

Village of Lansing  
Planning Board Meeting  
Monday, July 13, 2015

The meeting of the Village of Lansing Planning Board was called to order at 7:03PM by Chairman Mario Tomei.

Present at the meeting were Planning Board Members: Deborah Dawson, John Gillott, Lisa Schleelein, and Maria Stycos; Alternate Member, Mike Baker; Code Enforcement Officer, Marty Moseley; Village Trustee Liaison, Ronny Hardaway; Village Attorney, David Dubow; Village Engineer, Brent Cross; Karl Schuler from Taylor Builds; Joe Jacobs from Passero Associates; and Manley Thaler from C.U. Suites LLC.

Absent: None

**Public Comment Period**

Tomei opened the public comment period. With no one wishing to speak, Dawson moved to close the public comment period. Seconded by Gillott; Ayes by Tomei, Dawson, Gillott, Schleelein, and Stycos.

**Public Hearing to Consider Special Permit**

Tomei indicated that this project will also proceed to the Board of Zoning Appeals for their consideration of the overall height of the building since it does exceed the Village's maximum height requirements for this zoning district.

Tomei opened the public hearing to consider:

*Special Permit #2689, to construct a multi-story, approximately 87,515 square feet, Mixed Use building, on the West Side of Cinema Drive in between Homewood Suites LLC and CFCU Community Credit Union, in the Commercial High Traffic District, Tax Parcel No. 46.1-6-4.2. Because the proposed construction is located in the Commercial High Traffic District, special permit approval is required pursuant to Section 145-43D(2)[c] of the Village of Lansing Code and is a requested and proposed amendment to a previously granted special permit that was granted prior to hereto*

Jacobs noted that the building has not changed from the last time they were in front of the Planning Board, which was on December 8, 2014. Jacobs noted that they are now proposing to have the open stormwater management drainage filtration system, which provides for more green space but does reduce some of the parking for the site. Jacobs indicated that they have provided for 18 additional shared parking spaces on the CFCU Bank parcel, located at 15 Sheraton Drive. Jacobs indicated that the total parking for the site including the shared parking spaces on Triphammer Marketplace (14), the CFCU parcel (18), and the on-site parking spaces for the proposed project would be 100 parking spaces. Jacobs noted that they would be requesting a reduction in parking spaces from what the Village Code requires, as provided in the Village Code. Jacobs indicated that they would not be seeking the rear yard parking setback variance because the stormwater facility has now replaced the rear yard parking area.

Schuler presented a different and alternate proposal, which did not include the elevator/stairwell rooftop shaft. Schuler indicated that they could build the project without the roof top gardens, but they would prefer to have the roof top gardens as an amenity for the residents.

52 Tomei confirmed that the height of the building facade would be approximately 43 feet and the rear of the  
53 building face would be approximately 55 feet. Schleelein confirmed that the only part of the height to  
54 exceed 55 feet is the elevator shaft.

55  
56 Schuler agreed and noted that they could still have roof access for maintenance if the elevator shaft was  
57 not approved by the Board of Zoning Appeals.

58  
59 Thaler liked the idea of a roof top garden because of an apartment complex in Florida he was familiar  
60 with.

61  
62 Schleelein asked about individuals' safety while using the roof top gardens.

63  
64 Schuler noted that they would be installing a railing system that is setback from the edge approximately  
65 20 feet.

66 Tomei indicated that the Village has received the required review of the proposal from the Tompkins  
67 County Planning Department, as required by General Municipal Law 239 -l, -m, and -nn. Although in  
68 April the Department recommended certain changes that could require a majority plus one for special  
69 permit approval by the Planning Board, the previous recommendation has now been satisfied on July 20,  
70 2015 and the Department has determined that the project as submitted and will not have any negative  
71 inter-community or county-wide impacts.

72 Cross indicated that the applicant would need to communicate to both the Village of Lansing and Village  
73 of Cayuga Heights to work through the sewer permit application process.

74 Moseley noted that there have been complications with acquiring natural gas for other projects and  
75 suggested that the applicant verify that they can achieve this utility connection.

76 Dawson asked how the applicant was defining and implementing senior housing for this proposed project.

77  
78 Schuler noted that the seniors may be 55 years of age and older, but they have not given much more  
79 thought to the situation. The senior housing projects that they have built previously have been fully  
80 occupied by seniors. Schuler added that this is not a federally funded project and therefore would not  
81 require any federal requirements.

