

Introduction and Overview:

On behalf of Jameson Partners, LLC, we propose a mixed-use addition to the existing historic structure at 22 Depot Street (Now or Formerly Giffords Mortuary.) Site re-development would entail removal of several single-story wood frames garages and storage buildings, consolidation and reconstruction of onsite parking, and construction of a three-story addition with commercial lease space on the ground floor, and four apartments above.

The project Site is in the Village Downtown District. Mixed use projects in this district are treated as conditional uses. Such conditional mixed uses are reviewed as planned unit developments, and are further reviewed as sub-divisions.

The lot area is .27 acres. The existing Mortuary will remain as approved, however some back of house functions will be relocated to another community. The applicant is renovating the second floor of the existing structure to maintain two apartments. When completed, the site will feature 6 apartments in total, 1800 square feet of general commercial space, and the existing Funeral Home to remain as is.

In this narrative, we will establish that the project as proposed meets the density and dimensional requirements of the Richmond land development regulations, that the uses proposed are permitted with conditions, and that the design as proposed is consistent with the character of the Village Downtown in form and treatment.

3.10 Village Downtown District (VD)

Area: the following parcels are included in this district: PS0023, BR0052, BR0048, BR0039, BR0038, BR0030, BR0027, BR0026, WM0013, EM0010, EM0013, WM0004, WM0035, DS0022, PS0014, BR0072

Purpose: The purpose of the Village Downtown Mixed-Use District is to provide a district that encompasses the existing village core area and supports employment, light industry, commercial enterprises, community gathering spaces, dense and affordable housing, and other compatible uses that bring value to the community and maintain Richmond's unique sense of place. It will also support the traditional village mixed use patterns with street/ground level commercial uses and upper floor residential uses. There are 3 primary goals for this district:

1. Help improve the economic vitality of Richmond by attracting desirable new businesses to the site, creating jobs, and increasing municipal water and wastewater utility use.

The project will create opportunity for new businesses and will use municipal utilities.

2. Attract residents and visitors to our village center for community and commercial activities.

The addition of 4 new units, and the rehabilitation of two more units in the existing funeral home will help bring new residents to the Village Downtown.

3. Increase the housing density, affordability, and diversity in order to support a vibrant and diverse population of Richmond residents. Any development in this district shall enhance the overall village area and shall be compatible with the surrounding mix of residential, non-residential, and municipal uses. Any development proposal shall fit into the vision for Richmond as described in the Richmond Town Plan. 3.10.1

This proposal continues the pattern in the Village Downtown where residential density is on the second and third floors of the commercial structures lining Bridge Street. The modest scale of the proposal, four new units and two rehabilitated units, is in keeping with those examples and compatible with the scale of the Village center.

Allowable Uses

Upon Issuance of Zoning Permit by Administrative Officer- The following uses shall be allowed uses in the Village Downtown District upon issuance of a Zoning Permit by the Administrative Officer. Site Plan Review by the DRB shall also be required. More than one principal use per lot is allowed in this district. The most likely permitted uses for the commercial space in this proposal would include:

- a) Artists/Crafts studio
- b) Laundromat
- c) Office, Medical
- d) Office, Professional
- e) Personal Services
- f) Retail business

3.10.2 Allowable Uses Upon Issuance of Conditional Use Approval –

These proposed uses may be allowed in the Village Downtown District after issuance of conditional use approval by the DRB.

- a) Commercial Multi-Use Building
- b) Funeral Parlor Richmond Zoning Regulations 28 Effective May 23, 2022
- c) Planned Unit Development as provided in Section 5.12, if no subdivision of land is proposed (see Section 5.12.1). Residential Dwelling Units as part of a Mixed Use Planned Unit Development

The project as proposed is a mixed-use commercial building where residential dwelling units are included in the mix. The Funeral Parlor is an existing use and will remain. Commercial users are not yet known, but the limited area of the ground floor commercial precludes some allowed uses.

Residential Density and Requirements

a) Each residential dwelling unit shall require 1/24 acre of developable land located on the same lot as the unit subject to the rounding rule below. This equals a residential density of approximately 24 units per acre. Developable land excludes those lands that are outlined in section 2.5.2.

The maximum number of units that may be permitted shall be calculated by multiplying the residential density by the total developable acreage of the lot. When this calculation results in a number of units with a fractional component, the fraction will be rounded according to conventional rounding rules as follows, where X is a whole number: X.0 – X.49 units shall be rounded DOWN to X units. X.50 – X.99 units shall be rounded UP to X+1 units.

