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March 22, 2022

Zoning Board of Appeals
Town of Penfield
3100 Atlantic Avenue
Penfield, New York 14526

**Re: Applications for Area Variances required for site and signage for Proposed
Taco Bell and Existing Home Outlet at 1800 Empire Boulevard
LETTER OF INTENT**

Dear Board Members:

This office represents Hospitality Syracuse and its affiliate Fairlane Dr. LLC, the contract purchaser, in connection with the municipal approval process for the proposed development of a Taco Bell restaurant on a portion of the property located at 1800 Empire Boulevard in the Town of Penfield, a portion of the site of the existing Home Outlet store. This letter is submitted to support the request for several variances for required for the proposed development project.

The property at issue is currently a 1.9 acre +/- parcel in the GB zoning district. The site currently includes an existing Home Outlet store and an unused side parking lot area. The property has frontage on both Empire Boulevard and Creek Street, and is south of where the two streets intersect, which determines the unique dimensions and orientation of the property. The property sits between the recently built Chipotle and Tim Hortons, opposite the Delta Sonic Car Wash.

The proposal is to construct a new Taco Bell for relocation of the existing operation on Ridge Road. The proposed Taco Bell will be constructed on the northern part of the property. The site is underutilized and Home Outlet does not use this area of the site. The property will be subdivided for the project and maintain cross-access with a shared driveway on each of Empire Boulevard and Creek Street. The Taco Bell site is proposed to be .73 +/- acres, and the remaining Home Outlet site 1.17 +/- acres in size. The proposed building will be 2,689 +/- square ft. in size with double drive through. The project offers an opportunity to make some significant improvements to existing conditions, such as the addition of green space and the inclusion of stormwater management on the property, as well as replacement of the existing Home Outlet fence along Creek Street. The Home Outlet, a low intensity operation, will continue to operate at the location.

The subdivision required for the project will result in variances for each of the newly created lots. We have filed two separate variance applications, one for each of the two parcels to

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The art of representing people



be created. As the required variances are required for the same project, we are addressing both applications in this letter.

The following area variances have been identified as required for the project:

VARIANCES FOR TACO BELL PARCEL:

Taco Bell Site Variances:

1. Variance for front setback for the Taco Bell to be 38.6 ft. from Empire Boulevard where Code requires 80 ft. (Section 250-5.7(D)(3))
2. Variance for Lot Coverage to be 77% where Code provides a maximum of 65% Lot Coverage and minimum 35% open space/landscape area where current lot coverage on the existing parcel is 95%. (Section 250-5.7(D)(2))
3. Variance for Parking for Taco Bell of 16 spaces where Code requires 58 spaces. (Section 250-7.7)

Taco Bell Signage Variances:

1. Variance for Graphics where Taco Bell "bell" logo is proposed over door, being 100% of the sign where Code limits graphics to 50% of the sign face. (Section 250-10.11(E))
2. Variance for directional/traffic control signage to be 4 square ft. where Code limits to 2 square ft. and to allow Taco Bell logo on these signs. (Section 250-10.17)
3. Variance to allow 5 on-building signs where Code allows 1. (Section 250-10.13(B))
4. Variance for the size of the Taco Bell free-standing sign to be 53.4 square ft. where Code allows 20 square ft. (Section 250-10.12(B)(1))
5. Variance for the front setback of the Taco Bell free-standing sign to be 7.6 ft. where Code requires 20 ft. (Section 250-10.12(D))
6. Variance for the side setback of the Taco Bell free-standing sign to be 10 ft. where Code requires 25 ft. (Section 250-10.12(D))

VARIANCES FOR HOME OUTLET:

1. Lot Coverage to be 93% where Code provides a maximum of 65% Lot Coverage and minimum 35% open space/landscape area where current Lot Coverage on the existing parcel is 95%. (Section 250-5.7(D)(2))
2. Parking for Home Outlet to be 46 spaces where Code requires 99 (and where 71 spaces was approved in 1979). (Section 250-7.7(D))
3. The subdivision of the property creates the need for a setback variance for the existing freestanding sign to be 3 ft. from the new north property line of the Home Outlet parcel where Code requires 25ft. (Code Section 250-10.12(D)).

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AREA VARIANCE STANDARDS

The applicant satisfies the standards for the granting of the required area variances as set forth in the NY Town Law. The primary consideration is whether the benefit to the applicant from the granting of the variance outweighs any detriment to the health, safety and welfare of the neighborhood or detriment to nearby properties. The benefit to the applicant is significant as the site cannot be redeveloped without the requested site variances because of the unique conditions, location, and dimensions of the property. The sign variances are required to identify the location and the drive through given the two frontages of the site and the needs of the drive through operation. The variances for the Home Outlet parcel arise from the subdivision, which creates a new lot line only. At the same time, none of the variances will have any impact on the neighborhood or any neighboring property. The variances are consistent with the character of the surrounding property and developments. The Home Outlet will remain with some improvements to the existing conditions. The community will benefit from the development and improvements to the condition of the property with an appropriate modern building and site improvements, including benefits of stormwater management and green space.

