

Department of Planning and Zoning

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MEMORANDUM

To: Development Review Board
From: Mary O'Neil, AICP, Principal Planner
Date: ~~August 7, 2018~~ September 4, 2018
RE: ZP18-0975CA and ZP

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.

Project Number: ZP18-0975CA; 18-0976LL (308 Main) and 18-0977LL (323-325 College)

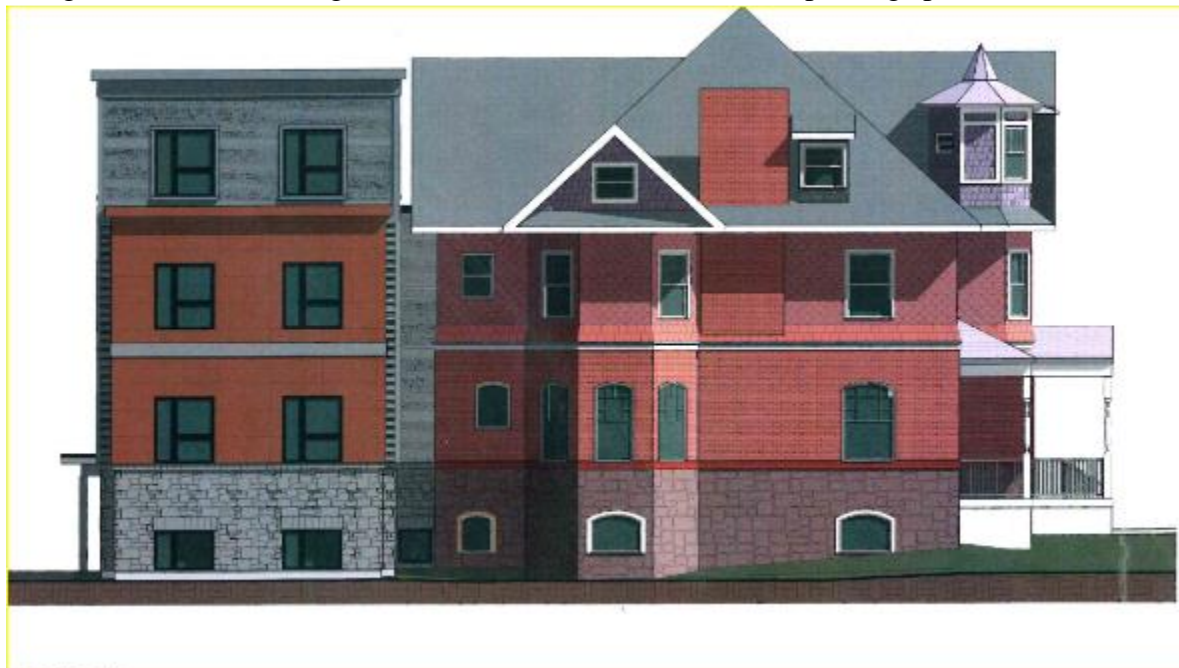
Zone: RH **Ward:** 8E

Parking District: Neighborhood

Date applications accepted: Lot line adjustments and CA application: April 30, 2018 (incomplete). Revised plans received May 31, July 3, July 31, 2018 and August 17, 2018.

Applicant/ Owners: 323 Green Castle LLC, Alpha Properties LLC (Peter Potts, Carol Potts, Elizabeth Demas IRA, Mary Lee, Bruce Baker, Greg Doremus.)

Request: Rear addition at 308 Main Street to provide four new residential units, 14 new bedrooms for a total of 8 residential units onsite; boundary line adjustment between 308 Main Street and 323-325 College Street with parking and circulation changes. The request includes changes to 323-325 College Street to accommodate additional parking spaces.



