



Staff Report

To: Development Review Board
From: Christopher Yuen
Meeting Date: 04/18/2024
Subject: 8 Railroad Street – Final Site Plan Review for proposed 39-unit residential apartment building in the VC District
File: SP# 6.2023.1

EXISTING CONDITIONS AND GENERAL INFORMATION

Project Location: 8 Railroad Street

Project Area Size: 21,400 sf (0.49 acre)

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 as a part of Site Plan Review

Project Description:

Final Site Plan review of a proposed **4 story** apartment building at 8 Railroad Street in the City of Essex Junction. The building proposes a total of 39 units comprised of 18 one-bedroom / studios and 21 two-bedroom units and 29 parking spaces.

Section 604: Village Center (VC)

A. Purpose

The proposed four-story building is in line with the purpose and intent of the VC District to provide for a compact, commercial center providing a mix of uses. The proposed “barn-style” façade on the front, and a brick style walls and a flat roof throughout the rest of the building. This attempts to emulate existing architecture and design in the area, 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. Lot Size, Density, and Lot Coverage

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

The VC District does not have a maximum allowable density but 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.

The maximum total lot coverage is determined by the Development Review Board as a part of Site Plan Review. The proposed lot coverage is 74%.

C. Setback Requirements.

There are no setback requirements applicable to 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, a side setback on the southern edge of approximately 4 feet, and minimal setback on the north side.

D. Permitted and Conditional Uses.

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

E. Design Review and Historic Preservation

2. Applicability

- a. Design review standards are applicable to this site.
- b. Historic Preservation Design Standards- This existing building is not on map 2 for historic sites and districts in the 2019 comprehensive plan and is not listed or known to be eligible for the national or state register of historic places. Therefore, the LDC's Historic Preservation Design Standards do not apply.

4. District Design Requirements.

Section 604.E.4 requires that: *The Planning Development Review Board 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 Board 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) Site features and design shall promote cycling, walking and transit as a viable means of transportation and recreation for residents, consumers, visitors, and employees.

(vi) 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 Development Review Board should review the proposed architectural design and determine whether the design review criteria of Section 604.E are met.

F. Parking Requirements.

There are no minimum parking requirements in the VC District, however, the Development Review Board may require parking as a part of any Site Plan approval. The applicant proposes a parking ratio of 0.74 spaces per unit, with 29 parking spaces available for the 39 residential units. While rental housing in a central location often attracts low-car or car-free households, in

line with city's transportation goals, it was noted during conceptual site plan review that the proposed parking ratio is particularly low and that mitigation measures such as shared parking agreements or leases should be considered.

Parking is further discussed below in Section 703.

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, 45 ft tall building falls well within these limits.

SECTION 513: APPROVAL OF ACTIVITIES INVOLVING THE CONSTRUCTION OF A STORMWATER SYSTEM

Section 513.C requires that applications involving the construction of a stormwater system must include a stormwater management plan specifying pre-development and post-development drainage calculations for a two (2), ten (10), and twenty-five (25) year design stormwater flow which also specifies the entity responsible for non-municipal maintenance. This must include on-site drainage improvements like Green Stormwater Infrastructure including, but not limited to: rain gardens, buffer strips, filter strips, grass swales, infiltration basins or other infiltrating practices while also considering permeable pavement systems, cisterns or other structural/ non-structural best management practices. If required by local or state processes, a downstream analysis, including Total Maximum Daily Load considerations, is necessary.

The applicant's latest plans include details for a stormwater infiltration system and infiltration trench. City Staff will conduct a full review of the proposed stormwater management plan to ensure that the technical requirements of Section 513 are met prior to the issuance of a zoning permit.

Staff recommends a condition of approval requiring the applicant to submit copies of the stormwater system annual inspection reports to the City of Essex Junction.

SECTION 514: APPROVAL OF ACTIVITIES INVOLVING THE DISTURBANCE OF MORE THAN 0.5 ACRE OF LAND

Section 514 outlines requirements aimed at minimizing erosion and sediment pollution during construction.

