

**STATEMENT OF CITY COUNCIL
REGARDING AMENDED PRELIMINARY SITE PLAN
PURSUANT TO SECTION 850-125(C) OF THE
CITY OF CANANDAIGUA CODE**

**STEAMBOAT LANDING
HOTEL AND CONFERENCE CENTER
AMENDED PLANNED UNIT DEVELOPMENT PROPOSAL**

**CITY OF CANANDAIGUA
ONTARIO COUNTY, NEW YORK**

NOVEMBER 2009

**STATEMENT ON A PLANNED UNIT DEVELOPMENT
AMENDED PRELIMINARY SITE PLAN FOR
STEAMBOAT LANDING HOTEL AND CONFERENCE CENTER
BY CANANDAIGUA CITY COUNCIL**

Pursuant to Section 850-125(C) of the City of Canandaigua Code (the "Code"), the following constitutes a statement by the Canandaigua City Council (the "City Council") regarding the amended preliminary site plan (the "amended preliminary site plan") for the proposed Steamboat Landing Hotel and Conference Center (the "Project") to be located at 205 Lakeshore Drive in the City of Canandaigua, County of Ontario (the "Project Site"). The applicant for the Project is David Genecco (the "Applicant").

I. Project Description

The Project involves the construction of a 6-story hotel building around an existing restaurant and conference center building located on the Project Site. The 6-story building was originally intended to be 60 feet in height and included a 136-room hotel with 9 condominium units, an indoor pool, spa, a conference center expansion from 300 to 600 persons and parking for 289 cars with a 3-level parking structure constructed for 124 vehicles. The hotel and conference center building was proposed to be located on 2.5 acres currently owned by the Applicant, while the parking structure and accompanying parking spaces were proposed to be located on 1.6 acres currently owned by the City of Canandaigua (whereon currently exists a surface parking lot). A restaurant, conference center, and associated parking currently exists on the 2.5 acres owned by the Applicant.

The Project also originally entailed the construction of 46 boat slips in Canandaigua Lake within the "Lakefront Park", a public park owned and operated by the City of Canandaigua adjoining the Project Site. Under the proposal, the permanent dock would be constructed by the Applicant and conveyed to the City for operation and maintenance. The dock would be available for both public and hotel use.

On October 20, 2009, in response to various comments made regarding the Project by the public, the City of Canandaigua Planning Commission, and the County of Ontario Planning Board, the Applicant presented a revised amended preliminary site plan setting forth a two-staged development plan for the Project, wherein the first stage will consist of the construction of a 108-room hotel/fractional share development. During Stage 1 of the development plan, there will be neither an expansion of the existing conference facilities nor the construction of a parking structure on City-owned property. The revised amended preliminary site plan proposes a minimum of 179 on-site parking spaces with the possibility of additional parking being provided, if needed, through parking agreements with off-site owners including Finger Lakes Community College (FLCC) and the Roseland Bowl (located approximately one mile from the Project Site).

The revised amended preliminary site plan presented on October 20, 2009 further envisions the acquisition and use of a portion of the adjacent 5.4 acre parcel located to the west of the Project Site presently owned by Intel Management Corp. (the "Adjacent Property"). In July 2009, the City passed a resolution authorizing the commencement of efforts to acquire the Adjacent Property either voluntarily or through eminent domain proceedings. Approximately

3.48 acres of the Adjacent Property would be transferred to the Applicant, while 1.92 acres would be added to the existing City of Canandaigua parking area servicing the adjoining Lakefront Park. However, out of the 3.48 acre portion of the Adjacent Property transferred to the Applicant, the area fronting Lakeshore Drive will remain as a green space to minimize visual impacts, thus leaving the remaining 2.5 acres of the Adjacent Property available for parking. Acquisition of the additional 1.92 acres by the City will be made available for public parking and the potential development of a City playground area. Lastly, the revised amended preliminary site plan proposes the maintenance of a proposed 50-foot strip green buffer adjacent to the neighboring Rosepark Townhome community as a further effort to reduce visual impacts associated with the Project Site.

