Plattsburgh, NewYork

Building & Zoning Dept
41 City Hall Place
Plattsburgh, New York 12901
Ph: 518-563-7707
Fax: 518-563-6426

_____ USE — CLASS A VARIANCE
_____ AREA — CLASS B VARIANCE
✓ SUP — SPECIAL USE PERMIT

Date: 12/19/19 Appeal No.: 2232

An application is hereby made to the Zoning Board of Appeals pursuant to the City of Plattsburgh Zoning Ordinance for a variance to allow the property use as herein described.

Applicant: City of Plattsburgh

Applicant's Address: 41 City Hall Place
Plattsburgh, NY 12901

Telephone No.: 518-536-7520

Parcel Identification: 207.20-7-15

Location of Request: Durkee St.

Property Owner: City of Plattsburgh

Request Description: Special Use Permit to amend boundaries of existing Planned Unit Development

Zoning District:

Section Appealed: 360-31 (Special Use Permits)

Previous Appeal: No.: _____ Date: _____

Identify Applicant's Right to Apply for Variance:

Ownership: ✓ Long Term Lease: _____ Contract To Purchase: _____

Other (Please Explain): _____

Applications for Zoning Variances must be accompanied by:
13 copies of existing and proposed site plan
13 copies of existing and proposed floor plan

The Zoning Board of Appeals may impose reasonable conditions and restrictions on the grant of area and use variances provided they are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of the zoning law, and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.

Signature (Owner/Applicant)

Mathew Miller
Print First and Last Name

Shelise A. Marbut
Notary Public

SHELISE A. MARBUT
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01MA6365804
QUALIFIED IN CLINTON COUNTY
COMMISSION EXPIRES OCTOBER 16, 2021

*Signatures other than the Property Owner, require a Letter of Authorization to apply.

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Parcel Identification: 207.20-7-15

Location of Request: Durkee St.

Property Owner: City of Plattsburgh

Request Description: Special Use Permit for use of apartments on the first floor of a multistory building within a Planned Unit Development Public Hearing

Zoning District:

Section Appealed: 360-31 (Special Use Permits)

Previous Appeal: No._____ Date: _____

Identify Applicant's Right to Apply for Variance:

Ownership: ✓ Long Term Lease: _____ Contract To Purchase: _____

Other (Please Explain): _____

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City of Plattsburgh - Plattsburgh Durkee Street Development

City Application for Special Use Permits

Supplemental Project Narrative

January 24, 2020

I. Overview and Background

The City of Plattsburgh ("City") is working with Prime Plattsburgh, LLC. (Prime) on a public-private partnership for the redevelopment of the "Durkee Street Lot" (Tax ID tax lot 207.20-7-15). The State of New York identified the Durkee Street Site as the centerpiece of Plattsburgh's Downtown Revitalization Initiative ("DRI") award. Consistent with the City's October 17, 2018 Request for Proposals, Prime is proposing a mixed-use development consisting of approximately 115 residential units, 10,000 square feet of commercial space, 5,800 square feet of renovated farmers market building space for commercial and civic use, parking, and open space ("Prime's Project").

The Durkee Street Lot fronts on Durkee Street and is bordered by Broad Street to the south, Bridge Street to the north, and the Saranac River to the east. It currently includes the Gateway building and associated parking leased to Investors Corporation of Vermont ("ICV"), a municipal parking lot, a farmers' market structure, the remediated site of a former gas and service station ("Highway Oil site"), and a path along the Saranac River riverfront.

The Durkee Street lot is located in the Central Business "C" Zoning District and within an existing Planned Unit Development ("PUD"). Pursuant to the City's Zoning Code Schedule of Permitted Uses, PUDs are a permitted use within the C Zoning District by the issuance of a Special Use Permit ("SUP") from the Zoning Board of Appeals ("ZBA"). The 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." The proposed uses within Prime's Project will potentially include retail businesses and commercial uses, personal and business service establishments, residential apartments, and parking and loading areas, all of which are permitted in the C Zoning District.

Along with this narrative, we have included for the ZBA's review, the following revised elevations and site plans, which have been changed to reflect comments received from the City's Planning Board at its December 23, 2019 meeting:

1) Revised Conceptual Site Plan, prepared by McFarland Johnson (the "Site Plan");
2) The following renderings:
    a. View from Bridge St. & Durkee St.;
    b. View from Durkee St.;
    c. View from Bridge St. (1);
    d. View from Bridge St. (2) (collectively "Revised Renderings"); and
3) Cross Section demonstrating views from Durkee Street to the Saranac River (the "Durkee Street Cross Section").

In addition, a revised Full Environmental Assessment Form ("EAF") has been submitted reflecting additional permitting required by the New York State Department of Environmental Conservation ("NYSDEC") for improvements to the Saranac River Riverwalk and related typical stormwater controls.

II. SUP Applications

As discussed in our initial Project SUP narrative submitted to the ZBA, the City is seeking the following SUPs from the ZBA.

1) PUD Boundary SUP

The proposed new boundary of the PUD is to include lands bordered by Bridge Street to the north, Durkee Street to the west, Broad Street to the south, and the western bank of the Saranac River to the east. This includes the Durkee Street parking lot, the Gateway building and its associated parking garage, and the former Highway Oil lot. The total land area within the proposed PUD boundary is approximately 4.66 acres. The Broad Street parking lot will no longer be included the PUD.

