

Staff Report

To: Planning Commission

From: Robin Pierce, Development Director

Date: May 4, 2017

Re: Master Plan Review for 92-100 Pearl Street by Lamoureux and Dickinson agents for Jiddu/Sittu Trust, owners.

Project Location: 92-100 Pearl Street

Lot Frontage: 308 Feet

Existing Land Use: Existing retail unit and vacant lot.

Surrounding Land Use: Residential, mixed use/retail and commercial.

Total Lot Size: 82,179 square feet.

Minimum Lot Size Transit Orientated District: 5,000 Square Feet.

Existing Lot Coverage: 84.8%

Permitted Lot Coverage: 100%

Proposed Lot Coverage: 78.6 %

The Plans reviewed for this application are, Sheet number 1 Existing Conditions, and Sheet number 2 Proposed Master Site Plan, dated 02/14/17 by Lamoureux & Dickinson, and A1.0 Schematic Elevations of the proposed hotel.

Project Description: The applicant proposes to create a Master Plan for uses permitted in the TOD District. The Plan is a broad brush conceptual Master Plan. One area of the site has an existing retail facility, the old Capital mercury building, and this is being renovated to accommodate a new use. In the rest of the site it is proposed to include a drive through restaurant and a four storey hotel through new build. As part of the project a vacant residential building at the rear south east corner of the site will be removed, this is a three phase project proposal with the hotel being the last building on the site to be completed. Staff recommended that the applicant propose a patio area that is contiguous with the Pearl Street sidewalk in front of the new restaurant space, this has been provided by the applicant. This is the first application to be approved under the new LDC which was adopted by the Trustees December 13, 2016. The Village has been hoping to get a hotel for some time. This location, across from CVE, is an optimal one for a hotel. The retail and restaurant uses on the same site support the functioning of the hotel which will probably have seasonal bookings, rather than strong year round demand. The site is listed on the VT DEC Hazardous Site List.

SECTION 502: APPROVAL PROCEDURES FOR ACTIVITIES REQUIRING REVIEW UNDER CHAPTERS 6 AND 7

O. Master Plans

1. Purpose. To guide long-term development on larger properties and allow for public input early in the process as a means to limit negative impacts resulting from incremental planning and development. The master plan process is an opportunity to address the long-term vision and conceptual design for development of buildings, land uses, infrastructure and conservation/preservation through integrative design. Master plans are an opportunity to discuss early design concepts with the Planning Commission prior to the formal permitting process. A formal approval of the Master Plan by the Planning Commission is not a guarantee that the development moving forward will gain Planning Commission approval, rather it is an indication that the general concept of the Master Plan is in keeping with the Village's vision for the District moving forward. The Master Plan shall address the following:

- (a) Land uses;
- (b) Land subdivision;
- (c) Streets, parking, and open space;
- (d) Preservation of significant natural, historical or cultural features;
- (e) Stormwater management;
- (f) Urban form and urban design including the relationships between buildings, streets, open spaces, and parking areas;
- (g) Connections to adjacent areas and networks;
- (h) Significant natural and/or historic features; and
- (i) Development phasing.

2. Review Procedures. All Master Plans shall be reviewed by the Commission at a public meeting. Approval of a master plan is not a guarantee of future development approvals on the site.

3. Submittal Requirements:

- (a) A map in plan view that addresses the items listed in Section 502.O.1.
- (b) Supporting documentation to include:
 - (i) Land uses by gross building square footage
 - (ii) Total number of units by type and overall density
 - (iii) Amount of open space and uses
 - (iv) Building typologies
 - (v) Amount and location of parking
 - (vi) Vignettes, sketches, 3D models or other visual media to assist in representing the master plan proposal (optional or as required by the Planning Commission).
 - (vii) A statement describing the design intent for the master plan including the important physical relationships that influenced the proposed design including, but not limited to, natural features, connections, urban form, views, nodes, public transit, access and pedestrian mobility and connection to adjacent areas.

