

Instructions:

The Downtown Mixed Use Core Overlay Compliance Checklist is a tool to be use for documentation and confirmation of compliance with the requirements of Sec. 4.5.8 Downtown Mixed Use Core Overlay (DMUC) District. This checklist documents compliance **only** with the requirements of Sec. 4.5.8. Other sections of the CDO as applicable (e.g. Art 8 Parking, Art 9 Inclusionary and Replacement Housing) also require documentation of compliance.

The ordinance requirements listed in the first column are in some cases **only a summary** of the requirements found in the CDO. Any questions or conflicts should refer back to the CDO itself for clarification. The Applicant Compliance Documentation should be as brief as necessary to convey how compliance with the requirements have been achieved, and should reference related plans and illustrations as appropriate.

Ordinance Requirement (summarized)	Applicant Compliance Documentation	Staff Compliance Confirmation
<u>Sec. 4.5.8 Downtown Mixed Use Core Overlay (DMUC) District</u>		
(a) Purpose:		
<p>The Downtown Mixed Use Core Overlay (DMUC) district is intended to facilitate the redevelopment of a portion of the former Urban Renewal Area in order to provide for a more walkable, connected, dense, compact, mixed use and diverse urban center. The area should support a diversity of residential, commercial, recreational, educational, civic, hospitality, and entertainment activities, and create opportunities to better connect the street grid for enhanced mobility for automobiles, pedestrians, and bicyclists in order to sustain and advance the economic vitality Burlington’s downtown urban core.</p> <p>This overlay allows larger scale development than is typically found in the underlying district, and development with larger and taller buildings. Development should be designed to support the diverse mixed-uses, activate and enrich the street and sidewalk for pedestrian activity, and encourage mobility throughout the district and adjacent districts for pedestrians and bicyclists with reduced reliance on automobiles.</p>	<p>The proposed development is a multi-use project within the Downtown Mixed Use Core Overlay (DMUC) District on the project site presently occupied by Burlington Town Center Mall at 49 Church Street. The proposed uses include retail, residential, office, and parking.</p> <p>Two of the project parcels will be turned over to the City of Burlington for use as new public through-street extensions of Pine Street and St. Paul’s Street, between Cherry and Bank Streets.</p>	<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation:</u></p>
(b) Areas Covered:		
<p>The Downtown Mixed Use Core Overlay (DMUC) district includes those portions of the Mixed Use Downtown (D) District as delineated on Map 4.5.8-1.</p>	<p>See Project Narrative section 2.1.</p>	<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation:</u></p>
(c) District Specific Regulations: Downtown Mixed Use Core Overlay (DMUC) district;		
<u>1. Dimensional Standards:</u>		
<p>The maximum Building height and mass shall be as prescribed in Table 4.5.8-1 below. Building height and mass in excess of 65-feet and 5.5 FAR shall be allowed by-right and without the necessity of the DRB granting of Development Bonuses/Additional Allowances pursuant to Sec 4.4.1 (d)7.</p>		
<p>Any application requiring Major Impact Review pursuant to Sec. 3.5.2 (b) shall not also be subject to Conditional Use Review (Sec. 3.5.2 (a)) unless a use specifically identified in Appendix A – Use Table as a “Conditional Use” or identified as “CU” is also proposed.</p>	<p>Documentation of compliance with the requirements of Art. 3 Part 5 Conditional Use and Major Impact Review as applicable should be made separate from this checklist.</p>	

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The Dimensional Standards within the DMUC Overlay District shall be as follows:		
<p>Building Height: 3 stories min, 14 stories not to exceed 160-ft max</p>	<p>See drawing Z-021 Zoning Sections.</p> <p>South Tower = 12 Stories (+ Excluded Mechanical Level):</p> <ul style="list-style-type: none"> • 152'-8" above average grade at Bank Street. • 148'-11" above average grade at St. Paul Street. <p>North Towers = 14 Stories (+ Excluded Mechanical Level):</p> <ul style="list-style-type: none"> • 159'-7" above average grade at Cherry Street. • 157'-10" above average grade at St. Paul Street. • 162'-2"* above average grade at Pine Street. <p>* 2'-2" Height Variation is within 5% of 160'-0" height allowed.</p>	<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation/Notes:</u></p> <p>Figure 05 on Sheet Z-021 illustrates additional height beyond 160 being sought for NW tower - proposed roof height shown is 162'-2" from average grade of Pine Street.</p> <p>NW tower is setback 92'-8" from Pine Street therefore measurement from Pine St is not necessary. Measurement from St. Paul St is controlling and in compliance at 159'-7" above average grade.</p>
<p>Exceptions to Building Height: (per Sec. 5.2.6)</p>		<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation:</u></p> <p>DAB noted that mechanical penthouse roof appears to encroach into the 10' setback requirement from the edge of the roof deck required under Sec. 5.2.6 (b) 4.</p> <p>However, this is actually a support that sits on top of the mechanical penthouse for the PV solar array for which there is no zoning jurisdiction under state statute 24 VSA 4413 (b) and (g)(1).</p>
<p>FAR: 9.5 FAR total max per lot</p>	<p>See Project Narrative section 2.3.</p> <p>965,352 GSF / 109,779 Site Area = 8.79 PROPOSED FAR <9.5</p>	<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation:</u></p>
<p>Floorplate:</p> <p>Floors 1-5 100% of lot max.</p> <p>Floors 6-8 80% of lot max.</p> <p>Floors 9-12 55% of lot max.</p> <p>Floors 13+ 15,000 sf max per individual floorplate, with individual towers separated by a minimum of 60-ft measured orthogonally.</p> <p>The floorplate of any floor may not be larger than the floor below.</p>	<p>See Project Narrative section 2.3 (Floorplate Compliance Checklist – Proposed), drawing Z-001, and Z-002 Lot Coverage Diagrams.</p>	<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation:</u></p>
<p>Pervious Area: 10% min</p>	<p>See Project Narrative section 2.3, 2.12, 2.14, and drawings A-052 and A-053 Floor Plans.</p> <p>Required Pervious Area = 109,779 sf x 10% = 10,978 sf</p> <p>Proposed Pervious Area = 11,015 sf = 10.03%</p>	<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation/Notes:</u></p> <p>2 green roof sections situated west of the NW and between the NW and NE towers. DPW Stormwater has evaluated their effectiveness and performance as part of their review.</p>

