

COR Inner Harbor Project
2015 OCIDA SEQRA Resolution
12/15/15

At a regular meeting of the Onondaga County Industrial Development Agency convened in public session on December 15, 2015 at 8:00 a.m. at the Nicholas J. Pirro Convention Center, 800 South State Street, Syracuse, New York, the following members were:

PRESENT:

Daniel Queri
Victor Ianno
Patrick Hogan
Janice Herzog
Steve Morgan

ABSENT:

Jessica Crawford
Lisa Dell

ALSO PRESENT:

Anthony P. Rivizzigno, Esq., Agency Counsel
Julie Cerio, Executive Director

Upon motion duly made and seconded, the following resolution was duly adopted by the Agency with its members voting as follows:

Aye

Nay

Abstained

Daniel Queri
Victor Ianno
Patrick Hogan
Janice Herzog

Steve Morgan

RESOLUTION DETERMINING THAT ACTION TO PROVIDE FINANCIAL ASSISTANCE FOR THE SYRACUSE INNER HARBOR PROJECT AS MODIFIED BY THE 2015 CHANGES WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AND REQUIRES NO FURTHER ENVIRONMENTAL REVIEW

WHEREAS, the Onondaga County Industrial Development Agency (the "Agency") is authorized and empowered by Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act"), Chapter 435 of the 1970 Laws of New York, and Chapter 676 of the 1975 Laws of New York, as amended, constituting Section 895 of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research and recreation facilities, including industrial pollution control facilities, educational or cultural facilities, railroad facilities, horse racing facilities and continuing care retirement communities, among others, for the purpose of promoting, attracting, encouraging and developing recreation, and economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York and to improve their recreation opportunities, prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct, improve, maintain, equip or furnish one or more "projects" (as defined in the Act); to sell, convey, mortgage, lease, pledge, exchange or otherwise dispose of said projects; and to provide financial assistance to such projects; and

WHEREAS, COR Inner Harbor Company, LLC ("The Company") by application of November 5, 2015, is currently requesting financial assistance (sales and use tax exemption, mortgage recording fee exemption, and a PILOT) from the Agency, ("the Action") in connection with a mixed use (residential, retail, office and educational) Project in the Onondaga Lake Inner Harbor area ("Project") that was previously subject to a comprehensive and coordinated SEQRA review by the Syracuse Industrial Development Agency ("SIDA"), as lead agency, and

WHEREAS, the Agency has given due consideration to the Application and to representations made by the Company that (A) the granting by the Agency of the Financial Assistance with respect to the Project will be an inducement to the Company to undertake the Project in Onondaga County, New York; and (B) the completion of the Project will not result in the removal of a facility or a plant of the Company from one part of the State of New York to another area of the State of New York or in the abandonment of one or more plants or facilities of the Company located within the State of New York; and

WHEREAS, SIDA received an application from the Company for the Project on or about April 10, 2013; and

WHEREAS, on April 25, 2013, SIDA adopted a resolution declaring its intent to act as lead agency for the purposes of conducting a coordinated environmental review of the Project, as a Type I action under SEQRA; and

WHEREAS, by resolution dated June 18, 2013, after receiving no objection from any involved agencies regarding its intention to act as lead agency, SIDA issued a positive declaration for the Project, and required the Company to prepare a draft environmental impact statement ("DEIS"); and

WHEREAS, SIDA also adopted a resolution in which it acknowledged receipt of a proposed DEIS draft scope from the Company and scheduled a public scoping session with written comments concerning the draft scope to be accepted until July 19, 2013. SIDA adopted the final scope for the Project by resolution dated August 13, 2013; and

WHEREAS, the Company submitted the DEIS to SIDA on or about September 4, 2013, and by resolution dated September 17, 2013, SIDA determined the DEIS was adequate for the purpose of commencing review by the public. The DEIS and Notice of Completion of DEIS were filed in accordance with SEQRA on September 20, 2013, and

WHEREAS, the DEIS included an extensive analysis of reasonable alternatives to the Project as then proposed, including an analysis of an alternative of reduced project scale, considering especially the ratio of residences to businesses, and

WHEREAS, a forty-one (41) day comment period ensued regarding the DEIS. A public hearing was held on October 15, 2013 and public comments were accepted until October 28, 2013. Verbal and written comments were received during that period; and

WHEREAS, the Final Environmental Impact Statement ("FEIS") for the Project was subsequently prepared to respond to all comments received, and by resolution dated November 19, 2013, SIDA determined that the FEIS was complete. The FEIS and Notice of Completion of FEIS were filed in accordance with SEQRA on November 26, 2013; and

WHEREAS, pursuant to 6 NYCRR § 617.1 l (a), a reasonable period of time elapsed between the filing of the FEIS and Notice of Completion of FEIS and the issuance of a Findings Statement by SIDA; and

