

## Department of Planning and Zoning

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**TO:** Development Review Board  
**FROM:** Scott Gustin & Mary O'Neil, Principal Planners  
**DATE:** June 5, 2018  
**RE:** 18-0834CA/MA; 298 College Street

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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: RH      Ward: 8E

Owner/Applicant: Greater Burlington YMCA / Freeman French Freeman, Inc.

**Request:** Construct new 2-story, ~50,000 sf YMCA facility including health club and large daycare and related site improvements.

### **Applicable Regulations:**

Article 3 (Applications and Reviews), Article 4 (Maps & Districts), Article 5 (Citywide General Regulations), Article 6 (Development Criteria & Guidelines), Article 8 (Parking)

### **Background Information:**

The Greater Burlington YMCA (GBYMCA) proposes demolition of the former Ethan Allen Club and construction of a new 2-story, 51,625 sf Y facility with daycare and health club uses. As the development footprint is more than 5,000 s.f. and the gross floor area exceeds 10,000 s.f., the application is subject to major impact review. The proposed uses (health club, large daycare) are conditional uses in the RH zoning district.

Sketch plan review with the Design Advisory Board took place December 13, 2017 and with the Development Review Board on December 19, 2017.

The Design Advisory Board reviewed this application at their April 10, 2018 meeting. The Board unanimously recommended approval of the project subject to the following conditions:

1. That the applicant shall explore the use of additional cladding material appropriate to the community and institutional nature of the building; one that complements the hardi siding, especially on the east and west elevations. (i.e. metal panel.)
2. That the exterior façade at north end of east elevation be further developed with additional detail of human scale.
3. The applicant shall provide a layout for future photovoltaic (PV) installation/array. The DAB is disappointed to have solar omitted from the plan, and comments that this project should reflect the values of the greater community. Financial avenues are available to that end.
4. Develop and define material of the trash enclosure to relate to the palette of the building.

5. The applicant shall define snow storage or a plan for removal.
6. A more attractive, residential style fence is recommended for the children's play area.
7. Illumination along walkways shall be adjusted so as to not exceed 2 fc, unless doing so would specifically conflict with NFPA Life Safety Code. A revised photometric shall be provided to demonstrate those changes.
8. Pole lights shall not exceed 25 in height.
9. Written approval of the EPSC/Stormwater plan by the Stormwater Engineering program will be a requirement of any decision.
10. All new construction is required to meet the Guidelines for Energy Efficient construction according to the requirements of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances.
11. Consideration of the Parking Management Plan toward a parking waiver is under the discretionary review of the Development Review Board.
12. Standard Permit Conditions 1-15.

Project plans have been revised to address the recommendations of the Design Advisory Board as applicable.

The Conservation Board will review this application at their June 4, 2018 meeting. Comments and recommendations of that Board will be provided for DRB consideration.

Previous zoning actions for this property are noted below.

- **Zoning Sketch Plan Review ZP18-0481SP**; Sketch Plan review of proposed redevelopment of the former Ethan Allen Club for the Greater Burlington YMCA; Basement plus two stories, approximately 65,000 sf (22,000 sf footprint.) Request for parking waiver.
- **Non-applicability of Zoning Permit Requirements 17-1224NA**; To utilize existing space at 266 College Street to run a school age summer program for 10-15 age children. June 2017.
- **Zoning Permit 16-0856CU**; establish health club use within a portion of the existing building. No site or exterior building changes proposed. March 2016.
- **Non-Applicability of Zoning Permit Requirements; 16-0825NA**; interior work only to create space for fitness classes. February, 2016.
- **Zoning Permit 15-0853CA**; change of use from temporary homeless shelter to temporary art gallery. March 2015.
- **Zoning Permit 15-0675CU**; seasonal change of use from club to community house / overnight shelter. January 2015.
- **Zoning Permit 11-0604SN**; replacement parallel sign for Ethan Allen Center. February 2011.
- **Zoning Permit 99-576**; installation of a nonilluminated parallel sign for Ethan Allen Club. This is the only sign for the site. June 1999.
- **Zoning Permit 97-299**; installation of a nonilluminated fabric awning over the rear entry of the Ethan Allen Club. Emblem graphic without lettering to be applied to the end elevation of the awning. February 1997.

