

Village of Lansing
Planning Board Meeting

December 28, 1999

The meeting of the Village of Lansing Planning Board was called to order at 7:05 p.m. by

Chairman Hickey. Present at the meeting were Planning Board Members Brown, Halevy, Klepack, Village Attorney Marcus, Code Enforcement Officer Curtis, Village Engineer Cross and Trustee Liaison Leopold.

Pyramid Mall Expansion

Hickey said that the Planning Board was meeting at the request of Pyramid Mall because they have leasing decisions that need to be resolved by the first of the year. The traffic consultant, Sear Brown, submitted a report dated 12/23/99 that supports a determination that an expansion of 150,000 s.f. would not result in a significant adverse environmental impact provided the improvements Tops agreed to do have in fact been completed. The Planning Board's SEQRA review, based on this conclusion, would result in a declaration of no significant adverse environmental impact, but the 239-m report from the County, which found that there could be significant adverse impacts, remained unchanged. Hickey said that therefore in order for the Planning Board to go on and grant the special permit, in reliance on the Sear Brown recommendation of 150,000 s.f. they must have 4 votes out of 5, and there is one member absent at the meeting. The consensus of the Planning Board members present was supportive of the Sear Brown recommendation. Brown said that she agrees that Pyramid Mall needs to expand in order to remain viable, but was concerned about the potential increase in traffic on N. Triphammer Road. She was supportive of the recommendation that the mall expand by 150,000 s.f. but was doubtful that future expansion beyond 150,000 s.f. would be acceptable unless strong and effective measures were undertaken by Pyramid Mall to mitigate traffic. There are several models and strategies that are being adopted in other communities. Board members emphasized that approval of what Pyramid is now referring to as Phase I for expansion of 150,000 s.f. in no way implied that any Phase II would be approved at any time in the future.

Marcus added that it will be necessary to amend the SEQRA analysis to reflect the new proposal.

Hickey asked to Board to consider what would happen if the traffic does become gridlocked even though this is not predicted. He suggested that after the mall expands by 150,000 s.f. there ought to be more traffic studies done to determine if there is an excessive amount of traffic being generated by Pyramid Mall. If the traffic exceeds what is anticipated, the Board needs to be able to require additional mitigation at that time. Marcus said that the Board would need a specific, quantifiable trigger. Cross suggested that the measure could be the number of additional trip generations anticipated as a result of the 150,000 s.f. expansion.

Marcus said that the Board would need a specific remedial measure that could be taken at that point. Hickey noted that several different types of remedial measures were suggested in the Sear Brown letter. One of the remedial measures is to build another right turn lane next to Tops out of Pyramid Drive to go onto the south ramp so there would be more stacking room and two through lanes. Another measure would be to put signs up to give greater identification of the most appropriate entrance for cars to use for their particular destination within the mall. Currently, a large percentage of traffic enters on Pyramid Drive no matter where they want to go in the mall, so traffic might be shifted away from Pyramid Drive to other driveways. This issue will need to be examined further.

Eric Goetzmann of the Pyramid Company of Ithaca, reviewed his letter of 12/28/99 to Chairman Hickey requesting an amendment to its expansion application. "This amendment requests that the Planning Board consider and approve a Phase I of the Project limited to 150,000 s.f. gross leasable area (gla) retail space, resulting in an expanded shopping center of 750,000 s.f. gla. This amendment results from the Sear Brown Group report conclusion, based in part on the underlying Napoleon traffic studies, that an additional 150,000 s.f. gla retail space can be added to the Pyramid Mall 'without requiring major highway improvements' and that 'reasonable traffic operations can be maintained' on Triphammer Road and other affected intersections with this expansion. In addition, Pyramid requests that the Planning

Board defer consideration of Phase II of the Project, which would bring the total retail space in the shopping center to 1,042,000 s.f. gl. The recommendation of the Sear Brown Group is that additional information and analysis will be needed to determine the impact of that Phase II of the expansion. Since Phase I of the Project can be constructed and operated independently, it is our intention to go forward with Phase I pending the Planning Board's further consideration of Phase II."

He added that the original proposal has not been changed, it has simply been divided into two phases. The culvert which was to be installed as part of the original plan is no longer being installed and the retail space will be on one level instead of two in anticipation of adding a second level during Phase II. 90,000s.f. of the expansion will be the retail space at the Montgomery Ward end of the mall, and the other 60,000 will be retail attached to the J.C. Penny building. The size of the parking lot on the north end toward the YMCA has been reduced.

Cross asked if they were proposing to re-engineer the drainage study or go ahead in Phase I and build the drainage as if they were building the whole original proposal.

Goetzmann said that they won't be filling in the ditch on the north side, but they will engineer the drainage as if it were the full build. Essentially they want to keep the parking field and the base footprint and layout intact and the big change is taking off the second story so the drainage is the same as what they originally proposed. They want to complete all the drainage work in Phase I, except for the culvert which will not be covered at this point.

The one floor of retail space that will be constructed on the Montgomery Ward end will be taken down below level in anticipation of adding a second floor in the future.

Marcus emphasized that they have no guarantee of getting approval for Phase II of the proposal, and the extra money that will be required to prepare for Phase II does not constitute a vested interest. At Marcus' request, Goetzmann affirmatively acknowledged that Pyramid understood this limitation on the Board's consideration of Pyramid's revised proposal.

The parking is being reduced by 200 cars on the north side and the existing road will stay where it is. They originally proposed increasing the total number of parking spaces to 3,700 and are now requesting 3,500.

