

# PLANNING DEPARTMENT



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Director

## GML Recommendation Report

This application or petition has been referred to the Madison County Planning Department, as the County Planning Agency pursuant to General Municipal Law 239-l and -m, because it applies to property within 500' of at least one of the following:

- State or County Highway
- State or County Park/ Recreational Area
- Municipal Boundary
- Land on which a Public Building is located
- Cowaselon Creek (County-owned or delineated stream or drainage channel)
- Farm operation in a State-certified Agricultural District (excluding area variance)

Which is/ are: US Route 20, V.Cazenovia / T. Cazenovia boundary line.

NOTE TO THE LOCAL REFERRING BOARD: Article 12-b Section 239 of the General Municipal Law requires that final action by your Board contrary to the Madison County Planning Department's recommendation of either "Modification" or "Disapproval" requires a super-majority (majority-plus-one) vote of all members thereof, and that you set forth the reasons of such contrary action in the report to be filed with the Madison County Planning Department within 30 days of your final action. (An Official Notice of Action form is enclosed for this purpose.)

GML Log#:	<u>124- 2016</u>	Company Name:	<u>New Market Development (Aldi)</u>
Municipality:	<u>Village of Cazenovia</u>	Applicant Name:	<u>James Stokes</u>
TaxMapID:	<u>95.3-2-19</u>	Applicant Address:	<u>5 Mill Street</u> <u>PO Box 312</u>
		Applicant City/St/Zip:	<u>Hamilton, NY 13035</u>

Date Received:	<u>8/30/2016</u>	Date of Recommendation:	
GML Action 1:	<u>Site Plan Review</u>	Recommendation 1:	<u>Return—Incomplete Application</u>
GML Action 2:		Recommendation 2:	

### Comments:

#### Proposal

The proposal is for significant new development on two parcels recently annexed into the Village that total about 10.7 acres and are owned by New Venture Assets. The site location is about ¼ mile east of the Village's downtown and zoned as Village Edge South-Mixed Use (VES-MU) District and within the Wellhead Protection Overlay district. The uses proposed include a grocery store, drive-thru pharmacy, drive-thru bank, and a 4th retail space in addition to four 8-unit apartment buildings.

#### Background

This proposal is very complex and has had significant controversy. We certainly understand why a project of this magnitude and its location would cause concern. The Village of Cazenovia has a renowned reputation for being a quaint, vibrant, and charming community. While other communities have seen their main streets die off and store fronts become vacant, Cazenovia's has continued to thrive with activity. At any given time on any day of the week people can be seen patronizing the many shops, walking their dogs, and carrying out general business (going to the library, the post office, picking up prescriptions at Kinney's, going to the bank, picking up lawn and household supplies at Buyea's). This is tremendously unique and extremely difficult to preserve. As many communities could profess, even if under the best intentions, it is all too easy to lose this. Obviously, this character is extremely cherished by the Cazenovia community. The Village of Cazenovia has worked very hard through sound planning practices (joint comprehensive plan, fine-tuned zoning districts) to preserve and protect this character (as have various community groups).

With that said, let us acknowledge that a project as the one proposed here does have the potential to significantly alter the village character which is why it is critical that all aspects of it be fully weighed. There isn't anything wrong with wanting new growth (there is also no win in growing just to grow), but let's just recognize that the unfortunate reality is that it is very hard to get it right. It is very hard to add development of this magnitude and not have it come at the expense of or compromise treasured, historic character (and the quality of life that character provides). Another reality to acknowledge about these

projects is that there is tremendous pressure to move quickly. However, some of the most important aspects to ensure a project is an actual success are in the details (for example, it is great to show sidewalks on a plan, but the devil is in the details to really consider not just that there are sidewalks but how they will really function, i.e. how will they be used and will people really enjoy walking here?) We cannot commend the Village Planning Board enough for weighing through all these materials, and we cannot empower them enough to continue to ask questions and not just consider what this project looks like on paper but how it will work in reality. Moreover, we cannot state enough that no type of pressure should force their hand into these decisions.

It has to be understood by all involved that this is a project that would have tremendous impact to the Village and if it is to move forward it will benefit all (including the applicant/developer) to fully weigh all dimensions of this application. Moreover, as the Village has recognized (such as through statements in their Design Guidelines), IF the Village wants new development the reality is there are very few locations into which to develop. Thus, for all of these reasons, any development that wants to establish itself in this location should meet the high bar the Village has set through its zoning and Design Guidelines.

We also want to acknowledge that this project is more complex because it isn't being done piecemeal, which is a good thing. We do think that if development is to come to this area that planning for it together is commendable. Commendable because obviously when it is planned together it is larger and is more likely to open the project up to criticism (they don't have to get just one project right, in this case they have to get 5 projects right) yet the outcome will be better than if it were to be built piecemeal, i.e. one building at a time. This obviously is an attempt to plan the east edge of the village with intent (and avoid the negative impacts of piecemeal development), but again it is up to the Village to decide if as proposed it meets the bar required as described in the Village Comprehensive Plan, zoning, and design guidelines.

