



Staff Report

To: Planning Commission

From: Robin Pierce, Community Development Director

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Date: February 20, 2020

Re: FINAL Plan review for a proposed mixed-use building, removal of existing buildings and construction of 9,000 sq. ft. of commercial space on the 1st floor and 48 studio apartments on the upper floors with a parking garage accommodating 84 parking spaces at the rear at 9 & 11 Park Street and 2 Park Terrace in the Village Center District by 11 Park Street LLC, owners.

Project Location: 9 & 11 Park Street

Project Area Size: 34,443 square feet

Lot Frontage: Park Street and Park Terrace

Existing Land Use: Residential rental units, restaurant and vacant building spaces.

Surrounding Land Use: Residential & Mixed Use/Retail and Commercial

Total Lot Size: 34,443 Square Feet

Minimum Lot Size Village Center District: 5,000 Square Feet

Existing Lot Coverage: 70.9 %

Permitted Lot Coverage: 100%

Proposed Lot Coverage: 93.7 %

Project Description.

This project is in line with the purpose of the Village Center District and the Regional Planning Commissions projections for the Village. The existing buildings on the site 9 and 11 Park Street and 2 Park Terrace are to be removed. Through negotiations with staff the applicant has agreed to move the proposed building approximately 10 feet from the Park Street property line in doing so a raised plaza has been created along the streetscape. Since the conceptual application the applicant has removed the middle set of steps from Park Street creating the opportunity for a small focal point at the midpoint of the raised area. The building façade has a muted colour scheme which reduces the massing of the building and the heavy pediment further pulls the feel of the building down. This is a restrained architectural design that is appropriate for the Village Center District and continues to add to the developing feeling of a Village downtown where people and businesses can coexist. The studio apartments fall squarely in the middle of current apartment demand. The applicant has agreed to provide a sidewalk along the northern side of the property to enable pedestrians to get from the parking garage to Park Street. As part of the design they have also taken the opportunity to widen Park Terrace at the intersection with Park Street to twenty-four feet. This area is a bottleneck currently and the applicant has given up some of their property to help improve access

for vehicles and pedestrians. This should be acknowledged. The parking garage has below grade, surface and upper level parking. This means that the parking garage is one and half storeys high, which keeps the outline of the garage low. Responding to comments at the conceptual application stage the landscape architect, Jim Donovan, has been retained to design the landscaping. He has proposed street trees and a vertical vegetative wall to screen the portion of the garage structure that is above grade. The elevations show a mix of brick, horizontal siding and cement block. Jim has also proposed street trees on Park Street and Park Terrace. The treatment of the Park Street elevation uses modulation of materials to break the façade into three darker sections with cream planes that are not as tall as the brick facades. Responding to PC and Staff comments the applicant has provided a feature area, which includes a firepit and benches inside the retaining wall approximately at the middle of the Park Street elevation. It would be beneficial to pull this retaining wall out further from the building elevation to create a little more space at the upper level while ensuring that the Park Street face of the retaining wall leaves a minimum of five feet between it and the base of any street lights. The entrances to the store fronts have metal and glass canopies overhead. There is a heavy pediment at the top of the building, which in style, looks like a relation of the 4 Pearl Street building, however, the buildings are not cookie cutter images of each other.

Plans reviewed for this application:-

Prepared By: Lamoureux & Dickinson Consulting Engineers, Inc.

Sheet #	Sheet Name	Dated	Last Revised
1	Existing Conditions Plan	02/15/19	09-27-2019
2	Proposed Site & Utility Plan	02/15/19	10-22-2019
3	Proposed Grading & Landscaping Plan	02/15/19	10-23-2019
4	Traffic Circulation Plan	02/15/19	09-20-2019
5	EPSC & PCSDQ Plans, Details and Specifications	02/15/19	11-11-2019
6	Site and Foundation Drain Pump Details & Specifications	02/15/19	09-20-2019
7	Sewer and Water Details & Specifications	02/15/19	09-20-2019
8	Stormwater Details & Specifications	02/15/19	10-22-2019
9	Stormwater Chamber and Infiltration Details & Specifications	02/15/19	01-06-2020
10	Lighting Plan & Details	02/15/19	09-20-2019

Prepared By: Rabideau Architects

A201	Exterior Elevations	12/18/2018	09/10/2019
A202	Exterior Elevations	12/18/2018	09/10/2019

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.

B. Lot Size/Lot Coverage.

1. The minimum lot size shall be 5,000 square feet. **Standard met.** The Village Center District shall not have a maximum allowable density. The maximum number of dwelling units shall be determined by the ability to meet the standards of the Land Development Code including, but not limited to, parking, setbacks lot coverage and building height.
2. The maximum total lot coverage shall be determined by the Commission as part of Site Plan Review.

C. Setback Requirements. The front yard setback shall be established by the average setback of the principal structures on the two adjacent lots (or the closest two lots on the same side of the same street) and the minimum setback requirement for the underlying zoning district. The principal structure shall have a setback between the established maximum and minimum setback as described above. Semi-attached accessory structures (such as a deck) shall be allowed if there is sufficient space between the principal structure and the minimum setback. Porches that are integrated into the principal structure shall be considered part of the principal structure. If a principal structure is not parallel to the front lot line the setback will be determined by the average setback at the two corners of the structure closest to the front lot line. The Planning Commission may waive this requirement if the following conditions are met:

1. The proposed setback does not negatively impact the character of the neighborhood.
2. The proposed setback would be in keeping with the setbacks and character of anticipated future development of the area.

Applicants may apply for a variance if they do not meet the criteria above but believe they cannot meet the requirements of this section.

