

Department of Permitting & Inspections

Zoning Division
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MEMORANDUM

TO: Development Review Board
FROM: Ryan Morrison, Associate Planner
DATE: November 15, 2022
RE: ZP-22-416; 323-325 College Street

=====
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.

Zone: RH Ward: 8E

Owner/Applicant: Advanta IRA Services LLC, FBO Peter C. Potts / Benjamin Frye

Request: 4 unit addition to the existing 13 unit multifamily development. Proposal includes associated utility work and minor grading.

Applicable Regulations:

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

Overview:

323-325 College Street is a connected, 13 unit apartment complex. 5 units are within the original 1832 Chauncey Goodrich/Luther Hagar House at 325 College Street, while 8 are in the 2010 four story addition west of the historic house. The original structure is listed on the National Register of Historic Places within the **Main Street College Street Historic District**. This application proposes a primary frontage, four story addition to the 2010 ell to include four additional residential units for a collective total of 17 residential units.

The Design Advisory Board reviewed this application on July 26, 2022 and voted unanimously (5-0) to recommend approval to the Development Review Board, with no additional conditions.

Previous zoning permit action:

- **Zoning Permit 21-778;** 4 unit addition. Expired
- **Zoning Permit 21-0329CA;** 4 unit addition. Withdrawn
- **Zoning Permit 19-0203CA;** Site changes and parking reconfiguration associated with ZP18-0977LL, ZP18-0976LL and ZP18-0975CA, 308 Main Street. Approved October 2018.

- **Zoning Permit 18-0977LL**; Boundary line adjustment with 308 Main Street. See also ZP19-0203CA (323-325 College Street) and ZP18-0976LL and 18-0975CA (308 Main Street.). Approved October 2018.
- **Zoning Permit 18-0230CA**; Alterations to site plan approved under ZP17-0791CA and window replacement under ZP17-0790CA. Add steps on south elevation, window changes, and boiler exhaust penetrations. Approved August 2017.
- **Zoning Permit 18-0060CA**; Establish paved connection with 308 Main Street for shared parking; relocation of dumpster and one tree. Application withdrawn September 2017.
- **Zoning Permit 17-0791CA**; Renovate existing ell for an additional 4 residential units; re-stripe parking for additional spaces. Requires DRB discretionary review of parking space dimensional standards silent in Article 8, Table 8.1.11-1. No change to coverage or setbacks. Approved April 2017.
- **Zoning Permit 17-0790CA**; Replace existing windows on rear ell with new clad wood windows. Approved March 2017.
- **Zoning Permit 11-0086**; Amendment to original approval issued November 3, 2010; specifically, site plan revisions, new access road, revised parking layout and substantially upgraded stormwater retention infrastructure. Approved July 2011.
- **Zoning Permit 11-0086 CA/MA**; Construct an attached building addition with 8 new dwelling units; convert the existing 5 unit building to a single unit with attached laundry/storage area; a net total of 9 dwelling units. (Re-arrangement of the number of units between buildings: 1 to be located in the existing structure; 8 in the new structure.) Demolish existing garage, expand parking area. Approved November, 2010.
- **Zoning Permit 04-496**; Move existing fence and install children's play equipment. Approved April 2004.
- **Zoning Permit 03-170**; Installation of fenced enclosure, 4' high green vinyl chain link. Approved, October 2002.
- **Zoning Permit 83-123**; Erect a 4' chain link fence along 75' of eastern property line and 125' along property line and 84' along northern property line. Approved April 1983.
- **Zoning Permit 80-962**; New doors, installation of a window where there was a door. Interior work. Approved May 1980.
- **Zoning Permit 79-146**; Install 70' of 4' chain link fencing. Approved May 1979.
- **ZBA request** to convert a three apartment house to five apartments. Approved November 1972.

Recommendation: Certificate of Appropriateness Approval as per the following findings:

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 any new non-residential buildings square footage are subject to impact fees.