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<p>Setbacks:</p> <ul style="list-style-type: none"> - Front: 0-ft min, 10-ft max. In no event shall a Building be closer than 12’ from the curb. - Side/Rear: 0-ft min, 12-ft max. 	<p>See Project Narrative sections 2.3, 2.4, and drawing Z-021 Zoning Sections.</p> <p>South Tower: 0-ft Setback from Property Lines; 18-ft. from curb at Bank St., 15-ft. from curb at St. Paul St.;</p> <p>North Tower: 0-ft. Setback from Property Lines; 18-ft. from curb at Cherry St., 15-ft. from curb at Pine and St Paul Streets.</p>	<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation/notes:</u></p>
<p>Occupied Build-to Zone: 100%</p>	<p>See Project Narrative sections 2.3, 2.14, and drawing A-051 Floor Plans.</p> <p>109,779 sf Lot Size – 1,557 sf Pavement within property lines = 108,222 = 98.6%</p>	<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation/notes:</u></p>
<p>Ground Floor Height (floor to floor): 14-ft min</p>	<p>See Project Narrative section 2.6, drawing A-211, and A-212 Building Sections.</p> <p>Ground floor heights (floor to floor) are typically 15’-6”, but vary per retail tenant space and meet or exceed 14’-0”.</p>	<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation:</u></p>
<p>Arcades: 10-ft min clear depth, 14-ft min clear height</p>	<p>Not Applicable.</p>	<p><input checked="" type="checkbox"/> Not applicable</p>
<p><u>2. Urban Design Standards:</u></p>		
<p>The following urban design standards shall apply to all Buildings in the DMUC Overlay, and the DRB shall make a final determination regarding strict compliance with these standards except as provided for in E below. These standards and requirements shall take precedence without limitation over any duplicative or conflicting provisions of Article 6, and compliance with Article 6 shall be presumed where a Building is in compliance with these design standards as determined by the DRB.</p>		
<p>A. Overall Design: Proposed Buildings shall present an architecturally significant design as follows:</p>		
<p>i. Step backs, horizontal and vertical variation, selection of materials and other architectural design techniques are used to reinforce the street wall, create transitions from adjacent buildings of a smaller mass and height, and reduce the perceived height and mass of the upper stories from the street level;</p>	<p>See Project Narrative section 2.4, drawing A-201, and A-202 Building Elevations.</p>	<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation:</u></p>
<p>ii. Proposed Buildings provide visual interest and human scale at the pedestrian level through the use of a variety of scales, materials, fenestration, massing or other architectural design techniques;</p>	<p>See Project Narrative section 2.4, drawing A-201, and A-202 Building Elevations.</p>	<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation:</u></p>
<p>iii. Upper story proportions of Buildings emphasize vertically-oriented proportions to assure a rich visually interesting experience as viewed within the context of the downtown skyline, reinforce opportunities for establishing points of reference for visual orientation, and retain opportunities for a view of the sky between individual Building elements.</p>	<p>See Project Narrative section 2.4, drawing A-201, and A-202 Building Elevations.</p>	<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation:</u></p>

