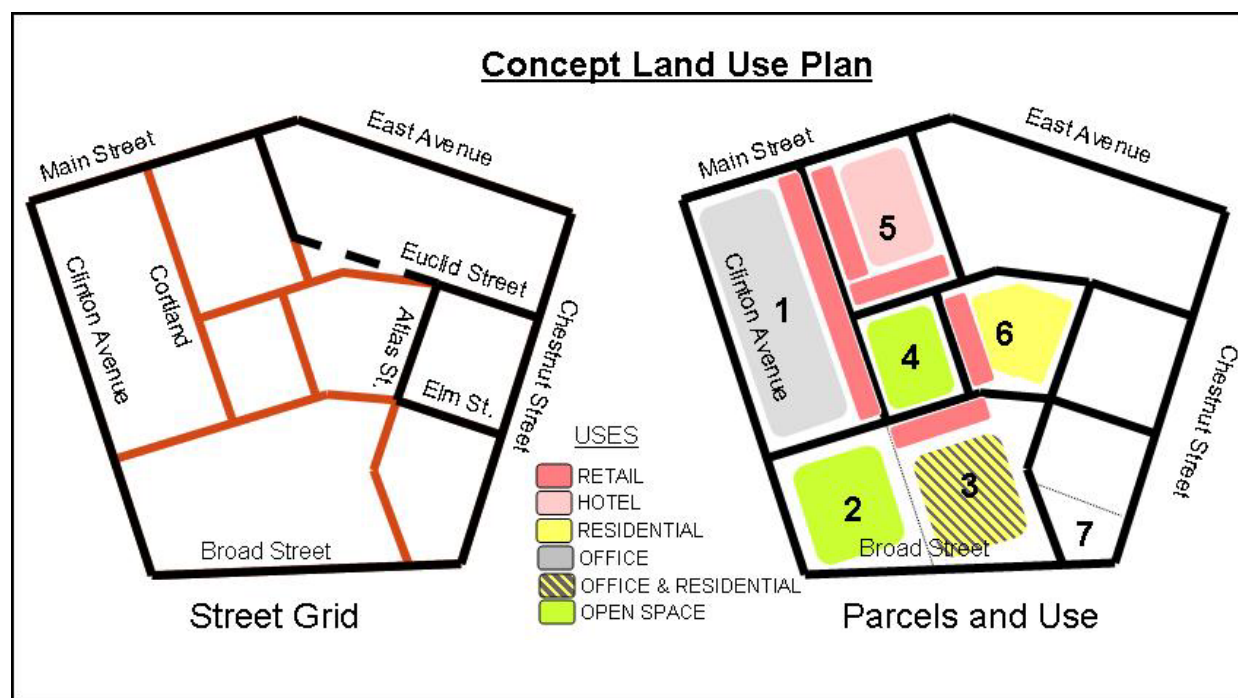


FIGURE 2.12, CONCEPT LAND USE PLAN

fronting on the central green space. Block number 3, the present site of the Midtown Tower, would be developed as residential, office or an acceptable combination of the two uses depending upon market demand. At the present time the market demand for additional Class A

office spaces appears limited and it is possible that Block number 3 could be developed exclusively as a residential site. Block 3 and the adjoining Block number 7 have also been identified as the preferred locations for any necessary above ground parking. Block number 2 has been identified as an open space plaza. As described above, an alternative to develop a building on the eastern portion of Block 2 remains subject to certain constraints. A more detailed set of figures describing the principles proposed to guide land use, street level land use, massing and the public realm on each of the above blocks or parcels has been included in Appendix D.

The intended use of the central street grid, central open space and surrounding street level spaces is as follows. Streets, particularly Cortland Street and those around the perimeter of the central open space will be relatively narrow in order to calm traffic, will feature street side parking, may feature pavers or similar materials, and will be subject to periodic closure for festivals or comparable events. Retail uses will be preferentially located within the adjoining street level building spaces to help activate the area. Sidewalk cafes and similar uses will be favored to assist in development of a lively, intimate setting. The preferential location of retail along Cortland Street is intended to connect Main Street and the central open space. While it is unlikely that the central open space would contain buildings, it is possible that kiosks or similar structures could be developed within this space to facilitate a connection to the surrounding retail uses and further activate this space.

Narrowing of Future Options. The detailed configuration of use distribution shown above could change to some degree in response to changing market conditions and developer preferences. However, the objectives and principles described in Section 2.7 would continue to govern the implementation of any proposed changes to the land use plan. Also, with two exceptions only, the general identification of some parcels as available for private development and of others as designated for use as plazas, green spaces or other open space is not expected to change. The two exceptions are, first, the potential inclusion of some retail kiosks or other retail uses not requiring formal building construction within the central green space (parcel number 4); and, second, the potential development of a building on the easterly portion of the southern parcel designated as open space (parcel 2) so long as it does not unduly impede the view of the PAETEC building on the parcel to the north and is agreeable to both PAETEC and the City.

Development Sequence. The pattern described above was planned to accommodate a mix of uses and to be developed in a phased sequence. The development sequence would be preceded by demolition and associated site restoration activities. In general, the PAETEC office, operations center and some associated street level retail uses would be developed in Phase I on the PAETEC parcel. The development of the open space south of PAETEC on parcel number 2 and of the central open space on parcel number 4 are anticipated to also be completed during this initial phase. Projects including adaptive reuse of existing buildings selected to remain would also be included within this first phase. While there are no present commitments that the City would necessarily rely on, hotel and retail development on parcel number 5, retail development on parcel number 6 and retail/residential development on parcel number 3 have all been identified as candidates for Phase II development which would ideally follow PAETEC by no more than 12 months. Depending upon the residential density and hotel configuration this second phase would also likely be accompanied by development of some additional parking likely beneath the hotel or on the surface of parcel number 3, or both. Any remaining development of residential uses, retail fronting on the central open space and/or office development on parcel number 3 would likely occur during a third and final phase.

2.5.4 Parking

As described in more detail (see [Section 2.5.6](#)) and contrary to some very early and incomplete indications, the existing Midtown garage of 1,844 spaces is in reasonably good condition and will remain. An early concern regarding a potential need to demolish buildings above the garage by implosion and the associated need to subsequently reconstruct many spaces has also been resolved. The selection of a PAETEC site which is not over the garage will now allow for demolition using traditional means which should facilitate preservation of most or all of the existing spaces within the existing garage.

As this statement is drafted, the Midtown garage is now closed in preparation for abatement and remediation of ACMs and other RECs. The garage will subsequently remain closed while demolition and redevelopment activities above take place. The latest date at which the garage would reopen would be in conjunction with the occupancy of the new PAETEC facility. Whether the garage might reopen in advance of completion of the PAETEC building will depend upon the schedule and the extent and details of the development of buildings upon the development sites

above the garage (parcels numbered 3, 6 and 7 and the open space parcels numbered 2 and 4).

When the garage reopens, the City anticipates dedicating the majority of the spaces to PAETEC's use. Although no final agreement has been reached, the reservation of a number of spaces as high as 1,500 has been suggested. It is possible that the number actually reserved for use by PAETEC could be somewhat lower or, in the alternative, lower at first and then increased later as the PAETEC employee count grows. These details will be resolved by an agreement for development being negotiated between PAETEC, the City and ESDC. Whether it is 1,500 spaces that are reserved or a lower number, it is anticipated in either case that the remainder will be relied upon to provide parking for other uses to be developed on site. It is not anticipated that any of the remaining spaces would be relied upon to provide monthly parking for occupants of neighboring office buildings as they were prior to the recent closure.

With respect to additional parking needs, recognizing the concerns over adequate parking downtown and in an effort to reduce the redevelopment project's impact upon parking demand, it has been assumed that additional parking demand associated with other uses to be developed on the Midtown site would be met via construction of additional parking on site. This parking could include some below ground parking beneath new buildings. However, given the significant cost premium associated with development of parking below the surface, it is likely most or all would be provided through development of above ground structures. These parking structures would not be developed in a manner that would displace opportunities for street side retail development and could be developed above a conventional ground floor to avoid such a result. Any above ground parking structures would be clad in such a manner as to mimic the appearance of a traditional building. There are several examples of such treatment of parking structures already within Rochester. The southerly parcel (number 3) has been identified as the preferred location for development of additional parking. Development of some parking on Parcel 6 is also possible. Parcel number 7 might also be a site for parking development if a suitable configuration could be identified.

2.5.5 Infrastructure and Utilities

The potential need for development of new infrastructure and/or utilities can be determined by addressing three questions. First, can the existing infrastructure and utilities now located on the site perimeter accommodate the needs of buildings and uses planned for the site? Second, will

demolition interrupt or damage existing infrastructure or utilities that will require rerouting or replacement? And third, what will be required to facilitate and support the establishment of an interior street grid and the associated development parcels or blocks?

With respect to existing utilities around the perimeter, a study (see [Section 5.15.2](#)) has concluded that the capacities of existing water mains, sanitary sewers and other improvements serving the site are sufficient and improvements will not be required to provide additional capacity.

In several instances existing utilities and infrastructure within buildings, within areas of the garage, within the service truck tunnel that transits the garage and within segments of the Skyway system slated for demolition will be affected by demolition and redevelopment activities. Affected utilities and infrastructure include conduits containing fiber optic or other private conductors, steam lines and other utilities. A report summarizing these and other impacts is included in Appendix E. A discussion of the affected utilities can be found in [Section 5.15.1](#) and [Section 5.15.2](#) and a listing can be found in [Section 6.0](#). On the other hand, with respect to utilities and improvements embedded within the floor of the underground garage, early concerns that these would be negatively impacted have been resolved. The garage and the foundation slab will remain and the associated utilities and improvements within or beneath the slab will therefore remain as well.

The preferred street grid considered for establishment has been reviewed in [Section 2.5.2](#). These interior streets will consist of a base, pavement, curbs and associated sidewalks. A right of way width of sixty feet is anticipated, including two travel lanes of 10 or 11 feet each, street side parking along each curb and sidewalks on each side 11 or 12 feet in width. Beneath or accompanying the newly proposed streets will be water mains and appurtenances, sewers and other utilities. [Section 5.15.3](#), reviews these needs, provides conceptual estimates of their extent and an anticipated cost for their development.

2.5.6 Demolition of Existing Buildings and Structures

Acquisition of the Midtown Plaza properties was proposed and the associated environmental impacts reviewed at the time the Urban Renewal District was first established. Although demolition and clearance of the site was not specifically proposed along with establishment of

the Urban Renewal District, that action did identify the following important redevelopment and revitalization objectives:

- Arrest further deterioration of the site and its negative influence on surrounding area;
- Eliminate substandard conditions, deteriorated structures and other blighting influences;
- Demolish and remove of non-contributing structures in the project area that are not economically feasible to renovate; and,
- Eliminate urban design characteristics contributing to blight within the project area.

As originally conceived, the redevelopment of the Midtown Plaza was to be preceded by demolition of all buildings (possibly including the garage) and clearance of the site in order to make way for the development of PAETEC headquarters and other revitalizing developments. This formulation was based, in part, upon the high rate of vacancy, the condition and configuration of the existing buildings, the impact of the blighted structures on the vicinity, the estimates of costs necessary to restore the buildings to a functional condition, the potential for the existing buildings to conflict with or otherwise constrain future development opportunities, the need to establish a functional street grid and the value added by a plan that would provide the greatest flexibility to respond to changing market demands. In general, demolition and clearance of the site has therefore been identified as a significant step forward in realizing the objectives (listed above) that were articulated when the Urban Renewal District was first established. Several potential exceptions to this general approach are identified in the following sections.

2.5.6.1 Parking Garage: Adaptive Reuse

A study undertaken early in 2008 determined that the underground parking garage, while requiring some investment and repairs, was basically sound. Given the demand for downtown parking and the expense of replacing the 1,844 spaces provided by the existing garage, it became evident that retention of the garage should be a priority. A subsequent determination that demolition of the buildings above could proceed by conventional means rather than implosion and that shoring of the garage could be relied upon to provide the load bearing capacity necessary during demolition confirmed the feasibility of retaining this asset.

2.5.6.2 Midtown Tower: Adaptive Reuse or Demolition

As with other buildings on the site, vacancy within the Midtown Tower building has increased over the years, the original building systems have come to require replacement and extensive asbestos has remained unabated. With the exception of a single initiative that failed for lack of funding, the private sector has demonstrated little interest in redevelopment of the building as its decline has progressed. An original assumption that development of the PAETEC building would require the preceding removal of the Midtown Tower has proven to be false.

Identification of an alternate preferred location for the PAETEC building more distant from the existing tower eliminated the absolute necessity for its demolition. On the other hand, the prospect for the existing building to conflict with the future development of other new buildings on the site remains nonetheless, and its presence constrains establishment of an interior street grid in some regards. Further, should adaptive reuse prove to not be economically feasible and should the building consequently remain on the site in a vacant and deteriorated state, the blighting influence could be significant and could discourage interest in the Plaza site and further impede efforts to promote its revitalization.

Members of the community have suggested that there are realistic opportunities for adaptive reuse of the existing Midtown Tower. A similar suggestion was included within an Urban Land Institute report completed in June 2005. Suggestions for adaptive reuse of the Midtown Tower have usually included proposals to remove all building systems and replace the existing building exterior envelope following asbestos abatement in order to make use of the remaining structural building components. It has also been suggested that a partial demolition of upper floors only to provide a smaller structure could follow abatement and the removal of building systems.

The City now proposes to solicit proposals and associated commitments from developers for an adaptive reuse of the building structure. Preserving and reusing this building rather than demolishing it and rebuilding another in its place could accelerate residential development on the site and would also represent a more ecological outcome. At the same time, the City of Rochester is under constraints regarding the schedule for clearance of the site and is concerned with the potential for the Midtown Tower building to impede successful redevelopment efforts should it remain in a deteriorated, incomplete and/or unoccupied condition. An opportunity of limited, but reasonable, duration will be provided for developers or others from the private sector to submit proposals for acquisition and redevelopment of the Midtown Tower following its

abatement and remediation. If a submitted proposal is found to be economically feasible and to include both reliable funding commitments and acceptable implementation milestones, the City will look to partner with those putting forth such a proposal in order to retain the Midtown Tower and make it available for adaptive reuse. Should no such proposal be submitted the Midtown Tower will then be demolished and removed along with others rather than risk compromising the realization of a successfully redeveloped and revitalized site.

2.5.6.3 Demolition of Skyway Bridges and Related Utilities and Infrastructure

A network of skyways and other pedestrian corridors (see Figure 4.7 in [Section 4.14.3](#) and Figure A5) connects many downtown Rochester buildings. Due in part to its central location and the presence of the parking garage beneath the Plaza, Midtown has served as a significant hub for this system. In some instances, utility connections have also been developed within these pedestrian connections. The existing skyway system includes the following connections to Midtown Plaza buildings:

- An elevated walkway over Broad Street connects Midtown Tower to the Xerox Tower;
- An elevated walkway over Clinton Avenue connects the Seneca Building to the Chase Tower;
- An elevated walkway over Main Street connects the McCurdy Building to the Sibley Centre; and,
- A below ground walkway connects the Midtown Garage to the Sibley Triangle Building southeast of the intersection of Clinton and Broad. From this point, pedestrians can use stairs or an escalator to access the skyway to the Xerox Tower or utilize a below-ground passageway under Clinton Avenue to access Bausch & Lomb Place.

With respect to the three elevated walkways listed above, these will be demolished as a consequence of the demolition of the Midtown buildings to which they connect. The connections to the Xerox Tower, the Chase Tower and the Sibley Building will be severed and the segments will be terminated. Any utilities, services, conduits or conductors now present within the skyway connections to Midtown will also themselves be eliminated as part of the demolition process. The segment connecting to the Midtown Tower would likely still be demolished even were the building to be adaptively reused due to the need to first remove all but the structural system of this building prior to reuse. Detailed demolition plans describing

how the segments will be terminated have not been finalized at the time this statement is being prepared. However, means for pedestrians to reach the sidewalks near the terminated segments of elevated walkway will be identified or developed. The existing sidewalks around the perimeter of the Midtown site as well as the interior sidewalks to be developed as part of the newly established street grid would then take up the function as a system hub that has historically been provided by the interior Midtown spaces. Although no proposal or plans have been put forth, the possibility for redevelopment and continued use of the elevated segments across Clinton and across Broad cannot be precluded should PAETEC or a developer proposing to reuse Midtown Tower indicate a preference and plans to do so.

2.5.6.4 Midtown Plaza and Atrium: Continued Use or Demolition

Midtown Plaza and Atrium. As originally conceived, this action included demolition and removal of the Plaza retail spaces and the associated atrium. Some of reasons underlying this approach include the apparent lack of interest in reuse of the buildings, the history of underutilization, the potential for a continued blighting influence so long as the buildings remain and the potential interference with the establishment of an interior street grid and provision of shovel ready development sites.

Because the project involves expenditure of State (i.e., ESDC) funds as part of the action, in accordance with Section 14.09 of the State Historic Preservation Act, the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) was notified of the pending action and requested to respond regarding any potential impact to cultural or historic resources. OPRHP issued a letter on June 9, 2008, communicating their determination that the Midtown Block was eligible for listing on the National/State Registers. The determination found the site to qualify due to its exceptional significance and identified the atrium in particular as an important character defining element. The anticipated demolition and removal of this eligible resource would obviously constitute a negative impact. A consultation process (commonly referred to as a Section 14.09 consultation) with OPRHP, ESDC, the City, and other interested institutions or members of the public has been initiated to explore how the project might avoid, minimize or mitigate the anticipated effect. OPRHP's letter of determination can be found in Appendix F and records of the consultation process are included in Appendix G.

With respect to the Midtown Plaza and atrium and potential impacts to historic resources, three additional alternatives (in addition to the preferred alternative and the no action alternative already under consideration) are being explored in a consultation process. They include:

1. A “preservation” option which would modify the preferred alternative to include preservation of the Midtown Plaza atrium and use it, in conjunction with portions of the adjoining PAETEC building, as it was originally intended for gathering and for adjoining retail;
2. A “reuse” option which would modify the preferred alternative to include preservation of the Midtown Plaza atrium, but reuse it in a manner different from that originally intended, most likely in conjunction with the adjoining PAETEC building; and,
3. An “interpretation” option which would demolish the Plaza and associated atrium rather than preserve or reuse it and would seek to commemorate the resource through interpretation, either in its original location or in a nearby (but not identical) location.

Preservation or adaptive reuse of the Plaza atrium would require changes to the proposed street grid as well as to the anticipated PAETEC footprint which conflicts with that of the atrium along its western boundary. Interpretation of the atrium in its original location would require similar changes. Given the anticipated use of the central open space (Block 4) and the adjacent building frontages for retail, it is possible that the preferred alternative could also qualify as an interpretive option which, while it would demolish the Plaza and associated atrium rather than preserve or reuse it, would seek nonetheless to commemorate the resource through interpretation in a nearby location (but not in the same location).

The criteria and evaluation of the foregoing alternatives is reviewed in more detail in [Section 5.6](#) and in the discussion of unavoidable adverse impacts included in [Section 6.0](#) and in the [Section 12.0](#) review of alternatives.

The evaluation conducted as part of the formal consultation rather quickly found that the “preservation” option which would modify the preferred alternative to include use of the Midtown Plaza atrium (in conjunction with portions of the adjoining PAETEC building) as it was originally intended for gathering and retail was impractical and not feasible given the market’s limited capacity to absorb new retail uses (see Appendix C), the cost to retain and operate the atrium, the importance of retail to activate Main Street and other spaces, and the reluctance of PAETEC

to entertain the possible use of a portion of their building in such a manner. As this statement is being drafted, evaluation of the reuse and interpretation scenarios has concluded, but no final determination has been made. Accordingly, four alternatives remain in total: the no action alternative, the preferred alternative, the reuse alternative and the interpretation alternative. ESDC has issued a determination of negative effect to OPRHP. A final determination with regard to the four alternatives remaining is expected to follow the receipt of comments to this DGEIS and further consultation with OPRHP.

2.5.6.5 Demolition of B. Forman, Seneca Office, McCurdy's & Euclid Buildings

No proposal for adaptive reuse of the four remaining Midtown buildings listed in the heading above has been put forth. The demolition of these buildings remains an integral component of the redevelopment plan given their condition, cost to restore, blighting influence, obsolete floor plates, conflicts with establishment of a functional street grid, and the need to reconfigure the site to provide feasible redevelopment sites that will be attractive to the private sector.

2.6 Clearance and Demolition Phasing

Subject to a final determination regarding any buildings that might be retained and reused (the Midtown Tower and the Midtown Plaza atrium, discussed elsewhere in this statement), demolition would proceed in a logical sequence across the site in a manner intended to provide necessary staging areas, limit costs, expedite progress and ensure access to a shovel-ready PAETEC site on schedule. Commenter's have suggested that some demolition be postponed or deferred until commitments or definite plans for redevelopment of the underlying sites have been finalized. The City has not adopted this approach and stands instead by its original proposal to progress with a single continuous demolition process and an ongoing progression, beginning at the area needed for PAETEC with the Tower being the last structure taken down. The considerations relied upon to support this determination and to evaluate the feasibility of a deferred or phased demolition process are reviewed in the [Section 12.0](#) discussion of alternatives.

2.7 Redevelopment Guidelines, Principles, and Land Use Regulations

Planning for the Midtown Redevelopment project has identified a number of existing conditions and related planning guidelines for development at the site. A number of redevelopment

principles and place-making approaches have also been described by EDAW/AECOM as key tools in realizing the envisioned destination, activity, and revitalization. These principles and approaches will be incorporated within amendments to the Urban Renewal District plan as new-build requirements that would apply to all plans for development on properties within the district:

1. **Great urban spaces are created out of an attention to activity and environment.** An engaging public realm is created when active land uses such as retail, dining and hospitality are located at the ground level along major streets and open spaces. An interconnected network of neighborhoods encourages pedestrian movement across the city which further animates the public realm. Attention to microclimate issues, such as sunlight and shade, ensures that users can stay warm in the winter, cool in the summer and enjoy public open spaces year round.

Great urban spaces are also responsive to change over time. A flexible urban development plan allows urban space to adapt to unforeseeable shifts in demographic, cultural and economic trends without compromising the quality of the environment. The most successful urban environments respond to the needs of their users.

2. **Maintain retail and active street level uses along Main Street and streets leading from Main Street and East Avenue into the site.** The development of a new street network provides greater access to the interior of the site from Main Street and East Avenue. Retail uses placed along these connector streets generate active and inviting public spaces. It is important to extend retail uses from Main Street and East Avenue into the site to create a synergy between Main Street, East Avenue and the interior of the Midtown site. There are limited opportunities for retail development along Main Street and none along East Avenue within the existing Midtown Plaza complex. Access to and from these adjoining areas not only facilitates development on-site, but encourages future retail development along both Main Street and East Avenue.
3. **Residential buildings should be located in proximity to parks and open spaces.** Parks and open spaces benefit from having full-time residents living in close proximity. Office and retail users may frequent parks and open spaces throughout the course of the day; particularly at lunch time and rush hours, but residential users help to extend the life of the public realm into the night and weekends. Residential users also develop a stronger sense

of ownership and stewardship which ultimately results in cleaner and safer open spaces which adds long term value to adjacent properties.

4. **Provide a new open space along Clinton Avenue at Broad Street.** A large public plaza has been created at the intersection of Clinton Avenue and Broad Street. An open space in this location strengthens the existing pattern of open, green spaces along Clinton Avenue which includes Chase Plaza, Washington Square Park, and St. Joseph's Church. This plaza will function as a gateway into downtown Rochester from the south and east and reinforce the image of Rochester as a city that is open, active and park-like.
5. **Promote visual and physical connections across the site.** A sense of interconnectivity is developed when a user can readily perceive elements across the site. Physical connections help to engage adjacent land uses with spaces on the site. Visual corridors are important to developing these relationships when physical connections may not be feasible or appropriate. Connectivity is increased on site by providing two new east-west streets running from Clinton Avenue to an extended Elm Street. In addition to extending Elm Street, north-south connectivity is reinforced by reintroducing a large portion of historic Cortland Street south from Main Street. Liberty Pole Plaza is an important historic element in downtown Rochester, but is currently isolated from much of the downtown. Connections across the Midtown Plaza site south from Liberty Pole Plaza will create a strong relationship between the office center along Broad Street with the more traditional center of the downtown.
6. **Adapt skyway connections to the Midtown Block.** The extensive skyways system facilitates access to remote parking and foot traffic from building to building, particularly during the harsh winter months. However, the skyway system tends to reduce pedestrian activity at the street level. On the Midtown Plaza site the above ground and below ground segments of this system will be brought to grade and connected into the new street grid and open space system. The existing pedestrian movement patterns should be adapted in this manner and pedestrians will be engaged within an active public realm.
7. **Maintain a consistent building edge along major roadways.** Building facades help to create a sense of an urban environment that is conducive to pedestrian traffic by placing buildings, and their associated activities at the sidewalk. Buildings help to better define the public realm and avoid the sense of empty spaces along the sidewalk. Interruptions to the

street wall have been minimized on the Midtown site. The only significant interruption to the street wall is the corporate plaza at Clinton Avenue and Broad Street which should be highly programmed to avoid appearing inactive and unwelcoming.

8. **Maintain the 5 story minimum story height and 15 story maximum height limits along Main Street.** Maintaining a consistent minimum height of 5 stories and a maximum height of 15 stories (or limits of comparable heights) along Main Street maintains a pattern of lower buildings that is one of the defining features of Main Street. Height limits and well developed design guidelines are the best tools to ensure that future development contributes positively to the Main Street character rather than detracting from it.
9. **Locate taller buildings away from Main Street in the Tower District.** The location of taller buildings in or around the Tower District helps to reinforce current development patterns along Main Street.
10. **Position tall buildings so as to avoid blocked views from new and existing buildings.** Rochester is a city whose history and culture is intertwined with its natural amenities. Many downtown buildings have stunning views of the Genesee River and the surrounding landscape. New development, particularly tall buildings, should be oriented in a manner to minimize their intrusion into existing views. New development should also be designed to maximize the opportunities for new views to Rochester's natural features.
11. **Locate buildings to create favorable solar orientations.** New development is organized and oriented to maximize the surface of buildings which benefit from natural lighting. Buildings should be designed to take full advantage of passive heating and cooling strategies. Large surfaces of south facing glazing will encourage solar heating in the winter, while operable windows on the east and west will promote cross-ventilation in the summer.

2.7.3 Land Use Regulations

In 2003 a new center city zoning regulation was adopted. It departed from traditional use district zoning in favor of a more design/market oriented approach. Several design districts were devised that reflected the historical context of the city's downtown environment. The new approach provides both certainty and flexibility. Certainty, with respect to a multitude of narrative and graphically illustrated criteria. Compliance with the criteria offers a fast track

permit approval. Flexibility is infused in the regulation to accommodate a potentially wide range of deviation from the criteria depending on market, technological, and locational conditions and variations. While the design criteria perhaps work best with smaller scale infill development, the flexibility provided in the regulation operates to accommodate needed and appropriate deviations without the necessity for variances, special permits or code amendments. In addition, approvals of development at the site will be informed by the block guidelines included in Appendix D.

2.8 Subdivision and Disposition of Property

The plan for assembly of the parcels acquired in the Midtown Block, for establishment of a functional interior street grid, and for an associated reconfiguration of the parcel layout was described in Section 2.5.2. In order to fully implement these plans, a formal re-subdivision will be approved to create the rights of way and development parcels delineated by the proposed street grid. With the exception of any parcels intended to remain as publicly owned open spaces, the remainder (including the development parcel designated for construction of the proposed PAETEC facility) will be conveyed to private parties. The City of Rochester has acquired the Midtown properties only as a provisional measure in an effort to facilitate a successful redevelopment and, save for the exceptions already noted, it is not the City of Rochester's purpose or intent to remain as an owner. The City's role in this regard was summarized in the following objectives described when the Urban Renewal District was first established:

- Promote use or reuse of underutilized land and buildings within the project area that is consistent with the Center City Master Plan;
- Acquire underutilized and vacant properties in the project area for economic development purposes; and,
- Dispose of project area development opportunities by sale to qualified private sector developers for renovation or re-development conforming to an identified plan.

2.9 Phase I Development

Development and construction during Phase I will entail physical alterations to the site. A conceptual site plan illustrating the anticipated improvements is included in the Figures section as Figure A1 and also shown below as Figure 2.14.



FIGURE 2.13, PREFERRED ALTERNATIVE CONCEPT SITE PLAN

Phase I development is anticipated to include:

- Demolition of and modifications to Skyway bridges and related structures, utilities or infrastructure;
- Incidental modifications to the existing parking garage and tunnel beneath Midtown and any associated utilities or infrastructure;
- Repairs and improvements to the existing parking garage below the Midtown site;
- Modifications to buildings designated for adaptive reuse;
- Demolition of buildings on the Midtown properties acquired by the City in May of 2008 and of later acquired buildings proposed for demolition;

- Incidental improvements, abandonment, relocation, reconstruction or extensions to water mains, sewers, steam lines, conduits, conductors or other infrastructure bordering on or serving the site;
- Any proposed realignment, abandonment or other changes proposed to existing roadways in the area or to key vehicular access points such as those serving the existing tunnel, the Midtown parking garage or surrounding sites;
- Development of newly proposed streets, associated infrastructure and utilities and associated on street parking spaces;
- Development of proposed public spaces, plazas, parks, squares or other open spaces;
- Proposed development of PAETEC facilities and the associated retail spaces to be located within the street level portions of the building fronting on Cortland Street; and,
- To the extent acceptable proposals have been received and agreements negotiated, the development of other sites by private developers. Accelerated development of retail and residential uses is a priority in this regard.

2.10 Phase II and Subsequent Development

Development and construction during Phase II and later phases will also entail physical alterations to the site. A conceptual site plan illustrating the anticipated improvements is shown above in Figure 2.14 and included in the Figures section as Figure A1. Phase II and following development is anticipated to include:

- To the extent acceptable proposals have been received and agreements negotiated, the development of remaining sites by private developers; and,.
- Development of additional parking resources to support uses on the site.

2.11 Schedule

The anticipated timeline for proposed demolition, abatement and construction of buildings is follows:

- March 2009 Commence abatement;
- April 2010 Complete abatement and remediation;;

- September 2009 Commence demolition;
- October 2010 Commence PAETEC construction on shovel ready site;
- December 2010 Complete demolition and transition development;
- April 2012 Complete PAETEC development;
- TBD Commence Phase II development; and,
- TBD Complete Phase II development.

2.12 Transition Plans and Improvements

The demolition plans will include provisions for establishment of ground cover, appropriate amenities, and necessary security measures on portions of the site on which no immediate development is anticipated. This will ensure the orderly progression of redevelopment in future years, ensure the functional use of and value of the site in the interim, and constrain or manage negative conditions that might otherwise develop on the site prior to full build-out.

2.13 Funding and Approvals

The approvals and funding commitments anticipated by the City of Rochester and Empire State Development Corporation are as follows.

Empire State Development Corp. With respect to ESDC funding, it should be noted that a series of City-by-City plans was introduced in October 2007 as components of the governor's Upstate New York agenda announced earlier that year. These plans identified priority projects in and around upstate cities selected based on their potential to spur additional private investment and job creation and intended to capitalize on each region's unique assets. The Midtown Plaza project is one of four such projects announced for Rochester and the surrounding area. The Midtown project built upon City efforts already underway to acquire Midtown Plaza and was defined as a City-State partnership to acquire, remediate, demolish and redevelop the Midtown Plaza site. The redevelopment envisioned at the time featured a mixed-use urban space that would include a new corporate headquarters for PAETEC Communications.

Anticipated ESDC funding and approvals include:

- Remediation and abatement of ACMs and RECs (not formally a part of this action);
- Funding of Urban Planning and SEQRA compliance through a grant to the City;
- Demolition of existing buildings and provision of a shovel-ready site; and,
- Approval of an agreement between ESDC, the City and PAETEC for development and investment including economic incentives to PAETEC.

The City of Rochester. Should a determination to purchase the Main and Clinton properties be made, it would likely require approval and funding by the City of Rochester unless an alternate arrangement involving direct acquisition by PAETEC or their developer is developed.

Anticipated City of Rochester discretionary approvals include:

- Approval of further property acquisition;
- Amendments to the Urban Renewal Plan;
- Demolition and Site Preparation permits;
- Subdivision and Site Plan approvals;
- Subsequent property conveyances;
- Development of necessary infrastructure and utilities and dedication of rights of way; and,
- Approval of an agreement between ESDC, the City and PAETEC for development and investment including economic incentives to PAETEC.

Other Involved Agencies and Approvals. The Lead Agency identified the following Involved (or potentially involved) Agencies identified within the following table with whom this SEQR process is being coordinated.

INVOLVED AGENCY	PERMIT OR APPROVAL
Empire State Development Corp	Funding
Mayor, City of Rochester	Funding
	Modification of Urban Renewal Plan
	Land Disposition
	Rezoning – Amend text
	Rezoning – Amend map
	Official Map Amendment (ROW's)
City Council (City of Rochester)	Funding
	Modification of Urban Renewal Plan
	Land Disposition
	Rezoning – Amend text
	Rezoning – Amend map
	Official Map Amendment (ROW's)
Planning Commission	Resubdivision (provisional)
Director of Zoning	Resubdivision (provisional)
	Site Plan Approval
Commissioner of Community Development	Demolition Permit
	Site Preparation Permit
Traffic Control Board	ROW & Traffic “Changes”
COMIDA	Inducement
Monroe Co Director of Planning & Development	Airport Permit (Vertical Clearance / Safety)

TABLE 2.2, INVOLVED AGENCIES

3. PURPOSE, PUBLIC NEED AND BENEFITS OF PROPOSED ACTION

3.1 Purpose

The end to be attained by the proposed action is a viable, economically sustainable, redeveloped, and revitalized Midtown site in private ownership that: provides a reasonable return to its owners; complements rather than detracts from adjoining properties; contributes to the tax base; and enhances the character of the neighborhood and the larger community. The proposed action is a response to: the negative effects of the outdated, underutilized and deteriorated Midtown Plaza complex upon the City as a whole; the impenetrability, lack of connectivity, and related blighting effects associated with the Midtown superblock created when the Plaza was constructed; the need for change at the Midtown site given the apparent absence of any significant market demand for the improvements now on the site; and, the past failed efforts in the private sector to revitalize the Midtown Plaza site (summarized above in the Section 2.1 discussion of conditions. The action assumes a requirement for direct public intervention and investment in order to:

1. Mount a productive and reasonable response to the ongoing deterioration of conditions at the Midtown Plaza;
2. Accomplish the effective elimination of the associated blighting influences upon the Center City district as quickly as is practical;
3. Respond to, support and benefit from the current commercial interest in the site; and,
4. Realize a successful redevelopment of the site that:
 - Responds to and builds upon it's prominence as one of the most important downtown sites;
 - Optimizes the potential for a redeveloped Midtown site to catalyze further revitalization throughout the Center City District; and,
 - Generates a reasonable return on the investment of public funds by preserving property values, attracting private investment, contributing to the tax base, supporting job growth, and transforming the negative market dynamic now afflicting downtown Rochester.

As already stated in Section 2, the vision itself is simple and straightforward, notwithstanding the complexity of the implementation.

3.2 Public Need

The following conditions, reviewed in more detail above in Section 2.1, exhibit the absence of a number of desirable and useful conditions that require a response:

1. The site has been developed in a way that is inwardly focused and fails to activate or contribute to the vitality of Main Street;
2. The buildings at the Midtown Plaza site are underutilized as well as deteriorated and the market for potential uses of these structures appears insufficient to generate returns that would justify investment in their restoration;
3. The site forms an obsolete superblock which is impenetrable and an impediment to connectivity;
4. The foregoing conditions operate as a blighting influence which negatively impacts the value, vitality and development potential of surrounding properties;
5. The market which exists today is one which has changed significantly since the facility was developed and is no longer sufficient to sustain the complex as originally constructed;
6. Past efforts within the private sector to redevelop or revitalize the facility have failed and the constraints underlying these failures remain in place; and,
7. In the absence of meaningful change, the negative and blighting influences associated with the above will continue and are likely to worsen.

More specifically, the foregoing conditions have led to identification of a number of needs which have been cited in official documents related to the establishment of the surrounding Urban Renewal District, the authorizations for City acquisition of the Midtown properties and the approvals of ESDC funding relied upon to progress the planning and abatement efforts:

- The need to arrest further deterioration at the site;
- The need for elimination of the superblock created in the 1960's and the associated blighting influences and the need for improved access within the site;,

- The need for elimination of deteriorated structures, substandard conditions and other blighting influences and for the demolition/removal of non-contributing structures for which renovation is not an economically feasible option;
- The need to emphasize and strengthen downtown's role as the region's center for business, entertainment, cultural assets and urban living;
- The need to reduce vacancy rates and preserve downtown property values;
- The need to generate additional tax base and support for area job growth;
- The need to reconnect the site to other key districts including the East End;
- The need to enhance and activate the street environment and the public realm; and,
- The need for an alternative to exclusive reliance on the private sector for a response to the above (and a likely need for direct public intervention and investment to bring about the necessary change).

Site and Buildings. The conditions at the site are reviewed above in Section 2.1. The deteriorated condition of the buildings has been described in detail in Section 4.11. The cost to remediate ACMs at the Midtown site has been estimated at over \$40 million. In addition, a recent assessment of the buildings concluded that the building systems are the original systems installed over 45 years ago and are in need of upgrades or total replacement. As described in more detail in Section 4.11, the cost to simply renovate the property, including environmental abatement, was estimated in 2006 to exceed \$141 million, an investment of almost \$100 per square foot. This amount does not include any costs for reconfiguration or build out of the spaces to accommodate tenants. Comparable costs estimated at the time for new construction of similar commercial facilities ranged between \$150 and \$225 per square foot. As evidenced by the failed efforts within the private sector to redevelop this facility (see the discussion in Section 2.1, above) the alternative to abate, renovate, reconfigure and build-out the existing spaces at Midtown does not compete with new build alternatives available within the market. In other words, were the additional investment made to reconfigure and build-out the abated and restored Midtown spaces, the market value that would remain would likely be less than the investment and would not compare favorably to that which would remain in a new build alternative.

Market. The City of Rochester commissioned a market feasibility analysis to be completed by Cushman & Wakefield ² as part of the planning effort underlying the proposed Midtown Redevelopment project. In August 2008, Cushman & Wakefield reported a number of market changes and constraints (see Appendix C) which helped to explain the apparent lack of demand for Midtown spaces as they exist today. These findings, summarized in Section 4.24, identify some of the most relevant factors such as population declines, reduced share of MSA office space, and others. Each of these speaks not only to the challenges encountered in attracting private investment within the area, but also to the importance of avoiding additional negative influences within the downtown area such as those now presented by the deteriorated, vacant buildings at Midtown, the failure of the site to engage or activate surrounding spaces, and the impediments and obstacles to connectivity associated with the superblock. As discussed in Section 4.24, the market feasibility analysis went beyond this statement of need to also quantify the market capacity to sustain a viable solution and to identify a number of potential catalysts relevant to any redevelopment effort.

Prior Revitalization Attempts. The findings regarding the market can also be taken as indicators of the need for public intervention and investment to remedy the situation and transform it to one which is economically viable and sustainable within the private sector. Over the past twenty years the owners of Midtown, with some assistance from the City, have tried to revitalize the aging complex without success (see the detailed review of these efforts provided in Section 2.1, above). A study and report prepared by the Urban Land Institute (ULI) in 2005 (see Appendix A) concluded that

“ . . . the Midtown Mall and most of the associated office space has come to the end of its functional life. The unsightly complex contributes to a glut of office space that can be eliminated. Therefore, the panel recommends that most of the Midtown Plaza be demolished except for the underground parking garage and the Euclid Building. The Midtown Office Tower should be stripped to its structural components and a decision

² **Cushman & Wakefield, Inc.** is the world's largest privately held real estate services firm, with locations in 55 countries around the globe and offers a full array of real estate services including planning/urban design, environmental planning, and economic, social, and cultural services.

should be made in two or three years whether to reskin it for Class A office use. . . . A new street will segment the block and restore the natural street grid.”

In determining the prospects for a successful private sector revitalization of the site and the potential need for direct public involvement and investment, the City took note of the ULI findings, the preceding revitalization failures, the ongoing decline, the presence of significant ACMs within the complex, the 45-year history of only nominal capital investment and updating of systems, the reliance on aged building systems requiring replacement and the impediments presented by the “superblock” formed by abandonment of interior streets when the Plaza was constructed. These factors could be seen to limit economically feasible alternatives to revitalize the core area of Rochester’s downtown and lead to proposals to demolish the 1.4 million-square-foot complex. Abatement and remediation of ACMs and other hazardous materials was identified as an essential step in any redevelopment scenario regardless of whether the buildings were to ultimately be demolished or, alternatively, prepared for an economically feasible adaptive reuse.

Obstacles Associated with the Superblock. City blocks (characterized as the smallest area surrounded by streets) have long been central elements of urban development and are typically comprised of smaller lots or parcels. Streets are typically laid out on a grid and the city blocks defined by such a grid provide the space for buildings. Just as streets can be conceptualized as the elements defining or containing blocks, from another perspective the blocks themselves can also be characterized as the urban elements which physically contain streets.

The sizes of urban blocks vary. In the mid-20th century modernist approaches to architecture and urban planning led to the promotion of superblocks. A superblock is much larger than a traditional city block and is commonly defined by higher speed arterial roads rather than local streets. The higher speed arterials that typically define a superblock are more commonly components of a street hierarchy rather than a traditional grid. Without interior streets, the interior of such superblocks must rely on pedestrian malls, vehicular cul-de-sacs or other means to provide the access that a street grid would have otherwise provided.

The Midtown Plaza site is an example of such a superblock. The superblock that was to become Midtown Plaza was formed by the abandonment of streets including Cortland Street and segments of Elm Street.

In the absence of functional vehicular cul-de-sacs and/or successful pedestrian malls, superblocks formed by abandonment or reconfiguration of a traditional street grid limit opportunities for traditional street side development and commerce, impede connections to and collaborations with adjoining neighborhoods and pose barriers to travel. In many applications across the U.S., failed or ineffective superblocks (such as Midtown has been for some time) have proven to isolate the lots or spaces within and discourage entry and activity. Midtown Plaza's particular characteristics in this regard has been further compounded by an exterior that is uninviting by most accounts and by an involved, unattractive "back door" along its eastern façade.

Midtown Plaza occupies a strategic location within the City of Rochester defined by the intersections of four primary corridors: Chestnut Street, Main Street, East Avenue and Broad Street. The importance of the area defined by these thoroughfares is influenced by the convergence of grids organized along different axes and the distinct character of the neighborhoods arrayed around its perimeter including the East End, the tower district focused on Broad and Clinton and the traditional Main Street retail area. In its present state the Midtown superblock has been criticized as impeding connectivity and commerce between these important adjoining districts. The 2005 ULI report (see Appendix A) noted this important role when it observed that, together, "Main Street and the Midtown Block provide organizing elements for citywide development efforts".

Connectivity to the East End. The East End Entertainment district lies just to the east of the Midtown Urban Renewal 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. However, the growth of the East End and the influx of private investment has not been realized west of Chestnut Street. This is believed to be attributable, at least in part, to the blighting influence of the Plaza and perhaps more directly to the conditions and current uses of several of the Elm Street and Chestnut Street properties. The East End is simultaneously a neighborhood from which the Center City District could benefit were it better connected and an example of the revitalization and activity that can be realized in an urban environment.

3.3 Benefits

Official documents related to the establishment of the surrounding Urban Renewal District, the authorizations for City acquisition of the Midtown properties and the approvals of ESDC funding have cited a number of ways in which the proposed action would be helpful and promote well being. These include:

1. Capitalization upon the unique features of the site, its potential for redevelopment, and the catalytic potential to spur ongoing private investment and job creation
2. Elimination of key obstacles to economic development in and around the project area, capitalization and revitalization of the urban core;
3. Positioning of the site and the surrounding district as a premier development site for high quality office, residential and retail and development of a strong, economically viable and diverse neighborhood commercial area;
4. Redevelopment of the Midtown site as a viable and economically feasible mixed-use urban space that would accommodate and complement the envisioned PAETEC headquarters and provide economically attractive opportunities for additional private development on the balance of the site;
5. Promotion of use or reuse of underutilized land (or buildings) within the area in a manner consistent with the Center City Master Plan;
6. Positioning of the site as a critical downtown development node, establishment of an internal street grid, improved walkability and enhancement of adjacent neighborhoods;
7. Development of a public private partnership to mobilize redevelopment and attract additional private investment in the Midtown site;
8. Acquisition of underutilized and vacant properties in the project area for economic development purposes;
9. Disposal of area development opportunities by sale to qualified private sector developers for renovation or re-development according to an identified, economically feasible plan;
10. Creation of meaningful open and green spaces that will contribute to and enhance the public realm;
11. Creation of an active/intimate street environment and promotion of active street front retail use; and,

12. Implementation of proven place-making methods to encourage activity and create a destination.

Given the existing conditions and recent history, it is clear that elimination of the ongoing negative effects, realization of a successful Midtown redevelopment project and revitalization of the surrounding downtown area is unlikely to take place in the absence of a realistic plan, implementing activities, public funding and private investment. The primary benefit of this action is to provide those missing components essential to realization of successful redevelopment of the Midtown site and area revitalization. The following discussion of benefits focuses upon: state and regional interests and the benefit of public involvement and investment in the redevelopment process; community interests and consistency of the development effort with comprehensive plan objectives; and local neighborhood benefits of redevelopment relying on place-making and the application of proven urban design principles.

3.3.1 State and Regional Interests: Public Involvement and Investment

Following a determination that renovation, revitalization or redevelopment of the property could not occur without intervention, the City indicated its intent early in 2007 to purchase the Midtown Plaza properties and the negotiation of an Option to Purchase with Midtown Rochester Properties LLC. The City of Rochester's stated purpose in proposing to acquire the Midtown Plaza properties and for a related proposal to establish a Midtown Urban Renewal District was to control the future disposition and redevelopment of the properties. The City cited the findings of the studies and condition analyses summarized above as well as a reported conclusion that further deterioration of the area would continue without a strong public/private initiative. The City referenced the absence of specific or conceptual plans for the reuse or redevelopment of the subject site, noted that the property was currently on the market, and referenced the immediate opportunity to gain control of the site. The City indicated a plan to pursue a partnership with the private sector to identify an economically feasible plan for the revitalization of the properties.

The City also noted, despite some uncertainty regarding what actions would be required in a public/private revitalization effort, that establishment of the Urban Renewal District would enable the City or an agency to sell the properties at a reduced price and that this was anticipated to be necessary to attract private investment in the project area. The City found that establishment of the Midtown Urban Renewal District would likely be integral to the revitalization of the core

Center City of Rochester. District regulations, which coincided with the Center City District Zoning Code, were incorporated in order to emphasize and strengthen downtown as a center for business, entertainment, cultural assets and urban living.

In October 2007, Governor Spitzer introduced a series of City-by-City plans that identified priority projects in and around Upstate cities intended to capitalize on each region's unique assets. The projects were selected based on their potential to spur additional private investment and job creation. The Midtown Plaza project is one of four projects announced for Rochester and the surrounding area.

The vision is for the site to be redeveloped as mixed-use urban space to include a new corporate headquarters for PAETEC Communications ("PAETEC"). As one of the largest and fastest growing telecommunication companies in the United States, PAETEC expressed interest in developing building a new Class A facility on a portion of the Midtown property. The proposed PAETEC facility was originally envisioned as one that would house 1,000 employees (including the 600 employees existing at the time) and would be the new location for the Company's corporate headquarters, data and other operations. This vision was later updated to include provision for as many as 1200 employees when originally occupied and, ultimately, as many as 1,500 future employees.

PAETEC, ESDC and the City have signed a Memorandum of Understanding (the "MOU") whereby the City would acquire the site and ESDC would administer the remediation and demolition costs needed to make it "shovel-ready" for PAETEC's headquarters. The parties agreed to work together in the coming months to develop an overall site and use plan for the project and a community participation plan prior to finalizing a formal development agreement. ESDC subsequently sent the City an offer letter inviting it to apply for an Urban and Community Development Program grant to fund the master planning needed for the site.

Under the terms of the MOU, ESD has provided financial assistance to the City to fund employment of consultants with expertise in major urban site redevelopment. Such consultants shall assist the State-City team in the preparation of a comprehensive development plan. The redevelopment plan would incorporate the proposed PAETEC world headquarters tower. It is anticipated that the PAETEC project will result in the retention and creation of at least 1,000 jobs. Phase II of the project (remaining area not occupied by PAETEC) is also expected to

result in significant job creation and retention opportunities. The impacts from development of both the Phase I and the Phase II area have been summarized in Section 5.22.

The City has since completed the acquisition of the four properties in its center city core known as Midtown Plaza. The stated purpose of the acquisition was to study and facilitate the potential demolition and subsequent redevelopment of the properties, to accommodate the construction of the PAETEC headquarters and to create additional development opportunities.

3.3.2 Community Interests and Consistency with Comprehensive Plans

The City of Rochester found the acquisition of the Midtown properties, establishment of the Midtown Urban Renewal District, the proposed redevelopment and potential rezoning activities to be in harmony with goals, standards, and objectives of the Comprehensive Plan and supportive of the policies and goals of the City's Comprehensive Plan - Rochester 2010.

Consistency with the following campaigns, in particular, was noted:

- 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 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.

3.3.3 Neighborhood Benefits of Placemaking and Application of Urban Design Principles

Eleven redevelopment and place-making principles that will guide redevelopment of the Midtown site were described in detail in Section 2.7. Through a focus upon the creation of great urban spaces, development complying with these eleven will benefit and revitalize the area by creation of an activated destination, development of a more pronounced sense of place, and transformation of the applicable market dynamic.

4. EXISTING CONDITIONS AND ENVIRONMENTAL SETTING

4.1 Geology, Soils and Topography

4.1.1 Geology

Bedrock in the project area consists of dolomite within the Lockport Group of formations. Based upon a known elevation of bedrock within the site boundary, as well as bedrock elevations at nearby built sites, it is estimated that the depth to bedrock is approximately 20 to 25 feet with a variable bedrock surface. The third sub-level of the parking garage at Midtown Plaza is excavated into the bedrock. No soils remain between the garage floor and the bedrock foundation.

4.1.2 Soils

The Soil Survey for Monroe County classifies the project site as "Urban Land". Urban land is defined as areas that have been so altered or obscured by urban works and structures that identification of the soils is not feasible. As previously described, the site is completely covered with buildings or paved surfaces, and no exposed soils remain.

4.1.3 Topography

The project site and the surrounding area of downtown Rochester is relatively flat. Street level elevation is approximately 531 feet above sea level.

4.2 Water Resources

4.2.1 Groundwater

No known groundwater resources are located in the project area. Any groundwater present in fractures or fissures within the underlying dolomite bedrock is minimal and would not be suitable as a drinking water supply. Groundwater is not used as a potable water supply in the City.

4.2.2 Surface Water

The Genesee River is located approximately 1,000 feet to the west of the project site. The Genesee River empties into Lake Ontario several miles downstream from Midtown Plaza. According to the Flood Insurance Rate Map prepared by the Federal Emergency Management Agency (FEMA) the project site is not located in the 100-year floodplain associated with the Genesee River, nor within any other flood hazard area. No other surface water resources (streams, wetlands, etc.) are located in the project area.

4.2.3 Existing Surface Drainage

The Midtown Properties site is an urban setting covered predominately with impervious surfaces (99-100 percent lot coverage) including building roof, concrete sidewalks, asphalt drives and asphalt loading areas. Roof drainage is directed to closed pipe systems which discharge to the Rochester Pure Waters District (RPWD) combined sanitary/storm sewer system generally located in the center of the adjacent public streets.

Roof drainage from the McCurdy Building, Seneca Building, Euclid Building and Midtown Plaza generally discharges to the RPWD combined sewer located along East Main Street. Roof drainage from the B. Forman Building, Midtown Tower, Parking Garage and other building facilities south of B. Forman discharges to the RPWD combined sewer system located along South Clinton southward to Broad Street.

The storm drainage pipe network handling surface water along Broad Street between Chestnut Street and South Clinton Avenue is believed to be hung in the Midtown garage and discharges through building services to the South Clinton Avenue public RPWD combined storm sewers. See Section 4.15.2.2 for information regarding storm sewers.

4.3 Vegetation and Wildlife

No vegetated area or open space currently exists within the boundaries of the project site. The only open space area of any significance adjacent to the site is a small green area (less than one acre) located west of Clinton and south of Main. A field visit revealed that this open space is vegetated primarily with lawn grass, pachysandra, linden trees and a hedge of evergreen shrubs. Typical urban wildlife that may inhabit this area includes squirrels, small rodents, crows, and pigeons.

In order to determine if State-listed threatened or endangered species are present within the project vicinity, letters were sent to the New York State Department of Environmental Conservation (NYSDEC) Information Services and NYSDEC Region 8 on August 27, 2008. NYSDEC Region 8 responded on September 2, 2008 (see correspondence in Appendix H. The letter states:

The New York Natural Heritage Program database was reviewed for known occurrences of rare or state-listed animals and plants, endangered and threatened species, significant natural communities, and for other significant habitats. No occurrences were found in the vicinity of the project site.

NYSDEC Information Services responded in a letter dated September 14, 2008 (see correspondence in Appendix H):

We have no records of known occurrences of rare or state-listed animals or plants, significant natural communities, or other significant habitats, on or in the immediate vicinity of your site.

Information regarding potential impacts to federally listed endangered and threatened species was submitted to the U.S. Fish and Wildlife Service (USFAWS), pursuant to the Endangered Species Act of 1973 (ESA). No impacts were identified based upon information at the USFAWS website which identified one federally listed species within Monroe County: the bog turtle in Riga and Sweden Townships. USFAWS responded via fax dated September 2, 2008 (see correspondence in Appendix H). USFAWS acknowledged the receipt of the “no effect” determination and indicated that “No further ESA coordination or consultation is required.”

