

The proposed project requires four (4) major waivers and twelve (12) minor waivers from the CCD-M design standards. Required waivers and justification for these waivers are provided in the chart below.

120-68 CCD-M Design Standards: Code Review

#	Code Section	Waiver Type	Design Standard	Justification for Waiver
1	(F)(1)(a)[1]	Major	Buildings shall exhibit a clearly articulated base, midsection, and crown.	No waiver required.
2	(F)(1)(a)[2]	Major	Buildings greater than five stories shall exhibit a tall/narrow mass on the street frontage.	<u>Waiver required.</u> The site development encompasses an entire City block. Currently this site is a privately owned parking lot. Through the development of the project site into a high-density, interactive, pedestrian oriented, urban housing development with active first floor office space along Main Street, the proposed design is a use more consistent with the intent of the CCD-M District than the current parking lot. While the building is horizontal in massing, it completes a currently broken street wall along Main Street, S. Plymouth Avenue, and S. Washington Street. Changes in façade material colors and textures assist in creating a vertical design language. The vertically oriented building information sign assists in accentuating this vertical design language.
3	(F)(1)(b)[1]	Major	The min. lot frontage shall be 50 feet.	No waiver required.
4	(F)(1)(b)[2]	Major	<u>West of Plymouth Avenue</u> and east of Chestnut Street the min. lot frontage shall be 30 feet.	No waiver required.
5	(F)(1)(b)[3]	Minor	The max. building length and depth shall be no more than 50% of the block length and 50% of the block depth.	<u>Waiver required.</u> Since the proposed building wraps around the exterior of the site along S. Washington Street, W. Main Street, and S. Plymouth Avenue, the unique nature of the proposed building lot, building orientation, and massing does not fit into the CCD-M requirements for max. building length and depth. The intent of this CCD standard is to allow open space on an urban site and to accentuate the height of the building in downtown, similar to the function of FAR requirements. In this case, open space is internal to the site and uniquely designed as a pedestrian courtyard plaza for use by residents and the public. The benefit of this design over one that would implement

				the CCD-M design standard in this case is that the proposed design completes the street wall and provides a high-density development fit for center city. The existing site is a surface parking lot which does not similarly contribute to the purpose and intent of the CCD-M standards.
6	(F)(1)(c)[1]	Major	[a] Main Street: Shall be a max. 15 stories in height to a max. of 180- feet and a min. of five stories.	No waiver required.
			[b] City Street: Shall be a max. 15 stories in height to a max. of 180 feet and min. five stories.	<u>Waiver required.</u> The site topography slopes from W. Broad Street to W. Main Street resulting in a significant grade change of 9+/- feet. The resulting site is an excellent candidate for underground parking which has been implemented into the proposed design and is consistent with the purpose and intent of the CCD-M District. The sloping site and integration of underground parking necessitates a change in building height with a loss of single floor. W. Main Street is 5 floors with a ground floor of office space. The grade change only allows for 4 floors along S. Washington Street, S. Plymouth Avenue, and W. Broad Street. The proposed design is reactive to the existing unique site characteristics. Rather than adding additional floor space along W. Broad Street, disrupting the cornice line and design language of the building, the choice was made to instead embrace the grade change and use the unique site characteristics to create a pedestrian oriented courtyard plaza. The topography of the site and programming of the building have resulted in the existing design.
			[c] District Street: Shall be a max. 15 stories in height to a max. of 180 feet and min. of five stories	
			[d] Neighborhood Street: Shall be a max. 15 stories in height to a max. of 180 feet and a min. of five stories.	
7	(F)(1)(c)[2]	Major	<u>West of Plymouth Avenue</u> , east of Chestnut Street and south of West Broadway, all buildings shall be a max. five stories in height to a max. 60 feet and a min. of three stories.	No waiver required.
8	(F)(1)(c)[3]	Major	Buildings that front North Fitzhugh Street and North Plymouth Avenue shall be a max. five stories in height to a max. 60 feet and a min. three stories.	No waiver required.

