

MINUTES OF THE CANANDAIGUA CITY
SPECIAL COUNCIL MEETING
THURSDAY, APRIL 16 7:30 P.M.
Hurley Building, 205 Saltonstall St.
City Website: canandaiguanewyork.gov

Mayor Polimeni called the meeting to order at 7:30 PM

Pledge of Allegiance:

Roll Call:

Members Present: Councilmember Ward 1 Nick Cutri
Councilmember Ward 2 Ian Boni
Councilmember Ward 3 Karen White
Councilmember Ward 4 Cindy Wade
Councilmember-at-Large David Whitcomb
Mayor Ellen Polimeni

Members Absent: Councilmember-at-Large Maria Bucci
Councilmember-at-Large Donna Cator
Councilmember-at-Large James Terwilliger

Also Present: City Manager David R. Forrest
Corporation Counsel Michele O. Smith
Assistant City Manager John D. Goodwin

Review Core Values: Mayor Polimeni read the Community Core Values: As residents, city staff and appointed & elected officials of the City of Canandaigua, our decisions and actions will be guided by these core values: Responsive, Participatory Governance; Caring & Respect; Integrity; Heritage; Stewardship; and Continuous Improvement.

Resolutions:

Resolution #2015-038: Tabled to the May 7th Council Meeting

**A RESOLUTION OF THE CANANDAIGUA CITY COUNCIL ISSUING FINAL SITE PLAN
APPROVAL FOR THE PROPOSED COTTAGES AT CANANDAIGUA RESIDENTIAL
COMMUNITY,
PLANNED UNIT DEVELOPMENT**

Resolution #2015-039:

Councilmember Ward 2 Boni read the following Resolution and moved for its adoption.
Councilmember Ward 1 Cutri seconded the motion.

**A RESOLUTION ISSUING FINAL SITE PLAN APPROVAL FOR THE NORTH SHORE
PLANNED UNIT DEVELOPMENT FOR A
KFC IN PARKWAY PLAZA**

WHEREAS, in April 2008, application was made to the City Council of the City of Canandaigua for sketch plan approval of The Canandaigua Lakefront Redevelopment Project, located along the northern shore of Canandaigua Lake between NYS 5 & US 20 and Lakeshore Drive in the City of Canandaigua, which area includes the property known as "Parkway Plaza", and Planned Unit Development ("PUD") zoning designation under the Planned Unit Development Ordinance of the City of Canandaigua as set forth in Article XII of the Code of the City of Canandaigua (the "PUD Ordinance"); and

WHEREAS, The Canandaigua Lakefront Redevelopment Project was reviewed by both City Council and its PUD Committee, in accordance with the requirements of the State Environmental Quality Review Act ("SEQRA") and the City of Canandaigua Zoning Ordinance; and

WHEREAS, on December 17, 2009 the City Council passed Resolution #2009-181, which determined that The Canandaigua Lakefront Redevelopment Project is appropriate for the area, meets the stated intention and objectives of the of the PUD Ordinance and designated the Project area as a PUD Zone on the City of Canandaigua Map; and

WHEREAS, Resolution #2009-181 also approved The Canandaigua Lakefront Redevelopment Project's sketch plan (termed "Alternative G"), subject to certain stated conditions; and

WHEREAS, on July 1, 2010 City Council adopted a Findings Statement pursuant to SEQRA, which concluded that The Canandaigua Lakefront Redevelopment Project, as depicted by Alternative G, would not result in any significant adverse environmental impacts, and that any identified environmental impacts would be mitigated to the maximum extent practicable; and

WHEREAS, by Resolution #2013-064, the sketch plan was modified but deemed consistent with the original approval; and

WHEREAS, Marathon Engineering on behalf of KFC submitted a preliminary site plan application on January 15, 2015 to develop a pad within Parkway Plaza in this PUD zone district; and

WHEREAS, by Resolution #2015-004 the City Council received the preliminary site plan application relative to the North Shore-Parkway Plaza KFC project and made the required referrals; and

WHEREAS, the Ontario County Planning Board and the City of Canandaigua Planning Commission have reviewed the preliminary application and submitted comments; and

WHEREAS, on March 5, 2015, the City Council conducted a public hearing on the preliminary site plan for the Project; and

WHEREAS, on March 19, 2015, based on comments received from the City Planning Commission, the County Planning Board, City Staff, and City Council, the Applicant submitted drawings, renderings, and other documents with proposed changes to the Preliminary Site Plan, which were fully reviewed by the Planned Unit Development Committee; and

WHEREAS, on March 19, 2015, by Resolution #2014-029, the City Council approved the Preliminary Site Plan with conditions, accepted the final site plan application for the KFC project and referred it to the Ontario County Planning Board in accordance with Municipal Code §850-125(F); and

WHEREAS, April 2, 2015, the City Council conducted a Public Hearing on the proposed Project final site plan, as required by Section 850-125(G)(1) of the Municipal Code; and

WHEREAS, the Ontario County Planning Board met to deliberate on the final site plan application on April 8, 2015 and made no comments; and

WHEREAS, On April 16, 2015, the Planned Unit Development Committee discussed with the Applicant their concerns and conditions with the proposed final site plan and has recommended that the final site plan of the Project, be approved;

NOW, THEREFORE BE IT RESOLVED, that the Canandaigua City Council expressly approves the final site plan of the KFC in Parkway Plaza in the North Shore Planned unit Development, (dated 3/25/15), a copy of which is on file in the Office of the Director of Planning and Development, conditioned upon the Applicant complying with the following conditions and requirements:

- 1) **Signage:** Commercial Signage shall be developed in accordance with the City of Canandaigua's Zoning Ordinance, prior to construction.
- 2) **Fees:** All fees will be assessed in accordance with the City of Canandaigua's Zoning Ordinance.
- 3) **Architecture:** Only the materials, colors, elevations, and Architectural renderings as discussed with Applicant and the PUD Committee on April 16, 2015 shall be utilized in the Project.

BE IT FURTHER RESOLVED, that at the Applicant's expense, the City, at the discretion of the City's Code Enforcement Officer and City Manager, may hire independent, third-party, qualified professionals for purposes of ensuring compliance with the New York State Building Code and Fire Prevention Code; and

This Resolution shall take effect immediately upon adoption.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Boni, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Whitcomb, and Mayor Polimeni.

NOES: None.

Manager's Report: City Manager David R. Forrest reported that the City will join the Ontario County Efficiency Plan for the tax freeze and rebate compliance purposes.

Adjournment

Councilmember-at-Large Whitcomb moved to adjourn the regular session at 7:40 PM. Councilmember Ward 4 Wade seconded the motion.

Vote Result: Carried unanimously by voice vote (6-0)

Nancy C. Abdallah, Clerk Treasurer
City of Canandaigua