

**CITY OF PLATTSBURGH
PLANNING BOARD**

RESOLUTION NO.: 2019-10B

**GRANTING SITE PLAN APPROVAL FOR A MIXED-USE DEVELOPMENT ON
DURKEE STREET**

January 12, 2021

WHEREAS, the City Planning Board has received and reviewed a request for Planning Board approval of a detailed preliminary site map and plan for:

22 DURKEE ST. PUD SITE PLAN 2019- PB #2019-10

Request to construct a mixed-use development consisting of 109 residential units and 10,000 sq. ft. of commercial space. Additional site improvements to include 309 parking spaces, open space, and access to the Saranac River waterfront, and re-development of the approximate 3,400 sq. ft farmer's market building. The proposed development is located within a new Planned Unit Development. Zoned C. Tax Map Parcel ID #207.20-7-15; Applicant: Prime Plattsburgh, LLC; Plan Preparer: Turner Bradford, P.E., McFarland Johnson; and

WHEREAS, after several meetings related to the conceptual design of the project, on or about December 4, 2019, the Prime Plattsburgh LLC ("Applicant" or "Prime") submitted a site plan application ("Site Plan Application") to the City of Plattsburgh Planning Board ("Planning Board") for approval of a site development plan consisting of the following, commonly referred to as the Durkee Lot Mixed Use Development: an approximately 200,000 gross square foot building containing 109 residential units and 10,000 square feet of commercial space, a second building containing 3,400 square feet of renovated commercial space for both commercial and civic use, a total 309 parking spaces in two surface lots and a large, underground parking deck, a publicly accessible pedestrian walkway, open green space, and other related improvements (the "Project" or "DLMUD"); and

WHEREAS, separately and in addition to the Site Plan Application, the City of Plattsburgh submitted applications for the Planning Board for a Planned Unit Development ("PUD") approval and a minor subdivision approval; and

WHEREAS, the PUD application was to amend the boundaries of and subdivide an existing PUD into an approximate 4.66 acre parcel into 2 lots to create an approximate 1.9 acre lot and an approximate 2.76 acre developable lot, and related area and bulk zoning requirements. The PUD Subdivision is bounded by Broad Street, Durkee Street, Bridge Street and the Saranac River with public water and public sewer on property identified as Tax Map Parcel #207.20-7-15 (the "Property" or "Project Site:"); and

WHEREAS, the Project is proposed on the resulting approximate 2.76 acre parcel (the “Prime Lot”) and the remaining 1.9 acre lot would be retained by the City of Plattsburgh with scheduled improvements to the Saranac River Waterfront (the “City Lot”); and

WHEREAS, the City Lot includes a strip of land that encompasses the entire Saranac River Waterfront and will be retained by the City for functional waterfront uses; and

WHEREAS, in 2004, the City of Plattsburgh Zoning Board of Appeals (the “Zoning Board”) approved the issuance of a Special Use Permit (the “SUP”) for 5+ acres of land to be classified as a PUD, and then the Planning Board approved the PUD, which was part of a redevelopment plan, for the entire Durkee Street site; and

WHEREAS, the City Lot will also continue to be improved with a four-story office building and a two-level parking structure (leased by Investors Corporation of Vermont), a surface parking lot and farmer’s market pavilion, and a parking lot located to the south of Broad Street; and

WHEREAS, the existing PUD for the Durkee Street site has been amended several times by the City Planning Board in subsequent years; and

WHEREAS, on December 19, 2019, the City of Plattsburgh (the “City”) submitted an application for approval of two SUPs to the Zoning Board: 1) to amend the boundaries of this previously approved PUD with new boundaries to facilitate development of the Project and the improvements related to the Saranac River Waterfront, which is a Downtown Revitalization Initiative (“DRI”) project, and 2) for the use of apartments on the first floor of a multistory building within a PUD, on a lot identified as tax parcel 207.20-7-15, referred to above as the Project Site; and

WHEREAS, the Project Site is located within the City’s Central Business “C” Zoning District and pursuant to the City’s Zoning Code Schedule of Permitted Uses – Part B, A PUD is a permitting use by issuance of a SUP from the Zoning Board; and

WHEREAS, the City of Plattsburgh has submitted a PUD Plan review application to the Planning Board which has been reviewed in conjunction with this site plan application and approves various zoning code deviations that are applicable to the Project’s site plan (the “PUD Subdivision”); and

WHEREAS, the City’s Zoning Code § 360-21(C)(7) states that “[a] planned unit development may include any mixture of uses, permitted as of right or by special use permit that are permitted within the zoning district”; and

WHEREAS, the Project will include retail business and commercial uses, personal and business service establishments, residential apartments, and parking and loading areas, all of which are permitted uses in the City's C Zoning District; and

WHEREAS, the Project Site is located in the core of Plattsburgh downtown urban area and therefore is within a built urban environment; and

WHEREAS, adjacent to the DLMUD, within the PUD, the City has been designing a pedestrian walkway along the Saranac River, which "Saranac River Riverwalk" will remain City-owned property as part of the City Lot (Lot2A within the PUD) as well as a series of improvements to the "Westelcom Park", Durkee Street, and the parking lot located to the South of Broad Street, which park, street, and lot improvements will not be within the PUD (the "Adjacent Projects"); and

WHEREAS, the Project and the proposed Saranac River Riverwalk is designed to increase public use of the Saranac River waterfront and provide enhanced green space considering that the existing conditions of the Project Site, an underutilized municipal parking lot without a functional waterfront; and

