

ZONING BOARD OF APPEALS AGENDA

Public Hearing Application #4

Application # 22Z-0010
1698 Penfield Rd
Matthew Newcomb/Passero Associates
Eagle Cleaners

See Pages to Follow



January 14, 2022

Town of Penfield
Attn: Penfield Zoning Board of Appeals
3100 Atlantic Avenue
Penfield, NY 14526

**RE: Eagle Cleaners Site Redevelopment
1698 Penfield Road (Tax ID: 139.05-1-52)
Letter of Intent – Zoning Board Application – Area Variance (Revised)**

Dear Zoning Board of Appeals:

On behalf of our client, Eagle Cleaners, we respectfully submit an Area Variance Application for review at the February 17, 2022, meeting of the Penfield Zoning Board of Appeals in consideration of two (2) Area Variance request to:

- Permit a front yard setback of 62.6' instead of the 80' minimum setback required in accordance section 250-5.6D(3).
- Permit a pole sign setback of 4.2' instead of the 20' minimum setback for freestanding business signage and is only 5.9' from the adjacent commercial property, instead of the 25' minimum requirement, in accordance with section 250-10.12D.

Existing Conditions

The existing site is 0.69 acres in size and is located along the north side of Penfield Road between Panorama Trail S. and County Route 441 in the LB – Limited Business Zoning District. This area is characterized primarily by suburban shopping plaza's, suburban offices, and multi-family housing developments. The existing project site includes a +/- 3,000-sf suburban commercial building, and 15 vehicle parking lot.

Project Proposal

The proposal is to construct a 5,400-sf, single-story building for a drycleaner. The site includes a parking lot with 25 parking spaces, a refuse containment area, a 20sf and 13.5' tall freestanding business sign, and a building drive-through entry canopy for pick-ups and drop-offs. The existing +/- 3,000-sf, single-story commercial building is not large enough to meet the needs of Eagle Cleaners, and is not outfitted to accommodate their equipment., therefore, the existing building will need to be demolished. Existing site paving and curb cuts will be retained, and an additional area of the site will be paved to create a refuse areas and additional parking spaces for the larger building.

The proposed building has a setback of 80-feet meeting the requirement for building setbacks on this site. The entry canopy protrudes in the minimum setback area by 17.4' requiring an Area Variance in accordance with section 250-5.6D(3). The proposed freestanding business sign is located 4.2' and 5.9' from the property frontage and adjacent commercial property, respectively, not meeting the 20' and 25' setbacks in accordance

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with 250.10.12D. Traffic control signage is exempted from permitting in accordance with section 250-10.24, therefore, there are no review requirements for the enter/exit signage proposed at the project site.

Review Considerations

(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 existing neighborhood is defined by commercial strip mall plazas, and suburban retail and office establishments as well as suburban multi-family housing. The existing building and site exhibit the same massing and overall design as other strip retail buildings in the area.

There are 9 properties located in the LB District along Penfield Road. A front yard setback analysis was conducted on all 9 properties located within this zoning district. The Monroe County Parcel Viewer, Google Maps and a visit to the project site were used to calculate approximate front yard setback distances for each building located within the district. Existing properties in this zoning district that do not meet the current zoning setback requirements are highlighted in yellow on the analysis chart below.

#	Address	Tax ID	Property Use	Front Yard Building Setback	Signage Location Setback		Distance from Subject property
					Front*	Adjacent*	
1	1694 Penfield Rd	139.05-1-53	Retail Plaza	80'	+/- 0'	25'+	23'
2	1675 Penfield Rd	138.08-1-32	Restaurant	86.5'	+/- 5'	25'+	580'
3	1676 Penfield Rd	139.05-1-56	Tailor Shop	25.5'	+/- 0'	25'+	480'
4	1671 Penfield Rd	138.08-1-33	Wellness Center	86.5'	+/- 18'	25'+	660'
5	1672 Penfield Rd	139.05-1-57	Veterinary Hospital	62'	+/- 5'	25'+	600'
6	1669 Penfield Rd	138.08-1-34	Retail Plaza	51.5'	N/A	N/A	840'
7	1670 Penfield Rd	138.08-1-30.1	Retail Plaza	72.5'	+/- 15'	25'+	800'
8	1660 Penfield Rd	138.08-1-26.1	Car Wash/Gas Station	35'	+/- 60'	25'+	990'
9	1650 Penfield Rd	138.08-1-24	Restaurant	100'	N/A	N/A	1,350'

*Numbers are a visual approximation based on Google Maps and visitation of the project site.

