

Staff Report

To: Development Review Board
From: Regina Mahony
Date: 02/10/2023
Subject: 1 Jackson Street, Maple Mill Apartments
Conceptual plan review

EXISTING CONDITIONS AND GENERAL INFORMATION

Project Location: 1 Jackson Street

Project Area Size: 75,582 sf (1.74 acres)

Lot Frontage: 39.57 feet

Existing Land Use: Commercial

Surrounding Land Use: Commercial & Residential

Zoning District: Mixed Commercial Use

Minimum Lot Size: 15,000 sf (0.34 acres)

Existing Lot Coverage: 31.8%

Permitted Lot Coverage: 65% (up to 80% with a waiver)

Project Description: The second floor of the existing two-story building is proposed to be renovated to create six one-bedroom dwelling units. The new second floor units will utilize existing entrances on the north and east sides of the existing building. Parking will be provided in the existing paved parking area, which is accessed from Jackson Street via the existing paved access drive. New building mounted exterior lighting is proposed on the north and east sides of the existing building to provide illumination for the existing parking area.

Section 615: Mixed Commercial Use District (MCU)

A. Purpose.

The proposed project provides residential housing mixed in with existing commercial uses, which is consistent with the purpose of the MCU district.

B. Density/Lot Coverage.

The existing lot size of 75,582 sf exceeds the minimum lot size of 15,000 sf.

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

The maximum lot coverage allowed is 65% but may be increased to 80% with a waiver. The proposed lot coverage is 31.8%.

C. Setback Requirements.

The minimum front, side, and rear setbacks are 20 feet, 10 feet, and 10 feet respectively.

Section 703.K.7 requires parking spaces to meet the setback requirements of the zoning district in which they are located. Several existing parking spaces are located within the side and rear setback areas. However, the existing parking spaces are existing with no proposed changes.

D. Permitted and Conditional Uses.

A multi-family dwelling is a permitted use in the MCU district.

E. Parking Requirements.

Section 703 requires 2 parking spaces per dwelling unit plus 1 guest parking space for each 10 units for multi-family residential. The LDC requires a total of 13 parking spaces for the proposed six one-bedroom apartments. The site also contains ±2,008 sf of professional office and ±18,532 sf of warehouse. The LDC requires 7 parking spaces for the office use (3.5 parking spaces per 1,000 sf of gross floor area) and 5 parking spaces for the warehouse use (0.25 parking spaces per 1,000 sf of gross floor). In total for the existing and proposed uses at the site, the LDC requires a total of 25 parking spaces.

There are a total of 32 parking spaces currently existing at the site. **Staff recommends the removal of parking spaces 25, 31, and 32 due to concerns regarding circulation and safety in the parking area. This will result in a total of 29 parking spaces for the existing and proposed uses at the site.**

F. Building Height.

In the MCU district, the maximum building height is 4 stories or 58 feet, whichever is less.

The proposed building is a maximum of 2 stories. The application submittal included Exterior Elevation views of north and east sides of the existing building. However, the scale of this plan is identified as "NTS". Accordingly, we are unable to determine the height of the existing building.

The applicant should confirm that the existing building is less than 58 feet tall.

Section 703: Parking and Loading**C. Off-Street Parking Requirements.**

Per the LDC requirements, existing parking spaces are a minimum of 9 feet wide and 18 feet long. In the existing parking area on the east side of the building, the parking aisle width appears to be less than 24 feet, which is the minimum width for two-way travel per the LDC. In addition, the access drive from/to Jackson Street measures less than 24 feet wide.

As the existing parking and access drives are existing, we recommend that the DRB review and discuss the width of the existing parking aisle and access drive.

Refer to Section 615.E above regarding the number of parking spaces.

K. Other Parking Standards and Applicability**1. Location.**

Parking for the existing office and warehouse and proposed residential units are located on the project site, per the LDC.

3. Surfacing

Per the LDC requirements, all existing parking areas have a paved surface.

4. Drainage

All existing parking and drive areas associated with this project are existing, with no changes proposed as part of this project.

5. Accessible Provisions

The existing parking area includes two accessible parking spaces per the LDC. The revised site plan submitted by the applicant on 01/30/2023 indicates that the dimensions and grading within accessible parking spaces meet the requirements of the Americans with Disabilities Act.

7. Setbacks

The LDC requires that *"All parking spaces shall meet the setback standards for the District in which it is located."* Several existing parking spaces are located within the side and rear setback areas. However, the existing parking spaces are existing with no proposed changes.

8. Screening

The Site Plan depicts existing trees located along the west side of the site, on the adjacent property, and an existing coniferous hedge along the east side of the site, bordering the adjacent property. No additional landscaping is proposed as part of the proposed project.

