

## Department of Planning and Zoning

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**TO:** Development Review Board  
**FROM:** Scott Gustin & Mary O'Neil, Senior Planners  
**DATE:** June 16, 2015  
**RE:** 15-1213SP; 351 North Avenue

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**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: WRM Ward: 4N

Owner/Applicant: Burlington College / Eric Farrell

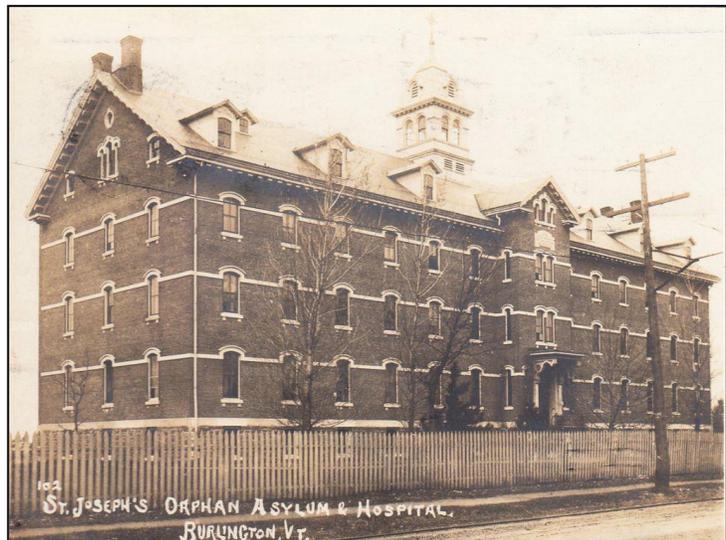
**Request:** Sketch plan review of proposal to convert orphanage building into approximately 63 residential units. Also establish common spaces and assembly space for existing college.

### **Applicable Regulations:**

Article 3 (Applications and Reviews), Article 4 (Maps & Districts), Article 5 (Citywide General Regulations), Article 6 (Development Criteria & Guidelines), Article 8 (Parking), Article 9 (Inclusionary and Replacement Housing), and Article 11 (Planned Unit Development)

### **Background Information:**

The applicant has requested sketch plan review of the proposed conversion of the former orphanage building (AKA St. Joseph's/ Providence Orphan Asylum) at 351 North Avenue into multi-family housing. Approximately 63 apartments would be created within the building. The college currently occupying the building would be retained but condensed into 29,000 sf in the newer southern wing of the building. Limited site work is proposed and amounts to converting some existing vehicular circulation to pedestrian circulation. An undefined "temporary" parking area is also noted on the sketch plans.



The Conservation Board reviewed this sketch plan June 1, 2015. In light of the deep sandy soils and ample open space, the Board advised the applicant to pursue as much infiltration of stormwater onsite as possible. The applicant concurred and stated a goal of managing all stormwater onsite without discharge into the city system.

Previous zoning actions for this property are noted below.

- Zoning Permit 15-0702LL; Lot line adjustment with 329 North Avenue. Approved December 2014. [Plat recorded 1/16/2015; Plat file 509C.]
- Zoning Permit 14-1286CA; Installation of CCTA bus shelter on Burlington College property. Approved June 2014.
- Zoning Permit 12-0706SN; replace existing non-conforming freestanding sign with new freestanding sign for Burlington College – Main Campus. Approved March, 2012.
- Zoning Permit 12-0121CA; Install rooftop air handler, five ac units, bike racks, and remove walls from garage. Approved August 11, 2011.
- Zoning Permit 11-0282CU; convert existing institutional office use and group home use to post-secondary school. No site or exterior building changes proposed. Approved November 2010.
- Zoning Permit 09-526CA; Demolish single car garage. Approved February 2009.
- Non-applicability of zoning permit requirements; continued use of existing group home. June 1998.
- Zoning Permit 92-096 / COA 092-016; Removal of existing wooden cross with installation of fiberglass statuary of St. Mary on top of Diocese building. Overall height to be 104' with exterior illumination to surround statue. Approved September 1991.
- Notice of selective landscape removal on west. No change in grade of site or drainage of runoff water. December 1991.
- Zoning Permit 79-352; install septic tank and seepage bed. July 1979.
- Zoning Permit 77-03; renovation of existing structure “St. Josephs Child Center” into office space and three apartments for Bishop and two priests. Approved January 1977.
- Zoning Permit 77-628; Convert St. Joseph’s Child Center into office building, three apartments and three guests’ rooms. Remove some windows and brick up openings. Install new windows. Erect 28’6” x 30’ addition and 32’ x 66’ addition. December 1976.