### Zoning and Design Guidelines

The first item our office reviewed is in terms of the Zoning (and the intent and terms of that zoning) of these parcels. The project location is zoned as Village Edge South-Mixed Use (VES-MU) District and within the Wellhead Protection Overlay district. In terms of the VES-MU, the Village Land Use law states that , "The purpose and intent of this district is to encourage a compatible mixture of residential and commercial development along with preserved conservation areas that will serve as a welcoming gateway to the Village as one enters from the less developed lands to the east." (Certainly what constitutes a welcoming gateway could be subjective but this should be addressed through the Design Guidelines. In terms of preserved conservation area, we believe the WPO district best speaks to that)

The VES-MU lays out 7 policy goals to be achieved within the zone (listed as A-G under 180-62):

- A. Mixed use.
- B. Creation of Village streets and interconnectivity within the zone rather than individual curb cuts from Route 20.
- C. A village character that is a porous, softened urban form.
- D. Protection of natural resources identified in the zone through site performance.
- E. Conservation of the identified viewshed.
- F. Walkable and bikeable neighborhoods that are interconnected.
- G. Continuation of the traditional architecture found in the Village.

We provide comments on some aspects of these policy goals in terms of what is proposed.

#### A) Mixed Use –

What is proposed is not true mixed-use and is even weak compared to the looser meaning of mixed use that the Village has lent support. The proposal is for 2 stand alone, single use, single story buildings. While the two smaller proposed retail spaces will share a building (or at least share a wall) they are also in a single story building. The residential component of the project is just a typical apartment complex, proposed in 4 separate buildings, so again buildings with a single use. While the Village has seemed to support a "horizontal" definition of mixed-use vs vertical mixed use (as seen in the Village's "Mixed-Use" definition), we still think this proposal is lacking in this area, i.e. it is very difficult to achieve mixed-use (and the development pattern of mixed use) with the degree of stand-alone, single story, and single use buildings as proposed here.

Again, even to the degree that the Village has taken a much looser meaning on mixed-use, we still see this proposal toward the weaker end of what the Village was hoping to achieve. For instance, 180-63 (B)(1) states "No building with a gross floor area greater than 5,000 square feet shall be permitted unless it incorporates mixed uses within the building (whether on a single story or with multiple stories) or is a building devoted to a single use but is associated with one or more separate buildings devoted to other use(s) on the same site or on a separate parcel within the VES Mixed Use Zone. Alternatively, a building may be greater than 5,000 square feet with a singular purpose if at least 1/3 of the square feet are on a second floor." Again, the 2 largest buildings are completely stand alone, single use, single story buildings. The only residential component is proposed as a separate, single-use apartment complex.

As proposed this project, at best, only achieves the weaker of the three statements in 180-63(B)(1) which is to be associated with one or more separate buildings devoted to other uses because there is virtually no incorporation of mixed uses within the building (the only exception being horizontal mixed use of the two smaller retail spaces) and no part of this project (besides the stand alone residential) is proposed to have a second floor. It is important to point out that it is very hard to add additional floors to a building after the fact. In addition to being weak in this area there is also 180-63 (C)2 which states "Except for new buildings with a building footprint of less than 5,000 square feet, all new buildings and major additions must

be between two and three stories tall and at least 20 feet tall at the front facade. A fourth story may be approved by special use permit." The retail portion of this development doesn't meet this as no matter how tall the proposed buildings are, they are only one story.

Given this, more is needed to meet this mixed use criteria. There are numerous combinations that could be explored to move this up on the mixed use spectrum. For instance, by combining these retail spaces by connecting them together; in this option, they could still be single story but connected (right now only the two smaller proposed retail spaces are connected). The applicant could also look at doing more typical "vertical mixed use" (such as by providing some retail space on the ground floor of the apartments) or create multiple story buildings to combine some of the proposed retail spaces. Moreover, given the environmental constraints of the property, it also makes sense to do multi-storied development rather than single story buildings which add more impervious surface. Multiple stories may also help achieve the framing of the viewshed described on page 22 of the Design Guidelines. Overall, besides being proposed together as one project on paper, this project will not feel like mixed-use if built as proposed. Moreover, we believe, at best, it meets the minimum of an already loose definition of mixed use as described in items like 180-63 (B)(1) established by the Village.

The Village is right to call out mixed-use as an important policy for new development. Mixed-use is identified as a best practice to create more walkable, vibrant, compact communities. Mixed-use is identified as 1 of the 10 Smart Growth principles (Smart Growth and the Smart Growth principles are used and known across the country has best practices when it comes to land use). Moreover, it is clearly desired by the community: "the visual preference survey strongly favored images of mixed use development that created a distinct sense of place, and comfortable human environment in the public spaces created by buildings, the sidewalk and the street"(page 11 Design Guidelines).

