



TOWN OF IRONDEQUOIT

"Where the land and waters meet." Est. 1839

May 21, 2012

**RE: 1788 Titus Avenue-Senior Housing Project
R-7 Zoning, Senior Housing**

The Town of Irondequoit is in the process of reviewing an application from a private developer to rezone two contiguous parcels on Titus Avenue from R-1 to R-7 for development of a residential senior independent living community. Our R-7 Residential Zoning District was created in recognition of the needs of the Town's large and growing elderly population for a variety of housing types and levels of care, the intent and purpose of this district is to:

A. Encourage and, where appropriate, provide for independent as well as assisted-living communities and community-care facilities as a housing option so that the elderly have the opportunity and ability to remain residents of the Town of Irondequoit as their housing needs change, as recommended in the Town Master Plan and Community Development Block Grant (CDBG) Program.

B. Allow flexibility in the provision of housing with a continuum of levels of care to satisfy the economic, social, psychological, social and health-care needs of the elderly.

C. Protect to the maximum practicable extent the aesthetic character of the Town of Irondequoit, the property values of the community and the general health, safety and welfare of the public by ensuring that the location, nature, design and intensity of said housing will:

- (1) Be in harmony with the surrounding land uses with respect to building height, mass, density and architectural context.
- (2) Not adversely affect the orderly pattern of development in the area where it is located.
- (3) Not alter the essential character of the surrounding neighborhood.
- (4) Not create a hazard to public health, safety or welfare.
- (5) Not be detrimental to free and safe flow of traffic.

Our Town Board is responsible for reviewing the rezoning application and in doing so has resolved that the Planning Board act as lead agency with respect to SEQRA review, and has also requested that the Planning Board review the R-7 zoning district regulations and determine if there are amendments that should be made to make this zoning district more receptive to Senior Housing proposals.

The private developer has offered suggestions for various area and dimensional criteria as noted on the attached document. The Planning Board would desire input from an independent consultant on the same matters. Further, the Town has been questioned whether it is legal to rezone a small area of land for this type of residential use or if the rezoning is considered spot zoning.

Desired Proposal Content

Your scope of services should include the following items:

1. Analysis of how the surrounding towns of Greece, Webster, Penfield, Pittsford and Brighton allow Senior Housing. This includes the minimum area of land and the unit density. Discuss whether the Irondequoit zoning ordinance for R-7 is too restrictive or has too many design standards that therefore make it more difficult to find developable parcels. Or, contrary to that, that our ordinance is too loose and should be more restrictive.
2. Review of the attached R-7 List of Recommended Zoning Amendments and the individual code sections for lot and bulk requirements leading to your own determination and recommendation of the amendments that should be made, if any, to this ordinance.
3. Professional opinion as to whether rezoning residential land that allows single family homes to R-7 Senior Housing is considered spot zoning and basis for opinion.

Additional uses currently allowed in R-1, R-2 and R-3 includes; churches, private non-profit elementary and secondary schools, public hospitals, public libraries, municipal buildings, special district buildings and fire stations.

The Town has re-zoned 9 acres of land from R-2 to R-7 since Senior Housing zoning was established in 2001. The Town is approximately 15.5 square miles in land area.

4. How does a Planning Agency address zoning that is not currently on a past or proposed "Master Plan". In that, the R-7 zoning is not suggested at all within the master plan, and therefore there are no areas designated for this use.
5. Attendance at one Planning Board meeting to discuss the findings.

The deliverable will be a Letter Report which discusses your approach taken to review our R-7 Zoning District ordinance and for making any suggested recommendations for amending this ordinance. Additionally, please provide your professional opinion on how the R-7 Zoning district can be or not be applied on a parcel by parcel basis. Work sheets which summarize the basis for your recommendations should be included.

Supplemental Services

- Major modification of the report and responding to comments.
- Preparation for and/or attendance at additional meetings, either in person or by phone other than as specified above.

Schedule

Indicate your proposed schedule to complete this work once authorized.

Terms and Conditions and Basis of Billing

Provide your General Terms and Conditions of Service. Your proposal and the General Terms and Conditions of Service shall form the basis of the agreement. Monthly billings should be based on a percent complete of the Lump Sum Fee

Acceptance

Provide and "acceptance" clause at the end of the document. Note the time frame this proposal is valid from the date of issue.

Please provide this proposal by the close of business Wednesday May 30, 2012.

If you have any questions, please contact me at 336-6022.

Very truly yours,



Laurence E. Heininger, P.E., PMP
Director of Development Services
Town of Irondequoit

Enclosures

Cc: Peter Wehner, R.A., Planning Board Chairman
Dan Aureli, Esq. Planning Board Attorney
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