SECTION 608: TRANSIT ORIENTED DEVELOPMENT (TOD)

A. **Purpose.** The purpose of the Transit Oriented Development District (TOD) is to encourage development that supports a variety of transportation options including public transit (bus and rail), walking, biking and the automobile.

1. In order to achieve the desired goal of providing greater transportation options, development within the district shall embody the characteristics of compact urban development and pedestrian oriented design. Mixed use buildings with first floor retail, wide sidewalks, interconnected streets, on-street parking, high density residential development, pedestrian amenities, transit stations and stops, open spaces, and public or shared parking are strongly encouraged and in many cases required as a part of the standards within the TOD District.

2. The area within the TOD District is currently served by public bus transportation. In addition, the TOD District is adjacent to an active rail corridor, which may be used for light rail service in the future. A bike path is also planned for the rail corridor. Therefore, the TOD District is in an ideal location to provide greater transportation options.

3. The specific objectives of the TOD District are:

- (a) Create an environment that is conducive to using public transit, walking and riding a bike;
- (b) Accommodate a mix of uses in a form that attracts pedestrians;
- (c) Integrate commercial, institutional and residential development into a compact development pattern arranged around a street grid;
- (d) Provide pedestrian amenities and open spaces to create a comfortable and attractive environment;
- (e) Provide public and/or shared parking to accommodate automobiles, but will not detract from the pedestrian environment;
- (f) High Density Residential development;
- (g) First Floor Retail; and
- (h) Encourage the use of Tax Increment Financing to support public improvements in the district.

B. **Applicability.** Development proposals that involve more than thirty (30) percent or more of the existing building(s) square footage on the effective date of this ordinance shall be in full compliance with the standards of the TOD District. It is the intent of the TOD District regulations to prohibit the expansion of existing non-conforming structures beyond thirty (30) percent of the existing floor space on the effective date of this ordinance unless a waiver is granted by the Planning Commission upon determination that the expansion would not significantly detract from the goals and intent of the TOD District. Any expansion of existing non-conforming structures shall comply with the provisions of Chapter 8.

1. The use chart in Section 620 identifies the allowed uses in the TOD District, which shall apply on effective date of this code. Non-conforming uses shall comply with the standards in Chapter 8 regarding non-conforming uses.

2. The standards within the TOD District in some cases conflict with other standards established in the Land Development Code. The standards contained within this district

shall override and take precedent over other standards when in conflict with the standards of the TOD District.

C. Density/Lot Coverage

1. The minimum lot size in the TOD District is five thousand (5,000) square feet. There shall be no maximum residential density. Residential development potential shall be determined by the ability to meet the other provisions of the Land Development Code including parking, building height, setbacks and lot coverage.
2. The maximum total lot coverage shall be one hundred (100) percent.

D. Setback Requirements

1. There shall be no minimum required setbacks.
2. The maximum front yard setback shall be twenty (20) feet.

E. Building Frontage, Façade and Entry

1. All buildings shall have a minimum building frontage on a public street of seventy-five (75) percent of the frontage of the lot. The Commission may waive this requirement if the proposed land use warrants less building frontage to accommodate on-site parking on the side of the building or due to site constraints.
2. All structures require clear windows, which shall encompass at least fifty (50) percent of the building façade along the street from three (3) feet to six (6) feet and eight (8) inches above the finished sidewalk grade.
3. At-grade, below grade and above grade parking is allowed. However, at-grade structured parking shall not be allowed unless the parking is on the interior of the structure and a liner building is present along the street frontage on the first floor.

F. Building Height. The maximum allowable building height shall be four (4) stories or fifty-eight (58) feet, whichever is less.

G. Permitted and Conditional Uses. Permitted and Conditional uses are as indicated on the Use Chart in Section 620 of this Code.

H. Access to Public Streets. Curb cuts onto major arterial streets shall be minimized; shared curb cuts and joint access are strongly encouraged. Each property shall be allowed a single curb cut in accordance with the width requirements of Section 705 unless waived by the Planning Commission upon determination that an additional curb cut is necessary to provide adequate access to the site.