The site falls below the 0.5 acre threshold, beyond which the applicant would be required to submit an erosion and sediment control plan demonstrating compliance with "Low Risk Site Handbook for Erosion Prevention and Sediment Control." However, the applicant is still required to follow practices outlined in "The Low Risk Site Handbook for Erosion Prevention and Sediment Control" (as amended) or in the "Vermont Erosion Prevention and Sediment Control Field Guide" (as amended).

SECTION 515: APPROVAL OF ACTIVITIES INVOLVING THE DISTURBANCE OF EQUAL TO OR GREATER THAN ONE (1) ACRE AND/OR THE CREATION OF MORE THAN 0.5 ACRE OF IMPERVIOUS SURFACE

Section 515 outlines requirements aimed at protecting the region's waterways by minimizing, managing and treating stormwater runoff on-site after construction. As this site falls below the 0.5 acre threshold, this section does not apply. However, as noted in Section 513, the applicant plans to install a stormwater infiltration designed to create post-development runoff volumes that are below pre-development volumes.

Additional storm water management requirements are specified in Chapter 712 of the Land Development Code.

Section 703: Parking and Loading

C. Off-Street Parking Requirements.

The LDC requires parking spaces at least 9 feet wide and 18 feet long with a minimum 24-foot-wide aisle for two-way travel. The proposed vehicular entrance under the building is 20' in width, which is below the specified minimum in the LDC, but likely workable for a small, urban parking lot with limited traffic volume.

The applicant has requested a waiver for the 20-foot aisle requirement.

During conceptual site plan review, city staff identified the location of the dumpster and the use of the 12' easement for garbage trucks in both directions, as a potential challenge. Section 605 of the Municipal Code prohibits mechanized trash pickup before 7:00 am, by which time, pedestrian and motor traffic volumes on Railroad St will likely be significant, making reverse maneuvers difficult. As requested by City Staff, the applicant has provided written confirmation from a trash hauler stating that they are able to service the site within the time limits set in Municipal Code Section 605.

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.

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.

16. Waivers

The Development Review Board may waive some or all parking requirements and may place conditions on a waiver as necessary to guarantee adequate parking.

Given the site constraints and the urban context, staff recommends that the DRB grant the waiver for a 20-foot aisle requested by the applicant.

L. Bicycle Parking and Storage Standard and Applicability

Section 703.L specifies requirements for both Short-Term, and Long-Term bike parking. Short-term bike parking is meant for visitors; and should be conveniently located near entrances. Long-term bike parking spaces are meant for residents and should be in a secure space.

The LDC requires bicycle parking minimums of 1 long-term bike parking space per unit and 1 short-term bike parking space per 10 units. For the planned 39 units, this would be 39 long-term spaces and 4 short-term spaces.

The applicant has indicated a room for long-term bicycle parking. The room's dimensions are approximately 24 feet by 12 feet. City staff is satisfied that the plans sufficiently demonstrate that the requirements of Section 703.L are met.

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 given 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.

Section 707: Fences

Apart from the proposed dumpster enclosure, no new fencing is depicted in the site plan and diagrams.

Section 708: Screening/Buffering

The Site Plan depicts proposed landscaping around the lot, with two species located at the southern edge of the property to provide screening for the garage as well as screening for the apartment units above.

A 15-foot buffer from adjacent single-family uses is required. Section 708.B of the LDC states that:

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 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.

The rear half of the proposed building is shaped such that a 15-foot buffer is generally maintained against residential properties. However, a small portion of the building remains within the 15-foot buffer of the 1 Gaines Court property (when measured radially rather than linearly from the adjacent property line), which was discussed as part of the conceptual review. At the time of Development Review Board during Conceptual Site Plan approval, this was found to be acceptable.

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.*

There has been no change in exterior characteristics of the design since the DRB's approval of the conceptual site plan.

Section 719: Landscape and Tree Planting Requirements

Section 719 outlines regulations aimed at protecting and improving the community's environmental, economic, and aesthetic quality to promote public health, safety, and welfare. It specifies requirements for tree protection during development, allowing for a credit of up to 50% of landscaping for preserving mature trees. It also requires street tree every 40 feet of frontage under most circumstances.