Impact fees shall be calculated based on the total gross square footage of the principal use. Per the submitted plans, the fees are:

SF of Project 3,483

Department	Residential	
	Rate	Fee
Traffic	0.224	780.19
Fire	0.253	881.20
Police	0.051	177.63
Parks	0.848	2,953.58
Library	0.525	1,828.58
Schools	1.095	3,813.89
Total	2.996	\$ 10,435.07

Affirmative finding as conditioned.

Section 3.3.8 Time and Place of Payment

Impact fees must be paid to the city's chief administrative officer / city treasurer according to the following schedule:

- a) *New buildings: Impact fees must be paid at least seven days prior to occupancy of a new building or any portion thereof.*

Affirmative finding as conditioned.

Article 4: Zoning Maps and Districts

Section 4.4.5 Residential Districts

(a) 5. *The Residential High Density (RH) district is intended primarily for high density attached multi-family residential development. Development is intended to be intense with high lot coverage, large buildings, and buildings placed close together. Parking is intended to be hidden either behind or underneath structures.*

The property currently contains a 13 unit apartment building, and the applicant proposes adding 4 additional units in a new building addition. While some shuffling around of parking spaces will occur, the total number of existing spaces will remain, located at the rear and side of the structure.

Affirmative finding.

(b) Dimensional Standards and Density

Table 4.4.5-1 Minimum Lot Size and Frontage; RL, RL-W, RM and RM-W

The property is zoned RH, where minimum lot size and frontage are not required. **Not applicable.**

Table 4.4.5-2 Base Residential Density

Proposed unit total: 17 / (33,261 lot size / 43,560 acre) or 17 / .8 = 21.25; < 40 units per acre limitation. The proposal complies with the base residential density of the RH zoning district.

Affirmative finding.

Table 4.4.5-3 Residential District Dimensional Standards

Zoning District	Max. Lot Coverage ¹	Setbacks ^{1, 3, 4, 5, 6}				Max. Height ¹
		Front ²	Side ³	Rear	Waterfront	
RH	80%	Min/Max:	Min:	Min:	NA	35-feet

Zoning District	Max. Lot Coverage ¹	Setbacks ^{1, 3, 4, 5, 6}				Max. Height ¹
		Front ²	Side ³	Rear	Waterfront	
		Ave of 2 adjacent lots on both sides +/- 5-feet	10% of lot width Or ave. of side yard setback of 2 adjacent lots on both sides Max required: 20-feet	25% of lot depth but in no event less than 20' Max required : 75-feet		
323-325 College Street	74.3%	Average front yard setback is 30 ft. Proposed front yard setback is 30 ft.	Lot width: 137 ft = 13.7' side yard setback. Proposed side yard setback (west): 24 ft.	N/A	N/A	36' 7 1/2" to roof deck; 38' 11 1/2" to top of parapet. See Sec. 5.2.6 (a) (2) (A) & Sec. 5.2.6 (c) (6) which allows for height greater than 35'.

Affirmative finding.

(c) Permitted and Conditional Uses

Multifamily dwellings are permitted uses in the RH zoning district. **Affirmative finding.**

(d) District Specific Regulations

1. *Setbacks*

No setback encroachments are proposed or sought. **Not applicable.**

2. *Lot Coverage*

No exceptions to lot coverage are included or sought. **Not applicable.**

3. *Accessory Residential Structures and Uses*

No new accessory structures or uses are proposed. **Not applicable.**

4. *Residential Density*

A. *Additional Unit to Multi-Family*

Not Applicable.

B. *Additions to Existing Residential Structures*

Not Applicable.

C. *Residential Occupancy Limits*

The occupancy of all units on the property is limited to members of a family as defined in Article 13. Any divergence from the limitations of functional family and occupancy of more than four unrelated adults is subject to Conditional Use Review and approval by the DRB.

Affirmative finding as conditioned.

