

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, NY 14424
(585) 394-1120
Fax: (585) 394-9476

Established 1791

The following resolution was acted upon by the Canandaigua Town Board on October 28, 2024.

RESOLUTION 2024-243: CONDITIONAL APPROVAL OF INCENTIVE ZONING FOR UPTOWN LANDING

WHEREAS, Uptown Landing LLC (“Applicant”) has submitted an application to the Town Board of the Town of Canandaigua requesting incentive zoning, pursuant to Town Code 220-31, for certain real property located on Parkside Drive and Fire Hall Road which is more fully described in the attached EXHIBIT A (“Property”), to construct the Uptown Landing project consisting of approximately 224 apartment units located in three-story apartment buildings, 105 apartment units and 5,000SF of commercial/retail space located in a four-story mixed-use building, 90 for-sale townhouse units, and 230 single family homes (“Project”), which is set forth in the Incentive Zoning Plan for Uptown Landing Residential Development, prepared by Marathon Engineering, and dated July 12, 2024, (“Concept Plan”); and

WHEREAS, Applicant is proposing to provide certain amenities to the Town of Canandaigua, described in the attached EXHIBIT B (“Amenities”) in exchange for the grant of certain incentives described in the attached EXHIBIT C (“Incentives”); and

WHEREAS, pursuant to Town Board Resolution # 2024-242A the Town Board issued a Negative Declaration with respect to the Project pursuant to the NY State Environmental Quality Review Act; and

NOW THEREFORE BE IT RESOLVED, that for the reasons set forth herein the Town Board hereby determines that the Amenities provide sufficient public benefit to grant the Incentives; and

BE IT FURTHER RESOLVED, that a detailed description of the Amenities being provided by Applicant is attached hereto as EXHIBIT B; and

BE IT FURTHER RESOLVED, that a detailed description of the Incentives being granted by the Town Board is attached hereto as EXHIBIT C; and

BE IT FURTHER RESOLVED, that in exchange for Applicant providing the Amenities the Town Board grants the Incentives for the Project, subject to the terms and conditions set forth herein; and

BE IT FURTHER RESOLVED, that the Town Board hereby approves the Incentive Zoning Agreement attached hereto as EXHIBIT D, and authorizes and directs the Town Supervisor to execute the Incentive Zoning Agreement on behalf of the Town, and that any changes as to form shall require approval of the Town Attorney; and

BE IT FURTHER RESOLVED, that the Town Board imposes the Conditions contained in EXHIBIT E on the incentive zoning Project; and

BE IT FURTHER RESOLVED, that the Town Board hereby adopts the Statement of Findings attached hereto as EXHIBIT F (“Findings”); and

BE IT FURTHER RESOLVED, that the Project shall be subject to the site plan requirements contained in Town Code Chapter 220, Article VII, and that Applicant shall obtain Preliminary Overall Site Plan Approval from the Planning Board for the entire Project prior to the Town Clerk affixing a reference to the Official Zoning Map that the Property was approved under Town Code 220-31 Incentive Zoning, and that obtaining signed Preliminary Overall Site Plans for the entire Project shall constitute “final plan approval” under Town Code 220-31(N); and

BE IT FURTHER RESOLVED, that the exhibits attached hereto are hereby made a part of, and incorporated into this Resolution as if fully restated herein; and

BE IT FURTHER RESOLVED, that for the reasons set forth in the attached Findings the Town Board determines that the Amenities shall not require site plan approval, but shall be required to comply with all other provisions of Town Code, Town Site Design and Development Criteria, and Uniform Construction Codes.

Motion made by Council Member Rudolph, seconded by Council Member Sauter.

5 Ayes: Casey, Fennelly, Rudolph, Sauter, Simpson

STATE OF NEW YORK}

County of Ontario}
Town of Canandaigua}

I DO HEREBY CERTIFY that I have compared the preceding with the original thereof, on file and on record in the Town Clerk's office, and that the same is a correct copy and transcript therefrom and of the whole of said original; and that said original was duly adopted at a meeting of the Town Board held at Canandaigua, New York, on October 28, 2024.

SEAL

Given under my hand and the official seal of said Town, at Canandaigua NY, in said county, on October 29, 2024


Jaren Outhouse, Deputy Town Clerk

EXHIBIT A

DESCRIPTION OF PROPERTY

Tax ID # 70.00-1-65.100, with frontage on Parkside Drive and Firehall Road, consisting of approximately 19.209 acres.

Tax ID # 70.00-1-18.115, with frontage on Parkside Drive, consisting of approximately 20.2274 acres.

