



## Staff Report

**To:** Development Review Board  
**From:** Christopher Yuen  
**Date:** 07/18/2023  
**Subject:** 8 Railroad Street – 2<sup>nd</sup> Conceptual Site Plan Review for proposed 34-unit mixed-use building  
**File:** SP# 2.2023

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The City of Essex Junction Development Review Board held a Public Hearing on May 18<sup>th</sup>, 2023, to review the conceptual site plan for a 34-unit multi-family residential building located at 8 Railroad Street. At this hearing, the DRB heard public comment, closed the hearing, and provided feedback to the applicant. The applicant has since revised the site plan and requests additional feedback from the DRB, particularly around the design review aspects of the plan.

### **EXISTING CONDITIONS AND GENERAL INFORMATION**

**Project Location:** 8 Railroad Street

**Project Area Size:** 21,400 sf

**Lot Frontage:** 66 feet

**Existing Land Use:** Residential

**Surrounding Land Use:** Residential and Commercial

**Zoning District:** Village Center (VC)

**Minimum Lot Size:** 5,000 sf

**Lot Coverage:** 56% (Existing); 81.3% (Proposed); Permitted % To be determined by DRB% (Permitted)

#### **Project Description:**

Conceptual plan review of a proposed zero-lot-line **4 story** mixed-use building at 8 Railroad Street in the City of Essex Junction. The building included 34 residential units and 1,600 square feet of commercial space as of the original conceptual site plan submission. Updated numbers have not been provided in the updated submission but are likely to be similar.

### **Section 604: Village Center (VC)**

#### **A. Purpose.**

To provide for a compact commercial center, having a mix of commercial, governmental, cultural and residential uses, and which reflects and reinforces the existing architecture, design and layout. It is the intent of this district to allow as new structures only those structures which

are designed and constructed to be visually compatible with the historic character of the Village Center and similar to existing structures.

The proposed four-story building is in line with the intent of the VC District to provide for a compact, commercial center providing a mix of uses. With a brick façade and a flat roof, it attempts to emulate existing architecture and design, although the driveway entrance through the front of the building is not a not a common feature of nearby mixed-use buildings, many of which were constructed before the automobiles became prevalent.

B. Density/Lot Coverage.

The existing lot size of 21,400 sf exceeds the minimum lot size of 5,000 sf.

The maximum allowable density is determined by the ability to meet the LDC standards including but not limited to parking, setbacks, coverage, and building height. See below for further discussion regarding these standards.

Section 604.B.2 states that “The maximum total lot coverage shall be determined by the Development Review Board as part of Site Plan Review”

C. Setback Requirements.

There are no setback requirements applicable to mixed-use or multi-family building in the Village Center District. However, buffer and screening requirements may apply. See Section 708 below for details.

The applicant proposes a 12-foot front setback and no setback on the sides.

D. Permitted and Conditional Uses.

A multi-family dwelling is a permitted use in the VC District.

E. Design Review and Historic Preservation

1. Purpose.

*“The purpose of this section is to protect those buildings listed or eligible for the State or Federal Register of Historic Places while accommodating new and appropriate infill and redevelopment supporting increased density and multi-modal development. Infill and redevelopment brings opportunities to protect existing historic resources and provide new sources of architectural and urban design for the 21st century while increasing density, activity and economic opportunity in the Village Center District. ...New buildings and modifications to existing ones shall be subject to design review.”*

2. Applicability

The Historic Preservation requirements are not applicable to this site as the existing building is not listed or eligible for the State or National Register of Historic Places. Design Review

requirements are applicable this site.

