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other than that, we didn't see any reason not to allow them to move forward. Everything was pretty straight forward.

Chairman Rabb: So, you're recommending approval?

Ms. Surdyk: We do recommend approval, yes.

Chairman Rabb: Does anybody have a question?

Mr. Nelson: I'm just wondering how far do you usually try to stay back from the river? That does feel rather close, 15'. Is that the normal setback? We just talk about so much is being done with the Chadakoin River, it just seems...

Ms. Surdyk: Larry, do you want to jump in?

Mr. Scalise: I haven't seen the plan, but I believe it is 15'.

Chairman Rabb: While Larry's looking that up, does anybody else have a question?

Mr. Nelson: It seems pretty straightforward. I've heard so much about the Chadakoin River over the last 25 years, that even though its way downstream from going through the downtown, I still have concerns about it, that's why I asked the question.

Ms. Surdyk: We appreciate the questions.

Mr. Paterniti: I believe the existing building is still further back than the building will be.

Ms. Surdyk: There's not actually one that shows the existing building on here is there?

Mr. Paterniti: No.

Ms. Surdyk: That would actually give us a little bit more reference.

Mr. Paterniti: If you look at the drawing right here, it's the existing building. So, they're within 5 to 10 feet.

Ms. Surdyk: So, this one is...

Mr. Scalise: There is not a setback here. We've always tried to maintain as far back as possible. Dependent upon topography, if there's water flowing. But this site is relatively flat. To be honest, there's not a whole lot of change. Now all the rain water, everything off the roof is going to go through catch basins and oil separators. So actually, the water quality will be better going into the river because it will be at least treated, sediment, so forth separated out.

Mr. Paterniti: Yes, the overall grading of the site is less than 1'.

Chairman Rabb: Does anybody else have questions? Did you have a question John?

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Mr. LaMancuso: No questions.

Chairman Rabb: I wanted to make sure you were paying attention. It's an old teacher's trick, and I'm an old teacher. I guess it doesn't really matter but just in the interest in full disclosure, since I am the chairman of the board of the BPU, I don't benefit from this in any way, but I'll have to recuse myself, but I just wanted to make that clear. Any other questions or comments? We need to first approve the environment assessment form. Two separate votes, one of the environment assessment form and one on the site plan?

Mr. Jeff Nelson moved to approve the environmental assessment form. Seconded by Mr. Laurin.

Carried: 5 – 0

Mr. Jeff Nelson moved to approve the site plan. Seconded by Ms. Brackman.

Carried: 5 – 0

Retail Store single tenant at the corner of Winsor and Crescent Street

Chairman Rabb: Next on the agenda is the retail store. Who's going to be speaking on behalf of that? Both of you?

Tara Mathias: I'll be speaking on behalf, I'm Tara Mathias, I'm with the Broadway Group, the developer. This is Steve Bucca. Steve is the Civil Engineer for the site incase are any technical questions about the development.

Chairman Rabb: Would you like to join us at the table?

Ms. Mathias: Yes, if you don't mind. Steve was gracious to provide a visual aid for us, with some color, with the site plan that we also submitted with our application, but the color definitely helps everything stand out a little bit more. So, we are proposing a 91,000 square foot retail store, there at the corner of Winsor Street and Crescent Street. The store is just your general variety store and we would just be serving the daily needs of that area. There's a fairly good amount of residential developments right there in that area, and so when we were speaking with the city on the front end of this project, one of the goals that the city expressed to us was to try to promote a walkability for the store, and so there was a request to try to get our store entrance as close as we could to that corner of Winsor and Crescent Street and that was one of the driving factors for the overall site design. We are providing 25 stalls on the actual lot itself, and we're proposing five parks along Crescent Street, which I understand that we would need to seek a variance for. We are doing some storm drain management, using a detention basin and then that would also route into the city's existing storm water system from there. The detention system would just help to slow some of that down. Of course, we're providing the necessary landscaping from code. There is a retaining wall, the site has some pretty substantial elevation change from the front of the side at Winsor Street to the back at Cheney Street. It's pretty steep, about a 10 foot drop from the front to the back, and I know these sites look kind of big when you them on paper, but when you go out and actually look at the site, you think how can you fit all of

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this there? It is a pretty substantial drop, so the retaining wall will help us level everything off, get a nice, flat, or relatively flat parking area.

Chairman Rabb: Can you just point to the retaining wall on the map?

Ms. Mathias: Yes absolutely.

Mr. Bucca: It stretches from here, all the way to... and it gradually gets shorter and taller. This is its tallest point.

Chairman Rabb: Is there planting on that part?

Mr. Bucca: There is planting on the north side of it. Just like a visual bumper on that side, shrubs.

Ms. Mathias: Some things, just to disclose to the Planning Commission. When we initiated some conversations about this item, the front end, there was a request by the city that we would maybe look at trying to extend the driveway all the way across the property from Winsor Street to Cheney Street. We looked at that opportunity a bunch of different ways. We looked at trying to move the building more toward the front of the lot, moving the building more toward the back of the lot. But, it's just so steep there, we really can't get a practically feasible driveway to connect all the way to the back. We even tried to look at just lowering the driveway in general. Keeping the store at the same elevation but dropping the driveway down, but we'd have to have such a difference. We would have nearly, the sidewalk, the delivery door would be about 6', nearly 6' above grade of the driveway. To try to get the driveway down to an acceptable slope. You can see that we are providing a little connection there, a sidewalk along Crescent Street.

Chairman Rabb: So, you can walk off of Crescent and go to the entrance.

Ms. Mathias: Exactly, and then reach the store as easily as possible. I drove by this site myself, just because whenever I have an opportunity, being from Alabama, it's not like I can just pop in the car and go look at my site. So, when I come into town I like to go by and visit and see. I like to get a little bit of a flavor for where we're building. I've been just surprised, even just driving a little bit around. We went and got a coffee at Tim Horton's. There is a lot of pedestrian activity in your city. Even on a rainy, yucky day, people are out and about. It doesn't deter them at all. So, having this walkable design, I can really appreciate now why that was so important, and we really worked hard to maintain it as well, in making that corner particularly accessible.

Chairman Rabb: We have about a high percentage of people without vehicles. And they walk.

Ms. Mathias: Some other things about the site, so, that's the general layout. Just, please, if you have any questions, feel free to ask at any point. You can ask them at the end if you'd rather. One of the other things I wanted to speak with you about, in your packet you should have

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an architectural elevation of the store. It shows you how we intend to upgrade the façade of this store, beyond what our typical look would be. We're adding some details like some awnings, we're giving some parapet walls that change the shape of the roof line just a little bit to dress it up. Then there are some faux window treatments, they look like shutters. Those are the elements that we are proposing to help dress it up. On your architectural rendering, you'll see that we did a little color rendering down in the corner. It's showing some very natural color tones that we've used in several different stores; it's a popular look because it's very understated. But there are some other color schemes that you also received and I've love to have, if there is any feedback, if there is somebody with a particular look or color that they like. Maybe we can get some feedback on that to narrow it down. This Navajo Beige is really what that rendering is like, the color of the hardy board on the top. Then it's probably something like this whitewashed brick on the bottom, or it could be the shell brick. I'm kind of partial to the Shell Brick, not to put any ideas in anybody's heads, but I love the shell brown with this Timber Bark. This is one of my favorite combination for stores. It's a little more modern with having the darker tone on top and a little bit of a lighter brick on the bottom. Then we would have a ledge, a decorative ledge. This one is tan. I think we have a gray one, I didn't bring with me, but I think the gray color actually sets it off a little bit more than the tan does. A gray ledge. And then we would have the trim. You can see there's some nice trim details as well. We would probably do those either in one of these lighter colors, Cobblestone is a really popular one and then we have arctic white that really pops and sets things off. I didn't bring the sample of the shutter with me, just because they're kind of large and getting through the airport and everything, I didn't really want to mess with it. But, the color, you can see is, it's a nice color, it's a chocolaty brown color, a little bit darker than this Timber Bark. It will just add another little bit of texture and color. Would anybody like to feel any of these materials or take a look at them any closer?

Chairman Rabb: Is there going to be a sign over the front door and on the side for the store?

Ms. Mathias: That's a great question. We typically don't do the permitting of the signs. But prototypically, the sign is only on the front. We would have the front sign and then we would have a pilon sign near the driveway.

Chairman Rabb: And the pilon sign is on...

Ms. Mathias: It's on Winsor Street. You can see we've got it bordered by some shrubs and a little bit of landscaping around the sign itself.

Mr. Laurin: How often do you guys get deliveries?

Ms. Mathias: Our delivery trucks come once a week. This particular store, we are using a smaller truck. Its kind of a tight site so it's going to be a WB-50, little bit smaller truck.