- **Zoning Permit 97-298**; removal of the existing structural canopy (cars drive under) over the rear entrance to the existing Ethan Allen Club. No change to traffic patterns or façade alterations included in this application. February 1997.
- **Non-Applicability of Zoning Permit Requirements**: Move business operations to vacant space. (Operation of the premises as a membership club for the Knights of Columbus; new business/membership club Ethan Allen Club.) March 1996.
- **Zoning Permit 94-105 / COA 094-023**; construction of an eight car parking lot for existing office building on adjacent lot. (To be accessed by that lot) Existing use of parcel is the Ethan Allen Club. August 1993.
- **Zoning Permit 85-104**; erect 2' x 4' freestanding sign. April 1985.
- **Zoning Permit 80-843**; renovation; move exterior wall in the bar area only eight feet to north. New fireplace, new bar, insulation, electrical work. April 1980.
- **Zoning Permit n.n.**; demolish the existing building and erect a new 72' x 120' two story building to encompass 16,280 sf. March 1972.

## I. Findings

### Article 3: Applications and Reviews

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

#### **Section 3.5.6 (a) Conditional Use Review Standards**

*Approval shall be granted only if the DRB, after public notice and public hearing, determines that the proposed conditional use and associated development shall not result in an undue adverse effect on each of the following general standards:*

1. *Existing or planned public utilities, facilities or services are capable of supporting the proposed use in addition to the existing uses in the area;*

The proposed development will be served by municipal water, sewer, and electricity. It was reviewed by the Technical Review Committee in December 2017. Comments from that review are reflected in the present permit application. **(Affirmative finding)**

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 property is located in the RH zone and relatively close to the downtown. While the zone is intended primarily for high density residential development, several non-residential uses that serve as amenities in residential areas (including health clubs and daycares) are allowed as conditional uses. This proposal is for a new health club and daycare. These uses will provide amenity to the surrounding residential uses and are consistent with the intent of the RH zone. **(Affirmative finding)**

3. *The proposed use will not have nuisance impacts from noise, odor, dust, heat, and vibrations greater than typically generated by other permitted uses in the same zoning district;*

The proposed health club will not have nuisance impacts from noise, odor, dust, heat, and vibrations greater than typically generated by other allowed uses in the RH zone. **(Affirmative finding)**

4. *The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street designations and capacity; level of service and other performance measures; access to arterial roadways; connectivity; transit availability; parking and access; impacts on pedestrian, bicycle and transit circulation; safety for all modes; and adequate transportation demand management strategies;*

A traffic impact study has been conducted for the proposed facility. The study includes the standard information relative to total trip generation, peak hour trip generation, and intersection level of service (LOS). Note that additional updated traffic information is included in the May 23, 2018 addendum pertaining to parking management and traffic generation. Note also the 1-way circulation onsite: All traffic enters from Bradley Street and exits onto College Street.

The daycare facility is expected to generate up to 80 AM peak hour trips and up to 85 PM peak hour trips. The health club use is expected to generate up to 50 AM peak hour trips and up to 131 PM peak hour trips. The traffic study adjusts these combined totals to 114 AM peak hour trips and 164 PM peak hour trips as a result of TDM measures to be implemented. As noted under the parking management plan, the peak hours of the daycare do not coincide with those for the health club. As a result, extremes of peak hour traffic are avoided.

LOS analysis focuses on the intersections of College Street and South Union Street and of Bradley Street and South Union Street. Build and no-build scenarios in 2019 and 2024 are evaluated. In most cases, intersection LOS remains unchanged between the build and no-build scenarios. The northbound turning movement from College Street onto South Union Street drops from a LOS B to LOS C in the build scenarios. In all cases, intersection LOS remains acceptable.

Comments have been solicited from the Department of Public Works, but none have yet been received. Any comments received during review of this application will be provided to the Development Review Board for consideration. **(Affirmative finding)**

*and,*

5. *The utilization of renewable energy resources;*

The project does not include renewable energy resources; however, the building will be constructed so as to be “solar ready.” **(Affirmative finding)**

*and,*

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

Proposed stormwater management complies with Chapter 26. Building and related construction codes will be administered via the building inspector. **(Affirmative finding)**

(b) Major Impact Review Standards

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

No significant air or noise pollution is anticipated with this proposal. **(Affirmative finding)**

See Sec. 5.5.3 for stormwater management.

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;*

See Sec. 5.5.3.

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) 4.

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

This non-residential project will have no impacts on the city's school system. **(Affirmative finding)**

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; however, the extent of those impacts is expected to be modest. Impacts related to the proposed development will be at least partially offset by payment of impact fees as required for new construction. **(Affirmative finding as conditioned)**

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;*

See Article 6 for effects on significant natural areas, historic buildings, and archaeological 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 project will replace a long-standing membership club – one nonresidential use will be replaced with another. The intensity of development will increase, and impact fees will be assessed to help mitigate impacts associated with the redevelopment. **(Affirmative finding as conditioned)**

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

The proposed redevelopment substantially complies with the municipal development plan.

