

Chapter 2: Land Use, Community Character, Zoning, and Public Policy

A. INTRODUCTION

This chapter addresses possible impacts on land use, zoning and public policies as a result of the Proposed Project. Existing and future conditions are examined in a study area as defined within a ¼-mile radius of the Project Site.

PRINCIPAL CONCLUSIONS

The Proposed Project would not alter the basic uses or character of the Saratoga Race Course and would upgrade and restore existing resources at the facility. There are certain new facilities that may be built along the edges of the Project Site and near adjacent land uses—including the proposed Nelson Avenue building, and new dormitories and barns in the Oklahoma and Oklahoma Annex area. Overall, the Proposed Project is expected to reinforce and improve the Race Course’s presence in the study area and there would be no significant adverse impacts on land use. Similarly, the Proposed Project is expected to remain consistent with existing zoning and public policies for the ¼ mile study area at and around the Project Site.

B. EXISTING CONDITIONS

LAND USE AND COMMUNITY CHARACTER

PROJECT SITE

The Project Site is an existing, historic, equine Race Course located at 267 Union Avenue in the City of Saratoga Springs, in Saratoga County, New York. The Project Site is approximately 337 acres, divided into 14 separate tax parcels. As described in more detail in Chapter 1, “Project Description,” the Project Site is generally defined by the Frontside and Backstretch areas. The Frontside contains the key public elements of the Race Course including the racecourse itself, grandstand, paddock and saddling areas, Jockey House and other administrative buildings, entrance gates, parking areas, and the public grounds. The Backstretch is generally not open to the public (other than parking during the race season) and includes stables, training tracks, dormitories, and other support facilities). The Project Site’s land use classification is Recreation & Entertainment.¹

The Project Site is located approximately one mile from downtown Saratoga Springs and is bordered by residential neighborhoods to the north and west, a 400-acre artist’s community known as “Yaddo” to the east, and Saratoga Casino and Raceway to the south. **Figure 2-1** illustrates that there are two primary transportation corridors present within the ¼-mile radius of

¹ New York State Office of Real Property Services (ORPS) Classification System <http://www.tax.ny.gov/research/property/assess/manuals/vol6/ref/prclas.htm>

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the study area: Union Avenue (NY Route 9P), which connects with Interstate 87 (I-87) at Exit 14, and Nelson Avenue. The Project Site can be accessed by two major roadways NYS Route 9 (South Broadway) and I-87 via exit 14 to Union Avenue (NYS Route 9P) as well as exits 13 to the south and exit 15 to the north.

The character of the site is consistent with a historic, equine race course and its appearance is dominated by horse-racing related infrastructure such as a race tracks, stables, a jockey house, dormitories and a paddock as well as uses that are supportive of horse-racing such as restaurants, a grandstand, and picnic areas.

1/4-MILE STUDY AREA

The study area is a well-established mix of residential, commercial, recreation (including track-related uses), and community facility land uses with an insignificant number of isolated vacant lots within the overall built-out land use pattern. This mix of land uses is part of the historic fabric that defines and characterizes Saratoga Springs with the Race Course being the most notable and dominant use (see **Figure 2-1**).

Along Union Avenue, which extends east to west through the study area and bisects the Project Site, land uses include a mix of residential, commercial, vacant, recreation and entertainment, and community service uses including the New York State Racing Museum located on the northern side of Union Avenue west of the Project Site. North of the Project Site along 5th Avenue and Caroline Street, the study area is characterized by densely populated single-family residential areas. The City of Saratoga's East Side Recreation Park provides for active recreation and is located at the northern edge of the Study Area.

