



TOWN OF HENRIETTA
 County of Monroe
 State of New York
 475 Calkins Road, Rochester, NY 14623
 (585) 334-7700 • www.henrietta.org

TOWN OF HENRIETTA
 APPLICATION TO TOWN BOARD

Original SUP 2021-051

Appeal No. SP-2023-038

SPECIAL USE PERMIT – RESTAURANT

Date 10/10/23

Applicant: Sea Restaurant, Inc. [Redacted]
Name Email

37 Shetland Circle Rochester New York 14624 [Redacted]
No. & Street City State Zip Code Phone Number

Business Owner: Vilay Sysavath [Redacted]
Name Email

#7 Shetland Circle Rochester New York 14624 [Redacted]
No. & Street City State Zip Code Phone Number

Business Name: Roc Pho Shop

Business Address: 339 Jefferson Road Rochester New York 14623
No. & Street City State Zip Code

Property Owner: Magnolia Property Holdings, LLC [Redacted]
Name Email

37 Shetland Circle Rochester New York 14624 [Redacted]
No. & Street City State Zip Code Phone Number

Architect/Engineer: SWBR [Redacted]
Name Email

387 E. Main Street Rochester New York 14624 [Redacted]
No. & Street City State Zip Code Phone Number

Hereby request from the Town Board for a Special Use Permit for the property located at:

339 Jefferson Road Rochester New York 14623
No. & Street City State Zip Code

161.06-1-5.2 Commercial B-1 (Mura)
Tax Map No. Zoning District

If property is under a purchase option, indicate date option expires: _____

Under the Zoning Ordinance, a Special Permit is requested pursuant to:

Article: VI Section: 295 Subsection: 14 Paragraph: [B] 2 of the Zoning Ordinance.

Description of Proposal: Full service dine in and takeout restaurant, serving Vietnamese and Thai food.

Will also serve alcohol. Open 7 days a week 11am-midnight.

Live music may be utilized on rare occasions at special events, but not on a regular basis.

IMPORTANT: Please check only those operational subtypes which you intend to operate now or in the very near future. The Town is required to assess each subtype for potential impacts, therefore if you select operational subtypes which are not truly intended to be utilized, you may unnecessarily subject your proposal to further mitigation which may not otherwise have been required.

- Sit Down Meal Service Take-Out Meal Service Drive-Through Service
- Outdoor Seating Bands, DJs, or Similar Loud Entertainment Alcohol to be Served

Printed Name: Vilay Sysavath, President Signature: [Signature]

TWenzel
 Received By

NOV 15, 2023
 Date of Meeting*(unless rescheduled)

TBD
 Time

*A meeting date will be assigned when applications are turned in but if the application is deemed incomplete, it will not be scheduled and the Applicant will be notified.

**Statement of Applicant and Owner with Respect to Reimbursement
of Professional and Consulting Fees**

In conjunction with an application made to the Town of Henrietta, the undersigned states, represents and warrants the following:

- 1) I/We am/are the applicant and owner with respect to an application to the Town of Henrietta.
- 2) I/We have been advised of, are aware of and agree to comply with the obligation to reimburse the Town of Henrietta for any and all professional and consulting fees incurred by the Town in conjunction with this and any other applications by me/us, including but not limited to engineering and/or legal fees, all as more fully set forth in the Henrietta Town Code.
- 3) I/We have been provided with, or have otherwise reviewed the Henrietta Town Code provisions related to the obligation to reimburse the Town with respect to professional and consulting fees, and agree to comply with the same.
- 4) I/We understand that this obligation shall not be dependent upon the approval or success of the application.
- 5) I/We further agree that in the event the Town of Henrietta is required to refer for collection an outstanding debt for such professional and/or consulting fees due to the Town of Henrietta, I/we shall be obligated to pay the reasonable attorney's fees incurred as a result of the Town's efforts to collect such fees. Reasonable attorney's fees shall also include any and all disbursements that may result from the commencement of litigation.
- 6) Each party to the application, including the applicant and the owner, shall be jointly and severally liable for all consulting and professional fees and expenses incurred in conjunction with the application.