4.4 Air

Air quality in the project area and surrounding region is generally good. The NYS Department of Environmental Conservation (NYSDEC) air quality monitoring stations in the region monitor levels of sulfur dioxide, inhalable particulates, carbon monoxide and ozone. The closest monitoring station to the project site is located in the City of Rochester, Monroe County. A second station, which primarily monitors ozone concentrations, is located in Williamson, Wayne County.

Ambient Air Quality Reports are prepared every year by NYSDEC and include air quality data for the previous ten years. The 2006 annual report is currently available, along with the data

tables for the 2007 annual report. No contraventions of state or federal air quality standards for sulfur dioxide, inhalable particulates, carbon monoxide and ozone are identified in the data for the 2007 and the 2006 annual reports.

Data on instances of high ozone levels is available for 2008 through early August. High ozone levels are reported in several areas of New York State, primarily in the New York City area. Data from the Rochester monitoring station indicates elevated values of ozone (as measured by the 8-Hour Average) on April 18 and 19, July 7, and July 18, 2008. At this time, it is unknown whether the data will result in a contravention of the NYS/Federal air quality standard for ozone. A contravention cannot be determined until the end of 2008 when an average is done for the last three years. No contravention occurred in 2006 and 2007.

Dust and dirt, generated by vehicle and venting emissions (soot), construction and demolition, and loose garbage or debris, can also affect air quality.

4.5 Aesthetic/Visual Resources

The existing Midtown Plaza development is largely composed of a series of buildings that have been built abutting one another forming a massive building façade along each street frontage.



FIGURE 4.1, VIEW LOOKING NORTH FROM BROAD STREET AND CLINTON AVENUE

Representative views of the complex are provided above in Figures 4.1 and below in Figure 4.2.



FIGURE 4.2, VIEW LOOKING WEST FROM EAST AVENUE AND MAIN STREET

The design appears to be similar to today's suburban mall development, creating large expanses of building frontage along pedestrian sidewalks and streets in downtown Rochester. Midtown Plaza's building stock is comprised of buildings that have a different number of stories. The facility offers relatively few areas of access to the interior. Midtown Plaza's façades are made of concrete, glass, stone, and combinations of these materials (see Figure 4.3). The facades along the irregular eastern boundary of the site have a very pronounced "back door" character. Together, these facades leave the impression of a development that has turned its back to the public spaces outside and the surrounding community.



FIGURE 4.3, VIEW LOOKING EAST ALONG MAIN STREET (WEST OF CLINTON AVENUE)

As can be seen in the figures above, there are very few windows allowing people to observe activity happening either inside or outside of the building. Where windows do exist, they have been covered up due to the lack of tenants in the existing structure. The main entrance to Midtown fronts on East Main Street where glass doors and a large sidewalk area once welcomed visitors. For the foregoing reasons, Midtown Plaza is not considered to be an aesthetic or visual resource in the area. As seen above in Figure 4.3, the area fronting along East Main Street also features several sitting benches, trees lining the street, streetlights, flower planters and a few trash receptacles. The sidewalk has been constructed with square brick pavers, and accommodates cast iron tree grates for street trees. Other buildings of interest in the area and these elements of the public realm are the only features in the vicinity which contribute to the visual appearance.

There appears to be very limited pedestrian access to the portion of Midtown that fronts on Broad Street. The brick sidewalk is wide, and there is a vehicular turn-off adjacent to the building. This is the location of Midtown's high-rise structure, the tallest building within the Midtown development. The southeast corner of the Midtown site is composed of a bus station and vehicular access to the below-ground parking garage, which provide little visual interest. Representative images of these facades and adjacent sidewalks are included in [Section 4.14.1](#) and below in Figure 4.4



c0000371.jpg Rochester City Hall Photo Lab

FIGURE 4.4, VIEW LOOKING NORTH AT MIDTOWN PLAZA FROM BROAD STREET

The areas of Midtown that front on Elm Street, Atlas Street, and Euclid Street have narrow concrete sidewalks, little-to-no street furniture, and are areas that generally provide access to the rear of adjacent buildings. Euclid Street however does have a few trees that have been landscaped, and also opens up to a more inviting public space near its intersection with East Main Street.

The most vibrant areas surrounding the Midtown site include the intersections of East Main and Clinton Avenue, as well as East Main Street and East Avenue. The presence of bus stops and urban infrastructure such as benches, planters, trashcans, streetlights, provide a welcoming atmosphere for people. The sidewalks in these areas are constructed with brick pavers that provide an increased level of texture and visual interest in the urban landscape.

Immediately across East Main Street from the Midtown site is the Sibley, Lindsay, and Curr Building that was constructed in 1940 with architectural interest. This is a brick structure that includes a clock tower extending above the top floor on the south side facing East Main Street.

Just east of this building and within view from Midtown is one of Rochester's widely recognized landmarks, the Liberty Pole. Surrounding this landmark is a landscaped plaza area allowing people to congregate. Northeast of the Liberty Pole is the Baptist Temple building, which is a 14-story office building. Just north of the Liberty Pole and across Franklin Court is Rochester Savings Bank, which is on the National Register of Historic Places and is illustrated in Figure 4.5. The view depicted below in Figure 4.5 is one in which neighboring buildings are important contributors to the viewscape.



FIGURE 4.5, VIEW LOOKING NORTH FROM MAIN STREET, AT LIBERTY POLE PLAZA

Two other buildings that provide aesthetic value from the position of Midtown are the 10 Franklin Street and 20-30 East Ave, which is also on the National Register of Historic Places. However, only the lower floor of this building is viewable and is somewhat obscured because of the Bank of America's covered plaza at 1 East Avenue.

The largest open space visual resource is located at the southwest corner of the intersection of East Main Street and Clinton Avenue. The Park-like setting is adjacent to Chase Plaza and Chase Tower and offers a grass lawn, shade trees, and landscaping to soften the urban edges of the environment around Midtown Plaza. The remainder of Clinton Avenue offers a view of one of Rochester's tallest skyscrapers, Chase Tower, as well as Clinton Square. Clinton Square and Clinton Avenue are lined with trees and streetlamps.

The southwest corner of the Midtown site offers a view of a few prominent buildings on the west side of the Genesee River. These buildings include the Blue Cross Arena and the Times Square Building on Exchange Boulevard. This vantage point also allows for viewing the other two prominent skyscrapers in Rochester, Bausch and Lomb Place and Xerox. East Broad Street's view to the east indicates that one is leaving the central core of downtown Rochester. Surface parking lots and smaller buildings become a predominant feature looking east. This area lacks pedestrian-oriented urban streetscape amenities and caters to automobile traffic.

As illustrated in Appendix I the distant viewshed illustrates a dense urban environment in the foreground with large office buildings, commercial, and multi-use buildings. Midtown plaza appears to be fairly non-descript in the photo and is almost unrecognizable amongst the likes of Xerox, Bausch and Lomb, Chase, and HSBC skyscrapers, as well as Clinton Square Office Building. However, the Midtown tower is visible in front of Bausch and Lomb. Behind the dense downtown area is the Genesee River and less dense city environment containing more vegetation within the landscape.

4.6 Cultural, Archeological and Historic Resources

4.6.1 Archeological Resources

As part of the preliminary planning for the proposed Midtown Redevelopment Project, a Phase 1A Cultural Resource Reconnaissance Survey was conducted for the project area. The fieldwork was performed by the Rochester Museum and Science Center as part of the Regional Heritage Preservation Program and in partial compliance with existing state and federal

regulations regarding the location, evaluation, and preservation of cultural resources that may suffer adverse impacts from government assisted or permitted construction projects.

With respect to potential impacts to sub-surface resources, the *Cultural Resource Management Report* (dated May 7, 2008 and included in Appendix J) found:

- The prehistoric site sensitivity is estimated to be low (see Section 4.1 of Appendix J);
- The potential for historic site sensitivity is low (Section 4.2 of Appendix J); and,
- Due to the construction of Midtown Plaza, soils within the project area have been completely destroyed which explains the absence of original soil deposits (Section V of Appendix J).

4.6.2 Historic Buildings

Midtown Plaza. The Midtown Plaza site currently portrays a bland urban environment characterized by no unifying style or period. Excavation on the Midtown Plaza project site, most notably for the underground garage and service truck tunnel, began in 1959. The above ground portion of Midtown Plaza was completed in thirteen months and the entire project was ready for occupancy in a little over two years. In parallel with the project, several existing McCurdy buildings and a new northwest addition for McCurdy's (at the corner of former Cortland Street and Main Street) were visually unified with a single facade along Main Street. The B. Forman Building along Clinton Avenue was also renovated at this time. The official opening of Midtown Plaza took place in April, 1962. Construction for the Seneca Building on Clinton Avenue, which is the latest building on the project site to be built, started in 1969 and finished in 1972.

Prior to the construction of Midtown Plaza, historic Cortland Street extended from Main Street to Court Street along a north-south alignment. On the eastern boundary of the site, historic Elm Street extended from Main Street to Chestnut Street. Only portions of this street remain now. A map of the historic street grid from 1926 is included in Figure 2.8.

A number of buildings greater than 50 years old currently exist within the Midtown site including 249-253, 255-257, and 285 (McCurdy Building) East Main Street as well as 32-58 S. Clinton Avenue (B. Forman Building). All of these appear to have facade alterations that detract from their original appearance as period buildings. Many of the buildings within the site are currently vacant and boarded shut.

Because the project involves expenditure of State (i.e., ESDC) funds as part of the action, in accordance with Section 14.09 of the State Historic Preservation Act, the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) was notified of the pending action and requested to respond regarding any potential impact to cultural or historic resources. OPRHP issued a letter on June 9, 2008, communicating their determination that the Midtown Block was eligible for listing on the National/State Registers. The determination found the block to qualify due to its exceptional significance and identified the atrium in particular as an important character defining element. The anticipated demolition and removal of this eligible resource would obviously constitute a negative impact. A consultation process (commonly referred to as a Section 14.09 consultation) with OPRHP, ESDC, the City, and other interested institutions or members of the public has been initiated to explore how the project might avoid, minimize or mitigate the anticipated effect. OPRHP's letter of determination can be found in Appendix F and records of the consultation process are included in Appendix G.

Buildings on neighboring sites. The Eastman Historic District is listed on the State Register of Historic Places and is eligible for listing on the National Register. The district is east of the Midtown Plaza site and includes the Eastman School of Music, the old Sagamore Hotel, the Rochester Club, and the RG&E building. The Sibley, Lindsay and Curr Building located north of the site are listed on both the National and State Registers of Historic places. The Sibley Triangle Building and the Yawman and Erbe Building are located east of the site and are both listed on the State Register of Historic Places and eligible for listing on the National Register, as is the Rochester Community Savings Bank building located at 40 Franklin Street.

There are 28 buildings and structures 50 years or older within and adjacent to the proposed Midtown Redevelopment site, which are listed below in Table 4.1. The information in the table was compiled from the City of Rochester Real Property database (and reliant, therefore, on the accuracy of that information). An accompanying aerial photograph which identifies all National Register sites, State Register sites, City Landmarks, Federal Eligible sites and sites of local historic significance in the vicinity is labeled as Figure A7.

Structures Greater than 50 Years of Age within or Adjacent to the Midtown Project Site

	Address	Owner	Year Built	National Reg. ID	Register Name
124	E MAIN ST	GRANITE BUILDING ASSOCIATES	1895	90NR01512	Granite Building
210	E MAIN ST	GEDDES ASSOCIATES	1940		
212	E MAIN ST	GEDDES ASSOCIATES	1940		
216-218	E MAIN ST	CHO KWAN K & YOUNG R	1910		
220-222	E MAIN ST	BAUMAN ROBERT	1910		
224-226	E MAIN ST	BAUMAN ERIC M & NEIL J	1910		
228-280	E MAIN ST	COMIDA - ROCHWIL ASSOCIATES	1940	00NR01608	Sibley, Lindsay & Curr Building
285	E MAIN ST	MIDTOWN ROCH PROPERTIES LLC	1900		
249-253	E MAIN ST	CHARTER ONE BANK NA	1920		
255-257	E MAIN ST	FOX RICHARD C	1940		
316-350	E MAIN ST	CHESTNUT SQUARE LLC	1928		
10	FRANKLIN ST	THE SALVATION ARMY ROCH AREA	1920		
40-46	FRANKLIN ST	HISTORIC FORTY FRANKLIN STREET	1930	90NR01462	Rochester Savings Bank
38-52	LIBERTY POLE WAY	COMIDA - TEMPLE BUILDING ASSOC	1923	93NR00460	Baptist Temple Building (Eligible)
20-30	EAST AV	SQUARE JIB ASSOCIATES LLC	1900	90NR01501	Sibley Triangle Building
49-57	EAST AV	FARASH MARIAN M TRUSTEE	1950		
89	EAST AV	ROCH GAS & ELECTRIC CORP	UNK	90NR03277	Eastman Historic District
88-94	ELM ST	CITY OF ROCHESTER	1920		
45	EUCLID ST	MAXIMUS COL LLC	1900		
6	ATLAS ST	RALDON CENTER CITY PROPERTIES	1939		
35	CHESTNUT ST	35 CHESTNUT LLC	1920		
41	CHESTNUT ST	RALDON CENTER CITY PROPERTIES	1900	04NR05339	Yawman & Erbe Building (Eligible)
40-52	CHESTNUT ST	50 CHESTNUT PLAZA LLC	1930	90NR03277	Eastman Historic District
45-51	CHESTNUT ST	RAMJI INC	1923	90NR03277	Eastman Historic District
65-67	CHESTNUT ST	EUCLIDS SQUARE CORP	1950		
32-58	S CLINTON AV	MIDTOWN ROCH PROPERTIES LLC	1919		
26-28	SHORT ST	SCOTT EDDIE	1915		
154	S CLINTON AV	1ST UNIVERSALIST CHURCH	1920	90NR01470	First Universalist Church

TABLE 4.1, STRUCTURES GREATER THAN 50 YEARS OF AGE WITHIN SITE AREA

4.7 Parks, Recreation and Open Space

The project site contains no public parks or public open spaces, however, the following public parks and open spaces are located adjacent to or in close proximity to the project site.

4.7.1 Existing Publicly-Owned Parks and Open Spaces

Liberty Pole Plaza Liberty Pole Plaza (230 East Main Street) is located on the northwest corners of East Main and Franklin Streets, across Main Street from the northeastern corner of the subject site. This public plaza approximately 4,992 sf (0.12 acres) in size, is paved, but

contains a limited amount of landscaping with a few small shade trees. Benches are provided for the comfort of pedestrians using the plaza.

Washington Square Park Washington Square Park (181 South Clinton Avenue) is located between Court Street and Woodbury Boulevard, one block south of the southwestern corner of the project site. This passive park, approximately 1.08 acres in size, contains large shade trees, park benches, and a monument to President Abraham Lincoln. Grass turf covers much of the park with paved pedestrian sidewalks crisscrossing the Park. The park is predominantly used on the weekdays during nice weather as outdoor space to enjoy lunch. The City also schedules summer concerts in the park.

Manhattan Square Park Manhattan Square Park (353 Court Street) located one block south of the southeastern corner of the project site is the largest public park within the inner loop. The park, 4.4 acres in size is used for both passive and active recreation. The facility contains an open-air ice skating area, a playground, a water-play area, pedestrian benches and picnic facilities and an outdoor amphitheater. Approximately 1/3 of the park consists of a grass lawn while much of the remainder of the park is paved. The park also contains a small area comprised of a mix of grass and paved walkways lined with small shade trees. The park is a popular location from which to enjoy viewing City fireworks displays on holidays and for other special events. The park is currently being renovated in stages however the features and character of the park are being preserved. The park was originally designed and constructed to serve primarily as a neighborhood park for the residents of the East End of downtown. City officials indicate that the park is much underutilized, but expect use to increase as the renovations are completed.

Cornerstone Park Cornerstone Park is a small, passive park located on the northwest corner of the intersection of Broad and Stone Streets. This park which is 13,031 sf (0.30 acres) is one block west of the southwestern corner of the project site. The park contains pedestrian benches and shade trees and portions of the park are paved while natural turf covers the remainder. The park is predominantly used during weekdays by employees of adjoining and nearby businesses.

Other Parks Three other public parks are located in downtown Rochester, but are more removed from the project site. These include Aqueduct Park, Major Charles Carroll Plaza and Schiller Park. Aqueduct Park is located along West Main Street and the Genesee River. Major Charles Carroll Plaza, transected by the Genesee River is located immediately south of and

abutting Andrews Street. The western portion of Carroll Plaza adjoins the rear of the Federal Building and Stouffer Rochester Plaza Hotel, which fronts on State Street. The eastern portion of Carroll Plaza adjoins rear of Andrews Terrace, a subsidized, high-rise apartment building for seniors and persons with disabilities. Schiller Park is a small park remotely located at the northern end of Franklin Street and abuts the inner loop. All three are passive recreational parks.

4.7.2 Existing Privately-Owned Public Spaces

In addition to the public parks and open spaces in downtown Rochester, a few privately-owned open spaces exist that are available for public use for passive recreation in close proximity to the project site. These include the following:

- Open Space at East Main Street and Clinton Avenue (Chase). This open space is associated with the existing Chase Tower and is located on the southwestern corner of the intersection immediately west of the project site.
- Plaza at East Main Street and Gibb Street. This small triangular plaza is on the southwestern corner of the intersection across Gibb Street from Eastman Theater. The plaza contains some landscaping and a few small shade trees and pedestrian benches.
- St. Mary's Church (15 St. Mary's Place). The church is across St. Mary's Place from Washington Square Plaza and the grounds contain a grass lawn and pedestrian walkway.

Two additional privately-owned open space areas are located in downtown but are more removed from the project site. One of the open spaces adjoins St. Joseph's Church on the northeast corner of the intersection of North Clinton and Pleasant Streets. The other open space is on a lot containing the YMCA and is located on the north side of Andrews Street between Bittner and North Clinton Avenues.

4.8 Critical Environmental Areas

The project site is not located within a Critical Environmental Area, as defined by NYSDEC. As previously described, the project site is approximately 1,000 feet from the Genesee River (and not within 100 feet).

4.9 Land Use

The Midtown Redevelopment Project is situated on an 8.5 acre site in the heart of downtown Rochester, New York bounded by East Main Street, Clinton Avenue, East Broad Street and Euclid Street. The site consists of four parcels and five buildings totaling 1.4 million square feet developed as part of an urban renewal plan in the early 1960's. Building heights range between two stories and seventeen stories.

Although the site is currently unoccupied in anticipation of site redevelopment, prior uses at the site included offices, retailers, services and restaurants. Residential uses were not developed at the site.

Before urban renewal, the site was home to more than 50 smaller buildings situated on much narrower parcels. Historically, the site was home to an eclectic mix of uses including theaters, hotels, retailers, recreation facilities, services, churches, offices, private clubs and housing.

A 1926 map of the east side of Downtown (see Figure 2.8 in [Section 2.5.2](#)) also shows a different street grid than exists today. Broad Street ended on the west side of the Genesee River and did not pass through Downtown's East End. Cortland Street, which does not exist today, ran between Court Street and Main Street between Clinton Avenue and Euclid Street. The 1926 map also reveals that Elm Street was an "L" shaped street that connected Chestnut Street with Main Street, where Euclid intersects with Main.

4.9.1 City of Rochester Center City Master Plan

The City Of Rochester adopted the Rochester 2010 Plan which was a Master Plan for the entire city that focused on eleven "Campaigns" including citizen involvement, neighborhood revitalization, economic development and downtown revitalization. Campaign Ten was focused on the Center City, or Downtown area.

Balancing and integrating economic development and urban design are the primary objectives of the Center City Plan. The plan includes thirteen (13) overall Development Objectives and sixteen (16) Design Principles. Both the objectives and principles focus on strategies to help revitalize the Center City such as:

- Redevelopment of the Center City as the cultural, economic, governmental and institutional center of the region;

- Integration and connection of open spaces and recreational opportunities throughout the Center City;
- Pedestrian oriented design;
- Development and enhancement of gateways into downtown;
- Increased employment and residential opportunities within the Center City; and,
- Encouragement of mixed use development.

A more detailed statement of three campaigns particularly relevant to this proposed action can be found in Section 3.3.2. A copy of the Center City element of the Master Plan is included in Appendix K.

In addition to the overall objectives provided in the plan, specific recommendations are proposed for sub-areas. The Midtown redevelopment area falls within the Sub-Area 14 or Main Street Central district. Recommendation 68 of the Plan proposes that the Midtown Plaza be redeveloped and also include residential space, as well as ground floor, street level retail.

4.9.2 City of Rochester Zoning and Planning Regulations

Downtown Rochester falls within the Center City District (CCD) zoning district. The CCD form based district implements the urban design recommendations of the Center City Master Plan. Principles and objectives of the Center City Plan, as outlined above, guide the review and approval of development and redevelopment in the CCD. The purpose of the district, as outlined in the City's Zoning Ordinance, is as follows:

“The CCD is intended to foster a vibrant, safe, twenty four hour Center City by encouraging residential development while retaining and further developing a broad range of commercial, office, institutional, public, cultural and entertainment uses and activities”

Unlike traditional Zoning classifications based on the use of a property, CCD zoning is primarily a form based code. The Form Base Codes Institute provides the following definition of a form based code:

“A method of regulating development to achieve a specific urban form. Form-based codes create a predictable public realm primarily by controlling physical form, with a lesser focus on land use”.

The CCD district is further divided into six sub-districts based on spatial form, historical development, current development patterns, and design characteristics. The subject site falls partially within the Main Street sub-district and mostly within the Tower sub-district. The primary purpose of the Main Street sub-district is to preserve and enhance Main Street as the primary civic, commercial and ceremonial street in the City. On the other hand, the Tower District seeks to “build upon the monumentality of the district to create grand public promenades” and to ensure the buildings in the district include street level public uses or amenities.

In 2003 a new center city zoning regulation was adopted. It departed from traditional use district zoning in favor of a more design/market oriented approach. Several design districts were devised that reflected the historical context of the city's downtown environment. The new approach provides both certainty and flexibility. Certainty, with respect to a multitude of narratively and graphically described and illustrated criteria. Compliance with the criteria offers a fast track permit approval. Flexibility is infused in the regulation to accommodate a potentially wide range of deviation from the criteria depending on market, technological and locational conditions and variations. While the design criteria perhaps work best with smaller scale infill development, the flexibility provided in the regulation operates to accommodate needed and appropriate deviations without the necessity for variances, special permits or code amendments.

A copy of the City of Rochester Center City Requirements and Base & Design District Maps are included in Appendix L, and the City of Rochester Design District Requirements for Main Street and Tower Districts are included in Appendix M.

4.9.3 Urban Renewal Plan

As part of the Midtown Redevelopment Project a draft Urban Renewal Plan for the Midtown Plaza site has been prepared (Appendix N). The boundaries of the Urban Renewal District include all the land and parcels within the Midtown Redevelopment Project site as well as 12 additional properties adjacent to the project site. 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. Altogether, the district encompasses 12.96 acres. The district, its boundary and surrounding parcels are shown Figure 2.5.

The main purpose of the Urban Renewal Plan is to enable the City of Rochester to acquire, dispose and redevelop the properties at the Midtown Plaza to facilitate the redevelopment project. Another property adjacent to the site, 88 Elm Street, is owned by the City and could be included in the disposition proceedings under the Urban Renewal Plan.

The Land Use Plan element of the Urban Renewal Plan is generally consistent with the Center City District guidelines and the Comprehensive Plan. Comprehensive Plan goal “campaigns” supported by the Urban Renewal Plan include Economic Vitality and the Center City plan (also see the foregoing review of relevant campaigns provided in [Section 3.3.2](#)).

The key difference between the Urban Renewal Plan and the Center City District code involves allowed uses. With a few exceptions, the Center City District zoning allows all uses. In contrast, the Urban Renewal Plan will not allow the following uses:

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

Otherwise all the design and development guidelines of the Center City District will apply within the Urban Renewal district. Specific design guidelines intended to govern development within the district have been described in [Section 3.3.3](#).

4.10 Site Development Capacity

Approximately 1.4 million square feet of space exists at the site currently. In terms of a floor to area ratios (FAR), the Midtown Complex has a 3.77 FAR and the buildings consume 100 percent of the site.

Most downtown sites in similar medium sized cities had larger FARs. Building coverage percentages, however, were lower. FAR’s in “Tower” districts in Kansas City, Cleveland, Louisville, Cincinnati and Indianapolis range between 5.0 to 7.0 and building coverages ranged

between 62 and 74 percent. Figure 2.7 and the discussion found in Section 2.5.1 also reference relevant typical urban densities.

Since the demand for downtown office space in Rochester is weak, and the economy in general is not strong when compared to the comparable cities, redevelopment of the Midtown site provides an opportunity to reduce the existing building coverage at the site as well as the FAR. (Section 2.5.1 describes a related space program that reflects market conditions.)

4.11 Building Conditions, Studies and Evaluations

As part of the decision-making process to re-develop the Midtown Plaza site, several studies were performed to assess the condition and serviceability of the individual structures; the parking garage; utilities; and, other existing site conditions that would support or constrain redevelopment. These studies included:

- Condition Analysis Report for the Midtown Project Area, November 2006, CMA Architecture, P.C. (Appendix O);
- Midtown Building Assessment, December 2006, Bergmann Associates, P.C. et al. (Appendix P);
- Condition Appraisal – Midtown Parking Structure, May 2008, Walker Parking Consultants (Appendix Q);
- Midtown Plaza Building Utility Inventory, July 2006, LaBella Associates, P.C. (Appendix R);
- Midtown Parking Garage: Roof Slab Load Carrying Capacity, May 2008, LaBella Associates, P.C. (Appendix S).

As noted previously, the site consists of approximately 8.6 acres and the surrounding district consists of sixteen parcels of approximately 12.96 acres total. The Midtown Complex consists of six buildings that date from 1901 to the early 1970's (refer to the foregoing Figure 2.5). The site is encompassed between Euclid Street to the northeast, Chestnut Street on the East, Broad Street to the south, Clinton Avenue to the west, and Main Street to the north.

The Midtown Plaza Mall was completed in 1962 to integrate two existing buildings, the McCurdy Building and the B. Forman Building; other buildings were subsequently developed around the plaza to create a complex. These included the Midtown Tower, the Euclid Building, and the Seneca Building.

Built in 1960, the Midtown Garage is three levels below grade, and contains 1,844 parking spaces. The garage is located below the Mall plaza and terraces, the Midtown Tower, and extends beyond the project perimeter below Broad Street (refer to the Walker, Condition Appraisal – Midtown Parking Structure May 2008 report in Appendix Q for a more detailed description).

The complex is tied to adjacent buildings via elevated overhead pedestrian bridges (skyways) that are part of an overall skyway network allowing pedestrians to move among adjacent downtown buildings (Sibley, Chase Square, and Xerox Square) and the Midtown Complex via indoor hallways. It also provides vertical access to the underground parking garage. Midtown Plaza is the hub of this system.

The complex also contains an underground service truck tunnel providing delivery access to various buildings within the Midtown Complex. This tunnel extends westward and serves other city buildings including Chase Tower, Hyatt Regency, and the Rochester Riverside Convention Center. Access to the tunnel is from Atlas Street only.

The following subsections provide a detailed summary of the significant deficiencies of each building.

4.11.1 Exterior Shell

The exterior of the buildings consists of a mix of masonry and curtain wall construction. The masonry of all the buildings facades is outdated and in need of various repairs, such as masonry repointing and repair of spalled areas. Several areas are failed and allowing moisture to penetrate the building. The B. Forman Building in particular needs extensive masonry restoration and repair. The Midtown tower masonry is in very poor condition and previous repair attempts have failed. It would need to be removed and a new curtain wall system installed.

Almost all of the curtain wall sections on the buildings are inefficient and in poor condition, having exceeded their useful life, and are allowing moisture to enter the building. In recent years, curtain wall panels have fallen from the “halo” level of the Midtown Tower and the “I-beam” level of the Euclid Building. Complete façade removal and replacement has been recommended for the Tower.

Likewise, storefront windows are old and inefficient, and have reached the end of their useful service life. Most upper level windows are in fair to good condition however, due to their age, are inefficient with respect to thermal and solar properties. Only the Euclid Building and the 4th through 6th floor windows of the B. Forman Building are considered to be in good condition.

Although most are functional, with the exception of the Sibley Building link, storefront entrance doors are in poor condition, do not meet ADA (Americans with Disabilities Act) standards, and are beyond their intended service life. The exception is the entrance doors at B. Forman which were installed when Peebles occupied the facility. These doors are in good condition and meet ADA requirements.

4.11.2 Roof

The newer sections of roof over the main roof (75 percent) and penthouse of the McCurdy Building, the Mall (with the exception of the north arcade and bus station), the Euclid Building, and the Seneca Building penthouse are in good condition. Most of these areas have had leaks but they have been patched as they occurred. Even though most recent roof replacements occurred in the mid-1980's to early 1990's, these areas would likely need replacement within the next 5 to 10 years. The remainder of the roof is old, some original, in poor condition and there are active leaks.

4.11.3 Interior Finishes

All of the building interiors are outdated and damaged to varying degrees. The extent of required finish updates varies. All ceilings require removal and replacement, regardless of condition, due to the full scale asbestos abatement required. The condition of finishes in the elevator lobbies is generally good, but conditions do vary and some updating is needed. The Bergmann Associates report (see Appendix P) recommends adding lobbies to the Basement through 3rd floor for the McCurdy Building and the first three store floors of the B. Forman Building.

The majority of toilet rooms in the complex require some level of finish update if not complete renovation. Most toilet rooms are not ADA compliant and would need to be reconfigured and modernized, exceptions being a few toilet rooms in the Tower and the Mall, the 2nd floor of the

Euclid Building, and the 4th and 5th floors of the McCurdy Building. Toilets, lavatory fixtures and toilet partitions are generally in fair to good condition and serviceable.

Generally, interior doors are in fair to good condition but almost all the hardware does not meet ADA requirements.

4.11.4 Elevators, Escalators and Lifts

The elevator equipment is of various ages. However, only the B. Forman Building "WBBF" geared elevator is relatively new, close to fully code compliant, has fire service operation and ADA compliant fixtures. All of the remaining elevators are not ADA compliant nor do they meet current code fire operations requirements. Modernization has been recommended for all the elevators to improve traffic handling and reliability, however, they are grand-fathered for elevator code requirements.

Elevator controls in lobbies, while within accessible reach, are not updated to modern standards for vision and hearing impaired individuals.

The escalators have never undergone recently imposed performance index testing, and those in the B. Forman Building have not been operated in more than a decade. The assumption is that repairs or adjustments would be required to these escalators. Additionally, the six Peelle escalators from the parking garage need to be replaced as parts are no longer available and must be fabricated. All escalators in the complex will require work to be performed to make them meet the 2000 code requirement for step to skirt clearance for safety purposes.

4.11.5 Mechanical Systems

The mechanical systems of the complex are interdependent, and this interdependency should be considered when evaluating what might be done with the individual buildings of the complex. The Tower and the Seneca Building are the only two buildings in the complex which are independent.

The Mall is dependent on the Tower for most of its utilities and the Euclid Building obtains its chilled water and steam from the Tower. The B. Forman Building obtains chilled and domestic cold water from the Tower, and domestic hot water from the McCurdy Building. The steam loop for the complex is backed up by connections to the Rochester District Heating System which

passes thru the site on the north and south ends. Natural gas, electric service, and fire alarm systems are generally provided independently to each building.

The McCurdy, B. Forman, and Seneca Buildings do not have emergency power systems, however the other buildings have independent internal emergency power (refer to the Midtown Building Assessment, Bergmann Associates, December 2006, Appendix P, and Midtown Plaza Building Utility Inventory, LaBella Associates, P.C. July 2006, Appendix R reports for further discussion and documentation).

Most of the mechanical, including most ductwork, and electrical systems are original, have reached the end of their useful life and need to be replaced due to condition or inefficiency.

Existing lighting in the complex consists of a combination of fluorescent T-12 and incandescent fixtures. The manufacture of T-12 fixtures, replacement bulbs and ballasts will not be available after 2010, communication systems are old and outdated, the fire alarm systems are non-addressable, lack audio/visual alarms and smoke/heat detectors. Therefore, all lighting, communication, and alarm systems would need to be replaced.

4.11.6 ADA Accessibility

The level of ADA compliance varies throughout the building, and the management has received some verbal complaints from disabled individuals. Reports indicate that elevators and most toilet rooms are not ADA compliant, nor is door hardware, and some entrances do not meet ADA requirements.

Per the Bergmann 2006 report, an overall ADA comprehensive assessment and action plan would be necessary for the entire complex in order to identify the scope and schedule of ADA compliance work to be performed to accomplish total compliance. Such an assessment has not been performed, and would likely result in additional costs to make the complex code compliant; this has not been included in the cost estimates to date.

4.11.7 Parking Garage

The parking garage structure consists of two elevated cast-in-place conventionally reinforced concrete slabs supported by concrete walls and columns. The lowest level below grade is an

asphalt-topped concrete slab-on-grade. The structure is divided into four quadrants separated by expansion joints.

The Condition Appraisal – Midtown Parking Structure, Walker, May 2008 study (Appendix M) found the current condition of the garage to indicate that repair of the structure was both viable and cost-effective. Testing found the concrete is 50 percent stronger than the original design specification and has a relatively low chloride content. However, some extensive repairs are needed nonetheless. Immediate repairs would consist of addressing current potential safety issues such as shoring beams at severely deteriorated columns and walls, removing loose concrete that poses a fall hazard, and replacing broken or missing floor drain grates. Delaminations were found in the floor slab, curbs and ceiling concrete which are more prevalent in the western half of the garage floors where parking use is heaviest. Some delaminations have become open spalls with exposed reinforcement.

While most of the expansion joints are in good condition and performing well, the expansion joint under the old Wegmans store is severely deteriorated and leaking. Supplemental floor drains are needed to reduce ponding water. The majority of the structure has a urethane traffic topping that is in good condition for its age but is worn or missing in some locations. A portion of the structure, where the original asphaltic topping still exists, is in poor condition and debonded.

The parking garage's electrical and mechanical systems are in good condition, however the lighting control system is becoming more unreliable and replacement parts more difficult to obtain. While serviceable, some lighting is outdated or burned out and should be updated. Likewise replacement parts for the fire alarm system are becoming harder to find, and its horns and strobes are not ADA compliant. The fire sprinkler system is in poor condition, experiencing numerous leaks. A separate standpipe system, which operates as a wet system in the summer and dry in the winter is in good condition due to the repeated flushing. The stairwells have broken tiles, cracks in the landing concrete, and burned out lights. Rust is also present on some steel in the south stairwell.

4.11.8 Hazardous Materials

The buildings have several environmental conditions of concern. ACMs are present in all the buildings, mostly in the friable spray-on fireproofing, however other (non-friable) ACMs may be

present as well. Overhead fluorescent light fixtures may contain PCB's (Polychlorinated Biphenyls) and based on the age of the B. Forman and McCurdy Buildings, the fluorescent light bulbs may contain mercury. Mercury may also be contained in switches and related devices and require abatement.

Lead acid batteries, hydraulic and lubricating oils, Freon refrigerant and stored chemicals are also present in most of the buildings and would need to be remediated. There are also two 6,000 gallon fuel oil tanks on site that may need to be decommissioned, depending on development plans.

This assessment of hazardous materials is based on previous testing and reports, however a detailed environmental survey of the complex is currently underway to more accurately identify ACMs and other hazardous materials with respect to current regulations. From this survey, a detailed abatement plan and estimate will be developed. Abatement of recognized environmental hazards will, by necessity, precede any demolition or renovation plan. This abatement phase is currently scheduled to begin in December 2008 and take approximately 10 months to complete. It is expected that this work will result in a site ready for demolition and/or renovation of component structures in compliance with applicable state and federal hazardous material regulations.

4.11.9 Site Conditions

Refer to Section 4.14 for condition of site work surrounding the buildings.

4.12 Transportation: Traffic and Parking

The following subsections related to traffic and parking review: the existing street network; the existing loading docks, service truck tunnel and delivery routes; access to the Midtown parking garage; an analysis of parking within the Midtown area; a traffic analysis; and, changes to traffic and parking related to the anticipated Renaissance Square project planned for the block north of Main Street and west of Clinton Avenue.

4.12.1 Existing Street Network

The street network adjacent to the Midtown Plaza site includes East Main Street, South Clinton Avenue, East Broad Street, Court Street, Chestnut Street, Elm Street, Atlas Street and Euclid

Street. A description of the characteristics of each street follows. A map illustrating the existing Center City street network hierarchy (Center City Core Street Designations) originally included in the Center City Master Plan has been included in the figures and maps accompanying this document.

- East Main Street is a primary east-west route traversing downtown Rochester. In the study area, East Main Street has two eastbound and two westbound travel lanes. The curb lanes on both sides of the roadway are reserved for buses and right turns (where permitted). The Annual Average Daily Traffic (AADT) volume is approximately 14,000 vehicles;
- South Clinton Avenue is a primary route into the city from points south and east (including many of the eastern suburbs), as it provides direct access from I-490 westbound. In the vicinity of the site, South Clinton Avenue is one-way northbound with two travel lanes for thru traffic. There is recessed parking on both sides of the road that includes space for buses to pull out of the travel lanes. The AADT volume is approximately 16,500 vehicles per day;
- East Broad Street is one-way westbound (between Stone Street and Court Street) with three travel lanes and an AADT volume of approximately 6,000 vehicles;
- Court Street is one-way eastbound (between South Clinton Avenue and Broad Street) with three travel lanes and an AADT volume of approximately 8,850 vehicles. Limited short-term street parking is available between South Clinton Avenue and Chestnut Street. West of Clinton Ave, Court Street is two-way with two travel lanes in each direction;
- Chestnut Street is a primary route in and out of downtown Rochester, with direct access to I-490 and the Inner Loop south of the study area. In the vicinity of the Midtown site, Chestnut Street carries approximately 15,000 vehicles per day and has five lanes, including two northbound and two southbound thru-travel lanes, and a southbound curb parking / right turn lane. South of the site, Chestnut Street southbound widens to four lanes, and a two-lane slip ramp is provided onto the Inner Loop / I-490;
- Elm Street is a two-lane, low-volume roadway that includes an exit from the Midtown Parking Garage and provides access to Atlas Street and service areas for Midtown Plaza;
- Atlas Street is a low-volume roadway between Elm Street and Euclid Street. It primarily serves a loading dock area for Midtown Plaza and provides access to the Midtown service truck tunnel; and,

- Euclid Street is a low-volume, one-way westbound roadway between Chestnut Street and Main Street. The street is primarily a short-term parking / drop-off area for the Euclid and Bank of America Buildings and also provides access to Atlas Street and associated service and loading areas for Midtown Plaza.

4.12.2 Loading Docks, Service Truck Tunnel and Delivery Routes

The Midtown Underground Parking Garage extends beyond the proposed project perimeter under Broad Street. A portion of the first floor of the Euclid Building is dedicated to the Midtown Service Truck Tunnel entrance, and the portion of the building over the tunnel is supported by a large transfer girder spanning the tunnel.

The Seneca Building is utilized for loading and service purposes at the midpoint of the underground service truck tunnel linking Atlas Street (near the Euclid Building) to the Convention Center. The tunnel has extensive cross-easement agreements to facilitate joint use.

The primary loading docks for Midtown Plaza are located at the intersection of Elm Street and Atlas Street near the southeast corner of the site. The main entrance and exit to the underground Midtown service truck tunnel are located on Atlas Street near the aforementioned loading dock area. There is also a passenger drop-off / loading area for the former regional bus station at the intersection of Broad Street and Chestnut Street.

The majority of deliveries to the Midtown site likely utilize I-490 and the Inner Loop, and therefore South Clinton Avenue or Chestnut Street to access the site's main delivery and service area at Elm and Atlas Streets. Leaving the site, it is expected that the majority of delivery trucks return to I-490 and the Inner Loop via Chestnut Street. Although none of the surrounding streets are designated as "Qualifying and Access Highways" (a network of highways the NYSDOT has designated to accommodate large trucks), trucks may use these streets provided they are the most "reasonable and practicable" route to the destination, as they are all within a mile of the nearest designated highway (I-490, Inner Loop).

4.12.3 Midtown Parking Garage Access

Access to the Midtown Parking Garage, a three-level, below-ground structure with approximately 1844 spaces, is provided at several surrounding roadways. Vehicular access

points are located at:

- South Clinton Avenue just south of Broad Street (entrance only);
- Broad Street between South Clinton Avenue and Chestnut Street (entrance / exit);
- Court Street between South Clinton Avenue and Chestnut Street (entrance / exit); and,
- Elm Street (exit only).

Pedestrian access to the garage is primarily via escalators and elevators inside the Midtown Plaza atrium, though there are emergency stair towers at various locations around the perimeter of the garage.

4.12.4 Existing Parking Analysis

Walker Parking Consultants / Engineers, Inc has been retained by the City of Rochester to complete two parking studies in downtown Rochester. The first, entitled Comprehensive Downtown Parking Study, was released in January 2008 and addressed overall parking supply and demand within seventy blocks of downtown. The comprehensive study considered all types of parking including on-street, public / private surface lot, and public / private parking structure. The analysis indicated that there is adequate parking within downtown Rochester as a whole; however there are localized areas where demand may exceed supply, such as within entertainment districts during evening peak hours. The downtown parking report is included in Appendix T.

A second parking study was completed to address parking at the Midtown Plaza site. Parking Planning Study, Midtown Redevelopment, dated September 2008, analyzes the parking demand from various land uses and build-out scenarios proposed for the Midtown site and provides recommendations for future parking options. This report also discusses the background of the Midtown Parking Garage, including the relocation process implemented by the City of Rochester when the garage closed to the public in September, 2008. The report is included in Appendix U.

During the years that Midtown Plaza was a vibrant office and retail complex, the Midtown Parking Garage was primarily utilized to accommodate the parking needs of the Midtown site only; the garage was not available for general monthly contract parking for surrounding office buildings. As office occupancy and retail use at Midtown declined, parking spaces in the garage became available to a wider range of off-site users, many on a contract basis. In recent years,

additional contract parking was shifted to Midtown due to the closure of the Mortimer St. Garage and construction at the South Ave Garage. The Walker parking studies estimate that before its closure in September 2008, approximately 1365 of the Midtown garage's 1844 spaces (74%) were occupied on a consistent basis during a typical work day.

In August 2008, the City of Rochester developed a plan to relocate the contract parkers at the Midtown Garage. A total of 1300 parking spaces were made available at three city-owned parking garages within a 5-10 minute walk of the Midtown site, including 700 spaces at the Mortimer St Garage, 300 spaces at the St. Joseph's Garage, and 300 spaces at the East End Garage. Midtown and its surrounding area were divided into three zones, and contract parking for buildings within each zone was assigned to the nearest parking garage. In addition, the South Avenue Garage has partially reopened for contract parking and is expected to fully reopen by the end of 2009.

It is estimated that the closure of Midtown Parking Garage has resulted in a net decrease of 588 contract parking spaces within downtown Rochester, as the loss of approximately 1300 parking spaces at Midtown was countered by the additional 700 spaces made available at the Mortimer St Garage. The Walker Parking report indicates that within a ten-minute walk (approximately 2,640 feet) from Midtown, there are approximately 15,302 parking spaces (including on-street, off-street, public and private spaces). Approximately 8,627 spaces were unused on a daily basis during the study period. Therefore, a surplus of parking still remains in downtown within a ten minute walk from Midtown. Shortages have not been experienced as a result of the relocation. Refer to [Section 5.26.4](#) for discussion of temporary construction related parking impacts.

Figure 4.6 (below) shows the approximate areas of downtown Rochester within a five and ten-minute walk from the Midtown site.

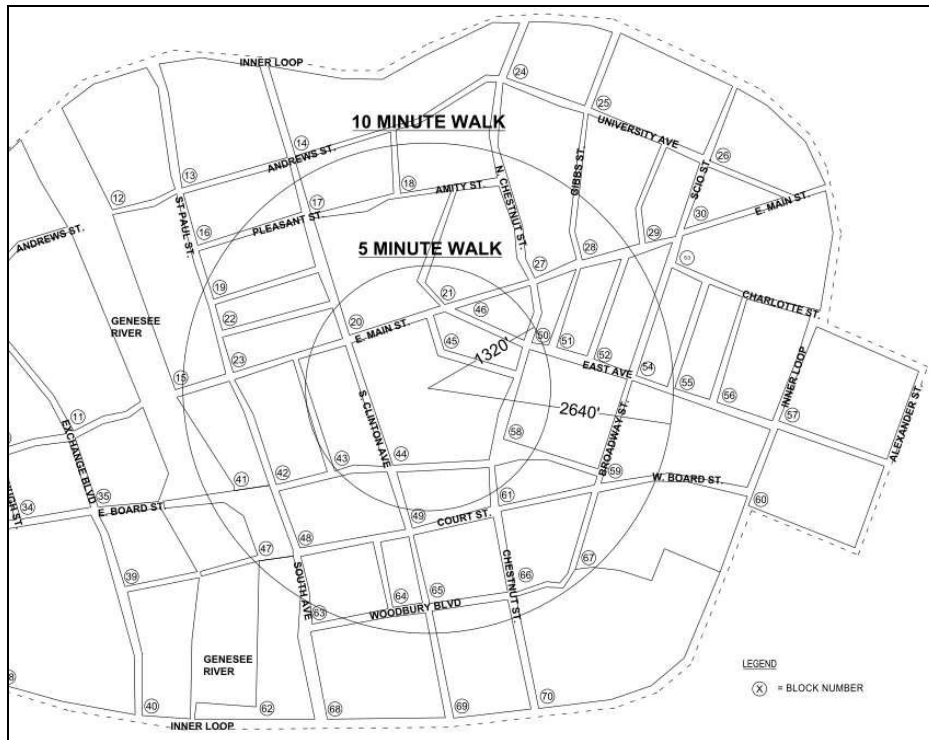


FIGURE 4.6,³ AREAS WITHIN WALKING DISTANCE FROM MIDTOWN

4.12.5 Midtown Traffic Analysis

A traffic analysis for the proposed Midtown Plaza redevelopment has been completed by Fisher Associates⁴ and is included as Appendix V. The following eleven intersections were included in the traffic analysis based on their proximity to the site and interrelationship with the existing Midtown Parking Garage access points:

- East Main Street / Clinton Avenue;
- East Main Street / Midtown Pedestrian Crossing;

³ (Figure taken from Midtown Redevelopment, Walker Parking Consultants September 2008)

⁴ **Fisher Associates, P.E., L.S., P.C.** is a locally based engineering firm, with offices in Rochester, Buffalo and Syracuse NY. Fisher Associates provides transportation and traffic engineering, civil/site engineering and environmental engineering services.

- East Main Street / East Avenue / Franklin Street;
- East Main Street / Stillson Street;
- East Main Street / Chestnut Street;
- Chestnut Street / East Avenue;
- Chestnut Street / Elm Street;
- Chestnut Street / Broad Street;
- Chestnut Street / Court Street;
- South Clinton Avenue / Broad Street; and,
- South Clinton Avenue / Court Street.

Each intersection was analyzed using Synchro traffic software (Version 7) to model the adequacy of the system to accommodate additional traffic under various build-out scenarios. The traffic model used a base traffic scenario, which includes existing traffic volumes plus traffic generated from the ESL corporate headquarters on Chestnut Street, the Renaissance Square development, and a general background growth factor (0.5% per year) to account for traffic from other projects that are currently planned for downtown. Vehicles displaced from the Midtown Parking Garage to other area parking garages were also re-distributed onto the street network and included in the base scenario.

Existing lane configurations and turn restrictions were utilized for the analysis, except at the intersection of Main St and Clinton Avenue. The Renaissance Square project originally proposed to convert Clinton Avenue and St Paul Street / South Avenue to two-way traffic. During detailed design of the project, the decision was made to maintain one-way traffic along these streets, although turn restrictions at the Main St / Clinton Ave intersection would require modifications. The Renaissance Square project currently proposes to allow left turns from Main St eastbound to Clinton Ave northbound and also right turns from Clinton Ave northbound to Main Street eastbound. The removal of these turn restrictions was accounted for in the Midtown traffic analysis.

With respect to an assessment of the Level of Service (LOS) provided at intersections, two approaches can be taken. One assesses the overall LOS and the other focuses on the LOS

associated with particular turning movements through the intersection. With respect to the overall LOS at the eleven intersections analyzed in this instance, all but one was found to be acceptable (a LOS of D or better). These results can be found in the LOS tables included in Section 5.12.2 (in the first column labeled Scenario 1, which presents an assessment of the baseline conditions in the absence of any impacts associated with the Midtown redevelopment).

The exception was the intersection of Chestnut Street / Broad Street which was found to exhibit an overall LOS of E in the PM peak hour. This overall failure is related to the failure of the northbound left turn (PM peak hour) turning movement which is noted and discussed below in this section (see item 3, below). However, Monroe regularly monitors the intersection and has indicated that it operates at acceptable levels during both morning and evening peak periods despite the model's indication of an unacceptable LOS.

With respect to the LOS of individual turning movements, the AM and PM peak hours were analyzed, and a LOS was determined for the various movements at each intersection, ranging from "A" (minimal delay) to "F" (considerable delay).

The traffic analysis for the base scenario indicates that the existing highway network surrounding the Midtown site operates at acceptable levels of service (LOS "D" or better), with the following exceptions:

1. East Main Street / Clinton Avenue Intersection, eastbound and westbound approaches (AM peak hour):

The analysis indicates that the eastbound shared left / through movement will operate at a LOS "F" under the base scenario. The primary reason for the poor LOS is the allowance of left turns from Main Street eastbound to Clinton Ave northbound (as proposed by the Renaissance Square project). Also, the westbound through movement will operate at LOS "D"; however, this movement may reach a condition where traffic volumes are equal to the available capacity of the roadway.

The Renaissance Square Traffic Analysis indicates that no modifications to the Main Street / Clinton Avenue intersection are recommended.

2. East Main Street / Clinton Avenue Intersection, northbound through movement (PM peak hour):

During the evening peak hour, the northbound through movement experiences an acceptable LOS “C” but may reach a condition where traffic volume equals the capacity of the roadway.

3. Chestnut Street / Broad Street Intersection, northbound left turn (PM peak hour):

The Chestnut Street northbound left turn movement experiences a LOS “F” during the PM peak hour. A protected left turn signal phase is available during the morning peak hour but not during the evening peak. MCDOT is aware of the signal phasing, monitors the intersection regularly, and has indicated that the intersection operates at acceptable levels during both peak periods.

4.12.6 Changes to Traffic & Parking Due to Renaissance Square and ESL Projects

Although the Renaissance Square project has not been finalized, the analysis of the preferred alternative with regard to traffic and parking is underway. A component of the project will be to relocate the existing bus transfer area at Main Street and Clinton Avenue to a new transit center north of Main Street between Clinton Ave and St Paul Street. Potential changes to existing traffic and parking operations as a result of the Renaissance Square development include the following:

- On-street parking could be restored at certain locations along East Main Street and Clinton Avenue;
- Turn restrictions at the East Main Street / Clinton Avenue intersection could be removed; and,
- Signal timing modifications could be made at selected intersections within the center city.

A parking study for Renaissance Square was completed by Passero Associates in September, 2008. The study concluded that the overall supply of parking would be reduced by approximately 343 spaces as a result of the Renaissance Square project. However, the study also concluded that the daytime and nighttime parking demands for Renaissance Square could be accommodated by existing public parking facilities within a 1000 ft radius of the site. The latter conclusion is based on an assumption that the Mortimer Street garage would not be available for use by Renaissance Square during the day but that it would be available to accommodate parking demands for the performing arts center during the evening hours.

A parking study for the Midtown Redevelopment was completed by Walker Parking Consultants (see Appendix U). The study considered the Renaissance Square project when calculating the overall parking supply and demand within downtown Rochester. It concluded that the Midtown redevelopment project will result in a loss of approximately 588 spaces. This is primarily due to the Midtown garage being dedicated to the PAETEC project. The study also concluded there is an existing surplus of parking within a ten-minute walk from the Midtown site. In fact, former daytime patrons of the Midtown garage have already been assimilated into nearby parking facilities, including about 700 vehicles into the Mortimer garage. Lastly, it is assumed that parking will be provided on site as new development proceeds at Midtown. Thus, the existing downtown parking supply will not be impacted as a result of Midtown redevelopment.

The proposed ESL Federal Credit Union headquarters parking garage will have approximately 550 parking spaces along with a 60-space surface parking lot for customers and clients. ESL will initially have approximately 350 employees, with a potential future expansion to 500 employees. The parking demands for the ESL project will be accommodated entirely within the project boundaries. It is assumed that any spaces within the parking garage not used by ESL will be offered for monthly contracts to the public.

4.13 Public Transit

Public transit service in downtown Rochester is administered by the Rochester Genesee Regional Transportation Authority (RGRTA) and operated by several subsidiaries. The Rochester Transit Service (RTS) operates bus routes in Monroe County and the City of Rochester. LiftLine operates paratransit for persons within Monroe County who are unable to utilize the standard bus service. LiftLine service is available for destinations within $\frac{3}{4}$ mile of RTS fixed routes (Park & Ride routes do not qualify) and to other destinations with an additional fee.

Regional subsidiaries provide occasional service into downtown Rochester.

As shown in Table 4.2 and Table 4.3, RTS buses utilize South Clinton Avenue north of Broad Street, Main Street between Clinton Avenue and East Avenue, and Broad Street between Chestnut Street and East Avenue.

The following three sites located in the immediate vicinity of Midtown are utilized as central transfer points for converging bus routes:

- Along Clinton Avenue at the southeast corner of the Main Street intersection for northbound buses;
- Along Main Street at the southwest corner of Clinton and Main for eastbound buses; and,
- Along Main Street at the southwest corner of Main and Liberty Pole Way for westbound buses.

Southbound buses line up along St. Paul Boulevard, one block west of the project site.

A total of 20 bus routes serve this area. According to current bus schedules, buses arrive at Main & Clinton a total of 553 times each weekday and depart from one of the two Main & Clinton transfer sites 431 times each weekday. The transfer site at Main Street and Liberty Pole Way supports 312 arrivals and 446 departures each weekday. These three locations serve approximately 25,000 bus patrons on a typical weekday.

