



**City of Saratoga Springs
Unified Development Ordinance (UDO)
Technical Review Advisory Committee (TRAC)**

**Meeting Minutes
Tuesday June 13, 2017
3:00 p.m.
Music Hall**

PRESENT:

Susan Barden, Senior Planner; Brad Birge, Admin of Planning & Economic Development (3:30 pm); Tina Carton, Parks, Open Space, Historic Preservation /Sustainability; Vince DeLeonardis, City Attorney (3:30 pm); Mark Torpey, Planning Board; Tamie Ehinger, Design Review Commission; Meg Kelly, Deputy Mayor (3:56 pm); and Susan Steer, Zoning Board of Appeals.

CONSULTANTS: John Behan and Michael Allen, Behan Planning and Design.

ABSENT: Kate Maynard, Principal Planner

CITY OFFICIALS: Tim Wales, City Engineer

RECORDING OF PROCEEDING

The minutes are not a verbatim record of the proceedings; the minutes are not a word-for-word transcript.

Approval of 5/30/17 TRAC Meeting Minutes

Approval of meeting minutes was postponed until next TRAC meeting.

Discussion on UDO Draft Schematic Materials

Tina Carton opened the discussion and stated that the committee would focus on the areas in Article 4 and 9 that had not been discussed during the 5/30/17 TRAC meeting. To assist with the review of Section 4.7 Stormwater Management, Tina Carton, the TRAC liaison, invited Tim Wales, the City Engineer, to review the section and provide feedback.

Tim Wales asked Behan Planning and Design (Behan) the intent of the multi-site stormwater management and how the City would implement such a program. John Behan answered that this section was crafted utilizing their background with the municipal stormwater management facility in Pittsford, N.Y. John Behan stated that he was responding to feedback collected in the diagnostic phase of the UDO which indicated that a comprehensive solution to stormwater management was needed. He stated that the multi-site approach could be a collaboration of developers and did not

necessarily have to be city-wide. This effort could be broad. Multi-site stormwater management could have the City as lead agent similar to how the City's storm water program operates or could consider funding alternatives to generate revenue to manage.

Tim Wales then discussed the City limitations undertaking such a large scale program and the City's obligations to adhere to the Department of Environmental Conservation (DEC) regulations. He would like the committee to understand the responsibility and cost that the City may assume if this was implemented such as increases in staffing for operation and maintenance as well as costs related to new and/or improved infrastructure. He was comfortable with shared private agreements but cautioned that the DPW would not oversee such a proposal with the City's current budget and staffing. Michael Allen then stated that Behan would modify the language flagging this for discussion purposes only.

The committee also questioned the use of *raison d'être* in the first paragraph and recommended its removal.

Tim Wales reiterated his earlier comments that the UDO needs to strengthen and clarify the designated engineer review process. Brad Birge cautioned that he would like the consultant to leave flexibility in process language included in the UDO. He reminded the committee that all modifications of the UDO will require City Council approval.

Tim Wales also mentioned his concerns with site plan and subdivisions standards and would like the UDO to consolidate guidance on both letters of credit and financial performance guarantees. Brad Birge asked the consultant if it would be best if process language was added as an appendix or as a companion document since it then could be easily updated. Tim Wales stated that the City has an outdated guidance document for applicants and looks forward to updates to the language being part of the UDO drafting process.

The committee discussed Section 4.1 Complete Streets. Tim Wales cautioned the consultant not to include any new requirements for Complete Streets improvements and/or maintenance that would fall under the responsibility of public works. The committee then discussed in length the document's proposed street types with associate street widths. They asked if these sections conflict with existing DOT street designations and standards. Tina Carton asked how the consultant incorporated the March 2016 Complete Streets Advisory Board's recommendations. She also referenced the June 5th submitted comments from the Public Safety Department Traffic Maintenance Division.

Mark Torpey then provided the committee examples of Complete Street implementation issues with specific projects that have come before the Planning Board. One of his main concerns was timing of improvements with the construction schedule. He discussed the feasible to construct bike lane stripping in front of one project when the rest of the street was not stripped. He asked the consultant the best method to have applicants include the accommodations for future Complete Streets elements. Could it be through the use of a mitigation fund? The committee discussed utilizing a mitigation fund to address situations where projects have proposed Complete Street elements that cannot be implemented at the time of construction. Could the City establish a Complete Streets fund similar to the recreation fee fund? Then money could be utilized for Complete Street projects where the City has prioritized them and the street is ready to accommodate them.

The committee was concerned with the proposed 4.1.1 Complete Streets Designation section. The main concern was how this section would be navigated and implemented by applicants. They

questioned how the proposed section and guidance may conflict with the adopted Complete Streets Plan. They also questioned how an applicant would understand if their project needed to follow the gold, silver, and bronze recommendation for bike or pedestrian accommodations. The Complete Streets Plan lists streets where a mix of level of service is recommended. The accompanying map on page 4-6 only includes transit recommendations. John Behan expressed concern that the creation of mitigation and impact funds are outside the scope of this project. Mark Torpey reiterated the need for the UDO to give clear guidance on thresholds for making public space and complete street improvements. The draft is not clear on what is required by an applicant.