Background:

323-325 College Street:

- **Zoning Permit 18-0230CA**; Rear steps. August 2017.
- **Zoning Permit 18-0060CA**; establish paved connection with 308 Main Street; relocation of dumpster and a tree. Withdrawn July 2017.
- **Zoning Permit 17-0791CA**; Renovate existing ell for an additional 4 residential units; re-stripe parking for additional spaces. Requires DRB discretionary review of parking space dimensional standards silent in Article 8, Table 8.1.11-1. No change to coverage or setbacks.
- **Zoning Permit 17-0790CA**; replace existing windows on rear ell with new clad wood windows. Approved March 2017.
- **Zoning Permit 11-0086 CA/MA**; Amendment to original approval issued November 3, 2010; specifically, site plan revisions, new access road, revised parking layout and substantially upgraded stormwater retention infrastructure. Approved July 2011.
- **Zoning Permit 11-0768CA**; replace 16 windows on brick structure. April 2011.
- **Zoning Permit 11-0086 CA/MA**; Construct an attached building addition with 8 new dwelling units; convert the existing 5 unit building to a single unit with attached laundry/storage area; a net total of 9 dwelling units. (Re-arrangement of the number of units between buildings: 1 to be located in the existing structure; 8 in the new structure.) Demolish existing garage, expand parking area. Approved November, 2010.
- **Zoning Permit 04-496**; Move existing fence and install children's play equipment. Approved April 2004.
- **Zoning Permit 03-170**; Installation of fenced enclosure, 4' high green vinyl chain link. Approved, October 2002.
- **Zoning Permit 83-123**; Erect a 4' chain link fence along 75' of eastern property line and 125' along property line and 84' along northern property line. Approved April 1983.
- **Zoning Permit 80-962**; New doors, installation of a window where there was a door. Interior work. Approved May 1980.
- **Zoning Permit 79-146**; Install 70' of 4' chain link fencing. Approved May 1979.
- **ZBA request** to convert a three apartment house to five apartments; Approved November 1972.

308 Main Street:

- **Zoning Permit 18-0671CA**; Remove existing fire escape on north elevation, install handicap ramp and remove partial wood enclosure on east entrance porch. Relocate electric meter, mechanical vents to rear (north) elevation. No change in coverage, use or number of parking spaces. February 2018.
- **Zoning Permit 18-0059CA**; Original request: Structural addition to add four dwelling units. Permit request modified to **withdraw request for an addition**. Permit issued: Convert use from office to residential; four dwelling units. September 2017.

- **Zoning Permit 13-0800SN**; replace existing freestanding sign for Collins, McMahon & Harris with new freestanding sign. External illumination included. March, 2013.
- **Non-Applicability of Zoning Permit Requirements 11-0473NA**; replace 2 condensers with same. November 2010.
- **Non-Applicability of Zoning Permit Requirements 10-0688NA**, replace aluminum storm windows. March 2010.
- **Zoning Permit 04-641**; pave existing gravel driveway and parking lot; construct flagging stone retaining wall to preserve/protect lilac bush in southwest corner of parking lot. No change in dimensions of driveway or parking lot. June 2004.
- **Zoning Permit 04-251**; install non-illuminated parallel sign for Gabel Law Firm. November 2003.
- **Zoning Permit 01-267**; replace nonilluminated free standing sign with new illuminated sign. December 2000.
- **Zoning Permit 98-322**; installation of nonilluminated freestanding sign. February 1998.
- **Zoning Permit 94-027**; installation of two ground AC units behind existing landscaping on side of law office structure. July 1993.
- **Zoning Permit (n.n.)**; convert the residential building at 308 Main Street into an office. August 1977.

Overview: 308 Main Street was constructed in 1884 by A.B. Fisher, one of Burlington’s most accomplished architects, as his own residence. It remains completely intact and represents very high style architecture; “a veritable catalogue of the techniques and materials used in the period.”

¹ It is included within the Main Street / College Street Historic District on the National Register of Historic Places.

In 1977 it was converted to office use. In the fall of 2017 it was returned to residential use, accommodating a total of four apartment units. This application proposes a structural addition for four new dwelling units for a total of eight (8) on site.

A lot line adjustment with 323-325 College Street is being reviewed simultaneously for reconfigured parking and circulation between the two parcels.

The **Design Advisory Board** reviewed the application at their June 12, 2018 meeting. Although the staff report was based on one submission, the applicants brought a secondary proposal to the meeting. The following conditions were included in the motion:

1. If option A is chosen, corner boards shall be either simplified or removed. (Option A was the originally proposed plan and is not now before the DRB.)
2. Windows shall be un-ganged on the south elevation,
3. The applicant shall explore un-ganging the windows on the west elevation.
4. The location of mailboxes shall be defined.

Although the vote was 2-1 in support of an addition, a quorum of the members did not vote in unison resulting in **no decision**.