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<p>B. Façade Articulation: All street-facing Building facades shall be articulated as follows:</p>		
<p>i. Building facades shall incorporate at least three (3) methods of surface relief which must either recess or project from the average plane of the facade by at least four (4) inches.</p>	<p>See Project Narrative section 2.4, drawing A-201, and A-202 Building Elevations.</p> <ol style="list-style-type: none"> 1.) Top of Building 6” cornice. 2.) 18” offset at corner of brick façade. 3.) 4” setback at glazing. 4.) Spandrel Panel projects 4” from face of glazing. 5.) Bay window 18” projection. 6.) 42” Recessed Balcony. 7.) Vertical articulation 9” projection. 8.) 10’-0” Recessed building entry. 9.) Storefront awning and entrance canopy. 	<p><input checked="" type="checkbox"/> In compliance</p> <p><input type="checkbox"/> Required permit condition included</p> <p><u>Explanation/Notes:</u></p> <p>Bay Windows, awnings and canopies project out over the public ROW, and will require Council approval</p>
<p>ii. Buildings with facades between 75-150 feet in width shall include vertical changes through the horizontal plane of the Façade by dividing the facade into a series of architectural and/or structural bays between 6-65 feet in width involving up to a minimum of 50% of the height of the façade.</p>	<p>See drawings A-201 and A-202 Building Elevations.</p> <p>Structural bays are provided running the entire height of building facades. Widths of bays varies, typically from 18’-0” min to 28’-0” max.</p>	<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation/Notes:</u></p>
<p>iii. Buildings with facades greater than 150 feet in width must include a more substantial change in the horizontal plane of the façade where for every 150 feet in facade width, 1 or more architectural bay as required above must either recess or project by at least 4 feet involving the full height of the façade from the average plane of the street wall portion of the facade. Such bays shall occur no closer than 50 feet from the Building’s corner.</p>	<p>See drawings A-201 and A-202 Building Elevations.</p> <p>Facades exceed 150’-0” in length and include differentials massing and setbacks above street wall façade. Recessed entryways are set in 10’-0” from the main façade and continue to the upper stories to create vertical expression.</p>	<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation/Notes:</u></p>
<p>iv. Required Building Height Setbacks pursuant to Sec 4.4.1 (d) 4 shall not be applicable. Instead, upper stories of any street-facing Building facade exceeding 6 stories in height shall be setback as follows:</p>		
<p>a. An upper story setback at least 10 feet from the primary plane of the façade below shall occur within the first 60-ft of Building height at either the 3rd, 4th, or 5th story. Such a change shall involve the full width of the Building façade, but does not have to occur in the same story.</p>	<p>See drawing Z-021 Zoning Sections.</p> <p>A 10’-0” setback is provided at the 5th floor of the North Tower and the 6th floor of the South Tower, both within 60’-0” from average grade.</p>	<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation:</u></p>
<p>b. For Buildings exceeding 10 stories in height a second upper story setback at least ten (10) feet from the primary plane of the façade below shall occur at either the 10th, 11th, or 12th story. Such a change shall involve the full width of the Building façade, but does not have to occur in the same story.</p>	<p>See drawing Z-021 Zoning Sections.</p> <p>A 10’-0” setback is provided at the 10th floor of the South Tower. The North Tower has multiple setbacks of at least 10’-0” at either the 7th floor, 11th floor, or 12th floor.</p>	<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation:</u></p>

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<p>c. Setbacks must be visually set off from the stories below by a balustrade, parapet, cornice and/or similar architectural feature, and are encouraged to be activated as an outdoor amenity space for Building occupants.</p>	<p>See drawing Z-021 Zoning Sections; A-051, A-052, & A-053 Floor Plans; and A-201 and A-202 Building Elevations.</p> <p>Setbacks are visually offset from stories below by material changes and in some places railings. The setbacks provided are activated as outdoor amenities for tenants and visitors.</p>	<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation:</u></p>
<p>d. The upper stories beyond a setback may be visually differentiated from the stories below by a change in color, materials and/or pattern of fenestration in order to reduce the actual or perceived massing of the Building overall.</p>	<p>See drawings A-201 and A-202 Building Elevations.</p> <p>Setbacks are visually offset from stories below by material changes and fenestration patterns.</p>	<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation:</u></p>
<p>v. Where visible, the raised foundation or basement of a Building shall not exceed 4-ft as measured from the exterior finished grade to the finished floor of the Story above, and must be visually differentiated from the stories above by a horizontal expression line and change in color, material, and/or pattern of fenestration;</p>	<p>Not Applicable.</p>	<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation:</u></p>
<p>vi. The lower 1-5 stories of a Building must be visually differentiated from the stories above by a horizontal expression across a majority of the facade; and,</p>	<p>See drawings A-201 and A-202 Building Elevations.</p> <p>The streetwall façade extends from grade to the 5th floor North Tower/6th floor South Tower, which provides a horizontal expression across the majority of the façade.</p>	<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation/Notes:</u></p>
<p>vii. The top 1-5 stories of a Building must be visually differentiated from the stories below by a horizontal expression across a majority of the façade</p>	<p>See drawings A-201 and A-202 Building Elevations.</p> <p>The massing of the upper stories is broken up, and higher setbacks are provided, articulating horizontal expression at each massing.</p>	<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation:</u></p>
<p>viii. The top of a Building must have an expression of the Buildings top involving a projection from the average plane of the facade by at least 6 inches.</p>	<p>See drawings A-201 and A-202 Building Elevations.</p> <p>The North Tower provides a 6” stone projection at the roof level.</p>	<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation:</u></p> <p>While exempt from zoning jurisdiction under state statute, the roof supports for the PV solar array, with its prominent overhang, also serves as a projecting expression of the building tops.</p>
<p>2.) Street Activation: All Buildings shall activate the street as follows:</p>		
<p>i. Buildings shall have one or more principal entrances for pedestrians at street level that are clearly identified as such along the street frontage or at a corner where a corner lot.</p>	<p>See Project Narrative section 2.4 and drawing A-051 Floor Plans.</p> <p>Multiple principal pedestrian entrances are provided and further expressed through canopies and signage.</p>	<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation:</u></p>
<p>ii. The linear distance along the street frontage between ground floor entries shall not exceed 60-feet, and such doors must be open and operable by residential occupants at all times and non-residential occupants and customers during business hours.</p>	<p>See drawing A-051 Floor Plans and A201 and A-202 Building Elevations.</p> <p>The distances between multiple ground floor entries varies and does not exceed 60’-0”. Doors are operable by residential occupants at all times and non-residential occupants and customers during business hours.</p>	<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation:</u></p>

