

**MINUTES
CITY OF CANANDAIGUA
PLANNING COMMISSION**

March 10, 2020

PRESENT: Chairman Torsten Rhode Commissioner Guy Turchetti
 Vice Chairman Stanley Taylor Commissioner Lindsay Henehan
 Commissioner Jeff Ayers Commissioner Thomas Lyon
 Commissioner Anne Beyrer

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

CALL TO ORDER

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

APPROVAL OF MINUTES:

Chairman Rhode asked if anyone had any additions or corrections to the February 11, 2020 Regular Meeting Minutes or the February 25, 2020 Special Meeting Minutes. Vice Chairman Taylor moved to approve both minutes as submitted. Commissioner Turchetti seconded the motion, which carried by unanimous voice vote (7-0).

REVIEW OF APPLICATIONS

ITEM 1 Application #20-025C: 290 Eastern Boulevard, 300 EASTERN BOULEVARD, LLC, Site Plan Review, to construct two buildings (4,400 SF and 3,600 SF), one of which will contain a Drive-Through Restaurant. (Tabled on February 25, 2020)

Eric Drazkowski of Excel Engineering presented the application. Developer, Matt Lester, was also present. The Special Use Permit and the Architectural Review were approved at the last meeting. Only the Site Plan remains, with just a few items outstanding.

The dumpster sanitary line has been moved north to provide 10' of clearance between the sanitary line and the water line.

Site handicap stalls have been relocated per the advisement of the Planning Commission. Chairman Rhode recommends the tactile warning plates for the handicap ramps to be metal or concrete.

Additional white pines have been added to the west property line. Chairman Rhode stated the Tree Advisory Board and the applicant's landscape architect will need to agree on a revised plan, including the selection of species.

Vice Chair Taylor confirmed the applicant's responsibility for maintaining the access road in front of the property. Mr. Lester agreed to resurface their portion.

Chairman Rhode led the commission through the submitted SEQR Environmental Assessment Form.

Vice Chair Taylor moved that the Planning Commission make a determination that Application #20-025C will not have a significant adverse effect on the environment and that a SEQR Negative Declaration be filed. Commissioner Beyer seconded the motion which carried with a voice vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Lyon	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

Chairman Rhode asked if there were any comments or questions. Hearing none, he called for a motion.

Vice Chair Taylor moved that the Planning Commission Approve the application as submitted and presented with the following conditions:

1. The Landscape Plan shall be revised as agreed upon by the city's Tree Advisory Board and the applicant's landscape architect.
2. Service road in front of property is to be resurfaced.
3. Tactile warning plates shall be metal or concrete.

Commissioner Lyon seconded the motion, which carried with a vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Lyon	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 2 Application #20-035: 484 South Main Street, 7-ELEVEN, Architectural Review to replace existing signage.

James Peacock of Premier Sign Systems presented the application.

This is pretty much a straight swap of A-Plus signs for the 7-Eleven brand. Around the perimeter of the building there is a yellow, orange, and blue graphic. This will be replaced with a simple, white panel. The Canopy and pumps will not change; it will remain Sunoco gas.

Vice Chairman Taylor questioned the larger sign proposed for the Parrish Street side of the building. He feels the signage for the building is excessive. Mr. Brown explained that the signs are larger but still well within the regulations.

Commissioner Ayers asked if the white panel is to be illuminated. Mr. Peacock said no. There is existing downlighting around the walkway.

Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.

Commissioner Henehan moved that the Planning Commission Approve the application as submitted and presented.

Commissioner Ayers seconded the motion, which carried with a vote (6-1).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Lyon	Voting	YES
Vice Chairman Taylor	Voting	NO
Chairman Rhode	Voting	YES

ITEM 3 (Public Hearing) Application #20-044: 39 Eastern Boulevard (Parkway Plaza) FLOWER TENT, for Site Plan Review and Architectural Review to install a 30 x 60 seasonal tent for the sale of potted flowers and plants.

Kimberly Krisher, a franchise owner of Abundant Flowers Inc. presented the application. She would like to sell live potted flowers, vegetables and herbs to the public from under a 30' x 60' pole tent in the parking lot of Parkway Plaza from May 1st through June 30th.

Chairman Rhode opened the Public Hearing. Seeing no one, the Public Hearing was closed.

Vice Chairman Taylor is concerned about the stripe on the tent. Commissioner Lyon asked if the yellow stripe is part of the company branding. Ms. Krisher said yes, it is.

Vice Chairman Taylor expressed concern for safety with the proposed positioning of the tent. Chairman Rhode noted it would be close to the McDonald's drive-thru, which is a busy area. Commissioners Turchetti and Ayers agree.

Commissioner Henehan asked if the outside racks would face Eastern Boulevard. Ms. Krisher said that is what she is proposing but she is willing to remain flexible.

Commissioner Henehan would like to see the tent relocated in front of a vacant store. The former Rite Aid and Radio Shack stores are both unoccupied. This would also move it away from a traffic lane. Changing the orientation of the tent to be perpendicular to a vacant space would also be a better option.

Vice Chairman Taylor inquired about the hours of operation. Ms. Krisher said she would be open seven days a week from 9:00 a.m. to 7:00 p.m.

Commissioner Henehan asked if the tent has sides. Ms. Krisher said it does have sides and the tent would be closed up at night.

Chairman Rhode asked if the proposal included more than the three signs submitted with the application. Ms. Krisher answered no.

Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.

Commissioner Ayers moved that the Planning Commission Approve the application as submitted and presented with the following conditions:

1. Tent shall be located in the middle of the plaza, in front of a vacant store.
2. Orientation of the tent shall be north and south and contained within a bank of parking, clear of any moving lanes.
3. The approval is effective for one year only.