Tax ID # 70.00-18-114, with frontage on Parkside Drive, consisting of approximately 50.9073 acres

Tax ID # 70.00-1-18.117, with frontage on Firehall Road, consisting of approximately 9.9997 acres.

All parcels are located in the Town of Canandaigua, County of Ontario, and State of New York, and shall collectively be referred to as the "Property;"

EXHIBIT B

AMENITIES

1. Park Recreation Equipment at Blue Heron Park. Developer shall provide and install playground equipment and a poured synthetic surface. The design and location of the equipment and surface shall be approved by the Parks & Recreation Committee prior to installation. Total amount not to exceed \$65,000.00.
2. Sidewalk Installation on Fire Hall Road. Developer shall design and install 5' wide concrete sidewalk on the east side of Fire Hall Road from Parkside Drive to the northern boundary of Blue Heron Park.
3. Sidewalk Installation on Parkside Drive. Developer shall design and install 5' wide concrete sidewalks on the north side of Parkside Drive from the sidewalk on the west side of NYS Route 332 to the eastern border of its property on Parkside Drive.
4. Public Bathrooms at Blue Heron Park. Developer will design and install a public restroom for the benefit of all park users, including ADA compliant men's facilities including one urinal and one stall, ADA compliant women's facility including two stalls, and common drinking fountain. Developer will arrange for the addition of the park to the existing sewer district, and shall extend utilities to the restroom location. The design and location of the restroom shall be approved by the Parks & Recreation Committee prior to installation. The design and location of utilities shall be approved by Highway Superintendent prior to installation.
5. Asphalt Pavement of Trails at Blue Heron Park. Developer will design and install asphalt pavement on all existing stone dust trails at Blue Heron Park, as well as design and install an asphalt trail connection from the existing trails at Blue Heron Park to the proposed trails located on its property along the eastern boundary of Blue Heron Park. The design and location of the proposed asphalt trails shall be approved by the Parks & Recreation Committee prior to installation.
6. Signage at Blue Heron Park. Developer will design and install signage at Blue Heron Park up to a maximum expense of \$5,000. The design and location of the proposed signage shall be approved by the Parks & Recreation Committee prior to installation.

EXHIBIT C

INCENTIVES

1. Area and Bulk Requirements - Single Family Lots
 - a. Minimum lot width for single family lots shall be reduced from 100' to 60'
 - b. Maximum building coverage shall be reduced from 70% to 50%
 - c. Building setbacks for single family lots shall be as follows:
 - Primary Street: 25' minimum / no maximum
 - Side Street: 20' minimum / no maximum
 - Side Interior: 5' minimum / no maximum
 - Rear: 20' minimum / no maximum
 - d. Minimum side setbacks for driveways on single family lots shall be 5'
 - e. Façade within build-to-zone requirement shall be reduced from 75% to 30%
 - f. All other area, bulk, and lot requirements shall remain as specified for the underlying zoning district.

2. Area and Bulk Requirements - Town House Lots
 - a. Minimum lot width for townhouse lots shall be reduced from 100' minimum to 20' minimum
 - b. Building setbacks for town house lots shall be as follows:
 - Primary Street: 20' minimum / 40' maximum
 - Side Street: No Requirement
 - Side Interior: 0'
 - Rear: 10' minimum / no maximum
 - c. Minimum side setbacks for driveways on town house lots shall be 0'
 - d. All other area, bulk, and lot dimension requirements shall remain as specified for the underlying zoning district.

3. Area and Bulk Requirements – Apartments

- a. Building Setbacks for apartments shall be as follows:
 Primary Street: 5' minimum / 40' maximum
 Side Street: 5' minimum / no maximum
 Side Interior: 5' minimum / no maximum
 Rear: 20' minimum / no maximum
- b. All other area, bulk, and lot dimension requirements shall remain as specified for the underlying zoning district.

4. Area and Bulk Requirements – Mixed Use Building

- a. Building Setbacks for the Mixed Use Building shall be as follows:
 Rear: 20' minimum / no maximum
- b. All other area, bulk, and lot dimension requirements shall remain as specified for the underlying zoning district.

