



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

Appeal No. SP2024-003

SPECIAL USE PERMIT – RESTAURANT

Date 1/10/24

Applicant: FSI [Redacted]
Name Email

2213 Brighton Henrietta TL Road Rochester, NY 14623
No. & Street City State Zip Code Phone Number

Business Owner: Starbucks [Redacted]
Name Email

2401 Utah Ave, Seattle WA 98134
No. & Street City State Zip Code Phone Number

Business Name: Starbucks

Business Address: 1100 Jefferson Road, Rochester NY 14623
No. & Street City State Zip Code

Property Owner: 1100 Jefferson Partners LLC [Redacted]
Name Email

2213 Brighton Henrietta TL Road, Rochester, NY 14623
No. & Street City State Zip Code Phone Number

Architect/Engineer: Passero Associates [Redacted]
Name Email

242 West Main Street, Suite 100, Rochester, NY 14614
No. & Street City State Zip Code Phone Number

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

1100 Jefferson Road, Rochester NY 14623
No. & Street City State Zip Code

162.06 -1- 7 Commercial B-1
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: VII Section: 295 Subsection: 14 Paragraph: B 12 of the Zoning Ordinance.

Description of Proposal: The development of a 1,650 sqft Starbucks with drive thru and associated parking.

This development is located in an existing parking lot for the plaza at 1100 Jefferson Road

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.

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Sit Down Meal Service | <input checked="" type="checkbox"/> Take-Out Meal Service | <input checked="" type="checkbox"/> Drive-Through Service |
| <input checked="" type="checkbox"/> Outdoor Seating | <input type="checkbox"/> Bands, DJs, or Similar Loud Entertainment | <input type="checkbox"/> Alcohol to be Served |

Printed Name: Frank Imburgia Signature: [Signature]

TWenzel
 Received By

February 14, 2024
 Date of Meeting*(unless rescheduled)

6:00 pm
 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: FSI

By: Frank Imburgia

Title: Member

Dated: 1/10/2024

Signed:  _____

Owner: 1100 Jefferson Partners LLC

By: Frank Imburgia

Title: Member

Dated: 1/10/2024

Signed:  _____



January 10, 2024

Town of Henrietta
Attn: Supervisor Schultz/Town Board
475 Calkins Road
Henrietta, NY 14467

RE: Starbucks- Town Board – Special Use Permit Submission

Dear Supervisor Schultz/Town Board:

On behalf of our client, FSI Construction, we respectfully request to be placed on the February 14, 2024 Town Board Agenda for review of a Special Use Permit for the proposed Starbucks at 1100 Jefferson Road. The Special Use Permit will be for a restaurant use, specific restaurant subtypes are included in the application.

The existing site is currently developed with parking that services the existing plaza. A portion of the parking lot area is to be redeveloped to accommodate a proposed ± 1650 SF Starbucks coffee shop with drive thru. The proposed design will accommodate the necessary parking for the proposed use, while reducing the impervious area and increasing landscape and greenspace on the site through the incorporation of new grass islands. The proposed business will operate during or about the hours of 5:30 a.m. to 10:00 p.m.

In addition to the development of the Starbucks restaurant, modifications to the main entrance boulevard off of Jefferson Road will be incorporated to improve the existing functionality of the plaza. This work will realign the intersection in the plaza to create a more traditional four-way intersection which will improve its safety and functionality for motorists.

A parking study was also conducted for this plaza to confirm that the amount of parking reduced as a part of the development will not negatively impact the existing businesses in the plaza. It was found the plaza has sufficient parking even with the reduced parking. A copy of the parking study has been included for review, but please note the report was supplied to the town on April 7th.

We would also ask the Town Board to act as the Lead Agent for the SEQR process as part of this Special Use Permit Request.

In support of our request, attached please find:

1. Letter of Intent
2. Application Form and Statement of Applicant and Owner w/Respect of Professional & Consulting Fees
3. Site Plans (4)
4. Letter of Authorization
5. Short Form EAF
6. Parking Study
7. Check for \$200.00

Sincerely,



Joshua Saxton, EIT
Senior Project Engineer

JDS:paf CC: File
FSI Construction

January 9, 2024

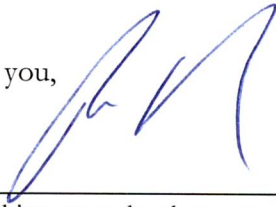
Town Planning and Zoning Departments
Town of Henrietta

Re: 1100 Jefferson Road – Starbucks

To whom it may concern:

I, David Shipe, store development manager for Starbucks Corporation, confirm we are pursuing a location at subject property, 1100 Jefferson Road, Rochester, NY 14623 (TA# 162.060-1-007). Passero Associates is authorized to make the necessary applications and presentations to all Town Boards (Planning & Zoning), Permits and Approvals on our behalf for the above project.

