

<u>Meeting Date:</u> January 12, 2025
<u>Location:</u> 41 E. Main Street
<u>Parcel Number</u> 3200737
<u>Request:</u> Major Site Plan
<u>Applicant:</u> Elizabeth Swearingen, Peninsula Architects
<u>Property Owner:</u> 41 E Main LLC
<u>Zoning:</u> D5- Village Core Gateway
<u>Case Manager:</u> Nick Sugar, City Planner
<u>Staff Recommendation</u> Approval subject to conditions on pages 4-5.
Contents <ul style="list-style-type: none"> • Cover Letters From Applicant • Site Plans/Floor Plans/Elevations, 12.25 • Documentation of Delivery Process/ Off-Site Storage/ Apartment, 12.25 • Previous Staff Reports From 10.13.25 and 11.10.25 Meetings • Trip Generation Analysis, 9.15.25 • City Arborist review 11.3.25 • Asst. City Engineer review dated 12.26.25



City of Hudson GIS

Project Background:

Village Dental is located on the corner of E. Main Street and Division Street in the historic district. It was constructed in 1841 and is one of the earliest commercial buildings in Hudson. It is unique as it is connected to the residential building to the south (35-37 E Main Street).

The application is a request to construct a 2-story addition to the rear of the existing building. The addition would provide additional office and storage space for the business. The addition would have a footprint of 572 square feet.

The review would include a Major Site Plan review by the Planning Commission and design review by the Architectural and Historic Board of Review.

The application was continued from the October 13, 2025, November 10, 2025, and December 8 2025 Planning Commission meetings. No discussion occurred on December 8th as the applicant requested additional time to update the submittal. The applicant has submitted updates in response to the previous Planning Commission comments made at the November 10th meeting. These updates are summarized on the following page of this staff report. This staff report is intended to supplement the previous staff reports. (attached for reference).

Adjacent Development:

The property is located within the historic district and is adjacent to institutional to the north (Burton D. Morgan Foundation), public greens to the west and single

- Preservation Brief:
- Exterior Additions
- Fire Marshal Review dated 10.1.25
- Supplemental Documents

family residential to the east and south. Staff notes the property is directly bordered to the east by a separate parcel containing a driveway serving the residential building to the south (35-37 E Main Street).

Updates from November 10, 2025 Planning Commission Meeting

Staff notes the following updates that have been incorporated in response to the discussion from November 10, 2025:

- Bio-cell relocation/ Right-of-way impacts: In coordination with the Assistant City Engineer, the applicant has relocated the bio cell stormwater structure to the southeast corner of the proposed addition. The bio cell was previously proposed in the center of the rear yard. Moving the cell reduces grading near the mature Oak tree. Staff notes the Assistant City Engineer is acceptable to the small bio cell for stormwater management as the project would ultimately result in a net reduction in impervious coverage on the site.
- Removal of proposed structures within the right-of-way: The steps previously proposed within the right of way have been scaled back to only be proposed on private property. Staff notes, however, the existing drive apron is intended to remain. As the drive apron would no longer serve a parking area, staff recommends removal and the establishment of tree lawn in its place.
- Tree Preservation: Further discussions with the City Arborist resulted in the inclusion of the following notes within the proposal to further protect the mature oak tree:
 - The existing retaining wall along the sidewalk is proposed to be removed. The applicant has agreed to remove the bottom course by hand (note on engineered site plan sheet C-1.2 and landscaping plan sheet L0.01).
 - The overall limits of disturbance have been further reduced (see engineered site plan sheet C-1.2)
 - Tree protection fencing will be installed in areas outside of the limits of disturbance (see engineered site plan sheet C-1.2)
 - A mulched area is proposed around the tree and the city right of way. The arborist notes the mulch can be removed and returned to lawn at his direction in approximately 3 years.
 - The City Arborist has provided detailed best practices for the proposal. The applicant has included these best practices in their revised memo. They are as follows:
 - *Expose roots just outside limits of disturbance with air knife and prune roots with saw; backfill promptly to avoid desiccation. Work to be performed by Certified Arborist between November 1st and March 1st, while soil is friable (not frozen).*
 - *Install semi-permanent tree preservation fence at limits of disturbance. No cuts/fills, storage, stockpile of material, heavy equipment, vehicles, or otherwise utilization of this space for the duration of this project. Exceptions will be made for planting of dogwood trees (by hand) and removal of retaining wall (by hand).*
 - *Deep root fertilization of low-nitrogen fertilizer and phosphorus acid fertilizer (Forti-phite) underneath dripline of canopy within TPZ. Fertilization to take place between November 1st and March 1st. This work is to be performed by Certified Arborist.*
 - *Soil cultivation of 6 foot radius around root flare with air knife; amend with bio-char, organic mulch, arborist wood chips, and C20 Soil Builder. This work is to be done between November 1st and March 1st. Arborist wood chips may be replaced*

with regular mulch after period of 1 year. This work is to be performed by Certified Arborist.

- *Pruning of tree to clear proposed structure to be done between October 15th and April 15th to avoid risk of Oak Wilt infection. Pruning shall be minimal and limited to what is necessary to clear tree from proposed structure and to be done by Certified Arborist.*
- *During and after construction, the area underneath the dripline of tree shall be irrigated deeply and infrequently with appropriate amount of water (~1 inch per week) during times of drought throughout growing season and continue until tree has adjusted to any root loss, for a period of 3-5 years.*
- *All work is subject to the inspection of the City Arborist.*

The City Arborist has made one additional recommendation to remove the rear vegetation by hand to accommodate the new plantings.