D. Permitted and Conditional Uses. **This proposal is permitted.**

E. Design Review and Historic Preservation. Because of the unique and historic qualities of the Village Center District and the special role that it plays in the over-all Village, the Commission is hereby authorized to undertake a special review, as part of its site plan review. Design review is required by the Planning Commission for any proposed construction, reconstruction, demolition or exterior alteration (including a change of color) of any building in the district with the exception of sign permits, which are approved administratively. Activities involving buildings listed or eligible for the state or national registers of historic places must meet additional standards as described below. All reviews shall be conducted at a public meeting. **The applicant shall bring material and colour samples to the Planning Commission meeting so that the Commission can review and approve the proposed material and colours.**

1. Purpose. The purpose of this section is to protect the historic character of the Village Center District including 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 while increasing density, activity and economic opportunity in the Village Center District. Demolition may be allowed, but only following a thorough review of the economic and structural characteristics of the building and the proposed redevelopment plan and its community benefits. New buildings and

modifications to existing ones shall be compatible with the historic character of the Village Center District as represented by the design review standards listed in Section 604.E.4.

2. Applicability.
 - (a) The design review standards are applicable to all development proposals within the Village Center District. The historic preservation design standards with respect to alterations, additions or redevelopment of existing historic structures as defined in Section 604.E.4.B of this Code are applicable to all buildings listed or eligible for the State or National Register of Historic Places. Documentation from the State Division of Historic Preservation documenting a building's eligibility for the State or National Register of Historic Places.
 - (b) Any development proposal for the existing residential structures fronting Pearl, Park, Lincoln, Maple and Main Streets in the Village Center District submitted to the Planning Commission shall be reviewed as a Planned Residential Development (PRD) or Planned Unit Development (PUD) are subject to the provisions of Section 724: Planned Residential Development & Planned Unit Development and Chapter 9: Subdivision Regulations. **NA.**
3. District Design Review Procedures. The Planning Commission may deny approval of a proposed development or modification of a structure if it determines that the intent of this Section has not been met. Accordingly:
 - (a) Within this district, no structure may be demolished, reconstructed, moved, erected, or changed in use, nor may the exterior be altered or restored without design approval from the Planning Commission, issued in conjunction with subdivision or site plan approval. In the event that subdivision or site plan review is not otherwise required, design review shall be conducted in accordance with site plan review procedures under Section 502 or Section 503.
 - (b) Nothing in these design control criteria shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in the district, which does not involve a change in the design, material, color or the outward appearance of the feature.
 - (c) The review of plans under this Section by the Planning Commission requires the submission of information listed in Section 502 or Section 503 along with building elevations, a description of materials to be used on the exterior of any structure, plans for exterior lighting, signs, drainage and snow removal, and photographs of existing structures and adjacent buildings if applicable. The Planning Commission may require additional information and documentation, as it deems necessary including 3D drawings and/or models of the proposal to assist in understanding the fundamental design elements and important spatial relationships.
 - (d) Should the Planning Commission deem it necessary to employ an architect or other qualified individual to review any development proposal, the cost of employing such an individual shall be borne by the applicant.
4. District Design Requirements. The Planning Commission shall review all development applications in the Village Center for compliance with the criteria listed below and in accordance with the character of the district as defined by the Village of Essex Junction Comprehensive Plan. The Planning Commission reserves the right to require applicants to undertake their development per the Secretary of Interiors Standards. Staff will review the applicant's proposal and

provide guidance as to what the Planning Commission will expect with historic structures.

(a) Design Standards for the Village Center

1) The relationship of building mass and architectural detail to open space and to the relative size of a person shall be compatible with such established relationships in the district.

(2) The predominant direction of structural shape, of placement of openings and architectural details at the front facade shall be consistent with such established conditions in the district.

(3) 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. **This has been done and it reduced the building footprint available to the applicant while providing additional exterior spaces for all on Park Street and Park Terrace.**

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

(5) The following architectural elements or features shall be compatible 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.

5. Demolition of Historic Structures.

6. Formula-Based Retail and Restaurants. **Not applicable.**

F. Parking. Due to the unique characteristics of this District no minimum parking requirements are established. However, the Planning Commission may require parking as a part of any Site Plan approval. The Commission 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 30% of the linear frontage of the lot. The Planning Commission may waive this requirement due to site constraints. Below grade parking or structured parking may also be approved by the Planning Commission.

G. Planned Unit Development. Pursuant to 24 V.S.A. §4407(12), the Planning Commission may approve a Planned Unit Development in the Village Center District. In connection with such PUD approval, the Planning Commission may authorize the construction of structures and facilities to accommodate any of the uses allowed in the Village Center District. Any application for proposed development in the Village Center District may, at the applicant's request, be reviewed as a Planned Unit Development under the provisions of this Section.

1. General Review Standards.
 - (a) Physical characteristics of the site and relation to surrounding properties.
 - (b) Relationship to major transportation facilities, including mass transit, walkways and bike paths.
 - (c) Design characteristics of the proposal and compatibility to adjoining developed land.
 - (d) Unique design or land planning characteristics.
 - (e) Methods used to provide a transition between adjoining uses and proposed uses including, but not limited to, setbacks, screening, fencing, building design and parking design.
 - (f) The preservation of unique natural physical characteristics.
 - (g) Building design compatibility with adjoining structures.
 - (h) Other criteria, as deemed necessary by the Commission to evaluate the merits of a specific proposal.
2. Specific Review Standards
 - (a) Proposed traffic flow and circulation design.
 - (b) Structural design and compatibility with adjoining developed properties.
 - (c) Scale and design of proposed structures.
 - (d) Location and setbacks of all proposed structures.
 - (e) Unique physical characteristics of the proposed use.
 - (f) Unique characteristics of the proposed use.
3. Waivers. The Commission may waive requirements for setbacks, parking and lot coverage, based upon the merits of the specific proposal. Waivers shall be based upon the following criteria and may include specific conditions.
 - (a) Unique physical characteristics of the site proposed for development.
 - (b) Superior building design, lot layout and landscaping design.
 - (c) Provision of public open spaces or superior bicycle and pedestrian access.
 - (d) Joint or combined vehicular access with adjoining properties.