Thank you,



David Shipe, store development manager, Starbucks Corporation

January 10/2024

Town Board
Town of Henrietta

Re: 1100 Jefferson Road - Starbucks

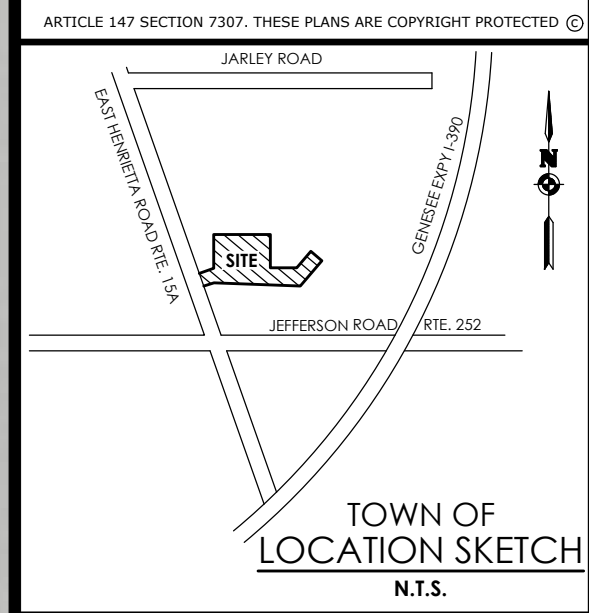
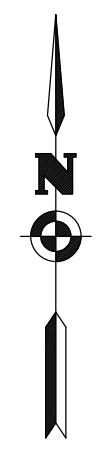
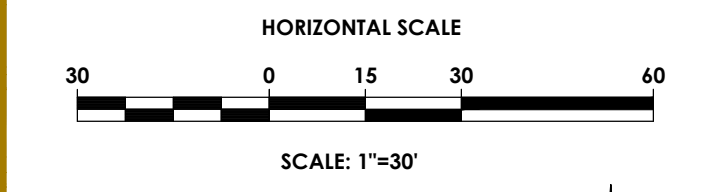
To whom it may concern:

I, Frank Imburgia, owner/manager/applicant (FSI) of subject property at 1100 Jefferson Road, Rochester of the development at subject property 1100 Jefferson Road, Rochester, NY 14623 (TA# 162.060-1-007), give permission and consent to Passero Associates to make the necessary applications and presentations to all Town Boards (Town, Planning & Zoning), Permits and Approvals on my behalf for the above project.

Thank you.

Signature: _____





Client:
FSI
90 GOODWAY DRIVE
ROCHESTER, NY 14623

PASSERO ASSOCIATES
242 West Main Street Suite 100
Rochester, New York 14614
Principal-in-Charge: DAVID COX
Project Manager: DAVID COX
Designed by: JOSHUA SAXTON