The following table (Table 4.2) identifies the RTS routes that stop near the intersection of Main Street and Clinton Avenue, either along Clinton Street just South of Main Street or along Main Street just west of Clinton, as well as the number of weekday arrivals and departures.

<u>Route</u>	<u>Total Weekday Arrivals</u>	<u>Total Weekday Departures</u>
1 - Lake / Park	48	42
2 - Thurston / Parsells	35	33
4 - Genesee / Hudson	45	42
5 - South / Saint Paul	42	41
6 – Jefferson / Clifford	35	34
7 - Monroe / N. Clinton	42	38
8 - Chili / East Main	52	49
9 - Jay - Maple / Bay	30	28
10 - Dewey / Portland	53	49
11 - S. Clinton / Joseph	35	30

14 – West Ridge and East Ridge	12	0
15 – Dewey/ Latta	21	0
16 – Crosstown	13	0
18 / 19 – University/Plymouth	30	26
20 – Brockport/ Spencerport	13	0
24 - Marketplace Mall	24	0
50 - Monroe Community College	23	14
99 – Hilton/ Hamlin/ Clarkson	0	5
Main & Clinton Totals	553	431

TABLE 4.2, RTS ROUTES THAT STOP NEAR THE INTERSECTION OF MAIN STREET AND CLINTON AVENUE,

The following table, Table 4.3, identifies the RTS routes that stop at the major transfer sites at Main Street and Liberty Pole Way.

<u>Route</u>	<u>Total Weekday Arrivals</u>	<u>Total Weekday Departures</u>
1 - Lake / Park	44	46
2 - Thurston / Parsells	32	35
3 – Goodman/ Lyell	36	54
4 - Genesee / Hudson	41	43
6 – Jefferson/ Clifford	33	36
8 - Chili / East Main	47	53
9 - Jay - Maple / Bay	28	30
10 - Dewey / Portland	51	54
15 – Dewey Avenue/ Latta	0	24
16 – Crosstown	0	14
18/19 – University/Plymouth	0	57
Liberty Pole Totals	312	446

TABLE 4.3, RTS ROUTES THAT STOP AT THE MAJOR TRANSFER SITES AT MAIN STREET AND LIBERTY POLE WAY

Upon completion of Renaissance Square, the three major transfer points will be relocated to the new transit center located northwest of the intersection of Main Street and Clinton Avenue. Buses are expected to continue to utilize South Clinton Avenue, Chestnut Street, Broad Street and Main Street. Riders who start their trips near Midtown or need to transfer to other buses downtown will utilize the new transit center at Renaissance Square. Bus stops will continue to be located along South Clinton Avenue at Broad Street and at other locations one block or more from Renaissance Square.

4.14 Pedestrian

4.14.1 Sidewalks and General Walkability

Public sidewalks are present along all of the streets within the project area. Sidewalk widths vary, but appear more than sufficient to accommodate the number of pedestrians who use them during peak times. The sidewalks along Main and Clinton Avenue are fairly new and are decorative in nature.

Along Main Street, the sidewalks are quite wide (approximately 20 feet in width, see Photo #1 immediately below) and could accommodate a significant increase in activity. Current pedestrian usage of the sidewalks along Main Street between Clinton and Chestnut / East is at a low level due to the lack of significant destinations at the site.

Along South Clinton Avenue, sidewalks are approximately 10 feet wide (see Photos #2). The presence of a major bus transfer area at the Southeast corner of Main and Clinton causes some pedestrian congestion (see Photos #3 and #4). Upon completion of Renaissance Square, this area of South Clinton Avenue will no longer be utilized as a bus transfer area.

The truncated streets along the east side of the study area, as well as the vehicular entrance to the service truck tunnel, interrupt pedestrian circulation through and around the site. The sidewalk along Euclid Street is covered by the building overhang (see Photo #6). Walkability along the southern perimeter of the site, along the north side of Broad Street, is compromised by the Trailways bus station (See Photo #5). The mass of buildings that form the Midtown Plaza “superblock” impede pedestrian circulation at ground level through the site.



1. The sidewalks along Main Street are approximately 20 feet wide.



2. Sidewalks along South Clinton Avenue have attractive paving and are approximately 10 feet wide.



3. Main and Clinton is a transfer point for numerous bus routes



4. Bus patrons waiting for buses increase congestion along sidewalks.



5. Truncated side street streets east of Midtown create disconnected sidewalk pattern.



6. The areas east of the Trailways bus terminal are not pedestrian-friendly.



7. The photo immediately to the left shows how walkability along Broad Street is affected by the entrance to parking garage

4.14.2 Crosswalks

Pedestrian signal lights and crosswalks are present at all of the street intersections. Midblock crossings at ground level include:

- Traffic signal with pedestrian crossing buttons along Main Street between South Clinton and East Avenues
- Pedestrian “bump-outs” with distinct paving and signs for motorists at two locations along South Clinton Street between Broad Street and Main Street

There are no crosswalks on Broad Street between Chestnut and Clinton.

4.14.3 Skyway System and Underground Tunnels

The Skyway System connects a network of 20 downtown buildings and parking structures within a 13 block area and is shown below in Figure 4.7. The system allows pedestrians to walk between buildings without having to go outside or use public sidewalks. The Skyway System includes underground, street level and above ground components. Although the entire system covers 1.3 miles, it's primary use appears to be by downtown office workers to travel short distances, such as from parking garages to workplaces.

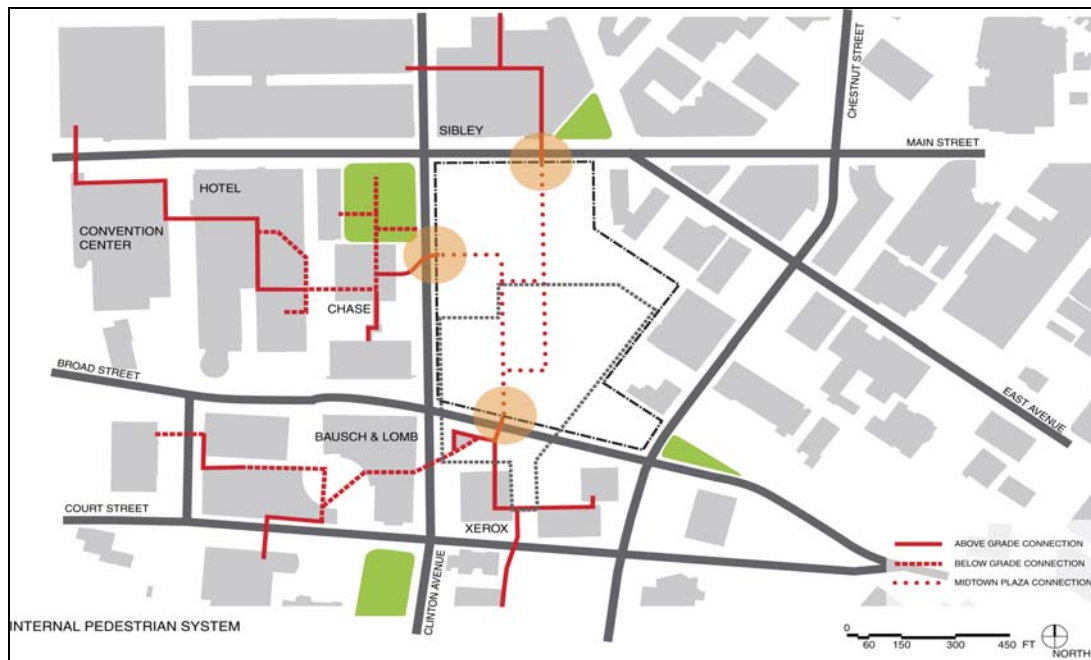


FIGURE 4.7, THE SKYWAY SYSTEM NETWORK

The following components of the Skyway System connect to buildings in the project site:

- An elevated walkway over Broad Street connects Midtown Tower to the Xerox Tower;
- An elevated walkway over Clinton Avenue connects the Seneca Building to the Chase Tower;
- An elevated walkway over Main Street connects the McCurdy Building to the Sibley Centre; and,
- A below ground walkway connects the Midtown Garage to the Sibley Triangle Building southeast of the intersection of Clinton and Broad. From this point, pedestrians can use

stairs or an escalator to access the skyway to the Xerox Tower or utilize a below-ground passageway under Clinton Avenue to access Bausch & Lomb Place.

An additional illustration of the Skyway System can be found in Figure A5.

4.15 Utilities

4.15.1 Private Utilities

4.15.1.1 Steam: Rochester District Heating Co-Operative

Rochester District Heating Co-Operative (RDH), a non-profit user cooperative, provides steam for heating within the City's inner loop. RDH owns, maintains, operates and holds the easements for the steam lines. The steam lines are leased to the County of Monroe Industrial Development Agency (COMIDA).

Two RDH steam lines traverse Midtown Properties. With the exception of seasonal heating for the Seneca Building, neither directly serves the property. Both steam lines are encapsulated but would require asbestos abatement were they to be removed. The locations of both RDH mains are shown in Figure 5B of Appendix E.

The southern RDH steam line (see item 1 in Figure 5B of Appendix E) is a primary 12-inch main which runs between Chestnut Street and South Clinton Avenue. The steam line is located within a utility tunnel under Level-C of the City's Midtown Garage. This utility tunnel is not the same as the often-referenced service truck tunnel which also runs beneath Midtown. The utility tunnel is located in the southerly portion of the site approximately 35 feet below the surface elevation of Broad Street and is under portions of both Midtown Plaza and Broad Street. This steam line within the utility tunnel feeds the entire west side of the district representing 75 percent of the RDH system and half of the downtown area.

The northern RDH steam line (see items 2 and 3 in Figure 5B of Appendix E) is a secondary 4- and 6-inch main that runs from Euclid Street through the McCurdy basement utility room and feeds the Seneca Building. This main then continues within the service truck tunnel under South Clinton Avenue to Chase Tower. The northern steam main is part of a looped steam system servicing portions of the northeast area of the City. There is a cross-connection between this northern steam line and the Midtown Plaza heating system to provide back-up service. This backup function was last utilized in 1998.

4.15.1.2 Telephone

4.15.1.2.1 Frontier Communications of Rochester

Frontier Communications of Rochester (Frontier) provides service to various buildings within Midtown Properties. The locations of the Frontier connections and conduits are shown in Figure 5C of Appendix E - Utility Report.

In addition to individual building services, Frontier has a major 9-way transite conduit with approximately 24 thousand cable pair and 2 fiber optic bundles (one 48 strand one 36 strand) located under Level-C of the City's Midtown Garage (see item 1 in Figure 5C of Appendix E). This major conduit system runs between South Clinton Avenue and Chestnut Street north of and generally parallel with the RDH steam utility tunnel. The conduit is located approximately 35 feet below the surface elevation of Broad Street and is under portions of Midtown Plaza and Broad Street.

Within the 9-way transite conduit, approximately 16K cable pair and many of the fiber lines feed Midtown complex and Xerox. In May 2008, Frontier completed a new separate service to Xerox, bypassing Midtown. The remaining cables and conduits located on the Broad Street Skyway Bridge are owned by Xerox and can now be terminated and removed during building and skyway bridge demolition. The remaining cable pairs and fiber lines within the 9-way transite conduit pass through Midtown to service residences and business from Chestnut Street to East Avenue and as far as Clifford Avenue.

4.15.1.2.2 Verizon Business

Verizon Business (Verizon) also provides telephone service to various buildings within Midtown Properties and adjacent facilities such as Chase, Xerox and the former Sibley Building. The locations of the Verizon cables are shown in Figure 5F of Appendix E - Utility Report.

The armored fiber (96 count single tube) was installed in 1991+/- and is located in conduits leased from Time Warner Cable. The fiber network located within Midtown is part of Verizon's ring (looped) system serving the east side of the City.

4.15.1.3 Electric: Rochester Gas & Electric

Rochester Gas & Electric (RG&E) provides electric service at various locations within the Midtown Properties. Many of the transformers and meter panels are situated within the service

truck tunnel or City's Midtown Garage. The locations of the RG&E service connections are shown in Figure 5D of Appendix E - Utility Report and further described in Figure 5N of Appendix R. These facilities include:

- Seven (7) 11 kV network transformer vaults: four located in the service truck tunnel (Vaults 8, 10, 27.11 and 27.13) and three located in the Midtown Garage Level-A (Vaults 4, 5, and 9); and,
- Eight (8) different 11 kV network circuits (circuits 530, 533, 534, 569, 591, 598, 679, and 683).

With the exception of circuit 569, all circuits within the project area supply power only to Midtown facilities. Circuit 569 feeds from Chestnut Street to Vault 5 (located on Midtown Parking Level-A under Broad Street) and over to South Clinton Avenue. This circuit provides service to Bausch & Lomb and a building on the southwest corner of Main Street and South Clinton Avenue. Vault 5 also provides service to Midtown Garage.

4.15.1.4 Natural Gas: Rochester Gas & Electric

Rochester Gas & Electric (RG&E) provides natural gas service at five locations within Midtown Properties (4 services enter various buildings and 1 service enters Midtown Garage – Level-A.) The locations of the RG&E natural gas service connections are shown in Figure 5E of Appendix E.

All natural gas mains are located outside the perimeter of the building and garage footprints. There are no gas mains or services traversing the site so as to serve off-site customers. The gas services and meters on site only were relied upon only to provide service to the various buildings and customers at Midtown.

The primary use for natural gas has been as fuel for the gas fired Midtown boilers. The Midtown boilers have provided steam to meet heating loads at Midtown Properties.

4.15.1.5 Cable: Time Warner Cable

Time Warner Cable (TWC) provides co-axial cable service to various buildings within Midtown Properties. TWC also serves Xerox through conduits and a 48 pair fiber located in the service truck tunnel and Midtown Garage Level-A. This is the only TWC cable which traverses the site to serve off-site facilities or customers.

TWC also leases their conduits to Verizon for use in running Verizon fiber cables. The locations of the TWC service connections and conduits are shown in Figure 5F of Appendix E. TWC's leased conduits exist within the service truck tunnel leading to Chase; through Midtown Garage Level-A leading to Xerox; and, through McCurdy basement and over the roof of the Main Street Skyway Bridge leading to the former Sibley Building.

4.15.1.6 Communications: Fibertech Networks

Fibertech Networks (Fibertech) provides a data communication fiber network along Main Street and Broad Street. The fiber is located within conduits leased from RG&E.

4.15.2 Public Utilities

4.15.2.1 Domestic & Fire Water Service - Rochester Bureau of Water

The City of Rochester, through the Rochester Bureau of Water (formerly the Rochester Water Works and hence still referred to as "RWW"), provides drinking water and high pressure fire service (through the Holly System) to the City of Rochester. These are two separate systems, both owned and operated by RWW. The Holly System is a high pressure system connected to the Holly Pump Station and available for fire suppression within most of the downtown area.

Hemlock and Canadice Lakes are the primary sources of water for the City of Rochester, however the City supplements its water supply with Lake Ontario water purchased from the Monroe County Water Authority (MCWA). The volume of water purchased varies from 0-30 MGD depending on the season.

The RWW indicates that the City's water system, including three City reservoirs, has 4-5 days of emergency storage with the capacity to purchase additional water from the MCWA. For the year 2007, the City water usage statistics published by the RWW included:

Average Daily production at the Hemlock Filtration Plant	37.0 MG
Average Daily City Consumption	22.6 MG
Average Daily Wholesale Sales	19.1 MG
Average Daily Wholesale Purchase	13.3 MG
Average Daily Lost Water	8.6 MG

TABLE 4.4, CITY OF ROCHESTER WATER USAGE STATISTICS

Through the City's water distribution system, domestic and fire service water is provided to various buildings within Midtown Properties, the City's Midtown garage and the service truck tunnel. Small garden sprinklers are also located along the south side of Main Street to water street landscaping. The locations of the RWW service connections and water mains are shown in Figure 5G of Appendix E.

In the project area, the Midtown Tower and Seneca Building have domestic water pressure booster pumps. City domestic system pressures appear to be adequate for other areas.

Midtown Tower and Seneca Building also utilize electric fire pumps. Holly system pressures appear to be acceptable for fire protection in other areas. The Holly (fire) system feeds the City's Midtown garage from three locations (South Clinton Avenue/Broad Street; Chestnut Street/Broad Street and Atlas Street). Check valves and 1-inch bypass meters are located in a vault on each Holly service as the main enters the Midtown Complex. The fire service mains located after the meters are considered private and have been maintained by Midtown Properties.

Within the Midtown garage, the three fire services mains interconnect. The Holly meter vaults and the 10-inch fire service entering from South Clinton and Chestnut Street are located under the floor of Midtown Garage Level-C, outside and directly north of the steam utility tunnel. This 10-inch fire service main directs water to risers serving the garage and Midtown Tower. The 10-inch Holly main entering from Atlas Street serves the sprinklers in the service truck tunnel and the Euclid Building. The former 24-inch water main located within the steam utility tunnel has been abandoned.

4.15.2.2 Sanitary and Storm Sewers: Rochester Pure Waters District

Monroe County Pure Waters (MCPW) Rochester Pure Waters District (RPWD) operates and maintains public sewers in the City of Rochester under a lease agreement. As with many older cities, the sewer is a combined storm and sanitary system. Sanitary and storm flows from the City collection systems are directed to the Frank E. Van Lare Waste Water Treatment Facility (Van Lare WWTF) located along the south shore of Lake Ontario near Durand Eastman Park. The collection and trunk sewer system also utilizes a storage/conveyance tunnel system to intercept combined sewer overflows.

The Van Lare WWTF receives influent from the Rochester Pure Waters District, Irondequoit Bay Pure Waters District, Gates-Chili-Ogden Sewer District and parts of the Towns of Henrietta and Webster. The operating permit for the Van Lare WWTF flow is 135 MGD with a capability of handling 660 MGD during storm events. MCPW indicates the average daily plant flow is 118 MGD with a low flow rate of 40 to 60 MGD depending on the season and amount of rainfall.

During large storm events the Van Lare WWTF utilizes a bypass. When the bypass is open, the maximum plant/treatment flow is 270 MGD. The remainder of flow is discharged through the bypass.

In the project area, the RPWD sewer mains are generally located in the center of the streets. Numerous service lateral connections to the RPWD sewer exist from Midtown Properties, the service truck tunnel, utility vaults and the City's Midtown garage. The location of the RPWD service connections and mains are shown in Figure 5A of Appendix E - Utility Report.

A portion of the original sewer along the former Cortland Street right-of-way remains in service. The sewer is located under the service truck tunnel and accepts sanitary and storm flows from several private laterals within Midtown Properties and storm drains within the service truck tunnel. In addition, some records indicate a potential service connection from the City Midtown garage. This sewer is considered private by RPWD and is owned and maintained by Midtown Properties. The original 24-inch vitrified tile sewer was constructed circa 1930 and the condition of the sewer is unknown.

4.15.2.3 Street Lighting: City of Rochester

The City of Rochester, through the Rochester Street Lighting Bureau, maintains street lights along Main Street, South Clinton, Euclid Street and the southeast corner of Broad Street/South Clinton Avenue. Light poles along Broad Street east of South Clinton are privately owned by Midtown or Xerox. The location of the street lighting poles and conduit are shown in Figure 5H of Appendix E - Utility Report.

4.15.2.4 Traffic Controls: Monroe County Department of Transportation

Within the City of Rochester, the Monroe County Department of Transportation (MCDOT) maintains and operates the traffic control system along City streets. All existing street traffic controls are located outside the perimeter of the project work. The location of the MCDOT

traffic controls manholes/vaults and conduit are shown in Figure 5I of Appendix E - Utility Report.

The traffic signals located within the service truck tunnel are privately owned by Midtown and maintained by the MCDOT. These service truck tunnel signals are for safety around a blind corner. The signals are isolated (not interconnected) and receive power from RG&E from inside Midtown Properties.

4.15.2.5 Fiber Optics: Monroe County

Monroe County has fiber optic lines which run within the RG&E duct bank along the south side of Main Street. All fiber is located outside the building footprint and no services are provided to Midtown Properties.

4.16 Energy

As described in Section 4.15, the site currently uses natural gas, fuel heating oil and electricity to provide heating, cooling, lighting and domestic hot water. Steam boilers are located in the Midtown Plaza and McCurdy sub basement, providing steam to the Midtown Complex, and run on Natural Gas with fuel oil as a backup. The Rochester District Heating Co-Operative System (RDH) has two lines which pass through the north and south ends of the site (Refer to Section 4.15).

As discussed in Section 4.15, the Seneca Building is connected to the north line, and used steam from this line for heating while a cross connection also provided backup heating for the Plaza, however this backup steam supply was last used for a backup in 1998. A chilled water loop serves the entire facility, and is generally shutdown for the season beginning in October. Electricity and natural gas are provided by Rochester Gas & Electric.

Obtaining consolidated energy information for the complex has proved difficult due to the large number of independent meters for each building and, in the case of the mall, each tenant. No data of any value could be readily obtained from RG&E. Furthermore, as the buildings have long been underutilized due to low occupancy rates, any data that could be obtained would not be a good indicator of full operating usage.

In discussions with Mr. Peter Loberg of The Rochester District Heating Co-Operative System, he indicated that while the Seneca Building was occupied, it was using approximately 4 million pounds (4,000 Mlbs) of steam per heating season (typically mid-October to early May). When Chase Corporation vacated the Seneca Building, heating was reduced to a level just sufficient to prevent pipes from freezing, and during the 2007-2008 heating season used 1,500 Mlbs of steam for this purpose.

As stated, the RDH steam backup for the remainder of the complex has not been used since 1998 and figures are not readily available for the usage when it was needed. As RDH steam was used infrequently to backup to the onsite boilers, the data would not be a good indicator of annual energy usage by the complex.

Rough anticipated usages can be estimated for gas and electrical usage. Mechanical Engineers with LaBella Associates estimate that buildings of 1960's construction, such as the Midtown Complex, would use approximately 35 btu/square foot per hour for peak heating. Lighting and receptacle loads from buildings of this era would be approximately 2.5 watts/square foot on average for combined retail and office space. Cooling loads would be estimated to be approximately 700 watts/ton figuring general efficiencies for that time period and load diversity. This would be equated to roughly 3 watts/sf in conditioned spaces. Thus, combined electric load would be estimated to be 5.5 watts/sf in the retail/office areas. Electrical loads in the parking garage (lighting, ventilation equip) may be on the order of 1 w/sf.

4.17 Building Shadows

The building shadow study that has been conducted illustrates a projection of shadows that result from both existing and proposed development. Shadows have been illustrated for several times throughout a given day within four different seasons. Four scenarios have been included in the accompanying diagram that includes the solar equinox, summer solstice, and winter solstice. Existing and projected shadows at these times show the minimum and maximum extent of shadows throughout the year. These Building Shadow Illustrations for all four scenarios can be found in Appendix I.

4.17.1 Spring and Autumn Equinox

The spring and autumn equinox seasons contain an extensive shadow inventory within the study area considering the existing development. The 9:00 morning hour indicates the largest shadow projections are created by the Bausch and Lomb, Xerox, Chase, and HSBC Towers within and around the study area. The open green space at the corner of East Main Street and Clinton Avenue (Chase Plaza) has minimal shadows during this time. The parcel containing the Liberty Pole is approximately 50 percent covered by shadow at the 9:00 hour. Cornerstone Park at the corner of Stone Street and East Broad Street is mostly covered by a shadow caused by the Bausch and Lomb tower. There is one area providing living accommodations including apartments and a hotel that are affected by existing shadows. This area is bounded by Chestnut, Elm, and Euclid Streets forming a small block. There are also general office buildings in this block. The remainder of affected property within the study area is generally commercial in nature, consisting of banks and multiple office buildings.

The spring and autumn equinox shows a reduction in size and density of shadows projected by existing buildings about the 12:00 noon hour. The open green space at Chase Plaza however, is largely covered by a shadow projected by Chase tower. New public open space on the northeast corner of Broad and Clinton (Block 5) appear to be about 50 percent shadowed by the existing Xerox tower. There is minimal impact to residential uses, open space, and natural features during this time.

Shadows from existing structures lengthen by the 3:00 hour and generally project eastward. The midtown site is partially covered by shadows, but much of the site also is exposed to sunlight. Residential uses do not appear to be impacted in a negative way, and there is a small portion of shade within public places such as the Liberty Pole Plaza, and the open space at the corner of Main and Clinton.

As the sun lowers in the sky during the 6:00 PM hour of the spring and fall equinox, shadows are blended in with the darkening sky, which makes it difficult to distinguish the extent of shadows. The majority of the study area has been cast in shadows by existing buildings, including public open space and some residential units. A large portion of the Sibley, Lindsay, and Curr Building appear to be open to the sun at this point.

4.17.2 Summer Solstice

The summer solstice minimizes the extent of shadows throughout the middle part of the day. At 9:00 AM, the majority of longer shadows are projected upon existing commercial buildings and streets such as Clinton Avenue, East Main Street, and Stone Street. The existing structures also project a shadow on the conceptualized public green space within the Midtown area on the northeast corner of Broad Street and Clinton Avenue. No residential uses appear to be adversely affected by shadows according to the shadow study.

By 12:00 noon, the shadows projected on the 21st of June are only a few feet beyond an existing buildings' footprint. The exception to this is the Xerox, Bausch and Lomb, Chase, and HSBC towers in the downtown area. The majority of public green space has been indicated to receive full sunlight. Chase Tower projects a shadow onto the adjacent green space to the north, but much of this area still receives sun.

Generally, street and streetscape features are shadowed by 3:00 in the afternoon during the summer solstice. Rochester's skyscrapers do project shadows across streets to other commercial structures, but no residential structures are affected as indicated on the shadow projections. One new public green space (Block 3) in the central portion of the Midtown site is anticipated to be covered by a shadow according to the shadow study.

The 6:00 PM hour of the summer solstice indicates fairly lengthy shadows from existing buildings. These shadows are cast in a southeasterly direction. Public open spaces such as the Liberty Pole area, Cornerstone Park, Chase Plaza, and the anticipated green space within the Midtown development (Blocks 3 and 5) are all covered by shadows. Only a small section of Chase plaza is exposed to direct sunlight.

4.17.3 Winter Solstice

The winter solstice is a time of year when much of the city, downtown, and Midtown areas will be covered by shadows throughout all hours of the day. The sun is generally low in the sky, and at 9:00 AM, much of downtown Rochester is covered by shadows projected by existing development. It is evident that Chase plaza and one new green space area within the proposed development (Block 5) will be directly exposed to the sun. Shadows are cast on the residential uses located on the west side of Chestnut Street, bounded by Elm Street and Euclid Street.

The sun's high point at 12:00 noon during the Winter Solstice reduces the density and length of shadows from the morning hours. This is the point of day where sun is reaching more areas than any other part of the day. Shadows are cast from Bausch and Lomb and Chase Towers to shade all of Clinton Avenue within the study area. Chase Plaza is also almost entirely covered by shadows at this time. The Liberty Pole area is under a shadow from adjacent existing development, as is Cornerstone Park. The sun reaches a considerable area of the Midtown site during this time.

By 3:00 in the afternoon, much of the area north of Broad Street and east of Stone Street is shaded by existing development in downtown Rochester. Very little sun reaches the Midtown site, and only Cornerstone Park is indicated to have any considerable exposure to sunlight.

By 5:00 PM, the sun has set and downtown Rochester is under the cover of darkness.

4.18 Noise/Odor

4.18.1 Noise

Noise is defined as unwanted or irritating sound. The perceived loudness, or sound pressure level, of noise is expressed in decibels (dB). The A-weighted decibel scale, or dB(A), is used to simulate the unique sensitivity of the human ear. The typical ambient, or background, sound level in an urban environment such as that of the proposed project is 65-80 dB(A) with a median value around 59 dB(A).⁵

The level of perceptibility of a sound can be affected by environmental factors, which can include distance from the source, surrounding terrain, ambient level, time of day, wind direction, temperature, and humidity. The adjacent hard surfaces and buildings within an urban environment can also create a canyon effect where sound is reflected. Echoes can result depending on the configuration.

With respect to the area potentially affected in this instance, the rather large size (horizontal and vertical) of adjacent buildings surrounding the site (Xerox, Bausch & Lomb, Clarion Hotel) will

⁵ World Health Organization, Fact Sheet No. 258 Occupational and Community Noise, 2001 and U.S. Environmental Protection Agency, Figures 4 & 5, Protective Noise Levels, EPA 550/9-79-100, 1979.

likely act as barriers to sound traveling beyond the local area, but could also act to focus sound within particular areas within the site.

Most urban environmental sound is due to wind or other atmospheric conditions (rain on windows, thunder), vehicular traffic, trains, and overhead airplanes. Operation of the existing buildings is unlikely to contribute any significant noise to the surrounding ambient sound level in an urban environment. The most significant sounds contributed to the environment which may impact surrounding receptors will result during construction or demolition activities.

Construction noise is customary in an urban environment, but is usually temporary in duration as the location of construction changes. (Refer to Section 5.26 for further discussion).

Key receptors to sound within this distance from the site include the adjacent Xerox, Chase, and Bausch and Lomb buildings which are high occupancy structures within one block of the site. Other potential receptors include HSBC Plaza, the Appellate Court building, Liberty Pole Plaza, MCC/SUNY Brockport, Hyatt Regency Hotel, Riverside Clarion Hotel, Washington Square Park, and Manhattan Square Park. These are high occupancy structures where noise may result in potential annoyance of significant numbers of people or open public areas that may be sensitive to additional noise with regard to enjoyment of the facility(ies).

4.18.2 Odor

Odor evaluation is very subjective, as its character, acceptability, intensity and other factors can only be quantified by the human nose. And odor acceptability is often based on the individual's attitude and experience with the odor. Common odors in an urban environment like the proposed site include those from vehicle emissions, stormwater and sanitary sewer grates and manholes, food venue and restaurant venting, adjacent watercourses, industrial or commercial building venting, and garbage storage and processing. Such odors tend to dissipate relatively quickly and likely would not extend beyond one to two city blocks unless the source was a significant generator of odor. The potential sensitive receptors include those identified above regarding noise.

4.19 Public Health and Safety

Demolition, construction, and operation of the existing or new buildings on the Midtown Complex site can pose several threats to public health and safety. Hazards to the public during

demolition and construction will include falling debris, possible proximity to dangerous or heavy equipment, large construction vehicles with limited visibility, and explosive hazards if used for demolition or rock removal. There are also risks to construction workers from equipment, falls, and handling of hazardous materials. Construction related risks and impacts are discussed in Section 5.26.

Operational health and safety threats may include hazardous materials; safety issues related to security, fire, elevator and escalator operation; and strength and performance of the building(s) themselves.

As discussed in Section 4.11, it has been identified that the existing buildings contain hazardous materials including asbestos, mercury, lead, and fuel oil. These materials can pose serious threats to public health if humans come in contact with them.

The inhalation of asbestos fibers can cause serious illnesses, including mesothelioma (a type of cancer) and asbestosis (a chronic inflammatory medical condition affecting the lungs).⁶

Mercury poisoning (also known as mercurialism, hydrargyria, Hunter-Russell syndrome, or acrodynia when affecting children) is a disease caused by exposure to mercury or its toxic compounds. Sufficient exposure to mercury-based toxic compounds damages the central nervous system and other organs or organ systems such as the liver or gastrointestinal tract.⁷

It has been identified that lead-based paint may exist in some of the buildings. The main threat from lead is ingestion of lead dust or chips from this paint, however soil contaminated by leaded gasoline has been another historical source. Federal law lowered the amount of lead allowable in paint to 1% in 1971. Since 1977 the U.S. Consumer Product Safety Commission has limited the lead in most paints to 0.06% (600 ppm by dry weight).⁸

Fuel oil spills can contaminate surface and ground water by introducing water soluble toxic chemicals like toluene, ethylbenzene, and xylenes. Chronic effects are also associated with

⁶ <http://en.wikipedia.org/wiki/Asbestos>

⁷ http://en.wikipedia.org/wiki/Mercury_poisoning

⁸ http://en.wikipedia.org/wiki/Lead_poisoning

exposure to aromatic compounds and other constituents of the fuel oil. These include changes in the liver and harmful effects on the kidneys, heart, lungs, and nervous system. Increased rates of cancer, immunological, reproductive, fetotoxic, genotoxic effects have also been associated with some of the compounds found in heating oil.⁹

As discussed in Section 4.11.8, a detailed environmental survey of the complex is currently underway to more accurately identify ACMs and other hazardous materials with respect to current regulations. From this survey, a detailed abatement plan and estimate will be developed. Abatement of recognized environmental hazards will, by necessity, precede any demolition or renovation plan. Refer also to Section 5.26 for further discussion.

Additionally, as the site is located in an urban setting, it is likely to have current and historic uses that may have contaminated the soils and/or local groundwater with hazardous materials. Refer to Section 5.26 for further discussion of this threat to public health and safety.

4.20 Community Facilities and Services

4.20.1 Police Services

Police service in Rochester is provided primarily by the City of Rochester Police Department. Although the Monroe County Sheriff's Department and NYS Police have legal authority and jurisdiction to enforce New York State laws within the City, their services are generally provided within the City on a City-requested basis to supplement City Police Department services.

The Rochester Police Department employs 706 full-time sworn police officers of which 551 are assigned to the Patrol Division. The Patrol Division is the Division that provides general police service to the public and which responds to the public calls for police services. When not responding to for calls for service, the Patrol Division is responsible for crime detection and prevention and maintaining the peace. These tasks are accomplished via motor vehicle and bicycle patrols to provide a high visibility police presence within the City. The Police Department also has a Special Operations Section which is responsible for a variety of more

⁹ Irwin, R.J., M. VanMouwerik, L. Stevens, M.D. Seese, and W. Basham. 1997. Environmental Contaminants Encyclopedia. National Park Service, Water Resources Division, Fort Collins, Colorado.

specialized police functions including tactical response, youth services, traffic enforcement and mounted patrol. The Investigations Division is responsible for investigating and solving crimes.

The Patrol Division is subdivided into Patrol Division East and Patrol Division West. The City is also geographically divided into east and west patrol territories. The Patrol Division West is responsible for providing direct police services in the western half of the City, while Patrol Division East is responsible for serving the eastern half of the City. The Genesee River serves as the boundary separating the two geographical patrol territories, with the exception that the area within the inner loop falls within the Patrol Division West territory. Thus, the project site is situated within the service area of Patrol Division West.

4.20.2 Fire Protection

The City of Rochester Fire Department provides fire protection, rescue services and emergency medical services throughout the City of Rochester. The Fire Department is comprised of a full complement of career fire personnel who are scheduled on duty assignments to ensure that all fire stations and fire apparatus in the City are fully staffed at all times. Engine companies, each equipped with a pumper truck, are comprised of one officer and three firefighters. Each quint/midi company is equipped with mid-sized pumper truck (midi) or a quintuple combination pumper-ladder truck (quint). Each ladder truck company is equipped with an aerial ladder truck. Both quint/midi companies and ladder truck companies are comprised of an officer and five firefighters. At any given time, 81 firefighters and officers are on duty ready to respond to fires and other emergency situations

The City of Rochester maintains eight (8) engine companies, seven (7) quint and engine companies, two (2) ladder truck companies and one (1) rescue company, and are detailed below in Table 4.5. Fire stations are strategically located within the City to ensure a speedy response to fires and other emergency situations. Although fire companies are each pre-assigned to provide fire service within specified areas, fire companies and apparatus are routinely reassigned and shifted to fire events and other emergencies to provide assistance in other parts of the City as needed. City of Rochester fire stations and fire companies are found at the following locations.

<u>Location of Fire Station¹⁰</u>	<u>Type of Company</u>
1051 Emerson Street	Engine Company
450 Lyell Avenue	Engine Company
873 Genesee Street	Engine Company
1477 Dewey Avenue	Engine Company
160 Wisconsin Avenue	Engine Company
272 Allen Street	Quint and Engine Company
704 Hudson Avenue	Engine Company
185 North Chestnut Street	Engine and Rescue Company
4080 Lake Avenue	Quint and Engine Company
1261 South Avenue	Quint and Engine Company
977 University Avenue	Quint and Engine Company
57 Gardner Avenue	Quint and Engine Company
1207 North Clinton Avenue	Quint and Engine Company
740 North Goodman Avenue	Quint and Engine Company
315 Monroe Avenue	Quint and Engine Companies
1477 Dewey Avenue	Quint and Engine Companies

TABLE 4.5, CITY OF ROCHESTER FIRE STATIONS AND FIRE COMPANIES

Response time to the subject site is 4 minutes or less. Eight pieces of apparatus typically respond to any fire or smoke alarms at the existing Midtown site. The response includes a high-building rescue team. The City is phasing out midi-pumpers stationed at some of the fire stations. No changes in the staffing will occur, however. The personnel who operated the midi-pumpers are being used to increase the complement of personnel who operate the pumper trucks and quints. This change will not affect the Fire Departments response time or fire fighting and rescue abilities.

The City of Rochester also is party to the County-wide mutual aid agreement. Under this mutual aid agreement, the other fire departments throughout Monroe County will provide fire apparatus, equipment and firefighters to the City as requested and needed.

¹⁰ Fire companies in **bold italic** font are within one mile of the subject site.

4.20.3 Ambulance Service

Emergency 911 ambulance service in the City of Rochester is provided by Rural/Metro Medical Services, a private service provider, under contract with the City of Rochester. The company provides a range of ambulance transport services including: non-emergency transport and basic life support (BLS) transport, advanced life support (ALS) transport, and critical care transport (CCTU).

Rural/Metro operates 29 ambulances in the City of Rochester. Each ambulance is staffed by a paramedic and emergency medical technician (EMT) and one CCTU. The ambulance crews are stationed at strategic locations within the City to ensure quick responses to emergency calls for service. Paramedics and EMTs are scheduled to work based on duty assignments to ensure that emergency ambulance services are available at all times.

4.20.4 Public Schools

The Rochester City School District is divided into three zones. The project site is located within the School District's *South Zone*. Each Zone contains certain elementary schools that are designated as zone schools and others that are designated as City-wide Schools, and are described below in detail in Tables 4.6 and 4.7. Students who attend zone elementary schools must reside within the same zone in which the school is located. Students are eligible to attend any of the City-wide elementary schools regardless of where the students reside.

The City School District has process for enrolling elementary students that takes the parents' preferences into consideration when assigning students to elementary schools. Parents are permitted to identify four zone schools in order of preference and one City-wide school where they prefer their children to attend. The City School District guarantees placement in a zone school or City-wide school if the parents' first choice is a school that is within one-half (1/2) mile of the student's residence or if an older sibling is enrolled in the parents' school of first choice regardless of location.

Zone schools available to students who reside in the South Zone included the following:

Zone Elementary Schools within South Zone		
<u>School Number</u>	<u>School Name</u>	<u>Street Address</u>

1	Martin B. Anderson School	85 Hillside Avenue
2	Clara Barton School	190 Reynolds Street
3	Nathaniel Rochester Community School	85 Adams Street
4	George Mather Forbes School	198 Dr. Samuel McCree Way
12	James P.B. Duffy School	999 South Avenue
14	<i>Chester Dewey School¹¹</i>	<i>200 University Avenue</i>
16	John Walton Spencer School	321 Post Avenue
19	Dr. Charles T. Lunsford School	465 Seward Avenue
23	Francis Parker School	170 Barrington Street
29	Adlai E. Stevenson School	88 Kirkland Road
35	Pinnacle School	194 Field Street
44	Lincoln Park School	820 Chili Avenue

TABLE 4.6, ZONE ELEMENTARY SCHOOLS WITHIN SOUTH ZONE

City-Wide Elementary Schools Available to All Students		
<u>School Number</u>	<u>School Name</u>	<u>Street Address</u>
15	Children's School of Rochester	494 Averill Avenue
20	Henry Lomb School	54 Oakman Street
54	Flower City School	311 Flower City Parkway
57	Early Childhood School	15 Costar Street
58	<i>World of Inquiry School¹²</i>	<i>200 University Avenue</i>
NA	Franklin Montessori School	950 Norton Street

TABLE 4.7, CITY-WIDE ELEMENTARY SCHOOLS AVAILABLE TO ALL STUDENTS

Parents have greater freedom of choice for their children attending secondary schools. Many of the secondary schools offer specialized curricula so that students have a wider choice of

¹¹ Schools identified in ***bold italic*** font are within ½ mile of the subject site.

¹² Schools identified in ***bold italic*** font are within ½ mile of the subject site.

educational programs from which to choose. Unlike the elementary schools, all of the secondary schools are City-wide schools. A secondary student may elect to attend any of the secondary schools regardless of where the student resides, provided the school and program have adequate space to accommodate student preferences. Some of the secondary schools offer more than one specialized curriculum. There are 12 secondary schools in the Rochester City School District that offer 21 secondary education programs. These are identified below in Table 4.8.

<u>School Name</u>	<u>Street Address</u>
Charlotte High School	4115 Lake Avenue
East High School	1801 East Main Street
Bioscience & Health Careers High School at Franklin	950 Norton Street
Global Media Arts High School	950 Norton Street
International Finance Career High School at Franklin	950 Norton Street
Thomas Jefferson High School	1 Edgerton Parkway
John Marshall High School	180 Ridgeway Avenue
James Monroe High School	164 Alexander Street
Northeast Preparatory School at Douglas	940 Fernwood Parkway
School of Applied Technology at Edison	655 Colfax Street
School of Business Finance & Entrepreneurship at Edison	655 Colfax Street
School of Engineering & Manufacturing	655 Colfax Street
School of Imaging & Information Technology at Edison	655 Colfax Street
School of the Arts	45 Prince Street
School Without Walls Commencement Academy	480 Broadway Avenue
Dr. Freddie Thomas High School	625 Scio Street
Joseph C. Wilson Magnet High School Foundation Academy	200 Genesee Street

TABLE 4.8, CITY OF ROCHESTER SECONDARY SCHOOLS

4.20.5 Refuse and Recycling Services

The City's Department of Environmental Services offers commercial refuse and collection service to businesses located in the City of Rochester on an individual contractual basis. The level of service (size of containers and frequency of collection) and the fees are determined by the volume and type of refuse and recyclables each individual business generates. Business may also elect to contract with private refuse companies licensed by the City of Rochester to

provide service within the City. Private refuse disposal companies currently licensed by the City include Waste Management, Suburban Disposal Company, and Heberle Disposal Service.

Refuse and recyclables collected by the City of Rochester Department of Environmental Services Division are transported to the Monroe County Transfer Station located at 1845 Emerson Street on the west side of the City of Rochester. Refuse and recyclables are transported from the transfer station to the Mill Seat landfill in the Town of Riga. The landfill is owned by Monroe County and leased by Waste Management which operates the landfill on behalf of the County. Private waste collectors utilize both the Mill Seat and the High Acres Landfills for the disposal of solid waste and recyclables. The High Acres Landfill, owned and operated by Waste Management, is located on the east side of Monroe County in the Town of Perinton.

4.21 Community/Neighborhood Character and Growth

The Midtown Project site is located within the “Main and Clinton” downtown neighborhood. The Main and Clinton neighborhood is dominated by the nearly vacant 1.4 million sf Midtown Plaza complex and the 424,000 sf, 26-story Chase Tower. A more detailed review of the Midtown Plaza site including the blighting influences encountered within the area as a consequence of the deterioration and underutilization which characterizes the site and the impediments to development and connectivity presented by the associated superblock can be found in Section 2.1. To the east of the Midtown area is the dynamic and successful East End neighborhood, which is home to the Eastman School of Music, the Little Theatre, lofts and unique restaurants. To the west lies the City’s convention district that includes its Convention Center and hotels.

The location of the Midtown Plaza, therefore, is critical because it currently acts as a barrier between two areas that would have a symbiotic relationship – the East End and Convention districts. In addition, the deteriorated and mostly vacant Midtown Complex has a blighting influence on the Main and Clinton and Manhattan Square neighborhoods that may be discouraging additional development in the area.

4.21.1 Socioeconomic Characteristics of the Midtown Plaza Neighborhood

The general character of the neighborhood surrounding the Main and Clinton downtown neighborhood is dominated by Class A office uses. Within the Main and Clinton neighborhood and surrounding neighborhoods, corporate or regional headquarter buildings for Xerox, Bausch

and Lomb, Chase, HSBC, and Frontier total approximately 2.5 million square feet of space within a two to three block perimeter of the site. Less than 10 percent of the buildings occupied by those corporations are vacant.

In the larger eastern Downtown Rochester district, or the 14604 zip code, the year 2006 industry profile is mixed. According to the U.S. Bureau of the Census, more than half, or 261, of the 511 establishments in the 14604 zip code are classified as professional or “white collar” including information, finance, insurance, real estate, professional, scientific and technical. However, more than 100 retail, entertainment and accommodation establishments are also within the district.

In contrast, the area was not dominated by residential space according to the 2000 Census. The 14604 area had 1,369 housing units with 1,683 residents based on Year 2000 Census figures. Most of the residents were very low income with a median household income of \$9,692, and more than 41 percent of the families were below the poverty line. However, it should be noted that since 2000, there has been significant residential development and redevelopment just east of the project site in the East End including the Sagamore on East project, 200 East Avenue Apartments, and residential developments on and around Gibbs Street.

4.21.2 Architectural and Urban Design Characteristics

Not only does the district offer a mix of uses, but it also has a mix of architectural styles and urban design characteristics. The Clinton Avenue corridor’s architectural style west and south of the project area is defined by modern towers or skyscrapers including the Chase Tower, Xerox Tower and Bausch and Lomb headquarters.

Street patterns and urban design characteristics also differ within the neighborhood. North and east of East Avenue, the blocks are small and the individual properties have smaller footprints. Blocks increase in size south and west of East Avenue and include “superblocks” such as the project site and the Strong Museum site.

4.21.3 Neighborhood Character and Growth defined by the Center City Master Plan and Center City Zoning

Sections 4.9.1 and 4.9.2 describe the purposes and requirements of the Center City Master Plan and related Center City zoning district. Recommendation 68 of the Master Plan proposes that the Midtown Plaza be redeveloped and include residential space and ground floor level retail.

The Master Plan and zoning documents advocate that the Main Street portion of the project should reinforce Main Street as the primary civic, commercial and ceremonial street in the City. Project portions behind Main Street, including the majority of the Midtown Plaza site, are included in the Tower district, which recommends “monumental” buildings and promenades, but also includes street level public uses and amenities. The zoning ordinance also does not prohibit uses in either the Main Street or Tower districts, but does require Design review of each project to insure it is compatible with the neighborhood.

4.21.4 Neighborhood Density of Development

Currently the Midtown Plaza project has a 3.77 Floor to Area Ratio (FAR). The Floor to Area Ratios of surrounding office buildings ranges from 4.5 for the HSBC Center to 19 for the Xerox Tower. One of the newest additions to downtown, the Clinton Square building, has an FAR of 5.5.

Properties east of the project site, particularly on East Avenue, have much lower FAR's. They range between less than one to 4.0.

4.21.5 Urban Renewal Plan Neighborhood Goals

The purpose and goals of the Urban Renewal Plan adopted by the City of Rochester for the project site is reviewed in Section 4.9.4 the DEIS. The current community and neighborhood character of the Midtown site has a blighting impact on the neighborhood according to the plan. To improve the neighborhood character, the plan recommends acquisition and demolition of “non-contributing structures in the project area that are not economically feasible to renovate.” It also recommends disposition of “project area development opportunities by sale to qualified developers for renovation or redevelopment.”

Although much of the impetus for establishment of the Urban Renewal Plan was focused directly upon acquisition and disposition of properties, the longer term objectives were focused upon elimination of blighting influences. These influences include those of the superblock as well as those more directly related to the deteriorated and underutilized conditions of buildings within the district. Elimination of the blighting influences of the superblock would require the establishment of a functional, more traditional street grid (breaking down of the Midtown superblock) and development of suitable opportunities for development of street level retail which could serve to activate the adjoining public spaces.

4.22 Economic/Fiscal

The City of Rochester and Monroe County derive direct economic benefit from commercial properties principally from two forms of recurring revenue, i.e., real property tax revenue and sales tax revenue. Sales tax revenue may be generated from retail purchase transactions that occur in businesses located on the subject property or from purchase transactions occupants of the subject property make at retail businesses on adjoining or nearby properties. For example, an office worker may purchase lunch at a nearby restaurant or do some shopping over his/her lunch break at retail stores located elsewhere in downtown. Other recurring sources of municipal revenue include water and sanitary sewer fees which are based on actual consumption.

Currently, the City of Rochester and Monroe County derive no property tax revenues from the buildings within the Midtown site. As the properties are owned by the City of Rochester, they are entirely exempt from real property tax levies.

As virtually all the buildings are vacant, they also do not generate sales tax revenue. The McCurdy Building, B. Forman Building, Seneca Building, the Midtown Tower and the Midtown Plaza are completely vacant. The Euclid Building is currently only partially occupied. A small building on the Midtown site at the corner of Broad and Chestnut Street is currently occupied by Trailways Bus Company. The Trailways Bus Company and the businesses in the Euclid Building will be relocated by end of calendar 2008 if not sooner. Furthermore, the vacant buildings also generate no rental revenue for the City of Rochester.

The Midtown Plaza is believed to be a significant source of blighting influence within the downtown area which leads to lower property values and underutilization of neighboring

properties. To the extent this is true, the Plaza operates to also reduce the property tax and sales tax revenues generated by those surrounding properties as well.

4.23 Studies and Community Initiatives Related to Urban Redevelopment

In 2005, an Advisory Services Panel of the Urban Land Institute (ULI) conducted an intensive five day assessment of the Rochester Downtown area (Appendix A), an area defined as the area inside the Rochester inner loop highway. The panel had two primary tasks: (1) to identify future uses for four 'superblocks' at the center of downtown (with Midtown Mall identified as one of the superblocks); and, (2) to develop a revitalization strategy for all of downtown Rochester.

The ULI Advisory Panel determined "that Midtown Mall and most of its associated office space has come to the end of its functional life". The Panel recommended that:

- Most of the Midtown Plaza is demolished, except for the parking garage and the Euclid Building;
- The Midtown Office Tower should be stripped to its structural components, pending a future decision to demolish it or renovate it for Class A office use;
- The Midtown site should be redeveloped as a 'mixed use center', including a public plaza/park, a medium sized performing arts theater and residential over retail buildings; and,
- A new street grid should be constructed to segment the block and restore the natural street grid.

The Panel further proposed three revitalization strategies for downtown:

- To "re-create downtown as a neighborhood", with construction of new residential units and adaptive reuse of existing buildings for residential uses;
- To "re-create downtown as a center of commerce", with emphasis on neighborhood retail, specialty shops and nightlife establishments; and,
- To "promote downtown as a center of arts and culture" by attracting art galleries, artisan supply stores and by developing performing arts venues and public performance spaces.

In 2007, the Rochester Regional Community Design Center (RRCDC) coordinated and facilitated a Downtown Charrette, bringing together design professionals, community leaders, stakeholders and citizens in a three day planning and design session focused on downtown Rochester. The planning approach built upon and updated the designs and strategies generated under a previous charrette. The ideas generated in the 2007 charrette were developed into a series of recommendations for a coordinated approach to the development and redevelopment of downtown. The Downtown Charrette Report, "Rochester, NY – A Vision for the Future", (Appendix W) was issued in April 2008.

The Midtown Plaza site, along with the Sibley Building and St. Joseph's Square, was considered as part of the 'center core' focus area of the Charrette. The Charrette participants considered the Midtown Plaza as "no longer viable in its present configuration" and focused on ways to breakdown the superblock and redevelop public space on the site. The team's recommendations included:

- Selective demolition of structures on the Plaza site to create new outdoor public space, new streets, smaller city blocks and development sites for mixed use buildings;
- Retention of the Midtown Tower, with remediation, and possible conversion to housing or for development as the PAETEC Tower;
- Retention of 200,000 square feet of retail space in the plaza;
- Development of 150,000 square feet of retail space on the first two floors of new structures proposed for the site; and,
- Preservation and restoration of the Midtown Plaza Atrium while eliminating interior public corridors.

Although the announcement by PAETEC of its intention to move its corporate headquarters to the Midtown site occurred after completion of the Charrette planning sessions, the final report noted that the recommendations of the Charrette could be adapted to the PAETEC plans. The report noted that the PAETEC Tower could be located in more than one location, depending on how the existing buildings are reused or demolished. The Midtown Tower, if remediated and stripped to its steel frame, could also be adapted as the PAETEC Tower. Demolition of the Midtown Tower to create a site for PAETEC would also be an option.

The alternatives proposed for the Midtown Redevelopment Plan are generally consistent with the recommendations and strategies developed by both the ULI Advisory Panel and the 2007 Downtown Charrette Report. Each of the current alternatives includes preservation of the parking garage, demolition of portions of the Midtown Plaza, and re-creation of the street grid or the creation of new streets within the Midtown 'superblock'.

The relocation of existing retail tenants from the Midtown Plaza to other vacant retail space within downtown would also be consistent with efforts to revitalize downtown as a retail center. However, the Charrette Report does not address the need to relocate, at least temporarily, the existing retail businesses from Midtown while the site is redeveloped.

According to the ULI Study, workers at the businesses locating in the new or redeveloped office space at the Midtown site may also support new retail establishments along Main Street and within the downtown area. The Charrette Report took a different spin and emphasized the preservation of the Midtown Atrium and the existing retail space, and the creation of new retail space as new construction or adaptation of the existing buildings occurs.

The recommendations of the Charrette Report also recognize the priority to break up the 'superblock' and create a more visible and inviting entrance to the Midtown Atrium and its associated retail space. Included were recommendations to rescale Midtown and reintegrate it with the rest of downtown Rochester.

