



City of Saratoga Springs

PLANNING BOARD

CITY HALL

474 Broadway

Saratoga Springs, New York 12866

Telephone 518-587-3550

Fax 518-580-9480

ROBERT BRISTOL

Chair

NANCY OHLIN

Vice Chair

LEWIS BENTON

ROBERT ISRAEL

WILLIAM MCTYGUE

DANA ROSENSTREICH

LOU SCHNEIDER

RESOLUTION OF SPECIAL USE PERMIT IN THE MATTER OF THE APPLICATION OF

NAME: EXCELSIOR PARK
ADDRESS: 264 Excelsior Avenue
Saratoga Springs, NY 12866

Involving the premises, 264 Excelsior Avenue, in the City of Saratoga Springs being Section 166.00, Block 1, Lots 6, 7, 8.2, 5.12, 5.13, 5.16, 5.11, 5.14, 5.15 and 99 on the assessment map in the said City, outside district.

WHEREAS, the applicant having applied for an amendment to the special use permit granted on October 16, 2002 and amended on October 1, 2003 for a mixed use development project under the Zoning Ordinance of said City as amended, and due public hearing notice having been duly given of a hearing on said application held on the 29 day of September 2004.

WHEREAS, after due consideration, the Board makes the following resolution:

The Planning Board grants an amendment to the permanent Special Use Permit for the Excelsior Park development, a mixed-use project, subject to the following terms and conditions:

1. PERMITTED USES: The following specific uses presented by land use category will be permitted within the project subject to Site Plan review and approval:
 - A. Permitted Uses:
 - (1) Office Uses:
 - a. Business Office
 - b. Professional Office
 - (2) Manufacturing Uses:
 - a. Light Manufacturing
 - b. Research and Development
 - c. Laboratory
 - d. Printing, Publishing or Engraving
 - (3) Institutional Uses
 - a. Educational facilities
 - (4) Service Uses:
 - a. "Business" Hotel, as defined by in the 6th addition of the Trip Generation

publication by the Institute of Transportation Engineers, (including meeting rooms, full service restaurant, news shop, health club) or "All Suites" Hotel, as defined by in the 6th addition of the Trip Generation publication by the Institute of Transportation Engineers, (including meeting rooms for maximum of 50 people, continental breakfast service, news shop, exercise facility)

- b. Health and Beauty Spa
- c. Training and Educational Services
- d. Day Care Facility

(5) Residential Uses:

- a. Multi-Family Residences (Apartments and Condominiums)
- b. Single Family Residences (Attached and Detached)
- c. Two Family Residences (Duplexes)
- d. Artist Studios

Accessory Uses:

(1) General retail uses but only if accessory to a permitted principal use and with no one establishment exceeding 3,000 gross square feet in size:

- a) Café
- b) Bakery
- c) Deli-Sandwich Shop
- d) Barber/Beauty Shop
- e) Neighborhood Convenience Store
- f) Art Gallery
- g) Eating and Drinking Establishment

(2) Facilities for residents and employees:

- a) Residential Recreational Facility
- b) Storage Facilities
- c) Indoor Swimming Pool
- d) Indoor Racquet Courts
- e) Greenhouses (non-commercial)
- f) Family and Group Family Day Care
- g) Solar/Heating/Ventilation Equipment
- h) Antennas and Satellite Dishes
- i) Home Occupation
- j) Temporary Accessory Dwelling

2. SIZE LIMITATIONS: In order to ensure a mix of land uses in the project and diversity and integration of uses in the neighborhood, the following requirements are set forth with regard to the maximum square footage that will be dedicated to the types of nonresidential uses approved for the development:

A. The total amount of square footage of nonresidential land uses in the project shall not exceed 127,000 square feet in the aggregate and of this amount, not more than 75,000 shall be used for non-hotel uses. However, the total number may be increased to 147,000 square feet if, and only if, the additional 20,000 square feet is for any office or manufacturing use.

B. The total square footage of specific permitted land uses in the land use categories identified above shall not exceed the limits in the following table:

Land Use	Maximum Square Footage
Office	100,000 sq. ft.
Manufacturing	100,000 sq. ft.
Institutional	50,000 sq. ft.
Service:	
"Business" Hotel	55,000 sq. ft.
Or "All Suites" Hotel	76,000 sq. ft.
Health and Beauty Spa	20,000 sq. ft.
Accessory Uses:	
Retail	10,000 sq. ft.

The number of single family detached homes shall not exceed three.

The number of rooms in a "Business" hotel shall not exceed 120 room.

The number of rooms in an "All Suites" hotel shall not exceed 103 rooms.

