

Burlington Development Review Board

149 Church Street, City Hall
Burlington, VT 05401

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BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday November 18, 2014

PUBLIC HEARING NOTICE

The Burlington Development Review Board will hold a meeting on **Tuesday November 18, 2014 at 5:00 p.m. in Contois Auditorium, Second Floor, City Hall.**

1. **15-0506CU: 37 NORTH PROSPECT STREET UNIT A (RL, Ward 1) Wilbur L. Shriner**
Conditional use review to create one additional residential unit out of portion of existing boarding house. Boarding house, with reduced number of rooms, to remain.
2. **15-0422FC: 188-190 NORTH UNION STREET (RM, Ward 2) Owner: Eric Hathaway, Appellant: Arnold King**
Appeal of administrative permit approval to install wooden fencing along boundary line.

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/drb/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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Tuesday, November 18 2014, 5:00 p.m.

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

AGENDA

- I. **Agenda**
- II. **Communications**
- III. **Minutes**
- IV. **Public Hearing**
 - 1. **15-0506CU: 37 NORTH PROSPECT STREET UNIT A (RL, Ward 1) Wilbur Shriner**
Conditional use review to create one additional residential unit out of portion of existing boarding house. Boarding house, with reduced number of rooms, to remain. (Project Manager: Ken Lerner)
 - 2. **15-0422FC: 188-190 NORTH UNION STREET (RM, Ward 2) Eric Hathaway**
Appeal of administrative permit approval to installation of eight sections of wooden fencing along boundary line. (Project Manager: Ken Lerner)
- V. **Sketch Plan**
 - 1. **15-0549SP: 316-322 FLYNN AVENUE (NMU, Ward 5) G AND C PROPERTIES LLC**
Sketch Plan review to remove existing building and construct new mixed use building for deli, office space and nine residential units. (Project Manager: Scott Gustin)
 - 2. **15-0539SP: 289 COLLEGE STREET (RH, Ward 2) 289 College Street Associates**
Sketch plan review of new building addition for twelve residential units with associated modifications to existing building. (Project Manager: Mary O'Neil)
- VI. **Other Business**
- VII. **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.

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401

<http://www.burlingtonvt.gov/PZ/>

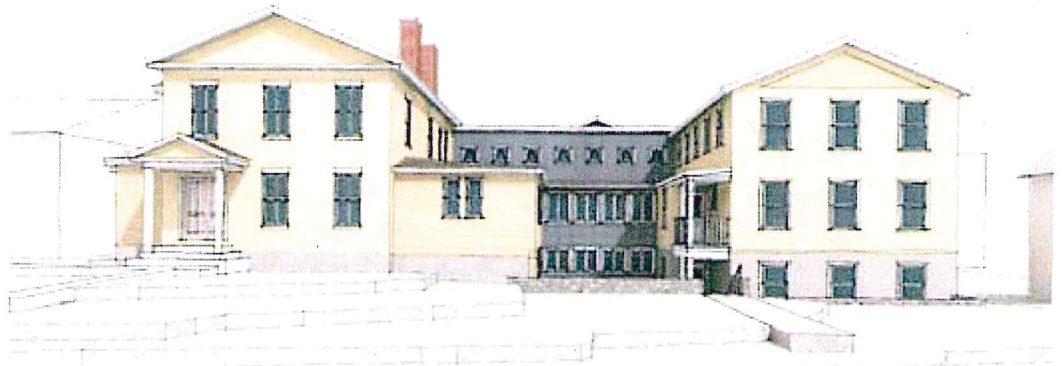
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Mary O'Neil, AICP, Senior Planner
vacant, Zoning Clerk
Elsie Tillotson, Department Secretary



MEMORANDUM

To: Development Review Board
From: Mary O'Neil, AICP, Senior Planner *monail*
Date: November 18, 2014
RE: ZP15-0539SP; 289 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.

File: ZP15-0539SP

Location: 289 College Street

Zone: RH **Ward:** 2

Date application accepted: October 28, 2014

Applicant/ Owner: Bob Duncan / 289 Live/Work LLC; Bruce Baker and Gregory Doremus

Staff site visit: November 4, 2014

Request: Sketch Plan review for addition to existing mixed use (office/1 residence) historic building; addition to include 12 apartments, flat roof connector building with lobby, exercise room, storage, laundry, mechanicals. Parking for 20 cars in rear lot; reduced from current parking size.

Background:

- Zoning Permit 11-0503CA; replace existing gas boiler, new vent through exterior back wall, south side. Approved December 2010.
- Zoning Permit 90-138; 2' x 4' parallel sign on façade of existing office building. April 1990.
- Zoning Permit 87-909 / COA 88-053; expansion of parking area. Required to provide revised landscaping plan. Approved May 13, 1988. [27 parking spaces illustrated on approved site plan.]
- Zoning Permit 82-245 / COA 82-47; enclose front porch and make improvements to entrance drive. No additional coverage. May, 1982.
- Zoning Permit 80-846; two apartment to remain, alteration work for office use. Addition is a porch and a stair hall. April 1980.
- Zoning Permit 80-723; convert nine rooms into two apartments. No construction needed. Three existing [apartments] for a total of four apartments in existing building. Approved January 18, 1980.
- Zoning Permit 80-727; six unit apartment addition. Approved January 22, 1980.
- Zoning Permit 78-32; expand present use to a total of 16 dwelling units. (Apartments total 4 dwelling units.) Permit issued August 8, 1978. [16 parking spaces illustrated on site plan.]
- Zoning Permit 76-938; addition of bedroom extension between two existing porches on the first floor, 13' x 16'. Approved May 21, 1976.
- Zoning Permit 76-257; erect a 6' x 85' stockade fence on the rear of the property. Approved August 1975.