H. Building Height. Building heights shall not exceed four stories or 58 feet, whichever is less.
Standard met.

SECTION 703: PARKING

The applicant has proposed a parking deck at the rear of the building the original 87 parking spaces have been reduced to 84. The applicant shall provide bike racks.

SECTION 707 FENCES

- A. Purpose: To provide standards for the construction or placement of fences.
- B. Standards. Any fences placed or located on any property shall meet the following standards:
1. A fence that does not exceed six (6) feet in height may be located at the property line in any side or rear yard and shall not require a zoning permit. Any fence that exceeds six (6) feet in height shall be deemed a structure. **NA.**

SECTION 708: SCREENING/BUFFERING

- A. Purpose. To provide sufficient screening and buffering to mitigate the potential negative impact of adjoining incompatible land uses.
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 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.
 4. Parking lots located adjacent to public streets shall be screened to minimize glare and vehicle light encroachment on street. Screening may include berms and landscaping.
 5. Waivers. The Planning Commission 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. **This is an encouraged and appropriate use in the Village Center District. It ties in well with Design Five Corners and the Chittenden County Regional planning Commissions goals for Essex Junction.**

SECTION 719: LANDSCAPE AND TREE PLANTING REQUIREMENTS

- A. Purpose and Intent. To protect and enhance the community's environmental, economic and aesthetic quality, thereby contributing to the overall objective of promoting public health, safety, and welfare. **The applicant has proposed plantings on their property on Park Terrace and Park Street, they have pulled the building back to increase sidewalk width at Staffs request. All species shall meet the standards established in the Village LDC with the exception of Ash trees.**

More specifically, it is the purpose of this Section to:

1. Reduce noise, glare, and heat.
4. Promote energy conservation through the use of vegetation.
5. Protect the environment by contributing to air purification, oxygen regeneration, ground water recharge and minimizing erosion through storm water run-off.
6. Enhance community appearance, identity and unique natural beauty.
7. Preserve and protect existing mature tree growth.
8. Channelize vehicular and pedestrian movement within off-street parking areas.
9. Delineate parking areas and adjacent right-of-way.

10. Delineate ingress and egress points.

B. Tree Protection. Any application for development approval by the Commission shall submit a plan, which indicates the location of existing mature trees, or tree groupings, and shall indicate on the plan those trees or tree groupings which are proposed to be saved. The Commission may grant a credit of up to fifty (50) percent of the required landscaping for the preservation of mature trees.

C. Street Trees. The developer or applicant for any development approval under this Code shall plant one (1) shade tree of a species determined by the Commission for each forty (40) feet of frontage along a right-of-way bordering the property.

2. Street trees shall be planted either within the right-of-way or along the frontage of the lot, as determined by the Commission.

3. The Commission may waive this requirement if substantial efforts are proposed for preserving existing mature trees along the right-of-way.

4. This provision shall not apply to applications for the expansion of existing commercial or industrial facilities if the expansion amounts to five hundred (500) square feet or less of enclosed floor space.

D. Landscaping. There shall be a sufficient amount of landscaping and screening, as may be reasonably determined by the Planning Commission, to insure protection of and enhance the quality of the project in question and adjacent properties. The landscape plan must be drawn by a landscape architect, landscape designer, or competent landscape professional. For projects above \$250,000 construction cost, the landscape requirement shall be a minimum of 2% of the total construction cost. This may be waived in unusual circumstances. **The Commission may permit or require improvements to the public right-of-way in part or in lieu of on-site landscaping to be used to improve the pedestrian environment including street trees, plantings, stormwater retention and pedestrian amenities.** With a new use on existing development or renovation on existing property, the applicant must provide landscaping adequate to provide screening and environmental enhancement to the satisfaction of the Planning Commission.

2. Landscaping Requirements.

(a) All required landscaping shall be installed as per plans submitted.

3. Applicability - New and Existing Developed Areas

(a) The Commission may require review of proposed landscaping.

(b) New Development or Redevelopment: All new development, construction or reconstruction shall be in full compliance with the provisions of these regulations.

(c) Existing Developed Areas. Compliance required: All property with existing development which is not in compliance with the provisions of this Section shall be considered nonconforming, and allowed to continue until such time as application is made to add, enlarge or reconstruct a structure on the property. At that time a plan showing existing and new development and the proposed landscaping plan shall be submitted. The Commission will consider the existing development, proposed change or alteration, and the impact of the proposed use on the site, parking and circulation. Nothing in this Section shall prevent the Commission from requiring landscaping for the proposed area designated for change.

5. Design Standards

(a) Required parking areas must be shaded by deciduous trees (either retained or planted by the developer) that have or will have when fully mature a trunk of at least 12 inches in diameter. Each tree shall be presumed to shade a circular area having a radius of 15 feet with

the trunk of the tree as the center and there must be sufficient trees so that using this standard, 20 percent of the parking area will be shaded. The 20% parking lot shade coverage may be waived by the Planning Commission in unusual circumstances, such as existing lots or lots which are not visible from off-site. **With 66% of the parking being either below grade or under a floor above the 20% shading has been exceeded. In addition, trees along Park Terrace and the vegetative wall will provide additional shading and screening.**

(c) The parking lot should be screened with shrubs or other barriers to the extent possible.

Done.

The application has moved forward positively in relation to PC and Staff requested changes from the conceptual meeting.

SECTION 720: LOT FRONTAGE

A. Lot Frontage. 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. **Standard met.**

SECTION 905: GENERAL STANDARDS

D. Protection of Significant Features. **The existing building on the site have little financial or aesthetic value. In a previous proposal to the Planning Commission approval was given to demolish the structures to make room for a hotel.**

SECTION 906: STREETS

No new public streets are proposed. Widening of an existing street is proposed and has been asked for by residents for years.