For a motion to succeed, it must receive the concurrence of three participating members of the DAB, regardless of how many members are present.

¹ United States Department of the Interior, National Park Service. National Register of Historic Places, Main Street College Street Historic District, Resource #17, A.B. Fisher House (308 Main Street), Section 7 p. 18. Listed 10.13.1988.

Recommended motion: Lot Line Adjustment(s) and Certificate of Appropriateness Approval, only if the DRB concurs that the addition to 308 Main Street is *compatible with the historic materials, features, size, scale, and proportion and massing* per Section 5.4.8 (b) 9; Section 6.2.2 (d) and 6.3.2. (b); and the City Stormwater Administrator approves of alterations to the existing storm/catchbasin to supplement parking at 323-325 College Street.

I. Findings

Article 2: Administrative Mechanisms

Section 2.7.8 Withhold Permit

Per this standard, the applicant is required to remedy all violations and close out all zoning permits issued after July 13, 1989 prior to issuance of a Certificate of Occupancy for this permit. See attached list for guidance on open permits/violations. **Affirmative finding as conditioned.**

Article 3: Applications, Permits and Project Reviews

Section 3.1.2 Zoning Permit Required

The application has evolved into proposed site changes at 323-325 College Street. A separate zoning application for physical changes on that site is required. **Affirmative finding as conditioned.**

Section 3.2.7 Administrative Review and Approval

(a) 6. Lot line adjustment

The request for a boundary line adjustment may be reviewed administratively; however, the applicant’s proposal includes shared parking and circulation between parcels, diminished setbacks with shared parking, with relocation of a dumpster. The details of the entire development proposal are interrelated, so DRB review of the project is warranted.

Part 3: Impact Fees

Section 3.3.2 Applicability

Any new development or additions to existing buildings which result in new dwelling units are subject to impact fees.

As four new dwelling units are proposed within a new building addition, this section applies.

Based on the submitted floor plans, the following is an estimate of Impact Fees for four new residential apartments:

SF of Project 3,490

Department	Residential	
	Rate	Fee
Traffic	0.191	666.59
Fire	0.217	757.33
Police	0.043	150.07
Parks	0.725	2,530.25
Library	0.449	1,567.01

Schools	0.937	3,270.13
Total	2.562	\$ 8,941.38

The applicant shall confirm final area calculations for staff to finalize the total Impact Fees.
Affirmative finding as conditioned.

Sec. 3.3.8 Time and Place of Payment

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

(b) Existing Buildings: Impact fees must be paid prior to issuance of a zoning permit, or if a building permit is required, within thirty (30) days of issuance of the building permit.

Affirmative finding as conditioned.

Article 4: Zoning Maps and Districts

Sec. 4.4.5 Residential Districts

(a) Purpose: The Residential Districts are intended to control development in residential districts in order to create a safe, livable, and pedestrian friendly environment. They are also intended to create an inviting streetscape for residents and visitors. Development that places emphasis on architectural details and form is encouraged, where primary buildings and entrances are oriented to the sidewalk, and historic development patterns are reinforced. Parking shall be placed either behind, within, or to the side of structures, as is consistent with the district and/or the neighborhood.

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

The application intends to add residential units to an existing residential structure, and is within allowable intensity for the zoning district. Parking will remain behind the 308 Main Street building, but benefit from a shared parking and circulation arrangement with the abutting 323-325 College Street parcel to the north. A new, single parking space is located in front of 323-325 College Street, intended to benefit 308 Main Street, and is not consistent with the purpose of the residential district “*Parking shall be placed either behind, within, or to the side of structures*”, or “*behind or underneath structures.*” That parking space should be removed. Three new parking spaces are introduced on the west of 323-325 College Street and two in the location of a catchbasin, which will contribute toward meetings the parking requirement of 308 Main Street. The approval of the Stormwater Engineer will be required for the proposed site alteration and new arrangement. **Affirmative finding as conditioned.**

Table 4.4.5-2: Base Residential Density District

Maximum dwelling units per acre (RH)	40 units/acre
Proposed, 308 Main Street	With increase in lot size to 12,356 sf; 8 units / .283 Acres = 28 (< 40 maximum)

Affirmative finding.