Overview: This is a Sketch Plan review of a proposed addition that would provide 12 new apartments, with a reduced parking area. The principal structure is known as the Peck House (c. 1835), and is listed on the National Register of Historic Places within the Main Street College Street Historic District. There is existing office space (5800 sq. ft.) and one residential unit on the 2nd floor.

Article 3: Applications, Permits, and Project Reviews**Part 3: Impact Fees****Section 3.3.2 Applicability**

Any new development or additions to existing buildings which result in new dwelling units or in new nonresidential buildings square footage are subject to impact fees as is any change of use which results in an added impact according to Section 3.3.4.

Impacts fees will be based upon the gross new square footage submitted by the applicant. Any residential project containing newly constructed dwelling units or substantially rehabilitated housing units that are affordable for households (see subsections (1), (2) or (3) of Section 3.3.3.) are eligible for a waiver of impact fees for that portion of the project. The applicant is advised to

consult with the City Housing Trust Manager relative to ordinance pertaining to Inclusionary Zoning (Article 9) for applicability for this project.

Major Impact Review

Section 3.5.2 Applicability

(b) Major Impact Review

1. The Construction or substantial rehabilitation of five (5) or more dwelling units or the creation through adaptive reuse-conversion of 10 or more dwelling units.

The construction of 12 new apartments will trigger Major Impact Review.

Section 3.5.6 Review Criteria

The application and supporting documentation submitted for proposed development involving Conditional Use and/or Major Impact Review, including the plans contained therein, shall indicate how the proposed use and associated development will comply with the review criteria specified below:

(a) Conditional Use Review Standards: Approval shall be granted only if the DRB, after public notice and public hearing, determines that the proposed conditional use and associated development shall not result in an undue adverse effect on the following general standards:

1. The capacity of existing or planned community facilities;

This is an existing high density residential area. The net addition of twelve new residential units will increase the intensity of use at the site, but given the High Density Residential Zoning District, more dwelling units are anticipated. The increase in the number of dwelling units should be off-set by the payment of Impact Fees, and should ultimately pose no adverse impact to existing or planned community facilities.

2. The character of the area affected as defined by the purpose or purposes of the zoning district(s) within which the project is located, and specifically stated policies and standards of the municipal development plan;

The addition of twelve new residential units in this high-density residential district would meet the character and specified intent of the zoning district. The applicant has defined the intent to create smaller units with fewer bedrooms, rather than a fewer number of residential units with a high bedroom count. Previous applications have been approved for units that were likely to have multiple roommates and require higher parking counts and management plans. This proposal is answering the demand for housing that has become a recent focus; finding residential options for professionals that wish to live close to where they work and play. The small unit size and limited bedroom count is the development response to the change to the Functional Family Housing provision, which now extends into the RH zone. Given the design intent and occupancy likelihood, this is a different animal than the four bedroom units previously entertained by this board. This substantial change decreases the change that the units will unduly and adversely affect the character of the area. As proposed, the increased number of units as a result of a significant decrease in unit size would seem to meet targets of the ordinance as well as the character of the zoning district.

3. *Traffic on roads and highways in the vicinity evaluated in terms of increased demand for parking, travel during peak commuter hours, safety, contributing to congestion, as opposed to complementing the flow of traffic and/or parking needs; if not in a commercial district, the impact of customer traffic and deliveries must be evaluated;*

The proposal includes appropriate consideration for resident parking, while utilizing an existing curb cut. As there is an existing office use and a single residential unit, there is active vehicular circulation on-site at present. Neighborhood traffic is not anticipated to be of measurable difference, given the existing conditions on College Street and the close proximity to institutions and downtown. An ordinance amendment (ZA 14-07) changes both the parking district (from Neighborhood to Shared Use) and the required number of parking spaces. See discussion under Article 8, below.

4. *Any standards or factors set forth in existing City bylaws and city and state ordinances;*

The zoning district and the City Master Plan support increased residential development in the RH zone. The application will be required to be compliant with provisions of Chapter 26; Burlington's wastewater, stormwater and pollution control ordinance.

There is no identified conflict with City bylaws or state ordinances.

5. *The utilization of renewable energy resources*

No part of this application will prevent the use of wind, solar, or water energy sources. Southerly exposure will complement the rear access/lobby for residential use; the broad westerly exposure will provide an opportunity for solar gain in the new apartments. All development will be required to meet energy efficiency standards as defined by Burlington Electric.

and,

In addition to the General Standards specified above, the DRB;

6. *shall consider the cumulative impact of the proposed use. For purposes of residential construction, if an area is zoned for housing and a lot can accommodate the density, the cumulative impact of housing shall be considered negligible;*

The parcel is zoned for high density residential housing, and can accommodate the proposed density. The cumulative impact must be considered negligible.