WHEREAS, the Planning Board finds that the proposed Saranac River Riverwalk is consistent with the City's community plans, including the Local Waterfront Revitalization Plan, which recommends revitalizing the City's waterfront in a manner that strikes a balance between waterfront revitalization and economic development; and

WHEREAS, the Project and the Saranac River Riverwalk are designed to improve the existing conditions of the Project Site and increase the pedestrian use of the waterfront, which is currently dilapidated and not utilized to its fullest extent by members of the public; and

WHEREAS, the Project includes a public pedestrian walkway that will allow residents and visitors to access the Saranac River Riverwalk from the Project Site; and

WHEREAS, the Saranac River Riverwalk, being adjacent to the Project, is consistent with Plattsburgh's urban setting as demonstrated in the PUD Subdivision and SUP applications; and

WHEREAS, the Project and the revitalized Saranac River waterfront will improve pedestrian access. As a result of this development, the Saranac River waterfront may be accessed four (4) different ways: 1) Bridge Street; 2) Durkee Street via public access being provided by Prime; 3) Broad Street; and 4) available public parking spaces being provided on the Project Site by Prime ; and

WHEREAS, the safety of the Saranac River Waterfront will be improved by the proposed development, as documented by the City of Plattsburgh Chief of Police in an email dated February 18, 2020; and

WHEREAS, on June 27, 2019, the City Planning Board submitted to the City's Common Council (the "Council") its consent for the Council to serve as lead agency pursuant to the New York State Environmental Quality Review Act ("SEQRA") for the City's Downtown Area Improvement Projects (the "DAIP") Generic Environmental Impact Statement (the "GEIS") which included, among other proposed improvements within the City's downtown area, the Project and the Adjacent Projects; and

WHEREAS, on November 21, 2019, the Council accepted, as the lead agency, a Draft GEIS as complete for purposes of public review and the Draft GEIS was submitted to the Planning Board as an involved agency pursuant to SEQRA for its review and comment on November 22, 2019; and

WHEREAS, the Council held a public hearing on the Draft GEIS on December 9, 2019 to accept oral and written public comments on the Draft GEIS and the Council accepted written comments on the Draft GEIS until December 23, 2019; and

WHEREAS, on January 30, 2020, the Council, as the lead agency, accepted as complete a Final GEIS pursuant to SEQRA which addressed all substantive comments on the Draft GEIS and the Project, and the Final GEIS was submitted to the Planning Board as an involved agency pursuant to SEQRA on January 31, 2020; and

WHEREAS, on February 20, 2020, the Council, as the lead agency, adopted a Findings Statement for the GEIS which concluded that the Project avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable (the "SEQRA Findings") and filed the SEQRA Findings in accordance with all applicable laws; and

WHEREAS, on September 10, 2020, the Council, as the lead agency, adopted an amended Findings Statement for the GEIS which concluded that the Project avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable (the "SEQRA Findings") and filed the SEQRA Findings in accordance with all applicable laws; and

WHEREAS, the Planning Board held a duly noticed public hearing on February 24, 2020, in accordance with the City of Plattsburgh's *Ordinance* Section 360-56, to accept public comments on the minor subdivision, PUD Subdivision, and Prime site plan application and the hearing was continued on April 27, 2020 at which point the public hearing was closed; and

WHEREAS, on March 7, 2020, the Governor of the State of New York issued Executive Order 202.1, stating that “to the extent necessary to permit any public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed”; and

WHEREAS, a continued public hearing scheduled for March was canceled as a result of COVID-19 health concerns; and

WHEREAS, at the April 7, 2020 Planning Board meeting the Planning Board agreed on new meeting protocols that would include video and tele conferencing with public participation consistent with New York Executive Order 202.15; and

WHEREAS, on April 9, 2020 the Governor of the State of New York issued Executive Order 202.15, which states that public hearings “may continue if the convening public body or official is able to hold the public hearing remotely, through use of telephone conference, video conference, and/or other similar service.”

WHEREAS, at the April 27, 2020 Planning Board meeting (held via video and tele conference) the Planning Board accepted public comment and closed the public hearing; and

WHEREAS, due to significant project changes between the April Planning Board meeting and the August project materials, the Planning Board opened a public hearing at the August 24, 2020 Planning Board meeting (held via video and tele conference) and closed the public hearing; and

WHEREAS, in support of its site plan application, Prime has submitted materials including, but not limited to, comprehensive site plans, building elevations, building renderings, building cross section views, stormwater pollution prevention plan, project narratives, parking information, and response to comment documentation (the “Application Materials”); and

WHEREAS, the Application Materials including the following site plan sheets, prepared by McFarland Johnson and dated November 2020 and further revised on January 7, 2021:

CV-00	Cover Sheet
GN-01	General Notes
SURV-01	Existing Conditions Survey
DE-01	Demolition Plan
BL-01	Boring Log
C-01	Site Plan
C-02	Driveway Plan
GR-01	Grading and Drainage Plan

GR-02	Drainage Profiles
UT-01	Utility Layout
UT-02	Sanitary Profiles
UT-03	Sanitary Profiles
UT-04	Water Profiles
EC-01	Erosion and Sediment Control Plan Phase I
EC-02	Erosion and Sediment Control Plan Phase II
DT-01	Details
DT-02	Details
DT-03	Details
DT-04	Details
DT-05	Details
DT-06	Details
SL-01	Site Lighting Plan
SL-02	Site Lighting Details
LP-01	Landscape Plan

(herein referred to as the “Project Site Plans”).

