

Initial ZAP Comment Points on Implications of Second Batch of Proposed Code Changes—7/27/2022

Building Height and Setbacks

- **Can you help us understand why in NMU the height went from 55 to 65 ft that are next to houses that are a maximum of 3 stories and why it is good for the neighborhood and City?**

For 2034 Plan, the understanding we worked under when we supported having Neighborhood Mixed Use (NMU) along the South Wedge arterials was that they would top out at 4 stories (approx. 40-50 ft.) The proposal is now 55 to 65 ft (5 to 6 stories). An example of the impact of this change in height can be seen by the construction of the Gold Street Loft next to a single-family home. The increased density has major implications for Mount Hope Ave., S. Clinton Ave., and South Ave. areas that are approved for NMU and the residential streets behind them. A 65 ft structure overshadows bordering houses and creates overflow parking on the residential streets that already lack sufficient on-street parking.

- **Why are design standards focused solely on street facing facades without consideration impact on adjacent residential homes?**

Design standards appear to be focused solely on the street-facing facade and allow solid walls **possibly of concrete block** in the rear and sides of NMU buildings that border immediately on modest houses. That standard doesn't take into consideration potentially blocking sunlight, air circulation and significantly raising the temperature for the 19th C. homes without air conditioning behind and next to them. Design guidelines should take seriously the impact on the neighborhood, not just street facing façades. Neighbors who have bought homes near major streets should be protected from **unhealthy and** unsightly development.

- **How would the lapse of an institutional district plan cause properties to default to HDR, rather than the adjoining district criteria?**

High Density Residential (HDR) is being proposed for 2 South Wedge areas currently zoned "Institutional:" St. John's Home and Episcopal Senior Living, two **historic institutions** that have peacefully co-existed with homes for a century, and one even in a preservation district. Changing from institutional to high density has major implications for adjacent residential properties creating more parking, noise and headaches for neighbors.

- **Why is it appropriate to rezone from R1 to High Density in a neighborhood with an historic preservation district and valuable green space?**

Parts of Manor Parkway currently R1 are proposed to change to HDR, even though a several acre wooded area borders on R1 single-family homes and a preservation district. This is a problem of Placemaking Plan boundaries and Uses. HDR seems to allow 20+ housing units, height to 65 ft with normal setbacks, but can also be increased. How does the goal of

avoiding non-conforming uses in the zoning areas completely outweigh limitations on developments that were negotiated in order to allow the building of the developments in otherwise disallowed areas like Manor Parkway, surrounded by single family homes and protected uses like children's nurseries, recreation fields and historic Rochester properties?

This involves Discrepancies in the current map vs. 2034 approved Placemaking map.

- **Are there existing developments that you could point us to that would be examples of what has been proposed that exist immediately next to modest houses in a balanced manner?**

Illustrations: The neighborhood has examples of dense residential uses that would support the residential neighborhood houses, as opposed to the Gold St. Lofts. We used Park Ave. existing examples for appropriate and inappropriate NMU examples.

- **How is the City going to attract new businesses and residents to fill the mixed-use development along the corridors?**

Currently the new buildings on Union Street and South Wedge's Wedgepoint and the Gold St. Lofts have vast empty space on their first floors for retail/office. It looks terrible for visitors to Rochester. In addition, tenants of the new buildings have said that many residential units are also vacant. Where are all of the people and services/businesses that were promised when these buildings went up?

Air B&B/Short-Term Rentals

The neighborhood agrees with the recent change to not allow short term rentals in Low Density Residential and Med Density Residential

- **What are the long-term impacts of allowing short-term rentals on major arterials next to residential housing?**

Any short-term rentals, such as in the arterials near residences, should be regulated/licensed to ensure integrity.

Parking permits should be required utilizing local business parking lots for STR guests to keep street parking for residents, as is done in Toronto, for short-term rentals near residential areas.

- **How does the City see a balance between the serious need for safe affordable housing for City residents in stable residential neighborhoods and the use of our neighborhoods as informal hotels, with all of the uses that implicates - often parties and use for people to meet up for mere hours?**
- **How will the City address the loss of hotel revenue, loss of hotel jobs for city residents and places that support conventions and large congregations of people to activate and support our Downtown?**

Rooming Houses

- **What is the rationale for allowing rooming house in LDR and MDR?**

We support having rooming houses be Prohibited in LDR/MDR. The southeast and parts of southwest are inundated with over-flow of students due to lack of on campus housing for UR and other students. Hence, many single-family homes have been turned into defacto rooming houses. For example, a 4-bedroom home, according to the new regs can have up to 2 people per room - thus 8 unrelated people in a LDR or MDR, creating over-crowding, parking issues, noise and general quality of life issues. A city standard should be no more than 3 unrelated people.

Accessory Structures

- **Will the City be proposing a dedicated Section to the Code on ADUs?** Section 15 of the proposed Zoning Code Draft notes garages but not accessory dwelling units.
- **Will the City still allow garages to be converted to ADUs after the adoption of the new Code, or will Special Permitting be required?** In provision #15-1-I, the Code prohibits cooking facilities and a full bath and does not allow plumbing fixtures above the first floor. Recently the City allowed a new property owner to convert a garage to, what neighbors were led to believe was, an “in-law apartment” for his own family moving into the main house at 8 Hickory St. After he was granted the permit he moved a bad tenant into the main house and is now working on the second unit in the garage. Under the new Code he may be able to also convert the main, single-family house into up to four units, which does not promote homeownership and stabilization of neighborhoods.
- **Will accessory structures and ADUs need to comply with any additional requirements in Preservation Districts or if they are adjacent to a Preservation District?**

Standards

The standards section seems to allow the impermeable parts of yards to not be green, which reduces heat, but, rather, to be stone and gravel, which holds heat.

- **Why has this been proposed and how does it support the City’s Climate Action Plan?**
- **How will this provide equity for City residents who will have the heat increase around their 19th C. homes that were built to use passive solar and use plantings and liberal air circulation to cool the houses during the Summer? It appears to merely allow a cost-effective option for developers that addresses drainage issues but ignores the effects of global warming. Are we misunderstanding this change?**

It is essential, since few people appreciate how their lives and homes are impacted by zoning that the explanations and input of this major zoning change go into the neighborhoods, not have comments by sticky notes at a central location where the discussion of implications is diluted and subject to outside input that obscures the neighborhood understanding.