

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401

<http://www.burlingtonvt.gov/PZ/>

Telephone: (802) 865-7188
(802) 865-7195 (FAX)

David E. White, AICP, Director

Ken Lerner, Assistant Director
Vacant, Comprehensive Planner

Jay Appleton, Senior GIS/IT Programmer/Analyst

Scott Gustin, AICP, CFM, Senior Planner

Mary O'Neil, AICP, Senior Planner

Elsie Tillotson, Department Secretary

Anita Wade, Zoning Clerk



MEMORANDUM

To: Development Review Board

From: Mary O'Neil, AICP, Senior Planner

Date: June 2, 2015

RE: 170 and 180 Carrigan Drive, ZP14-1000CA

Note: These are staff comments only. Decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.

File: 15-1000CA

Location: 170 and 180 Carrigan Drive, formerly identified as 10 University Place (south side of quad; north of Bailey House Library)

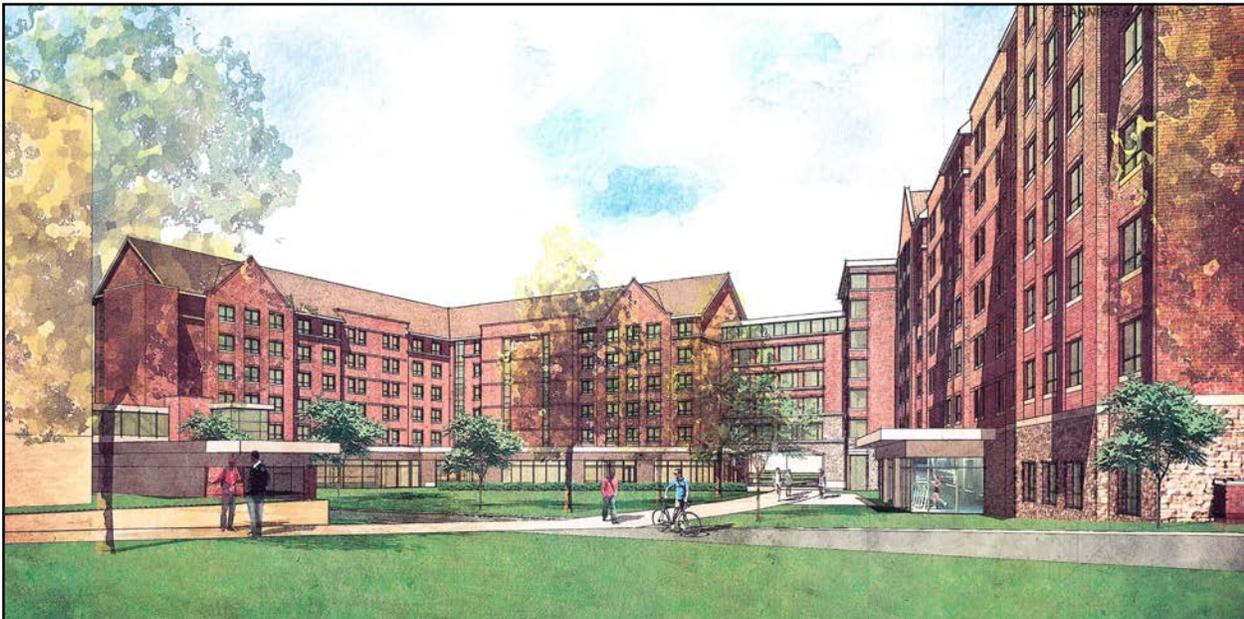
Zone: ICC-UVM **Ward:** 1

Date application accepted: April 15, 2015

Applicant/ Owner: Redstone / University of Vermont

Request: Undergraduate student housing and dining facilities

Estimated Construction Cost: \$42,000,000.



Background and Overview: This application follows Sketch Plan review of the proposed dormitories (ZP15-0810SP, March 17, 2015), and the approval of ZP14-1320CA, an application to demolish three undergraduate residential dormitories: Chittenden, Buckham and Wills Halls. The area proposed for new dorms is within the Institutional Core Campus Overlay, and the ICC-UVM Height Overlay.