5. *Uses*

There is no Neighborhood Commercial Use at this location. **Not applicable.**

6. *Residential Development Bonuses*

No development bonuses are included or sought. **Not applicable.**

Article 5: Citywide General Standards

Section 5.2.3 Lot Coverage Requirements

See Table 4.4.5-3, above. **Affirmative finding.**

Section 5.2.4 Buildable Area Calculation & Steep Slopes Overlay District

This provision only applies to properties 2-acres or greater in size, and in the RCO, WRM, RM, WRL, and RL zoning districts. Also, there are no steep slopes present on the property. **Not applicable.**

Section 5.2.5 Setbacks

(a) Setbacks Required

See Table 4.4.5-3, above. **Affirmative finding.**

(b) Exceptions to Yard Setback Requirements

5. Accessory Structures and Parking Areas

Accessory structures no more than fifteen (15) feet in height, parking areas, and driveways may project into a required side and rear yard setback provided they are no less than five (5) feet from a side or rear yard property line where such a setback is required.

Portions of the existing parking layout encroach into the 5 ft side/rear yard setback areas. This existing condition has been recognized through previous zoning permits, and is considered existing, nonconforming. No additional infringement into the side/rear yard setbacks will occur because of this development. **Affirmative finding.**

Section 5.2.6 Building Height Limits

(a) Height Measurement

(2) (A) Flat Roof: the highest point of the decking of a flat or flat-topped roof mansard roof. A parapet no taller than four (4) feet shall not be considered part of a flat roof for the purposes of measuring building height.

The plans include a parapet that rises 2' 4" above the roof deck. The roof deck itself is at the maximum height allowance, as explained in Subsection C *Exceptions to Height Limits* below.

Affirmative finding.

(c) Exceptions to Height Limits

6. The administrative officer may allow for up to a 5% variation in the maximum building height to account for grade changes across the site. In no event however, shall such additional height enable the creation of an additional story beyond the maximum permitted.

In and around the footprint of the proposed addition, the grade changes between 258' and 252' in elevation (approx.). As a result, a 5% variation in the maximum building height is allowable. The RH zone sets 35' as the maximum building height allowed. With the 5% variation, the maximum building height increases to 36.75'. The proposed building height to the roof deck is 36' 7 1/2", and meets the 5% variation to the 35' maximum building height. And as noted above, a parapet extends 2' 4" above the roof, which is permissible. **Affirmative finding.**

Section 5.2.7 Density Calculations

See Table 4.4.5-2, above. **Affirmative finding.**

Section 5.3.5 Nonconforming Structures

(a) Changes and Modifications

Any change or modification to a nonconforming structure, other than to full conformity under this Ordinance, shall only be allowed subject to the following:

- 1. Such a change or modification may reduce the degree of nonconformity and shall not increase the nonconformity...*

Many existing parking spaces extend into the 5 ft side/rear yard setback areas. These have been acknowledged as existing nonconformities in previous zoning permits, documented on associated site plans. No new infringement into the side/rear yard setbacks are proposed. **Affirmative finding.**

Section 5.4.8 Historic Buildings and Sites

The City seeks to preserve, maintain, and enhance those aspects of the city having historical, architectural, archaeological, and cultural merit. Specifically, these regulations seek to achieve the following goals:

- To preserve, maintain and enhance Burlington's historic character, scale, architectural integrity, and cultural resources;*
- To foster the preservation of Burlington's historic and cultural resources as part of an attractive, vibrant, and livable community in which to live, work and visit;*
- To promote a sense of community based on understanding the city's historic growth and development, and maintaining the city's sense of place by protecting its historic and cultural resources; and,*
- To promote the adaptive re-use of historic buildings and sites.*

(a) Applicability:

These regulations shall apply to all buildings and sites in the city that are listed, or eligible for listing, on the State or National Register of Historic Places.

(b) Standards and Guidelines:

The following development standards, following the Secretary of the Interior's Standards for the Treatment of Historic Properties, shall be used in the review of all applications involving historic buildings and sites subject to the provisions of this section and the requirements for Design Review in Art 3, Part 4. The Secretary of the Interior's Standards are basic principles created to help preserve the distinctive character of a historic building and its site. They are a series of concepts about maintaining, repairing and replacing historic features, as well as designing new additions or making alterations. These Standards are intended to be applied in a reasonable manner, taking into consideration economic and technical feasibility.