### **Article 3: Applications and Reviews**

#### ***Part 5, Conditional Use & Major Impact Review:***

##### ***Sec. 3.5.6, Review Criteria***

###### **(a) Conditional Use Review Standards**

###### ***1. The capacity of existing or planned community facilities;***

The proposed development will be served by municipal water and sewer. The conversion of the building to ~63 residential units will likely increase demands on existing water and sewer service. The adequacy of reserve water and sewer capacity must be confirmed with the Department of Public Works. Any necessary infrastructure upgrades will be at the expense of the applicant.

###### ***2. The character of the area affected as defined by the purpose or purposes of the zoning district(s) within which the project is located, and specifically stated policies and standards of the municipal development plan;***

The subject property is one of 3 contiguous parcels, formerly comprising Burlington College, stretching from North Avenue to Lake Champlain. Note that only this parcel, fronting on North Avenue, is the subject of this sketch plan review. This parcel is zoned waterfront medium density residential (WRM). This zone is primarily intended for medium density residential development in the form of single-detached dwellings and attached multi-family apartment buildings. This zone entails greater consideration of views from the lake and stormwater runoff. To the south lies the urban reserve, and to the north is Lakeview Cemetery in the RCO-RG zone. The proposed multi-family apartments are consistent with the intent of the WRM zone.

*3. Traffic on roads and highways in the vicinity evaluated in terms of increased demand for parking, travel during peak commuter hours, safety, contributing to congestion, as opposed to complimenting the flow of traffic and/or parking needs; if not in a commercial district, the impact of customer traffic and deliveries must be evaluated;*

The number of dwelling units proposed, about 63, will entail traffic impacts. A comprehensive traffic analysis will be required upon permit application. In addition to anticipated trip generation (daily and peak hours), the analysis must take into account the North Avenue corridor study and how this project may best integrate into the corridor. Traffic impact fees will be paid to help offset traffic-related project impacts.

*4. Any standards or factors set forth in existing city bylaws and city and state ordinances;*

Insufficient information is included in the sketch plans to determine compliance with all applicable bylaws.

*5. Utilization of renewable energy resources;*

The sketch plans make no indication that renewable energy resources will be incorporated into this project.

*6. Cumulative impacts of the proposed use. For purposes of residential construction, if an area is zoned for housing and a lot can accommodate the density, the cumulative impact of housing shall be considered negligible;*

This project is residential, and, as noted in Article 4 below, the property is sufficiently sized to accommodate the proposed density.

*7. Functional family;*

There is no request to exceed the 4-unrelated adult occupancy limit in any of the proposed dwelling units.

*8. Location and number of vehicular access points to the property, including the erection of parking barriers;*

See Sec. 6.2.2 (i).

*9. Signs;*

No outdoor signs are included in this sketch plan.

*10. Mitigation measures, including landscaping, where necessary to reduce noise and glare and to maintain the property in a character in keeping with the surrounding area;*

The proposed residential development will likely not generate offsite noise or glare substantial enough to require mitigation.

*11. Time limits for construction;*

No construction phasing or schedule is included in the sketch plans. Should the applicant wish to exceed 2 years for construction, a construction schedule (with or without phasing) will be required upon permit application.

*12. Hours of operation and construction;*

Hours of operation need not be specified for this residential development.

No hours of construction are proposed. The permit application will require specific construction days and hours to as to limit impacts on nearby residences.

*13. Future enlargement or alterations;*

In the event of future enlargement or alteration, permits would be required and reviewed under the regulations then in effect.

*14. Performance standards;*

Performance standards relating to outdoor lighting and erosion control are addressed under Article 5 of these findings.

*15. Conditions and safeguards;*

Not applicable for sketch plan.

(b) Major Impact Review Standards

*1. Not result in undue water, air, or noise pollution;*

Relatively little site work is included in this proposal. Most of it is related to parking and circulation. Conceptually, stormwater will be handled completely onsite; however, details are not yet developed. A comprehensive stormwater management plan will be required upon permit application. No significant air or noise pollution is expected with this residential development.

