

Burlington Development Review Board

149 Church Street, City Hall

Burlington, VT 05401

www.burlingtonvt.gov/PZ/DRB

Phone: (802) 865-7188

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Austin Hart, Chair
Michael Long
Jonathan Stevens
Brad Rabinowitz
Missa Aloisi
Israel Smith
A.J. LaRosa
Alexandra Zipparo (Alt.)
Jim Drummond (Alt.)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday December 16, 2014

PUBLIC HEARING NOTICE

The Burlington Development Review Board will hold a meeting on **Tuesday December 16, 2014 at 5:00 p.m. in Contois Auditorium, Second Floor, City Hall.**

1. 15-0631CU: 101 MAIN STREET (DT, Ward 5) Catamount/Van Ness, LLC & Vermont Comedy Club, LLC

Conditional use to establish performing arts center in existing vacant commercial space.

2. 15-0525CA/MA: 87-95 NORTH AVE (NMU, Ward 7) COTS

Major impact review for renovation and addition to existing building for 14 new residential units as part of mixed use building. Includes demolition of house and lot merger at 7 Haswell St.

3. 15-0451CA/MA: 234-240 COLLEGE ST (DT, Ward 3) Sisters & Brothers Investment Group, LLP

Major impact review to demolish rear portion of building, construct new 5-story addition at rear for 9 units. Results in change from 19 to 25 units for a net increase of 6.

Plans may be viewed in the Planning and Zoning Office, (City Hall, 149 Church Street, Burlington), between the hours of 8:00 a.m. and 4:30 p.m.

Participation in the DRB proceeding is a prerequisite to the right to take any subsequent appeal. Please note that ANYTHING submitted to the Planning and Zoning office is considered public and cannot be kept confidential.

This may not be the final order in which items will be heard. Please view final Agenda, at www.burlingtonvt.gov/pz/drdb/agendas or the office notice board, one week before the hearing for the order in which items will be heard.

The programs and services of the City of Burlington are accessible to people with disabilities. Individuals who require special arrangements to participate are encouraged to contact the Department of Planning & Zoning at least 72 hours in advance so that proper accommodations can be arranged. For information call 865-7188 (TTY users: 865-7142).

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BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, December 16 2014, 5:00 p.m.

Contois Auditorium, City Hall, 149 Church Street, Burlington, VT

AGENDA

I. Agenda

II. Communications

III. Minutes

IV. Consent Agenda

1. 15-0631CU: 101 MAIN STREET (DT, Ward 5) Catamount/Van Ness, LLC & Vermont Comedy Club, LLC

Conditional use to establish performing arts center in existing vacant commercial space.
(Project Manager: Scott Gustin)

V. Public Hearing

1. 15-0451CA/MA: 234-240 COLLEGE ST (DT, Ward 3) Sisters & Brothers Investment Group, LLP

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Major impact review for renovation and addition to existing building for 14 new residential units as part of mixed use building. Includes demolition of house and lot merger at 7 Haswell St. (Project Manager: Ken Lerner)

VI. Adjournment

Applications and Plans may be viewed in the Planning and Zoning office, (City Hall, First Floor, 149 Church Street, Burlington), between the hours of 8:00 a.m. and 4:30 p.m.

All staff comments, plans and supporting documents will be available on the Planning and Zoning website at: www.burlingtonvt.gov/pz/drb/agendas approximately one week before the hearing.

Participation in the DRB proceeding is a prerequisite to the right to take any subsequent appeal. Please note that ANYTHING submitted to the Planning and Zoning office and Development Review Board is considered public and cannot be kept confidential.

This agenda is distributed to: adjacent property owners of projects before the Development Review Board, Neighborhood Planning Assemblies, City Councilors, City Departments and interested parties. You may direct written comments to the Planning and Zoning Department, at the above address. Inquiries may be made by calling 865-7188. Oral comments may be given at the meeting by any persons on any project listed on the Agenda.

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BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, December 2 2014, 5:00 p.m.

Contois Auditorium, City Hall, 149 Church Street, Burlington, VT
Minutes

Board member present: Austin Hart (Chair), Jonathan Stevens, Michael Long, Brad Rabinowitz, Israel Smith, Alexander LaRosa, Missa Aloisi and Ali Zipparo.

Board members absent: Jim Drummond.

Staff members present: Ken Lerner, Scott Gustin, Mary O'Neil.

I. Agenda

No changes.

II. Communications

A number of supplemental communications presented tonight. Accepted by board members.

III. Minutes

November 18 in packet. Board members instructed to bring comments or changes to the deliberative for discussion.

IV. Public Hearing

1. 15-0568CU: 30 DANS COURT (RL, Ward 1) David E. Zuckerman

Conditional use to add one unit to existing duplex. (Project Manager: Ken Lerner)

Applicant David Zuckerman present and sworn in.

A. Hart asks Ken to give background and synopsis of communication.

Ken Lerner – concerns from neighbor. Dan's Court is privately owned. Good points, but not relevant to the application at hand.

David Zuckerman – resident of Hinesburg, bought this property in 1994. Lived there until 2000, when he moved to Germaine Street. Now lives in Hinesburg. The proposal is to take 4 bedroom apartment and divide it into 2; a two bedroom and a one bedroom apartment. Believes there is adequate parking.

A Hart – staff notes 3 available parking spaces on site. Application says 6 parking spaces. Staff's position is that you could squeeze 6 parking spaces, but for practical purposes, only 3.

David Zuckerman – Property lines extend along Dan's Court perpendicular to traffic. I won the end of Dan's Court. I would have to review to see if staff included the driveway. For clarity, maybe those are indicated as two?

Ken Lerner – correct. The end of Dan's Court goes right out, includes 2 parking spaces. Technically, there are only 2 spaces. Can't have tandem.

David Zuckerman – we have fit 8 cars in there, side by side and front to back. Regularly, folks have parked there to allow snow to get plowed up onto our lawn.

Ken Lerner – site plan – parking space is 12' x 35 deep. On David's property. I wasn't counting the neighbors. Look at the aerial photo – it looks like one big parking lot.

A Hart – ordinance would require 4 parking spaces.

Ken – four paper spaces; previous duplex. In that sense, it is a wash.

A Hart – One less bedroom. Fewer impacts.

Brad Rabinowitz – parking court because of the ordinance that has been warned but not adopted?

Ken Lerner – yes.

David Zuckerman – if this isn't approved, we would continue to have what we have: more bedrooms.

A Hart – understood.

Luke Purvis – neighbor. Property on North Willard that ends at Dans Court. I have a barn that sits tightly against the retaining wall at Dan's Court. Prior to this DRB meeting, I had written a letter about

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concerns. [In communication packet.] I wrote a letter to each of the residents on Dan's Court. Mr. Zuckerman acknowledged the issue I had mentioned; verbally agreed to accept the snow on his property so it wasn't pushed against my barn. But after moving in, the wall that is directly against Dan's Court is rotted out (below grade), snow is plowed off Dan's Court against my garage. He was willing to discuss a solution. I believe that engagement will continue. I want to be part of this process to bring some of the constraints, certainly related to a private road. Not noticeable to folks who aren't living next to it. Infrastructure along the road has degraded. Greater impact to those of us west of Dan's Court. I represent people that have property on the west. I am worried about how they will be maintained, catch basin and stormwater line that overflowed, spilling onto my property. With a gray area of how to maintain a private road and seeing infrastructure that had existed; feeling impacts. Worthwhile to mention. There is a dependency in the logistics of snow removal. My property is a triplex. Reduce headlight glare. I would like to see engagement with the person who does the plowing that they will be able to plow in a manner that is responsible.

A Hart – This is going to lessen the impacts on you and other neighbors. You have opened a line of communication with Mr. Zuckerman and others on Dan's Court. I would encourage you to continue that effort.

David Zuckerman – we have various conversations in our neighborhood. We made it clear about how we would plow, off to my lawn. Not plow sideways in that section.

A Hart – closes public hearing on this item. 5:29 pm.

2. 15-0579CU: 28 EAST VILLAGE DRIVE (I/RL/RCO-R, Ward 1) Cheryl Herrick

Conditional use home occupation for food processing. Using condo association communal kitchen for portion of process. (Project Manager: Scott Gustin)

Applicants sworn in. Cheryl Herrick (family owned 5 Spice Café). Her dad and she have responded to requests to make sauces they used to serve in the restaurant. We have a large and comfortable kitchen in the shared space at Co-Housing. We have been getting together once a month, making sauces, and selling to friends.

A Hart – We have a statement from the association and staff comments.

Brad – Marketing?

Cheryl – I will give you a card (laughter)

Brad – I remember 5 Spice.

Cheryl – Vermont Department of Health would move us right out.

A Hart – people would have to schedule one vehicle at a time for a home occupation.

Cheryl – they have to schedule with me.

Peter >>>>, President of the Owner's Association, Board of Directors of Co-Housing. Some months ago we approved the proposal of Cheryl. We fully support it. A good use of the kitchen. We often have social events where community comes. Community garden Association, breakfasts. A very ordinary thing. Completely supported by our community.

A Hart – your association has the most, complete set of minutes I have ever seen. (laughter)

No one else to speak on this item. Closes public hearing 5:34pm.

3. 15-0479CA/CU: 511 NORTH STREET (RL, Ward 1) Ethan & Gretchen Platt

Conditional use to demolish historic barn structure at rear, construct two story addition to existing house with new single car garage. (Project Manager: Mary O'Neil)

Donal Dugan distributes revised elevations.

A Hart – swears in Donal Dugan, Gretchen and Ethan Platt.

Ethan Platt presents background. Revised plans reflect staff comments. Fence location, lighting, questions about parking, minor changes to windows. Added a third window on the back of the house.

A Hart – a complete application. Struggled with the demolition of the barn. It looks like staff did too.

Especially when the neglect occurred with a prior owner. Is this an issue that came up at the time you discussed purchasing the property.

Ethan Platt – yes, we were close to backing out because of this problem. What our liability would be?

Staff provided me with demo by neglect standards. I felt confident that our plans could positively impact the property. Trying to make improvements.

A Hart – An issue discussed with the seller?
 Ethan Platt – yes, reduced the sale price.
 Brad Rabinowitz – on the basic design: Is there any consideration in matching roof slopes?
 Donal Dugan – We looked at that option, 12/12. Working on the proportion with the back.
 Ethan – There are dormers here, not reflected in the plan. Plaster and lathe. Finished living space there. Vaulted ceiling, big space.
 Brad – wasted a lot of space, energy.
 Donal – Cathedral ceiling in one room...
 Ethan – It would make it that much higher. Sun effect for our neighbors if we were higher.
 Brad – Not supposed to be mimicking it, or duplicating it. It doesn't have the presence that the old had. Sort of unfortunate.
 A Hart – to Missa-
 Missa –to Brad – are you referring to the pitch of the barn?
 Ethan – flat. Saloon style front, square.
 Donal – Mary's description says it best.
 Brad – it had a flat roof?
 Ethan – basically, from the sides, it appears flat. Slightly pitched.
 Brad – rolled roofing?
 Ethan, failed. You can see the rolled asphalt roofing, punch bowl shaped.
 Donal – so dilapidated, hard to get a photo.
 Israel – Asks for report of structural engineer. Mary can provide.
 Ethan provides email from Ned Holt, Jeff Fellingner.
 Mary provides engineer's letter.
 Michael – asked about other roof pitches considered.
 Donal – my client's aesthetic. An addition of clearly a different time.
 Michael Long – if barn were restored, it wouldn't work with your plan.
 Ethan – we are using that lot coverage for the addition. If the barn had been there, there is a covered patio. There would still be some options, but addition would not be so big. If restored, barn could not be used for a garage as you couldn't get to it.
 Michael – because it is at the back of the lot.
 Brad – if part of the findings included a requirement for a landscaping plan, you would be okay with that?
 Ethan – verbal support of neighbors. Currently the barn gives our neighbors some privacy. Would propose plantings to do that.
 Mary O'Neil – outlines Demo by neglect, failure of system to capture these. Loss of a number of buildings over the last 18 months.
 Brad – a list to be assembled?
 Mary - of those lost?
 Brad – of what we have now, to prevent loss.
 Michael – failure through lack of enforcement.
 Mary – we are working on a better process to avoid these situations.
 A Hart – closes public hearing 5:52 pm.

V. Certificate of Appropriateness

1. 14-0884CA/MA: 247-249 PEARL STREET (RH, Ward 2) Pearl Lake, LLP

Amendment to ZP#14-0884CA/MA to reconfigure retaining walls to be higher due to less excavation.
 (Project Manager: Mary O'Neil)

A Hart swears in Justin Dextradeur and Erik Hoekstra.

Jonathan – staff recommends Consent.

A Hart – I wish to discuss in a public hearing. I remember this.

Israel – needs to recuse himself.

Brad – how is this different from the application?

Erik Hoekstra – co-developer of the project. Changes to the site plan, not the building. Dealing with urban soils issues. PAH, almost everywhere in the City of Burlington. Some level in the soil. We don't usually test unless we are doing something.

A Hart – No point source?

Erik – comes from incomplete combustion. From the fire? But there wasn't elevated levels near the building footprint. We think that since this site is part of the old ravine, We know Church Street remnants may be there, but we won't pin this on Church Street.

Mary O'Neil – a lot of fill in that area came from the railroads. That could be an explanation.

Erik – We had to go back to the drawing board due to the grade changes on this property and properties on 3 sides. Trying to respect the neighbors who don't want to look at large retaining walls. Other neighbors want retaining walls in the background to create a barrier to prevent people from cutting through their yards to get to the liquor store from Buell Street. South side neighbors feel the same. Neighbors to the west have objections to the high walls. We minimized the walls there. We have met with the neighbor to the west – only sees about a 2' high wall, transitions from there. We are moving some soil around; retaining walls higher on some sides. Will not be visible from public rights-of-way. Allow us to have a feasible project.

A Hart – on PAHs, leave it alone. Once you touch it, you must dispose of it?

Erik – correct.

A Hart – primary impact on south?

Erik – and East. Parts of that wall will be 12' high.

Brad – Before?

Erik – about 6'. Not visible. There is a steep bank there, highly vegetated.

Brad – on the west side, starting at the north, drops down quickly. Drops down to 10'.

Erik – correct.

Brad – some houses on the Buell, a parking area there. Any landscaping?

Erik – not proposed between the parking lots and the retaining wall. Kind of a scrappy mess. This is a redi-rock, pre-cast block with stone finish. Not poured.

Justin – simulated look of multiple courses. "Lego-blocks."

Brad – no scale. 2'?

Justin Dextradeur – partly buried below grade. Face will step back.

Alexander LaRosa – grade changes, stormwater?

Justin Dextradeur – previously we were cutting down. Chambers were lower. Engineer will be updating stormwater plan; basically down a strata.

Erik – no building entrance on the west side. Front door faces Pearl Street, driveway on east side.

What changes is WHERE the parking lot is. The west end of the building had part of the building exposed. Now less of the building exposed.

Michael – flatter site.

Erik – yes.

Michael – folks were concerned about it being too massive.

Erik – Most properties to the west are not impacted at all. Our neighbor Roger, who has the garage that juts out into our property, he will see about 2' transitioning to slightly taller. Minimal. We visited with him to assure that he didn't have any objections.

Justin Dextradeur – first plan has three sides of poured retaining wall. When we moved away from that, we had a small wedge, to maybe 3'; now tapering. Same aspect, no ringing.

Erik – working with DEC, Umbrella program, working with EPA. We are doing things properly.

Alexandra Zipparo – I want to hear more about working with EPA and ANR.

Erik – Phase I, Phase II, soil borings, reviewed by the state. Working a lot with DEC, ANR, and Agency of Commerce and Community Development on Brownfields. Pulls EPA into the process. We have to develop a Corrective Action Plan (CAP). Very involved process with a lot of oversight.

Alexandra Zipparo – Doesn't release the chemical?

Erik – In many instances, can be left in situ. They sometimes require a physical barrier, like a cap. Sometimes clean material; a top layer. Notification of tenants so they aren't digging around. In urban situations, DEC is more supportive of leaving things in place. More harm can come from disturbing it.

Ali – only tested for VOCs and PAH. Did they test for other contaminants?

Erik – PAH was a recommendation of DEC because of known conditions. We were searching for petroleum because there is a known plume in this area. They didn't find any.

Ali – only 2 reports in the materials, from the borings.

Justin – an initial geo-technical study done for the owner. That initiated the response to look for petroleum. The more we looked, the more we found.

Ali – an exhaustive search?

Erik – Knowing the history of the property, they searched for everything that could be there. But not exhaustive.

A Hart closes hearing on this item. 6:11 pm.

VI. Other Business

1. 14-0280CU: 80 AUSTIN DRIVE UNIT 124 (RL-W, Ward 5) Bradley Mahan

Follow up review per condition of approval for conditional use home occupation for food processing. (Project Manager: Mary O'Neil)

Bradley Mahan present. The chair swears in the applicant.

Mary O'Neil reminds the board of the condition imposed by the board relative to issuance of the home occupation.

Bradley Mahan – have received one complaint from a direct neighbor. We have a duct in our bathroom. When the fan was on. All vent stacks are joined. One product has a smell of cinnamon buns. Our neighbor was pregnant, and found the smell to be excessive. We have addressed that by making sure the fan is off and both doors are closed at the time of roasting.

A Hart – so the complaint has been successfully addressed. (To staff) Have any other complaints been received by the Planning and Zoning Office?

Mary – no complaints filed with our office.

Brad – wish you brought samples.

(laughter)

A Hart – it could be considered part of our investigation!

Thank you for coming back.

2. Schedule Work Sessions

Ken Lerner discusses opportunities and suggestions.

A Hart – Ken, it sounds like your three suggestions might be part of a regular agenda. This would minimize burdens on board time.

Jonathan – I would suggest as part of our deliberations rather than have it in Contois Auditorium.

Brad – any desire to have this as part of a public forum? Part of the public meeting?

A Hart to Ken – does it have to be noticed and open to the public? Sometimes better to have a more informal process.

Ken – I will have to check. It may have to be warned.

A Hart – Anything with the Planning commission or City Council should be warned. That's my guess.

Jonathan – when I first became a member of the board, there was no education component. It was just "SWIM!" It would be good to brief new members on what is expected.

Mary – Yes, we do training with new members.

A Hart to A. J. LaRosa – did you have training?

A.J. LaRosa – yes, Scott and I had a good chat.

Michael – good to schedule strategically along with short agendas.

Ali – we should warn it. Always in favor of meeting with the Planning Commission., Previously it was every 2 years?

Ken – There has been no set schedule. My first planning job had a joint dinner with zoning board, city council, county commissioners. Very good for everybody to know each other.

Ali – I would also enjoy meeting with the Design Advisory Board.

A Hart – let's pursue that.

A Hart – City Council is looking at charter changes. A hearing here tomorrow night at 5:30. The three issues: 1. Size of boards and commissions, 2. Terms, Looking toward a uniform 3 year term for all boards and commissions, and 3. I forget. (A. J. adds Political Affiliation.)

Ali – I can't be there. Would like to pass along my thoughts.

A Hart – I will be there. Pass along comments to me, and I will communicate them.

VII. Adjournment 6:26 pm.

Deliberative scheduled for Monday, December 8, 2014 at 5:00 pm.

A. Hart - Chair, Development Review Board

Date

Mary O'Neil AICP, Senior Planner

Department of Planning and Zoning

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Mary O'Neil, AICP, Senior Planner
vacant, Zoning Clerk
Elsie Tillotson, Department Secretary



TO: Development Review Board
FROM: Scott Gustin *SG*
DATE: December 16, 2014
RE: 15-0451CA/MA; 234-240 College 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: DT Ward: 3

Owner/Representative: Sisters & Brothers Investment Group / G4 Design Studios

Request: Demolish rear portion of building, construct new five story addition at rear for 9 units. Results in change from 19 residential units to 25 residential units for a net increase of 6 apartments.

Applicable Regulations:

Article 3 (Applications and Reviews), Article 4 (Maps & Districts), Article 5 (Citywide General Regulations), Article 6 (Development Criteria & Guidelines), Article 8 (Parking), Article 9 (Inclusionary & Replacement Housing), Article 11 (Planned Unit Development)

Background Information:

The applicant is seeking approval to remove an existing rear addition containing 3 residential units from the fire-damaged apartment building at 234-240 College Street and to replace it with a new, larger addition. The exterior of the existing building fronting College Street, known as the Messier Building, will remain largely unchanged, except that replacement windows will be installed throughout. The building was internally damaged by fire June 24, 2014 and is undergoing substantial interior renovation. The building contains 19 dwelling units; as proposed, it will contain 25 dwelling units with the new rear addition. The addition will be 5 stories tall and will essentially double the building mass, yet it will be largely hidden from view.

The Design Advisory Board reviewed this project October 14, 2014. The Board unanimously recommended approval of the project subject to the following conditions:

- Alleyway should be true pedestrian alley.
- Curb cut onto College Street to be closed allowing a new street parking space.
- Door provided onto alley should have some fenestration, not a security door.
- Indoor bike storage to accommodate access to alleyway.
- Bike storage must be accessible to internal elevator.

Revised plans have been submitted in response to the DAB's recommendation. Room for improvements, particularly with respect to the pedestrian alley, remains as noted in these findings.

The Conservation Board reviewed the project December 1, 2014 and recommended approval on a 5-1-2 vote. The Board requested that soils information be forwarded to them when the onsite geotechnical analysis is complete. The applicant has agreed to do so.

Previous zoning actions for this property are listed below.

- 8/5/14, Approval to replace windows lost to fire damage
- 10/12/12, Approval of parallel sign
- 8/24/09, Approval for change in use from office to retail
- 4/18/02, Approval of parallel sign on entry door

Recommendation: Review and table pending resolution of the side yard setback per Sec. 4.4.1 (d) 3, improvement of the pedestrian alley per Sec. 6.2.2 (j), provision of a roof plan per Sec. 6.3.2 (h), clarification of parking per Sec. 8.1.8, provision of bike parking details per Sec. 8.2.5, and provision of inclusionary housing details per Article 9.

I. Findings

Article 3: Applications and Reviews

Part 5, Conditional Use & Major Impact Review:

Sec. 3.5.6, Review Criteria

(a) Conditional Use Review Standards

1. *The capacity of existing or planned community facilities;*

The proposed development will require additional water and sewer service. Adequate capacity is available; however, written confirmation from the Department of Public Works is needed. A State of Vermont wastewater permit will be required. **(Affirmative finding if conditioned)**

2. *The character of the area affected;*

The subject property is located north of the city's downtown core within the Downtown Transitional zone, one of several Downtown Mixed Use zones. The immediate vicinity reflects the diversity of uses allowed within the Downtown Mixed Use zones and contains office space, multi-family apartments, the YMCA, a movie theatre, and the Fletcher Free Library. With the exception of the library, all surrounding properties are at, or near, 100% lot coverage. The built environment is densely developed but not quite as intensely as the downtown core to the south. The proposed addition will intensify the degree of development on this parcel, but its scale will remain within that already established in this neighborhood. The proposed development is consistent with the intent and character of the Downtown Transitional zone. **(Affirmative finding)**

3. *Traffic on roads and highways in the vicinity;*

No traffic information has been provided; however, the net increase of just 6 apartments on the edge of the city's downtown and within the established urban street grid is expected to have minimal traffic impacts. Further, the property is located along a CCTA bus route and is easily accessible via foot and bicycle. **(Affirmative finding)**

4. *Bylaws then in effect;*

As conditioned, the project is in compliance with all applicable bylaws. **(Affirmative finding)**

5. *Utilization of renewable energy resources;*

The utilization of alternative energy has not been incorporated into this proposal. The proposed addition does not preclude such utilization in the future. **(Affirmative finding)**

6. Cumulative impacts of the proposed use;

The expansion of the existing multi-family apartment building is permitted in the DT zone. As a result, this criterion requires that cumulative impacts be considered negligible. **(Affirmative finding)**

7. Functional family;

This criterion does not apply to the subject permit request.

8. Vehicular access points;

The property currently has one vehicular access point from College Street. As the parking spaces served by this driveway are being lost to the addition, the Design Advisory Board recommended closing the curb cut and turning the remaining driveway into a pedestrian alley. Revised project plans depict a closed curb cut along College Street with a restored green belt. The property appears to remain accessible at the rear by way of an alley of sorts that runs between South Winooski Avenue and South Union Street. This alley is private and not owned by the applicant, and rights of access are not noted in the application. It is advisable, but not required, that the applicant seek permission to use this alley for residents when they move into or out of the apartments. **(Affirmative finding if conditioned)**

9. Signs;

No signs are included in this proposal.

10. Mitigation measures;

The proposed development is not expected to generate any noxious effects such as excessive noise, glare, or emissions. **(Affirmative finding)**

11. Time limits for construction;

The project is to be constructed within the standard 2-year time frame. **(Affirmative finding if conditioned)**

12. Hours of operation and construction;

Hours of operation do not apply to the residential units. No construction schedule is proposed. Other development projects within the DT zone have been permitted construction activity Monday to Friday from 7:00 AM – 6:00 PM. Limited work may extend outside this schedule to extend to Saturday 9:00 AM – 5:00 PM only after obtaining approval from the Development Review Board through correspondence rather than a scheduled hearing. No construction activity can occur on Sunday. **(Affirmative finding if conditioned)**

13. Future enlargement or alterations;

As with anything else, any future enlargement or alteration to the development will require zoning review under the regulations in effect at that time.

14. Performance standards;

Performance standards relating to outdoor lighting and erosion control are addressed under Article 5 of these findings.

15. Conditions and safeguards;

Approval of this project will be conditioned to implement the purposes of the zoning regulations.
(Affirmative finding)

(b) Major Impact Review Standards

1. Not result in undue water, air, or noise pollution;

A stormwater management plan has been submitted (see Sec. 5.5.3). No significant air or noise pollution is anticipated as a result of this residential development. **(Affirmative finding)**

2. Have sufficient water available for its needs;

Sufficient municipal water service is available to serve the development. **(Affirmative finding)**

3. Not unreasonably burden the city's present or future water supply or distribution system;
See item 2 above.

4. Not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result;
See Sec 5.5.3.

5. Not cause unreasonable congestion or unsafe conditions on highways, streets, waterways, railways, bikeways, pedestrian pathways or other means of transportation, existing or proposed;
See Sec. 3.5.6 (a) 3 for traffic information. The expanded apartment building is not expected to generate unreasonable congestion or unsafe conditions on nearby roadways, waterways, railways, the bike path, public sidewalks, or other means of transportation. The project is centrally located, and multiple modes of transportation are readily available. **(Affirmative finding)**

6. Not cause an unreasonable burden on the city's ability to provide educational services;
The proposed apartment building addition will result in a net increase of just 6 dwelling units. While there may be some school age children, no unreasonable impact on the city's ability to provide educational services is expected. Impact fees will be paid to help offset what impacts there are. **(Affirmative finding if conditioned)**

7. Not place an unreasonable burden on the city's ability to provide municipal services;
The proposed development will generate some additional impacts on city services; however, those impacts can be accommodated. Impact fees will be paid to help offset impacts generated.
(Affirmative finding if conditioned)

8. Not have an undue adverse effect on rare, irreplaceable or significant natural areas, historic or archaeological sites, nor on the scenic or natural beauty of the area or any part of the city;
The subject property contains no rare, irreplaceable, or significant natural areas. The original front portion of the existing building is historically significant. See Sec. 5.4.8 for details. Generally; however, the proposed addition will not have an undue adverse impact on this historic building. There are no known archaeological resources on the property. The existing soils are largely fill within what used to be a large ravine. **(Affirmative finding)**

9. Not have an undue adverse effect on the city's present or future growth patterns nor on the city's fiscal ability to accommodate such growth, nor on the city's investment in public services and facilities;

The proposed development will replace a couple of existing parking spaces with new residential units. The property is located in an area intended for relatively intense urban development and will have no adverse impact on the city's present or future growth patterns. **(Affirmative finding)**

10. Be in substantial conformance with the city's municipal development plan;

The proposed development is compliant with the MDP in a number of ways.

The project is located with a downtown mixed use zone where higher density development is encouraged (Sec. I, Land Use Policies and Sec. IX, Housing Plan Policies).