Table 4.4.5-3 Residential District Dimensional Standards

Zoning District	Max Coverage	Setbacks				Max Height
		Front	Side	Rear	Waterfront	
RH	80%	Ave of 2 adjacent lots on both sides +/- 5'	10% of lot width Or ave. of side yard setback of 2 adjacent lots on both sides	Min: 25% of lot depth but in no event less than 20'	NA	35'
308 Main Street	61.95 existing; (ZP18-0059CA, ZP18-0671CA) 65.6 proposed	No change	8.3' west; parking space meets minimum 5' setback: 11.7' east (Frontage 87.51'; meets 10% setback)	23' between structure and existing property line; exceeds 25% to proposed property line. Parking abuts property line; acceptable under Section 5.2.5 (b) 6 (shared parking.) Dumpster meets required 5' minimum setback.	N/A	Addition does not exceed the height of the existing building.
323-325 College Street	67.05 existing (ZP18-0230CA) 70.7 proposed	No change	New parking space on west must meet minimum 5' side yard setback, if approved by DRB.	No change for structure setback. Parking abuts property line; acceptable under Section 5.2.5 (b) 6 (shared parking.)	N/A	N/A

Affirmative finding.

Section 4.4.5 (d) 5.

C. Residential Occupancy Limits. *In all residential districts, the occupancy of any dwelling unit is limited to members of a family as defined in Article 13.*

Not more than four unrelated adults may occupy any residential unit at 308 Main Street.

Affirmative finding as conditioned.

Article 5: Citywide General Regulations

Section 5.2.1 Existing Small Lots

Not applicable.

Section 5.2.2 Required Frontage or Access

Both parcels have frontage on a public street. Vehicles may enter either from Main Street or College Street. The applicant has not defined if there will be defined circulation on the College Street parcel, which is required. **Affirmative finding as conditioned.**

Section 5.2.3 Lot Coverage Requirements

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

Section 5.2.4 Buildable Area Calculation

Neither property is two (2) or more acres in size or within any RCO, WRM, RM, WRL, or RL zoning district. Not applicable.

Section 5.2.5 Setbacks

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

(b) Exceptions to Setbacks

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

The re-located dumpster, and the westerly parking space at 308 Main Street meet the required 5' minimum setback. See plan C1.00.

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

The proposed shared parking and circulation plan between 323-325 College Street and 308 Main Street allows for parking up to the (relocated) common boundary. The applicant has proposed a legal instrument to assure continued and unrestricted access to parking across lots.

Affirmative finding as conditioned.

Section 5.2.6 Building Height Limits

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

Section 5.2.7 Density and Intensity of Development Calculations

No change is proposed to the number of residential units at 323-325 College Street (13 units). 308 Main Street proposes an increase of four units for a total of 8 on-site. See Table 4.4.5-2, above.

Affirmative finding.

Section 5.4.8 Historic Buildings and Sites

***Note:** The building elevations submitted for DRB review are NOT the plans that were reviewed in the DAB staff report, but were submitted at the DAB hearing 6.12.2018 as an alternative (B).

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

(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.

Both 323-325 College Street and 308 Main Street are contributing resources within the Main Street / College Street Historic District on the National Register of Historic Places.

(b) Standards and Guidelines:

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

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

The building at 308 Main Street was constructed as a private residence; the continuation of residential use is consistent with this standard. **Affirmative finding.**

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

The historic structure at 308 Main Street will remain intact, with the point of building connection the only area of alteration to original fabric. Although still substantial in size, the mass of the proposed addition has been reduced to minimize the visible impact from the street and move toward compatibility with the historic house.

No structural changes are proposed for 323-325 College Street. **Affirmative finding.**



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

No conjectural features have been included in this application. The addition is clearly new construction, and differs in style, materials fenestration, and appearance from the original house.

Affirmative finding.

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

The historic house at 308 Main Street will be retained and preserved. No other later structural or site components are identified as requiring preservation. **Affirmative finding.**

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

308 Main Street is a compendium of architectural features and finishes. The new addition is sited on the rear of the property; separated by a small connector from the historic structure. The area of contact is the limit of building alteration. **Affirmative finding.**

6. *Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials recognizing that new technologies may provide an appropriate alternative in order to adapt to ever changing conditions and provide for an efficient contemporary use. Replacement of missing features will be substantiated by documentary and physical evidence.*

The application is not intended to address failure or repair, but to add new building volume and four new housing units. Not applicable.

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

No chemical or physical treatments are proposed to the existing historic house. Not applicable.