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iii. Building entrances shall be defined and articulated by architectural elements appropriate to the architectural style and details of the Building as a whole. Bays including a principal entrance should be expressed vertically and continue onto the upper stories. Such bays are not required to include additional horizontal expression beyond what is required for any upper story setbacks	See drawings A-201 and A-202 Building Elevations. Multiple principal pedestrian entrances are provided and continue to the upper stories to create vertical expression. Steel and glass canopies extend over the sidewalks.	<input checked="" type="checkbox"/> In compliance <u>Explanation:</u>
iv. Requirements regarding openings and the transparency of glazing in a street-facing Building facade shall be as follows:		
<p>Rough openings for windows and doors (per floor)</p> <ul style="list-style-type: none"> - Ground Floor: 70% min, 80% of which shall be concentrated between 3-10 feet above the adjacent sidewalk - Upper Floors: 20% min <p><i>May be reduced to 50 and 30% respectively to meet the requirements of a High Performance Building Energy Code or equivalent program as determined by the DRB</i></p>	See drawings A-201 and A-202 Building Elevations. Ground floor rough openings: <ul style="list-style-type: none"> • Cherry Street: 70% • St. Paul Street: 75% • Bank Street: 70% • Pine Street: 74% Upper Floor rough openings exceed 20% at all floors.	<input checked="" type="checkbox"/> In compliance <u>Explanation:</u>
<p>Horizontal and vertical distance between rough openings: 20' max.</p>	See drawings A-201 and A-202 Building Elevations. Rough opening separations vary due to complexity but in no case exceed 20'-0" horizontally or vertically. Typical dimension is +/-4'-0".	<input checked="" type="checkbox"/> In compliance <u>Explanation:</u>
<p>Transparency: (applicable to 80% of the glazing on each floor)</p> <ul style="list-style-type: none"> - VLT: 60% min ground floor, 40% min upper floors - VLR: 15% max all floors 	See Project Narrative section 2.6. and FIGURE 4-C-2. VLT at Ground floors is typically 90% . VLT at upper floors is 40% or higher. VLR at Retail is 8% . VLR is 15% or less for glazing at all floors.	<input checked="" type="checkbox"/> In compliance <u>Explanation:</u>
v. Street-facing, street-level windows must allow views into a ground story non-residential use for a depth of at least 3 feet for the first 4 feet above the level of the finished sidewalk in order to provide for a window display, and for a depth of at least 8 feet for the next 4 feet above the level of the finished sidewalk in order to provide a view into the interior of the space. Windows cannot be made opaque by window treatments (except operable sunscreen devices within the conditioned space). External security shutters are not permitted.	See Project Narrative section 2.6 and drawings A-201 and A-202 Building Elevations. All Street level windows allow views into the ground story as per regulations.	<input checked="" type="checkbox"/> In compliance <input type="checkbox"/> Required permit condition included <u>Explanation:</u>
vi. In addition to the restriction regarding ground floor residential uses pursuant to Sec. 4.4.1, (d) 1 A, General Office uses shall also not be permitted on the ground floor of any building in the DMUC Overlay.	See Project Narrative section 2.6 and drawing A-051 Floor Plans. General office use is not provided at ground floor.	<input checked="" type="checkbox"/> In compliance <u>Explanation:</u>
<p>3.) Materials:</p> <p>The following requirements regarding the selection and use of Building materials is intended to improve the physical quality and durability of buildings, enhance the pedestrian experience, and protect the character of the downtown area.</p>		