- *Additional Documentation/Interior Floor Plan:* Per the applicant's memo, *Additional images/drawings have been added to the drawing set to highlight the existing floor plan, renderings, precedent images of surrounding homes, and diagrams of the current flow of travel for deliveries, repairs, and replacements,. The stairs to the new addition have been revised to remove the portion that extended into the city right of way. The interior stairs have also been adjusted for easier flow throughout the addition.*

Based on these updates, staff has revised the recommendation on pages 4-5 of this staff report.

City Departments:

<input checked="" type="checkbox"/> City Arborist	City Arborist Tom Kiepura has worked with the applicant to establish the proposed tree protection measures stipulated on pages 2-3.
<input checked="" type="checkbox"/> Engineering	Assistant City Engineer David Rapp has submitted the attached review letter dated December 26, 2025.
<input checked="" type="checkbox"/> Fire Department	Fire Marshal Shawn Kasson has submitted the attached review letter dated October 1, 2025 and notes a knox box must be furnished and installed in a approved location.
<input checked="" type="checkbox"/> Hudson Public Power	Assistant Public Works Superintendent Dave Griffith has reviewed the proposal and noted the addition would be served by the existing electric service.

Preliminary Findings of Fact:

Staff finds that the application is compliant with the following site plan standards stipulated in Section 1204.04 and offers the following Findings of Fact for consideration of the Planning Commission:

(a) *The development shall be consistent with the purposes and intent of this Code, and with the policies, goals, and objectives of any applicable community plan, including the City Comprehensive Plan, as amended from time to time.*

Staff Comment: The proposal is compliant with the Comprehensive Plan. The property is classified as “Downtown” per the Future Land Use map and generally defined as the historic and commercial center for Hudson. The proposal reflects the “*appearance, form, pattern, and design of the historic district*”.

1. *The development complies with the use regulations as set forth in Chapter 1206.*

Staff Comment: The proposal is a permitted use by right in this zoning district.

2. *The development complies with all applicable requirements set forth in Chapter [1207](#), "Zoning Development and Site Plan Standards," except to the extent modifications, variances, or waivers have been expressly allowed.*

Staff Comment: The proposal complies with the applicable requirements set forth in Chapter 1207 including requirements for impervious surface, tree protection, stormwater management, traffic, and exterior lighting. The applicant has incorporated extensive tree protection measures regarding a mature Oak tree located along the city right of way.

3. *The development complies with all applicable federal, state, or county development regulations, standards, and requirements, or plans, including but not limited to wetlands, water quality, and wastewater regulations.*

Staff Comment: The development complies with the applicable regulations.

4. *The proposed development shall avoid or minimize land disturbance and grading and preserve the original contours and other natural topographical features of the site to the maximum extent feasible and shall incorporate measures to minimize soil erosion during all construction phases.*

Staff Comment: The addition has been designed to minimize grading and reduce the impact on existing mature trees.

5. *The development must protect and enhance historic structures, sites, and archeological features designated by federal, state, and local agencies, and the applicant shall commit, to the maximum extent feasible, to protecting and enhancing any such structures, sites, and features eligible for designation discovered during the development process.*

Staff Comment: The proposed design is subject to review by the Architectural and Historic Board of Review; however, staff finds the addition has been designed to follow the Secretary of Interior Standards for Rehabilitation (see attached brief) by utilizing the following:

- Single story connector to the main building. The connector would separate the addition from the main building and limit the amount of exterior siding lost.
- Lower roof height than the main building. This would ensure the addition is subordinate to the main building.
- A different exterior wall material than the main building. New additions should be distinguished from the main building.

Required PC Action

The PC shall consider the development application, the staff report, and then take final action. PC shall approve, approve with conditions, or deny the application based on its compliance with the appropriate review standards. All decisions of the Commission shall be based on findings of fact related to the relevant standards of the Code.

Recommendation

Approve the Major Site Plan application for the proposed addition for Village Dental per case 25-1022, according to plans received December 2025, subject to the following conditions:

1. Architectural design of the addition will require approval by the Architectural and Historic Board of Review.
2. The site plan shall be revised to remove the existing driveway apron along Division Street and convert to tree lawn.

3. The comments of Assistant City Engineer David Rapp shall be addressed per the December 26, 2025 correspondence. Construction of the site work and utilities shall be governed by the City of Hudson Engineering Standards.
4. The comments of Fire Marshal Shawn Kasson shall be addressed per the October 1, 2025 correspondence.
5. The recommendations of City Arborist Tom Kiepura shall be incorporated into these conditions as stipulated on pages 2 and 3 of this staff report. The stipulated tree protection measures shall be conducted by the applicant in coordination with the City Arborist.
6. The applicant shall install silt fencing and/or polypropylene fencing to mark and protect the approved clearing limits, which shall be maintained by the applicant.
7. Satisfaction of the above conditions prior to scheduling of a preconstruction meeting with City officials and no clearing or construction of any kind shall commence prior to the issuance of a Zoning Certificate.