The Lot Area is 11,898.26 square feet or .27 acres.	24
units per acre x .27 acres =6.55 Units (Round up to 7)	6

residential units are proposed.

b) Residential dwelling units shall be restricted to the second story/floor and above of any building and shall not be allowed on the street/ground level. These units may be approved as part of a mixed-use Planned Unit Development.

The proposal does not include any ground floor dwelling units. The units are part of a mixed-use PUD as required.

3.10.4 Dimensional Requirement for Lots in the VD District –

No Zoning Permit may be issued for Land Development in the VD District unless the lot proposed for such Land Development meets the following dimensional requirements:

a) Lot Area- No lot shall be less than one-eighth(1/8) or 0.125 acre The purchase of additional land by the owner of a lot from an adjacent lot owner will be permitted, provided such purchase does not create a lot of less than the minimum area required in the Zoning District on the part of the seller.

The Lot Area of the Subject Parcel is 11,898.26 square feet or .27 acres and meets the minimum lot size.

Lot Dimension - Each lot must contain a point from which a circle with a radius of twenty-five (25) feet can be inscribed within the boundary of the lot.

Richmond Zoning Regulations 29 Effective May 23, 2022

The lot is 96.79 feet wide and 153 feet deep and a circle with a 25 foot radius may be inscribed in the lot. See Site Plan.

- b) Lot Frontage- A lot must have 50 feet of continuous frontage on a public or private road, or have
- c) access to a public or private road by a permanent easement or right-of-way approved by the DRB as regulated by Sections 4.2 and 4.3.

The Subject Parcel has 96.79 feet of frontage on Depot Street

- d) Lot Coverage- The total ground area covered by all structures, parking areas, walkways, driveways and areas covered by impervious materials shall not exceed eighty percent (80%) of the total ground area of the lot.

The project as proposed would have a total lot coverage of 79%

A breakdown of coverage types and areas is included on the Site Plan

3.10.5 Dimensional Limitations for Structures on Lots in the VD District

- a) Height- shall be as in Section 4.12 of these regulations.

Section 4.12 limits building height to 35 feet. The proposed Building will be 33 feet tall. See Architectural Plans and Elevations.

- b) **Setback- All structures shall have zero (0) feet setbacks, except for a five (5) feet setback for all structures on district boundaries.** All development is required to install and maintain a sidewalk to the public works standards on any and all public road frontage. Placement of the sidewalk and curb cuts or accesses to the property are subject to approval of the Highway Foreman.

The Subject parcel is in the Village Downtown Zone (VD) and the westerly property boundary is on the boundary between the Village Downtown and Residential High-Density District. A five-foot setback is required. The applicant will seek a partial waiver of this requirement.

3.10.6 Other Requirements Applicable to Lots in the VD District-

No Zoning Permit may be issued for Land Development in the VD District unless the Land Development meets the following requirements:

a) Parking Requirements

- i) In this district, the residential parking requirement shall be based on the number of bedrooms per dwelling unit. The spaces required shall only serve to calculate overall supply and shall not be assigned to specific dwellings. Spaces shall increase by 0.5 spaces per additional bedroom.

Six two-bedroom apartments require 12 parking spaces and twelve parking spaces are shown on the Site Plan. The applicant will seek parking waivers for the existing use to remain and for the new commercial space based on the potential for shared use, and the availability of public parking on Depot Street.

- ii) All other parking supply requirements shall follow the requirements as set forth in section 6.1.

The most likely commercial tenants would be retail or professional office. That implies a parking rate of 2.5 – 3.5 spaces per 1000 square feet of leasable area. For the 1800 square feet proposed, a range of 4.5 to 6.3 parking spaces are required for the new commercial space. The existing funeral home is grandfathered.