9	(F)(1)(c)[4]	Major	No building within a three-hundred-foot radius of City Hall shall exceed the height of City Hall, excluding the tower	N/A. City Hall is located approx. 705 feet away.
10	(F)(1)(d)[1]	Minor	The length to height ratio shall be a max. of 1:2 and min. 1:1 along the primary street frontage.	<p><u>Waiver required.</u> To fall within the length to height ratios specified in these standards the min. sized buildings along Main Street would have to be 260'-520' tall, S. Plymouth Avenue 240' to 480' tall, and S. Washington Street 200' to 400' tall, and Broad Street 64' to 128' tall. During discussions with the client, and through several design iterations, it was decided that meeting these requirements would be infeasible. The approach to instead fill in the currently blank street wall with high quality, pedestrian oriented development was determined to be both more feasible for the site, and more consistent with the purpose and intent of the CCD-M District.</p> <p>Length to Height ratios for each façade are listed below:</p> <p>Main Street: 1 length to 0.23 height (260' long x 60' high)</p> <p>S. Plymouth Avenue: 1 length to 0.23 height (240' long x 60' high)</p> <p>W. Broad Street: 1 to 0.78 (64' long x 50' high)</p> <p>S. Washington Street: 1 to 0.275 (200' long x 55' high)</p>
11	(F)(1)(d)[2]	Minor	West of Plymouth Avenue and east of Chestnut Street the length to height ratio shall be a max. 1:3 and min. 1:1 along the primary street frontage.	
11	(F)(1)(e)[1]	Major	Buildings shall be oriented to Main Street.	No waiver required.
12	(F)(1)(e)[2]	Major	Buildings shall be parallel to the Street frontage property line.	<p><u>Waiver required.</u> As the primary street of the site the building has been oriented parallel to W. Main Street, S. Plymouth, and S. Washington. Since the site development encompasses the entire block, W. Broad Street functions as the rear side of the building but operates with a pedestrian oriented courtyard. Non-parallel building lines at W. Broad Street are required to accommodate the internal floor layout and HCR building requirements.</p>
13	(F)(1)(e)[3]	Major	All buildings shall be oriented to preserve and enhance views to the river.	N/A. The existing site is not in a Genesee River viewshed or vista.

14	(F)(1)(f)[1]	Major	Unless otherwise noted, front yard setback shall be zero feet on Main Street, City Street, District Street, and Neighborhood Streets.	<u>Waiver required.</u> The building wall along W. Broad Street does not run parallel and is setback a min. of 2 feet and a max. of 15 feet to accommodate the internal floor layout of the building and meet HCR building standards. Building is positioned at a zero-foot setback on all other streets.
15	(F)(1)(f)[2]	Major	Side yard setback shall be zero.	No waiver required. The site does not have side yards.
16	(F)(1)(f)[3]	Minor	The front yard setback can be increasing for 33% of the building length to create a plaza/forecourt. The max. setback shall be 33% of the building length and the minimum width shall be 20 feet.	<u>Waiver required.</u> The CCD-M standards identify a plaza/forecourt as a portion of the site dedicated to public plaza space at the front of the building. While some downtown buildings exhibit this design, the proposed site has been oriented to both fit within a highly dense urban environment by completing the street wall along this block and designed with a large courtyard that encompasses a large portion of the site. The community benefits of this design are clear; however, the design does not fit into these standards well. The courtyard is set back 30-75% of the site along W. Broad Street. The unique design of the courtyard, its location along W. Broad Street – the de-facto rear of this block sized property, its integration into the existing pedestrian and street network, and its community benefit as a public pedestrian oriented gathering space are all factors mitigating this design standard.
17	(F)(2)(a)[1]	Minor	Buildings shall maintain the alignment of horizontal elements of adjacent existing buildings.	No waiver required.
18	(F)(2)(a)[2]	Major	The façade shall be composed to exhibit a clearly defined base, midsection, and crown; the base of the building shall be no higher than the top of the second story.	No waiver required.
19	(F)(2)(a)[3]	Major	All façades fronting Main, City, District, of Neighborhood Streets shall conform to the district criteria and be equal	No waiver required. All façades are equal in quality of design and materials.
20	(F)(2)(a)[4]	Major	All façades higher than adjacent abutting buildings shall be equal to street façades.	No waiver required. All façades are equal in quality of design and materials to surrounding buildings.
21	(F)(2)(a)[5]	Minor	A max. of two adjacent vehicular entrances is permitted	No waiver required. To vehicular entrances are provided on S. Washington Street, a Neighborhood Street.