WHEREAS, the following federal, State, and local agencies have already issued determinations, approvals and/or permits for the Project which have been provided to the Zoning Board:

1. On December 23, 2019 and August 25, 2020, the NYS Office of Parks, Recreation and Historic Preservation ("OPRHP") issued a letter concluding that the Project "will result in No Adverse Effect to historic properties, including archaeological and/or historic resources."
2. On January 27, 2020 and August 28th, the City's Department of Public Works issued a letter stating that the City's water supply and wastewater collection/treatment systems are sufficient to handle the Project's design flows.
3. On January 27, 2020 and August 10, 2020, the Plattsburgh Municipal Lighting Department issued a letter stating that the City has sufficient capacity within its electrical supply and distribution system to service the Project.
4. On February 20, 2020 and July 27th, the Chief of the City's Fire Department issued a letter stating that he has no concerns regarding the Project and that the City's Fire Department will be able to provide fire protection to the building.

WHEREAS, the Planning Board has reviewed all submissions made by the Applicant, all public and agency comments made during the Planning Board public hearing related to the Project and has reviewed the site plan standards set forth in the City's Zoning Code. Throughout this lengthy review process, the Planning Board requested revisions to the Project; and

WHEREAS, the Planning Board has reviewed the City Zoning Code at Section 360-38 which sets the guidelines for site plan review; and

WHEREAS, the Planning Board recognizes that the zoning deviation approved by the PUD Subdivision are applicable to the Project site plan application; and

WHEREAS, the Project was referred and submitted to the Clinton County Planning Board on February 24, 2020 and on August 24, 2020 in accordance with NYS municipal Law Section 239-m; and

WHEREAS, the Clinton County Planning Board did on March 4, 2020 hear Referral Number 21-20 and by a vote of 6-0 disapproved the Project with comments and therefore a majority plus one vote is required for Project approval; and

WHEREAS, the Applicant has addressed all comments made by the Clinton County Planning Board by letter dated April 10, 2020; and

WHEREAS, the Clinton County Planning Board did on September 15, 2020 hear Referral Number 47-20 and by a vote of 6-2 disapproved the Project with comments and therefore a majority plus one vote is required for Project approval; and

WHEREAS, any agency or entity designing Durkee St, which conceptual illustration was reviewed within the GEIS, must take into consideration and facilitate the approved site plan; and

WHEREAS, the Project's stormwater management plan was reviewed by the City's Engineering Consultant, Laberge Group, who provided a letter dated March 20, 2020; and

WHEREAS, the Project's site plan was reviewed by the City's Engineering Consultant, Laberge Group, who provided a letter dated March 20, 2020; and

WHEREAS, the detailed preliminary site map, plans and related materials have been reviewed by the City's Community Development Department which has submitted a recommendations letter dated August 24, 2020 to the Planning Board for the Planning Board's consideration; and

WHEREAS, Laberge Group has provided a final review letter dated, May 13, 2020 stating that the project has satisfactorily responded to all 3rd party engineer review comments; and

WHEREAS, the site plan and related Application Materials have been reviewed by the City's Department of Public Works, Building Inspector, Emergency Services, and Municipal Lighting Departments and comments from those departments were included within the Community Development Office staff review letter; and

WHEREAS, the project requires two (2) special use permits (SUP) to amend the boundaries of an existing planned unit development and a special use permit for use of apartments on the first floor of a multi-story building within a planned unit development. The project was issued the special use permits by appeal # 2232 at the December 17, 2020 Zoning Board of Appeals meeting; and

WHEREAS, the Planning Board has reviewed the site plan application and related Application Materials and finds that they fully comply with the City's Zoning Code laws as described in the Planning Board's findings below; and

WHEREAS, that the Planning Board received and placed on file the said Community Development Office Staff Review letter dated August 24, 2020 and concurs with the said letter and ALL items listed therein.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby approves Prime Site Plan application and Project Site Plans and finds that the Project complies with the site plan requirements set forth in the City's Zoning Code and as modified by the PUD Subdivision.

BE IT FURTHER RESOLVED, that the Planning Board finds that Prime's site plan application meets all site plan guidelines set forth in Zoning Code Section 360-38, as modified by the PUD Subdivision pursuant to Zoning Code Section 360-21, and makes the following findings:

A. Residential

- 1. Every residential building shall have sufficient open space to permit convenient access for maintenance, fire protection, adequate light and ventilation of habitable rooms and reasonable indoor privacy.***

As demonstrated by the Project Site Plans and Application Materials, the Planning Board finds that the Project has been designed to provide sufficient open space to permit convenient access for maintenance, fire protection, adequate light and ventilation of habitable rooms and reasonable indoor privacy.

The Project will be relocating two existing curb cuts; one along Durkee Street and one along Bridge Street; and adding one new curb cut along Durkee Street. The southern Durkee Street access drive will enter into the at-grade 92 car parking lot. This entrance will be access controlled for parking revenue collection. The northern Durkee Street access drive will enter into the courtyard parking lot and basement of the building and will be accessed controlled for private use by building tenants. Pedestrian access is provided along the west, north, and east perimeters of the site by public walkways including street-side sidewalks and the City's DRI Riverwalk project. The building entrances and site in general will be ADA accessible with transversable sidewalks or access ramps to all entrances.

Related to convenient access for maintenance and fire protection, the Planning Board finds that the Project is fully compliant with the New York State Fire Code and has been

approved by the City of Plattsburgh Fire Department. The Planning Board also finds that the Project provides adequate access for purposes of fire trucks, garage trucks and box trucks.

The Planning Board finds that the Project has been designed in a “U” shape to ensure that adequate light reaches all habitable areas. Each residential unit will provide a balcony for additional open space and natural light. All spaces will include appropriate ventilation and HVAC equipment that is compliant with the New York State Building Code.

