



# VILLAGE OF BALDWINSVILLE

## Codes Enforcement Office



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## ARTICLE XX

### VILLAGE SQUARE OVERLAY DISTRICT

[Added 4-1-2010 by L.L. No. 1-2010]

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#### § 345-65. Purpose and intent.

The regulations set forth in this article establish a specialized district for the area of the Village located between Oswego Street and Lock Street and between East Genesee Street and the Seneca River.

- A. The primary intent of this district is to foster a vibrant, pedestrian-oriented environment. The physical form of the district is important to maintain and enhance the historic mixed-use character of the downtown core and address the river frontage as illustrated in the June 2006 Village of Baldwinsville Central Business District Strategic Development Plan.
- B. Infill development that is compatible with the above-mentioned character is encouraged, thus providing residents with a range of housing options and commercial opportunities, together with ease of walking, to enable a more efficient use of services and resources, creating a convenient, enjoyable place to live.

#### § 345-66. Boundaries and effect.

- A. The Zoning Map of the Village of Baldwinsville is hereby amended as set forth on the map entitled "Map of the Village Square Overlay District," dated March 4, 2010, on file with the Village Clerk.
- B. The Village Square Overlay is described as follows: Starting at a point where the northern projection of the eastern boundary of Tax Map parcel 009-.01-16 intersects the center line of East Genesee Street; thence easterly along the center line of East Genesee Street to a point where the center line of East Genesee Street is intersected by the center line of Lock Street; thence south and then southeasterly along the center line of Lock Street to a point where the center line of Lock Street is intersected by the northeasterly projection of the southeasterly boundary of Tax Map parcel 009-.01-23; thence southwesterly then southeasterly then southwesterly then northwesterly along the boundary of Tax Map parcel 009-.01-23 to a point where the boundary of Tax Map parcel 009-.01-23 meets the easterly boundary of Tax Map parcel 009-.01-22; thence southerly along the east boundary of Tax Map parcel 009-.01-22 to the north shore line of the Seneca River; thence meandering westerly along the north shoreline of the Seneca River to a point in the easterly right-of-way of Oswego Street; thence northerly along the east right-of-way line of Oswego Street to the southwest corner of the Tax Map parcel 009-.01-05; thence easterly along the south boundary of Tax Map parcel to the southeast corner of Tax Map parcel 009-.01-05; thence northerly then southwesterly, then northerly then easterly then northerly then easterly along the west boundary of Tax Map parcel 009-.01-04; to the southwest corner of Tax Map parcel 009-.01-16 thence north along the west boundary and the projection of the west boundary of Tax Map parcel 009-.01-16 to a point on the center line of East Genesee Street being the point of the beginning.
- C. In the Village Square Overlay District, there is to be laid out in concept only and not as an amendment of the Official Map of the Village of Baldwinsville an extension of Denio Street (hereafter to be called proposed new street) running in a generally east/west direction through the district. The location and layout of the proposed street is illustrative in nature and subject to change and refinement through the site plan review and subdivision process, based on actual field condition.

- D. Unless specifically superseded by the provisions and restrictions contained in this article, all the provisions and restrictions otherwise set forth in the zoning rules and regulations of the Village of Baldwinsville as they relate to the properties within the overlay district shall be unaffected by this article. In particular, the specifications of land uses permitted in the underlying Business B-2 District shall be unaffected.

**§ 345-67. Basic standards.**

The following basic standards shall be applicable to all properties within the overlay district unless exceptions are granted in accordance with the requirements specified herein:

- A. Build-to line applicable to buildings and structures on East Genesee Street. The build-to line shall be a minimum of 13 and a maximum 15 feet from the southern curblineline of East Genesee Street.
- (1) The build-to line applicable for proposed street bisecting East Genesee and the Sergi Yevitch Trail would adhere to the standards described in § 345-67A.
- B. Build-out requirements for frontage. For properties fronting on East Genesee Street there would be a seventy-five-percent minimum build-out requirement on the build-to line, where either the building, wall or ornamental fence would comprise that area. For properties that have boundaries on the river, a similar seventy-five-percent build-out on that build-to line is required, which may consist of a building facade, a street wall or ornamental fence (minimum of three feet, not to exceed four feet).
- (1) The build-out requirement may be reduced by adding a public use sidewalk or alleyway up to 20 feet wide connecting other walkways for pedestrian movement. This sidewalk or alleyway would be included in the seventy-five-percent build-out requirement.
- C. Setbacks applicable to buildings and structures from Seneca River or proposed new street. The minimum build-to line shall be 10 feet from the northern edge of the Sergi Yevitch Trail that runs along the river. The maximum setback from the said Sergi Yevitch trail shall be 13 feet.
- (1) Patios for outdoor dining may fulfill the setback requirement.
- (2) Patios may be made of paving stones, bricks, wood, synthetic wood-look products or architectural concrete. Unacceptable materials include, but are not limited to, asphalt, poured concrete and loose stones.
- (3) The depth of the patio may not exceed 100% of the connecting building.
- (4) A wall or ornamental fence shall define the setback (minimum height of three feet, not to exceed four feet).
- D. Minor encroachments. Awnings, tables, chairs, umbrellas, and related temporary structures for outside dining may encroach onto and over the public sidewalk up to a maximum of 10 feet or half the sidewalk's width, whatever is less. Such encroachments must be granted site plan approval of the Village Planning Board. They may be approved upon a finding that such encroachments shall not impair pedestrian movement or public safety. Such encroachments shall be deemed to be licenses (not property rights) to use the public right-of-way, revocable by the Village at its sole discretion when necessary for public safety or public improvement.
- E. Building alignment and configuration. All buildings facing East Genesee Street and facing the Seneca River shall be placed so that their facades are parallel to the street line of East Genesee Street and to the river.
- F. Building height. All buildings fronting on East Genesee Street shall be between two (approximately 20 feet) and four (approximately 45 feet) stories high and within one-story height of the neighboring property's structures. All buildings fronting on the Seneca River shall be between two (approximately 20 feet) and three (approximately 45 feet) stories high and within one-story height of the neighboring property's structures.
- G. Parking. Parking for properties fronting on East Genesee Street, the proposed new street and for properties fronting on the Seneca River shall generally be positioned to the sides of the primary building located on the property. The position, layout and quantity of required on-site parking shall be in accordance with the on-site parking requirements set forth in Article XII of this chapter unless otherwise modified or varied by the Village Planning Board upon its review and approval of the property's site plan.

- H. Mechanical/electrical systems. All mechanical/electrical systems for rooftops should not exceed maximum height requirements for the district and should be adequately screened and set back from the building facade. All mechanical systems at ground level should be adequately screened, with high-quality screening, from the public right-of-way or the river, as approved by the Planning Board and Architectural Review Board.
- I. Trash collection/storage. Utility, trash, recycling, food waste, service equipment and other storage containers shall be located away from public rights-of-way and be enclosed or screened from view with high quality screening, trash facilities and recycling containers shall be located within opaque structural enclosures, as approved by the Planning Board and Architectural Review Board.

#### **§ 345-68. Standards for site design and development.**

All property development and improvement within the overlay district shall be subject to site plan review by the Planning Board as specified under Article XIII of this chapter and on matters identified under Article XXII of this chapter by the Architectural Review Board of the Village.

- A. In addition to those matters of consideration relevant to site plan review as specified in § 345-34B of this chapter by the Village Planning Board, the following matters shall be considered:
  - (1) Pedestrian access. One of the objectives of the overlay district is to improve pedestrian access within the downtown core of the Village. As such, site plans will include sidewalks and plans for pedestrian access to parking areas, to East Genesee Street, the proposed new street, and the Seneca River, and to other public areas. Site plans should allow access from the front and rear of the buildings.
  - (2) Reduction of curb cuts. Existing curb cuts along East Genesee Street shall be eliminated wherever feasible.
  - (3) View of river from East Genesee Street. In order to improve the visibility of the river from East Genesee Street, it is encouraged that plans allow for visual gaps between structures and properties from East Genesee Street to the Seneca River.
  - (4) View of river from the Village Square. In order to improve the visibility of the river from the Village Square, it is encouraged that the development plans for properties adjacent to the Village Square allow for maximum views to the river from all locations in the Village Square Park.
  - (5) Lighting. Lighting plans should consider parking areas, all access areas, as well as pedestrian lighting on East Genesee Street and on the riverfront.
  - (6) Subdivision. The subdivision of properties within the district is encouraged to take advantage of build-outs on East Genesee Street, the riverfront; and the proposed new street.

#### **§ 345-69. Board of Zoning Appeals.**

Appeals for use variances and variances of density requirements shall be made to the Board of Zoning Appeals. If appropriate findings are made under state law, the Board of Zoning Appeals may grant the requested variances, provided the development and maintenance of the properties in question adhere to the basic standards and the standards for site design and development specified in this chapter. The Board of Zoning Appeals shall not have the authority to waive those standards or grant exceptions as reserved for review by the Village Planning Board or Architectural Review Board. (Variances approved by the Board of Zoning Appeals shall not include conditions allowing adjustments to building or parking layouts.) The Board of Zoning Appeals shall have no authority to review sign proposals or grant any waivers applicable thereto.