

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, New York 14424

PLANNING BOARD
Established February 20, 1962

Tuesday, November 9, 2022 • 6:00 p.m.

MINUTES—DRAFT #2—SUBJECT TO CHANGE

4. SITE PLAN APPROVAL WITHIN THE FORM-BASED CODE—MIXED USE SUBAREA

CPN-22-062 **Marathon Engineering, c/o Matt Tomlinson, 39 Cascade Drive, Rochester, N.Y. 14614; representing Edgemere Development, 3850 Monroe Avenue, Pittsford, N.Y. 14534; representing James J. Volpe, 162 Amann Road, Honeoye Falls, N.Y. 14472; owner of property at 0000 Parkside Drive (south side of Parkside Drive and zoned Uptown Canandaigua Form-Based Code—Mixed Use Subarea.**

TM #70.11-1-30.000

Requesting Site Plan approval for construction of a 48-unit multi-family four-story building with a mix of one-bedroom and two-bedroom apartments, community space, parking lots, and associated site and drainage improvements located at 0000 Parkside Drive and within the Form-Based Code—Mixed Use Subarea, and detailed on site plans titled “Preliminary Site Plans for Parkside Drive Apartments” prepared by Marathon Engineering, dated August 1, 2022, and all other relevant information submitted as of October 25, 2022 (the current application).

This application was reviewed by the Planning Review Committee (PRC) on August 15, 2022.

The PRC referred this application to the following Town offices and agencies:

Chris Jensen, Town Code Enforcement Officer
Canandaigua Lake County Sewer District
James Fletcher, Town Highway and Water Superintendent
MRB Group, D.P.C.
Frank Magnera, Canandaigua City Fire Department

Canandaigua City School District

The Planning Board reviewed the Sketch Plan for this application on September 27, 2022.

The applicant identified the need for a transparency variance from the Form-Based Code:

Item	Required	Proposed	Comment
Section VI Mixed Use Development Subarea Façade Requirements:	50% ground floor	25% overall	Structural requirements preclude additional transparency.
Residential Transparency	40% upper story		

(See Planning Board minutes of September 27, 2022, pp. 22–29 for the project description and the discussion of the Sketch Plan.)

Following the Sketch Plan discussion on September 27, 2022, , it was the consensus of the Planning Board that the board was not opposed to this application moving forward in the Form-Based Code process, pending the outcome of the Zoning Board of Appeals (ZBA) applications.)

On October 18, 2022, the ZBA granted the following variances:

Granted: 19% variance for façade within the build-to zone.

Granted: 25% ground floor transparency.

Granted: 15% upper floor transparency.

Mr. Oyler said that this application is being returned to the Planning Board following the Form-Based Code flow chart now that the ZBA has granted the variances. He said that the Town Board is looking for a recommendation from the Planning Board on this application. Ms. Bonshak said that the Planning Board's recommendation will be on the Town Board agenda on Monday, November 21, 2022.

Mr. Glading (SWBR Architects & Engineers) presented this application in the meeting room. Ms. Ramos (SWBR Architects & Engineers) and Mr. Oster (Edgemere Development) also attended in the meeting room. Ms. Katerle (Edgemere Development) attended via remote video conference.

Mr. Glading said that the Town Board voted on this application at the original presentation. Ms. Bonshak said that the original presentation was a Sketch Plan review because area variances were required and had not yet been granted. She said that the Town Board is expected to endorse the formal site plan at its meeting on November 21, 2022.

Mr. Oyler said that the Planning Board had expressed concern about the number of parking spaces which had been originally proposed (42 parking spaces for 48 apartments). Mr. Glading said that a parking analysis of the developer's 12 similar apartment projects supports their proposal for 42 parking spaces at the Canandaigua location. He referred to the following parking analysis which was submitted by Mr. Oster to the Town on October 31, 2022:

This letter is written in connection with the new apartment building proposed on Parkside Drive in the Town of Canandaigua. Edgemere Development intends to construct a new 48-unit apartment complex targeted to Canandaigua's workforce. The building will ultimately contain 40 one-bedroom and eight two-bedroom apartments and residential common areas.