The proposed boundary of the PUD meets the minimum land area requirements of 3 acres as outlined in Section 360-21(C)(9) of the City Zoning Regulations for the C-Commercial Zoning District.

2) Residential Apartments on the first floor of a multistory building with that PUD SUP

Prime's Project will result in a mixed use residential and commercial development located in the City's urbanized downtown. The proposed design will unify the streetscape with the street wall and provide a contextual architectural design that activates the neighborhood and

along with the other projects signifies the revitalization of Durkee Street. The first-floor residential units will be located along the northern and southern faces of the building. As demonstrated by the enclosed Revised Renderings and Durkee Street Cross Section, due to the elevation change, the units will appear aligned with the building's second floor as the grade is much lower nearer to the Saranac River.

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. As such, the typical concerns with a first-floor dwelling unit, such as privacy and security will not apply. The interior of the first-floor units will not be visible or accessible from the adjacent exterior.

III. Prime's Project

The ZBA is charged with reviewing the requested SUPs. The proposed new PUD boundaries are being sought to facilitate Prime's Project. Therefore, this supplemental project narrative will provide information related to Prime's Project and how it meets the SUP criteria set forth in Zoning Code § 360-31(B).

As you know, the City of Plattsburgh City Council ("City Council") is undergoing a comprehensive environmental review pursuant to the New York State Environmental Quality Review Act ("SEQRA"), which will assess all potential environmental impacts related to Prime's Project as well as the SUPs requested herein. Throughout the SEQRA process, Prime's Project has been described as a multi-story mixed-use development that consists of a five-story, approximately 200,000 square foot mixed-use development including approximately 115 apartments (comprised of 52 one-bedroom units, 59 two-bedroom units, and 4 three-bedroom units), 10,000 SF of commercial space, an 86-space surface parking lot featuring approximately 50 spaces to be made available for use by the public, a 35-space surface parking lot for tenants, and a 165-space underground parking garage for tenants only. Additionally, the project proposes the rehabilitation of the existing Plattsburgh Farmers' and Crafters' Market ("PFCM") building for use as a 3,400 SF commercial space and a 2,400 SF, publicly-accessible civic space in an open-air pavilion with access from the new pedestrian walkway to be constructed as part of Prime's Project.

Prime's Project would replace the existing 289-space Durkee Street Municipal Parking Lot ("DSMPL") located at 22 Durkee Street. Prime's Project encompasses approximately 2.8 acres and is located on a portion of tax parcel 207.20-7-15. A second tax parcel, 207.20-7-14, was

recently merged with parcel 207.20-7-15 and the proposed project will occupy a portion of the former footprint of tax parcel 207.20-7-14 as well.

Tax parcel 207.20-7-15 currently contains 289 public parking spaces within the DSMPL, approximately 59 public parking spaces in the Broad Street Municipal Parking Lot ("BSMPL"), the Gateway Office Building and its associated two-story parking structure, the PFCM building, and a pedestrian walkway along the Saranac River. Prime's Project will replace the DSMPL and rehabilitate the PFCM building. The Gateway Office Building and its associated two-story parking structure (collectively, the Gateway Complex) will remain. Access to the new development will be primarily from Durkee Street, with underground parking access from Bridge Street. The BSMPL will be subdivided from this tax parcel, which is part of a proposed Minor Subdivision application before the Planning Board.

IV. City Special Use Permit Review

Review of the PUD SUP and the residential units on the first floor SUP are governed by the standards set forth in Zoning Code § 360-31(B). Please note that the Planning Board is reviewing the actual development within the PUD pursuant to its authority under Zoning Code § 360-21 and site plan review. As noted below, the requested SUPs herein fully comply with the standards set forth in Zoning Code § 360-31(B).

Zoning Code § 360-31(B) sets forth the following special use permit standards. We respectfully submit that the proposed SUPs and related development meets these standards.[1]

The general character, height and use of the structure or structures

PUD Boundary SUP

The proposed PUD allows for the redevelopment of the lands with an infill building bordering the roadways and sidewalks that have been contextually designed to define the

[1] *See N. Shore Steak House, Inc. v. Bd. of Appeals of Inc. Vill. of Thomaston*, 30 N.Y.2d 238, 243 (1972) (holding that "[t]he inclusion of the permitted use in the ordinance is tantamount to a legislative finding that the permitted use is in harmony with the general zoning plan and will not adversely affect the neighborhood."); *see also C & A Carbone, Inc. v. Holbrook*, 188 A.D.2d 599, 600, 591 N.Y.S.2d 493, 495 (1992) (holding that "once the petitioner shows that the contemplated use is in conformance with the conditions imposed, the special permit must be granted unless there are reasonable grounds for denying it that are supported by substantial evidence.").

streetscape and fit into the general character of the surrounding area. Prime's Project is an infill project within the downtown fabric of the city. Many years ago, there were buildings on the project site, but have since been removed. The surrounding area has buildings bordering the sidewalks and streetscape that typically define a walkable downtown area.