The signage variances will support the business and serve the traveling public by providing signage needed to identify the Taco Bell location and safely access the site and drive through. No change is proposed to the Home Outlet sign. None of the variances will have any adverse impact on anyone. Similar variances requested have been granted for other businesses in the area and support the character of the area.

The applicant satisfies the criteria set forth in the Town Law for consideration by the Zoning Board of Appeals in the granting of area variances, described as follows:

1. **Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.** The variances will maintain the character of the neighborhood with no undesirable change or detriment to the surrounding neighborhood or any nearby properties.

Taco Bell Site Variances: The variances for front setback, lot coverage and parking will not produce any undesirable change to the character of the neighborhood or detriment to any nearby property. The proposed front setback for Taco Bell is consistent with the setback and character of adjacent properties and required for any development of the property because of the unique challenges of the location, dimension and frontages of the site. The lot coverage is appropriate, allowing an unused area to be developed with a quality development that will improve the overall appearance of the property. The proposed lot coverage is an improvement and less than the lot coverage of the existing property. The proposed parking is sufficient for the use. Taco Bell has extensive experience and is confident that the site provides enough parking for the use. The majority of business is drive through.



Taco Bell Sign Variances: The variances for the proposed signage will not produce any undesirable change to the character of the neighborhood or have any detriment to anyone. The site is in a commercial area characterized by many businesses with comparable amounts and types of signage. The Delta Sonic across from the site on Empire Boulevard has numerous signs. Other businesses such as Chipotle, McDonalds and others in the area have wall signage on at least 3 sides for visibility in all directions and as needed to coordinate with the architecture, including word and logo signs, and drive through signage. The total amount of wall signs is 122.62 sq. ft., significantly less than the total permitted of 171.83 square ft. The Bell logo is part of the brand and essential for the public to easily identify the site as Taco Bell. Other signage in the neighborhood includes logo identification, such as the McDonalds. The directional signage includes the logo to help customers facilitate the Taco Bell drive through. These signs are designed for visibility on site and not to draw attention of site.

The setback and size of the free-standing sign are consistent with signage in the neighborhood, including the Home Outlet sign. The proposed signage will not be detrimental in any way. The site has frontage on two busy streets with fast-paced traffic in an area with many businesses. The free-standing sign will help the fast-traveling public to identify the location when approaching, helping drivers make decisions and safely access the site.

Home Outlet Variances: The variances for Home Outlet will also not produce any undesirable change to the character of the neighborhood. The variances will improve the condition of the property. The proposed lot coverage is an improvement and reduction of the current lot coverage, and includes significant improvements to the condition of the property, with the addition of new green space along Empire Boulevard, addition of stormwater management, replacement of broken asphalt, and replacement of the existing fence with a new board on board fence on Creek Street. The variance for the amount of parking is appropriate as Home Outlet does not need or use more parking than proposed. The variance for the setback of the existing Home Outlet free-standing sign will also have no impact as the sign is existing and the variance required only as a result of the subdivision and creation of the new lot line.

2. Whether the benefit to be sought by the applicant can be achieved by some other method, feasible for the applicant to pursue, other than an area variance. There is no method feasible for the applicant to pursue other than the area variances.

Taco Bell Site Variances: The Taco Bell project cannot be developed without the requested area variances for the site because of the unique location, configuration and limited size of the site and developable area.



Taco Bell Sign Variances: There is no feasible alternative to variances to provide signage to adequately identify the Taco Bell from traffic coming in both directions on Empire Boulevard and Creek Street, to identify the entrance to the store and coordinate with the architecture of the building. The Taco Bell logo is an essential part of the branding and identification of Taco Bell without which the business identification is not complete or recognizable to the public. The proposed setback of the free-standing sign is consistent with the existing Home Outlet sign and placed to avoid interference with the drive through.

Home Outlet Variances: The proposed subdivision and development of the Taco Bell cannot occur without site variances for the remaining Home Outlet parcel. The Home Outlet site will remain essentially the same with improvements to existing conditions as described above. The location of the free-standing sign will not change.

3. **Whether the area variance is substantial.** The variances are not substantial in amount, nature or impact.

Taco Bell Site Variances: The proposed building setback is not substantial as it is consistent with adjacent properties and required for any development of the property because of its limited size and unique configuration. The proposed lot coverage is not substantial as it represents an improvement of the existing lot coverage, green space and replacement of an unutilized parking area. The parking variance is also not substantial in amount because of the nature of the proposed Taco Bell use, where the drive through operation does not use parking and generates the bulk of the business. Sufficient parking is provided for the Taco Bell operation.