The project development will be subject to limited municipal review per **VSA §4413**:

Limitations on municipal bylaws

- (a) *The following uses may be regulated only with respect to **location, size, height, building bulk, yards, courts, setbacks, density of buildings, off-street parking, loading facilities, traffic, noise, lighting, landscaping, and screening requirements**, and only to the extent that regulations do not have the effect of interfering with the intended function use:*
 - (1) *State or community owned and operated institutions and facilities.*
 - (2) *Public and private schools and other educational institutions certified by the state department of education.*
 - (4) *Public and private hospitals.*

The **Design Advisory Board** reviewed the application at their May 12, 2015 meeting. The DAB voted unanimously to recommend **approval**, with a suggestion to explore alternative materials to the skywalk with an effort to decrease its visual characteristics, providing a more transparent appearance.

Applicable regulations: **Article 3** (Applications, Permits, and Project Reviews), **Article 4** (Zoning Maps and Districts), **Article 5** (Citywide General Regulations), **Article 6** (Development Review Standards), and **Article 8** (Parking.)

Recommendation: Certificate of Appropriateness **approval**, per the following findings and conditions:

I. Findings

Article 3 Applications, Permits, and Project Reviews

Part 3: Impact Fees

Section 3.3.2 Applicability

Any new development or additions to existing buildings which result in new dwelling units or in new nonresidential buildings square footage are subject to impact fees as is any change of use which results in an added impact according to Section 3.3.4.

Impact Fees shall apply; although a credit may be given for the total amount of square footage calculated by the loss of Chittenden, Buckham and Wills Halls. From information submitted from the applicant and Assessor’s records, the following draft calculation is offered:

Credit for existing dormitory area		
Wills		25345
Buckham		25345
Common Area		9996
Chittenden		25345

Total		86031
Proposed new dorms		195,000
Difference		108,969
SF of Project	108,969	
Offices & Other		
Department	Rate	Fee
Traffic	0.654	71,265.73
Fire	0.192	20,922.05
Police	0.339	36,940.49
Parks	0.405	44,132.45
Library	0.000	0.00
Schools	0.000	0.00
Total	1.590	\$ 173,260.72

Affirmative finding as conditioned.

Section 3.3.7 Time and Place of Payment

(a) New Buildings: Impact fees must be paid at least seven (7) days prior to occupancy of a new building or any portion thereof. **Affirmative finding as conditioned.**

Article 4 Maps & Districts

Section 4.4.4, Institutional District

(a) Purpose

See Section 4.5.2 (d) District Specific Regulations: UVM Central Campus.

(b) Dimensional Standards & Density

See Section 4.5.2 (d) District Specific Regulations: UVM Central Campus.

(c) Permitted & Conditional Uses

See Section 4.5.2 (d) District Specific Regulations: UVM Central Campus.

Section 4.5.2 Institutional Core Campus Overlay Districts

(a) Purpose

The Institutional Core Campus Overlay Districts are intended to provide for reasonable future growth for institutions within the core of their respective campuses without further intrusion into surrounding residential neighborhoods. This overlay allows than would typically be found in the underlying districts. Development is intended to be more intense than the surrounding neighborhoods with higher lot coverage and larger buildings. New development should provide sensitive transitions to the historic development pattern and scale of the surrounding campus. Buildings both large and small should be desgined with a high level of architectural detailing to

provide visual interest and create enjoyable, human-scale spaces. Site should be design to be pedestrian friendly and encourage walking between buildings. Circulation should largely emphasize the needs of pedestrians and bicycles, and parking should be very limited and generally provided offsite. When parking is provided, it should be hidden either within or underneath structures.

(b) Areas Covered

2. *UVM Central Campus (ICC-UVM)*. The proposed development is within the core campus. See Map 4.5.2-1.

(d) District Specific Regulations: UVM Central Campus (ICC-UVM)

1. *Transitional Buffer*

The proposed development does not fall within the Transitional Buffer (A, B and C.) however formula for lot coverage as balanced between the transitional buffer and the aggregate must be observed per standard 4.5.2 (d) 2, below. The applicant team submits that calculations for the transitional buffer will not be affected, as coverage within the site proper remains less than 65%, therefore in compliance with this standard.

