

October 1, 2018

Zina Lagonegro, Director of Zoning
Bureau of Planning and Zoning
City Hall – Room 125B
30 Church Street
Rochester, NY 14614



Dear Ms. Lagonegro:

The Highland Park Neighborhood Association (HPNA) has reviewed proposed Planned Development District #17 (Highland Hospital), and has some changes we'd like to see enacted before this zoning district becomes law.

Our observations and requests are based on reviewing the interaction between the four existing Hospital Complexes in the City: Strong Memorial Hospital, Rochester General Hospital, Monroe Community Hospital, and St. Mary's Campus. Strong Memorial (PD #10) and Rochester General (PD #6) both have Planned Development Districts conforming to current zoning laws.

St. Mary's Campus is not currently a hospital, but it contains a 120-bed skilled nursing facility and active daytime medical use. More importantly, St. Mary's is situated in a similar neighborhood location to Highland Hospital and has a similar arterial main entrance with side-street access.

With the above in mind, here are our concerns regarding the proposed zoning:

§C Permitted Uses

(b) Educational and (c) Academic Activities. With School 12, Douglass Library, and Rochester Childfirst Network across the street from the Hospital, we request that these be limited in the code to Higher Education.

(j) Residential-Care Facility. City Code §120-208 states "Residential Care Facilities shall not include a... hospital". We are unsure how this would apply when located with an active hospital. However, we are opposed to a Residential-Care Facility without a hospital, and would request this be moved to (p) as an ancillary use. If the hospital were to close down, HPNA would want the campus to reapply for public consideration before becoming a residential care facility.

(k) Residential We question why Highland Hospital is requesting Residential uses and where it would be located. As space on the campus is already limited, we do not want to see residential uses on Highland Hospital. If the Hospital or University of Rochester desires residences, we suggest that they consider developing their vacant parcel nearby at 2 Manor Parkway (zoned R-1 but adjacent to R-3 for potential rezoning). If Highland Hospital were to cease

operations we would want a rezoning and new PD prior to conversion to residences.

(o) Warehouse, storage, and maintenance facilities *We ask that warehouse storage and maintenance facilities be moved to ancillary uses.* Although HPNA understands the need for this use, we do not want to see this site potentially used to support off campus facilities (excluding the garage at 885 South Av), and thus we request that it be added to ancillary uses.

§D(1) Maximum building height

Define the building height in feet rather than stories (or define it both ways). Highland Hospital's plan demonstrates the reason behind this request: the current East Wing is seven stories and 90 feet, while the proposed addition is seven stories and (up to) 110 feet. By defining it in terms of stories as opposed to height, this can be gamed and defeat the intent of the code.

Match Strong Hospital's stepback requirements. PDD #10 requires that hospital buildings along Castelman Rd and Westmoreland Dr be three stories, then stepped back §F.(2)(a). Mt Vernon Av, Rockingham St, and Bellevue Dr are residential streets similar to the ones near Strong. The existing houses vary from One to three story houses. Three stories before the step back will help maintain the scale of the neighborhood while five stories will not.

Highland Hospital makes the claim that the neighborhood supports five stories on Mt. Vernon Av. This is a mischaracterization. HPNA accepts the current 5-story frontage on Mt. Vernon Av, but would like to see street-side height reduced to a 3-story stepback in the future, keeping with the character of the residential neighborhood.

§F. Off Street Parking

We are unclear how the text proposed is different from City Code §120-173, and that concerns us. We request that Highland Hospital follows existing City Code in regards to parking. City Code §120-173C(1) requires Hospitals to perform a parking demand analysis to determine required parking while §120-173E provides a method for creating Alternative Parking Plans. HPNA traditionally has supported Alternate Parking Plans, most recently for 815-819 and 830 S. Clinton Av in two separate applications. We would continue to support any reasonable parking plan that improves the neighborhood parking situation.

§H(2)(a). Additional Requirements – The following sections of the City Code will not apply to the Highland Hospital PD.

HPNA objects to this both in practice and principle and insist that Highland Hospital be held to the same standard as Strong Memorial Hospital and Rochester General Hospital, neither of which have exceptions like the ones proposed.