82  
83 Thaler was hopeful to interact with local ageing agencies and have them refer individuals to the C.U.  
84 Suite development. This is an ideal location because of the amenities. Thaler added that they would be  
85 targeting 55 and older because usually they typically do not have any children and would utilize the  
86 shopping in the immediate area. Thaler noted that this would not be affordable housing but would be less  
87 than what Kendall senior housing would cost.

88  
89 Schuler indicated that they had a market analysis of the area and it indicates that there is a need for senior  
90 housing.

91  
92 Dawson requested that a portion of the housing be affordable housing. The lower level apartments would  
93 be an ideal area for affordable housing because they would be less desirable. Dawson added that there is a  
94 need for more affordable housing in the area.

95  
96 Schleelein asked about laundry for the apartments.

97  
98 Schuler indicated that each apartment would have its own washer and dryer, but there would also be a  
99 laundry area for larger items within the project.  
100  
101 Moseley asked if the applicant would be willing to place a deed restriction for senior housing only for a  
102 specific period of time.  
103  
104 There was further discussion on deed restrictions for the project but no official resolution. It would also  
105 be an option to have a contractual agreement, not specifically a deed restriction, with respect to senior  
106 housing being required for a designated number of years.  
107  
108 Tomei asked about the parking area for the housing units and noted that the commercial units would also  
109 dictate how much parking would be required based on use.  
110  
111 Thaler indicated that they would like to attract amenities for the residents and would complement the  
112 project.  
113  
114 Jacobs indicated that the commercial parking may be less if the residents of the project utilized the  
115 commercial components.  
116  
117 Cross requested clarification if a reduced number of parking spaces have been requested.  
118  
119 Jacobs confirmed that they are officially requesting a reduced number of parking spaces.  
120  
121 Tomei asked where parking could be expanded if necessary.  
122  
123 Thaler indicated that the residents may utilize TCAT and Gadabout.  
124  
125 Jacobs indicated that they may be able to provide more parking if necessary, but that could create an issue  
126 with traffic patterns.  
127  
128 Cross indicated that the additional parking equates to more impervious area, and by having more  
129 impervious area the stormwater facilities would need to be increased to allow more stormwater runoff.  
130  
131 Dubow noted that if there is the possibility of not enough parking areas, set-aside parking areas can be  
132 identified and set aside. Dubow added that this parcel also serves as an overflow for the Vineyard Church  
133 as part of their special permit approval.  
134  
135 Schuler indicated that they could provide parking with shared agreements. Tomei noted that the parking  
136 needs to stay with the project.  
137  
138 It was acknowledged that a SEQR review and resolution for Special Permit #2689 was previously  
139 approved in 2012. Based upon the new project description, the Board determined that further review was  
140 not required and Dawson moved to reaffirm the SEQR Resolution of 9/20/2012 as previously approved  
141 because circumstances have not changed. Seconded by Stycos. Ayes by Tomei, Dawson, Gillott,  
142 Schleelein, and Stycos. Nays: None.  
143

144 Moseley indicated that he had previously met with Jacobs to request updated drawings for the site  
145 development. Jacobs will provide these updated drawings at the next meeting.

146  
147 The public hearing was not closed and will be continued at the July 28, 2015 Planning Board meeting.

148  
149 Moseley indicated that he has received proof of mailings from the applicant as required by the Village  
150 Code.

151  
152 Tomei read through a current list of possible conditions for potential approval of the special permit.  
153 Revisions and additions may be forthcoming at one or more future meetings.

154  
155 Current conditions for C.U Suite LLC proposed project:

156  
157 A. *Approvals for the height of the structure, buffering of the project to adjacent residential district,*  
158 *and parking for the project are subject to the Village of Lansing Board of Zoning Appeals granting the*  
159 *required area variances as applied for by the applicant.*

160  
161 B. *There shall be no type of drive-thru or similar amenity allowed as part of any mixed*  
162 *use/commercial components of the project.*

163  
164 C. *Prior to a building permit being issued, a final lighting plan shall be submitted to and approved*  
165 *by Village of Lansing Lighting Commission prior to installation.*

166  
167 D. *Landscaping plan shall be submitted to and approved by the Planning Board prior to installation.*

168  
169 E. *Prior to a building permit being issued, approval by the Village of Lansing Engineer and Village*  
170 *of Lansing Storm Water Officer of, but not limited to, site work, storm water management and*  
171 *infrastructure plans, and implementation thereof. Drainage easements for potential impact from the*  
172 *stormwater management facilities on neighboring parcels shall be obtained, provided to the Village for*  
173 *approval by the Village Engineer, Stormwater Officer and Attorney, and thereafter recorded at the*  
174 *Tompkins County Clerk's Office.*