1. *A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*

The existing Goodrich/Hagar historic structure at 325 College Street remains residential, as it was originally constructed. **Affirmative finding.**

2. *The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*

Although no physical changes are proposed for the historic Goodrich/Hagar house (325 College St), the entire building mass at 323 College Street is an addition to that building (ZP 11-0086CA/MA). The increased setback reflected in the existing conditions plan was deliberate, so the new building mass would be appropriately deferential to the historic home. This new plan eliminates that purposeful setback, removing the intentional space before the 323 residential addition and changing the spatial relationship between the two building ell.

This new project was reviewed by the DAB on January 11, 2022 DAB (under expired permit ZP-21-778) where they recommended that the top floor of this new addition be set back so that it does not extend past the front of the historic structure. The plans were revised as part of this new application to comply with that recommendation, and the DAB subsequently voted to recommend approval of the application at their July 26, 2022 meeting. However, even with the top floor recessed to match the Goodrich/Hagar house's front setback, the lower floors still project closer to the street and visually minimize the historic building, thus altering the spatial relationship of the historic structure's streetscape. **Affirmative finding per DAB recommendation.**

3. *Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.*

While no conjectural features are proposed, the elimination of the intentional setback of the 2010 building addition changes the relationship to the historic structure. However, as noted above, the design of the building was revised to setback the top floor of the new addition to accommodate the DAB's concern that views of the historic building would be blocked. That top floor setback alleviates some, but not all, of the new addition's view-blockage of the historic structure on site. **Affirmative finding per DAB recommendation.**

4. *Changes to a property that have acquired historic significance in their own right will be retained and preserved.*

The 2010 addition has not acquired historic significance in its own right. **Not applicable.**

5. *Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*

The Goodrich/Hagar house will not be altered because of this proposal. The 2010 building addition does not include any particular craftsmanship, feature, finishes or construction techniques requiring preservation. **Affirmative finding.**

6. *Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old*

in design, color, texture, and, where possible, materials recognizing that new technologies may provide an appropriate alternative in order to adapt to ever changing conditions and provide for an efficient contemporary use. Replacement of missing features will be substantiated by documentary and physical evidence.

No deteriorated historic building features are proposed for replacement. **Not applicable.**

7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

Not applicable.

8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

There are no identified archaeological resources at this location. If project development reveals any resources, construction will cease until appropriate authorities assess, evaluate, and assign appropriate disposition of them. **Affirmative finding.**

9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment.

The 2010 approval for the 8 unit addition was very intentional in setting the building mass back from the street and allowing the historic structure to retain prominence. This proposal will be differentiated from the old in terms of design; however much of the new addition's siding will be brick – which matches the siding of the existing historic structure. The building massing, while similar in scale and size (to the 2010 addition), steps boldly toward the street and in its location the potential to diminish the importance and the physical ability to view the 1832 structure. Were this project proposed on a separate, abutting lot, the prominence and modern vocabulary of the new work would be easily interpreted. But this remains an addition, appended to a listed historic property. The DAB took this into consideration and recommended that the top floor of the new addition be setback so that it does not extend past the front of the historic structure to preserve somewhat of a view to the Goodrich/Hagar House. While there is a mild grade change between the historic structure and the new addition, the bottom three floors (that extend forward of the historic structure) will still block views of the historic structure from the west, as demonstrated in the elevation and color schemes plans. **Affirmative finding per DAB recommendation.**

10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

It is possible to imagine that if the entire westerly addition were removed, the 1832 Goodrich/Hagar house would retain its integrity. **Affirmative finding.**

Section 5.4.9 Brownfield Remediation

Not applicable.