B) Creation of Village streets and interconnectivity within the zone rather than individual curb cuts from Route 20 – The developer has included a new Village street and an "internal drive D" (although there are some serious concerns to be addressed with the design around the internal drive discussed below). We think that one of the most commendable aspects of this project is the foresight that went into planning out the desired infrastructure. We support the desire to enhance the connectivity to, between, and from the southern part of the village (that is the Village south of Route 20), extremely lacking at this time. We believe that the Village Street should allow for on-street parking (right now parallel parking is only shown on the internal Drive D). On street parking is not only part of giving this area a Village appearance but could reduce the need for large areas dedicated to parking lots; on-street parking is a better way to achieve a land use pattern that facilitates mixed-use and walkable development than leaving it all to be accommodated by separate large parking areas (because in turn these separate large parking areas make things farther apart from one another and less pleasant to walk which then increases the number of people driving to and between them).

In terms of the second part of the policy regarding curb cuts: any reduction in curb cuts onto Route 20 is good, but the proposal still has two curb cuts onto Route 20 (we are not including the Village street). One curb cut is a private drive-thru. The other is a curb cut into the large parking area, even though this parking area could be accessed by the proposed street. In fact, the new proposed street, the private drive thru curb cut, and the other parking lot curb cut are all within less than 500 feet from each other. 180-63(E)(5) clearly states that "Primary entrances to development shall be located on Village streets. These are prohibited along Route 20." The curb cut for the private drive thru would serve as a primary entrance to the retail 1 space. This is also counter, or at best at the very maximum level, to what is stated in the Design Guidelines. The Design Guidelines state "redevelopment sites with multiple curb cuts must reduce curb cuts to one, or preferably none" (page 5). We do note that the Design Guidelines go on to state on page 13 that buildings in the Mixed Use East area (where this project is located) "For the safety and effectiveness of the site, a secondary limited access entrance may be proposed along Route 20 with appropriate signage." One additional egress/ingress point is written as a compromise (not a given, again it clearly states that "none" is the preferred amount of curb cuts onto Route 20) yet the developer is still proposing two. This is also inconsistent with 180-63(F)(1) which states one curb cut may be allowed (emphasis on may) for redevelopment projects. Again, if this policy was rated on a spectrum between what the Village was trying to achieve and what is proposed this seems lacking and that there is room/ it may be required to reduce at least one of these curb cuts (at this point in time we think the private curb cut for a drive-thru is the least desirable of the two proposed especially as 180-63 (E)(5) doesn't allow it and this access is duplicate and unnecessary with the other proposed curb cut). We note that a traffic study was done. We think it is important to point out that these studies are to determine what is safe not necessarily what is desired.

We want to point out the developers reasoning for the curb cut from Route 20 into the parking lot which is to "ensure the safety of patrons, residents, delivery truck drivers... it is necessary to.... reduc[e] the number of vehicular and pedestrian trips that would need to pass the proposed grocery store's loading area" (page 5/6 of their report). Yet the proposed location of the loading area is exactly where most of the pedestrian trips will be coming from which is the southern part of the village (especially once the full connected vision is achieved) - that is from the area of the proposed apartment complex, proposed new single family homes in VES-R, new hotel, and home owners in Village Edge South and along Mill Street area. In fact, a main goal of the interconnectivity of the streets and sidewalks (as stated on Page 10 of the Design Guidelines) is for "optimizing the opportunity for pedestrian activity throughout the zone" yet the loading dock is currently proposed between this southern area and the proposed grocery store. The "face" (or at the very least one of the main faces) of this building within this zone is a loading dock. The developer admits pedestrians walking by this loading zone is dangerous and wants to limit them from doing built this is exactly where pedestrian activity has the most potential for occurring. We will address this more further below.

C. A village character that is a porous, softened urban form. –

We use other sections to describe our concerns with this project's ability to deliver development that fits and extends the village character. The developer does show a walkway trail along Route 20 (and the inclusion of a place for art is a great idea), but there may be an opportunity to design the many passive greenspaces shown into public spaces that still "soften" the urban form but also provide the southeast part of the village with a type of community park or plaza.

D. Protection of natural resources identified in the zone through site performance. –

See our review regarding the Wellhead Protection Overlay Zone below.

E. Conservation of the identified viewshed

The viewshed is visually shown on an aerial map within the Design Guidelines and this project appears to be outside of it. That doesn't mean the viewshed doesn't have to be accounted for by the developer. For instance, Page 22 of the Design Guidelines state that "Generally, buildings located outside of but near this viewshed are encouraged to be taller and taper down as they approach the viewshed .... [t]his will serve to frame the view and enhance it while allowing buildings to use the view to their advantage..." Again, the retail portion of this proposal is only for one story buildings.