This proposed PUD will allow the flexibility to have buildings close to the sidewalks, which resembles an urban environment and facilitates a walkable community. As a result of the amended PUD, Prime's Project will be developed in a manner that is consistent with the downtown urban setting and will facilitate a walkable downtown community. Prime's Project will add residents to the downtown area, who will utilize the downtown area and related commercial uses. The uses that will result from the PUD and Prime's Project include residential apartments, retail businesses and commercial uses, personal and business service establishments, residential apartments, and parking and loading areas. Not only are all of these consistent with its urban setting, they are permitted uses within the C Zoning District and therefore have been deemed to be in harmony with the neighborhood.

The DSMPL, in its current state, is out of character with the surrounding built context, as the site is an open surface parking lot in a suburban form that disrupts the urban context. As discussed in the Draft Generic Environmental Impact Statement ("DGEIS") at page 86, Prime's Project building is proposed to be a single, U-shaped building, oriented towards Durkee Street and the River, and located on the northern part of the project site. In addition, the existing PFCM building on the south end of the site will be rehabilitated as part of Prime's Project. A pedestrian pathway separates the proposed building from the proposed 86-space surface parking lot and is buffered on both sides by landscaping. The pedestrian pathway will connect with the proposed improved Saranac River Riverwalk and the proposed improved Westelcom Park, known as the Arts Park. *See* Revised Renderings. Building material and colors will be chosen to be consistent with the characteristics of the surrounding neighborhood to the greatest extent possible. The buildings are proposed to feature a mix of materials, including stone, cement board and plank, frieze and cornice detailing with contrasting metal detailing to mark fenestration and other fine details. Landscaping will be provided around the perimeter of the building and within the parking areas.

As noted on Page 91 of the DGEIS, "[t]he proposed [Prime Project] design will unify the streetscape with the street wall and will provide a contextual architectural design." Further, the proposed 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 concluded that the proposed project would result in no adverse effects to historic properties, including archaeological and/or historic resources. Accordingly, Prime's Project will be consistent with the general character of this downtown area of the City and will revitalize the downtown core.

The proposed building will be 65 feet tall with 5 stories (one level underground, four stories above ground, and a mezzanine level). This is similar to heights of other buildings within the Central Business/Commercial Zoning District in the surrounding area. For instance, the Ashley building located opposite the Prime Project on Durkee Street, is approximately 60 feet in height. Further, the proposed uses within the PUD are all uses that would typically be found in a downtown environment.

Therefore, the requested SUP for the amended PUD boundaries, which will result in Prime's Project, as well as the revitalization and beautification of the Saranac River Riverwalk, will be consistent with and not adversely impact general character, height and uses within this downtown area.

Residential Units on First Floor SUP

As noted above, Prime's building will include apartments on the first floor, which requires a SUP from the ZBA. Like the building, the apartments on the first floor will be consistent with and not adversely impact general character, height and uses within this downtown area. Due to the elevation change, the units will appear aligned with the building's second floor as the grade is much lower nearer to the Saranac River.

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. As such, the typical concerns with a first-floor dwelling unit, such as privacy and security will not apply. The interior of the first-floor units will not be visible or accessible from the adjacent exterior.

Thus, because of the design of the building and the topography of the Durkee Street Lot, the apartments will not appear as though they are on the first floor of the building. *See* Revised Renderings and Durkee Street Cross Section. Further, mixing commercial and residential uses within an urban setting is desired from a planning perspective to facilitate and encourage a walkable community.

As noted above, the proposed height of the building, which is not a result of the first floor residential units, is consistent with the surrounding buildings and its urban environment.

Therefore, the requested SUP for the Residential Units on the first floor of the Prime Project will not adversely impact general character, height and uses within this downtown area.

The provision of surrounding open space and the treatment of grounds.

PUD Boundary SUP

Pursuant to the definition section of the Zoning Code, parking lots are not considered open space. Therefore, because the subject property is currently an existing parking lot, it does not include any open space. That being said, the proposed PUD and related Prime Project will result in 22% of the lot being open space. This exceeds the minimum requirements for the entire PUD of 15% open space. The proposed open spaces are as follows:

- Along the Saranac River, an identified top priority for the City, to be designed as a riverfront walk with site furnishings and landscape plantings that will connect Broad, Durkee, and Bridge Streets to the riverfront;
- Bordering the riverfront walk and the surface parking lot;
- Walkway and landscape plantings from Durkee Street to the riverfront walk;
- Walkways along Durkee and Bridge Streets; and
- Walkways and amenities in the courtyard of the building. These open spaces will include sidewalks, boardwalks, landscape plantings, and site furnishings all consistent with downtown amenities.

Importantly, the PUD SUP and the resulting development will allow for the revitalization of the riverwalk along the Saranac River. Currently, the existing riverfront on the Durkee Street Lot is underutilized and in need of repair. The PUD will allow for the riverwalk to be improved and access will be provided, in part, through a pedestrian walkway through Prime's Project. This will enhance the open space areas and provide more opportunities for residents and visitors.

Accordingly, the requested PUD amendments will facilitate open space on the Durkee Street Lot, which is currently only a parking lot without any open space.