5. Façade Requirements. Façade transparency requirements shall be as follows:

Type of Lot	Minimum Transparency Ground Story	Minimum Transparency Upper Stories
Single-Family	10%	20%
Town Houses	5%	15%
Apartments	30%	25%
Mixed-Use	60%	25%

6. Other Requirements and Design Standards

- a. Bike parking rations required by code will be provided for apartment and mixed-use buildings, but shall not be required for town house or single family lots.
- b. Vinyl siding is proposed to account for up to 80% of the primary façade for single-family and townhomes and up to 60% for the apartments where only 40% is permitted. No more than 40% of the façade will be permitted to be single orientation (e.g. shake, horizontal or vertical)
 - i. The vinyl allowance for the single-family and townhomes is not an incentive to the developer, rather it is of value to the future homeowners and the Town as it allows the housing to be offered at a lower price point than would otherwise be required.

- ii. The vinyl allowance for the apartment buildings does have a benefit to the developer, is requested as an incentive, and an amenity offered.
- c. Sidewalks within the development on all streets (other than the main boulevard, which shall be a complete street as approved by the Planning Board) shall be 5' in width.
- d. All other requirements shall be as set forth in the underlying zoning district and/or the Town's Site Design Criteria.

EXHIBIT D

INCENTIVE ZONING AGREEMENT

This Incentive Zoning Agreement (“Agreement”) is entered into as of the 6th day of November, 2024 by and between UPTOWN LANDING LLC, together with its successors, heirs, and/or assigns, whose principal place of business is located at 90 Airpark Drive
Bochester, NY 14624 (“Developer”) and the TOWN OF CANANDAIGUA, a municipal corporation whose principal place of business is located at 5440 Routes 5 & 20 W, Canandaigua, New York 14424 (“Town”).

WHEREAS, Developer has submitted an application for incentive zoning pursuant to Town Code 220-31 for the Uptown Landing Project on certain real property more fully described on the attached EXHIBIT A; and

WHEREAS, the Town Board of the Town of Canandaigua conditionally approved the incentive zoning by Town Board Resolution # 2024-243 (“Approval Resolution”); and

WHEREAS, the parties desire to formalize their agreement related to the provision of amenities by Developer to the Town and the grant of incentives from the Town to Developer; and

NOW THEREFORE, in consideration of the mutual promises contained herein, and the amenities to be provided and the incentives to be granted, the parties agree as follows:

1. Developer shall provide the following park-related amenities to the Town (“Park Amenities”):
 - a. Park Recreation/Playground Equipment at Blue Heron Park.
 - b. Public Bathrooms at Blue Heron Park.

- c. Asphalt Pavement of Trails at Blue Heron Park.
 - d. Signage at Blue Heron Park
2. Developer shall provide the following sidewalk-related amenities to the Town (“Sidewalk Amenities”):
 - a. Sidewalk Installation on Firehall Road.
 - b. Sidewalk Installation on Parkside Drive.
3. Developer and Town agree to the following procedures for the provision of Park Amenities from Developer to the Town:
 - a. Prior to the issuance of any building permits for the Project, Developer shall submit construction plans and design details for the Park Amenities, in a form acceptable to the Town Engineer, to the Town Director of Parks & Recreation for review and approval by the following:
 - i. Town Engineer
 - ii. Parks and Recreation Committee
 - iii. Highway Superintendent
 - b. Upon receipt of the required approvals, and prior to the issuance of any building permits for the Project, Developer shall apply for building permits for each of the Park Amenities that require such permits from the Code Enforcement Officer of the Town of Canandaigua. Developer shall obtain any other permits or approvals required.
 - c. Prior to the issuance of any permits for the Park Amenities Developer shall post an irrevocable letter of credit or other acceptable surety, in an amount approved by the Town Engineer and in a form approved by the Town

Attorney to ensure completion of the Park Amenities in accordance with the approved plans.

- d. The Town Board may approve partial releases of the letter of credit upon the recommendation of the Town Engineer and the Highway Superintendent, and shall approve final release of the letter of credit upon final acceptance of the Park Amenities by the Highway Superintendent.
 - e. Upon completion of each Park Amenity Developer shall obtain written certification from the Highway Superintendent that the amenity is acceptable to the Town, and Developer shall execute such documentation as may be required by the Town Attorney to convey all rights, title, and interest in and to the amenity to the Town.
 - f. Developer shall complete the installation of, acceptance of, and transfer of title to, all Park Amenities prior to the issuance of any certificates of occupancy for the Project.
4. Developer and Town agree to the following procedures for the provision of Sidewalk Amenities from Developer to the Town:
- a. Prior to the issuance of any building permits for the Project, Developer shall submit construction plans and design details for the Sidewalk Amenities, in a form acceptable to the Town Engineer, to the Highway Superintendent for review and approval by the following:
 - i. Town Engineer
 - ii. Highway Superintendent