			on a façade on City, District, Neighborhood, or Alley Streets.	
22	(F)(2)(a)[6]	Minor	Vehicular entrances shall be a max. of 11 feet wide.	No waiver required. Vehicular entrances are 8 feet wide.
23	(F)(2)(a)[7]	Minor	Vehicular entrances that lead to parking garages shall be integrated into the building facade and shall not extend beyond the top of the first floor.	No waiver required.
24	(F)(2)(a)[8]	Minor	Vehicular entrances [...] loading docks/service bays.	N/A. There are no loading docks or service bays proposed as part of this project.
25	(F)(2)(a)[9]	Minor	[...] service bay depth.	N/A. There are no loading docks or service bays proposed as part of this project.
26	(F)(2)(a)[10]	Minor	Façade lighting shall be wall-mounted luminaires and shall be mounted no higher than the top of the second floor and shall illuminate the sidewalk. No light shall be cast upward.	No waiver required. Downlighting will be provided at the first-floor level of sidewalk areas and building entryways.
27	(F)(2)(a)[11]	Minor	Façade lighting shall conform to Illumination Society of Engineers (IESNA) guidelines. No floodlighting is permitted.	No waiver required.
28	(F)(2)(b)[1]	Minor	Windows and window openings shall diminish in size to reinforce the base, midsection, and crown	<u>Waiver required.</u> The proposed building fenestration follows a contemporary design language that accentuates building entryways, and the corners of the building along W. Main Street with window glazing. The consistent sizing of residential windows on the upper floors keeps the construction costs down to better utilize funds on the programming of community-oriented features of the site, such as the courtyard plaza. While this building does not follow the neo-traditional hierarchy of window design, it does utilize traditional architectural design methods of the base mid-section, and crown in the overall design of the building. The proposed exterior building fenestration design is typical of other similar mixed-use/residential projects already constructed throughout the CCD.

29	(F)(2)(b)[2]	Minor	The base shall be a min. 60% to a max. 70% window coverage.	<u>Waiver required.</u> The base along W. Main Street is 78%. When combined with other base level façades total base level window coverage is 43%. Due to the topography of the site the base level of the building converts to a building wall along W. Broad Street. Due to the underground parking, ground level glazing along S. Plymouth Avenue, S. Washington Street, and W. Broad Street is not possible without making significant changes to the foundation structure, which is not possible under current budget constraints. The focused elevation of this building is along W. Main Street and glazing at this location has been accentuated and partially wraps the building along S. Plymouth Avenue and S. Washington Street to continue this design language and exhibit uniform design.
30	(F)(2)(b)[3]	Minor	The midsection shall be a min. 40% to a max. 70% window coverage	<u>Waiver required.</u> The midsection is 31%. Efforts were made to increase transparency, but considerations to cost, and modern construction materials and methods limited this effort. Creating pedestrian, a pedestrian oriented environment and implementing a publicly accessible courtyard act is a mitigating factor in favor of waiving this design standard.
31	(F)(2)(b)[4]	Minor	All other façades and Alley Street frontages shall be a min. 15% window coverage.	<u>Waiver required:</u> All other facades, except for W. Broad Street and the W. Main Street façade facing the south (internal to the courtyard area), have 15% or more window coverage. Main Street has 46% coverage, S. Plymouth Avenue has 22% coverage and S. Washington Street has 29% coverage. W. Broad Street has 12% window coverage, only 3% short of this requirement, and the south facing W. Main Street façade has 14.6% window coverage, only 0.4% short of this requirement. Creating a pedestrian oriented environment and implementing a publicly accessible courtyard act as a mitigating factor in favor of waiving this design standard.
32	(F)(2)(b)[5]	Minor	The window height to width ratio shall be 1.5;1 to 2;1 in the midsection	No waiver required. Proposed windows are 1.5;1 in size.
33	(F)(2)(b)[6]	Minor	Base windows shall be transparent and shall permit	No waiver required. Windows will be transparent.