4.24 Studies Related to Office, Retail, Hospitality and Housing Markets

The City of Rochester commissioned a market feasibility analysis to be completed by Cushman & Wakefield as part of the planning effort underlying the proposed Midtown Redevelopment project. In August, 2008 Cushman & Wakefield reported the following regarding the downtown Rochester market dynamics (see Appendix C):

- **No growth within the Rochester MSA.** Since 1970, annual population growth within the Rochester Metropolitan Statistical Area (MSA) averaged only 0.2% due to out migration of residents and businesses;
- **Out migration from the Rochester MSA.** During the most recent seven years for which data is available (2001 through 2007), total net out migration from the Rochester MSA was almost 26,500, varying from a low of 2,287 in 2002 to a high of 5,771 in 2005;

- **Low forecast for MSA population growth.** The overall population within the Rochester MSA is forecast to increase by only a few percent in the ten year period from 2007 to 2017;
- **Forecast decline in MSA younger population.** The modest population growth anticipated over the ten year period from 2007 to 2017 within the MSA will occur primarily within cohorts 55 years of age and older. The population of younger cohorts is expected to decline;
- **Decline in county share of MSA younger population.** Despite a relatively stable population, Monroe County's share of the total MSA population in the 25 to 34 age group has been declining and is forecast to continue to decline;
- **City population decline.** The decline since 1950 in the city population that was first recognized in 1960 has continued. In the fifty years following 1950, the population declined by one third from 332,488 in 1950 to only 208,123 in 2000;
- **Low growth in employment.** With respect to employment, the Rochester economy has trailed the national average employment growth in the period from 1990 to 2017;
- **Little growth in employment forecast.** Ongoing employment declines in the manufacturing, professional and business services sectors are forecast to continue through 2017 and to offset anticipated employment gains in the health and education services sectors;
- **Decline in county share of MSA office employment.** Within the MSA, the Monroe County share of overall and office-using employment has declined steadily relative to that of the outer counties since 1997;
- **Stagnant inventory of urban Class A office space.** Regarding office space, the inventory within the Central Business District of Class A office space has remained relatively constant since 1998 (at around 2 million sf), while the suburban inventory has increased significantly from nearly 2.5 million sf to more than 4.1 million sf over the same period; and,
- **Higher downtown Class B office vacancy rates.** Class B office space is more heavily concentrated within the Central Business District where vacancy rates sometimes exceed 30 percent. The vacancy rate of Class B office space in suburban locations is significantly lower than that found in the Central Business District.

In addition to the foregoing findings, the Midtown Plaza Market Feasibility Analysis (Appendix C) included a more general review of recent trends in population, housing development, employment, and the demands within the retail, office space and hotel sectors of the economy. These trends were projected to 2017 in order to assess the market potential to absorb potential development downtown and at Midtown Plaza. Three scenarios were described in order to characterize the market capacity. The three differed with respect to the underlying assumptions regarding changes in the past patterns of growth in employment and households within the MSA and within Rochester, in particular:

- Low Scenario: Assumes that the surrounding counties beyond Monroe County continue to increase their share of employment and households, consistent with historic trends;
- Base Scenario: Assumes that development activity in downtown enables Monroe County to maintain its share of the MSA's households and employment at 2007 levels. The relocation of PAETEC to Midtown Plaza is included in this scenario; and,
- High Scenario: Assumes the downtown redevelopment would enable Monroe County to capture a higher share of the MSA's households and employment, at 1997 levels. The relocation of PAETEC to Midtown Plaza is also included in this scenario.

These scenarios led directly to three mixed use program alternatives given initial consideration and relied upon to formulate the Preferred Alternative for the Midtown Redevelopment Plan. These three programs and how they contributed to the Preferred Alternative are discussed above in Section 2.5.1 and shown in the associated Table 2.1.

In an effort to realistically assess the prospects for successful redevelopment at Midtown and within the downtown area, Cushman & Wakefield also identified the following potential catalysts:

- Commitments to substantial public and private sector investment in downtown development;
- PAETEC's and ESL's plans for relocation to Midtown and to the downtown area;
- Favorable demographic trends for residential development, with more non-traditional households and singles and growth in the Empty Nester population;
- Continued redevelopment within the East End district;

- An existing stock of remarkable buildings suited for loft conversion;
- Tax and financial incentives available to support development;
- Potential expansion of Convention Center and redevelopment of Renaissance Square; and,
- Prospects for unanticipated uses and relocations to Midtown Block (new law school, school of architecture).

At the same time, Cushman & Wakefield also identified the following potential obstacles to downtown revitalization:

- A somewhat negative perception of the area remains, particularly north of Midtown;
- Scarce retail amenities and services;
- Vacant buildings and lack of critical residential mass to create a vibrant 24/7 environment;
- Competition for younger households from other emerging residential markets like the South Wedge;
- High construction and renovation costs; and,
- Economic growth in Rochester is slower compared to other US markets particularly in the South Region that have been able to compete on a lower cost basis in attracting new businesses.

4.24.1 Office Market

In reviewing the employment and office market, the Market Feasibility Analysis (Appendix C) noted that the Rochester MSA has been more successful in diversifying its manufacturing base than other Rust Belt cities, such as Buffalo or Detroit, however, Rochester's economy continues to lag behind national average employment growth trends. By 2007, education and health services had replaced manufacturing as the largest employment sector in Monroe County. Forecasts for the period 2007 through 2017 show a continuing decline in the manufacturing sector, with increases in education and health services. Overall, however, total employment within the Rochester MSA and Monroe County is expected to decline slightly through 2017.

The Rochester Downtown Development Corporation (RDDC) conducted a Survey of Downtown Office Space in May, 2007 (see Appendix X), and found that the Downtown office market has contracted to May 2001 levels from it's peak size in 2003. Many factors have contributed to these contractions, including:

- “Rightsizing” of the regional market, with the older and less conventional office properties bearing the brunt;
- Conversion of commercial space to other uses (including market-rate residential housing);
- Over \$475M of investments planned for downtown, including Renaissance Square and additional market-rate and luxury residential housing and conversions; and,
- Additional development within the East End neighborhood and High Falls area.

The RDDC study also noted that vacancy in the downtown market has increased since May 2006, however new housing conversions are appearing to stabilize the market, and according to the findings from the Survey, can ultimately create a renewed value for commercial properties downtown.

The demand for office space is expected to be driven by increases in Office-Using Employment (OUE), which includes “jobs in professional and business services, financial activities and sectors of health and education services.” Forecasts for growth in OUE jobs for the period 2007 through 2017 within Monroe County range from 1.1% under the low to 2.9% for the base and 3.6% for the high scenarios.

Vacancy By Downtown Neighborhood¹³

Neighborhood	Net Leasable Office SF	Vacant	Change since May 06
Cascade District	342,632	23.7%	-3%
East End	873,945	29.2%	+0.1%
Four Corners	1,813,842	15.6%	+0.1%
High Falls	196,109	8.7%	-17%%

¹³ RDDC Survey of Downtown Office Space, May 2007

Main & Clinton	2,179,980	57.3%	+16.6%
St. Paul Quarter	567,758	30.1%	-9.3%
Washington Square	994,111	4.9%	-2.8%

TABLE 4.9, VACANT OFFICE SPACE BY NEIGHBORHOOD

Class “B” office space comprises 51% of downtowns competitive market, with 3.8M square feet of space in 44 buildings. At the time of the RDDC study, Class B vacancy was at 36.6%, an increase of 8% over the previous year.

The most significant impact to the rise in vacancy in Class B office space came from the Midtown Complex. The McCurdy Building, Seneca Building and Midtown Tower, all Class B space, increased vacancy by 307,471 square feet since May 2006.

As of 2007, there are 9 buildings with a total of 2.2M square feet of net leasable Class A office space downtown, which comprises less than 1/3 of the competitive market (Class A office spaces are located at Bausch & Lomb Place, Chase Tower, Clinton Square, Corporate Place, First Federal Plaza, Frontier Center, One City Center, One HSBC Plaza and Riedman Tower).

Assuming an average of 250 square feet of office space per worker (per PAETEC projections), the demand for new Class A office space in Monroe County may increase by 327,640 square feet to 1,082,547 square feet.

Assuming that downtown, including the PAETEC development, may capture two-thirds of the office space demand, the estimated potential for new office space development in downtown ranges between 220,000 and 725,000 square feet. The forecasts indicate that PAETEC’s decision to locate at the Midtown site would enable Midtown Plaza to capture almost all of the new office space demand.

4.24.2 Retail Market

The Midtown Plaza Market Feasibility Analysis (Appendix C) also examined the Retail Market and Growth Potential. The community and neighborhood retail market inventory includes 10.6 million square feet of office space, with the average vacancy rate of approximately 7%. The retail market is dominated by the larger shopping malls within the MSA, all of which are located outside of the downtown area. The overall retail market inventory (excluding the larger malls) has remained relatively flat over the past eight years.

The demand for new conventional retail space (e.g., typical consumer goods, clothing, etc.) in the downtown market during the next ten years will be driven by three factors: new residents, office workers and visitors. Forecasts for expenditures in each segment of the market were tallied to determine total market demand potential. Comparisons of the forecasted demand to estimates of existing retail sales were used to identify gaps or opportunities for retailers to develop new retail space. The retail expenditure gaps range from \$107 Million in the low scenario to \$123 Million in the high scenario.

The forecasts of retail demand were translated into square feet of retail space, using ratios of average sales per square foot for each retail category. Forecasts of the 'total downtown supportable completions range from 308,230 square feet under the low scenario, to 337,694 square feet under the high scenario. The greatest opportunity for new retail development is for food and drinking establishments, which are forecast at approximately 58 percent of the total potential demand for new retail space.

A capture rate of 20 percent of the downtown market was used to estimate the potential retail space demand for Midtown Plaza. The potential supportable retail development for Midtown Plaza ranges from 61,646 to 67,539 square feet under the three scenarios.

The demand from office workers is expected to account for the largest amount of retail sales within downtown and will likely drive the demand for food and drink establishments. The ultimate mix of retail development at Midtown Plaza will depend on actual retail development elsewhere in downtown.

4.24.3 Hospitality Market

According to the Market Analysis (Appendix C), visitors to Monroe County increased by an average of 1.1% annually, from 1.5 Million in 1990 to 1.8 Million in 2007. Visitor spending during the same period averaged a 3.6% annual rate of increase, from \$163 Million in 1990 to \$289 Million in 2007. The average spending per visitor was approximately \$160 in 2006. Lodging accounted for about 44 percent of the overall expenditures and food, beverage and entertainment accounted for about 33 percent of the overall expenditures. Retail spending, excluding food and lodging represented about 23 percent of total visitor spending.

Travel associated with corporate and convention and meeting business accounted for more than 80 percent of the visitors to Monroe County in 2006 and 2007. Hotel occupancy and room

rates improved in 2006- 2007. The average occupancy rate for Monroe County hotels was 63 percent in 2007, comparable to the national average. The Average Daily Roomrate (ADR) was \$90 in 2007, \$10 below the national average.

A key measure of hotel performance is the revenue per available room, or RevPAR. The RevPAR for hotels in Monroe County averaged \$58 in 2007, \$7 lower than the national average. The difference is attributable largely to the lower ADR in Monroe County.

The demand for new hotel rooms is dependent upon the growth in overnight visitors to Rochester. Assuming a continued growth rate of 1.1% in overall visitors, the incremental room night demand was estimated to be approximately 136,000. This total, divided by 365 days and adjusted for 65 percent occupancy, resulted in a forecast of total new hotel room demand of 575 rooms. Assuming the downtown area maintains its 17 percent share of overall hotel rooms, there is a potential demand for approximately 100 additional hotel rooms in downtown.

4.24.4 Housing Market

In response to a wide range of community stakeholders and leaders who felt that the City's housing policies and investments needed to be recalibrated, in July of 2007, The City of Rochester's Department of Community Development (through the Bureaus of Housing & Project Development and Planning) commissioned a study that would result in a series of recommendations. These recommendations would guide future planning efforts, and organize the activities of City agencies, private and non-profit organizations around one shared vision and action strategy that would reinvigorate all of Rochester's neighborhoods. The full study can be found in Appendix Y.

The City of Rochester consulted with national experts including Planning and Urban Design experts, Interface Studios, LLC and Housing Market Analysis specialists, Zimmerman/Volk Associates to undertake the following tasks:

- Assess the depth and breadth of the housing market for the entire City, including an evaluation of the potential market for different types of neighborhoods;
- Evaluate the social, economic and physical characteristics of Rochester's varied neighborhoods;

- Review all major housing programs within the City operated by the City of Rochester and non-profit organizations;
- Review the investment patterns of public and private dollars across the City;
- Assess the lending environment in Rochester including an understanding of foreclosure rates and predatory lending practices;
- Conduct personal stakeholder interviews to understand the local challenges and opportunities associated with Rochester's neighborhoods;
- Lead focus groups to discuss housing from the perspectives of residents, community organizations, realtors, developers, housing service providers, bankers and City staff; and,
- Create recommendations that best maximizes the use of public funds to support the potential housing market and improve housing for all income levels.

The Midtown Plaza Market Feasibility Analysis (Appendix C) forecasts that the total population of Monroe County and the Rochester MSA will be relatively stable through 2017. The study also forecasts two key demographics that are likely to be attracted to urban living: the 55-64 age group ("empty nesters") and the 25-34 age group. The share of total population represented by the 55-64 age group is "expected to nearly double by 2017, as compared to 1997, in Monroe County and the MSA". In contrast, the share of the total population represented by the 25-34 age group is expected to continue to decline over the next 10 years.

Similar to the Market Feasibility Analysis, the City-Wide Housing Market study identified multiple challenges stemming from the City's long-term population losses and slow market growth. The study recommended that the City of Rochester should focus attention on not only attracting new residents, but it was as important to retain current residents. The potential market for new and existing residential units includes those already residing in the City and those that may move to the city if appropriate residential options were available.

The number of single family housing units within the Rochester MSA has shown average annual growth of less than one percent since 1990. The rate of growth in the downtown residential market has averaged three percent since 2000. The rate of growth has nearly doubled in 2006-07, to an average of 135 new units per year (up from 68 units over the 2000-2007 period).

The strength of the downtown residential market will directly depend on the projected growth in households for various age groups, coupled with estimates of the capture rates that reflect the propensity of each age group to relocate downtown. Based on this analysis, the Feasibility Study forecast the demand for new housing in downtown for the period 2007 to 2017 to be 1,184 for the low, 1,324 for the base and 1,472 for the high scenarios. This averages to 118 to 147 new units per year for the period and is comparable to the more recent pace of downtown residential development, which averaged 135 units per year for 2006-2007.

The capture rate for Midtown Plaza is assumed to be 20 percent of the total residential development and would represent 24 to 29 new units per year for the period through 2017.

The Rochester Downtown Development Corporation surveyed downtown rental properties in the first quarter of 2007 in order to assess the strength and potential of the downtown housing market. The survey included approximately 90 percent (2,206 of 2,434) known rental housing units. The survey also reviewed new rental and owner-occupied housing units under construction or proposed. The full Survey of Downtown Rental Housing can be found in Appendix Z.

Approximately 36 percent (822 of 2,434 units) of the rental housing units are subsidized; the remainders are market rate housing units.

The survey determined that the vacancy rate for all downtown rental housing was 6.6%, an increase from 4.7% in 2006. More than half of the vacant units (81 of 146 vacancies) were attributed to three complexes. The overall vacancy rate for the market rate units also increased, from 5.7% to 6.7%, in 2007. Nearly half of the market rate vacancies were concentrated in two properties where ownership transferred in 2006. The vacancies rates for the Rochester market appear to be comparable to national and regional trends.

The vacancy rates also vary depending on the type of housing units, with two-bedroom and loft units reporting the lowest vacancy rates (3.3 and 3.4%, respectively). The survey respondents also reported strong demand for one bedroom units and studios.

The RDDC has tracked the downtown rental housing since 2000 and reports an increase of 582 new rental and owner-occupied housing units since 2000. During the period from 2004 through the first quarter of 2007, an average of 120 new housing units per year was developed in the

downtown area. In 2007, 105 additional housing units were under construction in seven projects and 125 units in six projects were proposed.

Respondents to the RDDC survey, including rental agents and developers, reported rapid pre-leasing and leasing rates for new projects. In addition, a majority of the respondents reported being able to fill vacancies within one week to one month. The existing vacancies at the time of the survey were concentrated in older buildings not recently renovated or located in neighborhoods not yet benefiting from the increased interest in downtown housing.

The RDDC survey respondents reported that the majority of the market rate housing units were occupied by professionals, seniors, students and empty nesters. This is consistent with national and regional trends for the resurgence of the downtown housing markets. The key amenities sought by existing and prospective residents included secure parking, updated kitchens, security systems, laundry facilities and internet connectivity.

The City-Wide Rochester Housing Market Study further recommends that the City's housing stock should be renewed with residential products to address market demand. "Rochester's numerous cultural, educational, medical, historical and natural amenities provide a platform for revitalization. The City should continue to focus on downtown as a hub for development in Rochester. Downtown revitalization is the centerpiece for the stabilization of the City's residential market and the core of regional stability." ¹⁴

47.5 percent of Rochester's residential typologies is single-family, and only 4.5% was built after 1980. According to the City-Wide Housing Market Study, only 29 percent of the potential market prefers single-family detached homes. The remaining 71 percent are looking for more density and choice to accommodate the needs of non-traditional households (such as the empty-nesters and young professionals).

Assuming that the trends reported in the RDDC survey are indicative of future demand, it appears that the Rochester downtown housing market may have the capacity to absorb the development of 120 or more housing units per year. As the redevelopment of the Midtown Plaza is likely to occur over a period of years, a housing component – either new construction or

¹⁴ City-Wide Rochester Housing Market Study, July 2007, page 30

adaptive reuse of existing buildings – appears to be a feasible aspect of the redevelopment strategy.

A key factor in the attractiveness of housing development at the Midtown site may be the availability of secure parking in the Midtown parking garage. Other factors will include the mix of other amenities offered in the units/buildings. The location of Midtown within the heart of the downtown area may also be a strong factor in attracting prospective tenants.

5. POTENTIAL ENVIRONMENTAL IMPACTS and MITIGATION

As described in Section 1.5, this statement is being prepared as part of a “generic” environmental review process pursuant to Section 617.10 of the SEQR Regulations in order to facilitate the systematic consideration of significant adverse environmental impacts, alternatives and mitigation. As a generic DEIS, this statement is likely broader and more general than site or project specific EISs and is based in some cases only on conceptual information. It has therefore attempted to also present the logic and rationale for the choices advanced.

The assessments of impacts presented in the following sections are based upon assumed scenario(s) that would take place over an extended period of time rather than “all at once”. Permitting and approval requirements and reviews, guidelines and the plan provisions described in Section 2.0 (and the balance of this document) would be relied upon to ensure that any potentially significant impacts identified in the future are addressed. The need for further review of subsequently proposed actions following the conclusion of this generic review would be determined by compliance with the conditions and thresholds found in the Final EIS and/or Findings Statement anticipated to follow this draft.

To the extent subsequent proposed actions would be carried out in conformance with the conditions and thresholds established in the forthcoming Final EIS or Findings Statement, no further SEQR compliance may be required. On the other hand, should a subsequent proposed action be found to have not been adequately addressed in the Final EIS, a determination of significance (that could in turn lead to preparation of a supplement to the Final EIS) would be required.

5.1 Geology, Soils and Topography

5.1.1 Geology

No blasting or rock removal would occur as part of the redevelopment of the Midtown site. As previously described the underground parking garage for Midtown Plaza, located underneath about one-half of the overall site area, is built into bedrock and would remain on-site. It is anticipated that low rise structures proposed for construction over the parking garage would

bear directly upon the garage itself. If structures with more than two to three stories are proposed over the garage, some foundation elements may be constructed through the garage structure to bedrock. Likewise, foundation elements for buildings proposed in portions of the site which do not overlie the parking garage, would likely be constructed to bedrock. This includes the proposed PAETEC building.

No significant impacts on bedrock have been identified.

5.1.2 Soils

As there are no existing native soils on the project site, no adverse impacts to soils would occur. Soils moved or stockpiled as a consequence of construction related excavation would be managed through standard best practices and procedures. Temporary erosion and sediment controls would be utilized during construction in accordance with New York State Standards for Erosion and Sediment Control.

It is important to note that soils would be added to the project site in areas that would function as open space areas following construction. The acreage of open space varies under the three building concepts as shown below in Table 5.1:

	<u>Low Density Building Concept</u>	<u>Medium Density Building Concept</u>	<u>High Density Building Concept</u>
Open Space (SF)	100,200 sf	66,300 sf	47,920 sf
Open Space (Acres)	2.3 acres	1.5 acres	1.1 acres

TABLE 5.1, POTENTIAL OPEN SPACE FOLLOWING CONSTRUCTION

Some fill material may be added below the soil/topsoil layer in the newly created open space area, depending upon its location within the overall site. For example, open space areas located over the existing parking garage would primarily be created using soil and topsoil and little to no fill would be necessary. Open space areas located in areas that do not overlie the existing parking garage may have a layer of construction debris (i.e. stone rubble ground from existing masonry buildings) which would be overtopped with soils and topsoil.

The addition of soils to create open space areas within the project site is considered a positive impact. As the Midtown site is currently completely covered with buildings and impervious

surfaces, the addition of open space and new soils would increase pervious surfaces and visually soften views by adding green space.

5.1.3 Topography

No significant changes in topography would occur. The new structures are planned to be compatible with neighboring buildings and the existing street level. No adverse impacts have been identified.

5.2 Water Resources

5.2.1 Groundwater

As there are no significant groundwater resources in the project area, no impacts would occur.

5.2.2 Surface Water

There are no direct impacts to surface waters anticipated. As described in [Section 4.0](#), the Genesee River is located approximately 1,000 feet to the west of the project site. The project site is not located in the 100-year floodplain associated with the Genesee River, nor within any other flood hazard area. No other surface water resources (streams, wetlands, etc.) are located in the project area.

5.2.3 Storm Water Management

Stormwater runoff would be generated by the impervious surfaces (buildings, pavement, sidewalks etc.) developed within the Midtown site. The site is completely covered by impervious surfaces at present. Upon redevelopment, it is estimated that between 1.1 and 2.3 acres of open space would be interspersed with built surfaces. The new streetscapes would permit the inclusion of additional street plantings or other pervious landscapes. As a result, the overall lot coverage and the subsequent site generated stormwater runoff would be reduced under the Redevelopment options.

Precipitation and snowmelt would infiltrate the soils on open spaces within the site, decreasing the amount and rate of stormwater runoff. It is estimated that runoff volumes could decrease up to 15 percent under the Low Density Building Concept (includes the greatest amount of open space). The decrease in runoff volume is estimated at 6% for the Medium Density Building

Concept and 4% for the High Density Building Concept. In any open space created over the parking garage, most of the stormwater infiltrating the soils would likely be collected in drainage structures and conveyed to the RPWD combined sewer system.

Stormwater from the site, including roof and pavement areas would be collected in a piped system and directed to the existing combined sanitary/storm sewer system. Due to the combined sewer discharge the project would not be required to obtain a NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-08-001). All work would be completed in accordance with Rochester Pure Waters guidelines/approvals and City of Rochester Plumbing Codes. As a result, the reduction in stormwater runoff may be lower than estimated in these areas.

Stormwater would be collected and conveyed into the existing RWPB combined sewer system which has the capacity to accommodate the anticipated stormwater volumes (see Section 5.15 regarding these utilities and their adequacy). Future drainage patterns would parallel existing patterns as much as possible. No change would occur in RWPB's collection system or in the point of discharge for stormwater generated by the site. As such, no adverse impacts to the local surface water system (the Genesee River) have been identified. While minor, the reduction in stormwater runoff represents a positive rather than a negative impact.

Work would be completed in accordance with Rochester Pure Waters guidelines/approvals and the City of Rochester Plumbing Codes. Temporary erosion and sediment controls would be utilized during construction in accordance with New York State Standards for Erosion and Sediment Control. These measures would mitigate any potential impacts related to erosion and transport of soil particles during construction. Given the potential reduction in runoff, the availability of stormwater utilities of adequate capacity and the anticipated reliance on temporary erosion and sediment controls, no significant adverse impacts related to stormwater runoff are anticipated.

The Genesee River is located approximately 1,000 feet to the west of the project site and no other surface water resources are located in the project area. As the project site is not located within a 100-year floodplain or other floodprone area, no impacts on flooding would occur.

5.3 Vegetation and Wildlife

No vegetated area or open space currently exists within the boundaries of the project site. Moreover, no threatened or endangered species were identified in the vicinity by NYSDEC or by USFAWS. As such, no adverse impacts on vegetation and wildlife would occur.

As previously described, open space areas would be created as part of the redevelopment of the Midtown site. Depending upon the final density of structures and pavement, it is expected that between 1.1 and 2.3 acres of open space would be created. These areas would likely consist of lawn, trees, shrubbery, and other landscaping and would provide basic habitat for urban wildlife. Any impacts associated with these areas would be positive rather than negative.

5.4 Air

The three build-out scenarios for the Midtown site do not include uses that would result in direct air emissions, such as industrial or manufacturing uses. Any changes in air quality would result from additional traffic entering and exiting the City of Rochester during peak commuter traffic periods in the morning and evening. A Comprehensive Downtown Parking Study which analyzes the cumulative impacts of several major projects proposed in Rochester, including the redevelopment of the Midtown site) can be found in Appendix T. No significant impacts in ambient air quality are expected based upon the relatively minor increase in commuter traffic combined with the relatively short amount of time commuters would be driving in the downtown area before parking their vehicles.

5.4.1 Dust

As discussed in Section 4.4, dust and dirt is likely to be generated by vehicle and venting emissions (soot), construction and demolition, and loose garbage or debris. This dust and debris can be a nuisance to occupants of buildings and pedestrians by:

- Soiling windows, doors, and buildings;
- Causing respiratory distress for sensitive individuals;
- Possibly spreading hazardous materials; and,
- Causing a negative visual, aesthetic impact.

Dust and debris impacts produced by operation should be mitigated by;

- Keeping dumpsters covered;
- Daily/periodic wetting of construction accessways;
- Instituting regular cleaning of buildings (interior and exterior), and regularly cleaning the site of debris and litter; and,
- Providing adequate ventilation with appropriate filtration systems.

No significant adverse impacts related to dust are anticipated from building operation.

Demolition, renovation of any existing buildings to remain, and new construction on the site are likely to create dust and debris in the immediate area. These temporary impacts related to construction and related mitigating measures are described in [Section 5.26](#).

5.5 Aesthetic/Visual Resources

The proposed project would likely have some positive visual impact within the visual study area. The Visual Impact Assessment (see Appendix I) indicates a proposed urban environment that is enhanced by mixed use buildings, street cafes and streetscape amenities that are welcoming to pedestrians. These features should encourage public activity within and near that new development. The anticipated building masses are consistent with a downtown environment and with the buildings already in the area. Existing form based regulations (see [Section 4.9](#) for a discussion) and designated guidelines (see [Section 3.3.3](#)) would ensure that building facades and details would be consistent with and complimentary to the existing urban fabric. The proposed development would also improve consistency with existing development patterns by breaking up an impenetrable mega (super) block, and creating a new street network connecting to the surrounding environment. Creating street connectivity is the foundation to enhancing the urban landscape and functionality of the study area. The interior would be easily seen from the main thoroughfares of East Main Street, Clinton Avenue, and East Broad Street.

The project would develop new facades in place of the Midtown Plaza exterior which has been criticized as blank, imposing and uninviting. Contributing to the viewscape would be the creation of multiple view corridors through the site which is, for the most part, now visually impenetrable. Development of a central open space would provide opportunities for viewing facades of newly developed buildings from some distance. A second open space south of the proposed PAETEC facility has been included to ensure a prominent view of that facility when entering the City on Clinton Avenue. Resolution of the unattractive eastern back door of the

facility in the vicinity of Atlas Street (a key location impeding connectivity to the East End) would also improve the appearance of the site. A review of expectations for individual blocks follows. (The location of each block is shown graphically in Figure 2.12 and in the EDAW/AECOM report included in Appendix D.)

The Visual Impact Assessment (VIA) included in Appendix I provides several before and corresponding after (simulated) views of how the block might appear following development. Building façade treatments are unknown at this time, but have been detailed in the simulations in accordance with already-established design guidelines to create a realistic impression.

A more detailed review of the potential uses and associated massing and public realm guidelines presented on a block by block basis can be found in Appendix D. The following narrative regarding each of the blocks follows the configuration and nomenclature presented in Appendix D.

Block One, which would contain an office building of no more than 12 floors, would be surrounded by Main Street, Clinton Avenue, the newly established New Elm Street to the south, and the re-established Cortland Street to the east. This building would replace the existing development that spans the entire length of Clinton Avenue from Main to Broad Street. This layout eliminates the “superblock” feel of what is now an impenetrable building façade. These features are evident in the pictures of the existing conditions of the Visual Impact Assessment.

Blocks Two, Three and Seven are adjacent to one another. Block Seven would be separated from Two and Three by the extended Atlas Street. Blocks Two and Three could potentially be separated from one another by an extension of the newly established Cortland Street further to the south. The Visual Impact Assessment shows that Blocks Two and Three currently contain an impenetrable building façade with only streetlights as streetscape amenities. The depiction in the Visual Impact Assessment simulation shows a greatly enhanced urban atmosphere on the western portion of Blocks Two and Three. The western portion of Block Two would contain open space allowing for increased visibility around the Midtown site for both pedestrians and automobiles. The remaining portions of these sites would contain structures that would vary in height from five floors to fifteen floors and contain an array of uses. Sidewalks would be included to allow sufficient pedestrian circulation along Main, the re-established Cortland, the extended Euclid, and the Historic Elm Streets. The areas adjacent to Main and Historic Elm

would likely contain street trees and tree grates to provide an enhanced pedestrian and urban environment along sidewalks.

Block Four would be an open space associated with adjoining retail uses. This open space would break up the massive midtown structure, and would be located at about the center of the existing Midtown development. This open space would allow for increased visibility around the Midtown site for both pedestrians and automobiles. As depicted in the conceptual rendering of the Visual Impact Assessment, the public realm of this block would contain planters, benches, street trees, and potential café seating, all of which provides an enhanced and inviting urban atmosphere.

As seen in the Visual Impact Assessment, Block Five now contains structures that have very few windows in comparison to other building frontage on East Main Street. Limited emphasis to the public realm around this block leaves an uninviting urban atmosphere. The new development creates a new block in the urban environment. Buildings would vary in height from five floors to fifteen floors, which would contain a mix of uses. The Visual Impact Assessment indicates more windows would be a part of the new development, and sidewalks would be prominent to allow sufficient pedestrian circulation along Main, the re-established Cortland, the extended Euclid, and the Historic Elm Streets. The areas adjacent to Main and Historic Elm would likely contain street trees and tree grates to compliment existing urban features.

Block Six would contain a five-floor and fifteen-floor structure, and would be a public open space with potential on-story retail kiosks. Parking and residential uses would likely be contained in this area. Sidewalks would accommodate pedestrian traffic, and provisions would allow for automobile traffic to safely access the site. Street trees and tree grates would provide an enhanced pedestrian and urban environment along sidewalks adjacent to the buildings

The visual simulation provided in the distant elevated view of downtown Rochester (Appendix I) illustrates new development that appears to be more consistent with the existing built environment in downtown Rochester. A series of new buildings are illustrated in a way that does not impede view of important Rochester landmarks. The building layout is complimentary to adjacent development when considering size and placement.

The visual impact associated with redevelopment conforming to the foregoing description would be consistent with the existing downtown context, should actually improve the visual

appearance of many aspects of the Midtown Block now dominated by the blank and uninviting appearance of many existing plaza facades and is not anticipated to result in any significant adverse impacts.

5.6 Cultural, Historic and Archeological Resources

5.6.1 Archeological Resources

As stated above in Section 4.6.1, a Phase 1A Cultural Resource Reconnaissance Survey was conducted for the project area. No significant adverse impacts to archeological resources are anticipated based upon the following findings reported in the *Cultural Resource Management Report* (dated May 7, 2008 and included in Appendix J):

- The prehistoric site sensitivity is estimated to be low (Section 4.1 of Appendix J);
- The potential for historic site sensitivity is low (Section 4.2 of Appendix J); and,
- Due to the construction of Midtown Plaza, soils within the project area have been completely destroyed which explains the absence of original soil deposits (Section V of Appendix J).

No phase 1B work was recommended for the Midtown Site, based on map research results and site visits to date (Section VI of Appendix J) and no impact is anticipated.

5.6.2 Historic Buildings

5.6.2.1 Project Site

The New York State Office of Parks, Recreation and Historic Preservation (OPRHP) was notified on March 4, 2008 of the pending action and requested to respond regarding any potential impact to cultural or historic resources. The outcome relative to archeological, or subsurface, resources is summarized above in the foregoing Section 5.6.1.

OPRHP issued a letter on June 9, 2008 (see Appendix F) communicating their determination that the Midtown Block was eligible for listing on the State/National Registers of Historic Places (S/NRHP). The determination found the area to qualify for listing due to its exceptional significance and identified the Midtown Plaza, and particularly the atrium portion of the building, as the most character defining feature. Among the criteria cited by OPRHP for eligibility for listing on the National Register were the association with events that have made a significant

contribution to the broad patterns of our history (in this case, the development of the Nation's first downtown enclosed shopping mall); the embodiment of the distinctive characteristics of a type, period or method of construction; the representation of the work of a master (world-renowned architect Victor Gruen); the possession of high artistic values; and, the representation of a significant and distinguishable entity whose component may lack individual distinction. More detail regarding OPRHP's findings, including a detailed statement of significance can be found attached to their June 9th letter in Appendix F. The anticipated demolition of the site and removal of character defining elements of such a resource would obviously constitute a negative effect.

As ESDC, a state agency, is directly involved in funding and undertaking the proposed activities that would affect eligible historic resources, a consultation process (commonly called a "Section 14.09 consultation" in reference to Section 14.09 of the Parks, Recreation and Historic Preservation Law) was subsequently initiated. The primary purpose of the consultation was to explore how the project might avoid, minimize or mitigate the anticipated effect. Parties participating in the consultation included OPRHP, ESDC, the City, PAETEC, the Landmark Society of Western New York, the Rochester Historical Society, Rochester Downtown Development Corp., and the Rochester Regional Community Design Center. The public was notified of the anticipated consultation and invited to participate as part of the SEQR scoping process.

According to the June 9, 2008 letter from OPRHP, the:

"eligibility finding requires the City and ESDC to consider the historic values of the atrium as the project proceeds. Specifically, the City of Rochester and ESDC should explore whether there are feasible design alternatives - considering economic, engineering, and design factors - that avoid or mitigate adverse impacts on the facility, particularly the atrium portion."

The letter went on to state that:

"[t]he alternatives analysis could identify a project design that incorporates the existing historic resource, or portions thereof, into the overall redevelopment design for the Midtown Plaza site. If no feasible options are identified, other possible mitigation

measures, including appropriate recordation prior to any demolition work, would be considered.”

Finally, with respect to procedure, OPRHP noted in their letter that “[t]his review can be efficiently incorporated into project analysis being undertaken under the State Environmental Quality Review Act - consideration of historic resources can be seamlessly folded into the development of the Environmental Impact Statement required for the Midtown Plaza project.

As discussed in section 4.6.2, ESDC and the City have initiated a process to develop and evaluate alternatives that are intended to meet the overall project objectives, while attempting to avoid impact to all or portions of the Midtown Block’s character-defining features.

As it is the entirety of the Midtown Block that has been identified as an S/NRHP eligible resource, demolition of any portion of Midtown Plaza would constitute a significant adverse impact. Of the foregoing, only the “no action” scenario would avoid such a significant adverse impact to Midtown Plaza. However, as the “no action” scenario would preclude realization of the project objectives to remove the blighting influences of Midtown buildings, to break down the supergrid, to establish a traditional street grid, to provide a shovel ready site for a new PAETEC facility and to provide other opportunities for private investment and redevelopment on the site, it has been excluded from further consideration. For that reason, this action has been identified as one in which there is an unavoidable adverse impact of significance to the historic resource identified as Midtown Plaza (see [Section 6.0](#)).

On November 3, 2008, in accordance with Section 14.09 procedures, ESDC issued a preliminary “determination of adverse impact” to OPRHP for their concurrence, citing that as a result of the consultation process thus far, that there are no reasonable or prudent alternatives to avoid impacts to S/NRHP eligible resources and still achieve the project’s objectives. On November 7, 2008 OPRHP concurred with this determination (see Appendix G and Appendix H), noting that significant efforts to explore prudent and feasible options were being made and stating that consultation should continue to identify a preferred alternative. ESDC anticipates entering into a programmatic agreement with OPRHP and the City prior to issuance of Findings under the SEQR process.

The Section 14.09 consultation process anticipates an opportunity for public comment prior to conclusion. This requirement is being met by publication in this document of the proceedings of

the consultation process, including a detailed evaluation matrix developed by the participants (see Appendix G). Readers and reviewers of this DGEIS are invited to comment upon the significance of the resource, the potential impacts and their avoidability, the alternatives identified to minimize or mitigate the impacts, the evaluation of those alternatives and the consultation process itself. These comments will be taken into account in formulating a final plan of action given Midtown Plaza's identification as an eligible resource. The Final GEIS will respond to these comments and will describe both the selected alternative and the underlying rationale. The consultation process is expected to culminate in a programmatic agreement, between OPRHP, ESDC and the City commemorating the final outcome and underlying rationale. This document will also be included in the Final GEIS.

5.6.2.2 Effects to Neighboring Buildings

As indicated in Section 4.6.2, the Eastman Historic District east of Midtown Plaza is listed on the State Register of Historic Places and is eligible for listing on the National Register. The district includes the Eastman School of Music, the old Sagamore Hotel, the Rochester Club, and the RG&E building. The Sibley, Lindsay and Curr Building located north of the site is listed on both the National and State Registers of Historic places. The Sibley Triangle Building, the Yawman and Erbe Building, and the Rochester Community Savings Bank Building are all listed on the State Register of Historic Places and eligible for listing on the National Register.

None of the foregoing buildings share a common boundary with the Midtown Block. With respect to their context, it is anticipated that the proposed restoration of a traditional street grid and implementation of more urbane design guidelines described in [Section 2.0](#) would actually improve the context of these neighboring properties.

5.7 Parks, Recreation and Open Space

The anticipated redevelopment would include at least two new open spaces not now present on the Midtown site and would not directly impact any existing open space, parks or other recreational areas. No significant adverse impacts related to parks, recreation or open space are therefore expected.

The street grid and parcel configuration now identified as the preferred configuration would add open space in two locations: a central area of approximately 13,500 square feet or 0.3 acres and a second on Main and Clinton immediately south of the proposed PAETEC facility of

approximately 39,000 feet or just under an acre. To understand the relative sizes of these planned spaces it may be helpful to know that the approximate size of Washington Square Park is one acre. The plan is for the central space to be surrounded by retail uses and to serve as a gathering space for occupants of office buildings, patrons of retail establishments and residents. The space planned for immediate south of the PAETEC building would likely have a corporate plaza character. A contingency to develop the eastern portion of this parcel is still under consideration.

The additional open space on the subject site would provide passive recreational opportunities for office workers and residents residing in the dwellings on and near the subject site. Although the use of the open space would likely be dominated during weekdays by those working and shopping downtown, the open spaces would become more readily usable for passive recreational use by people residing nearby in the evenings and on the weekends.

The new open spaces would lack playground equipment that young families residing in the dwellings on the subject site would desire for their children. Manhattan Square Park, however, does contain playground equipment and is only one block from the southeast corner of the subject site. Equipped with picnic tables and a spray park as well, Manhattan Square Park has the facilities to be able to meet the needs of families and other persons who would be residing in the dwellings on the subject property. If demand indicates that additional playground equipment is needed, the City of Rochester could expand the playground into the lawn of Manhattan Square Park.

National Recreation and Parks Association (NRPA) guidelines for neighborhood parks calls for a neighborhood park to be within one-quarter to one-half mile of the surrounding neighborhood and to be one to two acres in size for each 1,000 people it serves. Although Manhattan Square Park could be considered a community park, as it serves more than the neighborhood, it is somewhat isolated from residential neighborhoods outside the inner loop and neighborhoods on the west side of the Genesee River. Manhattan Square Park is approximately 4.4 acres in extent and adjacent to the Strong Museum of Play that is popular with families.

The 2000 Census reveals that the population within the inner loop and within a one-half mile radius is approximately 3,035. The addition of between 237 residential dwellings (low-density redevelopment scenario) to 294 residential dwellings (high-density scenario) would increase the population residing within the one-half mile radius of Manhattan Square Park by 559 to 693

people based on an average household size of 2.36 (2000 Census). Manhattan Square Park is sufficiently large to serve the increase in population and would satisfy NRPA guidelines as to appropriate size.

5.8 Critical Environmental Areas

As the project site is not located within a Critical Environmental Area designated by NYSDEC, no impacts would occur and no mitigation is needed.

5.9 Land Use and Zoning

No significant impacts or conflicts related to land use and zoning are anticipated from the proposed project. Consistency with existing land use and zoning requirements is reviewed in the following sections.

5.9.1 Compliance with Center City Master Plan

The proposed program is in compliance with the Center City Master and promotes its objectives. The Center City Master Plan specifically recommends redevelopment of the Midtown Plaza site with residential units and street level retail. The new plan envisions 61,000 to 67,600 sf of ground floor retail and 237 to 294 residential units.

The Center City plan also recommends increased employment in the Center City. In the medium and high density scenarios, PAETEC Communications would establish its world headquarters at the site and would ultimately locate approximately 1,200 to 1,500 employees there. Additional employment opportunities would be created in the retail and hotel sectors as well as additional growth from PAETEC.

Another key recommendation of the Center City Plan is to connect Downtown Rochester's open spaces. While no formal public open space is currently adjacent to the Midtown site, the redevelopment plan proposes to create both internal and perimeter open spaces. Both the internal and external open spaces could include a water feature.

All scenarios also include a mix of uses which the Center City Plan advocates. Residential, office, retail and hotel uses are included in each scenario, with the exception of the low density scenario which does not include office uses.

Finally, the Center City Plan proposes to create a more pedestrian oriented downtown. The Midtown proposal addresses this requirement in two ways. First, the Midtown proposal proposes to break down the current “superblock” into five or six smaller blocks which improves pedestrian (and vehicle) circulation and creates more “walkable” blocks. Currently, the Clinton Street frontage of the Midtown Mall is almost 700 feet without a break.

Secondly, the Midtown plan proposes to place retail and other public spaces on the ground floor buildings. The current design of the Midtown Plaza includes internal open spaces and pedestrian corridors with little or no ground floor retail spaces facing the street.

5.9.2 Compliance with City of Rochester Zoning

The Midtown proposal implements the overall purposes of the Center City district zoning regulations to “foster a vibrant, safe, twenty four hour Center City” by proposing a mix of uses. All of the uses include the provision of residential and hotel space, ranging from 237 units to 294 units. Inclusion of residential and hotel space, along with office and retail uses, would ensure the area would become a 24 hour neighborhood.

The Center City zoning district allows all uses with the exception of a few incompatible uses such as homeless shelters, waste centers and sexually oriented businesses. Therefore, the Midtown proposal to include office, retail, residential and hotel uses is in compliance with the use regulations.

There are two distinct areas of the zoning code that apply to the Midtown Block; the Main Street District and the Tower District. As summarized in [Section 4.9](#), a new center city zoning regulation was adopted in 2003. It departed from traditional use district zoning in favor of a more design/market oriented approach. Several design districts were devised that reflected the historical context of the city's downtown environment. The new approach provides both certainty and flexibility. Certainty is provided with respect to a multitude of narratively and graphically described and illustrated criteria. Compliance with the criteria offers a fast track permit approval. Flexibility is infused in the regulation to accommodate a potentially wide range of deviation from the criteria depending on market, technological and locational conditions and variations. The flexibility provided in the regulation operates to accommodate needed and appropriate deviations without the necessity for variances, special permits or code amendments.

5.9.3 Compliance with Building Design Requirements

Currently, the Midtown redevelopment proposal regarding specific details on building design, layout and other elements are in preliminary stages. It should be noted that the Center City regulations are somewhat flexible as evidenced by section 120.65.E within the Center City District regulations which state:

“The use of the word “shall” . . . of this Article shall not be deemed to mean mandatory, but rather to be necessary to secure approval without additional design review.”

Since all the sections regarding the design criteria (including frontage, height, length to height ratios and lot coverage) utilize “shall”, any deviations from the criteria would need additional design review through the site plan review process.

However, based on the current redevelopment proposal, and the concept scenarios prepared by EDAW/AECOM, conformance with specific design criteria is as follows:

5.9.4 Urban Renewal Plan Land Use Compliance

The Midtown Land Use Plan encourages the same allowed uses as the Center City District zoning guidelines with the exception of disallowing warehousing, distribution, rooming houses, recycling center and auto repair. Office, residential, retail and hotel uses are proposed for the site which is consistent with the Urban Renewal Plan.

5.9.5 Summary of Potential Adverse Environmental Impacts and Proposed Mitigation: Land Use & Zoning

Item	Potential Adverse Impact(s)	Proposed Mitigation
One Story Commercial Building at Main & Clinton, Low Density Proposal	Below required five story minimum	Rearrange building locations and place either residential tower or hotel above retail at corner
	Below 1:1 length to height minimum	Rearrange building locations and place either residential tower or hotel above retail at corner
PAETEC Operations Center –	Below 1:1 length to height	Decrease floor plate and

Main & Clinton, Medium and High Density	minimum for Main Street District	increase height to meet requirement or break down mass to appear as two vertical buildings
Parking Structure – Broad Street, Medium and High Density	Less than 1:1.5 length to height minimum for Tower District	Set back from street, and break down structure to appear as two vertical buildings
	Parking not allowed on City Street or at intersection	Set back from street and install landscaped plaza on Broad Street
Parking structures, Medium and High Density	Parking is within front yard which is prohibited	Set back from street and install landscaped plaza and/or retail/service on ground floor
Building Coverage, all densities	Buildings lengths and depths in Main Street District exceed 50 percent of block length and depth	Break down buildings to appear as two separate buildings with lengths and depths of 50 percent or less
	Buildings in Tower District exceed 25 percent maximum building coverage	<i>Deviations would be considered to allow up to 50 percent building coverage</i>

TABLE 5.2, POTENTIAL ADVERSE LAND USE ZONING IMPACTS AND PROPOSED MITIGATION

5.10 Site Development Density

Section 4.21.4 reviews the density of surrounding properties in comparison to the current Midtown site. Densities range from a 4.5 FAR for the adjacent Chase Tower site to a 19 FAR for the Xerox building. Properties east of the project site have much lower FARs that range between less than one to 4.0. Therefore, the FARs of the proposal for the Midtown Redevelopment Project that range between 1.11 and 3.17 provide an appropriate transition between the Tower district skyscrapers and the smaller scale of the East End district.

5.10.4 Potential Environmental Impacts and Mitigation, Site Development Capacity

Based on the information and analysis presented above regarding reduced size, coverage and floor to area ratios, no adverse environmental impacts have been identified related to density and site development capacity.

5.11 Building Demolition and Adaptive Reuse

The preferred alternative would demolish the following buildings or structures:

- Midtown Plaza mall and atrium;
- McCurdy Building;
- B. Forman Building;
- Seneca Office Building;
- Euclid Building;
- Midtown Tower; and,
- Segments of the skyway system connecting to the buildings listed above.

The preferred alternative would not demolish the Midtown Garage. The preferred alternative could potentially demolish and rebuild the truck service tunnel rather than preserve it, but the truck service tunnel function would remain in either case.

Two alternatives that would adaptively reuse rather than demolish buildings remain under consideration. An alternative to adaptively reuse the Midtown Tower is reviewed in [Section 2.5.6.2](#) and [Section 12.6](#). An alternative to adaptively reuse the Plaza atrium is reviewed in [Section 5.6](#) and [Section 12.5](#). The possibility that a future building owner or developer could choose to explore reconnecting their building to a segment of the skyway system remaining across the street from their site cannot be precluded. However, such an outcome is uncertain and would actually represent the replacement of a demolished structure rather than preservation or reuse.

The rationale for demolition of the above buildings in order to eliminate blighting influences, break down the superblock, establish a street grid and provide sites for development by the private sector has been summarized above in [Section 2.0](#) and is also reviewed in the [Section 12.0](#) discussion of alternatives. As is described above in [Section 5.6](#), demolition of these buildings and structures represents an adverse impact of significance given the OPRHP determination that the block is eligible for listing on the State/National Register of Historic Places.

5.11.1 Planned Demolition and Construction

Temporary potential impacts and mitigating measures directly related to the demolition process are reviewed in Section 5.26.10.

5.11.2 Potential Adverse Impacts to the Built Environment of Demolition

Potential significant adverse impacts may include the following. Some of these concern temporary impacts which are also reviewed in more detail in Section 5.26.

- If portions of the complex are to remain, demolition of other parts or particular buildings in the complex may lead to structural instabilities or damages that may require additional work or shoring, and therefore cost, to correct;
- Depending on the methods used, shoring may be required in portions of the parking garage to support demolition and construction loads. The allowable load is #250 psf. (see LaBella 2008 Midtown Parking Garage study in Appendix S);
- Potential blasting damage and dust from implosive demolition, if permitted, to the parking garage below, utilities, and adjacent structures;
- Vibration in existing buildings from demolition equipment, and/or implosive demolition;
- Need for relocation or replacement of existing utilities on the site (see Sections 5.15.1 and 5.15.2);
- Disruption of the Skyway system (see Section 2.5.6.3 and Section 5.14.2); and,
- Loss of embodied energy in the materials to be removed (refer to discussion in Section 4.16).

Mitigation of these demolition impacts can include:

- Development of a detailed demolition plan including a schedule, assessment of staging on the site, demolition methods, and recycling;
- If implosive demolition is proposed, development of a detailed blasting plan to monitor accelerations, contain debris and dust, and reduce the potential for damage to adjacent structures;
- Detailed analysis of existing structures prior to demolition to determine the location and extent of any temporary shoring, or if permanent bracing is necessary;

- Provision of means for pedestrians to reach the sidewalks near the terminated segments of elevated walkway so that the existing sidewalks around the perimeter of the Midtown site as well as the interior sidewalks to be developed as part of the newly established street grid would then maintain connectivity and take up the function as a system hub historically been provided by the interior Midtown spaces;
- Detailed analysis and design of any necessary spatial or structural changes to minimize impact on existing buildings;
- Careful consideration of utility relocations to avoid proposed new and existing structure conflicts, and coordination of connections with contractors;
- Any potential impact on supply of energy would be mitigated by careful design of new or renovated space to minimize addition of new demand to avoid shortages or service related issues. And designs should be reviewed in consultation with energy utility providers;
- If blasting for foundations is proposed, development of a detailed blasting plan to monitor accelerations, contain debris and dust, and reduce the potential for damage to adjacent structures; and,
- Provision of temporary and permanent, as necessary, vehicular and pedestrian traffic plans to accommodate route changes through or adjacent to the site.

5.12 Transportation: Traffic and Parking

The following section includes cumulative impacts in that the baseline or existing condition relied upon in this analysis has included one downtown project now underway (ESL Headquarters) and another proposed downtown project (Renaissance Square). More information about other cumulative impacts and community-wide initiatives underway to estimate those potential impacts has been included in Section 4.12.6.

5.12.1 Potentially Significant Parking Impacts

Redevelopment of the Midtown Plaza site is not expected to create significant adverse impacts to the supply of parking in downtown Rochester. Contract parkers previously relocated from the Midtown Parking Garage have been adequately accommodated at alternate parking garages, and any new parking demands created from the redevelopment of the Midtown site would be accommodated on-site.

The Midtown Parking Garage will be retained to serve the parking demands of the redeveloped Midtown site. Approximately 1,500 parking spaces within the Midtown Garage would be allocated for use by PAETEC employees. The remainder (approximately 344 spaces) would be used as parking for further development of Phase I and II. It is possible that a small number of parking spaces may be lost due to overhead building construction or modifications to the service truck tunnel. Regardless, it is not likely that parking contracts previously at Midtown would be able to return to the Midtown Garage, as the priority would be to use the remaining parking spaces for future development at the Midtown site.

Walker Parking Consultants / Engineers, Inc estimated the parking demand for the various build-out scenarios of the Midtown site (refer to Parking Planning Study report, included in Appendix U). The total parking demands are as follows:

- Low Density: 918 spaces;
- Medium Density: 2,289 spaces; and,
- High Density: 2,688 spaces,

The parking demands have been calculated using a “shared” parking factor of approximately 25%. Many of the new parking spaces (to be constructed with future Phase I and II developments) would be designed to serve more than one land use without conflict or encroachment. For example, the peak parking utilization for office buildings is during the day on weekdays, while parking for restaurant and entertainment venues peaks during evening and weekend periods. It is likely that future hotel and residential projects would accommodate their own parking demands within individual development sites. A new above-ground parking structure would be considered if the demand were present at this site. On-street parking would also be created along the new interior street network to serve short-term parking needs (generally 15 minutes to 1 hour) of future commercial projects.

The parking demand calculations indicate that if the 1,844 parking spaces within the Midtown Parking Garage are retained, approximately 850 additional parking spaces would need to be constructed to meet the demands of the worst-case scenario (High Density development). Future parking would be constructed, as needed, within the Midtown site. Therefore, the Midtown redevelopment would not increase parking demand at existing downtown parking facilities.

5.12.2 Potentially Significant Traffic Impacts

A traffic analysis for the proposed Midtown redevelopment has been completed by Fisher Associates and is included as Appendix V. The base traffic scenario, which includes existing traffic plus background traffic from projects currently in the development stage, is described in Section 4.12. Three additional scenarios were analyzed and compared to the base scenario in order to identify traffic-related impacts resulting from an incremental redevelopment of the site. In each scenario the same set of surrounding intersections was evaluated.

- Scenario 1: Base Condition;
- Scenario 2: Redevelopment with PAETEC only;
- Scenario 3: Redevelopment with PAETEC and Low Density Development; and
- Scenario 4: Redevelopment with PAETEC and High Density Development.

Table 5.3 (below) summarizes the components of redevelopment included with each scenario.