I. Parking Requirements and Location

1. The parking requirements are as follows:

| Land Use | Parking Requirement |
|-------------|---|
| Residential | 1 space per unit |
| Lodging | 1 space per room |
| Office | 2 spaces per 1,000 SF of net office space |

| | |
|--------|---|
| Retail | 3 spaces per 1,000 SF of net retail space |
| Other | As determined by the Planning Commission based on anticipated need. The Commission shall use the requirements of Chapter 7 and other national parking standards as a guide. |

2. Parking shall be provided along the rear of the lot, unless a waiver is granted in accordance with Section 608.E.1.
3. At the discretion of the Village Trustees, parking lots created as part of a development project may be accepted by the Village as municipal public parking.
4. Shared parking and connections between parking lots are encouraged to provide better access, traffic flow, and ample parking.

J. Street and Sidewalk Regulations. For the redevelopment of large (over five (5) acres) parcels within the TOD District, new streets, blocks, and lots shall be established in order to create a pedestrian friendly environment that supports a variety of transportation options. For new streets, the following standards shall be met:

1. Street Design and Layout
 - a) All new streets within the TOD District shall be provided as public streets. Alleys shall be privately owned and maintained. The overall number of alleys shall be limited to the minimum amount necessary to provide adequate access to the rear of buildings. Alleys shall be designed to minimize the number of access points onto public streets.
 - b) New Streets shall not have a block length greater than six hundred (600) feet.
 - c) Sidewalks within the TOD District shall have a minimum of eight (8) feet of unobstructed width.
 - d) Major redevelopment projects within the TOD District shall include bike lanes at least five (5) feet in width within the development in order to provide convenient and safe bicycle access within the district. It is not expected that every new street will have a bike lane, but rather those that provide major bicycle transportation routes within the district. All new streets shall include crosswalks at all intersections, which are in compliance with the Americans with Disabilities Act.
 - e) Pedestrian amenities including benches, trash receptacles, and bike racks shall be incorporated into the design of new streets.
 - f) Street trees shall be planted every forty (40) feet on center with tree grates and structural soil (See Appendix A for Public Works Specifications). Street trees shall be placed between the pedestrian travel way and the curb.
 - g) New streets shall include on-street parallel or forty-five (45) degree angled parking.
 - h) Pedestrian street lamps shall be incorporated into all new streets. The lamps shall be full cut-off fixtures with metal halide bulbs and mounted no higher than fifteen (15) feet. Pedestrian street lamps shall be of a decorative architectural style and approved by the Planning Commission.

- i) All new streets shall incorporate bus stops and shall be coordinated with the Chittenden County Transportation Authority (CCTA). The applicant shall be required to provide written comments from CCTA on the proposed bus stops and facilities.
- j) New streets with parallel parking on both sides of the street shall have two eleven (11) foot travel lanes.
- k) New streets with forty-five (45) degree angled parking shall have two (2) twelve (12) foot travel lanes.

K. Planned Unit Development. The Planning Commission may approve a Planned Unit Development for use as a mixed use development. 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 TOD District. Any application for proposed development in the TOD District may, at the applicant's request, be reviewed as a Planned Unit Development. Refer to Section 511.B.1-3 for general and specific review standards in addition to waiver information for a PUD.

1. Commercial PUD.

- (a) Activities involving a Commercial PUD shall be reviewed in accordance with the procedures of this Section. Commercial PUD's are authorized in the Transit Oriented Development District pursuant to Section 608.K.
- (b) Application Requirements. An application for a Commercial PUD shall be submitted and reviewed in accordance with the procedures of Section 511.
- (c) Review Standards. An application for a Commercial PUD shall be reviewed under the applicable standards of Section 511.B.1-3.
- (d) Expiration of Approval. An approval for a Commercial PUD shall expire in accordance with terms set forth in the approval.
- (e) Appeals. Any interested person may appeal a decision of the Commission regarding a Commercial PUD in accordance with the procedures set forth in Section 1707.