Applicant: Sea Restaurant, Inc.

By: Vilay Sysavath

Title: President

Dated: 10/05/2023

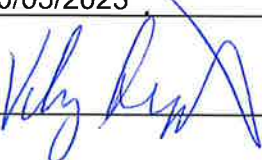
Signed: 

Owner: Magnolia Property Holdings, LLC

By: Vilay Sysavath

Title: Member

Dated: 10/05/2023

Signed: 

October 17, 2023

Town of Henrietta
475 Calkins Road
Rochester NY 14623

RE; Roc Pho Shop
339 Jefferson Rd.
Rochester NY 14623

Letter of Intent

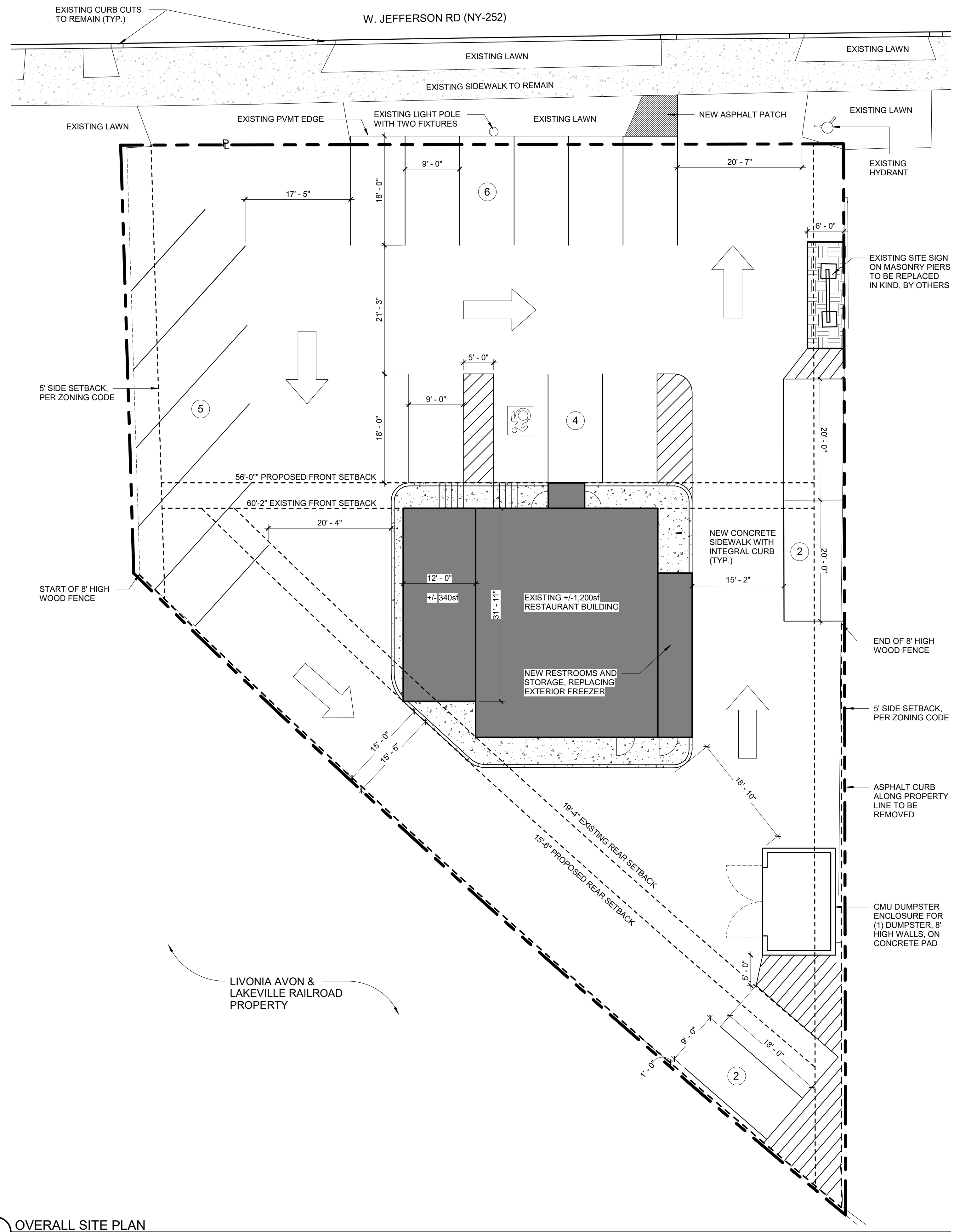
Dear Board Members,

My name is Vilay Sysavath and I am the sole member of Magnolia Property Holdings LLC which owns 339 Jefferson Rd. I am also the owner of Sea Restaurant Inc. which is going to operate under Roc Pho Shop at 339 Jefferson Rd.

I currently have approvals from the town for sit down and outdoor dining. I am asking to consider my application to sell alcohol indoor and outdoor dining area. I plan to have live music occasionally. Hours of operations Monday-Sunday 11-Midnight.

Warmest Regards,

A handwritten signature in black ink, appearing to read "Vilay Sysavath", written in a cursive style.



1 OVERALL SITE PLAN
1" = 10'-0"

SITE DATA

- TAX ACCOUNT NUMBER: 161.06-01-05.2
- PARCEL ADDRESS: 339 JEFFERSON RD
- TOTAL PARCEL AREA: 0.33 ACRES
- EXISTING ZONING: B-1 WITH MIXED USE REDEVELOPMENT OVERLAY DISTRICT
PROPOSED ZONING: B-1 WITH MIXED USE REDEVELOPMENT OVERLAY DISTRICT
- EXISTING USE: RESTAURANT
PROPOSED USE: RESTAURANT