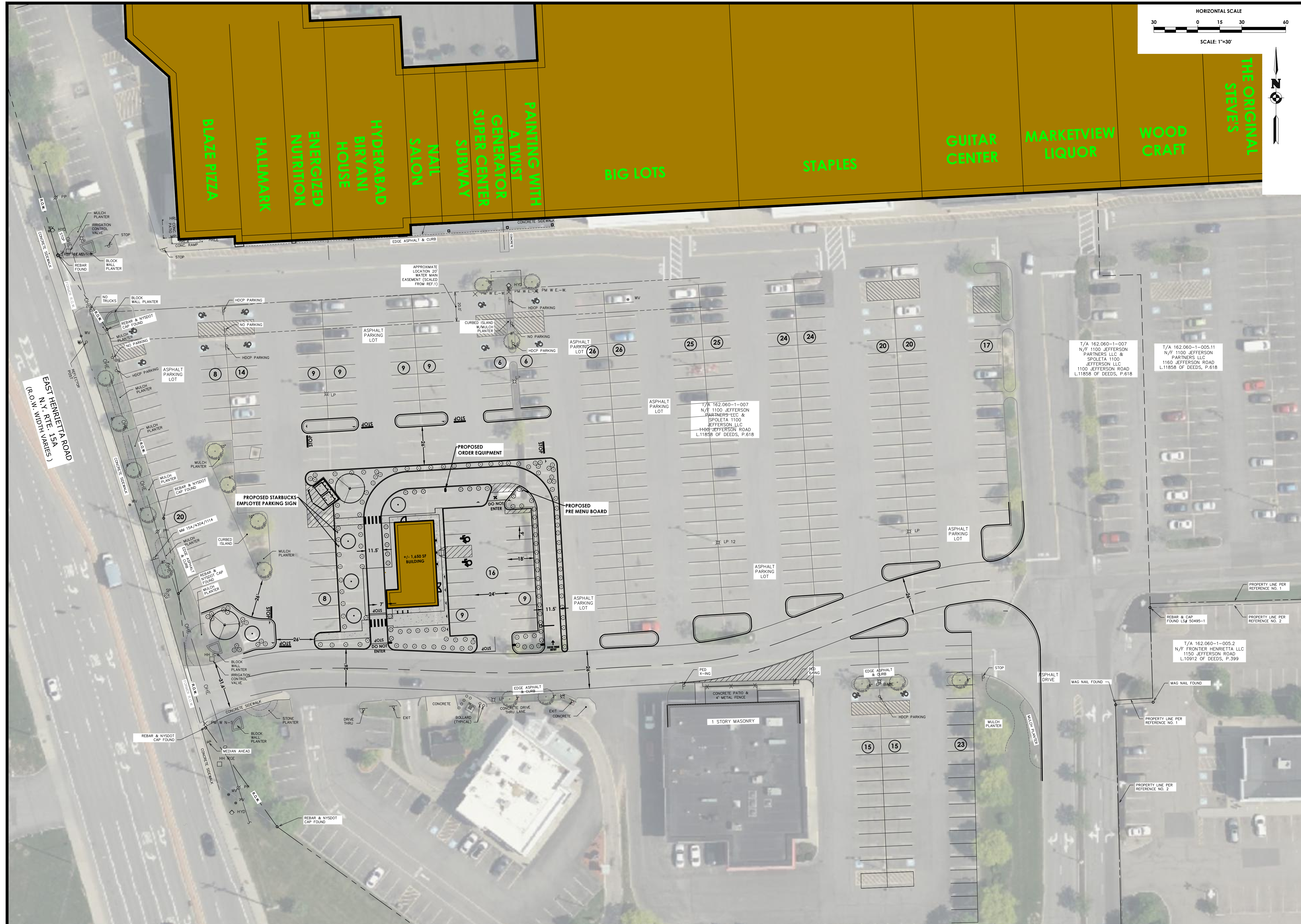
| Revisions | | | |
|-----------|------|----|-------------|
| No. | Date | By | Description |
| 1 | | | |

**JEFFERSON STARBUCKS
SITE CONCEPT**

Unauthorized alterations or additions to this drawing is in violation of State Education Law Article 145 Section 7209 and Article 147 Section 7307. THESE PLANS ARE COPYRIGHT PROTECTED ©

Town/City: Henrietta
County: Monroe State: New York
Project No.: **20233509.0001**
Drawing No.: **C 101**
Scale: **1" = 30'**
Date: **August 22, 2023**

NOT FOR CONSTRUCTION



Y:\PROJECTS-NEW\2023\20233509\CIVIL\20233509_0001_SITE.DWG 1/9/2024 1:45 PM Joshua Saxton