- C. The maximum number of dwelling units in Excelsior Park if no affordable housing component is included will be 200 dwelling units.

If the owner/developer agrees to reserve at least 15% of the dwelling units in Excelsior Park for occupancy at a level affordable to moderate income households utilizing no more than 30% of their income for housing, the maximum number of total units permitted in Excelsior Park shall be 230 dwelling units. The dwelling units reserved for moderate-income households shall be intermingled throughout the development, rather than separated into one or several buildings in the development. The total number of dwelling units that will be constructed in Excelsior Park if the owner/developer exercises this option will be 230 units

The location, type and tenure of the reserved units shall be detailed during the site plan review process. The reserved units will be subject to rent and/or sales price and income restrictions at initial occupancy and at re-rental or resale.

Provision of moderate income housing units in the development may be staged. A minimum of ten (10) units shall be reserved for moderate-income households in the first 100 dwelling units of the project.

Moderate-income households shall be defined as households with an income of less than 80% of the median household income for the Albany/Schenectady/Troy Metropolitan Statistical Area. This provision for moderate-income housing shall be monitored by the City's Office of Community Development.

3. DEVELOPMENT PLAN: The site shall be developed in general conformance with the attached sketch plan (Excelsior Park Sketch Plan). However, buildings "A", "K" and "N" shown on said sketch plan shall be deleted and the residential and non-residential spaces in said buildings shall not be transferred. Buildings "O", "P", "R" and "CR" shall be reconfigured to reduce potential impacts on project site wetlands.
4. DESIGN STANDARDS: The project shall be developed in general conformance with the attached Design Standards for Excelsior Park.
5. PHASING: Development on this site shall be developed in phases. All construction within

each phase, including on and off-site public improvements, will be subject to site plans approval by the Planning Board.

It is anticipated that full buildout of the project will occur within approximately 10 years. The phases of the project will correspond with actual demand.

The project shall be constructed with the following four phases outlined below. Each phase shall require site plan review and approval. Site plan approval of phases 2, 3 and 4 shall, in part, be predicated on a determination by the Planning Board that all traffic and non-traffic mitigation measures described in Section 6 of this resolution have been installed or programmed to the Board's satisfaction. The Planning Board shall also determine that traffic generated by any phase of the project is being adequately absorbed prior to site plan approval of any subsequent project phase. Such determination may, in part, be made after the required follow up traffic analysis detailed in Section 6.

Phase 1

- Residential construction of up to 100 units:
 - Including three single family detached homes at Eureka Avenue
- Non-residential construction of up to 70,000 square feet
- Public street or access improvements:
 - Construction of both access roads from Excelsior Avenue into the development, and the streets forming the "loop" within the development to connect the two access roads;
 - Improvements to the existing portion of Excelsior Avenue, including creation of the boulevard entrance and the proposed sidewalk from Veterans Way and into the project site along the southern access road; and
 - Public streets interior to the project to support the new construction.
- Spring Run Preserve: Phase I site plan review shall include a determination of the methods and devices, which may include a conservation easement, to secure and preserve that portion of the project area referred to as "Spring Run Reserve". The applicant shall work in collaboration with the Planning Board, the City Council, the Open Space Project and the Urban Heritage Area Program to ensure the most appropriate development of the "Ten Springs Wood" corridor and the Spring Run Trail.
- Site plan approval for Phase 1 shall be obtained prior to December 31, 2003 or this special use permit shall expire.

Phase 2

- Residential construction of up to 60 units and any units not constructed in Phase 1.
- Non-residential construction of up to 45,000 square feet plus the balance of authorized non-residential construction not built in Phase 1.
- Public street or access improvements.
 - The Spring Run Preserve trail connection and required improvements; and.
 - Public streets interior to the project to support the new construction.
- Site plan approval for Phase 2 shall be obtained prior to December 31, 2005 or this special use permit shall expire.

Phase 3

- Residential construction of up to 50 units and any units not constructed in

Phases 1 or 2.

- The balance of authorized non-residential construction not built in Phases 1 or 2.
- Public street improvements:
 - Public streets interior to the project to support the new construction.
- Site plan approval for Phase 3 shall be obtained prior to December 31, 2008 or this special use permit shall expire.

Phase 4

- Residential construction of up to 30 units and any units not constructed in Phases 1, 2, or 3.
- Public street improvements:
 - Public streets interior to the project to support the new construction
- Site plan approval for Phase 4 shall be obtained prior to December 31, 2011 or this special use permit shall expire.

