

**CITY OF CANANDAIGUA
PLANNING COMMISSION
COURT ROOM, CITY HALL
2 NORTH MAIN STREET**

March 8, 2016 - 7:00 P.M.

PRESENT: Chairperson James Mueller
Commissioner Torsten Rhode
Commissioner Anne Beyer
Commissioner Stan Taylor
Commissioner Jeff Ayers
Commissioner Glenn Colliss

ABSENT: Commissioner Adrienne Kantz

ALSO PRESENT: Richard E. Brown, Director of Development & Planning

CALL TO ORDER

Chairperson Mueller called to order the Regular Meeting of the City Planning Commission at 7:00 P.M.

APPROVAL OF MINUTES:

Chairperson Mueller asked if anyone had any additions or corrections to the February 9, 2016 Regular Meeting Minutes. Commissioner Rhode moved to approve the minutes as amended. Commissioner Taylor seconded the motion, which carried by voice vote (6-0).

REVIEW OF APPLICATIONS:

ITEM 1 Application #16-031: 35 South Main Street, JOHN A. SCHUPPENHAUER, ESQ., Historic Alteration, to replace existing 27 SF sign.

John Schuppenhauer presented the application. Applicant proposes a new design to reflect the change to the name of the firm—Mr. Schuppenhauer's daughter Erica has joined the firm. The size and location of the sign are the same. There is no overhead lighting.

Chairperson Mueller asked if there were any further comments or questions from the Commission.

Commissioner Taylor moved the Planning Commission Approve the application as submitted and presented. Commissioner Beyer seconded the motion, which carried with a voice vote (6-0).

Chairperson Mueller	Voting	YES
Vice Chairperson Rhode	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Colliss	Voting	YES
Commissioner Ayers	Voting	YES
Commissioner Kantz	Voting	ABSENT
Commissioner Beyer	Voting	YES

ITEM 2 Application #16-046: 155 South Main Street, MISCHIEF AND LAUGHS PHOTOGRAPHY, Historic Alteration to install a 12.5 SF projecting sign, display a 6 SF portable sign, and install a 12.5 SF wall sign on the rear of the building.

Mr. Brown reported that the applicant called to say she was not able to be present. He said the business will be located on the second floor of the building. The projecting sign will be located between the second-story windows. The sign will have fixed brackets with two bars. A gooseneck lamp is also being considered, but no design has been submitted. A wall sign will be located at the rear entrance. A portable sign would be displayed on the Main Street sidewalk.

Commissioner Taylor was concerned that the lettering was too light and will not be visible.

Commissioner Rhode suggested that the commission give permission for a darker yellow or gold lettering.

Chairperson Mueller asked if there were any further comments or questions from the Commission.

Commissioner Rhode moved the Planning Commission Approve the application as submitted and presented, with the following conditions:

1. The lettering may be a darker yellow or gold color.
2. Lighting fixtures were not included as part of the approval.

Commissioner Taylor seconded the motion, which carried with a voice vote (6-0).

Chairperson Mueller	Voting	YES
Vice Chairperson Rhode	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Colliss	Voting	YES
Commissioner Ayers	Voting	YES
Commissioner Kantz	Voting	ABSENT
Commissioner Beyer	Voting	YES

ITEM 3 **(Public Hearing) Application #16-023: 229 Bristol Street, BRIGHAM HALL CONDOMINIUMS, Historic Alteration, to demolish structure.**

Bruce Lang, Brigham Hall President, spoke concerning "The Carpenter Shed" which has fallen in disrepair. He provided pictures for the commission. They have tried to sell and even give away the building. At some point the roof has been compromised and the floor structure has collapsed into the basement.

Chairperson Mueller opened the Public Hearing. No one was present. The Public Hearing was closed.

Commissioner Taylor is pleased that the foundation will be somewhat preserved and there will be a signboard with literature on sight, memorializing the building.

Commissioner Colliss believes all possibilities for saving the building have been exhausted.

Commissioner Rhode noted that the required findings had been met:

1. *The property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible;*

Financials were submitted. The cost to even stabilize the building is excessive.

