



January 4, 2023

Via email

New Plan North, LLC
c/o Mr. David Muraco
4306 East Genesee Street
Dewitt, NY 13214

**Re: SITE PLAN APPLICATION & SPECIAL USE PERMIT REVIEW –
DRIVE-THRU RESTAURANT**

CHA File No.: 22015.1028

Address: 5357 W. Taft Road (CR 48)

Tax Map No.: 007.-01-22.1

Parcel Size: 0.815± acres

Zone: Commercial (C-2)

SEQR Determination: Type II

Planning Commission Meeting Date: 1/19/23

OCPB Meeting: 12/21/22

INFORMATION SUBMITTED:

- Site Plan Review and Approval Application
- Application for Special Use Permit
- Use Variance Application
- Area Variance Application
- Interpretation of Zoning Code Application
- Short Environmental Assessment Form dated 11/16/22
- Long Environmental Assessment Form
- Final Plan** prepared by **D.W. Hanning L.S., P.C.** dated 6/3/2000 with a most recent date of **8/8/2017** consisting of **1** sheet
- “C-0 Title Sheet, C-1 Overall Plan, C-2 Demolition Plan, C-3 Layout Plan, C-4 Grading Plan, C-5 Lighting & Landscaping Plan”** prepared by **Napierala Consulting** dated **11/29/2022** consisting of **6** sheets
- Other Information Provided & Reviewed: **Project Narrative** prepared by **Louis D. Muraco & David C. Muraco, New Plan North, LLC c/o Empire Management of CNY, Inc.** dated **11/14/2022** consisting of **3** sheets

On behalf of the Village of North Syracuse Planning Commission, CHA Consulting, Inc. has reviewed the above information regarding the referenced application and offers the following comments for the Commission’s consideration:

1. It is the Applicant’s intent to remove the existing structures, sidewalks, driveway, trees, asphalt, and associated utilities. The proposed project includes construction of a one-story 2,400 sf drive-thru restaurant along West Taft Road (CR 48) with parking, sidewalks, bike rack, landscaping, signage, and a dumpster with a 6’ high enclosure.
2. A drive-thru restaurant is an allowed use within the Commercial District (C-2) zone upon issuance of a Special Permit.

3. The Planning Commission shall use the following criteria for the decision of Special Use Permit per Village Code §240-58:
 - That the proposed use or structure in all respects meets the minimum requirements.
 - That all other necessary approvals, permits, or authorizations required by any department, agency, or bureau of any other governmental agency, including the County of Onondaga, State of New York, or the United States, have been obtained or, if not, that any grant of a special use permit shall be conditioned upon obtaining such approvals, etc.
 - That the character and neighborhood integrity of the land in the vicinity of the proposed use or structure will not be significantly disrupted or disturbed by the proposed use.
 - Traffic generation and impact on existing transportation systems.
 - Proximity to other uses inherently incorporated with the proposed use.
 - Visual and aesthetic considerations regarding the proposed use.
 - General compatibility of the proposed use with other uses in the vicinity.
 - Availability of all municipal services.
 - Any other factors affecting the general health, safety, or welfare of the inhabitants of the Village of North Syracuse as the Village Board may deem germane or important.
 - Compliance with any other specific criteria as hereinafter set forth as may be applicable to the proposed use.
 - The location and size of the use, the nature and intensity of the operations involved, the size of the site in relation to it and the location of the site with respect to the existing or future streets giving access to it shall be such that it will be in harmony with the orderly development of the district, and the location, nature and height of buildings, walls and fences will not discourage the appropriate development and use of the adjacent land and buildings or unreasonably impair the value thereof.
4. The lot requirements per the Village Code appear to have been met or exceed the criteria.
5. The principal structure requirements per the Village Code appear to have been met or exceed the criteria, with the exception of the building height.
6. An updated plat map of the plaza shall be provided that reflects the following:
 - The previously approved parking variance (5/4/2017) and the current plaza building footprint with the addition (2017). The parking variance included the 56 existing parking spaces within the proposed project area for overflow parking for the plaza. There are only 28 proposed spaces (plus 4 remaining spaces), which are now meant to serve the new proposed drive-thru restaurant use.
 - The current layout of West Taft Road.
7. Furthermore, the driveway to the east encroaches on the proposed property, which is not depicted on the plat map. Please address how this will be handled.
8. The adjacent property to the west (tm# 113.-03-28.2) is within the Town of Clay and is zoned residential within the Town. If this is a non-conforming lot within the Town that would not be able to accommodate a residential use, please provide that information from the Town of Clay. Note that the Special Use Permit should also reflect the adjoining parcel as such.
9. Per the Onondaga County Planning Board comments, the Applicant will be required to submit a Traffic Impact Study (TIS), lighting plan, and a drainage report to Onondaga County Departments of

Transportation for review. The Village must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.