The Planning Board finds that all rooms and residential access points, including the garage will be secure. The first-floor units will only occur along Bridge Street and the pedestrian walkway, and these will be nearly equivalent to a full story above any adjacent sidewalk elevations. Residential units on the first floor will not have direct access to the street and are completely private from the sidewalk.

Therefore, the Planning Board finds that this site plan standard has been satisfied.

2. ***In a site development, consideration shall be given to the needs of the residents for nonvehicular open space for active and passive recreation. Adequate night lighting for the safe use of streets, parking areas, walks and steps shall be provided, or arrangements made for its provision by public authority.***

As demonstrated by the Project Site Plans and Application Materials, the Planning Board finds that the lighting plan demonstrates that all areas will be appropriately light for safety, including the pedestrian walkway and outdoor parking areas.

The Planning Board finds that the Project is proposed to include an indoor gym for residents to utilize on a year-round basis. The Project will result in 19% (22,925 SF) of the lot being open space where 18% is required under the Zoning Code and therefore provide adequate open space. Calculations for the entire PUD include providing 22% (45,185 SF) open space, where 15% is required.

Therefore, the Planning Board finds that this site plan standard has been satisfied.

3. ***The open space of each property shall provide for the following: (a) the immediate diversion of water away from buildings and disposal from the site; and (b) the prevention of soil saturation detrimental to structures and lot use.***

As demonstrated by the Project Site Plans and Application Materials, the Planning Board finds that the Project has set forth the appropriate provisions for the immediate diversion of water away from buildings and disposal from the site and the prevention of soil saturation detrimental to structures and lot use. This has been demonstrated by the subject Stormwater Pollution Prevention Plan (“SWPPP”) as well as a grading and drainage plan and related profiles, which demonstrate that open spaces divert water away from the buildings. Permitting will be required from the New York State Department of

Environmental Conservation (“NYSDEC”) related to related disturbances. The Planning Board also finds that boring logs in the vicinity of the underground garage have identified water levels below the proposed finished floor elevation of the garage.

Therefore, the Planning Board finds that this site plan standard has been satisfied.

4. *Where appropriate, paved walks, parking areas, driveways, exterior steps and landscaping.*

As demonstrated by the Project Site Plans and Application Materials, the Planning Board finds that the Project will result in ADA compliant walkways and paths. All paved walks, parking areas, driveway and exterior steps have been appropriately landscaped to blend with the proposed Saranac Riverwalk.

Therefore, the Planning Board finds that this site plan standard has been satisfied.

5. *Access to each dwelling unit shall be provided without passing through any other dwelling unit.*

The Planning Board finds that, based on the Project Site Plans and Application Materials, each residential unit has its own interior access point and cannot be accessed by passing through another dwelling. Residential units will not have direct access to the street and are completely private from the sidewalk.

Therefore, the Planning Board finds that this site plan standard has been satisfied.

6. *All dilapidated portions of existing properties or blighted structures which are not economically repairable shall be removed.*

The Planning Board finds that, based on the Project Site Plans and Application materials, the Project Site is currently improved with a paved parking lot, which will be removed and replaced with the Project. The Planning Board also finds that Project will rehabilitate the existing Plattsburgh Farmers’ and Crafters’ Market building for use as a commercial space and a publicly accessible civic space in an open-air pavilion with access from the new pedestrian walkway.

Therefore, the Planning Board finds that this site plan standard has been satisfied.

7. *All alterations, repairs and other improvements shall be harmonious with existing conditions to remain on the site.*

The Planning Board finds, based on the Project Site Plans and Application materials, that the Project will rehabilitate the existing Plattsburgh Farmers’ and Crafters’ Market building for use as a commercial space and a publicly accessible civic space in an open-air pavilion

with access from the new pedestrian walkway. Based on the Application Materials, these renovations will be harmonious with the proposed Riverwalk and the Project.

Therefore, the Planning Board finds that this site plan standard has been satisfied.

8. *Vehicular access shall be designed to provide maximum safety and ease of circulation and to eliminate traffic conflicts.*

Based on the Project Site Plans and Application materials, the Planning Board finds and agrees with the GEIS, that the Project and other Downtown Area Improvement Projects will have minimal traffic impacts and that no mitigation measures are needed.

The Planning Board finds that the Project will be relocating two existing curb cuts; one along Durkee Street and one along Bridge Street; and adding one new curb cut along Durkee Street. The southern Durkee Street access drive will enter into the at-grade 92 car parking lot. This entrance will be access controlled for parking revenue collection. The northern Durkee Street access drive will enter into the courtyard parking lot and basement of the building and will be accessed controlled for private use by building tenants. Pedestrian access is provided along the west, north, and east perimeters of the site by public walkways including street-side sidewalks and the City's DRI Riverwalk project. The building entrances and site in general will be ADA accessible with transversable sidewalks or access ramps to all entrances.

Therefore, the Planning Board finds that this site plan standard has been satisfied.

B. *Nonresidential*

1. *All nonresidential structures shall be constructed, improved and/or maintained to a level necessary to adequately provide for the delivery of goods and services to customers and to provide safe, healthy working conditions for employees.*

Based on the Project Site Plans and Application materials, the Planning Board finds that, as demonstrated by the Project Site Plans, appropriate off-street loading and unloading will be provided in the parking lot of the proposed Project. All proposed traffic changes will be coordinated with the City's Police Department and other City staff. Strict enforcement of any new parking regulations will be provided which will ensure the safety of pedestrians and unobstructed traffic lanes on Durkee Street. The Planning Board recognizes that the City is considering changes to the loading and unloading zones (and timing) along Durkee Street).