Commissioner Henehan seconded the motion, which carried with a vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Lyon	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 4 (Public Hearing) Application #20-045: 1 Midlakes Drive, LEGION HEIGHTS, Special Use Permit, Site Plan Review, Architectural Review, and Subdivision to divide existing 39 lots into 44 townhouse lots with supporting infrastructure. (Amendment to plan approved in 1988.)

The applicant was not present.

Chairman Rhode opened the Public Hearing.

Rick Bradley, Board President for Legion Heights Homeowners' Association, expressed concern over the proposed plan. A Ryan Homes representative had previously addressed the HOA board with a proposed model which included a two-car garage and more closely resembled the existing homes in the development. This new proposal is vastly different. He is also concerned that having a one-car garage will result in off-street parking and become a safety issue.

Chairman Rhode asked if there was anyone else wishing to speak. Seeing no one, the Public Hearing was closed.

Vice Chairman Taylor mentioned that the HOA offering statement would address legal issues of control and indicate how amendments are to be made.

Mr. Brown said the applicant's attorney requested to have the application tabled to allow a meeting with the HOA to negotiate any concerns.

Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.

Commissioner Lyon moved that the Planning Commission Table the application at the request of the applicant to allow them time to meet with the Homeowners' Association to discuss revisions to the plan.

Commissioner Henehan seconded the motion, which carried with a vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Lyon	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 5 (Public Hearing) Application #20-046: 10 Chapin Street, SAVARINO COMPANIES Special Use Permit, Site Plan Review, Architectural Review to redevelop vacant 80,000 SF building for 47 apartments and 10,000 SF commercial. (Amendment to plans approved May 9, 2017)

Courtney Cox, Development Manager from Savarino Companies, presented the application. Their intent is to rehabilitate the existing building into a mixed-use building consisting of 47 one-and two-bedroom apartments and approximately 10,000 square feet of ground floor commercial space.

Chairman Rhode opened the Public Hearing.

Tom Harvey, Director of Planning for Ontario County spoke. A portion of the property involved is referred to as the Public Square which was deeded to the County of Ontario in 1800. The County applauds the effort to redevelop the building and bring it back to productive use. They acknowledge that the Lender and investor counsel are comfortable with an insurable owner's title insurance policy, with no exceptions, in lieu of clear, marketable title. However, they do not believe this resolves the title issue. They are requesting a stay on approvals to allow counsel for Ontario County to work with the applicant's counsel.

Chairman Rhode asked if there was anyone else wishing to speak. Seeing no one, the Public Hearing was closed.

Mr. Brown reminded the Commission that the application is an amendment to an approved plan. The changes include eliminating an additional penthouse floor and the drop-off loop. The loop will be replaced with a rectangular patio area with six additional parking spaces. Also, unit count has changed, and commercial space has been added.

Commissioner Lyon noted the project is fitting with the character of the "Restore New York" program, which encourages commercial space on the ground floor beneath residential units.

Commissioner Henehan and Chairman Rhode asked about the purpose of the entrance door on the front. Mr. Cox said it would only be used as patio access for residents.

Commissioner Ayers believes the 6-foot aluminum fence proposed for the patio area in front of the building is uninviting and not fitting with the character. Vice Chair Taylor agrees. He would like to see the parking spaces removed and landscaping added. Mr. Cox agreed to change the design of the front patio area and provide a new rendering.

Commissioner Ayers asked about access to the commercial spaces. Mr. Cox said they will be accessed from Chapin Street. Vice Chair Taylor inquired about signage for the storefronts. Mr. Cox explained they have not made a final decision regarding signs. However, they would be projecting blade signs or wall signs.

Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.

Commissioner Beyer moved that the Planning Commission Approve the Special Use Permit portion of the application as submitted and presented.

Commissioner Lyon seconded the motion, which carried with a vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Lyon	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

Vice Chairman Taylor moved that the Planning Commission Table the Site Plan Review and Architectural Review portion of the application to allow the applicant to make revisions to the site plan and landscaping plan, specifically with regard to the Main Street patio area.

Commissioner Ayers seconded the motion, which carried with a vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Lyon	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 6 Application #20-047: 330 Eastern Boulevard, CLASSY CHASSY, Architectural Review to modify the roofline of the existing building.

Co-owner Dave Clements presented the application. They are proposing to tie the two rooflines of the building together and add a cupola feature which will also provide needed storage. The cupola will have shake siding with composite trim and a standing-seam, metal roof.

Vice Chairman Taylor inquired about the roofing color and material. Mr. Clements presented a sample of the blue metal they are proposing. The shade of blue is a corporate color.

Chairman Rhode confirmed there are no lighting changes proposed.

Vice Chairman Taylor asked if the cupola windows will be blacked out. Mr. Clements said they will be actual, clear windows that may feature some of their specialized equipment.

Commissioner Ayers inquired about lights in the cupola. Mr. Clements said the lights will be residential grade and will not be on continuously.

Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.

Commissioner Ayers moved that the Planning Commission Approve the application as submitted and presented.

Commissioner Turchetti seconded the motion, which carried with a vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Lyon	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

MISCELLANEOUS

ITEM 1 Appointment to serve on committee to implement the Downtown Canandaigua Building Rehabilitation Feasibility grant.

Commissioner Henehan agreed to represent the Planning Commission on the committee.

ITEM 2 Referral from the City Council: Proposed Amendments to the Comprehensive Plan.

The Planning Commission began reviewing the Comprehensive Plan and will continue at their next meeting.

ADJOURNMENT

Commissioner Ayers moved to adjourn the meeting at 9:45. Commissioner Lyon seconded the motion which carried with a unanimous voice vote (7-0).

Richard Brown
Director of Development & Planning

Torsten Rhode
Planning Commission Chairman