Ms. Surdyk: We did ask them to do a turning radius.

Mr. Bucca: That's why there's additional pavement over here, just for that truck to swing around.

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Ms. Surdyk: And will there be gooseneck lights that we talked about?

Ms. Mathias: Yes, they will be gooseneck lights. I'm sorry, it does say one light. But, yes, we would be doing an upgraded lighting package.

Ms. Surdyk: So, we will have the nice decorative lighting along the façade.

Ms. Mathias: The lights on the actual building itself would be decorative with the curved arch and they're that burnished slate, the color of the shutters. I know that's a lot to absorb. Are there any questions that I can attempt to answer for the commission?

Mr. Nelson: It seems to me that you have it pretty well thought out. It reminds me of when I used to work in architecture.

Ms. Mathias: A lot of the credit goes to the city because of your process and your willingness to collaborate and to work with us on the front end. We were able to understand what the driving forces were; wanting a walkable design, wanting to elevate this area and rejuvenate it. Coming in, when we know how to plan and what the expectations are, we really try to deliver that. Your team here; Crystal has been great, Larry and Jeff were instrumental. Vince DeJoy on the front end, I think, was also helping us a fair amount, trying to set up some of the ideas for the property.

Mr. Nelson: A lot of thought for a small project. Good job!

Ms. Brackman: I don't know if I missed it. What retail would be going in there?

Ms. Mathias: It will be a Dollar General Store.

Councilwoman Carrubba: We have questions from council members if we're permitted to ask a question.

Chairman Rabb: Are you asking the chairman if you're permitted?

Councilwoman Carrubba: Yes, we're asking if we're permitted.

Chairman Rabb: Absolutely!

Councilwoman Carrubba: After the Planning Commission is done...

Chairman Rabb: You can go ahead. Vickye should identify herself.

Councilwoman Carrubba: It's been recurring and we'd like to get an answer.

Chairman Rabb: Just identify yourself. I know who you are, but for the record.

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Councilwoman James: Vickye James, City Councilwoman for Ward 3. The reason I'm asking this question is because it has come up in Ward 3 that we did have a retail store that came in on the corner of Washington and 11th Street, and when you said deliveries and you said trucks; what time are these deliveries? That has been such an issue through the residents on 11th Street. The trucks deliveries were coming in past 11:00, then they had the big trucks and they're idling. Just to be cognizant of that. I was just wondering; do you have an answer for that?

Ms. Mathias: I am so glad and relieved that I do. I'm like holding my breath for a minute. Typically, our trucks deliver during the store hours. Our store hours are usually 8:00 to 9:00 or 8:00 to 10:00, so there's usually some leeway that's just market driven, and we don't ultimately make that decision, and the Broadway Group doesn't make that decision. But those are the typical operating hours, and then our deliveries would be the delivery during store hours when there's actually staff there to receive the shipments.

Councilwoman James: So, there wouldn't be semis coming down the brick streets delivering. Not brick streets, but on the other streets.

Ms. Mathias: Our site is designed so that the truck can actually get onto our property to make the deliveries.

Councilman Nelson: It wouldn't need to be on Crescent or Windsor, it would be in the parking lot, correct?

Chairman Rabb: Does it back up into this spot here?

Mr. Bucca: That's where it will back up into, yes. It does the full back up maneuver on site too. They'll swing around this way, then they'll back up this way and then they'll fit right out.

Chairman Rabb: Around this area I don't think there's much left of residents. Not like 11th Street; I know that that's a problem.

Ms. Mathias: It looks mostly like maybe some old manufacturing area. In fact, that's what this particular lot is zoned as manufacturing, so there's just some older manufacturing next door to us with some homes on the opposite side of Winsor, and it looks like some homes, residences on Crescent.

Councilwoman James: Thank you.

Chairman Rabb: Did you have another question, Vickye?

Councilwoman James: Nope, that was it, thank you.

Chairman Rabb: I know you've had a continuous problem. Any time I went down 11th Street I was always afraid... call Councilwoman James, she'll be happy to help you. Did you have a question, Marie?

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Councilwoman Carrubba: Marie Carrubba, Councilwoman, 4th Ward. Vickye and I were thinking the exactly same question at the same time because it has been a recurring question and those deliveries that come at 1:00 in the morning, with lights shining into residences, it has been an issue, as soon as you said deliveries, I know I have a store not too far from where I live and typically I see trucks there during regular business hours. Not knowing the situation here, I wanted to ask as well to avoid any issue down the road. There are a few residences down in that area, you don't want to hurt those neighbors, saying the delivery trucks are waking them up.

Chairman Rabb: Anybody else have a question? John, do you have a question? Are we ready to proceed?

Mr. Laurin moved to approve the environmental assessment form. Seconded by Mr. Nelson.

Carried: 5 – 0

Mr. Nelson moved to approve the site plan. Seconded by Mr. Laurin.

Carried: 5 – 0

Gateway Lofts

Chairman Rabb: When you're ready, again, please remember to tell us your name and who you're representing.

Mr. Ricca: My name is Steve Ricca, I am counsel to Southern Tier Environments for Living. I have with me here today, Steve Alm from STEL, Jessica Boudreaux from TPI and Shawn Whitmer from Community Helping Hands, whose organization is partnering with STEL on this project. We have appeared before the Jamestown Planning Commission, as you know, on a number of occasions dating back to 2018. We have been engaged in productive and ongoing discussions with Jamestown Planning staff and this body for quite some time. On prior occasions when I appeared before the Planning Commission, I've outlined changes that we've made to the project, which we hope reflect the very productive collaborative interaction with the city and with the not for profit entities that are proposing this project. As a result, frankly, although at times we haven't agreed on everything, sometimes it's impossible to address everyone's concerns to the fullest extent. We think you've made this a better project. The site plan behind you, is one illustration of what differences the project now entails. There's a bigger site, there's more ample space for outdoor enjoyment, playground areas. So, the process has done what it supposed to do. It's supposed to harmonize to the extent possible, the concerns of the municipality and the objectives of the project. This is a multi-family project in the manufacturing district, a permitted use here. But, its much more than that, it's a historical preservation project, it's an environmental remediation site. It is urban revitalization in at least two very profound ways. It's a means of preventing blight at this very site. At first, frankly we struggled a little bit with the idea that the city wanted more and the city wanted to have the project and the developers look outside of the site, but we definitely respect and see why that is a concern and we hope and expect that the offsite, the targeted offside

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mitigation plan that is part of this project now, part and parcel of the project, respects both the planning documents and the work that the city has done over the years, as well as fall within sort of the idea of what this area of the city is. It's a medical corridor, it has health care facilities in close proximity. This is a situation where housing and service, a service rich environment is going to be provided. We understand there are some folks that say, there's a lot of people here, this is a concentration of folks who need a roof over their head. What we have tried to convey, and what we hope you will agree with is the idea that what makes this exciting and innovative and I think, bound to succeed is the service-rich environment that it's going to provide. It's going to do it in a way that makes the site more attractive, fits in with the community, and also in collaboration with the city and the Land Bank, results in similar improvements occurring at different locations in the city. We're going to help fund the acquisition of property, the demolition of substandard dwelling units and the abatement of conditions within those buildings which often are plagued by lead based paint, asbestos and the like.

The project has had a lot of moving parts, has required a lot of effort, your time and ours, to do this, and I guess without really spending too much more time talking, I'd just would respectfully request three things of the Jamestown Planning Commission. The first thing we are asking for, is a determination that not only will this project not result, well it would be good enough if the determiner won't result in an adverse environment impact. If the Jamestown Planning Commission would agree that this is not a situation where the project is bad for the environment. And that, in fact, in our view, its one that will have a positive, significant positive and beneficial impact. For a combination of reasons, perhaps one of the most significant of which is there's a \$3 million environmental cleanup that's going to occur. So, as you know, and as you've done for the other matters before you tonight, you've got to make a SEQR determination before you can make a decision on the site, so I would ask you, respectfully to issue a negative declaration for the project as it has been changed in response to concerns raise by the city. The second thing, which is maybe obvious, is we would ask for site plan approval, based upon the submissions we've made in collaboration with the Jamestown planning staff, Crystal and others; as embodied in the submissions that we've made this year. And thirdly, we'd ask you to give us a thumbs up with respect to what we're asking the Zoning Board to do. We have three types of variances we're asking for. One type relates to setbacks, and frankly I don't remember all of the numbers off the top of my head, but, we're either leaving things the way things are non-compliant or making them less non-compliant. One of the reasons we're doing that is that is because we're dealing with the existing building and the site has spatial constraints. If I said anything incorrect, just jump in, but I think that it's kind of a fair way to portray what the setback and lot variances are and I don't think there's been much discussion or frankly too much interest in that, because of the fact that it's a sort of a status quo situation. The third type of variance is parking space variance. Because of the nature of the facility and because of the fact that this is not a set of people who will have a lot of cars and this won't be a car intensive use of the property and because we eliminated the commercial space originally contemplated in response to requests by the state funding agency, we think it's a good trade off and we think its one that we arrived at together. More green space equals fewer parking spaces. A strict application of the zoning code would require many, many more. But, really, everything is a tradeoff. We don't want to over park the site, we don't want to add undue amounts of impervious surfaces, we are confident that, in fact this project will reduce the number of impervious surfaces. Not only are we cleaning up the site under the strict and watchful eye of the Department of Environmental Conservation, we're also going to be compliant with

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stormwater pollution prevention plan requirements and all of the usual things that you would expect in conjunction with additional green space. We didn't forget about the turtles. We like turtles. We don't want them to wander onto the parking lot and be injured, so our engineers and architects have been sensitive to fencing along the river. Fencing that will allow you to look at the river but not let the turtles get into the site. Crystal has been a champion for the interests of children at this site among other things. I'm glad for that because I really think that as we sit back and look at how the whole thing has evolved it is a better project. Those are my thoughts; those are my requests. I hope that you will consent to all of the above.