While not within the Old North End, the property is actually located within the Old North End Enterprise Community district. This area is targeted for renewed investment and, in particular, an upgrade of its housing stock (Sec. I, Land Use Policies).

In light of the project's location proximate to the downtown, alternative means of transportation will be readily available (Sec. V, Stressing Other Modes of Travel).

The project will at least meet the city's current energy efficiency standards (Sec. VIII).

The proposed development can be found to be in conformance with the City's MDP.
(Affirmative finding)

11. Not have an undue adverse impact on the present or projected housing needs of the city in terms of amount, type, affordability and location;

The proposed development will provide 9 new housing units (6 net increase) in an area of the city targeted for new, improved housing opportunities. Its construction will have no adverse impact on the present or projected housing needs of the city. **(Affirmative finding)**

12. Not have an undue adverse impact on the present or projected park and recreation needs of the city.

Moderate impacts on the city's park and recreation needs are anticipated as a result of the project. Impact fees will be paid to help offset these impacts. **(Affirmative finding if conditioned)**

Article 4: Maps & Districts

Sec. 4.4.1, Downtown Mixed Use Districts:

(a) Purpose

(2) Downtown Transition District (DT)

(C) DT South

The subject property is located in the Downtown Transition (DT) District. As noted previously, the Downtown zones are intended to form part of the primary urban center of the city with a diversity of uses and intensive development. The proposed building addition is consistent with this purpose. **(Affirmative finding)**

(b) Dimensional Standards & Density

A FAR of 4 is allowed in the DT South zone. No FAR calculation is evident in the application. The proposed addition is 9,660 sf and about doubles the size of the building. Assuming a total building area of 19,320, the FAR would be less than 4 (4 FAR would be 22,228 sf). A FAR calculation is required to confirm compliance.

There is no lot coverage limit in the DT zone. As proposed, lot coverage will remain at 100%.

No setbacks apply to the subject property. It is wholly within the DT zone and does not border any residential zone. See criterion (d) 3 below for site specific setbacks.

The minimum building height in the DT zone is 30' and three stories. The maximum height without bonuses is 45'. The proposed building addition is 39.2' tall as measured from grade at College Street. It contains 5 stories but is based well below the street grade. **(Affirmative finding if conditioned)**

(c) Permitted & Conditional Uses

The proposed multi-family residential addition is permitted in the DT zone. The project, as a major impact application, is subject to conditional use review. **(Affirmative Finding)**

(d) District Specific Regulations

1. Use Restrictions

A. Ground Floor Residential Uses Restricted

Not applicable to the subject property.

2. Public Trust Restrictions

The subject property is not located within the Public Trust.

3. Facades and Setbacks on Side and Rear Property Lines

The proposed addition will be set back 8' from the western side property line and 6' from the eastern side property line. The addition will be set back about 1' from the rear property line. As a result, windows are proposed, and allowed, on both sides and the rear of the addition.

This criterion also requires a 10' setback in the event that neighboring buildings with doors or windows are built within 5' of a shared property line. Such is the case here. The neighboring building to the west is built to the shared property line. It has windows along the full length and width of the east-facing façade. The site plan shows an 8' setback for the proposed addition along this shared property line; however, the applicant states it is 9.5'. Approximately the rear third of the neighboring building to the east is built within 5' of the shared property line. It has windows and doors along the full length and width of the west-facing façade. The site plan shows a 6' setback along this shared property line. The proposed addition does not comply with the 10' setback. Revision is required in order to comply with this criterion. **(Adverse finding)**

4. Building Height Setbacks

A. Principal View Corridors

College Street is a principal view corridor; however, the proposed rear addition will have no impact on existing east/west views.

B. Church Street Buildings

The subject property is not located along the Church Street Marketplace.

C. Side Street Building Height

Not applicable to the subject property.

5. Lake Champlain Waterfront Setbacks

The subject property is not located along the Lake Champlain waterfront.

6. Development Bonuses/Additional Allowances

None are sought.

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

See Sec. 4.4.1 (b) above.

Sec. 5.2.4, Buildable Area Calculation

This criterion does not apply to properties in the DT zone.

Sec. 5.2.5, Setbacks

See Sec. 4.4.1 (b) above.

Sec. 5.2.6, Building Height Limits

See Sec. 4.4.1 (b) above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See Sec. 4.4.1 (b) above.

Part 4, Special Use Regulations

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 original historic brick structure and the rear stucco addition have always been used as residential apartments with some commercial space on the ground floor. The proposed rear addition will retain and expand this same use, albeit with just apartments. **(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 original building will be retained. No exterior alterations are proposed. Window sashes have been replaced under separate permit. Only the existing rear addition will be removed and replaced with a new rear addition. **(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 elements will be added. There will be no false sense of historical development. The proposed construction is clearly a modern addition. **(Affirmative finding)**

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

The age of the existing rear addition is not evident in the historical documentation for the building. The addition is relatively small and set in from the sides of the original structure. Built behind the existing historic building, it is nearly invisible from College Street. There is nothing to suggest that this existing addition is historically significant in its own right. **(Affirmative finding)**

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

As noted previously, nearly all exterior features, materials, and finishes of the original historic structure will be retained. **(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.*

No replacement of exterior building features is proposed. **(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.*

No information pertaining to this criterion is evident in the application. There will be no such treatments made to the original building. **(Affirmative finding)**

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

The subject property is located along a filled ravine that used to cut through this area of Burlington. Should artifacts be uncovered during excavation, it is the owner's responsibility to contact the Vermont Division for Historic Preservation for further guidance. **(Affirmative finding if conditioned)**

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 new addition is located behind the original historic structure and will be well hidden from College Street. The new addition is clearly distinct from, and deferential to, the historic building. The integrity of the existing historic structure will be retained and preserved. **(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.*

If removed in the future, the proposed rear addition will leave the essential form and integrity of the historic building intact. **(Affirmative finding)**

Sec. 5.5.1, Nuisance Regulations

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

Sec. 5.5.2, Outdoor Lighting

New outdoor lighting is fairly limited. Fixture cutsheets and locations have been included in the application. The lights are acceptable cutoff fixtures and will be used to illuminate the eastern alleyway and new entrance. **(Affirmative finding)**

Sec. 5.5.3, Stormwater and Erosion Control

The property is presently 100% impervious with no onsite stormwater management measures. As proposed, the property will remain 100% impervious, but new stormwater management measures are proposed. Given the tight site, grades, and existing stormwater flow patterns, the applicant proposes to capture stormwater on the roof of the proposed addition. Referred to as a “blue roof,” the proposed system is designed to capture stormwater from the 1 year storm event. Overflow will run down roof drains and onto the ground where it will flow into an existing catch basin and into the city’s combined sewer system. As noted to the Conservation Board, the proposed blue roof will result in a reduced rate of discharge for the 5-year and 10-year storm event. No soils analysis has yet been done, and the applicant chose not to pursue any onsite infiltration to achieve a reduction in stormwater volume. As a result, the Conservation Board’s recommendation of approval was less than unanimous. The applicant indicated that soils analysis would be done prior to construction, and the Board requested seeing results of that analysis. As always, final review and approval of the stormwater system is subject to review and approval of the Stormwater Administrator.

As required, an erosion prevention and sediment control plan has been submitted. Like the stormwater management system, that EPSC plan is subject to review and approval by the Stormwater Administrator. **(Affirmative finding if conditioned)**

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

(a) Protection of important natural features

The project site contains no significant natural features. The project site consists of building and asphalt parking area. **(Affirmative finding)**

(b) Topographical alterations

No significant topographical alterations are proposed. The site slopes steeply away from College Street and reflects the ravine that used to traverse the city here. The new addition essentially sits in a hole as viewed from College Street. Existing grades will remain essentially unchanged.
(Affirmative finding)

(c) Protection of important public views

College Street is an identified view corridor. As the proposed construction will be set behind the existing building, it will not infringe on the important east/west public views along this corridor. **(Affirmative finding)**

(d) Protection of important cultural resources

The site itself is not of any known archaeological significance. The building, however, is historically significant as noted under Sec. 6.3.2 (b) below. **(Affirmative finding)**

(e) Supporting the use of alternative energy

The application notes no use of alternative energies. While the “blue roof” on the addition likely precludes any solar installation, solar should be considered for the roof of the existing building. **(Affirmative finding if conditioned)**

(f) Brownfield sites

The property is not an identified brownfield per the VT DEC Hazardous Site List. **(Affirmative finding)**

(g) Provide for nature’s events

See Sec. 5.5.3 for stormwater management. The single doorway into the proposed addition will be sheltered under a canopy. **(Affirmative finding)**

(h) Building location and orientation

The proposed construction amounts to a rear addition. It will have no effect on the existing building’s orientation towards College Street. **(Affirmative finding)**

(i) Vehicular access

See Sec. 3.5.6 (a) 8.

(j) Pedestrian access

The front entry of the building remains readily accessible from the public sidewalk along College Street. The proposed addition will also be accessible by way of new entrance onto the easterly alleyway. The new side door contains a window as recommended by the Design Advisory Board. Also as recommended by the DAB, vehicular access to the easterly alleyway has been cutoff. What remains is a deteriorating asphalt surface. Simply cutting off the driveway access to the street does not meet the spirit of the DAB’s recommendation to make it a “true pedestrian alley.” Removal of the asphalt and replacement with pavers or similar surfacing material and even some shade-tolerant landscaping would be a significant improvement. As presently proposed, the pedestrian alley is inadequate. **(Adverse finding)**

(k) Accessibility for the handicapped

There is no indication on the project plans as to whether any of the new dwelling units will be handicap accessible. If any are proposed, they must be duly noted. It is the applicant’s responsibility to comply with all applicable ADA requirements. The 2012 Vermont Access Rules require that all of the proposed dwelling units be “adaptable.” **(Affirmative finding if conditioned)**

(l) Parking and circulation

The applicant asserts that there is no onsite parking; however, there are vehicles parked behind the existing building, and a “private parking” sign is affixed to the rear fire escape. This small area of parking will be replaced by the proposed rear addition. All parking will be provided for offsite. See Article 8 for details. **(Affirmative finding)**

(m) Landscaping and fences

Along College Street, the closed curb cut will be accompanied by restoration of the green belt. Closure of the curb cut and restoration of the green belt will require the review and approval of the Department of Public Works and the City Arborist. No onsite landscaping or fencing is proposed. The property will be almost entirely building with alleyways on either side. **(Affirmative finding if conditioned)**

(n) Public plazas and open space

No public plazas or open space are proposed.

(o) Outdoor lighting

See Sec. 5.5.2.

(p) Integrate infrastructure into the design

No new ground-mounted mechanical equipment is proposed. Trash containers will be enclosed within a small closet accessible from the eastern alleyway. **(Affirmative finding)**

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

(a) Relate development to its environment

1. Massing, Height, and Scale

The proposed addition essentially doubles the size of the existing building. It is 5 stories tall and 1,932 sf per floor. Its massing, scale, and height are similar to that of the existing building. Like so many other new buildings in Burlington, the proposed addition is boxy in appearance and utilizes fenestration and rectangular geometry to define smaller exterior components within the building’s exterior sheathing to break up its mass. The overall scale of the completed building remains consistent with that of neighboring buildings along this stretch of College Street. The height of the addition is several feet taller than the existing building; however, it will be imperceptible from College Street. **(Affirmative finding)**

2. Roofs and Rooflines

The addition will have a flat roof. This roof form is consistent with that of the existing and neighboring buildings. **(Affirmative finding)**

3. Building Openings

The fenestration pattern within the addition will vary somewhat from that in the original building but remains essentially consistent. Proposed fenestration, particularly in the rear of the addition, is significant and breaks up the apparent mass of the rear elevation. **(Affirmative finding)**

(b) Protection of important architectural resources

The existing building was built circa 1897 and is included in the National Register of Historic Places. The exterior of this existing building will remain unchanged. Window sashes were replaced under separate zoning permit. See Sec. 5.4.8 for details. **(Affirmative finding)**

(c) Protection of important public views

As noted above, the property is located along the College Street view corridor. The proposed rear addition will have no impact on east/west public views along this corridor. **(Affirmative finding)**

(d) Provide an active and inviting street edge

The street edge is defined by the existing historic building and will remain essentially unchanged. **(Affirmative finding)**

(e) Quality of materials

Windows in the new addition will be metal. Exterior siding will consist of ribbed metal siding of various colors at vertical or horizontal angles. The foundation will be split face concrete block. In light of the new construction and its largely hidden location, these building materials are acceptable. Roofing and cornice materials are not noted and must be. **(Affirmative finding if conditioned)**

(f) Reduce energy utilization

No extraordinary energy conservation measures are noted in the application materials. At the very least, the new construction must comply with the current energy efficiency requirements of the City and of the State of Vermont. **(Affirmative finding if conditioned)**

(g) Make advertising features complimentary to the site

No outdoor signs are included in this application.

(h) Integrate infrastructure into the building design

Utility meters are depicted along the western side of the existing building. They are set back far from College Street and are minimally visible.

No exterior mechanical equipment is noted on the project plans. A roof plan is needed but has not yet been provided. If any rooftop mechanical equipment is proposed, it must be depicted on the roof plan. Screening shall be provided. **(No finding possible)**

(i) Make spaces safe and secure

All building and life safety codes, as defined by the building inspector and fire marshal, shall be implemented in the construction of this building. Building entries will be illuminated as noted above. An intercom system for residents should be incorporated into the project. **(Affirmative finding if conditioned)**

Article 8: Parking

Sec. 8.1.8, Minimum Off-Street Parking Requirements

The property is located within the Downtown Parking District. There are presently 2 onsite parking spaces behind the building. These 2 spaces will be lost to the addition.

This application is vested under zoning amendment ZA-14-07, *Residential Parking Standards*. As proposed, there will be fifteen 1-bedroom apartments, seven 2-bedroom apartments, and one 3-

bedroom apartment. The fifteen 1-bedroom apartments require 5 parking spaces. The seven 2-bedroom units require 7 spaces, and the one 3-bedroom apartment requires 2 parking spaces.

The bedroom configuration of the existing 19 apartment units is not specified and must be in order to determine the degree of nonconformity relative to the 2 onsite parking spaces. This degree of nonconformity may be retained for the existing units/bedroom count but cannot be increased. Only when this is specified can the actual parking requirement for the expanded apartment building be determined. **(No finding possible)**

Sec. 8.1.2, Limitations, Location, Use of Facilities

(a) Offsite parking facilities

The applicant proposes offsite parking spaces to serve the apartment building. The offsite parking would be located in the Corporate Plaza parking garage on College & St. Paul Streets. This garage is about 750' from the subject property and within the maximum allowable 1,000'. A lease agreement between the parties has been provided. The number of leased spaces may well need to be increased per Sec. 8.1.8 above; however, the provisions of the lease otherwise appear to be adequate. Review and approval of the lease provisions by the City Attorney will be required to insure the long-term perpetual availability of the required spaces. **(Affirmative finding if conditioned)**

Sec. 8.2.5, Bicycle Parking Requirements

The net new 6 residential units require 2 long term and just 1 short term bike parking spaces (1 per 4 units and 1 per 10 units, respectively). The applicant has noted long term bike parking will be provided for in the secured storage in the basement. This secured storage space is noted in the basement floor plan; however, no details have been provided. As recommended by the DAB, the secured storage space is located in easy proximity to the elevator and to the alleyway. No provision for short term bike parking (i.e. an outdoor bike rack) has been made. **(No finding possible)**

Article 9: Inclusionary & Replacement Housing

The provisions of Article 9 require that the net new 6 dwelling units contain 1 (i.e. 15%) affordable dwelling unit. No information has been provided as to the provision of this inclusionary dwelling unit. **(No finding possible)**

Article 11: Planned Development

As a single building with more than 5 residential units, this project qualifies as a minor Planned Unit Development and is exempt from the requirements and standards of this Article. The project is, however, subject to inclusionary housing requirements per Article 9 above. **(Affirmative finding)**

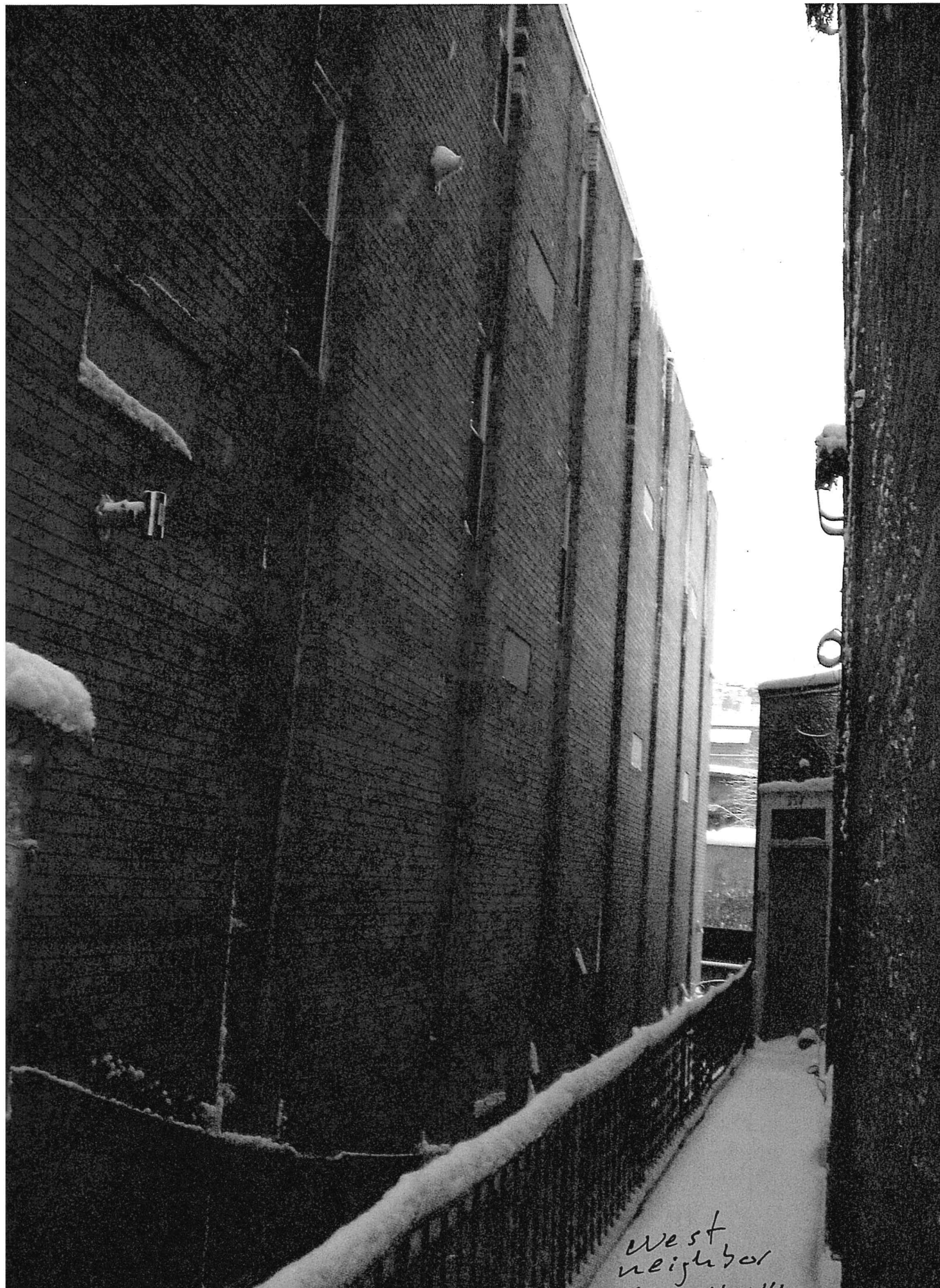
II. Conditions of Approval

None offered at this time in light of the outstanding items noted in the findings above.









west
neighbor



West neighbor
12/11/14





United States Department of the Interior
National Park Service

**National Register of Historic Places
Continuation Sheet**

Section number 7 Page 44

The site of the Fire Station has been in municipal use from the early days of the town. The 19th-century City Market and the City Jail built in 1888 formerly occupied what had been the bottom of the wide ravine crossing the city. As the ravine was filled by the municipality over the years, the market was demolished for construction--at the northern end--of the Fletcher Library in 1904 and the Fire Station in 1926. The city jail was demolished for a municipal carpark in c.1975.

The coming of the automobile necessitated the replacement of the old Fire House on Church Street. The motorized fire trucks which replaced wagons required large doors and an exit apron which were not available on the increasingly congested Church Street. The funds were raised through the \$750,000 bond issue of the 1926 City Council Meeting (this bond was also used for the construction of the new City Hall and the Memorial Auditorium).

51. Austin Apartments (Messier Building)(234-240 College Street);
c.1897

This symmetrical, 3 story apartment building recalls Italianate commercial blocks with its parapeted flat roof; the stained glass transoms over the first floor windows add a Queen Anne element while the broad, round arched entrance recalls the Romanesque. This common bonded brick block is organized generally into 4 x 4 bays, with facade bays featuring, primarily, paired 1/1 windows. The two outside bays are occupied by two-story, wooden oriel windows which begin at the second floor. These have spandrel panels and molded cornices and sills. The center of the facade is emphasized by a second-story, balustraded balcony. Also made of wood, it is supported by two large consoles which feature acanthus leaves and other foliate reliefs. Below the balcony is a round arch executed in brick with corbelled imposts. The arch frames a recessed entrance containing three glazed, wooden doors, with a transom light above each. The original bronze letter slots still exist in addition to bronze doorknobs and doorbells. Crowning the facade is a simple wooden entablature with three-part architrave, broad frieze with dentils, and projecting, molded cornice. Pairs of windows occupy each of the center bays on the two upper floors. The spaces below the oriels are also filled by a pair of windows, and all of the first floor windows have stained glass transoms which display swag motifs. Other than the oriel windows, the windows have gauged arches and heavy wooden sills.

GREAT CEDARS PARKING LEASE AGREEMENT

Effective UPON REQUEST

I/We, Sisters & Brothers, the undersigned, hereby lease Five (5) parking spaces in the Corporate Plaza parking garage on St. Paul St., Burlington VT, from Great Cedars LLC, 75 S. Winooski Ave, Burlington, VT 05401, at a rate of \$100.00 month/per space to be paid upon receipt of this Lease Agreement. Lease shall run on a month to month basis until cancelled.

The lessor may change the foregoing rental by giving not less than 7 days written notice PRIOR to the expiration date of the Lease, to the lessee at the address set forth herein. In the event that any installment of rent is not paid before the first of the month, lessor may cancel this Lease and take immediate possession of space without liability to lessee.

EITHER PARTY HERTO SHALL HAVE THE PRIVILEGE OF TERMINATING THIS LEASE AS OF THE END OF ANY CALENDAR MONTH BY GIVING THE OTHER PARTY ONE WEEK'S ADVANCE WRITTEN NOTICE.

ASSUMPTION OF RISK: The lessee, by parking in the parking spaces and by otherwise using the garage, thereby assumes all risk of Loss or Damage to property, and all risk of personal injury, including death, which is attributable to the negligence or unlawful conduct of the third party or natural causes beyond the control of the lessor.

This Lease does not include the taking from and delivery of the vehicle to the lessee and is for parking only.

PLEASE BE ADVISED: Termination of this lease during the stated rental **SHALL NOT** entitle the Lessee to any pro-rated reimbursement.

SPECIAL PROVISION: Lost, damaged or re-activated parking cards are subject to a Twenty-Five (\$25) Dollar replacement fee.

GREAT CEDARS LLC

Lessee: 

By: 12/4/14

RECEIVED
DEC - 8 2014

DEPARTMENT OF
PLANNING

WPLED10

LED 10W & 13 Wallpacks. 3 cutoff options. Patent Pending thermal management system. 100,000 hour L70 lifespan. 5 Year Warranty.

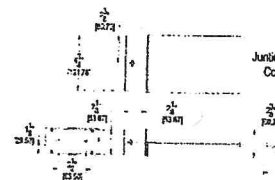


LED Info

Watts: 10W
Color Temp: 5000K (Cool)
Color Accuracy: 92
L70 Lifespan: 100000
LM79 Lumens: 548
Efficacy: 42 LPW

Driver Info

Type: Constant Current
120V: 0.21A
208V: 0.14A
240V: 0.12A
277V: N/A
Input Watts: 13W
Efficiency: 76%



Technical Specifications

UL Listing:

Suitable for Wet Locations as a Downlight. Suitable for Damp Locations as an Uplight. Wall Mount only. Suitable for Mounting within 4ft. of ground.

Lifespan:

100,000-hour LED lifespan based on IES LM-80 results and TM-21 calculations.

Finish:

Our environmentally friendly polyester powder coatings are formulated for high-durability and long-lasting color, and contains no VOC or toxic heavy metals.

Color Consistency:

7-step MacAdam Ellipse binning to achieve consistent fixture-to-fixture color.

Color Stability:

LED color temperature is warrantied to shift no more than 200K in CCT over a 5 year period.

Color Uniformity:

RAB's of CCT (Correlated color temperature) follows the guidelines of the American National Standard for Specifications for the Chromaticity of Solid State Lighting (SSL) Products, ANSI C78.377-2008.

Cold Weather Starting:

The minimum starting temperature is -40°F/-40°C.

Ambient Temperature:

Suitable for use in 40°C (104°F) ambient temperatures.

Thermal Management:

Cast aluminum Thermal Management system for optimal heat sinking. The LPACK is designed for cool operation, most efficient output and maximum LED life by minimizing LED junction temperature.

Lumen Maintenance:

The LED will deliver 70% of its initial lumens at 100,000 hours of operation.

Housing:

Precision die cast aluminum housing, lens frame.

Mounting:

Junction box.

California Title 24:

LPACK complies with California Title 24 building and electrical codes.

Green Technology:

RAB LEDs are Mercury, Arsenic and UV free.

Patents:

The LPACK design is protected under patents in the U.S. Pat. D608,040, Canada Pat. 130,243, China Pat. 200930183252.2, and pending patents in Taiwan and Mexico.

Dark Sky Approved:

The International Dark Sky Association has approved this product as a full cutoff, fully shielded luminaire.

For use on LEED Buildings:

IDA Dark Sky Approval means that this fixture can be used to achieve LEED Credits for Light Pollution Reduction.

LED26

26W Wallpacks. Patent Pending thermal management system.
100,000 hour L70 lifespan. 5 Year Warranty.

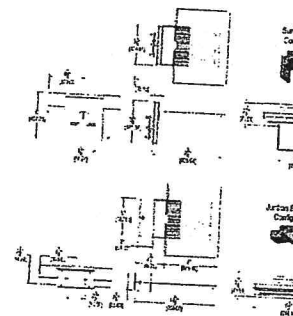
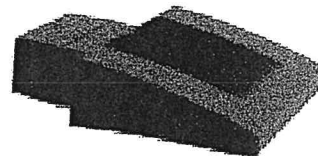


LED Info

Watts: 26W
Color Temp: 5000K (Cool)
Color Accuracy: 70
L70 Lifespan: 100000
LM79 Lumens: 2,662
Efficacy: 90 LPW

Driver Info

Type: Constant Current
120V: 0.26A
208V: 0.16A
240V: 0.14A
277V: 0.12A
Input Watts: 30W
Efficiency: 88%



Technical Specifications

UL Listing:

Suitable for wet locations. Suitable for mounting within 1.2m (4ft) of the ground.

Lifespan:

100,000-hour LED lifespan based on IES LM-80 results and TM-21 calculations.

IP Rating:

Ingress Protection rating of IP66 for dust and water.

Finish:

Our environmentally friendly polyester powder coatings are formulated for high-durability and long-lasting color, and contains no VOC or toxic heavy metals.

Color Consistency:

7-step MacAdam Ellipse binning to achieve consistent fixture-to-fixture color.

Color Stability:

LED color temperature is warranted to shift no more than 200K in CCT over a 5 year period.

Color Uniformity:

RAB's range of CCT (Correlated color temperature) follows the guidelines of the American National Standard for Specifications for the Chromaticity of Solid State Lighting (SSL) Products, ANSI C78.377-2008.

Ambient Temperature:

Suitable for use in 40°C ambient temperatures.

Driver:

Multi-chip 26W high output long life LED Driver
Instant Current, 720mA, Class 2, 6kV Surge
Protection, 100V-277V, 50-60 Hz, 100-240V.4 Amps.