7. *in considering a request relating to a greater number of unrelated individuals residing in a dwelling unit within the RL, RL-W, RM and RM-W districts than is allowed as a permitted use, in addition to the criteria set forth in Subsection (a) hereof, no conditional use permit may be granted unless all facilities within the dwelling unit, including bathroom and kitchen facilities are accessible to the occupants without passing through any bedroom. Additionally, each room proposed to be occupied as a bedroom must contain at least one hundred twenty (120) square feet. There must also be a parking area located on the premises at a location other than the front yard containing a minimum of one hundred eighty (180) square feet for each proposed adult of the dwelling unit in excess of the number of occupants allowed as a permitted use. All other green space standards must be observed.*

Zoning Amendment ZA-13-01 extended the Functional Family provisions of the ordinance to the RH district. *In all residential districts except the RH district, the occupancy of any dwelling unit is limited to members of a family as defined in Article 13.*

Those restrictions will apply to the new residential units.

8. may control the location and number of vehicular access points to the property, including the erection of parking barriers.

The proposal intends to utilize the existing vehicular access point off College Street. The edges of this parking access (and rear lot) are not clearly defined. Additional information about landscaping, parking barriers, and paving material will be required at the time of application.

9. may limit the number, location and size of signs.

Signage is limited to ADA handicap access/parking signage, which does not require zoning approval. Any additional signage will require a separate sign permit.

10. may require suitable mitigation measures, including landscaping, where necessary to reduce noise and glare and to maintain the property in a character in keeping with the surrounding area.

Whenever parking is proposed against a property line, headlight trespass is a concern. It may be appropriate to consider landscaping or some other device to prevent light from crossing the property line to the south, and perhaps the west. (There is a significant grade change to the west, with the Fairpoint parking lot immediately adjacent.) The goal is to prevent headlights reaching neighboring properties in a manner that would be unwelcome or introduce a nuisance.

11. may specify a time limit for construction, alteration or enlargement of a structure to house a conditional use.

The Comprehensive Development Ordinance Section 3.2.9 (d) effects a two year time limit on project construction and completion.

12. may specify hours of operation and/or construction to reduce the impact on surrounding properties.

Typical and reasonable hours for development are Monday through Friday 7am to 6 pm with a limit on weekend hours (Saturday 9 am to 5 pm for interior work only.)

13. may require that any future enlargement or alteration of the use return for review to the DRB to permit the specifying of new conditions.

This is a statutory requirement.

14. may consider performance standards, should the proposed use merit such review.

Hours of construction are proposed to be limited. Any other performance standards would be at the discretion of the DRB.

15. may attach such additional reasonable conditions and safeguards, as it may deem necessary to implement the purposes of this chapter and the zoning regulations.

Conditions would be proposed under the appropriate findings.

(b) Major Impact Review Standards:

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

The addition of 12 residential units within the RH zoning district is not anticipated to unduly impact water, air or noise pollution. The permit history defines as many as 16 dwelling units at one time within this building (see permit history, 1978.) If implemented, those units must have been very limited in size. Similarly, the building addition proposed includes small dwelling units (bedroom count is not specified; however parking is calculated based on studio/1 bedroom units) which are typically associated with singles or couples.

Limitation on the hours of construction will address undue noise during the actual construction period.

2. Have sufficient water available for its needs;

The applicant will be required to provide written documentation from the Department of Public Works that there is sufficient water and wastewater service for the proposed new residential units.

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

See above for written assurance condition.

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;

The applicant is required to submit a *Small Project Sediment and Erosion Control Plan* as well as a *Stormwater Management Plan*. The project will be reviewed by the Conservation Board after application for recommendations and guidance. All plans must be sufficient to meet the requirements of Chapter 26 review, and receive written approval by the City Stormwater Administrator.

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

The addition of new residential units in an existing, developed high-density residential neighborhood should not cause unreasonable congestion or unsafe conditions. The project is located within walking distance of downtown and major institutions, such as UVM, Champlain College, and FAHC. It is on the route of the College Street Shuttle with connections to other CCTA bus routes. Any impacts will be largely mitigated by Impact fees.

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

The size and limited bedroom count of the proposed new 12 residential units are unlikely to attract families with children; however the new units should not unreasonably burden the City's educational services. Any potential impacts will be mitigated by Impact fees.

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

Infrastructure is already in place; the addition of new residential units will be offset by the payment of required Impact Fees.

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 existing building is within the **Main Street College Street National Register Historic District** (see attached.) The applicant, aware of the sensitivity of the principle structure, has created a flat roofed connector between the old and the proposed new addition. While massing and rhythm are similar, the new addition forgoes historic detail (temple front, dual chimneys, window lintels, pedimented entry) and offers a similar, but simplified plan. The connector, with dark materials and recessed placement, remains deferential. ADA access has been delegated to a secondary façade, which will ease transition between vehicles and resident entry. In these efforts, the development does not appear to present an adverse impact to the existing historic structure.

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 increase in residential units is anticipated to be inconsequential on future growth patterns; rather, is in concert with Burlington's Municipal Development Plan.

10. *Be in substantial conformance with the city's municipal development plan and all incorporated plans;*

The Municipal Development plan defines the mission to respect the city's architectural and cultural heritage (Page I-4), to conserve the existing elements and design characteristics of its neighborhoods and maintain neighborhood proportions of scale and mass (page III-1), as well as supporting the development of additional housing within the city (Page IX-1.) Additionally, the MDP directs development to respect the character of existing buildings and settings (Page IV-5.)

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 development is specifically proposed to meet a deficiency in housing types; one bedroom rental units. The project is intended to increase both the number and quality of housing units within the City.

and/or

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

Any impact of the development of new residential units will be offset by required Impact Fees.