Taco Bell Sign Variances: The variances are not substantial in amount or nature given the context and location of the site, and the signage in the surrounding area. The 5 on-building signs proposed are designed and placed for visibility in all directions and to complement the architectural elements of the building. The total on-building signage is significantly less than the amount permitted if the signs were larger. The site sits opposite a Delta Sonic that has numerous signs, with other nearby restaurants and businesses having comparable signage to the Taco Bell, including both words and logos for visibility in multiple directions. The setback and size of the free-standing sign is consistent with the existing Home Outlet sign and does not interfere with traffic. The site has limited frontage and size, and is located in a fast-paced and densely developed commercial area. Given the context, the site requires the proposed signage to be seen, identified and not missed by drivers traveling Empire Boulevard and Creek Street. The logos are important to the branding, and are used to identify the site on the free-standing sign, identify the front entrance, complement the architecture of the building, and provide clear identification used to assist drive through traffic.



Home Outlet Variances: The Home Outlet variances are not substantial. The proposed lot coverage will be an improvement and less than the existing lot coverage for both new parcels created. The setback variance for the sign is for the existing sign and solely the result of the subdivision and creation of a new lot line. The parking variance is also not substantial given the low intensity nature of the Home Outlet use. There is sufficient parking provided for the Home Outlet operation. The area to be developed is unused parking area. In respect to parking in the event of redevelopment of the Home Outlet parcel, Town approvals would be required in the event that redevelopment is proposed in the future.

4. **Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.** The variances will have no adverse impact on the physical or environmental conditions of the neighborhood or district.

Taco Bell Site Variances: The variances will allow significant physical and environmental improvements to the existing property. An ugly vacant lot area will be replaced with an attractive building and related site improvements, with a setback required to develop the site consistent with the neighborhood. While variances for the lot coverage of both parcels to be created will actually improve the lot coverage, with each parcel proposed to have less lot coverage than the current amount. New green space and new stormwater quality will be included, as well as replacement of the existing fence. An asphalt parking area will be improved with an attractive building. The proposed parking is consistent with other parking in the neighborhood, with a reduction to the amount of overall parking.

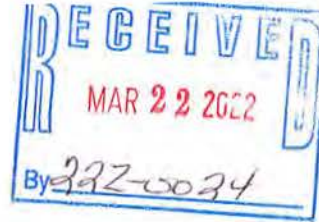
Taco Bell Sign Variances: The variances for signage will not have any adverse impact as the proposed signs are consistent with the other signage and development in the surrounding area.

Home Outlet Variances: The variances for the Home Outlet parcel will not have any adverse impact. The lot coverage will be improved. The site improved with the new green space, less asphalt, and new stormwater quality. The free-standing sign will not move or change.

5. **Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of the area variance.** The need for the variances is not self-created.

Taco Bell Site Variances: The property cannot be developed without the variances because of the unique physical limitations of the size and location of the property.

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Area Variance Applications- 1800 Empire Boulevard
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Taco Bell Sign Variances: The difficulty arises from the location and size of the site. The site is in a busy mature commercial area, with two street frontages, and traffic approaching from multiple directions.

Home Outlet Variances: The difficulty is partly self-created to the extent of the decision to enter into an agreement to allow the Taco Bell project, which allows the subdivision and development of the Taco Bell project. However, the Home Outlet will remain largely unchanged, with the exception of improvements that will result from the Taco Bell development.

The variances requested are the minimum necessary and serve the public health, safety and welfare. Accordingly, we respectfully request that the variances be granted.

We look forward to presenting the applications to you at your next Zoning Board of Appeals meeting on April 7, 2022. In the interim, should you have any questions or require any additional information, please do not hesitate to contact me at any time.

Thank you very much for your consideration.

