

# “That’s Not What I Thought It Would Look Like”

## Common Mistakes & Mishaps in Site Plan Review



## INTRODUCTIONS



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## OUTLINE

- Why Perform Site Review?
- Common Problems
- How to Use Your Resources
- Case Study Examples



## WHAT IS A SITE PLAN?

A site plan is a rendering, drawing or sketch prepared to specifications and containing necessary elements, as set forth in the applicable zoning ordinance or local law which show the arrangement, layout and design of the proposed use of a single parcel of land as shown on said plan.



## WHAT IS SITE PLAN REVIEW?

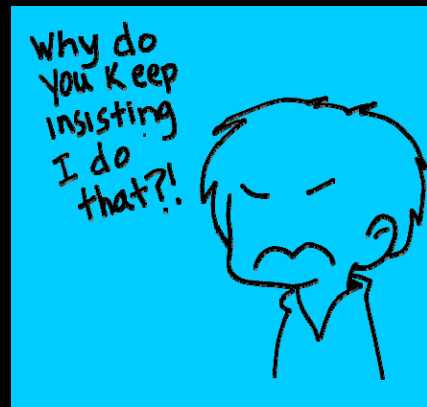
A regulatory technique requiring municipal approval of the layout and design of development on a single parcel of land.

Involves the exercise of discretion by a municipal board to approve applications on a case-by-case basis.



## WHY PERFORM A SITE PLAN REVIEW?

- To avoid and/or mitigate impacts on adjoining parcels and infrastructure.
- To ensure that new development will reflect good site design.
- To protect views, important resources or significant site features.
- To make economic sense for the community.



## I DID NOT THINK IT WOULD LOOK LIKE THAT!



Do You Think Someone  
Forgot About The Importance  
Of A Site Visit?



## THE GOOD



Photos Courtesy Of Northern New England Chapter of the American Planning Association

## THE GOOD



## THE BAD & UGLY





## ARCHITECTURE: GOOD & BAD



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## ARCHITECTURE: GOOD & BAD



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## ARCHITECTURE: AVOID THE CORPORATE PROTOTYPE



Wal-Mart: Orlando, FL



Wal-Mart: North Conway, NH



McDonalds: Ashville, NC

## ARCHITECTURE: UGLY?



Myrtle Beach, SC

## ARCHITECTURE: PERSPECTIVE MATTERS



## SITE PLAN – FORM & FUNCTION OR FUNCTION ONLY?



Lexington, Massachusetts



Middletown, New York



## STORMWATER – GOOD



## STORMWATER – UGLY



## STORMWATER – GO FOR GREAT WHEN IT MAKES \$ENSE



South Los Angeles, CA



## WALKABILITY – GOOD & BAD



## WALKABILITY – VISIT THE SITE, LOOK FOR DESIRE LINES!



## SWEAT THE SMALL STUFF





## SWEAT THE SMALL STUFF



Dumpster Enclosure: Grand Haven, MI

## SWEAT THE SMALL STUFF – EVEN UNDERGROUND ELECTRIC





## DON'T FORGET GRADING & DRAINAGE



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# FORETHOUGHT

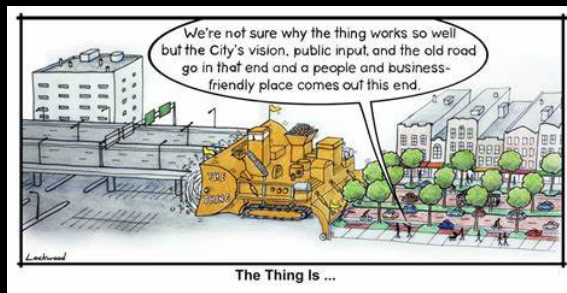
There's a reason it's called "Planning".