6. TRAFFIC AND OTHER MITIGATION IMPROVEMENTS: Traffic improvements will be required based on vehicle trips generated by land uses in the project. Each improvement will be implemented based on the generation of a specific number of vehicle trips associated with the development of the proposed project. It should be noted that the number of trips generated for each constructed land use shall be based on the latest trip generation rates provided by the Institute of Transportation Engineers (ITE).

To track the vehicle trips associated with each development stage, a "trip generation" account will be established. The beginning balance in the trip account will be equal to the total trip generation value associated with the approved development alternative. Trips will be removed (withdrawn) from the trip account at values representative to each development stage. As each stage is built, the cumulative trips generated by the development will be measured against the total account balance. The Planning Board may require the applicant to undertake electronic counts to verify the validity of the ITE generation rates.

Required mitigation measures include:

- Installation of a traffic signal system at the Excelsior Avenue/East Avenue intersection after generation of 100 vehicle trips from the project site during either the AM or PM peak hours.
- Installation of a traffic signal system at the Excelsior Avenue/Marion Avenue intersection after generation of 250 vehicle trips from the project site during either the AM or PM peak hours.
- Traffic calming measures shall be installed on Excelsior Springs Avenue after generation of 200 vehicle trips from the project site during either the AM or PM peak hours, to include the following:
 - Narrow the travel lanes at the Excelsior Springs Avenue/Victoria Lane/Audrey Lane intersection with curbing,
 - Install stop signs on the Excelsior Springs Avenue intersection approaches,
 - Paint crosswalks across Excelsior Springs Avenue,
 - Install a concrete pad in one of the intersection quadrants for use by children as a bus stop.

- If the currently proposed NYSDOT improvements at the Route 50/Veterans Way/Gick Road intersection are not constructed, a northbound right-turn lane on Veterans Way will be required after generation of 150 vehicle trips from the project site during either the AM or PM peak hours.
- The Planning Board shall require the applicant to conduct follow up traffic analyses after project generation of 250 total vehicle trips or at two year intervals from the special use permit approval date, whichever ever comes first. Such analyses may be required prior to any subsequent project phase site plan approval and may result, in the Planning Board's discretion, in modification of traffic mitigation measures referenced above. If at any time it is determined that there is a need for additional site access, the Planning Board reserves the right to require the applicant to investigate and/or construct, at the applicant's expense, a vehicle access point to NYS Route 50 if permitted at the time by the Saratoga Springs Comprehensive Plan, the Zoning Ordinance and the New York State Department of Transportation. Such access may also require appropriate environmental analysis pursuant to the New York State Environmental Quality Review Act.

Future potential access to NYS Route 50 shall be indicated on the Phase 1 site plan and shall be secured by appropriate legal instrument.

- The project sponsor shall not preclude the possibility of providing access from the proposed Excelsior Park development to the proposed multi-use trail along Route 50 as part of the proposed project.
- Monitor the Veterans Way/Excelsior Avenue intersection to determine if all-way stop control becomes warranted. In the interim, it is recommended that Veterans Way be widened to provide an exclusive southbound right-turn lane after generation of 300 vehicle trips from the project site during either the AM or PM peak hours.
- If the currently proposed NYSDOT improvements for Route 50 at its intersection with Gick Road and Veterans Way are not constructed, the westbound left-turn lane on Route 50 at this intersection will be extended by 100-feet to provide a total of 200-feet of storage. This improvement is warranted after generation of 100 vehicle trips from the project site during either the AM or PM peak hours.
- If any of the above traffic improvements are required by the City to be made by any other development project in the vicinity of this site prior to the requirement being made by the owner/developer of this project, those improvements will not have to be made by the owner/developer of this project. In addition, if any other development in this area is required to make such improvements at or about the same time, the City may assign a fair share cost to each development for such improvements.

Additionally, pedestrian, bicycle, and transit connections will be developed in logical increments throughout development of the project to connect the site to downtown, the neighborhood to south, the proposed NYSDOT improvements to NY Route 50, and onsite. In Phase II of the project a paved pedestrian/bicycle path shall be made from the main street of the project to the Spring Run Trail, including an appropriated crossing over the Spring Run Brook.

Construction of an access road from Eureka Avenue or any other neighboring streets in the "Woods" neighborhood to the project site is prohibited.

The various steps of construction will be the same for each phase and will consist of the following:

- Clearing
- Installation of erosion control measures
- Grubbing
- Rough grading, including stormwater basins
- Building, road, and parking construction
- Installation of utility infrastructure
- Finish grading
- Landscaping and installation of lights and signage

A construction impact mitigation plan, including but not limited to noise, lights, dust, construction traffic routes, and permitted hours and days of construction, will be developed prior to Phase I site plan approval.