Summary of Redevelopment Scenarios for Traffic Analysis

Component	Scenario 1 Base	Scenario 2 PAETEC only	Scenario 3 PAETEC + Low Density	Scenario 4 PAETEC + High Density
Office	0	500,000 sf	500,000 sf	720,000 sf
Residential	0	0	296,250 sf (231 units)	367,500 sf (294 units)
Hotel	0	0	70,000 sf (100 rooms)	70,000 sf (100 rooms)
Retail	0	0	61,600 sf	67,600 sf
TOTAL	0	500,000 sf	927,850 sf	1,225,100 sf

TABLE 5.3, COMPONENTS OF REDEVELOPMENT WITH EACH SCENARIO

Tables 5.4 and 5.5 on the following two pages summarize the results of the LOS analysis for each scenario.

Morning Study Period

Intersection	Approach and Movement	Scenario #1		Scenario #2		Scenario #2 with Improvements		Scenario #3		Scenario #4	
		Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
1 E. Main Street & Clinton Avenue <i>{Movement added by Ren. Sq.}</i>	Eastbound T-T {L}	115	F	115	F	115	F	117	F	205	F
	Westbound T	49	D	50	D	50	D	56	E	62	E
	Northbound T-T {R}	9	A	10	B	10	B	10	B	9	A
	Overall	42	D	42	D	42	D	44	D	71	E
2 E. Main Street & Midtown Ped Crossing	Eastbound T-T	2	A	2	A	2	A	2	A	2	A
	Westbound T-T	2	A	2	A	2	A	2	A	2	A
	Overall	2	A	2	A	2	A	2	A	2	A
3 E. Main Street & East Avenue	Eastbound T	6	A	6	A	6	A	6	A	6	A
	Westbound T	8	A	8	A	8	A	8	A	8	A
	Northbound T-TR	28	C	28	C	28	C	24	C	24	C
	Southbound T-TR	7	A	7	A	7	A	7	A	7	A
	Overall	9	A	9	A	9	A	8	A	8	A
4 E. Main Street & Stillson Street	Eastbound LT-T	2	A	2	A	2	A	2	A	2	A
	Westbound T-TR	3	A	3	A	3	A	3	A	3	A
	Northbound LTR	13	B	13	B	13	B	13	B	13	B
	Southbound LTR	12	B	12	B	12	B	12	B	12	B
5 E. Main Street & Chestnut Street	Overall	3	A	3	A	3	A	3	A	3	A
	Eastbound L	19	B	19	B	19	B	19	B	19	B
	Westbound T-TR	7	A	7	A	7	A	7	A	7	A
	Northbound L	15	B	15	B	15	B	15	B	15	B
	Southbound T-TR	13	B	15	B	15	B	15	B	15	B
	Overall	12	B	13	B	13	B	13	B	13	B
	Eastbound LT-TR	27	C	27	C	27	C	26	C	27	C
	Westbound L	13	B	13	B	13	B	13	B	15	B
	Northbound T-TR	7	A	7	A	7	A	7	A	6	A
	Southbound L	8	A	9	A	9	A	10	B	10	B
6 Chestnut Street & East Avenue	Overall	10	B	11	B	11	B	11	B	12	B
	Eastbound R	11	B	11	B	11	B	8	A	7	A
	Northbound T-T	4	A	4	A	4	A	3	A	2	A
	Southbound T-T-T	14	B	14	B	22	C	23	C	24	C
7 Chestnut Street & Elm Street	Overall	10	B	10	B	15	B	15	B	15	B
	Westbound LT-T-TR	24	C	25	C	25	C	25	C	25	C
	Northbound L	33	C	43	D	34	C	36	D	38	D
	Southbound T-T	10	B	8	B	8	B	10	B	11	B
8 Broad Street & Chestnut Street	Overall	12	B	14	B	13	B	13	B	14	B
	Eastbound LT-T	25	C	20	B	20	B	21	C	22	C
	Northbound R	7	A	4	A	4	A	4	A	4	A
	Southbound T-T	11	B	12	B	12	B	12	B	13	B
9 Court Street & Chestnut Street	Overall	13	B	11	B	10	B	11	B	11	B
	Eastbound LT-T (L)	26	C	99	F	32	C	32	C	33	C
	Northbound LT-T-T	7	A	9	A	9	A	9	A	10	B
	Overall	7	A	22	C	12	B	12	B	14	B
10 Court Street & Clinton Avenue (Proposed Eastbound Movement)	Eastbound (T-T)	-	-	-	-	36	D	36	D	41	D
	Northbound L	5	A	5	A	5	A	5	A	5	A
	Southbound R	2	A	6	A	6	A	7	A	9	A
	Overall	7	A	7	A	8	A	8	A	8	A
11 Broad Street & Clinton Avenue	Westbound T-T-TR	16	B	13	B	15	B	14	B	14	B
	Northbound L	4	A	4	A	4	A	4	A	4	A
	Overall	7	A	7	A	8	A	8	A	8	A

TABLE 5.4, LEVEL OF SERVICE, MORNING

Evening Study Period

Intersection			Approach and Movement		Scenario #1		Scenario #2		Scenario #2 with Improvements		Scenario #3		Scenario #4	
					Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
1	E. Main Street & Clinton Avenue <i>{Movement added by Ren. Sq.}</i>	Eastbound	T-T [L]		12	B	12	B	14	B	15	B	18	B
		Westbound	T		6	A	6	A	7	A	7	A	10	B
			R		2	A	2	A	2	A	2	A	3	A
		Northbound	T-T [R]		26	C	32	C	26	C	26	C	29	C
			Overall		18	B	21	C	19	B	19	B	21	C
2	E. Main Street & Midtown Ped Crossing	Eastbound	T-T		2	A	2	A	2	A	2	A	2	A
		Westbound	T-T		1	A	1	A	1	A	1	A	2	A
			Overall		2	A	2	A	1	A	1	A	2	A
3	E. Main Street & East Avenue	Eastbound	T		24	C	24	C	24	C	24	C	25	C
			R		7	A	7	A	7	A	7	A	8	A
		Westbound	T		16	B	16	B	16	B	16	B	16	B
			R		3	A	3	A	3	A	3	A	3	A
		Northbound	T-TR		24	C	24	C	24	C	20	C	21	C
		Southbound	T-TR		9	A	9	A	9	A	9	A	9	A
			Overall		17	B	17	B	17	B	17	B	17	B
4	E. Main Street & Stillson Street	Eastbound	LT-T		2	A	2	A	2	A	2	A	2	A
		Westbound	T-TR		1	A	1	A	1	A	1	A	2	A
		Northbound	LTR		13	B	13	B	13	B	13	B	13	B
		Southbound	LTR		14	B	14	B	14	B	14	B	14	B
			Overall		2	A	2	A	2	A	2	A	2	A
5	E. Main Street & Chestnut Street	Eastbound	L		24	C	24	C	23	C	24	C	23	C
			T-TR		31	C	31	C	31	C	30	C	29	C
		Westbound	L		6	A	6	A	6	A	6	A	7	A
			T-TR		12	B	12	B	12	B	13	B	13	B
		Northbound	L		9	A	9	A	9	A	9	A	8	A
			T-TR		7	A	7	A	7	A	7	A	7	A
		Southbound	L		16	B	17	B	17	B	18	B	19	B
			T-TR		13	B	13	B	13	B	13	B	13	B
			Overall		15	B	15	B	15	B	15	B	15	B
6	Chestnut Street & East Avenue	Eastbound	LT-TR		37	D	37	D	37	D	37	D	37	D
		Westbound	LT		14	B	14	B	14	B	17	B	18	B
			R		4	A	4	A	4	A	4	A	4	A
		Northbound	L		7	A	7	A	7	A	8	A	9	A
			T-TR		8	A	8	A	8	A	7	A	9	A
		Southbound	L		10	B	12	B	12	B	13	B	18	B
			T-TR		5	A	5	A	5	A	6	A	6	A
			Overall		14	B	14	B	14	B	15	B	16	B
7	Chestnut Street & Elm Street	Eastbound	L		21	C	21	C	21	C	22	C	23	C
			R		13	B	13	B	13	B	6	A	7	A
		Northbound	T-T		2	A	2	A	2	A	2	A	2	A
		Southbound	T-T-T		4	A	4	A	4	A	5	A	6	A
			Overall		3	A	3	A	3	A	4	A	5	A
8	Broad Street & Chestnut Street <i>*Analysis does not reflect field observations</i>	Westbound	LT-T-TR		28	C	28	C	28	C	28	C	28	C
			L*		525	F	635	F	635	F	786	F	817	F
		Northbound	T-T		7	A	7	A	8	A	10	B	12	B
			T-T		2	A	1	A	2	A	2	A	3	A
		Southbound	R		1	A	1	A	1	A	2	A	3	A
			Overall		56	E	71	E	71	E	87	F	86	F
9	Court Street & Chestnut Street	Eastbound	LT-T		27	C	30	C	31	C	33	C	33	C
			R		4	A	12	B	13	B	16	B	19	B
		Northbound	T-T		8	A	8	A	8	A	8	A	8	A
			R		3	A	3	A	3	A	3	A	3	A
		Southbound	L		5	A	5	A	5	A	5	A	5	A
			T-T-T		5	A	5	A	5	A	5	A	5	A
			Overall		17	B	13	B	14	B	15	B	15	B
10	Court Street & Clinton Avenue <i>(Proposed Eastbound Movement)</i>	Eastbound	LT-T (L)		26	C	28	C	18	B	18	B	18	B
			(T-T)		-	-	-	-	20	C	21	C	21	C
		Northbound	L		7	A	7	A	7	A	8	A	8	A
			LT-T-T		9	A	9	A	9	A	10	A	10	A
			R		1	A	1	A	1	A	1	A	1	A
			Overall		14	B	15	B	12	B	12	B	12	B
11	Broad Street & Clinton Avenue	Westbound	T-T-TR		12	B	14	B	14	B	16	B	17	B
		Northbound	L		1	A	1	A	1	A	1	A	1	A
			LT-T		11	B	11	B	12	B	12	B	12	B
			Overall		10	B	11	B	11	B	12	B	13	B

TABLE 5.5, LEVEL OF SERVICE, EVENING

In general, the traffic study demonstrates that the surrounding intersections can reasonably accommodate the development scenarios as defined. The traffic modeling does show some degradation of Level of Service (LOS) for certain specific traffic movements; however there is no indication that major street widening, additional lanes or changes to existing travel patterns would be needed to support development at the Midtown site. Intuitively, this conclusion is understandable since the existing street network has served downtown Rochester during periods in history where there was considerably more activity than exists today.

The following traffic discussions for each scenario are provided as a basis to understand that Level of Service at the studied intersections is not predicted to be significantly compromised. In some cases, minor signal timing adjustments are suggested to bring LOS back to or near base condition levels, and in other cases it is recommended that intersections be monitored once the PAETEC development is in place.

5.12.3 Potential Impacts From Scenario 2: Redevelopment With PAETEC Only

Scenario 2 analyzed the vehicular trips expected to be generated by the construction of PAETEC headquarters on the site. When compared to the base traffic condition, the study concluded that the PAETEC development would not significantly affect traffic operations at the analyzed intersections and that the majority of turning movements would continue to operate at acceptable levels. The traffic modeling has identified some minor LOS degradation associated with specific traffic movements. A discussion follows:

- Broad Street / Chestnut Street Intersection, northbound left turn (AM Peak Hour):

The analysis indicates that the northbound left turn LOS would decrease from a “C” (delay of 33 seconds) to a “D” (delay of 46 seconds). While a LOS “D” is still generally considered acceptable, signal timing adjustments at this intersection would result in a LOS “D” with a delay of 37 seconds, an increase of 4 seconds from the base scenario;

- Chestnut Street / Elm Street Intersection, southbound approach (AM Peak Hour):

The traffic signal controlling the Chestnut Street / Elm Street intersection also controls the Chestnut Street / Broad Street intersection. If the above-mentioned signal timing modifications were performed at Broad Street, the southbound approach at the Elm Street intersection would decrease from LOS “B” (delay of 14 seconds) to LOS “C” (delay of 22 seconds). If signalization is still needed at the

Chestnut Street / Elm Street intersection once the remainder of the Midtown site is redeveloped, consideration should be made to provide a separate controller for this signal to increase flexibility at both intersections. However, the incremental decrease in LOS due to the PAETEC development is negligible and the intersection would still operate under acceptable condition;.

- East Main Street / Clinton Avenue Intersection, northbound through movement (PM Peak Hour):

The analysis indicates the LOS for the northbound through movement would decrease from a “C” (delay of 26 seconds) to a LOS “C” (delay of 32 seconds). A two-second adjustment in the timing splits would mitigate the northbound through movement back to the base scenario. Given the small change in delay and minor timing necessary for mitigation, it is recommended to maintain the existing signal timing and monitor the intersection once the PAETEC development is completed; and,

- Court Street / South Clinton Avenue Intersection, eastbound approach (AM Peak Hour)

The traffic analysis indicates that the Court Street eastbound approach LOS would decrease from a “C” to an “F” with the additional traffic from PAETEC during the morning peak hour. The overall intersection LOS would decrease from an “A” to a “C”. An eastbound left turn lane would be needed to minimize traffic impacts at this intersection, and would result in a LOS “C” for the eastbound left turn, LOS “D” for eastbound through traffic, and LOS “B” for the overall intersection.

Providing an eastbound left turn lane would not be feasible, as additional right-of-way may be needed from the Bausch & Lomb parcel to the north or Washington Square Park to the south. Widening at this intersection would likely require signal pole relocations and hardware modifications. There is also limited space to introduce a left turn lane due to the proximity of the St. Mary's Place intersection to the west. The decrease in LOS may be considered acceptable since it only occurs during the morning peak hour.

5.12.4 Potential Impacts From Scenarios 3 and 4: PAETEC with Low and High Density Redevelopment

As shown in the LOS tables (see above), Scenarios 3 and 4 are not expected to result in significant traffic-related impacts to the adjacent highway network. The traffic modeling has

identified some minor LOS degradation associated with specific traffic movements. A discussion follows:

- East Main Street / Clinton Avenue Intersection (AM Peak Hour)

Eastbound Approach:

The analysis indicates that the LOS would worsen with Scenario 4, though the eastbound approach would operate at LOS “F” for all scenarios due to the removal of turn restrictions proposed as part of the Renaissance Square project.

Recommended improvements include re-striping the eastbound approach to provide a dedicated left turn lane and adding protected / permitted left turn phasing to the signal. Because the eastbound left turn movement with poor LOS is a result of the Renaissance Square traffic and associated removal of turn restrictions, it is assumed that the above-mentioned improvements would be considered as part of the Renaissance Square project

Westbound Approach:

Development in Scenarios 3 and 4 would cause the westbound LOS to decrease from a “D” to an “E”. Mitigation for Scenario 3 could include increasing the capacity of the westbound through movement by allowing through traffic and right turns to share the curb lane. Mitigation for Scenario 4 may include adding a westbound right turn lane in addition to the two existing through lanes;

- East Main Street / Clinton Avenue Intersection (PM Peak Hour):

The LOS for the northbound approach is expected to remain acceptable at “C”. However, traffic volumes may approach the capacity of the highway. It is recommended that the northbound approach operations be monitored once Scenario 3 and 4 developments are in place; and,

- Broad Street / Chestnut Street intersection (PM Peak Hour):

The analysis indicates that the northbound left turn movement would continue to operate at LOS “F”. MCDOT is aware of the analysis and regularly monitors the intersection operations. The intersection should continue to be monitored, and a protected left turn phase may be deemed necessary with the Low and High Density redevelopment scenarios.

5.12.5 New Street Rights of Way and Proposed Abandonments

Each of the development scenarios presented (Low, Medium, and High) proposes to construct new internal streets that would break up the existing Midtown site into smaller blocks. New streets are proposed to bisect the site north/south and east/west. The new streets and associated rights-of-way would provide enhanced circulation and mobility, additional opportunities for street-level retail and on-street parking, and space for pedestrian circulation, public spaces, landscaping, and utilities serving the redeveloped site.

Although the final interior street layout of the redeveloped Midtown site is unknown at this time, it is likely that the existing pedestrian signal along Main Street (connecting Midtown Plaza and the Sibley Building) would remain, either maintained as a pedestrian signal or converted to a full traffic signal for Main Street and a new interior street at this location. It is also likely that the existing traffic signal at the Chestnut Street & Elm Street intersection would remain as a connection for a new east-west interior street. It is not likely that traffic volumes from the Midtown redevelopment would warrant the installation of any additional traffic signals along the street network. However, as interior street locations are finalized, signal warrant analyses should be completed if new intersections are proposed.

Significant street and rights of way abandonments are not expected as part of the redevelopment, particularly in the early stages such as the construction of the PAETEC headquarters. As the remainder of the site is redeveloped, minor streets such as Atlas Street could be altered or abandoned. Impacts such as localized decreased mobility or loss of parking could result from street abandonments, but positive impacts such as increased overall circulation and mobility could also result when looking at the redeveloped site as a whole.

5.12.6 Midtown Parking Garage Access

The proposed redevelopment includes saving the underground Midtown Parking Garage. The existing vehicular garage entrances and exits are not proposed to be altered. The redevelopment also proposes to maintain the existing pedestrian access locations, which may require new outdoor structures or accommodations within new buildings.

5.12.7 Loading Docks, Service Truck Tunnel and Delivery Routes

The existing Midtown Service Truck Tunnel is expected to remain, and the entrance / exit to Atlas Street are not expected to be altered. Although it is unknown where loading docks would be located once the site is redeveloped, new buildings would utilize the existing service truck tunnel to the extent possible. If necessary, additional loading docks and service areas could be constructed, preferably within the proposed interior street network.

Delivery routes to and from the site are not expected to be affected by the redevelopment. If loading areas are to be constructed along new streets within the site, consideration should be given to accommodating truck access to and from the loading areas. New streets that are not needed for service access could be posted to restrict truck access.

5.13 Public Transit

The redevelopment of Midtown Plaza is not expected to impact bus routes or bus stops. Bus routes would continue to utilize Main Street, Broad Street and Clinton Avenue and would be redesigned to direct routes into the transit center. Buses would stop at the proposed transit center at Renaissance Square and points along these streets located one block or more from the transit center. The major transfer sites located adjacent to the site would be relocated to Renaissance Square. Buses are not expected to travel through the interior streets.

Increased transit usage as a result of the redevelopment of Midtown can be accommodated by the existing system. Of the anticipated 2,200 additional employees that are projected at full build-out, approximately 5% are likely to utilize public transit. The estimated 78 additional transit riders, taking two trips per day, would increase transit usage of Renaissance Square by approximately 0.6%. An estimated 20 percent of residents are expected to utilize public transit on a regular basis, resulting in an additional 58 riders and 116 trips on a typical weekday.

Increased use of transit is a positive impact, as it would provide additional customers for the transit service. Representatives from RGRTA have indicated that the system could accommodate and would welcome additional customers. In addition, creation of a mixed-use node of development would be more sustainable for transit use than a more single-purpose retail/shopping complex.

The project is located adjacent to a proposed downtown transit center (Renaissance Square) which is designed to accommodate a minimum of 25,000 riders each weekday. This central transit center would offer a range of amenities to transit riders. The project location, adjacent to the proposed transit center, would accommodate convenient access via transit for residents, employees, hotel guests and retail customers.

5.14 Pedestrian

5.14.1 Projected Pedestrian Usage

At full build-out of the site, the number of people employed in the vicinity of Midtown would increase by approximately 2,220 people. A majority of the employees would arrive by private vehicle and park in the on-site garage. Pedestrian access from the on-site garage would be incorporated into the site design. As most of the new employees would park in the on-site garage, there would be little impact on the sidewalks surrounding the site during morning and evening peak times.

Approximately 5% of the new employees – 111 people - are expected to utilize public transit. These riders would arrive and depart from the new transit center (Renaissance Square), to be constructed northwest of the intersection of Main Street and Clinton Avenue, and would cross Main and Clinton to access the site. The 222 arrivals and departures generated by these riders represent a small proportion (0.8%) of the anticipated usage of the transit center and would not significantly increase foot traffic across Main Street and Clinton Avenue in this location.

A small percentage of site employees – estimated at 1% (22 people) - are expected to walk to work. Some of the patrons of the 100-room hotel and retail customers would also access the site on foot utilizing the existing City sidewalk system.

At 1.3 persons per household (based on 2000 Census average for households within Rochester's Inner Loop), the residential component of the project – 295 units -- is expected to result in 384 new residents at full build-out. As would be the case with public transit, creation of a mixed-use node of development would also be more sustainable for pedestrian use than a more single-purpose retail/shopping complex.

5.14.2 Skyway System Impacts

The following Skyway components would be impacted by the project:

- Skyway over Clinton Avenue that connects the Seneca Building to the Chase Tower;
- Skyway over Main Street that connects the McCurdy Building to the Sibley Centre; and,
- Skyway over Broad Street that connects Midtown Tower to the Xerox Tower.

The Clinton Avenue and Main Street skyways are expected to be removed completely or reconstructed to carry pedestrians to ground level. The skyway across Broad Street, which connects to the Midtown parking garage, would also be removed, unless a new use is established for the Midtown Tower. Pedestrians who would otherwise use the Skyway system to travel from the Chase Tower, Sibley Centre or Xerox Tower to would be redirected to ground level crossings. Access to and from the Midtown parking garage would be incorporated into the site design.

The following potential impacts on existing structures related to the demolition of the Skyways would be addressed in the current demolition study and would become part of the demolition contract:

- How skyways would be severed;
- What would be involved in the process;
- Analyses of a) removal of the structure across the road in conjunction with severing the connection to Midtown, or b) retain a temporary connection;
- Necessary temporary structural support; and,
- Requirements for either Midtown and/or other structures to secure, or otherwise mitigate, the point of severing.

The existing sidewalks at the west and north perimeter of the site are expected to be either retained or reconstructed in their current configurations. The widths of existing sidewalks along Main Street (approximately 20 feet) and Clinton Avenue (approximately 10 feet) are expected to be sufficient to accommodate the anticipated usage by employees, hotel guests, patrons of the retail establishments, residents and pedestrians who would otherwise use the Skyway system.

The construction of the transit center at Renaissance Square would result in the elimination of the sidewalk congestion that currently occurs at the bus transfer sites.

As part of the overall site design, pedestrian accessways along the south and west sides of the site would be redesigned, along with the overall street grid, to facilitate circulation within the site and to connect to neighboring streets. The relocation of the existing intercity bus terminal to Renaissance Square would remove a significant impediment to pedestrian circulation along the south side of the site.

Means will be provided for pedestrians to reach the sidewalks near the terminated segments of elevated walkway so that the existing sidewalks around the perimeter of the Midtown site as well as the interior sidewalks to be developed as part of the newly established street grid would maintain connectivity and take up the function as a system hub that has historically been provided by the interior Midtown building spaces.

Existing mid-block pedestrian crossing locations are expected to be sufficient to accommodate the increase in pedestrian usage by employees, hotel guests, patrons of the retail establishments, residents and pedestrians who would otherwise use the Skyway system. Phasing of pedestrian crossing signals would be adjusted as needed.

5.15 Utilities

The subsections which follow provide a detailed overview of impacts to utilities and any associated mitigation measures. Private utilities are reviewed in [Section 5.15.1](#) and public utilities are reviewed in [Section 5.15.2](#). The need for development of new utilities and associated infrastructure as a consequence of the proposed establishment of a new interior street grid is discussed in [Section 5.15.3](#).

With respect to potential demolition and redevelopment impacts, the following utilities (reviewed below in more detail) would be abandoned, relocated or replaced:

- Steam – Rochester District Heating Co-Operative (RDH). The northern RDH main which traverses the site and then continues on to the Chase Tower would be temporarily abandoned and a relocated main would be subsequently connected to the steam main in the service truck tunnel near South Clinton. (The southern RDH main would instead be protected and remain.);

- Verizon. Relocate fiber within Time Warner Cable (TWC) conduit that is a portion of the Verizon City east side ring configuration system between Chase and Xerox. One segment is located within the service truck tunnel and the garage. Another segment is within TWC conduit between Euclid Street and the Sibley Building (within the McCurdy Building and the East Main Street skyway bridge);
- Rochester Gas and Electric (RG&E) – Electric. Circuit 569 within Vault 5 which is located in the garage serves Bausch & Lomb. This circuit would either be relocated or protected during construction and maintained. RG&E has indicated a preliminary preference to protect and retain the circuit;
- Time Warner Cable (TWC). A 48 fiber pair service to Xerox located within the service truck tunnel and the garage would be relocated;
- Rochester Bureau of Water (RWW). Surface features impacted by the proposed realignment of Euclid Street would likely require relocation; and,
- Rochester Pure Waters District (RPWD) – Sanitary and Stormwater Sewers. Portions of the Broad Street storm drainage system may need to be reconstructed. Existing sewers impacted by the proposed realignment of Euclid Street would likely require relocation.

In general, the need for relocation or replacement of the foregoing utilities represent unavoidable impacts.

With respect to the potential need to expand or improve existing utilities, the capacities of the existing infrastructure has been evaluated and found adequate to accommodate the anticipated redevelopment and no related impacts are expected. The historic demand associated with Midtown Plaza was also estimated as part of this process. The assumptions underlying these estimates appear below in Tables 5.6, 5.7 and 5.8.

SUMMARY OF ESTIMATED SITE USAGES			
Property Type	Midtown Plaza Complex (1)	Market Feasibility Redevelopment (4)	
Office (SF)	626,300 (2)	725,000 (5)	
Retail (SF)	572,000 (2)	27,300 (6)	
Restaurant (No. of Seats)	1,610 (3)	1,710 (7)	
Residential:			
1 bedroom	0	120 (8)	
2 bedroom	0	180 (8)	
Hotel (Rooms)	0	100 (4)	
<p>Notes:</p> <p>Source: Draft Midtown Building Assessment; Bergmann Associates; December 2006, and Condition</p> <p>1. Analysis Report for the Midtown Project Area; CMA Architecture, P.C. Nov 2006</p> <p>2. See Table - 2</p> <p>3. See Table - 3</p> <p>Source: Midtown Plaza Market Feasibility Analysis, Prepared by Cushman & Wakefield Analytics,</p> <p>4. June 2008</p> <p>5. C&W - Base retail demand not including restaurants. (65,800 sf- 38,500 sf = 27,300 sf)</p> <p>6. C&W - Office demand High (assume Paetec is 500,000 sf of the total)</p> <p>7. C&W - Base restaurant demand minus kitchen area divided by 15 seats/SF ((38,500 - 12,800)/15)</p> <p>8. C&W - High Housing Demand - Use 300 total units, assume 60% 2 bedroom, remainder 1 bedroom</p>			

TABLE 5.6, SUMMARY OF ESTIMATED SITE USAGES

MIDTOWN PLAZA COMPLEX - ESTIMATED OFFICE & RETAIL SPACE			
OFFICE			Gross Leasable Area (SF)
Midtown Tower			
	Floors 3-17	206,594 GLA	
	Less Floor 14 - Restaurant	-9234.4 est GLA (1)	
		<u>197,360</u>	197,400
Euclid Bldg - 4 story			
	4 floors with 50,652 sf GLA	50,652 GLA	35,000
	Less ground floor retail/tunnel	-15,793 GLA of 1 floor	
		<u>34,859</u>	
McCurdy's - 6 story			
	3 floors @ 64,770 sf ea	194,310 GLA	194,300
B. Foreman Bldg - 6 story			
	Floors 4-6	26,616 GLA	26,600
Seneca Bldg - 7 story			
	Floors 3-7 @ 34,600 sf ea	173,000 GLA	<u>173,000</u>
OFFICE			626,300 sf
RETAIL			
Midtown Plaza Mall			
	1st & 2nd floor	203,474 GLA	203,500
Euclid - 1st Floor			
		15,793 GLA	15,800
McCurdy's - 6 story			
	3 floors @ 64,770 sf ea	194,310 GLA	194,300
B. Foreman Bldg - 6 story			
	Floors 1-3 @ 38,000 sf ea	114,000 GLA	114,000
Seneca Bldg - 7 story			
	2 floors @ 34,600 sf ea	69,200 GLA	<u>69,200</u>
		Retail including Restaurants	596,800 sf
Less Restaurants (Table 3 Items 1-16)			
		24,800 GLA	<u>-24,800 sf</u>
RETAIL			572,000 sf
Source: Draft Midtown Building Assessment; Bergmann Associates; December 2006, and Condition Analysis Report for the Midtown Project Area; CMA Architecture, P.C. November 2006			
1. Estimate restaurant GLA as 80% of 11,543 SF			

TABLE 5.7, ESTIMATED OFFICE & RETAIL SPACE

MIDTOWN PLAZA COMPLEX - ESTIMATE OF RESTAURANT USAGE & SEATING					
Item	Name of Restaurant	Floor Area Total Facility	Est. Floor Seating Area	Basis of Seating	Number of Seats
1.	Sidewalk Café	2,087	1,391	15/SF	93
2.	Brad's Sweets	505		0	0
3.	Brad's Cookies	811		0	0
4.	Bruegger's	708		Food Court	
5.	Bill Gray's	340		Food Court	
6.	Luca Pizza	1,109		Food Court	170
7.	Arby's	1,027		Food Court	
8.	Rubino's	356		Food Court	
9.	Brad's Cookie Nook	360		Food Court	
10.	Taco Bell	239		Food Court	
11.	Dunkin Donuts	160		Food Court	
12.	McCurdy Bakery	375	250	15/SF	17
13.	Coffee Break (McCurdy's)	2,000	1,333	15/SF	90
14.	Burger King	4,985	3,323	15/SF	220
15.	Fruit and Salad Co.	754	503	15/SF	35
16.	McCurdy Garden Room	9,000	----	230	230
17.	Top of the Plaza (14th floor)	11,543	7,695	25/SF	305
Total		36,359			1,160
Notes: Items 1-15: SF of total floor area from Existing Restaurants per Midtown 1995 drawings P-3 & P-4 Items 4-11: Number of seats in Food Court per Midtown 1995 drawing P-3 Item 16: Number of seats per Midtown 1995 drawing P-4 Item 17: SF of total floor area from Condition Analysis Report for the Midtown Project Area; CMA Architecture, Nov. 2006					

TABLE 5.8, ESTIMATE OF RESTAURANT USAGE & SEATING

With respect to establishment of a proposed street grid, the need to develop accompanying utilities and infrastructure has been identified. The new streets would ease the placement of new utilities. These new improvements and systems would not impact the existing systems negatively, but their cost represents a negative economic or fiscal impact. A related economic or fiscal impact is the anticipated need to reconstruct portions of existing streets to repair damage from construction and provide a uniform and consistent appearance (see [Section 5.15.3](#)). Economic impacts are reviewed below in [Section 5.22](#).

Potential utility and infrastructure related impacts are described in more detail within the subsections that follow.

5.15.1 Private Utilities

5.15.1.1 Steam: Rochester District Heating Co-Operative

The northern RDH main (a secondary 4- and 6-inch main located within the McCurdy basement and the service truck tunnel) which traverses the site and then continues on to the Chase Tower would be temporarily abandoned and a relocated main would be subsequently connected to the steam main in the service truck tunnel near South Clinton. The northern RDH steam line can be temporarily shutdown and capped during building demolition. Asbestos abatement of the steam line to be removed would also be required. RDH would need to replace this secondary main during site redevelopment to restore system redundancy to Chase Tower and the northeast steam loop.

Maintaining the southern RDH main (a primary 12-inch steam line located within an easement in a utility tunnel under Level-C of the City's Midtown Garage) is critical to the continued operation of the RDH system. RDH has indicated a budgetary cost to relocate this primary main of \$750K +/- 30 percent and a schedule of 9 months or more were replacement necessary. However, the garage would not be demolished and redevelopment would instead maintain the parking garage and utilize building foundation and street layouts to protect the existing primary steam line in its existing location.

During redevelopment RDH would work to install a condensate return loop back to their main plant. This return loop would make the RDH system more cost efficient instead of using 100 percent makeup water. Generally, within the project site, the replacement secondary steam line and the condensate return loop would be constructed within new public street right-of-ways or established public easements. Reconnection to the Chase Tower steam line within the service truck tunnel may be required near South Clinton Avenue.

RDH indicates they would pursue agreements with the new building tenants to provide heating and hot water needs through steam service. RDH indicates they have capacity to serve the redevelopment.

5.15.1.2 Telephone

5.15.1.2.1 Frontier Communications of Rochester

Prior to building demolition, Frontier would sever the cables servicing Midtown at street manholes and pull out the feeder cables. Work to remove the Midtown cables would take approximately 2 months. Conduits would be abandoned in place. The abandoned Xerox owned cables on the Broad Street Skyway Bridge can be terminated and removed during building demolition.

Were the Level-C floor of the City's Midtown Garage floor to be disturbed, Frontier has indicated a budgetary cost of \$500K+ and approximately 10 months to relocate the major 9-way conduit located beneath Level-C. In addition, were the Level-C garage floor slab to be disturbed, asbestos abatement of the transite conduit would also be required. However, the garage would not be demolished and redevelopment would instead maintain the parking garage and utilize building foundation and street layouts to protect the existing 9-way transite conduit in its existing location. That being the case, the major 9-way transite conduit beneath Level C of garage containing cables and fiber that serves off-site properties would be protected and would remain.

With respect to future demands, Frontier indicates they have sufficient capacity to serve the redevelopment. Cables and fiber line previously utilized by Midtown would be available for the Redevelopment. Generally, within the project site, underground conduits and equipment vaults would be installed within new public street right-of-ways or established public easements to service the new facilities.

5.15.1.2.2 Verizon Business

Verizon would terminate and abandon in place the fiber (96 count single tube) located in conduits leased from Time Warner Cable prior to building demolition. The fiber can be removed with the building demolition. The fiber network located within Midtown is part of Verizon's ring (looped) system serving the east side of the City including service to Chase, Xerox, and the former Sibley Building. Verizon indicates the ring can be temporarily severed, but the removed system segments would need to be replaced in order to provide service redundancy and reestablish the ring configuration.

Replacement conduit and fiber to bypass Midtown would require excavations along various streets. One replacement segment would likely impact Broad Street, Chestnut Street, Court

Street, and South Clinton Avenue, while the second replacement segment would impact Franklin Street and Main Street. Verizon indicates the budgetary cost for the two combined relocations (approximately 1,900 linear feet) would be \$240K+/- and would take 2 months or more dependent on obtaining permits from the City.

5.15.1.3 Electric: Rochester Gas & Electric

RG&E indicates that scheduling of building demolition work is critical. Services have multiple meters (customers); therefore cutting dead one service may affect a number of end users. Most meters within Midtown are privately owned; therefore RG&E does not know the actual end user. The need to maintain electrical service in various areas during building demolition would require protection of electrical equipment and conduits.

Prior to building demolition, several transformers located within Midtown and numerous meters would need to be removed. All circuit conduits and equipment within the garage and service truck tunnel would be removed to a “source” manhole located within the sidewalks of Main Street and South Clinton Avenue at the perimeter of the demolition area. RG&E estimates 3-6 months to complete this work.

With respect to services beyond the site, RG&E indicates that circuit 569 located in Vault 5 on Parking Garage Level-A (serving Bausch & Lomb) could likely be relocated within existing conduits. However, since Redevelopment would maintain the parking garage, RG&E may consider maintaining Vault 5 and the Bausch & Lomb service in its existing location.

RG&E indicates they have sufficient capacity to serve the redevelopment. Power previously utilized by Midtown would be available for the Redevelopment and as a result, no system wide upgrades are necessary. Underground conduits and equipment vaults would be installed within new public street right-of-ways or established public easements to service the new facilities.

5.15.1.4 Natural Gas: Rochester Gas & Electric

RG&E indicates that scheduling of building demolition work is critical. Services have multiple meters (customers); therefore cutting dead one service may affect a number of end users. Most meters within Midtown are privately owned; therefore RG&E does not know the actual end user. RG&E requests a four (4) month lead time in advance of gas service cut deadlines to complete necessary engineering, planning, permitting, scheduling, and completion of work.

No gas mains or other improvements on the site provide service to off-site properties, buildings or customers.

With respect to new development, RG&E has no current plans for natural gas main improvements in the project area; although RG&E is interested to know if new development heating loads would be serviced by steam or natural gas.

RG&E indicates they have sufficient capacity to serve the redevelopment. Gas mains would be installed within new public street right-of-ways or established public easements to service the new facilities.

5.15.1.5 Cable: Time Warner Cable

With respect to services on-site, the TWC co-axial cable within the buildings can be terminated. TWC would abandon the conduits in place and the conduits can be removed with the building demolition. TWC indicates there is no known asbestos in their conduits.

The 48 pair fiber serving Xerox would need to be relocated. TWC indicates a new conduit may be possible from South Clinton Avenue north of Broad Street, running south along South Clinton Avenue to Court Street, then east along Court Street to Chestnut Street and north to reconnect at HSBC Plaza. TWC indicates a budgetary cost to complete this relocation (approximately 1,200 linear feet) would be \$140K +/- 20 percent and would take 3 months or more dependent on obtaining permits from the City.

For the conduits leased to Verizon, TWC would abandon the conduit in place and Verizon would be responsible to remove and relocate their fiber cables. The conduits can be removed with the building demolition, including the conduits located on the skyway bridge across Main Street.

5.15.1.6 Communications: Fibertech Networks

Fibertech would need to relocate their facilities if the leased conduits are abandoned by RG&E.

5.15.2 Public Utilities

5.15.2.1 Domestic & Fire Water Service - Rochester Bureau of Water

The demolition of Midtown would eliminate the associated water demand for the facility. This water demand would then be available for use by the properties constructed in the

redevelopment area. Water usage records for Midtown Properties during high building occupancy were not available for review. Based on the property usages and the theoretical wastewater demands for each property use, the water demand for Midtown Properties was estimated at 220,000 gallons per day (gpd) (please see Tables 5.6 – 5.9). Based on the market feasibility data, the estimated average water demand for Redevelopment would be 274,000 gpd. This represents only a 54,000 gpd (0.054 MGD) increase in local water demand or only two tenths of one percent increase in overall City water demand (0.054 MGD/22.6 MGD).

OPINION OF PROBABLE WATER & WASTEWATER DEMANDS						
Property Use	Wastewater Flowrate (gal/unit *d)	Units	Midtown Plaza Complex		Market Feasibility Redevelopment	
			Quantity	Demand (gal/day)	Quantity *	Demand (gal/day)
Office	0.1	SF	626,300	62,630	725,000	72,500
Restaurant, Ordinary	35	Seat	1,610	56,350	1,710	59,850
Retail	0.1	SF	572,000	57,200	27,300	2,730
Apartments/ Homes						
1 bedroom	150	Ea	0	0	120	18,000
2 bedroom	300	Ea	0	0	180	54,000
Hotel	120	Room	0	0	100	12,000
Sub-total Wastewater Flow GPD				176,180		219,080
Wastewater Flow GPD USE				176,000	USE	219,000
Estimated Water Demand				220,225		273,850
Water Demand GPD USE				220,000	USE	274,000

TABLE 5.9, OPINION OF PROBABLE WATER & WASTEWATER DEMANDS

Table 5.9 above was calculated based on the assumptions below:

1. Wastewater demand is estimated to be 80% of the water usage in urban setting;
2. Wastewater flowrate source: NYSDEC Standards for Waste Treatment Works, Institutional & Commercial Sewerage Facilities, 1980; and,

3. See Tables 5.6, 5.7 and 5.8 for Property Use backup.

Regarding impacts to off-site services, there are believed to be none related to the demolition, relocation and redevelopment of domestic and fire water improvements on the site.

With respect to future needs, the City water system including treatment and storage has significantly more capacity than required to service the Redevelopment. The RWW has indicated no new transmission mains would be necessary. Local domestic and Holly water mains would be installed within new public street right-of-ways or established public easements to service the new facilities. Separate building domestic and fire water services would be provided to each facility.

During building demolition, the RWW indicates that various domestic services to Midtown can be disconnected and severed. Coordination with the RWW would be required to remove water meters. Use of domestic water during construction would also need to be coordinated with the RWW including permits, backflow prevention and temporary meters.

Scheduling and sequencing of building and garage demolition work is critical to the timing and removal of the Holly fire protection system. Bypass meters would need to be removed by the RWW to shut down a Holly main. During demolition and asbestos abatement the need to maintain sprinklers in various portions of the facility for fire protection would be critical.

5.15.2.2 Sanitary and Storm Sewers: Rochester Pure Waters District

The demolition of Midtown would eliminate the associated wastewater demand for the facility. This wastewater capacity would then be available for use by the properties constructed in the redevelopment area. As indicated above, water usage records for Midtown Properties during high building occupancy were not available for review. Based on the property usages and the theoretical wastewater demands for each property use, the wastewater demand for Midtown Properties and the Redevelopment were estimated at 176,000 gpd and 219,000 gpd respectfully (refer to Table 5.9 on previous page). The Redevelopment represents only a 43,000 gpd (0.043 MGD) increase in sanitary flow or an increase of less than four one-hundredths of one percent in the average daily flow to the Van Lare WWTF (0.043 MGD/118 MGD).

During building demolition, all laterals, within the project limits connected to the RPWD main line sewer that would not be reutilized would need to be severed and properly abandoned at ROW

line in accordance with RPWD standards. The RPWD would video tape the main lines to locate laterals.

RPWD indicates there are no known problems and no plans for repairs or replacement of existing public combined sewers along East Main Street, South Clinton Avenue, Euclid Street, Elm Street, Atlas Street or Court Street.

The condition and potential for continued use of the active private sewer along the former Cortland Street right-of-way needs to be determined. The sewer is located under the service truck tunnel and could potentially provide service to Redevelopment building basements. All existing service laterals need to be identified including connections from the service truck tunnel and garage. If the sewer is maintained, rededication of the main to RPWD as a public sewer should be reestablished. Depending on structural condition, repair or replacement of the sewer main may be required.

Regarding impacts to properties off-site, with the exception of some potential reconstruction of storm sewers along the north side of Broad Street, there are believed to be none. The existing “private” sewer beneath the service truck tunnel serves only Midtown properties.

With respect to future demand, as previously indicated the RPWD is a combined storm and sanitary system. The storm water flow from the Redevelopment would decrease to some degree as discussed in Section 5.2.3. The reduced storm water flow would not only offset the negligible sanitary flow increase but also reduce the overall combined flow to the collection and treatment system from the Redevelopment site. As a result no increase in collection system overflows or treatment plant bypass would result from the Redevelopment.

The Van Lare WWTF has significantly more capacity than required to service the sanitary flows from the Redevelopment. In addition, the combined RPWD sewer collection network with the storage/conveyance tunnel system has sufficient capacity to handle the sanitary flows. No improvements to the treatment or sewer conveyance tunnel system would be required.

Separate sanitary and storm sewer collection systems would be installed within new public street right-of-ways or established public easements to service the new facilities. Separate sanitary and storm laterals would be provided to each building. All work would be completed in accordance with Rochester Pure Waters guidelines/approvals and City of Rochester Plumbing

Codes. A more detailed overview of improvements anticipated as a consequence of establishment of an interior street grid is included below in [Section 5.15.3](#).

5.15.2.3 Street Lighting: City of Rochester

During demolition the City owned light poles would be removed for protection. Temporary lighting may be required from the project site for safety. Light poles bases and conduit would need protection from building demolition work at areaways and vaults located under the public sidewalks along Main Street, South Clinton Avenue and Euclid Street.

Street lighting and associated conduits/vaults would be installed within new public street right-of-ways or established public easements to service the redevelopment areas. Public street lighting along Broad Street would also be considered to replace the existing privately owned lighting. All lighting would be designed and installed per City of Rochester standards.

5.15.2.4 Traffic Controls: Monroe County Department of Transportation

MCDOT indicates that if the blind curve within the service truck tunnel is eliminated the signals within the service truck tunnel can be eliminated. MCDOT prefers the blind curve be eliminated. Realignment of existing intersections and the construction of new streets in the project area may require additional, street traffic controls and the modification of street light timing. All work would be completed in accordance with MCDOT standards/approvals.

5.15.2.5 Fiber Optics: Monroe County

All fiber is located outside the building footprint and no services are provided to Midtown Properties. Conduits would need protection during demolition work at areaways, basements and vaults located under the public sidewalk along Main Street.

5.15.3 New Street Grid and Associated Utilities

As described in [Section 2.5.2](#), a number of alternative street and parcel configurations were considered, including one each keyed to the three program alternatives summarized in [Section 2.5.1](#). Each such alternative would require the development of infrastructure including roadways and utilities to support the redevelopment. Ultimately a preferred alternative (also described in [Section 2.5.2](#) and illustrated in Figure 2.10) was identified that would accommodate

either of the two more dense program alternatives. The preferred alternative would include the following:

- Maintain the existing underground parking garage and associated entrance/exit ramps;
- Maintain the access and function of a service truck tunnel with a potential change to tunnel alignment but with entrance/exit ramp location to remain as is;
- Establish north/south and east/west street grid with street amenities;
- Extend Atlas Street to Broad Street;
- Extend Elm Street to South Clinton Street;
- Reestablish portions of Cortland Street; and,
- Reconfigure Euclid Street and extend to Cortland.

The proposed changes to the grid are illustrated and described in more detail in [Section 2.5.2](#) and in Figure 2.10. The impacts to the street grid and associated utility infrastructure were found to be similar for each of the three street grid alternatives first reviewed as well as for the preferred alternative subsequently identified as a means to accommodate a range of program alternatives. As it is the most extensive and includes realignment of existing streets as well as development of new streets, the most significant adverse impacts would occur under the preferred alternative. As a result, only the infrastructure and utility impacts related to that alternative would be discussed as they represent a worst case scenario.

The building demolition would generally be bounded by East Main Street to the north, South Clinton Avenue to the west, Broad Street to the south, and Chestnut, Atlas and Euclid Streets to the east. It is anticipated that portions of East Main, South Clinton, Broad Street and Chestnut Street would be temporarily disrupted to complete new street intersections, complete utility connections, and provide new sidewalks adjacent to the redevelopment area. Vehicle traffic would generally be maintained along these streets with periodic generally short term lane closures as needed to complete the work. It is anticipated that sidewalks directly adjacent to project site would generally be closed throughout construction. Pedestrian traffic can be redirected as needed. It is anticipated that replacement of sidewalks adjacent to the project site along Main, South Clinton and Broad Streets would be required.

It is anticipated that the existing pavement segments of Elm, Atlas & Euclid Streets would be fully reconstructed. Based on an initial assessment of the need for new utilities, street realignments and the fact that Euclid, Atlas & Elm would likely get significantly damaged during the demolition & construction efforts, the need for full pavement reconstruction cannot be precluded. This approach would box out, provide new stone, new asphalt, new sidewalks on both sides, new light poles and new site amenities to provide a uniform appearance (rather than “patched”) consistent with the newly established streets. These streets represent about 710 LF of the total.

Where possible, the existing utilities along these streets would be maintained. The alignment of Euclid Street near East Main Street would be adjusted eastward requiring relocation of hydrants, light poles, sidewalks, etc.

A new street grid including the extension of Atlas, Elm and Euclid Streets would be constructed to provide vehicular and pedestrian circulation within and around the redevelopment area. The conceptual street grid alignment is shown in Figures 2.9 and 2.10.

The general function of an underground service truck tunnel through the project site connecting to the existing service truck tunnel west of South Clinton Avenue would be maintained. The structural capacity of the underground service truck tunnel to remain would need to be verified. It is anticipated that the existing service truck tunnel walls and roof would need shoring and/or strengthening to support the new land uses above. Should it prove to be more economically feasible due to savings in the demolition and reconstruction process, there is some possibility that the service truck tunnel could instead be demolished and then reconstructed on a similar or modified alignment.

Consideration of reconfiguring and realigning the service truck tunnel through the project site would be evaluated based on demolition and redevelopment constraints. If the alignment of the tunnel is straightened, the traffic signal within the tunnel could potentially be eliminated. If the alignment of the service truck tunnel remains effectively unchanged, the tunnel traffic signals would continue to be required for safety around a blind corner.

Single point access (ingress/egress) to the underground service truck tunnel would likely be maintained from Atlas Street but would be evaluated based on the chosen alignment and truck traffic access at street level. Ownership and operation of tunnel gate security at Atlas Street

and security cameras between Atlas Street and South Clinton would need to be determined. Access and potential utility easements, if any would need to be established. It is anticipated that JP Morgan Chase would continue to operate a second security gate west of South Clinton near the Chase property line. It is also anticipated that Chase would continue to operate security cameras west of the South Clinton gate.

Multiple access points to the parking garage would be maintained at all existing ramps along Court Street, South Clinton Avenue, Broad Street and Elm Street. The structural capacity of the underground garage to remain would need to be verified. Preliminary analysis indicates the garage is structurally sound. Some shoring and/or strengthening to support the new roadway use above may be required in various areas.

The new street grid would be comprised of the following:

- 36-foot wide street pavements (curb to curb) including two 10-foot travel lanes and two 8-foot wide parking lane (one each side);
- Stone curbs;
- Concrete sidewalks each side (12-foot in width);
- 60 foot right-of-way width; and,
- Streetscape including light poles, trees, planters, benches etc.

An alternative to extend the width of the travel lanes to 11 feet and narrow the sidewalks to 11 feet wide instead may be considered. This alternative is not expected to affect costs significantly when compared to the geometry describe immediately above.

New utility (public and private) infrastructure would be constructed within the street rights-of-way to service the redevelopment. Where available and practical, existing service laterals/connections to utility systems located along East Main, South Clinton and Euclid Streets would be utilized to minimize the need for new mains.

Separate storm and sanitary sewers would be provided within the new streets. Storm and sanitary sewers over the garage and service truck tunnel would need to be hung from the ceiling in these facilities. Reuse of the existing “private” combined sewer main located under the service truck tunnel in the former Cortland Street rights-of-way would be evaluated to service

the garage, tunnel and various new buildings. It is anticipated that the existing combined sewer along Euclid Street would be enlarged and replaced.

New Holly (fire service) water mains would be constructed throughout the redevelopment area to service buildings and hydrants. Holly mains over the garage and service truck tunnel may need to be hung from the ceiling in these facilities. New domestic water mains would likely be limited to areas outside the garage and service truck tunnel limits. If the tunnel is realigned, domestic water mains may also need to be hung in the tunnel. Existing service connections would be utilized where possible.

Private utilities such as telephone, electric, natural gas, communication, cable network, steam, condensate return loop etc. would also need to be constructed by the various private utility agencies within the street rights-of-way. In areas over the garage and service truck tunnel, where surface cover is limited, private utilities may need to be encased in concrete to provide sufficient protection. In general, new private utilities are not anticipated to be located within the garage and service truck tunnel. Where private or public utilities are located in the garage and/service truck tunnel access easements should be considered.

Based on preferred street grid, the conceptual opinion of probable project cost to construct approximately 3,500 linear feet of roadway and associated utility improvements is \$18.5 M based on construction in the year 2011. Of this total, approximately \$9.5 M represents the costs of water mains, sanitary sewer, storm sewer, lighting and traffic control systems only (utilities).

Table 5.10 below shows the breakdown for the Preferred less extensive street grid.

Assumptions for Table 5.10 are as follows:

- Road section includes two 10-foot travel lanes and two 8-foot wide parking areas (one on each side) with granite curbs;
- The 60-foot ROW has a 12-foot wide sidewalk on each side;
- No costs included to strengthen and support garage and/or service truck tunnel roof for new roadway use above;
- Costs for private utilities (e.g., telephone, electric, natural gas, steam, cable, data communication) carried by respective private utility agency; and,
- No costs included for demolition and subgrade preparation of roadways and utilities.

OPINION OF PROBABLE CONCEPTUAL CITY PROJECT COSTS
Midtown Redevelopment Area
Preferred Less Extensive Street Grid - Based on 3,500 LF of 36' wide Roadway

Item Description	Quantity Basis	Item Cost
Water Mains within ROW limits (Domestic and Holly Fire Service)	3,600 +/- LF new 20 connections	\$ 1,200,000
Sanitary Sewer within ROW limits	1,300 +/- LF new 500 +/- LF rehab 21 connections	\$ 1,100,000
Storm Sewer within ROW limits	3,200 +/- LF new 55 catch basins 12 connections	\$ 1,900,000
Road & Sidewalk Pavements (asphalt road with granite curb, conc SW)	3,500 +/- LF road 93,000 +/- SF SW	\$ 3,400,000
Lighting Systems	120+/- lightpoles	\$ 1,300,000
Landscape & Furnishings	80+/- trees 20 +/- benches 20+/- trash receptacles 50 +/- planters	\$ 600,000
Traffic Light Control Systems	7+/- each	\$ 800,000
CONSTRUCTION COST SUBTOTAL		\$ 10,300,000
Construction Contingencies	20%	\$ 2,100,000
Legal & Administrative	5%	\$ 500,000
Design Engineering & Construction Inspection	25%	\$ 2,600,000
PROJECT COST 2008 Dollars		\$ 15,500,000
PROJECT COST 2011 Dollars (6% per year increase)		\$ 18,500,000

TABLE 5.10, OPINION OF PROBABLE CONCEPTUAL CITY COSTS

5.16 Energy

Renovation or demolition of components of the Midtown Complex could impact service or transmission of several of the utilities described in Section 4.15. The Euclid Building is

dependent on steam from the Midtown Plaza heating plant, therefore continued operation of this branch of the steam loop is necessary as long as the Euclid Building is in operation. As described, the RDH provides steam to several other adjacent buildings and runs thru the Midtown site at the north and south ends. As noted in other sections, the RDH System is tied to the Midtown steam loop to provide backup capacity. The cross connection could be shutdown temporarily to sever the Midtown loop, but RDHS line must be re-established to maintain service to other buildings which depend upon it. Demolition of Midtown buildings, and any future development, must include plans to maintain continuity of the RDHS system through the site.

Since the primary fuel for the heating boilers is natural gas, these service lines must be maintained as long as heat is required to prevent freezing within any of the buildings. As long as this primary fuel source is maintained, it should be possible to remove the fuel oil backup system with minimal impact.