The existing landscaping and existing vegetation to remain should be reviewed by the DRB for compliance with Section 708 of the LDC, see below.

9. Landscaping

The Site Plan depicts existing trees located along the west side of the site, on the adjacent property, and an existing coniferous hedge along the east side of the site, bordering the adjacent property. No additional landscaping is proposed as part of the proposed project.

The existing landscaping and existing vegetation to remain should be reviewed by the DRB for compliance with Section 719 of the LDC, see below.

10. Pedestrian Access

There is no sidewalk connection depicted on the Site Plan from the existing parking area to existing sidewalk along Elm Street.

In consideration of the proposed residential units, staff has concerns with pedestrian access to/from the site and the existing sidewalks along Elm Street. Staff suggests that a sidewalk or traffic calming be provided along the access drive.

11. Bicycle Access

The LDC requires *“Any parking lot which is required to have fifteen (15) or more parking spaces shall provide bicycle racks at a location convenient to the main entrance to the business. The Commission may waive this requirement if in their judgment the business will not generate bicycle traffic.”*

Staff recommends that a bike rack be provided at or inside one of the building entrances serving the residential units.

12. Striping

Existing parking spaces are hard-surfaced and striped to meet the parking dimensional requirements of Section 703 of the LDC.

14. Lighting

The LDC requires that *“Lighting shall be provided in all parking lots and related walkways as specified in Section 704 of this Code.”*

The applicant provided an Outdoor Lighting Plan depicting four exterior light fixtures, along with a numerical grid of illumination levels throughout parking and drive areas on the project site; with lighting statistics presented as well. Please refer to the comments from the City Engineer regarding the proposed lighting. Staff concurs with the City Engineer comments. **See Section 704 below.**

15. Joint Parking Facilities

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

There is previous lease agreement between this property and the City for off-site parking on the City Public Works property along Jackson Street. This previous lease agreement is separate and not related to this proposed project; and off-site parking is not necessary for this current proposed project. Adequate parking for the existing and proposed uses on the site are located on the project site.

Section 704: Lighting

Given the proposed residential use, staff recommends that lighting be provided in accordance with Section 704.D.1 for the existing parking area. **Please refer to the comments from the City Engineer regarding the proposed lighting. Staff concurs with the City Engineer comments. Staff would also like to express concern for providing proper lighting in areas where vehicles are backing up.**

Section 705: Curb Cut and Access to Public Streets

The project will utilize the existing access drive from Jackson Street.

The LDC requires curb cuts for multi-family and commercial uses be a minimum of 24 feet wide for two-way traffic. The existing curb cut is approximately 22 feet wide. **Given the curb cut is existing, staff recommends the DRB allow for the continued use of the existing curb cut for the proposed project.**

The LDC has multiple requirements regarding the location and geometry for curb cuts. The existing curb cut location and geometry is somewhat unique and does not comply with several of the LDC requirements (too close to property line, angle of street intersection, pavement radius). **Given the curb cut location is existing, staff recommends the DRB grant an exception with regard to curb cut location in this instance per Section 705.D.7.**

Section 706: Accessory Uses and Structures

C. Set-back Exceptions

4. Heating, ventilation and air conditioning equipment

The LDC requires that *“Equipment for heating, ventilation or air conditioning which encroaches into a setback by not more than twelve (12) inches shall not be deemed to violate this Code. Equipment placed upon the roof of any commercial or residential structure shall not be deemed a violation of this Code if:*

- (a) It extends less than two (2) feet above the roof;*
- (b) It occupies no more than eight (8) square feet of area; and*
- (c) It generates no additional sound discernable at the adjoining property line.”*

The applicant should provide confirmation that any proposed heating, ventilation, and/or air conditioning equipment will comply with the above LDC requirements of Section 706.C.4.

D. Satellite Dish Antenna

The applicant should provide confirmation that any proposed satellite dish antenna will comply with the LDC requirements of Section 706.D.

J. Dumpsters or Other Trash Containers

Existing dumpsters are located adjacent to the existing access drive serving the warehouse building. Existing sidewalks provide access to the dumpsters from the existing building(s).

Dumpsters will be required to be covered and drainage plugs installed at all times. Covers shall be opened only for depositing refuse and/or emptying of the dumpster.

Section 707: Fences

No fences are proposed as part of this project.

Section 708: Screening/Buffering

The DRB should review existing landscaping and existing vegetation to remain to confirm that adequate screening/buffering is provided between the proposed residential use and adjacent commercial uses.

Section 713: Storm Water Management

The existing building and all existing parking and drive areas associated with this project are existing, with no changes proposed as part of this project.

