

Department of Planning and Zoning

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MEMORANDUM

To: Development Review Board
From: Mary O'Neil, AICP, Senior Planner *MO*
Date: April 1, 2014
RE: ZP 14-0784SP

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: ZP 14-0784SP

Location: 247-249 Pearl

Zone: RH **Ward:** 2

Date application accepted: February 26, 2014

Applicant/ Owner: Redstone / Brian Shuman

Request: Sketch Plan review of proposed redevelopment to include three story residential building with 29 residential units and surface parking to the east and south.



NORTH AND EAST FAÇADES

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Background:

- **ZP 12-0663CA**; Construct new dental office to replace building lost to fire. Approved March, 2012. Amendment approved August, 2012. **Permit expired**. Time extension request, withdrawn by property owners. September, 2013.
- **ZP 12-0557SP** (Sketch Plan Review), November-December, 2011.
- **Non-applicability of Zoning Permit Requirements**; Install new slate roof on front of building. September, 2009.
- **Zoning Permit 09-322CA**; construction of a handicap access ramp up to the front door. Approved October 2008 (never constructed.)
- **Zoning Permit 09-051CA**; Rebuild rear upstairs porch using solid beadboard panel, reside half of rear portion of building with cedar clapboard 4.5 inch reveal, rebuild stairs. Approved July 2008.
- **Zoning Permit 91-111**, (see COA 87-005); Remove front entry and replace with 12' x 8' entry porch. Approved September 1990.
- **Zoning Permit 87-042 / COA 87-005**; To construct a 15' x 33' second story addition on the east elevation; materials to be wood frame/siding. Remove existing entry porch and replace with a 12' x 6' wood entry porch.
 - **COA 87-005**; Conditional Use Review to expand the existing non-conforming commercial office use by up to 25% of existing floor area; side yard setback does not meet proposed change to setbacks (Amendment #86-11 Aldermanic Approval required if approved by Zoning Board of Adjustment.) 39 Parking spaces provided. Approved February 1987.
- **Zoning Permit 84-031 / COA 84-010**; to place fill and expand parking area in the rear of the property. No additional use. Approved February 1984.
- **Zoning Permit 82-21 / COA 82-097**; install solar collectors on the back roof of the building. Approved March, 1982.
- **Zoning Permit 82-001**; put a 10' x 11' entry way on rear of building as specified on permit 80-1032 and to remodel interior space. Approved January 1982.
- **Zoning Permit 80-1032**; put an addition (15' x 33') on existing building and add a rear (9' x 12') entrance. Approved June 1980.
- **Zoning Permit 80-708**; construct interior walls, sheet rocking and insulation, replace decayed supports. Approved January, 1980.
- **Zoning Permit 79-512**; take a window out and replace with a door to make an entrance to the basement. Stairs to be built for access to cellar door. Finishing exterior with brick for a lab and storage. Approved October, 1979.
- **Zoning Permit 73-1083**; convert the two apartments and two dental offices at 247 Pearl Street into six doctors' offices **and using the basement area**. Garage to be torn down, parking expanded (29 spaces), new entrance installed. Approved November 1972.

- **Zoning permit 69-900**; convert the first floor at 247 Pearl Street into two apartments and to convert the second floor into a dental office and possibly one medical office. **Eight** parking spaces provided. Approved and issued January 1969.

Overview: 247-249 Pearl Street, known as the Benjamin Bailey House (c. 1820), was destroyed by fire September 5, 2011. The owners received approval to reconstruct an approx. 10,133 gross floor area replacement building to reclaim the non-conforming dental office use. The parking arrangement remained the same at 50 parking spaces. The project was amended in 2012, but the permit expired without exercise. This is a new application for a connected residential building with 29 units and surface parking. A large retaining wall is included. A request for a parking waiver is anticipated.

The **Design Advisory Board** reviewed the sketch plan at their March 11, 2014 meeting. Several members of the public were present and spoke.

Article 3: Applications, Permits, and Project Reviews

Part 3: Impact Fees

Sec. 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 in any change of use which results in an added impact according to Sec. 3.3.4.

Impact Fees, based on the new square footage, will be assessed and calculated by area and use.

Sec. 3.3.3 Exemptions and Waivers

(c) Affordable Housing Waiver

Any residential project containing newly constructed units or substantially rehabilitated housing units that are affordable for households as described in subsections (1), (2), or (3) below are eligible for a waiver of impact fees for that portion of the project. The terms, rules, and regulations used herein shall be the same as those defined and specified in this Ordinance pertaining to Inclusionary Zoning (Article 9). For purposes of determining median income, the income levels specified in Article 9 of this Ordinance, or the most recent amendment thereto, shall be applicable.

Inclusionary units will be a requirement of the proposed redevelopment. The applicant is urged to work with the Housing Trust representative in the Community and Economic Development Office to determine any appropriate reduction in Impact Fee assessment based upon this standard, and Article 9.

Part 4: Site Plan and Design Review

Part 5: Conditional Use and Major Impact Review

Sec. 3.5.6 (a) Conditional Use Review Standards

1. Capacity of existing or planned community facilities.

The proposed development will benefit from existing municipal water and sewer infrastructure. Written confirmation of capacity from the Department of Public Works will be required. A State of Vermont wastewater permit will also be required.

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.*

This is a residential high-density zoning district, 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 Municipal Development Plan cites:

- Encourage a healthier regional balance of affordable housing in each community, proximate to jobs and affording mobility and choice to low income residents. (Page IX-1.)
- Support the development of additional housing opportunities within the city...(ibid.)
- Enforce ordinances, such as inclusionary zoning and minimum housing, which promote housing opportunities, safety, and affordability. (ibid.)
- Improve the quality of the housing stock (Page IX-5)
- The City will actively promote and encourage the development of multi-unit, higher density housing as a means of providing greater housing opportunities that serve a wide range of housing needs. (Housing Plan, Page IX-7)

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 complementing 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 previous use was a dental office with multiple practitioners and assistants. The proposed development of 29 residential units with associated parking should not substantially diverge from the parking demand that was experienced at the site; however the timing of the trip ends may differ.

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

Compliance with all standards of the CDO, Chapter 26 approval by the Stormwater Administrator, and securement of requirement building permits, a certificate assuring compliance with state energy standards (V.S.A. Sec. 266, residential building energy standards) and state development (Act 250) and wastewater/potable water permits will be required.

5. *The utilization of renewable energy resources;*

All development is required to meet the energy efficiency standards as defined by Burlington Electric. No further submission material was received relative to this criterion.

and,

In addition to the General Standards specified above, the DRB;

6. *shall consider the cumulative impact 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;*

Residential use is a permitted use in the RH zone; under this standard the cumulative impact may be considered negligible.

7. *in considering a request relating to a greater number of unrelated individuals residing in a dwelling unit within the RL, RL-W, RM and RM-W districts than is allowed as a permitted*

use, in addition to the criteria set forth in Subsection (a) hereof, no conditional use permit may be granted unless all facilities within the dwelling unit, including bathroom and kitchen facilities are accessible to the occupants without passing through any bedroom. Additionally, each room proposed to be occupied as a bedroom must contain at least one hundred twenty (120) square feet. There must also be a parking area located on the premises at a location other than the front yard containing a minimum of one hundred eighty (180) square feet for each proposed adult of the dwelling unit in excess of the number of occupants allowed as a permitted use. All other green space standards must be observed.

Function Family provisions apply to new development in the RH zone. Not more than 4 unrelated adults may occupy any residential unit. See Sec. 4.4.5 (d) 5. C.