As a noise and aesthetic mitigation measure, there shall be a 200-foot special setback requirement between any building on this site and any portion of the travel lane on I-87 (Northway). Parallel to the Northway there shall be a 100-foot vegetative buffer provided on the project site.

Attachment: DEVELOPMENT PLAN EXCELSIOR PARK

Attachment: DESIGN STANDARDS EXCELSIOR PARK

Neighborhood Context

Excelsior Park has been conceived as a new urban neighborhood with an integration and balance of uses and features that, historically, shape daily lives in positive ways and create a vibrant and interesting environment for people.

Because Saratoga Springs has such a distinctive and defining architectural style, the project's intent shall be to borrow and update existing elements, proportions and configurations from downtown on Broadway to create a neighborhood at the north entrance to the city that sets the appropriate tone and reinforces the community identity.

Design Principals

Overall, Excelsior Park's design shall be governed by new urban and sustainable development guidelines that incorporate the following:

1. Closely-spaced, multi-story buildings facing tree-lined streets and sidewalks.
2. Relatively high density to minimize land consumption yet create a critical mass of uses and activities.
3. Pedestrian oriented architecture and walkways.
4. Well-designed buildings that reflect the regional climate and that will last and be flexible.
5. Well-screened and basement parking areas.
6. Preservation of natural features.
7. Durable building materials.

8. Convenience-style retail services within walking distance.
9. A variety of residential types.
10. Attractive, safe public spaces.

The above noted elements are intended to create a neighborhood and a sense of place.

Design Guidelines

The architectural vision for Excelsior Park is compatible with the **Saratoga Springs Downtown Historic District Design Guidelines** prepared for the Design Review Commission in 1997.

Some of the guidelines that are particularly relevant are as follows:

1. Lines of sight down any given street having important visual elements to catch the viewer's eye.
2. Corner buildings "wrapping: the corners with continue selected façade elements such as cornices or horizontal accent bands on all street elevations.
3. Main entrances facing the street and easily identifiable.
4. In larger structures, the overall mass composed of smaller, human-scaled components.
5. Parking located in back or in a central courtyard out of sight from the street. (Excelsior Park will have on-street parking, basement level parking in well-screened lots behind the buildings.)
6. Service alleys incorporated into the street grid.
7. Pedestrian paths to encourage and enable public to circulate through site.
8. Façade composition made of well-defined base, middle and top levels.
9. Rooflines of longer buildings broken up to attract attention to key focal points such as entrances.
10. Size and scale of materials to complement size and scale of buildings.
11. No large areas of blank walls included in pedestrian areas.
12. Facades of adjacent buildings having compatible rhythms governed by clear and simple patterns.
13. Window (fenestration) logically arranged to provide maximum façade opening at street to be pedestrian friendly, with decreasing percentage of façade opening as the eye moves up the building to reinforce the base, middle and top façade levels.
14. Multi-story structures with emphasis on vertical elements.

The intent shall be to create buildings that reflect and are inspired by, but do not replicate, existing historic structures in the downtown area.

Roof Line

Although the downtown guidelines encourage flat roofs with well-defined cornices and parapets, Excelsior Park may use a gabled roof with suitable precautions against sliding snow and rainwater.

Building Materials

Many of the buildings within the project shall be brick on all sides with a split stone base, and stone sills, lintels and decorative details.

Site Development Standards

The project shall be developed in general conformance with the design standards and construction specifications found in the City's Subdivision Regulations, Standard Construction Details, Site Plan Design & Construction Standards."

Originally adopted: October 16, 2002

Amended: October 1, 2003

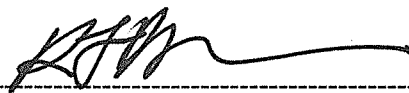
Amended: September 29, 2004

Dated: September 29, 2004

ADOPTED by the following vote:

AYES: NAYS:

Date: October 1, 2004



Chair, Saratoga Springs Planning Board

Attachment

cc: Mike Biffer, Building Inspector

Project: 0101
Date: 1/1/82
CAP: 7
CAP: 11

Excelsior Park
Draft Environmental Impact Statement
Sketch Plan

Prepared by:
Designed: J.P.F.
Drawn: J.H.G.
Checked: J.H.G.

Approved by:
Date: 11/1/81



The L.A. Group
Landscape Architecture
and Engineering, P.A.
10000 Wilshire Blvd.
Suite 200
Beverly Hills, CA 90210
Tel: 310-277-8100
Fax: 310-277-8101