Article 4: Maps and Districts

Section 4.4.5 Residential Districts

(b) Dimensional Standards and Density

Table 4.4.5-2 Base Residential Density

RH (high density)		40 dwelling units/acre allowable	Allowable intensity of use per Section 5.2.7 (a)
289 College Street (existing)	Lot size 21,376 by Assessor's record. Applicant's survey may differ. (21,810 on provided narrative.)	Existing units: 5 1 residential, equivalent of 4 in office space. (5800/1500 = 3.8, or 4. 4 + 1 = 5 existing)	21,810/43560 = .5 acres 17 units proposed (13 residential, office sq.ft. 5800/1500 = equivalent of 4 units)
Proposed		Proposed units: 12 new, 1 existing residential, office space equivalent to 4 dwelling units. (5800/1500 = 3.8, or 4) Total 17 proposed.	17/.5 = 34 (<40, res. Density cap for RH, 46 with IZ)* Meets allowable density as proposed.

*** Please note:** Calculations for Density and Intensity of Development are made utilizing specific method outlined in Section 5.2.7 (a).

Table 4.4.5-3 Residential Dimensional Standards

Zoning District	Max. Lot Coverage	Setbacks			Maximum Height
		Front	Side	Rear	
RH	80%	Ave. of 2 adjacent lots on both sides +/- 5'	10% of lot width, not less than 5'. May average neighboring properties	25% of lot depth, not less than 20'	35'
Existing	57.26% (12,490/21,810)	Approx. 25' as scaled from submitted plan. Needs confirmation.	>7.5', specific measurements not given.	Approx. 63' as scaled from plan	Not provided
Proposed	71.89% (15,680/21,810)	Addition is set back from existing building frontage approx. 4'	7.5' as averaged from adjacent properties (2 on east, one on west.)*	Approx. 42' as scaled from plan. Lot depth of 169' would require 42.45'. Needs confirmation.	Does not exceed existing building height. < 35' offered. Needs accurate number to confirm.

Application appears to meet residential dimensional standards. *Needs illustration of setback measurements of adjacent properties to confirm, and submission of height and rear setback measurements.

Article 5: Citywide General Regulations

Section 5.1.1 Uses

Offices are not a permitted use in the RH zone (See **Appendix A, Use Table**, and **Section 5.1.1. (a), Preexisting uses**); however this is an existing, permitted office and therefore may remain.

Attached dwellings, multi-family are a permitted use in the RH zone. See Appendix A, Use Table.

Part 2: Dimensional Requirements

Section 5.2.1 Existing Small Lots

Not applicable.

Section 5.2.2 Required Frontage or Access

The lot has access to a public road. (College Street.)

Section 5.2.3 Lot Coverage Requirements

See Table 4.4.5-3, above.

Section 5.2.4 Buildable Area Calculation

Not within the RCO, WRM, RM, WRL or RL zoning district.

Not applicable.

Section 5.2.5 Setbacks

See Table 4.4.5-3, above.

Section 5.2.6 Building Height Limits

See Table 4.4.5-3, above.

Section 5.2.7 Density and Intensity of Development Calculations

See Table 4.4.5-2, above.

Part 4: Special Use Regulations

Section 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.*

289 College Street (the Peck House) was constructed as a residence. The alteration is proposed to increase the residential use, but retain the office use approved in 1980.

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 structure will be retained. A connector building will allow some distance between the historic building and the proposed new addition. In arrangement, materials, and detail, the historic structure will be left almost entirely intact. Some alteration will occur at the point of connection; however this centered on the west/south elevations that are limited in visibility.

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 as proposed will not introduce any false history; rather it will be discernable in lap siding and the absence of detail as a newer modification to an existing structure. No conjectural features have been identified.

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

There are multiple additions to the original structure; an enclosed front porch, a westerly single storey addition, a bedroom enlargement on the east and a two storey southerly (rear) addition. All will be retained, and provide evidence of the building's evolution.

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

Although Sketch Plan offers an opportunity for a general overview of a development project, there is not a level of specificity within this application as to the treatment of the historic structure. The applicant is aware of the building's sensitivity; changes to materials, features and finishes will need to be outlined in a final application.

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.*

See above.

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.*

As far as is understood from this outline, no part of this project suggests physical treatments that may harm the historic structure.

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

None identified. If ground disturbance bring significant artifacts or other resources to light, then appropriate measures will be taken in the treatment and handling of such items.

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 proposal for a structural addition to an existing historic property is always challenging. This application seeks to find compatibility with the existing building height, roof design, massing, and arrangement. If the new work remains deferential to the historic structure, and does not overwhelm the site in proportion or mass, the integrity of the property may remain.

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.

Although unlikely, it is possible to consider the new addition as entirely reversible; the possibility of its removal leaving no adverse effect on the existing historic structure. The point of physical contact is relatively minimal, limiting loss of historic fabric.

Article 6: Development Review Standards

PART 2: SITE PLAN DESIGN STANDARDS

Section 6.2.2 Review Standards

(a) Protection of Important Natural Features:

Similar to 323-325 College Street (ZP11-0086CA), there is a substantial lawn west of the existing structure which is proposed to accommodate the new residential addition. A landscaping plan (existing, and proposed) as well as plans for Stormwater Management and Erosion Protection and Sediment Control will be required as part of a final application.

(b) Topographical Alterations:

Again, the existing lawn slopes very gradually to the west, an area that is proposed to accommodate the development. The new addition is proposed to sit on what appears to be a raised foundation (a structural feature that is very common in Burlington's Hill Section homes, particularly with redstone) with exposed foundation walls. Functionally, the living area on the lowest level will emerge from the grade change, benefiting from that topography.