Chairman Rabb: I understand you were going to the zoning board for two variances?

Mr. Ricca: There's three types.

Mr. Scalise: There's actually two though; one for the building face being too close, that's a preexisting condition, I can't make you move the building back. You are going for 4.4 feet on the side and it's supposed to be five, but I've got to make you do it. And the third is the reduction in the parking spaces, because we're a little above half of what's required. With being in conversations with you guys about that, you're confident that you don't need that many, based on past experiences, so that you need to take before the zoning board and convince them.

Chairman Rabb: A set back has to have two variances, one because of the existing building and one...

Mr. Scalise: No, he doesn't need it. The building is already there.

Chairman Rabb: I understand that, but...

Mr. Scalise: He has two, he has the number of parking places and the side variance.

Chairman Rabb: I got lost.

Mr. Ricca: So I over applied, a belt and suspenders Ricca.

Mr. Scalise: I didn't tell you I took the third one off.

Mr. Ricca: Thank you, less is more.

Mr. Nelson: When you have a small project in the middle of a big field, you don't have any problems.

Mr. Ricca: So, you're absolutely right. We project a surplus of 35 spaces based upon past practice, comparable facilities, very educated projections. I think we all know that the strict application of a parking requirement can sometimes lead to too much asphalt, so, because of the tension between parking capacity which, we don't think there's tension, there's tension between parking requirements in the code and what's doable at the site. The tension really is between

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wanting more green space. I think, on balance, I think there was a consensus that it's better to have more green space than have more asphalt if you don't need the asphalt.

Chairman Rabb: Are you going to need a permit or a sticker to go into the parking lot, or is it just going to be open?

Mr. Ald: We don't usually do that, no. There's one of the buildings that we have that we do that, so we know how to do that if we get into a situation where we have people that don't belong there, parking there, then we know how to implement that. We've only had to implement that at one building that we own.

Chairman Rabb: I'm just thinking about the medical building on the corner and the hospital.

Mr. Ald: So, we may have to do that.

Chairman Rabb: The Boys and Girls Club. I mean I'd be tempted to park there, so. I'm just thinking about that.

Mr. Laurin: What is the projected tax revenue for the city?

Mr. Ald: Its \$85,000.00. I met with the assessor last week, and presented to him our calculations, which are based on our expert's calculations, and he agreed that our numbers were good.

Chairman Rabb: Any other questions or comments from commission members or council members?

Mr. Laurin: What was the contamination?

Steven Ald: There is TCE, which I don't know what stands for, but that's the most undesirable contamination. There is also some PCB's. There's nothing that's migrating offsite at this point that we know of.

Mr. Ricca: Fairly typical host of contaminates that are associated with facilities that engaged in metalworking, and I guess furniture shops, solvents and metals, and contaminates in the soils throughout the site, which will be a big part of the environmental remediation.

Councilman Nelson: Is there an agreement with Jamestown Public Schools about the school bussing and picking up the kids?

Mr. Ricca: We did have conversations with them, Jess do you remember the details? I think you may be a little more directly involved in that.

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Ms. Boudreaux: I believe they wouldn't give us a letter saying they were going to but obviously they would. Some of the schools are walkable, it's a walkable school district, so some of the ones that are walkable wouldn't need to be bussed, and I believe...

Steve Ald: There is one range of children, I believe 4th through 6th grade, I'm not sure. There as a small range of children who don't have a walkable school, so they will be picked up by the bus and the school district, officials, they don't have to give us a letter about that, because that's just one of the requirements.

Mr. Ricca: Crystal, I'm looking at the email from Carl Pillitieri. I don't know if you need to look at this. It was basically, in our letter dated December 9, we had multiple meetings and interactions with this group and one of them had to with bus transportation. Mr. Pillitieri, among other things said, you look like you have more than sufficient room for a bus to come on side to pick up the kids that we do think we will need to pick up. And with respect to the others, I don't want to take a position on how they'll get to school with respect to districts that don't provide bussing for kids within a walkable district. So, there's an acknowledgment that this is a doable situation and I didn't get any indication from Mr. Pillitieri, and you can build your own conclusions about what he said. Should I read it? There're two paragraphs.

"I've spoken directly to most of you regarding this mater and wanted to follow up with an email for those I could not reach last week. As we discussed, Jamestown City School District is a walking school district and does not as a rule provide transportation to general education students. We are charged with the transportation of special needs schools and students who reside in designated safety zones. When we talked, my assumption was that the students are CV Bush School students and would walk to Bush Elementary School and the middle schoolers would be walking to Jefferson Middle School. Upon further review of school boundary lines, the Gateway Lofts are actually situated in the Fletcher Elementary School boundary lines. This particular location is deemed a safety zone due to the need for the students to cross a four-lane highway, Foote Ave. Arterial to get to school. We this information we can plan to transport the elementary school students (K-4), to and from M.J. Fletcher Elementary School on a daily basis. The status of the middle school students attending Jefferson Middle School, will remain as we discussed with no transportation available to general education students. Special needs middle school students will be transported as the requirements indicate. High school students will not be offered transportation to Jamestown High School unless they have special needs as well.

Upon review of the site plan, it appears you have the design that will accommodate the length and turning radius of a full-size school bus. I hope this clears things up, we'll watch as this exciting project unfolds."

Chairman Rabb: I can see walking to the high school, that's not far. Fletcher, I can see bussing, that's quite a hike. And what about Bush? Is there bussing to Bush?

Ms. Surdyk: No, but Jefferson would be the middle school. That's a hike.

Mr. Nelson: We used to have a grade school right close to that project. Rodgers. By the hospital.

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Mr. Laurin: One of my thoughts is Jamestown, we are regionally losing population. Are you confident we are going to be able to fill the facility without putting more current two-family places, without creating more vacancies? Vacancies can have a really negative effect on neighborhoods and the value properties around those vacancies.

Mr. Ricca: Let me take a crack, initially. One of the major residential components of this property is homeless people. They're not moving from one spot to another, they're coming.

Mr. Laurin: Do we know what our current homeless population is?

Mr. Ald: I think it's over 1,000. Well, I can't speak for Jamestown but the county population is over 1,000 and its growing exponentially. This year was 50% more than last year and last year was 50% more than the year before. It's a problem that's growing very rapidly.

Mr. Ricca: So, we think the demand exceeds the supply. The market studies that you're required to provide to the funding agencies are part of that whole separate process. You're not going to get interest and cooperation from funding agencies if you haven't demonstrated need. Because of the balance that one had to strike with all of these different interests, even though I don't think this is a situation where we're building something new, and people move out of something substandard into something bright and shiny. This is a restoration of an existing building coupled with a targeted offsite mitigation plan. So, it's a twofer. You're getting this building stabilized and restored and remediated and we're going to be looking at offsite locations; 21 substandard dwelling units is the commitment as part of this project. We hope that's a good trade off. We hope that's a fair balance.

Councilman Nelson: Is there laundry service at this?

Steven Ald: Yes, there's laundry rooms on every floor.

Councilman Nelson: How about adequate downstairs, garbage collection on each floor?

Mr. Ricca: We do have the site plan here. Jess, do you want to...

Ms. Boudreaux: We have two dumpsters on site. One is on the left side one is on the (inaudible)

Chairman Rabb: I think he was asking, correct me if I'm wrong. A place to put garbage on the floor?

Councilman Nelson: Yes, in the building. What's the procedure?

Mr. Ricca: Yes, there's trash rooms on every floor. On the second floor there's multiple trash rooms because it's just a long...

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Councilman Nelson: And there's one elevator?