Affirmative finding as conditioned.

2. *Lot Coverage*

Maximum lot coverage shall be applied to the aggregate of all lots owned by the institution and located within the ICC-UVM District. Lot coverage shall not exceed 65% except as provided below.

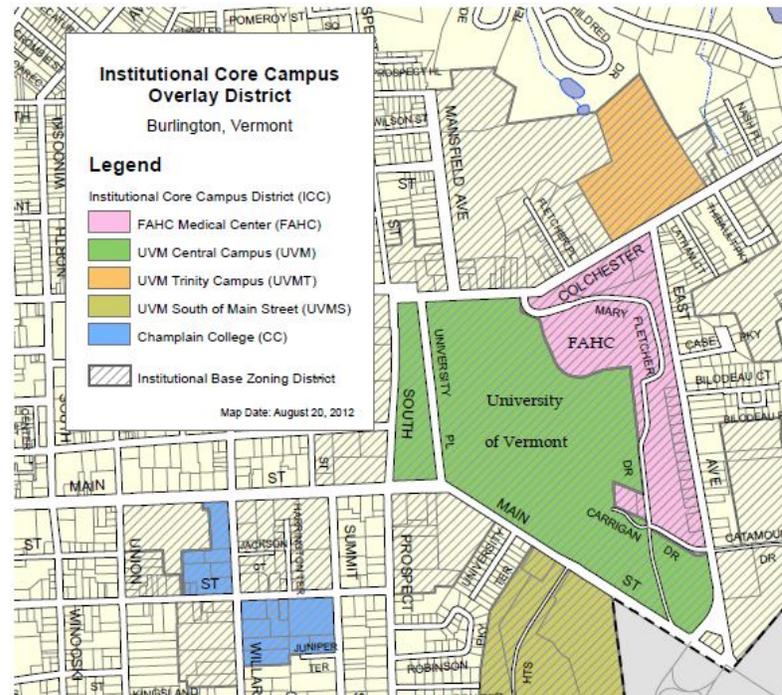
The CBW demolition and subsequent parking lot redevelopment projects defined lot coverage post construction as 47.56%. An email received May 27, 2015 from the applicant revised that calculation to 49.57%. From this information, the development falls beneath the 65% maximum.

Affirmative finding.

3. *Setbacks*

Front setbacks shall be fifteen (15') feet measured only along any street defining the Transitional Buffer.

The proposed buildings do not fall within the Transitional Buffer or abutting any streets defining the Transitional Buffer; therefore the 15' setback from the street is not applicable. **Affirmative finding.**



4. Surface Parking

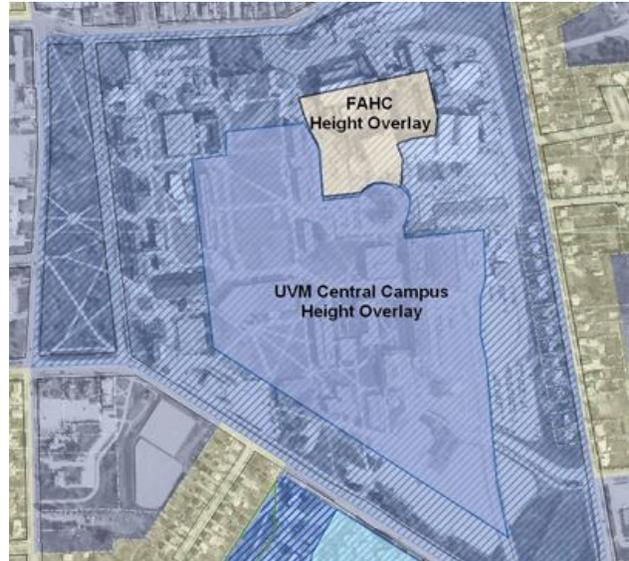
No new outdoor surface parking spaces shall be permitted unless the number of the new outdoor surface parking spaces is offset by a corresponding removal of outdoor surface parking spaces existing as of January 1, 2007 and upon the approval of the DRB.

