


MEMORANDUM

TO: All Members of Commons Council and the Mayor

FROM: Raymond M. Schlather 

DATE: October 5, 2011

RE: **PROPOSED WATERFRONT REZONING**

The waterfront rezoning proposal misses the boat. Although I do not have enough time to develop every argument before this evening's meeting, here follows a quick analysis and related comments. They address both procedural issues in the development of the proposal and some of the more troubling substantive deficiencies.

Also, I am enclosing a copy of the Tompkins County Planning Department's Memorandum of Opposition dated February 16, 2011 which some of you may not have seen, as well as representative photographs of canal development in Bruges and Amsterdam that you may find useful in your discussion.

The Procedure

In stark contrast to the Collegetown rezoning effort, the waterfront rezoning has been relatively brief, both in scope and in duration, and without much publicity.

Collegetown rezoning has been on the table for more than two years. It included: an extended moratorium; several well publicized public fora involving neighbors, businesses and civic leaders; an extensive study by an outside planning group; extensive local publicity; at least three Common Council meetings; and numerous Planning and Economic Development Committee meetings and other gatherings of staff and community members.

In contrast, from available data and materials that are published in the City's website, a first draft of this rezoning proposal was provided to the Planning and Economic Development Committee at its March 2011 monthly meeting. I believe that there had been some general discussion of the proposal in concept at the December committee meeting.

After the County raised some serious concerns about traffic, parking and related issues in its February 16, 2011 letter (attached), a further draft of the proposal was produced at the June 8, 2011 meeting of the committee. At the July 20, 2011 committee meeting, there was talk about expanding the zone in its southern reaches, and a revised map accordingly was produced at the August 17, 2011 meeting. On September 21, 2011, the committee voted to refer the matter to Common Council. Tonight's meeting is the first time that Common Council has discussed the issue.

Notably absent from the foregoing are: any well publicized public fora involving neighbors, community members and civic leaders; any outside planning report or analysis; any other well publicized meetings or gatherings of community; and any evidence that the neighbors, owners and property owners (other than the developers) were directly approached or otherwise directly contacted about the issue. Indeed, there was not even a traffic and parking study conducted as recommended by the Tompkins County Planning Department.

It is respectfully submitted that given the substantive problems outlined below, the lack of any evidence of urgency, and the apparent willingness of Common Council to thoughtfully entertain similarly far-reaching decisions (a la Collegetown rezoning) over an expanded period of time, this issue should be returned to committee for further discussion and community outreach.

Substantive Problems

1. The proposed rezoning eliminates all off-street parking requirements and virtually all setback (front yard, side yard and rear yard) requirements. It encourages wall-to-wall construction of buildings complete with overhangs. The new zones mandate super density (minimum two and three stories, maximum five stories) without any apparent concern for parking, traffic and related congestion in the west end. Those concerns are precisely the concerns highlighted by the Tompkins County Planning Department in its evaluation of this rezoning (attached). There already is substantial traffic congestion in the west end. Moreover, the need for off-street parking has been amply demonstrated by the merchants' recurring cry for city parking, including the use of the available vacant public land located on the island. (As you know, that two-acre parcel recently was turned into a temporary public parking facility.)

At least, this rezoning should not proceed until after a proper traffic and parking study has been completed, as recommended by the Tompkins County Planning Department.

2. Of similar concern are the mandatory minimum building heights. Nowhere else in the city, including the very dense Collegetown and the very commercial downtown business district, are there mandatory building heights that require a minimum of three stories, except on Inlet Island. Perhaps that explains why there has been no development in the existing WF1(d) zone on Inlet Island subsequent to that zoning change (other than the Island Fitness Center). Such an onerous mandatory minimum requirement places an undue economic burden on small businesses that seek to locate in the west end. Given this high economic burden, the only way a small business can relocate to such a zone is as a tenant of a large developer. Historically, businesses in the west end have developed organically and in small increments. Most of the business properties are owner-occupied in one and two-story structures. Indeed, even the more recently constructed AFCU building is only a two-story structure.

3. The proposed rezoning further diminishes public access to the waterfront. Ironically, 50 years ago Inlet Island was park land. To

encourage commerce, it was swapped with lands at Ithaca Falls. However, the zoning "promise" to future generations was a 40-foot setback on the west side of the island (flood channel) and a 12-foot setback on the east side of the island (Cayuga Inlet). Further, there was an additional 10-foot building setback requirement on the west side as well. The end result was an arguably reasonable strip of land for public promenade and access to the water.

The proposed zoning reduces that public way to 25 feet on the west and for all practical purposes 0 feet on the east. Moreover, the 25-foot western corridor includes 10 feet of amenity zone for outdoor dining, etc., leaving a mere 15 feet for unobstructed passage.