THD:

7.5% at 120V, 11% at 277V

Cold Weather Starting:

The minimum starting temperature is -40°C.

Thermal Management:

Cast aluminum Thermal Management system for optimal heat sinking. The LPACK is designed for cool operation, most efficient output and maximum LED life by minimizing LED junction temperature.

California Title 24:

WPLED complies with California Title 24 building and electrical codes.

Equivalency:

The WPLED26 is Equivalent in delivered lumens to a 175W Metal Halide Wallpack.

HID Replacement Range:

The WPLED26 can be used to replace 150 - 200W Metal Halide Wallpacks based on delivered lumens.

Green Technology:

RAB LEDs are Mercury, Arsenic and UV free.

Patents:

The WPLED design is protected by U.S. Pat. D634878, Canada Pat 134878, China Pat. CN301649064S.

For use on LEED Buildings:

IDA Dark Sky Approval means that this fixture can be used to achieve LEED Credits for Light Pollution Reduction.

Dark Sky Approved:

The International Dark Sky Association has approved this product as a full cutoff, fully shielded luminaire.



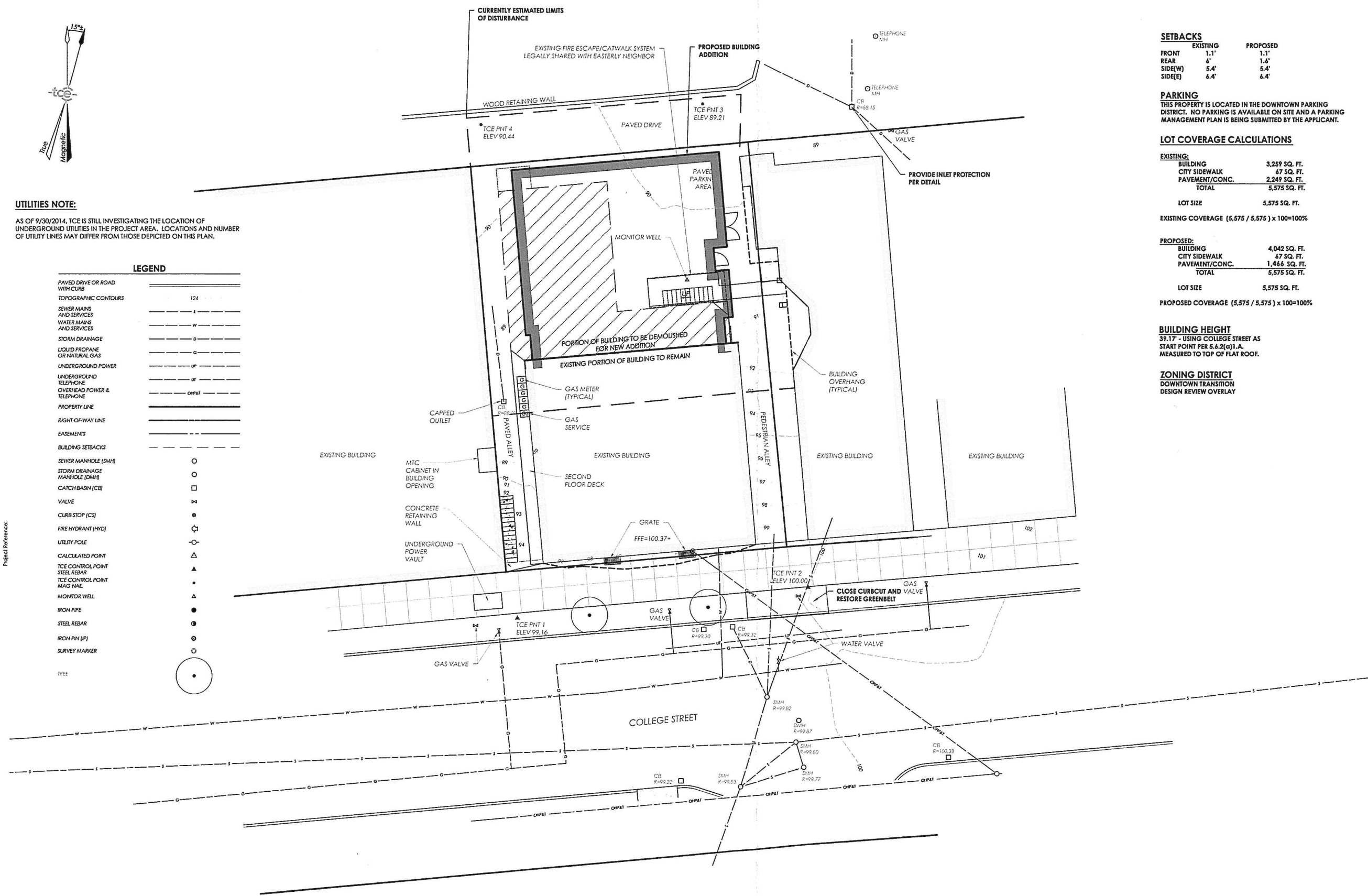
UTILITIES NOTE:

AS OF 9/30/2014, TCE IS STILL INVESTIGATING THE LOCATION OF UNDERGROUND UTILITIES IN THE PROJECT AREA. LOCATIONS AND NUMBER OF UTILITY LINES MAY DIFFER FROM THOSE DEPICTED ON THIS PLAN.

LEGEND

PAVED DRIVE OR ROAD WITH CURB	---
TOPOGRAPHIC CONTOURS	124
SEWER MAINS AND SERVICES	---
WATER MAINS AND SERVICES	---
STORM DRAINAGE	---
LIQUID PROPANE OR NATURAL GAS	---
UNDERGROUND POWER	---
UNDERGROUND TELEPHONE	---
OVERHEAD POWER & TELEPHONE	CHP&T
PROPERTY LINE	---
RIGHT-OF-WAY LINE	---
EASEMENTS	---
BUILDING SETBACKS	---
SEWER MANHOLE (SMH)	○
STORM DRAINAGE MANHOLE (DMH)	○
CATCH BASIN (CB)	□
VALVE	⊕
CURB STOP (CS)	⊙
FIRE HYDRANT (HYD)	⊕
UTILITY POLE	○
CALCULATED POINT	△
TCE CONTROL POINT	▲
STEEL REBAR	•
TCE CONTROL POINT MAG NAIL	•
MONITOR WELL	△
IRON PIPE	●
STEEL REBAR	•
IRON PIN (IP)	○
SURVEY MARKER	○

TPEE



SETBACKS

	EXISTING	PROPOSED
FRONT	1.1'	1.1'
REAR	6'	1.6'
SIDE(W)	5.4'	5.4'
SIDE(E)	6.4'	6.4'

PARKING

THIS PROPERTY IS LOCATED IN THE DOWNTOWN PARKING DISTRICT. NO PARKING IS AVAILABLE ON SITE AND A PARKING MANAGEMENT PLAN IS BEING SUBMITTED BY THE APPLICANT.

LOT COVERAGE CALCULATIONS

EXISTING:	
BUILDING	3,259 SQ. FT.
CITY SIDEWALK	67 SQ. FT.
PAVEMENT/CONC.	2,249 SQ. FT.
TOTAL	5,575 SQ. FT.

LOT SIZE 5,575 SQ. FT.

EXISTING COVERAGE (5,575 / 5,575) x 100=100%

PROPOSED:	
BUILDING	4,042 SQ. FT.
CITY SIDEWALK	67 SQ. FT.
PAVEMENT/CONC.	1,466 SQ. FT.
TOTAL	5,575 SQ. FT.

LOT SIZE 5,575 SQ. FT.

PROPOSED COVERAGE (5,575 / 5,575) x 100=100%

BUILDING HEIGHT

39.17' - USING COLLEGE STREET AS START POINT PER 5.6.2(a)1.A. MEASURED TO TOP OF FLAT ROOF.

ZONING DISTRICT

DOWNTOWN TRANSITION DESIGN REVIEW OVERLAY



TRUDELL CONSULTING ENGINEER
428 BLAIR PARK ROAD | WILLISTON, VERMONT 05495
802.879.4331 | WWW.TCEVT.COM

Revisions
No. Description

DEPARTMENT OF
PLANNING & ZONING

DEC - 5 2014

Use of these Drawings:
1. Unless otherwise noted, these Drawings are intended for preliminary planning, coordination with other disciplines, utilities, and/or approval from the regulatory authorities. They are not intended as construction drawings unless noted as such.

2. Only drawings specifically marked "For Construction" are intended to be used in conjunction with contract documents, specifications, owner/contractor agreements, and to be fully coordinated with other disciplines, including but not limited to, the Architect, if applicable. These Drawings shall not be used for construction layout. Contact TCE for any construction surveying services or to obtain electronic data suitable for construction layout.

3. These Drawings are specific to the Project and are not transferable. As instruments of service, these drawings, or copies thereof, furnished by TCE are its exclusive property. Changes to the drawings may only be made by TCE. If errors or omissions are discovered, they shall be brought to the attention of TCE immediately.

4. By use of these drawings for construction of the Project, the Owner represents that they have reviewed, approved, and accepted the drawings and have met with all applicable parties/disciplines to insure these plans are properly coordinated with other aspects of the Project. Owner and Architect are responsible for any buildings shown, including an area measured a minimum five (5) feet around any building.

5. It is the User's responsibility to ensure this copy contains most current revisions.

For Permitting Only

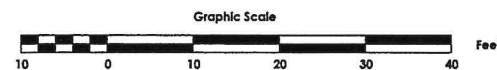
Project Title

**Sisters & Brothers
Group, LLP**
234-240 College Street
Burlington Vermont

Sheet Title

Proposed Site Plan

Date: 9/30/2014
Scale: 1" = 10'
Project Number: 14-141
Drawn By: AGM
Project Engineer: AGM
Approved By:
Field Book: 290



C2-01



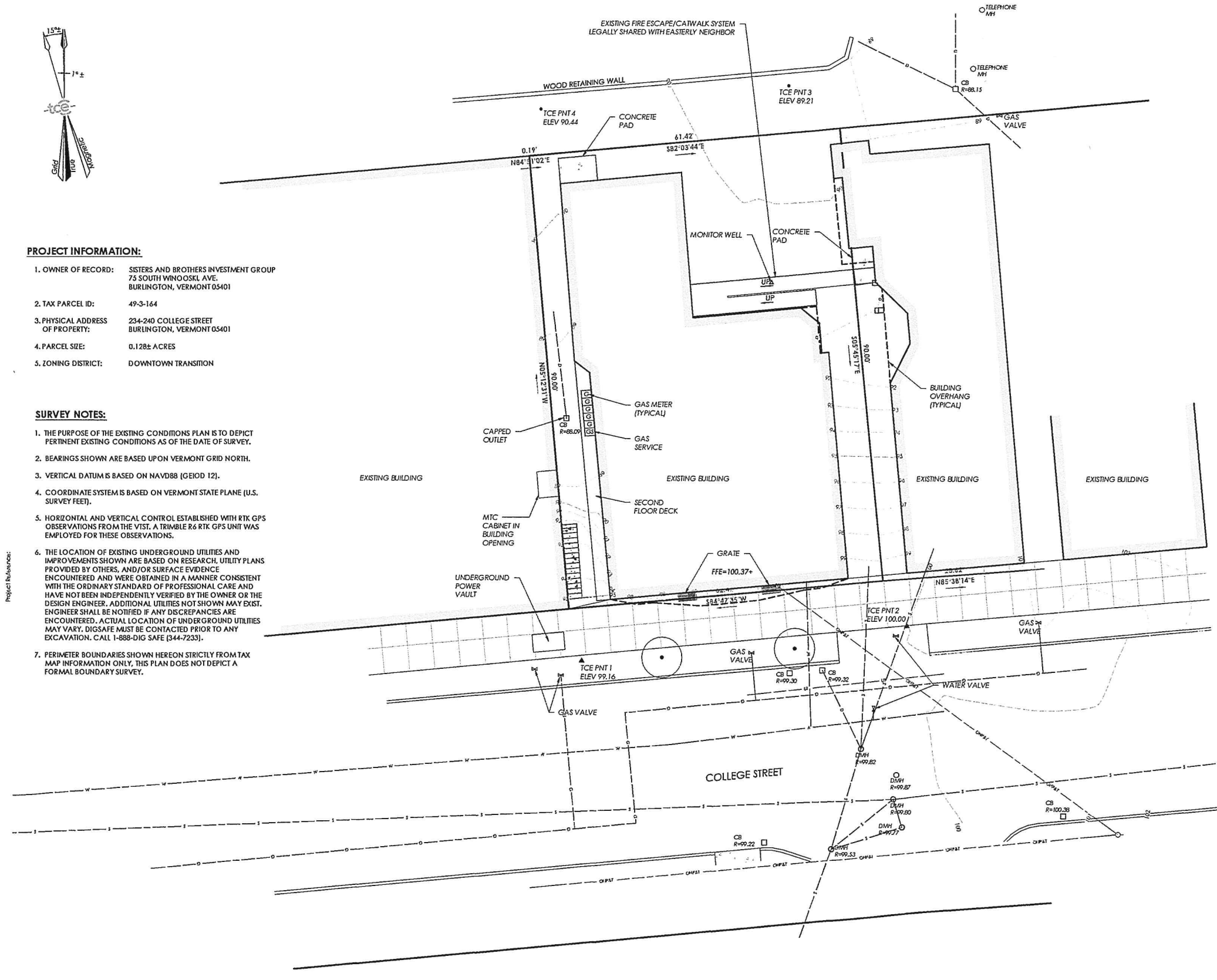
PROJECT INFORMATION:

1. OWNER OF RECORD: SISTERS AND BROTHERS INVESTMENT GROUP
75 SOUTH WINOOSKI AVE.
BURLINGTON, VERMONT 05401
2. TAX PARCEL ID: 49-3-164
3. PHYSICAL ADDRESS OF PROPERTY: 234-240 COLLEGE STREET
BURLINGTON, VERMONT 05401
4. PARCEL SIZE: 0.128± ACRES
5. ZONING DISTRICT: DOWNTOWN TRANSITION

SURVEY NOTES:

1. THE PURPOSE OF THE EXISTING CONDITIONS PLAN IS TO DEPICT PERTINENT EXISTING CONDITIONS AS OF THE DATE OF SURVEY.
2. BEARINGS SHOWN ARE BASED UPON VERMONT GRID NORTH.
3. VERTICAL DATUM IS BASED ON NAVD88 (GEOID 12).
4. COORDINATE SYSTEM IS BASED ON VERMONT STATE PLANE (U.S. SURVEY FEET).
5. HORIZONTAL AND VERTICAL CONTROL ESTABLISHED WITH RTK GPS OBSERVATIONS FROM THE VIST. A TRIMBLE R6 RTK GPS UNIT WAS EMPLOYED FOR THESE OBSERVATIONS.
6. THE LOCATION OF EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS SHOWN ARE BASED ON RESEARCH, UTILITY PLANS PROVIDED BY OTHERS, AND/OR SURFACE EVIDENCE ENCOUNTERED AND WERE OBTAINED IN A MANNER CONSISTENT WITH THE ORDINARY STANDARD OF PROFESSIONAL CARE AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR THE DESIGN ENGINEER. ADDITIONAL UTILITIES NOT SHOWN MAY EXIST. ENGINEER SHALL BE NOTIFIED IF ANY DISCREPANCIES ARE ENCOUNTERED. ACTUAL LOCATION OF UNDERGROUND UTILITIES MAY VARY. DIGSAFE MUST BE CONTACTED PRIOR TO ANY EXCAVATION. CALL 1-888-DIG-SAFE (344-7233).
7. PERIMETER BOUNDARIES SHOWN HEREON STRICTLY FROM TAX MAP INFORMATION ONLY. THIS PLAN DOES NOT DEPICT A FORMAL BOUNDARY SURVEY.

Project Reference:



UTILITIES NOTE:

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LEGEND

PAVED DRIVE OR ROAD WITH CURB	---
TOPOGRAPHIC CONTOURS	--- 124 ---
SEWER MAINS AND SERVICES	---
WATER MAINS AND SERVICES	---
STORM DRAINAGE	---
LIQUID PROPANE OR NATURAL GAS	---
UNDERGROUND POWER	---
UNDERGROUND TELEPHONE	---
OVERHEAD POWER & TELEPHONE	--- OP&T ---
PROPERTY LINE	---
RIGHT-OF-WAY LINE	---
EASEMENTS	---
BUILDING SETBACKS	---
SEWER MANHOLE (SMH)	○
STORM DRAINAGE MANHOLE (DMH)	○
CATCH BASIN (CB)	□
VALVE	⊕
CURB STOP (CS)	⊕
FIRE HYDRANT (HYD)	⊕
UTILITY POLE	○
CALCULATED POINT	△
TCE CONTROL POINT	▲
STEEL REBAR	•
TCE CONTROL POINT MAG NAIL	▲
MONITOR WELL	○
IRON PIPE	•
STEEL REBAR	•
IRON PIN (IP)	•
SURVEY MARKER	○
TCE	•

Revisions	No.	Description	Date
-----------	-----	-------------	------

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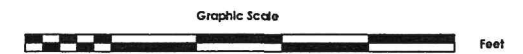
For Permitting On

Project Title

Sisters & Brothers Group, LLP
234-240 College Street
Burlington Vermont

Existing Conditions Plan

Date:	9/30/2014
Scale:	1" = 10'
Project Number:	14-141
Drawn By:	BMP
Project Engineer:	AGM
Approved By:	
Field Book:	290



RECEIVED
DEC - 5 2014

DEPARTMENT OF
PLANNING & ZONING

COLLEGE STREET

UNIT COUNT-
234 COLLEGE STREET

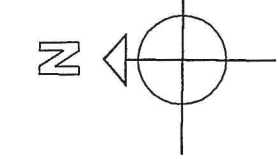
42'x46' ADDITION,
1,932SF PER FLOOR,
5 FLOORS - 9,660SF

- 5- LOWER LEVEL; 3 ONE BED UNIT, 2 TWO BED UNIT
- 5- FIRST FLOOR; 3 ONE BED UNIT, 2 TWO BED UNIT
- 6- SECOND FLOOR; 5 ONE BED UNIT, 1 TWO BED UNIT
- 7- THIRD AND FOURTH FLOOR 4 ONE BED UNIT, 2 TWO BED UNIT, 1 THREE BED UNIT

TOTAL # OF UNITS= 23 ONE & TWO BEDROOMS (NO EFFICI)
TOTAL OF 32 BEDS

WALL KEY

- WALLS TO REMAIN
- NEW WALL
- EXISTING WALL TO REMOVED



B BASEMENT FLOOR PLAN
SCALE: 1/4" = 1'-0"

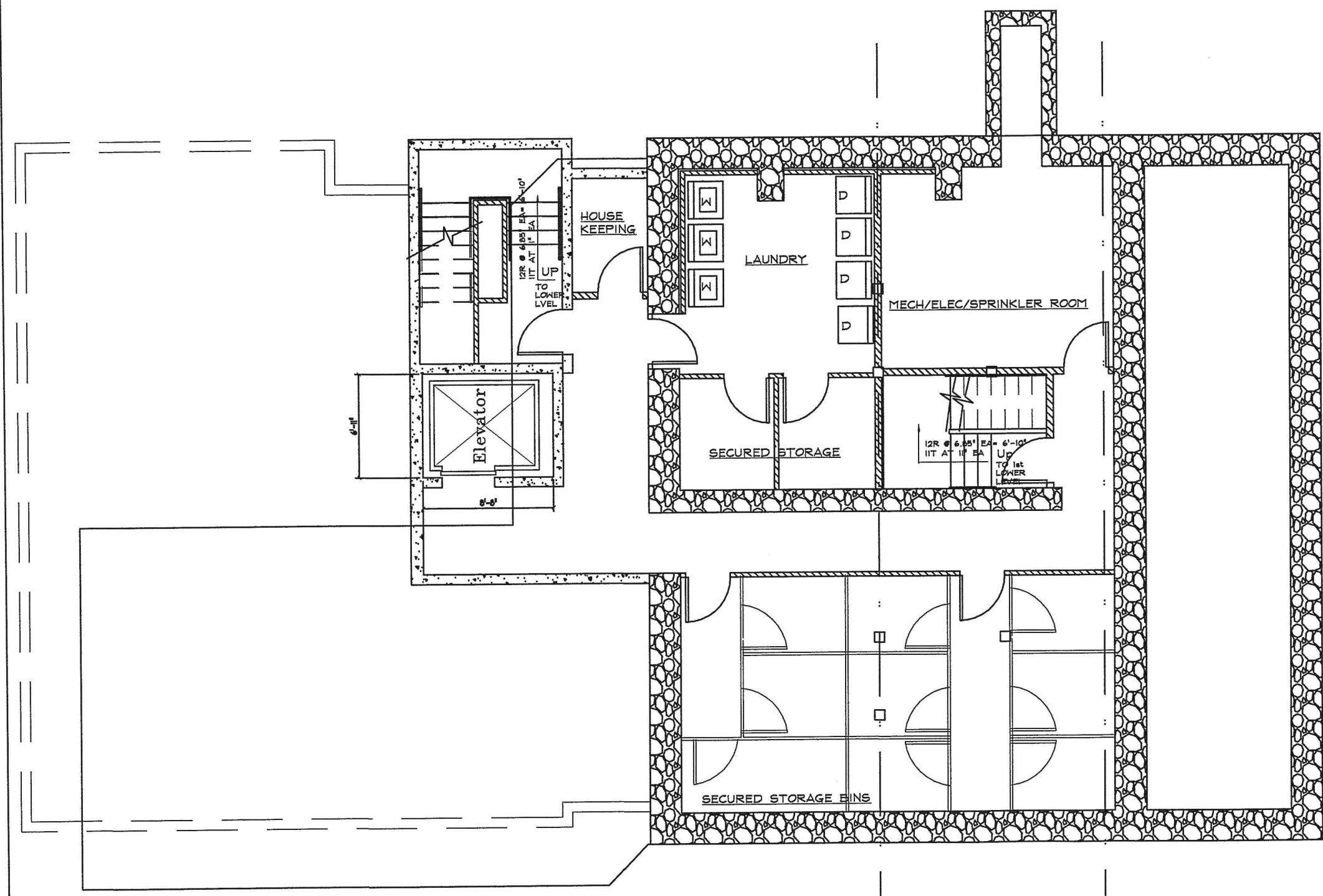
DESIGN/DEVELOPMENT
DRAWINGS 10/23/14

G4 DESIGN STUDIOS, LLC
77 COLLEGE STREET, BURLINGTON, VT 05401
PHONE: 802-363-1482 EMAIL: steve@stevegilldesign.com

236 COLLEGE STREET
EXISTING RENOVATIONS
BURLINGTON, VERMONT

SHEET TITLE:
BASEMENT
FLOOR PLAN

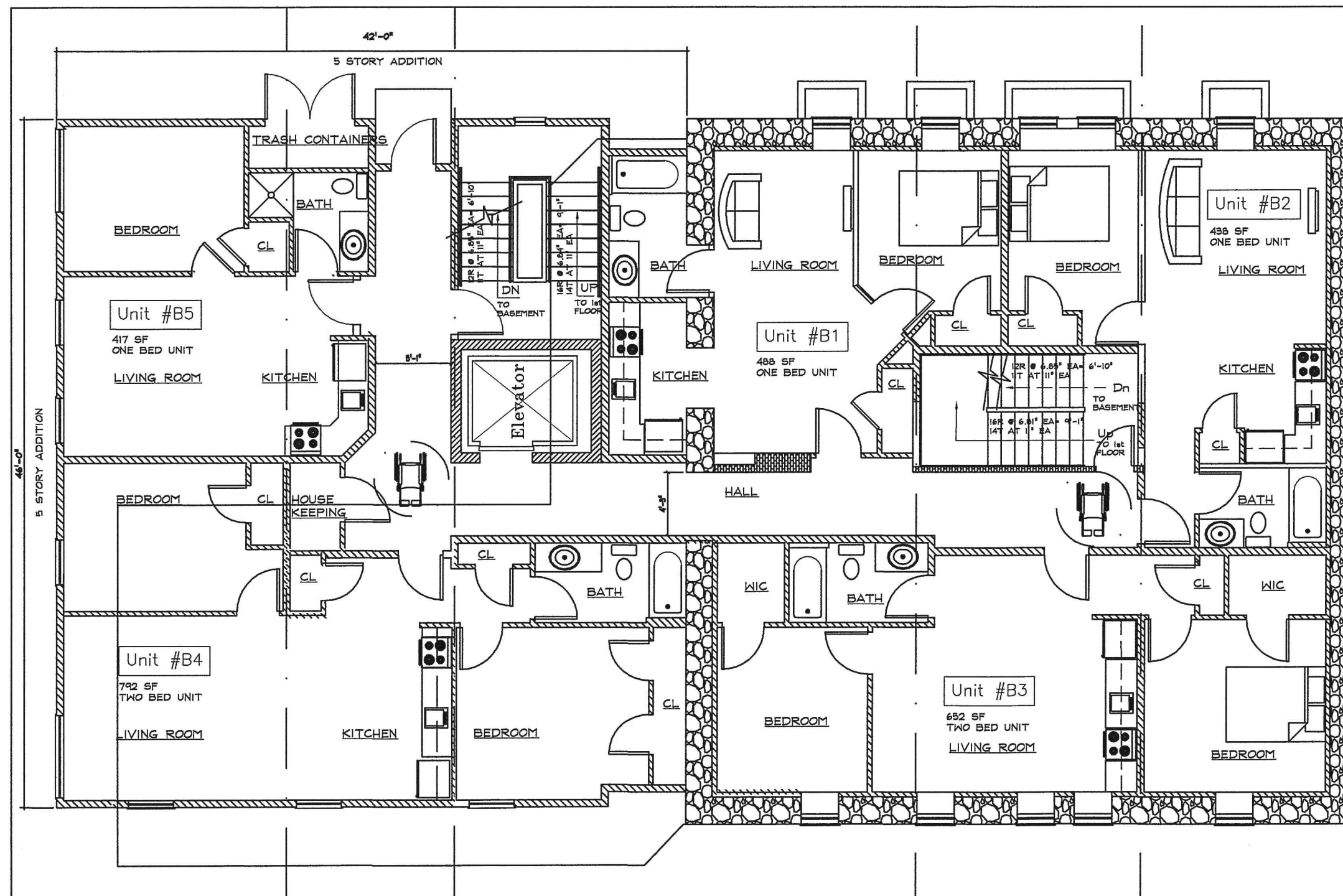
DRAWING NO.
B



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DEPARTMENT OF
PLANNING & ZONING



COLLEGE STREET

UNIT COUNT -
234 COLLEGE STREET

42'x46' ADDITION,
1,932SF PER FLOOR,
5 FLOORS - 9,660SF

5- LOWER LEVEL; 3 ONE BED UNIT, 2 TWO BED UNIT
5- FIRST FLOOR; 3 ONE BED UNIT, 2 TWO BED UNIT
6- SECOND FLOOR; 5 ONE BED UNIT, 1 TWO BED UNIT
7- THIRD AND 4 ONE BED UNIT, 2 TWO BED UNIT,
FOURTH FLOOR 1 THREE BED UNIT

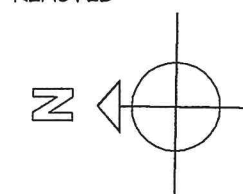
TOTAL # OF UNITS= 23 ONE & TWO BEDROOMS (NO EFFICIENCY)
TOTAL OF 32 BEDS

WALL KEY

WALLS TO REMAIN

NEW WALL

EXISTING WALL TO
REMOVED



B1 LOWER LEVEL FLOOR PLAN

SCALE: 1/4" = 1'-0"
TOTAL FIVE UNITS

G4 DESIGN STUDIOS, LLC

77 COLLEGE STREET, BURLINGTON, VT 05401

PHONE: 802-363-1482

EMAIL: steve@stevequilldesign.com

236 COLLEGE STREET

EXISTING RENOVATIONS
BURLINGTON, VERMONT

SHEET TITLE:

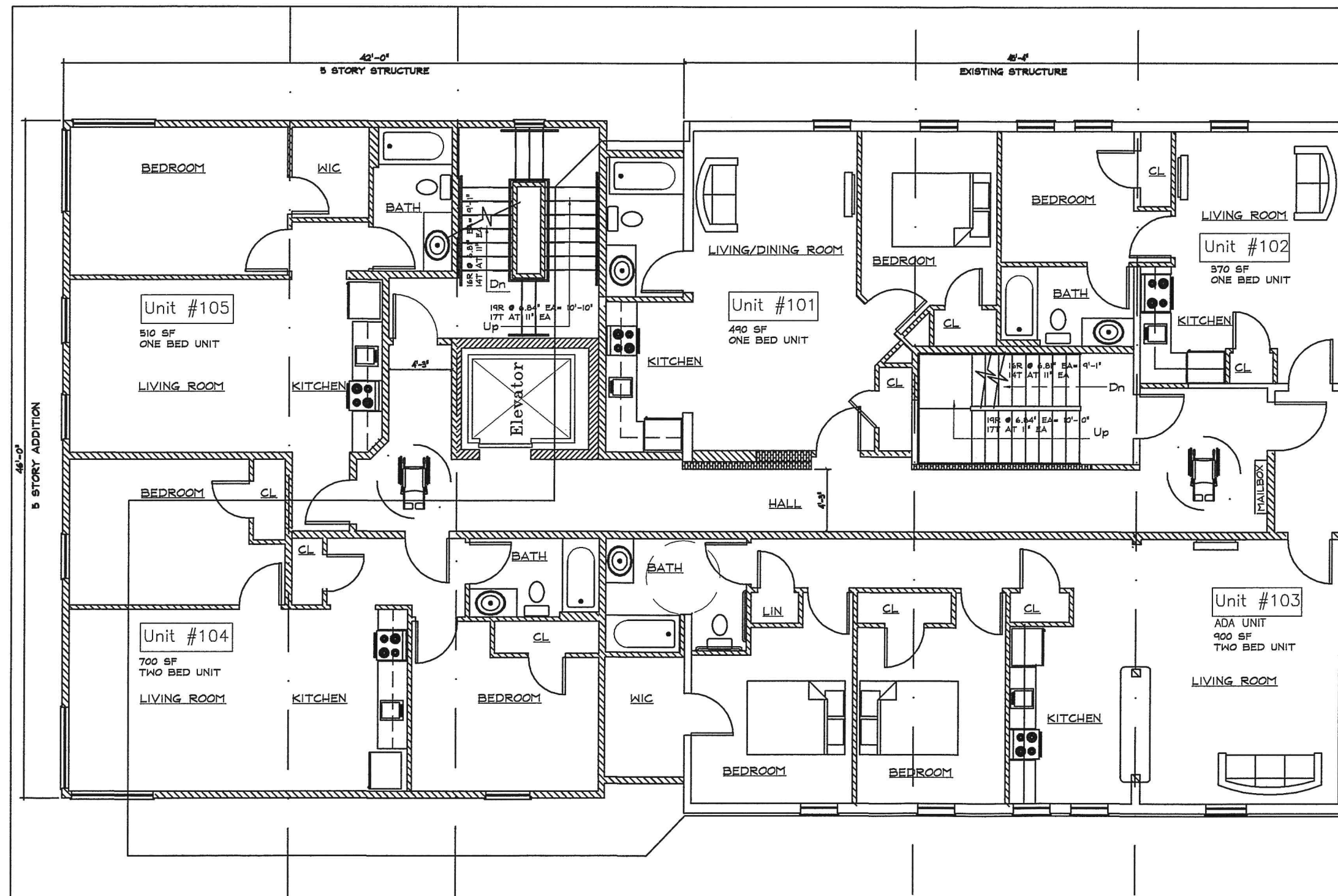
LOWER
LEVEL
FLOOR PLAN

DRAWING NO.

