

**AGENDA**  
**ORDINANCE/CHARTER REVIEW COMMITTEE**  
**Tuesday, October 18, 2016**  
**7:00 PM**  
**Hurley Building**

**Committee:** David Whitcomb, Chair  
Nick Cutri  
Matt Martin  
Karen White

**1. Amendment to Zoning Code to Remove Temporary, Renewable Special Use Permits**

Recently, the City has been approached by Conifer LLC relative to the renewable special use permit that was approved by the Planning Commission in 2014 to refurbish the auditorium at the old Canandaigua Academy. Conifer LLC raised concerns over the temporary nature of the special use permit that must be renewed every two years. The concern is that a significant investment (approximately \$2 million) is planned for the theater and it is difficult to attract funders and lenders to support the effort if there is a term limited special use permit. In reviewing the issue, City staff recommends amending the Zoning Code by removing renewable special use permits. Attached is a proposed ordinance. Rick Brown, Director of Development and Planning, and representatives from Conifer LLC will be present to speak to the item.

**2. Add a Permitted Use to C-1 Restricted Commercial District**

Last year the area located at the south-east corner of the map was rezoned from a C-3 zone to a C-1 Restricted Commercial District as well as an adjacent C-L zone after a request from the owner of 396 Lakeshore Drive. A new perspective owner is interested in purchasing the property and opening a bicycle shop; however, bicycle shops are not permitted in this zone. The perspective owner has requested that City Council rezone C-1 to permit bicycle shops. City staff believes that this request is appropriate.

***Next Meeting will be a Budget meeting on November 15<sup>th</sup>***

ORDINANCE #2016-\_\_\_\_\_

AN ORDINANCE AMENDING  
CHAPTER 850 OF THE MUNICIPAL CODE  
REGARDING RENEWABLE SPECIAL USE PERMITS

BE IT ENACTED by the City Council of the City of Canandaigua as follows:

**Sec. 1** That Chapter 850, section 850-19 of the Municipal Code is hereby amended as follows (deletions stricken, additions in bold and underlined):

§ 850-19.C Powers and Duties [of the City Planning Commission]

~~[6] Special use permits for the following uses shall be issued as temporary, renewable permits, which shall expire two years from the date of approval of the use permit by the Planning Commission: home occupations; social halls, clubs, lodges and fraternal organizations; carry-out restaurants; night clubs; public and semipublic uses; administrative, business and professional offices; boardinghouses, rooming houses or lodging houses; dormitories and fraternity and/or sorority houses; day-care centers; kennels, animal hospitals and pounds; and tourist home/bed-and-breakfast.~~

~~a] The procedure and standards for renewal of the temporary two-year permits shall be the same as for an initial application for a permit. In addition to meeting standards for obtaining the initial permit, the applicant for permit renewal shall demonstrate that all conditions required under the terms of the previous permit have been complied with. Upon each such renewal, the Planning Commission may amend any conditions or requirements which may have been imposed upon the initial permit or previous renewals, or may impose additional conditions, if it determines, based upon the history of the use, that such amended conditions or requirements are necessary to protect the health, safety, or general welfare of the public.~~

~~[b] Upon the second renewal wherein there have been no substantial modifications to the use and no amendments to the conditions of approval, the special use permit shall be deemed permanent and no further renewals shall be required.~~

**Sec. 2** This ordinance shall be effective thirty (30) days following its enactment.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2016

ATTEST:

\_\_\_\_\_  
Nancy C. Abdallah  
City Clerk/Treasurer

Mr. Ted Andrzejewski, City Manager  
City of Canandaigua  
2 North Main Street  
Canandaigua, NY 14424

Dear Mr. Andrzejewski,

My wife and I live in Fairport New York and are planning on relocating to Canandaigua following 20 years of spending our summers there. As part of our plan, we would like to purchase the commercial property at 396 Lakeshore Drive (currently a wooden boat restoration business) and transition it to a neighborhood bicycle shop. In discussions with Rick Brown, I have learned that the C1 designation does not currently allow for bicycle shops as a permitted use and so, on his guidance, I respectfully request that the city amend the zoning to allow for this use as I believe it is in the spirit of serving the local neighborhood and surrounding area.

As an avid cyclist (road, mountain and gravel/canal path) for 25 years, I have cycled around multiple Finger Lakes and in the single track trails throughout the hills surrounding Canandaigua Lake. I am also excitedly watching the development occurring along Lakeshore Drive which I expect to be great for CDGA tourism. Through and as a result of both of these perspectives, I see a great opportunity for Canandaigua through the growing of this business.

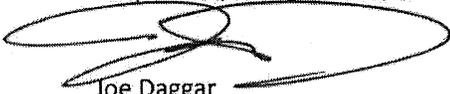
The benefits that I expect to deliver to the area through a neighborhood bike shop are:

- Convenient bicycle maintenance servicing for the area
- Sales of bikes and related gear
- Rentals of bikes to those who want to ride Lakeshore Drive, around the lake and the mountain bike trails throughout the region
- Bike-related community events for cyclists, families, kids etc. which constitute a great opportunity to tie in with other local merchants (restaurants, etc.)
- Employment opportunities for local residents of various ages
- Enhancing the diverse commercial and tourism growth of the Lakeshore Drive area

I think that this business will serve the local community in a very unique, personalized way and will be a very positive force as the area further develops. In developing the business I intend to do so in a manner that balances the upscale trend of the current development with the "local lake country" feel of the neighborhood. As a 24 year leader of operations at Paychex, I have deep experience in growing businesses that are characterized and guided by quality, values and ethics. I look forward to doing the same in the recreational-resort area of Canandaigua.

I truly appreciate your consideration and time and eagerly await your reply on my proposal to provide a hometown bike shop to the area.

Respectfully and gratefully yours,



Joe Daggar  
36 Mima Circle  
Fairport, NY 14450  
585-269-8533