SECTION 909: PEDESTRIAN AND BIKEWAY STANDARDS.

Bike racks included.

SECTION 910: OTHER INFRASTRUCTURE IMPROVMENTS/PUBLIC FACILITIES.

A new 5' section of sidewalk, new utilities and an upgraded section of Park Terrace will occur with the development proposal.

SECTION 911: MONUMENTS AND LOT CORNER MARKERS.

The required lot corners are shown on the plans.

Staff Comments

General

1) The plans should be revised to depict the limits of disturbance and restoration within the Village right-of-way along Park Street for the access drive closures, new curb and sidewalk, and utility connections.

The plans have been revised in response to this comment. However, the plans should be revised further to show the closure of the existing curb cuts along Park Street serving the existing development and the Handy's Hotels & Rentals.

2) The plans should be revised to depict the limits of disturbance and restoration within the Village right-of-way along Park Terrace for the new access drive, new curb and sidewalk, and utility connections.

This comment has been addressed.

3) The applicant should provide confirmation that appropriate utility and access easements exist between the Handy's Hotels & Rentals, LLC property and the 11 Park Street, LLC property. The applicant should provide copies of this documentation to the Village.

The applicant provided a copy of the deed that references utility and access easements. The applicant indicated that "*The details of the proposed easement will be worked out following the successful approval of the project.*" We will defer to the Village Attorney for further comment regarding this matter.

4) The plans should be revised to depict the limits of disturbance for the project construction and the locations of construction demarcation fencing. The new access drive and curbing is very close to the property line for the Naef property and for the 15 Park Street, LLC property. All work must be confined to the project site, unless appropriate easements (temporary or permanent) are obtained and confirmed with the Village.

The plans have been revised to show project demarcation fencing 6" from the property line for the Naef property and the 15 Park Street, LLC property. We find this acceptable and remind the applicant that all work must be confined to the project site, unless appropriate easements are obtained and confirmed with the Village.

5) The applicant should provide a snow management plan detailing how snow storage and removal will be handled at the site. The plans should depict locations of proposed snow storage.

The plans have been revised to show snow storage areas on Sheet #4. The applicant has indicated that "*Snow will be removed by machinery on an as needed basis.*" As the snow storage areas coincide with proposed parking spaces, we recommend a condition of approval specifying the time by which snow must be removed from the site.

6) The applicant will be required to request and obtain water and sewer allocation approvals from the Village for this project.

This comment has been addressed.

7) We recommend a condition of any approval of this project to require the submission of record drawings for site utilities to the Village of Essex Junction upon completion of construction, in both AutoCAD and PDF format. The Village would also like to request this information be provided in shapefile format in Vermont State Plane Meters, NAD83.

The applicant has stated that "While we are certainly willing to provide the record drawings, unless this is being required of all new commercial development, we question the fairness of this." Section 120.E of the LDC requires the submission of As Built Plans consisting of one set of mylars and two paper copies; as well as record drawings in an AutoCAD compatible electronic format, and a complete set in PDF format. The additional request for this information also in a shapefile format in Vermont State Plane Meters, NAD83 is a specific request of the Water Quality Superintendent. The submission of record drawings is a requirement of the LDC. We continue to recommend that above stated additional request from the Water Quality Superintendent be included as a condition of any approval of this project. As an alternative, the Water Quality Superintendent has indicated that providing 3 Vermont State Plane coordinates on the plans will be acceptable in lieu of a shapefile.

Site Layout – Roadways, Drives, and Walkways

1) The access drive from Park Terrace appears to have 5 foot corner radii. The plans should be revised to increase these radii to a minimum of 15 feet, per the LDC.

This comment has been addressed.

2) The plans depict new retaining walls and stairs extending into the Village of Essex Junction right-of-way. We recommend this be reviewed with the Village staff and Planning Commission to confirm ownership and maintenance responsibilities for this infrastructure.

The applicant shall be responsible for maintenance for this infrastructure.

3) The applicant should confirm that a minimum of 5 feet of horizontal clearance will be provided along sidewalks located in the Village right-of-way between any obstructions; to accommodate Village snow removal equipment, etc.

The applicant has indicated that “*The plans have been prepared with this requirement in mind.*” We take this response to serve as confirmation that a minimum of 5 feet of horizontal clearance will be provided along sidewalks located in the Village right-of-way between any obstructions.

4) The plans should be revised to provide a new stop sign and stop bar along Park Terrace at its intersection with Park Street.

This comment has been addressed.

5) The plans should be revised to provide a new striped crosswalk across Park Terrace at its intersection with Park Street.

This comment has been addressed.

6) The plans depict separate ramps providing access to the upper level of the parking deck and to the lower level below grade parking. These ramps begin/end right at the edge of the access drive. While no grading is shown for the ramps or elevation views of the structure at these ramps, we are concerned with intervisibility of vehicles exiting these ramps and traveling along the access drive. We recommend that the applicant provide additional information addressing these concerns.

The applicant has indicated that “*It is our opinion that traffic will act like it does in any other parking garage. The presence of stop signs at the top of the ramp up from the garage and at the bottom of the ramp down from the deck should minimize conflicts.*” We respectfully disagree and remain concerned regarding this matter. We feel our concern has been noted and will defer to the Village staff and Planning Commission for further discussion.

7) The plans depict a new sidewalk along the south side of Park Terrace that is located partially in the Village right-of-way and partially on the project site. **An easement shall be provided to the Village for access and maintenance of this new sidewalk prior to issuance of a CO.**

8) In consideration of the extent of disruption to Park Terrace necessary for this project construction, the plans should be revised to require the patching, milling/leveling, and repaving of Park Terrace for its full width from Park Street and extending to the limit of disturbance west of the new project access drive.