8. *may control the location and number of vehicular access points to the property, including the erection of parking barriers.*

The application proposes the continued use of a shared drive (located to the east of their current property line.) Any changes to that drive, parking, or coverage will require a separate permit for that parcel. (253-255 Pearl Street.)

9. *may limit the number, location and size of signs.*

No signs are proposed within the proposal at this time. Any signage will require a separate sign permit.

10. *may require suitable 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 previous project application defined the existing parcel as having 50 parking spaces. This application proposes 41; 8 of which are tandem and will not count toward the parking requirement. Another 8 are illustrated on the abutting property to the east; this however does not align with the previous application's "existing conditions" site plan C.1.0, where 9 are illustrated in a different arrangement, with 4 additional along the driveway. Again, any changes to the abutting property, including parking or access, will require a separate permit for that parcel.

The new parking arrangement will require changing the grade as it begins its slope to the south – thereby placing vehicles either substantially higher than abutting property (10' on the west) or headlights facing downward toward neighbors (to the east, with grade changes.) A continuous retaining wall is proposed to corral the new, elevated parking area. As proposed, the concrete block may effectively screen headlamps, but in appearance, setting and materials, will not be in keeping with the surrounding properties.

11. *may specify a time limit for construction, alteration or enlargement of a structure to house a conditional use.*

No additional construction time beyond the standard 2-year time frame has been suggested. Therefore, the project must be completed within 2 years of the date of permit approval.

12. *may specify hours of operation and/or construction to reduce the impact on surrounding properties.*

In consideration of nearby residences, hours of construction shall be limited to Monday – Friday, 7:00 AM – 6:00 PM with interior work only on Saturday, and no Sunday construction.

13. *may require that any future enlargement or alteration of the use return for review to the DRB to permit the specifying of new conditions.*

This is a statutory requirement.

14. *may consider performance standards, should the proposed use merit such review.*

This is at the discretion of the DRB.

15. *may attach such additional reasonable conditions and safeguards, as it may deem necessary to implement the purposes of this chapter and the zoning regulations.*

Also at the discretion of the DRB.

(b) Major Impact Review Standards:

Before a major impact development may receive approval, the DRB must be satisfied, based on documentation provided by appropriate city agencies, experts, interested parties and/or the applicant that the proposed development, in addition to meeting the review standards for conditional use review above, shall:

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

The introduction of new residential units is not anticipated to result in undue water, air or noise pollution. If ground mounted or rooftop mechanical equipment will be included within the development, more information including visibility from the public sidewalk, and abutting properties, as well as potential noise levels will be needed to assure no adverse audible impact to neighboring residential uses. Similarly, a stormwater management and an erosion prevention and sediment control plan will be required with the application to assure appropriate planning and management of both.

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

The applicant will be required to submit a letter from the Department of Public Works confirming the availability of adequate water and sewer service for the proposed development.

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

See above.

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, as well as a Stormwater Management Plan will need to be submitted for review and approval by the City Stormwater Administrator.

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

The addition of 29 one and two bedroom residential units in the RH zone and close to downtown is unlikely to create congestion or unsafe conditions, particularly in consideration of the impacts associated with the previous dental office use. Any traffic, pedestrian or vehicular, is anticipated

to be associated with residential morning/evening commute time, rather than the previous repetitive hourly influx of patients.

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

Any impact introduced by the proposed 29 new residential units should be adequately addressed by applicable Impact Fees.

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

No unreasonable burden on municipal services is anticipated. Any impact introduced by the proposed 29 new residential units is likely to be off-set with payment of applicable Impact Fees.

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 previous building on the site was listed on the National Register of Historic Places. Its loss to fire removed the historic significance associated with the site, discounting any remainder archaeological artifacts that may be present. None have been identified as of this date.

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;

This has been an existing, developed site. Development intends to introduce new residential units as replacement for a large dental office. The development proposes to articulate a growth pattern identified in the Municipal Development Plan, *Page I-12, Land Use Plan*, "redevelopment of underutilized sites." The additional infrastructure required in the creation of 29 new residential units may have impacts for water, sewer, schools, and transit, although not unreasonable or those that cannot be addressed via Impact Fees.

10. Be in substantial conformance with the city's municipal development plan and all incorporated plans;

See Conditional Use review criteria, above.

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; and/or

The proposed development will introduce new housing units at a moderate-high density within a residential high-density zoning district. The development, if exercised, will increase housing options within the city in a location proximate to services and the downtown. Inclusionary housing will be required, providing perpetually affordable units. See Article 9.

The proposed units are intended to be 1 and 2 bedroom units. A comment from the Design Advisory Board suggested the inclusion of 3 bedroom units, to assure housing that could be favorable to families. The applicants' scope has been primarily small units with low occupancy as their model. Consideration for units that may provide housing for typical family size to encourage a diversity of tenancy has been encouraged.

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

Any impact is likely to be off-set by payment of required Impact Fees.

Article 4: Zoning Maps and Districts

Section 4.4.5 Residential Districts

Table 4.4.5-2 Base Residential Density

High Density (RH) – 40 units/acre

247-249 Pearl Street – 33,593 / 43560 = .77 acres x 40 = 31 units. 29 are proposed.

Table 4.4.5-3 Residential District Dimensional Standards and Density

RH	Max. Lot Coverage 80%	Minimum Building Setbacks 1,3,4, 5,6			Height Maximum 35' ¹
		Front ²	Side ³	Rear	
Existing	58.4%				
Proposed	68.4%	7'4"	8.9'	75'	Not provided

The site plan has a significant flaw, in that **the proposed building encroaches into the (westerly) side yard setback where the property widens** – the setback should reflect this change of lot width, with a corresponding alteration and recess of the building plane.

Opportunities for differing setbacks may be examined, using either method (10% lot width, or average of two adjoining properties on each side.)

The site plan and building footprint will be required to be revised to reflect conformity with required setback, once it is determined.

*Note that HVAC /mechanical equipment are **not** exempt from height limitations; however **Section 6.3.2 (h)**, states:

Where such rooftop features do not exceed ten percent of the total roof area, they may be considered “ornamental and symbolic features” pursuant to Sec. 5.2.7 for the purposes of measuring building height. Therefore, any rooftop incidentals shall measure less than 10% of the roof area and be screened from view. The preference, as outlined in Article 6, is that mechanical equipment be included within the design of the overall building, and not added as an afterthought and calculated as part of this 10% provision. See Article 6, below.

Article 5: Citywide General Regulations

¹ An additional ten per cent lot coverage may be permitted for accessory residential features per (d) 3A. (Only RL, RL-W, RM and RM-w districts.)

² Average front yard setback of the principal structures on the 2 adjacent lots on both sides within the same block having the same street frontage. See Sec. 5.2.4.

³ In no event shall the side yard setback be required to exceed 20 feet, or the rear yard setback be required to exceed 75 feet.

5. The Side Yard setback shall be calculated based on the four adjacent properties (2 on each side of the subject property.) The right side yard setback is the average of the right side yard setback of the principal structures on these four properties. The left yard setback is the average of the left side yard setback of the principal structures on these four properties. The adjacent properties shall be within the same block having the same street frontage as the subject property.

6. Where there are fewer than 2 adjacent lots on both sides within the same block having the same street frontage, the average side yard setback shall be calculated from the fewer number of lots. Where there are no adjacent lots, the setback shall be 10% of the lot width.

Part 2: Dimensional Requirements
Section 5.2.3, Lot Coverage Requirements
See Table 4.4.5-3, above.