No exterior construction is proposed as part of this project and as such erosion prevention and sediment control measures are not proposed. **Should any exterior soil disturbance occur, proper erosion prevention and sediment control measures shall be provided.**

Section 714: Sign Standards

The Site Plan does not depict a proposed sign for the project. If a sign is proposed, it should be depicted on the Site Plan with a detail provided to ensure compliance with Section 714 of the LDC.

Section 718: Performance Standards

G. Visual Impact

The project proposes to renovate the interior of the existing building on the site, with minimal modifications to the building exterior. Visual impacts associated with the proposed project are not anticipated to alter the existing character of the area.

Section 719: Landscape and Tree Planting Requirements

The LDC requires that a *“landscape plan must be drawn by a landscape architect, landscape designer, or competent landscape professional, and the landscaping requirement will be a minimum of three (3)*

percent of the total construction cost for new construction up to \$250,000. For new construction projects above \$250,000, the landscape requirement shall be a minimum of two (2) percent of the total construction cost. In the case of construction projects above \$1,000,000, a landscape architect, licensed by the State of Vermont's Office of Professional Regulation, will be required to prepare a landscape plan."

No additional landscaping is proposed as part of this project. **The existing landscaping and existing vegetation to remain should be reviewed by the DRB to ensure protection and enhancement of the quality of the project and adjacent properties.**

If additional landscaping is deemed necessary by the DRB, a landscaping plan, prepared by a landscape architect, landscape designers, or competent landscape professional, or by a licensed landscape architect if the project cost exceeds \$1,000,000, will be required. In addition, the applicant will need to submit project cost information to determine the landscaping requirements per the LDC.

Section 720: Lot Frontage

The LDC requires that *"Within any District, a minimum frontage of sixty (60) feet is required at the street, unless specifically stated otherwise. The Commission may waive this requirement in unusual circumstances, including but not limited to small and preexisting, non-conforming lots."*

The project site is existing and is currently served by an existing access drive from Jackson Street.

Staff Comments

Staff comments from the Public Works Department and City Engineer are summarized in the attached letter dated January 12, 2023.

Recommendations

Staff recommends the DRB approve the conceptual plan pending a DRB determination that the LDC standards are met with regard to the following:

- Section 703.C. The DRB should review and discuss the width of the existing parking aisle and access drive.
- Section 705. Given the curb cut is existing, staff recommends the DRB grant an exception with regard to curb cut location and geometry in this instance per Section 705.D.7.
- Section 708. The DRB should review existing landscaping and existing vegetation to remain to confirm that adequate screening/buffering is provided between the proposed residential use and adjacent commercial uses.
- Section 719. The DRB should review existing landscaping and existing vegetation to remain to ensure protection and enhancement of the quality of the project and adjacent properties.

Proposed Stipulations

- 1) All staff comments are addressed to the satisfaction of staff and the DRB.
- 2) The applicant will need to request and obtain additional sewer and water allocations for this project from the City.
- 3) Based on the staff review, there appears to be a scale issue with the site plan. In addition, there appears to be missing grass islands in the existing parking area on the east side of the existing building that are not shown on the site plan. Prior to final approval, the applicant should submit an accurately scaled plan of the site reflecting the existing and proposed conditions.
- 4) The plans should be revised to remove existing parking spaces 25, 31, and 32.
- 5) The applicant should confirm that the existing building is less than 58 feet tall.
- 6) The plans should be revised to include a new sidewalk or traffic calming along the access drive to/from Elm Street.
- 7) A bike rack should be provided at or inside one of the building entrances serving the residential units.
- 8) Lighting shall be provided in accordance with Section 704.D.1 for the existing parking area on the north and east sides of the existing building.
- 9) The applicant should provide confirmation that any proposed heating, ventilation, and/or air conditioning equipment will comply with the LDC requirements of Section 706.C.4.
- 10) The applicant should provide confirmation that any proposed satellite dish antenna will comply with the LDC requirements of Section 706.D.
- 11) Dumpsters will be required to be covered and drainage plugs installed at all times. Covers shall be opened only for depositing refuse and/or emptying of the dumpster.
- 12) Should any exterior soil disturbance occur, proper erosion prevention and sediment control measures shall be provided.
- 13) If additional landscaping is deemed necessary by the DRB, a landscape plan, prepared by a landscape architect, landscape designers, or competent landscape professional, or by a licensed landscape architect if the project cost exceeds \$1,000,000, will be required. In addition, the applicant will need to submit project cost information to determine the landscaping requirements per the LDC.