			views 10 feet into the building when standing five feet from the window.	
34	(F)(2)(b)[7]	Minor	Windows shall be recessed 3 inches to 8 inches from the façade.	No waiver required. Window glazing will be recessed at least 3 inches from the building façade.
35	(F)(2)(c)[1]	Major	Entrances into buildings shall be provided on all City, District, and Neighborhood Street frontages.	No waiver required. Entryways are located on each side of the building.
36	(F)(2)(c)[2]	Major	Buildings fronting onto Main Street shall have their primary entrance on Main Street	No waiver required. The primary entrance is on main.
37	(F)(2)(c)[3]	Minor	Entrances shall be flush with the sidewalk; changes in elevation shall be made internally.	No waiver required. Elevation changes are handled with elevators and stairs internal to the building.
38	(F)(2)(c)[4]	Minor	Entrances shall be clearly accented and a min. 80% translucent.	No waiver required.
39	(F)(2)(c)[5]	Minor	Entrances shall be recessed from the building face a min. of 3 feet.	No waiver required. Entrances to the building are recessed a min. of 3 feet from the façade.
40	(F)(2)(c)[6]	Minor	All entrances shall be illuminated and shall conform to façade lighting.	No waiver required. All entrance locations will be downlit.
41	(F)(2)(d)[1]	Minor	Rooflines shall be flat.	No waiver required.
42	(F)(2)(d)[2]	Minor	Rooflines shall be delineated with decorative crown cornices a min. two feet wide.	No waiver required. The building crown section is 4 feet wide with a decorative cornice 2.5 feet in width.
43	(F)(2)(d)[3]	Minor	Rooftop mechanical and telecommunications equipment shall be concealed so as not to be visible from the street.	No waiver required. Roof mounted mechanical equipment will be screened by the building parapet and will not be visible from a street viewing angle.
44	(F)(2)(e)[1]	Minor	In addition to windows, three primary construction materials may be used on a street façade, including clay brick, natural stone, stucco, [exterior insulation finish system (EIFS)] or <u>decorative concrete</u> .	No waiver required. Decorative concrete in the form of fiber cement panels will be used as exterior sheathing.
45	(F)(2)(e)[2]	Minor	Exckuding windows, a minimum 50% of one primary construction material shall be used.	No waiver required. Fiber cement panels will be used for 100% of the building's exterior covering, excluding windows, frames, and glazing. Two variations of this material will be used on the building façade.
46	(F)(2)(e)[3]	Minor	Excluding windows, a maximum of two colors shall be permitted.	<u>Waiver required.</u> Multiple colors have been used on the fiber cement façade material internal to the courtyard to celebrate the history of canal buildings originally

				constructed along W. Broad Street, as it was historically used as an aqueduct up until the end of the 19 th century. Additional colors on fiber cement panels along the street facing façades has been used to create a vertical design language to combat the horizontal massing of the building resulting from design efforts to maximize the courtyard plaza space, internal to the site.
47	(F)(2)(f)[1]	Minor	Excluding Alley Streets, refuse storage shall not be located on a street frontage and shall not be visible from the street.	No waiver required. Refuse storage is internal to the building and is not visible from the street.
47	(F)(2)(f)[2] [b]	Minor	Refuse storage shall conform to the following: in buildings with no loading dock, service bay or vehicular garage – refuse storage shall be located within the building, accessible from the exterior and enclosed with a solid metal door. The doors shall be integrated into the facade pattern in a manner consistent with the character of the building.	No waiver required. While this building does have vehicle access to a garage it is not feasible to direct refuse vehicles to enter the garage for refuse pick-up due to limited maneuvering space. Instead, two steel doors along S. Washington Street will allow for roadside pick-up of garbage. An internal refuse room adjacent to the refuse pick-up area will allow for the storage and compaction of refuse between pick-ups.
48	(F)(3)(a)	Minor	The below pertain to Building Information Signs:	
			[1] One sign shall be allowed and shall front Main Street.	No waiver required. One sign is being proposed, facing Main Street.
			[2] Sign shall not be placed higher than the top of the second floor.	<u>Waiver Required.</u> The proposed sign is a design feature of the building and mounted vertically, facing Main Street. This sign runs from the top of the first floor and extends above the parapet. The intent of the sign placement is to accentuate the verticality of the building and provide a unique building feature in downtown.
			[3] Sign shall be integrated into the façade pattern and shall be located above or adjacent to Main Street entrance; signs shall be horizontal, and slush mounted.	<u>Waiver Required.</u> The proposed sign is located above the Main Street entrance but is oriented vertically to accentuate the verticality of the building. Due to the unique size and pedestrian oriented programming of the site, the building is horizontally oriented. Our team has implemented multiple techniques to accentuate the vertical nature of the structure to counter the horizontal massing of the building. The proposed sign is one such building feature.
			[4] Sign shall be max. three feet high and max. 30 square feet.	<u>Waiver Required.</u> The proposed sign is 255+/- feet in size and is integrated into the