The committee then discussed 4.5 Architectural Design. Brad Birge questioned the correlation and possible duplication of guidance in Sections 4.1, 4.2, 4.3, and 4.4 and 4.5 Architectural Design. He asked the consultant to explain their rationale for Section 4.5 Architectural Design and how this section would be interpreted and/or utilized by the DRC. He proposed if better guidance on façade, building, and street types is necessary that it may be best to include this in 4.1, 4.2, 4.3, and 4.4.

The committee discussed the unique qualities of special development areas. The committee questioned if the guidelines for these areas should apply to the entire district and the necessity for keeping them distinct.

For 4.5.1 Urban Form and Site Design, Vince DeLeonardis questioned the language in 4.5.1.i. The committee discussed the use of “encourage, shall, and should” throughout the document. It was agreed to remove encourage in the UDO. Vince DeLeonardis questioned the proposal for parking lots and service areas to include a wall or a fence and if it would always be appropriate. The committee also discussed the need for better graphics for civic spaces and pedestrian amenities in this section to better assist applicants understand what the City is requesting in the built environment.

Vince DeLeonardis asked Michael Allen where the change from “should” to “shall” in Section 4.5.9 Parking Structures originated. He also noted that the paragraph in 4.5.9.A did not point to the correct Article referenced. Michael Allen stated that he would find the reference in the Diagnostic Report.

Susan Barden would like the consultant to consider allowing the Planning Board to have the ability to waive any parking requirement not just number of parking spaces in commercial districts. At this time, setbacks to parking spaces require variances and applicants have to go through zoning board. She asked if there could be a method for a formalized waiver.

The committee again brought to the consultant’s attention the terminology of architectural design versus architectural review. The similarities of these terms can be confusing to applicants. The committee recommended the use of urban design instead of architectural design.

The committee then discussed Gateway districts and their relevancy. Michael Allen commented that the graphics for this district are difficult to recreate from the original graphics.

The committee discussed Section 4.8 Landscaping. The committee was unsure of the intent of this section and if the intent was to regulate private property or only the ROW. The committee agreed that the current language did not clearly state which districts the standards applied to. Michael Allen stated that the intent was to provide guidance and standards in the ROW. Brad Birge then recommended incorporating these standards into the frontage, site plan review, and/or parking sections. Mark Torpey described his experience as Chair of the Planning Board enforcing

preservation of mature trees and retaining tree buffers. He stated that once permits are granted applicants often cut trees designated to be preserved down. He would like enforceable language in the UDO that protects mature trees and tree buffers.

The committee stated that the guidance within 4.9 Pedestrian Amenities was too generalized and not specific. From the Planning Board's perspective, the Comprehensive Plan is an aspirational document and the Land Use Boards need language in the UDO codifying the tenets set forth in the plan.

After completing the review of Pedestrian Amenities, 4.10 Signs were discussed in length. The committee requested more information from the consultant on 4.10.1.C and their intent with pre-existing non-conforming signs. Tamie Ehinger brought forth the idea that the City could create a registry of historic and signature signs in order to grandfather and protect these signs in the future. The registry would allow for future removal of the signs if the owner choose, but create a path for retention of historic and signature pre-existing non-conforming signs.

The committee questioned the addition of 4.10.2.E and Michael Allen then stated that it was based on case law. Brad Birge noted that blade signs are not included in the current draft and there is a wish to introduce this signage type into the City in a reasonable manner. He also re-introduced a previous idea brought forth by Behan Planning for the UDO to create a table/menu of signs for projects to choose from.

Brad Birge then noted that many of the signage types do not include the NCU district and questioned if this was intentional or an oversight. NCU districts do have commercial uses and there should be allowed to install signs. The committee also questioned if wall lettering should have larger allowable lettering then a wall sign. Brad Birge also noted that there is no mention of T-4 districts in freestanding signs. The committee questioned if these signs should be 8 feet high and not the 12 feet as proposed in the draft.

For Yard signs, the committee asked if a wall sign would be more appropriate than yard signs. Would it be more appropriate for yard signs to be part of the menu option where applicants could select the appropriate type?

The last section discussed during the meeting was 4.10.6 Exempt Signs. The committee noted that this was a new section and was not marked in green text. The committee discussed the addition of language providing for temporary banners and the possibility of a banner being installed at DRC application submission or sign permit application submission, whichever comes first.

The committee ended the discussion with an overview of next steps. They asked Michael Allen if Behan would be providing text from the missing sections prior to the 75% draft. The chair, Brad Birge, reiterated the need for these sections to be reviewed before the release of the 75% since it was not fully a 50% reviewed draft when there still were sections that the committee has not read and commented on. Michael Allen stated that Behan does not plan on submitting interim drafts before the release of the 75% draft.

PUBLIC COMMENT:

Bradley Birge opened the second public comment period at 5:55 p.m.

Matt Jones, Saratoga Springs, asked for more information on the next steps releasing the new zoning map. He asked if the TRAC committee planned on discussing zoning map changes and

district updates at the next meeting and if any analysis would be provided prior to the meeting. He also asked if the intent was for the zoning map to be updated to conform to the Comprehensive Plan and what role the committee would play in reviewing and making recommendations.

FUTURE MEETING

The TRAC committee will be holding two meetings in June – June 13th and June 27th at 3 p.m. Committee meetings are posted to the UDO website and the City of Saratoga Springs website.

ADJOURNMENT:

The next TRAC meeting will be held on June 13th at 3 p.m. Tina Carton will be securing the venue and will post to the City website.