

# *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:** Brickyard Road

**TAX MAP NUMBER:** 56.00-1-55.220

**ZONING DISTRICT:** PUD- Planned Unit Development District

### **DETERMINATION REFERENCE:**

- Application for "Two Stage Final Site Plan Approval" dated 01/03/2022. Received for review by Town on 01/03/2022.
- Plans titled, "Site Engineering Drawings for Centerpointe Apartments Phase 3" by McMahon LaRue Associates, P.C., dated May 2016, revised 11/20/2013, 01/03/2017, 3/31/2017, 4/12/2017, 4/27/2017, 5/23/2017, 5/23/2017, 5/25/2017, 10/05/2017, 9/06/2018, 10/18/2018, and 1/21/2022, 3/18/2022, received by the Town 03/24/2022.
- CPN 2013-013; 08/27/2013- Final Site Plan approval of 122 apartments (13 buildings) with associated infrastructure improvements.
- CPN 2016-036; 11/29/2016- Final Site Plan approval of 115 apartments (14 buildings) with associated infrastructure improvements.
- CPN 2018-006; 10/23/2018- Final Site Plan approval of 106 apartments (13 buildings), two community centers, maintenance building and associated infrastructure improvements.
- Original Centerpointe PUD Resolution, 10/28/1986, Local Law No. 10 of 2005, Local Law 4 of 2013.

### **PROJECT DESCRIPTION:**

- Applicant is requesting approval for Centerpointe Apartments, **Phase 3**. This includes construction of ten (10) ten-unit buildings and three (3) five-unit buildings for a total of 115 apartment units, a community center with pool, maintenance building with infrastructure improvements. The current proposal is in conformance with the 2016 approval of 115 apartments with the addition of the community center.
- 272 parking spaces; 128 garage spaces and 144 exterior.
- 5 parking spaces (including one handicap) provided for community center.

### **DETERMINATION:**

- The Town Board resolution creating the PUD in 1986 outlines the bulk requirements: the apartment buildings are required to be 60 feet from any boundary line, can be a maximum of 45 feet in height with a minimum of two parking spaces per residential unit.
- Phase 1 included 136 apartment units
- Phase 2 included 104 apartment units
- Local Law 10 of 2005 amended the original PUD to allow a total of 368 apartments or 80% of the total number of residential dwelling units.
- The Zoning Law Determination, dated 5/26/2016, included as part of the 11/26/2016 Planning Board approvals, modifications to the original PUD constituting 59 units more

than permitted under the approved PUD and that the apartments would constitute 68.3 percent of the total residential units (65% was original requirement).

- With the proposed 115 units in Phase 3, *the total number of apartments is 355*, which is within the maximum allowable 368 apartment units.
- Proposed site plan details 272 parking spaces. Town Code requires 230. 4 parking spaces are required for the community center. Town Code requires 4.

**REFERRAL TO PLANNING BOARD FOR:**

- Site plan review is required for development within the PUD zoning district.

**CODE SECTIONS:** Chapter §1-17; §220; §220-28

DATE: 3/31/22

BY: Shawna Bonshak  
Shawna Bonshak – Zoning Officer/Town Planner

**CPN- 2022-02**

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 Owner  
Town Clerk