(c) Protection of Important Public Views:

This is a private parcel, where there are no publically accessible views. New residents, however, may have the opportunity to enjoy westerly views toward Lake Champlain.

(d) Protection of Important Cultural Resources:

Burlington's architectural and cultural heritage shall be protected through sensitive and respectful redevelopment, rehabilitation, and infill. Archeological sites likely to yield information important to the city's or the region's pre-history or history shall be evaluated, documented, and avoided whenever feasible. Where the proposed development involves sites listed or eligible for listing on a state or national register of historic places, the applicant shall meet the applicable development and design standards pursuant to Section 5.4.8(b).

See Section 5.4.8 above.

(e) Supporting the Use of Renewable Energy Resources:

No part of this application will preclude an opportunity to use direct sunlight, solar, wind, or geothermal; all of which are encouraged.

Buildings should, where appropriate within the context of the neighborhood development pattern, maximize their solar exposure by being oriented to maximize natural light and heat gain during winter months, and to minimize casting shadows into ground floor living space of a building on an adjacent property.

Significant fenestration on the west, and in a more limited fashion on the south elevation, will allow access to available solar.

It does not appear that the building connector or addition exceeds the height of the existing building. Due to placement of the new addition, no neighbors to the north, and a parking lot to the west; shadow impacts are not anticipated by the new addition.

(f) Brownfield Sites:

None identified.

(g) Provide for nature's events:

The connector porch will provide a covered, dry access point for residents to transition from the parking lot to the building. Pedestrian access from the College Street sidewalk will continue via paired walkways from College Street; the westerly one to an entrance to the basement and 2nd floor units.

(h) Building Location and Orientation:

The introduction of new buildings and additions shall maintain the existing development pattern and rhythm of structures along the existing streetscape. New buildings and additions should be aligned with the front façade of neighboring buildings to reinforce the existing “street-edge,” or where necessary, located in such a way that complements existing natural features and landscapes.

The proposed addition generally aligns with the street façade of the existing structure; reinforcing the street-edge and continuing the pattern of established development along College Street. The new building, however, is proposed to be set back approximately 4’ from the existing building line, to offer a respectful subservience to the 1835 structure.

(i) Vehicular Access:

The existing driveway is proposed for continued use. No increase in the level of non-conformity may be permitted (relative to encroachment into the required minimum setback.) The driveway is proposed to maintain its existing alignment, running along the easterly property line to the existing (albeit) reduced rear parking area.

(j) Pedestrian Access:

Pedestrian walkways are provided from the city sidewalk to the existing office use, and to the new structural addition. A small walkway is illustrated on the model to the parking area; this will need better definition to ascertain the safety of pedestrian mobility from the parking area to the structure.

At site visit (11/4/2014), it was noted that a significant number of people (residents from the abutting southerly residential structure, those coming through Main Street, and from properties to the east) use this lot as a “cut-through” to College Street. A well established “desire path” is evident on the northwesterly corner of the lot. While new development may curtail some of this trespass, it would be worthwhile to design the hardscape to accommodate the proposed uses

(office, residential access points), with an effort to assure residential privacy while discouraging use as a public passage between Main and College Street.

(k) Accessibility for the Handicapped:

An accessible unit is proposed for the rear/south elevation; one h/c parking space is noted on the submitted site plan. The narrative states:

A new handicapped ramp and common lobby entrance from the parking area will provide handicapped access to the first floor office spaces and first floor apartments. This will provide the majority of the office space with handicapped access, and the four new first floor units will comply with the VT Access Rules 2012, as well as providing one fully accessible unit as per the requirements of the Burlington Code of Ordinances.

ADA standards will be a requirement, with oversight by the building inspector.

(l) Parking and Circulation:

The existing parking area on the south is a large, undefined gravel area. Previous permitting has acknowledged up to 27 spaces (1987 approved site plan.) Changes to the parking requirements per Zoning Amendment 14-07 will diminish the number of required parking spaces for this development. A total of 16 parking spaces will be required for the proposed 13 residential units and 5800 sq. ft. office space. The applicant proposes 20 parking spaces, which will meet the requirements of the ordinance and amendment. See Article 8 for further examination. It would be preferred, however, that the parking area be defined with pavement, parking barriers, and landscaping to define access, boundaries, limit headlamp glare, and to protect neighboring properties.

Parking areas greater than 720sf (4 parking spaces) shall include shade trees of a minimum caliper size of 2.5"-3" and canopies sufficient to shade a minimum of 30% of the cars and/or impervious surface to reduce the effect on the local microclimate.

A landscaping plan will be a requirement for final application. The re-vamped parking area will require some plantings to meet this standard. An assessment of the parking area and determination of how many trees will be required to meet the 30% shading (or how many existing trees may contribute to this requirement) can be made at application.

All parking areas shall provide a physical separation between moving and parked vehicles and pedestrians in a manner that minimizes conflicts and gives pedestrians a safe and unobstructed route to building entrance(s) or a public sidewalk.



As noted, a walkway is illustrated on the modeling studies as an entrance to the rear porch area. This will need to be defined on a final site plan to assure safe passage between vehicle parking and building entrance.

Where bicycle parking is provided, access shall be provided along vehicular driveways or separate paths, with clearly marked signs indicating the location of parking areas. Where bicycle parking is located proximate to a building entrance, all shared walkways shall be of sufficient width to separate bicycles and pedestrians, and be clearly marked to avoid conflicts. All bicycle parking areas shall link directly to a pedestrian route to a building entrance. All bicycle parking shall be in conformance with applicable design & construction details as provided by the dept. of public works.