F. Walkable and bikeable neighborhoods that are interconnected.

This policy goal is one of the most critical to achieving a village feel yet we would argue is the most misunderstood and one of the most difficult to get right. The importance of walkability and connectivity is stated almost countless times throughout the zoning and Design Guidelines. However, simply providing sidewalks is not enough. In order for those sidewalks to actually serve people and truly achieve walkability it takes more than just building the sidewalk, it takes a critical evaluation of not only where the sidewalk will be placed but critical attention to the details of the surroundings as well. The reality is the vast majority of people will not walk or bike if it is less convenient than driving (nor will they use it for recreation to jog, etc if it is not an attractive, safe place to do so). From the proposed uses themselves to the proposed placement of the buildings as stand alone to the proposed drive-thrus to the large parking areas, this is auto-dependent development. No matter how well intended the display of sidewalks (and bike racks, etc) on the plan, this proposal's first priority is on drivers. Moreover, while connectivity and walkability from and along Route 20 is important, we believe the potential of the walkability and connectivity between this proposed development, Village Street D (now labelled as "internal drive"), and the southern part of the Village is even greater and that there needs to be much more emphasis placed on this if this development is to achieve one of the hardest sought intents of being a walkable development.

Many of the issues seem to surround not treating what is being called the "internal drive" as a Village Street. While the ability to develop an "internal drive" is an option (pg 13 of the Design Guidelines), it also states that the ability to construct this STREET (emphasis added) must be provided for. Ultimately, the purpose and vision of the "internal drive" is for it to one day be a Village Street. Page 12 of the Design Guidelines states that for mixed-use East (3), where this project is located, "buildings should be oriented in such a way to provide a positive image on PRIMARILY the Village streets (C and D)." The orientation and design of these buildings is clearly not doing this along Village Street D (through examples below we demonstrate how this is impacting the ability to provide the pedestrian activity desired). Village Street D is just being labelled as an "internal drive" despite that it was always intended that the street network would be implemented in a piecemeal fashion (page 5 and 13 of the Design Guidelines). Thus, even though this is just a piece, in order for it to function successfully as a Village Street in the future it has to be held to the standard of a village street now. This is important for many reasons. For example, as the Design Guidelines on Page 11 correctly point out, "building facades and the arrangement of buildings to the street or other public spaces contributes to the sense of place."

One of the main goals of interconnectivity as stated on page 10 of the Design Guidelines, is "optimizing the opportunity for pedestrian activity THROUGHOUT the zone." Yet much of the development pattern and design doesn't front or connect where most of the pedestrians will be coming from. In fact there are many undesirable barriers (loading zones, parking areas, drive thrus) between the southern residential and this proposed retail. Moreover, "mixed use is desired in this zone in order to continue a decidedly village-like environment rather than strictly a commercial district devoid of residential uses." This helps demonstrate the importance placed on residential mixing with these commercial uses. (To the extent residential and commercial is as thoroughly mixed as it could be see above in our comments regarding mixed use.) Yet the residential proposed here (and the other residential planned for the future) in this area is currently separated from the retail because the southern sides of the retail is not suited for pedestrian activity.

In terms of Retail 1, the sidewalk and the southern side of Retail 1 are separated by a drive thru and two-car deep parking lot. (Additionally right along the sidewalk in this location is also where the proposed dumpster is planned to go). This is counter to page 13 of the Design Guidelines which state "building entrances should be oriented to pedestrians originating from the street sidewalk." We realize this vision and zoning district will take time to fully be built out, but when there is development (including the hotel and residential on the southwest side), this will not lend itself to encouraging people to walk from this southwest direction. For example, imagine the guests and visitors at the newly built hotel, the distance is close enough and the vision is there, for them to walk to this proposed retail but what will that experience be like and does that experience really encourage them to walk or just get in their car and drive around? These guests and visitors would be walking from the southwest and be along the sidewalk proposed along the "internal drive". To reach Retail 1, as currently proposed, these pedestrians would have to walk by a dumpster, then cross a street (internal drive now), then through a

proposed parking area between the street and building, then through/by a drive-thru. This is not an enjoyable or safe walking experience and will severely deter people from walking. Yes, alternatively, after they go by the dumpster, pedestrians could continue further down the sidewalk past their destination the retail 1 space, then turn left on the proposed internal sidewalk in the parking lot, then walk through that parking lot back towards the retail 1 space but that isn't the reality, people will walk the most direct route and if the plan is to truly be walkable then the most direct route must be pedestrian friendly.

Similarly, residential on the southern end is separated from Retail 2 by a loading dock. 180-63C (7) clearly states that "No loading zones or blank facades may front on a Village street. No building should have more than 15 horizontal feet of wall without a window or door." The internal drive is the start of a Village street. The whole purpose of the VES-MU zone and design guidelines is to ensure this isn't done piecemeal but with a vision. It may be called "an internal drive" on the plan but the vision is to make this function as a Village Street. Therefore, there should be no loading dock here. The loading dock is especially problematic for pedestrians coming from the southeast. Moreover, in a revised version of the site plan a trail to the east side of the "Retail 2/Grocery" development has been shown as added yet looking at the renderings provided in the application, the east side of the building is just one giant wall with little to no welcome let alone entry for a pedestrian into the store. Again, this doesn't create a positive image along Street C as required by page 12 of the Design Guidelines. It is a backside of this building (that has more than 15 horizontal feet of wall without a door or window). But beyond this regulation, it is important to recognize that showing a sidewalk or trail on paper is one thing, but how will it actually be used in reality when it leads to a backside of this building or by/through a loading dock?

