

Meeting Date:  
October 13, 2025

Location:  
41 E. Main Street

Parcel Number  
3200737

Request:  
Major Site Plan

Applicant:  
Elizabeth Swearingen,  
Peninsula Architects

Property Owner:  
41 E Main LLC

Zoning:  
D5- Village Core  
Gateway

Case Manager:  
Nick Sugar, City Planner

Staff Recommendation  
Approval subject to  
conditions on page 9.

### Contents

- Site Plans, 9.15.25
- Building Elevations, 4.17.25
- Trip Generation Analysis, 9.15.25
- Asst. City Engineer review dated 10.6.25
- Fire Marshal Review dated 10.1.25
- Supplemental Documents



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. Other proposed improvements include paver driveway, landscaping, bioretention area, and a gravel path.

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

### 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 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).

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## Chapter 1203 – Development Review and Administration Procedures

- ✓ Development Review Procedures 1203.09(f)** The proposal is classified as a major site plan per the following definition:  
*Major Development Defined. "Major development" means new construction including expansions of an existing building, that is:*  
*(1) Nonresidential projects, except in Districts 6 and 8, that are greater than 2,000 gross square feet or that involves an increase in the existing building footprint of more than twenty percent*

Staff notes the 572 sq. ft. addition would increase the existing 1,500 sq. ft. building footprint by more than 20 percent.

## Chapter 1204.04 – Site Plans

Site Plan applications are reviewed to the following general standards:

- 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: Staff notes general compliance with the Comprehensive Plan. The parcel is classified as “Downtown” per the Future Land Use map with the following definition:



### Downtown

The historic and commercial center for Hudson and an area for compact and pedestrian-scale retail, services, mixed-use, and public uses. Typically, buildings are and should remain on zero lot lines with parking to the side and rear, with shared parking encouraged. New development should reflect appearance, form, pattern, and design of the historic district, and to the extent possible, preserve and protect natural landscape qualities and historic and cultural elements. Pedestrian connections within, and to and from the district should be a high priority.

- The development complies with the use regulations as set forth in Chapter 1206.*  
Staff Comment: The development complies, as it is a permitted use by right in this zoning district.
- 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: See analysis on pages 6-8.
- 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 would comply with the applicable regulations.
- 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: Development would occur along a previously cleared and graded area. Refer to page 6 for additional analysis on limits of disturbance and tree protection.
- 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*

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*designation discovered during the development process.*

Staff Comment: Staff notes the building and site are located within the historic district. The design of the building is subject to the City's Architectural Design Standards of Appendix D and the Secretary of Interior Standards for Rehabilitation, which includes the National Park Service Preservation Briefs giving guidance on additions to historic buildings. The applicant received preliminary comments from the AHBR on April 9, 2025. Staff notes general compliance based on the following.

- The addition would be lower in height and smaller in footprint than the main building.
- The addition would be attached to the main building by a single-story connector.
- The exterior design would not replicate the main building by utilizing a different exterior wall material.

## Chapter 1205.08 – District 5 Zoning District Standards

- ✓ **Uses**  
**1205.08(b)(2)(G)** The proposed use is classified as *"Offices, business or professional, with a ground floor footprint not to exceed 5,000 square feet of floor area"* per the following definition and is a use-by-right in Zoning District 5:  
*(202) "Office, business or professional" shall mean an establishment providing executive, management, administrative, or professional services, including medical or dental services, but not involving the sale of merchandise, except as incidental to a permitted use. Such uses include, but are not limited to, real estate, insurance, property management, investment, travel, advertising, law, doctor, dentist, out-patient medical laboratories, architecture, design, engineering, accounting, and similar offices.*
- ✓ **Minimum lot width**  
**1205.08(d)(5)(E)** *Non-residential uses: not applicable.*
- ✓ **Setbacks**  
**1205.08(d)(7)** Staff notes the following setback requirements:
- **Minimum Front Setback:** *A minimum of seventy-five percent of the front wall of commercial/retail buildings shall be built to the edge of the front sidewalk or front property line (minimum and maximum front yard/setback = zero feet); however, Averaging may be required for setbacks: When the two immediately adjoining properties contain existing development, then the front setback shall not differ by more than ten percent from the front yard setbacks existing on either one of the two properties immediately adjoining the subject property unless approved by the Architectural and Historic Board of Review.*
- Staff Comment: Staff notes the addition would have a 5 ft setback from Division Street. Staff finds this acceptable and notes the following:
- The existing building is oriented towards E Main Street
  - The existing building was constructed with a 0 ft setback from Division Street
  - The adjacent residential building to the east is oriented towards Division Street and has an approximate 10 ft setback
  - The AHBR discussed the proposed setback during the informal review and preferred the 5 ft setback as it would help step the buildings setback back along the street.