Section 5.5.1 Nuisance Regulations

None identified. **Affirmative finding.**

Section 5.5.2 Outdoor Lighting

The applicant proposes wallpack light fixtures at both entrances. Spec sheets have been provided, which indicate compliance with the lighting standards of this section. The elevation plans will have to be updated to include the light fixture at the north entrance. **Affirmative finding as conditioned.**

Section 5.5.3 Stormwater and Erosion Control

While part of the review for previous zoning permit (ZP21-0329CA – withdrawn), an Erosion Prevention and Sediment Control plan and a Stormwater plan was approved on November 17, 2020. The addition's footprint and associated site improvements do not appear to differ between the 2020 EPSC approval and this new application. However, confirmation from the Stormwater Program Manager must be received prior to the release of this zoning permit, acknowledging that the 2020 EPSC approval remains effective. Otherwise, new EPSC and stormwater plans must be submitted for review and approval. **Affirmative finding as conditioned.**

Section 5.5.4 Tree Removal

The plans indicate that one birch tree will be removed to accommodate the new structure. **Affirmative finding.**

Article 6: Development Review Standards

Part 1: Land Division Design Standards

No land division is proposed. **Not applicable.**

Part 2: Site Plan Design Standards

Sec. 6.2.2 Review Standards

(a) Protection of Important Natural Features:

Plan Sv-1 shows a birch tree in the location of the proposed addition which will be removed. No other alterations to natural features are included. **Affirmative finding.**

(b) Topographical Alterations:

The applicant includes a plan for minor grading to accommodate the addition. The site grading and utility plan are C2.01. **Affirmative finding.**

(c) Protection of Important Public Views:

There are no protected public views from or through this property. **Not applicable.**

(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).

See Section 5.4.8 above. **Affirmative finding.**

(e) Supporting the Use of Renewable Energy Resources:

There is no mention of renewable energy resources in the application. At the very least, and in support of Burlington's renewable energy goals, it is recommended that infrastructure (conduit) be provided to accommodate a future solar installation. **Affirmative finding.**

(f) Brownfield Sites:

The site is not listed on DEC's Brownfield site list. **Not applicable.**

(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.

The City's stormwater engineering staff approved an EPSC/Stormwater plan on November 17, 2020. This approval was based on the plans submitted under ZP21-0329CA, and may remain adequate for this proposal since there are no changes in ground disturbance or lot coverage for this re-application. The applicant will need to verify with the Stormwater Program Manager whether an updated EPSC/Stormwater plan will be required.

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.

Doors are illustrated on both the north and west elevations (Plan A2), each of which include a canopy above. The applicant provided a snow management plan with previous applications, which remains the same and involves trucking snow off-site. **Affirmative finding as conditioned.**

(h) Building Location and Orientation:

The new addition is appended to the 2010 building addition; prominently facing the street and drawing up to a setback line as established by averaging two adjacent properties on either side. In location and orientation, it fills in the street wall. **Affirmative finding.**

(i) Vehicular Access:

The property has a driveway with two curb cuts onto College Street that circles around the existing building (entrance - eastern driveway; exit - western driveway). Zoning Permit 19-0203CA further confirmed this clock-wise circulation path, with additional traffic flow from 308 Main Street through the site south-to-north (through the SW corner of the subject lot). This circulation pattern will remain. **Affirmative finding.**

(j) Pedestrian Access:

A walkway is illustrated from the public sidewalk on College Street to the new entrance on the street facing side of the addition (Plan C1.01.) The westerly entrance directly abuts the driveway, and between two parallel parking spaces. The plans indicate this to be an accessible entrance with pavement marking to differentiate between pedestrian and vehicular areas. All other pedestrian access will remain as existing. **Affirmative finding.**

(k) Accessibility for the Handicapped:

As originally approved, the building remains handicap accessible from the southerly entrance. One handicap parking space is identified on the site plan nearest to the southerly entrance. The building inspector has jurisdiction for the compliance of ADA standards. **Affirmative finding.**

(l) Parking and Circulation:

Vehicular circulation had been previously approved in a clock-wise pattern; entering from the easterly drive and circulating around the rear of the existing structure, and out the westerly drive. In addition, the parking plan for 308 Main Street (8 residential units) allows for that traffic to move through this site from south to north. The drive width of 10' on the western side of the building should be adequate for most residential vehicles, but potentially challenging for trash haulers accessing the dumpster in the southeastern corner of the lot.