We could say Retail 3 and 4 better services pedestrians as those coming from the south direction (although coming from the southeast is a little more challenging) of the village have a direct path (although they have to cross over a drive thru and there is currently a gap in the sidewalk) to the west side of these buildings and that there is nothing (i.e. a parking lot, drive-thru, loading dock) between the sidewalk and the west side of the buildings. However, we have seen no renderings of these buildings which is critical: the sidewalk may lead to the building but again surroundings are important, is it a welcoming entry or is the main entry around on the other side facing the drivers coming in from the parking lot?

The developer states that this residential to the south and its "close proximity" (it would be closer if the development moved up along the spectrum of mixed use as described above) along with the proposed pedestrian amenities that "walkability and biking between uses is highly likely, desirable, and achievable" (page 8) yet they designed the buildings, the entrances, and the layout so that the residential to the south will not find these places pleasant to walk.

When it comes to the proposed apartment complex, walkability would be improved if the parking lots were in the back of buildings and the buildings longer edge fronted the street. This would create more of a positive space between the pedestrian and the buildings, i.e. it is more enjoyable to walk and look at buildings than it is to walk along/by parking lots as currently proposed. As the east side of the apartment complex is the eastern edge of the zone, it has more of a true rear than the development along Route 20 making it easier to put parking in the rear of the buildings (desired by the Design Guidelines). Another concern is with the sidewalk that connects this residential: the apartment complex is on the east side of the street yet between the retail development and the apartment complex there is a large gap in the sidewalk on the east side of the street. This makes it less convenient for people walking to the Retail 3 and 4 buildings as they would have to cross the street twice to get back on the other side where the sidewalk picks up again. We encourage sidewalks on both sides of the street here to make a direct route for pedestrians.

Overall, as currently designed, this is auto-oriented development. The use of drive-thrus significantly detracts from the village feel of this development and it detracts from it being walkable, and drive thrus cater to traffic-generating auto-development. We discuss more on the drive-thrus further below. The intersection of the internal drive and the proposed Village street is not a grid design or at a 90 degree angle (like most streets in the village) this is also catering into the automobile as it allows drivers to make turns faster. The amount of parking also detracts from this being walkable as it creates larger distances between the buildings and in the case of Retail 1 between the sidewalk and building. Again, on-street parking on Village Street C could alleviate the need for some parking. The parking also adds to the impervious surface which is extremely critical in this zone. If there was less parking it could also be substituted for more infill, mixed use development. For example, if retail 3 and 4 were to use onstreet parking (as similar uses in the Village use) or even reduced parking, the impervious surface being used as a parking lot (doesn't add value and/or create a draw) could instead be more opportunity for mixed use space (does add value and/or create draw). There are areas where it is clear the priority isn't on the pedestrian such as the proposed dumpster right along the sidewalk. Ideally all of these items would be changed, but at minimum some of the features should be changed so that on a spectrum of pedestrian friendly to auto-dependent this development leans more towards pedestrian friendly.

We note that Link Trail/ North Country Scenic trail actually winds its way just outside this development. On the site plan it looks like a sidewalk on the east side (across from the apartment complex) will lead onto this but the Village should confirm this as this is a great opportunity to create connectivity. Other places to make neighborhood connections to this trail should be explored as well; for instance on the southeast corner of this development so residents have more opportunities to access this trail system.

The site plan does show a walking trail along Route 20 (desired by the Design Guidelines). One issue with the design of this

walking path is on the eastern end there appears to be little or no buffer between Route 20. This is critical to providing a pedestrian experience that is safe and enjoyable. Moreover, page 7 states that "adequate buffers shall be provided between the sidewalk or pathway and the street." Equally of importance, the site plan shows landscaping and trees only on the south side of the path. Landscaping and trees should be placed along the north side of the path to separate pedestrians from the traffic along Route 20. Page 7 also states "The path itself is meant to be gently meandering in construction with a buffer provided through significant landscaping and contouring to create a sense of place and a PLEASING (emphasis added) recreational type of experience for pedestrians and cyclists." The concept 1 view of Route 20 streetscape (page 8) also shows trees between the pathway and Route 20.

To help put this in perspective, we highly recommend that the Planning Board actually walk out to this site from the Village (and ideally over and through the whole site area too). Our office did this, and the walk along Route 20 to the site is not pleasant. The distance itself isn't insignificant (approximately ¼ mile; doesn't mean people won't walk but means it has to be that much more attractive to do so when the distance is long and it would be easier to just drive), the number of and the speed of the cars (increases from 30 to 55 mph as you walk along this stretch) is not only unpleasant (very loud) but feels unsafe. Overall, there isn't a whole lot to encourage a pedestrian to walk down this stretch (to help create the pull to bring walkers east along Route 20, there might be an opportunity to reconfigure the uses proposed so that the more mixed use spaces are what pedestrians come to first (that is farthest to the west) and the most auto dependent use (grocery) is the furthest to the east, i.e. taper from west to east along Route 20 from more mixed use to more auto dependent uses to encourage more pedestrian activity down Route 20; this is also in line with the "taper" described for the viewshed on page 22). Again, the developers multiple curb cuts along less than a 500 ft stretch of Route 20 won't do anything to make pedestrians feel safer here. While the path is shown on the plan, as mentioned above the landscaping needs to be reconfigured to the north side of the path and there needs to be more of a buffer between the path and Route 20 to increase its chance of being pleasant.