Very Truly Yours,

WOODS OVIATT GILMAN LLP

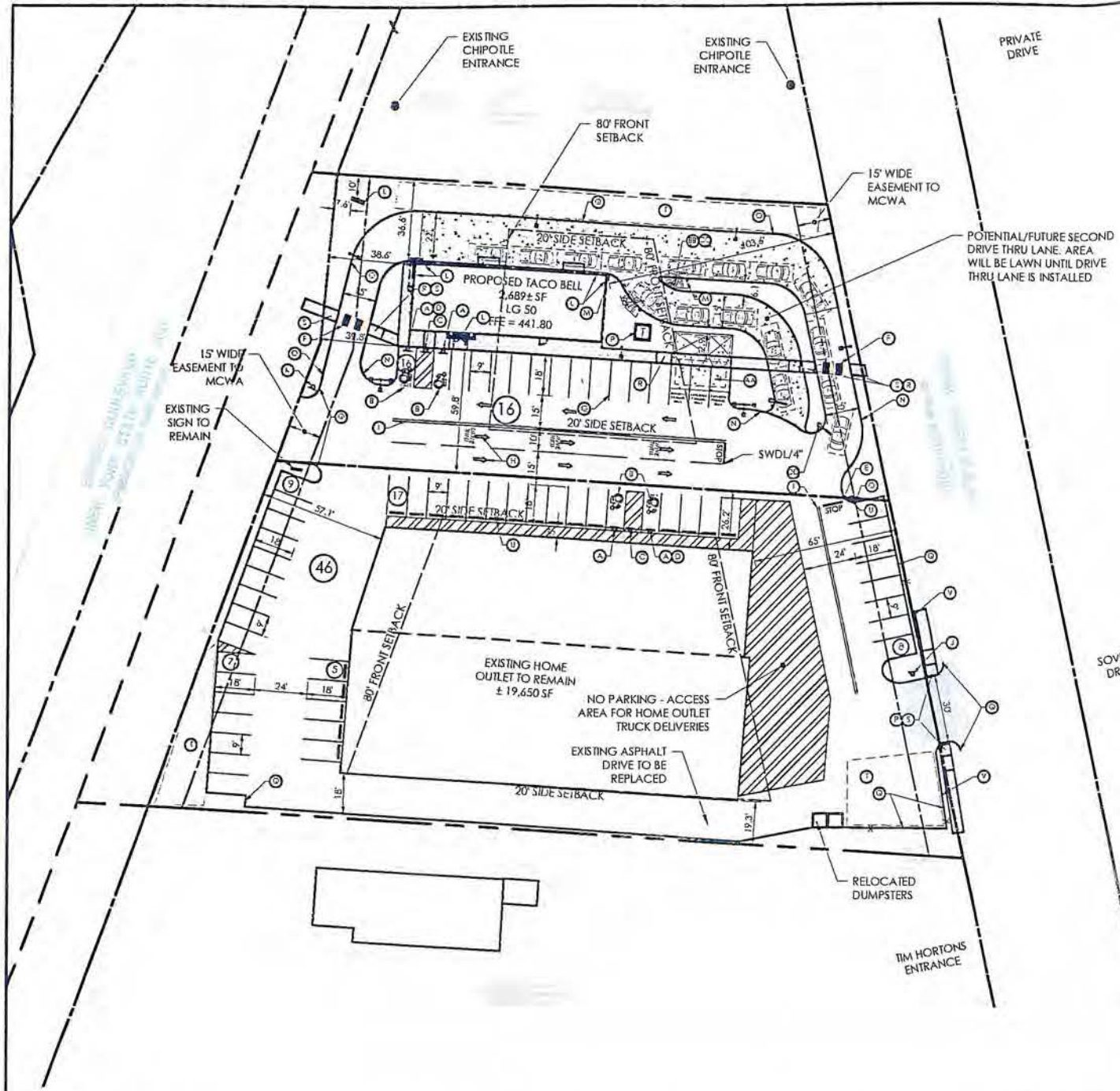
A handwritten signature in black ink, appearing to read "Betsy D. Brugg".

Betsy D. Brugg

Enclosures

c: Mike McCracken, Hospitality Syracuse
Stephanie Albright, APD Engineering & Architecture

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SITE LEGEND:

- (A) ACCESSIBLE PARKING SIGN, POST & BOLLARD (REFER TO DETAIL)
- (B) PAINTED ACCESSIBLE PARKING SYMBOL (REFER TO DETAIL)
- (C) "NO PARKING ANY TIME" SIGN, POST & BOLLARD (REFER TO DETAIL)
- (D) "VAN ACCESSIBLE" SIGN (REFER TO DETAIL)
- (E) STOP SIGN, PAINTED STOP BAR, & "STOP" LETTERING (REFER TO DETAIL)
- (F) PEDESTRIAN CROSSWALK (REFER TO DETAIL)
- (G) 5'x11/4" PARKING STALL STRIPING
- (H) PAVEMENT MARKINGS - ARROWS (REFER TO DETAIL)
- (I) PAVEMENT MARKINGS - CENTERLINE (DYSL/4")
- (J) TACO BELL ENTRANCE SIGN (PROVIDED BY SIGN VENDOR)
- (K) TACO BELL EXIT SIGN (PROVIDED BY SIGN VENDOR)
- (L) TACO BELL LOGO SIGN (PROVIDED BY SIGN VENDOR)
- (M) BOLLARDS (REFER TO ARCH. PLAN DETAIL)
- (N) CONCRETE CURB (REFER TO DETAIL)
- (O) TRANSITION CURB (REFER TO DETAIL)
- (P) TRANSFORMER PAD, INSTALL PER ELECTRIC COMPANY REQUIREMENTS. INCLUDE BOLLARDS AS NECESSARY.
- (Q) EDGE OF PAVEMENT
- (R) ADA RAMP (REFER TO DETAIL)
- (S) DETECTABLE WARNING (REFER TO DETAIL)
- (T) SNOW STORAGE AREA
- (U) "DO NOT BLOCK INTERSECTION" SIGN (REFER TO DETAIL)
- (V) BOARD ON BOARD FENCE (REFER TO DETAIL)
- (AA) CONCRETE DUMPSTER PAD (REFER TO ARCH. PLANS)
- (BB) MENU BOARD (REFER TO DETAIL)
- (CC) SPEAKER BOX (REFER TO DETAIL)
- (DD) CLEARANCE BAR (REFER TO DETAIL)