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<p>i. Primary Materials: Not less than 80 percent of each street-facing Facade shall be constructed of primary materials comprised of high quality, durable, and natural materials. For Facades over 100 square feet, more than one primary material shall be used. Changes between primary materials must occur only at inside corners. The following are considered acceptable primary materials:</p> <ul style="list-style-type: none"> a. Brick and tile masonry; b. Native stone; c. Wood – panels, clapboard or shingles; d. Glass curtain wall; and, e. Cementitious siding; 	<p>See Project Narrative section 2.4 Proposed Exterior Finish Materials Table and drawings A-201 and A-202 Building Elevations. Also see FIGURES 4-A through 4-D.</p> <p>Primary materials consist of Brick-Faced Panels, Limestone Finished Panels, Glazing, and Stone Base.</p>	<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation/Notes:</u></p>
<p>ii. Accent Materials: The following accent materials may make up no more than 20% of the surface area on each street-facing façade. Accent materials are limited to:</p> <ul style="list-style-type: none"> a. Pre-cast masonry (for trim and cornice elements only); b. External Insulation Finishing System - EIFS (for upper story trim and cornice elements only); c. Gypsum Reinforced Fiber Concrete (GFRC—for trim elements only); d. Metal (for beams, lintels, trim elements and ornamentation, and exterior architectural metal panels and cladding only); e. Split-faced block (for piers, foundation walls and chimneys only); and. f. Glass block. 	<p>See Project Narrative section 2.4 and drawings A-201 and A-202 Building Elevations. See FIGURE 4-E.</p> <p>Accent materials consist of Metal Panels.</p>	<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation:</u></p>
<p>iii. Alternate Materials: Alternate materials, including high quality synthetic materials, may be approved by the administrative officer after seeking input from the Design Advisory Board. New materials must be considered equivalent or better than the materials listed above and must demonstrate successful, high quality local installations. Regionally-available materials are preferred.</p>	<p>Not applicable.</p>	<p><input checked="" type="checkbox"/> Not applicable</p> <p><u>Explanation:</u></p> <p>No request for alternate materials has been submitted.</p>
<p>iv. Other:</p>		
<p>a. The use of recycled and/or regionally-sourced materials is strongly encouraged.</p>		
<p>b. With the exception of natural wood siding or shingles such as cedar or redwood intended to gradually weather with time, all exposed wood and wood-like products (e.g. fiber-cement) shall be painted or stained. Exterior trim shall be indistinguishable from wood when painted.</p>	<p>Not applicable.</p>	<p><input checked="" type="checkbox"/> Not applicable</p>
<p>c. Any synthetic siding and finish products shall be smooth-faced with no artificial grain texturing.</p>	<p>Not applicable.</p>	<p><input checked="" type="checkbox"/> Not applicable</p>

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<p>4.) Alternative Compliance: Relief from any non-numerical standard above, and relief from any numerical standard with the exception of building height and FAR by no more than 20% of such requirement, may be granted by the Development Review Board after review and comment by the Design Advisory Board and the administrative officer. In granting such relief, the DRB shall find that:</p> <ul style="list-style-type: none"> i. the relief sought is necessary in order to accommodate unique site and/or Building circumstances or opportunities; ii. the relief if granted is the minimum necessary to achieve the desired result; iii. the property will otherwise be developed consistent the purpose of this ordinance, the purpose of the underlying Zoning District and this Overlay District, the purpose of the section that the relief is being sought, and all other applicable standards; iv. the relief if granted will not impose an undue adverse burden on existing or future development of adjacent properties; and, v. the relief if granted will yield a result equal to or better than strict compliance with the standard being relieved. 		<p><input checked="" type="checkbox"/> Not applicable</p> <p><u>Explanation:</u></p> <p>No request for alternative compliance has been submitted.</p>
<p>3. Use</p>		<p><input checked="" type="checkbox"/> Applicable</p>
<p>Mixed Use Buildings: Any new or substantially rehabilitated building over 105’ in total height shall include a mix of uses including no less than 25% of the gross leasable floor area dedicated to non-residential uses and another 25% or more dedicated to residential use.</p>	<p>See Project Narrative section 2.3, drawings A-051, A-052, and A-053 Floor Plans.</p> <p>Non-Residential mixed uses are provided.</p> <ul style="list-style-type: none"> • Retail: 13% • Office: 24% • Non-Residential Parking: 21% <p>Total: 57% Non-Residential.</p> <p>Residential uses provided:</p> <ul style="list-style-type: none"> • Residential: 31% • Residential Parking: 11% <p>Total: 42% Residential.</p>	<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation:</u></p>
<p>4. Parking <i>(provided onsite)</i></p>		<p><input checked="" type="checkbox"/> Applicable</p>
<ul style="list-style-type: none"> i. All onsite parking shall be provided in one or more of the following: <ul style="list-style-type: none"> a. an underground parking structure (strongly preferred); b. an above ground parking structure separated from the public street by a liner building a minimum of 40-ft in depth; or, c. a mixed-use building where with parking located underground, setback a minimum of 40-ft behind the façade of building at the ground level, and/or above the ground floor. 	<p>See Project Narrative sections 2.8, 5.3, drawings A-051, and A-052 Floor Plans.</p> <p>Parking for tenants and visitors is provided at and above the second floor of the development on floors 2 through 5 of the South Tower. Parking is separated from Cherry and Bank Streets by Residential Uses. Parking is screened from view at St. Paul and Pine Streets by façade elements.</p>	<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation:</u></p>