This also furthers our point that the highest potential for making this walkable is in the zone itself through the residents on the southern side of the village (both existing and in the future), the visitors and guests of the hotel, and future employees of business uses in the zone. We aren't saying sidewalks and connectivity along Route 20 isn't important but the sidewalks and connectivity on the southern end is just as important if not more important. Observations by walking down Route 20 for this review make it clear to us that high volumes of pedestrian activity along Route 20 is unlikely but the potential for pedestrian activity from the southern part of the village is high if the design is done correctly. Similarly, another goal of this development is to make it feel like an extension of the village. Connecting the south is critical to making this feel like an extension of the village.

Overall, we cannot state enough that just simply providing pedestrian amenities isn't enough, the surrounding area and what it would be like to actually walk along these paths has to fully weighed from all angles. Walkability depends on it. Finally, the whole development needs to fully reflect that the highest potential for encouraging walking and a village feel is between the southern residential area to this new development (much more so than bringing people east from Route 20) and reflect that in the design so this truly can become a place with pedestrian activity.

Our comments on what needs to be done to increase the pedestrian activity in this zone are not comprehensive but hopefully demonstrate how important this element is (and how easily overlooked it can be). Fully understanding what is proposed – what it will look like, how it will function, and the impact it will have - is crucial, but the large scale of it makes it difficult to fully grasp. Creating walkable places is not easy and requires professional guidance. What looks good on paper doesn't mean anything without critical attention to detail and knowledge on pedestrian movement and walkable design. A traffic study was done by engineers to ensure access and safety for cars. A planner was asked for opinions on how the development is meeting the design guidelines (which we think was a great idea). A land use attorney is used to ensure the process follows the law. Similarly we think that a landscape architect or a planner with this specialty could provide services to ensure the space is truly walkable, a key component of the vision for this area. We recommend that the Village work with the developer to hire a landscape architect with experience and a trained eye to help inform these very important decisions.

Moreover, we encourage the developer and the applicant to explore other configurations for the overall project. There are many different ways this development could be laid out, and we think it is important to see different configurations to provide options to ensure the highest potential for this development is achieved. That cannot be done with a one-and-done site plan. Seeing different options is critical to help inform the potential. Our office will provide several examples (forthcoming) to demonstrate just some of the possibilities. We are happy to elaborate more on these or assist the Village and developer in this realm. This may also be a service the landscape architect could provide in addition to offering guidance on details that are necessary to ensure the development is walkable. As another approach, it is worth mentioning that other communities have opened up projects of this magnitude to design competitions. Regardless of how it is done, we think it is critical to look at different configurations and fully weigh all the options. Of course, one of the main arguments against doing something like this is project delay but fully exploring the potential of this site means a better development not just for the community but a more successful development for the developer as well. After all, if you go about this in the same/typical way it is likely to lead to a typical result.

G. Continuation of the traditional architecture found in the Village.

Architectural renderings were only submitted to our office regarding the proposed grocery use. No renderings were

submitted for any of the other proposed uses.

#### Uses

These parcels are in the VES-MU and Wellhead Protection Overlay Zone. As is common and ultimately the purpose of overlay districts, they are often stricter and supersede underlying zoning. That said, the WPO does state that "any uses permitted in the underlying district shall be permitted in the Wellhead Protection Overlay District except where the overlay district prohibits or imposes greater or additional restrictions and requirements." The WPO district does impose greater requirements in some areas that will have to be addressed within the VES-MU zone.

The uses matter as they affect the ability or at least the ease of accomplishing the policy goals of this development. The proposed uses include a grocery, drive-thru pharmacy, drive-thru bank, and a 4th retail space in addition to four 8-unit apartment buildings. Retail is allowed as a permitted use with an approved site plan and a building permit. "Retail" is defined as, "A commercial use characterized by the sale of goods and services within a building to the ultimate consumer, including but not limited to department, clothing, drug, food, hardware and similar stores and establishments and barber/beauty, dry-cleaning and similar personal service establishments, not including restaurants, taverns or vehicle service facilities or vehicle sales showrooms." This fits the proposed grocery store use. In terms of the Wellhead Protection Overlay District it is stricter on supermarket uses as supermarket is identified as a potential high intensity use and high intensity uses are not allowed in the WPO district (we address this more later). Multi-family dwelling units are also a permitted use with an approved site plan and building permit which fits the proposed apartment complex.