Finally, the elimination of side yard setbacks allows for wall-to-wall building on both sides of the island, blocking any view of the waterfront by pedestrian and other traveling public on the island.

In other words, what was once park land has now been reduced to an almost meaningless thread of narrow public way with virtually no other access to the water.

4. Finally, the character of the west end will be irreparably damaged by this zoning. Proponents of rezoning have argued that our west end waterways could be developed with the density and comparable charm of Bruges and perhaps Amsterdam. Accordingly, I am attaching photographs of various canals and structures in those two cities. Notably, the building heights typically are two and three-story, with an occasional additional attic floor; the waterways virtually all are lined with pedestrian walkways and even streets that separate the buildings from the water, giving everyone access. In those rare locations where the buildings are taller and located directly on the water, the waterway itself is substantial and expansive.

An Alternative

Please do not misconstrue my comments as obstructionist. Frankly, I agree that there is a need to re-examine the existing panoply of sometimes conflicting zoning rules and concepts in the west end and especially in its

waterfront districts. However, such an effort must include the community in a more active and informed way. It also should tap the professional judgment of those who understand and regularly give counsel in matters of parking and traffic, just as what occurred in Collegetown and in other parts of the City.

For what it is worth, it is respectfully submitted that the west end should not become another playground for large scale developers. Ithaca's charm depends on small scale neighborhood and pedestrian friendly development for local entrepreneurs who want to grow a business.

Overall, the operative principles underlying any zoning in the west end should include:

- a three-story maximum, with some sort of special permit mechanism that would allow four or five stories under stringent scrutiny;
- required off-street parking, even if at a distance; and
- real public access, both in terms of a generous physical presence along the waterway and in terms of view shed.

Under the circumstances, I respectfully request that the matter be sent back to committee for further work.



Edward C. Marx, AICP
Commissioner of Planning
and Community Sustainability

Telephone (607) 274-5560
Fax (607) 274-5578

February 16, 2011

Ms. Jennifer Kuszniir, Economic Development Planner
City of Ithaca
108 East Green Street
Ithaca, NY 14850

Re: Review Pursuant to §239 -l and -m of the New York State General Municipal Law
Action: Review of the Proposal to revise the City of Ithaca Waterfront Zones

Dear Ms. Kuszniir:

This letter acknowledges your referral of the proposal identified above for review and comment by the Tompkins County Planning Department pursuant to §239 -l and -m of the New York State General Municipal Law. The Department has reviewed the proposal, as submitted, and has determined that it may have negative inter-community, or county-wide impacts as described below. We recommend modification of the proposal. If the Board does not incorporate these recommendations into its approval, such approval will require a vote of a supermajority (meaning a majority plus one) of all members of the decision-making body.

Recommended Modifications

- We do not take issue with the concept of consolidating the multiple waterfront zones; we do, however, have concern in doing so in a location with recurring transportation issues without a detailed parking and traffic plan to address those issues. This important location with two state highways dividing the zone warrants a more deliberate approach through the development of a comprehensive circulation and parking plan that would support the level of development proposed.
- We recommend maintaining the WF-1a no build zones, particularly the one between the inlet and the junction of Taughannock and Old Taughannock Blvds. The Route 96 Corridor Study identified the potential for a bridge at this location to alleviate traffic congestion in the area. Although such a bridge may not be deemed desirable at present, the future option should not be foreclosed by allowing a building on this property.

- The Tompkins County Comprehensive Plan lists the policy to "promote appropriate development of waterfront lands for water-dependent or water enhanced uses, including enhancing public access to Cayuga Lake." In allowing any use permitted in B-2 zones, the water-dependent uses may over time be unintentionally eliminated from this area, thereby eliminating the distinct contribution of this zone to the community. We recommend eliminating from this district all uses that are not clearly "water dependent" or "water enhanced" and determining through a comprehensive planning process how development in this area can be planned to complement, rather than compete, with other commercial districts in the City. This recommendation is included in the *Cayuga Lake Waterfront Plan* which was endorsed by the City of Ithaca.

Please inform us of your decision so that we can make it a part of the record.

