



City Info <cityinfo@plattsburghcitygov.com>

## Zoning Board comment appeal 2232-Durkee Street-SUP + Prime's application

1 message

Carol CJK <carolcjk@gmail.com>

Mon, Apr 20, 2020 at 11:45 AM

To: cityinfo@plattsburghcitygov.com







I am writing to you to plead with you to please postpone ZBA meeting dealing with Prime Development until city residents and other interested parties can attend all meetings in person and fully participate. The development of the Durkee Street Parking lot will effects everyone in Plattsburgh, the county and surrounding communities. Prime's project will have a far-reaching effect on everone for years to come. All non-essential businesses have been ordered to close and everyone is struggling to survive. New York State has asked that all NON-EMERGENCY public meetings be postponed until the public can participate in person safely. It is both irresponsible and unethical to hold any ZBA or PB meetings without all city residents and stakeholders being able to comment on Prime's project, especially those who own property adjacent to the Durkee Street Parking lot.

Furthermore, I beseech all ZBA members to include all comments made by everyone into any decision you make, even if their comments exceed the 3-minute recording threshold you have set as a board. As members of Plattsburgh City Zoning Board you have a duty to ensure that any variance you grant Prime Development does NOT have any adverse effect to our downtown, city and county and that it meets all 5 SUP criteria and zoning code requirements.

Please see my attached letters regarding comments regarding appeal 2232-Durkee Street-SUP. Thanks carol Klepper

 [672 signatures March 2020 to save .5 acre Durke...](#)

### 6 attachments

-  **Klepper-ZBA April 20, 2020 appeal 2232-Durkee Street-SUP\_000073.pdf**  
2770K
-  **41 Downtown Business owners opposed to Prime.pdf**  
230K
-  **416 signatures-March 2020.pdf**  
137K
-  **1,429 signatures opposed to Prime.pdf**  
129K
-  **1,655 signatures Petition · Save Durkee Street Parking!.pdf**  
137K
-  **1,979 signatures concerned citizens.pdf**  
6613K



Mr. Ronald Nolland, Chairman  
City of Plattsburgh Zoning Board of Appeals  
[cityinfo@plattsburghcitygov.com](mailto:cityinfo@plattsburghcitygov.com)

Re: April 20, 2020 ZBA: Appeal 2232-Durkee Street-SUP comments

April 20, 2020

Dear Zoning Board members and Chairperson:

Once again, I ask that members of ZBA postpone all decisions regarding the Durkee Street parking lot and Prime development until everyone can attend all meetings in person. It is both irresponsible and unethical to hold any ZBA or PB meetings without all city residents and stakeholders being able to comment on Prime's project, especially those who own property adjacent to the Durkee Street Parking lot.

I, along with 42 downtown business owners and over 6,151 petitioners (see attached signatures) ask that you deny all current appeals, special use permits and variances requested by the city of Plattsburgh and Prime Development LLC on grounds that all such requests regarding the development of the Durkee Street Lot have NOT been reviewed as part of the entire DRI project but rather in isolation. And, Prime's current proposal fails to meet both zoning code & all criteria found in zoning ordinance section 360-31 B for standards of such special use permits, in which all 5 criteria for ZBA SUP must be satisfied.

I ask that the Board deny the proposed boundary changes for the Durkee Street parking Lot into one 3.3 acre lot, but rather suggest that the City subdivide it into at least two lots, whereby the city will retain ownership of at least .5 acres for public use to provide at least 150 off-street parking spots that remain deficient in the city's replacement parking plan, which fails to provide the required 1 to 1 ratio of compensatory parking off street in the center of our downtown business district. Once ownership of the Durkee Street Parking lot is transferred to a private developer, the public will not only permanently lose all 289 free long-term, year round parking spaces in the center of downtown, but everyone working, living & visiting downtown will lose at least 275 of these 289 parking spots, while the proposed 102 spaces in the Pavone lot + 22 spaces in the Broad Street lot are constructed. Given the state of the economy throughout the nation and especially in NYS, it is suicide to the future of our downtown to give all 3.3 acres to Prime without the city retaining any ownership. It is detrimental to Plattsburgh's economy to gift such a valuable asset to Prime development.

I also implore the members of the ZBA to deny Prime's request to put any apartments on the first floor of any building. If the ZBA approves such a request it will set an undue and negative precedent throughout the city, because it will open the door for other property owners to convert commercial space into first floor apts. Granting such a variance will result in increased density and exacerbate the shortage of long-term year round parking for all tenants living downtown. Street level apartments are problematic due to safety concerns and their un-attractiveness to long term tenants. I can attest to this fact first hand, as someone who has both owned and lived in first floor rentals. This is especially true in the center of downtown. Merely look at street level or first floor apartments in any downtown and you will notice security systems such as steel bars or small windows to prevent access from intruders, which is hardly inviting to prospective tenants. It is extremely difficult to retain tenants in street level or first floor apartments due to safety and marketability, contrary to Prime's comments.