B1

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DEPARTMENT OF
PLANNING & ZONING



COLLEGE STREET

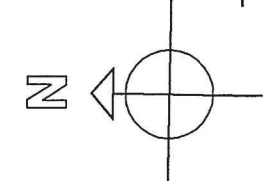
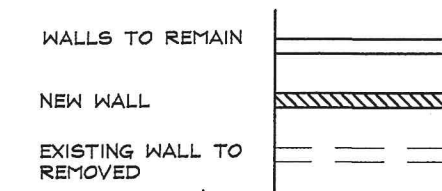
UNIT COUNT-
234 COLLEGE STREET

42'x46' ADDITION,
1,932SF PER FLOOR,
5 FLOORS - 9,660SF

- 5- LOWER LEVEL; 3 ONE BED UNIT, 2 TWO BED UNIT
5- FIRST FLOOR; 3 ONE BED UNIT, 2 TWO BED UNIT
6- SECOND FLOOR; 5 ONE BED UNIT, 1 TWO BED UNIT
7- THIRD AND 4 ONE BED UNIT, 2 TWO BED UNIT,
FOURTH FLOOR 1 THREE BED UNIT

TOTAL # OF UNITS= 23 ONE & TWO BEDROOMS (NO EFFICIENCY)
TOTAL OF 32 BEDS

WALL KEY



1 1st FLOOR PLAN
SCALE: 1/4" = 1'-0"
TOTAL FIVE UNITS

DESIGN/DEVELOPMENT
DRAWINGS 10/23/14

G4 DESIGN STUDIOS, LLC

77 COLLEGE STREET, BURLINGTON, VT 05401

PHONE: 802-363-1482 EMAIL: steve@stevequilldesign.com

236 COLLEGE STREET

NEW ADDITION
BURLINGTON, VERMONT

SHEET TITLE:
1ST
FLOOR PLAN

DRAWING NO.

A1

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DEPARTMENT OF
PLANNING & ZONING

COLLEGE STREET

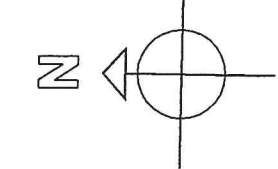
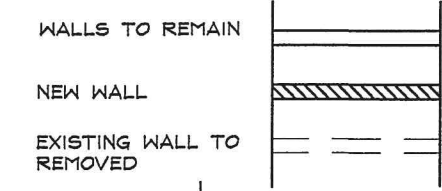
UNIT COUNT-
234 COLLEGE STREET

42'x46' ADDITION,
1,932SF PER FLOOR,
5 FLOORS - 9,660SF

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- 7- THIRD AND 4 ONE BED UNIT, 2 TWO BED UNIT,
FOURTH FLOOR 1 THREE BED UNIT

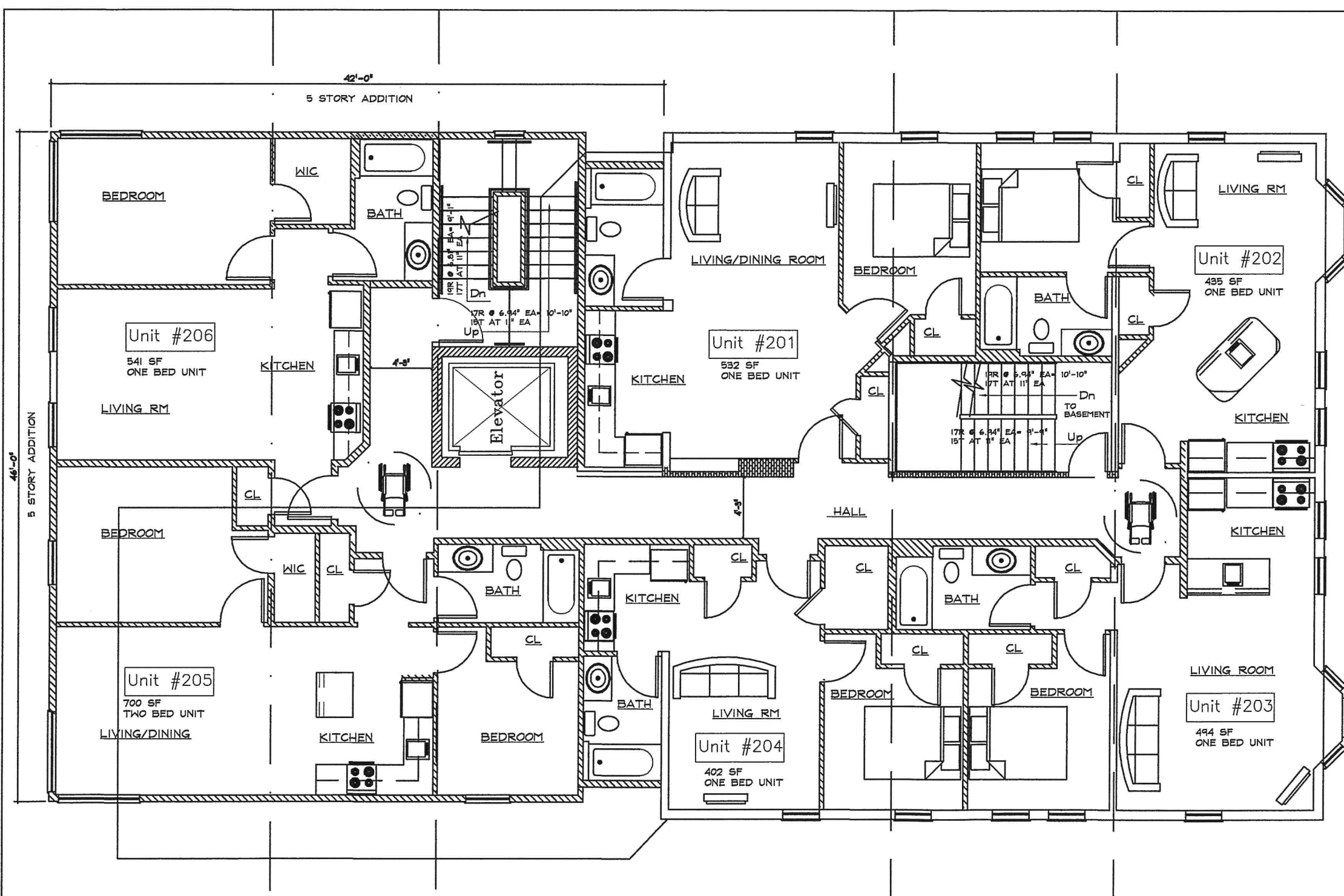
TOTAL # OF UNITS= 23 ONE & TWO BEDROOMS (NO EFF)
TOTAL OF 32 BEDS

WALL KEY



2 2nd FLOOR PLAN
SCALE: 1/4" = 1'-0"
TOTAL SIX UNITS

DESIGN/DEVELOPMENT
DRAWINGS 10/23/14



STEVE GUILD DESIGN, LLC
ONE STEELE STREET, BURLINGTON, VT 05401
PHONE: 802-363-1482 EMAIL: steve@steveguilddesign.com

236 COLLEGE STREET
UNIT #10 RENOVATIONS
BURLINGTON, VERMONT

SHEET TITLE:
**2ND
FLOOR PLAN**
DRAWING NO.
A2

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DEPARTMENT OF
PLANNING & ZONING

COLLEGE STREET

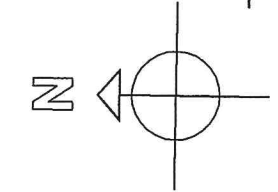
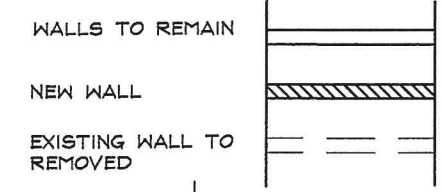
UNIT COUNT -
234 COLLEGE STREET

42'x46' ADDITION,
1,932SF PER FLOOR,
5 FLOORS - 9,660SF

- 5- LOWER LEVEL; 3 ONE BED UNIT, 2 TWO BED UNIT
- 5- FIRST FLOOR; 3 ONE BED UNIT, 2 TWO BED UNIT
- 6- SECOND FLOOR; 5 ONE BED UNIT, 1 TWO BED UNIT
- 7- THIRD AND FOURTH FLOOR 4 ONE BED UNIT, 2 TWO BED UNIT
1 THREE BED UNIT

TOTAL # OF UNITS= 23 ONE & TWO BEDROOMS (NO EF)
TOTAL OF 32 BEDS

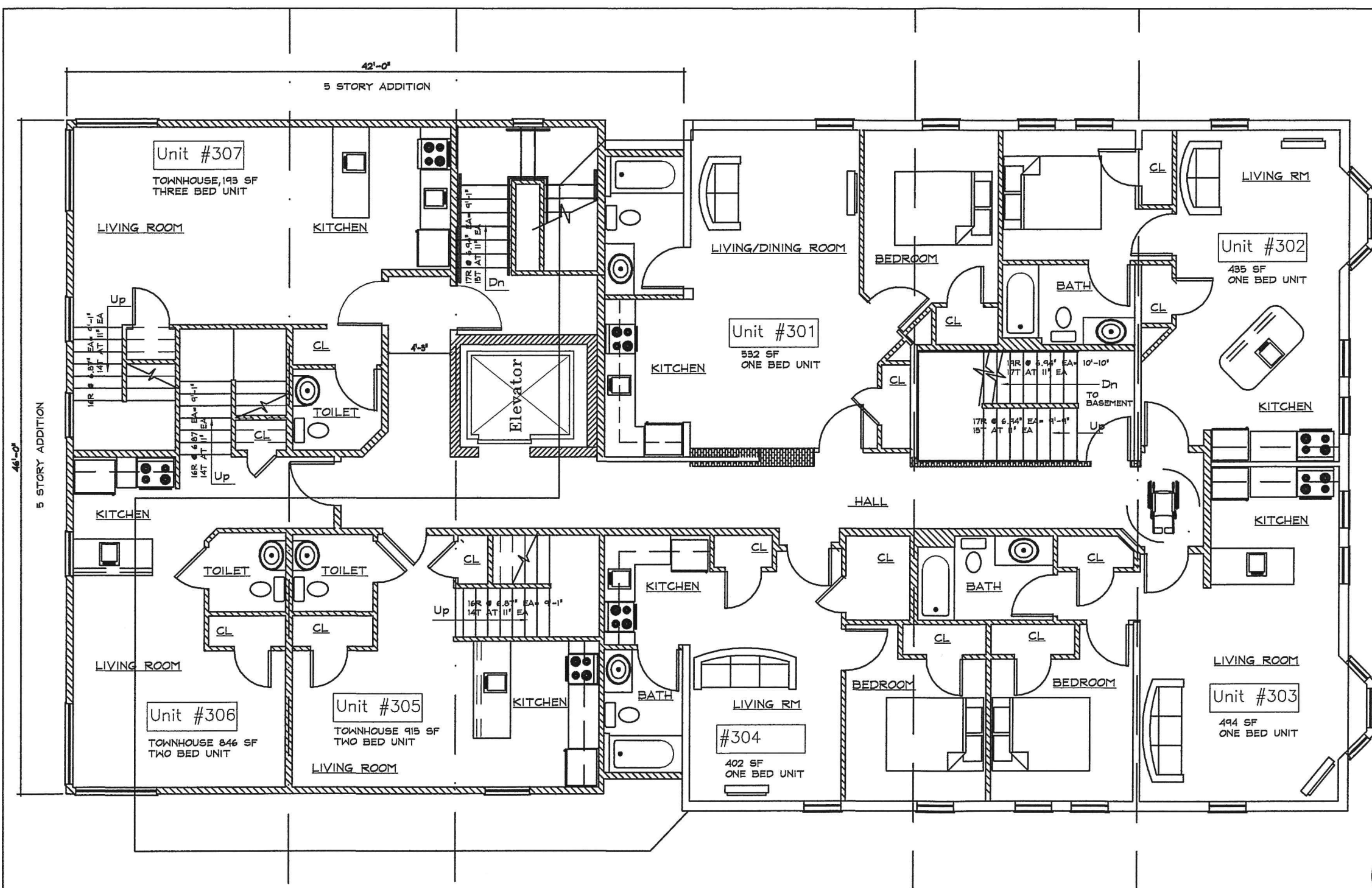
WALL KEY



3 3rd FLOOR PLAN

SCALE: 1/8" = 1'-0"
TOTAL SEVEN UNITS

DESIGN/DEVELOPMENT
DRAWINGS 10/23/14



STEVE GUILD DESIGN, LLC
ONE STEELE STREET, BURLINGTON, VT 05401
PHONE: 802-363-1482 EMAIL: steve@stevegualldesign.com

236 COLLEGE STREET
UNIT #10 RENOVATIONS
BURLINGTON, VERMONT

SHEET TITLE:
3RD
FLOOR PLAN
NEW ADDITION

DRAWING NO.
A3

RECEIVED
DEC - 5 2014

DEPARTMENT OF
PLANNING & ZONING

COLLEGE STREET

UNIT COUNT-
234 COLLEGE STREET

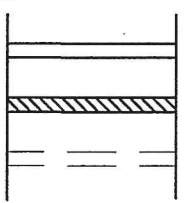
42'x46' ADDITION,
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5 FLOORS - 9,660SF

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FOURTH FLOOR 1 THREE BED UNIT

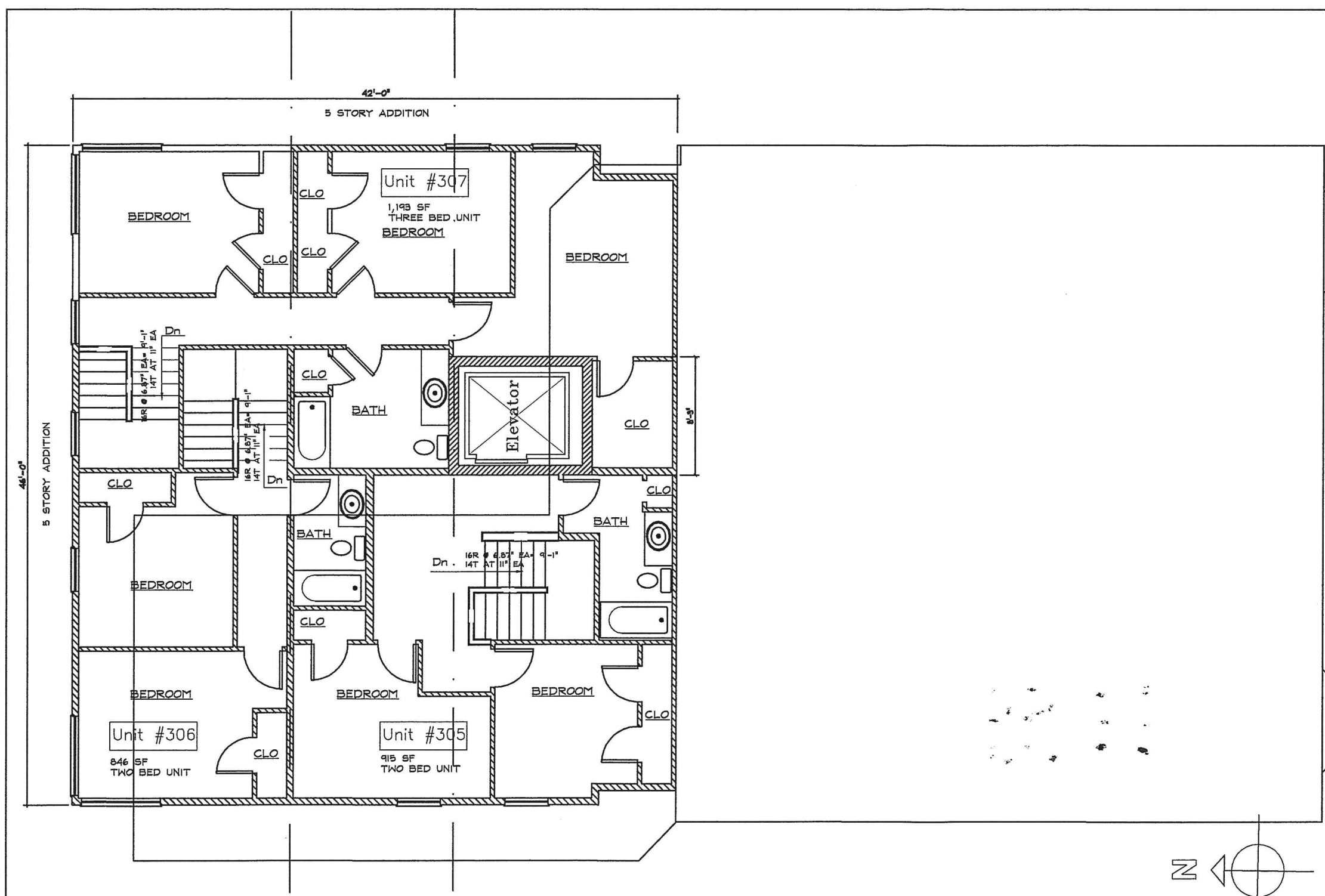
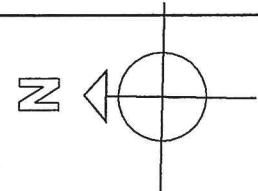
TOTAL # OF UNITS= 23 ONE & TWO BEDROOMS (NO EF)
TOTAL OF 32 BEDS

WALL KEY

- WALLS TO REMAIN
- NEW WALL
- EXISTING WALL TO REMOVED



4 4th FLOOR PLAN
SCALE: 1/8" = 1'-0"



STEVE GUILD DESIGN, LLC
ONE STEELE STREET, BURLINGTON, VT 05401
PHONE: 802-363-1482 EMAIL: steve@steveguilddesign.com

236 COLLEGE STREET
UNIT #10 RENOVATIONS
BURLINGTON, VERMONT

SHEET TITLE:
4TH
FLOOR PLAN

DRAWING NO.
A4

DESIGN/DEVELOPMENT
DRAWINGS 10/23/14

Top of New Roof
48' - 3"

Top of Original Roof
44' - 11"

4th Floor
39' - 8"

3rd Floor
29' - 10 1/2"

2nd Floor
20' - 1"

1st Floor
9' - 1"

Bottom of Grade
0' - 0"



NORTH ELEVATION

RECEIVED
DEC - 5 2014

DEPARTMENT OF
PLANNING & ZONING



EAST ELEVATION

RECEIVED
DEC - 5 2014

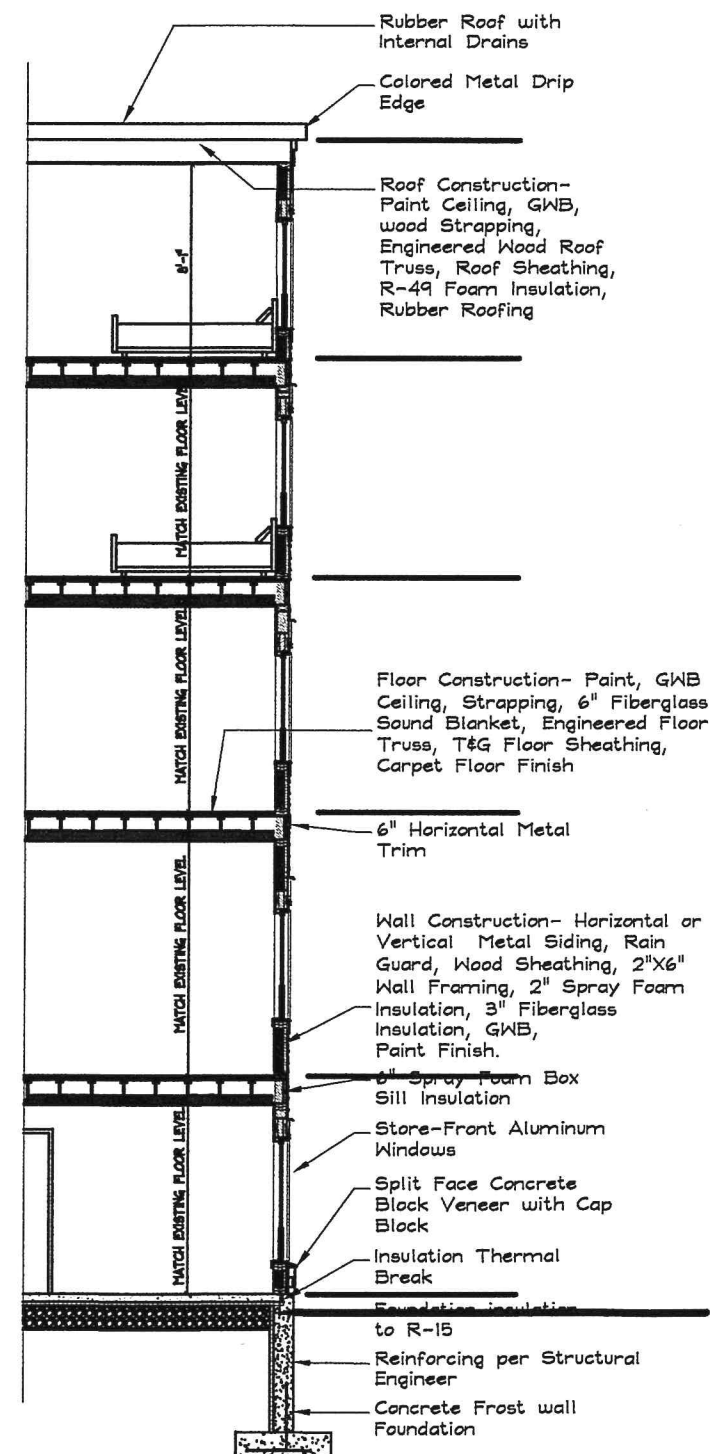
DEPARTMENT OF
PLANNING & ZONING



WEST ELEVATION



SOUTH ELEVATION



Wall Section

SCALE: 1/8" = 1'-0"

STEVE GUILD DESIGN, LLC

ONE STEELE STREET, BURLINGTON, VT 05401

PHONE: 802-363-1482

EMAIL: steve@steveguilddesign.com

236 COLLEGE STREET

UNIT #10 RENOVATIONS
BURLINGTON, VERMONT

DESIGN/DEVELOPMENT
DRAWINGS 9/30/14

SHEET TITLE:
WALL SECTION

DRAWING NO.

A9





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DEC -5 2014

DEPARTMENT OF
PLANNING & ZONING

RECEIVED

DEC - 5 2014

DEPARTMENT OF
PLANNING & ZONING





RECEIVED
DEC - 5 2014

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7142 (TTY)

David White, AICP, Director
Ken Lerner, Assistant Director
Sandrine Thibault, AICP, Comprehensive Planner
Jay Appleton, GIS Manager
Scott Gustin, AICP, Senior Planner
Mary O'Neil, AICP, Senior Planner
Vacant, Zoning Clerk
Elsie Tillotson, Department Secretary



TO: Development Review Board
FROM: Ken Lerner *[Signature]*
DATE: December 16, 2014
RE: 15-0525CA/MA, 87-95 North Avenue & 7 Haswell 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: NMU **Ward:** 7

Owner/Representative: Committee on Temporary Shelter (COTS) / Duncan Wisniewski Architects

Request: Renovation and addition to existing building for 14 new residential units as part of mixed use building. Project includes demolition of house and lot merger at 7 Haswell Street. Uses in addition to the residential units will include adult day care (Day Station) and COTS offices.

Applicable Regulations:

Article 3 (Applications and Reviews), Article 4 (Maps & Districts), Article 5 (Citywide General Regulations), Article 6 (Development Criteria & Guidelines), Article 8 (Parking), Article 9 (Inclusionary and Replacement Housing), & Article 10 (Subdivision)



Background Information:

The applicant is proposing the renovation and addition to the existing 15,400 sq. ft. building resulting in a total of 23,890 sq. ft. The site presently contains, at nearly 100% lot coverage, the former Burlington College, a National Registered historic building, and an adjacent parcel (7 Haswell Street) owned by COTS to the west with a residential structure. This house is proposed to be demolished to provide room for the proposed addition. The expansion to the adjacent lot will necessitate a lot line adjustment to combine that parcel with the main site containing the college.

The proposal will contain 23,890 sq. ft. as follows:

First floor: 9,195 sq. ft. for day-station (adult day care) & offices

Second Floor: 9,770 sq. ft. 14 residential units (12 studios, two 1 bedroom units)
Third Floor: 4,925 sq. ft. offices

A surface parking lot is adjacent to the south that is not owned by COTS. However, according to the applicant, COTS has the legal right to use the parking shown (it controls the land under agreement with Burlington College). Other uses in the vicinity are: to the east, across North Avenue, is a credit union with residences above, a gas station/convenience store; to the north, across Haswell Street, are multi-unit residential buildings; and to the west/northwest, lies the Lakeview Terrace residential neighborhood.

