

## Memorandum

**TO:** Development Review Board

**FROM:** Eric Vorwald, AICP  
Planning & Zoning Manager

**RE:** **64 LaFountain Street Planned Unit Development - Subdivision General Standards & Requirements**

**DATE:** March 19, 2020

As part of the City's Unified Land Use and Development Regulations, the City classifies Planned Unit Developments (PUD) as a major subdivision. As such, the standards identified in Section 6.2 – Subdivision, Part H outlines the general standards to be followed for this submission. Below is an outline of those standards with staff discussion on how the standards are being met. Additionally, the applicant has provided a narrative with their application that outlines how the project meets the standards. This submission is provided as a preliminary plan and will require a final plan submission before the DRB can take formal action.

### SECTION 6.2 SUBDIVISIONS

#### H. General Standards.

All land to be subdivided shall be suitable for the intended use and proposed density of development. The subdivision shall not result in undue adverse impacts to public health and safety, the natural environment, neighboring properties and uses, or the character of the area in which it is located. Subdivision applications shall be reviewed for compliance with the following standards:

1. **Development Density.** The allowed density of development within a subdivision shall be calculated by dividing the total land area to be subdivided, excluding existing and proposed road rights-of-way, by the minimum lot size specified for the zoning district(s) in which the subdivision is located (see Article II), except as modified for planned unit developments under Section 6.3.



*Total area of the property is just over one acre at 1.16 acres, which includes a lot line adjustment. The development density in this zoning district Residential B (R-B) District is 2 units per lot, regardless of configuration. The minimum lot size in the R-B District is 7,500 square feet. Based on the total area, divided by the minimum lot size, multiplied by the total allowable density, the resulting number of units permitted in this proposed Planned Unit Development would be 12. The applicant is proposing 9 units.*

2. **Existing Site Conditions.** Subdivision layout and design, to the extent physically feasible, shall incorporate and avoid undue adverse impacts to significant natural, historic and scenic resources identified from the Winooski Municipal Development Plan, maps and related inventories, or through site investigation in accordance with Section 4.8, the Historic Structure Section of Design Review in Section 4.4, and other relevant sections of these regulations.

*Additional information related to wetlands or vernal pools has been included based on a request from the DRB for further investigation. A Class III wetland has been identified on the property and is discussed in the associated documentation.*

3. **Winooski Municipal Development Plan & Regulations.** Subdivisions shall conform to clearly stated policies and objectives in the Winooski Municipal Development Plan as most recently amended, other provisions of these regulations, adopted capital improvement programs, and other city bylaws, ordinances and regulations in effect at the time of application.

*The City of Winooski's Unified Land Use and Development Regulations (effective August 07, 2017) classify Planned Unit Developments (PUD) as a Major Subdivision under Section 6.2 D. 2. c. As such, the proposal is allowable and will need to be in compliance with both the subdivision regulations and the PUD regulations as outlined in the code.*

4. **District Settlement Patterns.** A subdivision shall be designed and configured to reflect the desired settlement pattern for the zoning district(s) in which it is located, as defined under Article II and the Winooski Municipal Development Plan. To this end, the following standards shall apply to subdivisions within respective zoning districts:
  - a. **Residential Zoning Districts.** Subdivision within this district shall be designed and configured to reinforce a compact residential, pedestrian scale and pattern of development. Lots and building envelopes shall be sized and located to maintain a consistent building line and streetscape along roads, and to maintain privacy in the



rear. Subdivisions in this district also shall be designed to incorporate, extend, or connect to existing roads, sidewalks and utility corridors. Sidewalks and other pedestrian facilities shall be provided where physically feasible; new roads in these districts shall be designed to maximize pedestrian and bicycle safety and circulation.

