



Staff Report

To: Development Review Board
From: Christopher Yuen
Meeting Date: 04/18/2024
Subject: 227-229 Pearl Street - Conceptual Site Plan Review for proposed 39-unit multi-family dwelling in the MF-MU1 District
File: SP#2.2024

In May 2023, the DRB approved a final site plan for the redevelopment of this the 227-229 Pearl Street property. This was filed as SP#2023.1. Since that time, property ownership has changed, and the new owner has applied to significantly change the site plan, requiring the project to undergo a new site plan review under the current version of the Land Development Code.

EXISTING CONDITIONS AND GENERAL INFORMATION

Project Location: 227-229 Pearl Street

Project Area Size: ±41,800 sf (0.96 acres) [excluding the portion in Town, where no development activities are proposed]

Lot Frontage: 152 feet

Existing Land Use: Residential

Surrounding Land Use: Residential

Zoning District: Multi-Family/Mixed Use 1 (MF-MU1)

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

Lot Coverage: 26.6% (Existing); 51.9% (Proposed); 65% or 80% with Waiver (Permitted)

Project Description: Conceptual Site Plan Review for a proposed four-story apartment building with two entrances, with one entrance on the south side of the building facing Pearl Street with a proposed sidewalk connection to Pearl Street. A proposed 44 space parking area is proposed on the east and north sides of the building accessed from Pearl Street. 12 spaces are proposed to be located on the ground level of the structure. The proposed building will be served by new connections to the existing municipal water and wastewater systems along Pearl Street.

The northern portion of the existing parcel, north of Sunderland Brook, is in the Town of Essex. This portion is currently undeveloped and is proposed to remain undeveloped as part of this project.

SECTION 606: MULTI-FAMILY/MIXED USE 1 DISTRICT (MF-MU1)

A. Purpose.

The proposed project provides high density multi-family residential housing along the Pearl Street transportation and public transit corridor, which is consistent with the purpose of the MF-MU1 district.

B. Density/Lot Coverage.

The existing lot size within the City is $\pm 41,800$ sf, which 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, 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 51.9%.

C. Setback Requirements.

The minimum side and rear setbacks are 10 feet. The front setback shall be a minimum of 20 feet and a maximum of 30 feet, with at least 30% of the front of the principal structure within the minimum and maximum front setback. The proposed building complies with the setback requirements of the LDC.

D. Permitted and Conditional Uses.

A multi-family dwelling is a permitted use in the MF-MU1 district.

E. Parking Requirements.

Section 703 requires 1 parking spaces per dwelling unit plus 1 guest parking space for each 10 units. The LDC requires a total of 43 parking spaces for this proposed 39-unit multi-family dwelling.

The applicant is proposing 44 parking spaces, which exceeds the requirement.

F. Building Height.

In the MF-MU1 district, the maximum building height is 4 stories or 58 feet, whichever is less. The proposed building elevation view diagrams show the building to be 47' in height, with 4 stories.

SECTION 620: DESIGN REVIEW OVERLAY DISTRICT (DRO)

A. Purpose

The purpose of the Design Review Overlay District is to expand the design review standards used in the Village Center District into the trunk routes of Main Street, Lincoln Street, Pearl Street, Park Street and Maple Street as called for in the Comprehensive Plan; thereby recognizing the

economic importance and unique historic qualities of the existing buildings and neighborhoods. The purpose of these standards is to:

1. Enable infill and redevelopment that 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.
2. Carryout the concepts of the Design Five Corners Plan which are to accommodate infill development while calming traffic and reclaiming more space for people.
3. Establish a pedestrian friendly atmosphere from the surrounding neighborhoods into the Village Center.

D. Design Review Standards

The Development Review Board shall review applicable development applications in the Design Review Overlay District for compliance with the criteria listed below and in accordance with the character of the underlying district as defined by the Essex Junction Comprehensive Plan.

1. 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.
2. 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.
3. Building setback and height requirements of the underlying zoning district shall apply. However, variation along the frontage may be permitted by the Development Review Board to:
 - a. Create a consistent street edge and sense of enclosure.
 - b. Provide for an expansion of the sidewalk or active pedestrian space such as sidewalk cafes or display areas.
4. Bicycle paths which connect neighborhoods shall be constructed in accordance with planned facilities mapped in the Comprehensive Plan on Map 6: Non-Motorized Transportation, or in conformity to a Bicycle Plan as approved by the Development Review Board.
5. Site features and design shall promote cycling, walking and transit as a viable means of transportation and recreation for residents, consumers, visitors, and employees. As appropriate to the location of the application, features shall include at least two or more of the following, or similar amenity with approval from the Development Review Board:
 - a. Pedestrian access directly from the building to the public sidewalk;
 - b. Pocket park with benches or similar amenities between the public realm and the private building (see image box for examples to help clarify the intent of this requirement);
 - c. Public art, murals or interactive games;
 - d. Covered bus shelter; and
 - e. Shade trees.