#### 4. District Design Requirements.

Section 604.E.4 requires that: *The Planning Development Review Bard shall review all development applications in the Village Center for compliance with the criteria listed below*

*(i) The relationship of building mass and architectural detail to open space and to the relative size of a person shall be reviewed by the Development Review Bard in this District.*

*(ii) The predominant direction of structural shape, of placement of openings and architectural details at the front façade shall be harmonious with the core principles of a designated Village Center District.*

*(iii) Buildings shall generally have no setback from the street and be at least two stories in height to create a consistent street edge and sense of enclosure. Additional building setback to provide for an expansion of the sidewalk or active pedestrian space such as sidewalk cafes or display areas may be allowed and in some cases encouraged.*

*(iv) The proposed height of structures may be limited to within ten (10) percent of the average height of existing adjacent buildings on predominately residential streets where necessary to protect the residential character of adjacent residential structures. The height limit shall not apply in predominantly commercial and mixed-use areas.*

More than 50% of the properties fronting Railroad Street within the subject block is commercial or mixed-use. As such, the 10 percent limit does not apply.

*(v) The following architectural elements or features shall be harmonious with existing buildings and significant, predominant or established patterns in the district:*

*(aa) The relationship between the width to height of the front elevation of the building.*

*(bb) The relationship of width to height of windows and doors.*

*(cc) The rhythmic relationship of openings to solid areas in front façades.*

*(dd) The spaces between the proposed structure or structural alteration.*

*(ee) The relationship of entranceways to buildings and porches.*

*(ff) The materials, textures, and colors, including primary and accent or trim colors.*

*(gg) Proposed architectural details (such as lintels, arches, chimneys).*

*(hh) Proposed roof shapes and lines.*

*(ii) Proposed enclosures, including fences, brick walls, stone walls, evergreen hedgerows and building facades, which are also continuous and cohesive with existing walls in the district.*

*(jj) Proposed landscaping shall be compatible with existing quality and quantity of landscaping in the vicinity, with consideration given to existing landscape mass and continuity.*

*(kk) The proposed ground cover shall be compatible with the predominant ground cover in the district.*

*(ll) Storage areas, service areas, trash receptacles, accessory structures and parking areas shall be screened from view from the street and adjoining properties.*

**The DRB should review the updated site plan according to design review criteria in Section 604.E**

F. Parking Requirements.

Section 604.F states that *“No minimum parking requirements are established in the VC District. However, the Planning Development Review Board may require parking as a part of any Site Plan approval. The Development Review Board shall use the parking standards of Chapter Seven as a guide to determine reasonable parking. If on-site parking is required, it shall be placed on the side or rear of the building, not in front. If parking is placed on the side, it shall not take up more than thirty (30) percent of the linear frontage of the lot. The Planning Development Review Board may waive this requirement due to site constraints. Below grade parking or structured parking may also be approved by the Planning Development Review Board.”*

The site plan depicts 34 parking spaces, some of which are on the ground floor, below the building. The applicant has provided evidence to support the quantity of parking to be provided.

**The DRB should consider if planned parking is acceptable according to Section 604.F.**

G. Building Height.

The LDC allows for building heights of up to 4 stories, or 58 feet, whichever is less. The proposal for a **four-story building** falls well within these limits. **Note that since the review of the initial conceptual site plan, the number of stories has increased from three to four. The applicant’s written submission still indicates three stories. The DRB should confirm the number of stories that the applicant intends to include in the final site plan.**

**Section 703: Parking and Loading**

C. Off-Street Parking Requirements.

Per the LDC requirements, proposed parking spaces are a minimum of 9 feet wide and 18 feet long with a minimum 24-foot-wide aisle to allow for two-way travel.

K. Other Parking Standards and Applicability

7. Setbacks

The LDC requires that *“All parking spaces shall meet the setback standards for the District in which it is located.”* Since there are no specific setback requirements, in the Village Center district, this does not apply.

#### 8. Screening

The screening requirements of Section 708 shall apply to the perimeters of all parking lots. See Section 708 for further discussion.

#### 9. Pedestrian Access

Section 703.K.10 requires pedestrian access:

*“The design of all parking lots shall incorporate measures to minimize safety hazards to pedestrians. Pedestrian paths shall be designated and clearly marked. Separation of vehicle and pedestrian traffic shall be included in all parking lot plans where possible. The Development Review Board may waive this requirement due to unique characteristics of the lot such as small lots, underground parking or innovative alternative designs.”*

Pedestrian access paths have not been indicated on submitted plans. However, the applicant has previously indicated that a residential pedestrian entrance will be available the front of the building, as well from the parking lot. No dedicated pedestrian space is proposed along the 19'-11" wide vehicular entrance.