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- Minimum Rear Setback: *Non-residential: ten feet, except that when the rear yard abuts a residential use, the rear yard setback shall be increased to twenty feet from the property line.*

Staff Comment: Acceptable. The proposed addition would have a 40 ft rear yard setback. A driveway is proposed that would accommodate 1 parked vehicle. Staff notes the driveway is residentially scaled and would accommodate a vehicle to be parked outside of the 20 ft setback.

- Minimum Side Yard Setback: *Non-residential: zero feet provided that adequate access is available at the rear of the use via an alley or other means of ingress for emergency and service vehicles. Except that when adjacent to the residential use shall be at least fifteen feet from the property line.*

Staff Comment: Acceptable. The applicant received a side yard setback variance and bufferyard setback variance from the Board of Zoning and Building Appeals on May 15, 2025. The resulting variance approval permits a minimum 10 ft setback to the southern property line. The BZBA decision is attached for reference.

✓ **Maximum coverage**  
**1205.08(d)(8)**

*The amount of impervious coverage shall be no more than eighty percent of the total gross lot area unless covered under the provisions of a planned development and development agreement.*

Staff Comment: Acceptable. The proposed impervious surface is 69%.

✓ **Structure Height**  
**1205.08(d)(9)**

*Commercial/retail and other non-residential uses: forty-five feet, except that no facade or portion of a building shall exceed a height such that it would be visible above the height of existing facades of buildings fronting on Main Street when viewed from the Village Green*

Staff Comment: Acceptable. The proposed addition would have a height of 20 ft. Staff notes the property does not front on Main Street.

✓ **Architectural Design Standards**  
**1205.11(d)(12)**

Staff Comment: The applicant received informal AHBR review on April 9, 2025. The Board was generally favorable to the design, and commented on minor details including window design, gable end design, and trim/banding. The proposal would be reviewed by the AHBR for final design.

✓ **Bufferyard – Historic Landmarks**  
**1205.08(d)(13)**

*New development on lots that abut a historic landmark shall establish a bufferyard equivalent to or greater than "Bufferyard C" as set forth in Section 1207.04 (g). The bufferyard shall be established on the boundary that abuts the historic landmark.*

Staff Comment: Acceptable. The property directly abuts a historic building/landmark to the south. The applicant received a variance to reduce the landscape setback from 15 ft (Bufferyard C) to 10 ft (Bufferyard B). The 10 ft Bufferyard B requires 3 trees and 3 shrubs to be planted per 100 ft.

The applicant is proposing a planting plan that includes 35 boxwoods, 8 trees, and a variety of other shrubs to meet the planting requirements. Staff notes the applicant has been coordinating with the adjacent property owner to the south to include additional plantings on their property with a connected pathway, due to



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the unique nature of the two buildings being joined. Additional landscaping comments can be found on page 6.

☑ **Driveway Curb Cuts**  
**1205.08(d)(15)**

*See Section 1207.13(c)(5) regarding limits on curb cuts to arterial and collector roads. Section 1207.13(c)(5) states the following:*

- *Curb cuts on corner lots must be set back the maximum distance feasible from the adjacent intersections.*
- *Curb cuts for commercial or industrial development shall be limited to one access point on arterial and collector streets. All development adjacent to SR-91 between Stoney Hill Drive and Barlow Roads shall be subject to the provisions of the South 91 Corridor Access Management Plan.*

Staff Comment: Staff notes the proposal would relocate an existing curb and provide additional separation from E Main Street; however, it will result in 3 consecutive curb cuts along Division Street (See Figure 2).

While there is no specific code issue on this item, question if the applicant has explored the feasibility of a shared access easement with the adjacent driveway to the east. This would eliminate the concern for multiple driveway aprons and ensure the mature street tree is protected as further described on page 6.