Nine new surface parking spaces are illustrated on the provided site plan, along the easterly curved access. The applicant will be required to identify the removal of a similar number of surface parking spaces to acknowledge these new spaces, or remove these surface parking spaces from the plan. **Affirmative finding if conditioned.**

5. Building Height

For the sole purpose of regulating building height, the ICC-UVM District shall include an ICC-UVM Central Campus Height Overlay as delineated on Map 4.5.2-4. → Building height within the ICC-UVM Central Campus Height Overlay shall not exceed 140 feet.

The project location falls within the ICC-UVM Central Campus and Height Overlay area. The height restriction shall be as defined. The proposed new buildings will have a maximum height of 88'; well within the limitation provided. **Affirmative finding.**



6. Density

In the ICC-UVM District, density restriction set forth in Article 4, Section 4.4.4 shall not apply to dormitories and rooming houses as defined in Chapter 18 of the Burlington Code of Ordinances.

Although new dormitories will not be subject to density restrictions, it is important to note that ZP14-1320CA was for the demolition of three dorms with a total bed count of 391. The total number of proposed new beds is 699; with a net new of 308.

Identification of interim housing was, in fact, a condition of that 2014 demolition permit.

Affirmative finding.

7. Uses

Within the ICC-UVM District, Schools – Post secondary and Schools – Community Colleges shall be treated as permitted uses.

No change in use is proposed; it remains post-secondary and therefore may be treated as a permitted use. **Affirmative finding.**

Article 5 Citywide General Regulations

Section 5.2.3 Lot Coverage Requirements

See Section 4.5.2.

Section 5.2.4 Buildable Area Calculation

Not applicable in the Institutional Zone.

Section 5.2.5 Setbacks

See Section 4.5.2.

Section 5.2.6 Building Height Limits

See Section 4.5.2.

Section 5.2.7 Density and Intensity of Development Calculations

See Section 4.5.2.

Section 5.4.9 Brownfield Remediation

Not applicable.

Section 5.5.1 Nuisance Regulations

All applications for a zoning permit shall be required to demonstrate compliance with the applicable nuisance regulations and performance standards pursuant to the requirements of the Burlington Code of Ordinances.

As the application is for replacement student housing, similar impacts as the existing CBW housing might be expected. The applicant and property owner are alerted to the performance standards of the Code so they may anticipate questions and expectations about site management.

Affirmative finding as conditioned.

Section 5.5.2 Outdoor Lighting

The applicant has provided lighting information, including specs, lumens information, and a photometric for the development site. As revised and submitted to the Design Advisory Board, the lighting plan and photometric are in conformance with the standards of this section.

Affirmative finding.

Section 5.5.3 Stormwater and Erosion Control

The Conservation Board reviewed the final application at their May 4, 2015 meeting.

A MOTION was made by MW and SECONDED by ZR:

Recommend approval as proposed.

Vote: 7-0-0, motion carried.

As of May 22, 2015, the Stormwater engineering staff had not completed a final review of submitted plans. The EPSC and Stormwater Management Plan are subject to review and approval by the Stormwater engineering team. That approval will be a prior-to-release condition for the final project. **Affirmative finding as conditioned.**

Article 6 Development Review Standards

Part 1: Land Division Standards

Not applicable.

Part 2: Site Plan Design Standards
Sec. 6.2.2 Review Standards

(a) Protection of Important Natural Features:

No important natural features are identified at the specific project area. The Kiley landscaping is at the north end of the quad immediately south of the Fleming Museum, and will not be impacted by this development. An EPSC and Stormwater Management plans have been submitted for review. A landscaping plan is included within the submission. **Affirmative finding as conditioned.**

(b) Topographical Alterations:

Contour lines illustrate a fairly rapid change of grade at the southeast corner of the project area. The project area itself is presented as having been topographically altered with fill, as it retains a higher grade than the surrounding area. The buildings are proposed to fit into the existing landscaping, the design of finishes, building openings, and function responding to those changes. **Affirmative finding.**

(c) Protection of Important Public Views:

Distant terminal views of Lake Champlain and the mountains to the east and west, and important public and cultural landmarks, framed by public rights-of-way or viewed from public spaces shall be maintained through sensitive siting and design to the extent practicable. This shall not be construed to include views from exclusively private property.