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

No archaeological resources have been identified at this site. Not applicable.

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

The proposed structural addition is clearly differentiated from the original. The massing has been reduced from an original proposal, with a decrease in the addition's upper floor. The alignment of window openings horizontally with those of the original house, the small "connector" between old and new, and the attempt to carry sheathing hues between the front building and new addition help to moderate the marked contrast in architectural styles and materials. The challenge before the design team has been to find a successful way to append structural addition to the high style, significant and decidedly ornamented historic building.

The solution pressed forward is a distinctly modern treatment, with corrugated metal and metal panels and applied foundation stone veneer. While sheathing on the front (south) and west elevations has been chosen to assimilate in color with the existing brick and red slate exterior, the remainder of the four story addition is clad in corrugated or panelized metal siding.

It is difficult to identify commonality between the front building and the proposed rear addition, which neither harmonizes or shows deference to the original, highly important structure.

The applicants have provided no less than four successive alternatives in an attempt to identify a compatible vocabulary that will neither compete with nor stand in stark contrast to the existing building. The success of their efforts is not uniformly decided, as evidenced in the lack of a DAB decision.

Affirmative finding, only if the DRB finds the addition meets compatibility standards.

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

As the point of connection is limited and on a rear elevation, it is possible to consider the development reversible.

Affirmative finding.

Article 6: Development Review Standards

Part 1: Land Division Design Standards

A boundary line adjustment is being reviewed concurrent to this application. Reference is made to Article 10.

Part 2: Site Plan Design Standards
Sec. 6.2.2 Review Standards

(a) Protection of Important Natural Features:

The area of the proposed addition at 308 Main Street is a paved parking lot.

A revised plan illustrates 4 existing trees to remain but on an adjoining property to the west. One new “Acer Rubrum” (Autumn Flame) of at least 3” in caliper is proposed for 323-325 College Street; one more on the 308 Main Street parcel at the northwest corner, and two on the abutting property at 316 Main Street. Approval cannot be granted for development on properties that are not part of the zoning application. New landscaping can only be reviewed for the two subject properties.

Landscaping is proposed in front of (north) a newly proposed parking space on the west of the driveway at 323-325 College Street. As this space does not meet the required placement defined in 4.4.5 (a), it is recommended for removal from the plan.

The revised site plan of August 9, 2018 proposes the removal of a tree in the ROW in front of 323-325 College Street, with a replacement tree installed just west of the newly aligned driveway. Any changes to trees in the ROW are subject to review and approval by the City Arborist. **Affirmative finding as conditioned.**

(b) Topographical Alterations:

The lot drops to the west, accommodating the addition and providing the first finished floor partially within the changing grade. **Affirmative finding.**

(c) Protection of Important Public Views:

The proposed addition will not impede distant views of Lake Champlain and the mountains to the east and west; nor to important public and cultural landmarks framed by public rights-of-way. **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).

See Section 5.4.8, above.

(e) Supporting the Use of Renewable Energy Resources:

The plan does not preclude the use of wind, water, solar, geothermal or other renewable energy resource. The addition to 308 Main Street is placed on the north elevation which limits passive solar gain. **Affirmative finding.**

(f) Brownfield Sites:

Neither site is on the Vt. DEC. Brownfields 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.

Revised EPSC and Stormwater plans have been submitted, revised and resubmitted to the Stormwater Engineering department for review. The location of new parking spaces at the site of a catch basin will require assessment and review by that department, as the infrastructure was previously approved as part of a larger Stormwater Management plan for the 323-325 College St. site. Their approval will be a condition of any permit.

The entrance for the four rear units at 308 Main Street will be centralized at a covered entrance off the parking lot in the rear.

The revised site plan places three + two additional parking spaces on the rear/west side of 323-325 College Street at a location of a catch basin. (See Plan C-100.) The alteration of the stormwater feature is subject to review and approval of the Stormwater Engineering team.

Affirmative finding as conditioned.