The project is located within the Old North End Enterprise Community wherein new development and reinvestment is promoted (Land Use Plan, pg. I-26) and provides amenity to nearby residences and businesses within a mixed land use context (Land Use Plan, pg. I-2). The proposed redevelopment will include improved onsite stormwater management measures to lessen impacts on city systems and the receiving waters of Lake Champlain (Natural Environment, pg. II-3). The parking management plan incentivizes use of alternative transportation measures; the site is

conducive to pedestrian, bike, and bus access (Transportation System Plan, pg. V-12).  
**(Affirmative finding)**

*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 development will replace one nonresidential use with another. It will have no undue adverse impact on the present or projected housing needs of the city. **(Affirmative finding)**

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

The proposed development will have no undue adverse impact on the park and recreation needs of the city. Given the proposed use, it may provide additional recreational amenity for residents. What impacts there may be will be addressed via payment of impact fees. **(Affirmative finding as conditioned)**

(c) Conditions of Approval:

*In addition to imposing conditions of approval necessary to satisfy the General Standards specified in (a) or (b) above, the DRB may also impose additional conditions of approval relative to any of the following:*

*1. Mitigation measures, including but not limited to screening, landscaping, where necessary to reduce noise and glare and to maintain the property in a character in keeping with the surrounding area.*

The proposed development is not expected to generate offsite noise or glare substantial enough to require mitigation. **(Affirmative finding)**

*2. Time limits for construction.*

No request for an extended construction timeline is included in the application. As a result, the standard 2-year timeframe for zoning permits will apply. **(Affirmative finding)**

*3. Hours of operation and/or construction to reduce the impacts on surrounding properties.*

No construction schedule is included in the application materials. Typical days and hours of construction in residential areas are Monday – Friday from 7:30 AM – 5:30 PM. Saturday construction may occur for interior work only. No construction activity on Sunday. **(Affirmative finding as conditioned)**

*4. That any future enlargement or alteration of the use return for review to the DRB to permit the specifying of new conditions; and,*

Any future enlargement or alteration will be reviewed under the zoning regulations in effect at that time.

*5. Such additional reasonable performance standards, conditions and safeguards, as it may deem necessary to implement the purposes of this chapter and the zoning regulations.*

Addressed in conditions of approval.

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

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

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

**(5) Residential High Density (RH)**

The subject property is located in the RH zone. This zone is primarily intended primarily for high density residential development in the form of large multi-family structures. As noted before, several nonresidential, but compatible, uses are allowed within this zone. Health clubs and daycares are two of them. **(Affirmative finding)**

**(b) Dimensional Standards & Density**

Lot coverage will increase from 44.9% to 78.8%. It will remain below the 80% limit.

The property has two front yards and several side yards. The required front yard setback along College Street is 31' +/- 5.' As proposed, the primary structure is an acceptable 28' from the front property line along College Street. The required front yard setback along Bradley Street is 11' +/- 5.' As proposed, the building will be set back an acceptable 7.' The side yard setback requirement is 4.5' on the west side and just 1' on the east side based on the average side yard setback of neighboring properties along College Street. Based on the average side yard setback of neighboring properties along Bradley Street, the side yard setback requirement is 4.5' on the west and 15.5' on the east. The through nature of this lot confuses this side yard setback provision as it is based on adjacent properties with the same street frontage. As proposed, the building complies with the greater of the applicable side yard setbacks. The driveway and parking are subject to a 5' setback. Both are compliant.

Building height ranges between 29' 9" – 34' 9" facing Bradley Street and between 31' 9" and 34' 9" facing College Street. Height is below the 35' limit. **(Affirmative finding)**

**(c) Permitted & Conditional Uses**

The health club use is conditional in the RH zone. The proposed daycare is "large" (i.e. more than 20 children). Both uses are conditional in the RH zone. **(Affirmative finding)**

**(d) District Specific Regulations**

**1. Setbacks**

No setback exceptions under this criterion are sought.

**2. Height**

No height exceptions are sought.

**3. Lot Coverage**

No lot coverage exceptions are sought.

**4. Accessory Residential Structures and Uses**

Not applicable.

**5. Residential Density**

Not applicable.

**6. Uses**

Not applicable.

**7. Residential Development Bonuses**

None are sought.

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

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

See Sec. 4.4.5 (b) above.

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

See Sec. 4.4.5 (b) above.

### **5.2.6, Building Height Limits**

See Sec. 6.3.2 (a) 1 for exceptions relative to rooftop mechanical equipment.