As the project contains 14 residential units it is subject to major impact review and inclusionary housing requirements. The use and intensity of development are acceptable under the dimensional standards of the CDO.

Sketch Plan Review; for the project was presented to the DRB on February 10, 2014. Previous zoning actions for this property include the use for a market, retail, offices, a credit union, a parenting/daycare center (1989), and of course for a college (1983).



EAST ELEVATION - PROPOSED
Scale: 3/32" = 1'-0"

The DAB reviewed this application on November 12, 2014 and unanimously voted to recommend approval noting that the HVAC units located on the roof are not readily visible by pedestrians, thus no screening is necessary.

The Conservation Board reviewed the project on November 3, 2014 and unanimously recommended approval.

I. Findings

Article 3: Applications and Reviews

Part 5, Conditional Use & Major Impact Review:

Sec. 3.5.6, Review Criteria

(a) Conditional Use Review Standards

1. The capacity of existing or planned community facilities;

This proposal was reviewed by the Technical Review Committee (TRC) in February 2014. Combined sewer on North Avenue, thus the project will incorporate storm water infiltration chambers to reduce flows during storm events. The proposed development will require significant water and sewer (waste water); however, more than adequate reserve capacity is available. A state wastewater permit will be required as well as confirmation of capacity from Public Works.

(Affirmative Finding as Conditioned)

2. The character of the area affected;

The subject property is located within a Neighborhood Mixed Use (NMU) Zoning District. The property is near residential uses, across Haswell St., Lakeview Terr., and North Avenue. It is adjacent to a parking lot and across the street from a variety of commercial use that includes: a credit union office, service station, and convenience store. Redevelopment and renovation of a large historic structure should result in an improved streetscape on this section of North Avenue.

(Affirmative Finding)

3. Traffic on roads and highways in the vicinity;

Traffic information provided indicate that, based on the Institute of Transportation Engineer handbook calculations, there will be a minor increase in trip ends associated with this project:

The average daily trip ends increases from 90 to 112.

The 7-9 AM peak will increase from 13 to 16 trip ends.

The 4-6 PM peak increases from 12 to 18.

Generally, however, traffic generation is not expected to be problematic in light of the existing parking and the location being in easy walking proximity to nearby services and employment, and alternative modes of transportation. **(Affirmative Finding)**

4. Bylaws then in effect;

As conditioned, the proposed development is in full compliance with all applicable bylaws. However, as a portion of the site including the southeast corner of the existing building is within the public ROW, the applicant must contact and work with DPW regarding the work being considered. **(Affirmative Finding as Conditioned)**

5. Utilization of renewable energy resources;

The building is designed to accommodate roof mounted solar PV and to use these devices as sunshades over the south facing windows and possibly on the west facing ones as well. Utilization of such solar energy devices strongly is encouraged. **(Affirmative Finding as Conditioned)**

6. Cumulative impacts of the proposed use;

The proposed development is on a site with existing buildings in an older developed area. No significant cumulative impacts are anticipated. **(Affirmative Finding)**

7. Functional family;

This criterion does not apply to the subject permit request as it is not within a residential district. **(Affirmative Finding)**

8. Vehicular access points;

No change in parking lot access location is proposed; however, the entrance to the parking area will be re-configured but will remain adequate for the proposed use. A single curb cut access for staff parking is proposed on Haswell Street. **(Affirmative Finding as Conditioned)**

9. Signs;

No signs are depicted. Future signs are anticipated and will require separate zoning permits. **(Affirmative Finding as Conditioned)**

10. Mitigation measures;

The proposed development is not expected to generate any noxious effects such as excessive noise, glare, or emissions. While there may be some concern over noise from the adult day care use, the entrance and courtyard are sited so that there are structures and distance from nearby residences. The only concern appears to be service vehicles that would back out onto Haswell Street, although it is a short distance and while lunch is brought in daily, trash pickup only occurs twice/week. **(Affirmative Finding)**

11. Time limits for construction;

The project completion must occur within the standard 2-year time frame for zoning permits, with project commencement beginning within 12 months. **(Affirmative Finding as Conditioned)**

12. Hours of operation and construction;

The apartment building will operate 24/7. Construction shall be limited to standard hours of 7:00 am – 6:00 pm Monday-Friday, with Saturday morning hours of construction limited to interior work.

The hours for the day station (an adult day care) are from 9am until 5pm every day. The COTS offices are 9am to 5pm on weekdays. **(Affirmative Finding as Conditioned)**

13. Future enlargement or alterations;

As with any project, future enlargement or alteration to the development will require zoning review under the regulations in effect at that time. **(Affirmative Finding as Conditioned)**

14. Performance standards;

Performance standards relating to outdoor lighting and erosion control are addressed under Article 5. **(Affirmative Finding)**

15. Conditions and safeguards;

A concern is the safe removal of existing structures as hazardous materials, such as lead paint and asbestos, are more than likely present. Conditions of approval will address this concern. The proposed building will be 100% sprinklered. **(Affirmative Finding as Conditioned)**

(b) Major Impact Review Standards

1. Not result in undue water, air, or noise pollution;

A comprehensive stormwater management plan was included with the permit application. Proposed stormwater management measures include the capture and retention of stormwater prior to release into the city system. Volume reduction by way of infiltration is also incorporated with

the inclusion of pervious pavers in some areas and overall decreases the amount of lot coverage. See also Sec. 5.5.3.

The project is not expected to generate any significant air or noise pollution, except for the backing up of vehicles as noted. **(Affirmative Finding as Conditioned)**

2. Have sufficient water available for its needs;

Ample reserve capacity is available, but written confirmation is needed upon permit application. **(Affirmative Finding as Conditioned)**

3. Not unreasonably burden the city's present or future water supply or distribution system;
See item 2 above.

4. Not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result;

Along with a stormwater management plan, a construction site erosion control plan accompanies the permit application for this project. Approval of this plan is required from the stormwater administrator. **(Affirmative Finding as Conditioned)**

5. Not cause unreasonable congestion or unsafe conditions on highways, streets, waterways, railways, bikeways, pedestrian pathways or other means of transportation, existing or proposed;

Traffic information is noted above, and the increase is not expected to be excessive.

The North Avenue corridor currently is being looked at for significant improvements to become a "complete street" and with it to make it safer and to provide convenient and sufficient travel options for the future residents and workers at this property. **(Affirmative Finding)**

6. Not cause an unreasonable burden on the city's ability to provide educational services;

The proposed residential units are not likely to impact the city's ability to provide educational services as the units are small and not likely to house any children. However, impact fees would offset any potential impacts. **(Affirmative Finding as Conditioned)**

7. Not place an unreasonable burden on the city's ability to provide municipal services;

The proposed development will generate additional impacts on city services; however, those impacts are expected to be proportionately modest as this is a developed neighborhood with services in place. Impact fees will be paid to help offset impacts generated. **(Affirmative Finding as Conditioned)**

8. Not have an undue adverse effect on rare, irreplaceable or significant natural areas, historic or archaeological sites, nor on the scenic or natural beauty of the area or any part of the city;

The subject property contains no rare, irreplaceable, or significant natural areas. There is an historic building that will be renovated (the former Burlington College). The adjacent building slated for demolition was built in 1947; it has not been identified on a historical register. The proposed development will be placed in close proximity to historic structures but as proposed should not overwhelm them as it will relate to the existing large structure. There are no known archaeological resources on the property. **(Affirmative Finding)**

9. Not have an undue adverse effect on the city's present or future growth patterns nor on the city's fiscal ability to accommodate such growth, nor on the city's investment in public services and facilities;

This proposal is replacing an existing home with an addition to the large historic former Burlington College building. As mainly a redevelopment project that will help provide needed and affordable housing and services it should not have any adverse impact on the city's present or future growth patterns. **(Affirmative Finding)**

10. Be in substantial conformance with the city's municipal development plan;

The proposed redevelopment is conceptually consistent with the MDP. The property is also included in the Old North End Enterprise Community which specifically calls for additional public and private investment in housing and other community improvements. **(Affirmative Finding)**

11. Not have an undue adverse impact on the present or projected housing needs of the city in terms of amount, type, affordability and location;

The proposed development will contribute to the city's housing stock, particularly with regard to the 14 affordable housing units for an underserved population. It would have a beneficial rather than an adverse impact on the present or projected housing needs of the city. **(Affirmative Finding)**

12. Not have an undue adverse impact on the present or projected park and recreation needs of the city.

Minimal impacts on the city's park and recreation needs are anticipated as a result of the project. Any impacts will, however, be mitigated by impact fees. **(Affirmative Finding as Conditioned)**

Article 4: Maps & Districts

Sec. 4.4.2, Neighborhood Mixed Use Districts:

The subject property is located in Neighborhood Mixed Use (NMU) district. This zone is intended to preserve and enhance historically commercial areas while reinforcing the compact scale and development patterns within the city's older neighborhoods. Uses are intended to provide neighborhood oriented goods and services and employment opportunities within walking or biking distance of residential neighborhoods. The proposed redevelopment with residential use and employment opportunities with COTS is consistent with the intent of this zone. **(Affirmative Finding)**

(b) Dimensional Standards & Density

An FAR of 2.5 is allowed for an inclusionary housing project. FAR information has been provided. The property is 14,829 sf (9904sf + 4925 for Haswell property) in size. This allows a total building area of 37,073 sq. ft.; proposed is 23,890 sf. **(Affirmative Finding)**

Table 4.4.2 -1 Dimensional Standards and Density

Districts	Max. Intensity (floor area ratio ¹)	Max. Lot Coverage	Minimum Building Setbacks (feet)			Height (feet)
			Front ⁴	Side ²	Rear ²	
NMU	2.0 FAR	80%	0 ⁶	0	0	Min: 20 ³ Max: 35

1. Floor area ratio is defined in Art. 13 and described in Art 5. Actual maximum build out potential may be reduced by site plan and architectural design considerations of Art 6.
2. Structures shall be setback a minimum of 15-feet along any property line that abuts a residential zoning district.
3. Minimum building height shall be 20-feet and 2 story's. Measurement of and exceptions to height standards are found in Art 5. Bonuses for additional building height are described in section (d)3 below.
4. All structures shall be setback 12-feet from the curb on a public street.
5. Exceptions to minimum lot coverage are provided in (d)2.
6. Notwithstanding footnote 4, the NMU district at the intersection of Pine St. and Flynn Avenue shall have a minimum front yard setback of 10 feet.

The applicant's plans indicate proposed lot coverage calculation of 81.5%. This is acceptable as the inclusionary requirement allows lot coverage at 92%. Note that this is a reduction in coverage from the current 87.3% with an increase in green space of 2,450 sq. ft. (**Affirmative Finding**)

No setbacks pertain to the proposed development except for a 12' building setback from the curb. Scaling the submitted site plan indicates that the setback has been met. (**Affirmative Finding**)

The minimum building height in the NMU zone is 20'; the maximum is 35'. With the inclusionary bonus of an additional 10 ft. the total height allowed is 45 ft. In addition, the existing building appears to be 37.5 ft. high. As such any new structure on this property can be allowed to reach that height. The proposed addition is at this same height and below the 45 ft. limit. (**Affirmative Finding**)

(c) Permitted & Conditional Uses

The proposed mixed uses: adult daycare (day station), the 14 residential units and offices are all permitted uses in the NMU District - See CDO Appendix A- Use Table. The major impact aspect requires conditional use review. (**Affirmative Finding**)

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

See Sec. 4.4.2 above.

Sec. 5.2.4, Buildable Area Calculation

This criterion does not apply to properties in the NMU zone.

Sec. 5.2.5, Setbacks

See Sec. 4.4.2 above.

Sec. 5.2.6, Building Height Limits

See Sec. 4.4.2 above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See Sec. 4.4.2 above.

Sec. 5.5.1, Nuisance Regulations

Nothing in the proposal appears to constitute a nuisance under this criterion. **(Affirmative Finding)**

Sec. 5.5.2, Outdoor Lighting

Outdoor lighting information has been provided. Each entrance will have a soffit mounted recessed LED fixture. The parking will also have LED lighting designed to meet the “Dark Sky” standards. Lighting calculations and details are illustrated on site plans and on the rendered lighting plan. **(Affirmative Finding)**

Sec. 5.5.3, Stormwater and Erosion Control

A comprehensive stormwater management and erosion control plan prepared by a professional civil engineer accompanies the permit application for this project. Approval of this plan is required from the stormwater administrator. It includes underground infiltration structures to mitigate stormwater flow. The overall lot coverage will decrease by over 2,400 sq. ft. thereby reducing impervious surface. The resulting lot coverage is over 11% below the allowed coverage. As noted the Conservation Board recommended approval of the project to the DRB. **(Affirmative Finding as Conditioned)**

Sec. 5.4.8 Historic Buildings and Sites

87-95 North Avenue is a National Registered historic building. See attached information sheet. The proposal has been reviewed by a historic preservation consultant who has prepared a report favorable to the proposal. The 7 Haswell Street house slated for demolition has not been included on the Vermont Historic Sites and Structures Survey for Haswell Street. It is not listed on the State Register or the National Register.

- 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 original building is proposed to be renovated and with an addition constructed over the single story portion extending beyond the current lot boundaries west to the 7 Haswell Street property. The original store front design on the ground floor will be re-established, although not to the extent of the full storefront windows that appear in historic photographs. This is the result of commercial use being deleted due to concerns from neighbors. Except for office use and the adult day care, the historic residential use is re-established. **(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 proposed renovations will retain characteristic building details. Specific details indicate that the new addition will be subordinate to the historic building and the new elevator shaft provides a clear break between the old and the new addition. The massing of the new addition will be similar in having a flat roof with similar window pattern. To the average passerby the new construction will be easily differentiated from the historic building. **(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.*

The addition is sensitive to the existing building. The changes to that building will improve and re-establish the ground level commercial storefront, albeit not to its original storefront configuration with the full glazing. At least this change provides for a commercial context despite it not being used for such. **(Affirmative Finding)**

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

The later additions to the historic building are not significant. The original building was renovated C.1979 where the fish-scale shingles, cornice and architectural details were restored. **(Affirmative Finding)**

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

The existing architectural details and materials that are significant are being retained, including the Italianate brackets and scallop shingles. The incompatible multi-pane glass and aluminum entry on the North Ave. (east) is inconsistent and is being replaced with a storefront that is somewhat appropriate as it recalls the essence of the historic commercial use of the building.

Infill on the second floor is proposed to replace the inappropriate windows that have been installed. **(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.*

There does not appear to be a significant amount of deteriorated features as none are noted in the consultant's report. 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.*

None proposed. Not applicable.

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

Proposed site work will require excavation and if any archaeological resources are identified, the city and state shall be notified for identification and arrangement for appropriate documentation and archiving. **(Affirmative Finding as Conditioned)**

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 opportunity to add additional affordable residential units is a significant community wide beneficial action and in sync with the CDO and the Municipal Development Plan; however a dual obligation is for the protection and preservation of Burlington's historic resources. The applicant is proposing to retain and restore the historic building. The proposal will see the removal and infill of inappropriate modifications while retaining the existing window openings on this National Register building. Window openings on the addition appear to respect the scale of the historic elevations although they are differentiated by ganging three windows together and adding sunshades. Fiber cement clapboard siding will be used on the addition. The addition is separated from the old building by an entrance and elevator shaft tower. Such an effort will provide valuable and tangible evidence of Burlington's past, while adapting to a new use; both value added community efforts. **(Affirmative Finding as Conditioned)**

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.*

The addition is not likely to be removed as it becomes an integral part of the resulting structure. However the materials used, and with the separation created by the elevator tower the addition is clearly distinguishable from the original structure. **(Affirmative Finding)**

Article 6: Development Review Standards:

Part 1, Land Division Design Standards

While applicable due to the proposed lot line adjustment, none of the sub-criteria from this Part are applicable. The applicant will however, be required to provide the plat that indicated the lot line adjustment and that they are responsible for all deed work associated with the lot changes. **(Affirmative Finding as Conditioned)**

Part 2, Site Plan Design Standards

Sec. 6.2.2, Review Standards

(a) Protection of important natural features

No trees or other significant vegetation will be removed as part of this proposal. There are no significant natural areas on the property. **(Affirmative Finding)**

(b) Topographical alterations

Minimal earth work is expected. All plans have been prepared by professionals; architects and engineers. **(Affirmative Finding)**

(c) Protection of important public views

There are no protected public view corridors from or through the subject property. Not applicable.

(d) Protection of important cultural resources

See Sec 3.5.6 (b) 8.

(e) Supporting the use of alternative energy

The building is designed to accommodate roof mounted solar PV and to use these devices as sunshades over the south facing windows and possibly on the west facing ones as well. Utilization of such solar energy devices strongly is encouraged. **(Affirmative Finding as Conditioned)**

(f) Brownfield sites

The subject property is not an identified brownfield. Not applicable.

(g) Provide for nature's events

Stormwater management is addressed under Sec. 5.5.3.

(h) Building location and orientation

Buildings, including the existing on site and within the immediate area are generally set close to, or on, the front property lines. The new addition will be similarly situated along the front property line. As noted previously, it will observe a 12' setback from the curb to afford wide sidewalk space for pedestrians. The south front entrance is well defined, oriented towards the parking lot. The North Avenue (east) frontage entrance could be enhanced while still retaining the historic character of the building. Both are easily accessible. **(Affirmative Finding)**

(i) Vehicular access

See Sec. 3.5.6 (a) 8.

(j) Pedestrian access

Sidewalk access exists on North Avenue and Haswell Street. New east-west sidewalk is proposed along the south between the building and parking lot. **(Affirmative Finding)**

(k) Accessibility for the handicapped

Handicap parking and accessibility is required. The building is fully accessible in accordance with local, state and federal requirements. All of the residential units are designed to meet FHA requirements and one unit (as required with the 2010 ADA) is accessible. **(Affirmative Finding)**

(l) Parking and circulation

Parking will change on site with the addition of some spaces for staff accessed from Haswell Street. The existing parking lot historically associated with this building will continue to serve the facility. The parking lot itself will be reorganized for better and safer circulation. A sidewalk is being added between the parking and the building. In addition, as noted, the parking entrance will be re-configured and narrowed providing clearer and safer access. This is a Shared Use parking district and parking calculations are addressed under Article 8, below. **(Affirmative Finding as Conditioned)**

(m) Landscaping and fences

Landscaping details have been provided; Site Plan L1.0. Improvements include street trees, a landscaped buffer along the south of the building and at the parking lot entrance from North Avenue. Additional landscaping is provided on the west of the project site alongside a courtyard for gardening use. Overall there is additional greenspace of 2,450 sq. ft. The proposed street trees must be coordinated with the City Arborist. **(Affirmative Finding as Conditioned)**

(n) Public plazas and open space

No public plaza or open space is included in this proposal, although an enclosed courtyard is included for users. **(Affirmative Finding)**

(o) Outdoor lighting

See Sec. 5.5.2 above.

(p) Integrate infrastructure into the design

Mechanical infrastructure includes roof top HVAC. While the standard is to screen these appurtenances the DAB noted in their review that the HVAC units located on the roof are not readily visible by pedestrians, thus no screening is necessary.

All other utilities will be underground. Mail will delivered inside.

Garbage is collected from residents and stored inside at ground level. It will be picked up twice/week from the Haswell Street driveway. **(Affirmative Finding)**

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

(a) Relate development to its environment

1. Massing, Height, and Scale

This 3-story building given its location on North Avenue is well within the range of scale and height established by existing buildings in this area and thus is reasonable for this location. The building is designed to be subordinate to the existing three story historic structure^w. The western addition is designed at two stories to transition from the larger three story North Avenue facing portion to the residential scale west of the site. The new elevator shaft separates^d the old from the new. **(Affirmative Finding)**

2. Roofs and Rooflines

The proposed building will have a flat roof. This roof form is common and expected for an Italianate designed historic structure. **(Affirmative Finding)**

3. Building Openings

The southern elevation facing the parking lot becomes the main entrance and “front” of the facility. The new elevator service becomes the main entrance separating old from new. The entrance on this faces has a canopy that is clearly visible from North Avenue. There is an entrance on North Avenue, but it does not appear as a main access point, and it is suggested that this should be strengthened to some extent. **(Affirmative Finding as Conditioned)**

The variety of windows on the elevations includes upper level ganged double hung windows at a scale appropriate for this building. In response to neighbor comments the commercial component proposed to be re-established on the ground level has been deleted. However, the

plans depict a storefront fenestration pattern at the ground level in an attempt to recreate the original retail use. **(Affirmative Finding)**

(b) Protection of important architectural resources

The subject property contains an historic building that formerly housed Burlington College. The proposed addition is sensitive to this building using fiber cement clapboard style siding.

The existing significant

The neighboring building to the west at 3 Haswell Street is historically significant, dating to c. 1907 and included on the Vermont Historic Sites & Structures Survey. The separation from the proposed development and that structure mitigates any potential impacts on the neighboring building. A detailed discussion of the historic building, its renovation and relation to the new addition is addressed under Sec. 5.4.8. **(Affirmative Finding)**

(c) Protection of important public views

There are no important public views from or through the subject property. Not applicable.

(d) Provide an active and inviting street edge

As required by this criterion, the façade of the proposed building re-establishes the commercial store front of the original building along the street edge.

It has a well-defined, entry from the south, but the eastern elevation could have a more defined access along North Avenue. There is commercial glazing along the public sidewalk. The rest of the building more uniform in appearance rises above it. **(Affirmative Finding as Conditioned)**

(e) Quality of materials

Repairs will be undertaken as necessary to the wooden clapboards. Building materials are appropriate given that they are modern – fiber cement wide reveal clapboards, yet retain the character of the original wood clapboard siding. **(Affirmative Finding)**

(f) Reduce energy utilization

The proposed construction is proposed to meet or exceed all energy related requirements of the all applicable energy efficiency standards. These include the RBES and/or CBES Codes of the state which exceed the requirements of city standards. Sunshades are used on the southern elevation to address that solar exposure. **(Affirmative Finding as Conditioned)**

(g) Make advertising features complimentary to the site

No advertising is included in this proposal at this time. Future signs will require obtaining approval of sign permits. **(Affirmative Finding as Conditioned)**

(h) Integrate infrastructure into the building design

As discussed in (p) above mechanical infrastructure includes roof top HVAC. While the standard is to screen these appurtenances the DAB noted in their review that the HVAC units located on the roof are not readily visible by pedestrians, thus no screening is necessary.

All other utilities will be underground. Mail will delivered inside.

Garbage is collected from residents and stored inside at ground level. It will be picked up twice/week from the Haswell Street driveway. **(Affirmative Finding)**

(i) Make spaces safe and secure

The proposed building must comply with the city's current egress requirements. The entrances are adequately lit, and an intercom system for access to the residential units is included. (**Affirmative Finding**)

Article 8: Parking

Sec. 8.1.8, Minimum Off-Street Parking Requirements

This property is located within the Shared Use Parking District. Based on the warned and thus applicable Zoning Amendment (ZA14-07) the following parking calculations can be determined as follows:

12 Studio units/ 0.33 parking spaces per unit	=	4 spaces required.
2 one bedrooms units/0.33 spaces/unit	=	1 space required (0.66)
3969 sq. ft. Adult day-care at 1 space/1000 sq. ft.*	=	3.97 spaces
<u>10.096 sq. ft. Offices at 1/500</u>	=	<u>20.2</u>
Total	=	29 spaces required

Provided within the parking area controlled by the applicant = 29.

*The ordinance has two different standards for adult day care; one based on number of employees the other on square footage. Utilizing the sq. ft. standard herein as the employee number is dynamic and thus unreliable indicator of parking needs. (**Affirmative Finding**)

Sec. 8.2.5, Bicycle Parking Requirements

Bicycle parking is required as follows:

14 residential units require 3.5 long term and 1 short term space (1 per 4 units and 1 per 10 units required, respectively)

3969 sq. ft. day care require 0.19 long term and 0.39 short term spaces (1/20,000 and 1/10,000, respectively)

10.096 sq. ft. offices require 2 long term and 1 short term spaces (1/5,000 and 1/10,000, respectively)

Total = 6 long term and 3 short term bicycle spaces

Bicycle parking provided includes short term racks at the south (main) entrance that would accommodate more than the 3 spaces required. The interior/long-term bike storage as proposed will accommodate 8 wall hung bikes. (**Affirmative Finding**)

Article 9: Inclusionary and Replacement Housing

Inclusionary Sec. 9.1.5, Applicability As the proposed development includes more than 5 new dwelling units it is subject to the inclusionary housing provisions of this Article. At least fifteen percent of the total unit count must be inclusionary. Final details as to the number of actual affordable location and level of affordability must be worked out with the city's Housing Trust Fund prior to issuance of a certificate of occupancy. (**Affirmative Finding as Conditioned**)

Housing Replacement Sec. 9.2.2, Applicability This Part is applicable to the demolition of the single family house. Replacement will be met as the project includes 14 residential units. However, as the house is occupied the relocation requirements must be implemented pursuant to *Section Sec. 9.2.4 (a) and (b) Relocation Requirements; Notice and Relocation Costs*. (**Affirmative Finding as Conditioned**)

Article 10: Subdivision

There is no subdivision of land included in this proposal. Two parcels will be merged into one lot resulting in a lot line adjustment with the existing COTS building and 7 Haswell Street, the abutting residential property to the west. As required, a boundary survey by a VT licensed land surveyor has been provided with the final plat plans. (**Affirmative finding as Conditioned**)

II. Conditions of Approval:

1. **Prior to issuance of a certificate of occupancy**, the lot line adjustment mylar, with the applicable endorsement signature, shall be filed with the City Clerk.
2. **Prior to issuance of a certificate of occupancy**, written confirmation from the City's Housing Trust Manager shall be included in the zoning file concurring with IZ compliance.
3. **Prior to release of the zoning permit**, the applicant shall obtain written approval of the Erosion Prevention and Sediment Control Plan from the Stormwater Administrator.
4. **Prior to the release of the zoning permit**, the applicant shall obtain the written approval of the Stormwater Management Plan from the Stormwater Administrator.
8. As a portion of the site including the southeast corner of the existing building is within the public ROW, the applicant must contact and work with DPW regarding the work being considered.
9. **Prior to issuance of a certificate of occupancy**, the project engineer must certify in writing that, among other things, the project EPSC plan as approved by the Department of Public Works has been complied with and final site stabilization has occurred. This certification shall be filed with the Department of Planning & Zoning.
10. **At least 7 days prior to issuance of a certificate of occupancy**, impact fees calculated on the net new square footage of the development shall be paid to the Department of Planning & Zoning. Impact fees may be reduced as determined by the manager of the City's Housing Trust Fund for the provision of inclusionary housing units.
11. Days and hours of construction shall be Monday-Friday 7:00 am – 5:00 pm; Saturdays 8:00 AM – 5:00 PM. No construction on Sunday.
12. A State Wastewater Permit will be required for water and sewer service. It is the obligation of the owner/applicant to seek this and any other required additional permits.
13. If any archaeological resources are identified during excavation, the city and state shall be notified for identification and arrangement for appropriate documentation and archiving.
14. The applicant is strongly encouraged to pursue solar hot water and/or photo voltaic options.
15. The street trees and other landscaping within the ROW must be in consultation with the City Arborist.

16. Future signs are anticipated and shall require separate zoning permits.

17. The applicant shall be aware that due to the age of the building hazardous material such as lead paint and asbestos may be present. All materials removed shall handled and disposed of in a safe and legal manner.

18. It is suggested that while the building entrance on North Avenue is not the main access point it should nonetheless be strengthened to some extent.

19. The proposed construction is proposed to meet or exceed all energy related requirements of the all applicable energy efficiency standards. However it is the applicant's responsibility to file the documents/certifications of both the RBES and/or CBES Codes of the state as required. Evidence of such filing must be provided **prior to issuance of a certificate of occupancy.**

20. Standard Permit Conditions 1-15

RECEIVED

OCT 23 2014

Duncan
Wisniewski 
ARCHITECTURE

DEPARTMENT OF
PLANNING & ZONING

COTS 95 NORTH AVENUE

PROJECT OVERVIEW

The site includes two parcels owned by COTS, one at 95 North Avenue and one at 7 Haswell Street. Both properties are in the Neighborhood Mixed Use zone. In addition, COTS owns a parking easement over approximately one-half of the parking lot to the south of its properties; such easement gives them control over the use of this land for its parking purposes by maximizing the efficiency of the parking and circulation, as well as to make improvements to the property; furthermore, the right-of-way (ROW) of Depot Street abuts this easement area, and some of the existing parking area and associated lot coverage actually exists within this ROW (none of this lot coverage is included in the actual property COTS owns). This proposal imagines a re-configuration of the entrance to this area from North Avenue by reducing the width of the curb cut and re-organizing the parking layout to improve circulation and maximize proposed parking, which will not only be a more efficient use of the space, but will also substantially reduce the amount of asphalt and increase green space by 2,450 SF.