The plans have been revised in response to this comment. The plans shall be further revised to extend the limit of the milling/overlay all the way to Park Street due to the widening of Park Terrace at Park Street and the removal of existing curb and installation of new curb on the north side of Park Terrace.

9) The plans should be revised to provide an analysis of the parking needs of the proposed uses included as part of this project.

The applicant provided a parking analysis in response to this comment. The LDC requirements suggest a total of 129 parking spaces are needed for the proposed project. Based on residential parking ratios presented in the ITE Parking Generation manual, the applicant contends that the 48 studio apartments need 48 parking spaces, including guest parking (vs. 101 spaces based on the LDC); resulting in a total of 76 parking spaces for the proposed project. The applicant further contends that with consideration given to shared parking, a total of 52 spaces is all that should be needed for this project. The project as currently proposed provides a total of 84 parking spaces; 21 in the below grade garage, 31 in the surface parking area, and 32 on the upper parking deck. We defer further comment on the required parking for this project to the Village staff and Planning Commission. If necessary a parking waiver should be given for parking. The Community Development Department feels that 84 parking spaces is sufficient for this development. In addition 12 public parking spaces were recently added to the front of the Park Street School property, and the property is on a transit route. If the Planning Commission feels that a parking waiver should be granted in this case the Community Development Department would support same.

10) On Sheet 2, the plans depict a ramp up to the 2nd level north of the ramp down to the below grade parking. Sheet 3 depicts the ramps reversed; i.e. ramp down to the below grade parking north of the ramp up to the 2nd level. The plans should be revised to resolve this conflicting information.

This comment has been addressed.

11) The plans should be revised to provide "One Way" signs and "Do Not Enter" signs at appropriate locations for the surface parking to alert users of the one-way parking circulation.

The applicant has indicated that "These signs are now shown on Sheet #4." Based on our review, we do not see these signs on Sheet #4. There are two "Do Not Enter" signs shown on Sheet #2. The plans shall be revised to include "One Way" signs in addition to the "Do Not Enter" signs prior to issuance of a Permit.

12) The applicant should provide information depicting the layout of the parking for the below grade parking and on the upper levels of the parking deck. The applicant should confirm that the number of accessible parking spaces proposed complies with the current ADA Standards.

This comment has been addressed.

13) On Sheet 5, the Sidewalk Ramps detail shows a 5'-6" minimum width for the sidewalk ramp. The Accessible Parking Space Detail on Sheet 5 shows a 5' minimum width. The plans should be revised to resolve this conflicting information.

This comment has been addressed.

14) On Sheet 4, the New Concrete Curb and Park Street/Park Terrace Pavement Replacement Detail, Typical Concrete Curb detail, and Parking Area Detail with Curb and Sidewalk detail should be revised to reflect the following requirements for sidewalk and curb inside the Village right-of-way:

- a) Concrete curb and sidewalk shall be constructed using Class A (4,000 psi) concrete.
- b) The sidewalk shall have no reinforcement (no rebar or wire mesh).
- c) Concrete sidewalk shall be 4" thick (6" thick at driveways) with a 6" gravel subbase (12" gravel base at driveways).
- d) Sidewalk shall be cast in 100' sections with no expansion joints. Connection to existing sidewalk and between 100 foot sections shall be accomplished with steel dowels, spaced 12" on center.
- e) Sidewalk adjacent to curb shall be separated by 4 mil polyethylene.

- f) Sidewalk joints shall be saw cut at 5' intervals to 1/3 the sidewalk depth. Struck transverse false joints shall not be utilized.
- g) All sidewalks shall be treated with Certi-Vex AC 1315, per the manufacturer's instructions.
- h) All curb radii less than 200' shall be formed using flexible forms.
- i) Curb reveal shall be 7", 1" maximum at driveways, and 1/4" maximum at accessible ramps.
- j) Curbing shall be constructed in 10' sections with 1/8" joints between sections.

This comment has been addressed.

Grading & Drainage

1) The applicant should provide complete drainage computations in support of the project, as well as the development on the Handy's Hotels and Rentals, LLC property. The proposed project is eliminating the subsurface stormwater treatment and control system that was designed and approved as part of the recent project on the Handy's Hotels and Rentals, LLC property.

The applicant has indicated that "The appropriate stormwater calculations are attached (Attachment D)." We did not find Attachment D in the submission documents. The applicant shall submit this information for review prior to issuance of a Permit.

2) In consideration of the MS4 requirements applicable to the Village 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 Village in the future as part of the MS4 permit and Flow Restoration Planning requirements.

See the response to item #1 above. The Water Quality Superintendent has requested that the computations include appropriate Phosphorus reduction computations to assist the Village of Essex Junction with the Phosphorus reduction tracking requirements per the MS4 permit prior to issuance of a CO.

3) The project lists roof drains and foundation drains as "designed by others". The project plans should be revised to provide appropriate information for these utilities, to include the size, material, and slope at a minimum.

This comment has been addressed.

4) The plans depict the proposed foundation drains being connected to existing DMH5 located along the west side of Park Street. The plans should be revised to include a detail of the connection to this structure using a new core and boot to provide a watertight connection. If the condition of this existing structure is such that a watertight, booted connection cannot be provided, this structure will need to be replaced with a new precast concrete drain manhole structure.

The applicant has indicated that "The detail is shown on Sheet #8." Based on our review, we do not see a specific detail for this connection. The plans shall be revised to include a detail of the connection to this structure. If the condition or configuration of this existing structure is such that a watertight, booted connection cannot be provided, this structure will need to be replaced with a new precast concrete drain manhole structure.

5) The project depicts a below grade parking facility. The applicant should provide information regarding the drainage infrastructure to accommodate any stormwater runoff and snow-melt from vehicles in this area.