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

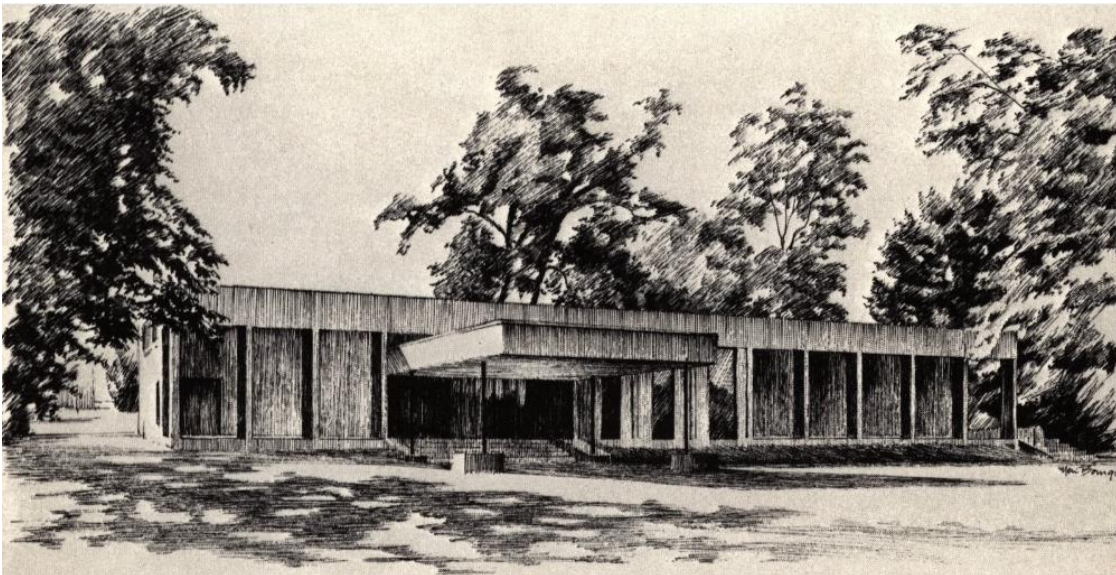
The 51,625 sf facility equates to 34 residential units for the purposes of density calculations in this residential district (every 1,500 sf = 1 dwelling unit). This 1.47 acre parcel could contain up to 58 dwelling units (40 units/acre). The residential equivalency of 34 is acceptable. **(Affirmative finding)**

## **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.*

Built in 1972 by noted Burlington architect Julian Goodrich (1922-2010), this building was listed as non-contributing to the **Main Street –College Street Historic District** as ineligible due to age; however, Brian Knight's 2010 *Survey of Modern Architecture* included it as an example of International Style.





As a result of that research, staff consulted with the Vermont Division for Historic Preservation with an inquiry as to eligibility for historic designation. Here is the response from state Architectural Historian Devin Colman:

*The building is still only 45 years old, so making a case for eligibility would be a challenge. I consider it to be an example of Formalist architecture as opposed to International Style, with its smooth wall surfaces, projecting roofline and strict symmetry. The brick columns supporting the projecting roofline on the north and south elevations create an ordered and rhythmic façade, similar to a Classical colonnade. It's an interesting design solution for a building that doesn't really have a front or a back and has to address both College Street and the parking lot, where the primary access is located. Attached is a rendering of the entry, as originally designed.*

*There aren't a lot of examples of Formalist design in the city; offhand I can think of one other, Votey Hall at UVM (Barr, Linde, Hubbard / 1963).*

The above opinion, including the building's age (less than 50 years) and challenge to establish eligibility, results in a determination that the standards of this Section do not apply. (**Not applicable**)

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

Nothing in the proposal appears to constitute a nuisance under this criterion. (**Affirmative finding**)

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

See Sec. 6.2.2 (o).

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

A comprehensive stormwater management plan is included in the project application. Runoff will be collected in underground detention tanks and released at a controlled rate into the city's combined sewer system. Peak runoff rates will decline significantly from existing conditions. The stormwater management plan has been reviewed and approved by the city's stormwater program staff. Similarly, an erosion prevention and sediment control plan has been submitted for review. It, too, has been reviewed and approved by the city's stormwater program staff. (**Affirmative finding**)

**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:**

The existing site has a ring of greenery around the parcel, on the west, north and east. A large canopy tree and a shrub row on the east will be maintained; however other plantings (including the pine on the south lawn) will be removed to accommodate the redevelopment. An articulated

planting plan has been provided (Plan L100); further reference is made to that document for species and planting location. **(Affirmative finding)**

**(b) Topographical Alterations:**

The site has a natural topography with a rising slope to the east (more pronounced at the northwesterly property line) and grade differential reflected in contours (228 on the west to 243 on the east.) The north of the site remains fairly flat, as it is the location of existing parking.