ABBREVIATIONS:

- 1. SWDL/4" - SINGLE WHITE DASHED LINE / 4" WIDE
- 2. DYSL/4" - DOUBLE YELLOW SOLID LINE / 4" WIDE EACH
- 3. TYP. - TYPICAL
- 4. P.D.C. - PROTECT DURING CONSTRUCTION
- 5. SF - SQUARE FEET

REFERENCE:

- 1. 1343-16BASE.DWG, PRELIMINARY ALTA-NSPS LAND TITLE SURVEY, LAST REVISED ON DECEMBER 10, 2021. PREPARED BY MCMAHON LARUE ASSOCIATES, P.C.
- 2. CONNECTEXPLORER ONLINE ORTHOGRAPHIC HI-RES IMAGERY BY EAGLEVIEW.



AS REQUIRED BY NEW YORK STATE LAW, CONTRACTOR SHALL CONTACT "DIG SAFELY NEW YORK" (JFPO) @ 1-800-962-7962 FOR LOCATION STAKE-OUT OF ALL UTILITIES, AT LEAST 2 FULL WORKING DAYS PRIOR TO ANY EXCAVATION.

LEGEND OF EXISTING FEATURES

REFER TO THE SURVEY PREPARED BY MCMAHON LARUE ASSOCIATES, P.C.

LEGEND OF IMPROVEMENTS

- BACK OF CURB
- FACE OF CURB
- FACE OF CURB/BACK OF CURB
- SUBJECT PARCEL PROPERTY LINE
- SETBACK LINE
- EASEMENT LINE
- PROPOSED BUILDING
- TRANSFORMER PAD
- HEAVY DUTY ASPHALT (REFER TO DETAIL)
- HEAVY DUTY CONCRETE (REFER TO DETAIL)
- SIDEWALK (REFER TO DETAIL)
- PAINTED PARKING AREA TO BE STRIPED WITH 4" SYSL @ 2' O.C. AND 45° TO PARKING SPACE
- PEDESTRIAN CROSSWALK (REFER TO DETAIL)
- LIGHT POLES
- SITE SIGN, PAINTED STOP BAR & "STOP" LETTERING
- WHEEL STOPS (REFER TO DETAIL)

PLANNING BOARD CHAIRPERSON	DATE
ENGINEERING AND PLANNING	DATE
DIRECTOR OF PUBLIC WORKS	DATE
TOWN CLERK	DATE
FIRE MARSHAL	DATE
TOWN SUPERVISOR	DATE
DIRECTOR OF DEVELOPMENT SERVICES	DATE

GENERAL NOTES:

- ALL IMPROVEMENTS SHALL BE IN ACCORDANCE WITH THE MOST RECENT STANDARDS AND SPECIFICATIONS OF THE TOWN OF PENFIELD AND/OR THE APPROPRIATE WATER, SEWER AND/OR DRAINAGE DISTRICTS, AND/OR OTHER AUTHORITIES HAVING JURISDICTION.
- ALL EXISTING BUILDING(S), SITE, ROADWAY, UTILITY, BOUNDARY, AND TOPOGRAPHY INFORMATION SHOWN ON THIS PLAN IS REPRESENTED BASED ON USE OF THE LISTED REFERENCES. CONTRACTOR TO VERIFY LOCATION AND LIMITS OF WORK PRIOR TO STARTING. ANY CHANGES OR CONFLICTS DISCOVERED SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER AND ENGINEER. IF CONTRACTOR DOES NOT ACCEPT EXISTING TOPOGRAPHY AS SHOWN ON THE PLANS, WITHOUT EXCEPTION, HE SHALL HAVE MADE, AT HIS EXPENSE, A TOPOGRAPHIC SURVEY BY A REGISTERED LAND SURVEYOR AND SUBMIT IT TO THE OWNER FOR REVIEW.
- CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULE, SLOPED PAVING, EXIT PORCHES, RAMPS, PRECISE BUILDING DIMENSIONS, AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS. ALL PAVING, CURBING, FLATWORK, SIDEWALKS, FENCING, BOLLARDS, ETC., WHICH CONFLICT WITH NEW CONSTRUCTION ARE TO BE DEMOLISHED AND DISPOSED OF IN ACCORDANCE WITH ANY LOCAL, STATE, OR FEDERAL REGULATIONS.
- APD ENGINEERING AND ARCHITECTURE, PLLC (APD) IS ONLY RESPONSIBLE FOR THE PROPOSED SITE IMPROVEMENTS RELATED TO THIS TACO BELL CONSTRUCTION AND MINOR MODIFICATIONS TO THE HOME OUTLET PARKING LOT, AS SHOWN ON THE PLANS. APD DID NOT PERFORM THE ORIGINAL SITE DESIGN OR SURVEY AND ACCEPTS NO RESPONSIBILITY FOR EXISTING SITE CONDITIONS OR FEATURES THAT WERE DESIGNED AND BUILT PREVIOUS TO THE PREPARATION OF THESE PLANS. CONTRACTOR SHALL REVIEW EXISTING SITE FEATURES PRIOR TO PREPARATION OF BID.
- CONTRACTOR MUST PROTECT THE PUBLIC AT ALL TIMES WITH FENCING, BARRICADES, ENCLOSURES, ETC. CONTRACTOR SHALL MAINTAIN ALL EXISTING PARKING, SIDEWALKS, DRIVES, ETC. OUTSIDE OF WORK LIMITS CLEAR AND FREE FROM ANY CONSTRUCTION ACTIVITY AND/OR MATERIAL TO ENSURE EASY AND SAFE PEDESTRIAN AND VEHICULAR TRAFFIC TO AND FROM THE SITE. CONTRACTOR SHALL COORDINATE/PHASE ALL CONSTRUCTION ACTIVITY WITHIN PROXIMITY OF THE HOME OUTLET BUILDING AND UTILITY INTERRUPTIONS WITH THE STORE MANAGER A MINIMUM OF 48 HOURS PRIOR TO ANY CONSTRUCTION TO ESTABLISH CUSTOMER ACCESS AND TRAFFIC FLOW DURING ALL PHASES OF WORK TO MINIMIZE DISTURBANCE AND INCONVENIENCE TO THE HOME OUTLET STORE. THE HOME OUTLET SHALL REMAIN IN OPERATION DURING CONSTRUCTION. CONTRACTOR IS RESPONSIBLE FOR COORDINATING WITH ALL APPLICABLE AGENCIES TO MAINTAIN EMERGENCY ACCESS TO THEIR SATISFACTION. ALL WORK THAT WILL IMPACT TRUCK DELIVERIES, ACCESS, AND/OR PARKING SHALL BE PHASED IN SUCH A WAY AS TO MAINTAIN OPERATION AND ACCESS TO THE STORE.
- APD ENGINEERING AND ARCHITECTURE, PLLC (APD) IS ONLY RESPONSIBLE FOR THE PROPOSED SITE IMPROVEMENTS RELATED TO THIS TACO BELL CONSTRUCTION AND MINOR MODIFICATIONS TO THE HOME OUTLET PARKING LOT, AS SHOWN ON THE PLANS. APD DID NOT PERFORM THE ORIGINAL SITE DESIGN OR SURVEY AND ACCEPTS NO RESPONSIBILITY FOR EXISTING SITE CONDITIONS OR FEATURES THAT WERE DESIGNED AND BUILT PREVIOUS TO THE PREPARATION OF THESE PLANS. CONTRACTOR SHALL REVIEW EXISTING SITE FEATURES PRIOR TO PREPARATION OF BID.
- ANY EXISTING STRIPING WHICH IS TO REMAIN IN PLACE AND WHICH MAY BECOME OBSCURED OR DAMAGED DUE TO THE CONSTRUCTION OF IMPROVEMENTS SHALL BE REPLACED AND/OR REPAINTED AS NECESSARY.
- REFER TO THE SURVEY FOR THE PROPERTY BOUNDARY INFORMATION (E.G. LOT AREA, BEARINGS, DISTANCES, ETC.).

SITE NOTES:

- ALL NEW PAINTED PAVEMENT MARKINGS SUCH AS DIRECTIONAL ARROWS AND LETTERING SHALL BE PAINTED USING TEMPLATES.
- CONTRACTOR SHALL PROVIDE TOUCH-UP PAINT FOR ALL FIRE HYDRANTS, BOLLARDS, LIGHT POLE BASES, VALVE COVERS, AND CURBS WHICH ARE CURRENTLY PAINTED WITHIN THE PROJECT LIMITS. CONTRACTOR SHALL REVIEW EXISTING SITE FEATURES PRIOR TO PREPARATION OF BID. COST SHALL BE INCLUDED IN THE BASE BID.
- ALL DIMENSIONS AND RADII ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
- THE SETBACK LINES AND NOTES RELATED TO SETBACKS SHOWN HEREIN ARE INTENDED TO SHOW APPLICABLE ZONING REQUIREMENTS OF THE TOWN OF PENFIELD AS OF THE DATE OF THIS PLAN AND ARE NOT INTENDED TO IMPOSE ANY ADDITIONAL RESTRICTIONS OTHER THAN SAID ZONING REQUIREMENTS.
- REFER TO LIGHTING PLAN, SHEET C5, FOR LIGHT POLE AND BUILDING MOUNTED LIGHT LOCATIONS, AND FIXTURE TYPE. REFER TO PLAN BY LSI LIGHTING UNDER SEPARATE COVER FOR PHOTOMETRIC LAYOUT.
- PYLON SIGNS SHALL BE CONSTRUCTED BY OTHERS, BUT ELECTRIC SERVICE TO THE PYLON SIGN SHALL BE INCLUDED IN THE CONTRACT.