Under this proposal, a circa 1940s single story building addition to the 95 North Avenue building will be removed, as will a ca 1948 single family residence at 7 Haswell Street, most recently used as student housing for Burlington College. The demolition of these structures has been reviewed by Suzanne Jamele, Historic Preservation Consultant. She has determined, with the concurrence of Devin Colman, the State Architectural Historian at the VT Division for Historic Preservation, that the proposed demolition will have no effect on any historic structures. The removal of these two structures will allow for a two and three story addition to be built immediately west of the original 95 North Avenue building. Please refer to attached letters.

PROPOSED DESIGN

The existing two and three story building spanning from the terminus of Depot Street to Haswell Street will be completely renovated, and an addition of two and three stories will be added to its west, separated at its south facade intersection by a new elevator shaft. The new addition is subordinate to the original building, because it is slightly shorter and its primary facade steps back from the prominent historic south facade; the two story portion of the new addition also steps back and down from the three story portion, thus stepping down in scale and mass in consideration of the buildings both across Haswell Street and to the west of the project site. A new primary entrance leads directly to the elevator serving the upper floors, as well as to the primary public entrance for clients and visitors. The Daystation entrance is located further to the west through an open air courtyard that provides enclosed and private space for clients in favorable weather; adjacent to this courtyard is a covered courtyard that serves the same purpose in less favorable weather.

The first floor includes office space for COTS' highly successful Housing Resource Center, offices for client case management services, and a permanent home for the adult day services program called the Daystation. The second floor contains 14 apartments comprised of two one-bedroom units and twelve studio units. These apartments benefit from on-floor laundry, separate storage cubicles and some shared living room space. The third floor serves as COTS administrative offices, including private offices, conference rooms, shared food prep area for staff lunches and board meetings, and a west facing terrace that will serve staff.

Parking is provided on site in the area south of the property and off Haswell Street. The four spaces off Haswell are tandem spaces, which will be shared by the 3-4 staff members who serve the Daystation, as allowed under ZO Section 8.1.14(b). In addition, the entrance to the service kitchen for off-site prepared meals for Daystation client lunches is located adjacent to this tandem

parking, thus permitting easy access for volunteers bringing lunch 1X/day. The parking lot to the south will be reorganized to improve efficiency, maximize parking, create a more defined sense of entry from North Avenue, and reduce current impervious area by 2,450 SF (15% of current paved area). 36 spaces are proposed in the parking lot, including six spaces in the Depot Street ROW, as approved by the Department of Public Works. A parking summary is included in this application.

Proposed lot coverage, explained in further detail in the attached Zoning Summary, is 80.8%; 92% is allowed.

CONTEXT

The neighborhood context varies in both use and building type/size. North Avenue includes a mix of single family homes, small apartments, three story multifamily (Mermaid Building, Commodore Point), the Sara Holbrook Community Center, commercial uses (Star Printing, Opportunities Credit Union, McCaffrey's Sunoco/Waggy's QuickStop) and even industrial uses (steel fabrication shop). The Lakeview Terrace neighborhood and its intersecting streets include single family homes, multi-family apartments and condominiums, including the new three story 24 unit multi-family building at the north end of the neighborhood. The building styles range from traditional pitched roof buildings in a variety of historical periods with as well as more recent structures with flat roofs.

Parking for all of these uses is generally served on their respective sites, although street parking is standard on all adjacent streets.

SITE DESIGN

On the one hand, the property owned by COTS and on which the proposed construction will occur is currently very highly developed and offers little opportunity for site design; on the other hand, the parking lot over which COTS controls a parking easement allows for some flexibility in site design.

Key site plan considerations include revisions to the parking lot design to create a friendlier and better organized site circulation system, reduce the amount of impervious area and thereby decrease storm water contribution, create a more pedestrian friendly streetscape along the southern edge of the property by adding sidewalks and a landscaped pervious buffer between sidewalk and parking, and create more open space and green space by reducing the amount of existing impervious area, some of which has existed for many decades in the ROW of Depot Street. The re-configured entrance off North Street, and parking, will also provide traffic calming for cars which "cut through" the COTS parking lot to enter the westerly side of the parking lot.

By minimizing the size of the addition to the existing building, a substantial green space along the western boundary has been created for on-site gardening (berries, raised beds, etc.), pleasant recreation space, and a transition in scale from the two story portion to the single family home scale of 3 Haswell Street. In addition, by creatively reorganizing the site access from North Avenue and the parking configuration of the existing parking lot, a significant reduction of pervious area and commensurate increase of green space of 2,450 SF has been created and landscaped.

A feature the Daystation enjoyed in its previous location on South Winooski Avenue was a sheltered and enclosed courtyard space to be enjoyed in favorable weather. This feature is reproduced here and improved: it has both an open-to-the-sky courtyard and an adjacent covered courtyard, in which clients can enjoy outside space privately in temperate weather, even when raining.

SITE LIGHTING & ELECTRIC/CATV/PHONE

Site lighting currently is limited to some building mounted lighting and a public (BED) fixture on a utility pole in the Depot Street ROW. Each building entrance will have soffit mounted recessed LED lighting, as well as parking area LED lighting designed to meet Dark Sky standards, as indicated on the Site Plan.

All utilities will be underground from existing municipal services. Existing sewer, water and gas services will be maintained. New 3 phase electrical service will be provided via an OH pole mounted transformer located in the Depot Street ROW, with underground secondary service from there to the building's basement.

CIVIL

The project civil engineer Krebs & Lansing has communicated with DPW to assure that the design meets city requirements, including sufficient water and sewer services, as well as a storm water mitigation design that utilizes underground infiltration structures to mitigate stormwater flow. The existing building is currently sprinklered, and the design anticipates full sprinklering of both existing and new construction

The proposed lot coverage on the 95 North and 7 Haswell properties is more than 11 points less than allowable (80.8% vs 92%); in addition, the transformation of over 2,400 SF of impervious surface in the parking lot and Depot St ROW to pervious/landscaped surface contributes substantially to on-site infiltration versus existing conditions.

BUILDING DESIGN

The Owner's building program includes a reorganization of COTS administrative office space, a new home for the Daystation (day services and support for homeless persons), office space for case managers and the highly successful Housing Resource Center, and 14 apartment units, composed of a mix of two 1BR units and 12 studio units. The program is divided by floor, with the Daystation, case managers and Housing Resource Center on the first floor; apartments on the second floor, and administrative offices on the third floor.

The site is in the Neighborhood Mixed Use District, which mandates a minimum of two stories and encourages three stories. The existing building already has an historic three story portion, and the proposed three story section of the addition complements this section, while being slightly subordinate in height, and set back from the primary facade. The size and scale of the proposed project mediates the transition in scale from the more commercial scale of the east side of the site to the residential scale of the west side of the site.

The new construction includes a three story portion and a two story portion, with the two story portion continuing to the west from the existing two story section fronting on Haswell Street, and continuing around the building on its west side before becoming a three story section stepped both several feet lower and several feet back from the historic section and separated from the historic three story building by the new elevator shaft that serves all floors.

All existing roofs are essentially flat roofs, or will be modified to be flat roofs that are internally draining. The overall massing of the building is very consistent in scale with many nearby buildings, including the Mermaid Building at North and North, Commodore Point on North Avenue, and other buildings on North Street. The stepping of the design has a maximum of two stories on Haswell Street, which is entirely consistent with the two story buildings on the south side of Haswell.

The original building design and construction have changed markedly in the intervening years since construction, including changes to connect two originally distinct buildings into one, adding a circa 1940's single story addition on the west side, and a 1984 major renovation to create a headquarters for Burlington College. The intent of this design is to return the essence of the North Avenue storefront, not mimicking it but yet providing characteristics of scale, rhythm and embellishments that identify it as being commercially oriented; reconnect the two buildings facing North Avenue by removing the 1984 glass connector; replace the inappropriate industrial sash on the south elevation; and patch and repair the wood clapboards of the original building(s). New construction materials include metal siding or fiber cement panels at the elevator tower that serves as the defining separator between new and historic construction; fiber cement lap siding as new exterior cladding, sunscreens at new windows facing south and west, and concrete masonry piers.

The fiber cement lap siding is complementary to the existing clapboard siding, but its exposure to weather differs to offer a contrast; the concrete masonry fin walls support a trellis system that will allow for plant growth and sunshading at the first floor.

We hope to provide roof-mounted solar PV, and in support of that and also being more visible with this feature, we hope to use solar PV as the sunshade devices over the south-facing windows, and possibly also on the west-facing ones if the efficiency at that orientation can be justified.

OTHER

Krebs & Lansing has calculated existing and proposed vehicle trip ends based upon the ITE Trip Generation Handbook, the results of which show minor increases in vehicle trip ends when comparing the proposed development to the existing development.

The design will meet applicable state and federal handicapped accessibility requirements for both site and units. All apartments are designed to meet FHA requirements and one will be accessible in accordance with the 2010 ADA, as required by both funding sources and City of Burlington Code of Ordinances.

The building envelope will be highly energy efficient and we will be working closely with BED to utilize all available incentives. As mentioned above, the roof structure will be designed to incorporate photovoltaic panels either in this phase or the future.

**Duncan
Wisniewski** 
ARCHITECTURE

DEPARTMENT OF
PLANNING & ZONING

255 South Champlain Street
Burlington, VT 05401
802.864.6693

(11,788 < 13,407; therefore within allowable lot coverage). 11,788/14,573 = 80.8%

Setbacks

No side, rear or front setbacks are required.

Summary

The proposed building area total is less than the maximum development potential, the lot coverage is less than the maximum allowable, and all proposed uses are permitted uses.

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Duncan
Wisniewski
ARCHITECTURE

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September 16, 2014

PARKING REQUIREMENTS

COTS
95 North Avenue
Burlington, VT 05401

The Burlington Comprehensive Zoning Ordinance divides its parking requirements into three different parking districts: Neighborhood, Shared Use and Downtown. The parking requirements range from highest to lowest from Neighborhood to Downtown. 95 North Avenue is in the NMU zoning district, which places it in the Shared Use Parking District. The revisions to the parking requirements recently approved by the Planning Commission stipulate .33 spaces per Studio/1BR unit in the Shared Parking Districts.

The parking requirements for the proposed uses are as follows:

Residential	.33 space per unit
Adult Day Care	1 space per 2 employees, or 1 space per 1000 SF (conflict in ordinance)
Office space	1/500 SF of gross building area

Parking Requirements:

Residential	14 units at .33/space per unit	4.62
Adult Day Care (employees)	6 employees at 1 space/two employees = 3	
Adult Day Care (size)	3969 SF at 1/1000 SF = 3.97 which > 3, use 3.97	3.97
Office space (1st and 3rd)	10,096 at 1/500 SF	20.20
TOTAL (4.62 + 3.97 + 20.2 = 28.79)		29

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COTS 95 NORTH AVENUE

October 23, 2014

Mr. Ken Lerner
Zoning Administrator
149 Church Street
Burlington, VT 05401

re: Lot Line Adjustment request

Dear Ken,

The Committee On Temporary Shelter (COTS), in partnership with Housing Vermont (HVT), hereby applies for a Lot Line Adjustment to combine the properties located at 95 North Avenue and 7 Haswell Street into one parcel. In conjunction with this Lot Line Adjustment request, a Certificate of Appropriateness Level II Zoning Application is being submitted for the renovation and expansion of the existing building at 95 North Avenue.

The Committee On Temporary Shelter (COTS) owns the two properties to be combined into one lot.

Included with this request is the completed application form under COA Level II, the application fee in the amount of \$6848 (\$200 of which is the fee for the lot line adjustment), and two copies of a lot line adjustment plat as required under Section 10.1.5(a) of the CDO.

I expect that this Lot Line Adjustment application will be reviewed concurrently with the Level II Zoning Application, such that can be approved together.

Sincerely,



Bob Duncan

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Suzanne Jamele
Historic Preservation Consulting
1 High Street
Plainfield, Vermont 05667
802-454-7825 phone 802-454-7780 fax scjamele@gmail.com

DEPARTMENT OF
PLANNING & ZONING

October 18, 2014

Sue Cobb
Housing Vermont
123 St. Paul Street
Burlington, VT 05401

Re: COTS Renovation and Expansion, 95 North Avenue, Burlington
Review of Proposed Elevations

Dear Sue:

I have reviewed the proposed elevations, dated October 17, 2014 for the above-referenced project in accordance with the standards set forth in 36 C.F.R. 800, regulations established by the Advisory Council on Historic Preservation to implement Section 106 of the National Historic Preservation Act. Project review consists of identifying the project's potential impacts to historic buildings, structures, historic districts, historic landscapes and settings, and known or potential archeological resources. Archeological review of the proposed undertaking is being conducted by a separate party.

The proposed undertaking involves rehabilitation and expansion of the former grocery building at 95 North Avenue in Burlington to create additional space to house the Committee on Temporary Shelter's (COTS) offices, program space, and permanent housing. The rear, single story, cinder block former garage addition on the former grocery store will be removed and a new two or three-story rear addition will be constructed. As part of this project, the adjacent ranch house at 7 Haswell Street, built in 1947, will be removed.

A detailed description and discussion of the historic significance of the buildings at 95 North Avenue and 7 Haswell Street can be found in my letters to Housing Vermont dated July 15, 2013 and September 23, 2014.

95 North Avenue

Description

The c. 1894 Italianate style commercial building at 95 North Avenue is a contributing resource (#1) in the North Street Historic District. This district is listed on the National Register of Historic Places. The building served as a store, with residential space above, for much of its past, beginning in the last decades of the 19th century. It has been expanded several times. By 1960 the traditional storefronts with their recessed entries had been replaced by modern plate glass display windows. In 1979 the building was sold to Burlington College and in 1983 was renovated. On the interior, materials in all sections of the building have been replaced with modern finishes and are not significant.

Significance

While listed as a contributing building in the historic district due to its role as an important neighborhood grocery and dry goods store, all sections of the building have been altered to varying degrees. The two front sections of the main block retain enough of their original massing and Italianate detailing to continue to contribute to the district despite changes to siding, windows and doors and additions of large modern entry elements.

The rear, single story section has been changed over time and no longer conveys its role as a multi-car garage and storage area. The exposed cinder block walls on the south and west sides, and the metal multi-pane industrial windows on the west side are all that remain, inside or out, of the more industrial original use. The proposed removal of this altered, one-story portion of the property should not affect the property's eligibility as a contributing structure in the historic district. The property's significance lies largely in its massing and Italianate style cornice, elements that convey the building's late-19th and early-20th century commercial role. The altered, former garages are mostly hidden by the larger, multi-story main massing of the commercial building. Loss of the former garage buildings will not have a significant impact on the integrity of the former grocery store or the historic district.

Proposed Project

The proposed undertaking will involve removal of the house at 7 Haswell Street which was determined to be not historically significant, as well as the rear, single story, cinder block additions at 95 North Avenue. New flat roofed, two to three story additions will be constructed at the rear of 95 North Avenue. Adding new stories on top of the existing single story rear addition was explored but determined not feasible due to the nature of the extant cinder block construction which is not reinforced concrete. The cost to reinforce the cinder block to make it able to carry the weight of additional floors far exceeds the benefit.

The massing of the new additions are designed to clearly differentiate them from the historic commercial building. Because of the location of the new additions behind the existing two multi-story sections, the visual impact of the additions will be minimal. The historic building will continue to be the visual focal point at the head of the west end of North Street, within the historic district. On Haswell Street, many of the historic structures are two or two-and-a-half-stories. The construction of a two-story addition on the back of the existing two-story portion of 95 North Avenue that fronts on Haswell Street, will be compatible in size to others on the street.

The proposed elevations dated October 17, 2014 appear to meet the *Secretary of the Interior's Standards for Rehabilitation* and are compatible in scale, massing, materials and style with the existing building as well as the other historic buildings along Haswell Street and the North Street Historic District. The proposed new additions will be similar in massing to the extant portions of the building at 95 North Avenue and will not introduce out-of-scale massing to the historic district.

Specifically, the proposed plan removes the incompatible multi-pane glass and aluminum entry area on the front (east) elevation and adds infill on the second floor that is consistent with the existing conditions of that portion of the building. On the ground floor a modern storefront will

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be added that recalls the essence of its historic roots while respecting the use the building has today for office space. The storefront does not mimic the original storefront but has characteristics of scale, rhythm and features that identify it as being commercially oriented. The new entry is located close to where the original entrance to the upper floor apartments was. The upper floor fenestration pattern will remain. The decorative cornice and brackets will remain.

On the south side elevation, the inappropriate multi-pane, multi-story arched window on the historic building will be removed and new paired double hung windows will be added, similar to the existing. The new three story addition is separated from the historic building by the elevator shaft, and the materials and window patterns (triplets of double hung sash on the upper floors and fixed single sash on the first floor) are different from the main block. Their regular spacing follows the rhythm of those on the historic building. The new construction steps back from the historic facade almost 3' and the parapet is intentionally lower to keep the new construction subordinate to the historic. The wide cornice band pays homage to the finely detailed treatment at the cornice line on the historic building. The proposed fiber cement clapboard siding on the upper floors is compatible with the wood clapboards on the historic building but are clearly modern.

The rear two story addition is stepped back from the side elevations to make it less visible and to break up the massing. Materials and window patterns follow established forms.

The north elevation retains the original portion of the building as far as the extended first floor cornice, with an added two story portion beyond. New paired and single double hung windows will be added. While the third story of the new main addition rises above the two story northern elevation of the building, the regularly spaced double hung windows and fiber cement clapboard siding fit comfortably above.

Overall, the proposed renovations help bring the building back to a more traditional appearance while adding additional space to accommodate the needs of the programs run by COTS.

Sincerely,



Suzanne Jamele
Historic Preservation Consultant

cc:

Kathy Beyer, Housing Vermont
Bob Duncan, Duncan•Wisniewski Architecture
Rita Markley, COTS
Jonathan Farrell, COTS
Denise Danyow, COTS

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Suzanne Jamele
Historic Preservation Consulting
1 High Street
Plainfield, Vermont 05667

DEPARTMENT OF
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802-454-7825 phone 802-454-7780 fax scjamele@gmail.com

September 23, 2014

Kathy Beyer
Housing Vermont
123 St. Paul Street
Burlington, Vermont 05401

Re: 7 Haswell Street, Burlington

Dear Kathy:

Housing Vermont and the Committee on Temporary Shelter (COTS) propose to purchase and demolish the building at 7 Haswell Street in Burlington. This letter will provide you with comments regarding the historic significance of the building. Additional comments regarding future work will be provided when plans become available.

This review of the above-referenced undertaking is being conducted in accordance with the standards set forth in 36 CFR 800.4, regulations established by the Advisory Council on Historic Preservation to implement Section 106 of the National Historic Preservation Act. Project review consists of evaluating the project's potential impacts to historic buildings and structures, historic districts, historic landscapes and settings, and known or potential archeological resources. Archeological review of the propose undertaking is being conducted by a separate party.

Architectural Significance

The building located at 7 Haswell Street, is not included in the Vermont Historic Sites and Structures Survey for Haswell Street. It is not listed on the State Register of Historic Places or the National Register of Historic Places. According to city records, the building was constructed in 1947.

A site visit was conducted on April 1, 2013 with Amy Dohner of Housing Vermont and Bob Duncan of DuncanWisniewski Architecture. The single story, 4x4 bay, small, gable roofed ranch house faces north. The house has an asphalt shingle roof, concrete block foundation and vinyl siding. Windows are 1/1 replacement vinyl sash with simple trim. Doors are a mix of modern multi-pane glass and panel, one on the south (rear) elevation and one on the west side. There is a wood Craftsman style front door with six small fixed lights above two vertical panels. The door is sheltered by a gable roofed entry vestibule. Two windows rest to its east and a set of paired windows rests to its west. On the six bay rear elevation, vertical ribbons of three awning sash rest in the first, second, fourth and sixth bays, There is a sliding glass door in the second bay and a modern door in the fifth bay. A modern raised deck with splayed sides extends from the sliding glass door. A cinder block exterior wall chimney rises along the east elevation.

On the interior, the floor plan has been altered with the rear room blocked off from the ones on the front side of the building. This rear area is used for storage, the front area is academic student housing. There are three bedrooms, living room and small kitchen. Many of the walls have been covered with sheet paneling, some sheetrock walls remain. Trim is natural finish clamshell and there are some hardwood floors. Solid panel doors with brass or glass knobs remain and are the only decorative features that remain.

The building, while more than 50 years old, does not appear to be eligible for the State or National Register individually or as a contributing building in the Haswell Street district, due to alteration. Replacement windows, exterior doors, sliding glass windows, and siding have altered the integrity of the building. Interior changes, including sheet paneling on the walls and floor plan alterations, have compromised the interior character of the building. In addition, the Haswell Street district's period of significance rests largely in the late 19th and early 20th century when the neighborhood developed as a home for working class residents of the city, many who worked at the nearby waterfront industries. This house dates from a later period and is not architecturally or historically related to the rest of the district. Devin Colman, State Architectural Historian at the Vermont Division for Historic Preservation, concurred with this determination on April 29, 2013.

Finding of Effect

Since the house at 7 Haswell Street is not considered significant, the proposed demolition of the building will have no effect on any historic structures.

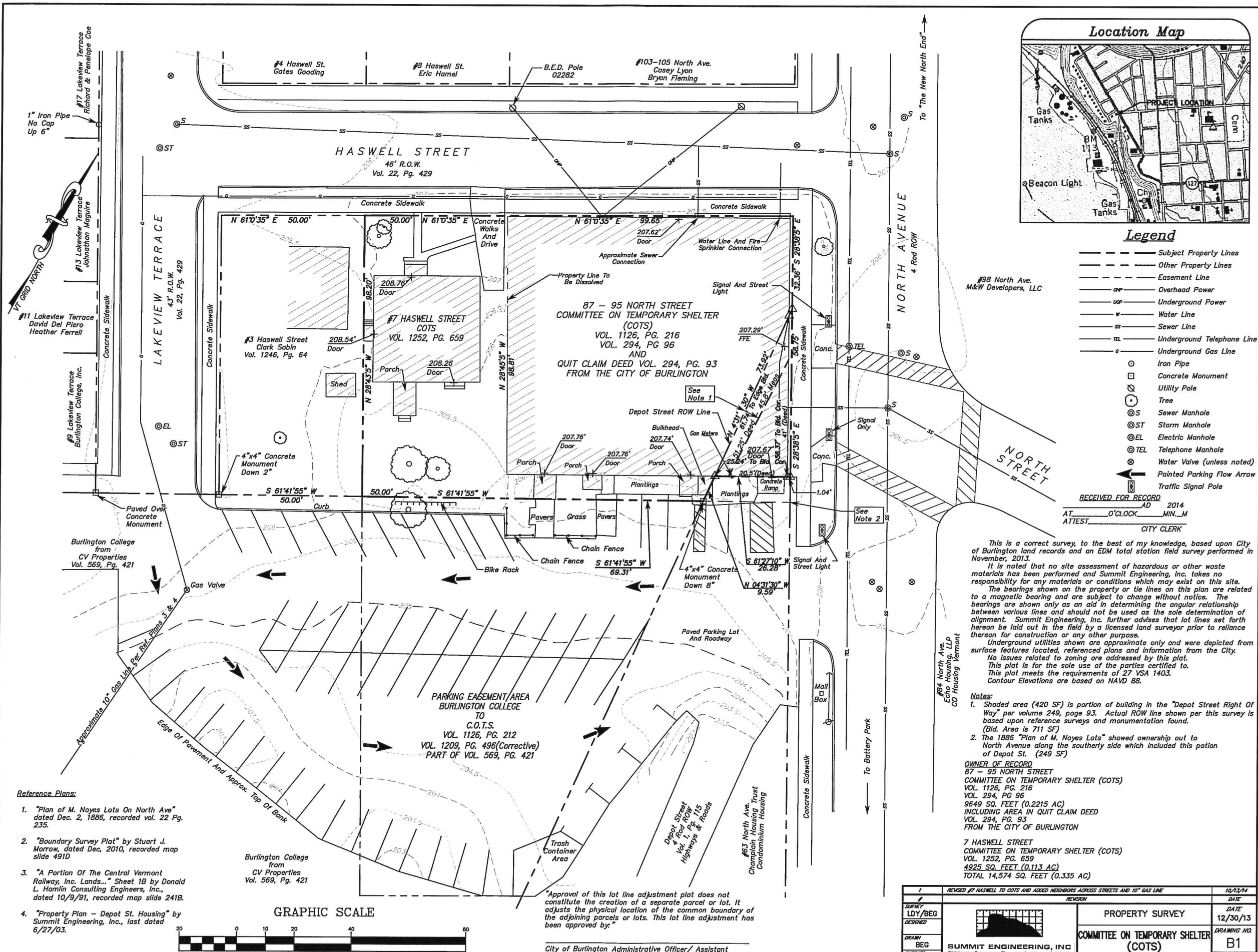
Sincerely,

A handwritten signature in cursive script that reads "Suzanne Jamele".

Suzanne Jamele
Historic Preservation Consultant

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This is a correct survey, to the best of my knowledge, based upon City of Burlington land records and an EDM total station field survey performed in November, 2013.

It is noted that no site assessment of hazardous or other waste materials has been performed and Summit Engineering, Inc. takes no responsibility for any materials or conditions which may exist on this site.

The bearings shown on the property or tie lines on this plan are related to a magnetic bearing and are subject to change without notice. The bearings are shown only as an aid in determining the angular relationship between various lines and should not be used as the sole determination of alignment. Summit Engineering, Inc. further advises that lot lines set forth hereon be laid out in the field by a licensed land surveyor prior to reliance thereon for construction or any other purpose.

Underground utilities shown are approximate only and were depicted from surface features located, referenced plans and information from the City. No issues related to zoning are addressed by this plat.

This plat is for the sole use of the parties certified to.

This plat meets the requirements of 27 VSA 1403.

Contour Elevations are based on NAVD 88.

