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Sustainable Saratoga
PO Box 454
Saratoga Springs, NY 12866
info@sustainablesaratoga.org
www.sustainablesaratoga.org

August 8, 2018

Mayor Meg Kelly
Commissioner of Finance, Michele Madigan
Commissioner of Accounts, John Franck
Commissioner of Public Safety, Peter Martin
Commissioner of Public Works, Skip Scirocco
City Hall
474 Broadway
Saratoga Springs, New York 12866

Dear Mayor and Commissioners,

RE: POSSIBLE ZONING AMENDMENTS RELATING TO DOWNTOWN BUILDING HEIGHTS

On January 30, 2018 Sustainable Saratoga co-sponsored a community forum entitled "[A Closer Look at Building Heights: Retaining Saratoga Springs' Character & Charm.](#)" It was well attended. The presentation, panel discussion and audience comments were educational and constructive.

We have long championed the sustainable smart growth "City in the Country" theme for our community's land use policies. That policy calls for new development and redevelopment to be focused in the core area of the city, to protect the Greenbelt surrounding the core from sprawling development. Our continuing concern is that development in the core area must be done in a manner that respects Saratoga Springs' character and charm.

It was apparent from the forum discussion that there are many factors (building design, purpose, landscaping, sidewalk width, etc.) which help create an enjoyable and successful downtown environment. The forum focused on just one of the key elements – that of building height. From the discussion, it became evident that it might be worth exploring the possibility of making some adjustments to the City's zoning regulations as they pertain to allowable building heights.

We have compiled the attached list of concepts for possible zoning amendments that might implement some of the ideas presented or alluded to during the forum. The amendments focus on design elements and they have no impact on current allowable densities. We think that some of these ideas should be carefully considered as the City refines its zoning ordinance.



Our organization does not endorse these concepts for zoning amendments. We merely think they might have merit for review and possible further refinement. There are significant sustainability and “quality of life” benefits that come from focusing denser growth (and possibly allowing taller buildings in certain situations) in the City’s core, but we understand that there are a number of tradeoffs that need to be carefully weighed. If the City decides to pursue any of these ideas, I am sure that Sustainable Saratoga and others in the community would be willing to assist with that effort.

Sincerely,

A handwritten signature in black ink that reads "Art Holmberg". The signature is written in a cursive, flowing style.

Art Holmberg
Chair of Sustainable Saratoga

Attachment

cc: Forum Panelist Participants:

Matt Veitch
Sonny Bonacio
Matt Hurff
Doug Kerr
Kate Maynard



CONCEPTS FOR POSSIBLE ZONING AMENDMENTS RELATING TO DOWNTOWN BUILDING HEIGHTS

Developed by Sustainable Saratoga (August 2018)

The following is a framework of some concepts for possible zoning amendments that might do a little bit more to improve the downtown character and charm. If there is some consensus that some of these ideas might be useful, more details on each of these proposals could be developed and refined for possible adoption by the Saratoga Springs' City Council.

1. AS A BASELINE, MAINTAIN THE CURRENT MAXIMUM HEIGHTS FOR BUILDINGS:

The maximum height of 70 feet in the T-6 and 50 feet in the T-5 should be maintained, but there will be numerous conditions when these maximum heights can be exceeded or partially limited.

2. ON NARROWER STREETS REQUIRE UPPER STORY SETBACKS FOR STREET FAÇADES: (The following is a simplification of a recommendation in the City's 2006 study)

In order to create a more comfortable pedestrian street level experience, require a new maximum street façade height for all portions of the building that is within 12 feet of the public right of way edge:

Transect – 6 District:

WIDTH OF PUBLIC ROW:	MAX HEIGHT OF STREET FAÇADE:
50 ft or less	50 ft (4 stories)
60 ft or less	60 ft (5 stories)
120 ft or less	70 ft (6 stories)

Each floor above the street façade wall maximum height must be set back at least 10 feet from the street wall of the floor below. This would create a classical “wedding cake” appearance.

If room allows, the square footage lost by the required setbacks under the 70 foot height limit can be added to one additional story above the 70 feet height limit to a new maximum height of 82 feet.

Transect – 5 Districts:

WIDTH OF PUBLIC ROW:	MAX HEIGHT OF STREET FAÇADE:
50 ft or less	40 ft (3 stories)
60 ft or less	50 ft (4 stories)
120 ft or less	50 ft (4 stories)

Each floor above the street façade wall maximum height must be set back at least 10 feet from the street wall of the floor below. This would create a classical “wedding cake” appearance.

If room allows, the square footage lost by the required setbacks under the 50 foot height limit can be added to one additional story above the 50 feet height limit to a new maximum height of 62 feet.

Most new buildings in the downtown area have a first floor height of about 16 feet and 10-12 feet for each of the upper stories.



Implications:

In the downtown area the following streets have ROW segments that are 50 foot or less: Caroline, Church (between Broadway and Woodlawn), Circular (between Broadway and Hamilton), East Beekman, Henry Street, Maple Ave, Pavilion Place, Phila, Putnam, Walton (between Broadway and Woodlawn), Washington (between Broadway and Railroad Place), and York.