The plans have been revised to present a Foundation Drain Pump Station (FD1) detail on Sheet #6 and a Stormwater Pump Station (ST2) detail on Sheet #8. We find this acceptable. Please refer to the additional comments at the end of this Report for comments pertaining to these pump stations.

6) The plans depict new drainage piping and structures along Park Terrace that will collect stormwater runoff from Park Terrace and convey it to the existing catch basin in the southwest corner of the Park Terrace/Park Street intersection. In addition, the proposed on-site stormwater system is connected to this new piping, presumably as an overflow. **As portions of this piping and structures are located on the project site, the Village will require an easement for access onto the project site for operation and maintenance of this infrastructure.**

The applicant has indicated that “The details of this document will be worked out following approval of the project.” We will defer to the Village Attorney regarding this matter.

7) The plans should be revised to include inspection and maintenance procedures and reporting requirements for the stormwater management system, including all structures and the subsurface infiltration system.

Sheet #9 has been revised in response to this comment. Inspection and Maintenance Note #1 shall be revised to require at least an annual inspection after the first year of operation; with a more frequent inspection interval if necessary, based on sediment accumulation and high water levels.

8) **The applicant shall be required to submit copies of the stormwater system annual inspection reports to the Village of Essex Junction as a condition of approval.**

9) On Sheet 4, General Construction Specifications note #9 should be revised to also include notification for work involving stormwater infrastructure elements.

This comment has been addressed. We note that this note is now on Sheet #6.

10) Regarding the Typical Storm Trench on Sheet 5:

a) There is a note referring to “sanitary sewer” insulation thickness and minimum cover. The contents of this note conflict with the insulation thickness and minimum cover requirements depicted on the Sewer Trench Detail also on Sheet 5. The plans should be revised to resolve this conflicting information. We find the requirements shown on the Sewer Trench Detail acceptable. **This comment has been addressed. This detail has been renamed Typical Storm Pipe detail and is presented on Sheet #8. The note has been revised to require 2” of insulation if cover is less than 3 feet (for storm pipes). We find this acceptable.**

b) The pipe bedding material should be extended a minimum of 6” above the top of the pipe. **This comment has been addressed.**

c) This detail should be revised to include specific compaction requirements. **This comment shall be addressed prior to issuance of a Permit.**

11) The plans should be revised to include typical details for the proposed retaining wall(s). The applicant should confirm that the proposed retaining wall(s) can be constructed without disturbance or impacts to the adjacent property; or provide appropriate easements.

The applicant has stated that “The limits of the existing retaining wall along the 15 Park Street property are shown, as well as the proposed extension of that wall are shown on Sheet #1.” The plans shall be revised to include typical details of the proposed retaining wall. The applicant should also confirm that the proposed retaining wall(s) can be constructed without disturbance or impacts to the adjacent property; or provide appropriate easements.

12) We recommend that an inspection port be provided at each end of each row and in the middle of each row of the subsurface stormwater infiltration system.

The applicant has indicated that “These ports are not required, or recommended by the manufacturer of the storm chambers.” This was a recommendation, and as this is to be a private stormwater system, no further action is needed.

13) It is unclear whether the off-site areas to the west of the project site have been included in the drainage computations. Based on our review of the plans, it appears as though at least portions of off-site areas to the west will flow onto the project site and into the proposed drainage system. The

applicant should address this matter in the drainage computations requested in Grading & Drainage item #1 above.

The applicant has indicated that “As noted above, the appropriate stormwater calculations are attached.” As discussed in Grading & Drainage item #1 above, Attachment D was not included in the submittal package we received. As such, we cannot confirm whether the off-site areas west of the project site have been included in the drainage computations.

Attachment D shall be provided for approval by Village Staff prior to issuance of a Permit.

Water

1) The proposed project includes the relocation of a portion of the existing private waterline extending from Park Terrace to the Handy’s Hotels & Rentals, LLC property. Although this is a private waterline, the Village will need a 20’ easement, centered on the pipe, along the relocated portion of the waterline. In addition, this work will need to be observed by an authorized representative of the Village of Essex Junction; after 48 hours advance notice of the need for this inspection.

The applicant has indicated that “Since this was not a requirement for the Handy project, we do not believe that an easement is warranted. The observation note has been added to Sheet # 7.” We believe that this was in fact a requirement of the Handy’s Hotel & Rentals project, which is supported by the fact that the 20’ wide water easement to Handy’s Hotels & Rentals, LLC is shown and labeled on Sheet #1. The plans shall be revised to provide a 20’ easement, centered on the pipe, along the relocated portion of the waterline.

2) The project includes the removal of an existing hydrant along the south side of Park Terrace (approximately 16 feet west of Park Street) and the installation of a new hydrant along the south side of Park Terrace (approximately 140 feet west of Park Street). We recommend that the removal of the existing hydrant and location of the new hydrant be reviewed and approved by the Essex Junction Fire Department. In addition, we recommend a condition of any approval to require the applicant to provide a copy of a State Permit to Construct for the installation of this new hydrant prior to the start of construction.

It is our understanding that no comments have been received from the Essex Junction Fire Department regarding the removal of the existing hydrant and installation of a new hydrant further to the west along Park Terrace. The applicant provided information from the State that a Permit to Construct is not required for this new hydrant. We find this acceptable.

3) The plans should be revised to include a new hydrant valve on the hydrant lead pipe for the new hydrant.

This comment has been addressed.

4) The plans should be revised to provide an easement to the Village of Essex Junction for access to the new hydrant along Park Terrace.

The applicant has stated that “The details of this document will be worked out following the successful approval of the project.” We continue to recommend that the plans be revised to depict an easement to the Village of Essex Junction for access to the new hydrant along Park Terrace; or at a minimum this should be a condition of any approval of this project.