Sec. 5.2.4 Buildable Area Calculation

Not in the RCO, WRM, RM, WRL, or RL zone, and not greater than 2 acres. Not applicable.

Section 5.2.5 Setbacks

See Table 4.4.5-3 and comments about non-compliant setback, above.

6. *Shared driveways. Common or shared driveways and walkways along shared property lines and associated parking areas do not have to meet setback requirements along the shared property line.*

The existing condition is a shared driveway which is entirely on the abutting property to the east. Parking, however, is adjacent to this access drive, and is proposed to continue with new development.

It should be confirmed that the abutting property owner (253-255 Pearl Street) wishes to continue this arrangement, or would move to cease access for 247-249 in new development. An easement to use the driveway on the abutter's property should be shared during application review.

Sec. 5.2.6, Building Height Limits

Building height has not been provided, and will be required at the time of submission.

Sec. 5.2.7, Density and Intensity of Development Calculations

(a) Dwelling Units per Acres

See Table 4.4.5-2 Base Residential Density, above.

Part 3: Non-conformities

Sec. 5.3.4 Nonconforming Uses

(a) Changes and modifications

1. *Nonconforming non-residential use: A nonconforming non-residential use shall not be expanded or altered in any way, other than to full conformity under this Ordinance, except as follows:*

B. *Existing Neighborhood Commercial Uses*

Existing non-residential uses intended to primarily serve the nearby residential area shall not be considered non-conforming to the extent they comply with the provisions of Sec. 4.4.5 (d) (6).

The previous use (dental office) was a non-conforming use in the RH zone. That building was lost to fire; the use not continued. This application will move the use toward conformity.

Section 5.4.8 Historic Buildings and Sites

The historic structure was lost to fire, and is no longer extant. Not applicable.

Section 5.4.9 Brownfield Remediation

There is no known site contamination at 247-249 Pearl Street.

Part 5: Performance Standards

Section 5.5.1 Nuisance Regulations

Any roof or ground mounted HVAC systems shall require submission of anticipated noise levels to determine compatibility with the residential neighborhood.

If the property is intended to be primarily student apartments, a management plan outlining responsibilities toward resident behavior and property care may be required at the time of application.

Section 5.5.2 Outdoor Lighting

A photometric plan and individual spec sheets for lighting fixtures will be a requirement as part of the submission packet. The lighting plan will be required to meet the standards of this section. Additionally, parking lot lighting will be required to meet current standards of the CDO.

Section 5.5.3 Stormwater and Erosion Control

Erosion prevention and sediment control plan as well as a stormwater management plan will need to be submitted to the Stormwater engineering staff for review. Major Impact projects are reviewed by the Conservation Board.

Final approval from the Stormwater Administrator is required.

Article 6: Development 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:

This site is one of the more dramatic examples of extant Burlington ravine: Relatively at grade with the street on the north of the parcel, the land falls precipitously away to the south. The grade change is significant; more than 26' grade change from front to back. The proposal includes regrading the parking area to accelerate the grade change into the rear lot, and then installation of a "necklace" retaining wall along the east, south and west of the lot. It is not known if this structure will be required to assure site stability. The grade changes and site alterations will be require review by the Conservation Board and city engineers. The wall, itself, will be required to meet Design Review standards.

(b) Topographical Alterations:

Alteration to the natural contour of the site shall minimize grading, cut, and fill, and shall take necessary measures to protect against erosion and future instability. Any grade changes shall be in keeping with the general appearance of neighboring developed areas. In areas where more intense levels of development are encouraged, development should seek to take advantage of topographical changes to hide and/or blend new construction into the landscape. Proposed design and construction details for any cut and fill, or retaining walls over 3-feet in height, or

any height along the lakeshore, shall be subject to review and approval by the city engineer before receiving approval of the site plan.

Some grading changes are proposed for the parking lot area; beginning the grade slope sooner than exists today and abutting the plan with a significant retaining wall, height or width undetermined. The wall will be required to meet the approval of the city engineer per this standard. As described, the preformed concrete block will have little affinity for the surrounding residential use.

There is nothing within the plan that utilizes the grade change toward blending the new construction into the surrounding landscape, or to accommodate parking. Both are strongly recommended under this standard.

(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.

There are no protected public views from this parcel.

(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).

The former structure was listed on the National Register of Historic Places; however it was consumed by fire in September 2011. There are no extant above grade resources on-site.

Key here within this standard is *sensitive infill*.

(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.

Three connected flat roofs are proposed. The applicant at DAB sketch plan alluded to the intent to install roof-top condenser units, utilizing the 10% provision for exceeding height.

This would be a fertile plan for a solar installation, although at this point none is proposed. The project is situated to face the public street, yet more exercise of passive solar gain in the rear (south) is encouraged for exploration.

Given the building height (three stories), it is likely that it may block easterly (morning) sunlight to the first floor of the abutting residential structures on South Union Street.

(f) Brownfield Sites:

Where a proposed development involves a known or suspected brownfield, the site plan shall indicate areas of known or suspected contamination, and the applicant shall identify completed or planned remediation necessary to support the intended use(s).

A known (abandoned) brick sewer is present. The submission does not include what the disposition, or future plan for that feature is.

The site is not listed on Vermont's Hazardous Waste sites.

(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.

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 project will be required to meet with the approval of the Conservation Board, the City Stormwater engineer, and the city building engineer for the proposed treatment of the steep southerly embankment and retaining wall.

From the west elevation illustration, it appears that a roof canopy is provided at the main (Pearl Street) entrance, and a recessed entry on the east elevation. Both would provide a modicum of shelter in inclement weather. It is fairly surprising that only two entrances are provided for the entire 29 unit building.

The east elevation illustrates scuppers protruding from the roof parapet. This is extremely ill-advised, as the pedestrian access/sidewalk is directly underneath, and the likely location of any overflow. Revision is recommended.

An area for snow storage (or a plan for snow removal) is not identified on the submitted project site plan and will be required. The proposed concrete retaining wall will limit opportunities to push snow off the parking area; yet the significant grade change may exacerbate snow melt in the surrounding (residential) yards. The applicant must define the method of addressing snow and anticipated snowmelt.

(h) Building Location and Orientation:

The introduction of new buildings and additions shall maintain the existing development pattern and rhythm of structures along the existing streetscape. New buildings and additions should be

aligned with the front façade of neighboring buildings to reinforce the existing “street-edge,” or where necessary, located in such a way that complements existing natural features and landscapes. Buildings placed in mixed-use areas where high volumes of pedestrian traffic are desired should seek to provide sufficient space (optimally 12-15 feet) between the curblin and the building face to facilitate the flow of pedestrian traffic. In such areas, architectural recesses and articulations at the street-level are particularly important, and can be used as an alternative to a complete building setback in order to maintain the existing street wall.

The proposed building fills in the streetscape to eliminate the existing void. The building is approximately 13 feet from the sidewalk and approximately 25 feet from the curblin. This shall be confirmed upon submission of full-size scaled plans. This will be adequate to accommodate pedestrian foot traffic.

Principal buildings shall have their main entrance facing and clearly identifiable from the public street.

A principal entrance is clearly identifiable and faces Pearl Street.

Accessory buildings shall be located in such a way so as to be deferential and secondary to the principal structure.

Other than a dumpster, no other accessory or parking structures are proposed. Plans for the trash enclosure will be required.

(i) Vehicular Access:

Curb cuts shall be arranged and limited in number to reduce congestion and improve traffic safety. A secondary access point from side roads is encouraged where possible to improve traffic flow and safety along major streets. The width and radius of curb cuts should be kept to the minimum width necessary, and sight triangles and sufficient turnarounds for vehicles shall be provided to reduce the potential for accidents at points of egress.

