

WHITEMAN
OSTERMAN
& HANNA LLP

Attorneys at Law
www.woh.com

Charles J. Gottlieb
Associate
518.487.7612 phone
cgottlieb@woh.com

One Commerce Plaza
Albany, New York 12260
518.487.7600 phone
518.487.7777 fax

November 23, 2020

VIA EMAIL

City of Plattsburgh Planning Board
41 City Hall Place
Plattsburgh, NY 12901

City of Plattsburgh Zoning Board of Appeals
41 City Hall Place
Plattsburgh, NY 12901

***RE: Surface Lot Parking Plan
Prime Plattsburgh – Durkee Street Development***

Dear Members of the Planning Board and Zoning Board of Appeals:

Our firm represents Prime Plattsburgh, LLC (“Prime”) related to its proposed mixed-use development and related off-street parking on property that currently comprises the Durkee Street Municipal Parking Lot (the “Project”). The Project will be developed on land encompassing approximately 2.8 acres and is located on a portion of tax parcel 207.20-7-15 (the “Project Site”). The current plan provides a surface parking lot with 92 off-street parking space on the southern portion of the Project Site (the “Surface Lot”). Originally, at the request of the City, Prime agreed to provide 50 publicly available parking spaces in the Surface Lot.

At the November 16th, 2020 Zoning Board of Appeals (“ZBA”) meeting, the ZBA Chair asked if additional parking spaces in the Surface Lot could be made available to the public. Also, at the November 16th meeting, members of the public questioned what impact any change to the number of publicly available spaces in the Surface Lot would have on the overall parking demand for the Project. Prime has determined that it is able to provide an additional 26 publicly available parking spaces on the Surface Lot without altering its proposed Project parking demand. This results in 76 parking spaces being made available to the public on the Surface Lot and protected as such through the enforcement mechanisms noted below. *See* Enclosed, Surface Lot Parking Plan.

Prime Parking Demand and Increased Public Spaces

The current parking demand for the Project has been reviewed pursuant to the State Environmental Quality Review Act (“SEQRA”) process and is based on a similarly situated mixed use development that has been constructed by Prime. It has been determined through the SEQRA process and set forth in the City Council’s Amended Findings Statement that the proposed parking on the Project Site is sufficient and will not result in any significant environmental impacts. The Project’s parking demand, excluding any public parking, is as follows:

Residential	109 units	1.5 spaces/unit	164 spaces
Commercial	13,400 SF	1 space/300 SF	45 spaces
Employees	13,400 SF	1 space/2 employees & 1 employee/900 SF	8 spaces
Total			217 spaces

To satisfy this parking demand, the Project includes 201 parking spaces in the main building and 16 spaces in the Surface Lot. Therefore, Prime agrees to make the remaining 76 parking spaces in the Surface Lot available to the public. As set forth in the Surface Lot Parking Plan, enclosed, the 16 private spaces will be located along the northern edge of the Surface Lot closest to the proposed mixed-use building.

Parking Enforcement

The proposed 76 publicly available parking spaces will remain available to the public in perpetuity and enforced as such. To ensure that these spaces remain open to the public, Prime agrees to the following conditions of site plan, PUD and special use permit approval:

- Prime will not enter into a lease agreement on any of these 76 public parking spaces to its commercial or residential tenants;
- The 76 publicly available spaces will be striped with white paint;
- The 16 private (Prime) spaces will be striped with yellow paint, numbered and labeled “PRIVATE PARKING” with yellow paint within the stall and will each include a “PRIVATE PARKING” sign at the head of each parking space; and
- Notation that these Surface Lot parking requirements may be enforced by the City of Plattsburgh Building Inspector and/or the City of Plattsburgh Police Department pursuant to City of Plattsburgh Zoning Code 360-59(A), after Prime has been notified of any violations and has not cured the same within 15 days.