The applicant will seek waivers from the parking requirement as outlined in Section 6.1.6 (p) Waivers - The DRB may waive some or all parking requirements and may place conditions on a waiver as necessary to guarantee adequate parking. The DRB may require any change in use on any property where a waiver has been granted to be reviewed for parking impacts, and the change shall be prohibited if it is deemed to generate a parking deficiency. The DRB shall determine that one or more of the following standards are met at a specific location prior to granting a waiver:

- i. The proposed uses have staggered business hours with minimal overlap in business hours.
- ii. The Applicant presents evidence that the parking requirements are excessive based upon new parking studies, traffic engineering data, or obvious and apparent existing parking demands.
- iii. The Applicant demonstrates that the demand for parking is reduced because the type of business proposed substantially relies on pedestrian traffic.
- iv. The Applicant demonstrates that sufficient off-Road or Highway parking is available at other locations within two hundred (200) feet which are or have been approved by the DRB.
- v. The use of mass transit, or other alternate transportation reduces parking demand.
- vi. Joint parking facilities with abutting businesses are sufficient to meet parking demand.
- vii. The I.T.E. (Institute of Richmond Zoning Regulations 61 Effective May 23, 2022, vii. The I.T.E. (Institute of

Traffic Engineers) Parking Manual, or other professional source, provides data which demonstrates parking demand for a proposed use is less than the standards specified in these Zoning Regulations.”

- b) Loading - Off-Road or Highway loading requirements shall be regulated as provided in Section 6.1
- c) Signs - Signs shall be regulated as provided in Section 5.7.
- d) Traffic Impact - The purpose of this requirement is to foster the general welfare of the public through the minimization of traffic congestion, air pollution, and the risk of motor vehicle and pedestrian accidents.
- g) Residential Use - Residential dwelling units shall be restricted to the second story/floor or higher of any building and shall only be approved and permitted via Planned Unit Development.
- h) Additional Possible Conditions - The following site standards also may be required as a condition of Development Review Board approval
 - Greater setback or screening requirements along the perimeter of the property
 - Adequate pedestrian circulation
 - Demonstration of the ability to properly develop, operate, and maintain development roads, utilities, driveways, parking, sidewalks, landscaping, and other conditions or standards impose

5.6 Conditional Use Review

A use requiring conditional use approval by the DRB shall comply with the following general standards and specific standards, and all other applicable standards and requirements of these Zoning Regulations.

5.6.1 General Standards –

A proposed use shall not result in an undue adverse effect upon:

- a) The capacity of existing or planned community facilities.

6 apartments and 1800 sf of commercial lease space will likely use community facilities for water and sewer, public parking, and local schools. Richmond is encouraging the addition of new clients to the Town water and sewer utilities.

Two-bedroom apartments may house school aged children, but State data suggests that 6 apartments might contain 1 or 2 students aged grade k-12.

Off street parking requirements are met for the apartments but the ground floor commercial spaces will depend on a combination of existing public parking on Depot Street and shared parking with the apartments. Traffic generation will be modest.

The impact on community services are small enough that I would not consider them adverse. That said, to the extent that any impact in this sensitive area might be construed to be adverse, the scale of the project assures that such impacts are not undue.

- b) The character of the area affected, as defined by the purpose or purposes of the zoning district in which the project is located and with specifically stated policies and standards of the Richmond Town Plan.

The Character of the Village Downtown is established by the unbroken block of late 19th early 20th century commercial storefronts lining Bridge Street surrounded by stand alone commercial and residential buildings typical of Vermont villages and towns.

The addition of another commercial storefront with upper-level apartments Continues this block pattern while promoting needed growth in the heart of Town. The addition of new housing and modest commercial activity are both well established community goals.

- c) Traffic on roads and highways in the vicinity.

Six apartments will generate 4 vehicle trip ends of Traffic. ITE rates for the commercial space could range from 1.1 to 1.24 VTE per 1000 square feet. This works out to 3 or 4 VTE in the afternoon rush. 8 additional cars will Impact rush hour traffic, but this modest traffic impact is not undue, given the background volume. The project is too small to require a full traffic report.

- d) Bylaws and ordinances then in effect; and,

Other parts of this narrative detail how the project complies with Richmond Zoning Ordinances now in effect.

- e) The utilization of renewable energy sources.

The project when constructed will meet or exceed the RBES (Residential Building Energy Standard). Our current plan is for this building to be all electric. The roof structure will be prepared for solar installation.

