

## RESOLUTION # 2013-064

### A RESOLUTION DETERMINING THAT THE AMENDED SKETCH PLAN FOR “THE CANANDAIGUA LAKEFRONT PLANNED UNIT DEVELOPMENT” IS CONSISTENT WITH THE PRIOR SKETCH PLAN AND SEQRA APPROVALS

**WHEREAS**, in April 2008, application was made to the City Council of the City of Canandaigua for sketch plan approval of The Canandaigua Lakefront Redevelopment Project, located along the northern shore of Canandaigua Lake between NYS 5 & US 20 and Lakeshore Drive in the City of Canandaigua (the “Site”), and Planned Unit Development (“PUD”) zoning designation under the Planned Unit Development Ordinance of the City of Canandaigua as set forth in Article XII of the Code of the City of Canandaigua (the “PUD Ordinance”); and

**WHEREAS**, The Canandaigua Lakefront Redevelopment Project was reviewed by both City Council and its PUD Committee, in accordance with the requirements of the State Environmental Quality Review Act (“SEQRA”) and the City of Canandaigua Zoning Ordinance; and

**WHEREAS**, on December 17, 2009 the City Council passed Resolution #2009-181, which determined that The Canandaigua Lakefront Redevelopment Project is appropriate for the area, meets the stated intention and objectives of the of the PUD Ordinance and designated the Project area as a PUD Zone on the City of Canandaigua Map; and

**WHEREAS**, Resolution #2009-181 also approved The Canandaigua Lakefront Redevelopment Project’s sketch plan (termed “Alternative G”), subject to certain stated conditions; and

**WHEREAS**, on July 1, 2010 City Council adopted a Findings Statement pursuant to SEQRA, which concluded that The Canandaigua Lakefront Redevelopment Project, as depicted by Alternative G, would not result in any significant adverse environmental impacts, and that any identified environmental impacts would be mitigated to the maximum extent practicable; and

**WHEREAS**, Morgan-Lechase Development, LLC (“Morgan-Lechase”) now seeks to undertake the Site’s development; and

**WHEREAS**, Morgan-Lechase, with the assistance of its engineers and architects, has made certain changes to The Canandaigua Lakefront Redevelopment Project (now called *The North Shore Canandaigua Planned Unit Development* and referred to herein as “the Project”), and has made certain revisions to Alternative G (now identified as the “Amended Sketch Plan”); and

**WHEREAS**, Morgan-Lechase asserts that these proposed changes further improve the Site’s environmental features, positively enhance previously-approved development components such as traffic and aesthetics, increase Site development feasibility and are in keeping with the Site’s PUD zoning designation; and

**WHEREAS**, Morgan-Lechase has requested that City Council and its PUD Committee review the Amended Sketch Plan for its consistency with Alternative G, so that Morgan-Lechase may proceed to the Preliminary Site Plan phase of the Project’s review under the City of Canandaigua Zoning Ordinance; and

**WHEREAS**, Morgan-Lechase has similarly requested that City Council determine that the Project is consistent with City Council's prior SEQRA determination and does not raise any issues which have the potential to result in new or greater significant environmental impacts; and

**WHEREAS**, the City Manager, City Staff and the City's special consultants, LaBella Associates, P.C. and Harter Secrest & Emery LLP (collectively, the "Consultants"), reviewed the Draft Environmental Impact Statement ("DEIS"), Final Environmental Impact Statement ("FEIS"), and Findings Statement previously issued by this City Council to determine whether the Amended Sketch Plan would have any new or greater significant environmental impacts than those identified during the SEQRA process; and

**WHEREAS**, Morgan-Lechase and its consultants Stantec Consulting Services Inc., Jerry Goldman, Esq. and Hanlon Architects provided the City Manager, City Staff and the City's Consultants with a comprehensive Consistency Analysis, draft Findings Statement and a series of Figures in accordance with Canandaigua Zoning Ordinance Section 850-124 (PUD Application Procedure and Zoning Approval) in support of Morgan-Lechase's contention that the Amended Sketch Plan is consistent with Alternative G, in keeping with the PUD zoning designation and that the Project does not raise any environmental issues not previously evaluated during the SEQRA process; and

**WHEREAS**, on July 30, 2013, the PUD Committee reviewed the Amended Sketch Plan, considered Morgan-Lechase's information described above and received the opinion of the City Manager, City Staff and the City's Consultants that the Amended Sketch Plan is consistent with Alternative G, that the previous PUD designation is appropriate for the Project, and that the Project and the Amended Sketch Plan will not result in any new or greater significant environmental impacts than those identified during the SEQRA process; and

**WHEREAS**, at the July 30, 2013 meeting the PUD Committee recommended that City Council adopt the PUD Committee's conclusions as stated therein.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Canandaigua:

1. The North Shore Canandaigua Planned Unit Development and accompanying Amended Sketch Plan are consistent with the PUD zoning designation's legislative intent.
2. The North Shore Canandaigua Planned Unit Development and accompanying Amended Sketch Plan will not result in any environmental impacts not previously considered and mitigated for in accordance with the State Environmental Quality Review Act.
3. The Amended Sketch Plan is consistent with Alternative G, and Morgan-Lechase may submit an application for Preliminary Site Plan Review for The North Shore Planned Unit Development in accordance with the City of Canandaigua Zoning Ordinance Section 850-125.

Adopted this 1<sup>st</sup> day of August, 2013.

ATTEST:

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Nancy C. Abdallah  
City Clerk/Treasurer