2. *The property cannot be adopted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return; and*

The high cost of fixing the building is not a reasonable cost. The property is not suited for a residence, there is no yard.

3. *Efforts to find a purchaser interested in acquiring the property and preserving it have failed.*

Efforts were made; applicant was not able to give away the building.

Commissioner Rhode moved the Planning Commission Approve the application as submitted and presented. Commissioner Ayers seconded the motion, which carried with a voice vote (6-0).

Chairperson Mueller	Voting	YES
Vice Chairperson Rhode	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Colliss	Voting	YES
Commissioner Ayers	Voting	YES
Commissioner Kantz	Voting	ABSENT
Commissioner Beyer	Voting	YES

ITEM 4 **(Public Hearing) Application #16-035: 41 Bristol Street, JAMES HENNING, Historic Alteration, to demolish fire-damaged structure.**

James Henning presented the application. He is requesting to demolish 41 Bristol Street after a fire on November 15th left the building severely damaged. The Building has been cited by Code Enforcement as being unsafe. The November 16th letter references an inspection by Code Enforcement and the Fire Chief. The letter makes the determination that the “*building will need to be demolished*”. Code Enforcement will require that the driveway also be removed, the site graded and grass planted.

Chairman Mueller questioned why Planning Commission approval was required. Mr. Brown said it is still a case-by-case determination. If the fire had resulted in less of a loss or if the property were considered to have greater historic significance, the Planning Commission might not approve a demolition even if the building were cited as being unsafe in its damaged condition.

Commissioner Colliss confirmed that the basement would be filled in.

Commissioner Rhode asked if there was anything on site that could be salvaged, possibly the columns. Applicant said that if the demolition permitted this, that might be possible.

Chairperson Mueller opened the Public Hearing. No one was present. The Public Hearing was closed.

Commissioner Colliss moved the Planning Commission Approve the application as submitted and presented with the following findings:

1. The property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible;
2. The property cannot be adopted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return; and
3. Efforts to find a purchaser interested in acquiring the property and preserving it have failed.

Commissioner Taylor seconded the motion, which carried with a voice vote (6-0).

Chairperson Mueller	Voting	YES
Vice Chairperson Rhode	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Colliss	Voting	YES
Commissioner Ayers	Voting	YES
Commissioner Kantz	Voting	ABSENT
Commissioner Beyer	Voting	YES

ITEM 5 (Public Hearing) Application #16-017: 205 Lakeshore Drive, CANANDAIGUA HOTEL AND CONFERENCE CENTER (aka "Steamboat Landing") Amendment to Final Site Plan approved on March 7, 2013. (Tabled from February 9, 2016)

Jerry Goldman, attorney and agent for Robert Morgan and David Christa presented the application. With him were Adam Frosino, McFarland Johnson; Dave Hanlon, project architect; Doug McCord, the project engineer; Mr. Robert Morgan and Mr. David Christa, developers.

Mr. Goldman noted based on the feedback they have received the development plans have evolved and moved to a two-level parking deck (no longer a parking garage structure) that provides a total of 293 spaces.

Mr. McCord provided an overview of the revised site plan that reflects the modification. He said both levels of the deck would be accessible from grade due to the sloping site.

Mr. Hanlon spoke to the revised architectural elevations. He said that they have dramatically lowered the height of the parking structure. The upper level is actually two feet below the first floor of the hotel; the lower level is 10 feet below that. Viewed from the north there will be a parapet wall 6-10 feet high made using the same stone veneer as on hotel. He said you'd still see the hills around the lake, very close to what is currently seen. There would be a solid wall on the east side so there is no noise or light from the lower level.

Adam Frosino, McFarland Johnson, presented the traffic analysis. The original study was for the Rosepark PUD, which was approved in 1989. Since that times there has been modifications to the plan and have been approved. The conclusion of the analysis is that the current plan will generate 30% less traffic than was what was approved in 1989. The proposed development roughly the same as in 2009 and significantly less than what was approved in 1989.