Sincerely,



Edward C. Marx, AICP
Commissioner of Planning
and Community Sustainability



Google images

Website for this image

Understand that Zeebrugge literally means
Bruges-on-Sea and you immediately ...
pocruises.com

Full-size image

660 × 310 (Same size), 62KB

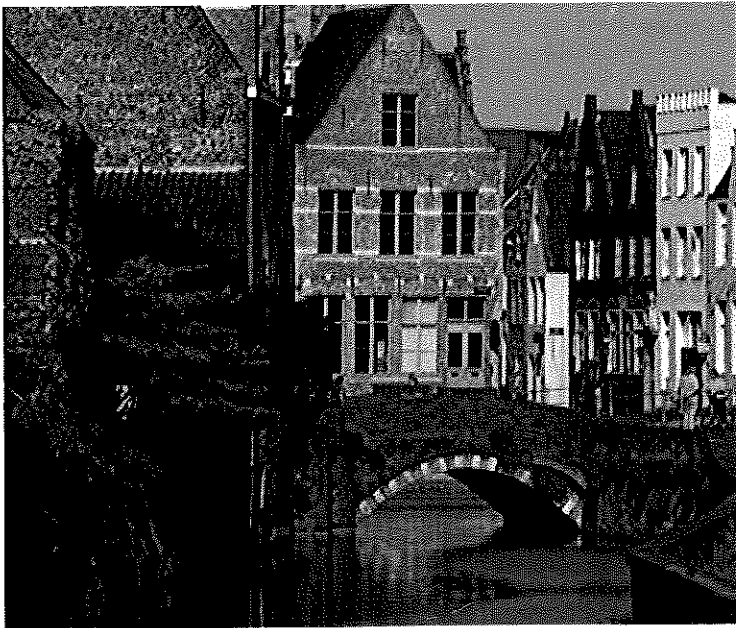
[More sizes](#)

[Search by image](#)

[Similar images](#)

Type: JPG

Images may be subject to copyright.



Google images

Website for this image

Car-free **Bruges** is renowned for its canals and beautiful architecture
telegraph.co.uk

Full-size image

460 × 288 (Same size), 28KB

[More sizes](#)

[Search by image](#)

[Similar images](#)

Type: JPG

Images may be subject to copyright.



Google images

Website for this image

Scene from **Bruges, Belgium** by Mike Barnett
paintingsilove.com

Full-size image

603 × 792 (1.2x larger), 72KB

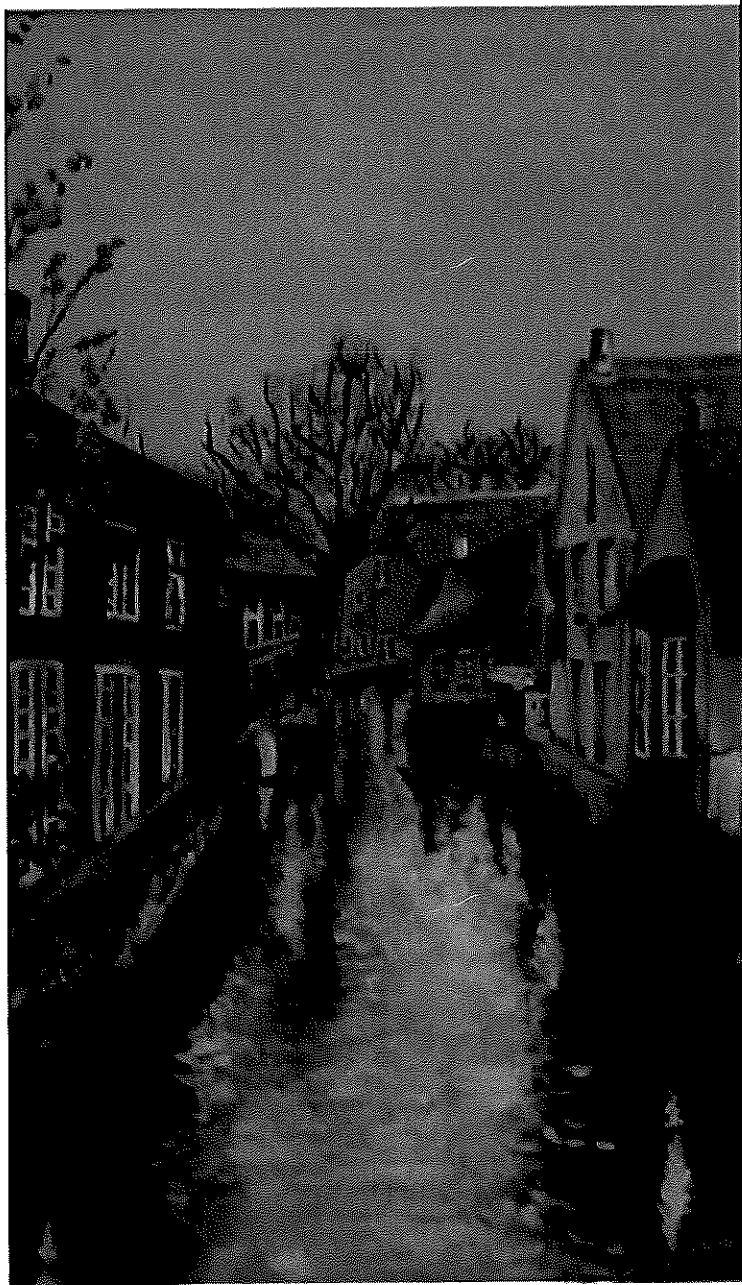
[More sizes](#)

[Search by image](#)

[Similar images](#)

Type: JPG

Images may be subject to copyright.