Residential Units on First Floor SUP

The SUP for residential units on the first floor of Prime's building will not have any impact on open space. That being said, these residential units are required for Prime's Project, which will facilitate more open space on the Durkee Street Lot in compliance with the PUD requirements.

Accordingly, the requested residential units on the first floor SUP will facilitate open space on the Durkee Street Lot, which is currently improved with a large paved parking lot.

The general fitness of the structure or use to its proposed location.

PUD Boundary SUP

Prime's proposed building and uses are consistent with that typically found in downtown Plattsburgh. The proposed building elevation has been conceptually designed to have similar architectural details to those that exist in surrounding structures in order to maintain balance with the character of the neighborhood.

Related to Prime's Project, we note that NYSOPRHP provided a response letter dated December 23, 2019 stating that Prime's Project "will result in No Adverse Effect to historic properties, including archaeological and /or historic resources." Furthermore, Prime's Project has been specifically designed to fit the proposed location. Prime's Project will comply with the maximum number of stories permitted in the C Zoning District and its height is consistent with the surrounding buildings.

Prime's Project is designed so that the two corner segments, closer to the Saranac River, read as five story elements; the three larger flanking segments along Bridge Street, Durkee Street and the pedestrian walkway are all four stories adjacent to the street, with a step back on the top mezzanine level to lessen the visual impact. The volume, character, color and material articulation respond to the neighborhood architectural context by creating a human scaled cluster of varied expression. From a building code standpoint, this is a four-story building; the 'fifth' level is a mezzanine, not a full floor. *See* Revised Renderings and Durkee Street Cross Section.

The photo above, facing west, illustrates how the scale and impact of the neighboring City block is in fact comparable to Prime's Project. From an urban design standpoint, Prime's Project is perceived alongside the Gateway Complex as a City block, not as an individual building. The development is designed to express a varied aesthetic for the façade, not as a singular monolith. The Ashley Building at the corner of Durkee and Bridge Streets is nearly five stories in height, similar to the height of the corner elements of the Prime Project .

Furthermore, the overall design approach is based on the following strategies:

- The City's downtown fabric has been preserved by the following architectural principles:
    - The proposed development reestablishes street edges and maintains setback limes similar to the neighboring buildings and is therefore consistent with neighboring properties and the fabric of this area of the City.
    - 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 Saranac River, which is a common architectural strategy for downtown urban waterfront developments.
- The volume of the north side of the building steps down another level at the northeast corner to completement 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 metal panel 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 materials sympathetic to other downtown precedents that also offers a blend of old and new, including:
    - brick and stone masonry, metal panel, board and batten siding, and clapboard siding;
    - punched openings;
    - stone sill and lintel aesthetic;
    - opening proportions similar in scale;
    - larger ground level glazing for commercial uses; and
    - strong cornice expression.

The utilization of these recognized architectural principles, employed in the design of the project by the Project Architect, ensures that it is compatible with this downtown area of the City and the surrounding buildings, while at the same time revitalizing this area of the City with modern development to facilitate a walkable downtown core.

In addition to the above, the size of the Prime Project on the property is designed to ensure that a downtown walkable community is created. Currently, the large parking area is a disrupting feature that discourages a walkable community. The size of the building, location of parking areas, landscaping, and proposed setbacks ensure that a continuous downtown walkable community is not disrupted by vacant parking without any commercial amenities.

In addition, as noted above, 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." Thus, by creating the PUD over the requested lot, the ZBA is essentially allowing for a mix of uses on the subject property (the Durkee Street Lot). Here, the proposed uses within Prime's Project will potentially include retail businesses and commercial uses, personal and business service establishments, residential apartments, and parking and loading areas. As noted above, the proposed uses are all permitted in the C Zoning District and consistent with urban settings.

We must not forget that the PUD will also facilitate the construction of the improved Saranac River riverwalk, which is a pedestrian amenity and perfectly suitable for this waterfront property.

Accordingly, the Prime Project, including the proposed building and proposed uses are fit for the Property.

Residential Units on First Floor SUP

Similar to the above, the proposed residential units on the "first floor" is designed to specifically fit the Durkee Street Lot. As noted above, 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. Further, these units will not have direct access to the street and are completely private from the sidewalk. *See* Revised Renderings and Durkee Street Cross Section. Therefore, the concerns typically associated with this use is not applicable, e.g. security, privacy and access. Instead, these residential units, like the other units in the building will be able to enjoy a revitalized downtown core and enjoy commercial spaces throughout the City by pedestrian travel.

Accordingly, residential units on the first floor, including the proposed building, are fit for the Property.

The provision for automobile parking or storage

PUD Boundary SUP

Prime's Project would replace an auto-oriented use (a surface parking lot) with a pedestrian-oriented mixed-use development, which, in combination with the proposed improvements to the deteriorating riverwalk and adjacent Bridge and Durkee Streets, would bring more pedestrians to the site and to the waterfront. The proposed project will also include a 2,400-SF publicly-accessible civic space within an open-air pavilion with access from the new pedestrian walkway.