While the Wellhead Protection Zone clearly states that high intensity uses (like drugstores and drive-through banks) are not allowed, the VES-MU zone has recently been changed to make this more lenient. We think it important to note that earlier this year in February 2016 very specific changes were made to the Cazenovia Land Use Law pertaining to the uses permitted by Special Permit in the VES zone. Specifically, the zone change was to allow "pharmacies and banks and bank branch offices with drive-in facilities." At the time our office had no idea what was on the horizon but now it seems the intent is pretty clear. At the time, our office made clear that this didn't seem to support the vision for the village edge. Our GML review stated "In terms of the text amendment to add "pharmacies and banks and bank branch offices with drive-in facilities" as permitted special permit uses in the VES-MU District, we actually think this could go against the intent of the VES-MU zone which is trying to limit curb cuts, promote mixed use, and make "walkable and bikeable neighborhoods that are interconnected". While we recognize this use is presently allowed through a special permit in other zones (B-1 and B-2) we don't think that means the Village automatically has to include it here and believe the Village may want to consider this addition further as it does open up the door to very different site design and configuration that could depart from this zone's intent." Our recommendation was not taken and it was approved to add 180-64 (C)(5) "Pharmacies and banks and bank branch offices with drive-in facilities" under what is allowed by special permit in the VES zone section. However, we stand by the previous judgement that two drive-thru developments are detracting from the proposed development's ability to extend the village character and create pedestrian activity in this area. Moreover, if read literally it isn't clear if pharmacies with drive-thrus would be allowed. The land use law reads as drive-ins going with the bank branch offices (not pharmacies). Another determination that needs to be made is if this is allowed in the Wellhead Protection Overlay (we address this more below). At the very least, the drive-thru bank and drive-thru pharmacy have a higher bar to reach as these are only permitted in VES-MU by a more rigorous special use permit process.

We don't know what the 4th retail space is, it is just identified as retail so it is difficult to know if it requires more than site plan review.

In looking at the proposed uses through the Design Guidelines, page 4 clearly states that "the vision for this area is to continue the Village character while at the same time providing for a TYPE and scale of development that CANNOT be reasonably provided for elsewhere in the Village. We think it is important to point out that a proposed pharmacy and a proposed bank are not a type of development that cannot be reasonably provided for elsewhere in the Village as both of these uses already exist within the Village center. Overall, this isn't bringing something unique to the Village but duplicating or spreading existing uses further out.

#### Wellhead Protection Overlay Zone

Due to its location, this project also falls within the Villages Wellhead Protection Overlay zone, which imposes additional conditions on projects proposed in this overlay zone. First, it is important to note, that at present, not all of the uses have been clearly identified, and as the WPO is very specific as to define uses that aren't allowed. Clarification on use is going to be required before a final decision can be made. Section § 180-92 subpart M very clearly defines high intensity uses (convenience stores, discount stores, discount clubs, lumber/home improvement stores, shopping centers and supermarkets. In addition, some uses such as high-turnover (sit-down) restaurants, drugstores, drive-through banks, ...) with specific focus on those uses that can generate more than 1,000 vehicle trips per day. The applicant has provided information suggesting that none of these uses alone will result in a trip generation of over 1,000 trips per day, but it is clear that these uses together will exceed 1,000 trips per day. The types of businesses proposed for the site are exactly the type of businesses that the WPO was designed to discourage: high intensity retail, shopping centers, supermarkets, drive-through banks and drugstores. The applicant's assertion that because none of these uses individually results in 1,000 trips per day, that therefore this is allowed, takes liberties with what we believe to be the intent of the WPO. If a project like this is allowed to occur in the WPO, then it seems unlikely that any development of the scale fit for the Cazenovia Area would ever

meet the prohibited use criteria as laid out in Section § 180-92 subpart M.

In terms of the traffic study, it appears that the traffic study done only included weekday counts. We think that weekends need to be considered too (less so for a bank use but it could be important for the other retail uses such as the grocery store and pharmacy use). The total of trips estimated on the weekday is 1,407 trips a day (623 from grocery, 414 from pharmacy, 110 from bank, 74 from retail 3 and 4, and 186 from the apartments. In addition, as page 7 of the Traffic Study states, "45% of the NEW trips generated are expected to travel to/from the west on Route 20... 15% is expected to travel to/from the north and east on Fenner Street and 5% is expected to travel to/from the north on Farnham Road. (emphasis on New added)" This shows the degree of new traffic not only in terms of this development but coming through the Village itself. The increase in traffic through the Village needs to be fully weighed and mitigated to the fullest extent possible (by adhering to design principles in place to make it walkable).

One of the most basic human needs is clean drinking water. The Village of Cazenovia has gone to great lengths to protect its water supply by creating a very strict Wellhead Protection Overlay zone that puts in place some of (if not) the strictest development and stormwater controls anywhere in the Village. Chapter 5 of the 2015 NYS Stormwater Design Manual has been dedicated to the development of Green Infrastructure, which is aimed at minimizing site disturbance and preserving pre-development runoff conditions. First steps include minimizing development in sensitive areas and then move toward innovative ways to reduce impervious cover with methods such as: building footprint reduction, parking area reduction, disconnected roof runoff, rain gardens, vegetated parking swales, filter strips, green roofs, porous pavement, stormwater planters and more. The WPO includes such strict guidelines, that a truly innovative site plan and stormwater design approach would be needed to meet the criteria.