Notes:

- Shaded area (420 SF) is portion of building in the "Depot Street Right Of Way" per volume 249, page 93. Actual ROW line shown per this survey is based upon reference surveys and monumentation found. (Bld. Area is 711 SF)
- The 1886 "Plan of M. Noyes Lots" showed ownership out to North Avenue along the southerly side which included this portion of Depot St. (249 SF)

OWNER OF RECORD

87 - 95 NORTH STREET
COMMITTEE ON TEMPORARY SHELTER (COTS)
VOL. 1126, PG. 216
VOL. 294, PG. 96
9649 SQ. FEET (0.2215 AC)
INCLUDING AREA IN QUIT CLAIM DEED
VOL. 294, PG. 93
FROM THE CITY OF BURLINGTON

7 HASWELL STREET
COMMITTEE ON TEMPORARY SHELTER (COTS)
VOL. 1252, PG. 659
4925 SQ. FEET (0.113 AC)
TOTAL 14,574 SQ. FEET (0.335 AC)

1	REVISED #7 HASWELL TO COTS AND ADDED NEIGHBORS ACROSS STREETS AND 10" GAS LINE	10/13/14
2	REVISED	DATE
3	LDY/BEG	DATE
4	DESIGNED	DATE
5	DRAWN	DRAWING NO.
6	BEG	B1
7	CHECKED	PROJECT NO.
8	LDY	8276
9	SCALE	

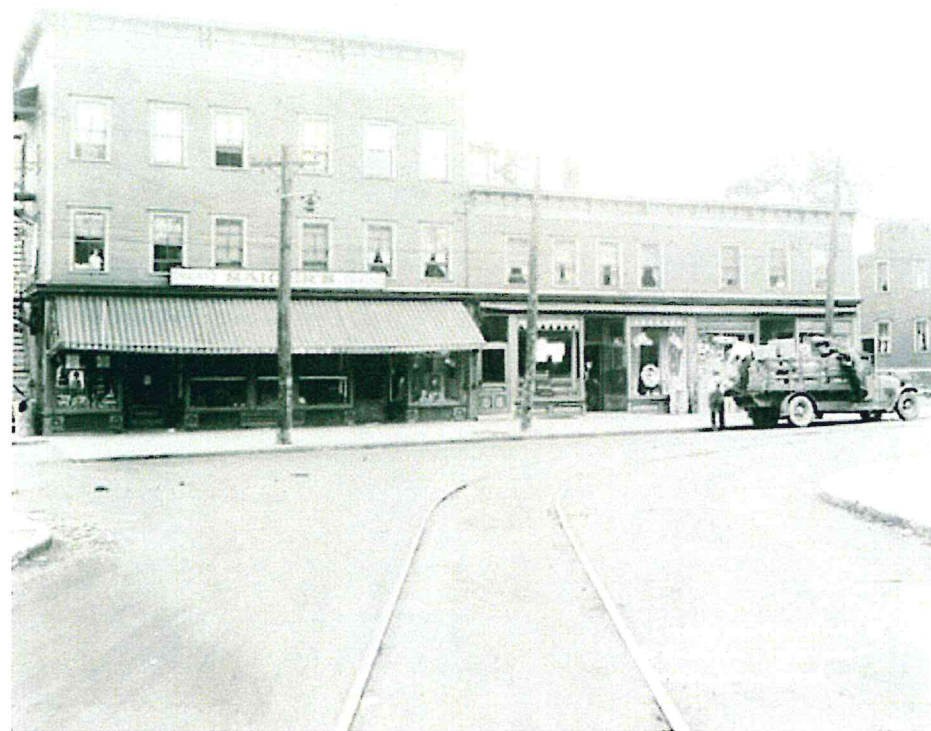
SUMMIT ENGINEERING, INC.
Engineers • Surveyors • Planners • Landscape Architects
1233 Shelburne Road C2
South Burlington, VT 05403

PROPERTY SURVEY
COMMITTEE ON TEMPORARY SHELTER (COTS)
87 - 95 NORTH AVENUE
7 HASWELL STREET
BURLINGTON, VT 05401



Saiger's Department Store in Burlington, Vt.'s Jewish neighborhood in the early 1900s. Located on North Avenue at North Street, it later became Colodny's market. Credit: Courtesy of UVM Special Collections

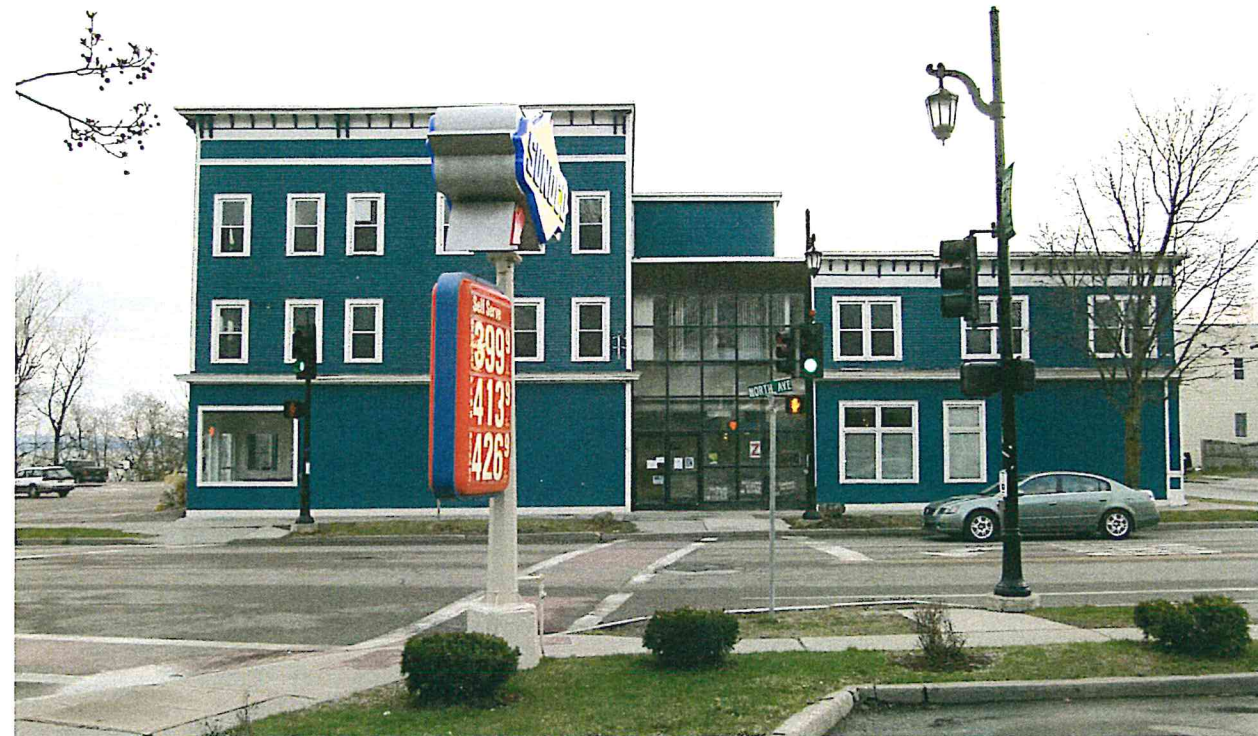
SAIGER'S DEPARTMENT STORE, ca early 1900's



McAllister photo ca 1931



View looking north up North Avenue, ca 1950's



View looking west



View looking northwest

COTS NORTH AVENUE

BURLINGTON, VERMONT



View looking northeast towards McCaffrey's Sunoco



View looking northeast



Adjacent property, to be removed



View looking east down Haswell Street



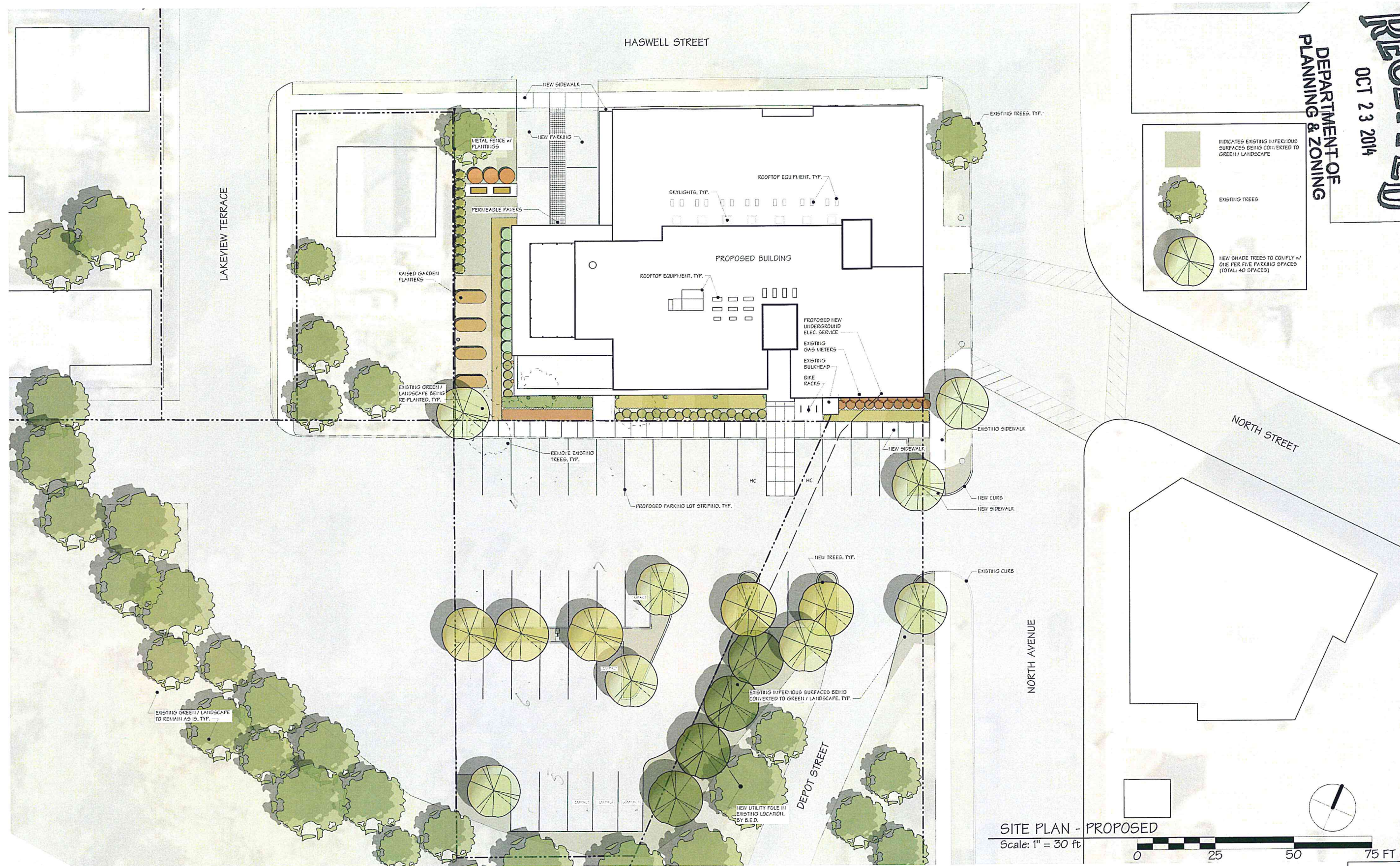
View looking southwest from North Avenue

COTS NORTH AVENUE

BURLINGTON, VERMONT

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BURLINGTON, VERMONT

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A Professional Corporation

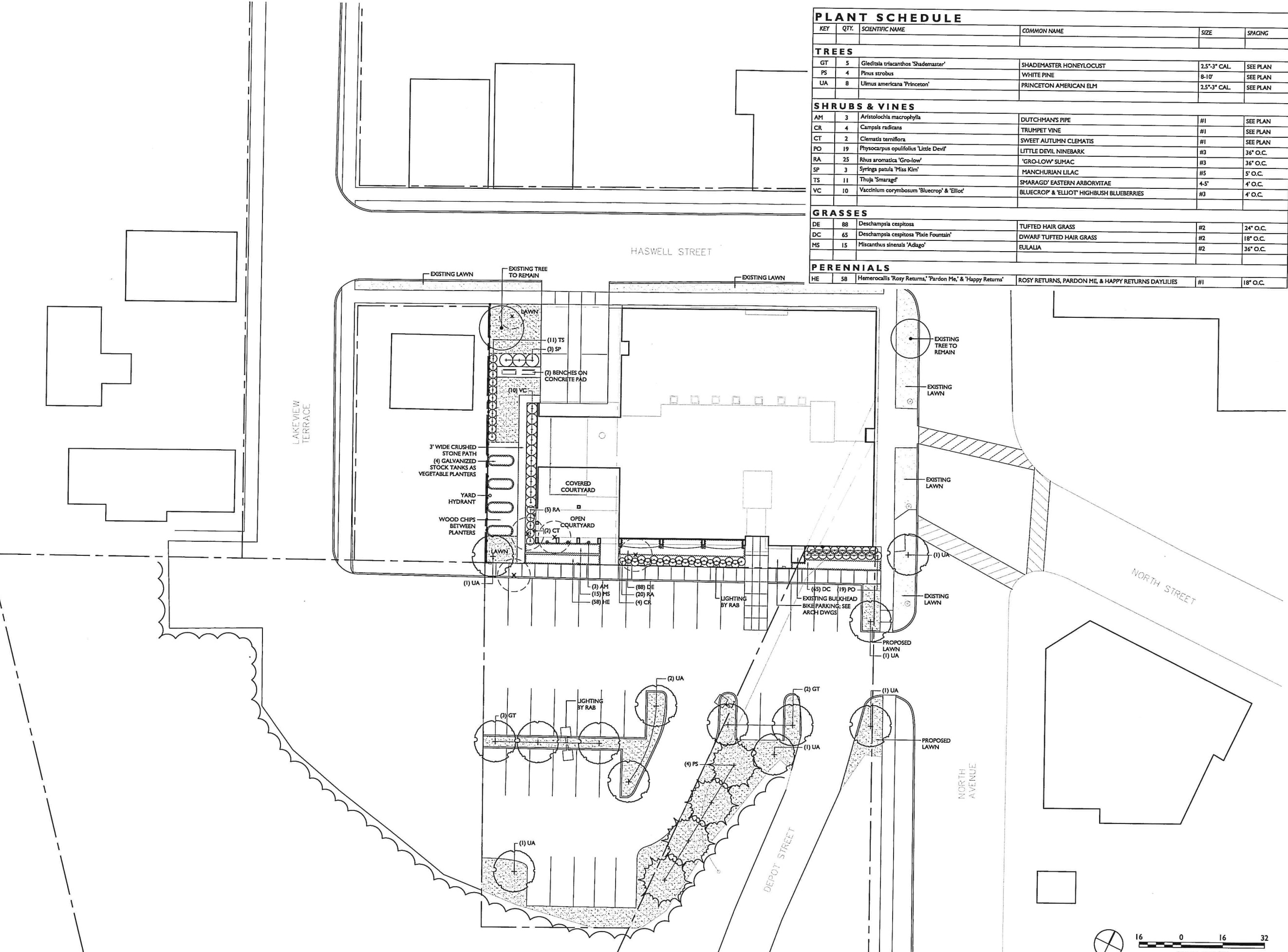
COA LEVEL II ZONING APPLICATION

Duncan
Wisniewski
ARCHITECTURE

255 SOUTH CHAMPLAIN STREET
BURLINGTON, VERMONT 05401
T: 802.864.6693

DATE: 10.22.14

A1.0



PLANT SCHEDULE

KEY	QTY.	SCIENTIFIC NAME	COMMON NAME	SIZE	SPACING
TREES					
GT	5	Gleditsia tricanthos 'Shademaster'	SHADEMASTER HONEYLOCUST	2.5'-3" CAL.	SEE PLAN
PS	4	Pinus strobus	WHITE PINE	8-10'	SEE PLAN
UA	8	Ulmus americana 'Princeton'	PRINCETON AMERICAN ELM	2.5'-3" CAL.	SEE PLAN
SHRUBS & VINES					
AM	3	Aristolochia macrophylla	DUTCHMAN'S PIPE	#1	SEE PLAN
CR	4	Campsis radicans	TRUMPET VINE	#1	SEE PLAN
CT	2	Clematis temiflora	SWEET AUTUMN CLEMATIS	#1	SEE PLAN
PO	19	Physocarpus opulifolius 'Little Devil'	LITTLE DEVIL NINEBARK	#3	36" O.C.
RA	25	Rhus aromatica 'Gro-low'	'GRO-LOW' SUMAC	#3	36" O.C.
SP	3	Syringa patula 'Miss Kim'	MANCHURIAN LILAC	#5	5' O.C.
TS	11	Thuja 'Smaragd'	SMARAGD' EASTERN ARBORVITAE	4-5'	4' O.C.
VC	10	Vaccinium corymbosum 'Bluecrop' & 'Elliot'	BLUECROP' & 'ELLIOT' HIGHBUSH BLUEBERRIES	#3	4' O.C.
GRASSES					
DE	88	Deschampsia cespitosa	TUFTED HAIR GRASS	#2	24" O.C.
DC	65	Deschampsia cespitosa 'Poie Fountain'	DWARF TUFTED HAIR GRASS	#2	18" O.C.
MS	15	Miscanthus sinensis 'Adagio'	EULALIA	#2	36" O.C.
PERENNIALS					
HE	58	Hemerocallis 'Rosy Returns', 'Pardon Me', & 'Happy Returns'	ROSY RETURNS, PARDON ME, & HAPPY RETURNS DAYLILIES	#1	18" O.C.

WAGNERHODGSON
LANDSCAPE ARCHITECTURE

F007.864.0010 F007.864.0267 www.wagnerhodgson.com

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COTS NORTH
AVENUE

SITE PLAN

REVISIONS

DRAWING NO.

JOB NO. 458

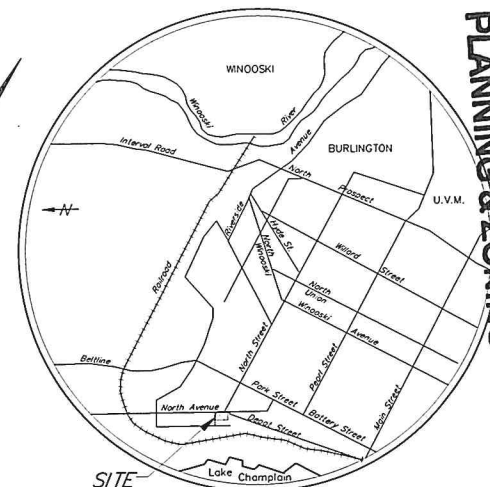
SCALE 1/16" = 1'-0"

DATE 10/23/14

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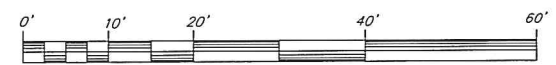
Location Map
N.T.S.

Legend

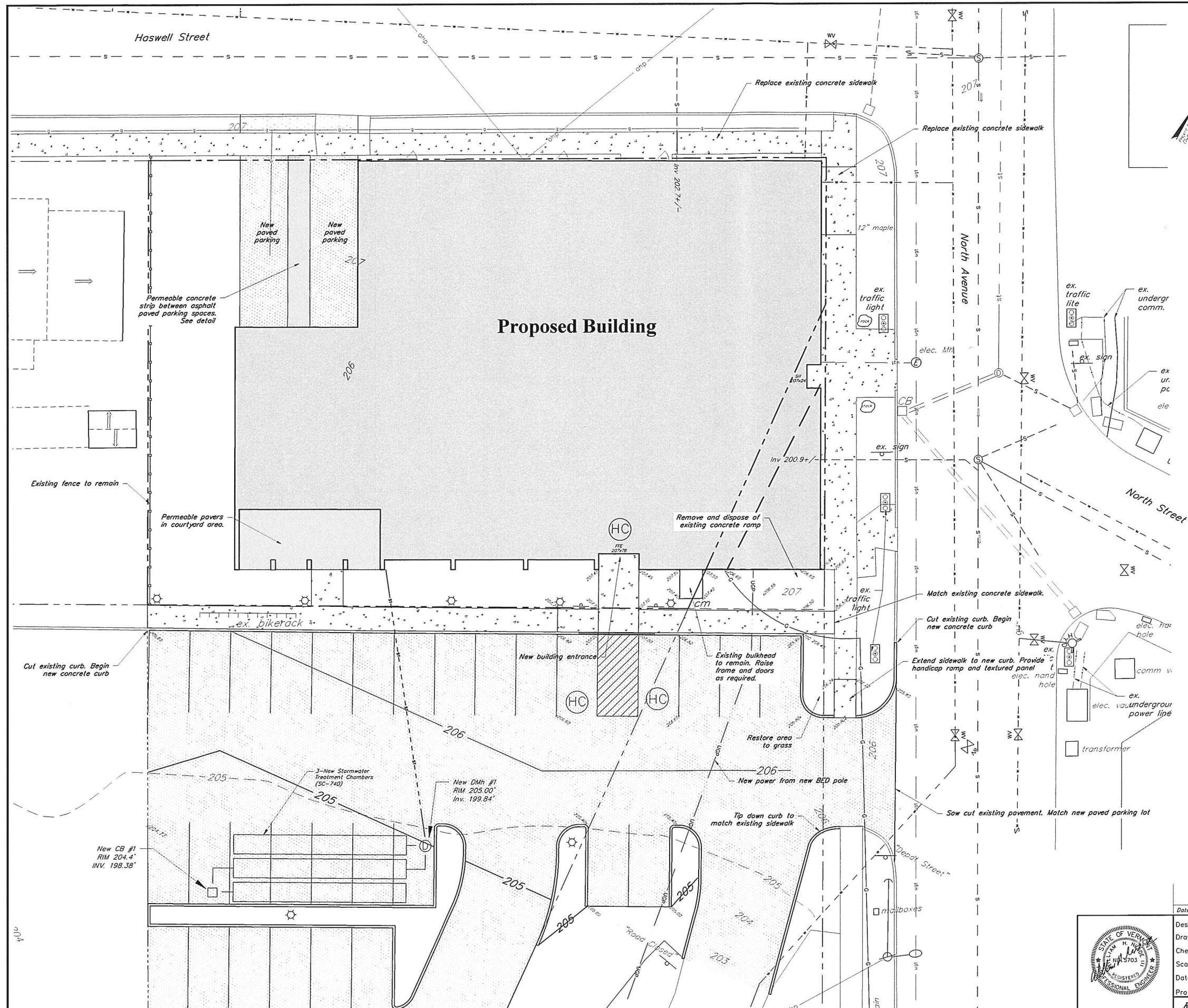
- Pre-construction Excavation
- New Deciduous Tree
- New Evergreen Tree
- Finish Grade Spot Grade Elevation
- Finish Grade Direction of Flow
- Existing Grade 5-foot Contour Interval
- Existing Grade 1-foot Contour Interval
- Finish Grade 5-foot Contour Interval
- Finish Grade 1-foot Contour Interval
- New Gas Line/Valve
- New Sewer Line/Manhole
- New Sewer Forcemain
- New Storm Line/Manhole/Basin
- New Underdrain
- New Roof Drain
- New Water Line/Hydrant/Valve/Shutoff
- New PBX Line
- New Underground Power
- New Clearing Limits
- New Chain Link Fence
- New Stockade Fence
- Construction Fence
- Barrier Fence
- Silt Fence

Notes:

- This plan is not a boundary survey.
- Base drawing information shown taken from digital file by Summit Engineering Inc., in August 2014. Project coordinates and elevations are assumed.
- The underground utilities shown on this plan are based on digital plan provided by Summit Engineering. Underground utilities are approximate and not warranted to be exact or complete. Dig Safe shall be contacted prior to any excavation.



Bar Scale 1" = 10'



Date revised	Description	Checked	Date
Design	WHN		
Drawn	TJB/SLM		
Checked			
Scale	1" = 10'		
Date	Sept. 21, 2014		
Project	14201 North Ave. and Haswell Street		
Burlington, Vermont			
KREBS & LANSING Consulting Engineers, Inc. 164 Main Street, Colchester, Vermont 05446			
SP-2			

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COA LEVEL II ZONING APPLICATION

Duncan
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ARCHITECTURE

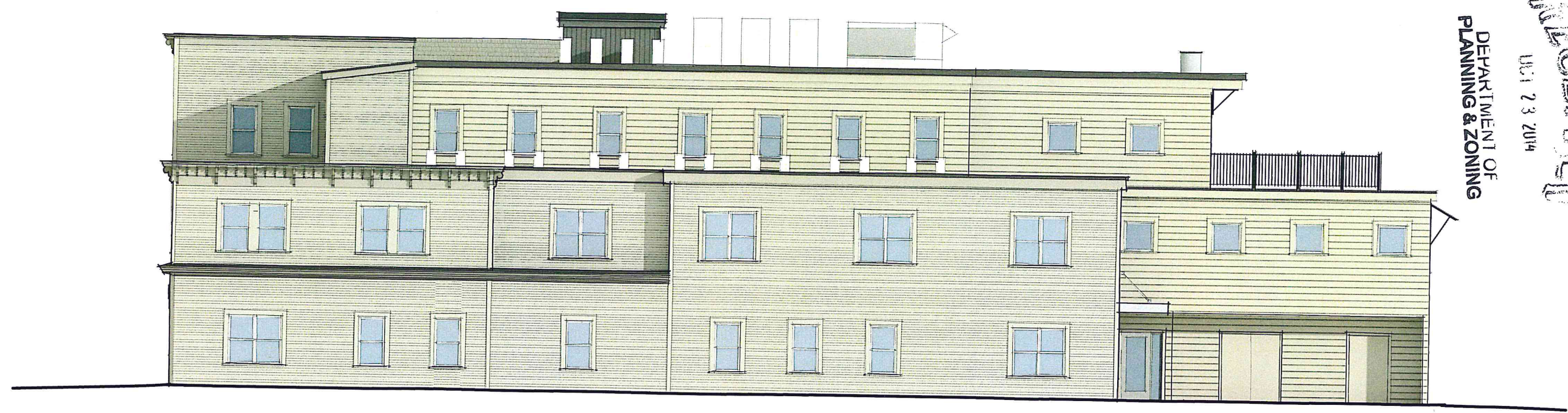
255 SOUTH CHAMPLAIN STREET
BURLINGTON, VERMONT 05401

DATE: 10.22.14

A3 1

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DEC 23 2014

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PLANNING & ZONING



NORTH ELEVATION - PROPOSED
Scale: 3/32" = 1'-0"



EAST ELEVATION - PROPOSED
Scale: 3/32" = 1'-0"

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COA LEVEL II ZONING APPLICATION

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255 SOUTH CHAMPLAIN STREET
BURLINGTON, VERMONT 05401

DATE: 10.22.14

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SOUTH ELEVATION - PROPOSED
Scale: 3/32" = 1'-0"



WEST ELEVATION - PROPOSED
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Duncan
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255 SOUTH CHAMPLAIN STREET
BURLINGTON, VERMONT 05401

DATE: 10.22.14

A2.4

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7142 (TTY)

David White, AICP, Director
Ken Lerner, Assistant Director
Sandrine Thibault, AICP, Comprehensive Planner
Jay Appleton, GIS Manager
Scott Gustin, AICP, Senior Planner
Mary O'Neil, AICP, Senior Planner
Nic Anderson, Zoning Clerk
Elsie Tillotson, Department Secretary



TO: Development Review Board
FROM: Scott Gustin *[Signature]*
DATE: December 16, 2014
RE: 15-0631CU; 101 Main 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: DT Ward: 3

Owner/Representative: Catamount/Van Ness, LLC & Vermont Comedy Club, LLC

Request: Establish performing arts center in existing vacant commercial space

Applicable Regulations: Article 3 (Applications and Reviews), Article 4 (Zoning Maps & Districts), and Article 8 (Parking)

Background Information:

The applicant is seeking approval to establish a performing arts center within the ground floor of the armory building at 101 Main Street. No site or exterior building construction is included in this application. The application notes that the performing arts center will have a maximum capacity of 300 people split between the lounge, showroom, and class room spaces. This capacity, of course, is subject to review and approval by the Building Inspector and Fire Marshal.

Previous zoning actions for this property are listed below:

- 9/8/14, Approval of parallel signs
- 11/20/07, Second 1-year extension of permit to change use to office/retail
- 11/21/06, 1-Year extension of permit to change use to office/retail
- 10/25/04, Approval to change use, convert existing office/nightclub into office/retail as a result of fire damage
- 9/24/04, Approval for window and door replacement
- 7/7/04, Approval to convert 1st floor bar and 2nd floor office space into 2 floors consisting of nightclub/theatre
- 10/7/03, Approval of parallel sign

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

I. Findings

Article 3: Applications and Reviews

Part 5, Conditional Use & Major Impact Review:

(1) The capacity of existing or planned community facilities;

The proposed performing arts center will occupy a long-vacant commercial space on the edge of downtown. Sufficient infrastructure is in place to serve it. If not already included in the wastewater permit for the new hotel, a state wastewater permit will be required for the proposed performing arts center. **(Affirmative finding)**

(2) The character of the area affected;

The subject property is located in the Downtown Transition (DT) zoning district, specifically DT Main Street South. While the armory is on its own parcel of land, the building is incorporated into the new hotel presently under construction on the adjacent parcel. The proposed performing arts center would occupy the ground floor of the armory building. The DT zone is intended to provide for a variety of uses and to ensure a balance and continuity in the character and scale of development on both sides of Main Street. Neither the site nor the exterior of the building will change as a result of this proposal. The outward appearance of the built environment will remain unchanged. The proposed performing arts center is intended to bring new life to a long-vacant space with a socially engaging use. **(Affirmative finding)**

(3) Traffic on roads and highways in the vicinity;

Some basic traffic information has been provided. Anticipated traffic impacts are less than those that would require a professional traffic impact analysis. Peak hours are expected to be weekend evenings. About half as many guests are anticipated on weekday evenings. Daytime use will be limited to classroom space and is anticipated to be even less. Given the property's location and easy accessibility via walking, biking, and other alternative modes of transportation, traffic generation is expected to be proportionately modest. **(Affirmative finding)**

(4) Bylaws then in effect;

As conditioned, the application is consistent with applicable bylaws. **(Affirmative finding)**

(5) Utilization of renewable energy resources;

Not applicable.