Per the City's zoning regulations, 317 spaces would need to be provided on-site for the residential and commercial components of the project. However, in the DGEIS it is noted that the City's off-street parking requirements have not been updated in some time. An alternative source of data is the Institute of Transportation Engineers (ITE) "Parking Generation" (5th Edition, 2019) manual, an authoritative publication that includes parking demand data for over 100 different land uses. Using the ITE Parking Generation Manual calculations, it shows a total demand of 272 parking spaces for Prime's Project residential and commercial components, 45 spaces fewer than is required by the City's zoning regulations.

As part of the Planning Board's PUD authority (Zoning Code § 360-21), it has the authority to approve an alternate method of parking calculation if the applicant can provide sufficient justification for the calculation. Instead of the methods stipulated in Section 360-26, the project is requesting that 1.5 spaces per dwelling unit be provided. To this end, please note that Prime has 35 years of experience in the residential and hospitality industry including the management of over 2000 residential units. Based upon a residential parking ratio of 1.5 spaces per 1 residential unit at a performing, comparable mixed-use building in a similar environment, Prime is confident it has the experience to project the needs and demand of its project.

With this parking calculation, Prime's Project will have 286 parking spaces on-site which exceeds what is estimated to be required to meet the needs of the proposed uses. Prime has agreed to allow fifty (50) of those spaces to be made available for use by the public. Thus, 50 of the spaces made available for the commercial components of Prime's Project may be used for other public purposes and will be labeled as such. It is expected that those utilizing these 50 spaces will not only enjoy the commercial components of Prime Project and the Saranac River Riverwalk but other downtown amenities. Considering the conservative analysis

provided for the commercial parking (e.g. assuming restaurant use), this will not result in any parking deficiency.

The existing, publicly accessible parking spaces located on the site will be relocated to several nearby downtown lots and public streets within the Special Use District (SAD). The City anticipates that the majority of these parking spaces will be operational prior to the start of construction of the proposed Prime Project. The DGEIS and the FGEIS outlines and documents the new locations of these publicly accessible spaces. The City is implementing this parking relocation process as part of their Public Parking Plan.

As a result of all the projects evaluated as part of the GEIS, the future parking public parking supply within the SAD is expected to decrease by a total of 20 spaces to 800. This represents a 2% reduction in the total parking supply. Please note the following analysis that is being considered as part of the SEQRA process in the FGEIS.

Existing and Future Publicly Accessible Parking Supply within SAD

	Existing Public Supply[1]	Future Public Supply	Change in Public Supply
Durkee Street Lot	289	50	-239
BSMPL	59	80[2,3]	+21
Arnie Pavone Memorial Parking Plaza	0	103[3]	+103
Westelcom Park[5]	4	0	-4
Clinton County Lot	0	69[2,4]	+69
Court Street Lot	44	44	0
City Hall Place Lot	17	17	0
Off-Street Totals	***413***	***363***	***-50***
Durkee Street (Broad St. to Bridge St.)	15	53	+38
Bridge Street (Adjacent to DSMPL)	0	6	+6
Court Street (north side from Margaret St. to Oak St.)	28	19	-9
Margaret Street (west side from Brinkerhoff St. to Division St.)	9	4	-5
On-Street Totals (All Streets within SAD)	***407***	***437[6]***	***+30***
Total On- and Off- Street Spaces	***820***	***800***	***-20***

Notes:

[1] Based on a parking supply survey conducted by the City of Plattsburgh's Community Development Office.

[2] Includes one motorcycle space.

[3] Reflects revised plan.

[4] Reflects additional information provided by Clinton County subsequent to issuance of the DGEIS.

[6] The four existing off-street parking spaces at Westelcom Park will be eliminated as part of the Westelcom Park Improvements.

[6] The nine fewer spaces on the north side of Court Street between Margaret and Oak Streets are due to adjustments to the Clinton County Lot and the loss of five spaces on the west side of Margaret Street between Brinkerhoff and Division Streets is due to construction of the proposed APMPP

To address the fact that the total parking supply within the SAD is expected to slightly decrease, public parking demand within the district was assessed to determine whether there would be an adequate parking supply in the future with approval of the proposed action. To determine the existing parking demand within the SAD, the City's Community Development

Office conducted 89 separate off-street parking lot counts of the City-owned lots and 32 separate on-street parking counts of the entire SAD. Of these, 43 off-street counts and 29 on-street counts were conducted during the work week over the course of 6 months at various times of the day. The remaining counts were conducted on weekends and the utilization rates observed during these weekend counts were considerably less than those observed during the week. The results of those weekend counts are not included in the tables below. The results of these extensive parking counts indicate an existing peak public parking demand of 542 spaces (with 278 available spaces) during the weekday 1:00 – 2:00 p.m. peak hour. These results are summarized in the below table.

Observed, Vacant Public Parking Spaces within SAD on Weekdays

Time	On-Street Vacant	On-Street Vacant	Total Vacant Spaces
8:00 - 9:00 a.m.	278	194	472
10:00 - 11:00 a.m.	213	112	325
12:00 - 1:00 p.m.	199	112	311
1:00 - 2:00 p.m.	179	99	278
2:00 - 3:00 p.m.	212	99	311
3:00 - 4:00 p.m.	191	120	311
4:00 - 5:00 p.m.	243	173	416

With 820 existing parking spaces within the SAD, this represents an existing public parking utilization rate of 66.1% (see below table).

