



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
 – SPECIAL USE PERMIT –

Appeal No. SP 2023-031
 Date 6/26/23

Applicant: Benderson Development Company, LLC [Redacted]
Name Email

570 Delaware Avenue, Buffalo, NY 14202
No. & Street City State Zip Code Phone Number

Business Owner: University of Rochester [Redacted]
Name Email

1300 Jefferson Road, Henrietta, New York 14623
No. & Street City State Zip Code Phone Number

Business Name: University of Rochester

Business Address: 1300 Jefferson Road, Henrietta, NY 14202
No. & Street City State Zip Code

Property Owner: 1300 JR Associates, LLC [Redacted]
Name Email

570 Delaware Avenue, Buffalo, New York 14202
No. & Street City State Zip Code Phone Number

Architect/Engineer: Pinewoods Engineering, PC
Name Email

42 Aston Villa, North Chili, New York 14623
No. & Street City State Zip Code Phone Number

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

1300 Jefferson Road, Henrietta, NY 14623
No. & Street City State Zip Code

162.07-1-S.1 I - Industrial
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: VIII Section: 295 Subsection: 25 Paragraph: A(14) of the Zoning Ordinance.

Description of Proposal: Proposed use is a University of Rochester Urgent Care Facility

Multiple Dwelling Applications – Dwelling Units per Acre: N/A

Does this exceed allowed amount per Henrietta Code §295-13[E](1)(b) Yes No

Printed Name: Matthew J. Oates Signature: *Matthew Oates*

JWenzel 8/9/23 TBD
Received By Date of Meeting* Time
(unless rescheduled)

*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: _____

By: _____

Title: _____

Dated: _____

Signed: Matthew Carter

Owner: _____

By: _____

Title: _____

Dated: _____

Signed: Matthew Carter



July 13, 2023

VIA HAND DELIVERY

Stephen Schultz, Supervisor
Members of the Town Board
Town of Henrietta
475 Calkins Road
Henrietta, NY 14467

**Re: Special Permit Application for “University of Rochester Urgent Care”
Medical Office Use (BDC# 3834)
Premises: 1300 Jefferson Road**

Dear Supervisor Schultz and Members of the Town Board:

Enclosed please find the application materials required in connection with our request for a Special Use Permit to allow for the University of Rochester Urgent Care facility to occupy 6,204 SF of space within a to be constructed 8,086 SF commercial building that will be located in front of the Residence Inn at 1300 Jefferson Road. The Urgent Care will be a relocation of the existing Urgent Care that is on the eastern end cap of the existing commercial building at this property. By relocating to the new building, the University of Rochester will be able to expand the size of their facility from 4,426 SF to 6,204 SF. The hours of operation would be the same as the existing facility which are daily from 9:00 am -8:00 pm (Monday through Sunday) and 9 am to 4 pm on holidays.

Pursuant to Town Code §§295-25-A(16) a special permit is required for the operation of a medical facility within an Industrial zoned district. Town Code § 295-53 A through E sets forth the criteria that should be considered by the Board in determining whether to grant a special permit. We believe that the application conforms to the standards set forth in Town Code § 295-53, and should be granted. With respect to the five factors provided for in Town Code § 295-53, we note the following:

A. The effect of the proposed use on the orderly development and character of the neighborhood of the proposed use and upon the development and conduct of other lawful uses in the vicinity.

The proposed medical use is (1) located on an Industrial zoned property, (2) is a relocation of an existing medical use from another building on this property and (3) is in conformance with how the general area has previously been developed. The subject property is located in the Jefferson Road commercial corridor between the NYS Route 390 expressway and Winton Road amongst numerous restaurants, hotel, retail, office and warehouse uses. To the north, directly behind the property, is a Residence Inn that is also owned and operated by Benderson or one of its related entities; to the east is an existing commercial building that is also owned by Benderson; and to the south is a United States Post Office facility.

B. Whether the proposed use will be in harmony with the existing and probable future development of the neighborhood in which the premises are situated.



As noted above, based upon the location of the medical use on Jefferson Road between the NYS Route 390 expressway and Winton Road, the proposed medical use will be in harmony with both the existing and future development in the area around the subject property.