New contour lines are illustrated on Civil Plan C-100, which reflect building development between 238-240FF, with grades moderated at the east parking lot. Retaining walls are included on the northwest, and potentially on the north east corners, depending upon final design. **(Affirmative finding)**

**(c) Protection of Important Public Views:**

Distant terminal views of Lake Champlain and the mountains shall remain intact from public thoroughfares. **(Affirmative finding)**

**(d) Protection of Important Cultural Resources:**

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

The Main Street – College Street Historic District, listed on the National Register of Historic Places in 1988 identifies this property as a non-contributing resource due to age. It does, however, relate the importance of the membership clubs in Burlington's history.

The existing Ethan Allen Club replacement building was identified in a 2010 *Survey of Modern Architecture* in Burlington. Constructed in 1972 and designed by noted Vermont architect Julian Goodrich, the building is associated with International Style. The building has not been listed on the state or National Register of Historic Places.

See Section 5.4.8 for further information.

**(e) Supporting the Use of Renewable Energy Resources:**

The proposed building will not have renewable energy systems at the time of construction; however, the roof will be structured to accommodate future loading with PV panels. The pool is planned to be used as a heat sink to minimize external cooling requirements. **(Affirmative finding)**

**(f) Brownfield Sites:**

The property is not listed on the Department of Environmental Conservation's brownfield list. **(Not applicable)**

**(g) Provide for nature's events:**

*Special attention shall be accorded to stormwater runoff so that neighboring properties and/or the public stormwater drainage system are not adversely affected. All development and site*

*disturbance shall follow applicable city and state erosion and stormwater management guidelines in accordance with the requirements of Art 5, Sec 5.5.3.*

*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. See Sec. 5.5.3 for stormwater management and erosion control.*

Entries on all elevations are sheltered under canopies to provide adequate protection for visitors from inclement weather.

An area for snow storage is not identified. The tight nature of the site redevelopment will likely require snow to be mechanically removed from the site. The applicant shall confirm such plan. **(Affirmative finding as conditioned)**

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

The parcel is a through lot, and therefore has two street frontages; Bradley and College. The revised plan presents a building intended to fully address both. Although the College Street front will likely be identified as the main face of the building, the Bradley Street front will be the principal entrance to the parking/drop-off and meets the expectation of a building fully engaged with, and relating to, its context. Revised building elevations now illustrate an entrance visible from Bradley Street. See revised plan, A200. **(Affirmative finding)**

**(i) Vehicular Access:**

Access is proposed one way (south); from Bradley Street through the site to College Street. Drop-off and handicap accessible parking are identified near entrances. Signage will direct motorists to one-way circulation. **(Affirmative finding)**

**(j) Pedestrian Access:**

Pedestrian walks on both the north and south of the site will connect to existing public sidewalks. A walkway will continue along the entire easterly building side, connecting north to south.

Revised plans also illustrate a westerly path, 5' in width and connecting to the College Street public sidewalk specifically intended as an egress path. See Plan C-100.

Bradley Street is proposed to receive 727 sf of new public sidewalk and curbing to formalize and tie the new work with existing infrastructure. An access apron is included on civil plans as well. Any work in the ROW will require an agreement and approval of City Council in conjunction with the Department of Public Works. **(Affirmative finding as conditioned)**

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

The building is proposed to have an elevator. Two handicap parking spaces are illustrated on the site plan.

Compliance with ADA standards is under the jurisdiction of the building inspector. **(Affirmative finding as conditioned)**

**(l) Parking and Circulation:**

Vehicular circulation is proposed one-way north to south, from Bradley Street to College St.

See Article 8 for details as to parking supply, dimensional requirements, and waiver request. **(Affirmative finding)**

**(m) Landscaping and Fences:**

Plan L-100 defines a detailed planned landscaping agenda, including 88 linear feet of retaining walls on the east. A 4' high black vinyl coated chain link fence is proposed around the outdoor play area on the west. Although chosen for its durability, a more attractive, residential style fence is recommended.

Wall seating is provided at the main (College Street) entrance patio. **(Affirmative finding as conditioned)**

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

The College Street entrance features a gathering/amenity space with seasonal plantings and large area of wall seating and stone seating benches. Additionally, an accessible area is provided on the west lawn for children participating in the Y's daycare. **(Affirmative finding)**

**(o) Outdoor Lighting:**

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

Application materials include specific lighting fixtures and a photometric plan. (See Plan L-200.) The design team notes that Vermont Building Code/NFPA 101 Life Safety requires an identified minimum lighting level along paths for the means of egress from building exits. (1 fc along walking surfaces, no less than 10fc at stairs.) A majority of the walkways onsite are portions of the building's life safety exit discharge and are lit to meet these standards using full cut-off dimmable fixtures.