The Project Site Plans include a truck turning template which demonstrates the appropriate paths for the following trucks: Garbage Truck, Aerial Fire Truck, Pumper Fire Truck, SU-40 Delivery Truck. The trucks can navigate through the proposed parking lot with the proposed 24' drive aisles.

Therefore, the Planning Board finds that this site plan standard has been satisfied.

- 2. Entrances and exits to nonresidential and commercial uses shall be designed and maintained in such a manner as to encourage customer use, provide a safe means of ingress and egress for customers and employees and eliminate traffic conflicts.***

The Planning Board has reviewed the Project Site Plans and Application Materials and finds that entrances and exits to the non-residential and commercial uses will be from Durkee Street and adjacent the off-street parking areas. Signage will be located along these commercial storefronts to encourage customer use in compliance with the City Code. Pedestrian access from the sidewalk and off-street parking area is provided to this commercial entrance to safety of those access the Project Site.

Therefore, the Planning Board finds that this site plan standard has been satisfied.

- 3. Off-street parking, off-street loading and unloading and pedestrian access shall be separated so as not to create conflicting movements.***

Based on the Project Site Plans and Application Materials, the Planning Board finds that all off-street parking, loading and pedestrian access points have been separated and mitigation measures installed to ensure that no conflicting movements occur. Residential parking is located in the secured underground parking garage with direct access to the residential areas, as well as in the courtyard parking area. This parking area provides sidewalks to access points for the residential units to avoid conflicting movements.

The Planning Board also finds that additional commercial and public parking is located on the off-street parking lot to the south of the building with pedestrian paths leading to the commercial portions of the Project, to avoid any conflict of movement. Further, trucks can navigate through the proposed parking lot with the proposed 24' drive aisles as demonstrated by the turning template.

Therefore, the Planning Board finds that this site plan standard has been satisfied.

- 4. Store fronts, entrances and signs shall be of integrated design to enhance the appearance of the Central Business District and other commercial areas.***

The Planning Board makes the same findings as in Section (B)(2) above.

Therefore, the Planning Board finds that this site plan standard has been satisfied.

- 5. Each structure shall have at least one entrance with direct access to a public street.***

The Planning Board finds that, based on the Project Site Plans and Application Materials, the mixed-use building includes two pedestrian access points onto Durkee Street. The court-yard and underground residential parking area will have direct access to Durkee Street. The commercial parking area, which includes parking for the farmer's market will have access onto Durkee Street. Pedestrian access to the farmer's market building will be from Durkee Street along a pedestrian public ROW adjacent the building. As such, each structure has at least one entrance with direct access to a public street.

Therefore, the Planning Board finds that this site plan standard has been satisfied.

6. *Where used for public access, all side and rear passageways shall be paved.*

Based on the Project Site Plans and Application Materials, the Planning Board finds that the pedestrian passageways will be constructed with concrete or light duty asphalt as provided on the site plan.

Therefore, the Planning Board finds that this site plan standard has been satisfied.

7. *Paved and unpaved areas shall be properly drained to sewers or underground drains. Roof drainage shall discharge in such a manner as to provide for acceptable drainage.*

The Planning Board makes the same findings as in Section (A)(3) above.

Therefore, the Planning Board finds that this site plan standard has been satisfied.

8. *All unpaved areas shall be properly landscaped.*

The Planning Board finds that the Applicant has demonstrated, via the Project Site Plans and Application Materials, that all unpaved areas are landscaped.

Therefore, the Planning Board finds that this site plan standard has been satisfied.

C. *General architecture*

1. *The location, general massing and character of building elements shall be organized to create a harmonious continuity of exterior spaces and an integrated overall site design.*

The Planning Board finds that, based on the Application Materials including the building elevations and renderings, the Project is organized and creates a harmonious continuity of exterior spaces and an integrated overall site design for the following reasons:

- The surrounding area has buildings bordering the sidewalks and streetscape that typically define a walkable downtown area.
- The Project and PUD allows for the flexibility to have buildings close to the sidewalks, which resembles an urban environment and facilitates a walkable community.
- The Project is therefore is consistent with the downtown urban setting and will facilitate a walkable downtown community.
- The existing parking lot, in its current state, is out of character with the surrounding urban area and built environment.
- Building material and colors have been represented to be consistent with the characteristics of the surrounding neighborhood to the greatest extent possible.
- The Project was reviewed by New York State Office of Parks, Recreation, and Historical Preservation (“NYSOPRHP”), including a review of the proposed site plan along with building elevations and any available renderings of the proposed new construction. In a letter dated December 23, 2019, NYSOPRHP and August 25, 2020 concluded that the proposed project would result in no adverse effects to historic properties, including archaeological and/or historic resources. Accordingly, the Project will be consistent with the general character of this downtown area of the City and will revitalize the downtown core.
- The Project is similar to heights of other buildings within the Central Business/Commercial Zoning District in the surrounding area.

Therefore, the Planning Board finds that this site plan standard has been satisfied.

2. ***The design of individual buildings shall be scaled and proportioned to normally accepted design standards, with proper consideration given to their relationships to adjacent buildings, both existing and proposed, in terms of height, bulk, light, air, usable space, access and off-street parking.***

Based on the Project Site Plans and Application Materials, the Planning Board finds that individual buildings are scaled and proportioned to normally accepted design standards, with proper consideration given to their relationships to adjacent buildings, both existing and proposed, in terms of height, bulk, light, air, usable space, access and off-street parking. Based on the Prime building having the appearance to be a cluster of individual attached row building sections, the Ashley Building (among others) is very similar in height, width, depth and mass. Another comparison is to look at Prime’s building in terms of City block size. The project is very similar in scale to the cluster of attached row buildings to the west along Durkee Street.