SIGN DATA:

BULK REQUIREMENTS	ALLOWED	PROPOSED	VARIANCE
BUILDING SIGN - AREA	2 SF PER LINEAR FOOT OF BUSINESS FRONTAGE (85 FT IN BUILDING FRONTAGE) = 138.74 SF ALLOWED	(4' x 27.26) + 13.38 = 122.62 SF	NO
SIGNS - GRAPHICS/LOGOS	GRAPHICS, TRADEMARKS, AND LOGOS SHALL NOT EXCEED 50% OF THE FACE AREA OF ANY SIGN.	TOWER SIGNS = 44% MAIN DOOR = 100% PYLON SIGN = 49% DIRECTIONAL SIGN = 49%	YES
TRAFFIC CONTROL SIGNAGE	2 SF FOR TRAFFIC CONTROL ONLY AND NOT IDENTIFICATION OF USE	4 SF WITH TACO BELL LOGO	YES
BUILDING SIGN - NUMBER	ONE SIGN PER BUSINESS	5 SIGNS	YES
FREESTANDING SIGN - AREA	20 SF	93.4 SF	YES
FREESTANDING SIGN - HEIGHT	20'	20'	NO
FREESTANDING SIGN - FRONT SETBACK (TACO BELL)	20'	7.4'	YES
FREESTANDING SIGN - FRONT SETBACK (HOME OUTLET)	20'	7.6'	NO
FREESTANDING SIGN - SIDE SETBACK (HOME OUTLET)	25'	3'	YES
FREESTANDING SIGN - SIDE SETBACK (TACO BELL)	25'	10'	YES

SITE DATA:

LOCAL JURISDICTION:	Town of Penfield
ZONING CLASSIFICATION:	General Business (G8)
PERMITTED USES:	RESTAURANT (CONDITIONAL USE PERMIT REQUIRED)
CURRENT OWNER:	E.C. BARTON & COMPANY (TO RETAIN HOME OUTLET PORTION OF SITE)
PROPOSED OWNER:	FAIRLANE DRIVE LLC (TO PURCHASE TACO BELL PARCEL AFTER SUBDIVISION)
SUBDIVISION:	
PARCEL #1 (TACO BELL)	0.73 AC
PARCEL #2 (BARGAIN OUTLET)	1.17 AC
TOTAL PROPERTY	1.9 AC

BULK REQUIREMENTS	REQUIRED	EXISTING	HOME OUTLET	TACO BELL	Variance Required
FRONT YARD (E/W)	80 FT	N/A	65.0 FT (EAST) 57.1 FT (WEST)	103.6 FT (EAST) 38.6 FT (WEST)	YES
REAR YARD	30 FT	N/A	N/A	N/A	NO
SIDE YARD (N/S)	20 FT	N/A	26.2 FT (NORTH) 19.3 FT (SOUTH)	36.8 FT (NORTH) 39.8 FT (SOUTH)	NO
MAXIMUM LOT COVERAGE (BUILDING AND PARKING LOT)	65%	95%	93%	77%	YES
MAXIMUM BUILDING HEIGHT	40 FT	25 FT	25 FT	23 FT	NO
PARKING REQUIREMENT FOR TACO BELL	1.5 FOR EACH 2 PERSON OF LEGAL OCCUPANCY PLUS 1 FOR EACH EMPLOYEE 68 OCCUPANCY AND 7 EMPLOYEES = 56 SPACES	N/A	N/A	11 SPACES	YES
PARKING REQUIREMENT FOR HOME OUTLET	5 PARKING SPACE FOR 1000 SF 19,800 SF = 99 SPACES	42 SPACES	46 SPACES	N/A	YES
PARKING STALL WIDTH	9 FT	9 FT	9 FT	9 FT	NO
PARKING STALL LENGTH	18 FT	18.5 FT	18 FT	18 FT	NO

NOTE: ITEMS IN BOLD ASSUME A VARIANCE IS REQUIRED. IT'S ASSUMED THAT HOME OUTLET NON-CONFORMING ITEMS THAT ARE NOT RESULTING IN A MORE RESTRICTIVE CHANGE WILL NOT REQUIRE A VARIANCE.