Google images

Website for this image

Amsterdam Travel - Before You Go
tripadvisor.com

Full-size image

550 × 412 (Same size), 64KB

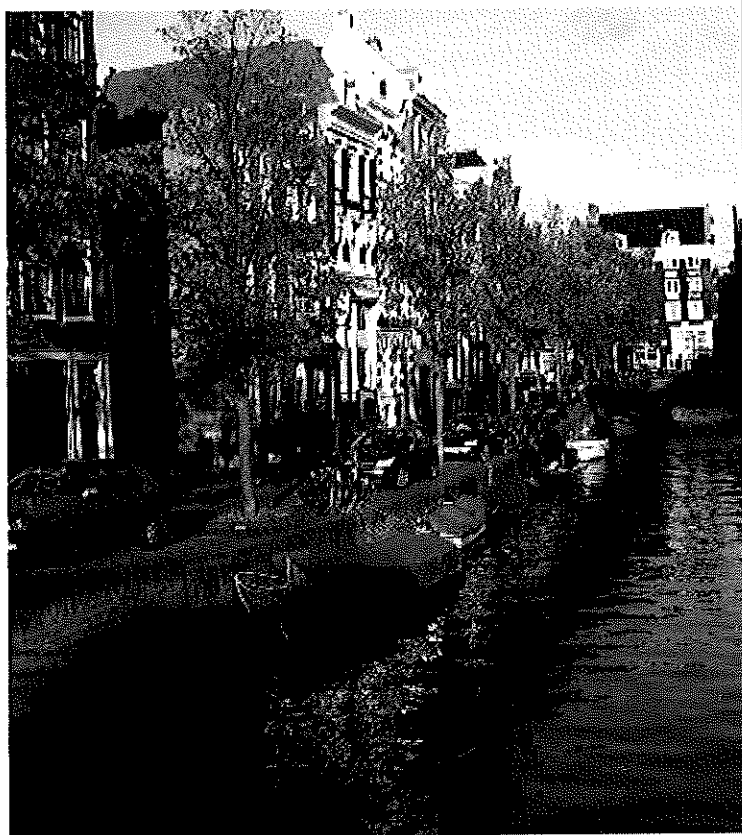
[More sizes](#)

[Search by image](#)

[Similar images](#)

Type: JPG

Images may be subject to copyright.



Google images

Website for this image

Travel Out There blog » Amsterdam
wallpaper ...
blog.traveloutthere.com

Full-size image

800 × 600 (1.3x larger), 124KB
[More sizes](#)

[Search by image](#)

[Similar images](#)

Related searches:

[amsterdam red light district](#)
[amsterdam red light](#)

Image details: [?](#)

Type: JPG

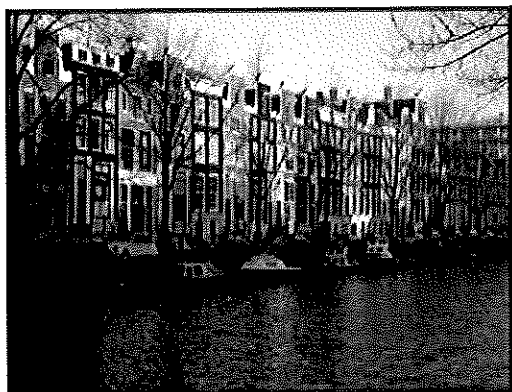
Date: Jul 24, 2003

Camera: Sony DSC-P32

[More image info](#)

Images may be subject to copyright.





Related travel posts

- [Amsterdam](#)
- [Hagia Sophia](#)
- [Travelling by Train..](#)

[amsterdam-travelling \(3\)](#)

[« Previous](#)

[Next »](#)

You can find high quality amsterdam-travelling (3) pictures. amsterdam-travelling (3) is the best for travel and honeymoon.

- **World Travel Categories**

Google images

Website for this image

Below are scenes from **Amsterdam**.
fshaffer.sites.truman.edu

Full-size image

500 × 384 (Same size), 217KB

[More sizes](#)

[Search by image](#)

[Similar images](#)

Type: JPG

Images may be subject to copyright.