Therefore, the Planning Board finds that this site plan standard has been satisfied.

3. ***Building materials shall be selected for durability, harmonious relationships and, where appropriate, for continuity of treatment with neighboring structures.***

Based on the Project Site Plans and Application Materials, the Planning Board finds that building materials have been selected for durability, harmonious relationships and, where

appropriate, for continuity of treatment with neighboring structures. The Planning Board finds, as requested, that the exterior stucco areas have been revised to be a combination of varied sto-brick siding proportions and spandrel panels. The Planning Board finds that this is an added benefit because it, among other things, introduces color variations within the different exterior sections, all of which combined will provide greater aesthetic appeal than a smooth monolithic stucco cladding. The color variation for different façade sections is also sympathetic to the colorful variety of existing downtown buildings.

The Planning Board finds, and recognizes that, the Project accomplishes the following:

- The City's downtown fabric has been preserved by the following architectural principles:
 - The proposed development reestablishes street edges and maintains 15 ' setback lines and is therefore consistent with the zoning code requirements
 - The "U" shape of the building creates a private interior courtyard with an amenity deck facing the river for resident use. This is typical and recommended for waterfront property within an urban setting. It provides these open space amenities while still providing the desired street scape needed in an urban area.
 - Less attractive parking uses are concealed by placing them either below the building or within the interior courtyard, thus enhancing the streetscape character.

- The development is sensitive to the City's downtown core through the use of the following architectural principles:
 - The proposed primary massing scale is similar in height to the existing four, three- and two-story buildings to the west and therefore consistent with the existing buildings in this area of the City's downtown.
 - The development has been designed with strong cornice lines at the corners of the proposed buildings and along both streets to reinforce the proposed buildings relationship with the surrounding buildings.
 - The proposed building includes mid-block and end sections step back above the fourth level to reduce the visual scale along both streets and the pedestrian walkway to the river, which is a common architectural strategy for downtown urban waterfront developments.
 - The volume of the northside of the building steps down another level at the northeast corner to complement the Bridge Street slope and further reduces visual impacts for a pedestrian. Our direct awareness is usually limited to the first floor, with peripheral awareness extending upward one to two stories.
 - The "U" shape of the building is articulated in five sections in keeping with the neighborhood scale with varied and clustered building facades.
 - The corner sections of the proposed building are clad in masonry and sto-brick with bracketed cornices to give them greater prominence and differentiate from mid-block sections. These serve to help articulate the development as a grouping of individual buildings similar to neighboring streetscapes, in keeping with the Secretary of the Interior's Guidelines that encourage contemporary development that is sympathetic to historic contexts.

- The end and mid-block sections have punched balcony openings to create a more unified and sympathetic façade for the neighborhood and minimize the visibility of balconies.
- The building has been designed with a mix of sympathetic to other downtown precedents that also offers a blend of old & new, including:
 - brick and stone masonry;
 - punched openings;
 - stone sill and lintel aesthetic;
 - opening proportions similar in scale;
 - larger ground level glazing for commercial uses; and
 - strong cornice expression.

Therefore, the Planning Board finds that this site plan standard has been satisfied.

4. The treatment of the side and rear facings of new buildings shall be consistent with the treatment given their street frontage.

The Planning Board makes the same findings as Sections (C)(1-3) above. Therefore, the Planning Board finds that this site plan standard has been satisfied.

5. Building appurtenances and accessory structures shall receive architectural treatment consistent with that of the principal building(s).

The Planning Board makes the same findings as Sections (C)(1-3) above. Therefore, the Planning Board finds that this site plan standard has been satisfied.

D. Streets, pedestrian walks and open space.

1. Streets, pedestrian walks and open spaces shall be designed as integral parts of the overall site design and coordinated with adjacent development. They shall be properly related to existing and proposed buildings, parks and other neighboring facilities and shall be appropriately landscaped and adequately and attractively illuminated.

Based on the Project Site Plans and Application Materials, the Planning Board finds that all proposed pedestrian walkways and sidewalks are appropriately landscaped. The Project has been designed to blend and accommodate the Saranac Riverwalk DRI Project, which is not a part of this site plan application but being constructed by the City. The Project is providing a public path ROW from Durkee Street through the Project Site to the Riverwalk. This pathway has been landscaped to make a natural connection to the Riverwalk.

Therefore, the Planning Board finds that this site plan standard has been satisfied.

- 2. Landscaped and paved pedestrian walks shall be provided along the lines of most intense use, particularly from building entrances to streets and off-street parking areas.***

The Planning Board finds that landscaping and paved pedestrian walks are provided along the lines of the most intense uses. Sidewalks and street landscaping will be provided along Durkee Street and Bridge Street. The pedestrian public ROW dissecting the Project Site to the Riverwalk is fully landscaped. The rear of the building along the Riverwalk is landscaped.

Therefore, the Planning Board finds that this site plan standard has been satisfied.

- 3. The location and design of pedestrian walks shall provide for maximum safety and separation from vehicular traffic and shall emphasize desirable views of new and existing development.***

Based on the Project Site Plans and Application Materials, the Planning Board finds that aside from the sidewalks along Durkee and Bridge Street, the only pedestrian walkway on the site plan is the pedestrian public ROW dissecting the Project Site to the Riverwalk. This public ROW will be lit and well maintained by Prime during winter months. The ROW is well separated from the off-street parking area by landscape boulder edges to ensure safety from vehicular traffic.