*2. Have sufficient water available for its needs;*

See Sec. 3.5.6 (a) 1.

*3. Not unreasonably burden the city's present or future water supply or distribution system;*

See Sec. 3.5.6 (a) 1.

*4. Not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result;*

An erosion prevention and sediment control plan will be required upon permit application.

*5. Not cause unreasonable congestion or unsafe conditions on highways, streets, waterways, railways, bikeways, pedestrian pathways or other means of transportation, existing or proposed;*

See Sec. 3.5.6 (a) 3.

*6. Not cause an unreasonable burden on the city's ability to provide educational services;*

The proposed development may attract families with school age children. Impact fees will be paid to help offset impacts on the school system. Given the proposed attached multi-family configuration, relatively few school age children are expected. Upon permit application, a

breakdown of unit types (i.e. # of bedrooms) should be provided along with an estimate of potential school age children per unit type.

*7. Not place an unreasonable burden on the city's ability to provide municipal services;*

The proposed development will generate additional impacts on city services. Review and comment by the Departments of Public Works, Fire, Parks & Recreation, Schools, and Burlington Electric will be solicited during the permit process. Impact fees will be paid to help offset what impacts there may be on city services.

*8. Not have an undue adverse effect on rare, irreplaceable or significant natural areas, historic or archaeological sites, nor on the scenic or natural beauty of the area or any part of the city;*

The subject property contains no rare natural communities, wetlands, or significant natural areas as identified in the 2014 Open Space Protection Plan or the Natural Resource Protection Overlay district. Open space on the property as identified in the Open Space Protection Plan is comprised of forestland (hemlock/hemlock white pine) and large mowed lawn. The limited site work included in this proposal will not affect the forested portions of the property, nor will they result in undue adverse impacts to the scenic or natural beauty of the area. See Sec. 5.4.8 for historic significance.

*9. Not have an undue adverse effect on the city's present or future growth patterns nor on the city's fiscal ability to accommodate such growth, nor on the city's investment in public services and facilities;*

The proposed development will introduce multi-family housing units to an area zoned for it. Any necessary infrastructure improvements will be identified as part of the permit review process and will be performed at the expense of the applicant.

*10. Be in substantial conformance with the city's municipal development plan;*

The sketch plans depict a project that is conceptually in conformance with the Municipal Development Plan.

The property is located within an area identified as a center for growth and development (Future Land Use Map – Centers for Growth and Development). The introduction of ~63 attached multi-family units is consistent with the city policy to support the development of additional housing opportunities within identified activity centers (Land Use Plan, pg. I-2 & Housing Plan, pg. IX-1).

The existing historic structure will be retained and renovated (Built Environment, pg. III-1) as part of the conversion to apartments.

If feasible, the project will handle all of its stormwater onsite utilizing the available green spaces and sandy soils (Natural Environment Action Plan, pg. II-12).

The development will provide inclusionary housing units (City Policies, pg. IX-1) as required by the Comprehensive Development Ordinance.

*11. Not have an undue adverse impact on the present or projected housing needs of the city in terms of amount, type, affordability and location;*

This project would bring ~63 housing units to an area of the city zoned for residential development and specifically identified as a growth center. As noted previously, a breakdown of unit types

needs to be provided with the permit application, and affordability via the inclusionary housing requirements will need to be addressed.

*12. Not have an undue adverse impact on the present or projected park and recreation needs of the city.*

Residents of the newly created dwelling units will likely utilize city parks and related infrastructure such as the bike path. Impact fees will be paid to help offset these impacts.

#### **Article 4: Maps & Districts**

##### ***Sec. 4.4.5, Residential Districts:***

###### ***(a) Purpose***

###### ***(4) Waterfront Residential Medium Density (WRL)***

The subject property is located in the WRL zone. This zone is primarily intended for medium density residential development in the form of single-detached dwellings and attached multi-family apartment buildings. Relative to the RM zone, this waterfront zone entails greater consideration of views from the lake and stormwater runoff. The proposed development entails relatively little site work and will be largely imperceptible as viewed from the lake. The applicant aims to handle all stormwater onsite.