The primary utility electric circuits serving the adjacent Xerox Square and Bausch & Lomb buildings on adjacent sites appear to run through a vault in the Midtown Complex. These lines would need to be rerouted, pending demolition or redevelopment of the site. Per the 2008 LaBella Utility Report (Appendix E), RG&E is aware of this issue and has already formulated preliminary plans to reroute these circuits to support their customers.

It is not anticipated that removal of the Midtown Complex load from any of the energy provider networks would result in any negative impacts such as reliability issues, network instability, or require significant modification of networks (other than as may be noted above). Excess or reserve capacity would result in the local area, however due to removal of the current energy utility load, this excess capacity would be available for proposed or future development on this site or nearby sites. Any potential impact on supply of energy would be mitigated by careful design of new or renovated space in order to minimize addition of new demand and avoid shortages or service related issues. Designs should be reviewed in consultation with energy utility providers.

As noted in Section 4.11, virtually all of the complex construction and materials date back from the 1960's or earlier and are outdated and very energy inefficient by modern standards. As items such as doors, windows, and curtain wall panels are typically in poor condition, their efficiency is even lower than when they were originally installed. Any new construction or

renovation would use modern materials that are expected to provide significant increases in energy efficiency and conservation. Examples would include more energy efficient mechanical units, insulation, windows, and lighting.

The most basic benchmark of building energy use intensity is kBtu/sf/yr. National EUI data comes from the Commercial Building Energy Consumption Survey (CBECS), a national survey of building energy characteristics completed every four years by the federal Energy Information Administration.

A building's EUI can vary depending on how energy intensive the use, for example, manufacturing plants have significantly higher EUI's than offices, which are higher than residential construction, and so on. Data from Table C1A of the 2003 Commercial Buildings Energy Consumption Survey¹⁵ shows that buildings of 1960's vintage buildings accounted for 8,641 million square feet of commercial space and 791 trillion Btu's of total energy consumption for a calculated 91.5 kBtu/square foot. Buildings constructed 2000 to 2003 had a calculated 81.6 kBtu/sf, thus showing them to be more energy efficient on a square foot basis (an 11 percent improvement). It can be inferred that this trend would continue, and that any new development on the site would be even more efficient than the existing buildings. It should be noted that these figures include averaged data for all types of commercial buildings and heating fuel types.

To more specifically discuss gas and electric usage for office and retail buildings, rough anticipated usages can be estimated as they were in Section 4.16. Mechanical engineers with LaBella Associates estimate that modern office building construction would use approximately 20 btu/square foot per hour for peak heating. Electrical load for lighting, and cooling would be approximately 4.5 watts/square foot on average for combined retail and office space. Thus, any new construction could result in a 33 percent decrease in natural gas consumption per square foot and a 20 percent decrease in electric consumption over the values estimated for the existing construction presented in Section 4.16.

Additionally, there are new incentives and standards toward "green construction" or environmentally and energy efficient construction which reduces impact on the environment.

¹⁵ U.S. Department of Energy, Commercial Building Energy Consumption Survey.

The prominent organization orchestrating this movement is the U.S. Green Building Council, which offers professional accreditation and project certification through its LEED® program. The Leadership in Energy and Environmental Design (LEED) Green Building Rating System™ encourages and accelerates global adoption of sustainable green building and development practices through the creation and implementation of universally understood and accepted tools and performance criteria. Implementation of any “green” building technology, and certification under the LEED program to any level, would further reduce the environmental impact and increase the energy efficiency of the buildings or future development beyond those of even typical modern construction. Per *Energy Performance of LEED® for New Construction Buildings*¹⁶, LEED certified building energy use is 25-30 percent better (lower) than the national average.

Per the USGBC¹⁷, the built environment has a profound impact on our natural environment, economy, health, and productivity. In the United States alone, buildings account for:

- 70 percent of electricity consumption;
- 39 percent of energy use;
- 39 percent of all carbon dioxide (CO₂) emissions;
- 40 percent of raw materials use;
- 30 percent of waste output (136 million tons annually); and,
- 12 percent of potable water consumption.

Benefits of “green” construction include:

- Enhanced and protected ecosystems and biodiversity;
- Improved air and water quality;
- Reduction of solid wastes;
- Conservation of natural resources;
- Reduced operating costs;

¹⁶ New Buildings Institute, 2008

¹⁷ <http://www.usgbc.org>

- Enhanced asset value and profits;
- Improved employee productivity and satisfaction;
- Optimized life-cycle economic performance;
- Improved air, thermal, and acoustic environments;
- Enhanced occupant comfort and health; and,
- Minimized strain on local infrastructure.

Furthermore, in an even more expanded view, recycling of construction materials can reduce the net energy impact of the project, and may be covered under any LEED initiative. Energy is embodied in all construction materials; the existing buildings and the materials proposed for any new construction. When materials are destroyed or sent to the landfill, the value of the energy used to produce and install them is lost as well. By recycling materials, some of that energy can be salvaged with the input of an incremental amount of additional energy. In some cases, the net being less than that required to manufacture the original product, from raw material to finished product.

During any demolition or renovation, some of the existing building materials can be salvaged and recycled. The salvage value of materials can frequently result in economic benefits by offsetting construction costs as well as reducing the energy impact of a project. Steel is the most commonly recycled material today. Any steel framing members, panels, reinforcing bars, and railings can be easily salvaged and recycled. Other commonly recycled construction materials include glass, copper, aluminum. Additionally, concrete, asphalt, and masonry products can be crushed and recycled for use as aggregate for backfill or re-processed.

Depending on factors including the volumes needed, timing and space availability, recycling may even be performed and resulting material reused on the same site. Onsite recycling would have the added benefit of reducing trucking emissions, fuel usage, and construction traffic to and from the site for disposal or hauling to offsite recycling or disposal locations. In previous studies conducted by LeChase, they noted that recycling of concrete, brick, and masonry materials could save up to \$25 per ton over having to dispose of the items.

While retention of the existing buildings to any extent would conserve the embodied energy involved in manufacturing of the original building materials, their erection, and the energy

associated with demolition, it must be considered that over the future lifetime of the structures the energy losses and maintenance from deteriorated, inefficient materials may be significantly greater than any savings by their retention.

The impact of new development or renovation of existing space on the site energy would be reduced or mitigated by several methods. First, new mechanical systems would be installed or existing units updated. This would result in significant improvements in efficiency usage of fuels. Secondly, new construction materials would be used that would better insulate and control the conditions of the interior resulting in reduced demand on the mechanical systems and thereby reducing energy demand. Pursuit of LEED certification, or implementation of LEED green building practices in general, in the design of new and renovated spaces can mitigate the operating and construction energy needs even further. Recycling of materials, especially any that can be re-used onsite, would further reduce the project energy impact on a more global scale and result in economic benefits, and possibly even construction traffic reduction benefits.

5.17 Building Shadows

A very limited increase in the presence of shadows has been indicated on the shadow study (see Appendix I) due to the projected development on the Midtown site. The time where most new shadows are created seems to be indicated during the 9:00 hour on December 21, the Winter Solstice. While adverse, the impact is not expected to be significant. A more detailed review follows.

5.17.1 Spring and Autumn Equinox

The Spring and Fall Equinox indicates new shadows at 9:00 AM. The areas include a small portion of the west side of Clinton Avenue between Chase tower and Chase plaza. This new shadow would be cast by the new structure on Block One where a maximum twelve-floor building is projected. A very small segment of Main Street is projected to be in a new shadow. This is in the area of an existing bus stop just west of Clinton Avenue. The only other new shadow is projected to be on the south face of the Sibley, Lindsay, and Curr Building. Only about one-third of the façade would be affected by the new shadow that would be cast by an approximately 15-floor structure on Block Two.

New shadows from Block Two are indicated at 12:00 noon in the area of the Liberty Pole. The increase in shadow is minimal, as two significant corners of the Liberty Pole area would still receive direct sunlight. The area just south of Elm Street, adjacent to Chestnut Street would likely be impacted by a shadow cast by a building of no more than 15 floors on Block Six. This area impacted by the new shadow includes an office building, and no residential uses are impacted.

East Main Street would be covered in a new shadow just east of the intersection of Franklin Court and East Avenue at the 3:00 hour. This shadow is projected from Block Two. Also, the office building south of Elm Street and west of Chestnut Street would potentially be covered by a new shadow cast by Block Six. No new shadows are indicated on residential or public open space uses.

New shadows are barely evident by 6:00 PM, and are cast on office buildings just east of the Midtown site. No adverse effects are evident.

5.17.2 Summer Solstice

The summer solstice indicates little to no impact from shadows being projected on open space, residential uses, or otherwise. At 9:00 AM, only a small segment of sidewalk is indicated to be covered by a new shadow. This area is on the east side of Chase tower, and would be a result of the proposed building on Block One. The only other new shadow is indicated to be on East Main Street and the sidewalks in front of the Sibley, Lindsay, and Curr Building.

The 12:00 noon hour indicates only two new slivers of shadow; one that is cast on East Main Street in front of Block Two and the other cast on Elm Street as a result of the proposed new structure on Block Six.

Blocks Five and Six are the only areas of the new Midtown development that would project new shadows by 3:00 PM. The shadows appear to be insignificant to public open space, residential units, or even general commercial space.

By 6:00 PM, the proposed development on Block Four would project a shadow in a southeasterly direction over the block bounded by Atlas, Elm, Euclid, and Chestnut Streets. The back of these buildings would be impacted, so the effects of this shadow would be minimal.

Another shadow would be projected from the proposed development on Block Two, which would be cast on a small portion of an adjacent commercial/office building.

5.17.2 Winter Solstice

The proposed development on Blocks One and Two would project some shadow at 9:00 AM. The buildings on the north side of East Main Street, which contain mixed commercial uses, would be impacted by the new shadows.

Only small fragments of new shadow would impact various streetscape amenities as indicated at the 12:00 noon hour. However, new shadows projected from Block Six would impact general offices to the north that front on Chestnut Street.

The 3:00 PM hour appears to indicate new shadows projected from Block Four, but said shadows would not impact residential uses, or public open spaces.

By 6:00 PM in December, the City of Rochester is within a period of time where the sun has set for the day, so no new shadows are anticipated.

5.18 Noise/Odor and Dust

5.18.1 Noise

No significant adverse impacts related to noise are anticipated. Sound, or perceived noise, from the project would consist of two types; construction, and operational. Temporary noise impacts related to construction noise are reviewed in Section 5.26.8.1.

In an urban environment, it is unlikely that operational sound from a commercial or office building(s) of similar use to those surrounding the site would significantly impact the area. Any new sounds or noise introduced by new operations on the Midtown site are likely to be similar to those of the existing complex, and thus would not change or significantly increase the ambient sound in the area. The most likely impact would come from demolition and construction (Refer to Section 5.26).

Operating noise from the project may emanate from roof-mounted or other exterior mechanical equipment, delivery and garbage pick-up vehicles (vehicle noise as well as operational noise like backup alarms), and noise from daily vehicle traffic generated by the project. These sounds are common in an urban environment, and therefore people tend to have a reduced sensitivity

to them. As noted in [Section 4.18.1](#), most operation noise (with the exception of perhaps increased traffic) would not have a significant impact beyond a city block or two. Although typically longer in duration than construction noise, extending throughout the life of the building, operational noises tend to be lower in intensity which reduces the potential impact. Operation noise can be mitigated with measures similar to those for construction:

- Use of alternative materials or construction methods to attenuate sound (for example, mounting equipment on dampeners);
- Equipment maintenance (for example, keeping equipment lubricated to prevent squeaking or shrill noises);
- Use of alternative equipment (quieter equipment);
- Erection and maintenance of physical barriers (install sounder equipment within sound dampening rooms or screened areas);
- Consideration the locations of equipment, vehicle entry points, and service entrances to reduce noise impacts; and,
- Establishing specific hours for operation of some equipment or deliveries.

5.18.2 Odor

No significant adverse impacts related to odor are expected. Potential impacts related to odor associated with the construction process are reviewed in [Section 5.26](#).

Commercial office, retail, and residential buildings like those permitted and being considered for the site are typically not generators of significant odors. Odor impact from proposed site development may include those from increased vehicle traffic emissions, stormwater and sanitary sewer grates and manholes from increased volume of odor causing material, any food venue or restaurant venting, building venting, and onsite garbage storage and processing. All such odors tend to dissipate relatively quickly and likely would not extend beyond one to two city blocks unless the source was a significant generator of odor. Like noise, receptors immediately adjacent to the site may be impacted by odors during demolition, construction, and operation of proposed buildings. Also similar to noise, these impacts are minimized in the adjacent buildings in that occupants do not generally keep doors and windows open. The most significant impact may be on sidewalks, pedestrian ways, and open park areas nearby.

Operation odors can be minimized by the following measures:

- Maintaining equipment to minimize emissions;
- Providing adequate ventilation;
- Covering, and periodically cleaning, all dumpsters and the surrounding areas;
- Preventing blockages in storm and sewer lines;
- Scheduling sewer line interconnection work to minimize the time the line would be open;
- Scheduling regular emptying and cleaning of restrooms; and,
- As a minimum, adhering to code required spacing of building mechanical vents and intakes to mitigate the potential contamination of building intake air from nearby vents.

5.18.3 Dust

As discussed in Section 4.18, dust and dirt is likely to be generated by vehicle and venting emissions (soot) and loose garbage or debris. In extreme circumstances, this dust and debris can be a nuisance to occupants of buildings and pedestrians by:

- Soiling windows, doors, and buildings;
- Causing respiratory distress for sensitive individuals;
- Possibly spreading hazardous materials; and,
- Causing a negative visual, aesthetic impact.

Dust and debris impacts produced by operation should be mitigated by;

- Keeping dumpsters covered;
- Following recommended or regulated procedures for identifying and abating hazardous materials;
- Instituting regular cleaning of buildings (interior and exterior), and regularly cleaning the site of debris and litter; and,
- Providing adequate ventilation with appropriate filtration systems.

Given the forgoing mitigative measures, significant adverse impacts related to operational dust are anticipated. The potential for temporary dust-related impacts during construction are discussed in more detail in Section 5.26.

5.19 Public Health and Safety

The only identified potential impacts to public health and safety are those temporary impacts related to the demolition and construction process. These are reviewed in Section 5.26.9. Also refer to Section 5.20 below for impacts and plans to respond to public safety incidents.

5.20 Community Facilities and Services

5.20.1 Potential Impact on Rochester Police Services

The redevelopment of the subject site can be expected to have no, or nearly no, impact on the Rochester Police Services. Although the redevelopment would result in the construction of an additional 237 to 294 residential dwellings, the residential dwellings are envisioned to be high-end dwellings. Such dwellings would be marketed to a demographic subset of the population that typically does not contribute to the crime rate. The development of a hotel on the subject site can also be expected to not increase the need for police service as hotels typically are not centers of criminal activity. The construction of office buildings under the medium-density and high-density scenarios and the addition of 600 to 1,200 professional and white-collar office workers also can be anticipated to not result in an increase in crimes. This demographic typically do not pursue criminal activities.

The retail space in all three redevelopment scenarios would essentially replace only a portion of the existing retail space, much of which is currently vacant. The new retail development may result in some small increase in the need for police service, such as for responding to incidents for shoplifting. This increase may be off set in part or in whole by the elimination of Midtown Plaza and the attending problems associated with teenagers and the homeless loitering in the Plaza. It is important to note that several of the existing structures on the subject site were formerly used for retail purposes and could have again been occupied by retail operations prior to the City acquiring the properties. The amount of retail space that would result from the redevelopment of the subject site would be much less than that amount of existing retail space that was available at the time the City acquired the properties.

A very small increase in police services can be anticipated due to the additional vehicular traffic in downtown Rochester. The increased volume of traffic attending to the redevelopment scenarios can be expected to result in a few more vehicular accidents or traffic violations, but not in sufficient quantity or frequency to impact the Police Department and police services.

5.20.2 Potential Impact on Rochester Fire Department

The buildings currently occupying the subject property contain aggregate gross floor space of 1,477,056 square feet and the buildings nearly cover the entire site. The following table (Table 5.11) provides a breakdown of the gross square footage for each building.

<u>Property</u>	<u>Floor Area (SF)</u>
McCurdy Building	480,256
Seneca Building	276,800
B. Forman Building	176,000
Midtown Tower	207,000
Midtown Plaza	276,000
Euclid Building	61,000
TOTAL	1,477,056

TABLE 5.11, GROSS SQUARE FOOTAGE FOR EACH BUILDING

The buildings adjoin each other, creating a very large, essentially solid block. Exterior access to the buildings is limited to the perimeter formed by the streets that surround the subject site. This design prevents access between buildings and would impede firefighting and rescue operations in the event of a working fire or other type of natural or manmade calamity.

Not all of the buildings are sprinklered or contain sprinklers and fire alarms that meet current NYS Building Code requirements. The Seneca Building is entirely *unsprinklered*, the Midtown Tower is 85 percent *unsprinklered*. And the Euclid Building 50 percent *unsprinklered*. The Midtown Plaza and B. Forman and McCurdy Buildings are entirely sprinklered. None of the sprinkler systems meets current Building Code standards. Although all of the buildings contain fire and smoke detectors and alarms, the fire/smoke detector and alarm in the Seneca Building is the only one that satisfies current NYS Building Code requirements. The lack of sprinkler

systems and the presence of substandard fire alarms render the buildings more susceptible to fire damage and less safe than the new structures that would be constructed if the subject site is redeveloped. The inadequacy of the fire/smoke detectors could result in the delayed detection of fires, thereby providing additional time for the fire to spread and engulf larger portions of the building or buildings. The lack of sprinklers would also enable a fire to spread much more rapidly than would be the case if all of the buildings were sprinklered.

The low-density redevelopment of the subject site would result in an aggregate gross floor area of 427,850 sf. If medium-density development were to occur, the resulting gross floor area would be 1,055,050 sf, and if high-density development were to occur, the resulting structures would have a gross floor area of 1,225,100. All three redevelopment scenarios would result in less gross floor area than in the existing structures. Thus, the redevelopment of the property would actually reduce the fire loading on the subject site even if the subject site were developed at its highest density. The reduced fire loading would enable fire companies to more quickly extinguish fires and better protect adjoining property and the lives of occupants.

The buildings constructed under the redevelopment scenarios would be constructed in compliance with the current (and more stringent) NYS Building Code requirements for sprinkler systems and fire and smoke detectors and alarms. Thus fires would be more quickly detected and more quickly extinguished in the new buildings than is possible in the existing structures. The quicker detection would also enable occupants to exit the buildings sooner and reduce the possibility of occupants becoming trapped by a fire in the buildings.

All of the proposed redevelopment scenarios also call for the new buildings to be separated by newly formed streets and pedestrian alleys. Furthermore, the subject site would be redeveloped with open/green spaces where none now exists. The new streets and pedestrian alleys would provide firefighters and fire apparatus with much greater access to the exterior walls of the new structures. Greater access to the exterior walls would enable fire companies to much more quickly extinguish fires and save lives and adjoining properties than is currently possible.

The type of land uses proposed in the three redevelopment scenarios would not differ from the existing land uses in terms of the level of fire protection, fire apparatus or fire equipment needed to protect the structures or the occupants. The 237 residential units that would result from low-density development and the 294 residential units that would result from high-density

development would result in approximately 559 to 693 more people residing in downtown Rochester. Under all redevelopment scenarios, the hotel would contain 100 rooms. Based on double occupancy and no vacancies, the maximum number of guest staying at the hotel would be 200. The actual number of hotel guests, however, can be anticipated to be somewhat lower due to single occupancy of some of the rooms and vacancies. Overall, the maximum number of overnight occupants in the propose redevelopment would likely range from 799 persons under the low-density scenario to 893 under the high-density scenario, excluding a skeleton hotel crew and any overnight custodial workers who may be in the office buildings or retail businesses.

Based on the proposed types of land uses and the occupancies, it is unlikely that redevelopment of the site, even under the high-density scenario would diminish or adversely impact the level of fire service the City Fire Department provides. It is highly likely that the redevelopment would provide the Fire Department with much better access and would result in all buildings being fully sprinklered and built to higher safety standards. This would actually improve the safety of occupants and would enable the City Fire Department to more quickly and efficiently extinguish fires on the subject site and rescue occupants if necessary.

5.20.3 Potential Impact on Ambulance Service

Additional calls for ambulance service can be anticipated to occur as a result of the redevelopment, regardless of which redevelopment scenarios occurs on the subject site. This is due to the high vacancy rate of the existing structures. Under the low-density redevelopment scenario, the residential structures would house approximately 559 residents based on average household size in the City of 2.36 persons (2000 Census). The hotel at maximum occupancy would have approximately 200 guests in its 100 rooms. Add to these figures the hotel staff and retail workers and the number of occupants under the low-density scenario would likely be within the range of 900 to 1,200 people. Under the medium-density scenario, 600 office workers would be added and an additional 66 residents which would bring the possible range of occupants to 1,566 to 1,866. Finally, under the high-density scenario, an additional 600 office workers and 68 residents would be added bringing the range to 2,234 to 2,534.

Not all potential occupants would occupy the building on the site at any give time. Maximum occupancy of the office space would occur during weekdays while the maximum occupancy of the residences would be in the evenings, overnight and on weekends. At any given time, the number of actual occupants would be less than the maximum possible occupants. Thus the

demand for ambulance service originating on the subject site can be expected to be somewhat spread out during the course of any given day.

Such relatively modest numbers of occupants, even under the high-density redevelopment scenario are not likely to generate sufficient numbers of ambulance calls that could not easily be handled by existing Rural Metro Ambulance Service resources. In addition, an offsetting consideration is the projected continued decline in the City's population. The Genesee Finger Lakes Regional Planning Council projects a decrease of 3,217 in the City's population between 2000 and 2010 as well as a decrease of an additional 2,762 between 2010 and 2020.

5.20.4 Potential Impact on Rochester Public Schools

The subject site was originally developed for commercial uses exclusively and, therefore, contains no residential dwelling units. The number of school age children who may reside in the residential units constructed as part of the redevelopment of the project site has been estimated by EDAW/AECOM.

Under the medium-density development alternative, the number of school age children is estimated at 48 and most of these students (42) are estimated to be of elementary school age. The number of school children under the low-density development and high-density development alternatives would differ only marginally from the number under the medium density alternative, as the number of dwellings do not vary significantly across the three alternatives.

It should be noted that one of the reasons that so few school age children would reside in the dwellings on the subject site is due to the significant number of studio, one-bedroom and two-bedroom dwellings the residential structures would contain. The physical sizes of the dwellings limit the sizes of the families who can comfortably reside in them.

Enrollment in the Rochester City School District has been declining steadily since the 1999-2000 school year when 36,784 students were enrolled. By the 2006-2007 academic year, enrollment had dropped to 33,055, representing a decrease of 4,198 students or an 11.4 percent. The declining enrollment in the Rochester City School District has left the Rochester City School District with excess capacity. Rochester City School District officials indicate that the School District has excess capacity to handle between 2,500 and 2,900 additional students at the present time without the need to make capital expenditures. Accordingly, the 47 or so

estimated additional students that would result from the redevelopment of the subject property would have virtually no impact on the Rochester City School District.

5.20.5 Potential Impact on Refuse and Recycling Services

The redevelopment of the project site would result in the generation of more refuse and recyclables that currently generated at the subject site due to the large vacancy rate of existing buildings. If the existing buildings were fully occupied and used for their intended purposes, the amount of waste that would be generated would be substantially higher. Although all three redevelopment scenarios would generate more waste than is currently generated, the overall volume would not be overly burdensome nor create disposal and/or recycling problems even under the high-density scenario. The combined capacity of the City's Department of Environmental Services fleet and the fleet of the three private refuse collectors is sufficient to easily handle all the waste generated on the site, even if the high-density development occurs.

Plenty of refuse disposal space remains in the two landfills as well. Phases 1 and 2 of the Mill Seat Landfill, currently in operation, are projected to have disposal capacity until 2011. Phases 3 and 4 are projected to extend the life of the landfill to 2018 when constructed. The High Acres Landfill when fully constructed has a projected life to 2050.

5.21 Community/Neighborhood Character and Growth

The objective of the Midtown Redevelopment Project is to improve the current character of the Main and Clinton neighborhood and to promote growth. Vacant and underutilized buildings at the Midtown Complex that have a blighting impact not only on the Main and Clinton neighborhood, but the entire Downtown Rochester district, would be demolished.

Midtown opened in 1962 as the nation's first indoor downtown shopping and office complex, and flourished up until the mid-to-late 1970s. By the late 1980s, Midtown 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 the 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 and office tenants continued to leave.

The current vacancy rate for the complex exceeds 85 percent. Over the past forty-five years, there has been nominal capital investment in the property and updating of the building systems.

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 almost all of the building systems (heating, air condition, electrical, elevators, etc.) are the original system installed over forty-five 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.

Over the past twenty years, the City of Rochester and Midtown’s owners have unsuccessfully tried to revitalize the aging complex. Therefore, the only economically feasible alternative to revitalize the core area of Rochester’s downtown may be to demolish the 1.4 million-square-foot complex. The Midtown properties are with the New York State Empire Zone, Federal Renewal Communities Zone, and are a designated Urban Renewal District.

In the place of the demolished buildings, a new neighborhood of four to six mixed use buildings would be constructed and complemented by new open spaces. The buildings would be occupied with new employees, residents, tourists and shoppers.

5.21.1 Impacts on the Socioeconomic Characteristics of the Midtown Plaza Neighborhood

The Midtown Redevelopment Project would enhance the socioeconomic characteristics of the Main and Clinton neighborhood as well as the adjacent Washington Square and East End neighborhoods. The current Midtown Plaza area has been losing jobs and businesses over the last 15 years, and have never had a residential component. The proposed Midtown Redevelopment project would add up to 1,200 new jobs to the area, include up to 294 residential units, and also include retail and hotel facilities.

The new jobs would be in the high tech sector and would complement the existing financial and technical employment within the Main and Clinton and Washington Square districts. Residential units would enhance the 24-hour objectives of the City and also provide an appropriate transition between the East End mixed use neighborhood and the offices along Clinton Avenue and Broad Street.

The addition of new jobs and residents in the neighborhood would also increase the viability of existing and new retail in the area. Restaurants would be especially viable with the addition of

1,200 office workers according to a Market Feasibility Analysis prepared by Cushman & Wakefield (see Appendix C).

5.21.2 Impacts on Architectural, Historic and Urban Design Characteristics

See Section 5.6 for a detailed review of impacts to historic resources. In general, the Midtown Redevelopment Project would provide an opportunity to enhance the design characteristics of the neighborhood using the following strategies:

- The superblock would be broken down into five to six smaller blocks that would improve circulation within the neighborhood and re-introduce a modified historic street grid that was eliminated when the Midtown Plaza was developed;
- The new buildings proposed for the project would provide a compatible transition between the towers of the Clinton and Broad Street areas and the low to mid rise buildings in the East End neighborhood by gradually reducing the height and massing as one moves from west to east; and,
- Provision of open space.

The project also provides an opportunity to replace the facades on Main Street with more appropriate facades that are compatible with the National Register eligible historic building north of the project area.

5.21.3 Compliance with Neighborhood Character and Growth as Defined in the Center City Master Plan and Center City Zoning

The Midtown Redevelopment Plan is compliant with the Center City's Master Plan's recommendation to redevelop the Midtown area and include residential and ground floor retail. The new plan proposes up to 294 new residential units and up to 67,600 square feet of retail space at the ground floor level.

5.21.4 Impacts on Neighborhood Density of Development

There would be no adverse impacts on neighborhood density because the Midtown Redevelopment Proposal would be lower than the existing density of the Midtown Plaza. The three density scenarios proposed range between a 1.11 floor to area ratio (FAR) and a 3.17 FAR. The current FAR is 3.77. Also, the proposal provides a density transition between the

office towers on Clinton and Broad Streets and the low to mid rise building in the East End neighborhood.

5.21.5 Compliance with Urban Renewal Plan

The Midtown Redevelopment Project carries out the objectives of the Urban Renewal Plan to demolish “non-contributing structures in the project area that are not economically feasible to renovate.” Currently, the Midtown Plaza site is largely vacant and not contributing to economy of the Main and Clinton or the rest of the Downtown area. The McCurdy, B. Forman and Seneca Buildings, as well as Midtown Tower and the Midtown Plaza are completely vacant. The Euclid Building is partially occupied at the present time. A small building on the Midtown site at the corner of Broad and Chestnut Street is currently occupied by Trailways Bus Company. The Trailways Bus Company and the businesses in the Euclid Building would all be relocated by end of calendar 2008.

The Midtown Complex is also not feasible to renovate. According to the Urban Renewal Plan, the cost to renovate the property “as is... has been estimated at \$141 million.”

In addition to eliminating the blighting influences of the existing deteriorated buildings, the project would breakdown the superblock formed by the development of Midtown Plaza to establish a functional street grid and promote street level retail development. The character of the traditional street grid which predated Midtown Plaza was illustrated in the historic photographs included above in Section 4.21.5.

5.22 Economic/Fiscal

EDAW’s review of the fiscal impact on the City of Rochester and Monroe County that would result from redevelopment of the Midtown site included projected increases in municipal sales and property tax revenue (at an assumed assessed valuation of \$170 million) resulting from the redevelopment, potential increases in municipal operating costs attributable to the project and capital costs for infrastructure improvements specifically needed for the project were also included. The results reported below are focused on two scenarios (high and medium density) based on the two mixed-use program alternatives that are described in more detail in Section 2.5.1 and Table 2.1 and that served as the basis for this action (the preferred redevelopment plan) or alternative.

General Fiscal Impacts. Table 5.12 below displays the projected financial long-term benefit the proposed redevelopment project would have on the City of Rochester and Monroe County. Table 5.13 displays the short term financial benefit anticipated during the first seven years. The narrative sections following the two tables review the basis for the estimates in more detail. In general, with respect to timing, the fiscal benefits during the short-term will be much more modest than those beginning in year eleven due the Empire Zone Section 485-e property tax exemptions which apply fully during the first seven years and then reduce progressively until they abate entirely in year eleven. This exemption operates to postpone the City's benefit from additional property taxes for nearly a decade. There is no such distinction with sales tax revenues which contribute equally in both the short and long term.

With respect to capital costs (and as described more completely in the narratives following the tables), the figures shown assume full support by the City of approximately \$27 million in capital costs including \$9 million for development of open spaces at Midtown and approximately \$18 million for streets, utilities and related improvements. Should these costs prove to be lower, or should alternate funding sources be identified (e.g., federal funding for transportation improvements), the burden for debt service would decrease and the net benefit to the City would increase accordingly. It is not anticipated that the County would incur capital costs and so no corresponding reductions have been included.

With respect to increased operational costs to the City, a best case and a worst case scenario are presented. In the best case scenario, no reduction for increased operational costs to provide services has been made based on the assumption that there is sufficient residual capacity within the City service systems to provide services more extensively (i.e., to the redeveloped properties) without incurring additional costs. In the worst case scenario a full reduction has been included to reflect the maximum anticipated increase in operational costs that would be projected by utilization of a traditional *service population* methodology. The service population methodology is suspected to result in a dramatic over-estimate of increased operational costs in this instance. The basis for this suspicion and for the assumption that no increase in City operational costs would be experienced is described in more detail in the narratives following the tables. Operational costs have not been deducted from the projected County revenue, as the service populations projected to occupy the Midtown site would be nominal when compared to the population served within the County as a whole.

The additional short-term positive (but temporary) benefit of the creation of construction jobs estimated to range in number from 202 to 238 with total wages from \$7.04 million to \$8.29 million, but are not included in the tables below.

<u>Long Term Financial Benefit (Years 11 and beyond)¹⁸</u>				
<u>Medium and High Density Development¹⁹</u>				
	Best Case Operational Costs		Worst Case Operational Costs	
	Medium Density	High Density	Medium Density	High Density
Additional Revenue Projected for City	\$ 11,350,000	\$ 13,340,000	\$ 11,350,000	\$ 13,340,000
Less City's Capital Costs (Debt Service)	(\$ 1,960,000)	(\$ 1,960,000)	(\$ 1,960,000)	(\$ 1,960,000)
Less City's Increased Operational Costs	(\$ - 0 -)	(\$ - 0 -)	(\$ 4,460,000)	(\$ 5,390,000)
Fiscal Benefit to City Net of Operational & Capital Costs	\$ 9,390,000	\$ 11,380,000	\$ 4,930,000	\$ 5,990,000
Additional Revenue Projected for County	\$ 4,080,000	\$ 4,790,000	\$ 4,080,000	\$ 4,790,000
Less County's Capital Costs (Debt Service)	(\$ - 0 -)	(\$ - 0 -)	(\$ - 0 -)	(\$ - 0 -)
Less County's Increased Operational Costs	(\$ - 0 -)	(\$ - 0 -)	(\$ - 0 -)	(\$ - 0 -)
Fiscal Benefit to County Net of Operational & Capital Costs	\$ 4,080,000	\$ 4,790,000	\$ 4,080,000	\$ 4,790,000

TABLE 5.12, LONG-TERM FINANCIAL BENEFIT (YEARS 11 AND BEYOND)

¹⁸ Additional revenue figures presented in this table include property tax revenue as the Section 485-e property tax abatement will fully expire in Year-11.

¹⁹ See the text for shortcomings of the worst case scenario depicted in the table.

As shown in Table 5.12 above, during the long term operational phase (after the real property tax abatements expire), the City would realize additional revenue net of capital and operating costs ranging from \$9,390,000 for the medium-density alternative to \$11,380,000 for the high-density alternative in the best case where no incremental increase in operational costs was experienced due to the availability of residual capacity. In the worst case where no residual capacity remains and immediate operational cost increases are experienced, the projected figures for additional net revenue would be decreased by as much as \$ 4.46 million in the medium density scenario and by as much as \$ 5.39 million in the high density scenario. As Monroe County would not incur any capital costs for this project, the County would realize financial benefits ranging from \$4,080,000 for the low-density alternative to \$4,790,000 for the high-density alternative.

<u>Short Term Financial Benefit (Years 1 through 7)</u>²⁰				
<u>Medium and High Density Development</u>²¹				
	Best Case Operational Costs		Worst Case Operational Costs	
	Medium Density	High Density	Medium Density	High Density
Additional Revenue Projected for City	\$ 5,350,000	\$ 6,280,000	\$ 5,350,000	\$ 6,280,000
Less City's Capital Costs (Debt Service)	(\$ 1,960,000)	(\$ 1,960,000)	(\$ 1,960,000)	(\$ 1,960,000)
Less City's Increased Operational Costs	(\$ - 0 -)	(\$ - 0 -)	(\$4,460,000)	(\$ 5,390,000)
Fiscal Benefit to City Net of Operational & Capital Costs	\$ 3,390,000	\$ 4,320,000	(\$ 1,070,000)	(\$ 1,070,000)
Additional Revenue Projected for County	\$ 2,400,000	\$ 2,810,000	\$ 2,400,000	\$ 2,810,000
Less County's Capital Costs (Debt	(\$ - 0 -)	(\$ - 0 -)	(\$ - 0 -)	(\$ - 0 -)

²⁰ Additional revenue figures presented in this table do not include property tax revenue as the subject site will be eligible for Empire Zone Section 485-e property tax abatement during the short term.

²¹ See the text for shortcomings of the worst case scenario depicted in the table.

Service)				
Less County's Increased Operational Costs	(\$ - 0 -)	(\$ - 0 -)	(\$ - 0 -)	(\$ - 0 -)
Fiscal Benefit to County Net of Operational & Capital Costs	\$ 2,400,000	\$ 2,810,000	\$ 2,400,000	\$ 2,810,000

TABLE 5.13, SHORT-TERM FINANCIAL BENEFIT (YEARS 1-7)

As shown in the preceding Table 5.13, during the short term (while real property tax exemptions remain), the City would realize additional revenue net of capital and operating costs ranging from \$3,390,000 for the medium-density alternative to \$4,320,000 for the high-density alternative in the best case where operating costs did not increase as a consequence of the redevelopment. As above, in the worst case where no residual capacity remains and immediate operational cost increases are experienced, the projected figures for additional net revenue would be decreased by as much as \$ 4.46 million in the medium density scenario and by as much as \$ 5.39 million in the high density scenario. During the short term, Monroe County would realize a projected financial benefit from the medium-density development scenario of \$2,400,000 and up to \$2,810,000 for the high-density scenario.

Impacts on City of Rochester and Monroe County Gross Revenues. All three redevelopment scenarios would produce additional revenue for the City of Rochester and Monroe County. These additional revenues would be comprised of real property tax revenues, non-property tax revenues (e.g., sales tax revenue) and intergovernmental revenue, e.g., State aid. It should be noted that the short-term and long-term effects of the anticipated redevelopment upon property tax revenue would differ significantly. This is due to the fact that the buildings and other private improvements are eligible for Empire Zone Section 485-e real property tax abatements. The Section 485-e benefits are believed to be essential components in attracting the private sector investment necessary to a successful redevelopment and revitalization effort.

Under the Section 485-e property tax exemption program, the buildings and other improvements would be fully exempt from property taxes during the first seven (7) years following the completion of the construction. These property tax exemptions would phase out during years 8, 9, and 11 with a reduction of 25% occurring in each of those years. Only in the “operational

phase” which would commence in year 11 would the property owners be subject to real property tax liabilities on the full value of the buildings and improvements. Therefore, in the short-term (years 1 through 7), the fiscal benefits would be derived exclusively from non-property tax revenue and fees, and from intergovernmental revenue. It is projected that the additional revenue the City would receive annually during the short-term phase would range from approximately \$5.35 million (medium-density alternative) to \$6.28 million (high-density alternative) and that the County would receive additional revenue ranging from \$2.40 million (medium-density) to \$2.81 million (high-density). See Table 5.14 which follows.

<u>Additional Revenue During Short-Term²²</u>		
<u>Medium and High Density Development</u>		
	Medium Density	High Density
City of Rochester	\$ 5,350,000	\$ 6,280,000
Monroe County	\$ 2,400,000	\$ 2,810,000
TOTAL ADDITIONAL REVENUE	\$ 7,750,000	\$ 9,090,000

TABLE 5.14, ADDITIONAL REVENUE DURING SHORT-TERM

During the long term, operational phase (beginning in year 11 when the property tax exemptions have fully expired), the full property tax revenue becomes available and is included to increase the total additional annual revenue that would be received by the City and the County. In this phase, the City is projected to receive additional revenue in the range from \$11.35 million (medium-density alternative) to \$13.34 million (high-density alternative). It is projected that the County would receive revenues ranging from \$4.08 million (medium density alternative) to \$4.79 million (high-density alternative) during the operational phase. Table 5.15 below summarizes these revenue projections.

²² The figures in this table do not include property tax revenue as the subject site would be eligible for Section 485-e property tax abatement during the short term.

<u>Additional Revenue During Long Term Operational Phase</u> ²³		
<u>Medium and High Density Development</u>		
	Medium Density	High Density
City of Rochester	\$ 11,350,000	\$ 13,340,000
Monroe County	\$ 4,080,000	\$ 4,790,000
TOTAL ADDITIONAL REVENUE	\$ 15,430,000	\$ 18,130,000

TABLE 5.15, ADDITIONAL REVENUE DURING LONG TERM OPERATIONAL PHASE

Impacts to City of Rochester and Monroe County Costs. In general, property development (or, in this case, redevelopment) can lead to increased recurring operational costs and/or to increased capital costs to governmental entities. Increased recurring operational costs may result when governmental entities obligated to provide services have insufficient operational capacity to meet those obligations. The cost to employ additional staff would be one example of such a cost. Governmental entities may also encounter additional capital costs should investment be required to meet their service obligations. Examples of such capital costs could include investments in expanded or extended utilities or in additional office space. Potential increases in capital costs can generally be calculated and estimated with a much higher degree of precision than can potential increases in operating costs.

Impact on City of Rochester Capital Costs. The capital cost estimates for the Midtown redevelopment project total approximately \$27 million. This figure reflects the cost of capital improvements that would actually need to be constructed in conjunction with the redevelopment of the subject site. These anticipated improvements include the development of open spaces as well as street, streetscape and utility improvements related to development of an internal street grid. This figure does not include any cost for potential repairs to the garage. This figure also does not include a *fair-share* allocation for apportioning any of the capital costs associated with pre-existing infrastructure such as the public water and sanitary sewer systems. The redevelopment of the Midtown site will not necessitate improvements to the existing public water

²³ The figures in this table include property tax revenue as the operational phase begins when the Section 485-e real property tax abatement expires.

or sanitary sewer system as both systems have adequate capacity to serve the preferred development being proposed.

Of the total \$27 million projected for capital improvements, approximately \$ 9 million was attributed to EDAW's estimate of the potential need to develop parks or otherwise improve anticipated open spaces. The EDAW estimate for parks or open space will likely prove to be high as the extent of both open spaces in the preferred alternative has been reduced since their analysis was completed. The estimate of \$9 million for parks and open space may therefore be taken as a probable worst case scenario.

The balance of approximately \$18 million is attributed to street and associated utility and infrastructure improvements. A detailed analysis of the anticipated costs to provide additional infrastructure in the case of the preferred alternative is presented above in Section 5.15.3. Although no definite approach to funding these improvements has been proposed, the analysis assumes City responsibility for the full \$18 million capital cost estimated for streets, utilities and associated infrastructure. In fact, Federal funding for some portion of the utility and infrastructure costs could be available.

With respect to the cost associated with its remaining share of capital costs, the City would typically finance capital cost of this magnitude by issuing long-term bonds. The fiscal analysis assumes bonding for a term of 30 years at 6.0% which would result in annual principal and interest debt service payments of approximately \$1.96 million were the City to support the entire cost.

Impacts on Monroe County Capital Costs. The project would necessitate no capital expenditures on the part of Monroe County.

Impacts on City of Rochester Operational Costs. Projecting the impact of the redevelopment of the Midtown site on the City's and County's recurrent operating costs is uncertain. A traditional approach would be to utilize the *service population* methodology. With this methodology, existing operating costs are estimated on a per unit basis for residents and local employees to establish unit operating benchmark costs for various municipal services. The operating benchmark costs are then applied to the estimated growth in each service population and the imputed proportional increases in the current estimated costs to provide services are recognized as additional costs. Although the *service population* approach is a legitimate and acceptable methodology, it has an inherent short-coming which is problematic in

this setting. This approach assumes an immediate marginal increase in the cost to serve a more extensive service population without taking into consideration any existing operational capacity that may remain to absorb the burden of providing services more extensively without incurring additional costs. Systematic capacity to provide services more extensively without increased costs can remain as a consequence of economies of scale or as a consequence of recent declines in the service population. In such an instance where there is residual operational capacity, the service population methodology would over estimate increases in recurrent operating costs sometimes with significant results.

City of Rochester officials have indicated that the City has residual operational capacity that could be expected to serve a larger residential and business population without an increase in recurring operational costs. In such an instance, a need for the City to incur any appreciable costs to meet the demand for more extensive services resulting from redevelopment would only arise were such growth to take place that the demand eventually exceeded the residual capacity. (Changes in the requirements for services within other districts would also affect the final cost of operations.) Accordingly, projections derived from the *service population* methodology previously discussed that would project an immediate increase in City operational costs from the Midtown redevelopment would represent a significant over-estimate and have been relied upon here only to indicate a hypothetical worst-case maximum. The worst-case maximum generated in this instance by the service population methodology ranges from as much as \$4,460,000 for the medium-density redevelopment scenario to as much as \$5,390,000 for the high-density alternative. Given the residual capacity, actual increases in operational costs should be expected to be significantly lower or perhaps none at all. Additional detailed analysis of the systematic capacity to provide more services more extensively would be needed to refine and provide more accurate cost estimates.

Impacts on Monroe County Operational Costs. Operational costs are not projected for the County nor deducted from the projected County revenue, as County services that would be provided to the service populations projected to occupy the Midtown site would be nominal compared to the service population within the County as a whole.

Impacts on Rochester City School District. The redevelopment of the Midtown site would have little, if any, impact on the City School District's operating or capital costs. This is due to two factors. One, projections for the number of school-aged children who might reside in the

residential component of the Midtown redevelopment is low, only 48. Two, the City School District has adequate excess capacity to absorb this small increase.

5.23 Studies and Community Initiatives Related to Urban Redevelopment

In 2005 the Urban Land Institute (ULI) completed an Advisory Services Panel Report for Rochester, New York (see Appendix A). In general, the ULI panel recommended that the Midtown Mall site be demolished and replaced with a mixed-use development organized around a street and block system. The new development should connect to destinations off site as well as provide new parks and plazas for use in animating the downtown, and linking the neighborhoods on either side of the site. The ULI panel also made several recommendations for specific programmatic suggestions which reflect the conversations taking place at the time regarding a new theater.

The ULI study made several specific recommendations for the Midtown site, which are summarized below.

- Demolish the Midtown Mall along with all associated office space that has come to the end of its functional life, but retain the underground parking structure and the Euclid Building atop the service tunnel;
- The Midtown Office Tower should be stripped to its structural components and a decision should be made in two or three years whether to re-skin it for Class A office use or demolish it. The demolition of the Midtown Tower could not be recommended as the panel did not feel they had enough information to make this decision;
- The rest of the Midtown site should become a mixed-use center that includes a public plaza/park, a medium-sized performing arts theater, and residential-over retail buildings. The panel estimated a capacity of about 350 to 450 units of housing could be built on the Midtown Blocks;
- A new street should segment the block and restore a natural street grid and reconnect Main Street to Broad Street through the Midtown Block, making a connection to the Strong Museum. They also suggested that a new street should be carved from Clinton Avenue to East Avenue;
- Endorsement of a 1,000-seat concert hall on the site. Develop a 2,800-seat Broadway venue and a smaller 300- to 500-seat venue at Renaissance Square at Main Street and Clinton Avenue;

- Introduce a mix of street-level, sidewalk- oriented convenience and daily needs retail and service businesses such as a grocery, pharmacy, and dry cleaners, as well as unique restaurants, nightclubs, and shops that can be found in no other location in the area;
- Introduce public parks, squares, and plazas that encourage interaction. Suggest a large park or plaza at the corner of Main Street and Clinton Avenue, to be used for outdoor performances, festivals, and other community gatherings;
- Retail should wrap the park/plaza area and be visible from Main Street or Clinton Avenue;
- The panel would also like the Clock of Nations from Midtown Plaza refurbished and relocated to a new enclosed public space (such as a new winter garden at Chase Plaza);
- Remove unnecessary sections of the skyway system.

Of the recommendations listed above, the development proposals incorporate mostly all of them, except the inclusion of a theater, and the retention of the Euclid Building. The suggestion to locate a new plaza at the corner of Main and Clinton was not included as well as this was seen as further erosion to the continuity of street level retail that is an important characteristic of Main Street.

The other recommendations address the character of the public spaces and the land uses. The proposals address both of these types of comments by introducing new streets through the site to support a flexible framework for a mixed use development. Also each plan contains parks and plazas that provide an organizing focus and connective element for both the new development and existing buildings next to the site.

Although the physical layout of the proposals differ from the ULI report, each concept is designed in a way that incorporates the spirit of the comments laid out in this earlier study in terms of connectivity, accessibility, street activity and mixed use.

There are several challenges identified for the redevelopment of the Midtown Plaza site according to the 2007 Downtown Charrette Report (see Appendix W: “A Community-Based Vision Plan for Downtown Rochester; Rochester Regional Community Design Center, May 2008) . The challenges included the following:

- The need to improve connectivity among the adjacent parcels and buildings around the Midtown superblock;
- The current lack of a residential population that would transform the area into a viable, sustainable urban neighborhood;
- The need for accessible public spaces;
- The need to maximize infill opportunities to improve the street edge and define the urban realm.

The redevelopment alternatives proposed for the Midtown site addresses these challenges in varying degrees. The conversion of the Midtown Tower to housing would begin to address the need for a population base in the downtown core. The adaptive reuse or demolition of the Midtown Tower as the PAETEC Tower site would preclude this opportunity, but may encourage new housing developments in other buildings or new structures within the Midtown site.

The Charrette Report recommends the preservation and restoration of the Midtown Atrium, with access and visibility from newly created streets and public open space within the superblock. The alternative to reuse the atrium has been evaluated as part of a consultation process with OPRHP and is described in more detail in Sections 5.6 and 12.0.

The Charrette Report also recommends the preservation of the existing retail space within Midtown Plaza and the creation of additional retail space within redeveloped or new structures to be built on the Midtown site. The emphasis on the retail space would continue Midtown Plaza as a retail center within downtown Rochester. As the mixes of retail/office/residential uses are not specifically defined in the redevelopment alternatives, the current plan may be generally consistent with or adaptable to the recommendations of the Charrette Report. The development of a higher proportion of office space or residential units within the redeveloped Midtown Block may reduce the space available for retail uses.

The preferred alternative includes creation of public open space and is generally consistent with the Charrette Report recommendation for creation of new public space on the Midtown site, both as a means of encouraging housing and retail development and as a means of providing physical and visual connections between Midtown and the rest of downtown.

5.24 Consistency with Office, Retail, Hospitality and Housing Markets

5.24.1 Employment and the Office Market

The demand for office space is expected to be driven by increases in Office-Using Employment (OUE), which includes various professional and business services. The forecasts in the Midtown Plaza Market Feasibility Analysis (market feasibility analysis) prepared by Cushman & Wakefield Analytics (CW) assume that with PAETEC's decision to locate on the Midtown site nearly all of the new office space demand for downtown would be captured (see Appendix C).

The redevelopment of other buildings in downtown, outside of Midtown Plaza, as Class A office space may meet the demand for new office space for Midtown.

5.24.2 Retail Market and Growth Potential

The development of new retail space in downtown would be directly impacted by the growth in the residential population in downtown, the number of additional office workers downtown and visitors. The demand from office workers is expected to account for the largest amount of retail sales within downtown and would likely drive the demand for food and drink establishments.

According to the market feasibility analysis (Appendix C), forecasts indicate new retail development range from 308,230 to 335,694 square feet in the downtown area, including 61,646 to 67,539 square feet for Midtown Plaza during the period 2007 through 2017.

The development of new retail space at Midtown would also depend on the development of retail space in competing buildings in downtown. The actual mix of retail establishments at Midtown Plaza would also depend on the mix of retail development elsewhere in downtown.

5.24.3 Hotel Market

The market feasibility analysis (Appendix C) forecasts modest growth in the number of overnight visitors to Monroe County, including primarily business and convention travelers. The projected new hotel room demand for the downtown area is 100 additional hotel rooms. The forecasts do not project the likelihood that this hotel development would occur at Midtown.

The development of additional hotel rooms, at or in proximity to Midtown Plaza, would benefit the new retail establishments, particularly food and drink establishments.

5.24.4 Population and Housing Market

The strength of the downtown residential market would directly depend on the actual growth in households for various age groups, particularly those age groups likely to be attracted to downtown living.

The market feasibility analysis (Appendix C) forecasts the demand for new housing in downtown to average 118 to 147 new units per year through 2017. The capture rate for Midtown Plaza is assumed to be 20 percent of the total residential development, or 24 to 29 new units per year through 2017.

According to Cushman & Wakefield, a primary challenge for the redevelopment of Midtown is to attract sufficient urban preference segments (such as young professionals and empty-nesters) by providing an environment which would match their tastes and consumer choices to live in and visit Downtown Rochester. They noted that the primary supporting target markets for urban redevelopment come from segments that are attracted to urban environments by choice and by necessity (attracted to affordable rental housing often found in older downtowns).

Approximately 12 percent (or almost 45,000 of the approximately 399,000 households) fall into those segments, and represent a cross-section of age and income.

The extent to which the Midtown Plaza redevelopment includes and attracts new residential development may impact on residential development elsewhere in the downtown area. Conversely, residential redevelopment elsewhere in downtown may limit the residential development potential for Midtown.

A Survey of Downtown Rental Housing units, conducted by the Rochester Downtown Development Corporation in 2007 (Appendix Z), indicates strong demand for new or newly renovated housing units in the downtown area. This is evidenced by the rapid pre-leasing and leasing rates for new housing units, as well as the relatively low vacancy rates for two-bedroom and loft style units. Strong demand was also reported for one-bedroom and studio units.

Although the survey reported an increase in the overall vacancy rate for downtown housing (6.7% in 2007 versus 4.7% in 2006), the existing vacancies were concentrated in un-renovated buildings or areas outside of the primary focus for downtown development. In addition, the increase in the vacancy rates may also be attributed to ownership changes as the majority of the vacant units were in two projects that experienced ownership transfers in 2006.

The demand for downtown housing also appears dependent on the amenities included in the housing units and/or the buildings. Respondents to the RDDC housing survey reported that the key amenities sought by existing and prospective tenants included secure parking, updated kitchens, security systems, laundry facilities and internet connectivity. The availability of tenant parking within the Midtown garage may therefore be a major factor in the attractiveness of housing development in the Midtown Plaza site. In addition, any housing development would need to assess the mix of other amenities to be offered to tenants.

Since 2000, the RDDC has tracked the development of 582 new rental and owner-occupied housing units in the downtown area. During the period from 2004 through the first quarter of 2007, an average of 120 new housing units per year was developed in the downtown area. This may be considered a benchmark absorption rate for downtown housing development and could be a factor in staging redevelopment at the Midtown site over a longer period of time.

The July 2007 City-Wide Rochester Housing Market Study strongly recommends that any decisions regarding future residential projects and investment funding be made from detailed neighborhood planning, and the study that was conducted in 2007 should only be used as a pre-cursor. This way, specific focus areas can be targeted for a comprehensive and complete understanding of the individual community needs. Once those decisions have been made, they further recommend consistent monitoring that would evaluate the effectiveness of the investments by the Advisory Group.

Housing development at the Midtown site may be constrained to the extent that other downtown residential housing developments would compete with the project.

5.25 Environmental Justice

Midtown Plaza was closed following acquisition by the City in order to proceed with the abatement of prevalent ACMs and RECs. At the time of its closure and despite a vacancy rate of at least 85 percent, the Plaza was nonetheless home to a number of businesses which served a local low-income population. Although demolition of Midtown Plaza for redevelopment purposes would ensure the permanence of the recent closure, there is much evidence that the failing facility was likely to have closed in any event. Despite significant effort made by the City to facilitate relocation of the businesses serving the local community to other downtown locations and the availability of financial assistance for relocation, some businesses have

closed rather than relocate. These permanent closures are believed to have been for commercial reasons rather than as a direct result of the need to relocate. The preferred redevelopment alternative described in Section 2.0 would include a significant component of retail space that would also be available to serve the local population.