Section 5.5.2 does offer maximum lighting standards: Parking Lots are not to exceed 4 fc. at any point (achieved); and walkways not more than 2 fc. The walkway immediately east of the building has several "hot spots" under the "W" wallpack fixtures, based on the originally submitted photometric plan. Lowering that illumination would not seem to conflict with NFPA Life Safety standards, and is recommended. Similarly, the "WP" fixtures on the west façade are similarly high, and should be adjusted downward.

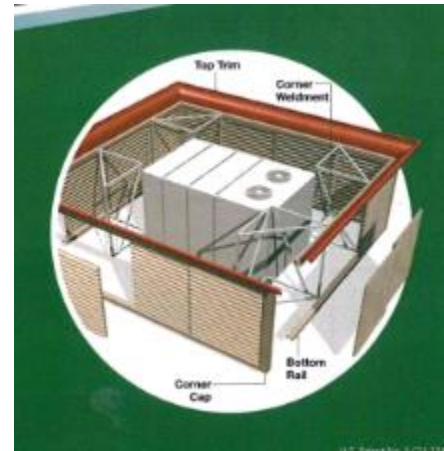
A revised photometric, reflecting the lighting plan of L-200 (submitted 5/22/2018) shall be required. **(Affirmative finding as conditioned)**

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

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

A trash enclosure is located on the east side of the parcel, mid-way between Bradley and College Streets along the circulation drive. This enclosure meets the required minimum setback of 5'. Plan L-100 directs to detail plan of trash enclosure; however, none appears to have been provided.

Rooftop equipment will be screened. Reference is made to Plans A106, 106 and A200-201. See attached supplemental information.



*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.*

The design and materials of the trash enclosure has not been defined, and are required.

Gas, sewer and water lines are positioned at the southwest corner of the primary façade, as is the fire strobe. The latter may prevent landscaping screening of the former.

Underground electrical via transformer pad is located adjacent to the entrance patio/walkway on the south. If a transformer box is proposed for installation there, its location is unfortunate due to its high visibility and location adjacent to the sidewalk and the vehicular exit path. Preference would be given to relocation in a less visible area or one that can utilize landscaping screening. The *Arrowood Viburnum* proposed are acceptable if they do not impede views for motorists exiting the drive.

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

The roof plan identifies the location of proposed rooftop mechanicals; all which will be screened via the method identified above. **(Affirmative finding as conditioned)**

### ***Part 3: Architectural Design Standards***

#### **Sec. 6.3.2 Review Standards**

##### **(a) Relate development to its environment:**

##### ***I. Massing, Height and Scale:***

The flat roofed building is consistent in height when viewed along the streetscape. The scale (in breadth) is consistent with the residential condominiums that hug the corner of South Union Street, to the west. Exceptions to height limits are afforded (Sec. 5.2.6 (b) 4.) for rooftop mechanical equipment. The applicant will be required to confirm that the mechanical equipment does not encroach beyond the maximum building height by more than 15 feet and does not exceed 20% of the roof area. **Affirmative finding as conditioned.**



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

A flat membrane roof with skylights is proposed; flat is consistent with the existing building albeit divergent from the neighboring more residential structures. The flat roof allows a desirable building volume without exceeding height limitations for the zoning district.

Rooftop mechanicals will be screened from view from the public street. The roof will be “solar ready” in the future event of installation of that renewable. **(Affirmative finding)**

## 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 feature.*

Entries are provided on the College Street façade, mid-block on the east toward the parking lot and loading areas, as well as door access to the lawn area and street access north and south on the west elevation. The northerly façade (facing Bradley Street) lacks an entry on the closest plane facing the street, but an entry is visible at a building step-back mid-block, and an entrance canopy is discernable on the east. **(Affirmative finding)**

*Peoples with physical challenges should be able to use the same entrance as everyone else and shall be provided an “accessible route” to the building.*

The building has been designed with grade consideration, door widths, service facilities, circulation throughout the building and from floor to floor, as well as site lighting to be welcoming and universally accessible.

*Window patterns 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.*

Elevations define building segments, where window arrangements create a rhythm that repeats across the facade. The College Street (primary) façade is largely glazed, with the largest windows arranged between structural piers across the 2<sup>nd</sup> floor. The first floor has windows set in groups of three, with an ornamental window located next to the entry. The north elevation has both single and paired windows, set symmetrically across the façade at the street front.

Fenestration on the east is arranged in regular rhythm, broken by the building divisions and siding alteration. The insertion of accent windows near the front entrance and adjacent to the daycare entry notify that something different happens within that interior space.