The proposed new dormitories are positioned in the southeast corner of the quad, just north of Bailey-Howe Library. Terminus views of Converse Hall, which is listed on the Vermont State Register of Historic Resources, had appeared to be interrupted from westerly and southwesterly approaches to the green by the proposed building bulk. Application drawings now illustrate the patios of the new dorms to be the interstitial development area on the east/west axis; no longer blocking a view toward Converse from the west. **Affirmative finding.**

(d) Protection of Important Cultural Resources:

Burlington's architectural and cultural heritage shall be protected through sensitive and respectful redevelopment, rehabilitation, and infill. Archeological sites likely to yield information important to the city's or the region's pre-history or history shall be evaluated, documented, and avoided whenever feasible. Where the proposed development involves sites listed or eligible for listing on a state or national register of historic places, the applicant shall meet the applicable development and design standards pursuant to Sec. 5.4.8(b).

After removal of CBW, this will be an open area. As illustrated in the application plans, Converse Hall will continue to be the terminus view across the quad, as viewed by STEM and Carrigan Drive/shuttle route.

Bailey Howe Library will remain visibly open on the north elevation. Sufficient distance remains between the new buildings and Rowell Hall, Royal Tyler Theatre, Robert Hull Fleming Museum, and other neighboring historic structures to maintain their integrity.

See attached Historic Buildings Evaluation Report. **Affirmative finding.**

(e) Supporting the Use of Renewable Energy Resources:

Where feasible, the site plan should be so designed as to take advantage of the site's inherent potential to utilize sources of renewable energy including direct sunlight, wind, or running water. The site plan should also incorporate site planning and landscaping decisions intended to minimize energy demand such as siting buildings to maximize solar access or the use of deciduous and coniferous trees to create shade and windbreak.

Buildings should, where appropriate within the context of the neighborhood development pattern, maximize their solar exposure by being oriented to maximize natural light and heat gain during winter months, and to minimize casting shadows into ground floor living space of a building on an adjacent property.

The arrangement of the buildings appears to maximize southerly exposure which will have a direct benefit for passive solar gain. A green roof is proposed on the westerly building which will have environmental and stormwater benefits, if installed.

A landscaping plan has been submitted. **Affirmative finding as conditioned.**

(f) Brownfield Sites:

None identified.

(g) Provide for nature's events:

Special attention shall be accorded to stormwater runoff so that neighboring properties and/or the public stormwater drainage system are not adversely affected. All development and site disturbance shall follow applicable city and state erosion and stormwater management guidelines in accordance with the requirements of Art 5, Sec 5.5.3.

A Stormwater Management Plan and EPSC is required (EPSC submitted; a Stormwater Narrative forwarded to the Stormwater Engineering team.) These will require written approval of the City Stormwater team, and demonstration of compliance prior to release of a Unified Certificate of Occupancy.

Design features which address the effects of rain, snow, and ice at building entrances, and to provisions for snow and ice removal or storage from circulation areas shall also be incorporated.

A door canopy is illustrated above an entry on the north elevation, facing the quad. The dining hall appears to be accessed from the archway of the building connector; also shielded from the elements. Snow storage has not been defined; however it may be easily assumed that the university has staff and planned efforts to facilitate snow removal in the immediate vicinity of building entrances. The building plans identify skywalk connectors, which would allow residents to move between buildings, residence halls, dining hall, and library without leaving the structure; effectively addressing inclement weather conditions and access. **Affirmative finding as conditioned.**

(h) Building Location and Orientation:

The building location is within a larger parcel of the University Institutional Core Campus zone, and within the UVM-ICC height overlay.