The curb cut appears to be located at the same location as the previous arrangement; just east of this property boundary, and shared with 253-255 Pearl Street. The applicant will be required to provide authority to use this shared access, as it is identified on an abutting parcel. If an easement or permanent right-of-way exists, proof shall be submitted. The shared nature of the access and drive shall be legally recorded and binding. Any alterations, including parking reconfiguration to that parcel will require a separate zoning permit.

If the applicant cannot demonstrate legal authority to utilize the abutting property for access, access shall be defined on the subject (247-249 Pearl Street) parcel. This would require redesign of the project proposal to include a curb cut and access drive.

Residential driveways shall be a minimum of 7 feet in width or consist of two 1.5' driveway strips. Driveway strips shall be accompanied by a paved area for the parking and/or storage of motor vehicles. The maximum width for single or shared access driveways shall be 18'. In a residential district, driveways and parking areas shall be set back a minimum of 5' from side and rear property lines.

This is an existing paved driveway access (on the easterly parcel); and therefore does not enjoy a 5' setback from any property line.

Driveways for commercial properties may require a traffic study to identify the impacts of the movement of traffic to and from the property, and design for safe access. Access for service and loading areas should be located behind buildings or otherwise screened from streets or public ways with landscaping or other barriers. Whether commercial or residential, shared driveways are encouraged, where possible and appropriate.

See above. The City traffic engineer may require a traffic analysis to determine existing and proposed traffic impacts to assess whether any mitigation measures may be appropriate for the new use and intensity, with a comparison of existing/previous and proposed use.

Concrete walls are effective parking barriers; however frequently unsightly and introducing a negative visual character to abutting properties. Methods of screening any such retaining wall, if approved, will be required.

(j) Pedestrian Access:

Pedestrians shall be provided one or more direct and unobstructed paths between a public sidewalk and the primary building entrance. Well defined pedestrian routes shall be provided through parking areas to primary building access points and be designed to provide a physical separation between vehicles and pedestrians in a manner that minimizes conflicts and improves safety. Where sidewalks and driveways meet, the sidewalk shall be clearly marked by differentiated ground materials and/or pavement markings.

The principle entrance on Pearl Street may be accessed directly off the public sidewalk. The easterly entrance is accompanied for a 7'6" wide sidewalk with a bump-out that will separate vehicles and residential pedestrians. Unfortunately, this appears to be under several scuppers that are likely to dump roofwater on the sidewalk. The applicant is encouraged to redesign this building element so that residents are not the unwitting target of roof overflow.

(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.

It is not clear if there will be an internal elevator. ADA requirements and compliance shall be confirmed with the building inspector. Two h/c parallel parking spaces are noted adjacent to the entrance drive. It does not appear that these will meet spatial requirements that include 5' wide loading areas for that uses. Loading in the access drive path would put users in harm's way of vehicle passage. (See Section 8.1.13 of the CDO. Spaces must be at least 8' wide with an adjacent access aisle at least 5' wide.)

The sidewalk may be utilized as a loading zone if acceptable to the code/building inspector and meets ADA requirements.

(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.

Parking is rearranged from the previous parking layout; however further expansion into the easterly bank is illustrated with cars proposed to be parked on spaces that are no longer level and effectively “fall away” to the east and south. A retaining wall is proposed which would be an effective parking barrier; however the anticipated wall/parking level height and other particulars have not been submitted. A modeling study is recommended to best illustrate the likely configuration and appearance of the newly graded parking area.

No landscaping has been included within this submission. A tree shading plan to meet the standard (below) will be a requirement, as well as a plan for effective screening any retaining wall from abutting residential properties.

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

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.

See comments (above) about perimeter curb stops.

The expanded parking on the east appears to utilize what is now existing landscaping on a steep slope. The applicant will need to define the methods intended to achieve this.

Parking is laid out in a manner that includes tandem parking spaces. The project will be required to comply with Sec. 8.1.14. *(All parking facilities shall be designed to so that each motor vehicle may proceed to and from the parking space provided for it without the moving of any other motor vehicle.)* The applicant has defined the plan to pair tandem parking spaces to a single unit to allow for tenant-driven valet service for the movement of vehicles. Standards, however, refute the opportunity to count the second row of parking spaces toward the overall parking requirement.

Given the parking count, a waiver is likely to be requested. More explanation is required to understand how parking will be dedicated to the proposed use. See Article 8, below.

6 compact parking spaces are illustrated on the immediate south area of the building. It will be problematic if a full size vehicle utilizes those spaces (only 8' x 18') as trash haulers will not be able to access the dumpster pad. Also, it is unlikely that the westerly most space will have adequate turn-around. (20' required by Table 8.1.11-1.)

This portion of the plan is flawed in that the side yard setback is not met on the site plan at this location, and the building itself will have to be revised to meet setbacks. This will undoubtedly spur redesign of the parking.

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.

The plan will be required to provide 8 trees meeting the above specified minimum caliper to meet the shading standard ($41 / 5 = 8.2$.) A landscaping plan will be required.

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.

A sidewalk is provided along the easterly side of the building...although it threatens to be the victim of active rooftop scuppers in inclement weather. Protection from this event will need to be planned and incorporated into the design.

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.

No bicycle parking information has been shared for sketch plan review. All requirements of this standard and Article 8 Part 2 will be required for application review.

(m) Landscaping and Fences:

Landscaping shall be used to beautify the development site and to provide specific functions and benefits to the uses and buildings on the site. These include but are not limited to stormwater retention and erosion control, winter windbreaks and summer shade, recreational and habitat corridors, buffers and screening of parking areas, and creating privacy for and from adjacent property.

No landscaping plan has been provided, and will be a requirement for any future application. That plan shall identify any existing landscaping/trees (particularly around the dumpster area and within the public ROW) and a plan that meets this standard. Any replacement or new trees in the public ROW shall meet with the approval of the City arborist.

Fences may be placed within the required setback along a property line, but shall be setback sufficiently to provide for the maintenance of both sides of the fence without entering onto the

adjacent property and shall present a finished side to the adjoining property and public street. Fences placed within a clear sight triangle along driveways and at street intersections, or between an existing building and the front property line, whichever is less, shall be limited to 3-feet in height above the curb in order to provide safe sight distances for pedestrians and vehicles. Styles, materials, and dimensions of the proposed fence shall be compatible with the context of the neighborhood and the use of the property.

While it is not a fence that is proposed but a very large retaining wall, a similar examination should be made about the appropriateness and acceptability of the feature proposed. A precast concrete retaining wall may typically be utilized for smaller embankments within residential areas, or commercial/industrial use. It may be assumed that the size and breadth of this component is leaning heavily on its functional attributes rather than its attractiveness. The style, materials, and dimensions of the wall assumed for this grade will be a physical and visual anomaly in this historic, residential neighborhood; jarring and without reprieve for abutting neighbors. The applicant is strongly encouraged to explore other more attractive yet functional alternatives with the design team.

(n) Public Plazas and Open Space:

No public plazas or specifically designated open space are proposed. The DAB did note that the size of the residential structure and the number of units would suggest a welcome need for a place for residents to enjoy the outdoors. Seating areas, play structures, gardens, patios, or similar features that would provide an enjoyable outdoor space for tenants are encouraged.

(o) Outdoor Lighting:

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

A lighting plan, including photometric, will be a requirement for project application.

(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.