Existing and Future Parking Utilization

	Public Parking Supply	Public Parking Demand	Available Public Parking Spaces	Public Parking Utilization
Existing	820	542	278	66.1%
Future	800	542	258	67.8%
Change	-20	No change[1]	-20	+1.7%

Notes:

[1] As indicated in the DGEIS, all of the Prime Project's parking demand could be fully accommodated on-site.

As described above, future parking supply within the SAD is expected to decrease by 20 spaces in the future with approval of the proposed action. No changes in public parking demand are anticipated, as all of the Prime Project parking demand could be fully accommodated on-site. Therefore, as presented in the table above, the public parking utilization within the SAD is expected to increase by 1.7% to 67.8% with approval of the

proposed action, and there would continue to be more than 250 available public parking spaces during the weekday 1:00 – 2:00 p.m. peak hour, with more spaces available at other times of the day and on weekends.

An abundance of vacant parking areas within an urban setting can disrupt achieving a walkable community and commercial development in a downtown core. Furthermore, vacant parking areas is an eyesore that can obstruct commercial tenants from bringing their business to a downtown area. Thus, the 67.8% parking utilization rate within the SAD proposed as a result of the PUD SUP is a desirable utilization rate. It provides for appropriate parking, while not having an unwarranted excess of vacant spaces. It also allows for significant, additional economic growth within the SAD before the City would be compelled to plan for additional parking improvements not evaluated as part of the GEIS.

As discussed in the DGEIS, the City caused a parking study to be conducted, which is part of the SEQRA process. In the fall of 2017, the City of Plattsburgh engaged Carl Walker Consulting ("Walker") to conduct a parking study ("Parking Study") for its downtown. During this study, an inventory and assessment of current parking conditions and an evaluation of current parking demand and patron service levels was completed.

As a component of the Parking Study, an evaluation of the potential impacts of displacing public parking as a result of a redevelopment of Prime's Project was conducted, and several parking management options were developed for the City to consider. The Parking Study explains that when peak occupancy levels exceed 85%, users generally note limited parking availability. Thus, because the parking utilization rate within the SAD as a result of the proposed project and the associated parking replacement projects is 67.8%, there is an adequate supply of parking provided.

Accordingly, the PUD SUP sought provides for the right amount of parking for the proposed uses. Please also note that the parking is being considered by the DGEIS, FGEIS and the Findings Statement, which will be incorporated into this application record.

Residential Units on First Floor SUP

The above analysis also demonstrated that the SUP for residential units on the first floor will have appropriate off-street parking. As noted above, in general, for all residential units Prime will be requesting from the Planning Board that 1.5 spaces per dwelling unit be provided. To this end, please note that Prime has 35 years of experience in the residential and hospitality industry including the management of over 2000 residential units. Based upon a residential

following table, which is included in the DGEIS, presents the trip generation estimates for this analysis. It is noted that no credits were taken for transit trips, pass-by trips, or internal trips.

Table 22: DLMUD Generated Trips

Component	Land Use Code	AM Peak Hour			Midday Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total	In	Out	Total
Retail 7,250 SF	820	12	10	22	18	15	33	15	15	30
Restaurant 6,150 SF	932	49	37	86	72	72	144	56	51	107
Residential 115 units	220	18	46	64	32	38	70	45	32	77
Parking to be Made Available for Use by Public 50 Spaces[24]	90	18	4	22	25	25	50	7	21	28
Total New Trips		**97**	**97**	**194**	**147**	**150**	**297**	**123**	**119**	**242**

The analysis provided in the DGEIS, and which will be discussed in the Findings Statement, notes that with the expected trips from the project and the expected on-street parking spaces, the levels of services will remain consistent and only minor delays (approximately 5 seconds). The DGEIS concludes that the traffic analysis presented show that the proposed improvements will have a minimal impact on traffic and that no mitigation is necessary. Further, that all improvements, including Prime's Project will not adversely impact the traffic operating conditions on the roadway system.

In addition to the above, CCPT is the local public transit system in Plattsburgh. Most regular transit routes have a stop at the Government Center on Cornelia Street (north and adjacent to the study area) and some routes travel along Durkee Street, including the Express Shuttle, Keeseville au Sable, CCC Seasonal, South Connector and Uptown Downtown routes. The Express Shuttle and Uptown Downtown routes have flag stops on Durkee Street.

Accordingly, the proposed traffic from the PUD and the resulting Prime Project and associated uses will not have an adverse impact on the community including impacts related to the public health and general character of the neighborhood.

Residential Units on First Floor SUP

The above analysis includes the related impacts for the residential units. However, we note that the first-floor residential units to not have street access for pedestrians or for vehicles. Thus, identical to the analysis for the PUD SUP, the the proposed traffic from the SUP and the resulting Prime Project and associated uses will not have an adverse impact on the community including impacts related to the public health and general character of the neighborhood.