## GOOD DEVELOPMENT

### STARTS WITH COMMUNITY PLANNING

**Developers Start on the Same Page  
as You When Possible Using:**

- Comprehensive Plans
- Strategic Plans, Corridor Studies, Town Center Plans
- Waterfront Development Plans
- Developers Also Rely On Review Boards For Guidance



## COMMUNITY DEVELOPMENT VISION PLANNING

*If you create an economically viable development vision to guide growth, it is more likely to be implemented.*



*Development Visioning Helps Avoid Developer Guesswork,  
But Boards Still Need To Be Flexible*

## WHAT IF YOU DON'T HAVE A DEVELOPMENT VISION?

Things To Remember:

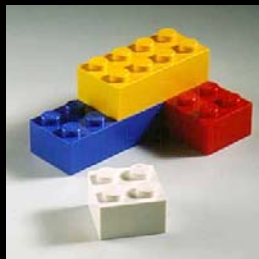
- A Single Attractive Development Will Seed Additional Attractive Developments
- One Ugly Development Site Will Seed Additional Ugly Developments ONLY IF YOU LET IT

LEARN FROM BOTH SUCCESSES AND FAILURES

MOST IMPORTANTLY:  
LEARN FROM MISTAKES OF OTHERS

## COMPREHENSIVE PLAN

- Creates a blueprint for orderly future growth
- Provides guidance to elected & appointed officials
- Provides greater predictability for citizens, developers & officials
- Establishes policies & actions for all departments in one document
- Provides the foundation for zoning & development regulations



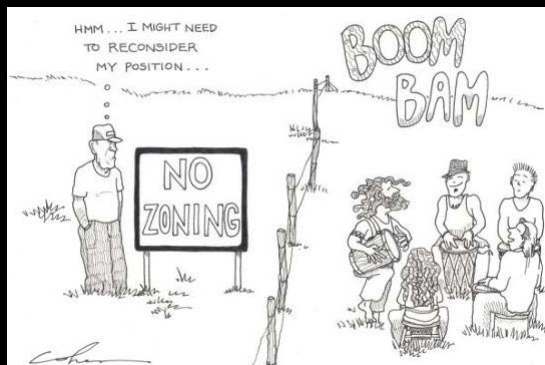
## STRATEGIC PLANS

- Vision for a targeted area of a community
- Typically a specific or limited focus (i.e. housing, transportation, economic development, etc.)
- Provides a proactive way for communities to prioritize development opportunities & future public investment
- Used to attract private investors & address underutilized properties
- Helps local officials direct land use &
- May be adopted as an amendment to a Comprehensive Plan or function as a stand alone document



## ZONING CODE

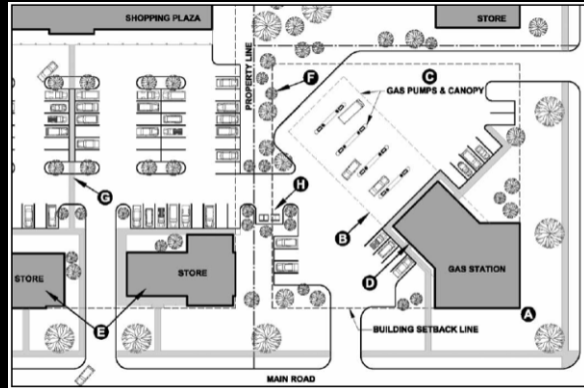
- Control the use of property & the physical limits of that use
- A map that identifies where & how these regulations apply to the land
- An understanding as to what is considered an acceptable use of their land as well as their neighbor's land





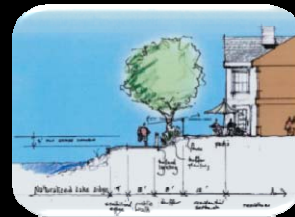
## SITE PLAN REGULATIONS

- A rendering, drawing or sketch prepared to specifications
- Illustrates the arrangement, layout & design of elements as set forth in the applicable zoning code or local law
- Requires municipal approval of the layout and design
- Involves the exercise of discretion by a municipal board to approve applications on a case-by-case basis