The WPO has set a 15% impervious threshold for development projects, with the opportunity to exceed that 15% threshold only if the stormwater controls "result in the site's postdevelopment annual stormwater recharge volume to groundwater approximating the site's predevelopment annual groundwater recharge volume" and a number of other innovative criteria. Our calculations show that approximately 60% of parcel 95.3-2-19 and 35% of parcel 95.3-2-20 are impervious as designed with an overall impervious cover of 47.2% for the entire project. As we understand it, a SWPPP is still being developed, though the provided engineered drawings outline the stormwater measures. At present, this development really appears to be nothing atypical than what is seen for standard retail developments that are common throughout the area. In order to adequately meet the criteria laid out in the WPO for stormwater control, it would seem that a number of innovative approaches would have to be taken to mimic pre-development conditions due to the fact that this development results in significantly more than 15% impervious surface on these parcels.

Even with the most "green" and innovative natural layout of this project, it would seem that the rules of the WPO would make it extremely difficult for engineered stormwater controls to "preserve hydrologic conditions that closely resemble predevelopment conditions" with so much impervious surface proposed. This office can't see how this development, as currently proposed, would be allowed within the strict guidelines of the WPO.

#### Design Guidelines

The second area of our review centers specifically on the Design Guidelines. We have been weaving in the Design Guidelines throughout this review but these are more general comments regarding the Design Guidelines and their use. The developer is correct in saying that the Design Guidelines are not necessarily hard and fast rules but intended to guide development and that there is some leeway for CREATIVE (emphasis added) design solutions. Unfortunately, throughout our review we have demonstrated, despite perhaps the best intentions, this proposal is lacking in many important areas from mixed use to interconnectivity and creating pedestrian activity and is, at best, doing the minimum required in these areas. The Village's own language (180-64) states "All uses in the VES-MU District shall comply, to the MAXIMUM extent practicable, with the VES Design Guidelines" (emphasis added). There are aspects of the project that are well-thought out (such as the street network) but these aren't the developers doing but the vision already established in the Design Guidelines. Overall, there is very little creativity being proposed by the developer. The overall development proposed is quite typical and very similar to development in other communities, most of which don't have design guidelines in place.

The developer also accurately states that not every aspect of the design guidelines was intended to be followed. That is true but the fundamentals of design guidelines must be followed such as the creation of a network of Village streets which development faces onto rather than Route 20 and the creation of positive human scale. The design guidelines only work if the baseline of their purpose is in place. The developer can check off most of the bullet items, but if the basic fundamentals aren't achieved then the project won't be successful. Again, it is wonderful to provide sidewalks, bike paths, and a trail network, but if the development pattern doesn't lend itself or isn't friendly to walk in then people will not walk there no matter what you put there. We cannot say strongly enough that this is auto-dependent development. It will generate increased traffic including through the village as the only realistic way to access these developments is by car. We can tell from the materials submitted that the developer has seriously looked at the Village Design Guidelines, but it is up to the Village to ensure it meets the bar required.

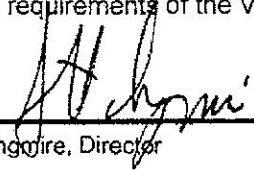
#### Summary

In summary, this proposal is a start. More information is needed and modifications are required before our review can be complete. For instance, information is needed on the 4th retail space as well as renderings for all proposed uses. Other



areas that need further consideration include how to achieve better mixed use. While sidewalks and pathways are shown, attention to detail is lacking as interconnectivity and design is not functional as currently proposed, especially in terms of connecting the southern residential and hotel. An emphasis has to be placed on the connectivity to the south as this is the best opportunity to make this development walkable and achieve the vision "for the site as a continuation of the Village." To achieve the vision, it is also critical that what is being called an "internal drive" be designed as a Village Street so that once development is complete it functions like a Village Street, as intended. Physically walking out to the site from the Village center provides an invaluable perspective on providing positive space and connectivity along Route 20. We also think evaluating different design configurations early on is critical in weighing all the options and the pros and cons of each so that the ultimate build out can achieve its highest potential. We think a professional landscape architect could help show different configurations to show other ways this project can be laid out. We also think a landscape architect could provide the critical eye necessary to ensure that the layout brings about the intended and much desired pedestrian activity. In the end, all of this hinges on if the project can meet the requirements put forward in the Wellhead Protection Overlay zone, yet to be shown. More details on stormwater design and wellhead protection are required including a SWPP and other items identified in 180-95 B as part of this site plan review process. Our office recognizes the complexity of this project and is willing to talk through any aspect of these recommendations as well as provide more resources and guidance if requested. Of course our office will review supplemental materials and the revised site plan if the project progresses.

The opportunity to develop one of the last remaining areas of the Village (and its eastern gateway) has been made intentionally challenging through the development of very prescribed zoning rules and design criteria aimed at trying to replicate what has made the already developed area of the Village so desirable: walkability, charm, mixed use, unique character, etc. As currently proposed, this project has done little to meet the intent and requirements of the VES-MU zone and would require many improvements before it could even be considered approvable.



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Scott Ingofire, Director