				building façade as a design feature of the building. This is typical of other similar unique building information signs located throughout downtown.
			[5] Sign materials shall include any of the district building materials and metal.	No waiver required. Signage will be constructed from metal.
			[6] Sign luminaires shall conform to façade lighting.	No waiver required. Signage lighting will conform to façade lighting.
			[7] Sign graphics shall include raised or recessed copy	No waiver required. Graphics will be made from cutting and recessing or raising lettering.
			[8] Signs shall include no more than three colors.	No waiver required. Only one color is proposed.
49	(F)(3)(b)[1], [2], [3], [4], [5]	Minor	{Standards related to business signage}	N/A. No business signage is proposed as part of the project at this time.
50	(F)(3)(c)[1]	Minor	One sign shall be located at the primary building entrance no higher than the top of the first floor.	No waiver required. Address signage will meet these requirements.
51	(F)(3)(c)[2]	Minor	Sign graphics shall be raised or recessed copy and shall be a min. of 2 inches and max. of 12 inches in height.	No waiver required. Address signage will meet these requirements.
52	(F)(3)(c)[3]	Minor	Sign materials shall include any of the district building materials and metal	No waiver required. Address signage will meet these requirements.
53	(F)(3)(c)[4]	Minor	Building lighting shall illuminate the sign.	No waiver required. Address signage will meet these requirements.
54	(F)(3)(d)[1], [2], [3], [4], [5]	Minor	{Standards related to on-site heritage signage}	N/A. No heritage signage is proposed as part of the project at this time.
55	(F)(3)(e)[1]	Minor	Awnings shall be permitted at building entrances and windows no higher than the second floor. First floor awnings may be continuous.	No waiver required.
56	(F)(3)(e)[2]	Minor	At second floor windows the max. width shall be the width of the opening.	N/A. There are no 2 nd floor awnings or canopies proposed.
57	(F)(3)(e)[3]	Minor	First floor awnings shall be a min. 7 feet and a max. 9 feet above the exterior finished elevation at the building	No waiver required. Building canopies will be located with 9' of clearance to finished grade.
58	(F)(3)(e)[4]	Minor	First floor awnings shall project no more than half the width of the sidewalk.	
59	(F)(3)(e)[5]	Minor	Second floor awnings shall project no more than 4 feet.	N/A. There are no 2 nd floor awnings or canopies proposed.

60	(F)(3)(e)[6]	Minor	Awning support shall include building attachments only.	No waiver required.
61	(F)(3)(e)[7]	Minor	Awnings shall be made of flexible woven, natural, or synthetic materials.	No waiver required. The proposed canopies a natural manufactured material.
62	(F)(3)(e)[8]	Minor	Awning fabric shall include no more than 3 colors.	N/A. The proposed canopies are not made from fabric.
63	(F)(3)(e)[9]	Minor	All window awnings shall be equal in material and color.	No waiver required. All canopies follow the same design language, are uniform, and are constructed from the same material.
64	(F)(3)(e)[10]	Minor	Awning signage copy shall only include building identification or address located on the valance and shall be a max. of 10 inches in height.	N/A. No signage is proposed on building canopies.
65	(F)(3)(e)[11]	Minor	Awnings shall be illuminated by building lighting only.	No waiver required.
66	(F)(4)(a)[1]-[6]; (b)[1], [2]; (c)[1]-[3]; (d)[1]; (e)[1],[2];	Minor	<i>{Standards related to skyways}</i>	N/A. There are no skyways proposed as part of this project.
67	(G)(1)(a)[1]	Minor	Building parking shall not be located at Main Street intersection at all intersecting City Street.	No waiver required. All parking is accessed from S. Washington Street and located below the building.
68	(G)(1)(a)[2]	Minor	Building parking shall be located in the rear yard and be hard surfaced or be underground.	No waiver required. Building parking is located underground.
69	(G)(1)(a)[3]	Minor	Underground parking entrance shall be at the façade and located fronting City, District Neighborhood or Alley Streets.	No waiver required. Underground building parking access is on S Washington Street, a Neighborhood Street.
70	(G)(1)(a)[4]	Minor	Total width of the parking garage entrance shall not exceed 22 feet.	No waiver required. Underground building parking is accessed via 2 garage doors each measuring 8 feet in width. Total width of the ingress/egress area is 20 feet.
71	(G)(1)(a)[5]	Minor	Pedestrian access from underground parking shall be integral to the building	No waiver required. Pedestrians can enter the building directly from the underground parking garage.
72	(G)(1)(a)[6]	Minor	Mechanical equipment for underground parking shall be integral to the building.	No waiver required. Mechanicals will be located internal to the building.
73	(G)(1)(a)[7]	Minor	Light level at the entrance to underground parking shall conform to IESNA guidelines.	No waiver required.
74	(G)(1)(a)[8]	Minor	Rear yard parking shall be accessed from City, District, Neighborhood, or Alley Streets.	N/A. This property utilizes underground parking.