Only a dumpster, abutting the retaining wall is identified on the site plan. This dumpster is proposed to be approximately 10' above the immediately abutting single family property to the west. The abutting neighbor spoke at the DAB hearing, expressing displeasure at the proposed height of the feature, above his back yard. Some meaningful method to soften that transition, which may include landscaping is in order.

Meters, utility connections, HVAC equipment, mailboxes, and any other accessory items shall be identified on elevations or site plan as appropriate. Screening will be required for mechanicals, meters, or similar items.

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 place 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.

Utilities must be undergrounded. The method and design of the dumpster enclosure shall be submitted upon application. The method and location of recycling will need to be defined as well. Mechanicals, specifically condensing units or mini-split equipment, should be specifically designed within the context of the new development and not left to be thrown atop the roof.

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.

Recent review has demonstrated the lack of planning *within the design* for mechanical installations (rooftop condensers, ground mounted HVAC, trash pushed to the rear yard, etc.) New development is expected to assimilate all needs of new construction within the design envelope, rather than throw it on the building or site as an afterthought. Despite the 10% bonus height provision for mechanicals, rooftop condenser units are NOT symbolic or architectural features, but increasingly a visual blight particular to new construction. The applicant team is challenged with finding an alternative.

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:

While architectural styles or materials may vary within a streetscape, proposed development shall maintain an overall scale similar to that of surrounding buildings, or provide a sensitive transition, where appropriate, to development of a dissimilar scale.

247-249 Pearl Street is now a vacant lot between 2 ½ story residential scale buildings. In height (from the streetfront), it is not overly dissimilar to neighboring properties.

In low and medium density residential districts, the height and massing of existing residential buildings is the most important consideration when evaluating the compatibility of additions and infill development.

Not applicable. This is the RH zone.

Where the zoning encourages greater intensity and larger scale buildings in high density residential and non-residential zoning districts, buildings that are over 3-stories should provide a transition by employing design elements that reduce the apparent building mass from the street level. Taller buildings and elements are most appropriate where they provide a focal point of a

terminal view, anchor a street corner, frame view corridors, or relate to larger scaled structures. The impacts at the street-level of increased or altered wind currents and downdrafts created by buildings over six (6) stories should be considered.

The proposed building is not over 3 stories tall. Not applicable.

Buildings should maintain consistent massing and perceived building height at the street level, regardless of the overall bulk or height of the building. Buildings should maintain a relationship to the human scale through the use of architectural elements, variations of proportions and materials, and surface articulations. Large expanses of undifferentiated building wall along the public street or sidewalk shall be avoided. The apparent mass and scale of buildings shall be broken into smaller parts by articulating separate volumes reflecting existing patterns in the streetscape, and should be proportioned to appear more vertical than horizontal in order to avoid monotonous repetition. (See also (d) Provide an active and inviting street edge below.)

The massing remains consistent from north to south; three similarly shaped cubes connected by building hyphens. Along the streetfront, the massing/height is clearly perceived and experienced as a three storey building. The wall is broken into horizontals, with an inserted “water table” at second and third story window sill height.

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.

Flat roofs are proposed. A modest cornice is proposed for all three cubes. Scuppers are illustrated along the east and west elevations of the rear cubes. Unfortunately if functional, they are likely to drop roofwater directly onto residents using the entrance walkway on the east.

See comments above about incorporating roof-top mechanicals into the roof structure, as new design makes it entirely possible to do so.

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 applicant is encouraged to explore an active roofscape; no evidence of that exploration is included within this application.

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 affects of rain, snow, and ice at building entrances, and to provisions for snow and ice removal or storage.

The Pearl Street entry is identifiable by location (central) and canopy. The parking lot entrance (east side) is recessed into a differently colored entryway; with a roof cover to shelter residents as they enter/exit. It is not clear if either entryway is accessible. This shall be defined.

If the building entry changes due to site reconfiguration and recess of the westerly façade to meet setbacks, treatment of the entrance (if affected) will need to be illustrated.

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.

Windows are symmetrically placed along the primary (Pearl Street) façade; and placed in rhythmic repeated patterns along secondary facades. In that the fenestration design is stacked, the emphasis is vertical. Any awning / canopy shall meet the height installation requirement.

No encroachment into the public right-of-way appears likely from the submitted site plan. A full size scaled plan shall be submitted (after revision to illustrate compliance with setbacks) to assure agreement with these standards.

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.

Setbacks are required in the RH. Not applicable.

In arrangement, street presence, definition, window arrangement symmetry, corner definition and massing, the proposed Pearl Street cube looks remarkably like a public school from the 1920s.

While classic in its inspiration, the “new” building begs to be interpreted as an adaptive reuse of an existing building rather than aspiring to importance on its own. Classicism and tradition may inspire (and feel “safe” from a design perspective) but should not deter an architect or designer from finding a new appropriate approach.

The front building is agreeable enough in its reference to traditional public buildings (an innocent plan, although misplaced here due to the intended function.) The rear buildings are predictable and lackluster in their sameness. Understandably they would provide suitable housing, but lack distinction and inspiration.

As new infill construction within an historic district, this design may conflict with Sec. 5.4.8 (b) 3. in “creating a false sense of historical development and adding conjectural features” (what appears to be a grammar school building) where they never existed. This would be architectural dishonesty, and a disservice to the historic district.

The rear porch appendage is puzzling and odd in its attachment. It is assumed that the building redesign to meet the required side yard setback will spur alteration.

(b) Protection of Important Architectural Resources:

Although the previous building was a contributing resource within the Pearl Street Historic District, its loss to fire removed consideration for historic structures on this parcel. While there remains the possibility of discovery for early 19th century keepsakes during site excavation, no extant structures would warrant examination under this standard.

Not applicable.

(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.

No public views are proposed to be impacted. The proposed massing would likely restrict some light currently enjoyed by neighbors on South Union Street since the previous building was lost to fire. Such restriction does not rise to unreasonableness given allowances for development within the zoning district. No trespass across rights-of-way is included.

(d) Provide an active and inviting street edge:

Building facades shall be varied along the street edge by the integration of architectural features, building materials, or physical step-backs of the façade along its length. Large expanses of undifferentiated building wall shall be avoided. This may be accomplished by incorporating fenestration patterns, bays, horizontal and vertical façade articulations, the rhythm of openings and prominent architectural features such as porches, patios, bays, articulated bases, stepping back an elevation relative to surrounding structures, and other street level details. The use of traditional facade components such as parapet caps, cornices, storefronts, awnings, canopies, transoms, kick plates, and recessed entries are highly encouraged. In areas where high volumes of pedestrian traffic are desired, the use of architectural recesses and articulations at the street-level are particularly important in order to facilitate the flow of pedestrian traffic.

The street front building façade is agreeable enough; symmetrical and orderly; broken into horizontal layers and capped with a traditional cornice. Corners appear to have engaged pilasters to give order and prominence to the classically inspired arrangement. The vocabulary wraps around the east and west facades of the front cube, dividing the elevations into vertical thirds by virtue of engaged pilasters, and corbeled cornice line. The material appears to be brick. In this detailing, it supports the interpretation as a grade school.

Non-residential buildings should provide visual access into the interior of building at the street level through the use of large transparent windows and/or window displays in order to create a dynamic and engaging public streetscape. The use of mirrored, frosted, or tinted glass shall not be permitted along an active pedestrian street-level façade.

This is a residential building. Not applicable.

In contrast, residential buildings may be slightly recessed and/or elevated from the street-level in order to provide privacy. In such cases, visual interest along the streetscape can be provided through the use of landscaping, porches, and other similar features that offer a transition between public and private space.