ZP-19-0203CA identified 34 on-site parking spaces for the 13 units. While 3 spaces will be relocated on the site, there will be no change to the total number of spaces. The property also has a shared parking agreement with 308 Main Street, which will remain in effect. Both 323-325 College Street and 308 Main Street are within the Multi-Modal Mixed Use Parking District (adopted 9.14.20), which eliminates parking requirements for those properties with street frontage on major thoroughfares to a depth of 200'. Therefore, there are no new parking requirements with the addition of four new residential units. **Affirmative finding.**

(m) Landscaping and Fences:

A landscape plan has been provided that includes a mixture of shrubs and grasses, along with 1 hardwood and 1 softwood tree. No new fencing is included, however a new 3ft tall retaining wall (with top railing) will be constructed at the front of the property, and an existing retaining wall near the east property line will be slightly adjusted to make room for a wider driveway width. **Affirmative finding.**

(n) Public Plazas and Open Space:

No public plazas are proposed. There is, however, some open space in the front yard for tenant use. **Affirmative finding.**

(o) Outdoor Lighting:

Where exterior lighting is proposed the applicant shall meet the lighting performance standards as per Sec 5.5.2.

The applicant proposes wallpack light fixtures at both entrances. Spec sheets have been provided which indicate compliance with the lighting standards of Sec. 5.5.2. The elevation plan shall be updated to show the location of the exterior fixture at the north entrance. **Affirmative finding as conditioned.**

(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.

The existing dumpster is in the southeast corner of the parcel. Mailboxes will be in the residential entry lobby on the south as previously approved.

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.

The applicant notes that all mechanical units will be inside. **Affirmative finding.**

Part 3: Architectural Design Standards

Sec. 6.3.2 Review Standards

(a) Relate development to its environment:

1. Massing, Height and Scale:

This addition will be appended to the historic structure's 2010 addition, maintaining that addition's height and width. It will also maintain the common front yard setback of structures on neighboring properties. **Affirmative finding.**

2. Roofs and Rooflines.

The front portion of the new addition will be three stories tall, and the rear portion will be four stories tall to match the 2010 addition. Both sections of roof are flat, consistent with the existing addition. **Affirmative finding.**

3. Building Openings

Window openings are symmetrically arranged; in 2 columns on the north and east elevations, and slightly differentiated columns on the west elevation in accordance with the building and unit layouts. New entrances are figured on the north and west elevations. **Affirmative finding.**

(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.

See Section 5.4.8. **Affirmative finding.**

(c) Protection of Important Public Views:

Not applicable.

(d) Provide an active and inviting street edge:

Although similar to the existing addition approved in 2010, the new addition removes the blind entrance at the 2010 addition's lower level with a relocation of entrances to the west and north sides. **Affirmative finding.**

(e) Quality of materials:

All development shall maximize the use of highly durable building materials that extend the life cycle of the building, and reduce maintenance, waste, and environmental impacts. Such materials are particularly important in certain highly trafficked locations such as along major streets, sidewalks, loading areas, and driveways. Efforts to incorporate the use of recycled content materials and building materials and products that are extracted and/or manufactured within the region are highly encouraged.

The addition will be sheathed in a combination of brick, fiber cement boards, and stone. Windows will be of a fiberglass material, and doors are unknown at this time. Spec sheets for all exterior doors will be required. Essentially, a variety of window/door types are acceptable for new construction. **Affirmative finding as conditioned.**

(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.

New structures should take advantage of solar access where available, and shall undertake efforts to reduce the impacts of shadows cast on adjacent buildings where practicable, in order to provide opportunities for the use of active and passive solar utilization.

At the very least, the addition should be constructed toward the inclusion of solar utilization in the future by incorporating conduit within the plan. **Affirmative finding as conditioned.**

(g) Make advertising features complementary to the site:

No signage is proposed. **Not applicable.**

(h) Integrate infrastructure into the building design:

See Section 6.2.2. (p), above. **Affirmative finding.**

(i) Make spaces secure and safe:

Construction shall comply with all required building and life safety codes as determined by the building inspector and fire marshal.

Building entrances/entry points shall be visible and adequately lit, and intercom systems for multi-family housing should be incorporated where possible, to maximize personal safety.