South of the Project Site, the study area is characterized by several large vacant and underdeveloped parcels as well as the Saratoga Casino and Raceway lands. Nelson Avenue running north to south through this portion of the study area, is a busy thoroughfare characterized by a mix of residential land uses with pockets of commercial activity including a motel, restaurants and B&Bs. West of the Project Site, East Avenue extends through the study area north to south. Located along East and Madison Avenues across from the Race Course is Fasig-Tipton, an auction house for thoroughbred horses. The Fasig-Tipton grounds also house a pavilion, restaurants, horse barns, administrative facilities and a large walking ring. Beyond East Avenue to the west, the properties are predominantly single-family residential mixed with commercial uses including restaurants and Bed and Breakfasts (B&Bs). East of the Project Site the study area is dominated by Yaddo, which is known for its gardens and sculpture, and was designated a National Historic Landmark in March, 2013 (Refer to "Chapter 15, Cultural Resources," for a description of the Yaddo Property). Beyond the Yaddo property to the east is the I-87 Northway.

ZONING

PROJECT SITE

The Project Site is owned by the People of the State of New York, and operated by the New York Racing Association (NYRA), under the oversight of Franchise Oversight Board (FOB). As a State-owned and operated facility, the Proposed Project is exempt from the City of Saratoga Springs Zoning Ordinance; however, all applicable new construction is reviewed by the City to ensure consistency with the Building Code. As shown on **Figure 2-2**, the City has mapped the Project Site within a distinct zoning district —the Institutional Horse Track Related Zoning

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(INST-HTR) district. The district also includes the nearby Saratoga Casino and Raceway located south of the Project Site, as well as adjacent private parcels with track-related uses such as the Fasig Tipton stables and auction facilities. The intent of this district is “to accommodate uses associated with the City's rich history of competitive horse racing and to provide uses that supplement and compliment the horse track operations.” The privately owned parcels within the INST-HTR District are subject to the City’s Zoning Ordinance. The following uses are permitted in the INST-HTR District:¹

1. Principal Permitted Uses and Structures:
 - None
2. Uses Permitted with Site Plan Approval:
 - Permitted only in association w/ a Horse Racing Facility: Horse Race Track & Grandstand, Arena (<5000 seats), Horse Training Facilities; Horse Barns & Stables, Eating and Drinking Establishments, Concession Stands, Parking Facilities, Physical Plant Maintenance & Operational Facilities, Indoor Recreational Facilities, Group Entertainment, Staff Services including Dormitories, Single-Family Residences, Recreational Facilities, Cultural Facilities, Religious Institutions, Retail, Service Establishments, Medical Care
 - Facilities Permitted only in association with a Horse Racing Facility & only on parcels not used as a horse race track and/or horse training track existing as of January 1, 2002: Cultural Facilities, Horse Auction Sales Facilities.
3. Uses Permitted with Special Use Permit and Site Plan Approval:
 - The following uses shall be permitted only on parcels where a horse race track and/or horse race training track exists as of January 1, 2002: Cultural Facilities; Parimutuel Racing Hotel; Heliport; Group Entertainment, Outdoor Recreational Facilities; Parking Facilities
 - The following uses shall be permitted for no more than 90 days per calendar year and only on parcels not used as a horse racing facility and/or race track training existing as of January 1, 2002 and said 90 days must include at least 30 days during which a horse racing meet is in operation: Administrative Offices, Eating & Drinking Establishments (< 160 seats), Outdoor Eating & Drinking Establishments, Indoor/Outdoor Entertainment (hrs. of operation & entertainment type may be limited, outdoor entertainment limited to 5 days/year in addition to the thoroughbred racing meet dates), Horse Barns and Stables.
4. Permitted Accessory Uses and Structures
 - Residential Accessory Structures
 - Employee Recreational Facilities
 - Parking Facilities

¹ City of Saratoga Springs Zoning Ordinance, Chapter 2; Section 2-Use, Table 2-Use Schedule Adopted by the City Council: September 4, 2012; Effective: October 4, 2012

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¼-MILE STUDY AREA

A total of nine zoning districts and two overlay districts are mapped within the study area (see **Figure 2-2**). **Table 2-1** identifies the zoning districts and the intent of the zoning districts located within the ¼-mile radius.

