



Department of Planning, Housing, & Community Development

Mayor, Richard C. David

Acting Director, Jennifer Taylor

TO: City Council Members
FROM: PHCD Staff
DATE: May 5, 2014
RE: Comprehensive Plan and Main & Court Corridor Plan – Public comments received 04/18/14 through 05/02/14

Comment 1: Received on 4/30/14 via email from Steven Bard (sbard@binghamton.edu)

One comment kicking around has to do with transportation and traffic flow. Not sure how things will work at the meetings and not sure about my suggestion as it's not all worked out in any detail.... Ideas sort of come up on reading and reflecting on the document.

But here goes.....

Traffic calming structures in various streets to slow down drivers making better for bikers. North street for one street. example: small structures in the center of large intersections. I have seen these when I visit Portland OR.

Cul de sac streets to make some residential streets more comfortable. Have these been considered and rejected?

Consider having in the action plans some "experimental" structures created using "temporary" barricades. We could place these at the ends of streets to create cul de sac, or in other areas to "reclaim" some black top and to see the effect of traffic calming. Citizens could be asked to comment on how they like the changes in the traffic.

Consider having in the action plans some "experimental" bike ways using some less than permanent paint to indicate bike routes.

Comment 2: Received on 05/01/14 via forwarded email from Councilman Mihalko (mihalko2council@gmail.com)

Dear City Council:

My name is Brian Kradjian and I am a local businessman who is greatly invested in this city and community. It is fair to say by "invested" I mean time, energy, emotion, and economically. I have experience in real estate development and healthcare laundry sectors. I have spent the last 20+ years renovating older building, demolishing obsolete buildings, and developing new buildings and projects.

I participated in a few of the Blueprint Binghamton sessions.

I have reviewed the section of the newly proposed Master Plan specifically the Form Based Code for the Main & Court St. Corridor.

The premise of a Master Plan suggests certain needs which I don't necessarily or completely agree with. The market dictates demand, is dynamic in nature, and always changing. Master plans tend to be fixed and static. Such plans can easily become misaligned with changing demands of the market. This, in my opinion and experience, is the risk in adopting such plans.

It seems that one of the main premises of the proposed Form Based Code is to create a walkable community. This seems to suggest that in its present state Main St. is not walkable which I think is quite untrue. (The report notes that there are several pedestrians and cyclists observed). In fact, due to slow moving traffic, abundance of traffic lights and good sidewalks, Main St. is presently quite walkable in its existing state. Compare this to the Vestal Parkway, Upper Front St., Wegmans / Oakdale Mall Area and one can easily observe non-walkable areas. However, this is not to say it can not be improved upon. The question is how to do this and balance the markets needs while maintaining a sense of community and aesthetic appeal. Parking lots located in the front of buildings could be improved upon by painting in crosswalks, yield-to-pedestrian and stop signs like you see in Town Square Mall as opposed to banishing them. Parking is the lifeblood of a commercial development.

Furthermore, there are only three vacant lots on Main St. in Binghamton. 220 Main St. (next to Autozone), the former McMahon Site, & 10 Main St. (corner of Main & Front). It seems like overkill to come up with such criteria for barely a handful of sites. Of course, in the future there could always be some infill redevelopment where a building is demolished and the site redeveloped.

Although I think there are some good intentions of the Form Based Code in relation to the Main St. corridor, there are also many aspects which could have adverse impact on future development.

I view the following items as positive steps:

1. Transition Zone along Main & Front St. to alleviate parking requirements for development in order to allow existing buildings to get reused. Moreover, this should be applied anywhere there is a need.
2. Adding Green Space along Main St.:

Proposed Planting Area:

This is a good idea if the trees do not block visibility of building but enhances its aesthetic appeal. However, if this is to be done in its present form by the Urban Shade Tree Commission then it should be reworked to make it a more transparent process with communication between the Commission and Developers early on in the planning phases. Such requests by the Commission should be reasonable and in proportionate to the project size and or what the project can bare. You can't ask a to make a Landlord incur \$5,000 of green space on a \$50,000 renovation. Whereas you probably could absorb a \$5,000 on a \$500,000 project or \$10,000+ on a \$1,000,000 project and so on. Furthermore, existing buildings and parking lots should not have to incur changes just for merely renting out there vacant space that they pay taxes on.

3. Bike Lanes:

This is a good idea if there is truly room for them. NYSDOT uses 42' width for safety on a two

way street. I think motorists need a margin of error. I do not think there is enough room in actuality versus on what is engineered on paper. A good example is the traffic circle on Court St. It looked good on paper but can be difficult navigating in actuality.

4. Existing Development:

This needs to be clarified. It appears as if existing buildings shall not fall under this code. Will a change of use to an entire building or portion of one be considered an "existing development" or a "new project?" The Planning Board under the previous Administration considered changes to existing structures as a "new project." If one were to merely rent out a vacant storefront, office or renovate it, it required Site Plan Approval which took 90+ days. This was never required prior to the previous Administration & was never the case in the City's history. This led to a lot of frustration from new business owners and developers in what amounted what was often perceived as a non-business friendly environment. (This 90 day Site Plan Review should be waived for compliance uses on existing properties. This alone could expediate the review process and backlog. Half the property owners don't follow the rules and for those of us who do costs us time and money.)

If Form Based Code is applied de facto by way of an existing development being classified as a new development than this will present big problem for existing property owners and would be very unfair.