5) The plans should be revised to include details for a new wet tap of the existing water main along Park Terrace for both the new water service and the new hydrant. Please note that a ductile iron tapping sleeve is required; stainless steel tapping sleeves are not allowed.

A Tapping Sleeve and Valve Detail has been added to Sheet #7. We find this acceptable.

6) On Sheet 5, the Typical Water Trench Detail should be revised to include the specific compaction requirements.

This detail needs to be further revised to present specific compaction requirements for the pipe bedding material prior to issuance of a Permit.

7) On Sheet 5, the Gate Valve Detail should be revised to provide a concrete thrust block beneath the valve, in lieu of crushed stone.

This comment has been addressed.

8) The plans should be revised to identify the size of the existing water main on Park Terrace.

This comment has been addressed.

9) The applicant should provide computations for the anticipated available fire flow for the proposed hydrant.

This comment has been addressed.

Sanitary Sewer

1) The plans should be revised to identify the size of the existing sewer main on Park Terrace.

This comment has been addressed.

2) The plans should be revised to include a detail for the connection of the new sewer service to the existing sewer main on Park Terrace.

A Sanitary Sewer Service Connection To Existing Main detail has been added to Sheet #7.

This detail is unacceptable. The detail shall be revised to remove the use of a saddle. The connection should be made using a manufactured wye fitting connected to the existing sewer main piping with rigid, gasketed couplings, per page D-13 of the LDC.

3) As the proposed project is proposed to include a restaurant, the plans should be revised to include a grease trap prior to discharge to the municipal sewer main.

This comment has been addressed. The applicant has indicated that "The project is not proposed to include a restaurant, so a grease trap is not warranted." We find this acceptable.

4) The plans depict the new sanitary sewer service in close proximity to an existing gate valve for the water main along Park Terrace. **The plans shall be revised to provide additional clearance to this valve; 10 feet is preferred.**

This comment has been addressed.

Erosion Prevention and Sediment Control

1) The plans should be revised to include erosion prevention and sediment control measures and details to be implemented during the project construction.

This comment has been addressed.

2) The plans should be revised to include a requirement for sweeping and/or cleaning of roadways of any and all sediment, stones, etc.; not just for dust control but also to protect storm drainage system components.

The applicant has indicated that "The note is on Sheet #5." Based on our review, we do not see a note on Sheet #5 addressing the removal of stones, etc. from the roadway, in addition to sediment. The plans should be revised accordingly.

3) The plans should be revised to include a requirement for cleaning of catch basin sumps when they are greater than 50% full during construction; and upon completion of construction. This includes catch basins and drainage manholes located in Park Terrace and Park Street up to and including the next downstream structure accepting/receiving flow from the project site.

The applicant has indicated that "The note is on Sheet #5." Based on our review, we do not see a note on Sheet #5 addressing the cleaning of catch basin sumps when they are greater than 50% full during construction; and upon completion of construction. The plans should be revised accordingly.

4) The applicant should be required to submit copies of weekly erosion prevention and sediment control inspection reports to the Village of Essex Junction as a condition of approval.

This requirement shall be a condition of any approval of this project.

Lighting

1) The applicant acknowledged the need for lighting information and indicated that this would be submitted “at Final Site Plan Review”. Please note that in addition to depicting the locations and specifications for proposed lighting, the lighting information should include a numerical grid of illumination levels throughout the parking, drive, and walk areas on the project site; with appropriate lighting statistics presented as well. The lighting plan should include proposed lighting for the upper level of the parking deck.

Sheet #10 entitled ‘Lighting Plan & Details’ has been added to the plan set. Please refer to the Additional Comments at the end of this Report for comments pertaining to the proposed lighting.

2) We note the close proximity between the access drive and the Naef property and the 15 Park Street, LLC property. The LDC prohibits light spill onto adjacent properties. The applicant will need to address potential light spill onto adjacent properties and explore measures to reduce the impact of the proposed lighting on the adjacent properties as necessary.

This comment has been addressed. No light spill onto adjacent properties is shown on the Lighting Plan.

3) Although not in the current LDC, we recommend new light fixtures be LED fixtures with a maximum CCT of 4300K.

This comment has been addressed.

Traffic

1) The applicant indicated that the “Contractor shall prepare and follow a traffic control plan approved by the Village a minimum of one week prior to starting construction. Adequate notification shall be provided to the Essex Police, Fire and Rescue [sic] agencies, and Village Public Works Department prior to any road closures. Detour signage shall be provided in accordance with VTrans standards and the above referenced traffic control plan.” While we find this generally acceptable, the traffic control plan should incorporate and address the following requirements:

- Two-way traffic should be maintained on Park Street at all times.
- Traffic control must not impact operation of the Five Corners intersection.
- Temporary traffic control plans and details should include designated locations of advance warning signs, locations and signing of pedestrian closures and detours, etc.

The applicant has stated to “See Sheet #4 for the appropriate note.” Based on our review, we do not see a note on Sheet #4 addressing the items above.

2) The applicant provided trip generation for the proposed building uses. The applicant should also provide trip generation information for the existing uses on the project site, in order to determine the increase in trip generation as a result of this project.

This comment has been addressed.

3) While we remain concerned about the potential impacts this project will have on this section of Park Street and Park Terrace, we recognize the urban nature of this area and the existing traffic operation. We also note that several modifications to the traffic flow, roadways, and intersections in this vicinity will be forthcoming with the anticipated construction of the Crescent Connector and associated changes to the Five Corners intersection. Without detailed analysis, it is unclear as to what impacts these modifications will have relative to this project. We recommend that the Village require the applicant to perform a follow-up traffic study within 6 months of 50% occupancy of the proposed building in order to confirm the trip generation rate and to determine if traffic improvements are necessary.