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MEMORANDUM

From: Matthew Miller, Director of Community Development

To: Common Council of the City of Plattsburgh

Subject: Downtown Special Assessment District – Parking Utilization

Date: January 24, 2020

Several comments received in response to the City of Plattsburgh's Downtown Area Improvement Projects Draft Generic Environmental Impact Statement (DGEIS) expressed concern with the amount of public parking that will be made available by the City to compensate for the proposed development of the Durkee Street Municipal Parking Lot (DSMPL). The City maintains, as is stated in the Final Generic Environmental Impact Statement (FGEIS), that an adequate amount of new, publicly available parking capacity will be provided. Rather than debate the merits of these assertions, the most effective way to respond to these comments is to:

1. Presume the assertions made in the DGEIS comments to be true and, based on that presumption, calculate the number of new parking spaces being created in the downtown area.
2. Analyze the existing public parking supply and observed demand within the City's Downtown Parking Special Assessment District ("SAD") defined as the area bordered by Cornelia Street to the north, Oak Street to the west, and by the Saranac River to both the east and south.
3. Determine whether the claimed shortfall in parking supply (as asserted in the DGEIS comments) can be adequately absorbed by the SAD.

Assertions Made in DGEIS Comments

Included below in Table 1 is the City's accounting of the downtown parking supply within the SAD before and after completion of the GEIS projects (See Table 3 of the FGEIS).

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Table 1: Publicly Accessible Parking Supply Changes			
	Existing Public Supply	**Future Public Supply**	**Change in Public Supply**
DSMPL (existing) /DLMUD (future)	289	50	-239
BSMPL	59	80	+21
APMPP	0	103	+103
Westelcom Park	4	0	-4
Clinton County Lot	0	69	+69
Court Street Lot	44	44	0
City Hall Place Lot	17	17	0
Off-Street Totals	***413***	***363***	***-50***
Durkee Street (Broad St. to Bridge St.)	15	53	+38
Bridge Street (Adjacent to DSMPL)	0	6	+6
Court Street (north side from Margaret St. to Oak St.)	28	19	-9
Margaret Street (west side from Brinkerhoff St. to Division St.)	9	4	-5
On-Street Totals (All Streets within SAD)	***407***	***437***	***+30***
Total On- and Off- Street Spaces	***820***	***800***	***-20***

The Clinton County Planning Board ("CCPB") stated that the number of proposed public spaces attributable to the Clinton County Main Lot Expansion included in Table 39 of the DGEIS should be 44 rather than 66 (Table 3 of the FGEIS lists of a figure of 69 spaces based on new information provided by Clinton County). The CCPB and other commenters asserted that the number of proposed public spaces attributable to the Durkee Lot Mixed Use Development ("DLMUD") in Table 1 should be reduced by 50. Assuming these assertions are accurate would create a total deficit of spaces that would need to be absorbed by the SAD.

Presuming these assertions are accurate, the resulting changes to the accounting of the public parking supply are detailed in Table 2 below.

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Table 2: Publicly Accessible Parking Supply Changes (utilizing assertions made in DGEIS comments)			
	Existing Public Supply	**Future Public Supply**	**Change in Public Supply**
DSMPL (existing) /DLMUD (future)	289	0	-289
BSMPL	59	80	+21
APMPP	0	103	+103
Westelcom Park	4	0	-4
Clinton County Lot	0	44	+44
Court Street Lot	44	44	0
City Hall Place Lot	17	17	0
Off-Street Totals	***413***	***288***	***-125***
Durkee Street (Broad St. to Bridge St.)	15	53	+38
Bridge Street (Adjacent to DSMPL)	0	6	+6
Court Street (north side from Margaret St. to Oak St.)	28	19	-9
Margaret Street (west side from Brinkerhoff St. to Division St.)	9	4	-5
On-Street Totals (All Streets within SAD)	***407***	***437***	***+30***
Total On- and Off- Street Spaces	***820***	***725***	***-95***

Parking Supply and Observed Demand within the SAD

The DLMUD will contain enough on-site parking to meet its own parking demands. The current capacity of the DSMPL will be replaced in multiple locations within the SAD. If we are to utilize the assertions made in the DGEIS comments, the City would need to demonstrate that a minimum of 95 vacant spaces would exist within the SAD at periods of peak parking demand that could be occupied without exceeding an 85% utilization rate within the SAD as a whole.

Current Public Parking Supply within SAD

- Current On-Street – 407 spaces
- Current Off-Street – 413 spaces (289 within the DSMPL)
- Total Supply – 820 spaces

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SAD Parking Utilization and Excess Supply

An 85% utilization rate is a typical industry standard for optimal parking utilization and indicates that, while most parking spaces are filled at any given time, at least one available space can be found on any given block. In this report, the City has used this 85% utilization rate to determine whether the SAD could handle the asserted deficit of 95 parking spaces.

To determine the existing parking demand within the SAD, the City's Community Development Office conducted 89 separate off-street parking lot counts of the City-owned lots within the SAD and 32 separate on-street parking counts of the entire SAD. Of these, 43 off-street counts and 29 on-street counts were conducted during the work week over the course of 6 months at various times of the day. The remaining counts were conducted on weekends and the utilization rates observed during these weekend counts were considerably less than those observed during the week. Those weekend counts have not been included in this analysis. A summary of the observed results of the 72 parking counts conducted during the work week is shown in Table 3 below which shows the average number of available parking spaces at different times of the day. Table 3 also shows that, at the peak period of average utilization from 1:00 – 2:00 p.m., 278 parking spaces within the SAD remain vacant.