- AREA REQUIREMENTS:

| | REQUIRED | PROPOSED |
|-----------------|---|--------------------------------|
| SETBACK | | |
| FRONT | 125' (60'-4" SET BACK FOR EXISTING STRUCTURE) | 56' * |
| REAR | 60' (19'-4" SET BACK FOR EXISTING STRUCTURE) | 15'-6" |
| SIDE | 5' | 30'-10" |
| BUILDING | | |
| HEIGHT | 30' PER ZONING 40' PER BUILDING CODE | 15'-6" |
| PARKING | | |
| STALLS | 21 (BASED ON 53 CUSTOMERS & 5 STAFF) | 19 |
| ADA STALL | 1 (PER IBC 2018) | 1 |
| STALL SIZE | 18' x 9' 20' x 10' PARALLEL | 18' x 9' 20' x 10' PARALLEL |

* ON THE SAME SIDE OF JEFFERSON RD, 351 JEFFERSON RD'S SET BACK IS AROUND 30'.

LANDSCAPE AND PAVING LEGEND

- CONCRETE PAVING
- PLANT BED
- NEW ASPHALT PAVING
- PROPERTY LINE
- 8' HIGH WOOD FENCE

Drawn By: BMM
Checked By: BP
Project Manager: ML

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Revisions

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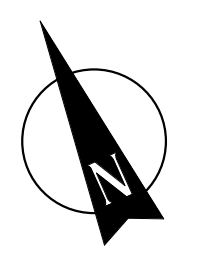
Roc Pho Restaurant
SWBR Project Number 21199.00

Magnolia Property Holdings, LLC
37 Shetland Cir.
Rochester NY, 14624

L-101

SITE PLAN

November 10, 2022
SPECIAL USE PERMIT APPLICATION





339 Jefferson Rd



Imagery ©2021 Maxar Technologies, New York GIS, Map data ©2021 Google

50 ft



339 Jefferson Rd

Building



Directions



Save



Nearby



Send to your
phone



Share



339 Jefferson Rd, Rochester, NY 14623

Photos