Mr. Ald: One elevator situated in the E portion of the building where it goes up to four stories.

Councilman Nelson: Where exactly is it in the diagram.

Ms. Boudreaux: This is the front E portion.

Mr. Ald: The main residential entrance is... it's just a site-specific site drawing... The main entrance is somewhere. You go in the main entrance and the elevator is right across from here. It's centrally located.

Chairman Rabb: What was the plan in case the one elevator doesn't work?

Mr. Ald: There is 24/7 on call service and there's a guy that actually lives in Bemus Point that services the elevators. It would be very unusual to have two elevators in the building.

Chairman Rabb: It's not so much that I'm looking for two elevators, but, elevators have been known to fail. We've had this problem happen at the college that I was told about when I was doing a show just this semester. The Maple Grove basketball team had to help up a lady in a wheel chair to go to the theater because the elevator broke and was broken for days. I think it'd be even more dramatic in a residential context. Because you couldn't get to your homes.

Mr. Ald: We have a number of buildings with elevators and we expect that if the elevator goes down its fixed within a matter of hours, not days. Obviously, people live there.

Mr. Ricca: This is a common discussion that we had obviously at prior meetings. We did listen and we did go out and do our homework and we did contact vendors. We did submit in a January 14th letter, a summary of many of the things Steve is saying. In addition to having a letter from SWVR, the architects, this is an internal architectural code issue. They have indicated that this is a code compliant design in their opinion and based on their experience, one elevator will serve the population adequately. Having done other hundred-plus apartment buildings, and then as Steve was saying, Schindler Elevators advised us to provide emergency service with a response time of approximately 60 minutes. Also, advised us that there are other Jamestown-based, Access Elevator, which is Jamestown-based, and other local engineers are available to service the elevator as needed. I guess one of the, it's a residential facility, but therefore it's a facility where there's going to be people around. Despite the fact that we feel that we've done a due diligence and have good faith response to the question of the elevators. It's in no one's best interest where we have a situation where we have the elevator out of service for a long time.

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Mr. Ald: I know we get people there within an hour, typically, and the elevator is fixed on that service call. It's not something that goes on for days. Also, there's staff there 24/7, so, if somebody actually physically needs to be carried up or down the staff are available. There is staff available to do that. Its not that we're going to rely on them we ant to get to elevator fixed but in an emergency there's people there.

Chairman Rabb: Isn't there one other elevator that has to be, I'm looking for the word.

Mr. Ald: There's two elevators running down. One is already decommissioned, it's a freight elevator, it hasn't been used for years. Then there's a passenger elevator approximately in the middle of the building here that's not EDA complaint, you can't get a stretcher in there so that's going to be taken out and discontinued.

Chairman Rabb: You mean physically taken out of the structure?

Mr. Ald: Yes.

Chairman Rabb: And then the freight elevator you referred to is decommissioned, so that's.

Mr. Ald: It can be removed.

Chairman Rabb: How?

Mr. Ald: Because, there's going to be apartments in both locations. There's going to be space. Residential Space.

Chairman Rabb: Both of those can be physically taken out.

Mr. Ald: Yes.

Chairman Rabb: John, did you have any questions?

Mr. LaMancuso: Yes, if everyone can hear me ok. Ok. I think Mike mentioned it, although I'm having a hard time hearing some people in the room. Others are crystal clear. In any event, I think Mike mentioned the issue of housing stock in the city, and 21 units being taken out vs. 121 new units going in. I just wanted to ask the question, because I don't think I ever got an answer, although maybe some others did. I think last time or the time before that, Mr. Ricca or someone else mentioned that, why they came up their ratio, which appears to be about a 6:1 ratio. Six new units for every one unit taken out, they looked at other projects in the city. I just wanted to see if anybody could weigh in on that.

Mr. Ricca: Well, you're absolutely right. We looked at project that maybe should have been approved but wasn't approved for whatever reasons. I wasn't around, I don't know the details of that. Steve Ald knows a little bit more, but I think that the ratio was driven

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by what that project contemplated. I made the case, maybe not fully convincingly, but I made the case that we should be graded on a curve because we're removing blight right at the very site where housing is going to occur, so we should get credit for that. That's just sort of a general consideration and I'll just give it to Steve Ald for a minute to speak about the other project I was trying to remember the name of.

Mr. Ald: The other project that came up with the Spring Street project which I don't have off the top of my head how many units, but I think it was somewhere in the low 40s of units that they were going to produce. There was approximately 8 units of housing that were going to be demolished at the same time and that was at that time considered to be a good trade off. Just a slight correction on your numbers, John, there's 110 total units in this project. Of those, 56 are for homeless, so those people won't be coming from, or even no marketing will be done to people that are currently tenants of other landlords. In addition to that we talked to the Jamestown Board of Realtors, some landlord group, for-profit landlord group that spoke in favor of this project because the non-special needs housing units, the just ordinary low income housing units that we're producing, the type of tenant that we are going to be renting to there, they're not typically eligible to live in the market rate housing that these landlords own because these landlords have higher standards. We're trying to give the lowest income people their first opportunity to rent, or their second opportunity to rent after being evicted from another place. So, we're serving a population that is not of interest to the typical run of the mill, for profit landlord.

Mr. Ricca: So, John, this is Steve, I guess in summary maybe it's repetitive, we're not moving people from one location to another. People are not evacuating sub-standard housing to home in here at least with respect to 50% of the population and probably more. And, with HFA's request to eliminate the commercial and increase residential, we used the same ratio to get to the 21 dwelling units, and again, we respectfully ask that you also take into consideration the unique nature of the adaptive reuse of an aging industrial building and the fact that we've got a coalition of not for profits trying to deal with very challenging circumstances.

Ms. Brackman: It seems like at the last meeting, weren't there some STEL homes that were going to be shut down or moved into the new facility?

Mr. Ald: No, there's no reduction in, there's a number of STEL homes; there's one at 515 Washington, there's one at 870 N. Main, there's one at 628 Prendergast, and then just outside in Lakewood there's another at 626 Fairmount Ave. So, those are all going to remain. The funding streams for those houses continue and those people aren't moving to the site. These are - all the STEL people at this site is new funding that's coming. There is one vacant, abandoned structure that STEL owns right now that will be demolished, but it's not salvageable. I guess, everything is salvageable, but our intention was not to salvage it, our intention when we bought it was to demolish it.

Mr. Laurin: You mentioned that was going to be homeless people and people with disabilities. Is there something in place for them to get to the grocery store and stuff? Transportation.

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Mr. Ald: There is what's called independent living skills training, where the people with the lack of independent living skills, they learn how to take advantage of things like public transportation. CARTS is going to be one of the major providers of transportation to the site.

Mr. Laurin: At reduced cost or regular cost?

Mr. Ald: Just regular cost but we've had discussion with them. Our clients get the STEL clients do get tokens to use public transportation. It's a reduced cost to the STEL clients but CARTS makes the same amount of money.

Chairman Rabb: Will CARTS come on site to pick up people and take them to the Southside Plaza?

Mr. Ald: They can, yes. We had discussion with them early on, like years ago, I can remember and they were very excited about the project. I haven't talked to them in years though, but I imagine the same bus turn around can be used for CARTS as it is for the school bus.

Chairman Rabb: And then just to go back to John's question. Because if 56 are for homeless people, that means 54 units are going to have to be marketed. How are we going to do that, and to whom?

Mr. Ald: When there's a high demand, a higher demand for the units than there is for the supply, the funding agency makes us hold a lottery. So, we typically, about six months before the building is projected to be complete, we send out notices, like we'll publish it on Craigslist for example, publish it in the Post Journal, and we'll invite people to apply. And, then all of the people that apply within a certain time window. Two weeks, three weeks, whatever we decide to make it be, we collect all their names and contact information and then when we have all that information, we do a drawing which is open to the public so we can make sure that its fair, and we draw, usually in this case if we have 54 units to rent, we would probably draw around 100 names because you're going to have people that after you offer them the unit decide they don't want it or they're not income qualified, or any number of reasons they drop off. We always pick more than we need, we rank them like one through 100. We start with number one; we move our way down the list until we've filled all the units.

Chairman Rabb: But aren't most of the people going to take over the 54 come out of existing housing? Or, are you planning to attract people from outside the area to come in, to take these units? If its 54 units, from people who are already renting, that's 54 vacancies. That's my concern. Not that you're going to get too much demand, but, that you're going to take it away from existing buildings. I know the landlords association said they're not concerned, they're entitled to their opinion, but I'm concerned especially because, in a lot of projects in town, there are a lot of vacancies right now. You can see signs out in the street, saying come and rent an apartment, which I've never seen before. All of a sudden now, I see signs enticing people to come in and rent.