5.6.2 Specific Standards - Conditional uses shall comply with the following specific standards:

- a) Obnoxious or excessive noise, smoke, vibration, dust, glare, odors, electrical interference or heat that is detectable at the boundaries of the lot shall not be generated.
The project as proposed does not include any process emissions.
- b) There shall be no outside displays except those that are brought indoors at the end of the business hours and are the actual product of the business. Richmond Zoning Regulations 45 Effective May 23, 2022
Project Leases will include a clause that compliments this ordinance.
- c) Outside storage of goods, parts, supplies, vehicles machinery and other personal property shall be appropriate to the neighborhood and shall not impair safety.
A storage shed for recyclable materials and bicycle storage is proposed.
Proposed leases will prohibit exterior storage.
- d) A State Wastewater and Potable Water Supply Permit shall be obtained before the use commences.
The project will comply with State law regarding water and sewer.
- e) The development is proposed over a reasonable time period in order that the general and specific standards for conditional uses may be met.
This is a single-phase project. Construction will take from 6-8 months depending on the time of year the project starts. The applicant agrees to limit the hours construction activity per the Town Ordinance.
- f) In determining the appropriateness of the use in the Zoning District, the DRB shall consider the scale of the proposal in relation to the scale of existing uses and structures.
The proposed density and form of the building is consistent with the scale of the Village Downtown.
- g) No fire, explosive, or safety hazard shall be permitted that, in the judgment of the DRB, after consideration of the advice of Richmond firefighting officials, significantly endangers other property owners or emergency personnel.
As a mixed-use project including apartments, the uses are ordinary hazards. New Construction will comply with NFPA 101, NFPA1, The IBC and State Construction codes. This project will not include any industrial processes or other special hazards.
- h) The development shall not result in an Undue Adverse Effect on state- or community-owned and operated institutions and facilities.
The project is not adjacent to any State or Town owned institutions or facilities. Residents will likely use the schools, town library, and other recreational facilities, but the anticipated density is not undue, and such use is not inherently adverse.
- i) Existing water supplies and the quality of ground and surface water resources shall not be adversely affected.

This project will not extract groundwater and it will not provide on-site disposal of wastewater. The property does not abut any surface waters.

- j) The proposed Land Development shall not have an undue adverse effect on an Historic Site or rare or irreplaceable natural areas. Proposed structures should take advantage of existing slopes and vegetation to provide screening for the project.

The buildings that line Bridge Street are historic. The details and scale of this proposal are appropriate for infill development in this context. Being around the corner from the principal streetscape mitigates the visual impact of the addition. Removal of the low framed garages should be acceptable as they are not original to the building, and they do not contribute to the historic character of 22 Depot Street.

This site is currently developed, and so rare natural areas are not found on the subject parcel.

Any other standards, such as natural landscape and “character of the neighborhood” standards, as indicated for specific districts shall also be applied. The DRB may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of these Zoning Regulations and 24 V.S.A. Chapter 117.

5.6.3 Site Plan Review Standards –

In order to expedite the review process, conditional uses are not subject to separate site plan review under Section 5.5, however, all conditional uses shall also meet site plan review standards and conditions as set forth under Section 5.5.3 prior to the issuance of conditional use approval.

5.6.4 Conditional Use Review Process –

The DRB shall hold a public hearing on the application, warned in accordance with Section 8.2.3, and shall provide opportunity for any person wishing to achieve status as an Interested Person to demonstrate that they meet the definition of an Interested Person under the Act (24 V.S.A. §4465) and these Zoning Regulations for purposes of participation and appeal. The DRB shall act to approve, approve with conditions, or deny the application and issue a decision as provided in Section 8.2.5.

5.12 Planned Unit Development (PUD) and Residential PUD

Purpose – In accordance with the Act (§4417), Planned Unit Developments (PUDs) are authorized within designated zoning districts in order to encourage flexibility of design and the development of land in such a manner as to promote the most appropriate use of land, to facilitate the adequate and economic provision of roads and utilities and to preserve the natural and scenic qualities of the open lands of the Town of Richmond. For purposes of these Zoning Regulations, Residential PUDs shall be considered a type of Planned Unit Development. The modification of the dimensional requirements governing lot area, lot dimension, lot frontage and lot coverage and the dimensional limitations for structures governing front, side and rear yard setback requirements of these Zoning Regulations may be permitted subject to the

5.12.1 Coordination of Review –

Applications for PUD or Residential PUD approval shall be reviewed by the DRB as a conditional use, subject to conditional use review and approval under Section 5.6 R Richmond Zoning Regulations 55 Effective May 23, 2022 5.12.3 Additional Standards - In addition to the specific standards in the Zoning District and, as applicable, review standards in Section 5.6 Conditional Use Review, or subdivision review standards under the Town of Richmond Subdivision Regulations, the following site standards also may be required as a condition of the DRB approval.

- a) Greater setback and screening requirements for structures, parking areas and other development features along the perimeter of the property.
- b) Adequate pedestrian circulation.
- c) Improvements to roads to meet the Public Works Specifications.
- d) Restriction of points of access to state or town roads.
- e) Demonstration of the ability to properly develop, operate, and maintain development roads, utilities, and other private improvements.