These findings demonstrate that 5 of the 9 existing properties within the LB District area do not meet the minimum front yard setback of 80-feet. The average front yard setback of buildings within the LB Zoning District along Penfield Road is 66.6-feet. Additionally, 6 of the 7 applicable properties within the district do not meet signage street setback requirements in section 250-10.12D of the Town Code. All other applicable properties were found to meet the commercial property

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distance requirements. In our analysis we determined that a central placement of the proposed sign poses a safety concern. Our team determined that the safest and most logical location for signage with this consideration in mind is at the west side frontage of the property, rather than a central placement between the entry and exit curb cuts. This is a necessary deviation from the code requirements to preserve traffic sight lines in entering and exiting the property.

Since the existing character of the zoning district shows a variation in setback design and a variety of building types and designs it is reasonable to conclude that the proposed building, minor canopy appurtenance, and proposed signage fit within the existing characteristics of the neighborhood and would be compatible with nearby properties

(2) Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance.

As part of the due diligence investigation for this project alternatives were considered for the purposes of compliance with the zoning code requirements. Our team determined that pushing the building further back would encroach into the rear yard setback of the building, and that steeper grades at the rear of the building would create engineering challenges leading to project costs that would pose an unreasonable hardship for the applicant. The canopy cannot be changed in size or dimensions as it is functionality of accommodating vehicle idling, circulation, and pedestrian traffic entering and exiting the building requires the proposed size, dimensions and placement. The proposed canopy is an extremely important building asset to the operator and is a feature of the building consistent with their mission of offering the highest quality of service to their patrons.

To make the most efficient use of space, to meet the needs of Eagle Cleaners and create an efficient and safe parking lot for customers, the proposed location of the freestanding business sign is the most logical location for signage. This is echoed on other properties in the area which have placed freestanding signage at similar locations on their properties (listed in the table in the previous section).

(3) Whether the requested variance is substantial.

This Area Variance request is not substantial in terms of the scale of this redevelopment project, existing neighborhood setback considerations, and the design of the building and project site. The entry canopy proposed is not a primary segment of the proposed building, and functions as an accessory feature of the building to serve parking and pedestrian circulation on site. This request is minor in relation to the benefits to the applicant – furthering their ability to offer exceptional service to their customers by supplying a weather protected area to pick-up and drop-off clothing for dry cleaning.

When considering that all properties within the LB District have signage that is similar in setback, location and design to the signage proposed by Eagle Cleaners it is clear to see that the proposed signage is *typical* of the area, rather than an exception. Therefore, an area variance related to signage is not a substantial request.

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The Town of Penfield and its residents will benefit from this project by filling an existing vacant building site with a community-oriented service business that meets all other code requirements and is a permitted use in the LB – Limited Business Zoning District.

(4) Whether the proposed area variance will have an adverse effect or impact on the physical environmental conditions of the neighborhood or the district.

Penfield Road is a suburban, vehicle-oriented corridor that serves several types of commercial businesses from strip malls, shopping plazas, and individual commercial business sites each having either monument or pole mounted freestanding business signs directly adjacent to the property lot lines. The proposed redevelopment is compatible with the existing physical environment and will not create any adverse physical disturbance to this area.

The construction of a building canopy, not meeting front setback requirements, has no impact on the natural environment. The existing site has previously been developed and is +/-1,000 feet from Irondequoit Creek and a freshwater pond, located south and west of the site, and identified by the New York State Department of Environmental Conservation (DEC) as wetlands or waterbodies in the area. There are no other environmentally significant areas within the vicinity of the project site in accordance with available data from the DEC and further site investigation as part of this proposal.

(5) Whether the alleged difficulty was self-created. Finding that the difficulty was self-created shall not in and of itself preclude the granting of the area variance).