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January 12, 2023

Ms. Terry Hass
City of Essex Junction
2 Lincoln Street
Essex Junction, Vermont 05452

Re: 1 Jackson Street
Maple Mill Apartments
Submittal #1

Dear Ms. Hass:

We have reviewed the plans and supporting information that we received electronically for the above referenced project. The plans reviewed as part of this submittal are presented below:

1 Jackson Street, Maple Mill Apartments – Submittal #1			
Sheet #	Sheet Name	Dated	Last Revised
Prepared By: Maple Mill LLC			
A0	Title Sheet	11/22/22	
A1	First Floor Plan	11/22/22	
A2	Second Floor Plan	11/22/22	
A3	Exterior Elevations	11/22/22	
S1	Site Plan	11/22/22	
L1	Outdoor Lighting Plan	11/22/22	

For our review, we utilized the most recent edition of the Essex Junction Land Development Code, dated December 13, 2016, hereinafter referred to as the “LDC”. Based on our review of the plans, we offer the following comments presented below, which represent a compilation of comments from our office and the City of Essex Junction Public Works Department.

General

- 1) The applicant will need to request and obtain additional sewer and water allocations for this project from the City.
- 2) The majority of the site features are existing and will not be impacted by the proposed project. Accordingly, we have not commented on items such as parking spaces located in setbacks, etc.
- 3) There appears to be a scale issue with the site plan. For example, parking spaces are measuring less than the required 9' x 18'. Based on a review of Google Earth imagery, the parking spaces as constructed appear to be 9' x 18', suggesting a scale issue. We recommend a condition of approval of this project that the applicant be required to submit an accurately scaled plan of the site reflecting the existing and proposed conditions.

WATER SUPPLY & DISTRIBUTION
STORMWATER MANAGEMENT
CONTRACTOR SERVICES
STREETS & HIGHWAYS

MUNICIPAL ASSISTANCE
SITE DEVELOPMENT & SUBDIVISION
RECREATION FACILITIES & SKI AREAS
WASTEWATER COLLECTION & TREATMENT

AGRICULTURAL ENGINEERING
PERMITTING ASSISTANCE
RESIDENT ENGINEERING
LAND SURVEYING

Engineering – “The link between what we have and what we need”

- 4) The plans should be revised to require the dumpsters to be covered and drainage plugs installed at all times. Covers shall be opened only for depositing refuse and/or emptying of the dumpster.

Site Layout – Roadways, Drives, Parking, and Walkways

- 1) We recommend that a new sidewalk be provided to connect the new residential units to the existing sidewalk along Elm Street.

Grading & Drainage

- 1) The plans depict two accessible parking spaces on the north side of the existing building. The applicant should provide confirmation that the grading in the area of these accessible parking spaces meets the requirements of the Americans with Disabilities Act.

Landscaping

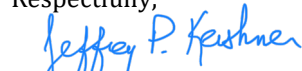
- 1) The proposed project does not include additional landscaping beyond what is existing at the site. We recommend that the DRB review and discuss the existing site landscaping and screening/buffering with the applicant.

Lighting

- 1) The applicant provided an Outdoor Lighting Plan depicting four exterior light fixtures, along with a numerical grid of illumination levels throughout parking and drive areas on the project site; with lighting statistics presented as well. Given the proposed residential use, per Section 704.D.1 of the LDC, we concur that lighting should be provided for the existing parking area associated with this project. Based on our review of the lighting information submitted, we offer the following:
 - a. There are many areas in the parking area with light levels less than the minimum 0.2 footcandles required by the LDC; with many levels equal to zero footcandles. The lighting plan should be revised to provide a minimum of 0.2 footcandles within the parking area.
 - b. There are many areas in the parking area with relatively high light levels. These areas of relatively high light levels in contrast to the areas of little to no illumination will present unbalanced and non-uniform lighting. The lighting should be revised to provide more uniform lighting throughout the parking area per the LDC.
 - c. The proposed light fixtures are indicated to have a correlated color temperature (CCT) of 5,000 Kelvin. The LDC requires a maximum CCT of 4,300 Kelvin. The proposed light fixtures should be revised accordingly.
 - d. The lighting plan indicates a mounting height of 15 feet for each of the four light fixtures. However, the elevation views on Sheet A3 depicts “new wallpack” fixtures at varying heights on the building. The applicant shall provide clarification and revise the plans as necessary.
 - e. The proposed light fixture is only “dark sky compliant” at a mounting angle of zero degrees to the vertical. The applicant will need to ensure that the proposed light fixture is installed such that it will retain its “dark sky compliant” rating.
 - f. Similar to the site plan scale issue discussed in General Item #3 above, there also appears to be a scale issue with the lighting plan. The applicant should revise the plan accordingly.

We have no further comments at this time. Please feel free to contact me if you have any questions or if we may be of further service.

Respectfully,



Jeffrey P. Kershner, P.E.
President

Cc: Rick Jones