In addition to the above, these Surface Lot restrictions will be added to the site plan and subdivision plat and made part of the public record on file with Clinton County. These restrictions and the Surface Lot Parking Plan (enclosed) will also be included in the Developer’s Agreement between Prime and the City as well as in the related easements ensuring Prime’s adherence to these stipulations. Importantly, these easement agreements will be filed with Clinton County and therefore in the chain of title for the Property placing subsequent owners (if ever any) on notice.

Conclusion

Prime is pleased to provide 76 publicly available parking spaces in the Surface Lot. The Project's current configuration, including the above-mentioned Surface Lot parking plan, represents the *final* application. We look forward to the ZBA acting on this final plan at its December 21, 2020 meeting. The Project has been through several changes as a result of board and public comments. This final version represents a plan that will enhance the aesthetics of the downtown area and increase economic development within the City.

We look forward to continuing to work with the City to bring this development to downtown Plattsburgh. If anyone has any questions, please do not hesitate to contact my office cgottlieb@woh.com or 518-487-7612.

Very truly yours,

/s/ Charles J Gottlieb

Charles J. Gottlieb

cc: Joe McMahon, Building Inspector, City of Plattsburgh (*via email*)
Corey Auerbach, Esq., ZBA Special Counsel (*via email*)
Dean Schneller, Esq. City of Plattsburgh (*via email*)
Malana Tamer, City of Plattsburgh (*via email*)
Matthew Miller, City of Plattsburgh (*via email*)
Prime Plattsburgh, LLC (*via email*)



McFarland Johnson
 60 RAILROAD PLACE
 SUITE 402
 SARATOGA SPRINGS, NEW YORK 12866
 P:518-580-9380 F:518-580-9383
 mjinc.com

PROJECT MILESTONE
 SITE PLAN SUBMISSION

NO.	DATE	DESCRIPTION
▲	04/16/20	CITY COMMENTS
▲	05/05/20	CLARIFICATIONS
▲	08/10/20	BUILDING REVISION
▲	11/19/20	EASEMENT AREA D