(h) Building Location and Orientation:

The addition is located in the rear of the existing structure; a typical configuration for building expansion. **Affirmative finding.**

(i) Vehicular Access:

There is an existing driveway off Main Street. This plan intends to create circulation with the adjoining parcel at 323-325 College Street, as a pass-through is afforded on west of the connected and reconfigured parking lots. If the direction of this proposed circulation is intended to be other than two-way, details must be defined as to traffic flow, proposed entrance and exit. The property boundary adjustment is being reviewed concurrently. **Affirmative finding as conditioned.**

(j) Pedestrian Access:

A new concrete sidewalk is proposed from the easterly side of 308 Main Street to the rear entrance. (Plan C-100.) This will allow building residents to exit directly onto a pathway that will lead around the building toward the public sidewalk on Main Street.

Similarly, a new paved walkway is proposed just west of 323-325 College Street which will allow residents a safe path between the building and the three parking spaces proposed along the drive.

Affirmative finding.

(k) Accessibility for the Handicapped:

ADA compliance is under the review of the building inspector. A lift is annotated on the easterly porch of 308 Main Street, but the front units are not connected internally to the proposed 4 units in the rear. An internal stair is located on the northeast corner. Access as defined by the Americans with Disabilities Act is under the jurisdiction of the building inspector. **Affirmative finding as conditioned.**

(l) Parking and Circulation:

There are 8 existing parking spaces at 308 Main Street, which meets the current parking requirement for four units. Eight units will require 16; only 8 will be provided on site. The applicant proposes shared use parking with 323-325 College Street, where there exist 29 approved spaces (with only 26 required) and the addition of 5 new spaces to meet the 8 space need.

This application adds three parking spaces to the last approved parking plan: 3 on the west, two behind the building and one more along the drive area. The three on the west/rear are acquired by changing the grade and filling in an incline around a catchbasin.

The new parking space proposed for the northwesterly part of 323-325 College Street is not situated at the rear, within, or at the side of the building as required by 4.4.5 (a). It is therefore unacceptable as proposed. It would provide a 43rd parking space, when only 42 are required to meet the parking standards for both properties. As such, it is superfluous and its loss uneventful. As noted, the intended vehicular circulation path must be defined.

A parking management plan was approved for the College Street parcel under ZP 11-0086 as amended. The applicant has indicated the intent to continue with that approved plan.

Affirmative finding as conditioned.

(m) Landscaping and Fences:

New plantings are proposed for neighboring properties (316 Main Street to the east, 323-325 College Street to the north.) This review cannot incorporate development, or landscaping changes on properties other than those under review unless applications are submitted for those properties.

Seven shrubs are proposed for the west elevation of 308 Main Street (see Plan C-1.00) which is likely to help to visually screen the proposed parking expansion, particularly the new compact space.

A new retaining wall is proposed at the location of the catch basin at 323-325 College Street. Any retaining wall over 3' requires review and approval by the City Engineer; and the approval of alterations at Stormwater infrastructure must be approved by the Stormwater engineering staff. **Affirmative finding as conditioned.**

(n) Public Plazas and Open Space:

There are no public plazas on this parcel. Little has been provided for outdoor tenant amenity space for building residents, something that would be appreciated by the 21 collective residential units. **Affirmative finding if conditioned.**

(o) Outdoor Lighting:

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

No additional lighting is proposed for either parcel. If fixtures are proposed, fixture cut sheets with illumination information and a photometric plan, as appropriate, will 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.

Meter locations at 308 Main Street had previously been identified under the easterly porch. If any other utility connections or mechanical equipment is proposed, they shall be identified on the site plan and/or building elevations as appropriate.

Mailbox locations will be interior to 308 Main Street.

Utility and service enclosures and screening shall be coordinated with the design of the principal building, and should be grouped in a service court away from public view. On-site utilities shall be placed underground whenever practicable. Trash and recycling bins and dumpsters shall be located, within preferably, or behind buildings, enclosed on all four (4) sides to prevent blowing trash, and screened from public view.

A dumpster is identified on the site plan at the rear of the (boundary adjusted) lot. It has been adjusted to meet the minimum requirement of 5' from the property boundary line. The enclosure will be sheathed in rough hewn cedar plank; see attached illustration.

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.