**The DRB should determine whether the proposed pedestrian access is sufficient to meet the requirements of Section 703.K.10.**

#### 10. Bicycle Access

The LDC, amended as of June 14, 2023, prescribes bicycle parking minimums of 1 long-term bike parking space per unit and 1 short-term bike parking space per 10 units. Specific requirements for type, location and placement of bike parking facilities are available in Section 703.L.

**The applicant has not included bicycle parking in the conceptual plans. This will be required as a part of the final site plan review.**

#### 14. Joint Parking Facilities

The LDC requires that *“Joint parking arrangements may be approved by the Development Review Board, provided that the applicant has submitted legal documentation to guarantee continued long-term availability of said parking.”*

The applicant does not propose joint parking arrangements.

#### **Section 705: Curb Cut and Access to Public Streets**

The project would maintain the existing location of a curb cut, and widen it to match a proposed driveway width of approximately 19 feet. This is narrower than the 24 feet for 2-way curb cuts and driveways as specified in the LDC.

The LDC requires curb cuts to be 25' from the property line, unless joint access is proposed with the adjacent property.

Given the curb cut locations are existing, and the dimensional constraints of the site, staff recommends the DRB grant an exception with regard to curb cut location in this instance per Section 705.D.7.

**Staff recommends that the DRB require an access easement through 2 Railroad St to be acquired by the applicant for access by garbage trucks and for oversized vehicles.**

#### **Section 707: Fences**

Fencing is not depicted in the conceptual plans and diagrams. For final site plan submission, the applicant should ensure that any proposed fence does not interfere with visibility by motorists exiting Gaines Court.

#### **Section 708: Screening/Buffering**

The Site Plan depicts proposed landscaping around the front parking area. Since the June 13 LDC amendments, Section 708.B of the LDC now states that:

*2. Any Commercial use located adjacent to a residential use shall provide a buffer zone of not less than twenty (20) feet. The buffer zone shall be landscaped in such a manner as to minimize impact on the adjoining residential ~~district-use~~. A fence and/or hedge not less than six (6) feet in height may be required. Any fence and /or hedge erected for this purpose shall be of sufficient size and density to block vision at eye level within two (2) years of planting. The use of berms is encouraged and may be required by the Development Review Board as a Site Plan condition.*

*3. Any multi-family use located adjacent to a single-family use shall provide a buffer zone of not less than fifteen (15) feet. The buffer zone shall be landscaped in such a manner as to minimize impact on the adjoining single-family ~~district-use~~. The Development Review Board may require the placement of an opaque fence and/or hedge to screen the multi-family structure from adjoining single family dwellings. **Any multi-family development in the Village Center District that is adjacent to a single family use that is also in the Village Center District shall not be required to provide a fifteen (15) feet buffer zone.***

*5. Waivers. The Planning Development Review Board may waive the screening and buffering requirement in the Village Center District if it determines that the encroachment will not have an undue adverse impact on adjacent properties.*

Some properties to the south of the subject site are currently used as single-family homes, and are located in the Multi-Family-3 (MF-3) zoning district (and therefore outside of the VC district). Staff has confirmed with the city attorney that when a 15-foot buffer is required, it should begin at the 8 Railway property line.

The applicant has provided building elevation diagrams from the all sides of the building, as well as depictions of the screening and landscaping proposed between the ground-level parking lot and Gaines Court.