Mr. Goldman stated that in order to have an effective project, the hotel needs to be fully operational by the spring of 2017. In order to target that date there is a race against the clock. Approval is needed from the Planning Commission as soon as possible. Along with working with the Planning Commission, developers have been actively engaged with the neighbors at Rosepark Cottages. There was a meeting on February 19th regarding the proposed parking deck, and from the discussion emerged a consensus to proceed with the new revision. The parking deck does not provide as many spaces as before, but believes this to be adequate during peaks.

Chairperson Mueller asked for comments from the public.

Charles Battle, residing at 141 Lakeview Way, said he was asked to address the Planning Commission on behalf of the HOA and convey the results of a poll conducted of all home owners. The majority responded favorably to the new design. The results were 32 in favor, 7 opposed, 12 no response and 1 abstained. Homeowners still prefer no garage be constructed, but they realize there is an additional need for parking. They are in favor of the new design.

In review of the new design, which they are in favor of, they have included the following conditions to be met:

1. New design mitigates the obstruction to the vista in which the original design did not. The reduction of total building height makes it possible for a large portion of the vista to be maintained. There will be some degree of blockage but it will be minimal compared to the original design.
2. Developers have plans to mitigate noise and light by design of wall structure including a parapet wall of appropriate height to screen headlights and include dark sky compliant light fixtures. Defer to Planning Commission if all will be effective.
3. Developers plan to further enhance new berm and will also provide additional trees and shrubbery to further mitigate unfavorable site lines to the parking facility, specifically Lakeview Way and Carousel Lane.
4. Appropriate landscaping will be provided around the new structure.
5. Still have concerns about traffic on Lakeshore Drive. They hope the commission will advocate for a complete traffic study.

They sincerely appreciate the efforts of the developers working with Rosepark to create an innovative design approach that mitigates most of the concerns.

Michael DeGaetano, 175 Carousel Lane, spoke in favor of the new proposal. He believes all concerns were addressed, and this alternative design is better than an open parking lot. He believes everyone involved have done well to compromise. He is concerned with the cooling towers and noise.

Nancy Wolk, 145 Lakeview Way, still opposes the parking area. The new configuration still falls short about 100 spaces; where will extra cars be parked at peak times? She believes utilizing City parking for hotel guests is unacceptable. City residents pay taxes to enjoy the park. She said she had called several Hilton Curio Hotels and found that several had off-site parking. She asked if a new SEQR study will be conducted. She questioned the required setbacks. She asked if the parking deck were approved, would there be provisions made to screen the noise and headlights. She said she feels the parking garage looks like a bunker. The project will change the vista of Canandaigua Lake, and she hopes the Planning Commission does not approve the project.

Steven Uebbing, 236 Roseland Lane, stated he had very strong opposition when a parking garage was first proposed. He is concerned about the impact on his neighbors; the impact on traffic; the impact of noise and lighting; and the obliteration of the vista of Canandaigua Lake. However, he now believes the new proposed design will present a win-win situation. The vista will be preserved largely with the innovated design. He is pleased with Morgan and Christa being the developers. He believes the parking deck is needed to operate the hotel successfully. He still wished there would be no parking garage, but is pleased with mitigating efforts.

Mr. Brown noted that the Planning Commission had also received letters that have been added to the record:

- John and Michelle Callahan, 251 Roseland Lane;
- Frank Nichols, 241 Roseland Lane;
- Nancy Hughes, 202 Roseland Lane;
- Bernard Donegan, 171 Carousel Lane;
- William Mehls
- Joe Proe, 5354 Sunflower Drive;
- Nancy Wolk, 145 Lakeview Way;
- Betty Phillips & Mary Ferris, 126 Lakeview Way.

Chairperson Mueller closed the public hearing.

Mr. Goldman is gratified that, by a vote in excess of 4 - 1, the Rosepark residents indicate support for new parking deck. He feels the current plan is a win-win situation which has been arrived at by working with the commission and the Rosepark residents. He said the proposed plan enhances the berm with new trees and shrubbery.

The cooling towers will be located at the northwest corner of the hotel. Any noise from these would be felt greater by the hotel guests, so the owner would do everything possible to reduce this noise. The structure itself will help to mitigate the noise.