Both long term and short term bicycle parking will be required. An outdoor bike rack is recommended for the residential occupants, and should be illustrated on the site plan. This is addressed within Article 8 review.

(m) Landscaping and Fences:

No definition is given on the submitted site plan. A landscaping plan will be required. Although it appears that a property survey has been done (spray paint on the ground), no pins were observed at the site visit. As the parking area almost immediately abuts a playground on the south, it is advised that a fence or structural barrier be provided to prevent vehicular trespass onto that property. Similarly, headlamp glare may create a nuisance for those properties immediately to the south, and could be ameliorated with appropriate screening.

(n) Public Plazas and Open Space:

There are no public plazas on site.

(o) Outdoor Lighting:

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

Sketch Plan does not offer this level of specificity. A final application should include a lighting plan with photometrics, meeting the performance standards as noted. Fixture spec sheets, with lumens should be included.

(p) Integrate infrastructure into the design:

The location of mailboxes, utility connections, mechanical equipment (particularly if roof mounted), recycling and dumpster locations must be identified at application.

PART 3: ARCHITECTURAL DESIGN STANDARDS

Section 6.3.2 Review Standards

(a) Relate development to its environment:

Proposed buildings and additions shall be appropriately scaled and proportioned for their function and with respect to their context. They shall integrate harmoniously into the topography, and to the use, scale, and architectural details of existing buildings in the vicinity. The following shall be considered:

1. Massing, Height and Scale:

The proposed addition echos the original structure in mass, roof style, fenestration and arrangement; connected only by a recessed structural link. The buildings may appear as two, depending upon the point of examination along the streetscape. They appear more alike than dissimilar; however distinguished by material differentiation and elimination of historic detail (chimneys, temple front, entrance porch, window lintels, brick construction.)

2. Roofs and Rooflines.

A gable roof with a simplified cornice line is proposed. This provides a similarity to the existing structure, but tries neither to compete nor replicate the roof of the historic brick building.

3. Building Openings

The principal entrance to the existing structure is the predominant entrance to the office use. The College Street entrance to the new addition is available via a pedestrian sidewalk; connecting to a courtyard with an easterly covered porch. An entrance appears to be available to both the lower (1st) and 2nd residential floors.

Handicap and overall access is provided directly from the south/parking lot area via a ramp and a common lobby area. Both the office use and 1st floor residential units will be provided accessible entrance.

Window openings maintain consistent patterns and proportions appropriate to the use.

(b) Protection of Important Architectural Resources:

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

See Section 5.4.8 (above.)

(c) Protection of Important Public Views:

There are no protected public views from this site.

(d) Provide an active and inviting street edge:

The building connector is proposed to be significantly recessed behind the primary structure, but providing an attachment to the three storey residential addition that will be setback back approximately 4' from the existing building line. Walkways, porches, and a courtyard area signal the building's openness to the public street.

(e) Quality of materials:

Materials have not been defined, other than "lap siding" for the connector. The existing building is brick. .

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

The connection between buildings will have some impact on the historic structure; loss of historic fabric is understood to be minor.

(f) Reduce energy utilization:

All construction will be required to meet the energy efficiency requirement of Burlington Electric Department.

New structures should take advantage of solar access where available, and shall undertake efforts to reduce the impacts of shadows cast on adjacent buildings where practicable, in order to provide opportunities for the use of active and passive solar utilization.

No alternative solar access is proposed; however nothing within this application prevents the utilization of alternative energy methods.

(g) Make advertising features complementary to the site:

No additional signage is proposed. Any signage will require a separate sign permit.

(h) Integrate infrastructure into the building design:

Laundry facilities, mechanicals, and storage space are proposed within the connector structure. An examination of likely locations for mailboxes, recycling, trash, and bicycle storage is required. Any mechanical equipment (HVAC, condensing units, ERVS, etc) should be identified on the site plan/elevations as appropriate to evaluate the need for screening. Utility connections and mechanical equipment should be located away from primary facades; preferably out of visual range and screened from public view.

(i) Make spaces secure and safe:

Although it has been assumed, the applicants will need to define whether the new building(s) will be sprinklered.

As a multi-unit residential structure, an intercom system is recommended for occupancy security. The proposal must meet all required ingress and egress measures as defined by the building inspector and the fire marshal.

Article 8: Parking

Zoning Amendment 14-07 has altered the parking district for this parcel, as well as the specific parking requirement. See attached amendment, which is within a 150 day active period since warned June, 2014. Previously mapped as part of the Neighborhood Parking District, Map 8.1.3-1 has been modified to expand the Shared Use Parking District to this neighborhood. New requirements per Table 8.1.8-1, as modified by ZA14-07, require .33 parking spaces per Studio/1 bedroom unit. The applicant will need to break down the bedroom count for all residential units to appropriately assign a parking requirement to this proposal; however if all residential units are 1 bedroom or studio apartments, the calculation is:

$$13 \times .33 = 4.29 \text{ (4)}$$

$$\text{Office space } 5800 \text{ existing at } 1 \text{ parking space}/500 \text{ sf.} = 11.6 \text{ (12)}$$

$12 + 4 = 16$ parking spaces required; 20 are provided on the site plan. As proposed, parking requirements are satisfied for 13 residential (Studio or 1 bedroom) units and 5800 sq. ft. of office space.