*The proposed PUD consists of 9 single-family units throughout the property. The zoning of the property is Residential – B (R-B) which permits single-family and two-family dwellings by right. The type of dwelling units proposed with this development are consistent with the R-B zoning district and the setbacks are consistent with the requirements of the district.*

*The sketch plan shows the units accessed by a private road, which will connect LaFountain Street via an existing curb cut. The private road will act as a cul-du-sac and not connect to other roads within the City. The preliminary plan includes a sidewalk along the western side of the new roadway. This sidewalk connects to the existing sidewalk along LaFountain Street.*

5. **Lot Layout.** Lots and lot layouts shall be configured to:

- a. be suitable for their intended use, for subsequent development (building lots) or for public use or common open space areas;
- b. conform to desired district settlement patterns, as required under Subsection H.4;
- c. meet minimum lot size and density requirements under Article II, except as modified for planned unit developments under Section 6.3;
- d. avoid irregularly shaped lots (e.g., with curves, jogs, dog-legs, etc.), unless warranted due to topographic or other physical site constraints, or to minimize the fragmentation of natural, scenic or cultural resources under Section 4.8.

*Since the proposal is a Planned Unit Development, no individual lots are identified.*

6. **Building Envelopes.** The designation of building envelopes to limit the location of structures, parking areas, and associated site improvements to one or more portions of a lot shall be required for all subdivided lots, as shown on the subdivision plat. The location, size and shape of each building envelope shall be established in accordance with these regulations, including zoning district requirements under Article II, and resource protection standards under Section 4.8. The DRB also may require the identification of specific building locations (footprints) if, in its judgment, such information is needed to determine conformance with these regulations.



*Since the proposal is a Planned Unit Development, no building envelopes are proposed, however general building footprints are identified as part of the overall layout of the PUD. There are also general building footprints identified for detached garages that will serve each individual unit.*

7. **Survey Monuments.** The locations of all proposed permanent surveying monuments and corner markers, as required under the Rules of the Board of Land Surveyors, shall be identified on the final subdivision plat. The DRB may also require that the corner points of designated building envelopes be marked on the ground with iron pins and identified on the final subdivision plat.

*No new lots are being created with this proposal; however, a boundary line adjustment is being requested. Based on Section 6.4 of the ULUDR, lot line adjustments can be permitted administratively as long as no new or non-conforming lot is created. Any boundary adjustment must be prepared by a Vermont licensed surveyor and recorded in the City's land records. This updated survey would require new survey monuments to be established. For reference, the boundary adjustment is not being considered by the DRB as it can be approved administratively. The adjustment would need to be made prior to the issuing of any zoning permits.*

8. **Landscaping & Screening.** Landscaping and screening shall be provided, in accordance with Section 4.7.

*Landscaping and screening is identified along the perimeter of the lot. This includes trees and a hedgerow to buffer the adjacent properties on the east side of the project. The development also includes landscaping associated with each unit. The information related to landscaping is included on Sheet 4 of the submission.*

9. **Energy Conservation.** Subdivision design and layout, to the extent physically feasible, should encourage energy efficient design by:
  - a. Locating and orienting sites (e.g., building lots, envelopes) to maximize southern exposures where available, and solar access for solar energy and heating systems.
  - b. Clustering development (e.g., building lots, envelopes) to minimize road and utility line extensions and to allow for group net-metering.



- c. Incorporating existing topography, natural vegetation and landscaping to provide wind breaks, seasonal shade and solar access, and to reduce building heating and cooling needs.

*Energy conservation techniques have been noted in the project narrative. In addition, LED lighting has been proposed for the streetlights as noted on Plan Sheet 8.*

10. **Common Open Space Areas.** The location, size and shape of lands set aside to be preserved and managed as common open space areas shall be suitable for their intended purpose and use and approved by the DRB, in accordance with Section 4.8.

*Common space has been identified behind buildings 1 and 2. This includes planter boxes for use as a community garden or similar function, and a table. There is also open space around each unit and an area of open space at the end of the private drive.*

11. **Stormwater Management and Erosion Control.** Temporary and permanent stormwater management and erosion control measures shall be used during all phases of subdivision development as necessary to limit surface runoff and erosion, protect water quality and to avoid damage to downstream properties in conformance with Section 4.15. In addition, building envelopes, driveways, road and utility corridors shall be located to minimize site disturbance on steep slopes (15% or more) and, to the greatest extent feasible, avoid site disturbance on very steep slopes (25% or more) in accordance with Section 4.8.