The new project is proposed to include 42 parking spaces. This number is supported by an analysis of comparable properties' parking utilization, which is summarized in the following table:

Property	Senior	Units	Tenants (Individuals)	Registered Vehicles	% of Residents with Cars
Eastgate Apts.	N	102	180	28	15%
Fredrick Douglas	N	28	36	9	25%
Lincoln Gardens	N	25	25	11	44%
Oak Creek	N	150	350	84	24%
Voters Block	N	47	56	26	46%
Bartlett Gardens	Y	43	45	18	40%
College Greene	Y	110	116	72	62%
Farmington Gar.	Y	88	89	70	79%
Gardens at TC	Y	176	202	108	53%
Kibler Apts.	Y	75	81	38	47%
Muldoon Gar.	Y	31	33	23	70%
Ogden Gardens	Y	89	96	68	71%

It is worth noting certain things about these properties: (1) all properties are exclusively or primarily residential housing; (2) parking data accounts for any on-site staff; (3) with the exception of Bartlett Gardens all of these properties are located within 100 miles of the Parkside Drive site in upstate and western New York communities; (4) all of these properties are regulated as either affordable senior or workforce housing.

This information was further distilled to separate senior vs. workforce parking utilization:

Average % of Residents with Cars in Housing Portfolio

60% Senior
31% Non-Senior
48% All

Since the proposed project is a workforce housing project not restricted to seniors, the non-senior utilization percentage (i.e., 31% in the above chart) was used to arrive at a projected parking need for Parkside Drive. The five non-senior projects listed above are located in Elmira, Rochester, Hornell, Auburn and Rochester, respectively. Further, to account for any other unknown variables and provide cushion, this percentage was rounded up to 75%.

Project Number of Cars for 48 Units (55 Residents)

Assuming a 75% Utilization

42

This figure synchronizes with the proposed site plan.

Finally, in the event there is additional parking needed, the adjacent property owner (DePaul) has agreed to provide up to 10 additional spaces to our property. They have confirmed that their apartment complex (Trolley Station) has excess parking that can be used for this purpose. A support letter from the president of DePaul is provided as additional information (*see* letter from Mark Fuller, President, DePaul, dated October 17, 2022, in the project file).

—Charlie Oster, Vice President, Edgemere Development Inc.

Mr. Glading said that based upon the parking analysis, and with DePaul providing 10 additional parking spaces indefinitely, if needed, Edgemere Development feels comfortable with the proposed number of parking spaces. He also said that the parking spaces at Trolley Station already exist.

Mr. Brabant said that it will be helpful if Mr. Glading provided an updated parking plan which should include the locations of parking spaces to be used by maintenance staff. Mr. Glading said that they are up to date with the site plan [regarding this]. Mr. Brabant said that it will be easier to discuss the application by having the updated plan. Mr. Oyler said that the parking analysis had not yet been posted to the Planning Board website for the board's review. He said that the Planning Board will need this information prior to the site plan review on November 22, 2022.

Mr. Tomlinson said that they are working on addressing the MRB Group engineering comments and will have a response letter by the middle of next week. He said that anything which is not yet in the application materials of record will be submitted to the Town.

Mr. Brabant said that the two major items which will be needed are the parking analysis and the applicant's responses to the engineering comments.

Mr. Glading said that they agree that the board must have this information.

Mr. Oyler said that the extent of the Complete Streets initiative was also discussed at the Planning Board's Sketch Plan review. Mr. Glading said that there is limited ability to provide for Complete Streets at this site. He said that the applicant will provide connections to existing sidewalks, bicycle access and storage for the residents, and vehicle loop circulations for fire and emergency vehicles. He said that this site is not rural and is not urban, and that they believe they are meeting the intent of the Complete Streets initiative.

