

Town of Canandaigua

5440 Routes 5 & 20 West • Canandaigua, NY 14424 • (585) 394-1120

Established 1789

ZONING LAW DETERMINATION

PROPERTY OWNER: MORGAN CENTERPOINTE APARTMENTS LLC
PROPERTY ADDRESS: 0000 BRICKYARD RD
TAX MAP NUMBER: 56.00-1-55.220
ZONING DISTRICT: PUD

DETERMINATION REFERENCE:

- Application for Two Stage Final Site Plan Approval, dated 09/07/2018. Received for review by Town on 09/13/2018.
- Application for Soil Erosion and Sediment Control Permit, dated 09/07/2018. Received for review by Town on 09/13/2018.
- Canandaigua Town Board Resolution of PUD Approval dated 10/28/1986.
- Town of Canandaigua Local Law 10 of the year 2005.
- Plans titled "Site Engineering Drawing for Centerpointe Apartments Phase 3" by McMahon LaRue Associates, dated 05/2016, Revised on 01/03/2017, received by the town on 09/20/2018.

PROJECT DESCRIPTION:

- Applicant proposes to construct 13 Apartment buildings totaling 106 Units, 2 Community Buildings, 1 Maintenance Building and associated development.

DETERMINATION:

- The maximum number of apartment units permitted in the PUD is 368 units as enumerated in Local Law 10 of the year 2005. The proposed 106 units included with the existing 240 units creates a total of 346 units; 22 fewer than permissible.
- Proposed 226 parking spaces exceed the required 212 spaces enumerated within the PUD Approval.
- The required setback to the internal road system is 50ft. with a minimum of 20 ft. of landscaping. Buildings 301, 304, 305, 308, 309, 311, 312, 313, and 315 do not have the minimum of 50 ft. setback to the internal road system. A Planning Board decision on the site plan may require revisions. Said revisions shall be limited to siting and dimensional details within general use areas and shall not significantly alter the PUD plan as it was approved by the Town Board. The Planning Board shall determine if the decrease in setback to interior roads is in keeping with the intent of the PUD.
- The owner shall have an opportunity to present a proposed solution to the Planning Board as part of the site plan/subdivision. The Planning Board shall then determine whether or not the modified plan is still in keeping with the intent of the PUD zoning resolution.
- If a negative decision is reached, the applicant may further modify the proposal or request a formal amendment of the PUD zoning from the Town Board.
- If an affirmative decision is reached, the Planning Board shall notify the Town Board stating all of the particulars of the matter and its reasons for feeling the project should continue as modified. Planning Board approval may then be given only with the consent of the Town Board.

REFERRAL TO ONTARIO COUNTY PLANNING BOARD FOR:

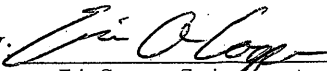
- This application is required to be reviewed by the Ontario County Planning Board as project is within 500 ft. of and Agricultural District.

REFERRAL TO PLANNING BOARD FOR:

- This application is required to be reviewed by the Planning Board for adherence to the intent of the PUD and site plan approval.

CODE SECTIONS: Chapter §1-17; §220-28E(7)

DATE: 9/28/2018

BY: 
Eric Cooper – Zoning Inspector

CPN- 18-066

NYS Town Law, Section 267-a(5)(b), an appeal may be made to the ZBA within 60 days of the date of this determination.

c: Binder
Property File
Property Owner
Town Clerk