C-2: Demo Plan

10. All structures are proposed to be removed from the site and existing utilities disconnected. Please address the utility removals on the plan.
11. The modification of the pavement at the remaining 4 parking spaces within the plaza shall be reflected on the plan.

C-3: Layout Plan

12. The Planning Commission shall use the following criteria for the decision of Special Use Permit per Village Code §240-65: Drive-in service uses.
 - Provision for the stacking of 5 vehicles shall be maintained for each drive-in service window or unit. More than 5 stacking spaces may be required at the discretion of the Planning Commission.
 - On each lot line abutting a residential use, there shall be a landscaped buffer 8 feet in width measured from the lot line, planted with a staggered double row of evergreen trees installed at a height of 4 feet on 6-foot centers and maintained to a height of 6 feet. Opaque fencing may be substituted by the Planning Commission upon finding that such screening would provide a more effective buffer for the residential use.
 - A landscaped area 8 feet in width measured from the lot lines shall be maintained, exclusive of driveways, on all sides of the property having street frontage or abutting nonresidential uses; treatment shall be of grass, ornamental stone or evergreens maintained below 2 feet in height and surrounded by curbing (wood, stone, or concrete) four to six inches in height.
13. The proposed southern ingress/egress for the site is a right-in/right-out with a curbed island. Due to West Taft Road being a county road, all access and the proximity to the nearest intersection and the driveway to the east shall be approved and permitted by the Onondaga County DOT.
14. The proposed northern ingress/egress for the site is a two-way full access driveway that connects to the interior of the plaza. Coordination of the terms of the ingress/egress easement shall be the responsibility of the Owner with the NSCSD. Although currently the proposed drive-thru restaurant property and the plaza are the same Owner, a cross-access agreement shall be required for these properties in order to maintain access in the event of different ownership.
15. As it relates to parking within the Village Code, the requirements are as follows:
 - No required front, side or rear yard or part thereof shall be used to provide required parking or loading space.
 - Where any nonresidential district or use abuts a residential district or use, the nonresidential parking space and loading space shall be no closer than 15 feet to the property line abutting the residential district.
 - Identify the location for snow storage.
16. Due to the Special Use Permit and §240-31 Off-street parking and loading regulations: the Planning Commission may require additional or may modify the off-street parking and loading spaces for any use if it finds that for any particular use the above-required minimum spaces are not sufficient or are excessive, provided that the safety and general welfare of the public are not jeopardized.

17. As it relates to the off-street parking and loading requirements, the Layout Plan shows 28 total parking spaces that are 9 feet wide and 18 feet long, drive aisles that are 25 feet, and 2 accessible parking spaces with shared unloading space. For this project, 1 space /200 sf = 24 spaces / 2400 sf.
18. The Fire Department has provided the following comments at this time:
 - The Fire Department has no issues with the Site Plan as submitted.
 - If an automatic sprinkler system is required, the FD would request that the FDC, fire alarm panel and lock box all be located adjacent to the main entrance of the restaurant.
19. The sidewalk and curbing restoration within the ROW for the removed driveway shall be shown on the plan.
20. The modification of the pavement at the remaining 4 parking spaces within the plaza shall be reflected on the plan.
21. There is a bus stop along West Taft Road near the hydrant that shall remain. Please add this signage to the plan.
22. The dumpster enclosure is within the side yard, and as an accessory structure cannot be located in this area.
23. A detail of the 6' high enclosure for the dumpster shall be provided to the Planning Commission.
24. A detail of the retaining wall with fence shall be provided to the Planning Commission.
25. With respect to utilities, the Applicant will need to coordinate with the appropriate utility owner to confirm that there is adequate capacity, for connections and abandonment of existing utilities. Any connections done within the right-of-way shall be coordinated with the OCDOT. This was also noted in the Onondaga County Planning Board comments, along with coordination with both Onondaga County Department of Water Environment Protection (OCWEP) and OCWA. Please provide confirmation to the Village.
26. The proposed sanitary sewer system will all be private and are the responsibility of the property owner. Any connections will be coordinated with and follow the OCWEP requirement of a 1:1 flow offset, as noted in the OCPB comments.
27. All final design and/or as-built utility designs shall be submitted to the Codes Department (i.e., National Grid, OCWA, OCWEP) to have on file.