Related to the sidewalks, the site plan includes pedestrian safety mirrors mounted on the courtyard and underground parking garage entrance along Durkee Street. Additionally, sidewalk striping will be provided on the driveway entrances as a visual cue to existing vehicles that a pedestrian walkway is present.

Therefore, the Planning Board finds that this site plan standard has been satisfied.

- 4. Materials of paving, lighting fixtures, play areas, plantings, fences and other streetscape elements shall be durable and well designed, easily maintained and indicative of their function.***

The Planning Board finds that the Applicant has demonstrated that they will be utilizing materials it has used on other projects that are durable, well designed and easily maintained.

Therefore, the Planning Board finds that this site plan standard has been satisfied.

- 5. Open spaces shall be located to provide maximum usability and to create a harmonious relationship of buildings and land.***

The Planning Board make the same findings as Sections (A)(1-2), (D)(1-4) above. Therefore, the Planning Board finds that this site plan standard has been satisfied.

E. Off-street parking and loading.

1. Off-street parking and loading facilities shall be coordinated to minimize the number of entrances, exits and obstructions to pedestrian walks.

The Planning Board finds that the Project Site Plans and Application Materials demonstrate that the Project will be relocating two existing curb cuts; one along Durkee Street and one along Bridge Street; and adding one new curb cut along Durkee Street. The vehicles access points will be coordinated with the City of Plattsburgh DPW and require City Driveway Permits. The southern Durkee Street access drive will enter into the at-grade 92 car parking lot. This entrance will be access controlled for parking revenue collection. The northern Durkee Street access drive will enter into the courtyard parking lot and basement of the building and will be accessed controlled for private use by building tenants. Pedestrian access is provided along the west, north, and east perimeters of the site by public walkways including street-side sidewalks and the City's DRI Riverwalk project. The building entrances and site in general will be ADA accessible with transversable sidewalks or access ramps to all entrances.

Therefore, the Planning Board finds that this site plan standard has been satisfied.

2. Pedestrian access from parking facilities to uses served by such facilities shall not be in conflict with vehicular movements. Where this cannot be avoided, pedestrian crossing areas shall be well marked for both vehicles and pedestrians.

The Planning Board make the same findings as Sections (B)(3) and (D)(3) above. Therefore, the Planning Board finds that this site plan standard has been satisfied.

3. Parking and loading facilities shall be landscaped and/or screened from public view, in accordance with the guidelines listed in Subsection F below, to eliminate the monotony and unattractive nature of large paved parking areas. All surface parking areas shall incorporate planting pockets and trees, where possible.

The Planning Board finds that the existing parking has minimal landscaping (11 crabapples trees). The landscape plan and the site plan indicate that landscaping is appropriately provided adjacent pedestrian pathways. The sidewalk on Durkee Street will remain.

Therefore, the Planning Board finds that this site plan standard has been satisfied.

4. Design standards

a. The Planning Board may approve parking areas meeting design standards which are less than those required in § 360-37 of this chapter; however, in such instances, the applicant shall provide evidence that the use of such areas will be adequately controlled and restricted to allow such modification. In such cases, off-street parking spaces shall meet the following design standards:

i. The size of off-street parking spaces shall be as follows: (a) for subcompact cars: seven feet nine inches by 15 feet six inches; (b) For compact cars: eight feet three inches by 16 feet six inches; (c) for standard cars: eight feet nine inches by 17 feet six inches.

The Planning Board finds that all off-street parking spaces will meet the dimension requirements for standard, compact or subcompact spaces as listed above. Therefore, the Planning Board finds that this site plan standard has been satisfied.

ii. When fewer than 10 parking spaces are provided or required, all spaces shall conform to standard size car requirements. Where 10 or more spaces are provided or required, up to 20% of the spaces may be designed to accommodate subcompact cars, and up to 20% of the spaces may be designed to accommodate compact cars.

The Planning Board finds that the Project proposes 195 parking spaces for standard cars, 58 compact spaces(61 allowed), and 56 subcompact spaces (61 allowed). Therefore, the Planning Board finds that this site plan standard has been satisfied.

iii. Every space shall have direct and usable driveway access to a street or alley, with minimum maneuver area between spaces as follows: (a) for parallel curb parking: 4 1/2 feet additional between each space, with a 12-foot aisle width for one-directional flow and a 24-foot aisle width for two-directional flow; (b) for 30° parking: 12-1/2-foot aisle width for one-directional flow and 25-foot aisle width for two-directional flow; (c) for 45° parking: 15-foot aisle width for one-directional flow and 25-foot aisle width for two-directional flow; (d) for 60° parking: 20-foot aisle width for one-directional flow and 25-foot aisle width for two-directional flow; and (e) for perpendicular parking: 25-foot aisle width for one-directional and two-directional flow.

The Planning Board finds that the Project proposes perpendicular parking. The proposed 24-foot aisle within the surface parking area and 22-foot aisle width within the underground parking garage is less than the 26-foot aisle width required in the Zoning Regulations resulting in a max 4- foot deviation.. The Applicant has

demonstrated that this is a widely used layout and will accommodate all trucks on the surface parking lot and personal vehicles in the underground parking garage.

Therefore, the Planning Board finds that this site plan standard has been satisfied.

- b. The Planning Board may modify these standards when off-street parking is provided in a parking structure or garage.***

The Planning Board finds that this is not applicable.