*Stormwater management is proposed to be handled on-site through infiltration measures and drywells. There are ten 600-gallon storage chambers proposed for the site. These storage chambers are connected to building downspouts and inlets along the street to contain runoff from the project. For reference, the City's stormwater conveyance system is located in LaFountain Street, but the project does not propose a connection to this system.*

12. **Access & Driveways.** Access to the subdivision and to individual lots within the subdivision shall at minimum meet the requirements of Section 4.2 (Access) and the relevant sub-parts of Section 4.12 (Parking), and the following:
  - a. All lots created after the effective date of these regulations that are intended for development must meet minimum applicable frontage requirements along public road rights-of-way for the district(s) in which they are located unless modified or waived by the DRB for planned unit development under Article IX. The DRB may also reduce or waive district lot frontage requirements for:



- i. minor (up to three lot) subdivisions accessed by a shared driveway; or
- ii. lots that will be maintained in perpetuity as undeveloped open land to be used only for passive outdoor recreation or resource conservation.

*The minimum frontage for the R-B Zoning District is 75 feet. The proposed PUD has approximately 130 feet of frontage along LaFountain Street. The plan shows the individual units being served by a private road. Based on the City's Unified Land Use and Development Regulations, the private road will need to be built to City specifications (Section 4.2 F.). In addition, the private road is permitted within the City's regulations. An extension to this road is proposed to provide a turn-a-round as requested by the Winooski Fire Department. A correspondence from the Winooski Fire Department is included with the submission. This request is facilitating the boundary line adjustment as noted under item 7.*

- b. Access permits, as required under Section 4.2, are required prior to filing an application for final subdivision review.
- c. Access to a subdivision shall conform to adopted state or municipal access management plans and capital improvement plans. Planned highway and access improvements, including proposed rights-of-way, shall be incorporated in subdivision design. Right-of-way reservations may be required as necessary to accommodate planned improvements.

*Plans identifying any right-of-way that will be dedicated to the City or any specific permits related to increasing the size or dimensions of the curb-cut related to access will need to be approved by the City's Public Works Department prior to development.*

13. **Driveways.** Driveways serving minor subdivisions of three or fewer lots shall meet the requirements of Section 4.2 and the Winooski Public Works Specifications in effect at the time of application. For the purposes of these regulations, driveways serving four or more lots shall be considered development roads subject to the requirements of Subsection H.14.

*More than three lots/dwellings are proposed therefore item 14 will apply.*

14. **Development Roads.** The following road standards shall apply to all rights-of-way serving or accessing four or more lots. Roads shall be considered private roads until such time as they are accepted by the City of Winooski as a public road in accordance with adopted city road policies, ordinances and state statutes.



- a. Layout. To promote safety, to facilitate traffic flow and emergency vehicle access, and to protect significant resources, roads shall, to the extent physically feasible, be laid out to:
  - i. Provide a right-of-way for access to adjacent lots for future development.
  - ii. Follow existing linear features where physically feasible (e.g., utility corridors, tree and fence lines), and meet other requirements for the protection of identified resource and hazard areas under Section 4.8.
  - iii. Logically relate to topography, following contour elevations, to minimize the amount of cut and fill required and to maintain reasonable finished grades and safe intersections.
  - iv. Extend or connect to existing or planned roads adjoining the subdivision, under joint agreement or in common or public ownership.