C. The number and proximity of the same or similar uses in the neighborhood of the premises.

The proposed medical use is a relocation of the existing use and there is not another urgent care facility within the immediate area.

D. Whether the proposed use will be a nuisance in law or in fact and whether the use will be noxious, offensive or injurious by reason of production of or emission of dust, smoke, refuse, poisonous substances, odors, fumes, noise, radiation, vibration, unsightliness or similar conditions or will contaminate waters.

The proposed medical use will not be a nuisance in law or fact and will not be noxious, offensive or injurious. The property exists in a commercial area improved with commercial uses and the proposed use is compatible with the surrounding area.

E. Whether the proposed use will create hazards or dangers to the public or to persons in the vicinity from fire, explosion, electricity, radiation, traffic congestion, crowds, parking of automobiles or other causes.

The proposed medical use will not create any hazards or dangers to the public as it is a relocation of an existing medical use that is already on the property.

Conclusion

In conclusion, the approval of the Special Use Permits will not result in any detriment to the surrounding community. Based on the application of Town Code § 295-53, we respectfully request that the Town Board grant the special use permit applications. Should you have any questions, please do not hesitate to contact me by phone at (716) 878-9397 or by e-mail at mattoates@benderson.com. In addition, please notify me as to when this matter will be considered by the Town Board.

Sincerely,
BENDERSON DEVELOPMENT COMPANY, LLC

Matthew J. Oates, P.E.
Director of Engineering

Enc.

July 5, 2023

Town of Henrietta
475 Calkins Road
PO Box 999
Henrietta, NY 14467

RE: Special Use Permit Application
1300 Jefferson Road
Owner Authorization

Dear Sir/Madam:

This letter shall confirm that 1300 JR Associates, LLC is the owner of 1300 Jefferson Road; Matthew Oates and any other representative from Benderson Development Company, LLC are authorized to appear on our behalf and to submit and process applications for the above referenced property, and to file such other documents as may be required in connection with this project.

Please let me know if you need anything further.

Thank you.

Sincerely,
1300 JR ASSOCIATES, LLC

James A. Boglioli

James A. Boglioli, Agent

REAL ESTATE SERVICES

DIRECTOR OF LEASING



July 10, 2023

Town of Henrietta
475 Calkins Road
PO Box 999 Henrietta, NY 14467

RE: Special Permit Application dated June 16, 2023 and submitted June 19, 2023 by Benderson Development Company for "University of Rochester Urgent Care" Medical Office Use (BDC# 3834); Premises: 1300 Jefferson.

Dear Sir/Madam:

This letter shall confirm that 1300 JR Associates, LLC has submitted a Special Permit Application for a University of Rochester Urgent Care at 1300 Jefferson Road, and the University is in favor of the application. Accordingly, Matthew J. Oates, P.E., and any other representative from Benderson Development Company, LLC, are authorized to appear on behalf of the University for purposes of submitting and processing the Special Permit application referenced above, and to file such other documents as may be required in connection with this project.