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Mr. Ald: It's probably a different income strata that they're trying to attract. With the people that we're marketing to, have to be at a certain income level. Our markets, they look at the universe of people in Jamestown that are income qualified for this building, and eligible to live there, and what percentage of all those people would we need to capture, to fill our building, and it was less than 4%. If you have 100 people, we would only have to capture four of those to fill our building. It's a very small percentage of the total available tenants needed.

Chairman Rabb: It's still 54.

Mr. LaMancuso: This is John again on the phone, if I could ask a question. Sorry about the error, I said 120, it sounds like its 110 new units. If you can't fill the 56 with homeless individuals, is it safe to assume that you'll fill them with people who are not homeless?

Mr. Ald: No, we're required to fill them, our funding source requires us to do that. We would have to hold the unit vacant, which of course our market study shows that that's very, very unlikely. Which, is why the funding source is behind this project. They have options from New York City to Buffalo to build projects, and they've decided to go with this one based upon the need here.

Mr. LaMancuso: Understood, thank you. Could you give us an idea what rates will be charged for the one bedroom, two bedrooms and three bedrooms? And also, can you let us know whether you'll be accepting vouchers for rental payment?

Mr. Ald: Yes, we actually give a preference to people with Section 8 vouchers. If we have two equally qualified individuals, and one of them has a voucher and one doesn't, we have to accept the one with the voucher first and we prefer to. People with vouchers make excellent tenants. They tend to obey the rules and be model tenants because if they're evicted, they lose their voucher. So, we love having people with vouchers. As for the specific rents, I don't have those numbers in front of me.

Mr. LaMancuso: Can you give us a ballpark of what they would be?

Mr. Ald: I want to say \$450.00 for a one bedroom, \$550.00 maybe \$600.00 for a two bedroom and I think we have a few three bedrooms so I think it would be in the \$700.00 through \$800.00 range.

Mr. LaMancuso: Those rents would be coming from the tenant? Would they be subsidized in any way?

Mr. Ald: Yes, for the 54 units that are not special needs units, yes the tenants would pay that. The rents, there's going to be a range of rents for each sized unit. For the one bedroom units there is going to be three different rents. One, the lowest rent for the same size unit will be affordable to people to earn 30% of the area median income. Then there's going to be another proximate third of the one-bedroom units that will be affordable to people at 40% of the area median income and the final third of the people will be affordable to people at 50% of

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the area median income. So, there's going to be very low rents and then the rents that I quoted you are the higher end rents. The 50% of area median income rents.

Mr. LaMancuso: Ok, understood. Having grown up here, and knowing landlords in the city and having been around the real estate business growing up and being a practicing attorney in town. Those rates are above what I know that individuals pay for one bedroom, two bedrooms and three bedrooms in the city. If that's at the high end, it sound like you're going to be charging about the same as many of the other landlords in the city are charging and I'm sure you know that other landlords in the city like tenants who have Section 8 vouchers as well. I really don't see the position that there's not going to be competition between the landlords and the city in your project. I just don't see it. Anyway, thank you for the clarification on the ratio. It's not a 6:1 ratio, it sounds like it might be 54:21, so its maybe 2 ½ as opposed to 6.

My concern comes from the Neighborhood Revitalizing Plan. I think we talked about this before. I apologize for belaboring the point but that's where my concern comes from as the Planning Commission. I think we ought to be very concerned about our plans that we've adapted in the city. That's one of them. That's the plan that we adapted to try to make our neighborhoods better, ten years ago, and I think that a lot of the problems that the experts that we hired to do that report identified in that plan are still problems today. Some of the things that they identified at the outset of that plan are population loss, flat housing values, pocket blight throughout the city, low standards of upkeep. It's a lengthy report and I'm sure that many of you have already had a chance to review it, but, what's inescapable if you read through the report and what's mentioned ad nauseum, many times, is if we want to improve our neighborhoods, if we want to improve the appearance of the housing stock in our neighborhood, we want to encourage people to invest in the city. If we want to encourage landlords and others to invest in upgrading the appearance of their houses, we should not be adding net housing units. This project adds net housing units, so in my opinion it goes against the very spirit of that plan. So, that's my big concern with this, and I can go through some of the other things that are talked about in the report, but that's the gist of it. I think its something that anybody that lives in the city should be concerned about, because, the pocket blight causes problems when you go to sell your house, and so, not only if we're thinking about this, are we trying to be consistent with our plans but we're also considering the general welfare of the hardworking people that live in the city, who invest thousands and tens of thousands of dollars in homes in the city only to see housing values remain flat for several years if not decades. I don't know, I think that this project as currently proposed will make that problem worse, unfortunately, and that's not to say that there aren't a lot of great things about this project, we've talked about them many times before, but that's something that I think is a big issue and I wish that there was a plan to be closer to one to one as far as a ratio goes and I realize that it's not cheap to demolish house and I realize there isn't an infinite amount of resources that go along with this project but its something that really concerns me and if this is our plan for making our neighborhoods better and we spent money on it, and we believe in it, and we adopted it as a city, I don't think we should be turning a blind eye to its core pennant of don't add net housing supply. So, anyway, that's what I wanted to say. I don't know if at this point there's anything that be done to improve upon the ratio or make the project more consistent with the plan but those are my thoughts on the topic of adding net housing supply.

Mr. Ricca: John, this is Steve Ricca, I'd like to try to respond to that. We certainly did not turn a blind eye, in fact, for what it's worth, I've got kind of a baby face but I've

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been practicing for a long, long time; almost 34 years. I've never had a project where the developer has funded an offsite mitigation program, ever. That's to say that they don't exist, its not to say that they're not appropriate but they're not typical, which is really one of the words that I'd describe to address many of the facets of this project, its an atypical in so many ways. This is an incredible balancing act. This a project that if you look at one particular criterion and you try to, and we all know you don't judge a site plan based on tax considerations and so on and so forth. This is a site plan review but its one in which the context of the offsite mitigation is being addressed. As you said, there are a lot of good things about this project. Those are not little good things those are big good things. The fact that this property is not because of this project is going to turn into a derelict one. Imagine if years from now the City of Jamestown had to demolish this building. And to do so in the context, and complicated by the environment contamination there. There is a unicorn, this project. This is a project that as I said at the outset of this meeting; it's not going to make everybody happy on every conceivable issue. But, to suggest that the project would only be a win for the city if there was a 1:1 ratio, I think doesn't give nearly enough weight to the many positive benefits it will give. I also think that to the extent that the City of Jamestown wants to attract more investment. I mean, if a 1:1 requirement is sort of a standard, I think it would pretty challenging. Again, I implore the Jamestown Planning Commission not to agree with everything I'm saying, but to agree with the proposition on balance, this is going to benefit an awful lot of people, not just the people who live and who will be living in this building, but even the tax payers. This is not generating tax revenue right now. I think frankly the tax revenue, maybe I'm just too ignorant on the taxable cases long term, but just the environmental remediation itself. Accomplishing a \$3 million environmental remediation, beautifying the site, preventing the site from falling into disrepair and being demolished, allowing the important local not for profit institutions that are in there now to continue to do so. I mean, that's not an infinite continuum, you can't necessarily expect a site like this with all of these circumstances, that they can continue operations there indefinitely. This is the project that will provide housing, environmental restoration, historic preservation and the continuation of the services of multiple not for profits. We've also, I didn't mention and I think it was, St. Susan's, we've been talking with them and working with them since one of our most recent meetings. I don't want it to be in any way, a distraction of what we're talking about right now, but I don't want to forget to give you copies of a letter of support from St. Susan's, which expresses excitement about this project and which states its view that even with increased demand after the construction of the project that all of the improvements that we're making and all of the funding opportunities that we're providing to, not just Community Helping Hands, but St. Susan's, will also allow all of these entities to fulfill their mission. John, I don't want to, I want you to know that your concerns are ones that we've thought about and factored into this project significantly. But we also feel that our response is a good balance and does address the concerns that you're making with respect to the very unique circumstances of this project. People are concerned about precedent, and what happens the next time we get an application. This is an unusual set of circumstances that I think call for an unusual outcome. So, for that reason I would implore you to approve the site plan with the offsite mitigation that we're proposing.

John LaMancuso:

Thank you.

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Chairman Rabb: I just want to go back to what John said. I realize that offsite mitigation maybe as you indicate atypical, but offsite mitigation, whether it's typical or not is irrelevant. It is part of the neighborhood plan that was adopted by the unanimous vote of the City Council and incorporated into the comprehensive plan, and it calls for substantial offsite mitigation, so John can certainly speak for himself, but I think its important to understand that if you're project is atypical, maybe our neighborhood plan is atypical, but I think what went into that plan was good idea. John makes a good point. There's a lot of things in that plan and this doesn't mean that your project in and of itself is bad but that plan does say that we have too much housing and offsite mitigation is a requirement of the plan. It doesn't say an exact number, it just says...