###### ***(b) Dimensional Standards & Density***

The 6 acre property has well over the minimum required 30' road frontage. The ~63 proposed residential units are well under the 25-unit/acre density limit (with inclusionary units) of 150 dwelling units. Every 1,500 sf of remaining college space accounts for 1 dwelling unit for density calculations. The college will occupy 29,000 sf and will, therefore, amount to the equivalent of 19 dwelling units. The total density remains below the 150-unit maximum permissible.

Proposed lot coverage information has not been provided. The standard limit is 60%; however, the inclusionary housing requirement affords an increased limit of 72%.

Building setbacks will remain largely unchanged. Removal of the existing front entry will open up the front yard. The existing front and rear driveways will be reconfigured to pedestrian circulation and will continue to meet the minimum required 5' side and rear yard setbacks.

Building height will remain unchanged.

###### ***(c) Permitted & Conditional Uses***

The proposed multi-family housing is a permitted use in the WRM zone; however, the number of units requires "major impact" review. The remaining college use is conditional.

###### ***(d) District Specific Regulations***

###### ***1. Setbacks***

No setback encroachments are sought.

###### ***2. Height***

No height exceptions are sought.

###### ***3. Lot Coverage***

No lot coverage exceptions are sought.

#### **4. Accessory Residential Structures and Uses**

No new accessory residential structures or uses are included in this proposal.

#### **5. Residential Density**

All of the proposed residential units are subject an occupancy limit of 4 unrelated adults or a family as defined in the CDO.

#### **6. Uses**

Not applicable.

#### **7. Residential Development Bonuses**

No development bonuses are sought in this proposal; however, the required inclusionary housing affords greater development intensity under this provision. Specifically, allowed residential density increases to 25 dwelling units/acre, and lot coverage increases to 72%. As noted previously, density is well below the maximum allowable. Proposed lot coverage information is not included in the sketch plans.

### **Article 5: Citywide General Regulations**

#### **Sec. 5.2.3, Lot Coverage Requirements**

See Sec. 4.4.5 (b) above.

#### **Sec. 5.2.4, Buildable Area Calculation**

As the subject property is located within the WRM zone and is greater than 2 acres in size, this criterion applies. The sketch plans contain topographic information but do not specifically note areas of 15%-30% slope or 30%+ slope. Areas of 15%-30% slope may be used for half density (i.e. 12.5 units/acre) and lot coverage. Areas of 30% or greater slope may not be used for any density or lot coverage. Upon permit application, areas of steep slopes must be noted and deducted from density and lot coverage calculations.

#### **Sec. 5.2.5, Setbacks**

See Sec. 4.4.5 (b) above.

#### **Sec. 5.2.6, Building Height Limits**

See Sec. 4.4.5 (b) above.

#### **Sec. 5.2.7, Density and Intensity of Development Calculations**

See Sec. 4.5.5 (b) above.

#### **Sec. 5.4.8, 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.*

St. Joseph's Orphan Asylum is listed on the Vermont State Register of Historic Places. Therefore, the following standards apply.

##### **(b) Standards and Guidelines:**

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.*

Constructed as a residential facility for children and the aged in 1884, the main structure will continue to serve in a residential capacity with the proposed use. The westerly addition housed the convent for the Order of the Sisters of Providence, who staffed the care facility. The southerly addition, constructed later than the orphanage (c. 1940) was intended to serve a burgeoning population with additional dormitory space, classrooms, a nursery and a gymnasium. That area is proposed to be commercial space. As the Diocese utilized the space for offices, there is minor deviation from original or evolving use.

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.*

Rear porches and a vehicular carport are proposed to be removed, however they were later additions. Their loss will not impact the historic integrity and importance of the structure. The 1960s era main entrance portico is also proposed for removal, which will restore an original appearance to the building. A porte-cochere in front of the modern southern wing is also proposed for removal; its replacement will accommodate handicap accessibility for that wing. With all elements of the development as submitted, the historic character of the property will be retained (in some instances, restored and enhanced.)

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.*

No conjectural features are proposed.

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

The modern entrance portico design is closely emblematic of a more modern design aesthetic; however it has not reached an age where its merit is acknowledged and valued. That entrance structure and the porte-cochere have not acquired historic significance in their own right.