In place of the sections of City Code listed, Highland Hospital is asking to be held to vague, unenforceable standards. Their history shows that they have no intention of even meeting this standard as evidenced by the current situation on Rockingham St (via Google Street View):



This is not a new problem. Here are our specific objections to this section:

1. §120-165(A) (Dumpsters and Refuge Collection Areas) Highland Hospital is asking for relief from City Code: “Dumpsters must be completely screened from view when visible from any residential or open space district or public street or walkway with screening that is at least as tall as the dumpster.” Instead, the Hospital Requests a definition of “screened to the intent reasonably practical,” a vaguely worded, and therefore unenforceable definition.
2. §120-169(B)(6) (Fences and Walls): the proposed §H(2)(c) appears identical to City Code except for the words, “non-residential”. Our understanding is that if it isn’t R-1, R-2, or R-3 zoning it is considered non-residential. We would like this exception removed or some clarification on how this different from City Code.
3. §120-169(A)(3), §120-169(B)(3)-(7), and 120-169(D) (Landscaping, Buffers, and Screening). §120-169(A)(10) and §120-169(B)(8) provide for a landscape plan as an alternative to meet these requirements. There is no reason to exempt Highland Hospital from these requirements. 120-169(D) we feel should be enforced in areas where the a setback exists

(i.e. Rockingham St). Note that they currently meet this requirement on South Av and the Southern property line from Bellevue Dr to Mt Vernon Av.

4. §120-172(C)(1)(Off-Street Loading) by waiving this requirement Highland Hospital is not required to have any screening for their loading and unloading operations. **There is no other place in the City where such a high-intensity loading operation takes place in plain view of an R-1 district.** To our knowledge, the Rockingham St loading area even includes the location of where the recently departed are removed from the hospital to be transported to funeral homes. HPNA does understand that screening this area is challenge and only partial screening may be feasible. HPNA would support a building (not a parking garage) on top of the parking lot at Rockingham and Mt Vernon St. This building, even at a relatively low 2-3 stories (with a stepback above that) can go a long way to screening the loading area.
5. §120-172(C)(2)(f)-(g) (off-street loading); in proposed §H(2)(d), they exclude “equipment” from City Code §120-172(C)(2)(f) and the reference to §120-165 regarding refuse screening. We see no compelling reason Highland Hospital should be exempt from City Code in a way no other hospital is in regards to storage and screening.
6. §120-173(F)(1)(g) (Off-Street Parking) There is no reason the parking lot on Rockingham St should not be screened. Our confusion lies in how parking lot fencing interacts with City Code §120-169(B)(6) above or §120-173(F)(1)(f). We request clarification.
7. §120-173(F)(2)(a)-(b) (Off-Street Parking) This should be removed as the Hospital can meet this requirement with an alternative landscaping plan §120-173(F)(2)(f)
8. Our understanding is that section §120-175(B)(1)(a) (Outdoor Storage) would not apply anyway as it this is a PD and not a H-V or PMV district. If Highland Hospital requires outdoor storage, HPNA requests that it includes the language found in §120-175(B)(1)(c)-(e) regarding screening requirements for storage.
9. §120-177 HPNA is satisfied with Highland Hospital’s current level of signage. We ask that language to include an Alternative sign program such as the one found in PD #10(G)(2) be included in this PD.

Despite constant and consistent neighborhood prodding. Highland Hospital has had decades to provide proper screening for refuse, off-street parking, and off-street loading. We ask that issues above in non-compliance be addressed prior to an issuance of a Certificate of Zoning Compliance for any future additions.

§H(4). Manager of Zoning may waive specific requirements.

We ask that this power be instead given to the Zoning Board of Appeals (or Planning Commission) as this provides an opportunity for a hearing and open discussion and deliberation of any proposed improvements. Alternately, we

request a more detailed definition than what is considered in and out of “substantial compliance”.

The Highland Park Neighborhood and Highland Hospital have coexisted for over 100 years and we look forward to many more years where both the neighborhood and hospital can thrive.

Thank you for reviewing this and we look forward to working with both the City of Rochester and Highland Hospital in developing this Planned Development District. We hope that our partnership continues to make this neighborhood a neighborhood of choice not just in the City of Rochester, but in Monroe County and the entire region.

Sincerely



Karl Waelde
Chair



Michael Thompson
Vice-Chair