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ii. All onsite parking shall participate in any Downtown Parking and Transportation Management District in order to minimize the amount of parking provided and maximize the efficiency of its utilization.	See Project Narrative section 5.3.	<input checked="" type="checkbox"/> In compliance <u>Explanation:</u>
iii. Vehicular entrances to parking structures shall not exceed 24-ft clear width and 16-ft clear height at the street frontage.	See drawings A-201 and A-202 Building Elevations. Vehicular parking access is provided on both Cherry and Bank Streets and does not exceed 24'-0" width and 16'-0" height.	<input checked="" type="checkbox"/> In compliance <u>Explanation:</u>
iv. At least one pedestrian route from all parking structures shall lead directly to a street frontage (i.e., not directly into a Building). When portions of a building containing parking front on more than one street, multiple pedestrian routes to street frontage is strongly encouraged.	See Project Narrative section 2.8 and drawing A-051 Floor Plans. Pedestrian access to parking area is provided at Cherry, Pine, and St. Paul Streets.	<input checked="" type="checkbox"/> In compliance <u>Explanation:</u>
v. All structured parking with frontage on any portion of a public street shall be treated as follows:		<input checked="" type="checkbox"/> Applicable St. Paul and Pine Street facades only
a. The required setback between the parking and the public street at the ground level must be occupied by an active use (such as, but not limited to, residential lobby, retail, office, recreational or services). This requirement shall not apply to parking located either entirely below-grade or above the second floor where parking may extend out to the building's perimeter.	Parking is located above the second floor.	<input checked="" type="checkbox"/> In compliance <u>Explanation:</u>
b. All floors of a parking structure fronting a public street must be level (not inclined), and any sloped ramps between parking levels must be setback a minimum of 20-ft from the street-facing building façade and shall not be discernible along the perimeter of the parking structure.	See drawings A-051 and A-052 Floor Plans. Parking floors are level and sloped ramps will not be discernible along the perimeter of the structure.	<input checked="" type="checkbox"/> In compliance <u>Explanation:</u>
c. Where upper stories of structured parking are located at the perimeter of a building, parked vehicles, vehicle headlights and interior lighting shall be screened from view from the street and adjacent properties.	See Project Narrative 2.8, drawings A-201, and A-202 Building Elevations. At St. Paul and Pine Streets vehicle headlights are visually screened from view with glazed panels. Interior lighting shall be screened from view by interior valances set back from the façade.	<input checked="" type="checkbox"/> In compliance <u>Explanation:</u>
d. In addition to the Urban Design Standards required above, facade treatments (materials, fenestration patterns, and architectural detailing) must be continued on stories containing parking in a manner consistent with the overall architectural design of the Building and such that levels of parking are not clearly distinguishable from other uses in a building.	See Project Narrative 2.8, drawings A-201, and A-202 Building Elevations. Parking areas are screened from public view with building façade elements consistent with the scale and materials of the overall development.	<input checked="" type="checkbox"/> In compliance <u>Explanation:</u>
vi. Each parking space provided in an underground parking structure may be counted as 1.75 of the parking spaces as required in Art 8.	Not applicable.	<input checked="" type="checkbox"/> Not applicable