Mr. Ricca: It doesn't say any number. That's what I've inviting us all to...

Chairman Rabb: And it never would, because that wouldn't be a plan, that would be a code, that would be an ordinance. The plan is not going to specify the number. It says substantial because it's a guide and its up to us, as John mentioned, again, not to put words in John's mouth, to make sure we follow the plan with is a definite guide. It's not up to us as the commission to say, well, I know the City Council adopted it, and in fact the adopted it when I was president, but, we're going to make up our own ideas. We don't have the freedom to do that, so, we have to, as John was pointing out, take that into serious consideration because it's the heart and the soul of that neighborhood plan. I think I look around his table, there's a whole bunch of us that own houses in the city, that continue to be concerned, you know, as I keep pumping money into my house. What's going to happen with the value if we keep adding units that there continues to be way too many. Since John brought it up, I wanted to stress the importance of that. Its one of the most unique aspects of that plan. It has to be seriously considered. It doesn't mean we say yes or no. We don't want to make light of it. The Spring Street project, since it wasn't approved and it wasn't built, it can be a guide to us because it never happened. I would suggest that project is irrelevant.

Mr. Ald: It was approved by the city though, right?

Chairman Rabb: What do you mean approved by the city?

Mr. Ald: Their site plan, they had site plan approval?

Chairman Rabb: You mean the Planning Commission approved the site plan?

Mr. Ald: I believe they had site plan approval, yes, to apply for the funding.

Chairman Rabb: I don't honestly remember, myself, because at one point I was on council and I was off the commission. Crystal wasn't here at the time. But the fact was it wasn't built.

Mr. Ricca: The funding source didn't like the idea of a brand-new building. They typically don't like brand new buildings in cities where there's a lot of adaptive reuse opportunities like what we have.

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Councilwoman Carrubba: Can I speak to that since I have to disclose, we were involved in the project CODE developed it. They were mitigating, they were taking the same number of bedrooms off the market as they were creating. They were all market rate units, they met the median income requirement, more than half the residents of the city, and they were going to do scattered site housing within that neighborhood. They were demolishing properties that were really, I think half of them are condemned now that they were looking to demolish. The other units on the street, plus the neighborhood wanted the project. The people that lived on that street who were homeowners, wanted that project and spoke in support of the project. That was a totally different situation but the mitigation was bedroom, I believe almost 1:1. The bedrooms that were coming off based on the number of units that they were demolishing. It wasn't the number buildings; it was the number of units and rooms. And again, like I said, it was all market rate. It was not low income; it was market rate. But the median income would probably net probably 50% more city residents could have lived there.

Chairman Rabb: So, if that approval created a precedence, I don't think its in support of this project, so maybe its better to leave that aside. I know that keeps coming up, but.

Mr. Ricca: It's hard to compare and as you said it's not a codified, having represented developers myself for the longest time, predictability, quantification, proformas, it's kind of hard to do. If we're talking about 54 versus 21, is that, John, I guess, I'm asking you that. Is this a situation where the 54:21 relationship in the context of everything else that this project provides is unacceptable to the city, to grant site plan approval?

Mr. LaMancuso: Well, yes, I don't think you'll disagree with me, Steve. Under SEQR and under the code in Jamestown, you have to consider whether the project is consistent with an adopted or approved plan, right?

Mr. Ricca: Yes, I understand that, that's why we proposed an offsite mitigation. I'm talking about the numbers. I'm not saying we don't need to talk about this. I'm trying to quantify things for my client.

Mr. LaMancuso: I'm just speaking personally, but I would be much more inclined to move in favor of improvement if it was closer to 1:1. I'm not saying that it would have to be 1:1, but I'm saying that it seems when you have, again we're the Planning Commission and when our neighborhood revitalization plan says, "there is too much excess housing", it goes on to say "Jamestown does not need more low income housing units, unless others are removed from the inventory", and "the central lesson could not be more clear. Jamestown is not going to ever find its way out of the dilemma of falling property values by adding more net housing supply." I'm guided by these things, and this project adds net housing supply, when our guiding document says not to do that. So that's a big concern of mine. Yes, I think that, a roughly 2.5:1 ratio to me is contrary to the Neighborhood Revitalization Plan.

Mr. Ricca: And so, in the situation where we're trying to bridge the gap, I've already suggested a number of ways in which the gap is bridged. That this is not something that is squarely contemplated by the plan. Just taking those, in many cases, aspirational statements that

if we have more, that we can't build more unless we take some off the market. The struggle here is to come to a balance that makes the project work. It doesn't, I would respectfully submit make sense to kill a project because - we've presented a proposed agreement to the city. Lawyers don't like to bid against themselves. I would respectfully say that it would be unfair for this project with all of the elements included in it to expect a 1:1 ratio. I don't think it's exactly what would be called for in your plans. I think more recent plans that I've read from the City of Jamestown raise other considerations that help all of us be comfortable with an outcome for approval here. Critical mass. There are all kinds. Comprehensive plans have a lot of different goals and objectives and concepts in them, not just ones that are concerned about the housing stock in the City of Jamestown. The statements that we've been relying on in the planning documents aren't specific to low income housing, they're not specific to ESSHI funded housing, they're talking about housing in the City of Jamestown in general. So I hope what we can do now is bridge the gap and that this commission will give significant weight to the other benefits of this project, not the least of which is maintain the Chautauqua Hardware building according to historic preservation standards and remediating the site according to New York State DEC standards. This is not a run of the mill project. This is not something that is going to happen a lot, so I would implore this group to, you know, let's talk numbers.

Chairman Rabb: Actually, Councilwoman James wanted to say something and then we'll go to you Mr. Nelson. Just one second. I get nervous when you say things like aspirational language. I think John's trying to make the point that the mitigation is, that we have too much housing is across the board at any level. Whether it's low income, middle income, upper income. We just have too much housing and so I think the language in the plan is more than aspirational. Its like, this is what the Planning Commission needs to keep in mind when either turning down or approving a project. I don't know how John wants to vote but I think what he's saying, and again John, you can correct me is that this is something that we have to seriously consider. I don't know what these other plans that you're talking about, but the neighborhood plan is central to the comprehensive plan. It gives us some very interesting guidance; too much housing. You've got to think about that when you approve a project. Let me ask Councilwoman James if she wanted to talk.

Councilwoman James: Thank you, but you say too much housing, that was one of the things that killed the Spring Street project, they said it was too much housing. What concerns me about the Gateway, I know this project, what scares me about this is that its poverty on top of poverty on top of poverty. You're talking 110 units, right, 110 units. That makes me nervous. What are we doing, are we taking, there's a lot of concern about the Appleyard. If you were to take the Appleyard and stack them on top of each other. That's the visual I get. Then you're supposed to be for transitional living, so you have both. I'm just kind of concerned as to what kind of services would be there? I know you said about the elevator, but I remember City Hall, two elevators, one was out and it was out for almost a month. So what do I do? I'm a single mom, I've got a buggy, I've got my groceries and so STEL's going to have staffing 24 hours? I just get concerned when you talk about that, 110 units scares the crap out of me. What kind of really quality of living? Once you get into your apartment, you have a nice apartment. But 110, so how many people are we talking in that facility? 400, 500 people, I don't know. What is that number?

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Mr. Ald: It's a little more than 200.

Councilwoman James: 200 people. But that 110 units just really frightens me. Security wise, there's just certain things that really frighten me about this project. You're just stacking and stacking and stacking. It just makes me nervous. I think it is a good project, but I think if it was just a less number it would be more doable. That whole visual for me is just a big old project. Like a Buffalo project. Good people mixed with not so good people. Security is an issue for me. Just the whole, I don't know, this project just makes me nervous just because of that 110 number of units. It just frightens me. For the people who are living in and forced to... It just scares me, it just makes me nervous for the people who have to live there. And sometimes when people because of their financial circumstances they get stuck. They get thrown in places that they have and feel like there's no way out. That's my only choice. Then once you get in there and things aren't happening. Staffing can only do so much. It just makes me nervous for the quality of life for the people living there. You know I love being down there and there's some good things down there but that frightens me. It just really does frighten me.

Chairman Rabb: Thank you Vickye.

Councilman Nelson: I don't know if you wanted to address that first. Really my point was, back on the too much housing.

