



# CITY OF SARATOGA SPRINGS

## PLANNING BOARD

City Hall - 474 Broadway  
Saratoga Springs, New York 12866  
Tel: 518-587-3550 fax: 518-580-9480  
www.saratoga-springs.org

MARK TORPEY, Chair  
ROBERT F BRISTOL Vice Chair  
CLIFFORD VAN WAGNER  
TOM L. LEWIS  
PHILIP W. KLEIN  
DAN GABA  
HOWARD PINSLEY

July 15, 2014

John Franck, Commissioner  
Office of Commissioner of Accounts  
City Hall - 474 Broadway  
Saratoga Springs, New York 12866

RE: **Advisory Opinion to the City Council**  
**PB# 14.019- Tourist Related Business District**

Dear Commissioner:

Pursuant to your request dated April 18, 2014, the Planning Board considered the City Council's request for "an advisory opinion on the proposed amendment for 3368 South Broadway.. and an opinion to limit, restrict and revise the list of 1. uses permitted with site plan approval, 2. uses permitted with special use permit and site plan approval, 3. permitted accessory uses and structures, and 4. the area and bulk schedule."

As its first consideration, the Planning Board reviewed that the Tourist Related Business (TRB) District is present in three parts of the City: South Broadway (Route 9) corridor, at Nelson and Gridley Streets intersection, and the Maple Dell area. From the March 18, 2014 Council meeting minutes at which the advisory opinion was requested, it was interpreted that the City Council was most clearly expressing a potential concern related to the zoning district's location within the South Broadway corridor.

With the understanding that the City will be embarking on a comprehensive zoning ordinance and subdivision regulations revision in the near future, the Planning Board framed their recommendation to respond to the South Broadway area of concern, but not to propose wholesale changes to the Nelson/Gridley and Maple Dell TRB areas at this time.

The Gateway District-I is an overlay district that provides additional design consideration and criteria in addition to the underlying zoning. Its location exclusively along the South Broadway corridor created an opportunity to utilize its boundaries as the means to consider restrictions specifically within its defined sub-areas I A and B, not the overall TRB District.

The Planning Board specifically considered the uses that could be deemed the most incompatible with the Gateway District and recommends noting, within the Use Schedule, TRB specific uses that would not be permitted within the Gateway Design District-I for site plan, special use with site plan review, and permitted accessory uses and structures.

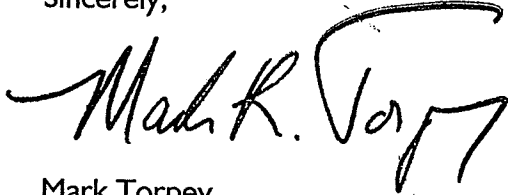
Tony Izzo provided initial legal guidance, the wording within the proposed considered change is based on his recommendation.

The proposed Planning Board recommendation for the Council's consideration is attached. Due to the potential impact of any change on existing TRB properties, the Planning Board recommends ensuring that appropriate notice is provided to property owners advising them of any proposed change.

---

If you have any questions regarding the above comments, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Mark R. Torpey". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Mark Torpey  
Chair

cc: Mayor Yepsen  
Commissioner Madigan  
Commissioner Mathiesen  
Commissioner Scirocco  
Kate Maynard, AICP, Principal Planner

TABLE 2:USE SCHEDULE- PLANNING BOARD PROPOSED RECOMMENDATION FOR TEXT AMENDMENT TO THE TRB DISTRICT  
 \*\*\*Proposed text addition denoted in [ ]

ZONING DISTRICT	PRINCIPAL PERMITTED USES AND STRUCTURES	USES PERMITTED WITH SITE PLAN	USES PERMITTED WITH SPECIAL USE PERMIT AND SITE PLAN APPROVAL	PERMITTED ACCESSORY USES AND STRUCTURES
Tourist Related Business (TRB)	None	Corridor Bed & Breakfast, Corridor Rooming House,  Animal Clinic, Service Establishments, Car Rental Agency, Financial Institutions, Convenience Sales (<5,000 gross sq. ft.), Eating & Drinking Establishment, Real Estate Offices, Parking Facilities, Bathhouse/Health Spa, Hotel/Motel, Inn, Group Entertainment, Cultural Facilities,  [Except that the following uses are not permitted in the part of the Tourist Related Business(TRB) District within the Gateway Design District-1A and IB: Animal Clinic, Car Rental Agency, Convenience Sales(<5,000sq.ft.), Parking Facilities]	Brew Pubs, Movie Theater, Outdoor Storage/Display, Outdoor Recreational Facilities,  Bus Depot, Drive-in Facility, Car Washes, Vehicle Fueling Stations, Motor Vehicle Repair Establishments,  Permitted on 2 <sup>nd</sup> story & above only: Residential Uses, Senior Housing, Senior Assisted Care Facility  [Except that the following uses are not permitted in the part of the Tourist Related Business(TRB) District within the Gateway Design District-1A and IB: Movie Theater, Outdoor Storage/Display, Bus Depot, Drive-in Facility, Car Wash, Vehicle Fueling Station, Motor Vehicle Repair Establishments]	Residential Accessory Structures,  Outdoor Eating & Drinking Establishment,  Drive-In Facility Canopies, Maintenance/Storage Facilities,  [Except that the following uses are not permitted in the part of the Tourist Related Business(TRB) District within the Gateway Design District-1A and IB: Drive-In Facility Canopies, Maintenance/Storage Facilities]