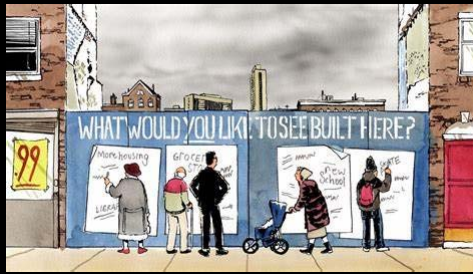
## DESIGN GUIDELINES

- General policies about new construction, site work, and design
- Define a range of appropriate responses to a variety of design issues
- Establish a foundation of good design
- Implements the Comprehensive Plan's vision or other policy documents
- Elements may include:
  - Character & Relationships of Uses
  - Landscaping, Screening & Open Space
  - Access, Circulation & Parking
  - Pedestrian Elements & Connections
  - Architecture
  - Signage
  - Lighting



## OTHER RESOURCES

- Professional Consultants
- NY Planning Federation
- County planning departments & Regional planning commissions
- DOS Division of Local Government
- Association of Towns (AOT) & NY Conference of Mayors (NYCOM)



## WHAT MIGHT BE THE BOARDS BEST TOOL?

***“We can’t solve our problems with the same sort of thinking with which we created them.”***  
– Albert Einstein

### PERFORMANCE ASSESSMENTS

- Existing Development Assessment
- Project Approval Process Assessment
- As-Built Development Assessment

Existing Development Assessment Form

Revised By: \_\_\_\_\_  
Date: \_\_\_\_\_

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Project Element Rating Summary		Element Score	Element Score
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
Average Score			

Statement 1	Assessment Item	Assessment Detail (Attach Additional Pages if needed)	Average Score	Score

Statement 2	Assessment Item	Assessment Detail (Attach Additional Pages if needed)	Average Score	Score

Statement 3	Assessment Item	Assessment Detail (Attach Additional Pages if needed)	Average Score	Score

Statement 4	Assessment Item	Assessment Detail (Attach Additional Pages if needed)	Average Score	Score

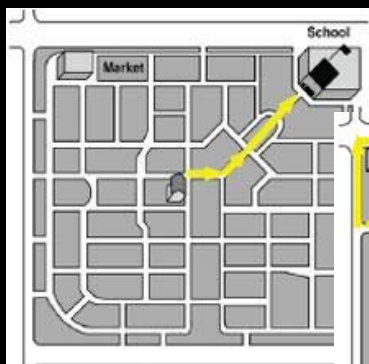
## TOOL #1 - EXISTING DEVELOPMENT ASSESSMENTS

### S.W.O.T. YOUR EXISTING DEVELOPMENT

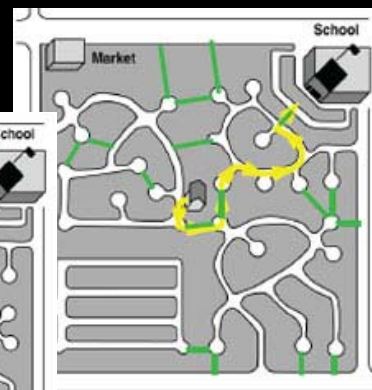
- Assess Key Elements of Existing Development by Describing Your Opinion of Their Respective:
  - Strengths
  - Weaknesses
  - Opportunities
  - Threats
- Utilize this Assessment During Project Review of Future Projects

## REVIEW KEY ELEMENTS - CONNECTIVITY

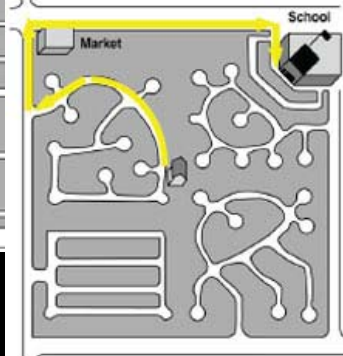
High Pedestrian & High Vehicle Connectivity