Mr. Ricca: Well, we, it's a complex conversation. There're a number of different variables. She could make any number of points based on language in the comprehensive plan, based on the code. When a land use lawyer works with the developer, one of the first things you look at is ok, where can we do what you want to do? There's tension along a lot these considerations. I'm talking about tension with the site and the limited space us buying and getting rights into adjoining properties and all kinds of adjustments in order to address what we think the concerns are. Fear can't be one of them. In fact, judging a site plan approval based upon the people based upon the people who are going to be inside of it is unconstitutional and covered by a number of federal statutes. We're talking about how to, intelligently balance different considerations, in this case John's concern that the mitigation that we're proposing is not a sufficient ratio given what we're proposing to do. Steve has tried a number of times to try to talk about the complexities of the market and demand and supply and everything else. And I don't know that there's an exact way of sort of answering some of these questions but what I do know is that one of the many challenges in getting one of these projects approved is issues that are really kind of outside of the criteria considerations. Generalized concerns and fear are not the things that should guide the Planning Commission's decisions. Consistent with the comprehensive plan is. When we don't have a formula or don't have a rigid set of numbers and when we propose 21 for 54 and the city is expressing concerns about it; I don't think 1:1 is fair but I'd like to know if there's a number, another number that might, that you would propose. Otherwise I think its going to torpedo this project, its going to send the message to other developers that you've got to come in and you've got to build two projects, it's not, I don't think it's realistic and I don't think its in the city's best interest to extract that degree of offsite mitigation, particularly when this isn't somebody putting a building on a corner, this is taking a building that needs millions and millions of dollars. This is blight. We're addressing blight here. So, I've been trying to convince the folks in the room that we should graded on a

curve. I can't think of any other way to say it. This isn't like the project that wasn't approved in some ways you might think count against us. I submit there is plenty of ways that this cuts in our favor. Can we work something out?

Councilman Nelson: The one thing I was going to mention. That John's point, that there's too much housing. And then you mentioned the lowering of property values is something as a homeowner that I am concerned about. But I don't think, and maybe to your point, the person looking to buy my house is not going to move into this apartment complex. They're not the same kind of buyer, I guess. The person living in my house has different concerns and different things than someone that would be living there, I guess. So, I don't worry about this lowering my property values.

Mr. Ricca: Nor should you.

Councilman Nelson: I know, and I think that was maybe the point that the neighborhood plan was making, that you brought up. If we need more housing, it's going to be because there's a surplus of housing.

Chairman Rabb: Supply and demand.

Councilman Nelson: Right, but I don't know that it's the same people. Or the same buyer.

Mr. Nelson: People make the choice of your house, its going to be your house that's a factor and its going to be what the neighborhood is as a second factor. What they're talking about and for your neighborhood or my neighborhood, it doesn't really calculate into it. People are going to be making decisions based on where they are. We have some places at least in my opinion in the city where there's houses that should actually be removed. They need to create more space within a lot of these neighborhoods and the only way you're going to do it is to remove some buildings. And that's a factor in the over all housing approach.

Councilman Nelson: The 21 that you mention. Are there any targeted places that are already?

Mr. Ricca: We submitted a proposed agreement with illustrative exhibits. Like, examples of this is what it might look like. And, the two attachments to the application I submitted included a list of targeted projects for mitigation and this is based upon conversations with the Land Bank. You can fill them a little bit more into detail. But ones that we know the city's already concerned about but isn't already in the pipeline. That's what the other exhibit was. We said all along that we had conversations with prior city officials in 2019 we said, Vincent said, that well, we've already got 19 houses that the Land Bank is looking at. You don't want credit for those, do you? No. So, we have a list of houses that require or the city would like mitigation for that were not targeted and then we have illustrative list that isn't up to 21 yet. We just put as many properties on it as we could to get the ball rolling. Ok, these look like distressed properties, dwelling units that the city would like to have addressed. So that's what the intent is. The intent is for us to be contractually obligated to give money to the Land Bank

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with the city as a beneficiary under the agreement with the guaranteed payment that's based upon per dwelling cost in other situations which I think is \$15,000.00. 15 times 21 is the number, what is that like \$315,000.00 or something like that. There's a number in the agreement that says okay, within x number of days or months of the project being up and running, and there's specific terminology in the agreement to determine when that is, you can't start funding offsite mitigation if we haven't closed on all the financing deals and got renters in there and stuff so obviously we want to have that happen. Once it does happen, the intent is to work to have the term of the agreement be three years long during which we're going to try to knock off all of the properties on the list. And, if we don't, the money that we put into the account for the Land Bank stays there and is restricted to the use called for in the agreement. We can't have an agreement that goes on forever and we can't write you a blank check. What this conversation is about, I think is, can we agree that we've done a pretty good job of balancing all of these different challenges that we have been respecting the Planning statements about removing substandard stock from the existing inventory. And if the answer to those things is yes, then the only question remaining is, numbers, we have to be able to make this work. It has to be fair for everybody. We already think this is a gem of a project that the city is going to be proud about and heralding in its future planning. Its going to be a model, it's going to be great. That's what we believe. Are we close?

Chairman Rabb: I think, Jeff, Mike had a question first.

Mr. Ald: I wanted to make a couple comments before we go on too, that Steve didn't cover yet. First of all, while we don't want to take credit for the 19 houses that are slated for demolition already, that's a lot of houses. I can tell you that in the ten years, a ten-year-old plan is a pretty old plan. Ten years ago, I'm sure the problem was a lot different than it is now. There's been a lot of demolition of houses between when that plan was written and now. And, there hasn't been a lot of created housing since then, at least not affordable housing. That's one of the reasons why the funding agency wants this, because there's not been any new affordable housing in a long time. And second of all, to the point of the bedroom per bedroom issue, we're going to compare favorably there because the vast majority of our apartments are one-bedroom apartments. The vast majority that we're demoing are three-bedroom houses. So, if you count bedroom for bedroom. We're demoing nearly 53 bedrooms. I can't tell you that of the 54 units that that's just 54 bedrooms. Its not, it's more than 54, but we're improving our ratio. If you're going to compare bedroom to bedroom, we've got a much better ratio than what Steve Ricca's already pointed out.

Chairman Rabb: Mike had a question first.

Mr. Lauren: I just had a couple comments, I guess. I think the project just really, my concern isn't particularly with the project or what services and stuff you're bringing to the people who are going to be residents there. I am concerned that what's going to happen is you're going to have a really nice building, people who are currently living in the city are going to move in there and that's going to create vacancies in the city. Part of that CZB study showed that the average STEL in nice areas was \$56,000.00. If it was next to a poor structure it was only \$26,000.00. So, as our population declines, we're going to continue to get more vacancies. The housing stock is not going to improve. In the last 40 years we've had multiple buildings for

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housing and it hasn't really helped neighborhoods a lot. My concern is really just making it fair for the residents who are currently living here and making sure that blight doesn't continue or expand more than it already is within those neighborhoods. I don't know if a 1:1 ratio will help that or not. But, certainly adding more housing is a poor direction for us to go when our population is in decline. We are losing close to 200 people per year since 1950. That's 14,000 people that are moved out of this area. It's continuing in the same direction. I don't know if a better ratio will help curb that or not. But it's really making sure and empowering the current people who are living in neighborhoods to maintain their property so it had better property value, both for themselves and for the overall city.

Chairman Rabb: Jeff, you had a question?

Mr. Nelson: I just wanted to reverify. I've heard so many numbers and different things. 110 units is what the plan for the whole project, right? And 56 of them were for homeless? So, we're really talking then adding 40- some units... 54 is the overall package.

Mr. Ricca: So that's the 54 to 21 thing, I've been referring to with John LaMancuso. I was suggesting that's a pretty good ratio, given all the other bonuses of the project. Again, it's so complex. It's a site plan review. It's difficult to kind of - if you looked at this from the societal, the social the economic and everything else, it sort of spirals out of control. What I would say we have people that are homeless, there are costs to the City of Jamestown for them as well. We're looking at the appearance of properties and whether blighted properties. We're also looking at the fact that there are people with no roof over their head and are lots of cost to the tax payers to the City of Jamestown for that. We're not trying to cure all ills. We're walking a very tight rope on this project and it's been beneficial; the project is better, looks better. I'm proud of it. I would just like to see whether there's a satisfactory end to this and one that's relatively soon. The whole financing process is competitive and calendar driven. This is year two and it's been productive, but, again, a 1:1 at a site where we're adaptively reusing an industrial building, I think it's a different situation. I'm not going to kind of beat that drum again, I just would invite some. We've made a proposal, can we come to a...

Chairman Rabb: John, did you still have a question?