Mr. Tomlinson said that the Complete Streets initiative is really for subdivisions or for projects which require road improvements. He said that these are outside the scope of this project.

Mr. Tolbert said that the Complete Streets initiative is specifically called out in the Form-Based Code. He said that although everyone is still learning about the [implementation] of the Code, he struggled with the approval of the variances on this first project in the Form-Based Code Mixed Use Subarea, and especially with a 25 percent ground-floor transparency variance (when 50 percent is required).

Mr. Glading said that the wood construction of this multi-family building required a design which could support a structure of this type. He also said that a 50 percent ground-floor transparency is not a transparency for a family residential structure. He said that the transparency of the neighboring residential development (Trolley Station) is 19 percent and that the transparency of another nearby development is 30 percent. Mr. Glading said that it is his position that he agrees with the intent of the transparency percentage but that the numbers do not meet the design. Mr. Glading said respectfully that he expects that the Town will see a number of these types of variances.

Mr. Tolbert asked if the Town has designed the Form-Based Code incorrectly.

Ms. Bonshak said that the Town has not designed the code incorrectly but that it has been based upon a more urban community. She suggested that perhaps the code should have several transparencies for various land uses.

Mr. Glading requested that Ms. Bonshak share his comparisons with the Town Board. Ms. Bonshak said that she would do so. Mr. Glading said that this [the transparency percentage] is a number which needs to be tweaked in the code.

In response to Mr. Tolbert's comment on the Complete Streets initiative, Mr. Tomlinson said that the applicant is providing connectivity to existing sidewalks and will add bicycle lanes and other improvements. Mr. Glading said that this project is not creating a new road. Ms. Bonshak said that Parkside Drive is an existing road and that we are not asking the applicant to add Complete Streets initiatives to an existing road.

Mr. Tolbert said that we stated that we wanted to move toward Complete Streets and this is an area we have cited for it. He said that we should expect to upgrade this area, and that Uptown Canandaigua is one of the identified areas of the Town.

Mr. Tomlinson said that he reviewed the Form-Based Code and that he did not see a reference in it to Complete Streets.

Ms. Bonshak said that we have the Complete Streets plan and this is a paradigm street. Mr. Oyler said that perhaps this is why a Highway Management Plan is needed—to identify where we want Complete Streets. He said that he consider the requirement of a developer to include the Complete Streets initiative in the Form-Based Code area if a new road were to be proposed, which would have to meet the Town design standards. He suggested that a contribution from a developer could be requested to be used toward the Complete Streets improvements [when a new road is constructed].

Mr. Tolbert asked about receiving an easement for space. Mr. Glading said that the proposed structure will be located behind an existing RG&E easement. He said that the proposed sidewalks are already pushed back on the other side of a drainage swale.

Mr. Tomlinson said that the new building will be 40 feet from the edge of the pavement. He said that the sidewalk will match the end of the existing sidewalk about 20 feet from the edge of the pavement. Mr. Oyler said that a portion of the land outside the utility easement could be reserved for future highway purposes which could include the implementation of Complete Streets by the Town in the future. Mr. Glading said that this area is not theirs to give or to design, that this land belongs to the Town, and that the applicant's property is a foot or less from the utility easement.

Mr. Tomlinson said that the proposed plan reserves an additional six feet for sidewalk and that the Town will have 26 feet for potential future improvements [along Parkside Drive].

Mr. Glading then reviewed the locations of the edge of pavement line, the utility easement, and the drainage swale on the site plan which was displayed on the video screen. He said that surface improvements are permitted over the easement but that no structures can be built on the easement.

Mr. Oyler said that the Town Board will take up the Planning Board's recommendations at its meeting on November 21, 2022. He said that the formal site plan could then be considered at the Planning Board meeting on November 22, 2022.

There were no additional comments or questions on this application this evening.