While the front yard setback requirements were considered as part of the design of this project, we believe that the addition of a canopy not meeting the required front yard setback requirements would increase the attractiveness of the building and site and improve internal circulation on site while also meeting the quality-of-service needs of Eagle Cleaners. Additionally, the proposed signage is characteristic of the area and is integrated with the existing suburban streetscape.

The proposed site design is a self-created hardship, but due to the minor scale of the variance requests and the analysis and considerations listed in this report, we believe that a waiver of the setback requirements, as requested, would benefit the business operator, patrons, neighborhood, and the overall design of the site without having any adverse impact to the Town of Penfield or the greater community.

In support of our application, we have enclosed the following:

- (1) Letter of Intent
- (1) Area Variance Application
- (1) Short EAF
- (1) Site Plan
- (1) Building Elevation
- (1) Check for: \$110.00
- (1) PDF of Submission

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We look forward to presenting this application to the Zoning Board at their February 17, 2022, meeting. Thank you for your consideration.

Sincerely,

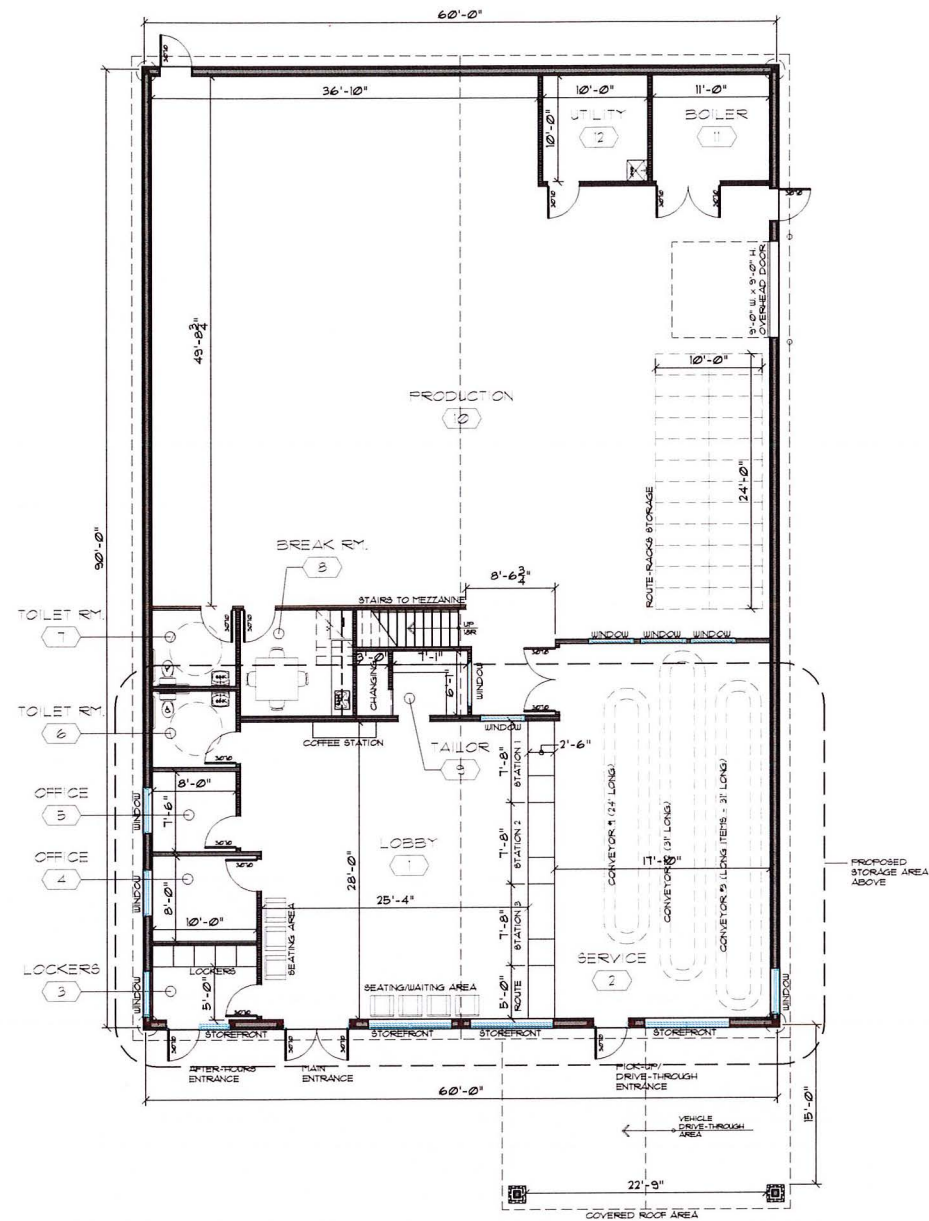
A handwritten signature in blue ink that reads "Matthew Newcomb". The signature is written in a cursive style with a large, sweeping initial "M".