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

The historic structure will remain intact. No removal of distinctive features or finishes is outlined in the plan.

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.*

Repair and replacement of historic features is always the preferred treatment. Sketch Plan submission materials do not identify the removal or replacement of any existing features; a replacement front porch canopy is proposed to return the primary entrance to an original arrangement. It is not clear if that canopy currently exists and is being restored, or a newly constructed canopy will be added.

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.*

None proposed.

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

No archaeological resources have been identified at this location; however given the site history and proposed site work on the westerly side of the building, the potential remains for new resources to be unearthed. Any discovery will require the notification, identification and appropriate treatment by qualified personnel.

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 proposed new lobby and courtyard entrance on the west are clearly modern in design and are appropriately situated on a secondary elevation. Both are reversible, and could be removed in the future without adverse impact to the historic structure.

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.*

See above.

#### ***Sec. 5.5.1, Nuisance Regulations***

Nothing in the proposal appears to constitute a nuisance under this criterion.

#### ***Sec. 5.5.2, Outdoor Lighting***

No outdoor lighting information is included in the sketch plans. Details as to fixture types, locations, and illumination levels must be included with the permit application.

#### ***Sec. 5.5.3, Stormwater and Erosion Control***

As noted previously, the Conservation Board reviewed this sketch plan. The Board encouraged the applicant to take full advantage of the site's sandy soils and infiltrate as much stormwater onsite as possible.

### **Article 6: Development Review Standards:**

#### ***Sec. 6.1.2 Review Standards***

##### ***Part 1: Land Division Design Standards***

Not applicable.

##### ***Part 2: Site Plan Design Standards***

#### ***Sec. 6.2.2 Review Standards***

##### ***(a) Protection of Important Natural Features:***

The submitted site plan(s) do not define any significant natural features, other than the grade change. Existing landscaping is proposed to be augmented with additional plantings.

***(b) Topographical Alterations***

The immediate grounds west of the existing structure remain at a level grade, with a continuous and precipitous drop as the site falls away toward the bike path and lake. The proposed westerly patio/walkway is illustrated at the 224 elevation.

***(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.*

This remains a private property; however those spectacular views from the west elevation of the structure will remain; to be supplemented by views from the proposed entry courtyard. The removal of rear porches will also introduce uninterrupted views from the interior of the structure to views of the lake and westerly mountains.

***(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.

***(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.*

As the structure is existing, most energy gain will result from improved energy efficiency of thermal systems on-site. No part of this application will prevent the use of passive solar, wind, geothermal, water, or other alternative energies.

***(f) Brownfield Sites:***

None are 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.*

The Conservation Board reviewed the Sketch Plan; observing the sandy soils and recommended site infiltration in so far as practicable.

*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.* The proposed westerly portico will provide covered entry for residents and visitors alike. It will also minimize the potential for injury due to ice and snow slide from the steeply pitched roof(s). A covered entry is also provided on the northerly west entrance; as well as a reconstructed entrance canopy on the east (front) elevation respectful of the original.

***(h) Building Location and Orientation:***

This is an existing building which has a monumental street presence. No change to the building or its orientation is proposed with the new use.

***(i) Vehicular Access:***

No change is identified in the submitted plans that indicate changes to vehicular access. The existing parking lot is located south of the building, with 51 identified parking spaces. A “temporary parking area” is illustrated on the north, with a curb cut illustrated. The applicant will need to define the basis for this feature, particularly as it crosses property boundaries into what is now Lot “C” after the boundary line adjustment. If this portion of the proposal is to be considered, another zoning permit application for that parcel (329 North Avenue) will need to be submitted for review.

***(j) Pedestrian Access:***

A broad network of sidewalks that intersect with public walkways are included. Pedestrians are free to move from the public right-of-way into the building, around the site, and to access the plaza area on the west.

***(k) Accessibility for the Handicapped:***

*Special attention shall be given to the location and integration of accessible routes, parking spaces, and ramps for the disabled. Special attention shall also be given to identifying accessible access points between buildings and parking areas, public streets and sidewalks. The federal Americans with Disabilities Act Accessibility Guidelines (ADAAG) shall be used as a guide in determining the adequacy of the proposed development in addressing the needs of the disabled.* The building inspector has jurisdiction for determining adequate accessibility per ADA standards. Identifying handicap accessible parking, as well as accessible entrances will be required for this review.