Table 2-1
Zoning within ¼-Mile Radius of the Project Site

District	District Intent*
Urban Residential – 1 (UR-1)	To provide medium density single family residential uses where adequate infrastructure is available.
Urban Residential – 2 (UR-2)	To provide single-family residential uses at a density higher than the UR-1 District.
Urban Residential – 3 (UR-3)	To conserve, maintain and encourage two-family residential dwelling.
Urban Residential – 4 (UR-4)	To accommodate new and existing residential development in low rise structures at moderately high densities and to preserve and enhance those areas of the City with a mixture of housing types.
Tourist Related Business District (TRBD)	To accommodate commercial uses that are designed to service the tourists who frequent this resort City.
Institutional Horse Track Related District (INST-HTR)	To accommodate uses associated with the City's rich history of competitive horse racing. This district is intended to provide uses that supplement and compliment the horse track operations.
Institutional Educational (INST-ED)	To accommodate uses associated with schools, colleges, universities and other educationally oriented establishments. The district is intended to provide uses that supplement and compliment the educational operation of these facilities.
Institutional Parkland/Recreation (INST-PR)	To accommodate areas set aside for passive and active recreation.
Rural Residential – 1 (RR-1)	To provide low density residential and agricultural uses in order to preserve open space and a rural character. Limiting topography, soil condition, slopes, and lack of public infrastructure warrant the low densities.
Historic Review Overlay District	This overlay is intended to protect and enhance the landmarks and historic districts which represent distinctive elements of the City's historic, architectural and cultural heritage; foster civic pride in the accomplishments of the past; protect and enhance the City's attractiveness to visitors and thereby providing support and stimulus to the economy; and to ensure the harmonious, orderly and efficient growth and development of the City.
Architectural Review Overlay District	It is the purpose of this overlay to prevent harmful effects of exterior appearances of buildings erected in any neighborhood and thus to promote the health, safety, comfort and general welfare of the community, to promote the public convenience and prosperity, to conserve the value of buildings and to encourage the most appropriate use of land.
Source: City of Saratoga Springs Zoning Ordinance Articles 2, 7, and 8.	

PUBLIC POLICY

INTRODUCTION

In addition to the Zoning Ordinance, the growth and development of the City of Saratoga Springs is guided by several adopted public policy documents. These policy documents include the Comprehensive Plan¹, the Open Space Plan Update² and the Complete Street Policy Program³. A brief description of each of these documents follows.

COMPREHENSIVE PLAN

The City of Saratoga Springs' Comprehensive Plan was adopted in July 2001. While several updates have been initiated since its adoption, the 2001 Comprehensive Plan remains the current document guiding the City's growth. An update to the Comprehensive Plan was initiated in December 2013 and is currently underway.

The existing plan provides a long-range vision for balanced growth in the City and articulates nine overarching goals. Described as the "City in the Country," the following vision for the City of Saratoga Springs is articulated in the Comprehensive Plan:

*This Plan is based on the "City-in-the-Country" concept, meaning a city with an intensively developed urban core and an economically vibrant central business district, with well-defined urban edges and an outlying area comprised of open lands, a landscape or rural character and low density residential development. The overriding philosophy that will guide future development of our "City in the Country" will be sustainability. Sustainable development is development that enhances economic opportunity and community well-being while protecting the amenities upon which our economy and our community depend. A sustainable-growth policy recognizes that unlimited growth is not right for our City; nor is no growth at all. Through sustainable development, we aim to meet the needs of the present without compromising the ability of future generations to meet their own needs.*⁴

The nine goals of Saratoga's Comprehensive Plan are intended to help the City achieve this vision and include:

1. Enhance the vitality and success of the City's downtown core area.
2. Promote a broader mixture of uses in selected areas to encourage social, business and residential interaction and diversity.
3. Implement land use and design policies to enhance our quality of life, balance the costs of municipal services with revenues, protect sensitive environmental resources, and preserve traditional community character.
4. Promote pedestrian and bicycle access, transit services, and traditional neighborhood design in order to reduce dependence on the automobile.
5. Continue investing in the amenities that contribute to our community's success.