The applicant shall perform a follow-up traffic study within 6 months of 50% occupancy of the proposed building in order to confirm the trip generation rate(s) and to determine if traffic improvements are necessary.

Additional Comments

- 1) The plans call for the removal of the recently constructed subsurface infiltration chambers serving the Handy's Hotels & Rentals, LLC property. It also calls for the removal of the "Existing Overflow Structure (To Be Removed)". However, the plan does not specify what is to happen to the existing pipe between the overflow structure and the existing catch basin along Park Street. **The plans shall be revised to require removal of this pipe and its proper termination by capping at the existing Park Street catch basin.**
- 2) The plans call for the removal of the recently constructed subsurface infiltration chambers serving the Handy's Hotels & Rentals, LLC property; and redirecting this flow to the new subsurface infiltration system constructed as part of this current project. **The applicant should provide information pertaining to the schedule/phasing of this work to ensure proper drainage during construction prior to issuance of a Permit.**
- 3) The plans should be revised to show the existing water service for the existing buildings that are to be removed; and show the abandonment of these services by disconnecting them from the existing corporation stop and closing of the corporation stop at the water main. **The abandonment work must be performed in the presence of an authorized representative of the Village of Essex Junction prior to the issuance of a CO.**
- 4) The plans should be revised to show the existing sewer service for the existing buildings that are to be removed; and show the capping. **Abandonment of these services shall occur in the presence of an authorized representative of the Village of Essex Junction.**
- 5) The plans shall be revised to provide a detail for the removal of the existing hydrant, and removal and capping of the existing hydrant lead pipe.
- 6) Sheet #3 has a note stating "*Green Wall (Designed By Others)*". The plans should be revised to provide appropriate design information for this, or a detail, so the Village can understand what is being proposed for approval. **Done.**
- 7) General Construction Specifications Note #13 on Sheet #6 shall be revised to reference "Certi-Vex AC 1315", not "Certi-Flex".
- 8) Note #6 of the Water System Notes & Specifications shall be revised to require hydrant connection threads to be "double start" style.
- 9) The 18" Inv In elevation for DMH3 on Sheet #9 does not agree with the 18" Inv In elevation shown on Sheet #2 for this structure. Also, the label for DMH3 on Sheet #9 has 4 pipe invert labels, but only 3 pipes are shown graphically. **The plans shall be revised to resolve this conflicting information.**
- 10) Note #9 on Sheet #1 states that trash and recycling dumpsters will be under the ramp to the upper level parking deck and will be accessed from the sidewalk along the west side of the building. The applicant should provide information on how these will be accessed by trash/recycling haulers for emptying.
- 11) For both the Foundation Drain Pump Station (FD1) detail on Sheet #6 and a Stormwater Pump Station (ST2) detail on Sheet #8, we recommend that the gate valve be installed on the downstream side of the union fitting to allow for isolation of the forcemain for pump removal/maintenance. We recommend the installation of a check valve on the on the pump discharge line to prevent backflow during surcharge conditions. In addition, we recommend the installation of duplex pumps in order to provide redundancy/backup.

12) Sheet #4 depicts traffic circulation throughout the site parking area, parking garage, and parking deck. The circulation patterns depicted represent a passenger car as the design vehicle. We are concerned about delivery vehicles, such as UPS or FEDEX, and rubbish removal vehicles being able to navigate the surface parking area. **The applicant should provide confirmation that delivery and rubbish removal vehicles will be able to access the site as needed.**

13) The SC-740 Chamber System Layout shown on Sheet #9 includes a note for a 'Proposed Bypass Manhole Structure (DMH2)' and a leader for this note that points to nothing. The plans should be revised accordingly.

14) Regarding the Lighting Plan & Details:

- a) For the Parking Deck, there are many areas with illumination levels less than 0.2 footcandles, including the area adjacent to the stairs down to the street level.
- b) For the Surface Parking, there are many areas along the access drive with illumination levels less than 0.2 footcandles.
- c) There is minimal lighting at the intersection of the access drive and Park Terrace.
- d) There is minimal to no lighting along the sidewalk on the south side of Park Terrace.
- e) There are many areas along the walk in front (east) of the building with illumination levels less than 0.2 footcandles.
- f) There is minimal to no lighting along the new sidewalk along the south side of the building and parking deck.

15) The traffic analysis indicates 4 new project trips turning left onto Park Terrace from Park Street. However, by eliminating the existing curb cuts providing access to the current site, all traffic accessing the project site will utilize Park Terrace, which will increase the left turn demand from Park Street onto Park Terrace.

16) The applicant should provide information clarifying how access to the Handy's Hotels & Rentals, LLC property will be maintained during construction.

Recommendations

The Community Development Department recommends that the Planning Commission approve this Final Site Plan application with the following stipulations.

Proposed Stipulations

1. All Staff comments in this Staff Report shall be addressed to the satisfaction of Village Staff prior to a Certificate of Occupancy approval.
2. Stormwater management will be provided entirely on-site. The Village Engineer shall review and approve the site prior to a CO.
3. The Final Site Plan review shall include the moving of the middle retaining wall on Park Street closer to the street light base while retaining a five foot clearance between the face of the retaining wall and the base of the street light.
4. Construction equipment and loading material shall not occur on Park Terrace beyond the east side of the site property line, and no construction vehicles shall use School Street to exit the construction site.
5. All work shall comply with the Village of Essex Junction Land Development Code.
6. Upon approval of building use a change request will be submitted to obtain additional water and sewer use allocations by the applicant to the Village.
7. The Village reserves the right to require drainage improvements in the future if drainage problems arise as a result of this project.

8. The applicant shall complete and sign a Sewer Capacity Voluntary Permit Revocation Form prior to the Village releasing a Letter of Capacity to the State of Vermont.
9. Applicant shall ensure there is no light trespass onto the adjacent property.
10. The applicant shall store snow on the property or have it removed from site.