Application Procedures –

- a) A Zoning Permit shall not be issued for any building or development in a PUD or Residential PUD until the PUD or Residential PUD has been approved by the DRB.
- b) The DRB shall hold one or more public hearings on the PUD or Residential PUD, warned in accordance with Section 8.2.3, as required for conditional use review.
- c) The Applicant shall submit one set of site plan maps and supporting data to the Administrative Officer for referral to the DRB, which, in addition to the application requirements for conditional use or subdivision review, shall include the following information:

- i. Name and address of the owners of record of adjoining lands. Name and address of person or firm preparing the map. Scale of map, north point, and date. Name, address, and interest of the Applicant in the subject property. (Attached herewith.)
- ii. Survey of the property showing all existing, proposed or potential lot boundaries, and all existing or proposed easements, rights of way and deed restrictions. (Attached herewith.)
- iii. Site resource map, at the same scale as the site plan, showing contours, indicating soils suitable for on-site sewage disposal, wetlands, Areas of Special Flood Hazard, bodies of water, slopes of 20% grade or greater, ridge lines, agricultural and forest land, critical wildlife habitat, and identified natural or historic features. (Attached herewith.)
- iv. Site plan showing the locations of proposed structures and their use; Road(s) or Highway(s), driveways, traffic circulation, parking, and pedestrian ways; landscaping, including site grading, landscape design, and screening; utility lines; lighting; water supply sources and sewage disposal areas; and land that may be set aside for common lands and/or public use. (Attached herewith.)
- v. A statement setting forth the nature of all proposed modifications, changes, or supplements of these Zoning Regulations and the proposed standards and criteria which the Applicant proposes for the development, including standards for the design, bulk and spacing of buildings and sizes of lots and open spaces.
(As noted elsewhere in this report, the applicant seeks relief from the setback requirement between districts and partial waiver of the parking requirements as allowed with conditions)
- vi. Construction sequence and time schedule for completion of each phase of buildings, Roads or Highways and parking, landscaping and amenities.
- vii. Proposed restrictive covenants for those developments that shall provide common open space, recreation, roads, parking areas, community water and sewer systems, or other facilities owned or maintained in common.

The project is an addition to a single building connected to public utilities. There will not be any new road or utilities constructed beyond connections to existing facilities. The project will be owned by a single entity, so Covenants are not proposed. The applicant has agreed as noted to incorporate community standards for outdoor displays or storage into lease agreements.

A Master Development Plan for any portion of the parcel or lot not proposed for Land Development in the PUD or Residential PUD as of the application date. The Master Development Plan shall conceptually show future roads, building areas, future open areas, and future uses on such remaining land. (This requirement is not applicable to the proposed project. No portion of this site will be retained for future development.)

5.12.7 PUD and Residential PUD Review Process-

The PUD or PUD and Master Development Plan decision will be issued concurrently with the conditional use or final subdivision plan decision. The DRB shall hold a public hearing on the application, warned in accordance with Section 8.2 and shall provide opportunity for any person wishing to achieve status as an Interested Person to demonstrate that they meet the definition of “Interested Person” under the Act (§4465) and these Zoning Regulations for purposes of appeal. The DRB shall act to approve, approve with conditions, or deny the application and issue a decision as provided in Section 8.2.

Abutting Property Owners: 22 Depot Street

Notice and supporting materials have been sent to these abutting property owners:

72 Bridge Street
SPAN 519-163-10425
Novak Real Estate LLC.

Po Box 43, Bridge St, Richmond, Vt, 05477, USA

44 Depot Street
SPAN 519-163-10765
Estate of Bruce Jacobs

35 Main Street
SPAN 519-163-10765
Cindy Feloney

C/o Cindy Feloney 35 W Main St, Apt 3, Richmond, VT, 05477-4452

60 Bridge Street - 6 Depot Street
SPAN 519-163-11099
North Star Lodge

C/o James Chase, 52 Bridge Street, Richmond Vermont 05477

50 Bridge Street
SPAN 519-163-10117
In The Block LLC.

C/o Jeremy D. Hoff, Esq., 26 Bridge Street, Richmond, Vt, 05477

40-44 Bridge Street
SPAN 519-163-10116 Sweet
Suites LLC.

C/o Lisa Curtis ,35 Blackberry Lane, Huntington VT 05462