WHEREAS, SIDA adopted a resolution on December 17, 2013 authorizing the adoption of a Findings Statement for the Project, finding that while the Project would result in impacts as a result of site construction activities and post construction operation, none of the impacts identified were significant adverse impacts and that consistent with the social, economic and other essential considerations, from among the reasonable alternatives available, the Project minimized or avoided, to the maximum extent practicable, adverse environmental impacts identified in the DEIS and FEIS; and

WHEREAS, in May of 2014, the Company notified SIDA of certain changes to the Project. These included the elimination of a banquet facility from the proposed hotel, relocation of parking accommodations from the hotel parcel to a property located across the street at 329 Kirkpatrick Street, and addition of the construction of certain roads and related infrastructure (the "2014 Changes"), and

WHEREAS, on June 17, 2014, SIDA adopted a resolution reviewing the 2014 Changes to the Project under SEQRA, and finding that the 2014 Changes to the Project, in the context of the prior SEQRA review and Findings Statement, constituted insignificant changes to the Project that did not alter SIDA's determinations and findings under SEQRA, and which did not warrant further review under SEQRA; and

WHEREAS, some time after adoption of the SIDA resolution on the 2014 Changes, the Company requested from the City Planning Commission of the City of Syracuse approval to modify the building and site plans for a previously-approved Site Plan Review in order to construct two mixed-use buildings separated by an alley at 720 Van Rensselaer Street; and for each building to consist of retail use on the ground floor and 54 apartments on the upper floors with off-street parking located across Van Rensselaer Street on property situated at 701 Van Rensselaer Street, such construction not being included in the 2014 Changes (hereinafter referred to, with others, as the "Planning Commission Changes"); and

WHEREAS, pursuant to SEQRA, the Planning Commission, on April 27, 2015, determined in connection therewith that SIDA had reviewed the comprehensive development of the area and had determined that no significant environmental impact will result, and therefore issued a negative declaration; and

WHEREAS, some time after adoption of the SIDA resolution on the 2014 Changes, the Company requested from the City Planning Commission of the City of Syracuse a Special Permit to construct a surface parking lot with 146 spaces on property situated at 701 Van Rensselaer Street, such changes not being included in the 2014 Changes (hereinafter referred to, with others, as the "Planning Commission Changes"); and

WHEREAS, pursuant to SEQRA, the Planning Commission, on April 27, 2015, determined in connection therewith that the Syracuse Industrial Development Agency had reviewed the comprehensive development of the area and had determined that no significant environmental impact will result, and therefore issued a negative declaration; and

WHEREAS, some time after adoption of the SIDA resolution on the 2014 Changes, the Company requested from the City Planning Commission of the City of Syracuse, a Special Permit for civic use to construct an educational and research science center with an accessory boat house and parking area and to relocate an existing freight house on the Project site, such construction and relocation not being included in the 2014 Changes (hereinafter referred to, with others, as the "Planning Commission Changes"); and

WHEREAS, pursuant to SEQRA the City Planning Commission reviewed the education and research science center proposal, determined it to be an Unlisted Action under SEQRA and on September 21, 2015 determined that it will have no significant environmental impact based on the limited magnitude of the proposal, and therefore issued a negative declaration; and

WHEREAS, since that time, the Company has proposed further changes in the configuration of the anticipated uses, and square footage of buildings, that will be developed. Those changes

include: (1) the construction and development of a 30,000 square foot educational/science center and accompanying 4,000 square foot boat storage building in place of the adaptive reuse of an existing 24,000 square foot canal maintenance building for retail, restaurant and event space [addressed in the Planning Commission Changes approved 9/21/15]; (2) the construction of a 78,000 square foot, 123 room, extended stay hotel building in place of what was planned as a 350-seat, 50,000 square foot hotel banquet facility; and (3) the construction of four mixed-use residential/retail/office buildings, containing 88 apartment units and associated parking, in place of 80 townhouse units with parking (the "2015 Changes"); and

WHEREAS, traffic and other impacts associated with the 350 seat hotel-banquet facility will be reduced by the construction of a 123 room, extended stay hotel or will be no greater than those associated with the previously proposed 350- seat hotel-banquet facility; and

WHEREAS, the 2015 Changes will result in the construction of four additional buildings (19 in total, up from 15¹) but the total square footage occupied by those buildings is reduced by approximately 15% (269,554 sq. ft.) from the square footage occupied before the 2015 Changes; and

WHEREAS, within that built area, retail space will increase by 14,478 sq. ft. (to 196,478 sq. ft.), by itself an insignificant increase, which will be largely offset in terms of potential traffic impact, by a decrease in office space of 12,000 sq. ft. (to 108,000 sq. ft.); and

WHEREAS, the 2015 Changes result in an increase of 23 residential units from before the 2015 Changes, which increase is insignificant relative to traffic or demand on municipal services ; and