Issued: _____ Date: 03/01/23

Revisions: _____ Date: _____

FOR APPROVAL ONLY / NOT FOR CONSTRUCTION

CIVIL ENGINEER OF RECORD
Name: Stephanie L. Albright
New York License No.: 080051
Exp. Date: December 31, 2023
Firm Reg. No.: 0014815
Exp. Date: December 31, 2023

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A.P.D. Engineering & Architecture, PLLC

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APD ENGINEERING ARCHITECTURE
615 Fishers Run Victor, NY 14564
585.742.2222 - www.apd.com

Hospitality Syracuse, Inc.
290 Ewood Oaks Road
Liverpool, NY 13088
315-481-1822
315-481-1822

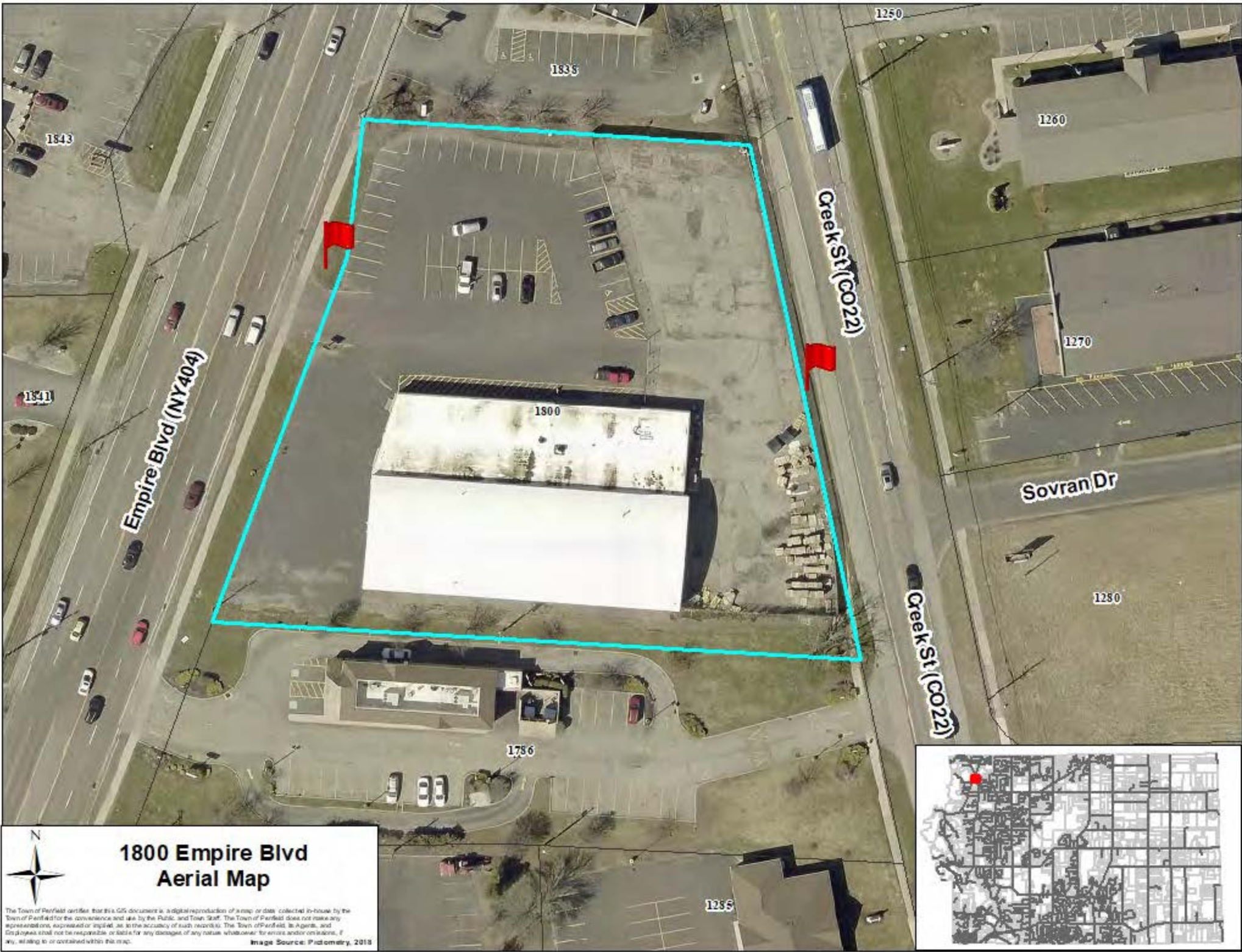
Taco Bell - Penfield, NY
Empire Blvd, Webster NY 14580
Town of Penfield, NY
Morrise County
Project Name & Location:

Site Plan
Drawing Name:
Date: 12/13/21
Type: LG 50
Drawn By: SLA
Scale: 1" = 30'

Project No.
19-0124
C2
Drawing No.

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By 222-0024

SCANNED



1800 Empire Blvd Aerial Map

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