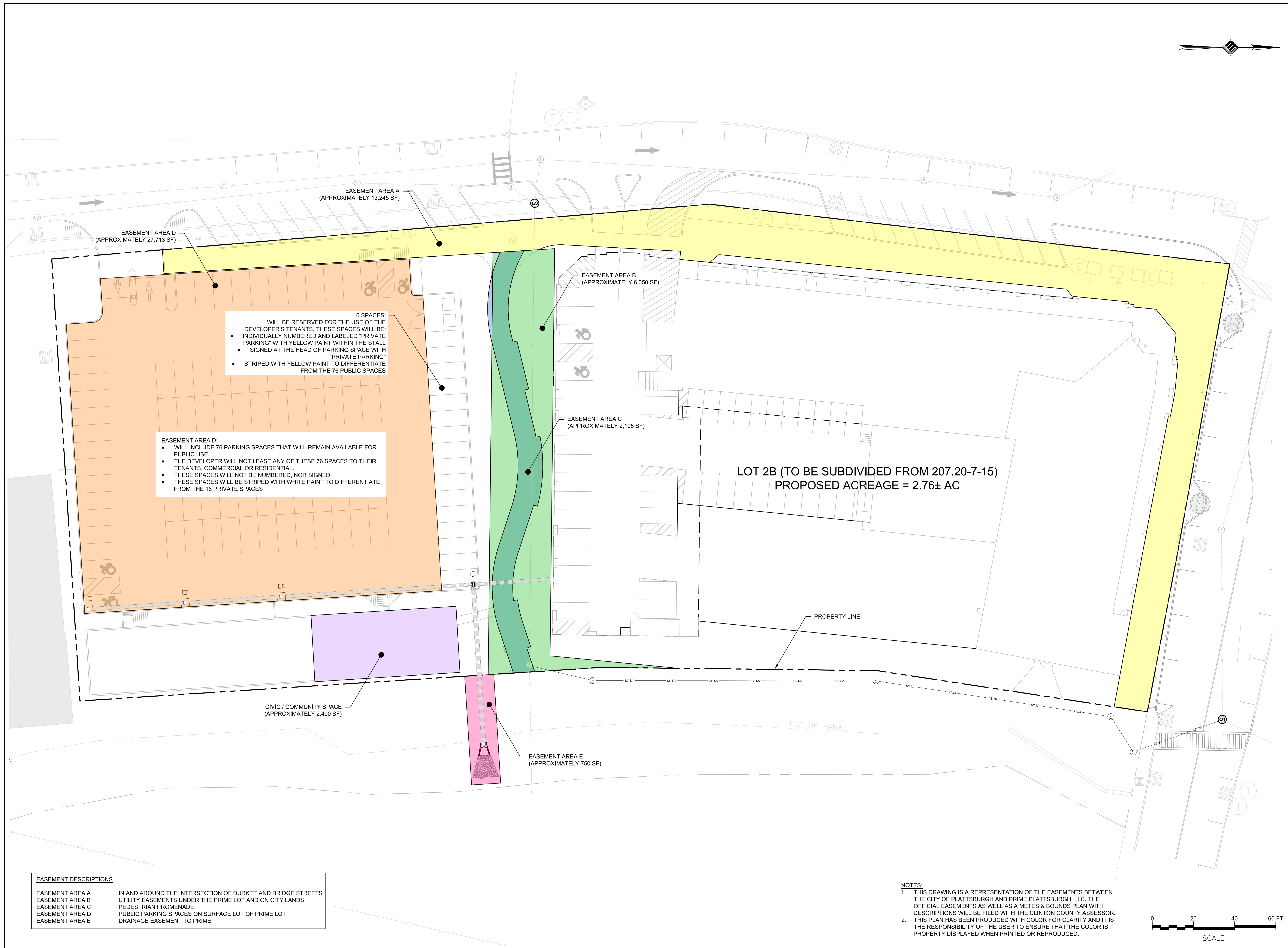
CLIENT: **PRIME PLATTSBURGH, LLC**
 CITY OF PLATTSBURGH, NEW YORK
 PROJECT: **DURKEE STREET MIXED USE DEVELOPMENT**

DRAWN	NSO
DESIGNED	NSO
CHECKED	TCB
SCALE	1"=20'
DATE	FEBRUARY 2020
PROJECT	18491.00

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECT DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT, OR LAND SURVEYOR, TO ALTER AN ITEM IN ANY WAY. IF AN ITEM BEARING THE STAMP OF A LICENSED PROFESSIONAL IS ALTERED, THE ALTERING ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT, OR LAND SURVEYOR SHALL STAMP THE DOCUMENT AND INCLUDE THE NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE, THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

DRAWING TITLE
EASEMENT PLAN

DRAWING NUMBER
EM-01



EASEMENT DESCRIPTIONS

EASEMENT AREA A	IN AND AROUND THE INTERSECTION OF DURKEE AND BRIDGE STREETS
EASEMENT AREA B	UTILITY EASEMENTS UNDER THE PRIME LOT AND ON CITY LANDS
EASEMENT AREA C	PEDESTRIAN PROMENADE
EASEMENT AREA D	PUBLIC PARKING SPACES ON SURFACE LOT OF PRIME LOT
EASEMENT AREA E	DRAINAGE EASEMENT TO PRIME

NOTES:
 1. THIS DRAWING IS A REPRESENTATION OF THE EASEMENTS BETWEEN THE CITY OF PLATTSBURGH AND PRIME PLATTSBURGH, LLC. THE OFFICIAL EASEMENTS AS WELL AS A METES & BOUNDS PLAN WITH DESCRIPTIONS WILL BE FILED WITH THE CLINTON COUNTY ASSESSOR.
 2. THIS PLAN HAS BEEN PRODUCED WITH COLOR FOR CLARITY AND IT IS THE RESPONSIBILITY OF THE USER TO ENSURE THAT THE COLOR IS PROPERTY DISPLAYED WHEN PRINTED OR REPRODUCED.