If any additional mechanical equipment is proposed, it shall be illustrated on a site plan and/or building elevation as appropriate. **Affirmative finding as conditioned.**

Part 3: Architectural Design Standards

Sec. 6.3.2 Review Standards

(a) Relate development to its environment:

1. Massing, Height and Scale:

The redesigned addition has dropped the new building mass so it is centralized behind the existing historic structure, and reduced the roofline on the westerly edge to lessen the mass and visual impacts of the new addition. Although large, the building addition has been

modified to be more discrete in its positioning with the historic structure. **Affirmative finding.**

2. Roofs and Rooflines.

A flat roof is proposed, which steps down to minimize visibility and massing. **Affirmative finding.**

3. Building Openings

Window openings are arranged vertically in columns on all elevations. Window sash configuration is illustrated in a modern split light configuration, 1/1, or single awning.

Rear entrance doors are paired, under a roof canopy. **Affirmative finding.**

(b) Protection of Important Architectural Resources:

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

See Section 5.4.8.

(c) Protection of Important Public Views:

There are no protected public views through this site. Not applicable.

(d) Provide an active and inviting street edge:

The addition as visible from the public right-of-way has been modified to minimize visual impact with the existing historic structure. Windows are placed in horizontal alignment with the floor levels of the existing structure. The stone foundation is referenced in the masonry veneer proposed for the lower level of the addition. **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.

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

Corten steel panels and corrugated metal siding are proposed for the building addition at 308 Main Street. A stone veneer is proposed to reference the foundation of the existing building. There is no evidence that the applicant has consulted with an architectural historian to determine

the most appropriate building materials. See Section 5.4.8 (9) for discussion of compatibility. **Affirmative finding, only if the DRB concurs with compatibility. See Section 5.4.8 (b) 9.**

(f) Reduce energy utilization:

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

(g) Make advertising features complementary to the site:

Any exterior signage will require a separate sign permit. **Affirmative finding as conditioned.**

(h) Integrate infrastructure into the building design:

See Section 6.2.2. (p), above.

(i) Make spaces secure and safe:

All development shall adhere to all building and life safety code, as defined by the building inspector and fire marshal. For multi-unit buildings, intercom systems are recommended. **Affirmative finding as conditioned.**

Article 8: Parking

Both 323-325 College Street and 308 Main Street are within the Neighborhood Parking District, which requires 2 parking spaces for every residential unit. The project proposes shared parking and circulation across common boundary lines. The last permitted parking plan for 323-325 College Street was for 29 parking spaces (ZP17-0791CA), when only 26 were needed for the existing 13 units. 308 Main Street will require 16 spaces for the 8 proposed units. 8 will be provided on site. The three “surplus” spaces at 323-325 College may be utilized toward the parking requirement for 308, with 5 additional spaces needed to meet the parking requirements for both sites.

5 new spaces are proposed: Two immediately in the rear of 323-325 College at the location of a stormwater catch basin. The approval to alter that previously approved stormwater plan is under review of the Stormwater engineering team. Three more spaces are proposed on the west of 323-325 College Street, aligned along the driveway.

A fifth space is added at the northwesterly corner of the 323-325 College St. drive, requiring realignment of the driveway, removal of a street tree, and located in a highly visible location. The new space on the northwesterly edge of the driveway at 323-325 College Street is not located on the side or rear of the property, as required by Section 4.4.5 (a). It is, however, a 43rd parking space where only 42 are required for the collective units (13 + 8 = 21 units x 2 spaces per unit = 42 parking spaces required.) It’s removal from the site plan is warranted.

Affirmative finding as conditioned.

Article 10: Subdivision

Section 10.1.5 Lot Line Adjustments

(c) Lot Line Adjustment – Administrative Decision

The administrative officer shall have the authority to approve or deny an application for a Lot Line Adjustment as follows:

1. An application may be denied for good cause based upon substantial evidence including but not limited to:

A. Such cases where the proposed adjustment will result in a new lot being created.

No new lot will be created by the proposed lot line adjustment. **Affirmative finding.**

B. Such cases where the proposed adjustment will result in the creation of a non-conforming parcel or non-conforming buildings or structures or yard areas or any non-conforming dimensional standard;

The proposed lot line adjustment will not create new non-conformity to lot width or create any non-conformity to setback. With shared use, parking may be located up to a common boundary line. The greater intensity of use, with four new residential units, sparks the need for increased parking. The applicant has proposed 6 new parking spaces at 323-325 College Street. Even if the parking space at the northwesterly corner of 323-325 College Street is removed, both parcels will be compliant to parking. **Affirmative finding.**

and

C. Such cases where the proposed adjustment does not adequately address the applicable Land Division Design Standards of Article 6.