Landlords and business owners in Plattsburgh and especially downtown are faced with the reality that they may never be able to reopen. Economists forecast that high unemployment and business closures

may continue for years. Most builders have put projects on hold and the majority of lenders have retracted their financial commitments to developers. Given the fact that Plattsburgh and NYS are faced with billions of dollars in deficits and that many people will remain unemployed, while others have lost their life savings, it is unlikely that Prime will be able to complete construction and fill all 115 units & 10,000 square feet of commercial space by September 1, 2021. Prime's current project will most definitely have an adverse effect on adjacent properties and surrounding neighborhoods for years to come. The future of our downtown and economic survival rests in your hands.

I beseech all ZBA members to include all comments made by everyone into any decision you make, even if their comments exceed the 3-minute recording threshold you have set as a board. As members of Plattsburgh City Zoning Board you have a duty to ensure that any variance you grant Prime Development does NOT have any adverse effect to our downtown, city and county and that it meets all 5 SUP criteria and zoning code requirements. The following points outlined within explains why Prime's project should be denied.

1. **General Character, height and use of the structure.** Prime's current design is not in keeping with our historic downtown due to its mammoth size, building design and use of metal and clapboard. The majority of the buildings downtown are made of brick or sandstone and are less than 4 stories in height. I ask that the board deny Prime's request to build a 5-story 115-apartment complex with 10,000 square feet of commercial space in the center of downtown, which is in actuality 6 stories above ground along the river and is 2-3 stories above any other building adjacent to the Durkee Street Lot. Prime's building will tower 65 feet above ground on the North side and will be 180 feet high along Bridge Street spanning more than 200 feet along the riverside. Prime's colossal complex will consume the entire North and East corners of the Durkee Street Lot, which will block off sunlight and discourage pedestrian circulation. Even members of the Clinton County Planning Board expressed their concern with having such a massive structure on top of the Saranac River Walk and right against the sidewalk on Bridge Street. The intent of the DRI is to revitalize our downtown by inviting people to recreate, shop and eat in our downtown business district. Granting such a height variance would detract rather than invite people from visiting our downtown.

2. **Provision of surrounding open space and the treatment of grounds.** Prime's current plan fails to provide any green space for its tenants and therefore does NOT meet criteria 2 of SUP. And in fact, if Prime is given all 3.3 acres of 22 Durkee Street there will be NO guaranteed open green space for public use on site. Access is not ownership and therefore public use will be controlled at the whim of the developer. It is a slap in our face to have Prime merely offer public access to the Saranac River with a walk way through the center of its project. Prime needs to downscale its project and the city needs to retain at least 25 feet along Bridge Street and 50 feet rather than 14 feet along the East side of Durkee Street parking lot in order to provide a green buffer zone between Prime's tenants and city residents and visitors. Prime's current Durkee Street project fails to provide any dedicated green space for its tenants, unlike Prime's Saratoga project and lacks sufficient green space for guaranteed public use. 3. Prime's current project also fails to meet **"general fitness of the structure or use to its proposed location."** Prime's current proposal to build one contiguous structure for up to 293 residential tenants and 10,000 square feet of commercial space not to mention the future transformation of the former farmers market into additional commercial space is NOT a good fit for this site or viable at this time. I suggest rather that Prime rework its design to build a smaller size project in multi-phases that has a better chance of surviving our current economy.

Prime's current plan adds up to 293 tenants living at the northeast corner of Durkee Street Parking lot, which is right on the Saranac River Trail. Cramming such a large population next to the Saranac River trail hardly promotes visitors and city residents from enjoying the river. Members of Clinton County Planning Board have also expressed their concern of the proximity of Primes 5 story 115

unit apartment complex being built right against the Saranac River Trail and only 14 feet away from the river bank. Prime's current plan fails to provide even it tenants any green space adjacent to the river or any green buffer zone next to any city sidewalk. Even Prime's Saratoga project provides open green space on site. 4.

**Provision for automobile and parking or storage.** I ask the board to deny Prime's request to only provide 226 parking spaces rather than the 317 required by Plattsburgh's zoning code, because Prime cannot compare its Saratoga Springs project, known as "the Hamlet," to its proposed Plattsburgh development, because "the Hamlet" is several miles from the center of downtown Saratoga Springs and is therefore not equivalent to Prime's Plattsburgh project, which will be built in the center of our business district. Permitting Prime to build a 115 apartment complex with more than 10,000 square feet of commercial space will most definitely create a hardship to our downtown, because Prime's tenants and city residents and patrons will be competing for the 100 parking spots that Prime is failing to provide for its tenants and the 150 deficient parking spaces off street that the city has failed to provide the public. Prime should be required to provide at least 317 parking spaces on site, given the fact that Plattsburgh's zoning parking requirements are antiquated, and Plattsburgh does not have public transportation and everyone owns a car. The reality is that Prime should provide 441 parking spaces on site to accommodate full occupancy of both Prime's residential and commercial usage, which doesn't even account for the additional parking needed for Prime's future conversion of the former's farmers market to commercial space. As someone who owns an apartment building near downtown, I am well aware of how important onsite year round parking is to my tenants. What is even more problematic is that Prime has yet to present detailed parking plans that are current and up to date.