Section 8.1.12 Limitations, Location, Use of Facilities

(h) Compact Car Parking

Compact parking spaces maybe used in parking structure or lots. Up to fifteen (15%) percent of the toal parking spaces in a parking garage may be designated for compact cars. Such spaces shall be signed or the space painted with the words "Compact Car Only."

All parking spaces should be the minimum size required by Table 8.1.11-1; that is, 9' x 20'. The submitted site plan defines the spaces in the southerly row as 8'10", which is sub-standard. They also scale to about 18'6" in length, also less than the standard requirement. Although the parking area is existing, efforts should be exercised to meet the minimum parking requirements of the ordinance.

The 15% limitation noted in this standard is identified for parking garages, not lots. Compact cars have no specific limitation in parking lots.

Section 8.1.3 Parking for Disabled Persons

Parking spaces for disabled persons shall comply with current Americans with Disabilities Act guidelines and shall be at least eight feet (8') wide with an adjacent access aisle at least five feet (5') wide. Parking access aisles shall be part of an accessible route to the building or facility entrance. Accessible parking spaces shall be designated as reserved for the disabled by a sign showing the symbol of accessibility. Painting of the paved area for the dedicated parking spaces alone shall not be sufficient as the sole means of identifying these spaces.

One handicapped parking space is identified on the submitted site plan, with an adjacent access lane that appears to immediately connect to the building access ramp. Signage to identify the space as reserved must be included, as noted.

Section. 8.2.5 Bicycle Parking Requirements

Tale 8.2.5-1

Requirement per CDO	Residential Housing Living, multi unit, 1 per 4 units Long Term; 1 per 10 units Short term. Office use: 1 per 5,000 sq. ft Long term.; 1 per 10,000 sq. ft. short term.
289 College Street requirement	Residential: 3 long term, 1 short term. Office use: 1 long term, 1 short term. Total bicycle parking requirement: 4 long term, 2 short term.

All bicycle parking will be required to be identified on site plans and/or floor plans as appropriate. The applicant is encouraged to provide bicycle parking in excess of the (minimal) requirement, to meet the anticipated need of residents.

Section 8.2.7. Location and Design Standards

- (a) All bicycle parking facilities shall be installed in accordance with the department of public works "Bicycle Parking Guidelines."*
- (b) Bicycle parking or a sign leading thereto shall be visible from the main entrance of the structure or facility.*

- (c) *Bicycle parking shall be visible, well lit, and as convenient to cyclists as auto parking.*
- (d) *Bicycle parking facilities shall provide sufficient security from theft and damage. They shall be securely anchored to the ground, shall allow the bicycle wheel and frame to be locked to the facility, and shall be in a location with sufficient lighting and visibility.*
- (e) *Bicycle parking facilities shall be visually compatible and of a design standard consistent with their environment and the development standards of Art 6.*
- (f) *Required bicycle parking spaces shall be of a sufficient dimension to accommodate a full-sized bicycle, including space for access and maneuvering.*
- (g) *Bicycle parking facilities shall be sufficiently separated from motor vehicle parking areas to protect parked bicycles from damage by motor vehicles.*
- (h) *The surfacing of bicycle parking facilities shall be designed and maintained to be clear of mud and snow.*
- (i) *Bicycle parking racks and lockers shall be anchored securely.*
- (j) *Existing bicycle parking may be used to satisfy the requirements of this section provided the rack design is consistent with the department of public works "Bicycle Parking Guidelines."*

Bicycle parking shall be identified on site plans and/or floor plans as appropriate; meeting the above standards.

Article 9: Inclusionary and Replacement Housing

Section 9.1.5 Applicability

- (a) *The creation of five (5) or more residential units through new construction and/or substantial rehabilitation of existing structures...*

The application for 12 new residential units requires inclusion of IZ units. Typically, 15% of new units are required to be perpetually affordable. 15% of 12 new units = 2 units. The applicants are encouraged to work with the Housing Trust Manager through CEDO to confirm the number of units, to agree on the level of affordability and corresponding rents, and to secure a letter of compliance that may reduce Impact Fees proportionately for the development.

Article 11: Planned Development

Section 11.1.3 Major and Minor Planned Unit Development

A minor Planned Unit Development shall include any development consisting of:

- (a) *5 or more units in a single structure, prompting the requirements of Article 9, Inclusionary and Replacement Housing.*

Minor PUD's shall be exempt from the requirements and standards of this article, but shall be subject to the development standards as otherwise required by this ordinance.

Although the number of new residential units triggers identification as a minor Planned Unit Development, this project is exempt as noted from the specific requirements of Article 11. See Article 9, above for review of Inclusionary requirement.

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



October 28, 2014

PROJECT DESCRIPTION

289 College Street
Burlington, VT 05401

DEPARTMENT OF PLANNING & ZONING

PROJECT OVERVIEW

The site is located in the RH district, and includes an historic residence that was changed into office space in ca 1989, while leaving an apartment in the rear second floor portion. The property comprises one-half acre, and includes a graveled parking lot at the rear and west portions of the parcel. Current office space use totals approximately 5800 SF on three different levels, and is proposed to remain, possibly even to include accommodations for residents of the proposed new apartments.

The proposed addition is connected to and yet separated from the historic building by a new stair tower that serves the twelve proposed apartments and also incorporates the existing stair that serves the current second floor apartment in second floor rear portion of the historic building. Even though the new construction is connected to the existing, it will be constructed as a separate building for building code purposes.