Along with the rest of the Plaza, the area within the atrium has recently closed as a consequence of the need for abatement and remediation of ACMs and RECs. Although retail patrons and others from the local community have sometimes gathered within the atrium, the operation of the atrium has always been part of a commercial enterprise and the atrium has always relied upon revenue from adjoining retail spaces for its support and maintenance. Midtown Plaza and the associated atrium have always been private facilities subject to closure with no obligation to accommodate anyone. Even prior to its decline, the function of the atrium was tightly intertwined with that of the adjoining retail spaces upon which it relied for economic support and to which it was expected, in turn, to provide some economic benefit. As a commercial enterprise, the gathering space within the atrium was never truly “open to the public” and the history of the Plaza includes multiple examples in which the owners attempted to limit or manage atrium access and use for a variety of reasons, most frequently to address the concerns of the retail tenants.

At the time of its closure the adjoining retail uses upon which the atrium depended had proven incapable of sustaining the atrium economically. Although the timing has been affected by the schedule for remediation, the closure itself is more a direct consequence of the failure of Midtown Plaza as a viable commercial enterprise than it is of the effort to provide for revitalization within the area. The preferred alternative identified in Section 2.0 has the potential to provide an outdoor gathering space within the central open space. Similar to the atrium, the proposed open space is anticipated to be closely linked to the surrounding retail uses. The character of this open space would likely be different from that of the atrium as it existed just prior to its closure, but it could nonetheless serve the same purpose to some degree and would be less susceptible to closure for economic reasons.

5.26 Temporary Impacts Related to Construction Activities

5.26.1 Water Resources

Any construction work completed would be done in accordance with Rochester Pure Waters guidelines/approvals, and the City of Rochester Plumbing Codes. Temporary erosion and sediment controls would be utilized during construction in accordance with New York State Standards for Erosion and Sediment Control.

Temporary erosion and sediment controls would be utilized during construction in accordance with New York State Standards for Erosion and Sediment Control. These measures would mitigate any potential impacts related to erosion and transport of soil particles during construction. Given the potential reduction in runoff, the availability of stormwater utilities of adequate capacity and the anticipated reliance on temporary erosion and sediment controls, no significant adverse impacts related to stormwater runoff are anticipated.

5.26.2 Air

Demolition of the site would be accomplished by the dismantling of buildings using heavy equipment and manual labor. Implosion or the use of other explosive-type methods is not proposed. Dust and other airborne particulates would be generated by the demolition process.

Mitigation measures would be implemented to minimize the amount and dispersal of dust and particulate matter from the site to the adjacent buildings and the pedestrian streetscape/sidewalk areas. The mitigation program would be particularly stringent given the location of the Midtown site in the heart of the downtown area.

During both the demolition and construction periods, emissions of exhaust from heavy equipment would occur. These emissions would be temporary and would not significantly affect the ambient air quality of the downtown area.

5.26.2.1 Dust Reduction Measures

The contractor should be instructed to schedule construction activities during normal daylight working hours. To reduce dust and other air pollutants the contractor would be instructed to consider exposing the minimum needed area of erodible soil, applying dust suppression materials, watering down the exposed areas, and using covered haul trucks. All roadways

should be sprayed with water or dust suppression liquids to reduce dust generation and roadways should be cleaned at least twice per working shift. The speed limit through the construction site should be limited to 10 mph to reduce generation of dust. All crushing or material handling equipment should be fitted with spray equipment or dust suppression controls. Air misters should be used in the demolition areas to control fugitive dust emissions.

Other construction dust mitigation measures may include;

- Using alternate construction or demolition methods that minimize dust and debris;
- Daily or periodic wetting of construction/demolition areas;
- If explosives are used in demolition or for rock removal, the blasting plan should include provisions for dust control and clean-up following the work;
- Keeping dumpsters covered;
- Following recommended federal, state and local regulations for identifying and abating hazardous materials;
- Instituting regular cleaning of site debris and litter; and,
- Providing adequate ventilation with appropriate filtration systems in work areas.

5.26.3 Aesthetic/Visual Resources

Temporary impacts to Aesthetics/Visual Resources as a result of construction would be those commonly associated with construction in an Urban environment, and would include highly visible warning signage, staging areas, barriers and fencing, visibility of on-site construction activities, equipment, etc. Large areas of bare soil may be temporarily exposed or covered with erosion control fabric. Stockpiled materials, including dirt, roadbed materials, landscaping materials, would likely be visible to road users. If construction occurs at night (which is unlikely), construction lighting could cause glare in adjacent residential areas. All of these visual construction impacts would be temporary and removed upon completion of a given phase of construction.

5.26.4 Transportation: Traffic and Parking

Demolition would take place in an ongoing progression with successive stages, but without any discrete phases. Stage I could include the existing Euclid, McCurdy, Seneca and B. Forman buildings, and Stage II could encompass the existing Midtown Plaza Atrium and Tower buildings. Stage II could potentially commence upon completion of Stage I demolition. The demolition is expected to begin at the Euclid Building in the eastern portion of the site and conclude at the Tower.

The Traffic Control Board would conduct careful review and would have a high level of oversight on the project before any lane closures or detours are put in place. Members of the Traffic Control Board include employees of several city departments plus the Monroe County Department of Transportation.

It is important to note that many general measures would be implemented to mitigate impacts to traffic and transportation operations from construction activities. The most important measure would be the preparation of detailed plans for Maintenance and Protection of Traffic (MPT) for each stage of construction. The plans would be developed in close coordination with the City, MCDOT, contractor and engineer, and would be reviewed and approved by the City and other affected agencies.

Full detail on construction related closures and detours for traffic, and other potentially significant adverse impacts anticipated are referenced above in [Section 5.11.1](#).

Although not formally a part of this action, as discussed in [Section 4.12.4](#), as of September 30, 2008, the Midtown Parking Garage has been permanently closed due to the Midtown Redevelopment Project throughout the demolition and construction of Phase I. Current monthly parkers have relocated to one of three surrounding parking garages within a short walking distance of Midtown Parking Garage which have a total of 1,300 (+/-) parking spaces available.

- Mortimer Street Garage and its adjacent surface lot will accommodate up to 700 monthly parking spaces;
- East End Garage will accommodate up to 300 monthly parking spaces; and,
- St. Joseph's Garage will accommodate up to 300 monthly parking spaces

In their Parking Planning Study (see Appendix U), Walker Parking Consultants / Engineers, Inc have estimated a decrease in the supply of 544 off-street parking spaces due to the closure of the Midtown Parking Garage and the reallocation of the 1300 monthly parkers to the surrounding garages. However, within the 10-minute walk, they found unused parking supply which could adequately accommodate the projected parking decrease following the closure of the Midtown Parking Garage and the reallocation of parking spaces to PAETEC. Thus, there is no anticipated impact due to construction on parking availability, although parking changes may result in slightly further walking distances. The effect of this action currently under review would be to make this otherwise temporary impact permanent as spaces available within the Midtown garage would be dedicated to support of parking demand directly associated with the uses developed on site.

5.26.5 Public Transit

Detours and lane closures would be reviewed by the City Traffic Control Board, and if possible, road closures would be limited to off-peak hours. If lane closures conflict with RTS bus stops, the RGRTA would be notified and alternate bus routes would be planned. The entire demolition and future construction operations would be inspected by various engineers and reviewing agencies, and traffic along adjacent roadways would be closely monitored.

Additional detail on planned demolition and any impacts on traffic lanes and/or sidewalks can be found in [Section 5.11.1](#).

5.26.6 Pedestrian

Any full road closures throughout Phase 1 and Phase 2 would have a clearly posted detour route along Court, Chestnut, Broad and East Main Streets, and would be scheduled in advance. It is anticipated that sidewalk closures would be clearly posted to direct pedestrians to the opposite side of the roadway.

Additional detail on planned demolition and any impacts on traffic lanes and/or sidewalks is available in [Section 5.11.1](#).

5.26.7 Utilities

As discussed in Sections 5.15.1 and 5.15.2 the various public and private utilities have sufficient capacity to service the redevelopment. However, pipeline and/or conduit extensions for the various systems are anticipated along the redevelopment street grid. Development of the new condensate return loop may impact adjacent streets surrounding the project site during construction. In addition, some temporary disruption to Main Street may be encountered as a consequence of the need to rehabilitate the existing private sewers beneath the service truck tunnel.

The reuse of the City parking garage minimizes the impacts to the existing Frontier Telephone and Rochester District Heating Co-Operative (RDH) steam line located under Level C of the garage and allows these utilities to remain in service without relocation. Private utilities located in the garage and service truck tunnel servicing adjacent buildings such as Xerox or Bausch & Lomb would likely need to be relocated.

During demolition and redevelopment of the site, temporary construction related impacts are anticipated to the various utility infrastructure components. The anticipated temporary impacts include the following:

1. Prior to razing the former McCurdy building, RDH would need to temporarily terminate the northern steam line located within the McCurdy basement and service truck tunnel. The main has asbestos containing insulation that can be handled during the asbestos abatement work for the buildings. The steam line can be removed during the building demolition. According to RDH, replacement of this secondary steam line, as well as reconnection to the steam line near South Clinton within the service truck tunnel would be required for system redundancy;
2. Building and skyway demolition, as well as the potential relocation of the service truck tunnel would likely sever portions of private utilities located in the Midtown facilities that service Xerox, Chase and/or Bausch & Lomb. To restore the utility ring configuration for redundant service it is anticipated that private utilities such as Verizon and Time Warner Cable may need to relocate their services outside the garage and service truck tunnel. It is anticipated these relocations would temporarily disturb adjacent streets (e.g. Main, South Clinton, Court and Chestnut) to complete the relocation work;

3. Private cables and conduits for telephone, cable, and electric would likely be cut and terminated at source manholes adjacent to Midtown or cut at the building line. These cables and conduits can be removed during building or skyway bridge demolition;
4. Prior to building demolition, heating, cooling and ventilation systems including the energy source (e.g. natural gas, steam or electric) operating the associated mechanical equipment would need to be identified and maintained;
5. The location, size and condition of existing sanitary/storm laterals would need to be evaluated for potential reuse. Abandonment of service laterals not reused would potentially temporarily impact adjacent streets to complete the abandonment work;
6. The existing private combined sewer under the service truck tunnel should be evaluated and considered for reuse. Repair or partial reconstruction may be needed. If the main is reused, dedication of the facility to Rochester Pure Waters District should be considered;
7. The location, size and condition of existing domestic and fire service connections would need to be evaluated for potential reuse. Abandonment of services not reused would potentially temporarily impact adjacent streets to complete the abandonment work. Temporary use of domestic water for construction related purposes would need to be coordinated and approved by the Rochester Bureau of Water;
8. During building demolition, the RWW indicates that various domestic services to Midtown can be disconnected and severed. Coordination with the RWW would be required to remove water meters. Use of domestic water during construction would also need to be coordinated with the RWW including permits, backflow prevention and temporary meters;
9. Protection of sprinkler systems for fire protection during asbestos abatement and demolition would require protection and coordination with the Rochester Bureau of Water for the continued use of the Holly fire service system. Telephone systems for automatic fire alarms would also require identification and protection;
10. The location of electrical services to be maintained for use during asbestos abatement and demolition would need to be identified and protected. Temporary power service connections may be required;
11. It is anticipated that the roadway realignment for Euclid Street would require relocation of utility surface features such as hydrants, light poles etc. It is also anticipated that the capacity of the combined sewer main along Euclid Street may

need to be evaluated and potentially increased depending on the location of new service connections;

12. All utility agencies would need to be kept informed of the demolition and redevelopment schedules to permit time to complete: service disconnects or terminations; remove meters, transformers, or other equipment; complete system relocations; and, complete installation of new facilities in a timely manner; and,
13. Limits of publicly versus privately owned utilities located in the garage or service truck tunnel such as domestic water, fire service, and sanitary/storm/combined sewers would need to be determined. Access easements as needed should be considered.

5.26.8 Noise/Odor

5.26.8.1 Noise Reduction Measures

The most significant sounds contributed to the environment by the project would result from construction or demolition activities. However, these sounds are temporary and common place (due to building and infrastructure maintenance) in an urban environment. No significant impact to receptors (as identified in [Section 5.19](#)) is anticipated.

Construction sounds would consist of running equipment such as excavators, compressors, jackhammers, and vehicle backup alarms. Table 5.14 shows the sound levels from typical construction equipment. It may also include sound from falling debris or breaking building materials. If implosion is used for demolition, or explosives necessary for any rock removal, these may add significantly higher sound levels but they would be of very short duration.

<u>Equipment</u>	<u>Decibel Level</u>	<u>Distance (ft)</u>
Augered Earth Drill	80	50
Backhoe	83-86	50
Cement Mixer	63-71	50
Chainsaw Cutting Trees	75-81	50
Compressor	67	50
Garbage Truck	71-83	50
Jackhammer	82	50
Paving Breaker	82	50

Wood Chipper	89	50
Bulldozer	80	50
Grader	85	50
Truck	91	50
Generator	78	50
Rock Drill	98	50

TABLE 5.16, COMMON CONSTRUCTION EQUIPMENT SOUNDS²⁴

Construction noise would be of relatively short duration. It would occur mostly during daylight hours and only during the construction period. Thus, minimizing potential impact to any nearby residential receptors. In addition, in an urban environment, not many receptors keep doors and windows open. This reduces the potential for sound impacts on individuals that work or spend most of their day indoors within the area. Additional measures that can mitigate construction sound can include;

- Use of alternative, quieter, construction methods and equipment where possible. (Such as using electric motors rather than compressed air driven equipment);
- Construction equipment maintenance (for example, ensuring mufflers are in good working condition on construction vehicles);
- Place noise generating equipment in the center of the job site and behind existing structures as available,
- Do not allow idling of equipment when not in use;
- Replacing back-up beepers on machinery with strobe lights (subject to other requirements, such as OSHA regulations, as applicable);
- Erection and maintenance of physical barriers;
- Consideration of siting of activities or staging;
- Setbacks; and,
- Establishing specific hours of construction or operation.

²⁴ Derived from Handbook of Environmental Acoustics, James P. Cowan, 1994 as referenced in NYSDEC Assessing and Mitigating Noise Impacts, 2001

Implementation of these measures can reduce or avoid adverse noise effects. If implosive demolition or explosives for rock removal are considered, a blasting plan should be developed which would document measures to be used to minimize sound impacts to nearby receptors. These may include performing blasting on weekend days (when fewer people occupy the nearby commercial buildings), use of blasting blankets, and erection of physical barriers. As noted, although loud, use of explosives results in sound impacts of very short duration which is also mitigating.

As noted, the duration of the construction noise impact and the distance it extends from the site are anticipated to be short. However, depending on construction equipment and methods used, the impact on receptors immediately adjacent to the site could be significant. Receptors such as Xerox, Chase, Bausch & Lomb, and MCC/SUNY Brockport immediately adjacent to the site are likely to have increased noise at the exterior and interior spaces of their buildings. Interior sound would be mitigated for these receptors to some extent considering that these buildings do not generally keep windows and doors open. The most significant impact may be on open areas near the site. These would include the sidewalks and pedestrian ways around the site, and the nearby park areas. These open, nearby areas may see increased noise levels during the construction period. Additionally, only personnel authorized by the Contractor would be permitted within the construction boundaries during the construction period thereby reducing noise exposure to the general public.

5.26.8.2 Odor Reduction Measures

During construction, odors from open dumpsters, severed sewer lines, and onsite portable restrooms may contribute to odors within the vicinity. No significant impacts are anticipated, however any potential odor impacts can be mitigated by the following measures:

- Maintaining equipment to minimize emissions;
- Providing adequate ventilation;
- Covering, and periodically cleaning, all dumpsters and the surrounding areas;
- Preventing blockages in storm and sewer lines;
- Scheduling sewer line interconnection work to minimize the time the line would be open; and,

- Scheduling regular emptying and cleaning of restroom.

The contractor should be instructed to schedule construction activities such that odorous sources are uncovered or unsealed for as short a time as possible and during the time of day when odors are observed to be at a minimum (generally during low-flow hours).

5.26.9 Public Health and Safety

As described in Section 4.19, and in more detail in the section which immediately follows, demolition of the existing and construction of new buildings on the Midtown Complex site can pose several threats to public health and safety. Hazards to the public during demolition and construction could include falling debris, possible proximity to dangerous or heavy equipment, large construction vehicles with limited visibility, and explosive hazards if used for demolition or rock removal. There are also risks to construction workers from equipment, falls, and handling of hazardous materials.

These potential construction risks and hazards to the public can be mitigated by:

- Development, and adherence to, a demolition plan;
- Publication of advance notices to the public regarding construction, road closures, and abatement;
- Securing the site with perimeter fencing, installing protective scaffolding over pedestrian walkways, and appropriate signage (traffic detour and warning, sidewalk closings, etc);
- Cautious demolition procedures and use of appropriate equipment by qualified operators;
- Use and maintenance of backup buzzers or strobes on construction equipment;
- Maintenance of equipment in good, safe working order;
- Development and strict adherence to a blasting plan if explosives are to be used for any reason. This should include provisions addressing site security during blasting, public notification, clearing the site, acceleration monitoring/potential for flying debris, and other measures to protect the public;
- Maintenance of MSDS information for all hazardous materials on site during construction and adherence to the prescribed handling and storage requirements; and,

- Regular safety meeting requirements for contractors, and strict adherence to Occupational Safety and Health Administration (OSHA) regulations (such as wearing hardhats, visibility vests, and fall protection harnesses).

Also, as discussed in Section 4.11, it has been identified that the existing buildings contain hazardous materials including asbestos, mercury, lead, and fuel oil. Demolition or construction work should be carefully coordinated to avoid disturbing these materials prior to abatement. Abatement and demolition work should be performed by qualified, competent firms with experience in this type and scale of work to mitigate risks to the public. New construction materials should be selected to minimize known hazardous material content (for example, compact fluorescent light bulbs do contain some mercury).

As described elsewhere in this document, a more detailed hazardous material assessment is to be performed on the complex. This would identify all ACM and other hazardous materials present in preparation for abatement. A contract would then be let for the abatement of these materials. Abatement would, for most of these materials, precede demolition which would minimize risk to the public by contaminated dust and other debris.

Due to present and historic industrial activities on and near the site, there may be the potential to encounter buried wastes, tanks or contamination from spills in the soils or groundwater when excavating for demolition or construction. To mitigate any hazards, any contaminated soils or hazardous materials found during work would be addressed in a manner conforming to local, state, and federal regulations. The hazard is further mitigated by use of the public water system (not wells) by inhabitants and occupants in the local area.

5.26.10 Temporary Construction Impacts Related to Demolition

Demolition of the existing Midtown Complex would be an ongoing progression without formal phases. The demolition within Stage I is expected to begin at the Euclid Building in the eastern portion of the site. A full closure of Euclid Street between Main Street and Atlas Street would be necessary throughout Stage I to maintain a safe work site and provide a temporary staging area for construction activities. Impacts from the Euclid Street closure are not expected to be significant, as the street handles a very low volume of vehicle and pedestrian traffic. However, details and timing of the closure would be coordinated with the City and other businesses, such as Bank of America, that may be affected.

Once demolition of the Euclid Building is complete, that area would be used for staging as demolition progresses west to the McCurdy Building. Demolition of the northern portion of the McCurdy Building would require temporary lane closures along East Main Street between Clinton Avenue and East Avenue. The southern half of the roadway would be closed, and a single lane of traffic in each direction would be maintained in the northern half of the roadway. Sidewalks along the McCurdy Building frontage would be temporarily closed, with posted detours provided to maintain pedestrian traffic along the north side of Main Street.

As demolition progresses west to the Seneca and B. Forman Buildings, the majority of the construction activity would be from the inside and would minimally affect vehicular and pedestrian operations along adjacent roadways. However, demolition of the western portion of the two buildings would be approached from Clinton Avenue, and therefore temporary lane closures or a possible full closure of Clinton Avenue would be necessary between Broad Street and Main Street. Any full road closure would be scheduled in advance, coordinated with the City and adjacent property owners, and would have a clearly posted detour route along Court Street, Chestnut Street, and East Main Street. It is expected that pedestrian traffic would be maintained on the west side of Clinton Avenue even during a full road closure.

Stage II of the demolition includes the Midtown Tower and Atrium buildings. Similar to stage I, demolition would move from the east side of the site to the west. Temporary closures of Atlas Street and Elm Street may be necessary and would be coordinated with the City and adjacent property owners. Much of the demolition would be completed from the inside, but a temporary partial or full closure of Broad Street (between Chestnut Street and Clinton Avenue) and Clinton Avenue (between Broad Street and Main Street) would be necessary to demolish the building facades. Any full road closures would be coordinated in advance and a posted detour route would be provided. Sidewalks would be closed along the Broad Street and Clinton Avenue frontages, but pedestrian traffic would be maintained on the opposite side of the roadways.

Additional lane and/or road closures would be necessary along Clinton Avenue and Main Street to remove the Skyway connections. It is expected that the majority of the Skyway demolition can be completed with single lane closures, but temporary road closures (overnight or weekend) may be necessary to maintain a safe work zone for motorists and pedestrians.

Limited areas of on-street parking may be affected by temporary lane or road closures. If the temporary closure of parking is necessary, the City would be notified, the proper procedure to

“bag” parking meters would be implemented, and signage directing vehicles to other parking areas would be posted.

Once demolition of the site is complete and redevelopment begins, it is expected that construction of buildings on the site would occur from the inside out, similar to the demolition phase. The majority of construction staging would occur away from the road frontages and along new interior streets. Temporary lane and/or road closures would be necessary, but impacts to traffic and pedestrians would be minimal and can be mitigated.

Construction activities at the site, including demolition of the existing Midtown buildings and redevelopment of PAETEC and future buildings, would generate additional traffic on adjacent roadways, which is a result of construction workers traveling to and from the jobsite and construction trucks and other equipment needed for demolition and future redevelopment. The demolition would be staged to minimize impacts to surrounding highways. The majority of truck trips related to the removal and disposal of materials from the site would occur during the asbestos abatement phase, which would take place prior to building demolition. Therefore, the majority of trucks traveling to and from the site to dispose of materials would not coincide with the truck and equipment traffic generated from the building demolition. Once demolition begins, construction activity would be largely contained on the site. It is expected that the demolished concrete and masonry would be crushed and used as backfill, and glass and steel would be re-used or recycled on the site. The majority of construction-related truck traffic would travel directly to and from I-490 or the Inner Loop, and would minimally affect traffic operations throughout the center city.

Many general measures would be implemented to mitigate impacts to traffic and transportation operations from construction activities. The most important measure would be the preparation of detailed plans for Maintenance and Protection of Traffic (MPT) for each stage of construction. The plans would be developed in close coordination with the City, MCDOT, contractor and engineer, and would be reviewed and approved by the City and other affected agencies. Detours and lane closures would be reviewed by the City Traffic Control Board, and if possible, road closures would be limited to off-peak hours. Sidewalk closures would be clearly posted to direct pedestrians to the opposite side of the roadway. If lane closures conflict with RTS bus stops, the RGRTA would be notified and alternate bus routes would be planned. The entire demolition and future construction operations would be inspected by various engineers and reviewing agencies, and traffic along adjacent roadways would be closely monitored.

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6. UNAVOIDABLE ADVERSE IMPACTS

6.1 Utilities and Infrastructure

With respect to potential demolition and redevelopment impacts, the following utilities (reviewed above in Section 5.15 more detail) would be abandoned, relocated or replaced:

1. Steam – Rochester District Heating Co-Operative (RDH). The northern RDH main which traverses the site and then continues on to the Chase Tower would be temporarily abandoned and a relocated main would be subsequently connected to the steam main in the service truck tunnel near South Clinton. (The southern RDH main would instead be protected and remain.);
2. Verizon. Relocate fiber within Time Warner Cable (TWC) conduit that is a portion of the Verizon City east side ring configuration system between Chase and Xerox. One segment is located within the tunnel and the garage. Another segment is within TWC conduit between Euclid Street and the Sibley Building (within the McCurdy Building and the East Main Street skyway bridge);
3. Rochester Gas and Electric (RG&E) – Electric. Circuit 569 within Vault 5 which is located in the garage serves Bausch & Lomb. This circuit would either be relocated or protected during construction and maintained. RG&E has indicated a preliminary preference to protect and retain the circuit;
4. Time Warner Cable (TWC). A 48 fiber pair service to Xerox located within the truck service truck tunnel and the garage would be relocated;
5. Rochester Bureau of Water (RWW). Surface features impacted by the proposed realignment of Euclid Street would likely require relocation; and,
6. Rochester Pure Waters District (RPWD) – Sanitary and Stormwater Sewers. Portions of the Broad Street storm drainage system may need to be reconstructed. Existing sewers impacted by the proposed realignment of Euclid Street would likely require relocation.

With respect to other infrastructure, it is anticipated that replacement of sidewalks adjacent to the project site along Main, South Clinton and Broad Streets would be required and that existing pavement segments of Elm, Atlas & Euclid Streets would require full reconstruction due to the need for new utilities, street realignments and the fact that Euclid, Atlas & Elm would likely receive significant damage during the demolition & construction efforts.

6.2 Historic Resources

As described in more detail in Section 4.6.2 and Section 5.6.2.1, OPRHP has issued a determination (see Appendices F and G) that the Midtown Plaza block was eligible for listing on the State / National Registers of Historic Places. The determination found the site to qualify due to its exceptional significance and identified the Midtown Plaza and its atrium in particular as an important character defining element. The anticipated demolition of the site and removal of character defining elements of such a resource would obviously constitute a negative impact. A Section 14.09 consultation process was subsequently initiated with OPRHP, ESDC, the City and others to explore whether the project might avoid, minimize or mitigate the anticipated effect.

As discussed in Section 4.6.2, ESDC and the City have initiated a process to develop and evaluate alternatives that are intended to meet the overall project objectives, while attempting to avoid impact to all or portions of the Midtown Block's character-defining features.

As indicated in Section 5.6.2.1, on November 3, 2008, ESDC issued a preliminary "determination of adverse impact" to OPRHP for their concurrence, citing that as a result of the consultation process thus far, that there are no reasonable or prudent alternatives to avoid impacts to S/NRHP eligible resources and still achieve the project's objectives. On November 7, 2008 OPRHP concurred with this determination (see Appendix G and H), noting that significant efforts to explore prudent and feasible options were being made and stating that consultation should continue to identify a preferred alternative.

The Section 14.09 consultation process anticipates an opportunity for public comment prior to conclusion. This requirement is being met by publication in this document of the proceedings of the consultation process, including a detailed evaluation matrix developed by the participants (see Appendix G). Readers and reviewers of this DGEIS are invited to comment upon the significance of the resource, the potential impacts and their avoidability, the alternatives identified to minimize or mitigate the impacts, the evaluation of those alternatives and the consultation process itself. The Final GEIS will respond to these comments and will describe both the selected alternative and the underlying rationale.

6.3 Skyway system

The project would demolish buildings on the Midtown Plaza site to which various components of the skyway system interconnect. As a consequence, these segments (now closed for abatement) would be closed permanently, portions removed and the remaining segments terminated (see Sections 2.5.6.3, 4.14.3 and 5.14.2). The affected segments are:

- An elevated walkway over Broad Street that connects Midtown Tower to the Xerox Tower;
- An elevated walkway over Clinton Avenue that connects the Seneca Building to the Chase Tower; and,
- An elevated walkway over Main Street that connects the McCurdy Building to the Sibley Centre.

6.4 Traffic

With respect to traffic, as described above in Section 5.12.3 and 5.12.4, the following intersection movements are anticipated to provide a unacceptable level of service as a consequence of this project and/or others included in the existing (baseline) conditions (Renaissance Square, ESL Headquarters, closure of the Midtown Garage and a general factor to accommodate future growth):

- From East Main Street eastbound turning left onto northbound Clinton Avenue: Level of Service F; and,
- From Court Street eastbound turning left onto northbound Clinton Avenue: Level of Service F (in the AM peak hour only).

The foregoing does not take into account any potential reduction in volume that would result from an altered distribution that could develop as drivers respond to the delay at the two above intersections by taking alternate routes (taking the path of least resistance).

6.5 Parking

With respect to parking, prior to its closure for abatement, the Midtown garage was available to a large number of monthly parkers working in nearby office buildings. This use had developed progressively over the years as parking demand directly associated with the Plaza declined due

to continued increases in vacancy within the facility. As described above in more detail in Section 4.12.4, these monthly parkers were displaced when the garage closed for abatement in September, 2008 and are now believed to have been accommodated by a variety of other city-owned parking facilities in the downtown area.

As the current project would likely allocate a large share of the spaces available within the garage when it reopens to PAETEC and would rely on the others (together with newly developed parking spaces) to meet the parking demand of other uses developed on the site, the project would make this “temporary” displacement of monthly parkers permanent. Although it is listed here for ease of reference it is the position of this statement that the permanent displacement would not, in fact, lead to a significant adverse parking impact. This is because, as described in more detail in Section 4.12.4, there appear to be sufficient parking resources within a reasonable distance to accommodate those who once parked at Midtown while visiting or working within off-site buildings.

7. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

In the development activities associated with this action, there are many incidental instances of the irreversible and irretrievable commitments of resources. These include building materials and other similar natural or man-made resources that would be consumed, converted or otherwise made unavailable for future use as a consequence of the redevelopment and the preceding demolition efforts. However, none are out of the ordinary or inconsistent with the levels of consumption that would be encountered in any redevelopment and construction process. While there are always some adverse aspects of any irreversible and irretrievable commitment of resources, in this instance there are none that rise to the level of significance referenced in the Section 617.7 criteria found in the SEQR Regulations regarding significance.

To the extent the deteriorated buildings and the energy embodied within them can be considered to be resources, demolition of these resources would represent an irreversible and irretrievable commitment of resources.

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8. CUMULATIVE IMPACTS

8.1 Cumulative Traffic Analysis

Genesee Transportation Council Travel Demand Model

The Genesee Transportation Council (GTC) has created a macroscopic traffic model to analyze highway segments within the downtown area. Released in September 2008, Center City Coordination Travel Demand Modeling analyzes the traffic volumes and capacity of each segment, which is a broader analysis than the intersection studies completed for the Midtown Traffic Analysis. The GTC's analysis is useful to look at highway corridors within the city and can identify areas where traffic volumes may be approaching the capacity of the street network.

The GTC travel demand model has taken many development and capital improvement projects into account, including the Midtown redevelopment, PAETEC headquarters, Renaissance Square, ESL headquarters, residential projects known to RDDC, the Broad Street Aqueduct, Inner Loop between Clinton Ave and Main Street, and the conversion of Broad and Court Streets to 2-way traffic. The base (existing) year is 2005, and the build-out analysis year is 2014.

The table on the following page, Table 8.1, summarizes the projected volume to capacity ratio (v/c ratio) for many corridors within downtown Rochester. The v/c ratio is a measure of the traffic volume within a highway segment versus the capacity of the roadway and is presented as a decimal. Generally, a v/c ratio of 0.9 or greater indicates significant congestion, and a v/c ratio approaching 1.0 indicates that traffic volume may exceed the capacity of the highway. Results are extracted from the 2014 – Full Revision figures within the GTC study for the AM and PM peak hours and include traffic volumes from all of the above-mentioned development projects.

It is important to note that as with any traffic and travel forecasting model, the GTC model has limitations. Most notably, the peak hour analysis assumes that traffic volumes are spread evenly throughout the peak hour. This differs from most intersection analyses (microscopic models) where a peak hour factor is applied to account for some variation in traffic volumes throughout the peak hour.

Corridor	Number of Links	Range of v/c Ratios	
		AM	PM
Clinton Ave NB between Woodbury & Main	4	0.46 - 0.71	0.47 - 0.80
Clinton Ave NB between Main & Inner Loop	3	0.16 - 0.30	0.37 - 0.54
Chestnut St SB between Main & Inner Loop	6	0.33 - 0.79	0.37 - 0.68
Chestnut St NB between Main & Inner Loop	6	0.29 - 0.36	0.25 - 0.62
Main St EB between Exchange & Clinton	3	0.37 - 0.69	0.45 - 0.63
Main St WB between Exchange & Clinton	3	0.39 - 0.41	0.51 - 0.61
Main St EB between Clinton & Inner Loop	6	0.11 - 0.35	0.25 - 0.42
Main St WB between Clinton & Inner Loop	6	0.26 - 0.35	0.20 - 0.38
Court St EB between South & Chestnut	3	0.14 - 0.19	0.20 - 0.40
Broad St WB between South & Chestnut	3	0.02 - 0.07	0.18 - 0.30
St Paul / South Ave between Inner Loop & I-490	6	0.31 - 0.62	0.24 - 0.46

TABLE 8.1, VOLUME TO CAPACITY RATIO

The GTC analysis indicates that the above-listed street corridors within downtown Rochester have adequate capacity to accommodate the private developments and capital projects currently planned within the city. This conclusion is supported by the fact that there is a well-developed street network serving downtown that provides a variety of travel route choices to motorists. There is no indication that major street widening or a change in travel patterns would be necessary to accommodate development within the city.

9. GROWTH INDUCING ASPECTS

The blighting influence of the Plaza in its current condition, the underutilization of this key downtown site, the need for ongoing investment in the Center City district and the objectives of this project to redevelop the site, attract investment, contribute to the tax base and catalyze further investment and revitalization have all been reviewed in detail on in Sections 2.0 and 3.0. Induction of growth is, therefore, a stated goal of this action rather than a potentially unintended and adverse impact.

The population of the City of Rochester has declined by one-third since 1950. Induction of growth would be welcomed as a positive impact. With the exception of potential impacts to parking and traffic described in Section 5.0, the City utilities, infrastructure and services are all adequate to support additional redevelopment and would actually benefit from the increased tax base that would accompany a broader redevelopment outcome.

The potential for this project to lead to demolition of additional buildings within the district is real, but difficult to quantify. In most instances (as referenced in the accompanying market study found in Appendix C) growth induced by this project beyond the Midtown Block would more likely involve adaptive reuse of the existing stock of underutilized buildings for residential and/or retail use. This is as much a consequence of economics and market forces as it is of any other factor. Demolition of additional buildings beyond the Midtown Block induced by this project would likely be limited to those for which adaptive reuse was impractical for economic or other reasons.

The induction of growth is not a potential negative impact of this action under review.

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10. IMPACTS ON USE AND CONSERVATION OF ENERGY RESOURCES

Embodied energy refers to the quantity of energy required to manufacture, and supply to the point of use, a product, material or service. (As an analogue of embodied water, embodied energy might also be called "virtual energy", "embedded energy" or "hidden energy")²⁵.

Embodied energy, as discussed in this document, is the energy input involved in the obtaining of raw materials, manufacturing, and installation of building materials. Energy is embodied in the construction materials of both the existing buildings and any proposed new construction.

Demolition and disposal of the existing buildings to any degree would result in the loss of the embodied energy in the materials to be removed (refer to the discussion in Section 4.16). New construction on the site with new materials would require the input of new embodied energy. Retention of the existing buildings to any extent would conserve the embodied energy in the existing materials and the energy associated with demolition, and thereby mitigate the loss of embodied energy. However, it must also be considered that over the future lifetime of the structures the energy losses from deteriorated, energy inefficient materials may be significantly greater than any savings in embodied energy realized through their retention. There are additional potential negative impacts from the retention of the existing buildings, particularly those associated with blighting influences that are discussed in other sections.

The existing building construction, as noted in Section 4.11, generally all dates from the 1960's or earlier. The materials are outdated and very energy inefficient by modern standards. They are also typically in poor condition, resulting in energy efficiency even lower than when they were originally installed. Any new construction or renovation would use modern materials, which are expected to provide significant increases in energy efficiency and conservation (e.g., more energy efficient mechanical units, insulation, windows, doors, and lighting). Refer to Section 5.16 for further discussion on this topic. The 2007 Energy Construction Conservation Code of New York State also institutes minimum standards for modern construction which would result in improved energy efficiency in any new construction components on the site.

²⁵ Source: www.Wikipedia.org

Additionally, there are new incentives and standards toward “green construction” or environmentally and energy efficient construction which reduces impact on the environment and energy use. The prominent organization orchestrating this movement is the U.S. Green Building Council, which offers professional accreditation and project certification through its LEED® program. New construction on the site, or to a lesser degree renovation of existing buildings, can elect to incorporate LEED certified construction materials and methods to promote energy efficiency and conservation. These measures would improve energy conservation and efficiency over that required by the Energy Conservation Code of NYS. Refer to Section 5.16 for further discussion.

Furthermore, recycling of construction materials can reduce the net energy impact of the project. When materials are destroyed or sent to a landfill, the value of the embodied energy used to produce and install them is lost as well. By recycling materials, some of the embodied energy can be salvaged with the input of an incremental amount of additional energy. Onsite recycling would have the added benefit of reducing the energy required to haul the materials to offsite recycling or disposal locations. Refer to Section 5.16 for further discussion of recycling opportunities.

Thus, while demolition of the existing buildings would result in loss of the embodied energy in the materials, new construction would incorporate modern materials that would improve energy efficiency. Except for instances in which the remaining structure could be renovated to meet modern energy efficiency standards, the net result would be energy conservation in most cases. The loss of the embodied energy in the existing materials to be removed can be mitigated by recycling them to the maximum extent possible.

11. IMPACT ON SOLID WASTE MANAGEMENT

There are no potential impacts to solid waste management. Disposal of waste generated by building occupants would be consistent with current practices and policies applicable throughout the area and the City in general.

As described above in the review of Community Services, the City's Department of Environmental Services offers commercial refuse and collection service to businesses located in the City of Rochester on an individual contractual basis. The level of service (size of containers and frequency of collection) and the fees are determined by the volume and type of refuse and recyclables each individual business generates. Business may also elect to contract with private refuse companies licensed by the City of Rochester to provide service within the City. Private refuse disposal companies currently licensed by the City include Waste Management, Suburban Disposal Company, and Heberle Disposal Service.

Refuse and recyclables collected by the City of Rochester Department of Environmental Services Division are transported to the Monroe County Transfer Station located at 1845 Emerson Street on the west side of the City of Rochester. Refuse and recyclables are transported from the transfer station to the Mill Seat landfill in the Town of Riga. The landfill is owned by Monroe County and leased by Waste Management which operates the landfill on behalf of the County. Private waste collectors utilize both the Mill Seat and the High Acres Landfills for the disposal of solid waste and recyclables. The High Acres Landfill, owned and operated by Waste Management, is located on the east side of Monroe County in the Town of Perinton.

With respect to demolition debris, to the maximum extent practicable, debris would be crushed and utilized for fill on site. This would mitigate the need for transportation and deposition of debris in an off site location (and minimize the corresponding need to bring fill to the site).

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12. ANALYSIS of ALTERNATIVES

This section presents the preferred alternative (the proposed action) and describes significant alternatives to it that have been considered either to minimize or mitigate potential impacts or in the normal course of the planning effort. The alternatives reviewed include no action alternatives, programmatic, street grid, site plan and demolition alternatives, including those that would avoid, minimize or mitigate potential historic impacts. Also included are alternatives related to the adaptive reuse of the existing Midtown Tower, allocation of parking spaces, impacts to the skyway and the potential phasing of demolition.

12.1 Preferred Alternative

The preferred alternative is the action described in Section 2.0 as the Proposed Action. The preferred alternative would respond to the history and conditions reviewed in Section 2.1 and would include the specific activities summarized in Section 2.2, including: provisions for development of a PAETEC headquarters on the Midtown site; acquisition of additional properties within the Urban Renewal District; adoption and implementation of an Urban Renewal Plan; clearance of the site and staging of demolition; adoption of Redevelopment Principles and Land Use Requirements; subdivision and disposition of property; development in at least two phases; scheduling of implementation and development activities; and, transition plans and improvements. The purpose, need and benefits of the preferred alternative have been reviewed in Section 3.0. The objectives of this alternative have been identified throughout this document as have the setting, impacts and potential mitigation measures. The preferred alternative has been identified as the action that would most effectively accomplish the purpose and objectives described in Sections 2.0 and 3.0 taking into account the applicable social, economic and environmental factors. The preferred alternative would lead to several unavoidable impacts described in Section 6.0.

12.2 No Action Alternatives to the Preferred Alternatives

The current involvement of the City and ESDC in the preferred alternative identified in this proposed action is in response to the deteriorated condition of the property, the history of progressive and continual decline, the need for significant capital investment, the blighting influence on neighboring properties and the failure of past revitalization efforts undertaken in the

private sector alone (see the review of past failed attempts provided in [Section 2.1](#)). Effective redevelopment and revitalization of this key location on a scale that would spur further private investment in this and neighboring properties is believed to require direct public involvement and investment in the elimination of pervasive blighting influences such as those associated with the configuration of the superblock and the presence of numerous outdated, deteriorated, underutilized buildings for which the market has demonstrated little or no interest.

The no action alternative is defined as one in which the Plaza and the existing buildings remain as they are, without the investment of public funds or the direct involvement of the City and ESDC to remove buildings, assemble parcels, establish a street grid or provide a shovel ready site for PAETEC (or other parcels for development by the private sector). This discussion will refer to this as the “basic” no action alternative in order to distinguish it from a related modification described in the next paragraph.

A “modified” no action alternative is presented by the prospect for public investment and involvement to abate and restore the existing buildings at an estimated cost of more than \$140 million without reconfiguration or buildout of interior spaces and without the removal of any structures or the establishment of a street grid to eliminate the superblock formed when the Plaza was constructed.

With respect to costs, the basic no action alternative (in which there is no public involvement or investment and the site remains as it is) has no direct costs (although there are many indirect costs including those to surrounding properties, foregone tax revenues and damage to the character of the neighborhood as a whole). In this no cost, no action scenario conditions remain as they are currently and change takes place only as a consequence of the gradual, but unremitting, deterioration that has afflicted this property and the neighborhood for the past two decades or more.

The public costs for the modified no action alternative and the preferred alternative are not equivalent, but are roughly comparable and certainly of the same order of magnitude. The cost for abatement and remediation of ACMs and RECs is common to both. The balance of the cost for the modified no action alternative consists of those for repairs and building system upgrades and replacements necessary to restore the property. In the preferred alternative, the balance of the public costs are made up of the cost for demolition and for the establishment of a street grid, associated infrastructure and (potentially) some open space improvements.

Meaningful change takes place in both the preferred alternative and in the modified no action alternative. In one case (the modified no action alternative), the cost delivers vacant and outdated buildings for which there is an uncertain market and with respect to which there likely remains the need for further investment to reconfigure and build out internal spaces. In the other (the preferred alternative) the cost delivers instead a vacant site of multiple shovel ready sites on a newly established street grid located in a highly visible and strategically positioned area only blocks from most of downtown and from the East End. In the case of the modified no action alternative, the blighting influence of the superblock remains – in the preferred alternative the superblock is no more and in its place the potential for activating and engaging retail, residential and office development exists instead.

The three alternatives reviewed here can also be distinguished by their impacts. The preferred alternative proposed in this action would have several unavoidable impacts identified in [Section 6.0](#). These include impacts to historic resources, some traffic impacts, some impacts to utilities that will be lost as a consequence of demolition and impacts to the skyway system. Although there are no negative impacts to parking per se (the garage would remain) the preferred alternative would consume some of the parking supply.

None of these unavoidable impacts are encountered in either the basic or modified no action alternatives. However, in both the basic and modified no action alternatives the ongoing blighting influence of the superblock would remain. In the basic no action scenario the blighting influences of the underutilized, outdated and deteriorated buildings would remain as well. In the modified no action scenario the blighting influences associated with the buildings would be mitigated somewhat as a consequence of the investments in abatement and restoration, but the blighting influences associated with the buildings' outdated configuration, inward focus and lack of engagement would remain nonetheless.

The project objectives have been summarized in [Section 2.1](#) and reviewed again in [Section 3.0](#). The following table evaluates the degree to which each of these three alternatives would accomplish these project goals.

EVALUATION OF WHETHER ALTERNATIVES ACCOMPLISH OBJECTIVES			
PROJECT OBJECTIVE	No Action (no restoration or demolition)	No Action (restoration but no demolition)	Preferred Alternative
The arrest of further deterioration of the site and its negative influence on surrounding area;	NO	PARTIAL	YES
The elimination of blighting influences upon the Center City district as quickly as is practical;	NO	NO	YES
The elimination of substandard conditions, deteriorated structures and other blighting influences;	NO	PARTIAL	YES
The demolition and removal of non-contributing structures for which renovation is not an economically feasible option;	NO	NO	YES
The elimination of urban design characteristics contributing to blight within the area;	NO	NO	YES
Breaking down of the superblock established in the 1960's, restoration of access and establishment of a traditional street grid;	NO	NO	YES
Enhancement and activation of the street environment and the public realm;	NO	NO	YES
Creation of an active/intimate street environment and fostering of active use of street front retail;	NO	NO	YES
Preservation of property values;	NO	PARTIAL	YES
Additional contributions to the tax base;	NO	PARTIAL	YES
Acquisition of underutilized and vacant properties in the project area for economic development purposes;	NO	PARTIAL	YES
Elimination of key obstacles to economic development in and around the project area	NO	PARTIAL	YES

EVALUATION OF WHETHER ALTERNATIVES ACCOMPLISH OBJECTIVES			
PROJECT OBJECTIVE	No Action (no restoration or demolition)	No Action (restoration but no demolition)	Preferred Alternative
through private development;			
Promotion of use or reuse of underutilized land and buildings in a manner consistent with the Center City Master Plan;	NO	PARTIAL	YES
Attraction of private investment through provision of economically attractive opportunities for additional development on the site and future flexibility to respond to investor requirements in the future;	NO	PARTIAL	YES
Response to, support of and benefit from the current commercial interest in the site through provision of a suitable shovel ready site for PAETEC;	NO	NO	YES
Disposal of area development opportunities by sale to qualified private sector developers for renovation or re-development according to an identified plan;	NO	NO	YES
Response to applicable market conditions and flexibility to respond to changing market dynamics in the future;	NO	NO	YES
Redevelopment in a manner that responds to and builds upon the site's prominence as one of the most important downtown sites;	NO	PARTIAL	YES
Redevelopment of the site in a manner that optimizes the potential for a redeveloped Midtown site to catalyze further revitalization throughout the Center City District;	NO	NO	YES
Promotion of job growth;	NO	NO	YES
Development of a public private partnership and attraction of private investment in the Midtown	NO	NO	YES

EVALUATION OF WHETHER ALTERNATIVES ACCOMPLISH OBJECTIVES			
PROJECT OBJECTIVE	No Action (no restoration or demolition)	No Action (restoration but no demolition)	Preferred Alternative
site;			
Redevelopment of the Midtown site as a viable mixed-use urban space that would complement the envisioned PAETEC headquarters;	NO	NO	YES
Positioning of the site and the surrounding district as a premier development site for high quality office, residential and retail;	NO	NO	YES
Strengthening of downtown as the region's center for business, entertainment, cultural assets and urban living;	NO	NO	YES
Development of a strong, economically viable and diverse neighborhood commercial area;	NO	NO	YES
Positioning of the site as a critical downtown development node for existing corridors;	NO	NO	YES
Enhancement connections and linkages to other key districts including the East End;	NO	NO	YES
Reconnection of neighborhoods, enhancement of adjacent districts and improved walkability.	NO	NO	YES
Creation of additional open and green spaces that contribute to and enhance the public realm; and,	NO	NO	YES
Implementation of proven placemaking methods to encourage activity and create a destination at Midtown.	NO	NO	YES

The preferred alternative has been selected in preference to both the basic no action alternative and the modified no action alternative described above because of its relative effectiveness in accomplishing the foregoing objectives.

12.2 Mixed Use Program Alternatives

Three alternative mixed use programs which described the combination of uses and number of square feet that should be anticipated for each were initially identified. These three reflected a market feasibility analysis undertaken as part of the planning process (see Appendix C) and they differed from one another primarily with respect to the development density or total number of square feet each proposed for development. These different densities were defined by the anticipated market capacity for absorption of new spaces within a ten year period and an estimate of the proportion of this absorption potential that Midtown might reasonably be expected to capture.

The three alternative programs were shown above in Table 2.1 and are discussed in Section 2.5.1. They consisted of a base scenario accompanied by one alternative reflecting a less positive assessment of how demographic changes and revitalization efforts would affect future market demand and another reflecting a much more positive forecast of the effects of these same factors on future demand. Both the base and high alternatives included the development of a PAETEC headquarters, whereas the low scenario did not. Even the most expansive alternative called for fewer than the 1.4 million square feet of space now existing on the site.

Although initially reviewed as separate alternatives, the distinction between the base and high eventually came to be somewhat blurred. Recognition that a level of uncertainty would remain in the face of even the best market forecasts and that a site plan could be developed that would accommodate either the base or high alternative led to consolidation of these two program alternatives and to their subsequent consideration as merely two potential outcomes of a single alternative (the preferred alternative). With respect to the low density program alternative (which excluded PAETEC), it also became progressively less important in the planning effort as the pivotal role played by PAETEC's investment, preferences and presence on the site became more clear. Ultimately, the preferred alternative came to be one in which the lower density development and associated program which did not include PAETEC was abandoned in favor of one in which the base and high program alternatives remained as a consolidated single program alternative accommodating a range of outcomes. Although redevelopment of the site in the absence of PAETEC's involvement remains a possibility, significant revisions to the development plan would likely be required and a supplemental EIS would therefore likely be necessary to ensure full consideration of the implications, were that situation to come to pass.

As the combined base and high programs (referred to in this document as the preferred program or, in some instances, the baseline scenario) both accommodate PAETEC and provide important flexibility to also accommodate a range of future market conditions, only the single alternative which combines the two is still under consideration. There are no other alternatives relevant to the topic of the mixed use program or development density.

12.3 Assembly, Street Grid, Block Configuration and Parcel Subdivision

Section 2.5.2 reviews the plans for assembly of existing parcels, establishment of a traditional street grid and the delineation of a new parcel or block configuration. The section also reviews the rationale behind the principal objectives of breaking down the superblock and establishment of a network of interior streets at Midtown. The historic grid which included streets subsequently abandoned with the development of Midtown Plaza appeared in Section 2.5.2 as Figure 2.8. The associated discussion also reviews the unique circumstances related to the convergence at the site of two distinct grids with conflicting orientations. The figure below (Figure 12.1) is a graphic illustration of other urban planning considerations that influenced initial proposals regarding the proposed street grid and block plan. Additional related detail can be found in Appendix B.

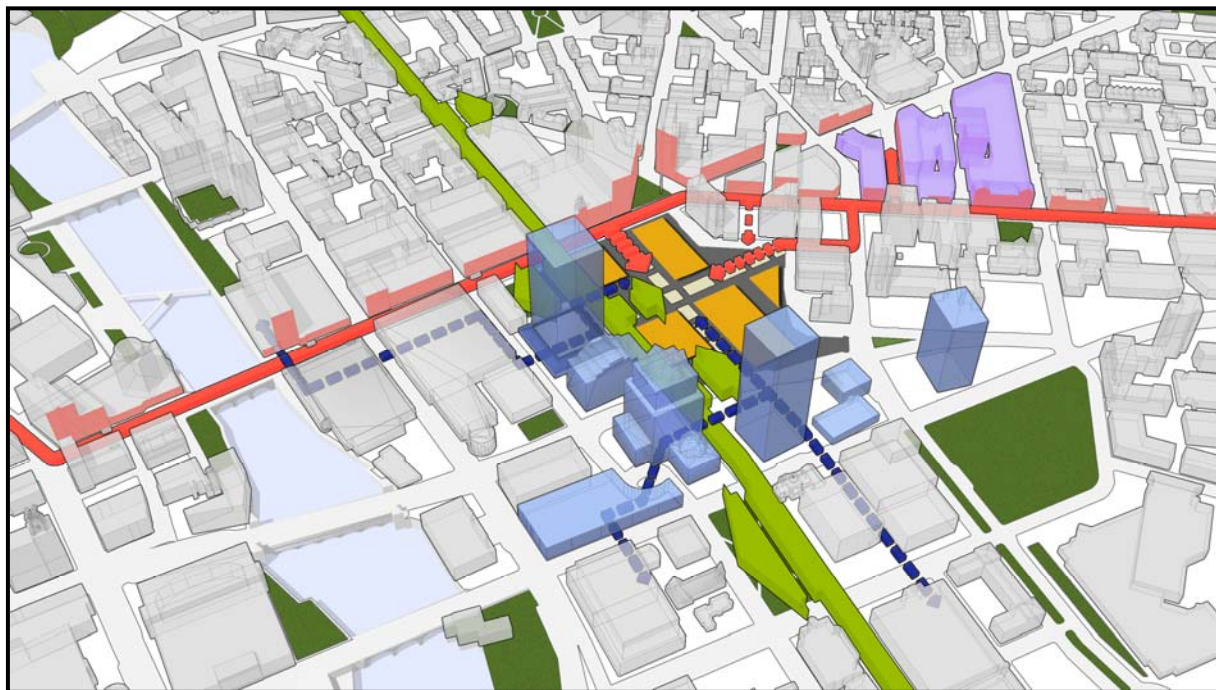


FIGURE 12.1, FOCUSING THE REDEVELOPMENT PLANNING EFFORT

The presence of the superblock and absence of interior streets at Midtown is itself seen as a significant blighting influence. Elimination of this influence through establishment of a traditional interior street grid within the Midtown Block has been identified as a major objective of this action. With the exception of alternatives reviewed below in Section 12.5 which were proposed in an effort to minimize or mitigate potential impacts to historic resources, no alternative which would fail to establish an internal grid has been given serious consideration. Such an alternative would fail to address many of the important project objectives listed in the tabular evaluation of the preferred and no action alternatives presented above in Section 12.2.

Establishment of a street grid also operates to simultaneously define blocks or parcels. The same rationale given above for the absence of alternatives which do not establish a grid also explains the absence of any consideration of alternatives that would fail to assemble property and then reconfigure it to create newly delineated blocks or parcels.

