

How Communities Can Work With Developers to Create Win-Win Projects

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Brief by John J. Behan, AICP

Behan Planning Associates, LLC

jbehan@behanplanning.com

518-583-4335

"What about all of that traffic." "We like things the way they are." "They shouldn't be allowed to do that." "Leave it alone!" Sound familiar?

On the other hand . . . "Our traffic engineers report that there are no major problems with this project." "This project will add to the tax base." "This is a good project." "These people just don't 'get it'."

Developers and communities seem to be in a constant battleground over how and whether to develop. The problem is a complicated one. However, consider the some of the following elements of the problem.

On the community side, the community members (residents, leadership, not-in-my-backyard (NIMBY) groups) can fail to recognize the fact that change is constant—i.e., one cannot "freeze dry" a community. There is an unwillingness to face the reality of ongoing pressure to change. Yet, if one consults history, we see that cities, towns, and villages are in a constant state of change. Believing there will be/can be no change; "we like it the way it is" is not dealing with reality.

Develop first, plan later. In many instances, communities simply are ill-prepared for change. There is no clear idea of the type of change that is coming—or desired. Communities have not looked honestly at themselves, and other places as models, and assessed what kind of development and change makes sense. There is no consensus the desired vision for the community as a whole, or for a particular part of a town. And finally, the community has often avoided doing its homework and having the tools in place to manage growth and change. The process to consider development proposals is often out of whack. The community typically responds to a development proposal in the form of a public hearing for a particular project, rather than having done its planning up front. The development is ahead of the planning.

The developers are in a tough position before they even begin a new project. The work of other developers—good, bad, and ugly, is there for the world to see—and potentially prejudice the next development project. Developers may fail to give credence to the larger problems the community is trying to solve—like that of protection of community character, reduction of the adverse impacts of growth such as traffic and safety concerns. By not joining in on problem solving, the development community can lose credibility. By becoming adversarial to community planning and some of the tough choices communities need to make—including new policies and regulations, the development community can also be perceived as a not-in-my-backyard NIMBY type of entity.

Winning relationships are the best relationships. Whether personal, business, or community-building, the best relationships are those where two people become winners. That is the basis of friendship, successful business relationships, successful community development, and by extension—successful communities. The ingredients of a successful relationship include open communication, compromise, and mutually-beneficial outcomes. The following are few successful win-win examples.

Planned unit development (PUD) zoning as a win-win project. The Hudson Pointe Planned Unit Development in the Town of Queensbury by the Michaels Group. Predevelopment: Zoned for large lot residential, this prime riverfront parcel would have been subdivided into large (2 to 5-acre) lots. There would have been no community access to river. However, Niagara Mohawk Power Corporation, the land owner and development partner, was interested in creating a community open space asset on the river as part of its development concept.

After "win-win" development: The property was rezoned to planned residential development, with approximately one-half acre lots, and included a pocket park and child care services and a 100-acre nature preserve on prime Hudson River waterfront.

The developer achieved more affordable and economically successful real estate subdivision. Community grew with attractive new neighborhood and major, new publicly accessible nature preserve on Hudson River waterfront.





Incentive zoning to transfer development rights to enable farmland and open space conservation. The Town of Pittsford created its well-known Greenprint that established conservation areas. The Greenprint also outlined “white areas” where development would be less adverse to community resources. The town’s planning consultant and the town developed an incentive zoning law that allowed the transfer of development rights from “green” (environmentally sensitive) areas to “white” (less sensitive areas).

The town, planning ahead for conservation and development, adopted its greenprint and incentive zoning law. The town worked with a senior and extended care facility developer to protect a valuable 47-acre farm parcel on a gateway road into the town and village center in exchange for permitting multi-family senior and nursing care facility on smaller, nearby 7-acre parcel.

In another part of town, the developer, Spall Homes, was able to purchase a working farm parcel and transfer all of the development rights away from it and the nearby sensitive Irondequoit Creek valley area and relocate these development rights into a new development they were planning on the other

side of town in a less sensitive area.

Design guidelines for commercial expansion. Monroe Avenue in Pittsford was in decline in the early 1990’s. The major anchor grocery store was hemmed in spatially and the current zoning setbacks prohibited expansion. A popular restaurant located along the original Erie Canal corridor was like an island in a sea of asphalt. The town recognized the problem with having no design standards and outdated zoning. It developed new commercial development design guidelines to address building siting, architecture, site planning plantings, and signs. It addressed how buildings should fit into the character of the area. The result: tens of millions in new investment including a new custom-designed Wegmans grocery store and two-story “Tastings” restaurant, better places to shop and eat, expanded business opportunities, improved traffic management, and better access to the historic Erie Canal tow path trail and the old Auburn Rail trail.



In conclusion, by investing the effort, time, and money into planning our communities’ futures cooperatively, we can achieve win-win results.