The west elevation is similarly organized, with playful window arrangement along the lower level and regularly spaced openings on the second level. The large window glazing of the 2<sup>nd</sup> floor front has wrapped around to this elevation.

The stacking of windows, and the intermittent insertion of a larger vertical sash on the east, west and north elevations affirms the verticality of the arrangement. **(Affirmative finding)**

**(b) Protection of Important Architectural Resources:**

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

See Section 6.2.2 (d), above.

**(c) Protection of Important Public Views:**

See Section 6.2.2. (c) and Section 5.4.8 for further discussion.

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

Plan revisions have given greater emphasis to the Bradley Street frontage, which now addresses the street in a more assertive and prominent way. A visible building entry has been provided at a massing step-back, required to engage visitors as is typical of a primary façade.

The College Street façade is broad in its genial welcome to the streetscape; large windows invite, and the entry patio welcomes. **(Affirmative finding)**

**(e) Quality of materials:**

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

Materials are varied; fiber cement clapboards, panels and trim are featured, with painted metal fascia, fiberglass windows and thermal frame entries.

The roofing material is proposed to be membrane, with a metal edge.

Those materials identified are observed to be of acceptable durability for new construction. **(Affirmative finding)**

**(f) Reduce energy utilization:**

All new construction is required to meet the Guidelines for Energy Efficient construction according to the requirements of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances. **(Affirmative finding as conditioned)**

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

Any signage will require a separate sign permit. The application narrative notes that a tentative location for a 20 sf freestanding sign is designated at the College Street side of the building. **(Affirmative finding as conditioned)**

[Section 7.2.2, Signs in Residential and RCO Districts limits organizational signs to a total area for any individual use to 20 sq. ft.]

**(h) Integrate infrastructure into the building design:**  
See Section 6.2.2. (p), above.

**(i) Make spaces secure and safe:**  
All development is required to meet applicable building and life safety code as defined by the building inspector and fire marshal. **(Affirmative finding as conditioned)**

## **Article 8: Parking**

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

The minimum parking requirement is based on the two primary uses: a health club and a large daycare. The 41,900 sf health club requires 126 parking spaces (3 spaces per 1,000 sf). The daycare requires 34 parking spaces (1 space per 2 employees and 1 per 5 children). The total parking requirement is 160 parking spaces. The applicant proposes 74 parking spaces, including 48 onsite and 26 off-site. A parking waiver is needed. **(Affirmative finding as conditioned)**

### ***Sec. 8.1.9, Maximum Parking Spaces***

This section limits surface parking to 125% of the Neighborhood Parking District minimum parking requirement. A parking waiver is needed. The proposed surface parking is nowhere near this maximum limitation. **(Affirmative finding)**

### ***Sec. 8.1.10, Off-Street Loading Requirements***

This criterion requires an onsite loading area for all nonresidential construction outside of the downtown parking district. No loading area is evident in the project plans. The applicant intends to address this loading requirement with signage dedicating a loading area for use only during off-peak hours. Revised plans are needed to reflect this item. **(Affirmative finding as conditioned)**

### ***Sec. 8.1.11, Parking Dimensional Requirements***

Parking spaces are dimensionally acceptable. The 60-degree angled spaces are 9' X 18' (with overhang at the ends) with a 20' wide one-way drive aisle. **(Affirmative finding)**

### ***Sec. 8.1.12, Limitations, Location, Use of Facilities***

*(a) Offsite parking facilities*  
See Sec. 8.1.15.

*(b) Downtown street level setback*  
Not applicable.

*(c) Front yard parking restricted*  
None of the proposed parking is located within a front yard setback. **(Affirmative finding)**

*(d) Shared parking in the Neighborhood Parking Districts*  
Not applicable.



(e) *Single story structures in Shared Use Districts*  
Not applicable.

(f) *Joint use of facilities*  
As enabled by this section, parking for the health club and daycare will share spaces within the onsite parking area. **(Affirmative finding)**

(g) *Availability of facilities*  
None of the proposed parking will be used for the storage or display of vehicles or materials by offsite users. Parking will be for members, clients, and employees.  
**(Affirmative finding)**

(h) *Compact car parking*  
None of the proposed parking spaces appear to be compact. **(Affirmative finding)**

#### ***Sec. 8.1.13, Parking for Disabled Persons***

The site plan depicts two handicap parking spaces in close proximity to building entries. Associated striping is also shown. ADA compliance is administered via the city's building permit process. **(Affirmative finding as conditioned)**

#### ***Sec. 8.1.14, Stacked and Tandem Parking Restrictions***

No stacked or tandem parking spaces are proposed. **(Not applicable)**

#### ***Sec. 8.1.15, Waivers from Parking Requirements / Parking Management Plans***

The proposed on- and off-site parking (74 spaces total) amounts to 46% of the parking requirement per the standards of Sec. 8.1.8. A 54% parking waiver is requested. Note that the May 23, 2018 parking addendum from RSG asserts a 70% waiver request but does not include the 26 off-site parking spaces. The 70% is an overestimate. These off-site spaces are part of the overall parking management plan and must be secured long term. Accounting for them, 54% is the correct waiver request. Note that the parking numbers provided on the most recent site plan must be corrected to reflect the most recent parking information.