F. Landscape design

- 1. Landscaping shall be integrated into the overall site design and be properly related to adjacent and proposed buildings.***

The Planning Board make the same findings as in Sections (A)(1-2), (D)(1-4) above. Therefore, the Planning Board finds that this site plan standard has been satisfied.

- 2. Landscape materials should be appropriate to growing conditions of the City's environment.***

The Planning Board finds that the proposed landscaping includes colorful perennials and ornamental grasses as well as deciduous trees and evergreen plantings, which are capable of handling the Plattsburgh climate. Therefore, the Planning Board finds that this site plan standard has been satisfied.

- 3. Existing trees and vegetation, wherever possible, should be integrated into the site and landscaping plan.***

The Planning Board finds that currently, the existing parking has minimal landscaping (11 crabapples trees). The Application Materials indicate that landscaping is appropriately provided throughout the Project Site to corresponded with the proposed built environment. Therefore, the Planning Board finds that this site plan standard has been satisfied.

- 4. Parking areas shall be unobtrusive and appropriately screened and landscaped to blend harmoniously with adjoining areas.***

The Planning Board finds that the underground and courtyard parking will be screened from adjoining areas and not be seen. The off-street parking area just south of the building will be buffered from the public ROW going to the Saranac Riverwalk by landscaping. The off-street parking area adjacent Durkee Street will be adjacent to the existing sidewalk. Adjacent to the sidewalk, the Project includes electric charging stations and ADA compliant parking. The southern border of this off-street parking area includes landscaping.

Therefore, the Planning Board finds that this site plan standard has been satisfied.

BE IT FURTHER RESOLVED, that the Planning Board does hereby:

- A. Receive and place on file the said Community Development Department's recommendations letter dated August 24, 2020; and
- B. Concur with the said items and recommendations contained in the said Community Development Department's list of recommendations letter dated August 24, 2020; and be it further

BE IT FURTHER RESOLVED, that the Planning Board does hereby find and determine that the detailed preliminary site plan request with the proposed changes identified in the Community Development Department's recommendations letter will be in an approvable form and does hereby grant and approve the site plan changes for said project subject to the following:

- A. That the applicants have their Surveyor/Engineer submit a revised paper plan to the City's Community Development Department showing compliance with the items and conditions contained in the City's Community Development Department's recommendations letter; and
- B. That the City's Community Development Department reviews said revised paper plan and certifies there on the revised paper plan that the plan is in compliance with all the items and conditions as requested; and
- C. That the applicants provide the City's Community Development Department with three (3) paper copies of the detailed preliminary site plan signed by the applicant or applicant's designated agent to acknowledge that all site plan improvements shall be constructed in accordance with and as shown on the approved detailed preliminary site plan which plans shall also be certified by the City's Community Development Department to be in compliance with Planning Board requirements; and be it further

BE IT FURTHER RESOLVED, that unless otherwise extended by the Planning Board this site plan review decision shall expire upon the following occurrences:

- A. The Applicant withdraws the proposed action or project, or
- B. Fails to obtain any necessary building permits, within one year from the filing date of this decision and fails to obtain the necessary site plan extension. A site plan review decision which has become invalid or which has expired pursuant to the terms of this resolution may be renewed upon application by the applicant, payment of any applicable fee, and approval of the application by the Planning Board; and be it further;

BE IT FURTHER RESOLVED, that the Planning Board does hereby establish the following additional conditions of approval:

- A. Subject to the Project complying with all permit requirements;

- B. Subject to the Project complying with all NYSDEC requirements;
- C. Subject to the approval of the Special Use Permit for the amendment of the PUD boundaries;
- D. Subject to the approval of the Special Use Permit for Apartments on the First Floor within a PUD;
- E. Subject to the approval of the associated PUD Subdivision with PB Agenda # 2019-11;
- F. Subject to the applicant complying with any comments from third party engineer review (Laberge) of the SWPP and Site plan; and
- G. Subject to the applicant providing all necessary easement documentation; and
- H. Subject to the applicant complying with any requirements of the Planning Board noted in the Planning Board Resolution discussion, which have been agreed upon by the Applicant.

BE IT FURTHER RESOLVED, that the Planning Board does hereby authorize and direct the Chairman of the City of Plattsburgh’s Planning Board to execute the revised detailed preliminary site plan certified by the City’s Community Development Department.

BE IT FURTHER RESOLVED,, that upon the applicants completing all of the above requirements City’s Community Development Department is hereby authorized to transmit one copy of the executed Approved Detailed Preliminary (ADP) site plan to the applicant and a copy to the City’s Codes Enforcement Officer informing him that the Certified ADP site maps and plans are in compliance with the City’s Planning Board requirements;

On the motion of Planning Board member Loretta Rietsema, seconded by Planning Board member Reg Carter, the foregoing resolution was adopted with all Planning Board members voting as follows:

Discussion (Not Verbatim): Commissioner Perry clarified that any agency or entity designing Durkee Street must take into consideration and facilitate the approved site plan.

Commissioner Perry further stated that his decision was made in consideration that comments made by City Community Development Office staff represent the positions of the City and Common Council.

Commissioners Rosenbaum and Perry commented regarding the limited authority of the Planning Board with regard to the RFP and DRI process, but where the board could, it exercised its authority to mitigate any injurious impact to neighboring properties.

Roll Call:	<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Maurica Gilbert		X	
Rick Perry	X		
Reg Carter	X		
Derek Rosenbaum	X		
Loretta Rietsema	X		

Carried: 4-1-0



DEREK ROSENBAUM
ACTING CHAIRPERSON

DATED: Plattsburgh, New York
January 12, 2021