C-4: Grading Plan

28. All proposed grading should remain within the property unless a grading easement and/or written permission/agreements exist with the adjacent property owners. All grades shall match at the property line, including vegetation and paved areas.
29. Provide additional spot elevations along the western drive aisle and along the eastern curbing.

30. All stormwater incidental to the site is considered private and shall be maintained by the property owner and shall not negatively affect the adjacent properties or the right-of-way. This includes structures and piping.
31. Since this project is not disturbing more than 1 acre, NYSDEC SPDES permit, SWPPP, NOI, or MS4 SWPPP Acceptance Form are not required.

C-5: Lighting & Landscaping Plan

32. A Photometric Lighting Plan has been provided by the Applicant that shows 5 wall mounted lights at the building doorways, 4 bollard lights at the patio area, and 5 freestanding pole mounted lights within the drive aisles and parking lot. The provided Lighting Plan shows sufficient light levels within this area. Per the Village Code, light fixtures shall not create glare or reflection so as to not be a hazard or nuisance.
33. Details and heights of the bollard and freestanding pole mounted light fixtures shall be provided to the Planning Commission.
34. Proposed landscaping consists of decorative grasses, evergreen shrubs, evergreen trees, and deciduous trees around the perimeter of the site and around the building area. There are also existing trees around the perimeter that are noted to remain or be replaced in kind if damaged.
35. The Applicant may want to consider trees along West Taft Road, within the green space to the north of the proposed building, and along the drive aisle to the plaza. The Planning Commission may require additional landscaping.
36. Please add to Landscape Note # 3 that any substitutions shall be within the same character trait as shown on the plan (evergreen, shrub, etc.); otherwise, approval shall be required by the Code Enforcement Officer.
37. Also due to the adjacent property within the Town of Clay being zoned residential, the following Village Code applies “Where any land use in a nonresidential district abuts land in any residential district, a strip of land at least 20 feet in width shall be maintained by the owner as a landscape and utility area.”

Signage

38. In regard to proposed signage, there are 2 directional signs at each driveway and 1 freestanding sign along West Taft Road.
39. There is no building signage or details provided. Without that information, no signage shall be approved with this Site Plan Approval or Special Use Permit. All proposed signage shall be submitted to the Code Enforcement Officer to obtain a sign permit.
40. Finally, with respect to SEQR, the Applicant has submitted a Short Environmental Assessment Form (SEAF). Based upon our review of the project and the Part 1 of the SEAF, it appears that this project will be classified as a Type II Action that will not have any potentially significant environmental impacts. Please note the following revisions to the SEAF:
 - Item #1 should be checked “No” since it does require more than administrative approvals
 - Item #2 should include the Village of North Syracuse
 - Item #3.c. should be 12.00 acres (11.19 acres + 0.81 acres)

Additional comments may be forthcoming from the North Syracuse Fire Department, Code Enforcement Office, DPW Department, and/or the Village Attorney.

The Applicant should form a response to the above comments and a revised plan set prior to or in preparation for the Planning Commission meeting on January 19th. If you should have any questions or require additional information, please feel free to contact me at 315-440-0585 or afranco@chacompanies.com.

Very truly yours,



Amy M. Franco, RLA
Municipal Engineer Representative

AMF

Cc (via email):

Planning Commission members (via Code Clerk)
Greg Lancette, Planning Commission Chairman
Pat Brennan, NSFD Chief

Pearl Fuller, Code Clerk
Germain & Germain, Village Attorney
Neal Zinsmeyer, Napierala Consulting

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