(6) Cumulative impacts of the proposed use;

The proposed performing arts center is not expected to generate any significant cumulative impacts. **(Affirmative finding)**

(7) Functional family;

Not applicable.

(8) Vehicular access points;

The subject property has no onsite vehicular access, nor has it ever. Vehicular access is limited to the nearby public streets and parking facilities. **(Affirmative finding)**

(9) Signs;

No exterior signs are included in this application. Any outdoor signs that may be proposed will require a separate zoning permit. **(Affirmative finding as conditioned)**

(10) Mitigation measures;

As proposed, the proposed performing arts center is not expected to result in impacts warranting mitigation measures. No outdoor performance space is proposed. The performing arts center will be subject to the city's Noise Control Ordinance. **(Affirmative finding as conditioned)**

(11) Time limits for construction;

No construction schedule is needed for this proposal. **(Affirmative finding)**

(12) Hours of operation and construction;

The performing arts center is proposed to in operation seven days per week: 9:00 AM – 11:00 PM, Sunday, Monday and Tuesday; 9:00 AM – 12:00 AM Wednesday; 9:00 AM – 1:00 AM Thursday; any 9:00 AM – 2:00 AM Friday and Saturday. Given the property's location and containment of the proposed use within the building, the proposed days and hours of operation are acceptable.

(Affirmative finding)

(13) Future enlargement or alterations;

Any future enlargement or alterations of the performing arts center will require additional permit review per the regulations in effect at that time. **(Affirmative finding as conditioned)**

(14) Performance standards;

Not applicable.

(15) Conditions and safeguards;

See proposed conditions of approval.

Article 4: Maps & Districts

Sec. 4.4.1, Downtown Mixed Use Districts:

(a) Purpose

(2) Downtown District (DT)

The subject property is located in the Downtown Transition (DT) district. This zone borders the primary urban center of Burlington and is intended to provide for a mix of uses while creating a transition between the downtown center and the surrounding residential districts. As noted previously, no site or exterior building changes are proposed. The proposed use will bring new vitality to a long-vacant space on the edge of Burlington's downtown. **(Affirmative finding)**

(b) Dimensional Standards & Density

Not applicable.

(c) Permitted & Conditional Uses

The proposed performing arts center is a conditional use in the DT zone. Note that the overall performing arts center contains a bar space. This bar space is acceptable as part of the overall performing arts center so long as alcohol sales do not exceed 50% of gross sales. A liquor license is required. **(Affirmative finding as conditioned)**

(d) District Specific Regulations

1. Use Restrictions

A. Ground Floor Residential Uses Restricted

Not applicable.

2. Public Trust Restrictions

The subject property is not located within the Public Trust. Not applicable.

3. Facades and Setbacks on Side and Rear Property Lines

Not applicable.

4. Building Height Setbacks

A. Principal View Corridors

Not applicable.

B. Church Street Buildings

Not applicable.

C. Side Street Building Height

Not applicable.

5. Lake Champlain Waterfront Setbacks

Not applicable.

6. Development Bonuses/Additional Allowances

Not applicable.

Article 8: Parking

Sec. 8.1.8, Minimum Off-Street Parking Requirements

The subject property is located within the Downtown Parking District. Within that district, there is no minimum off-street parking requirement for performing arts centers. Patrons will utilize nearby parking garages or on-street parking or will use alternative means of transportation. **(Affirmative finding)**

II. Conditions of Approval

1. This approval is for a performing arts center with a maximum capacity of 300 people or as determined by the Building Inspector and Fire Marshal, whichever is less.
2. All outdoor signs will require a separate zoning permit.
3. If alcohol is to be served, a liquor license must be obtained. The sales of alcohol shall not be such that the use constitutes a bar.
4. The Applicant/Property Owner is responsible for obtaining all necessary permits through the Department of Public Works as well as other permit(s) as may be required, and shall meet all energy efficiency codes as required.
5. Standard permit conditions 1-15.



Conditional Use/Major Impact Application Items

Submitted by: Vermont Comedy Club, LLC, Wed, Nov 19, 2014

Location: 101 Main Street (Armory Building), Burlington, VT

Enclosed: Floor plan, application form & conditional use application fee

Description of Proposed Use: 101 Main Street

Vermont Comedy Club, LLC is proposing a performing arts space in the Armory building at 101 Main Street in Burlington, Vermont.

The lower level will be renovated into a multi-use space to house the following:

- A showroom for comedy, accommodating approximately 150 persons at small cabaret tables; this room will host standup and improv comedy shows five nights per week
- An upscale lounge with a full bar and ticketing area
- A classroom that will offer instruction in comedy to kids, teens and adults
- Other necessary spaces such as kitchen prep area, bathrooms, green room and storage

Days/Hours of Operation

Sunday – 9:00am - 11:00pm

Monday – 9:00am - 11:00pm

Tuesday – 9:00am - 11:00pm

Wednesday – 9:00am - 12:00am

Thursday – 9:00am - 1:00am

Friday – 9:00am - 2:00am

Saturday – 9:00am - 2:00am

Above are our most extended hours, which will happen only when the training center hosts summer and school vacation workshops. More typically, we will hold classes on weekdays in the evenings and on weekends in the morning and afternoon. Our lounge/box office will open at 5:00 pm daily and performances in our showroom will run from 6:00 pm until 30 minutes prior to close.

Number of Employees: 20-25



Traffic Generation and Parking

It is important to note that Vermont Comedy Club will be seen as part of an overall “night out” in downtown Burlington, which may also include dinner and other activities. Many patrons will park in the downtown area (garages, street parking, etc.) and walk to Vermont Comedy Club. Other patrons will include guests of the Hilton Garden Inn (who will have their own parking) and locals (who will walk, bike, etc.). Lastly, guests will be spending an average of two hours in the venue, meaning that most cars that do park nearby will rotate out every few hours.

Daytime (9am-5pm): When the training center is offering workshops for kids and teens (during the summer and other school vacations), cars will be dropping students off, returning 2-4 hours later to pick them up. We expect 10-15 cars dropping students off every 3 hours. Cars that park nearby during these times will be rare.

Weeknights (Sun-Thurs, 6pm-11pm): We expect an average of 50 guests in the building at a time, cycling out every two hours. A small percentage of them will be parking on the street nearby: approximately 15 cars every two hours over a four-hour period.

Weekends (Fri-Sat, 6pm-2am): We expect an average of 100 guests in the building at a time, cycling out every two hours. A small percentage of them will be parking on the street nearby: approximately 30 cars every two hours over a six-hour period.

Please Note: All other items in the “Conditional Use/Major Impact Review Application Checklist” are not applicable, as per our meeting with Erik Hoestra (Redstone) and the Department of Planning and Zoning on Monday, November 17.

Contact Information:

Nathan Hartswick & Natalie Miller
Vermont Comedy Club, LLC
41 Intervale Avenue, Burlington VT 05401
nathan@vtcomedy.com / natalie@vtcomedy.com
(802) 373-4703 / (802) 373-7007

Scott Gustin

From: Nathan Hartswick <nathan@vtcomedy.com>
Sent: Tuesday, December 09, 2014 11:17 AM
To: Scott Gustin
Cc: Natalie Miller
Subject: Re: 101 Main St
Attachments: Armory Lower Level Tenant Plan HGI Burlington 12-03-14 A-1.pdf

Hi Scott!

Thanks for reaching out. We are still in the design process with Steve Kredell, our architect, but here is a summary:

There will be three main spaces, separate from each other: A) the lounge/lobby/ticketing area, B) the showroom [cabaret] area, and C) the classroom/back of house. The figures we've been working with are:

A) Lounge: 45 max
B) Showroom: 152 max (seated), 240 max (standing)
C) Classroom: 15 max

This brings the total occupancy of the space to 300. That being said, the instance of all three spaces being at full capacity simultaneously would be an EXTREME rarity. But we'll have enough bathrooms/fixtures to support that number.

Attached is the most recent draft of the floor plan so you can see what we are thinking. Obviously it is still a work in progress. Do let us know if you have other questions or concerns!

Thank you!

Cheers,
Nathan & Natalie

Nathan Hartswick
Producer, Comic, Founder
Vermont Comedy Club
<http://vermontcomedyclub.com>
802.373.4703
nathan@vtcomedy.com

From: Scott Gustin <SGustin@burlingtonvt.gov>
Date: Monday, December 8, 2014 at 5:14 PM
To: Nathan Hartswick <nathan@vtcomedy.com>
Subject: 101 Main St

Hi Nathan,

Quick question here. Is the total capacity of the proposed performing arts venue 150 guests at a time, or is that just the cabaret area? If just the cabaret area, what is the total venue capacity?

Scott

Scott Gustin, AICP, CFM
Senior Planner
Dept. of Planning & Zoning
149 Church Street



MAIN STREET
BURLINGTON, VERMONT

McLEOD KREDELL ARCHITECTS
3 FROG HOLLOW ALLEY
MIDDLEBURY, VT 05753
TEL: 802.883.7242
info@mcleodkredell.com

NOT FOR CONSTRUCTION

DECEMBER 5, 2014

CONCEPT DESIGN

NO.	ISSUE	DATE

PROPOSED FLOOR PLAN

DATE:	DECEMBER 5, 2014
SCALE:	AS NOTED
DRAWN BY:	
CHECKED BY:	

A-1.0

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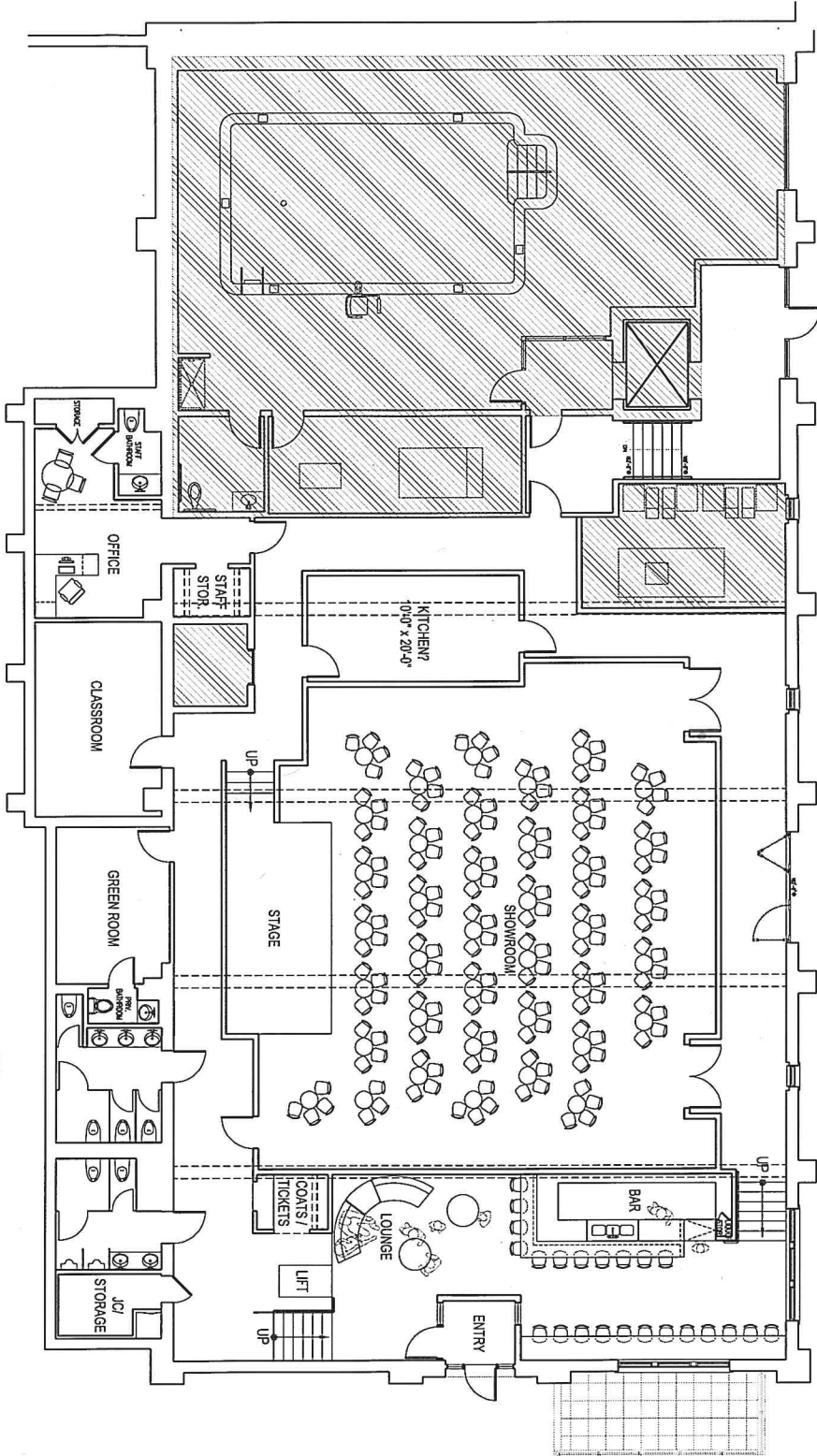
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1 PROPOSED FLOOR PLAN

SCALE: 3/32" = 1'-0"



99 Main St
Burlington, Vermont

Street View - Apr 2012



Burlington Development Review Board

149 Church Street, City Hall

Burlington, VT 05401

www.burlingtonvt.gov/pz/drb

Phone: (802) 865-7188

Fax: (802) 865-7195

Austin Hart
Michael Long
Jonathan Stevens
Brad Rabinowitz
Missa Aloisi
Israel Smith
A. J. LaRosa
Alexandra Zipparo (Alt.)
Jim Drummond (Alt.)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, December 16 2014, 5:00 p.m.

Contois Auditorium, City Hall, 149 Church Street, Burlington, VT

Minutes

Board member present: Austin Hart (Chair), Jonathan Stevens, Michael Long, Brad Rabinowitz, Israel Smith, Alexander LaRosa, Missa Aloisi and Ali Zipparo.

Board members absent: Jim Drummond.

Staff members present: Ken Lerner, Scott Gustin.

I. Agenda

No changes.

II. Communications

A number of supplemental communications presented tonight. Accepted by board members.

III. Minutes

December 2 in packet. Board members instructed to bring comments or changes to the deliberative for discussion.

IV. Consent Agenda

1. 15-0631CU: 101 MAIN ST (DT, Ward 5) Catamount/Van Ness & Vermont Comedy Club, LLC

Conditional use to establish performing arts center in existing vacant commercial space.

A Hart recused from this item.

Applicants Nathan Hartswick & Natalie Miller present and sworn in.

J Stevens requested a full public hearing to ask some questions.

Natalie Miller overviewed the project. They presently run a couple of other performing arts spaces. Nathan Hartswick said he's looking to provide a venue designed specifically for comedy but that also contained classroom space. N Miller said 11 shows per week would be given. Classes would take place during the day. N Hartswick said there would be a mix of local and regional talent.

J Stevens, is Catamount the building owner? N Miller, yes. J Stevens asked about liquor sales. S Gustin explained the limitations on alcohol sales. K Lerner noted 51% or more alcohol sales constitutes a bar. Ms. Miller said it's not in their interest to run a bar. The primary objective is a comedy center. The bar is not to be open on Monday or Tuesday nights when the showroom and lounge areas are used for classes. N Hartswick said finger food/appetizers will be served but not full meals. J Stevens, so the revenue will be from ticket sales? N Miller said it would be from ticket sales, merchandise, and classes.

A Zipparo, will there be other kinds of theatre? N Miller said that is possible, but the focus will be comedy. Have you done feasibility studies? N Miller, yes. We've talked to people who run similar venues. We've been booking shows in the area for 6 years. We produced 200 shows last year. N Hartswick said they produced the Green Mountain Comedy festival. We have the data to back up the demand. J Stevens noted the comedy club that went in next to the Daily Planet. N Hartswick said that was very small – a 40-seat café. It's a much different approach than what he is proposing. N Miller said the small size prevented drawing bigger talent from beyond this region.

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B Rabinowitz, it looks like the elevator connects the hotel to this space. N Hartswick, yes. It does.

Public Comment:

Paul Boileau, 78 Main Street resident. With the opening of the new hotel, we believe this is good for Burlington. We support the establishment of a performing arts center. We hope that our prior bad experiences with this property will not be repeated.

M Long, what caused these bad experiences? P Boileau, when Sha, Na, Na's was present as a bar there. Rowdy drunk people.

Erik Hoekstra said he's excited about the proposal. Part of the Hilton Garden Inn is aimed at activating the Main Street corridor. Part of filling in the gap between Church Street and the waterfront. He's always anticipated an active use in this space. Something that really draws people in. What's being proposed is something that is not in Burlington. It's been tried before but not successfully executed. Nathan and Natalie have a good track record as responsible operators. It's not just another restaurant or bar. This proposal works well with the hotel and will also bring additional revenues to Burlington's downtown.

Applicant's Response:

N Hartswick reiterated that what he's trying to do does not involve rowdy drunk people and loud bands. Those things do not make for a good live comedy experience. Hunts was pretty beloved. Sha Na Na's not so much. We're looking to provide performing arts space where people can come for a laugh.

AJ LaRosa noted E Hoekstra's comments about bringing people in. How will this engage the streetscape during the day along Main Street? N Miller, during the winter months, it may not. During summertime, with camp classes, it probably will. N Hartswick concurred. After 4:00 or 5:00 PM, there will be a lot going on here.

J Stevens, it appears that anyone who wants to enter the theatre needs to walk past the bar. N Miller said there is an entrance on Pine Street that does not go past the bar. J Stevens, the bar is placed between the bar and the performance space. N Hartswick, the idea is for folks to come in through the lounge. The main entrance is from Main Street.

Erik Hoekstra, relative to the bar placement, he noted the significant grade change between Main and Pine Streets. Most of the activity takes place below the Main Street level. The lounge is in the mezzanine off of Main Street. We're trying to make this space work.

Close public hearing.

V. Public Hearing

1. 15-0451CA/MA: 234-240 COLLEGE ST (DT, Ward 3) Sisters & Brothers Investment Group, LLP

Major impact review to demolish rear portion of building, construct new 5-story addition at rear for 9 units. Results in change from 19 to 25 units for net increase of 6.

Applicants Steve Guild & Frank Naef present and sworn in.

Steve Guild overviewed the project. The proposal is for a 5-story rear addition. An existing rear addition will be removed. The existing building sustained fire damage in June. It is being brought up to code along with the proposed addition. An elevator is being installed, as is a sprinkler system. Parking will be provided at the former Merchants parking garage. The addition will be clad in metal siding with a split face block foundation. A "blue roof" will be installed for stormwater management. Megan Moir has been involved. The existing building is being restored. Windows are being replaced under separate permit.

A Hart, there are some issues raised in the staff comments. Do you want to address those? S Guild, the setback requirement places an unanticipated burden on the applicant. He said he doesn't know if he can apply for a variance. Basically we need to be 10' away from the side property line, even though the ordinance also says 0' setback. S Gustin noted the provision relates to the building code. While the building code could allow construction within the setback subject to certain restrictions, the provision in the zoning code does not. Frank Naef noted how this provision could end up requiring almost 15' separation distance.

A Hart asked for supplemental information, particularly as it relates to current distances and proposed setbacks. B Rabinowitz asked for clarification of the proposed setbacks. S Guild said its 4.5' from the east property line. Pushing it back a full 10' will impact the dwelling units.

M Aloisi pointed out windows on the northeast end of the addition. S Guild said these windows have been removed on revised elevations.

A Hart, something to improve the pedestrian alleyway. Make it more inviting and safe. S Guild said some new lighting is being proposed. If not depicted, we'll show them. A Hart, will the College Street entrance be the primary entrance? S Guild, probably. We had to provide another doorway with the addition. A Hart, who's going to be using the pedestrian alleyway? S Guild, it will provide access to the dumpsters and to the driveway that reaches to North Winooski Avenue. B Rabinowitz, how is trash removed? S Guild, the totes will be wheeled out to College Street, or the trash hauler has access to the rear of the site.

I Smith asked about TRC. S Gustin said typically it takes place prior to an application. It was not required for this application and it did not occur.

A Hart, what is a "blue roof?" F Naef said it basically acts as a retention pond and slowly releases runoff into the city system.

A Hart asked about the roof plan. S Guild said all of the mechanical equipment will be within the building. There will be nothing on the rooftop. A Hart asked if a roof plan was still needed. S Gustin said yes, one is needed to demonstrate that there is nothing on the roof.

A Hart, clarification of parking needed. We need to know the existing unit/bedroom layout. S Gustin said that we need this information to determine the existing degree of nonconformity. It can be carried forward but not increased.

A Hart, bike parking? S Guild, we have long term. S Gustin said you've got no short term bike parking. S. Guild said we're looking at options for a bike rack location.

A Hart, one inclusionary housing unit is required. We have no information relative to how you propose to satisfy that requirement.

A Hart, is there any possibility for onsite stormwater infiltration? S Guild, we haven't thought about that. We really have no room for doing so.

A Hart, are solar panels something that could be done with the blue roof? F Naef said penetrations through the roof for the solar panels would be incompatible with the blue roof.

B Rabinowitz, the building elevations are somewhat odd, but you'll only see it from the City Market parking area. S Guild said there is really no visibility from the street. We're looking at keeping the addition affordable. B Rabinowitz, this leaves something to be desired. S Gustin said that DAB felt the elevations were acceptable given its limited visibility from the street.

I Smith, it looks like there may be problems with access to light. It bothers him that the ground level has nothing to do with what's going on above it. The trash totes seem insufficient for this many dwelling units. B Rabinowitz, you'll need frequent trash pick-ups.

M Long, also concerned with the lack of windows on the east and west elevations. S Guild, the open floor plans face the rear with the most windows. Windows are limited on the east and west due to the close proximity of neighboring buildings.

Public Comment:

Erwin Herschultz, lives in the neighboring building. He said right now, there is room for 4 cars. There is no space for more. They are proposing just 6 parking spaces. A Hart noted that the parking will be provided offsite. E Herschultz said that the existing units were occupied by people without cars. If new tenants have cars, we will have a problem. Also, the proposed window-less walls will make our walls effectively windowless.

Molly Comeau, nothing would please her more than a well-maintained building to replace what was there before. It was incredibly substandard. There has been no graffiti in the neighborhood since the fire occurred. Let's be sure we don't repeat these prior problems on a larger scale. She's concerned about the lack of parking. She also questions the proposed cost of construction. What does this mean? Cutting corners in construction? In the alley between the buildings, we've got water infiltrating into our building.

E Herschultz said he thinks the rehab of the existing building should be taken into account relative to the parking.

A Hart, when do you think you could get information to us relative to the outstanding items? It's really the list of items noted in the staff report. B Rabinowitz, should also note how the parking will be made available.

K Lerner, this really should be recessed so that staff can review and public can comment. A Hart agreed.

A motion was made by A Hart to continue review to a date certain of January 6, 2015. Second by B Rabinowitz

Vote 7-0-0, motion carried.

2. 15-0525CA/MA: 87-95 NORTH AVE (MNU, Ward 7) COTS

Major impact review for renovation and addition to existing building for 14 new residential units as part of mixed use building. Includes demolition of house and lot merger at 7 Haswell Street.

A Hart recused.

Applicants Bob Duncan, Bill Nedde, Rita Markley, Jonathan Farrell, Kathy Dryer sworn in.

Bob Buncan overviewed the project location and NMU zoning district. High density development is encouraged. No residential density limit per se, limited by FAR. A variety of uses are encouraged and allowed in this district. The district this property is within is different than that of the nearby residential neighborhoods. In the late 1800's this was a grocery store. He showed photos of neighboring buildings to provide context of the built environment. He displayed a map delineating property and neighboring parking providing parking easement. He displayed the sketch plan site plan and noted the changes made since then. The building has been scaled back by some 4,000 sf. The 3-story addition is stepped back. The 2-story portion provides a transition in scale to neighboring buildings. The parking lot is consistent with the agreement with Burlington College for access points. He also

noted the small reduction in impervious surface onsite and the introduction of new landscaped areas. 33 parking spaces will be provided. The minimum requirement is 29 spaces.

B Duncan overviewed the proposed building elevations. The elevator shaft will provide a separation between what is existing versus new. He noted where apartments, office space, and day station will be located. Windows are grouped in the new addition – grouped in 3's versus groups of 2 in the existing. The aluminum storefront will be removed. The pediment will be restored. The elevator shaft will project a bit above the roofline. He demonstrated building height and scale in cross section with neighboring buildings. He displayed a perspective view from North Avenue looking northwest. He noted that the rooftop equipment is included in the perspective – it is not visible from this vantage point. He explained two wall sections of the proposed construction.

B Duncan overviewed the landscaping plan. The city arborist approved the elms that are Dutch elm disease resistant. He noted the asphalt to green space conversion on a portion of the site. Existing 85% lot coverage will be reduced to 80.4% as proposed. B Duncan noted the enhanced open space provided by bringing a portion of the rear addition back from the street. He touched briefly on lighting. Illumination levels are compliant with applicable standards.

B Duncan mentioned that the Conservation Board has reviewed the proposed stormwater management plan. Stormwater will be collected and infiltrated onsite – 50% of the proposed roof area. Presently, there is no onsite management.

B Duncan reviewed the proposed boundary line adjustment.

B Rabinowitz, is there any landscaping on the Haswell Street side? B Duncan no. It will be building, sidewalk, and green belt. B Rabinowitz, is the green belt too narrow for trees? B Duncan, that's what the City Arborist told us at TRC review.

B Rabinowitz, are these typical rental units? B Duncan, all of them would qualify as inclusionary units.

J Stevens asked if the applicant had any questions relative to the staff report. B Duncan said he's not sure what's meant by making the North Avenue entrance more prominent. K Lerner said that an awning may be appropriate.

Public Comment:

Patricia Ferrera, thanks COTS for being so mindful of the neighborhood. Feels has been sensitive to the neighborhood's needs.

___ Makley thinks the project is marvelous. Supports the project. Is balanced with the surrounding built environment. Can't imagine how anybody could have a problem with it.

Linda Tierney, lives on Lakeview Terrace. She does not oppose COTS. She is very concerned. With Packard Lofts at one end of the street and this at the other, the character of the neighborhood is changing. She's very concerned about the parking. Lots of times parking at this site spills on to the street. With the 14 units of housing and the day station, parking problems will be worse. Traffic will also increase. In 2010, COTS represented that the project would just be for office use. Our sweet neighborhood is being surrounded by large development.

Eli Lessor-Goldsmith, lives on Lakeview Terrace. Supports the project. He's for progress and for the city evolving and growing and being more prosperous. It's the way this town is moving, and he's excited about it. The proposed building is within the scale of its surroundings. He also noted his denial of cement fiberboard whereas it's now routinely approved.

Frank Gillot, lives nearby. Noted the transformation of the subject building since he originally moved to the neighborhood. The project is a fine evolution of the building's design. He's impressed with the reduction in lot coverage.

Mark Demers, was a close neighbor of the day station at 25 Buell Street. COTS communicated with him in a very timely manner. Hopefully this past performance will assuage neighbors' concerns.

Letters submitted to Board.

B Rabinowitz, how is the parking lot controlled? B Duncan, control will really be up to COTS. Signage may be used. Parking for employees or guests of COTS. B Rabinowitz, how are deliveries made? B Duncan, the primary delivery is the lunch for the day station. Trash will be brought out to the curb.

M Long, none of the units are market rate? B Duncan, correct. They are all affordable. M Long, will that impact the number of cars? B Duncan, yes.

AJ LaRosa, what's being done with the other half of the parking lot owned by Burlington College? B Duncan, we can't do anything with it. Hopefully, if we make ours nicer, they will make theirs nicer.

B Rabinowitz, are any of the inclusionary units being offered to other developers to meet their requirements? B Duncan, no.

VI. Other Business

VII. Adjournment 7:15 pm.

Deliberative scheduled for Monday, December 22, 2014 at 5:00 pm.

A. Hart - Chair, Development Review Board

Date

Scott Gustin, AICP, Senior Planner