5. Building Height:

Limits seem fine as presented but there should be no minimum requirements for how many stories a developer or Landlord wants to build. In other words, if the deal with the Tenant calls for one story a developer should not have to make it two stories to satisfy the code.

I view the following items as negative steps which will result in future adverse effects:

1. The idea to create more housing on Main St.

We have a shrinking to neutral population at best not a growing one. We also are in the midst of a housing bubble in terms of apartments and student housing. While it is true there is growth at BU over the next 5 years, not all of the projects will necessarily make it. Having personal experience living on Main St. for several years, it is not the most desirable place to live. There is excessive street noise, lighting, carbon monoxide, litter, etc. which detract from the experience. Although there is a good array of services along Main St., affordability is the main factor for one choosing to reside there. New construction there will neither be affordable to existing Main St. residents nor can a developer get enough rent to justify the expense of new construction.

Main St. is largely a commercial corridor with traffic counts up to 19,000 cars per day in some spots. It is difficult enough to maintain existing businesses there let alone attract new ones. If you add new residential development it may be at the cost of future commercial development in terms of setting up for potential conflicts. (short of mixed us with residential overhead which you identify). No one is ever going to build a new house on Main St. So when someone wants to open a drug store, fast food, car wash, retail, or other the very nature of a commercial development (traffic, ingress, egress, noise, light emission, hours of operation, etc.) will often be in conflict with the residential occupants along Main St. It is difficult enough for both

planning and developers to mitigate these factors for the adjacent residential neighborhoods behind Main St.. From a City planning perspective, do you work with what you have and improve upon it (commercial uses) or do you try and prop up a small segment of it (housing) at the expense of the businesses? Adding housing on Main St. will create more planning board challenges & conflicts for future commercial development on Main Street. Furthermore, if you are considering adding Section 8 or DSS housing on Main St. that does not help a majority of the existing property owners who pay taxes and businesses that need customers with discretionary income to spend.

Why not focus on redeveloping the blighted housing in the first ward and west side where the less desirable rental homes will probably be impacted by downtown's new residential developments? (By the way I think student growth downtown has be great for Binghamton.)

2. Building Placement
3. Build-to-Zone
4. Parking Location:
5. Transparency:
6. Blank Wall Area:

Item's 2-6 above will result in adverse impact on new development. The majority of Main St. lots are narrow and shallow. To do what they are proposing would shrink the building to where it may not be economically feasible for the project or require more land acquisition when developing thus making it less feasible. Furthermore, transparency requirements and Blank Wall Area requirements should not be applicable to all districts and should be less for commercial and light industrial uses / districts.

7. Bulk Plane: Again there is not enough space on most Main St. lots to achieve this.

8. Transition Buffer:

This is certainly a good idea when abutting adjacent R-1, R-2, & R-3 areas but a wall in conjunction with plantings seems like overkill. I would think one or the other would be sufficient.

9. Awning minimum height of 10' :

This should be relative to the height of the glass it is over. Conversely, the height should not be less then 8' to prevent liabilities.

10. Awning Signs:

No signage on awning faces. This is would hurt retail and services. Visibility is important for any business owner.

11. No illumination of awnings:

Again, how will a business awning sign during the evening hours be visible? What is wrong with light fixtures illuminating an awning? I think internally lighted vinyl awnings should not be allowed since they look cheap and plastic-like but Sunbrella Cloth is rich and warm in

appearance.

12. Pole Signs: Should be allowed. "Visibility"

13. Primary Building Materials:

The proposed ones are too narrow in scope and limiting. Materials such as architectural metal panels, exterior laminates, concrete block / split faced block, cement board (hardy plank), trex slats, green plant / shrub based walls and a variety of high tech materials are emerging in our nation's cities and should be allowed here for a rich architectural diversity.

14. Required Vehicle Loading:

This is not realistic, especially for existing buildings which should be exempt from this.

15. Planting Buffer / Island / Median:

I'm not sure if this exceeds present state codes in terms of water capture. Also, planting density of 1 per 20 sq.ft. is too severe. It would be fair to say every 5 linear feet but sq.ft. really increases density, planting costs, and maintenance costs. The maintenance costs of green space is often overlooked by the city and property owners.

16. Charette Report:

I think it is unfortunate that Charettes were created on sites which were not in need as opposed to ones that were: Masonic Temple, McMahon Site, Main & Front St. intersections, etc. Instead, several of them on Main St. identified existing buildings and businesses.

17. Proposed Form Based Code along Main St. / Beethoven St. / Mendelsshon St., Laurel Ave., & Haendel St.:

This block should all be zoned commercial and in the same district given its present Occupants a majority which are commercial and or non-owner occupied.

Overall, I am somewhat disappointed in aspects of this report. From Based Code amounts to spot or area rezoning which can directly create a financial hardship on the property owners & slow new development. Commercial rents for retail in the City have gone down over the last 20 years with the exception of student housing. Some of the proposed requirements under Form Based Code will result in increased construction costs which coupled with stagnant rents will further erode developers and landlords profit margins. As a community we must consider the viability of what the planning would like to see as opposed to where the market is at any given time and be flexible so the City can flourish. This can be done with regards to aesthetics, green space, pedestrians, cyclists, and economics.

I appreciate you taking the time and consideration in weighing my feedback when factoring it in to your decision making process.

Respectfully,

Brian Kradjian