6. The following architectural elements or features shall be harmonious with existing buildings and significant, predominant or established patterns in the district:
 - a. The relationship between the width to height of the front elevation of the building.
 - b. The relationship of width to height of windows and doors.
 - c. The rhythmic relationship of openings to solid areas in front façades.
 - d. The spaces between the proposed structure or structural alteration.
 - e. The relationship of entranceways to buildings and porches.
 - f. The materials, textures, and colors, including primary and accent or trim colors.
 - g. Proposed architectural details (such as lintels, arches, chimneys).
 - h. Proposed roof shapes and lines.
 - i. 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.
 - j. Proposed landscaping shall be compatible with existing quality and quantity of landscaping in the vicinity, with consideration given to existing landscape mass and continuity.
 - k. The proposed ground cover shall be compatible with the predominant ground cover in the district.
 - l. Storage areas, service areas, trash receptacles, accessory structures and parking areas shall be screened from view from the street and adjoining properties.

It should be noted that since previous site plan approval for this project, an amendment of the Land Development Code came into effect that added the above Design Review requirements within the new DRO overlay zoning district.

The Proposed Development is located within the Design Review Overlay District. The DRB should determine whether the proposal meets the design review criteria in Section 620.D.

SECTION 703: PARKING AND LOADING

C. Off-Street Parking Requirements.

The applicant is seeking a waiver of the LDC requirements to allow a 22' wide travel aisle in the parking area. The LDC requires a minimum of 24' wide travel aisle in parking areas for two-way traffic.

Staff does not see a narrower travel isle in the parking area as a safety issue, as travel speeds are expected to be low and because these dimensions are still in line with many existing parking lots throughout the region. This is a tradeoff between the environmental and aesthetic benefits of having a lower lot coverage, and the convenience of easier maneuvering for larger vehicles. With a narrower isle, drivers of vehicles with wider turn radii may find it difficult to park front-in and may have to back-in to spaces instead. Literature suggests that reverse parking is safer anyway.

Staff recommends that the DRB approve the requested waiver for a 22' parking travel isle.

K. Other Parking Standards and Applicability

1. Location.

Per the LDC requirements, all proposed parking will be located on the project site.

3. Surfacing

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

4. Drainage

The LDC states that *"All parking lots shall be designed to minimum stormwater run-off on adjacent properties and in no case shall the stormwater flow be allowed to increase. To the extent possible, run-off shall be contained on the lot. All drainage facilities shall be constructed in accord with Public Works Specifications contained in Appendix A of this Code. Drainage calculations shall be completed for a base twenty five (25) year storm. Unless specifically approved otherwise, or contained upon the lot, all facilities shall be connected to the Village stormwater system."*

In consideration of the MS4 requirements applicable to the City of Essex Junction, applicants are encouraged to provide on-site treatment and control of stormwater runoff to the maximum extent practicable; thereby decreasing the potential for additional improvements being required by the City in the future as part of the MS4 permit and Flow Restoration Planning requirements. To that end, the applicant proposes on-site stormwater infiltration features.

5. Accessible Provisions

The project includes two proposed accessible parking spaces in the parking area on the east side of the proposed building. This meets the requirement for 2 accessible parking spaces in developments with 26 to 50 total parking spaces.

7. Setbacks

The LDC requires that *"All parking spaces shall meet the setback standards for the District in which it is located."*

All proposed parking spaces are located outside of the setback areas.

8. Screening

See Section 708, below, for discussion on Screening and Buffering.

9. Landscaping

See Section 719, below, for discussion on Landscaping.

10. Pedestrian Access

Section 703.K.10 requires that *"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 Commission may waive this requirement due to unique characteristics of the lot such as small lots, underground parking or innovative alternative designs."*

The Site Plan depicts a proposed sidewalk linking the Pearl Street sidewalk, the building entrance, and the accessible parking spaces east of the building.

11. Striping

All proposed parking spaces are shown to be hard-surfaced and striped to meet the parking dimensional requirements of Section 703 of the LDC.

14. Lighting

See Section 704, below, for discussion on Lighting.