*The project proposes a 20-foot-wide private road. This roadway will need to be built to City standards as identified by the Public Works Department. Details on the road construction are included on Plan Sheet 4.*

15. **Improvements.** The proposed subdivision shall not unduly burden town or state highways, including roads and intersections in the vicinity of the project. Any highway access, drainage, lane, or other infrastructure or traffic control improvements necessitated by the proposed subdivision shall be paid for and installed by the applicant, unless otherwise approved by the DRB in consultation with the City Council or state highway officials. The DRB also may require as conditions of approval, as necessary to ensure compliance with these regulations:
  - a. Performance bonding or other form of surety acceptable to the City Council to ensure that required road, intersection and related infrastructure improvements are installed as approved by the DRB.
  - b. The phasing of development in relation to planned state or municipal transportation infrastructure improvements included in adopted capital improvement programs.
  - c. A development agreement approved by the City Council governing the timing, installation and any agreed upon cost-sharing arrangements between the subdivider and the city or other affected property owners.



*The project will increase traffic (through vehicle trips) which will impact the existing roads. The specific impacts, however may be minimal based on existing conditions. The applicant has provided trip generation information for existing and proposed conditions. Based on discussions with the Public Works Director, capacity on LaFountain Street can accommodate the existing trips without the need for mitigation measures.*

16. **Names, Signs and 911 Locator Numbers.** Road names shall be approved by the Winooski City Council as part of the subdivision process. Approved road names and assigned 911 locator numbers for each parcel shall be clearly depicted on the final plat, and identified on signs approved by the ZA.

*Addressing will be coordinated with E911 to ensure consistency with road names and numbers.*

17. **Transit Facilities.** The DRB may require that subdivisions located on existing or planned transit routes, including school bus routes, incorporate a sheltered transit or bus stop in subdivision design.

*No transit facilities are located along LaFountain Street. The closest existing transit stop is at the corner of Main Street and LaFountain Street, which is approximately 700 feet away. No transit facilities are proposed with this development.*

18. **Public Facilities & Utilities.** The DRB shall find that the proposed subdivision does not create an undue burden on existing and planned public facilities in accordance with Section 4.16. The applicant and DRB may consult with appropriate municipal and school officials and emergency service providers to determine whether adequate capacity exists to serve the subdivision.

*A water and wastewater allocation request from the applicant will identify any issues related to capacity for water and wastewater service. Specific information from the school may be necessary to gauge potential impacts due to the proposed development, however based on the number of units the impacts may be minimal. The Winooski Fire Department is requesting a fire hydrant be located at the end of the private road (as noted in the correspondence in the agenda), therefore this request should be included for consideration by the DRB.*

19. **Legal Requirements.**
  - a. Common open space areas may be held in common ownership or in separate individual ownership from contiguous parcels. At minimum, land designated as



- common open space areas shall be indicated with appropriate notation on the final subdivision plat. In addition, the DRB may consider, as required for long-term protection:
- i. A restriction prohibiting the further subdivision of a conserved lot or other protected open space area, as noted on the final plat and in accompanying legal documentation.
  - ii. The dedication of such land, either in fee or through a conservation easement approved by the DRB, to the municipality, an owners' association comprised of all present or future owners of subdivided lots, the applicant, and/or a nonprofit conservation organization with the demonstrated capacity and qualifications to manage conservation easements.
- b. The applicant shall provide documentation and assurances that all required improvements, associated rights- of-way and easements, and other common lands or facilities will be adequately maintained in accordance with an approved management plan, either by the applicant, an owners' association, or through other legal means acceptable to the DRB. Draft management plans and documentation must be submitted with the application for final subdivision review, for approval by the DRB. The DRB may forward submitted documentation to the City Council and City attorney for review. All legal documents, as approved by the DRB, shall be filed in the land records of the City in association with recording the final subdivision plat.
- c. All required improvements shall be constructed to approved specifications in accordance with a construction schedule approved by the DRB. The DRB may require the issuance of a Certificate of Compliance to ensure that all such improvements are completed prior to the issuance of zoning permits for the subsequent development of subdivided lots.

*Legal documents, including information related to homeowner's associations, easements, right-of-way information, and similar documents will be provided and reviewed prior to any final approvals. Discussions regarding the preliminary plan may impact the details necessary to complete these documents therefore none are provided at this time. The applicant may provide additional detail if necessary.*