WHEREAS, space for community, education and not-for-profit uses will increase by 43,000 sq. ft. (to 199,000 sq. ft. from 156,000 sq. ft.) but this increased built area will be offset by a 55,388 sq. ft. reduction in parking garage space (down to 225,000 sq. ft.); and

WHEREAS, the uses proposed in the 2015 Changes, including educational and community-related uses, residential uses and hotel uses, were all uses that were previously contemplated by SIDA in its comprehensive, coordinated review and which were the basis of SIDA's December 17, 2013 Findings Statement and SIDA's June 17, 2014 Supplemental SEQRA Resolution and the determinations and findings of the City Planning Commission resolutions of April 27, 2015 and September 21, 2015; and

WHEREAS, the Agency is a local agency pursuant to the New York State Environmental Quality Review Act ("SEQRA"), ECL Section 8-0101, et. seq., and implementing regulations, 6 NYCRR Part 617 (the "Regulations"); and

WHEREAS, providing Financial Assistance to the Project is an Action as defined by SEQRA; and

¹ The DEIS anticipated construction of 20 buildings.

WHEREAS, a supplemental short-form Environmental Assessment Form (“EAF”), dated November 5, 2015 was submitted to the Agency to facilitate a review of the potential environmental impacts of the 2015 Changes; and

WHEREAS, on June 17, 2014, SIDA, by resolution, declared that the SIDA SEQRA resolution of December 17, 2013, authorizing the adoption of a Findings Statement, had the effect of concluding the SEQRA review process for the Project; and

WHEREAS, for more than 25 years, the Syracuse Lakefront, including the Project site, has been the subject of numerous environmental reviews and zoning changes contemplating and authorizing dense urban development of the area, including the creation of the T5 (Urban Center) and T5-1 (Urban Center-Waterfront) zoning districts encompassing the Project site, which permit development of the Project, including the 2015 Changes; and

WHEREAS, the Agency has considered the Project, including the 2015 Changes, in relation to current land use regulations and previous reviews of potential environmental impacts and mitigation measures associated with the redevelopment of the Syracuse Lakefront and Inner Harbor areas, including the September 14, 1992 City Planning Commission DEIS for the Zoning Amendment, Related Design Actions, and Lease of New York State Canal Land in the Inner Harbor, Syracuse, NY; the 2004 adoption of the City of Syracuse Lakefront Zoning Districts and subsequent zoning amendments in furtherance of the City of Syracuse Lakefront Master Plan, the September 4, 2013 Project DEIS; the Project FEIS filed on November 26, 2013; the SIDA Project Findings Statement of December 17, 2013; the June 27, 2014 SIDA resolution on the 2014 Changes; the City Planning Commission resolutions of April 27, 2015 and September 21, 2015; the Company’s November 5, 2015 OCIDA application; the Company’s November 5, 2015 Supplemental Short Environmental Assessment Form; the Company’s November 4, 2015 Syracuse Inner Harbor Master Plan spreadsheet describing the Project as modified by the 2014 Changes and the 2015 Changes; the December 10, 2015, C&S Companies, Revised Environmental Assessment Report, Syracuse Inner Harbor-OCIDA; the December 9, 2015 letter from SRF Associates on Review of Updated Site Plan, Inner Harbor Development, Syracuse, NY; and the December 11, 2015, SRF Associates, Review of Updated Site Plan, Intersection Analysis, Inner Harbor, Syracuse, NY; correspondence from Robert M. Palladine, C&S Companies, of December 14, 2015, regarding Inner Harbor parking; and

WHEREAS, the Agency has compared the impacts that may be reasonably expected to result from the Project, as modified by the 2015 Changes, against the Criteria for Determining Significance set forth in 6 NYCRR 617.7; and

WHEREAS, the construction and operation of the Project, as modified by the 2014 Changes, the Planning Commission Changes, and the 2015 Changes, results in no greater impacts than those impacts that were analyzed in the Project DEIS and FEIS and declared insignificant in the SIDA Findings Statement and SIDA’s supplemental SEQRA resolution of June 17, 2014, or the determinations and findings of the City Planning Commission resolutions of April 27, 2015 and September 21, 2015.

NOW THEREFORE, be it resolved that

1. As a result of the Agency's review of the Project, as modified by the 2015 Changes, the Agency has determined that the 2015 Changes to the Project do not result in significant adverse environmental impacts different in kind or magnitude from those evaluated in SIDA's coordinated and supplemental environmental reviews nor those of the Planning Commission Changes reviewed by the City Planning Commission of the City of Syracuse and do not alter the determinations and findings made by SIDA in its December 17, 2013 Finding Statement or its June 17, 2014 supplemental SEQRA resolution or the determinations and findings of the City Planning Commission resolutions of April 27, 2015 and September 21, 2015, which findings and resolutions are hereby adopted as those of the Agency.

2. No further environmental review is required.