No new lot is created, but an interior, common boundary line is proposed to be relocated. No adverse impact is introduced to sensitive ecological and geological areas. No significant change is introduced that disrupts the pattern of existing neighborhood blocks within the zoning district; no disruption is made to existing interconnected streets. The alteration to the grade at the location of the rear catch basin at 323-325 College Street to create two new parking spaces is subject to approval of the Stormwater and EPSC plans by the Stormwater engineering program.

Affirmative finding as conditioned.

2. Provided the adjustment does not create a non-conforming parcel, structure or nonconforming yard area or other dimensional non-conformity, or upon the issuance of a variance by the DRB, and upon submission of a plat per subsection (b) above, the administrative officer shall approve the proposal as presented or as modified.

The simultaneous application for site and building changes to both parcels, and the proposal for shared parking and circulation require review and approval by the DRB. The applicant will be required to file a plat of the boundary line adjustment within 180 days of the date of approval, or the boundary line adjustment will be null and void. **Affirmative finding as conditioned.**

Section 10.1.11 Recording of Final Plats

(b) Recording within 180-days

The final plat, endorsement by the DRB and all associated documents, shall be recorded in the office of the chief administrative officer within 180 days of the DRB's approval of the

final plat. Failure to file all such materials within 180 days of the decision shall render the final plat approval void.

A final plat, complete with the language defined in Section 10.1.5 (a), shall be presented for signature by the Zoning Administrative Officer and filed in the land records within 180 days of approval or the lot line adjustment approval shall be deemed null and void.

Affirmative finding as conditioned.

II. Conditions of Approval, if considered:

1. A separate zoning permit is required for any physical or site changes to 323-325 College Street.
2. Per **Section 2.7.8, Withhold Permit**, the applicant is required to remedy all violations and close out all zoning permits issued after July 13, 1989 prior to issuance of a Certificate of Occupancy for this permit. See attached list for guidance on open permits/violations.
3. Based on submitted floorplans, the following is an estimate of Impact Fees:

**SF of
Project** 3,490

Department	<u>Residential</u>	
	Rate	Fee
Traffic	0.191	666.59
Fire	0.217	757.33
Police	0.043	150.07
Parks	0.725	2,530.25
Library	0.449	1,567.01
Schools	0.937	3,270.13
Total	2.562	\$ 8,941.38

The applicant is obligated to confirm final area calculations to finalize the total Impact Fees due.

4. Impact Fees must be paid within thirty (3) days of issuance of the building permit.
5. The parking space west of the driveway at 323-325 College Street does not meet the standard to provide parking *either behind, within, or to the side of structures* as defined in Section 4.4.5 (a), and shall be removed from the site plan.
6. The occupancy of any dwelling unit is limited to members of a family as defined in Article 13. Not more than four unrelated adults may occupy any residential unit.
7. Approval cannot be granted for off-site alterations, including landscaping.
8. **Prior to release of the zoning permit**, written approval of the EPSC and Stormwater plans, and the proposal to alter the existing stormwater catch basin shall be received from the Stormwater Engineers.
9. If vehicular circulation is intended to be other than two-way, a circulation plan and appropriate directional signage shall be submitted for review and approval.
10. If approved, an instrument assuring continued circulation and access to parking across the common boundary line shall be filed in the land records.

11. ADA compliance is under the jurisdiction of the building inspector.
12. Some outdoor amenity space is recommended for the collective 21 residential units.
13. Any removal of installation of trees within the right-of-way is subject to the authority of Burlington's arborist.
14. All new construction is required to meet the Guidelines for Energy Efficient Construction pursuant to the requirements of Article VI, Energy Conservation, Section 8 of the City of Burlington Code of Ordinances.
15. Any exterior signage will require a separate sign permit.
16. Any retaining wall over 3' in height will require approval of the city engineer.
17. If any lighting is proposed, fixture and illumination information shall be submitted for review. A photometric defining light levels may be required as appropriate.
18. If any additional utility connections or mechanical equipment is proposed, they shall be identified on the site plan and/or building elevations as appropriate, and assessed for the need of screening.
19. For multi-unit buildings, an intercom system is recommended.
20. The final plat for the boundary line adjustment shall be filed in the land records within 180 days of the approval. Failure to do so shall render the final plat approval null and void.
20. Standard Permit Conditions 1-15.

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