Matthew Newcomb
Project Manager

MNpaf
Encs:

CC: File
Eagle Cleaners

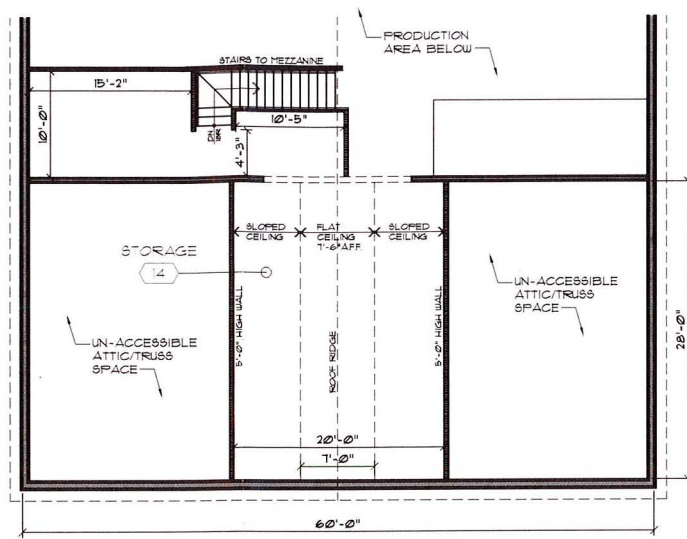
222-0010



1
A1
PROPOSED FLOOR PLAN
SCALE: 1/8" = 1'-0"
OPTION 4

RECEIVED
JAN 14 2022
By

- BACK AREA PLATE HEIGHT 16'-0"
- FRONT AREA PLATE HEIGHT 12'-0"
- TOP OF ALUM. STOREFRONT 13'-0"
- FINISHED FLOOR ELEV. 0'-0"



2
A1
PROPOSED STORAGE PLAN
SCALE: 1/8" = 1'-0"



1
A4
FRONT ELEVATION
SCALE: 1/4" = 1'-0"

LEGEND:

SYMBOL	DESCRIPTION
	INTERIOR WALL CONSTRUCTION -2X4 STUDS @16" O.C.
	INTERIOR -METAL PANELS. -2X4 HORIZONTAL GIRTS.
	NEW EXTERIOR WALL CONSTRUCTION -2X6 STUD DEPTH, SEE WALL & BUILDING SECTIONS. -WOOD POST AS NOTED. -2X4 HORIZONTAL GIRTS. -METAL SIDING.
	EXTERIOR TYPICAL NEW FOOTERS: -24" DIA. CONCRETE FOOTERS (MIN. 4'-0" BELOW GRADE). -VERIFY DEPTH, EXACT SIZE & LOCATION WITH PRE-ENG. BUILDING MANUFACTURER.
	NEW DOOR CONSTRUCTION SEE DOOR AND FRAME TYPES, ELEVATIONS & SCHEDULE.

HEADER SCHEDULE:

OPENING	2X6 WALL	2X4 WALL
UP TO 5'-0"	(3) 2X8	(2) 2X8
6'-0"	(3) 2X10	(2) 2X10
7'-0"	(3) 2X10	(2) 2X10
8'-0"	(3) 2X12	(2) 2X12

NOTE:
-PROVIDE (2) 1/2" PLYWOOD GUSSETS - 2X6 WALL
-PROVIDE (1) 1/2" PLYWOOD GUSSETS - 2X4 WALL

GENERAL NOTES:

- ALL DIMENSIONS ARE ROUGH, EDGE OF STUD OR BLOCK UNLESS OTHERWISE NOTED AS FIN.
- ELECTRICAL WORK, ALL ELECTRICAL WORK SHALL BE DESIGNED BY OTHERS. ALL ELECTRICAL WORK SHALL COMPLY WITH THE REQUIREMENTS OF THE INTERN. BUILDING CODE.
- HVAC WORK, ALL HVAC WORK SHALL BE DESIGNED BY OTHERS. ALL HVAC WORK SHALL COMPLY WITH THE REQUIREMENTS OF THE INTERNATIONAL BUILDING CODE.
- PLUMBING WORK, ALL PLUMBING WORK SHALL BE DESIGNED BY OTHERS. ALL PLUMBING WORK SHALL COMPLY WITH THE REQUIREMENTS OF THE INTERNATIONAL BUILDING CODE.

REVISIONS NO.	DATE	BY	CHKD	DESCRIPTION

EAGLE CLEANERS
NEW BUILDING
PENFIELD ROAD
PENFIELD, NEW YORK 14526

DATE	DRAWN	CHECKED
1122	GA	GA
SCALE AS NOTED		
SHEET TITLE		
PROPOSED FLOOR PLAN		

EAGLE

A1

DRAWING NUMBER

SCANNED

Double sided 33"h x 87"w illuminated pole sign, 12" deep cabinet, LED internal illumination, white lexan faces with high performance translucent vinyl graphics, extruded aluminum framed cabinet painted black. 8" diameter 10'-9"h steel pole set in concrete base per engineered requirements with 0.080 formed aluminum surround.