The design and planning phase will take place in January and ultimately they would expect to complete the whole Phase I in 11 months.

The Planning Board reviewed and modified the SEQRA:

(Page 6): Impact on Land : Currently indicated on the SEQRA is a potentially large impact in column 2 which can be mitigated by a reduction in the parking by 20% which will be put in a land bank. That will be deleted. Currently there are 2,717 parking spaces and they will be adding 800 to make a total of 3,500 spaces. The Zoning Law allows up to 20% greater than the minimum and they're not asking for that. They are asking for 10% more than what is required for the 150,000 s.f. The criteria for Large Impact from additional paved parking area is for 1,000 or more vehicles and they're only putting in an additional 800 parking places, so the Impact on Land can be changed to a small to moderate impact rather than a large impact.

Curtis noted that under the original discussion a note was made that Pyramid is to enhance and encourage mass transit. Jim Tull has submitted a specific proposal to the County, and that letter can be attached to the SEQRA.

(Page 7): Impact on Surface Water: The increase in impervious surface material will be mitigated by the requirement that the Engineer approve the drainage plan.

(Page 9): Impact on Aesthetic Resources: The removal of the screening at the south end of the mall impacts the residential side of Route 13 and that will be mitigated by a landscaping plan to restore that screening and berming. The berm will be moved back and the height will be kept the same or increased, and shrubbery will be planted on top of the berm. Approval of a landscaping plan will be a condition of approval.

(Page 10): Impact on Transportation: Change to a no impact based upon the Sear Brown report of 12/23/99 that states "we believe that expansion of the mall by 150,000 s.f. will not create gridlock on Triphammer Road and reasonable traffic operations can be maintained." The size of the project will be reduced to 150,000 s.f.

Transportation, Other Impacts: Regarding access, small to moderate impact; on page 10, #14, add statement that Pyramid submitted that no new access points are going to be required.

(Page 19): Is there likely to be public controversy?: No. Hickey said that the public commentary received was not relevant because there were a lot of comments during the public hearing but most were about keeping Wal-Mart out and about traffic (that would have been generated by the original proposal, and the impact on traffic has been reduced.

Klepack moved to approve the SEQRA determination that the Pyramid Mall Expansion as amended to reduce it to 150,000 s.f. of additional gross leasable area would have no significant adverse impact on the environment. Halevy seconded Klepack's original motion. All in favor.

Klepack moved to approve a friendly amendment that the motion include those statements that the Planning Board made (above) during the discussion of the SEQRA review. Halevy seconded. All in favor.

A Village of Lansing Planning Board Lead Agency SEQRA Resolution and Findings dated December 28, 1999, was signed by Edward J. Hickey:

WHEREAS, Pyramid Company of Ithaca (the "Applicant") submitted an application for a special permit to the Village of Lansing Planning Board (the "Planning Board") together with a Long Environmental Assessment Form, an Environmental Assessment Report, and environmental reports addressing storm water management, drainage, water and sewer and transportation (collectively, the "Application"), to permit construction and operation of a +/- 442,000 s.f. retail expansion, with ancillary improvements all shown on the plans (the "Project") and

WHEREAS, the Applicant has amended the Application by reducing the project to only include +/- 150,000 s.f. of additional gross leasable floor area ("gla"), resulting in a total of +/- 750,000 s.f. gla shopping center; and

WHEREAS, the Applicant has further proposed that the Planning Board consider approval of the reduced gla Application at this time, and defer consideration of any additional expansion of the Mall;

NOW, THEREFORE, based on all prior proceedings, and the entire record before it, the Planning Board hereby determines that:

1. The Planning Board declares itself to be the Lead Agency pursuant to the Environmental Conservation Law, Article 8 and 6 NYCRR Part 617 ("SEQRA").
2. The Application constitutes a Type I action under the provisions of SEQRA and the requirements of SEQRA have been met.
3. The SEQRA Findings previously adopted are incorporated into this resolution by reference.
4. Based on the attached SEQRA Findings, and the entire report, there will be no significant adverse environmental impact as a result of the Application. "

The Board reviewed the General Conditions Required for all Special Permits. Under "f" Cross noted that it was determined that with some modification of the existing fixtures their projected usage would be less than their previous maximum usage.

It was noted that the current plan does not include Pyramid Mall using Village property at the end of Pyramid Drive.

Halevy moved to find that the conditions of Section 304.05 of the Zoning Law, General Conditions Required for all Special Permits, have been met by the applicant. Seconded by Klepack. All in favor.

Summary of Conditions of Approval:

1. Total parking not to exceed 3,500 spaces.
2. Approval by the Village Engineer of the final drainage plan.
3. Landscaping plan must be reviewed by the Green Space Advisory Committee and approved by the Planning Board. The landscaping design for the site including parking areas will be incorporated with the project and the developer will maintain the level of visual buffers from nearby properties in keeping with the requirements of the Zoning Law.
4. Approval of a lighting plan by the Planning Board after review and recommendation by the Lighting Commission.
5. No Certificate of Occupancy will be granted until all the N. Triphammer traffic light improvements are implemented and operational.
6. Completion of sidewalk on the south side of Graham Road west prior to Certificate of Occupancy, design to be reviewed with the Superintendent of Public Works and approved by the Planning Board.
7. Sign package recommended or approved by the Planning Board including replacement of existing pylon sign at Graham Road.

Klepack moved to approve the Special Permit as amended by the 7 conditions above. Seconded by Halevy. All in favor

Adjourn

Brown moved to adjourn the meeting at 9:15PM. Seconded by Halevy. All in favor.