In the downtown area the following streets have ROW segments that are 60 feet or less but more than 50 feet: Church (west of Woodlawn), Clinton, Congress, Federal, Franklin, Hamilton, Huestic, Lake (between Broadway and Maple), Railroad Place, Rock, Spring, Van Dam, Walton (west of Woodlawn), Washington (west of Railroad Place) and Woodlawn.

In the downtown area the following streets have ROW segments greater than 60 feet: Broadway, Circular (east of Broadway), Division and Lake (east of Maple).

3. ALLOW INCREASED BUILDING HEIGHT AT STREET INTERSECTIONS: (The following is a simplification of a recommendation in the City's 2006 study)

On corner lots (at the intersection of two public streets – not alleys) and for a distance of 50 feet from the corner in either direction, the height of the street façade shall be allowed to be 12 feet (or one story) higher than that permitted in #2 above. The maximum height of a street façade on the wider of the two sides of the corner shall be the base line for the extended height.

4. RAISE THE MINIMUM HEIGHT OF NEW INFILL BUILDINGS:

In order to encourage more density and create a more pleasing street wall, raise the minimum height requirement for all new buildings in the T-6 District from 2 stories to 3 stories. The minimum height requirement for all new buildings in the T-5 District could remain at 2 stories.

5. REQUIRE BUILDING FAÇADE HEIGHT SETBACKS ON BOUNDARIES OF ADJACENT RESIDENTIAL DISTRICTS:

Use the proposal described in Article 4.6.2 of the 75% draft of the Unified Development Ordinance.

The proposal calls for a 50 foot use restriction and landscape buffer between residential districts and mixed-use districts (T-5 and T-6 in the downtown area). The building façade of the mixed use district can initially be no higher than the maximum height allowed in the adjacent residential district. The height of the new building in the mixed use district is allowed to extend upwards within a 45 degree (1:1 slope) away from the residential district.

6. REQUIRE BUILDING FAÇADE HEIGHT SETBACK ON PROPERTIES ADJACENT TO HISTORIC BUILDINGS:

The façade of new buildings or new stories on existing buildings on properties immediately adjacent to “contributing structures” listed on the National Register shall be allowed to go 10 feet higher than the top of the adjacent historic building, but then the façade must be set back 10 feet before it rises again.



If room allows, the square footage lost by the required setbacks can be added to one additional story above the 70 feet height limit in the T-6 zone (to a new maximum height of 82 feet) and 50 feet in the T-5 zone (to a new maximum height of 62 feet).

The intent of this amendment would be to give some “breathing room” immediately around the most important historic structures.

Implications:

In the downtown area the National Register of Historic Places includes all of Broadway, portions of Church, Lake, Caroline, Phila, Washington, Spring, Henry and Clinton. However, not every building within the Historic District is listed as “contributing buildings” – just those that are so designated are generally over 50 years old and have some historic/architectural character.

7. ELIMINATE “MASS AND SCALE” REVIEW AND APPROVAL BY THE DESIGN REVIEW COMMISSION (DRC) AND PLANNING BOARD (PB):

In the historic and architectural districts within the T-6 and T-5 zoning districts, take away the “mass and scale” review and approval part of “preliminary approval (Article 7.4.14 –D3 and Article 7.5.9 –D-3) by the DRC. In the site plan review ordinance, eliminate the “size” (in Article 7.2.4 -1) review and approval by the PB.

In the current ordinance, the DRC and the PB are permitted to adjust the height of new infill buildings if the allowable or proposed height is “not compatible” with the surrounding buildings or historic structures. However, the ordinance provides no guidance as how the boards should determine “compatibility”.

With the other proposed ordinance amendments relating to height, the scale, size and massing of building in the downtown area should be an “entitled” right. In the past, the development community has claimed that the land use board occasionally arbitrarily infringe on this allowable building envelope.

8. REQUIRE VARIANCES IN CORNICE/ROOFTOP DESIGN: (The following is a slight variation of a recommendation in the City’s 2006 study)

The definition of building height should be amended to provide clarification that would permit elements of the building that are not related to “occupiable” spaces in the structure to exceed the height limitation for up to 15% provided the area exceeding the height limitation does not exceed 20% of the frontage of the building façade.

The definition should also be amended to allow cornices to exceed the allowable building height by 5%.

The top of the cornice of a new building must be at least 5 feet higher than the lowest cornice on an adjacent building

The current definition of building height is as follows:

BUILDING HEIGHT: The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat



and mansard roofs and to the average height between eaves and ridge for gable, hip and gambrel roofs. Height limitations shall not apply to architectural features not used for human occupancy or mechanical equipment. Such features shall not exceed 25% in aggregate coverage of the roof area.

9. REQUIRE INDENTATION IN STREET FAÇADE: (The following is a variation of a recommendation in the City's 2006 study)

For all buildings street facades wider than 100 feet, require that at least 25% of the street façade of a building is recessed at least 5 feet from the principal plane of the building.