Short Environmental Assessment Form

Part 1 - Project Information


Instructions for Completing

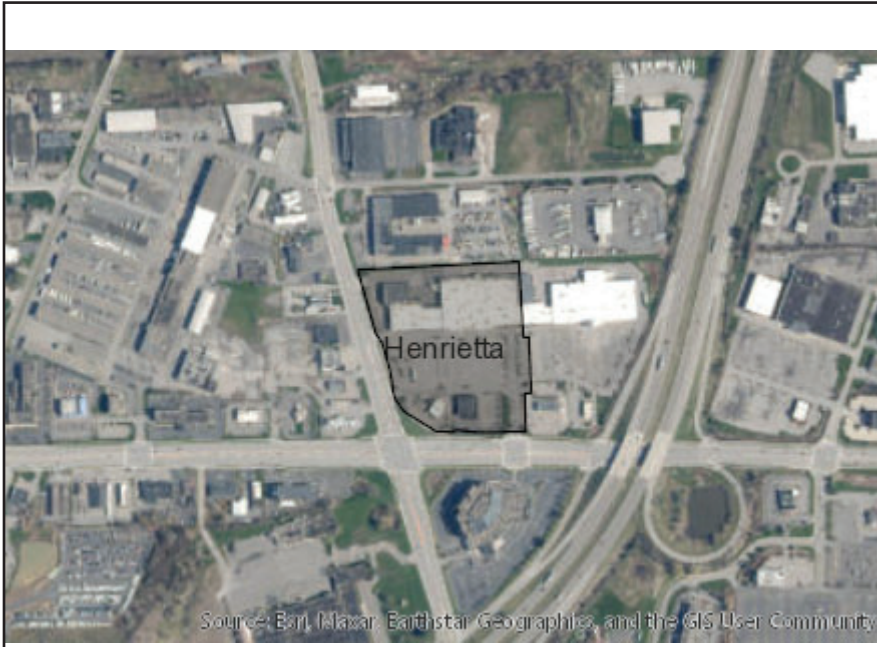
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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: Starbucks | | | |
| Project Location (describe, and attach a location map): 1100 Jefferson Road, Rochester NY 14623 | | | |
| Brief Description of Proposed Action: The redevelopment of a portion of an existing parking lot in an existing plaza into a Starbucks restaurant with drivethru. In addition to the Starbucks, there will be the modification to an existing intersection in the plaza that will create a more traditional 4-way intersection to improve safety. | | | |
| Name of Applicant or Sponsor: FSI Construction | | Telephone: [REDACTED] | |
| | | E-Mail: [REDACTED] | |
| Address: 2213 Brighton Henrietta TL Road | | | |
| City/PO: Rochester | | State: NY | Zip Code: 14623 |
| 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 | YES |
| | | <input checked="" type="checkbox"/> | <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: MCWA, MCHD, MCPW, Town of Henrietta Town Board, and Planning Board | | NO | YES |
| | | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. a. Total acreage of the site of the proposed action? | | 12.64 acres | |
| b. Total acreage to be physically disturbed? | | 1.85 acres | |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? | | 12.64 acres | |
| 4. Check all land uses that occur on, are adjoining or near the proposed action: | | | |
| 5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" 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, | NO | YES | N/A |
|---|---|---|--------------------------|
| a. A permitted use under the zoning regulations? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Consistent with the adopted comprehensive plan? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape? | NO <input type="checkbox"/> | YES <input checked="" 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 <input checked="" type="checkbox"/> | YES <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 <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | YES <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" 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 <input type="checkbox"/> | YES <input checked="" type="checkbox"/> | |
| 10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____ | NO <input type="checkbox"/> | YES <input checked="" type="checkbox"/> | |
| 11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____ | NO <input type="checkbox"/> | YES <input checked="" 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 <input checked="" type="checkbox"/> <input type="checkbox"/> | YES <input type="checkbox"/> <input checked="" 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: _____ There are no wetlands/waterbodies in the vicinity of the anticipated disturbance limits of this project. _____ _____ | NO <input type="checkbox"/> <input type="checkbox"/> | YES <input checked="" 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 <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| 16. Is the project site located in the 100-year flood plan? | NO | YES |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources? | NO | YES |
| If Yes, | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a. Will storm water discharges flow to adjacent properties? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| If Yes, briefly describe: _____ | | |
| Runoff will effectively be less than existing, as the project will be creating more greenspace than exists today. _____ | | |
| 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)? | NO | YES |
| If Yes, explain the purpose and size of the impoundment: _____ | <input checked="" 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? | NO | YES |
| If Yes, describe: _____ | <input checked="" 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? | NO | YES |
| If Yes, describe: _____ | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| A spill occurred at the Five Guys Resturant located south of this development on 10/19/2018 | | |
| I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Joshua Saxton (Sponsor for applicant)</u> Date: <u>3/19/2023</u> Signature: <u></u> Title: <u>Senior Project Engineer</u> | | |



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



| | |
|---|---|
| Part 1 / Question 7 [Critical Environmental Area] | No |
| Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites] | No |
| Part 1 / Question 12b [Archeological Sites] | Yes |
| Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies] | Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook. |
| Part 1 / Question 15 [Threatened or Endangered Animal] | No |
| Part 1 / Question 16 [100 Year Flood Plain] | No |
| Part 1 / Question 20 [Remediation Site] | Yes |