Ordinance Requirement (summarized)	Applicant Compliance Documentation	Staff Compliance Confirmation
<p>5. Signs</p>		<p><input checked="" type="checkbox"/> Applicable</p> <p><u>Explanation:</u> No signage has been proposed under this application. This section is applicable only for awning and canopy design and dimensional requirements</p>
<p>A master sign plan pursuant to Article 7 Part 3 is required for all sites occupied by more than three tenants where all signs must meet the requirements of the master sign plan. The master sign plan must establish standards of consistency as applicable of all signs to be provided on the subject property with regard to:</p> <ul style="list-style-type: none"> • Colors; • Letter/graphics style; • Location and Sign Type; • Materials; • Methods of illumination; and/or • Maximum dimensions and proportion. 	<p>See Project Narrative section 2.10. Not applicable.</p>	<p><input checked="" type="checkbox"/> Not applicable</p>
<p>In addition to the flexibility from the requirements of Article 7 provided under Sec. 7.3.4, the following shall also be permitted when incorporated as part of a master sign plan in the DMUC Overlay:</p>		<p><input checked="" type="checkbox"/> Not applicable</p>
<p>i. The area of projecting signs, marques, canopies and awnings shall not be deducted from the maximum allowed signage area permitted for signage under Sec 7.2.3.</p>	<p>See Project Narrative section 2.10. Not applicable.</p>	<p><input checked="" type="checkbox"/> Not applicable</p>
<p>ii. Projecting Signs: One projecting sign may be permitted for each ground floor use provided each sign:</p>	<p>See Project Narrative section 2.10. Not applicable.</p>	<p><input checked="" type="checkbox"/> Not applicable</p>
<p>a. does not exceed 8 square feet in area;</p>	<p>See Project Narrative section 2.10. Not applicable.</p>	<p><input checked="" type="checkbox"/> Not applicable</p>
<p>b. does not project more than 4 feet from the building façade on which it is attached;</p>	<p>See Project Narrative section 2.10. Not applicable.</p>	<p><input checked="" type="checkbox"/> Not applicable</p>
<p>c. has its lowest edge at least eight (8) feet above any pedestrian way;</p>	<p>See Project Narrative section 2.10. Not applicable.</p>	<p><input checked="" type="checkbox"/> Not applicable</p>
<p>d. has its highest edge no more than eighteen (18) feet above any pedestrian way; and,</p>	<p>See Project Narrative section 2.10. Not applicable.</p>	<p><input checked="" type="checkbox"/> Not applicable</p>
<p>e. Any encroachment into the public right-of-way must also be approved by the City Council.</p>		<p><input checked="" type="checkbox"/> Not applicable</p>
<p>iii. Marquee Signs: One marquee sign per street frontage may be permitted provided such sign:</p>		<p><input checked="" type="checkbox"/> Not applicable</p>

Ordinance Requirement (summarized)	Applicant Compliance Documentation	Staff Compliance Confirmation
a. is associated with the following uses only: Cinema, Conference Center, Convention Center, Performing Arts Center and Recreation Facility-Indoor;	See Project Narrative section 2.10. Not applicable.	<input checked="" type="checkbox"/> Not applicable
b. is located above the principal Building entrance;	See Project Narrative section 2.10. Not applicable.	<input checked="" type="checkbox"/> Not applicable
c. projects a minimum of 6 feet from the building façade on which it is attached but in no event more than 10 feet and 3 feet from the curb;	See Project Narrative section 2.10. Not applicable.	<input checked="" type="checkbox"/> Not applicable
d. has its lowest edge at least 9’6” above any pedestrian way;	See Project Narrative section 2.10. Not applicable.	<input checked="" type="checkbox"/> Not applicable
e. has its highest edge no more the lesser of the floor level of the third story or 35 feet above any pedestrian way;	See Project Narrative section 2.10. Not applicable.	<input checked="" type="checkbox"/> Not applicable
f. is no more than 40 feet in width;	See Project Narrative section 2.10. Not applicable.	<input checked="" type="checkbox"/> Not applicable
g. may contain an area for manual changeable copy that does not exceed 30 percent of the area of the sign face on which it is located or 32 square feet, whichever is less; and,	See Project Narrative section 2.10. Not applicable.	<input checked="" type="checkbox"/> Not applicable
h. Any encroachment into the public right-of-way must also be approved by the City Council.		<input checked="" type="checkbox"/> Not applicable
iv. Canopies and Awnings: Where provided, awnings and canopies placed on a building facade shall meet the following specifications:		<input checked="" type="checkbox"/> Applicable
a. Awnings and canopies shall provide 8’ minimum clear height above the finished grade, and shall project a minimum of 6’ from the building façade to a maximum of 2’ from the curb. 14’ minimum clear height above the finished grade shall be provided above any area used for parking or circulation. Any encroachment into the public right-of-way must also be approved by the City Council.	See drawings A-201 and A-202 Building Elevations. Awnings are located at Retail Use areas along all four streets. Due to sidewalk pitch, the height varies from 12’-0” to 28’-0”, and in no case is less than 8’-0” above sidewalk. Awnings project from façade 5’-0” . Canopies at Main Pedestrian Entrances are typically at +/- 30’-0” above sidewalk (depending on grade) and extend +/- 12’-0” from façade, not to within 2’ of the curb. Vehicular entrance clear heights are typically 16’-0”.	<input checked="" type="checkbox"/> In compliance <u>Explanation:</u>
b. Awnings and canopies shall be placed, sized, shaped and proportioned to match the associated openings.	See drawings A-201 and A-202 Building Elevations. Awnings are placed, sized, shaped, and proportioned to the associated openings.	<input checked="" type="checkbox"/> In compliance <u>Explanation:</u>
c. Except as provided below, awnings and canopies shall not be internally illuminated or backlit, however they may contain lighting fixtures intended to illuminate the ground beneath.	See Project Narrative section 2.13 and L-500 Lighting/Photometric Plan. Canopies contain lighting fixtures illuminating the ground, See FIGURE 4-I.	<input checked="" type="checkbox"/> In compliance <u>Explanation:</u>