Streets are interior to the parcel, with broad connectivity to sidewalk grid, the Green Mountain Walkway, and other institutional buildings. The easterly residence hall will front the GM Walkway, while the westerly building has a presence that abuts a north/south sidewalk and roadway (shuttle drive.) The northerly side of the west building directly fronts the remainder of the quad, with its cross-hatching of pedestrian paths. **Affirmative finding.**

(i) Vehicular Access:

As noted, the buildings have proximity to and access from Carrigan Drive. Resident vehicular access is expected to be limited to move-in and move-out days, with the remainder need for service vehicles. A UVM parking lot abuts this development area to the east.

Access for service and loading areas should be located behind buildings or otherwise screened from streets or public ways with landscaping or other barriers.

A loading area is identified on the westerly side of the west building; immediately adjacent to Carrigan Drive and a new pedestrian path. The applicant should examine if conflict may be present between vehicles and students at this sidewalk/loading area junction.

It is noted that these buildings are intended to replace CBW (391 beds) which had an established demand and access requirements of its own. This project is not accurately referenced but anticipated within the Joint Institutional Parking Management Plan 2014-2019, as approved May 2014. The approved JIPMP includes “Approximate square footage for new housing south of Main Street near Harris-Millis and March-Austin-Tupper Residence Halls; assume that Chittenden, Buckham, and Wills Residence Halls (up to 391 beds) will be demolished within five years, with replacement occurring more than five years in the future.”

A memorandum from RSG is within the application package addressing the discrepancy with the JIPMP as to location of new residence halls and the timing of construction. RSG opines that no change in parking is necessary for this project, since the majority of first year students are prohibited from having vehicles on campus. As the project is expected to be under construction until 2017 which is within the period of JIPMP approval, RSG finds this a minor alteration. The anticipated number of replacement beds was over-estimated, so the proposed intensity falls under that guesstimate.

As noted in Section 4.5.2 (d) 4, no new surface parking spaces may be introduced without the corresponding removal of outdoor surface parking spaces existing as of January 1, 2007. The nine space parking area on the east of the site will require demonstration that a similar number have been removed from the site as part of this plan, or remove those spaces from the plan.

Affirmative finding if conditioned.

(j) Pedestrian Access:

The project area falls within the interior of Central Campus, where exist an established pedestrian network. These buildings will be the starting line for the Green Mountain Walkway, as it meanders to the north. A walkway will connect this courtyard to Bailey Howe Library, arching to Carrigan Drive. Connected walkways and crosswalks are illustrated along Carrigan Drive, south and southwest of the development site. **Affirmative finding.**

(k) Accessibility for the Handicapped:

The applicant will be required to meet ADA requirements as defined by the building inspector. No handicap parking spaces are identified within the proposed 9 new spaces east of the site (which may have to be removed to meet these standards.) Although it is noted that four handicap spaces are marked within the northerly UVM owned parking lot, the newly proposed parking area offers closer proximity to the buildings without a grade change. ADA requirements will need to be identified and met: It is recommended that some parking spaces be identified as handicap spaces to serve these new buildings, unless it can be determined that the need is met in near proximity. **Affirmative finding as conditioned.**

(l) Parking and Circulation:

See Section 6.2.2. (i), above. The applicant has provided evidence that the project complies with the Joint Institutional Parking Management Place, UVM section.

Where bicycle parking is provided, access shall be provided along vehicular driveways or separate paths, with clearly marked signs indicating the location of parking areas. Where bicycle parking is located proximate to a building entrance, all shared walkways shall be of sufficient width to separate bicycles and pedestrians, and be clearly marked to avoid conflicts. All bicycle parking areas shall link directly to a pedestrian route to a building entrance. All bicycle parking shall be in conformance with applicable design & construction details as provided by the dept. of public works.

Significant bicycle parking, both short and long term is illustrated in multiple locations on the enlargement plan, L1.0. The applicant has provided information that 180 long term bicycle parking spaces and 204 short term bicycle parking spaces will be available on-site, exceeding the total requirement of 178/118. **Affirmative finding.**

(m) Landscaping and Fences:

A landscaping plan has been submitted.