Table 3: Observed, Vacant Public Parking Spaces within SAD on Weekdays

Time	On-Street Vacant	Off-Street Vacant	Total Vacant Spaces
8:00 - 9:00 am	278	194	472
10:00 - 11:00 am	213	112	325
12:00 - 1:00 pm	199	112	311
1:00 - 2:00 pm	179	99	278
2:00 - 3:00 pm	212	99	311
3:00 - 4:00 pm	191	120	311
4:00 - 5:00 pm	243	173	416

Can the SAD Absorb the Asserted Deficit?

As stated earlier in this report, the total number of current public parking spaces within the SAD is 820. As shown above in Table 3, the City's current parking system contains 278 spaces that

Plattsburgh Durkee Street Project
List of Deviations for PUD Subdivision
January 24, 2020

Requirement	Central Business Zoning District - High Rise	PUD Requirement	Lot 2A: City Owned (Gateway Complex)	Deviation Requested per § 360-21(D)	Lot 2B: Prime Lot	Deviation Requested per § 360-21(D)
Minimum Lot Area	50,000 sq. ft.		82,965 sq. ft.	Not applicable	120,119 sq. ft.	Not applicable
Minimum Land Area	Not applicable	3 acres for entire PUD area	1.9 acres (totals 4.66 acres with Lot 2)	Not applicable	2.76 acres (totals 4.66 acres with Lot 1)	Not applicable
Minimum Lot Dimension	202 FT for Lot 2A 233 FT for Lot 2B		Previously approved	No	573 FT	No
Width	70 FT for Lot 2A 70 FT for Lot 2B		Previously approved	No	> 500 FT	No
Depth	100 FT for Lot 2A 100 for Lot 2B		Previously approved	No	265 FT	No
Front Setback (Durkee and Bridge Streets)	12 FT for Lot 2A 15 FT for Lot 2B		Previously approved	No	9 FT Durkee Street 3 FT Bridge Street	Yes
Side Setback	12 FT for Lot 2A 15 FT for Lot 2B		3 FT (north)	Yes	2 FT (east)	Yes
Rear Setback	12 FT for Lot 2A 15 FT for Lot 2B		Previously approved	No	5 FT (south)	Yes
Height (FT)	48 FT for Lot 2A 60 FT for Lot 2B		Previously approved	No	65 FT	Yes
Height (Stories)	5 stories for Lot 2A 14 stories for Lot 2B		Previously approved	No	5 stories	No
Minimum Distance Between Buildings		The minimum distance between any two buildings, other than buildings containing common walls, shall be not less than as computed under the following formula: S=(LA+LB+2(HA+HB))/6 Where: S = Required minimum horizontal distance between any wall of Building A at any given level and any wall of Building B at any given level or the vertical prolongation of either; LA = Total length of Building A. Building A shall be that structure which is of equal or greater length of the two buildings selected; LB = Length of Building B; HA = Height of Building A. The height of Building A is the average height above the finished grade of the structure; HB = Height of Building B.	Previously approved	No	Minimum distance between buildings is as follows: LA = 305 ft, LB = 106 ft, HA = 65 ft, HB = 18 ft, S = 96 ft Actual Distance: 120 FT	No
Maximum Building Coverage	Previously approved for Lot 2A 84% for Lot 2B		Previously approved	No	32%	No
Minimum Open Space	Previously approved for Lot 2A 16% for Lot 2B		Previously approved	No	22,135 SF or 18%	No

Plattsburgh Durkee Street Project
List of Deviations for PUD Subdivision
January 24, 2020

Requirement	Central Business Zoning District - High Rise	PUD Requirement	Lot 2A: City Owned (Gateway Complex)	Deviation Requested per § 360-21(D)	Lot 2B: Prime Lot	Deviation Requested per § 360-21(D)
Minimum Number of Parking Spaces	See City parking requirements in Notes below	The Planning Board can approve an alternative calculation for the residential parking demand, as stipulated in Section 360-21.-D-5-d-5 of the City Zoning Code. The Planning Board has the authority to approve an alternate method of parking calculation if the applicant can provide sufficient justification for the calculation. Instead of the methods stipulated in Section 360-26, the project is requesting a demand of 1.5 spaces per dwelling unit for Residential, which is based this demand on another similarly sized project in the region that they have constructed and operated for multiple years.	Previously approved	No	*Residential*: 1.5 / dwelling unit x 115 units (173 spaces) *Commercial*: 1 / 250 sf x 7250 sf (29 spaces) *Restaurant*: 1 / 50 sf customer area x 3690 sf (74 spaces) 1 / 250 sf other area x 2460 sf (10 spaces) *Total 286 spaces*	Yes

City Parking Requirements Notes:

Residential:
2 / dwelling unit for first 10 units x 10 units (Lot 2B - 20 spaces)
1.75 / dwelling unit over 10 x 105 units (Lot 2B - 184 spaces)
+1 for each adult occupying the unit over 2 (0 spaces)
Commercial:
1 / 250 sf x 7250 sf (Lot 2B - 29 spaces)
Restaurant:
1 / 50 sf customer area x 3690 sf (Lot 2B - 74 spaces)
1 / 250 sf other area x 2460 sf (Lot 2B - 10 spaces)
Total 317 spaces