¹ http://www.saratoga-springs.org/index.php?option=com_content&view=article&id=905

² http://www.saratoga-springs.org/index.php?option=com_remository&Itemid=67&func=startdown&id=1627

³ https://www.dot.ny.gov/programs/completestreets/repository/cs_saratogasprings_policy.pdf

⁴ City of Saratoga Springs Comprehensive Plan, July 17, 2011. Page 3.

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6. Support the City's sense of history and the "City in the Country" by preserving the quality of, and linkages among, cultural and open space resources.
7. Encourage and increase housing diversity and affordability as well as neighborhood vitality.
8. Work with other communities in the region to address issues that transcend jurisdictional and other boundaries.
9. Invest in infrastructure improvements and encourage public/private partnerships that support the Plan's goals

In addition, the Comprehensive Plan includes a number of specific references to the Race Course. The following strategies are provided for the Race Course (see pages 8 and 19):

"Support the viability and growth of the community's unique institutions (i.e. Skidmore College, Saratoga Hospital, SPAC and the racetracks)..."

"Continue pedestrian and automobile improvements particularly to major activity areas including Skidmore College, Embury/Wesley apts., Spa State Park and the racetracks."

OPEN SPACE PLAN UPDATE

In 1994, the City Council adopted an official Open Space Plan for the City to protect the value of open lands and the character of the City. The adopted 2002 Open Space Plan Update reflects additional tools and guidelines for achieving the City's vision of the "City in the Country." The plan identifies open spaces, agricultural heritage areas, and gateways. It is also accompanied by the Open Space and Recreation Resources map that illustrates pedestrian and bicycle connections throughout the City. Within the Proposed Project's study area, Union Avenue is designated as a Signature Gateway and Existing Bicycle Route.

COMPLETE STREETS POLICY PROGRAM

In May 2012, the City Council adopted a Complete Streets Policy and Program. The Complete Streets Policy encompasses the design, planning, and operations of transportation systems in the City, and will accommodate and encourage travel by cyclists, pedestrians of all ages and abilities, and public transportation users, in accordance with established best practices.

Elements of the Complete Streets Policy may come into effect for any development that may impact any roadways or street systems within the City. Accommodations for all modes of transportation would be encouraged to the greatest extent possible.

OTHER DOCUMENTS

In 2010, the Saratoga Historic Preservation Foundation prepared the *Saratoga Race Course Cultural Resources Inventory Phase One: Cultural Landscape Inventory & Architectural Resource Survey of Backstretch Structures* in response to concerns about how potential modernization and expansion plans for the Saratoga Race Course would affect the historic character of the Race Course. The potential for the Proposed Project to affect the historic resources identified within this inventory is described in detail "Chapter 15, Cultural Resources."

C. FUTURE WITHOUT THE PROPOSED PROJECT

LAND USE

The “Future Without the Proposed Project,” (also referred to as the “No Build” condition) provides a baseline condition that is evaluated and compared with the incremental changes due to the Proposed Project. Conditions in the Future Without the Proposed Project are assessed for the same analysis year as the implementation of the Proposed Project—i.e., 2024.

In the “Future Without the Proposed Project”, it is expected that the Background Projects identified in “Chapter 1, Project Description”, such as routine repairs and maintenance as well as the refurbishment of dorms would be implemented as needed. However, none of the Proposed Project elements would be constructed.

In coordination with the City of Saratoga, a comprehensive review of other public and private development projects anticipated by the No Build analysis year of 2024 was compiled and reviewed as part of the impact assessment (see **Table 2-2**). Based on that review, only the proposed Saratoga Casino and Raceway is currently identified for completion by 2024 within the ¼-mile land use study area. (The information regarding the Raceway project was verified by the Raceway’s traffic consultants who indicated that there are currently no additional uses proposed as part of the Raceway project.) Although most of the No-Build projects fall outside of the land use study area, many are within the larger traffic analysis study area. Therefore, these projects were considered and accounted for in No Build traffic volumes for the traffic analysis as described in Chapter 11, “Traffic and Transportation.”