Landscaping requirements include a minimum of two percent of the total construction cost for new

projects over \$250,000. The Development Review Board may allow improvements to public spaces as an alternative to on-site landscaping. Additionally, landscaping is required for new uses on existing developments or renovations to provide screening and environmental enhancement.

The applicant has submitted a landscape plan prepared by a licensed landscape architect including construction cost estimates compliant with section 719.E.

The Tree Advisory Committee notes that the proposed Gray Dogwood is a wild naturalizing plant and is likely not suitable for the building's front. The applicant has indicated that they are open to an approval equal recommended by the Tree Advisory Committee.

Staff recommends that the DRB approve the use of an alternative species for landscaping, as agreed upon by the City Staff and the developer, based on the recommendations of the Tree Advisory Committee.

SECTION 1102: SEWER ALLOCATION

The applicant has submitted a Sewer Allocation Request to the City. Payment of all applicable sewer allocation and connection fees is required prior to the issuance of a zoning permit. It is important that the applicant be aware sewer allocation and connection fees may be significant. A total sewer connection and allocation fee of over \$125,000 is anticipated for this project.

EV CHARGING

While the City's Land Development Codes does not currently include Electric Vehicle Charging Requirements, 30 V.S.A. § 53 requires that this building comply with the Vermont Commercial Building Energy Standards (CBES). This standard includes requirements on electric vehicle charging infrastructure. The plans indicate that this project proposes level 1 electric vehicle charging capability for at least 8% of spaces.

NEIGHBORHOOD DEVELOPMENT AREA VILLAGE CENTER DESIGNATION BENIFITS

This project is within the Village Center and Neighborhood Development Area designated areas, which offer certain state-level benefits. Applicants are encouraged to consider the use of any applicable State Designation Benefits. For more information, see:

<https://accd.vermont.gov/community-development/designation-programs/neighborhood-development-areas>

RECOMMENDATIONS

Staff recommends the DRB approve the final site plan pending a DRB determination on the following items:

- The Development Review Board should determine if the design review standards of section 604.E.4 are met.
- The Development Review Board 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 CONDITIONS

- 1) All staff comments shall be addressed to the satisfaction of City Staff
- 2) Applicant shall submit record drawings for site utilities to the City of Essex Junction upon completion of construction, in both AutoCAD and PDF format, prior to the issuance of a certificate of occupancy. This information should also be provided in shapefile format in Vermont State Plan US Survey Feet, NAD83.
- 3) The location of the fire department connection for the proposed building shall be approved by the City of Essex Junction Fire Department prior to installation.
- 4) The applicant shall adhere to the applicable construction inspection requirements detailed in Public Works Specifications Section 119 of the Land Development Code.
 - a. Connections to the existing municipal water main and existing municipal sewer main shall be performed in the presence of an authorized representative of the City of Essex Junction, after a minimum of 48 hours advance notification.
 - b. All sewer, water, and storm drainage utilities installed on the project site shall be observed by an authorized representative of the City of Essex Junction prior to backfilling of said utility.
 - c. Applicant shall notify the City a minimum of 48 hours in advance of work to be performed inside the City right-of-way or on utilities owned or to be owned by the City.
- 5) The applicant shall pay all applicable sewer connection and allocation fees prior to the issuance of a zoning permit.
- 6) The applicant shall submit copies of the stormwater system annual inspection reports to the City of Essex Junction on an annual basis.
- 7) All necessary easements, as approved by the City Attorney, shall be submitted by the applicant to the City prior to final the issuance of a zoning permit.
- 8) If traffic control or a temporary sidewalk closure is necessary during some phases of construction, the applicant shall submit detailed project phasing and traffic control plans to the City for review and approval prior to the start of construction.
- 9) The use of any alternative plant species that differ from the landscaping plan shall be approved by City Staff, based on the recommendations of the Tree Advisory Committee.