Fig 2

☑ **Location of Parking**  
**1205.08(d)(18)**

Staff notes a driveway is proposed with accommodation for 1 parked vehicle. Staff notes compliance with the following requirements:

- *Off-street parking shall not be located in a principal building's front yard setback area.*
- *Off-street parking shall be located at the rear or side of a principal building on the interior of the lot and shall be accessed by means of shared driveways, preferably from side streets or alleys.*
- *Driveways may be located in the rear yard setback area.*

☑ **Pedestrian Amenities**  
**1205.08(d)(19)**

*Provision shall be made in the design of all developments for non-vehicular circulation systems, including but not limited to sidewalks, pathways, and bikeways. Sidewalks at least five feet wide shall be provided on all sides of a lot that abut a public street, way, or open space*

Staff Comment: Acceptable. Staff notes the addition would be built along Division Street. Both sides of Division Street are currently served by sidewalks.

## Chapter 1207 – Zoning Development and Site Plan Standards

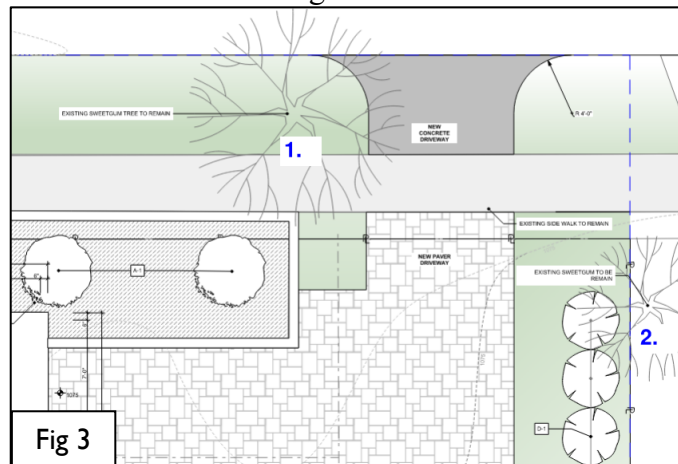
☒ **Impervious Surface 1207.01** *The impervious surface coverage in District 5 for commercial/retail buildings may not exceed eighty percent*

Staff Comment: Acceptable. The proposed impervious surface is 69%.

☐ **Limits of disturbance and Tree protection 1207.02**

Staff notes, overall, limited grading and tree removal is proposed; however, the City Arborist has reviewed the plans and notes the following:

1. If the proposed improvements are made to the site, the existing mature red oak located within the city right of way (identified as a Sweetgum Tree on the plans) would be compromised (Location marked as #1 in Figure 3 below). The tree measures 33" DBH and 36" diameter-at-base and is estimated to be 65 feet tall. The structural root zone (SRZ) is calculated to be 9' radius. No buttress roots within this SRZ shall be severed as it put the tree at risk of failure. Additionally, the tree protection zone (TPZ) would be, at minimum, 49-foot radius. Any cuts, fills, compaction, or otherwise damage to roots within this TPZ could compromise the tree's health and cause decline.
2. Additionally, there is a Sweetgum located on the adjacent parcel that could be affected by the proposed development (Location marked as #2 in Figure 3 below). The proposed area of disturbance falls within the TPZ but not the SRZ. Any damage to roots within the TPZ would potentially lead to a decline in health for the sweetgum.



Staff notes the proposed concrete drive apron is proposed directly adjacent to the mature street tree. Staff has previously recommended the applicant explore the feasibility of entering into a shared access agreement to utilize the neighboring drive to the east. Such would reduce the total number of adjacent curb cuts and potentially protect the mature street tree. Question if the applicant has explored this possibility. Additionally, the applicant should provide additional documentation/protection measures for the adjacent Sweetgum tree.

☒ **Wetland and Stream Protection 1207.03**

There are no known wetlands or streams on the property

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☐ **Landscaping**  
**1207.04**

Staff notes existing landscaping would be removed along the eastern property line depicted in Figure 4 below. This landscaping would be replaced by 6 Korean Spice Viburnums. Staff recommends evergreens be planted in lieu or in addition to the viburnums to help buffer the adjacent residential homes to the east.



☐ **Stormwater Management**  
**1207.07**

A stormwater bioretention area is proposed between the Division Street sidewalk and the building façade to serve the addition and driveway. Staff notes the following:

- The retention area would be a minor depression and landscaped with “creeping myrtle” ground cover. The Assistant City Engineer notes the landscape plan depicts trees within the bioretention area, which is not permitted.
- The Assistant City Engineer has reviewed the submitted calculations and found to be acceptable.
- The Assistant City Engineer states additional yard drains may be required to prevent ponding.
- Sandstone pavers are proposed to frame the bioretention area. Pavers are depicted within the City Right of Way. These should be removed.