***(l) Parking and Circulation:***

*To the extent possible, parking should be placed at the side or rear of the lot and screened from view from surrounding properties and adjacent public rights of ways. Any off-street parking occupying street level frontage in a Downtown Mixed Use District shall be setback from the edge of the front property line in order to provide space for active pedestrian-oriented uses. Where street-level parking is provided within an existing structure, the cars shall be screened from the sidewalk and the area shall be activated with landscaping, public art, or other design amenities. Parking areas of more than 20 spaces should be broken into smaller areas separated by landscaping.*

This is an existing parking lot on the south of the collective connective structures. The site plan illustrates 51 parking spaces. It would be advantageous to seek ways to help shade this broad expanse of pavement to gravitate toward compliance of the parking shading obligation. Additional trees could be installed on the immediate south boundary line, or along the west to provide more shade to the broad pavement.

As noted, the identified “Temporary Parking Area” on the north will need explanation, or be removed from the plans.

*Attempts to link adjacent parking lots or provide shared parking areas which can serve neighboring properties simultaneously shall be strongly encouraged.*

Not applicable.

*Parking shall be laid out to provide ease in maneuvering of vehicles and so that vehicles do not have to back out onto city streets. Dimensions of spaces shall at a minimum meet the requirements as provided in Article 8. The perimeter of all parking areas shall be designed with anchored curb stops, landscaping, or other such physical barriers to prevent vehicles from encroaching into adjacent green spaces.*

This is an existing paved lot. There is an established circulation pattern that provides connectivity with pedestrian paths.

*Surface parking and maneuvering areas should be shaded in an effort to reduce their effect on the local microclimate, air quality, and stormwater runoff with an objective of shading at least **30% of the parking lot**. Shading should be distributed throughout the parking area to the greatest extent practical, including within the interior depending on the configuration. New or substantially improved parking areas with 15 or more parking spaces shall include a minimum of **1 shade tree per 5 parking spaces** with a minimum caliper size of 2.5”-3” at planting. Up to a 30% waiver of the tree planting requirement may be granted by the development review board if it is found that the standard requirement would prove impractical given physical site constraints and required compliance with minimum parking requirements. All new shade trees shall be: of a species appropriate for such planting environments, expected to provide a mature canopy of no less than 25-feet in diameter, and selected from an approved list maintained by the city arborist. Existing trees retained within 25-feet of the perimeter of the parking area (including public street trees), and with a minimum caliper size greater than 3-inches, may be counted towards the new tree planting requirement.*

This is neither a new or substantially improved parking area; however the applicant is encouraged to provide additional plantings/trees to reduce the effects of stormwater runoff, air quality, and the local microclimate on the parking area.

*All parking areas shall provide a physical separation between moving and parked vehicles and pedestrians in a manner that minimizes conflicts and gives pedestrians a safe and unobstructed route to building entrance(s) or a public sidewalk.*

The parking lot is linked to the pedestrian path network that leads to both the public right-of-way and the building complex.

*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.*

Bicycle parking is not identified on the site plan. As a substantial number of both long and short term bicycle parking spaces will be required for the new use, bicycle parking will need to be illustrated on the site plan and within the application materials.

***(m) Landscaping and Fences:***

Plan C1.0 defines existing landscaping; Plan L100 proposed conditions. A significant amount of landscaping is proposed, particularly with new tree plantings surrounding and adjacent to the pedestrian walkways. A landscaping plan must be provided identifying species and caliper at the time of application.

No fences are identified on the plan.

***(n) Public Plazas and Open Space:***

A large plaza is illustrated on the westerly side of the existing structure. It is pleasantly centered on a rear entrance area, and integrated into a larger landscaping and site plan.

***(o) Outdoor Lighting:***

See Sec. 5.5.2.

***(p) Integrate infrastructure into the design:***

No information has been submitted relative to storage areas, machinery and equipment installations, service and loading areas, utility meters and structures, mailboxes, and similar accessory structures. If included they will be required to 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.*

There is no identification of recycling or dumpster facilities on submitted plans. For a facility of this size, integrated trash and recycling is recommended as part of an overall site plan, preferable with internal facilities. If a dumpster is proposed on the exterior, it must be screened on all four sides to prevent trash from blowing. Any enclosure must be designed with consideration for the overall site and buildings.