It is not known if the institution has a Master Tree Plan, and how this project may fit into that document. **Affirmative finding.**

(n) Public Plazas and Open Space:

Where public open space is provided as an amenity to the site plan, it should be sited on the parcel to maximize solar exposure, with landscaping and hardscape (including fountains, sitting walls, public art, and street furniture) to encourage its use by the public in all seasons. Public plazas should be visually and physically accessible from public rights-of-ways and building entrances where appropriate and shall be designed to maximize accessibility for all individuals, including the disabled and encourage social interaction.

A substantial dining terrace with south facing seatwall is incorporated within the plan, as are additional seating accommodations on a northerly patio area. Immediately connected to the GM Walkway, and ultimately to bike parking on the north terrace area, all will provide substantial exterior public areas.

Public space should be coordinated with the surrounding buildings without compromising safety and visibility. Public spaces should be surrounded by active uses that generate pedestrian traffic, and connect the space to major activity centers, streets, or corridors.

The proposed dining terrace and north facing patio/terrace are directly connected to the proposed buildings and the network of walkways.

New structures and additions to existing structures shall be shaped to reduce shadows on public plazas and other publicly accessible spaces. In determining the impact of shadows, the following factors shall be taken into account: the mass of area shaded, the duration of shading, and the importance of sunlight to the utility of the type of open space being shadowed. Proposed development shall be considered for solar impact based the sun angle during the Vernal and Autumnal equinox.

Given the amount of open area surrounding the proposed structures, shadow impacts are anticipated to be negligible. Depending upon the final siting and height of the buildings, the most impacted structure may be Bailey House Library's north elevation. Minimization of solar availability might be expected, particularly during winter months; however not so much as to unduly impact the use or enjoyment of the library. **Affirmative finding.**

(o) Outdoor Lighting:

The applicant will be required to meet the lighting performance standards as per Sec 5.5.2. A lighting plan has been submitted; Lighting levels for walkways meet the standards and limitations of the ordinance. The applicant has provided a revised lighting plan to address "hot spots" and high lumens. LED bollards and step / wall lights of low voltage are acceptable.

Affirmative finding.

(p) Integrate infrastructure into the design:

Exterior storage areas, machinery and equipment installations, service and loading areas, utility meters and structures, mailboxes, and similar accessory structures shall utilize setbacks, plantings, enclosures and other mitigation or screening methods to minimize their auditory and visual impact on the public street and neighboring properties to the extent practicable.

Utility and service enclosures and screening shall be coordinated with the design of the principal building, and should be grouped in a service court away from public view. On-site utilities shall be placed underground whenever practicable. Trash and recycling bins and dumpsters shall be located, within preferably, or behind buildings, enclosed on all four (4) sides to prevent blowing trash, and screened from public view.

Any development involving the installation of machinery or equipment which emits heat, vapor, fumes, vibration, or noise shall minimize, insofar as practicable, any adverse impact on neighboring properties and the environment pursuant to the requirements of Article 5, Part 4 Performance Standards.

Bike storage will meet the standards of capacity for bicycle parking.

Ground mounted transformer dimensional information has been submitted. There is no information about potential noise or vibration from the units. This transformer is a BED

transformer, the same type of equipment used throughout the city where there is underground electric. BED specifies the equipment; the applicant has no control over specs. It is screened by proposed landscaping.

Trash/recycling is identified next to the loading area on the west side of the westerly building. Trash, recycling and compost facilities are incorporated within the building. The dining hall will have containers on the exterior in the loading dock area. **Affirmative finding.**

Part 3: Archtiectural Design Standards

Sec. 6.3.2 Review Standards

(a) Relate development to its environment:

Proposed buildings and additions shall be appropriately scaled and proportioned for their function and with respect to their context. They shall integrate harmoniously into the topography, and to the use, scale, and architectural details of existing buildings in the vicinity.

The following shall be considered:

1. Massing, Height and Scale:

The project area is within the ICC-UVM Institutional Core Campus overlay, which allows for an increased development scale and intensity than would typically be found in adjoining and underlying districts. This also is within the ICC-UVM height overlay (Article 4, Map 4.5.2-4) where building height may not exceed 140 feet. Building height is defined at 88 feet. While design cannot be discussed per VSA §4413, building bulk and height may be. **Affirmative finding.**

2. Roofs and Rooflines.

Not applicable per VSA §4413.