☒ **Parking Requirements**  
**1207.12**

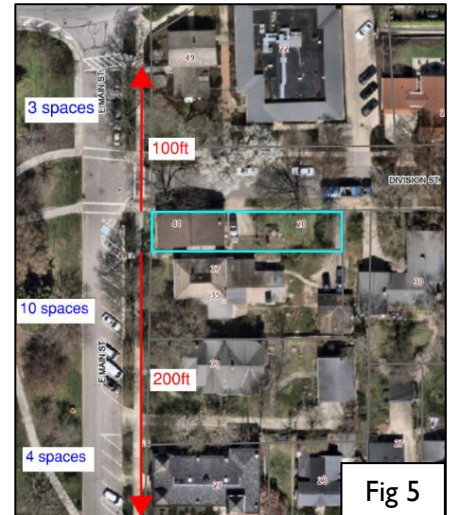
Staff notes the following requirements:

- *Each land use shall provide the minimum number of off-street parking spaces based on the requirements set forth below or the requirements set forth in the Parking Generation Manual (Institute of Transportation Engineers, 3rd Edition). The method of calculating off-street parking requirements shall be established by City staff during initial review of a development application.*
- *Whenever a building or use constructed or established after the effective date of this Code is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity, or otherwise such as to create a need for an increase of ten percent or more in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change.*
- *Whenever a building or use existing prior to the effective date of this Code is enlarged to the extent of fifty percent or more in floor area or in the area used, then the vehicular use area shall comply with the off-street parking requirements as set forth in this section.*
- *In Zone District 5, Village Core, any on-street parking located within 300*

*feet of the subject site that can be accessed by sidewalks and cross walks within that distance shall be counted toward the off-street parking requirement of the subject use, except for residential and commercial lodging uses.*

- *Parking required for Office Uses: One space for each 400 square feet of floor area as the minimum parking space requirement and one space for each 250 square feet of floor area as the maximum permitted parking.*

Staff Comment: Acceptable. The existing building has 3,485 sq. ft. of floor area. The addition would add 1,097 sq. ft. for a total of 4,582 sq. ft. Therefore, 12 spaces would be required as the minimum and 19 spaces would be required as the maximum.



The applicant states on-street parking would be utilized. One off-street parking space would be provided at new driveway. Staff notes a sufficient number of on-street parking is located along E Main Street to meet this requirement (See Figure 5).

**☑ Traffic/Emergency Access 1207.13**

The applicant has submitted a traffic impact trip generation report with the following findings:

- The Village Dental Expansion is expected to generate a total of 3 trips in the AM peak hour and 4 trips in the PM peak hour.
- The total traffic generation is expected to be 12 trips in the AM peak hour and 3 trips in the PM peak hour.
- The reports concludes that the expansion should not have an impact on the surrounding street network system.

Staff Comment: The Engineering Department has accepted the findings of the study.

Refer to page 5 for analysis on curb cut design.

**☑ Exterior Lighting 1207.14**

Acceptable. Staff notes one rear; wall mounted fixture is proposed. The fixture would be directed downward and fully shielded to prevent glare.

**City Departments:**

**☑ Engineering**

Assistant City Engineer David Rapp has submitted the attached review letter dated October 6, 2025.

**☑ 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.



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- ✓ **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.

### 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 September 15, 2025, subject to the following conditions:

1. Design of the addition will require final approval by the Architectural and Historic Board of Review.
2. Provide documentation that it is infeasible to eliminate the proposed driveway curb cut.
3. Provide additional documentation regarding protection measures for the existing Sweetgum tree identified in Figure 3 of this report.
4. Revise the landscaping drawings to incorporate evergreens along the eastern property line.
5. Revise the stormwater plans to
  1. Remove the proposed landscaping improvements from the City Right of Way
  2. Remove the proposed trees from the bioretention area
6. The comments of Assistant City Engineer David Rapp shall be addressed per the October 6, 2025 correspondence.
7. The comments of Fire Marshal Shawn Kasson shall be addressed per the October 1, 2025 correspondence.
8. 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.
9. 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.