Stage 2 of the revised amended preliminary site plan involves an expansion of both the existing conference center, as well as the hotel facility constructed in Stage 1 by an additional 39 units, bringing the total number of hotel/fractional share units to 147. With the acquisition of the Adjacent Property by the City, a total of 497 on-site parking spaces would be made available for the expanded conference center and the additional hotel rooms. Given the estimated peak demand for Stage 2, the Applicant submits that the 497 on-site spaces will more than adequately provide parking for both stages of the Project, further reducing the need for off-site parking arrangements (and, thus, further reducing any potential traffic impacts associated with the Project).

II. Procedural Background

On or about April 2, 2009, the City Council accepted the proposed preliminary site plan amendment as consistent with the purposes of the PUD District. On April 23, 2009, the City Council acknowledged receipt of a proposed preliminary site plan amendment and supporting documents for the Project, and referred the same to the City of Canandaigua Planning Commission and the County of Ontario Planning Board for reports to the City Council. On July 2, 2009, the City Council, as lead agency of a coordinated review of the Project pursuant to the New York State Environmental Quality Review Act ("SEQRA") issued a Negative Declaration determining that the Project will not have a potential significant adverse environmental impact.

On August 20, 2009, the City Council conducted a public hearing on the proposed amended preliminary site plan. Comments from the public were heard and deliberated upon by the City Council.

On August 27, 2009, the Applicant's consultant, McCord Landscape Architecture, submitted written responses to certain comments made by the public at the public hearing. The Applicant's August 27th written submission proposed that the Project be built in two stages- the hotel and ancillary services being built in the first stage and the expansion of the existing conference center being built in the second stage. The staging of a planned unit development ("PUD") is permitted by Section 850-125(H) of the Code so long as any individual stages of development will have an integrity of use and be considered an asset to the community in its own right.

On or about October 20, 2009, the Applicant presented a further revised amended preliminary site plan reflecting an increase of hotel/fractional units for Stage 1 to 108 and incorporating an additional 3.48 acres of the Adjacent Property for purposes of maintaining

green space along Lakeshore Drive, providing additional parking to the Project, and maintaining a 50-foot buffer between the Project Site and the Rosepark Townhome Community.

In conjunction with the issuance of this statement, the City Council has issued an amended negative declaration for the changes proposed to the Project, as reflected in the October 20, 2009 revised amended preliminary site plan submitted by the Applicant, pursuant to 6 N.Y.C.R.R. § 617(e)(1)(i) of the New York State Environmental Quality Review Act ("SEQRA") regulations.

III. Statement on the Revised Amended Preliminary Site Plan

Pursuant to Section 850-125(C) of the Code, the City Council issues this statement setting forth its approval of the amended preliminary site plan, as revised and presented by the Applicant on October 20, 2009, subject to the following conditions:

1. Although the City Council approves Stage 1 of the revised amended preliminary site plan to proceed to the final site approval process, Stage 2 of such plan shall not receive final site plan approval under the PUD Ordinance until the acquisition of the Adjacent Property is completed. At the time acquisition of the Adjacent Property is concluded, the Applicant may seek final site plan approval for Stage 2 of the Project pursuant to Section 850-125 of the Code.
2. The 30 permanent dock slips proposed in the amended preliminary site plan as revised and presented on October 20, 2009 shall be constructed pursuant to the applicable requirements and conditions set forth in the City of Canandaigua's Docking and Mooring Law. In addition, the dock containing the proposed 30 slips shall meet all requirements of the City of Canandaigua Department of Public Works Director relating to materials used, construction specifications, and placement of the dock in Canandaigua Lake.
3. The Applicant agrees to comply with any and all applicable storm water design requirements prior to the construction of Stage 1 and if permissible will develop a "rain garden" on the Project Site as part of the Project's required storm water retention measures.
4. Prior to final approval of Stage 1 the City of Canandaigua Fire Chief must grant approval of the Lakeshore Drive access road on the Adjacent Property as set forth in the amended preliminary site plan as a secondary access road for emergency vehicles.
5. All site plans for the Project shall reference the expanded playground facility and tent as "conceptual."

IV. Conclusion

Pursuant to Section 850-125(C)(3) of the Code, the City Council conditionally approves the amended preliminary site plan as revised and presented by the Applicant on October 20, 2009.

Date: November 5, 2009