sign area of 33" x 87" equals 20 sf

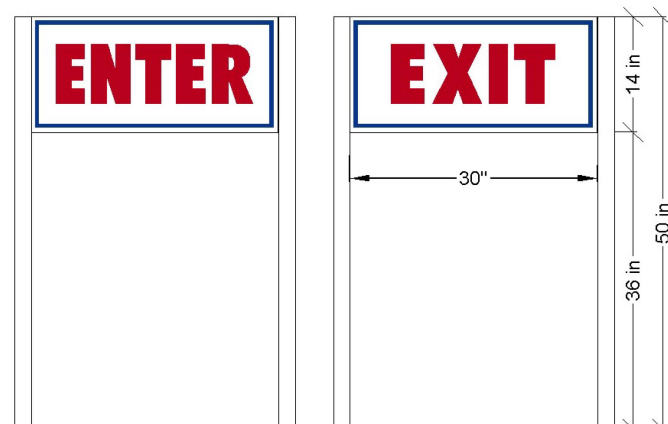
1698

13.5 feet

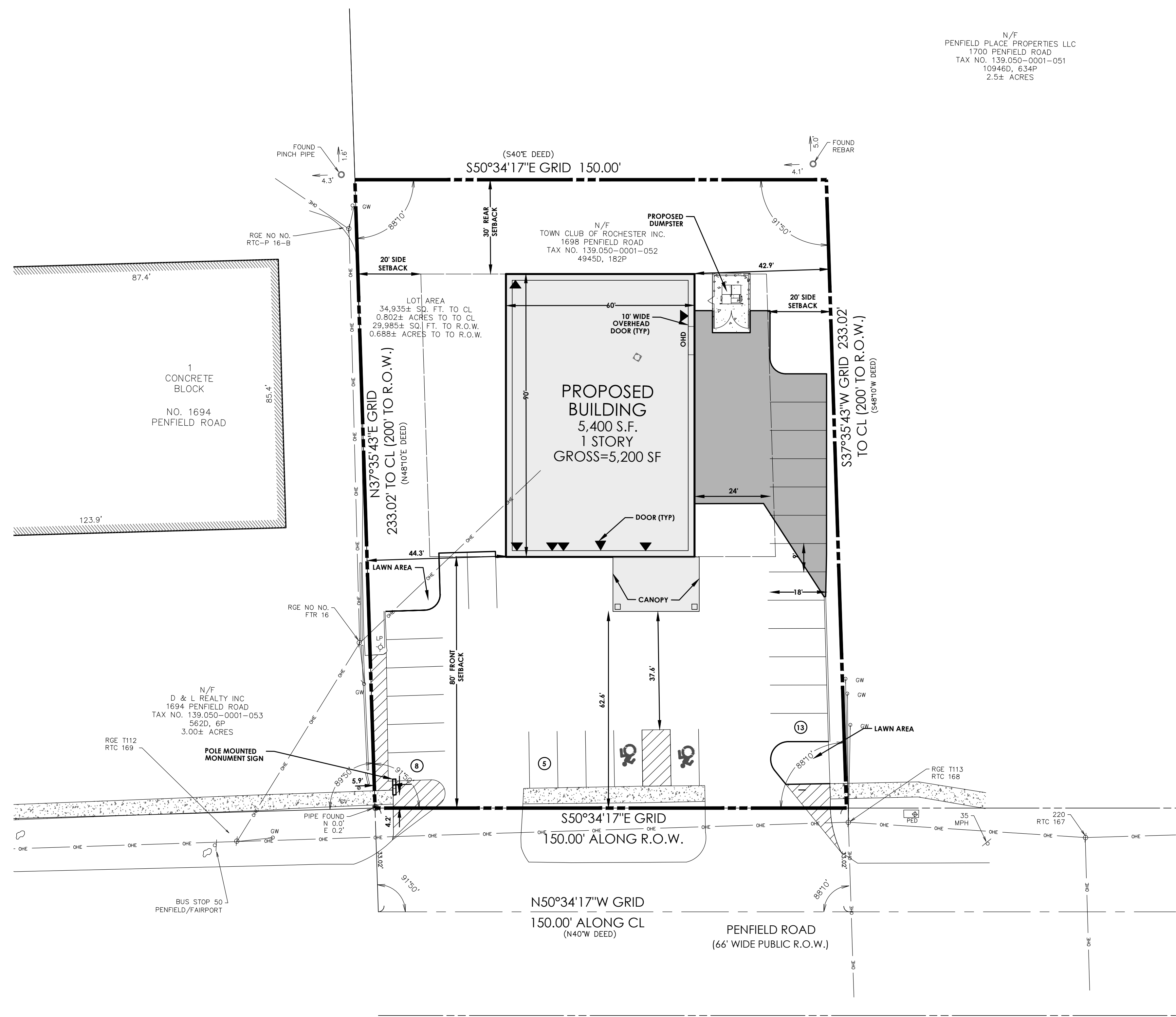
Comparable signs



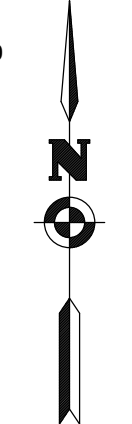
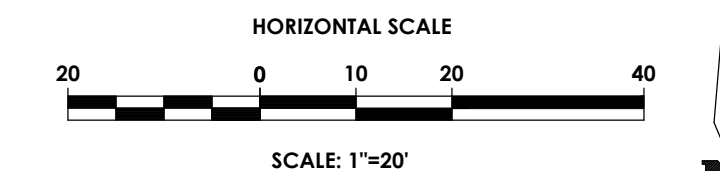
14"h x 30"w double sided post and panel directional signs.
2.25" square extruded aluminum posts with matching aluminum frame and sign panels and vinyl applied graphics



Y:\PROJECTS-NEW\2021\20213270\01 CAD BIM MODELS\CIVIL\20213270\01 SITE.DWG 1/19/2022 10:53 AM Math Newcomb



N/F
PENFIELD PLACE PROPERTIES LLC
1700 PENFIELD ROAD
TAX NO. 139.050-0001-051
10946D, 634P
2.5± ACRES



LEGEND:

- PROPERTY BOUNDARY
- ASPHALT OR CONCRETE TO BE REMOVED
- GRAVEL AREA TO BE REMOVED
- BUILDING REMOVAL
- TREE AND BRUSH REMOVAL
- EXISTING TREE LINE
- PROPOSED TREE LINE
- EXISTING SITE FEATURE TO BE REMOVED
- SAW CUT LINE
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- EXIST. ELECTRIC LINE AND POLE
- EXISTING STORM SEWER & MH
- EXISTING WATER SERVICE & VALVE
- EXISTING SIGN
- EXISTING SANITARY SEWER AND MANHOLE