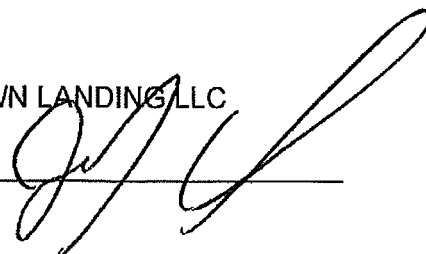
- b. Prior to commencement of construction of the Sidewalk Amenities
Developer shall post an irrevocable letter of credit or other acceptable surety, in an amount approved by the Town Engineer and in a form approved by the Town Attorney to ensure completion of the Sidewalk Amenities in accordance with the approved plans.
 - c. The Town Board may approve partial releases of the letter of credit upon the recommendation of the Town Engineer and the Highway Superintendent, and shall approve final release of the letter of credit upon final acceptance of the Sidewalk Amenities by the Highway Superintendent.
 - d. Upon completion of the Sidewalk Amenities Developer shall obtain written certification from the Highway Superintendent that the amenity is acceptable to the Town, and Developer shall execute such documentation as may be required by the Town Attorney to convey all rights, title, and interest in and to the amenity to the Town.
 - e. Developer shall complete the installation of, acceptance of, and transfer of title to, all Sidewalk Amenities prior to the issuance of any certificates of occupancy for the Project.
5. Upon completion of each amenity Developer shall transfer ownership and title, in a form acceptable to the Town Attorney, and shall post a two year maintenance bond, in an Amount approved by the Town Engineer, and in a form approved by the Town Attorney.

6. No Waiver. The failure of either party to insist upon the strict performance of any term, covenant, or condition of this Agreement or to exercise any right or remedy during the continuance of any breach shall not constitute a waiver of such breach or any right, term, covenant, condition, or remedy contained herein.
7. Modification. This Agreement may not be modified in any way without approval of the Town Board of the Town of Canandaigua, except minor procedural changes which may be approved by agreement of the Highway Superintendent, Town Engineer, and Town Attorney.
8. Binding Effect and Recording. This Agreement shall be binding upon and shall inure to the benefit of the parties and their respective heirs, successors, and/or signs. This Agreement shall be recorded at the Ontario County Clerk's Office upon Preliminary Overall Site Plan Approval from the Planning Board.
9. Severability. If a court of competent jurisdiction finds any provisions contained herein invalid, in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in said decision to be invalid, and all other provisions of this agreement shall continue to be separately and fully effective.
10. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of New York.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first set forth above.

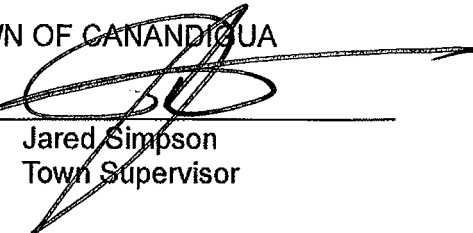
UPTOWN LANDING LLC

BY: _____
Name: _____
Title _____



TOWN OF CANANDIUA

By: _____
Jared Simpson
Town Supervisor



Sworn to before me this
10th day of November, 2024



Notary Public

NICOLE L. KLEEH
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01KL6418833
Qualified in Monroe County
Commission Expires June 21, 2025