75	(G)(1)(a)[9]	Minor	Light level shall conform to IESNA guidelines.	No waiver required.
76	(G)(1)(a)[10]	Minor	Parking luminaires shall be located on the building and conform to building lighting criteria. If additional lighting is required, freestanding light fixtures shall conform to parking lot lighting criteria.	No waiver required. All parking is underground. No surface parking requiring external luminaires is proposed.
77	(G)(1)(b)[1]-[14]	Minor	<i>{Standards related to parking standalone parking lots }</i>	N/A. This is a site redevelopment project. No standalone parking lots are proposed.
78	(G)(2)(a)[1]		Walls shall conform to all building setbacks.	No waiver required. The courtyard wall along W. Broad Street is located at a zero-foot setback.
79	(G)(2)(a)[2]	Minor	Walls shall have a max. height of 5 feet along rear yards and a min. height of 1.5 feet and max. height of 3 feet along street frontages.	<u>Waiver required.</u> Walls at the W. Broad Street side of the site are 5 feet tall. While this is considered a front yard the proposed site development encompasses the entire City block and has no rear yard. To orient the building towards Main Street in the spirit of the code, W. Broad Street functions as a rear yard for the purpose of building massing and design. This wall height is required to accommodate underground parking facilities and create a base for the central courtyard plaza area.
80	(G)(2)(a)[3]	Minor	Walls shall conform to the district building materials.	No waiver required. The W. Broad Street foundation wall will be constructed of brick.
81	(G)(2)(b)[1]	Minor	Entrances into the plaza/forecourt shall be provided on all street frontages; entrances shall be a minimum of 10 feet wide.	No waiver required. The courtyard can be accessed from the street and is more than 10 feet wide.
82	(G)(2)(b)[2]	Minor	Plaza or forecourt shall vary in elevation a maximum 2.5 feet from the sidewalk grade.	<u>Waiver required.</u> The proposed courtyard plaza is 5 feet above sidewalk grade. This design is constrained by the ground level floor location and the underground parking garage.
83	(G)(2)(b)[3]	Minor	Plaza/forecourt shall be concrete or modular unit paving.	No waiver required. Plaza materials will be concrete or modular unit paving.
84	(G)(2)(b)[4]	Minor	Benches shall be provided at a min. of one bench per 35 feet of frontage.	No waiver required. Benches will be provided as specified along the W. Broad Street frontage.
85	(G)(2)(b)[5]	Minor	Plaza/forecourt shall be landscaped with trees so that the area is shaded to a min. 50% at tree maturity.	No waiver required. Tree cover will be included as specified.

86	(G)(2)(b)[6]	Minor	Mature plantings shall maintain open sight lines to the street between 3 feet and 7 feet.	No waiver required. Plantings will be installed as specified.
87	(G)(2)(b)[7]	Minor	Plazas shall be illuminated and shall conform to the IESNA guidelines.	No waiver required. Lighting will be installed as specified.
88	(G)(2)(b)[8]	Minor	Light fixtures shall not exceed 18 feet in height. No light shall be cast upwards.	No waiver required. Lighting will be installed as specified.
89	(H)(1)-(4)	Minor	<i>{Standards related to site plantings}</i>	No waiver required. All plantings proposed internal to the site will conform to these requirements.