


Department of Planning and Zoning

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TO: Development Review Board
FROM: Scott Gustin 
DATE: January 16, 2018
RE: 18-0547CA; 323 Pearl Street

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: 323 Pearl Street, LLC / Hamilton Green Castle, LLC

Request: Renovations to existing building including porch enclosure, siding, and windows.

Applicable Regulations:

Article 4 (Maps & Districts), Article 5 (Citywide General Regulations), Article 6 (Development Criteria & Guidelines)

Background Information:

The applicant is seeking approval for exterior renovations to an existing mixed use building. The property contains 12 residential apartments and 1 office space. No change in use is proposed, except that office space will shrink from about 500 sf to 315 sf. Interior layout will be extensively reworked. Exterior alterations are modest. Open porches will be enclosed with associated new siding, windows, and a doorway. No site alterations are proposed.

Previous zoning actions for this property are as follows:

- 11/17/17, Approval to combine 2 apartments into 1 and provide 2 more parking spaces
- 11/3/17, Approval to replace unpermitted vinyl windows with clad wooden windows
- 4/19/05, Approval to convert 2 office units into 3 residential apartments
- 6/27/95, Approval to change office space to 4 residential apartments

Recommendation: Consent approval as per, and subject to, the following findings and conditions.

I. Findings

Article 4: Maps & Districts

Sec. 4.4.1, Downtown Mixed Use Districts:

(a) Purpose

(5) Residential High Density (RH)

The Residential High Density (RH) district is intended primarily for high intensity residential development in the form of large multi-unit structures. The existing 12-apartment building is consistent with this intent. **(Affirmative finding)**

(b) Dimensional Standards and Density

This application includes no changes to dimensional standards or density. **(Not applicable)**

(c) Permitted and Conditional Uses

The multi-unit residential building is a permitted use in this high density residential zone. The office space is a pre-existing nonconformity. It will be reduced in size and remains acceptable. **(Affirmative finding)**

(d) District Specific Regulations

Not applicable except 5 C.

5. Residential Density

C. Residential Occupancy Limits

Occupancy of the residential apartments is limited to members of a “family” as defined in Article 13 of the Comprehensive Development Ordinance. **(Affirmative finding as conditioned)**

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

See Article 4 above.

Sec. 5.2.4, Buildable Area Calculation

Not applicable to the subject property.

Sec. 5.2.5, Setbacks

See Article 4 above.

Sec. 5.2.6, Building Height Limits

See Article 4 above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See Article 4 above.

Sec. 5.4.8, Historic Buildings and Sites

(b) Standards and Guidelines

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

The building was originally constructed as an apartment building. The use remains unchanged. **(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 building's primary façade will remain unchanged. Open porches on its sides and rear will be enclosed. The proposed enclosure is sensitively designed and retains existing building proportions and massing. What are presently open porches will continue to read as distinct building elements upon being enclosed. **(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 or alterations are proposed. **(Affirmative finding)**

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

None proposed. **(Affirmative finding)**

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

The structure will remain largely intact. Some existing vinyl siding will be removed and replaced with fiber cement board of the same reveal. Windows to be installed will be clad wooden units. **(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.*

Limited material replacement is proposed. As noted above, some existing vinyl siding will be replaced by fiber cement board. **(Affirmative finding)**

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.*

Not applicable.

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

There are no known archeological resources on the property. **(Affirmative finding)**

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

The proposed alterations retain the existing building proportions and massing. The porches, upon being enclosed, will continue to read as separate building elements and are clearly differentiated from the original structure. Proposed fenestration is consistent with existing, and fiber cement board is an acceptable replacement material on historic structures. **(Affirmative finding)**

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

See #9 above.

Sec. 5.5.1, Nuisance Regulations

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

Sec. 5.5.2, Outdoor Lighting

(Not applicable)

Sec. 5.5.3, Stormwater and Erosion Control

(Not applicable)

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

(Not applicable)

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

See Sec. 5.4.8 for exterior building alterations.

II. Conditions of Approval

1. 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.
2. All dwelling units are limited to occupancy by a family as defined in Article 13 of the Comprehensive Development Ordinance.
3. Standard permit conditions 1-15.