Ordinance Requirement (summarized)	Applicant Compliance Documentation	Staff Compliance Confirmation
<p>d. Awnings shall have a metal structure covered with non-translucent canvas, synthetic canvas or painted metal, and shall have no soffit or sides. Retractable awnings are encouraged.</p>	<p>See drawings A-201 and A-202 Building Elevations, as well as A-221, A-224, A-227, and A-230.</p> <p>Awnings are painted steel to match panels used throughout development and glass.</p>	<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation:</u></p>
<p>e. Awnings shall be rectangular in elevation and triangular in cross-section with straight edges. The valance of the awning shall be no more than 12” in height.</p>	<p>See drawings A-201 and A-202 Building Elevations, as well as A-221, A-224, A-227, and A-230.</p>	<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation:</u></p>
<p>f. Canopies shall be constructed of wood and/or metal, and shall be cantilevered or supported from above. The face of the canopy shall be no more than 24” in height.</p>	<p>See drawings A-201 and A-202 Building Elevations.</p> <p>Canopies are constructed of steel structure with glass panels. They are cantilevered from the building structure and are no more than 24” in height.</p> <p>See A-233.</p>	<p><input checked="" type="checkbox"/> In compliance</p> <p><u>Explanation:</u></p>
<p>g. Signage placed on an awning or canopy shall be limited to the windows and doors on the first (ground) floor, and shall not extend outside the overall length or width.</p>	<p>See Project Narrative section 2.10. Not applicable.</p>	<p><input checked="" type="checkbox"/> Not applicable</p>
<p>h. Signage placed on a canopy shall be limited to the face or may project above and may be backlit.</p>	<p>See Project Narrative section 2.10. Not applicable.</p>	<p><input checked="" type="checkbox"/> Not applicable</p>
<p>i. Signage placed on an awning or canopy shall be limited to:</p> <ul style="list-style-type: none"> i. 75% of the valance or canopy face and/or 25% of the sloping plane max. ii. The height of lettering shall be limited to: 5” min - 10” max on the valance; 18” max on the sloping plane; or 24” max on or above the canopy. 	<p>See Project Narrative section 2.10. Not applicable.</p>	<p><input checked="" type="checkbox"/> Not applicable</p>
<p>6. Green Buildings and Stormwater Management</p>		
<p>A. Green Buildings: New development and substantial redevelopment in the DMUC Overlay shall be built to the standard of LEED Gold Certification, or a nationally recognized equivalent as determined by the administrative officer.</p>		

Ordinance Requirement (summarized)	Applicant Compliance Documentation	Staff Compliance Confirmation
<p>i. At the time of application the following shall be required:</p> <ul style="list-style-type: none"> a. the submission of documentation of the planned performance criteria and elements of the project necessary to obtain the required green building certification (e.g. LEED checklist); b. documentation that the project has been registered with the applicable green building certification program (e.g. LEED project registration); and, c. a written commitment to apply for formal, written review of the project at the earliest milestone where the green building certifying body offers "precertification" or similar (e.g. LEED Design Review). 	<p>See Project Narrative section 2.11 and FIGURES 2-A LEED Checklist and 2-B USGBC Registration Receipt.</p>	<p><input checked="" type="checkbox"/> In compliance <u>Explanation:</u></p>
<p>ii. Prior to the release of any Final Certificate of Occupancy the following shall be required:</p> <ul style="list-style-type: none"> a. the submission of revised as-built performance criteria and project elements necessary to obtain the required green building certification (e.g. LEED checklist); b. the results of 3rd party commissioning of the building envelope and mechanical systems documenting compliance of as-built performance; and, c. a written certification from the project design professional of record that the project has been constructed to comply with the green building requirements of this section. 		<p><input type="checkbox"/> Required permit condition included</p>
<p>B. Stormwater Management: Stormwater runoff from 100% of all net new and substantially redeveloped impervious area (or an equivalent area of impervious) must be captured and managed in such a way as to mimic pre-development (meadow in good condition, Hydrologic Soil Group B) runoff (or discharge) ratio for the 1 year, 24 hour design storm subject to review and approval by the DPW Water Resources Div.</p> <p>The feasibility of implementing runoff volume reduction practices must be evaluated in consultation with the DPW Water Resources Division and shall include an evaluation of the engineering feasibility of techniques including, but not limited to runoff reduction through stormwater reuse, green stormwater infrastructure such as green roofs, bioretention, tree planting and sewer separation of roof water for sites currently discharging to the combined sewer system. Storage and detention methods may be used to meet pre-development flow targets. When and where detention systems are the primary mode of stormwater management, “smart” precipitation integrated detention systems must be evaluated and are strongly preferred. On-site stormwater management must be maximized; however, off-site stormwater management may also be used in consultation with DPW Water Resources.</p>	<p>See Project Narrative section 2.12.</p>	<p><input checked="" type="checkbox"/> In compliance <u>Explanation:</u> To be confirmed by the DPW Water Resources Div. Conservation Board has recommended approval</p>