The proposed parking management plan centers on three primary factors:

- Demonstrated reduction in actual parking demand
- Transportation demand management (TDM)
- Shared parking between daycare and health club users

Based on a survey of present employees and members, the parking management plan cites a 36% (58-space) decrease in actual parking demand as compared to the minimum parking requirements of Sec. 8.1.8. This reduction is expected to carry over to the new facility, as it will remain easily accessible via alternative modes of transportation.

The parking management plan posits enhanced TDM measures including improved bike parking facilities, pedestrian access, parking time limits and pricing, and membership in CATMA. The TDM plan contemplates, but does not commit to, several other measures such as working with Carshare VT and implementing parking pricing. The expected reduction in actual parking demand as a result of these enhanced TDM measures is modest at just 4% (6 spaces).

Times of peak parking demand for the daycare use differ from those for the health club. Peak times for the daycare are 8:00 AM – 9:00 AM and 4:00 PM – 5:00 PM. During these peak times, use of 22 parking spaces will be limited to 15-minute increments. Peak times for the health club are 6:00 AM – 8:00 AM and 5:00 PM – 7:00 PM. With the differing peak times, the parking management plan reasonably asserts that these 22 spaces can be shared between the daycare and health club uses.

While the parking waiver request is substantial, the parking management plan lays out a reasonable argument in support of it. The demonstrated reduction in actual parking demand, modest additional reduction due to enhanced TDM, and shared parking work together to support the rationale for making the 74 parking spaces provided meet actual parking demand. As with all other parking waivers, the applicant must provide numbers as to actual parking demand each year for 3 years from the date of approval. **(Affirmative finding as conditioned)**

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

The bike parking requirement for the 9,725 sf daycare amounts to just 1 short term space (1 per 10,000 sf). The bike parking requirement for the 41,900 sf health club (using the community center standard) amounts to 25 short term spaces (3 per 5,000 sf) and 2 long term spaces (1 per 20,000 sf). As proposed, 42 short term spaces will be provided along with 3 long term spaces. Locations and details for the short term bike parking spaces are provided. As for the long term spaces, there is no indication as to what they will be or where they will be located. Such information is needed. **(Affirmative finding as conditioned)**

## **II. Conditions of Approval**

1. Prior to issuance of the zoning permit, revised or supplemental information addressing the following items shall be submitted, subject to staff review and approval:
  - a. Define snow storage or provide a plan for removal;
  - b. Select a more attractive, residential style fence for the children’s play area;
  - c. Provide design and materials of the trash enclosure [submitted 5.30.2018 via email];
  - d. Insofar as feasible, relocate the electrical transformer pad to a less visible area or one that can utilize landscaping screening;
  - e. Provide loading area details;
  - f. Provide details as to the type and location of long term bike parking;
  - g. Illumination along walkways shall be adjusted so as to not exceed 2 fc, unless doing so would specifically conflict with NFPA Life Safety Code. A revised photometric shall be provided to demonstrate those changes;
  - h. Pole lights shall not exceed 25 in height; and,
  - i. Provide confirmation that the rooftop mechanical equipment does not encroach beyond the maximum building height by more than 15 feet and does not exceed 20% of the roof area.
2. The applicant shall provide to the Department of Planning & Zoning numbers as to actual parking demand for the new facility each year for 3 years from the date of this approval.
3. Days and hours of construction shall be limited to Monday – Friday 7:30 AM – 5:30 PM and Saturday construction may occur for interior work only. No construction activity on Sunday.
4. Impact fees based on the net new building area shall be paid to the Department of Planning & Zoning at **least 7 days prior to issuance of a certificate of occupancy.**

5. The Applicant/Property Owner is responsible for obtaining all necessary Zoning Permits and Building Permits through the Department of Public Works as well as other permit(s) as may be required, and shall meet all energy efficiency codes of the city and state as required.
6. Any construction within the public street right-of-way requires review and approval by the City Council in conjunction with the Department of Public Works.
7. All new construction is required to meet the Guidelines for Energy Efficient construction according to the requirements of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances.
8. All exterior signage is subject to separate zoning approval.
9. Standard Permit Conditions 1-15.