The previous building was a good example of this standard: The residence (original use) was elevated above the public way, utilizing the grade change and landscaping to visually activate the site, increase the importance of the structure while providing privacy to the residents. A small entryway had both addressed the public way (via open porch) while providing a private site for resident entry. This plan has none of the above – no grade change, no landscaping, no porches, no private components typically associated with residential structures.

Buildings in downtown districts that provide open space by way of building setbacks at the ground level shall utilize landscaping, street furniture, public art, sitting walls, fountains, etc. to maintain a sense of the existing street wall, define a sense of entry for the building and create a space that enhances the pedestrian's experience. Urban "open" space shall maximize accessibility for all individuals including the disabled, and encourage social interaction.

This is in the RH zone, so not applicable. Some guidance may be taken from this standard, however, in providing for this scale residential building. Residents typically appreciate a sense of entry; a place to engage others in conversation, and move in comfort without hindrance between public and private space. The DAB has recommended inclusion of some identified public space for resident enjoyment.

(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.

Materials are not defined. The front cube appears to be brick; the others are unknown. Building features are less developed as well.

Owners of historic structures are encouraged to consult with an architectural historian in order to determine the most appropriate repair, restoration or replacement of historic building materials as outlined by the requirements of Art 5, Sec. 5.4.8.

Not applicable.

(f) Reduce energy utilization:

New structures should incorporate the best available technologies and materials in order to maximize energy efficient design. All new construction shall 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 development will be required to meet energy efficiency standards as defined by the city (as noted) and the state within new legislation that went into effect July 1, 2013.

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.

As previously noted, the broad expanse of flat roof begs for solar installation.

Shade impacts are not anticipated to be a problem, as the most egregious period in Burlington would be the autumnal equinox. The shadowcast would be mostly limited to Pearl Street or the access driveway and a small northerly portion of the parking area. In any case, no shade cast that would exceed the impact of the previous example at this site is anticipated.

(g) Make advertising features complementary to the site:

Any signage will require a separate sign permit.

(h) Integrate infrastructure into the building design:

Exterior machinery and equipment installations, service and loading areas, utility meters and structures, mailboxes, and similar accessory features 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.

See 6.2.2. (p), above.

Rooftop mechanicals, including heating and cooling devices and elevator equipment, should be incorporated into the structure's design, and shall be arranged to minimize their visibility from the street level. Such features, in excess of one foot in height, shall be either enclosed within the roof structure, outer building walls, or parapets, or designed so that they are integrated into the overall design and materials of the building. Where such rooftop features do not exceed ten percent (10%) of the total roof area, they may be considered "ornamental and symbolic features" pursuant to Sec. 5.2.7 for the purposes of measuring building height.

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

No rooftop equipment is defined within this proposal; however recent development has seen repeated plans for piling equipment on a building design at the 11th hour of review. For new construction, this is unacceptable. The design team must accept the challenge to incorporate all mechanical equipment *within the design envelope*, finding solutions that are both functional and beautiful. This is only possible during the design phase, and not during construction. Imagination and flexibility are key to finding an acceptable solution.

Any equipment should be accompanied by spec sheets that define decibel, vibration, or noise levels to assess likely impacts to this use and surrounding properties.

(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.

All new development is required to meet safety, building and fire code per the assessment of Burlington's building inspector and fire marshal. For multi-unit residential structures, an intercom system is encouraged to complement any on-site security plans. A lighting plan should include consideration of adequate illumination near building entrances and in the parking lot to assure safety.

Article 8: Parking

Sec. 8.1.8 Minimum Off-Street Parking Requirements

This is within the Neighborhood Parking District, which requires 2 parking spaces for every residential unit. For 29 units, 58 off street parking spaces are required. The application proposes 41; however 8 of those are tandem and cannot be counted toward the parking requirement as this is not a single family or duplex (See Sec.3.2.7, (a) 8. And 8.1.14.) Therefore, only 33 parking spaces may be counted toward the requirement (25 shy of the requirement.) A request for a parking waiver is anticipated; any such request would require submission of a dynamic parking management plan that addresses how the development can be adequately served by a more efficient approach that satisfies the intent of this article and the Municipal Development Plan.

Section 8.1.11 Parking Dimensional Requirements

The following standards in Table 8.1.11-1 below shall be used to ensure safe, adequate, and convenient access and circulation. These standards shall be adhered to except in situations where a lesser standard is deemed necessary by the DRB due to site topography, location of existing or proposed structures, lot configuration, and/or the need to preserve existing trees and mature vegetation.

There exists a parking lot associated with the previous use; however the applicant proposes re-grading and re-arrangement of the parking spaces to provide 41 parking spaces (33 toward requirement) on site. The parking spaces must meet the dimensional requirements and back-up space of this standard. (Parallel parking, 9' x 22'; 90° spaces 9' x 20'. back-up 24' unless the DRB deems a lesser standard necessary.)

Section 8.1.12 (h) Compact Car Parking

15% of parking may be identified as compact (8' x 18') parking. $.15 \times 41 = 6$ parking spaces. These are illustrated directly south of the proposed building. This configuration is likely to change with revisions to the site plan to comply with sideward setbacks. Additionally, these may prove problematic, as any cars greater than 18' long will likely block trash haulers from getting to the dumpster. The applicant will need to assure that appropriate (20') minimum back-up space is afforded for these spaces.

Sec. 8.1.13 Parking for Disabled Persons

Parking spaces for disabled persons shall comply with current Americans with Disabilities Act guidelines and shall be at least eight feet (8') wide with an adjacent access aisle at least five feet (5') wide. Parking access aisles shall be part of an accessible route to the building or facility entrance. Accessible parking spaces shall be designated as reserved for the disabled by a sign showing the symbol of accessibility. Painting of the paved area for the dedicated parking spaces alone shall not be sufficient as the sole means of identifying these spaces.

The site plan illustrates 2 h/c parking spaces adjacent to the pedestrian walkway on the east side of the building. Dimensions are not clear; however the applicant must confirm that these provide the required 5' access aisle without extending into the driveway access aisle, putting people in harm's way. If the sidewalk is designated and acceptable for meeting the access requirement, the applicant shall define.

Defined handicap parking spaces will need to be identified via signage, and not limited to pavement paint.

Section 8.1.15 Waivers from Parking Requirements / Parking Management Plans

A parking waiver request is anticipated. A parking management plan will be a required submission document. See Section 8.1.8 above.

Section 8.2.5 Bicycle Parking Requirements

For 29 residential units, 7 long term bicycle spaces (1 for every 4 units) and 3 short term bicycle parking spaces (1 space for every 10 units) will be required. These will need to be illustrated on plans at the time of application submission.

Article 9: Inclusionary and Replacement Housing

Section 9.1.10 Percentage of Inclusionary Units

The applicants will need to communicate with the manager of the city's Housing Trust Fund to identify the appropriate number of Inclusionary Units, dependant upon the rent/selling price of the units. Typically, 15% are offered as IZ units. 15% of 29 = **4 Inclusionary Units**. A letter of compliance will be required from the Housing Trust Fund manager, and to define any reduction in the amount of Impact Fees to be assessed.