It is the current understanding of Staff that **even with the recent amendments to the Land Development Code, the 15-foot buffer requirement would still apply, unless waived under Section 708.B.5. The DRB should consider whether the encroachment into the 15-foot buffer will result in undue-adverse impact on adjacent properties and determine if the conditions for a waiver under Section 708.B.5 are met.**

### **Section 718: Performance Standards**

#### G. Visual Impact

*Section 718.G states:*

*The Development Review Board may review visual impact of any proposed development located in any Commercial or Industrial District. The Development Review Board may place conditions on any approval or may require the alteration or relocation of any proposed structure which in its opinion would significantly alter the existing character of the area.*

*1. Factors for Evaluation. Visual impact shall be evaluated through analysis of the following factors and characteristics:*

*(a) Conformance to all regulations and standards as specified herein.*

*(b) Selection and appropriate use of materials.*

*(c) Harmony and compatibility of architectural character with surrounding structures.*

*(d) Exterior space utilization in regard to efficient use of site and existing significant natural or man-made features.*

*(e) Circulation - vehicular and pedestrian.*

*(f) Height, size and bulk of proposed and adjoining buildings.*

*(g) Creativity.*

**The DRB should evaluate the proposed building's relationship to the site and adjoining areas, building design, architecture, and finishes to ensure compliance with Section 718.G.**

### **Section 719: Landscape and Tree Planting Requirements**

The conceptual landscaping plan indicates where landscaping may be located. The applicant will have to provide a full landscaping plan in accordance with the requirements of Section 719 for final site plan review.

### **Technical Review / Other sections of the LDC**

The conceptual site plan review process focuses only on basic land-use and dimensional and aesthetic design aspects of the proposal. A full technical review of this application has not been conducted by City staff. Additional requirements of the LDC are applicable and will be reviewed during Final Site Plan Review.

### **Recommendations**

Staff recommends the DRB consider the approval or denial of the proposed development based on a determination on the following LDC standards:

- The DRB should review the site plan according to Design Review criteria in Section 604.E
- The DRB should confirm if the proposed parking lot is acceptable given the local context in the Village Center District in accordance to Section 604.F.
- The DRB should confirm whether the proposed pedestrian access is sufficient to meet the requirements of Section 703.K.10.
- The DRB should consider requiring an access easement through 2 Railroad St to be acquired by the applicant for access by garbage trucks and for oversized vehicles.
- The DRB should consider whether additional fences or landscaping is necessary in accordance with the screening requirements in Section 708.
- The DRB should evaluate the proposed building's relationship to the site and adjoining areas, building design, architecture, and finishes to ensure compliance with Section 718.G.

### **Proposed Stipulations**

- 1) Final site plan should be modified in accordance to staff and DRB comments during Conceptual Review
- 2) Final site plan will be reviewed based on all requirements of the LDC, including technical details not addressed in the Conceptual Plan Review.
- 3) Applicant is advised to review the amended Land Development Code, approved by the City Council.
- 4) Proposed building elevation views should be provided for all four sides.
- 5) Proposed grading should be provided for the parking area and project site to confirm the proposed drainage pattern and compliance with the LDC requirements.
- 6) Appropriate drainage calculations per the LDC should be provided.
- 7) Bicycle parking should be provided in accordance to the requirements of the Section 703.
- 8) Lighting shall be provided in accordance with Section 704.D.1 for the access drive, parking, and sidewalk areas.
- 9) The proposed curb cut and driveway should be increased to 24' wide, per the LDC requirements, unless the applicant requests an applicable waiver.
- 10) The applicant should provide confirmation that any heating, ventilation, and/or air conditioning equipment will comply with the LDC requirements of Section 706.C.4.
- 11) Additional information regarding the dumpster area should be provided to ensure compliance with the LDC requirements of Section 706.J.
- 12) An erosion prevention and sediment control plan should be provided, with associated details, describing erosion prevention and sediment control measures to be implemented during and after construction to stabilize the site.
- 13) Details regarding the building design, architecture, and finishes should be provided to ensure compliance with Section 718.G.
- 14) The applicant should provide information on the total estimated construction cost for the project to determine the landscape requirements per the LDC.
- 15) A proposed landscaping plan should be provided per Section 719 of the LDC.

- 16) The applicant shall update the design of the building to ensure that it fits into the general character of the surrounding buildings. The applicant shall also provide additional design detail on the sides of the building.