SITE DATA

TAX ACCOUNT NUMBER:	139.05-1-52
PARCEL ADDRESS:	1698 Penfield Road
TOTAL PARCEL AREA:	0.68 ACRES (29,985 SF)
AREA OF DISTURBANCE:	
EXISTING ZONING:	LB Limited Business
EXISTING USE:	vacant
PROPOSED USE:	Dry Cleaner

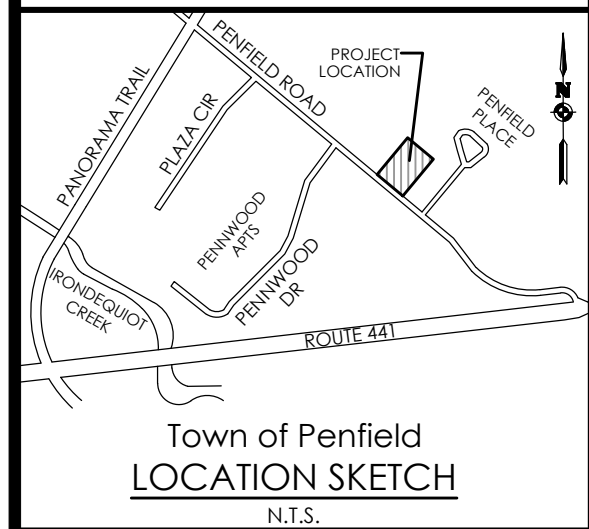
AREA REQUIREMENTS:

LOT	CO Commercial District		
	REQUIRED	EXISTING	PROPOSED
WIDTH	NO REQ	150'	150'
AREA	NO REQ	29,985	29,985
GREEN SPACE	35% MIN	N/A	36.10%
SETBACK			
FRONT	80'	N/A	60'
SIDE	20'	N/A	42.9'
REAR	30'	N/A	30'
BUILDING			
HEIGHT AND AREA	3 stories or 40'	1 STORY	1 STORY
LOT COVERAGE	65% Max	N/A	64%
PARKING			
STALLS (QTY.)	26 (5,200SF GROSS AREA)	N/A	26
STALL SIZE (PERPENDICULAR)	9'x18'	N/A	9' x 18'
DRIVE AISLE (WIDTH)	24 ft MIN	N/A	24 ft
SIGNS			

*** REQUIRES VARIANCE**

	NO	YES
STATE REGULATED WETLANDS (NYSDEC WETLAND INVENTORY):	X	
FEDERALLY REGULATED WETLANDS (U.S. F.W.S. N.W.I.):	X	
FLOOD PLAIN (FEMA NFHL): FIRM PANEL: 36055C0238G DATED: 08/28/2008	X	
PUBLIC WATER PROVIDED BY:	MCWA	
ELECTRIC SERVICE PROVIDED BY:	RG&E	
GAS SERVICE SUPPLIED BY:	RG&E	
SANITARY SEWER PROVIDED BY:	TOWN OF PENFIELD	
STORM SEWER & DRAINAGE FACILITIES WILL BE PRIVATE AND MAINTAINED BY THE OWNER		

ALL IMPROVEMENTS SHALL BE MADE IN ACCORDANCE WITH THE CURRENT DEVELOPMENT STANDARDS AND SPECIFICATIONS OF THE MUNICIPALITY



Client:
EAGLE CLEANERS
1698 PENFIELD ROAD
ROCHESTER, NY 14625

PASSERO ASSOCIATES
242 West Main Street Suite 100
Rochester, New York 14614
(585) 325-1000
Fax: (585) 325-1691
Principal-in-Charge: Jess Sudol, PE
Project Manager: David Cox, PE
Designed by: Carole Harvey



Revisions

No.	Date	By	Description
1			

UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS DRAWING IS IN VIOLATION OF STATE EDUCATION LAW ARTICLE 145 SECTION 7209 AND ARTICLE 149 SECTION 7307. THESE PLANS ARE COPYRIGHT PROTECTED ©

SITE PLAN
EAGLE CLEANERS

Town/City: PENFIELD
County: MONROE State: NEW YORK

Project No.
20213270.0001

Drawing No. **C 102** Sheet No. **2**

Scale:
1" = 20'

Date
JANUARY 2022

NOT FOR CONSTRUCTION



1698 Penfield Road Aerial Map

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