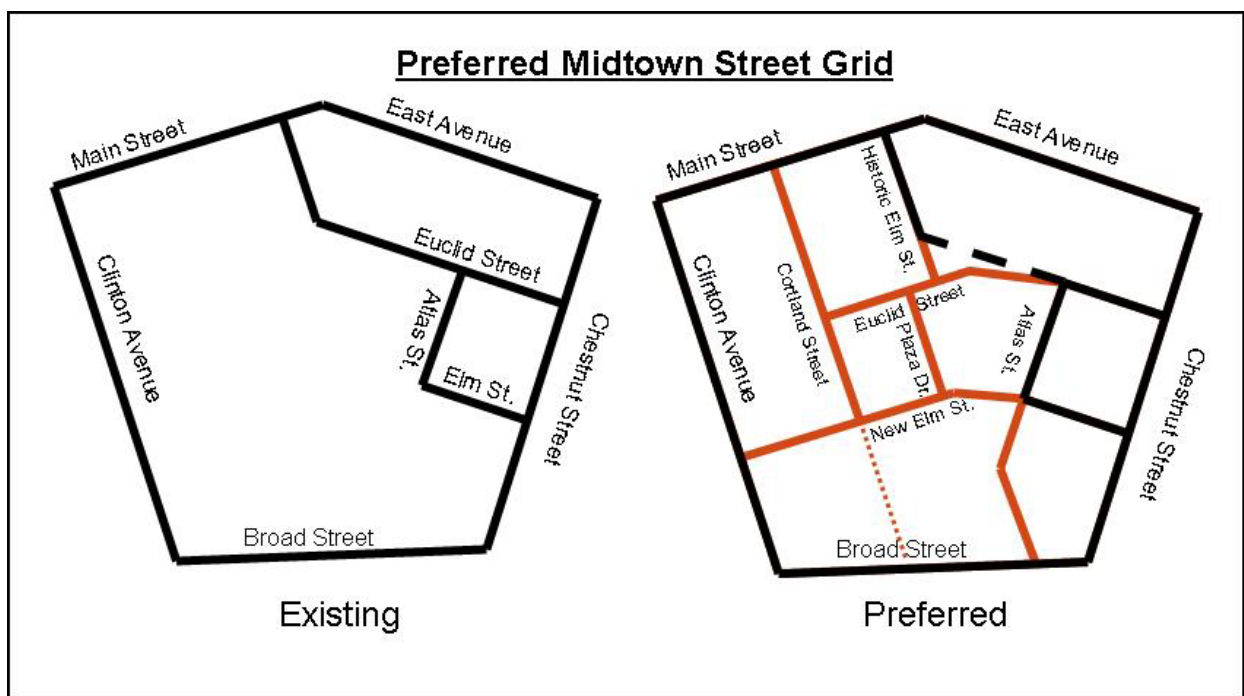


FIGURE 12.2, MIDTOWN STREET GRID

With respect to alternative configurations of streets and development blocks, a single preferred configuration emerged as one which would effectively break down the superblock, provide sufficient internal access and delineate appropriately sized blocks for development. The preferred alternative has incorporated this preferred configuration which is illustrated above in

Figure 12.2. More details concerning this preferred grid and the associated block configuration can be found in the discussion in [Section 2.5.2](#) and in Figure 2.11.

As can be seen in Figure 12.1, early considerations of a potential street focused upon quartering of the block to provide internal access and a reasonable number of development parcels. This approach was ultimately abandoned in favor of the preferred grid shown above in Figure 12.2 which also allowed for creation of a central open space and provided more numerous parcels. The preferred configuration shown above was also preceded by a number of suggested grids that responded independently to the three program alternatives identified in the foregoing section. As the focus on those program alternatives shifted to a single alternative that would accommodate PAETEC and a range of mixed use programs (both the base and high density solutions), the focus also shifted to a single preferred street grid and block configuration that would accommodate this single program alternative as well. As shown in Figure 12.2, an alternative to extend Cortland Street further south to Broad Street remains under consideration as part of the preferred configuration. This alternative relies heavily upon the fate of the Midtown Tower (see [Section 12.6](#)) with which it conflicts.

PAETEC's preferred location for their anticipated headquarters building, the building's floorplate configuration and PAETEC's preferences relative to open space all figured prominently in the evolution of the preferred grid. Designation of open spaces of an appropriate size also led to particular revisions to the grid, including the offset to the left and "mis-alignment" of the street identified as Plaza Drive in Figure 12.2. The preferred street grid and block configuration alternative shown in Figure 12.2 was identified as one which would most effectively satisfy the project objectives and PAETEC's needs as well as provide the City valuable flexibility to support a range of density alternatives and to respond in the future to changed market conditions.

A predecessor grid considered for some time was ultimately abandoned in favor of the preferred grid which was found to be less complex and also to accomplish the applicable requirements with a less extensive, and therefore less expensive, system of streets. The more complex grid which was ultimately abandoned is shown below in Figure 12.3. The selection of the preferred configuration shown in Figure 12.2 in lieu of the grid shown below was also influenced by the conclusion that the preferred configuration improved connectivity by providing more direct access to the interior and by reconciling the East Avenue / Chestnut Street grid to the Main Street / Clinton Avenue grid more gracefully.

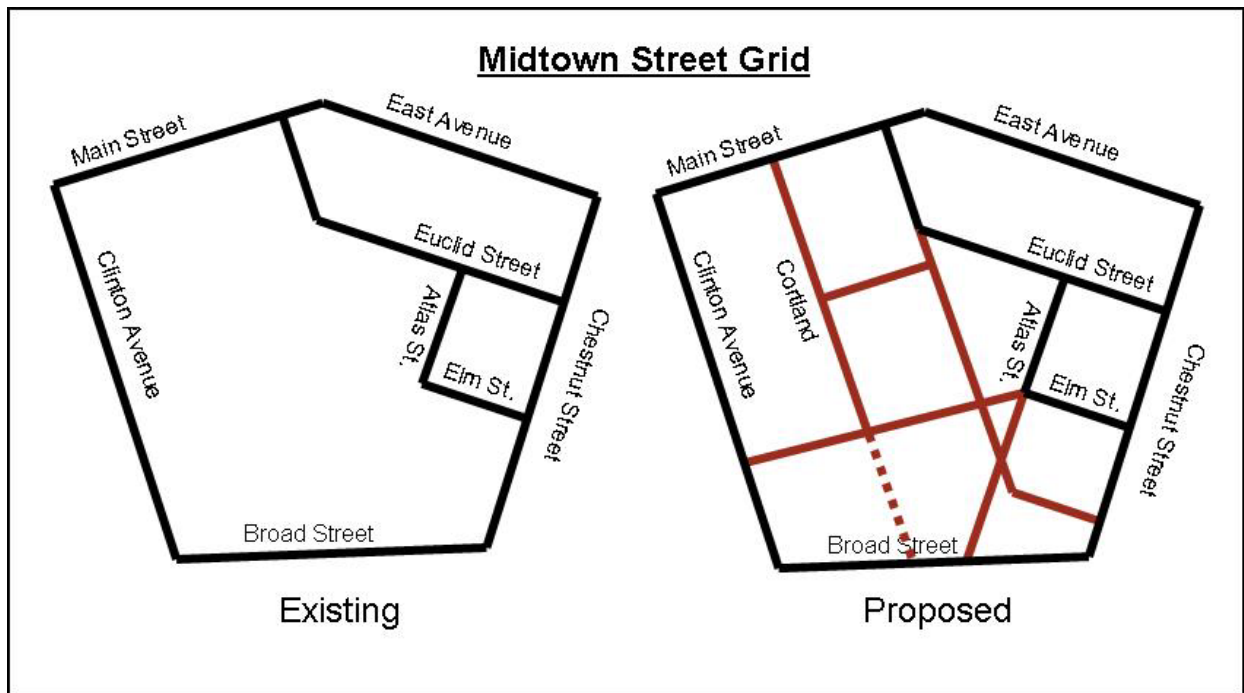


FIGURE 12.3, MIDTOWN STREET GRID ALTERNATIVE (ABANDONED)

12.4 Land Use, Open Space, and Concept Site Plan

A conceptual plan for land uses, including open space, is shown below in Figure 12.4. The location preferred by PAETEC for development of their facility (parcel number 1), the identification of parcels number 2 and 4 as open space, and the plan to preferentially locate street side retail in the locations indicated in the figure are all defining features of this plan.

With respect to the southern open space on Clinton and Broad identified in the figure above (Figure 12.4) as parcel 2, a number of alternatives have been considered. The parcel was for a time considered as a candidate for a development parcel. However, PAETEC has indicated a strong preference for open space at this location in order to provide a corporate plaza and to preserve a view of the PAETEC facility as one enters the City along Clinton Avenue. There has been significant concern that the size of this open space may limit its effectiveness. It is recognized that successful implementation of a plaza of this size in the indicated location would require careful planning and attention to detail. Although the parcel is described only as an open space in the preferred scenario, consideration is still being given to the potential development of a building on the eastern portion of parcel 2 provided it can be done in such a way as to not compromise the plaza or unduly impede the view of the PAETEC facility,

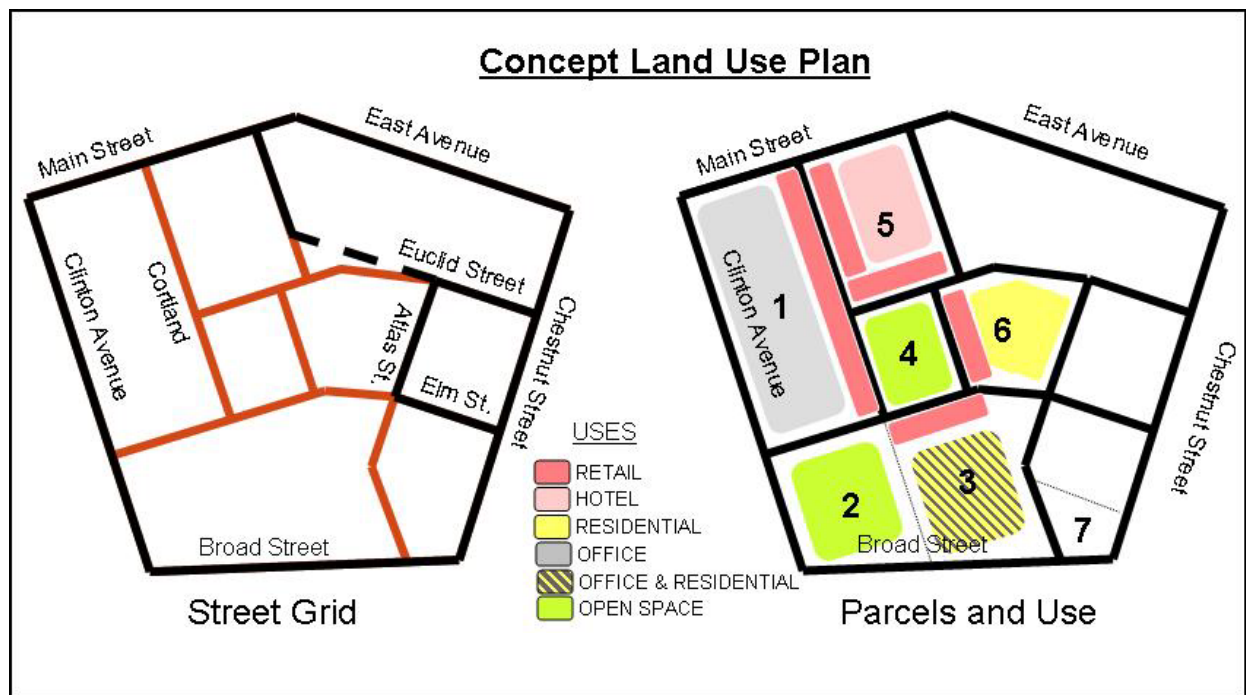


FIGURE 12.4, CONCEPT LAND USE PLAN

The preferred concept site plan corresponding to the above can be found in the Figures and in the text above as Figure 12.4. A number of site plan alternatives preceded this preferred plan. As with the street grid, these alternatives included those focused on one or another of the program density alternatives. Some are illustrated in Appendix B. Guidelines intended to govern land uses can be found in Appendix D. Other alternative site plans developed in the context of a review of impacts to historic resources are included in the record of the OPRHP consultation process described in Appendix G.

12.5 Historic Resource Alternatives Involving the Plaza Atrium

As described above in [Section 5.6.2](#), OPRHP issued a determination (see Appendix F) that the Midtown Plaza was eligible for listing in the State Register due to its exceptional importance. Although the determination included the entire site and complex, the atrium portion of the site, in particular, was identified as the most salient feature. The anticipated demolition of buildings on the site would obviously constitute a negative effect to this eligible resource.

A "Section 14.09" consultation process has since been initiated to explore whether there are feasible design alternatives - considering economic, engineering, and design factors - that

would avoid, minimize or mitigate adverse impacts on the facility, particularly the atrium portion. A record of the meetings held as part of this effort is included within Appendix G. In addition to the no action and preferred alternatives described above, three additional alternatives were defined in deference to the status of Midtown Plaza as an eligible resource: These three additional alternatives include:

1. A “preservation” option which would modify the preferred or baseline scenario to include preservation of the Midtown Plaza atrium and use it, in conjunction with portions of the adjoining PAETEC building, as it was originally intended for gathering and for adjoining retail;
2. A “reuse” option which would modify the preferred of baseline scenario to include preservation of the Midtown Plaza atrium, but reuse it in a manner different from that originally intended, most likely in conjunction with the adjoining PAETEC building; and,
3. An “interpretation” option which would demolish the Plaza and associated atrium rather than preserve or reuse it and would seek to commemorate the resource through interpretation, either in its original location or in a nearby (but not identical) location.

Although it was the only alternative that would avoid any negative effect to the eligible resource, the consultation dismissed the no action alternative as one which would not realize any of the project objectives (see the discussion in Section 3.0 and in Section 12.1, above). In other words, the consultation came to recognize the proposed action as one in which some impact to the eligible resource was unavoidable. The description of unavoidable impacts found in Section 6.0 of this document is consistent with this position.

Of the three alternatives listed above which were proposed to either minimize or mitigate the unavoidable impact, only the reuse and interpretation options remain under active consideration by the consultation participants. The “preservation” option which would modify the preferred or baseline scenario to include use of the atrium (in conjunction with portions of the adjoining PAETEC building) as it was originally intended for a central gathering space in a setting which surrounded it by retail uses was found to not be feasible given the market’s limited capacity to absorb new retail uses (see Appendix C), the cost to retain and operate the atrium, the importance of retail to activate Main Street and other spaces and given PAETEC’s concern

regarding a potential involvement of their own building which would be immediately adjacent to the atrium.

With respect to the reuse alternative, the cost to retain and operate the atrium remained an important consideration and source of concern. The cost to brace, enclose and provide systems to heat, condition and power the atrium exceeded \$5 million. This cost included only a very utilitarian enclosure and did not include the cost to provide a façade or entrance that would complement the other buildings anticipated to be developed on the site, that would interest visitors to the newly redeveloped block or that would be in keeping with the atrium's importance as a retained character defining feature of the Midtown Plaza block (see the record of the consultation process provided in Appendix G for more details regarding these costs and considerations). Another significant concern that remained with the reuse alternative regarded the extent to which it would either preclude, or at least complicate, development of a new street grid along an ideal alignment and, in particular, along the historic right of way of Cortland Street which was abandoned when the Plaza was constructed. The central location of the atrium is partly astride what was once the Cortland Street right of way. The relative location of the atrium and what remains of the Cortland right of way can be seen in Figure 2.5.

Following the identification of the preservation option as one that was not feasible, a formal evaluation of the remaining alternatives (preferred, or baseline, alternative, reuse alternative, and interpretation alternative) was undertaken. These included the preferred or baseline alternative, the reuse alternative defined above and the interpretation alternative also described above. The criteria developed for use in this evaluation are as follows:

1) Is the Alternative Reasonable and Prudent?

- a) Extent that Alternative is “constructible” – What architectural/engineering issues would be required to be addressed in order to realize the Alternative?
- b) Are there engineering or physical constraints on/around the site that would make the Alternative imprudent or not feasible?
- c) Are there any schedule and/or staging issues that would affect other key programmatic features of the Midtown Project?

- d) Would City, ESD, PAETEC, or other entities be required to take on and/or absorb any carrying, liability, and/or other costs/responsibilities associated with key preservation components of Alternative?
- e) Estimated costs of construction necessary to realize key preservation components.
- f) Assumed mechanisms/entities for funding construction of key preservation components. Are these funds readily available or are there reasonable mechanisms to obtain (e.g., net savings from avoidance of demolition costs used for rehab/reuse, incorporated into costs for PAETEC development costs, etc.).
- g) Estimated costs of maintenance and operations necessary for key preservation components to ensure their preservation into near/long-term future.
- h) Assumed mechanisms/entities for funding maintenance and operations of key preservation components. Are these entities/mechanisms already in place or would be reasonable to establish?
- i) Extent that Alternative responds to economic and market setting(s) documented at the Midtown Block/region. Would approach to addressing key preservation components result in a setting/ components that would be reasonable from a real estate perspective? Is the Alternative economically sustainable?
- j) Are there any other factors – including but not limited to safety, efficiency, code requirements, etc. – that would impede the reasonable realization or continuation of the Alt.?

2) *Is the Alternative Consistent with Overall Midtown Redevelopment Project Objectives?*
(Qualitative)

- a) Extent that Alternative could result in positive economic impacts (including increase in property values) and return on public investment.
- b) Extent that Alternative could result in the removal of blight and blighting influences.
- c) Extent that Alternative removes impediments to redevelopment and connectivity presented by existing superblock characteristics.
- d) Extent that Alternative could provide opportunities for economically-feasible redevelopment and attraction of private investment.
- e) Extent that Alternative contributes to “Placemaking” – revitalization and catalyst throughout the area (onsite and relationship to adjacent areas), public realm, etc.

- f) Extent that Alternative capitalizes on the unique opportunities presented by this key site and location.
- g) How does the Alternative contribute to or conflict with PAETEC requirements, needs, and/or preferences and/or in any way enhance or impede their participation in the project?

3) *Is the Alternative Consistent with historic preservation policies. (Qualitative)*

- a) Extent that Alternative promotes the use, reuse and conservation of character-defining features/characteristics of the Midtown Block for the education, inspiration, welfare, recreation, prosperity and enrichment of the public.
- b) Extent that Alternative promotes and encourages the protection, enhancement and perpetuation of character-defining features/characteristics of the Midtown Block, including any improvements, objects and sites which have or represent elements of historical, architectural, or cultural significance.
- c) Extent that Alternative fosters civic pride in the beauty and accomplishments of the past, specifically related to the character-defining features/characteristics of the Midtown Block.
- d) Extent that Alternative preserves and enhances the State's attractions to tourists and visitors.
- e) Extent that the Alternative complies with State Article 14.00 of the Parks, Recreation and Historic Preservation Law.

The completed consultation evaluation is included in tabular form within Appendix G.

As indicated in Section 5.6.2.1, on November 3, 2008, ESDC issued a preliminary "determination of adverse impact" to OPRHP for their concurrence, citing that as a result of the consultation process thus far, that there are no reasonable or prudent alternatives to avoid impacts to S/NRHP eligible resources and still achieve the project's objectives. On November 7, 2008 OPRHP concurred with this determination (see Appendix G and Appendix H), noting that significant efforts to explore prudent and feasible options were being made and stating that consultation should continue to identify a preferred alternative.

The Section 14.09 consultation process calls for an opportunity for public comment prior to its conclusion. This requirement is being met by publication in this SEQR DGEIS of the proceedings of the consultation process including the detailed evaluation matrix referenced

above and the determinations of OPRHP and ESDC. Readers and reviewers of this DGEIS are invited to comment upon the significance of the resource, the potential impacts and their avoidability, the alternatives identified to minimize or mitigate the impacts, the evaluation of those alternatives and the consultation process itself. These comments will be taken into account in formulating a final plan of action given Midtown Plaza's identification as an eligible resource. The Final GEIS will respond to these comments and will also describe both the selected alternative and the underlying rationale for the selection.

12.6 Alternative for Adaptive Reuse of the Midtown Tower

Members of the community and interested urban planning professionals have suggested that opportunities for adaptive reuse of the existing Midtown Tower not be overlooked. A similar suggestion was included within an Urban Land Institute report completed in June 2005 (see Appendix A). Suggestions for adaptive reuse of the Midtown Tower have usually included proposals to remove all building systems and replace the existing building exterior (skin) following asbestos abatement in order to make use of the remaining structural building components. It has also been suggested that a partial demolition of some upper floors could follow abatement and the removal of building systems.

An original assumption that development of the PAETEC building would require the preceding removal of the Midtown Tower has proven to be false. However, the retention of the building would complicate or eliminate the potential to extend the newly established Cortland Street as far south as Broad Street (see the concept site plan included in the Figures and in the text as Figure 2.14 where the potential extension of Cortland Street south to Broad Street and the footprint of the existing tower are delineated with dotted lines). At the same time, with the exception of this most notable conflict, the preferred site plan has generally been configured in a manner that could accommodate the tower with only some minor modifications.

Retention and adaptive reuse of the Midtown Tower would make good use of the structural system, including the financial investment and embodied energy that would otherwise be sacrificed were the building to be demolished. Adaptive reuse of this building also has the potential to promote some important project objectives in that it could speed redevelopment of that site and potentially lead to an earlier residential presence on the site (an important consideration when looking to activate a new mixed use redevelopment such as is being proposed). At the same time, the prospect for a deteriorated, vacant and incomplete Midtown

Tower remaining years into the future is a potential impediment. The blighting influence, were the building to remain in this manner, could be significant and could discourage interest in the Plaza site or otherwise impede efforts to promote its revitalization. The presence of a vacant and incomplete tower would also effectively limit options for redevelopment on the parcel or, at the very least, delay redevelopment proposals that would then require the prior demolition of the tower including closure and shoring of the portion of the underground garage below.

For the foregoing reasons there is general opposition to a “wait and see” approach regarding this adaptive reuse alternative and the ultimate fate of the Midtown Tower. Accordingly, the City has proposed modifying the original plan which called for immediate demolition of the Midtown Tower by first soliciting proposals and associated commitments from developers for an adaptive reuse of the building structure. In deference to the City’s schedule concerns and current availability of ESDC funding, an opportunity of limited, but reasonable, duration would be provided for developers or others from the private sector to submit proposals for acquisition and redevelopment of the Midtown Tower following its abatement and remediation. If a proposal is found to be economically feasible, to include both acceptable implementation milestones and reliable funding commitments, and to be consistent with the overall redevelopment goals and objectives described in this document, the City would then partner with those putting forth such a proposal to retain the Midtown Tower and make it available for adaptive reuse. Should no such proposal be submitted or should those submitted be found to be impractical, to involve an unacceptable delay or to rely on uncertain funding, the Midtown Tower would be demolished and removed along with others rather than risk compromising the realization of a successfully redeveloped and revitalized site.

12.7 Parking Garage Alternatives

Given the demand for downtown parking and the expense of replacing the 1,844 spaces provided by the existing garage, retention of the garage has been a priority. Although potential demolition of the underground parking garage was originally considered a possibility, a 2008 study revealed that the garage, while it required some investment and repairs, was basically sound. It was subsequently also determined that demolition of the buildings above could proceed by conventional means rather than by implosion and that shoring of the garage could be relied upon to provide adequate load bearing capacity during demolition. This finding confirmed the feasibility of retaining this asset. PAETEC’s subsequent decision to locate their

facility within an area that was beyond the reach of the underground garage has further improved the opportunity to retain the garage with minimal loss of parking spaces. Demolition of the garage is no longer an alternative under consideration.

12.8 Parking Alternatives

Those who have been parking within the Midtown parking garage in recent years pursuant to monthly contracts have since been displaced by closure of the garage for abatement of ACMs and RECs. There is no plan to renew these contracts when the garage reopens. The alternative that would restore this use by tenants of other “off site” buildings would also simultaneously preclude meeting the demand for parking associated with on site uses via the garage. The rationale for not including such an alternative in the action (the preferred alternative) follows.

The availability of on site parking would likely be an important consideration for developers and others interested in providing the desired private investment in the site. Absence of sufficient parking on site could discourage potential investors. The availability of approximately 1,844 Midtown garage parking spaces would be an important factor in promoting active (and early) redevelopment at Midtown. PAETEC would also likely require dedication of sufficient parking within the underground parking garage to meet their needs. The precise number would be resolved in the pending development agreement between the parties to the public private partnership (the City, ESDC and PAETEC). The balance of the spaces then available within the garage would likely be relied upon to meet other parking needs generated on site. Additional parking would also be constructed as necessary to meet the remaining demands associated with redevelopment of the Midtown site. This would restore the traditional scenario (which prevailed prior to the emergence of exceptionally high rates of vacancy within the complex) in which the Midtown garage was utilized primarily by tenants, occupants and patrons of on site buildings and uses.

12.9 Demolition of Skyway Bridges and Utilities

As described above in [Section 4.0](#), a network of skyways and other pedestrian corridors (see [Section 4.14.3](#)) connects many downtown Rochester buildings. Midtown has served as a significant hub for this system. In some instances, utility connections have also been developed

within these pedestrian resources. The following skyway system components connect to Midtown buildings slated for demolition:

- An elevated walkway over Broad Street connecting Midtown Tower to the Xerox Tower;
- An elevated walkway over Clinton Avenue connecting the Seneca Building to the Chase Tower; and,
- An elevated walkway over Main Street connecting the McCurdy Building to the Sibley Centre.

As the Midtown buildings to which these segments connect would be demolished, the connections themselves would be severed and the system segments crossing the street would be demolished as well.

Although some have expressed concern over the loss of these skyway system components, no alternatives (other than the no action alternative) to the demolition of these skyway system components have been identified. The impact would be mitigated by development of means for pedestrians to reach the sidewalks adjacent to terminated segments of the skyway system. The sidewalks around the perimeter of the Midtown Block as well as the new sidewalks planned for the interior of the block would then serve as a pedestrian hub similar to that once formed by the Midtown buildings connected to the skyway system. This impact has been identified in Section 6.0 as an unavoidable impact of the project.

While future opportunities to develop replacement segments connecting the remaining system to new buildings or surface locations on the redeveloped Midtown site cannot be precluded, they would depend heavily upon the development schedule and upon the preferences and consent of those developing the affected buildings and are therefore too uncertain and remote to include now as meaningful alternatives.

12.10 Clearance and Demolition Phasing

Subject to a final determination regarding any buildings that might be retained and reused (the Midtown Tower and the Midtown Plaza atrium, discussed in the foregoing sections), demolition would proceed in a logical sequence across the site in a manner intended to provide necessary staging areas, limit costs, expedite progress and ensure access to a shovel ready PAETEC site

on schedule. Commenter's have suggested that some demolition be postponed or deferred until commitments or definite plans for redevelopment of the underlying sites have been finalized. The City has not adopted this approach and stands instead by its original proposal to progress with a single continuous demolition process. The considerations relied upon to support this determination and to evaluate the feasibility of a deferred or phased demolition process are as follows:

- In attracting future proposals from qualified developers interested in the Midtown site, timing and access to a developable site would likely be important considerations, especially when there is competition from suburban or green site alternatives where there is no need for a preceding demolition phase. It is likely that the need to first wait at Midtown while demolition is undertaken and completed would discourage some developers, make alternative sites appear more attractive in comparison or lead to a need for the City to make other concessions in negotiations;
- The continued presence of vacant and unimproved buildings may serve to discourage developers that would otherwise consider submitting proposals for development of nearby parcels;
- The blighting influence of the vacant and unimproved buildings would continue to affect the downtown community as a whole so long as they are present on the site;
- Anticipated costs for demolition have been significant impediments obstructing successful redevelopment and revitalization of the site. Construction and energy costs have increased significantly in recent years and a delay in demolition would likely lead to further increases in the cost of demolition;
- The loss of efficiencies of scale would result in higher costs for demolition were it to be carried out in multiple phases;
- Staging for demolition and for construction is significantly more easy to provide in a single phase and more difficult to provide in a multi-phase setting where some buildings have already been constructed; and

- Disruption and inconvenience to the occupants of buildings developed during early development phases would be greater were demolition of some structures to be deferred.

Alternatives for phased demolition have not been incorporated into the preferred alternative for the foregoing reasons.

Figures:

Figure A1: Proposed Site Plan

Figure A2: Proposed Building Massing

Figure A3: Architect (DCS) Rendering, View from Main Street

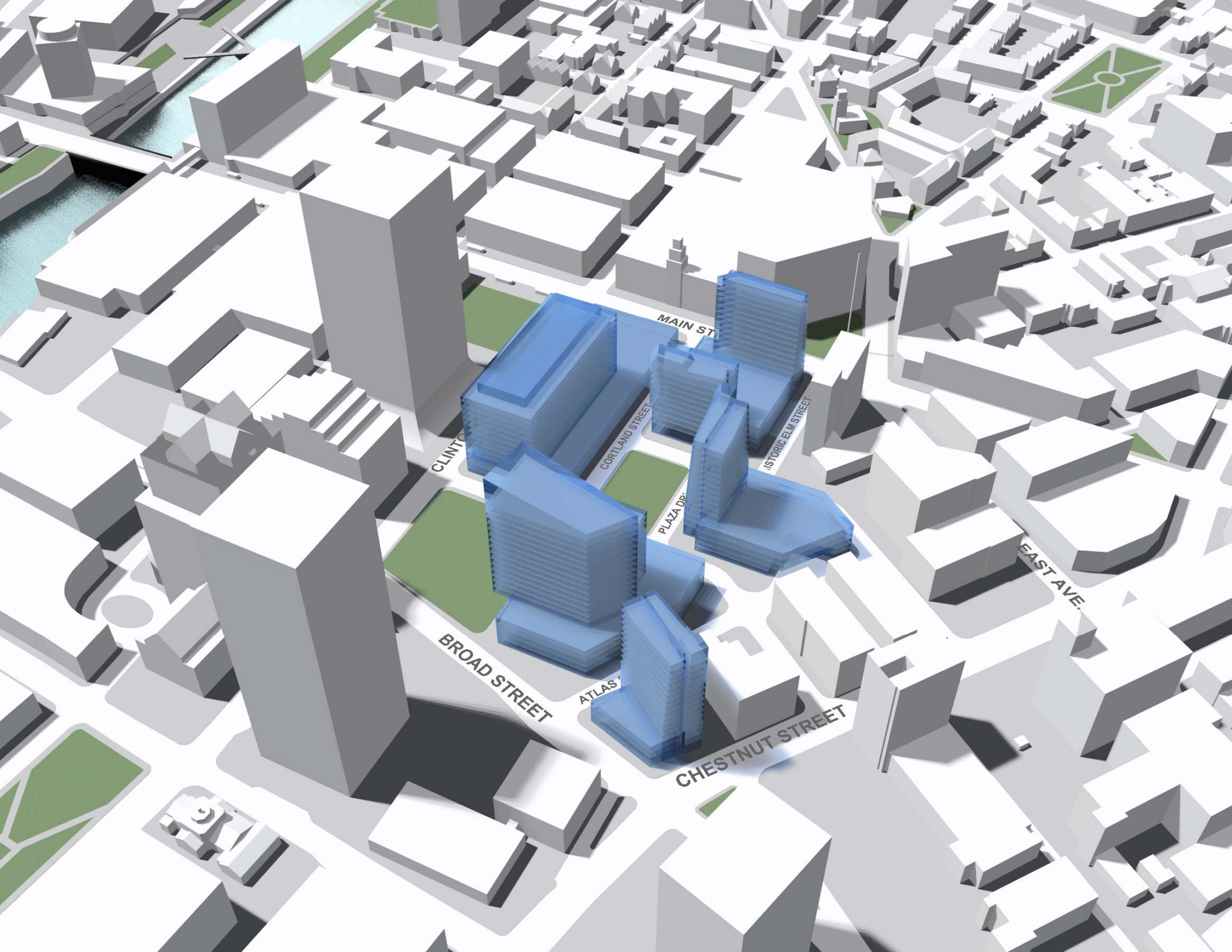
Figure A4: Architect (DCS) Rendering, View from Clinton and Broad Streets

Figure A5: Guideway to the Skyway

Figure A6 Center City Core Street Designations

Figure A7 Sites of Historic Significance





MAIN ST

CORTLAND STREET

HISTORIC ELM STREET

CLINTON

BROAD STREET

ATLAS

CHESTNUT STREET

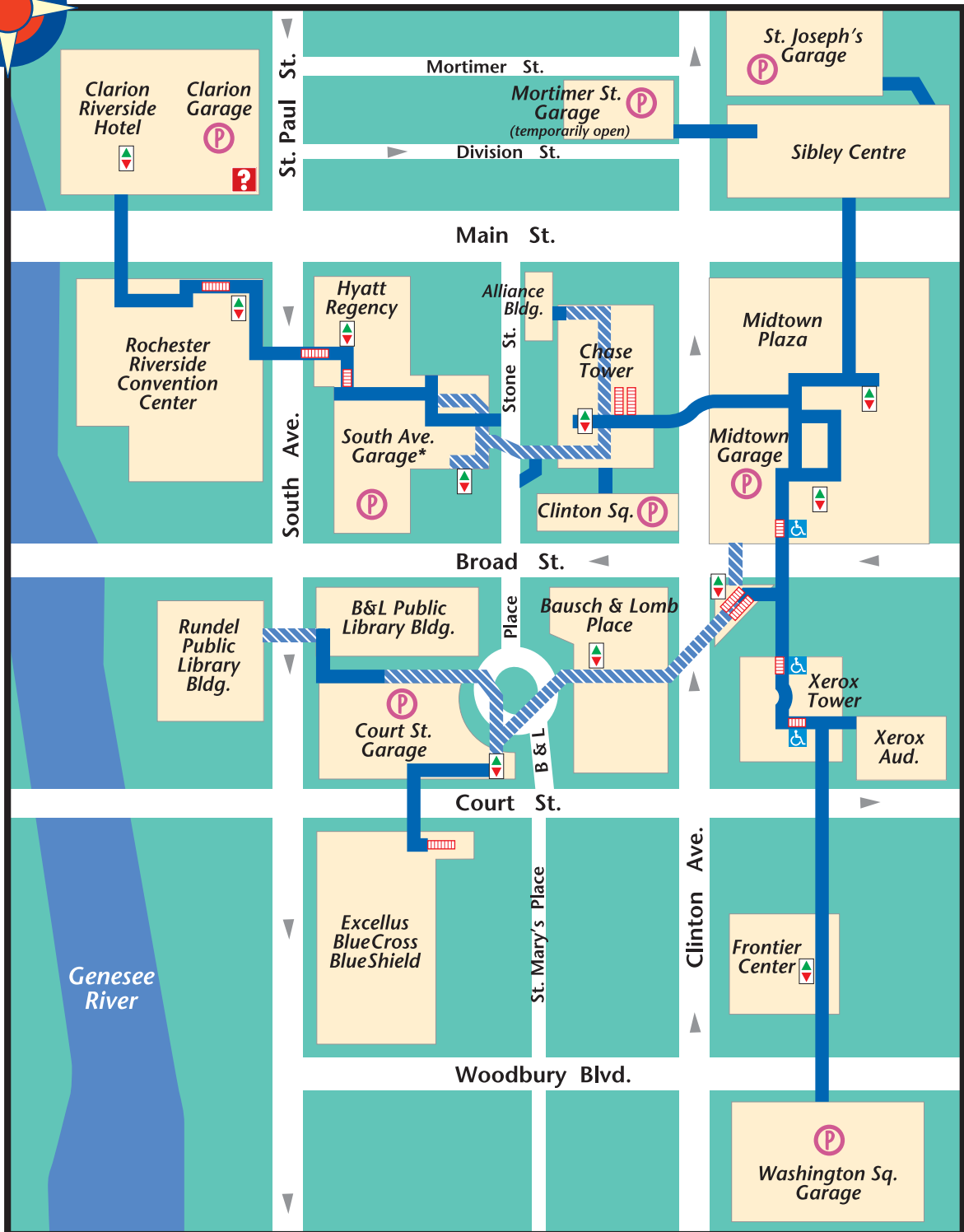
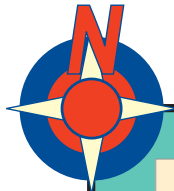
EAST AVE.











PAETEC at MidTown - View from Clinton and Broad

GUIDEWAY TO THE SKYWAY



- L**  **Elevator**
- E**  **Escalator**
- G**  **Information Center**
- E**  **Ground level or above**
- N**  **Below ground**
- D**  **Accessible Lift**

The Skyway System contains underground, street-level and above-ground components. Look for the blue Skyway signs  when traveling through the system.

**The South Avenue Garage will be undergoing reconstruction throughout 2006 and 2007. Alternate parking is available at area garages and surface lots.*



Legend:

- Information:** ?
- One Way Street:** Arrow
- Scale:** 1/4 Mile
- Pedestrian Walk:** Dashed line
- Pedestrian Bridge Over Highway:** Dashed line with bridge symbol
- Pedestrian Walkway Under Highway:** Dotted line
- Surface Lot:** Solid black
- Underground Garage:** Hatched pattern
- Above ground Garage:** Solid grey
- Entrance:** Triangle

Map Labels: GENEESE RIVER, HIGH FALLS, FRONTIER FIELD, SUSAN B. ANTHONY HOUSE, CIVIC CENTER, BLUE CROSS ARENA/WAR MEMORIAL, RIVERSIDE CONVENTION CENTER, HYATT REGENCY HOTEL, STRONG MUSEUM, MONROE AVE, E. BROAD ST, W. BROAD ST, CENTRAL AVE, CUMBERLAND ST, UNIVERSITY AVE, E. MAIN ST, W. MAIN ST, COURT ST, DIVISION ST, PLEASANT ST, ANDREWS ST, FRONT ST, STATE ST, N. PLYMOUTH AVE, N. HAZARD ST, N. UNION ST, N. CANTON AVE, N. GUYMON ST, N. DECATUR ST, N. MONROE ST, N. WOODBURY ST, N. CAPRON ST, N. MARSHALL ST, N. HOWELL ST, N. LAFAYETTE ST, N. LINCOLN ST, N. TRACY ST, N. PARK AVE, N. MONROE AVE, N. CANTON AVE, N. GUYMON ST, N. DECATUR ST, N. MONROE ST, N. WOODBURY ST, N. CAPRON ST, N. MARSHALL ST, N. HOWELL ST, N. LAFAYETTE ST, N. LINCOLN ST, N. TRACY ST, N. PARK AVE.

Map Date: April 2007







downtown/parking

	Lot operator/Garage	Phone #	Rate	Max	Monthly	Nights	Wknds	Spec	Height	Notes
1	Public Parking	232-4420	Flat Daily Rate	2.00	49.00	2.00	2.00	3-5.00	n/a	
2	Public Parking	232-4420	Flat Daily Rate	2.00	49.00	2.00	2.00	3-5.00	n/a	
3	High Falls Garage	454-4490	.40 per 30 min	4.95	59.00	2.00	4.00	4.00	9' 6 "	
4	Tom Slattery	454-3742	Flat Daily Rate	3.00	50.00	1.00	1.00	1.00	n/a	(4 quarters only)
5	Park and Lock	454-3742	Flat Daily Rate	1.50	daily	n/a	n/a	n/a	n/a	
6	Park and Lock	454-3742	Flat Daily Rate	1.50	daily	n/a	n/a	n/a	n/a	Pay meter
7	Aero	232-1887	Flat Daily Rate	2.00	35.00	n/a	n/a	n/a	n/a	Closes at 9 p.m.
10	Tom Slattery	262-4468	1.00 per 30 min	3.25	55.00	3.25	3.25	3.25	n/a	Pay Coin Box
11	Pro Park	263-1800	1.00 per 30 min	3.00	55.00	2.00	n/a	2.00	n/a	No in and outs
12	Central Parking	232-3411	2.00 per hour	6.00	daily	4.00	4.00	4.00	n/a	4.00 early bird
13	Mapco	292-4900	2.00 per 20 min	6.00	70.00	2.00	n/a	n/a	n/a	1.00 each additional 20 mins.
14	Sister Cities Garage	423-9837	.45 per 30 min	6.35	75-90	2.00	Free	4.00	7'	Pro Park
15	Central Parking	232-3411	2.00 per 20 min	6.00	75.00	3.00	3.00	3.00	n/a	4.00 early bird, 2.00 add. 20 mins.
16	Central Parking	232-3411	2.00 per 20 min	6.00	73.00	2.00	2.00	3-5	n/a	3.50 early bird
17	Crossroads Garage	325-5145	.40 per 30 min	6.35	75.00	4.00	Free	4.00	6'	Closed Sun;M-Sa after 10pm
18	Clarion Garage	325-2380	2.00 half hour	6.25	69.00	5.00	5.00	varies	6'	
19	Central Parking	232-3411	see notes	3.50	daily	2.00	2.00	n/a	n/a	Progressive rates
20	Central Parking	232-3411	Flat Daily Rate	4.00	daily	3.00	3.00	3.00	n/a	3.00 early bird/ 6 days consec. \$18
21	Public Parking	454-3742	1.00 per 30 min	3.00	55.00	1.00	1.00	n/a	n/a	Lock box when attend. Gone
22	Mortimer St. Garage		[Special – hotel guests or keycards only]							Priority handicapped, Hyatt and events
23	St. Joseph's Garage	232-3411	.50 per 30 min	6.00	67.00	2.00	Free	2.00	8' 2"	Student rates available
24	Park and Lock	325-3852	Flat Daily Rate	2.00	40.00	n/a	n/a	n/a	n/a	
25	Central Parking	232-3411	Flat Daily Rate	2.50	40.00	n/a	n/a	n/a	n/a	Intella-pay keypad and lock box
26	Public Parking Co	325-3852	Flat Daily Rate	2.00	call	n/a	n/a	n/a	n/a	
27	Park and Lock	454-3742	1.00 per 30 min	3.00	45.00	1.00	1.00	1.00	n/a	
28	Public Parking Co	325-3852	1.25 per 30 min	3.00	52.00	2.00	2.00	2.00	n/a	Pay Lock Box if no attendant
29	Fairway	202-9215	Flat Daily Rate	3.00	60.00	n/a	n/a	5.00	n/a	
30	Fairway	202-9215	1.00 per hour	2.75	55.00	2.75	2.75	5.00	n/a	
31	Ralph Parking	325-4370	Flat daily rate	3.00	daily	n/a	n/a	n/a	n/a	Free for Downstairs Cabaret Patrons
32	Park and Lock	454-3742	1.00 per 30 min	3.00	55.00	n/a	n/a	n/a	n/a	Lock boxes, self payment
34	Mapco	292-4900	2.00 first 20 min	4.00	68.00	n/a	n/a	5.00	n/a	1.00 for each additional 20 min.
35	Central Parking	232-3411	2.00 per 20 min	7.00	95.00	n/a	n/a	3-5	n/a	5.00 early bird / 1.00 ea. add. 20 min.
36	Public Parking	546-8538	1.50 per 30 min	6.00	100.00	5-10.00	5-10.00	n/a	n/a	Closes at 5:30 p.m./pay in advance
37	Public Parking	546-8538	1.50 per 30 min	7.00	100.00	n/a	n/a	5.00	n/a	6.00 early bird
38	South Ave. Garage	232-3411								TEMPORARILY CLOSED
39	Clinton Square Garage	325-3288	1.00 per 30 min	8.00	120.00	n/a	n/a	n/a	6'	Rates progressive
40	Midtown Garage	428-7943	.40 per 30 min	6.35	74.00	Free	Free	n/a	6'	.75 overnight weeknights
41	Public Parking Co	325-3852	1.50 per 30 min	6.00	daily	1.00	1.00	n/a	n/a	1/2 hour free for particip businesses
42	Central	232-3411	1.00 per 20 min	6.00	85.00	3.00	3.00	3-5	n/a	Attendant during the day
43	Fairway	202-9215	1.00 per hour	3.00	45.00	2.00	2.00	2.00	n/a	Early bird special 2.00 before 9 a.m.
44	East End Garage	325-7860	.35 per 30 min	4.30	35-61	Free	Free	2.00	7'	Call for student rates; Pro Park
45	Mapco	292-4900	n/a	n/a	n/a	2.00	2.00	5.00	n/a	Nights/Weekends only
46	Mapco	292-4900	1.00 per 30 min	6.50	82.00	n/a	n/a	7.00	6' 10"	12.00 overnight
47	Ralph Parking	325-6620	Private	Private	Private	notes	notes	notes	n/a	2.00 for GEVA shows
48	Arena Parking	758-5350	1.00 per 20 min	6.00	65.00	n/a	n/a	5.00	n/a	7a - 5p hours (except spec events)
49	Pro Park (Court St)	758-5330	.45 per 30 min	6.35	43-120	4.00	4.00	4.00	9' 6"	7' clearance above A level
50	Central Parking	232-3411	Monthly during day	5.00	75.00	4.00	4.00	4.00	n/a	
51	Washington Sq. Gar.	232-3810	.45 per 30 min	6.35	21-90	4.00	Free	4.00	7'	Lot and Garage included
52	Plaza Apts. Garage	325-5232	Monthly only	n/a	67.00	n/a	n/a	n/a	6'	130 spaces
53	Mapco	232-3016	1.00 per 20 min	4.00	65.00	2.00	n/a	5.00	n/a	
54	Pro Park	423-9837	Flat Daily Rate	4.00	n/a	n/a	n/a	n/a	n/a	(325-3852) please call for monthly
55	244 Mill St.	721-6846	Monthly Only (Day)	n/a	59.00	2.00	2.00	2.00	n/a	
56	Fairway	202-9215	\$1.00 per hour	3.00	40.00	\$1.00	\$1.00	n/a	n/a	Pay Honor Box; night rates after 4pm
57	Public Parking Co	454-2020	Monthly Only (Day)	n/a	30.00	Free	n/a	n/a	n/a	Free after 6 pm

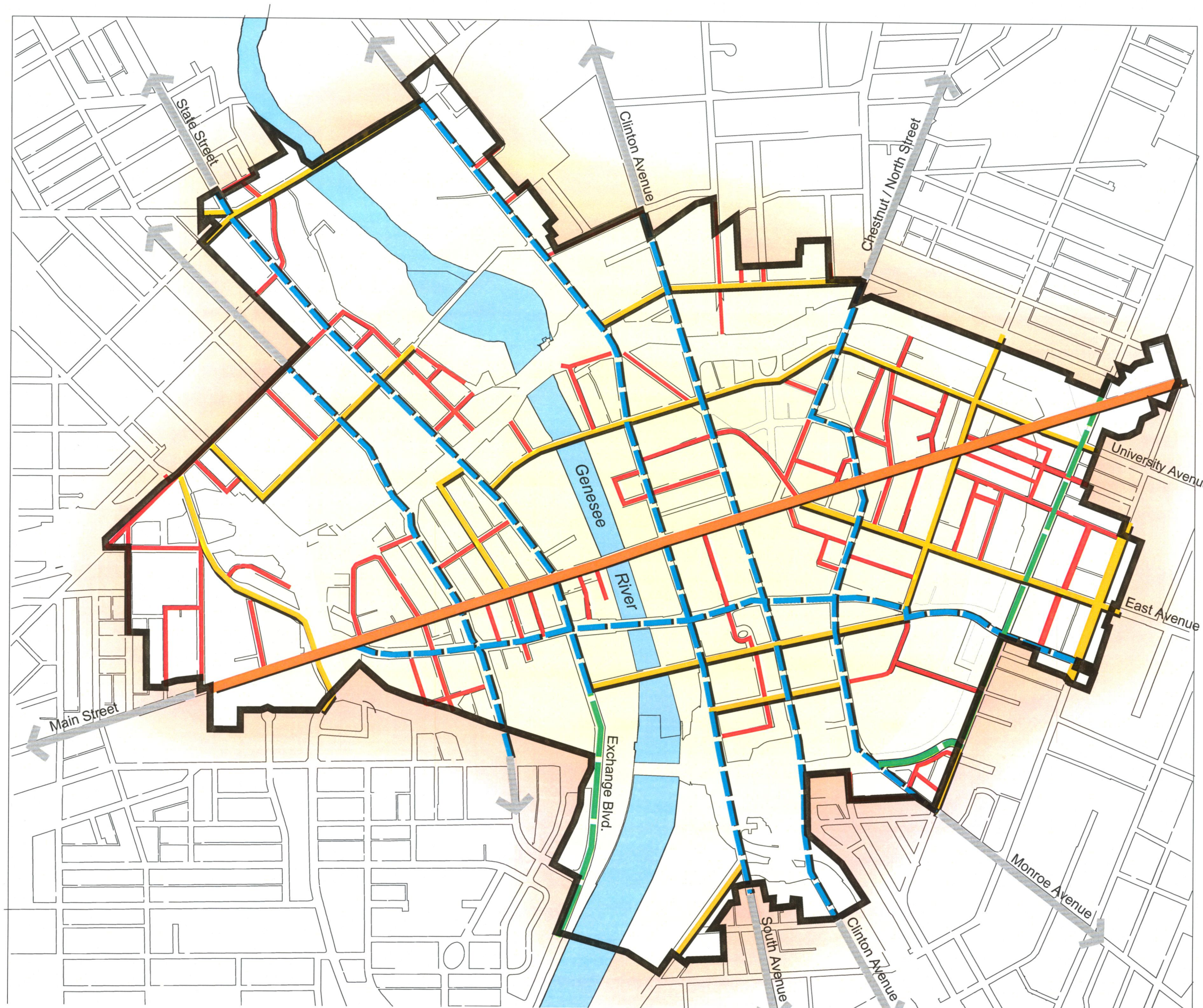
Center City

Master Plan

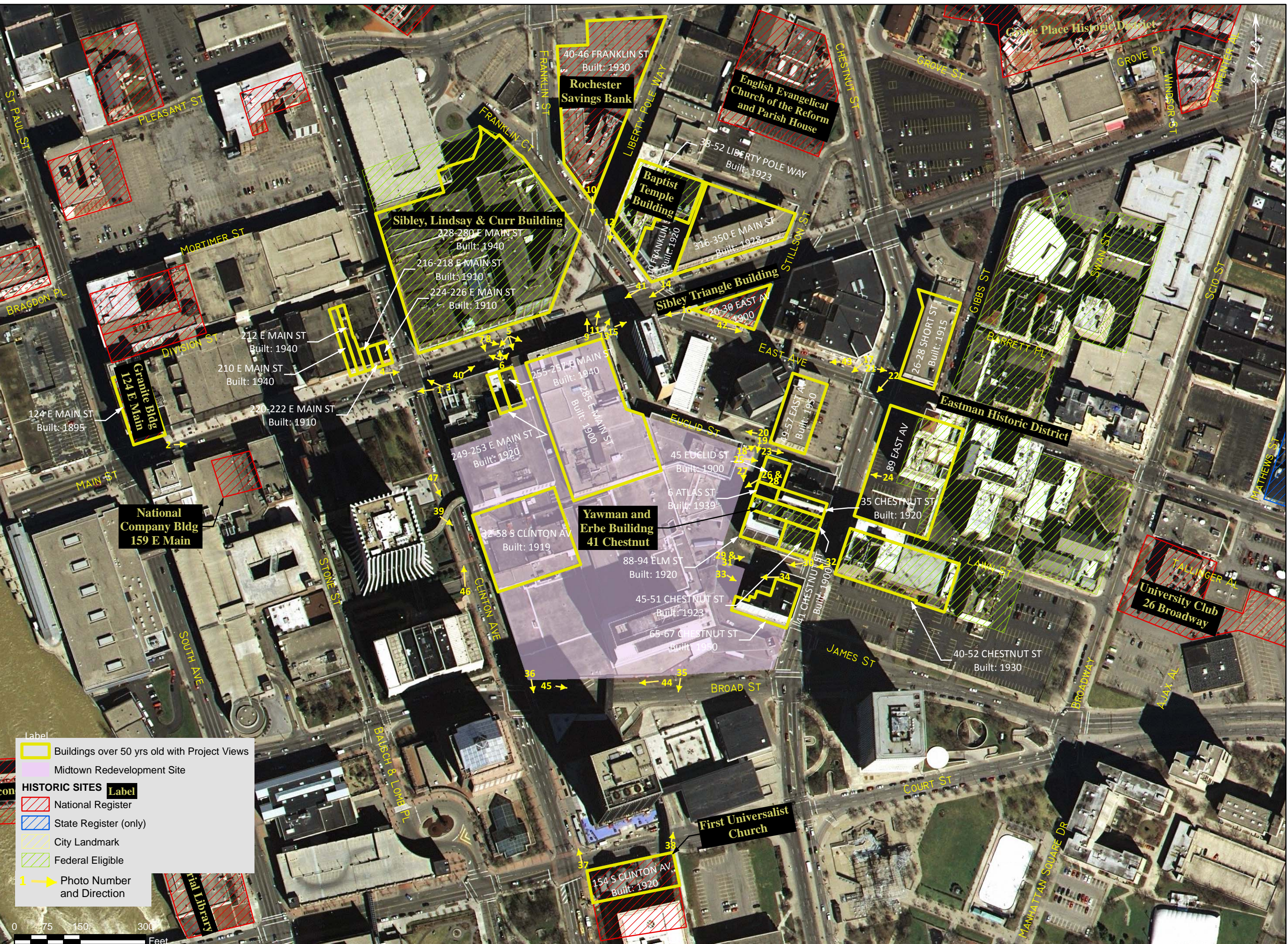
Legend

-  Boulevard
-  Main Street
-  City Streets
-  District Streets
-  Neighborhood Streets
-  Core Center City Boundary

Note: Access ways and alleys are not subject to the designations shown above and, therefore, are not colored.



Center City Core
Street Designations



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City of Rochester
Midtown Redevelopment Project

DRAWING TITLE	PROJECT/CLIENT			
	SITES OF HISTORIC SIGNIFICANCE			
	ISSUED FOR	DESIGNED BY	RCN	RCN
	REVIEW	DRAWN BY	RCN	MT
DATE: NOVEMBER 2007				
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PROJECT/DRAWING NUMBER
208149
FIGURE S