Sworn to before me this
7th day of October, 2024



Notary Public

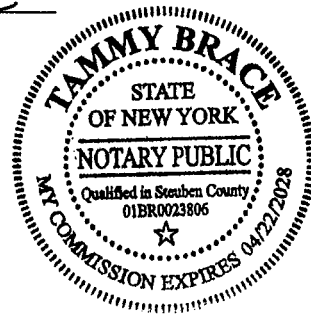


EXHIBIT E

CONDITIONS

1. Developer shall execute an Incentive Zoning Agreement with the Town within thirty (30) days after the Town Board resolution to conditionally approve the incentive zoning.
2. All Amenities shall be fully installed and accepted by the Highway Superintendent prior to the issuance of any certificates of occupancy.
3. Site Plan Approval from the Planning Board is required.
4. Developer shall obtain preliminary overall site plan approval from the Planning Board within twelve (12) months of the Town Board resolution to conditionally approve the incentive zoning.
5. Developer shall commence construction within twenty four (24) months of the Town Board resolution to conditionally approve the incentive zoning.
6. Developer will pay park and recreation fees pursuant to NYS Town Law and Town Code.
7. The project shall only be developed in accord with the Town Board's Conditional Approval of Incentive Zoning, including all exhibits incorporated therein.
8. The project shall only be developed in accord with the Concept Plan attached as EXHIBIT B, as the same may be modified and approved by the Planning Board during the site plan approval process. The Planning Board has the authority to modify the proposed plan to address the adequacy and arrangement of building location(s), parking area(s), pedestrian access and circulation (including the addition of trails) to the site, stormwater management, utilities, and open space and recreation areas on the site. If the Planning Board deems it necessary or appropriate to remove single family lots from the site plan to create open space, Developer may add 2 apartment units for each single family lot removed. The maximum number of single family lots that can be removed shall be 6.
9. The maximum development for the Project shall be as follows:
224 apartment units located in three-story apartment buildings, 105 apartment units and 5,000SF of commercial/retail space located in a four-story mixed-use building, 90 for-sale townhouse units, and 230 single family homes.

10. Other than the incentives set forth in the Town Board's Conditional Approval of Incentive Zoning, all requirements of the Town of Canandaigua Town Code shall apply to the development.
11. Developer shall be responsible for obtaining all governmental approvals and permits associated with the project and all amenities.

EXHIBIT F

STATEMENT OF FINDINGS

A. Project Information.

1. The Project is a 100 +/- acre mixed use residential development located adjacent to Blue Heron Park with frontage on Parkside Drive and Fire Hall Road, and will include up to 90+/- for sale town homes, 230+/- for sale single family homes, 220+/- for rent apartments in three-story buildings and 105+/- for rent apartments and approximately 5,000 SF commercial/retail space in a single four-story building.
2. Property is in R-1-20, R-1-30, and FBC-Mixed Use Subarea zoning districts as well as Mixed Use Overlay Subarea 1.
3. The Property is bordered by Fire Hall Road to the west, Parkside Drive and Blue Heron Park to the south, agricultural lands to the north, and Candlewood Apartments to the east.
4. The Amenities to be provided by Developer are as follows: (a) park recreational equipment at Blue Heron Park; (b) public restrooms at Blue Heron Park; (c) asphalt pavement of stone dust trails at Blue Heron Park; (d) signage at Blue Heron Park; (e) sidewalk on Parkside Drive; (f) sidewalk on Fire Hall Road The Amenities are described in detail in EXHIBIT C.
5. The value of the Amenities, as confirmed by Town Engineer MRB Group is as follows:

a. Park Recreational Equipment at Blue Heron Park	\$65,000
b. Public Restrooms at Blue Heron Park	\$335,000
c. Asphalt pavement of trails at Blue Heron Park	\$97,500
d. Signage at Blue Heron Park	\$5,000
e. Sidewalk on Parkside Drive and Fire Hall Road	<u>\$250,700</u>

TOTAL VALUE OF AMENITIES	\$753,200
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6. The Incentives to be granted are as follows: (a) lot size reductions; (b) increased setbacks; (c) increase in proportion of vinyl façade; (d) reduction of façade transparency; (e) elimination of bike parking ratio requirement for

single family and town house lots; and (f) reduced driveway setbacks. The Incentives are described in detail in EXHIBIT D.

7. The value of Incentives is as follows:

a. Lot size reductions	\$0.00
b. Increased setbacks	\$0.00
c. Increase in proportion of vinyl façade	\$450,000
d. Reduction of façade transparency	\$239,500
e. Elimination of bike parking ratio	\$0.00
f. Reduced driveway setbacks	\$0.00
TOTAL VALUE OF INCENTIVES:	\$689,500

B. Procedural Background.

8. Developer submitted the subject application for incentive zoning on or about July 12, 2024, and the Town Board conducted its initial review and consideration pursuant to Town Code 220-31(H) at its regularly scheduled meeting on July 22, 2024. Thereafter the Town Board informed the Developer that the Town Board considered the incentive zoning proposal worthy of further consideration, and referred the matter to the Planning Board for review and report to the Town Board by Town Board Resolution 2024-202.
9. Pursuant to Town Code 220-31(I), the Planning Board met with the applicant and reviewed the proposed incentive zoning at its August 13, 2024 meeting. The Planning Board provided its Incentive Zoning Report, dated August 13, 2024 to the Town Board.
10. The Town Board reviewed the Planning Board's Incentive Zoning Report at its August 26, 2024 meeting, and issued Town Board Resolution 2024-215, which indicated a determination of willingness to further consider the Uptown Landing Incentive Zoning proposal, declared intent to be Lead Agency for SEQR purposes, and directed the Town Planner to refer the proposal to interested and involved agencies, the Ontario County Planning Board, the Highway Superintendent, and the Town Engineer, and set a public hearing on the matter pursuant to Town Code § 220-31(J).
11. The Town Board opened a public hearing on the proposed incentive zoning on September 23, 2024 at 6:00pm at which all persons having an interest were heard.