High Pedestrian & Low Vehicle Connectivity



Low Connectivity

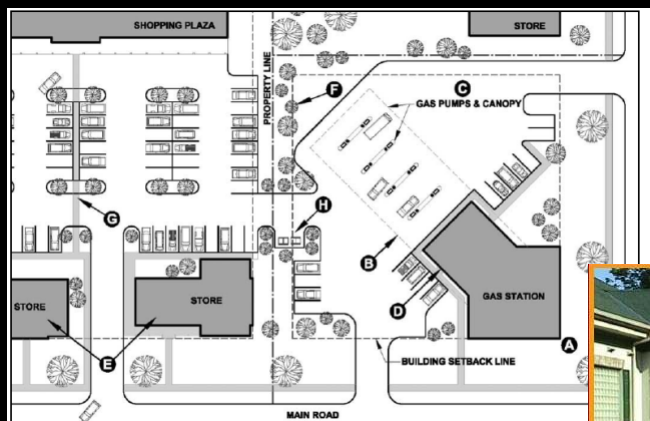


## REVIEW KEY ELEMENTS - CONNECTIVITY



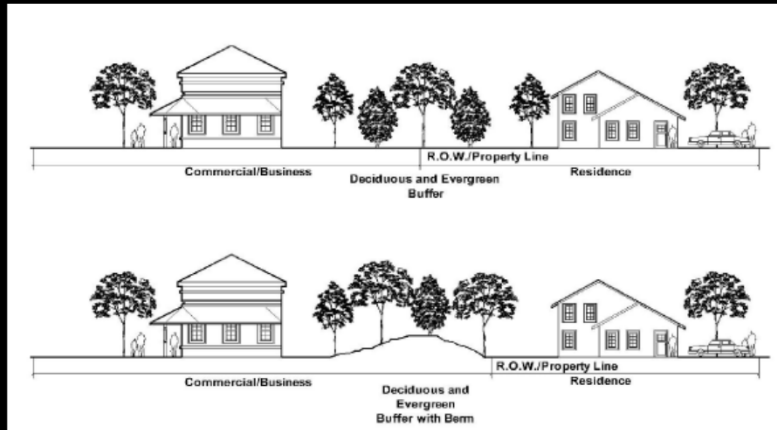
## REVIEW KEY ELEMENTS - SITE LAYOUT

Site Organization, Access & Circulation





## REVIEW KEY ELEMENTS - BUFFERS



## REVIEW KEY ELEMENTS - LIGHTING & SIGNAGE



## REVIEW KEY ELEMENTS - LANDSCAPING



An example of a typical upstate strip mall (Rome, NY). Negligible site improvements or attempts at creating beautiful neighborhood character have been made.



This artistic rendering gives an impression of what the Rome strip may become if simple landscaped improvements were installed and more consideration was given to the facade and building design.

## REVIEW KEY ELEMENTS - ARCHITECTURE



This regional mall uses architectural design to create transition spaces and pedestrian scaled architecture.



Consider the shape of a building, its massing, roofline and siting in its design.

## TOOL #2 - AS-BUILT ASSESSMENT

A Post Development Evaluation Will Improve Future Results:

- Were Project Elements Implemented Per Plan?
- Were Applicant Representations Accurate?
- Were Unanticipated Field Conditions Encountered?
- Were Important Elements Overlooked During Design?
- What Element Was Missed That Needs To Be Added to the Project Review Checklist?
- What Code Elements Restricted Smart Development?

## Tool #3 - Project Approval Process Assessment



*Make Development Decisions Predictable, Fair, and Cost Effective*

*If Developers And Land Owners Have a Negative View of the Approval Process, Perhaps a Change is in Order*



# PROJECT APPROVAL PROCESS ASSESSMENT

## ASSESSMENT ELEMENT EXAMPLES

- Did The Board Communicate Development Vision Early?
  - Developers Want A Streamlined Review
  - Don't Be Afraid To Share Concerns and Ideas
  - Be Open And Available To Collaborate
  - Be Available To Workshop Ideas With Applicants
- Did The Board Keep Good Notes?
  - Track Project Requirements As They Evolve
  - Ensure Final Approved Plans Meet Project Requirements
  - Pay Special Attention To When Your Zoning Prohibits Good Ideas
- Did The Board Utilize Lessons Learned?