L. Special Uses. Uses identified with an "S" on the Use Chart in Section 620 of this Code for the TOD District shall only be allowed on the first story.

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. **Proposal exceeds requirements.**

SECTION 905: GENERAL STANDARDS

D. Protection of Significant Features.

This is a formally developed site and in an area of commercial development that is bounded on the south by the NECR rail line and the north by Pearl Street.

SECTION 906: STREETS

No new public streets are proposed.

SECTION 909: PEDESTRIAN AND BIKEWAY STANDARDS.

Bike racks should be provided at the Site Plan stage.

SECTION 910: INFRASTRUCTURE IMPROVEMENTS.

The water and sewer lines may need to be upgraded for phase three of this proposal.

SECTION 911: MONUMENTS AND LOT CORNER MARKERS.

The required lot corners are shown on the plans.

Staff Comments – To Be Addressed at the Site Plan application stage.

General

- 1) For future submittals, the applicant will need to provide complete design plans and details for the construction of the proposed improvements. This information should include, at a minimum, roadways, drives, sidewalks, grading, drainage, stormwater management, snow management, utilities (water, sewer, etc.), lighting, and erosion prevention and sediment control.
- 2) This section of Pearl Street in front of the project site is scheduled to be repaved by the State of Vermont during the summer of 2017, with the actual schedule unknown at this time. Once the repaving is complete, the Village is not going to allow a pavement patch in the roadway for utility connections, etc. associated with this project. If the pavement is to be disturbed after the paving project, the Village will require the full lane width of roadway to be ground, repaved, and restriped to match the existing. With that being said, the Village encourages the applicant to proactively work with the Village on the utility connections for all phases of this project, such that the necessary work inside the Village right-of-way may be completed prior to the repaving project.
- 3) The project site is listed on the VT DEC Hazardous Site List (site #20154570). Accordingly, **the redevelopment project design should incorporate appropriate engineering controls to address health and safety during and after construction activities at the site.**

Site Layout – Roadways, Drives, and Walkways

- 1) Any roadway construction and/or repair inside the Village of Essex Junction right-of-way shall be done in accordance with the typical details presented in the LDC. Disturbance limits for work inside the Village right-of-way should be shown and appropriate details provided for restoration of curbs, sidewalks, etc.
- 2) The plans depict sidewalk segments on the site. Given the proximity to Pearl Street and adjacent uses, we recommend the inclusion of pedestrian connections throughout the project site between all of the proposed uses and Pearl Street. For example, there is no continuous

pedestrian access from Pearl Street leading to the proposed hotel in the southeast corner of the project site.

- 3) The applicant indicated that in Phase 1 "...the two accessible spaces will have a 5' wide stripped [sic] lane between them, making both van accessible." Based on our review of the plans, these accessible parking spaces are shown as being 9 feet wide, with a 5' wide aisle between them. Per the current ADA standards, it is our understanding that **van accessible spaces must be a minimum of 11' wide with an adjacent 5' wide aisle.**

Grading & Drainage

- 1) The applicant briefly described their understanding of the existing stormwater system on the site and noted a reduction in impervious area as a result of this redevelopment project. The applicant also indicated that "new stormwater infrastructure will be constructed to treat and dispose of stormwater runoff from the site" and that "The Master Site Plan does not include specific new stormwater system improvements, but **subsequent design drawings for Site Plan review will detail the stormwater improvements proposed.**"

We recommend that overall stormwater management planning for the project site should be developed early in the design process. Best management practices for stormwater treatment and control require adequate space for their construction and proper operation. Given the intense development proposed for this site, careful planning for stormwater management will be of utmost importance. In consideration of the MS4 requirements applicable to the Village of Essex Junction, the applicant will need to provide on-site treatment and control of stormwater runoff to the maximum extent practicable. Key elements of the planning and design should include, at a minimum, pretreatment, Low Impact Design (LID) strategies and other appropriate treatment and control practices, emergency overflow provisions, and access and maintenance considerations; each of which should be integrated into the overall project development. **Stormwater management for the entire site should be addressed during the Phase I Site Plan application.**

- 2) As part of future submissions, the applicant should provide field confirmation of the infiltration rate and depth to seasonal high groundwater in the locations of any proposed infiltration practices.