**Table 2-2
No Build Projects**

Project	Location	Residential Units	Commercial Square footage
<i>Under Construction</i>			
420 Broadway	420 Broadway	14	63,860
Seward Street Apartments	Seward St and Morgan St	57	0
Beaver Pond Subdivision	Geyser Road	84	0
60 Weibel Ave Apartments (The Springs At Weibel Ave)	60 Weibel Avenue	178	24,000
Movie Theatre- Bowtie Cinemas (Bonacio)	19 Railroad Place	n/a	66,050
Pavillion Grand	30 Lake Avenue	48	8,500
Excelsior Avenue Mixed Use Development	Excelsior/ Marion	41	53,707
72-74 Weibel Avenue	72-74 Weibel Avenue	120	12,500
Munter/Grande Industrial Park Site Plan	Cady Hill Boulevard	0	30,000
Congress Plaza Redevelopment	46 Congress Street	0	86,000
Washington Commons Site Plan	Washington Street and Central Ave	12	15,000
Chloe's Way	East Broadway	31	0
Logistics One Flex Warehouse Expansion Site Plan	29, 31, 33 Cady Hill Blvd, WJ Grande Industrial Park	0	145,000
Schrade Insurance Agency	227 Washington Street	3	3,680
Family Dollar	2214 Route 50	0	8,320
Munter/Grande Industrial Park Subdivision	Cady Hill Boulevard	0	0

**Table 2-2 (cont'd)
No Build Projects**

Project	Location	Residential Units	Commercial Square footage
<i>Under Construction</i>			
Unlimited Potential	36 Cady Hill Blvd	0	9,352
Hidden Fountain Commons	Northwest Corner of Lawrence Street and Church Street	6	3,420
Old Bryan Inn	123 Maple Ave	0	2,600
Omni- 2 West Ave- Mixed Use Apartments	2 West Ave	90	5,500
Security Supply Addition	50 West Avenue	0	26,200
Saratoga Honda Expansion	3402 Route 9 (South Broadway)	0	29,000
Four Winds Parking Lot	South Broadway Rear	0	0
Home of the Good Shepherd Senior Assisted Living and Senior Housing	394-402 Church Street	146	0
Plaza 15 Storage	30 Gick Road	0	26,200
Blodgett Subdivision	133 Kaydeross Avenue East	0	n/a
<i>Pending Approval</i>			
Saratoga Casino and Raceway	342 Jefferson Street	Combination of Casino and Hotel	
Ellsworth Mixed Use Development Site Plan and Subdivision	120 Division Street	tbd	tbd
Rip Van Dam Hotel	353 Broadway	176	0
Subdivision of Lands of Missionary (St. Clements Church)	231 Lake Avenue	n/a	0
Hamilton Street Parking Garage	Hamilton Street, between Congress and Williams	0	0
Saratoga Hospital ICU	211 Church Street	0	33,900
Source: City of Saratoga Springs, AKRF, Inc.			

ZONING

In the Future Without the Proposed Project, it is expected that the site would continue to be zoned Institutional Horse Track Related.

PUBLIC POLICY

An update to Saratoga’s Comprehensive Plan is currently underway. Within the approximately 9-year timeframe for the analysis of the Future Without the Proposed Project, it is expected that an update to the Comprehensive Plan would be completed and adopted. While it is not known if this update to the Comprehensive Plan would include changes that would affect the Proposed Project, the existing contextual relationship of the Race Course with the surrounding open space network is well-established and unlikely to change.

D. POTENTIAL IMPACTS OF THE PROPOSED PROJECT

LAND USE

As part of the Proposed Project, six new buildings would be constructed along the edges of the Project Site and in proximity to adjacent land uses. The potential effects of these buildings on

surrounding land uses are described below and in more detail in Chapter 1, “Project Description” and Chapter 16, “Visual Resources.”