*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.*

There is no information about HVAC, potential antennae or other mechanical installation. Any equipment proposed for the exterior must be integrated with the building design, and not added as

an afterthought. As the building is historically sensitive, the siting and visual impact of any equipment will be assessed for appropriateness.

### **Part 3: Architectural 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 application is for the proposed re-use of an existing structure. From the streetscape, there is no change in massing, height or overall scale of the building.

##### **2. Roofs and Rooflines.**

*New buildings should incorporate predominant roof forms and pitches within the existing neighborhood and appropriate to the context. Large expanses of undifferentiated roof forms shall be avoided. This can be achieved by incorporating dormers or some variation in the roof form to lessen the impact of the massing against the sky. While flat roofs can be a reasonable architectural solution, pitched roof forms and architectural elements that enhance the city's skyline are strongly encouraged. Roof eaves, parapets, and cornices should be articulated as an architectural detail. Roof-top mechanicals shall be screened from view from the public street, and should be incorporated into and hidden within the roof structure whenever possible.*

The only new roofs proposed are on the rear, with flat roofed additions on the lower floor. The central (westerly) rear addition mimics the current vehicular carports, and therefore is of little divergence from existing. The other, on the north/westerly side provides an additional entry with lobby and feature wall. As it is on a minor elevation and in a modern design vocabulary, it is an appropriate option for new construction.

There are existing rooftop dormer penetrations, unique to the building and informing of interior use that required natural light. The application proposes the insertion of skylights, presumably for expanded interior habitable area in the uppermost floor. Given the historic significance of the building, these are visual distractions on the primary elevation and are not recommended. See previous comments about potential HVAC/mechanical equipment. Rooftop installation is not recommended. Any new mechanicals should be incorporated into the overall site design, respectfully situated to prevent adverse impact to the historic structure.

*Solar panels, light colored ballast or roof membranes, split roof clerestories, planted or "green" roof technologies (with a clearly articulated maintenance plan) and "gray water" collection are encouraged. Active rooftop uses are also encouraged to add to the visual complexity and activity of the city's skyline, and afford public access to otherwise unseen views of the city and surrounding landscape.*

The ornate and functional dormer windows provide unique visual interest to the building. The insertion of skylights, solar panels, or mechanical equipment will adversely impact the visual characteristics of the structure, particularly on the primary elevation.

##### **3. Building Openings**

*Principal entrances shall be clearly defined and readily identifiable from a public street whether by a door, a canopy, porch, or other prominent architectural or landscape features. People with physical challenges should be able to use the same entrance as everyone-else and shall be provided an “accessible route” to the building. Attention shall also be accorded to design features which provide protection from the effects of rain, snow, and ice at building entrances, and to provisions for snow and ice removal or storage.*

The primary entrance from North Avenue is proposed to be altered, with removal of the 1960-1970s era chalet and glass entrance enclosure. Historic photographs inform of a simpler entrance; with a minor but articulated roof canopy accessed from dual arcing (granite?) steps. A simple handrail connected to elaborate entrance posts, which faced a landscaped island. This plan replicates that original configuration that featured statuary of St. Joseph; any new central element has not been defined.

Snow storage has not been defined; however it is likely that there is ample space to push snow to the west of the existing parking lot and off pedestrian walkways.

*Window openings shall maintain consistent patterns and proportions appropriate to the use. The window pattern should add variety and interest to the architecture, and be proportioned to appear more vertical than horizontal. Where awnings over windows or doors are used, the lowest edge of the awning shall be at least eight (8) feet above any pedestrian way, and shall not encroach into the public right-of-way without an encroachment permit issued by the dept. of public works.*

Existing fenestration pattern is proposed to be retained on the historic structure. See previous notes about skylights.

Plan “E” of the schematic design illustrates NO windows on the newer south addition (south and west facades) of the building. The applicant will need to define whether those windows are proposed to be removed, or this is simply shorthand by the illustrator to indicate that no changes are proposed.

No awnings are proposed in the plan.