175  
176 F. *Prior to a building permit being issued, approval by the Superintendent of Public Works for the*  
177 *proposed curb-cut and sidewalk connections on Cinema Drive.*

178  
179 G. *Required permits, approvals, consents and other authorizations from all applicable Federal,*  
180 *State, County and local governmental and regulatory agencies shall be obtained, maintained and*  
181 *complied with for all permitted improvements, operations and activities as authorized by this special*  
182 *permit approval, and such improvements, operations and activities shall at all times comply with all*  
183 *applicable Federal, State, County and local laws, codes, rules and regulations.*

184  
185 H. *Soil and Erosion control measures shall be implemented and coordinated as required, and*  
186 *approved by either the Village of Lansing Stormwater management Officer and/or the Village of Lansing*  
187 *Engineer.*

188  
189 I. *Prior to a building permit being issued, a maintenance agreement shall be submitted to and*  
190 *approved by the Village Attorney, Village Engineer, and Village Stormwater Management Officer*  
191 *pertaining to the stormwater facilities*

192  
193 *J. Prior to a building permit being issued, water consumption proposed for the occupancy of the*  
194 *new building shall be provided to the Village of Cayuga Heights and the Village of Lansing for the*  
195 *issuance of the required sewer permits prior to the issuance of the building permit.*  
196

197 *K. Based documentation provided for proposed parking needs anticipated in conjunction with the*  
198 *new building, the applicant shall provide a minimum of 100 parking spaces for the new building site, with*  
199 *the appropriate set aside parking area for possible spaces on adjoining lots, all in accordance with*  
200 *section 145-55 of the Village of Lansing Code.*  
201

202 *L. Prior to a building permit being issued, a joint use agreement shall be provided to and approved*  
203 *by the Village Attorney and Code Enforcement Officer, prior to a building permit being issued, for all*  
204 *adjoining properties that shall serve as shared parking. These shared parking spaces shall be required to*  
205 *be maintained and utilized by the C.U. Suites LLC project in so long as the proposed project is utilized as*  
206 *a mixed use type development in accordance with the approved 59 units of senior housing and two*  
207 *commercial components totaling no more than 2,680 square feet.*  
208

209 *M. Prior to a building permit being issued, an agreement that is acceptable to the Planning Board*  
210 *shall be placed on the property for the next 10 of years and recorded with the Tompkins County Clerk*  
211 *indicating that this project shall only be utilized for senior housing, with the exception of mixed*  
212 *commercial use totaling no more than 2,680 square feet. Such agreement shall indicate that the minimum*  
213 *age of 55 years old is required in order to occupy the residential portion of the project.*  
214

215 *N. A Clean set of revised plans shall be submitted to an approved by the Planning Board.*  
216

217 *O. Prior to a building permit being issued for the use of the commercial components, a parking plan*  
218 *and commercial use shall be approved by the planning board, unless the applicant can provide proof that*  
219 *adequate parking is provided for the project and is approved by the Planning Board.*  
220

221 Thaler indicated they he did not believe a deed restriction would be required for the purpose of  
222 establishing a set number of years for which only senior housing will be permitted. Further discussion  
223 indicated that contractual and other possible arrangements might be established.  
224

225 Dawson again requested that the applicant consider incorporating some type of affordable housing into  
226 the project, as it is needed in Tompkins County. Dawson added that the housing could be more affordable  
227 than market rate housing. Dawson noted that housing affordability does typically correlate to fewer  
228 vehicles.  
229

230 **General Condition's 145-59E**

231 The General Conditions and other procedural matters will be reviewed once the public hearing is  
232 completed, which presumably will be the Board meeting on July 28<sup>th</sup> at 7:00 PM.  
233

234 **Approval of Minutes:**

235 None  
236

237 **Trustee Report:**

238 Dawson reported on the Trustee meeting of June 15, 2015. For a complete report of the meeting please  
239 see the Trustee minutes.

240

241 **Other Business**

242 Dawson noted that they are extremely close to a draft Comprehensive Plan and it will be sent out to all  
243 Board members for review and comment. Tomei noted that a joint meeting will be scheduled for August  
244 10<sup>th</sup> to discuss the draft Comprehensive Plan.

245

246 Tomei emphasized that the sunshine laws also govern emails, and if there are 3 or more board members  
247 engaged in conversation via email, or any other communication associated with Village business, it is  
248 required to be an open meeting.

249

250 **Adjournment**

251 Schleelein moved to adjourn at 9:23 PM. Seconded by Gillott; Ayes by Tomei, Dawson, Gillott,  
252 Schleelein, and Stycos. Nays: None.

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254