Water

- 1) The applicant has indicated that a new water service will be required for Phase 1, that Phase 2 will utilize the existing water service to the existing building, and that for Phase 3, the existing water service will need to be "verified as to their sufficiency for the hotel." In consideration of this master plan process, we feel that an evaluation of the utility needs for the site should be included initially. This upfront planning may help alleviate the need for multiple utility connections and disturbances inside the municipal right-of-way. Please note General Item #2 above regarding the repaving of this section of Pearl Street by the State of Vermont during the summer of 2017.
- 2) Notwithstanding the discussion above, **we recommend that the applicant consider the installation of a new fire hydrant on the project site.**

- 3) The plans should depict the location of the existing water service to 92A Pearl Street.

Sanitary Sewer

- 1) The applicant has indicated that a new sewer service will be required for Phase 1, that Phase 2 will utilize the existing sewer service to the existing building, and that for Phase 3, the existing sewer service will need to be “verified as to their sufficiency for the hotel.” In consideration of this master plan process, we feel that **an evaluation of the utility needs for the site should be included in the Phase I Site Plan application.** This upfront planning may help alleviate the need for multiple utility connections and disturbances inside the municipal right-of-way.
- 2) The Water Quality Superintendent notes that this section of the existing gravity sewer main along Pearl Street has experienced hydraulic issues in the past and recommends that **the Village reserves the right to require the applicant to evaluate the available hydraulic capacity of the line as this project is developed.**
- 3) The plans should depict the location of the existing sewer service to 92A Pearl Street.

Lighting

- 1) The applicant acknowledged the need for lighting information and indicated that this would be “prepared by phase”. 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.

Traffic

- 1) The applicant provided estimated trip generation for the proposed project site at full build-out, indicating a total of 278 AM Peak Hour trip ends and 183 PM Peak Hour trip ends. No information was provided on the ‘existing’ or previous trip generation from the project site for comparison and evaluation of potential impacts to the adjacent roadways.
- 2) The applicant indicated that one of the four existing curb cuts serving the project site would be removed as part of the site redevelopment. The applicant indicated that the central curb cut “will be the primary ingress and egress location for the project site.” The applicant further indicated that “The most easterly and westerly curb cuts are shown on the Site Plan to remain, however, further evaluation of their configurations and compatibility with existing traffic volumes and pavement markings along Pearl Street will likely be part of subsequent design phases.” In consideration of this Master Plan process, we feel that **overall traffic patterns and improvements should be part of the overall site redevelopment planning at the Phase I Site Plan application.** This will ensure comprehensive traffic management to provide safe and efficient circulation not only within the project site but also along the adjacent roadways.

Specific items of concern based on our review of the proposed master plan include:

- Offset drives/intersections and their relation to existing lane configurations along Pearl Street.

- Large number of peak hour vehicles, especially in the morning.
- Anticipated number of left turning vehicles to/from the site, especially in the morning.
- Limited stacking distance for vehicles exiting proposed drive-thru and onto Pearl Street.

Careful site circulation planning and perhaps consolidation of curb cuts and allowed movements (in versus out) will likely prove beneficial to the project and this portion of the Pearl Street corridor.

Recommendations

The Planning Department recommends that the Planning Commission approve the application for a Master Plan with the following stipulations.

Proposed Stipulations.

1. All Staff comments in this Staff Report shall be addressed and satisfied prior to any Permits being issued.
2. All future development proposals in the Master Plan area for Buildings #1 and #2 shall have Planning Commission Site Plan approval prior to the issuance of any Permits.
3. Specific parking and utility design requirements for any proposed future development shall meet the requirements of the Village Land Development Code.
4. Stormwater management will be provided entirely on-site. The Village Engineer will review the final plans for compliance.
5. All work shall comply with the Village of Essex Junction LDC.