16. Waivers

The DRB should consider this section and the standards contained therein prior to granting a parking waiver for this project, specifically section C.

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 4 inverted-U locks for bicycle parking on the site plan and indicates long-term bike parking in the building. Additional details will be required as a part of the final site plan review.

SECTION 704: LIGHTING

The LDC requires that *“Lighting shall be provided in all parking lots and related walkways as specified in Section 704 of this Code.”* A lighting plan will be required as part of final approval.

SECTION 705: CURB CUT AND ACCESS TO PUBLIC STREETS

The project proposes to remove the two existing curb cuts along Pearl Street and install one new 24’ wide curb cut with 15’ corner radii and intersecting with Pearl Street at an approximately 90-degree angle. Staff supports the location of the new curb cut.

SECTION 706: ACCESSORY USES AND STRUCTURES

J. Dumpsters or Other Trash Containers

Dumpsters are proposed to be located in the northern portion of the parking area. Screening with a slatted chain link fence is proposed.

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 new fences are proposed except around the dumpster pads.

SECTION 708: SCREENING/BUFFERING

Section 708.B.3 requires that: *“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 Districts. The Commission may require the placement of an opaque fence and/or hedge to screen the multi-family structure from adjoining single-family dwellings.”*

The previous approved site plan required a 15-foot buffer from the single-family home property to the east. Given that the new proposed layout sites places the main structure on the west side of the lot, and since the neighboring property to the west of the project is a multi-family apartment, also owned and operated by the same party, buffer requirements do not apply.

Existing fences on the west and eastern edges of the property are proposed to remain, providing some screening. Additional screening may be provided through landscaping.

SECTION 713: STORM WATER MANAGEMENT

In consideration of the MS4 requirements applicable to the City of Essex Junction, applicants are encouraged to provide on-site treatment and control of stormwater runoff to the maximum extent practicable; thereby decreasing the potential for additional improvements being required by the City in the future as part of the MS4 permit and Flow Restoration Planning requirements.

The applicant proposes an infiltration basin on the west and east edges of the site. Stormwater overflow is proposed to be accommodated through discharge into the creek at the northeast corner of the site.

Prior to final site plan review, the applicant will need to provided copies of drainage computations and an adequate erosion prevention and sediment control, with associated details for the final review, describing erosion prevention and sediment control measures to be implemented during and after construction to stabilize the site.

SECTION 714: SIGN STANDARDS

The Site Plan does not depict a proposed sign for the project. If a sign is proposed in the future, a sign permit will be required.

SECTION 718: PERFORMANCE STANDARDS

G. Visual Impact

Section 718.G states:

“The Commission may review visual impact of any proposed development located in any Commercial or Industrial District. The Commission 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

A landscape plan, including estimated construction costs, completed by a landscape architect will be required as part of the final review.

SECTION 1202: SEWER ALLOCATION

Section 1102 requires that the applicant request an allocation of sewer and water capacity from the City as a condition of zoning approval. The applicant has submitted this request and obtained the allocation from the City.

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 applicant proposes two electric vehicle chargers, as shown in the site plan.

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 approval of the conceptual site plan pending a DRB determination on the following items:

- The DRB should determine whether the proposal meets the design review criteria in Section 620.D.

- The DRB should determine if planned parking is acceptable according to Section 703.C.
- The DRB should consider whether to grant a waiver for a 22-foot parking access aisle requested by the applicant.
- 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.
- The DRB should review the submitted landscaping concept and provide feedback if desired.

The DRB may choose to approve the conceptual site plan with a requirement of minor changes as a condition of approval. However, if the DRB finds that significant architectural design or site plan changes are necessary, City Staff recommends that the conceptual plan hearing be continued at the May DRB meeting to provide the Board with an opportunity to review revised plans.

PROPOSED CONDITIONS

- 1) All staff comments shall be addressed to the satisfaction of City staff.
- 2) All new utilities shall be installed underground, per the LDC requirements in section 913.
- 3) The final submission must include the details of the stormwater system compliant with the requirements in section 513.
- 4) Bicycle parking shall be provided in accordance with the requirements of the Section 703.L.
- 5) Lighting shall be provided in accordance with Section 704.D.1 for the access drive, parking, and sidewalk areas.
- 6) Applicant shall submit Sewer Allocation Request and Water Service Forms along with associated fees as a condition of final approval.
- 7) Applicant will be required to submit a full landscape plan prepared by a licensed landscape architect including construction cost estimates compliant with section 719.E as part of the final approval.