12. The Town Board has referred the incentive zoning application to the Ontario County Planning Board, as required by Town Code 220-31(M), and has reviewed the recommendations provided by Ontario County Planning Board.
- C. Information Provided to Town Board. The Town Board has reviewed the following information related to the Uptown Landing Incentive Zoning Project:
13. Planning Board Advisory Report, dated August 13, 2024.
 14. Town Planner Report, dated September 5, 2024
 15. Developer submitted all required incentive zoning application materials as well as extensive supporting information including:
 - a. Letter of Intent, dated July 12, 2024
 - b. Form Based Code Checklist
 - c. Overall As-of-Right Sketch Plan
 - d. Proposed Exterior Building Elevations
 - e. Overall Incentive Zoning Sketch Plan
 - f. Incentives and Amenities Report (updated 9/12/24)
 - g. Agricultural Data Statement
 - h. Full Environmental Assessment Form Part 1
 - i. Expanded Environmental Assessment Form Report
 - j. US Department of Agriculture Custom Soil Resource Report for Ontario County
 - k. Consistency letter for Uptown Landing from the US Department of the Interior, Fish and Wildlife Service, dated May 30, 2024
 - l. List of threatened and endangered specials for Uptown Landing from the US Department of the Interior, Fish and Wildlife Service, dated May 30, 2024
 - m. 2024 Addendum Phase IB Cultural Resource Investigations for the Expanded Uptown Landing Project, prepared by Architectural Consulting Experts LLC, dated June 25, 2024

- n. Traffic Impact Study for the Uptown Landing Residential Development, prepared by McFarland Johnson, dated June 4, 2024

D. Determinations.

16. Adequate utilities and public services are at or near the Property.
17. The setback and lot size related Incentives will not provide a substantial monetary benefit to the Developer because the Project is significantly less dense than what Town Code currently permits, but will allow the Developer to offer single family houses and town houses for sale at a lower price point than what is typical in the market.
18. The building setbacks for apartments and the mixed use building will allow for additional greenspace separations for ground floor units and vehicular movements for garage parking spaces.
19. The Project fills a significant need for housing in the Town of Canandaigua.
20. The Project meets the guiding principles of the Form Based Code – Mixed Use Subarea:
 - a. Expansion of lower density mixed uses. The Project will provide 5-7 dwelling units per acre with a wide range of for-rent and for-sale housing types at a variety of price points.
 - b. Establish a combination of low density, multi-family housing in close proximity to commercial uses. The Project includes a commercial/retail mixed use component, and provides a variety of housing options in close proximity to the commercial uses on NYS Route 332, Parkside Drive, and the anticipated commercial development on Fire Hall Road.
 - c. Expansion of mixed-residential uses in the Town. The mix of apartments, single-family homes and townhomes fully complies with this guiding principle
 - d. Encourage multi-modal mobility options. The central boulevard is intended to be a complete street with additional pedestrian improvements and park connections included in the design. Offsite sidewalks for enhancing pedestrian connectivity to NYS Route 332 and existing commercial development are also incorporated in the incentives, discussed later in this report.
 - e. Ensure new development and site design does not negatively impact adjacent residential uses. The proposed project thoughtfully transitions

to the lower impact single-family homes adjacent to large-lot residential uses on the north and east with the apartments and mixed use adjacent to the multifamily zoning and State Route 332 Subarea zoning to the south and west.

21. The Amenities provide sufficient public benefit to provide the Incentives.
22. The Incentives are allowed incentives pursuant to Town Code 220-31(E)(2).
23. The Amenities are allowed amenities pursuant to Town Code 220-31(F)(3) and Town Code 220-31(F)(7).
24. The incentive zoning will advance the Town's physical, social, and cultural policies, as explained in the Town Planner's Report, dated September 5, 2024.
25. There will be no significant environmentally damaging consequences as a result of the incentive zoning project.
26. The Incentives are compatible with the development otherwise permitted in the zoning districts in which the Property is located. All proposed uses in the Project are permitted uses in their respective zoning districts.
27. Developer initially proposed 91+/- apartment units in the four-story mixed-use building but has subsequently increased the proposed number of apartment units to 105+/-.