# PROJECT APPROVAL PROCESS ASSESSMENT

- Review Board & Code Performance
- Keep Track Of What Went Wrong And What Went Right
  - Can The Project Review Process Be Improved?
  - Is The Zoning Code Supportive Of Smart Development?
  - Is Zoning Causing Loss Of Good Opportunities?
  - Is The Review Board Working As A Team?
  - How Can Successful Elements Be Repeated?
  - How Can Un-Successful Elements Be Avoided Or Minimized?





## CASE STUDY – “THE FARM STAND”

### ➤ Town of Shandaken vs. Hanover Farms (Farm Stand)

2004: Granted Special Permit for 100 sq ft farm stand in a residential area

2007: Applied for 2,840 sq ft expansion with ZBA

ZBA did not act (constitutes a denial pursuant to Town Law)

Applicant constructed anyway...

2012: Damage from Hurricane Irene, requested a building permit to repair

CEO found nonconformance with approval

CEO Issued a Stop Work Order

#### **Court Remedy:**

**2016:** Applicant must remove 2,840 sq ft of farm stand, roof, electric wiring, electric fixtures and all other improvements post 2004



## CASE STUDY – “CONDITIONED SITE PLAN”

### ➤ Shopping Center, Town of North Hempstead

- Existing commercial shopping center with a buffer restriction (22 ft wide) constructed in 1959
- 2010, Applicant sought to construct a new 10,000 sq ft shopping center and reduce the buffer to 4 ft
- Town approved the site plan BUT the new structure was limited to 6,800 sq ft to “enable the structure to better fit into the irregular-shaped site... while maintaining the existing 22 ft. buffer”
- Applicant appealed to Court – noting that the 10,000 sq ft building was dimensionally code compliant



## CASE STUDY – “CONDITIONED SITE PLAN”

### Court Ruled:

- Town Law §274-a(2)(a) authorizes the Board to review site plans based on certain land use elements, including “screening,” “landscaping,” and “dimension of buildings”
- Town Code outlines “the need” to approve or not approve a site plan: “[o]verall impact on the neighborhood, including compatibility of design considerations and adequacy of screening from residential properties.”
- Board can impose a condition so long as there was a “reasonable relationship between the problem sought to be alleviated and the application concerning the property.” (i.e. reasonable relationship to screen from the residential neighborhood)

## “THE BIG BOX” – HOW TO GET WHAT YOU WANT!

### ➤ Big Box Retail or “Formula Retail”

- Formula Retail = Retail stores, restaurants, hotels, and other establishments that are required by contract to adopt standardized services, methods of operation, décor, uniforms, architectural features, virtually identical to businesses located in other communities
- Why regulate?
- Concerns over community character, economic and environmental impacts, and social equity issues
- Tools:
  - **Comprehensive Plan** – Do you want to encourage or restrain the growth?
  - **Zoning** – Regulates, where, what and how big...
  - **Site Plan Review** - Regulate the details... Formula based businesses are not prevented from operating, but merely required to adjust their appearance to local styles!

## "THE BIG BOX" – HOW TO GET WHAT YOU WANT!

### Site Design Requirements:

- Uninterrupted facades of more than 100 feet are prohibited (needs windows, awnings, recesses, projections... architectural details)
- Facades must include repeating patterns of color, texture or materials to increase architectural interest in buildings
- Roof lines must include variations such as parapets (to conceal flat roofs and rooftop equipment), overhanging eaves and sloping planes
- Customer entrances must have features (i.e. canopies, arches, planters, etc.)



## "THE BIG BOX" – HOW TO GET WHAT YOU WANT!

### Site Design Requirements:

- Exterior building materials must be high quality (prohibit smooth faced concrete, tilt-up concrete panels and steel panels)
- Façade colors must be neutral, trim may have brighter colors
- Any façade adjacent to a public street must have a customer entrance
- Loading docks, trash collection & outdoor storage must be screened



***FOR MORE INFORMATION...***



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