3. Building Openings

Not applicable per VSA §4413.

(b) Protection of Important Architectural Resources:

Burlington's architectural and cultural heritage shall be protected through sensitive and respectful redevelopment, rehabilitation, and infill. Where the proposed development involves buildings listed or eligible for listing on a state or national register of historic places, the applicant shall meet the applicable development and design standards pursuant to Sec. 5.4.8. The introduction of new buildings to a historic district listed on a state or national register of historic places shall make every effort to be compatible with nearby historic buildings.

Not applicable per VSA §4413.

See supporting informational report from Liz Pritchett, consultant.

(c) Protection of Important Public Views:

Development shall preserve distant terminal views of Lake Champlain and the Adirondack Mountains and important public and cultural landmarks from public places and along east-west public rights-of-way to the extent practicable. This shall not be construed to include similar views from exclusively private property.

Sensitivity shall be used in the massing of proposed development such that light and air is allowed to penetrate and some views may be preserved. Alternatives that extend access to such views by allowing public access into and through the proposed development are encouraged. In no case shall development be permitted to span across the public rights-of-way in such corridors.

See Section 6.2.2. (c).

(d) Provide an active and inviting street edge:

Not applicable per VSA §4413.

(e) Quality of materials:

Not applicable per VSA §4413.

(f) Reduce energy utilization:

All new construction is required to meet the Guidelines for Energy Efficient Construction pursuant to the requirements of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances.

A green roof is proposed for the rooftop of the dining hall. If installed, it has been demonstrated that this element will help cool the building in warmer months.

Solar infrastructure and other alternative energy solutions are always recommended and welcomed in new construction. **Affirmative finding.**

(g) Make advertising features complementary to the site:

UVM has a Master Sign Plan under which desired signage may be reviewed. Any signage will require separate permitting. **Affirmative finding as conditioned.**

(h) Integrate infrastructure into the building design:

See Section 6.2.2. (p), above.

(i) Make spaces secure and safe:

All construction will be required to meet building and life safety code as defined by the fire marshal and building inspector.

UVM has multiple installations of “blue lights” for security purposes, supplementing an active police presence on campus to provide a safe environment for residents. **Affirmative finding as conditioned.**

Article 8: Parking

The applicant has provided evidence that the project is in compliance with the Joint Institutional Parking Management Plan. See Section 4.5.2 (d) 4. relative to DRB approval of new surface parking spaces only when corresponding spaces are removed. Otherwise, those parking spaces must be removed; a revised site plan submitted demonstrating their removal. **Affirmative finding as conditioned.**

II. Conditions of Approval:

1. Per Section 4.5.2 (d) 4, **no new surface parking spaces may be approved** by the DRB without the corresponding removal of outdoor surface parking spaces existing prior to January 1, 2007. The applicant will be required to demonstrate removal of existing spaces if the nine new surface parking spaces east of the proposed dormitories are to be included in the plan; otherwise the nine new surface parking spaces shall be removed from the plan. A revised site plan reflecting that change will be required **prior to release of the zoning permit.**
2. At least **7 days prior to occupancy of a new building or any portion thereof**, impact fees based on the net new building square footage shall be paid to the Department of Planning & Zoning or to the Clerk / Treasurer's Office.
3. An EPSC and Stormwater Management Plan will be required and approved by City Stormwater representatives **prior to release of the zoning permit.** Compliance with any plans, as approved, will be a requirement to obtain a Unified Certificate of Occupancy.
4. All new construction is required to meet the Guidelines for Energy Efficient Construction pursuant to the requirements of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances.
5. Any signage will require separate permitting.
6. All construction will be required to meet building and life safety code as defined by the fire marshal and building inspector.
7. The applicant shall examine the potential for conflict between pedestrians and vehicles at the loading area west of the westerly building.
8. The green roof will be required to have a clearly articulated maintenance plan per Section 6.3.2. (a) 2. **prior to release of the zoning permit.**
9. Standard Permit Conditions 1-15.

NOTE: These are staff comments only. The Development Review Board, who may approve, table, modify, or deny projects, makes decisions.