Mr. LaMancuso: Oh, sorry, I just wanted to chime in. I think I did a bad job of explain the property value issue. I think I said before that everybody in the city that owns a home should be concerned about this project and should be concerned about the neighborhood revitalization plan. The reason I say that is because, CZB, the company that the city hired to do this plan, did a study of home sales and did surveys of blighted property and all of the other property in the city and they came to the conclusion that if your home is in proximity to a blighted property, it sells on average for 33% less if you have a high quality house that's in proximity to one of these blighted properties, it sells on average for 33% less. I wasn't trying to make the point that the person who's going to be living in this new project is coming from Councilman Nelson's neighborhood or the Chairman's neighborhood or anything like that, I'm just saying that's the property value issue. I think the mechanics EZB is talking about is if you build new housing without taking out old, you're creating more supply for housing and you are creating vacancies like Mike said elsewhere in the city. Or, at least you're creating reduced

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demand for low income rental property elsewhere in the city, and when you do that you're causing less money to flow to property owners, landlords, and if less money flowing to property owners and landlords one can assume that there're putting less money into their properties, causing even more blight. That was the point I was trying to make about property values, not that there's competition between higher end neighborhoods and the neighborhood where this project is going.

Steve Ricca: I think that was pretty clear.

Chairman Rabb: Thanks, John. We're about to lose one of our members, Regina, I think she has another obligation.

Mr. Nelson: Can I make a comment? I've been fortunate to be involved in a lot of different things over the years. I'm a real estate broker and I have been since I left city hall years ago. I've been involved in building houses. I've been involved in remodeling houses and building other new projects. It doesn't mean I know everything. But I've watched a lot of what goes on in the city. From my opinion, the city has a lot of problems and I've been watching since I worked here in the Urban Renewal Project years ago. Over 50 years with all of the efforts and everything we've put into the city, everybody that's involved in living in the city but we're still in a slide. We wanted new industry when we were doing the Urban Renewal Project clear back in the 70's. We never got it, we lost more. A lot of things continued to change. A lot of different things impact what's happening out in the neighborhoods. There's been a lot of changes. A lot of neighborhoods, you look at the housing and everything that's there, you had a lot of times, it's kind of nice but it's crowded. People are looking for more places now and a lot of people because it's all so crowded are going to be looking outside the city. To have a little bit more space. Outside the city has developed a lot over the last 30, 40, 50 years. I'm not saying anything that's said is wrong, I'm just saying that sometimes we can narrow in and focus one little aspect of something and focus on it so carefully and get so involved in it that we're not looking at the bigger picture. We're better off in many cases trying to examine more the bigger picture of things and then try to figure out how to go from there. Kind of the reverse of what a lot of that I've heard people talk about over a lot of years. Now, if there's one thing though that I've learned of too about making decisions and saying things like that, that a lot of times you say it and at the time it sounds like a really great idea, later on you find that isn't getting quite the answers you want or you're looking for, maybe more than one, and you need to adjust and do something a little bit different. Maybe the study that was done, maybe we should all take another re-look at it, a few years ago, maybe it doesn't apply as well anymore even though it's not been that long of a time, but things do continue to change. If you don't stay up with as much as you can, the changes going on, you're going to fall behind. It's going to be decision making to be less accurate. I kind of propose that. I know this a concern. I've been concerned about the same issues. But I do think that a lot of times it's like going back and looking at the old Urban Renewal Plan for Brooklyn Square, and believe me, a lot of what was planned in that program never came to. Never got done. Never came out that way. It's because during the time it was being done, a lot of things changed in the community.

Chairman Rabb: Jeff, are you making a motion or just a comment?

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Mr. Nelson: Well, one thing I'd ask is if I could get another copy of that and reread that study, and I'm not saying that I know everything. Don't get me wrong on that, I'm not trying to play that game. But I think we need to take another look at it. I'd like to take another look at it. I think that the project that is being proposed in many ways is a good project. The fact that it's handling a lot of things for homeless people and meeting some of those that have real severe needs, I think is important. I think the question becomes, also, how do we look at the city in way that we adjust the city to fit better the different varieties of people and home issues and everything that exists in the city.

Chairman Rabb: I guess, Jeff, I would ask then, correct me if I'm wrong. Are you making a motion to table this?

Mr. Nelson: No, I'm really not. In a lot of ways, I've had and I've vocalized these before. I have concerns about the project. Different things as it impacts people in the city, and how it affects how the city's laid out. Those are concerns that I have. On the other side, particularly with homeless people and things. There is a lot more that needs to be done, because the idea isn't just to handle the homeless and give them a place to live. It's how do you change their lives by what you're doing for them and trying to help them that maybe takes them off that kind of a situation and gives them a better life. I do tend to think that a lot of ways that you concentrate more on the people, you can do a lot more in a city, including, housing. I'm all done preaching.

Chairman Rabb: Let me, because. I appreciate you preaching. We've held up Regina long enough. Let me ask it this way. I have another meeting to get to. Does anybody want to make a motion to approve, we haven't heard the staff recommendation but we would have to approve the EAF and then the site plan, and I don't know if anyone's willing to do that. I don't want to put words in anybody's mouth.

Mr. Nelson: Maybe it's good to get it on the table and see where we're at, at this point.

Chairman Rabb: I'm asking, is anyone. We have to have a motion and a second.

Mr. Nelson: I make the motion.

Chairman Rabb: To approve the project, or to approve the EAF?

Mr. Nelson: I'll make it to approve it, but I think it needs to be voted and see what people really think.

Chairman Rabb: I know but we can't vote until you make, so you have made the motion to approve. Ok.

Mr. Ricca: Can we hear the staff recommendation first?

Chairman Rabb: Before we get the second, sure, go ahead Crystal.

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Ms. Surdyk: So, the staff recommendation is actually to require an environment impact statement. We feel that there are, I think we have heard it at exhaustion tonight, that there are a number of things that are still concerns, and so we would recommend that there is a positive declaration, or positive determination and that we require a full environment impact statement.

Mr. Nelson: I would withdraw my motion.

Chairman Rabb: Well, then you're withdrawing your original motion. Are you making a motion to go along with the staff recommendation?

Mr. Nelson: Yes.

Seconded by Ms. Brackman.

The Planning Commission voted to follow staff recommendation.

Mr. Nelson: I would ask the members, add your own thoughts and look at things we did, but look at this question and try to look at it in an analytic manner. Give it some deep thought because I really do believe that this project that was not in this position in the beginning but has developed into something really seems to make sense.

Mr. Ricca: Can I ask for clarification? In 2019, maybe it was 2018, there was a positive declaration that was based on a similar issue, if not the same issue. And it was a positive declaration that had a single issue. That single issue was consistency with the plan. And we all agree there are words in the plan, that Dr. Rabb has spoken repeatedly that if you construct new housing you have to remove housing. You all agree there is no way to quantify that really. That it's susceptible to interpretation. An environmental impact statement; it's a situation where I'm not sure that any degree of study will quantify the answer that seems to be of concern here. What I thought was going to happen was as result of John's comments that there would be a motion to table, to give the city an opportunity to issue a counter proposal to the proposed offsite mitigation plan you made because the issue seemed to be one of numbers. It seems fair that if we had said, well we'll do a 1:1. We'll mitigate 54 offsite dwelling units that we would not be receiving a positive declaration on this project. Is that fair to say?

Chairman Rabb: Well, I think there was a motion and a second and everybody voted for the full EIS.

Mr. Ricca: I'm trying to, if we have an environmental impact statement, its going to be lengthy, its going to be very time consuming, costly, its going to be a pain in all of your necks and ours, and I don't think it will solve, I think we have an issue of negotiation and I would invite you to reconsider this because I think it's almost as simple as that. We've presented a market study to the funding agencies that's relatively recent that shows there's a need for the housing and that would be our position it's been our position all along. It's not a complication position, its one that says there are homeless people that need houses. And then on the other side

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of the equation we would agree that new market studies say that there's too much housing in the City of Jamestown and a lot of it's not in great shape and might have an adverse effect on property values.

Chairman Rabb: I understand all that.

Steve Ricca: An environment impact statement is not going to solve our problems.

Chairman Rabb: A recommendation was made by the staff and a motion was made and seconded and everyone voted for it. We can talk about, we should haven't have done it, but we just did it so...

Mr. Ricca: Again, I'm not trying to be a bully here, but you can undo a vote by taking a new vote.

Chairman Rabb: This is why I asked Jeff if he was making a motion to table it, but I repeat, a motion was made and seconded, we just lost Regina. There's nothing we can do at this point. Unless we bring it back to another special meeting of the commission. But I don't want to do that unless commission members are okay with that, which would include John, Mike and Jeff.

Mr. Ricca: I'm going to tell you right now that I'm going to send a letter requesting that we be placed on the agenda for your next Planning Commission meeting to consider the question. I respect the underlying intent but I also respect your time and I also respect the limited resources of these not for profits working on this project. I would respectfully submit that this is a situation where we can come to a resolution that would be less time consuming, less costly and more productive than an environmental impact statement because I don't think that's going to solve the issue.

Chairman Rabb: We'll look forward to the letter.

Mr. Nelson: Can you get me a copy of the thing so I can read it?

There being no further business, the meeting was adjourned.

Jennifer R. Williams City Clerk/Treasurer