*Buildings placed on a side or rear property line where no setback is required shall contain neither doors nor windows along such façade so as not to restrict future development or re-development options of the adjacent property due to fire safety code restrictions. Otherwise they should be setback a minimum of 5-feet.*

Not applicable.

***(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.

***(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.*

Although this will remain private property, the extraordinary views of the lake and Adirondacks will be retained and preserved with the redevelopment as proposed.

***(d) Provide an active and inviting street edge:***

The plan includes the removal of a 1960s era chalet-style entrance portico, and construction of an entrance canopy similar to the original. The curving pair of entrance stairs will be re-instituted. The site will be dramatically enhanced with plantings, pedestrian paths, and fencing that will demonstrate respect for previous site features, and offer a welcoming extension to residents and the community.

A modern porte-cochere in front of the more modern southern addition will be removed; an accessible entry to commercial space via a new pedestrian path is proposed.

***(e) Quality of materials:***

New construction is relegated to the rear of the structure. Although materials are not called out, the courtyard entry is a tinted glass enclosure with columns set on concrete pads; the lobby entry illustrated with a glass entrance enclosure; the structure in brick veneer with a concrete base. The applicant will be required to define specific materials at the time of application.

***(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.*

The former orphanage is not a new building; the installation of skylights on the most prominent façade is visually a distraction and alteration of historic fabric; historically inappropriate and therefore not supported for the principle elevation.

The number of windows and their size will offer an opportunity for passive solar gain for interior spaces proposed.

***(g) Make advertising features complementary to the site:***

No signage is included in the application. Any signage will require a separate sign permit.

***(h) Integrate infrastructure into the building design:***

See Section 6.2.2. (p.)

***(i) Make spaces secure and safe:***

*Spaces shall be designed to facilitate building evacuation, accessibility by fire, police or other emergency personnel and equipment, and, to the extent feasible, provide for adequate and secure visibility for persons using and observing such spaces. 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.*

The applicant is encouraged to sprinkle the building to allow greater flexibility in design and use while meeting current building and life safety code. All standards relative to ingress and egress as defined by the building inspector and fire marshal shall govern.

As a multi-unit residential building, an intercom system is recommended for resident safety.

Lighting at entrances shall be appropriate to assure resident security and adequate lighting. These efforts shall be reflected in a submitted light plan, with photometrics.

## **Article 8: Parking**

### ***Sec. 8.1.8, Minimum Off-Street Parking Requirements***

The subject property is located in the neighborhood parking district. As a result, each dwelling unit requires 2 parking spaces – a total of 126 parking spaces in this case. The college, when it was approved in 2010, received a 73-space (45%) parking waiver. As proposed in this sketch plan, the college would be reduced to just 29,000 sf. That area would require a total of 58 spaces (2 per 1,000 sf). A continuation of the 45% parking waiver would result in 26 required parking spaces. The 51 parking spaces within the existing parking lot fall well short of the required parking. A “temporary parking area” is shown to the north of the building, but details are lacking. Without details as to the number and duration of parking spaces in this “temporary” area, the sufficiency of onsite parking cannot yet be determined. The permit application will need to specify exactly how many parking spaces are proposed and how long they will be available. Depending on the number of parking spaces provided, a parking management plan may be needed in order to support a parking waiver.

### ***Sec. 8.2.5, Bicycle Parking Requirements***

Onsite bike lockers, bike parking, and a bike wash for residents will be provided, but details have not yet been provided. The apartments will require 16 long term bike parking spaces (such as lockers) and 6 short term spaces. The college will require just 1 long term space and 6 short term spaces. Bicycle parking that exceeds these standards is always encouraged.

## **Article 9: Inclusionary and Replacement Housing**

### ***Sec. 9.1.5, Applicability***

As the proposed development includes more than 5 new dwelling units, it is subject to the inclusionary housing provisions of this Article. Twenty-five percent of the total unit count must be inclusionary (25% of 63 is 16 dwelling units) in this waterfront zone. Details as to the provision of inclusionary housing must be included in the permit application. Note that inclusionary housing units must be included onsite – the offsite option is not allowed within any waterfront zone.

## **Article 11: Planned Unit Development**

As a single building with more than 5 residential units, this project qualifies as a minor Planned Unit Development and is exempt from the requirements and standards of this Article. The project is, however, subject to inclusionary housing requirements per Article 9 above.