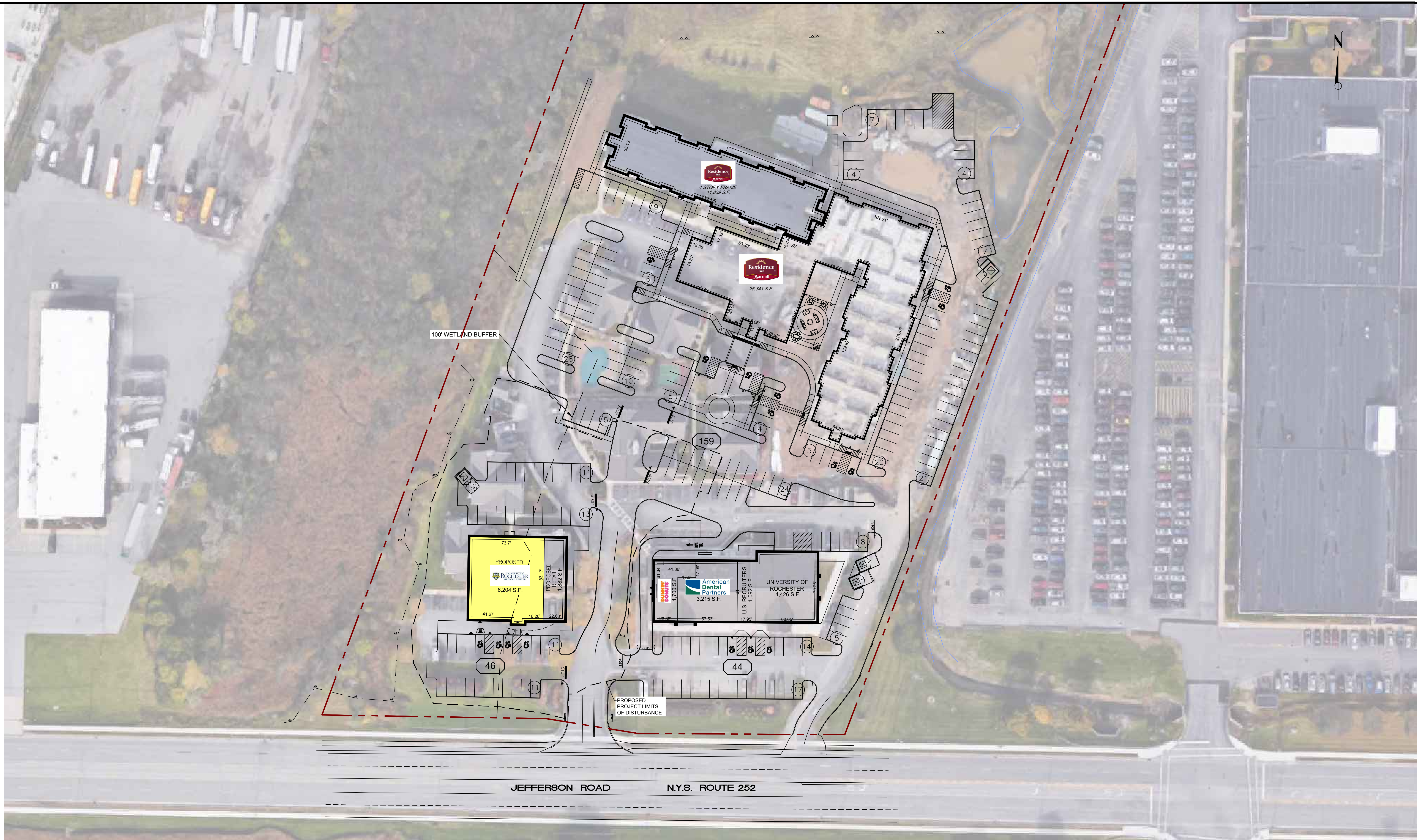
Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Neiderbach".

Michael Neiderbach, Director of Leasing

cc: Amber Foster, Executive Director, Space Planning and Real Estate, URM
Mark Merry, Director Acquisitions and Regional Development, URM
Mark Wright, Senior Counsel, URM
Greg Feltes, The Cabot Group

135 Corporate Woods, Suite 160
Box 278944, Rochester, NY 14623-1459
Michael_Neiderbach@urmc.rochester.edu
585-784-2910 Office | [REDACTED] Cell | 585-271-0997 Fax



RESIDENCE INN

1300 JEFFERSON RD
HENRIETTA, NY 14623

PROPERTY ID#: 2941 - SITE PLAN

MAY 5, 2023

2020
IS TO ILLUSTRATE THE APPROXIMATE
DIMENSIONS AND LAYOUT OF THE
DESIRED PREMISES. NO OTHER
WARRANTY OR REPRESENTATION,
EXPRESSED OR IMPLIED, IS MADE
WITH RESPECT TO THE ILLUSTRATION.

BENDERSON
DEVELOPMENT COMPANY, LLC
570 DELAWARE AVENUE, BUFFALO, NY 14202
Phone (716) 886-6211 Fax (716) 856-7791
www.benderson.com

SITE PLAN

DRAWN BY: TCA SCALE: 1"=40'

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action:			
Name of Applicant or Sponsor:		Telephone: <input style="width: 100%;" type="text"/>	
		E-Mail: <input style="width: 100%;" type="text"/>	
Address:			
City/PO:		State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest Agricultural/grasslands Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ Date: _____ Signature: <u>Matthew Carter</u> Title: _____		