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

LEGEND

- 336 — EXISTING CONTOUR
- 336 — PROPOSED CONTOUR
- — — APPROXIMATE PROPERTY LINE
- — — APPROXIMATE SETBACK LINE
- IRON PIN FOUND
- CONCRETE MONUMENT FOUND
- SS — GRAVITY SEWER LINE
- FM — FORCE MAIN
- W — WATER LINE
- OE — OVERHEAD ELECTRIC
- UE — UNDERGROUND ELECTRIC
- G — GAS LINE
- ST — STORM DRAINAGE LINE
- ⊙ SEWER MANHOLE
- ⊕ STORM MANHOLE
- ⊙ SHUT-OFF
- ⊕ POWER POLE
- ⊙ CATCH BASIN
- ⊕ LIGHT POLE
- — — SIGN
- ⊙ DECIDUOUS TREE
- ⊕ CONIFEROUS TREE
- — — EDGE OF BRUSH/WOODS
- — — CHAIN LINK FENCE
- — — BARBED WIRE FENCE
- — — STOCKADE FENCE

GENERAL NOTES

1. Utilities shown do not purport to constitute or represent all utilities located upon or adjacent to the surveyed premises. Existing utility locations are approximate only. The Contractor shall field verify all utility conflicts. All discrepancies shall be reported to the Engineer. The Contractor shall contact Dig Safe (888-344-7233) prior to any construction.
2. All existing utilities not incorporated into the final design shall be removed or abandoned as indicated on the plans or directed by the Engineer.
3. The Contractor shall maintain as-built plans (with ties) for all underground utilities. Those plans shall be submitted to the Owner at the completion of the project.
4. The Contractor shall repair/restore all disturbed areas (on or off the site) as a direct or indirect result of the construction.
5. All grassed areas shall be maintained until full vegetation is established.
6. Maintain all trees outside of construction limits.
7. The Contractor shall be responsible for all work necessary for complete and operable facilities and utilities.
8. If the building is to be sprinklered, backflow prevention shall be provided in accordance with AWWA M14. The Site Contractor shall construct the water line to two feet above the finished floor. See mechanical plans for riser detail.
9. The Contractor shall submit shop drawings for all items and materials incorporated into the site work. Work shall not begin on any item until shop drawing approval is granted.
10. In addition to the requirements set in these plans and specifications, the Contractor shall complete the work in accordance with all permit conditions and any local Public Works Standards.
11. The tolerance for finish grades for all pavement, walkways and lawn areas shall be 0.1 feet.
12. Any dewatering necessary for the completion of the sitework shall be considered as part of the contract and shall be the Contractor's responsibility.
13. The Contractor shall coordinate all work within Town Road R.O.W. with Town authorities.
14. The Contractor shall install the electrical, cable and telephone services in accordance with the utility companies requirements.
15. Existing pavement and tree stumps to be removed shall be disposed of at an approved off-site location. All pavement cuts shall be made with a pavement saw.
16. If there are any conflicts or inconsistencies with the plans or specifications, the Contractor shall contact the Engineer for verification before work continues on the item in question.
17. Property line information is based upon a plan entitled "Subdivision of Single Lot at 253-256 Pearl St., Burlington, VT", dated Aug. 31, 1984, prepared by Knight Consulting Engineers, Inc. and recorded in the City of Burlington Land Records. This plan is not a boundary survey and is not intended to be used as one.
18. The project benchmark, of 500.0', is a spike set in power pole GMP #22. Vertical datum based on a scaled elevation from a USGS Quad Topo map. Horizontal datum based on a magnetic reading taken at the time of survey.

ZONING REQUIREMENTS

Zoning District: Residential High Density (RH)
 Parking District: Neighborhood

Density: 40 du/Ac. (80 w/ bonus)
 Lot Coverage: 80% (92% w/ bonus)
 Building Height: 35' (45' w/ bonus)

Front Yard Setback: ±5' of average of 2 adjoining properties = ±7.4'
 Side Yard Setback: 10% or 5' (Max. required no more than 25') = ±8.9'
 Rear Yard Setback: 25% or 20' (Max. required no more than 75') = 75'

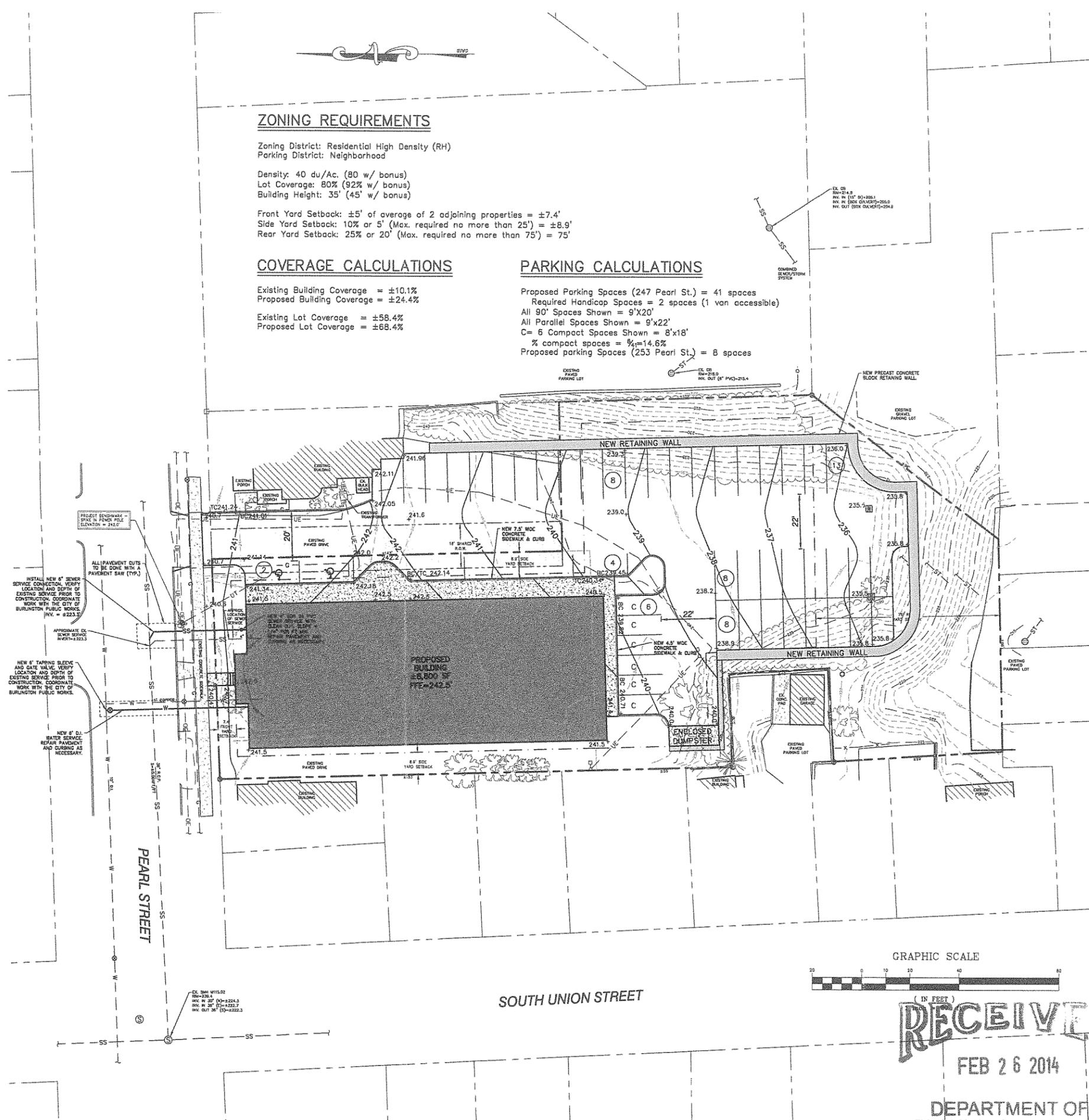
COVERAGE CALCULATIONS

Existing Building Coverage = ±10.1%
 Proposed Building Coverage = ±24.4%

Existing Lot Coverage = ±58.4%
 Proposed Lot Coverage = ±68.4%

PARKING CALCULATIONS

Proposed Parking Spaces (247 Pearl St.) = 41 spaces
 Required Handicap Spaces = 2 spaces (1 van accessible)
 All 90' Spaces Shown = 9'x20'
 All Parallel Spaces Shown = 9'x22'
 C = 6 Compact Spaces Shown = 8'x18'
 % compact spaces = 14.6%
 Proposed parking Spaces (253 Pearl St.) = 8 spaces