Chairperson Mueller directed attention to the SEQR consistency analysis. He said the board needs to determine if the findings from 1989 are still valid. He feels the big issue is traffic. He reviewed the traffic analysis that evaluated traffic movements, intersections and driveways, and impacts the level of service. He said that the study assumed events like conferences would occur simultaneously during the peak hours, which he said was generally not the case. Mr. Frosino said this was to take into account the worst case.

Commissioner Ayers asked if the study included use of the park. It did.

Commissioner Colliss said that the "multi-use credit" of 25% seems excessive. Mr. Frosino said 25% is actually conservative for industry standards.

Peak hour and special events, like concerts, were discussed. Mr. Frosino said that the standard is to consider the 85 percentile, not special events. Chairman Mueller confirmed that this was the standard methodology that must be followed.

Commissioner Rhode questioned if the baseline is still valid.

Commissioner Rhode asked if ground water would need to be pumped from the garage. Mr. McCord confirmed that it would.

Commissioner Rhode had concerns with the cooling towers that are 16 feet high. Mr. Hanlon said most of this height was screened by the wall.

Commissioner Colliss expressed concern from the noise of outdoor weddings and bands. Chairperson Mueller said this was already approved and not part of the current amendment.

Chairperson Mueller said that since the board had only received the current plan on Friday, he would consider tabling the decision for two weeks. He asked how the other commissioners felt.

Commissioner Ayers and Commissioner Colliss said they were prepared to act now. Commissioner Kantz was absent. Commissioner Taylor, Commissioner Rhode, Commissioner Beyer and Chairperson Mueller supported tabling for one week.

Commissioner Rhode moved to table the application and hold a Special Meeting on March 16, 2016. Commissioner Taylor seconded the motion, which carried with a voice vote (6-0).

Chairperson Mueller	Voting	YES
Vice Chairperson Rhode	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Colliss	Voting	YES
Commissioner Ayers	Voting	YES
Commissioner Kantz	Voting	ABSENT
Commissioner Beyer	Voting	YES

ITEM 6 Application #16-050: 30 Howell Street (166 St. Johns Court), ROBIN ALGER, Historic Alteration, to remove rear side porch and replace door with a window.

Robin Alger presented the application. She is proposing to remove the rear porch and convert this door to a window.

The window would match the dimensions of the taller double-hung, 29” x 68”. The window will have grills to match the divided lights, and shutters to match. The porch does not have any historic attributes to it.

Chairperson Mueller asked if there were any further comments or questions from the Commission.

Commissioner Rhode moved the Planning Commission Approve the application as submitted and presented with the following condition:

1. Infill siding and trim will match existing.

Commissioner Ayers seconded the motion, which carried with a voice vote (6-0).

Chairperson Mueller	Voting	YES
Vice Chairperson Rhode	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Colliss	Voting	YES
Commissioner Ayers	Voting	YES
Commissioner Kantz	Voting	ABSENT
Commissioner Beyer	Voting	YES

MISCELLANEOUS:

ITEM 1 Architectural Standards, continued discussion

Mr. Brown said the Canandaigua Business Improvement District (BID) had reviewed the draft standards for downtown and requested some minor changes. Robin Alger, BID Board President, was present.

After discussion the Planning Commission agreed to delete the recommendation; *“The use of pictorial symbols or logos is encouraged.”*

The term “font” would be used in place of *“lettering styles”*

Not only would neon signs be discouraged, but also LED and all internally-illuminated signs.

Finally, a new section would be added for Portable Signs; *“Portable or “A-frame” sign should be wooden or metal. Plastic signs are not recommended.”*

Mr. Brown noted that the City Council will review the standards at the March 15th Ordinance Committee meeting and that the Planning Commission had been invited.

ADJOURNMENT:

Commissioner Taylor made the motion to adjourn the meeting at 9:55. Commissioner Colliss seconded the motion, which carried with a voice vote of 6-0.

Richard Brown
Director of Development & Planning

James Mueller
Planning Commission Chairperson