Both entrances are proposed to have exterior light fixtures (although lighting at the north elevation entrance needs to be included on the plans). **Affirmative finding as conditioned.**

Article 8: Parking

Sec 8.1.8 Minimum Off-Street Parking Requirements

The property is located within the Multimodal Mixed Use Parking District, where minimum parking requirements have been eliminated. There is, however, a maximum parking allowance. See Table 8.1.9 below. **Affirmative finding.**

Table 8.1.9 Maximum On-Site Parking Spaces

Multi-unit attached dwellings in the Multimodal Mixed Use Parking District have a maximum parking space allowance of 1 space per dwelling unit. In total, 323-325 College Street will have 17 units, and thus a maximum parking space allowance of 17 parking spaces. Currently, as documented on previously approved zoning permits, 34 parking spaces exist onsite. The existing parking count is allowed to remain as is, but no additional spaces can be allowed. The proposal calls for no additional parking spaces.

Since there are fewer than 10 new dwelling units created as part of this development, a Transportation Demand Management Plan will not be required. **Affirmative finding.**

Table 8.2.4-1 Bicycle Parking Requirements

Bicycle parking is required at the rate of 1 short term space per 10 units, and 1 long term space per 2 bedrooms. With 4 new units, and a total of 7 bedrooms, 1 short term space and 3.5 (4) long term spaces are required. The plans indicate 4 long term and 4 short term spaces at the southeast corner of the historic building. **Affirmative finding.**

I. Conditions of Approval

1. **At least 7 days prior to the issuance of a certificate of occupancy**, the applicant shall pay to the City Treasurer’s Office or the Permitting and Inspections Department impact fees as calculated by staff based on the net new square footage of the proposed development. As submitted, Impact fees are:

SF of Project 3,483

Department	Residential	
	Rate	Fee
Traffic	0.224	780.19
Fire	0.253	881.20
Police	0.051	177.63
Parks	0.848	2,953.58
Library	0.525	1,828.58

Schools	1.095	3,813.89
Total	2.996	\$ 10,435.07

Said fees **may be waived in whole or in part** based on the number of inclusionary housing units. Any waiver shall be substantiated by the Housing Trust Fund Manager and formalized with a letter of compliance from that office.

2. **Prior to the release of the zoning permit**, the applicant shall obtain a letter from the Dept. of Public Works confirming adequate water and sewer capacity.
3. **Prior to the release of the zoning permit**, confirmation from the Stormwater Program Manager that the Nov. 17, 2020 EPSC approval is still effective must be received; OR new EPSC and stormwater plans must be submitted and approved.
4. **Prior to the release of the zoning permit**, the following items shall be addressed on revised plans or submitted individually:
 - A light fixture at the north entrance.
 - Manufacturer’s spec sheets for windows, doors, roofing material, mechanical units.
5. No certificate of occupancy for a project shall be granted unless and until a Certificate of Inclusionary Housing Compliance has been issued by the Housing Trust Fund Manager. For 7 net new units within the last 12 months that the applicant/developer has applied for, 1 IZ unit is required. Exercise of **Section 9.1.13 Off-Site and Payment in Lieu Options** shall meet the conditions and requirements of that Section, and be subject to confirmation of compliance by the Housing Trust Fund Manager.
6. It is recommended that infrastructure (conduit) be provided to accommodate a future solar installation.
7. 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.
8. Residential occupancy limits apply. The occupancy of all dwelling units is limited to members of a family as defined in Article 13. Not more than four unrelated adults may occupy any dwelling unit.
9. Should the applicant wish to alter the use, such alteration will require review and permitting under regulations in effect at that time.
10. The new units must comply with all building and life safety code as defined by the building inspector and fire marshal.
11. A State of Vermont wastewater permit is required.
12. Vermont Residential Building Energy Standards apply to this project. Compliance with the standards is the Owner’s responsibility. Prior to requesting a Certificate of Occupancy, a copy of a completed Vermont Residential Building Energy Standards Certificate shall be submitted with a Certificate of Occupancy (final or temporary) request, and filed in the Land Records located at the Clerk/Treasurers office in City Hall (149 Church Street). For more information, see http://publicservice.vermont.gov/energy_efficiency.
13. Standard Permit Conditions 1-15.