- **Nelson Avenue Service Building.** The proposed Nelson Avenue Service Building would be located along Nelson Avenue at the corner of Nelson Avenue and Wright Street. The proposed building would be constructed on an existing vehicle and equipment storage area and would result in a change of use at the public edge of the race course. The proposed new building would provide a use and building type of a scale and massing that is compatible and consistent with the existing buildings on the race course as well as surrounding land uses and building types. The new building would not be expected to adversely affect existing land use patterns or community character.
- **Lincoln Avenue Gate.** The Proposed Project would result in renovations to the Lincoln Avenue Gate. The proposed new Lincoln Avenue Entrance would create a major access point along Lincoln Avenue and its central location would make the entry a gateway to the race course from all areas of the Frontside. The Lincoln Avenue Entrance design incorporates a new paved space or pedestrian plaza in front of the proposed new gatehouse building to allow guests to gather while waiting in line to buy tickets. A round-about is proposed to slow traffic down and function as a guest drop-off area. The proposed new Lincoln Avenue Gate would be consistent the existing gate and is expected to improve traffic circulation and pedestrian access to the site. The design of the proposed entrance and building would be sensitive to the historic setting of the Race Course and would be visually consistent with the other entrance gates.

Oklahoma Annex. Three new barns and two new dormitories would be built in the Annex area north of 5th Avenue. These buildings would generally replace the open paddock areas and a small utility building currently located in the Annex. The dormitory buildings would be located along the Caroline Street frontage and would be visible from the street, although existing landscape buffers would remain. The new barns would be located in an existing open area immediately adjacent to and across the street from existing private horse facilities as well as residential uses across the street and along Caroline Street. The proposed new dormitories and barns would be compatible in scale and size with adjacent land uses and would not be expected to adversely affect surrounding residential properties or community character.

The Proposed Project would not alter the basic character or use of the Saratoga Race Course or the surrounding area and would primarily update and restore the existing resources that comprise the facility. Overall, the Proposed Project is expected to reinforce the Race Course’s presence in the study area through the addition of buildings and uses consistent and compatible with existing race course land uses. Therefore, no adverse impacts on land use would be expected and no mitigation would be required.

ZONING

The Proposed Project would not result in any modifications to existing zoning regulations and the proposed uses would continue to be consistent with the site’s zoning. Therefore, no impacts to zoning would result from the Proposed Project and no mitigation would be required.

PUBLIC POLICY

The improvements outlined in the Proposed Project would be consistent with several of the Comprehensive Plan goals including preserving traditional community character, promoting the

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City's sense of history, investing in the amenities that contribute to community success, and investing in infrastructure. In addition, the Proposed Project would be consistent with the strategies for Race Courses listed on Pages 8 and 19 of the Comprehensive Plan:

“Support the viability and growth of the community’s unique institutions (i.e. Skidmore College, Saratoga Hospital, SPAC and the racetracks)...”

The Proposed Project would result in improvements to the Saratoga Race Course that would preserve the historic landscape and character of the Saratoga Race Course while providing a broader spectrum of service choices for guests and an enhanced overall racing experience through infrastructure improvements and upgrades to Race Course facilities. The Proposed Project would emphasize the historic character of the Race Course, enhance operational efficiencies, and provide an expanded range of services and products and an enhanced entertainment experience while responding to changes in the global racing landscape to ensure a sustainable future for racing at Saratoga.

“Continue pedestrian and automobile improvements particularly to major activity areas including Skidmore College, Embury/Wesley apts., Spa State Park and the racetracks.”

The Proposed Project would include construction of new parking areas and pedestrian amenities including walkways and pavilions. In addition, the Proposed Project would include pedestrian and automobile improvements to the Race Course's entrances including the Wright Avenue Entrance, the Lincoln Avenue Entrance and the East Avenue Entrance (see Chapter 1, “Project Description”).

Overall, the Proposed Project is consistent with the City of Saratoga's Comprehensive Plan. Therefore, no adverse public policy impacts would be expected and no mitigation would be required.

E. MITIGATION

The Proposed Project is not expected to result in any significant adverse impacts to Land Use, Community Character, Zoning, or Public Policy. Therefore, no mitigation would be required.

*