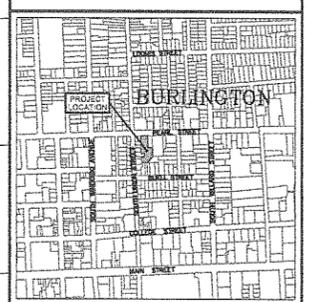
SITE ENGINEER:

 CIVIL ENGINEERING ASSOCIATES, INC.
 10 MANSFIELD VIEW LANE, SOUTH BURLINGTON, VT 05403
 802-864-2323 FAX: 802-864-2371 web: www.coea-ve.com
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DRAWN: ACL
 CHECKED: PBS
 APPROVED: PBS
 OWNER:

PEARL LAKE LLP
 247 PEARL STREET
 BURLINGTON VERMONT 05401

PROJECT:
PROPOSED RESIDENTIAL BUILDING
 247 PEARL STREET
 BURLINGTON VERMONT 05401

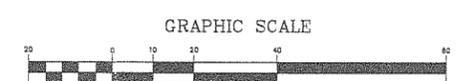


LOCATION MAP
 1" = 1000'

DATE	CHECKED	REVISION

PROPOSED CONDITIONAL SITE PLAN
DRAFT for Review

DATE: FEB., 2014
 SCALE: 1" = 20'
 PROJ. NO.: 14103.01
 DRAWING NUMBER: **C1.1**



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COVERAGE CALCULATIONS

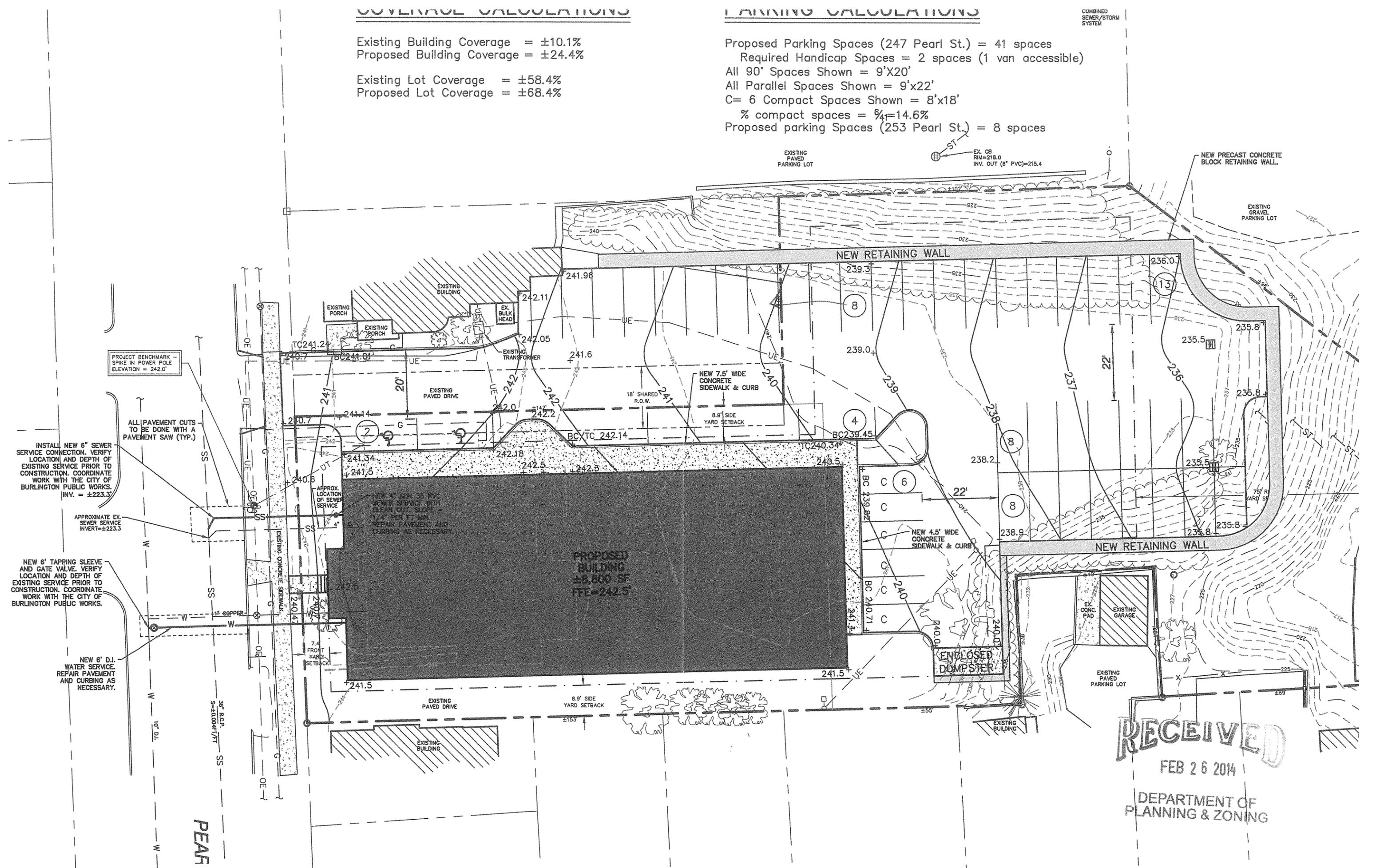
Existing Building Coverage = ±10.1%
Proposed Building Coverage = ±24.4%

Existing Lot Coverage = ±58.4%
Proposed Lot Coverage = ±68.4%

PARKING CALCULATIONS

Proposed Parking Spaces (247 Pearl St.) = 41 spaces
Required Handicap Spaces = 2 spaces (1 van accessible)
All 90° Spaces Shown = 9'x20'
All Parallel Spaces Shown = 9'x22'
C= 6 Compact Spaces Shown = 8'x18'
% compact spaces = $\frac{6}{41}=14.6\%$
Proposed parking Spaces (253 Pearl St.) = 8 spaces

COMBINED
SEWER/STORM
SYSTEM



INSTALL NEW 6" SEWER SERVICE CONNECTION. VERIFY LOCATION AND DEPTH OF EXISTING SERVICE PRIOR TO CONSTRUCTION. COORDINATE WORK WITH THE CITY OF BURLINGTON PUBLIC WORKS.
INV. = ±223.3'

NEW 6" TAPPING SLEEVE AND GATE VALVE. VERIFY LOCATION AND DEPTH OF EXISTING SERVICE PRIOR TO CONSTRUCTION. COORDINATE WORK WITH THE CITY OF BURLINGTON PUBLIC WORKS.

NEW 6" D.I. WATER SERVICE. REPAIR PAVEMENT AND CURBING AS NECESSARY.

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NORTH AND EAST FAÇADES



NORTH AND WEST FAÇADES



SOUTH AND EAST FAÇADES

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1



2



3



4

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NORTH ELEVATION



EAST ELEVATION

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SOUTH ELEVATION



WEST ELEVATION

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