Prime has also failed to provide any concealed storage for its tenants' bicycles, outdoor equipment, etc. Plattsburgh zoning and Planning boards have insisted that developers provide such storage on site and adjacent to their units for security, convenience and esthetic purposes. As an apartment owner, I know how important adequate on-site storage is in attracting long-term tenants. Most importantly, ZBA members need to insure that Prime's project is reviewed as part of the entire DRI. Equally important is that all 289 parking spaces currently provided for free to the public off street in the Durkee Street parking lot is replaced with compensatory parking, which the city has failed to do. One of the most critical points to be considered by ZBA regarding parking is that the Durkee Street parking lot provides free and convenient parking for everyone working, living and visiting downtown. Businesses such as; Social Services, JCEO, doctors, counselors, chiropractors, etc. all need convenient and handicap accessible parking close by. Unfortunately, the city's replacement parking plan only provides 125 public parking spaces off street in the center of downtown, which results in 165 deficient off street compensatory parking spots. Even the city notes that they are unable to replace all 289 off street public parking spaces. Furthermore, the city's plan to convert all free downtown street parking to paid parking will create an additional hardship to downtown businesses and property owners struggling to survive. I remind the board that you can NOT count the off street parking that was created by the county at the Government center, because these parking spaces are primarily used by government employees and is not adjacent to the center of downtown businesses. The 15 angled parking spaces that the city anticipates providing on Durkee Street is not off-street and therefore is not considered compensatory replacement parking. DEIS states that parking lots should have less than 85% of the spaces filled and that the Durkee street lot often has 87% usage, thereby showing its importance to downtown. Over 200 employees who work at Social services, JCEO & other offices currently park in the Durkee Street Lot, which would quickly fill the Pavone Parking lot once built, because street parking would be metered. According to Carl Walker Plattsburgh needs to replace "equal" amount of year round off street parking to its community.

5. **Street capacity and use.** Prime's proposed mixed use development will bring close to over 300 additional vehicles to the Northwest corner of Bridge and Durkee Street. This increased vehicular

traffic along with the poor redesign of Durkee Street will result in increased pedestrian, bicycle and vehicular traffic accidents, congestion and bottlenecks, especially during peak delivery times. The city has failed to provide any designated pull offs or tested the viability of such a drastic change to one of downtown's major arteries and unloading zones for local businesses. The City's plan to make Durkee Street one-way along with angled parking on the east side of the street will prevent contiguous flow of traffic and impede delivery trucks from servicing downtown businesses and restaurants. Angled parking that requires drivers to back up into traffic is extremely dangerous and almost impossible during winter months and in climate weather due to poor visibility and limited turning ability.

I remind the Board that Bridge Street is a continuation of US route 9, which is to provide safe travel for all delivery trucks, automobiles, motorcycles and bicycles. According to Ken Bibbins, Regional Traffic Engineer (DOT) analysis of the city's proposed changes to Durkee Street, Mr. Bibbins states the following: it *"does not appear to me that the right of way that Bridge Street falls within has sufficient width to allow angled parking without severely impacting its lane widths."* And *"multiple studies" ...have shown that "angled parking causes an increase in accidents."* *Backing-up maneuverability is "particularly dangerous if the roadway in question has a significant volume of bicycle traffic, such as this one. There is also an increase in accidents due to the stop-go nature of drivers searching for an open space, which is more difficult with angled parking because the empty spaces are harder to see."* ... *"based on the concept and its traffic safety implications, I would use the strongest language possible to discourage the institution of this change."*

Furthermore, Prime has failed to include any parking plans for its 10,000 square feet of commercial space, future conversion of former farmers market for commercial use, designated loading and unloading areas and a detailed diagram with site elevations and dimensions of all surface and underground parking for its 115 apartment complex.

In conclusion, Primes current proposal fails to meet city zoning code parking, height and building requirements, along with its failure to satisfy all 5 Special Use Permit (SUP) criteria and the objectives of the DRI plan set forth by NYS. Primes project is deficient in providing onsite parking for its tenants, visitors and patrons, lacks designated green space for its tenants, fails to provide guaranteed sufficient onsite public parking, and will result in increased vehicular and pedestrian traffic accidents, traffic congestion and additional hardships to our downtown businesses who are struggling to survive the economic crisis that is anticipated to continue for years. Governor Cuomo's DRI grants were intended to revitalize downtowns throughout upstate New York by providing recreation, services and joint business opportunities in the center of downtown. Converting our entire 3.3 acres of 289 public parking spaces into privately owned apartments and over 10,000 square feet of commercial space is not in the best interest of Plattsburgh and will most definitely have a negative impact on our community and Plattsburgh's downtown business district.

Sincerely,

  
Carol J. Klepper, 17 Couch Street, Plattsburgh, NY