PROPOSED DESIGN

The building addition has been sited to create a courtyard space to the west of current basement office space. Entrance to the new stair serving the proposed apartments is accessed through this courtyard space, providing direct access for residents to easily connect to College Street for a direct connection to downtown, City Market, and other amenities of downtown Burlington. The form of the addition takes two shapes: 1) a flat roofed section that connects new to old, and distinguished by a darker color and contrasting materials, and 2) a gable roofed portion (pitch matches original), with simple punched windows and lap siding. The addition will have a maximum of 4 units/floor in three floors, total twelve units. Common space amenities such as storage, laundry, mechanical and exercise space will be accommodated in the connector addition fronting on the courtyard.

Parking for 20 cars will be located at the rear of the property in the general location of the existing parking area, albeit a reduced footprint of parking. The first floor of the new apartments will match the historic building first floor, so that a new handicapped ramp and common lobby entrance from the parking area will provide handicapped access to the first floor office spaces and first floor apartments. This will provide the majority of the office space with handicapped access (there is none now), and the four new first floor units will comply with the VT Access Rules 2012, as well as providing one fully accessible unit as per the requirements of the Burlington Code of Ordinances.



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SKETCH PLAN

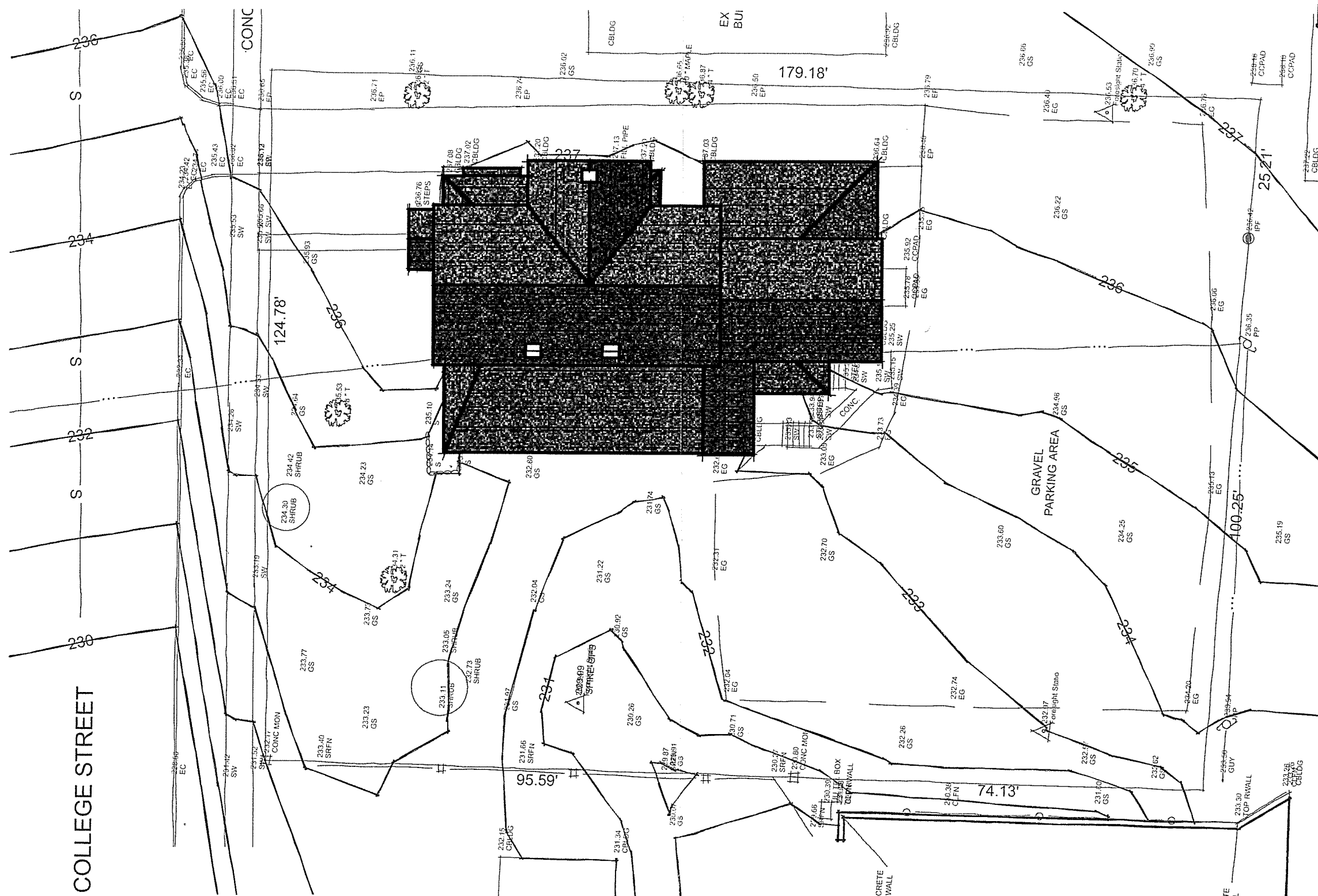
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DATE: 10.28.14

255 SOUTH CHAMPLAIN STREET
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T. 802.864.6200

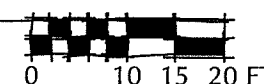
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EXISTING SITE PLAN

Scale: 1" = 20 ft



SITE SURVEY PROVIDED BY:
BRADFORD HOLDEN, L.S.

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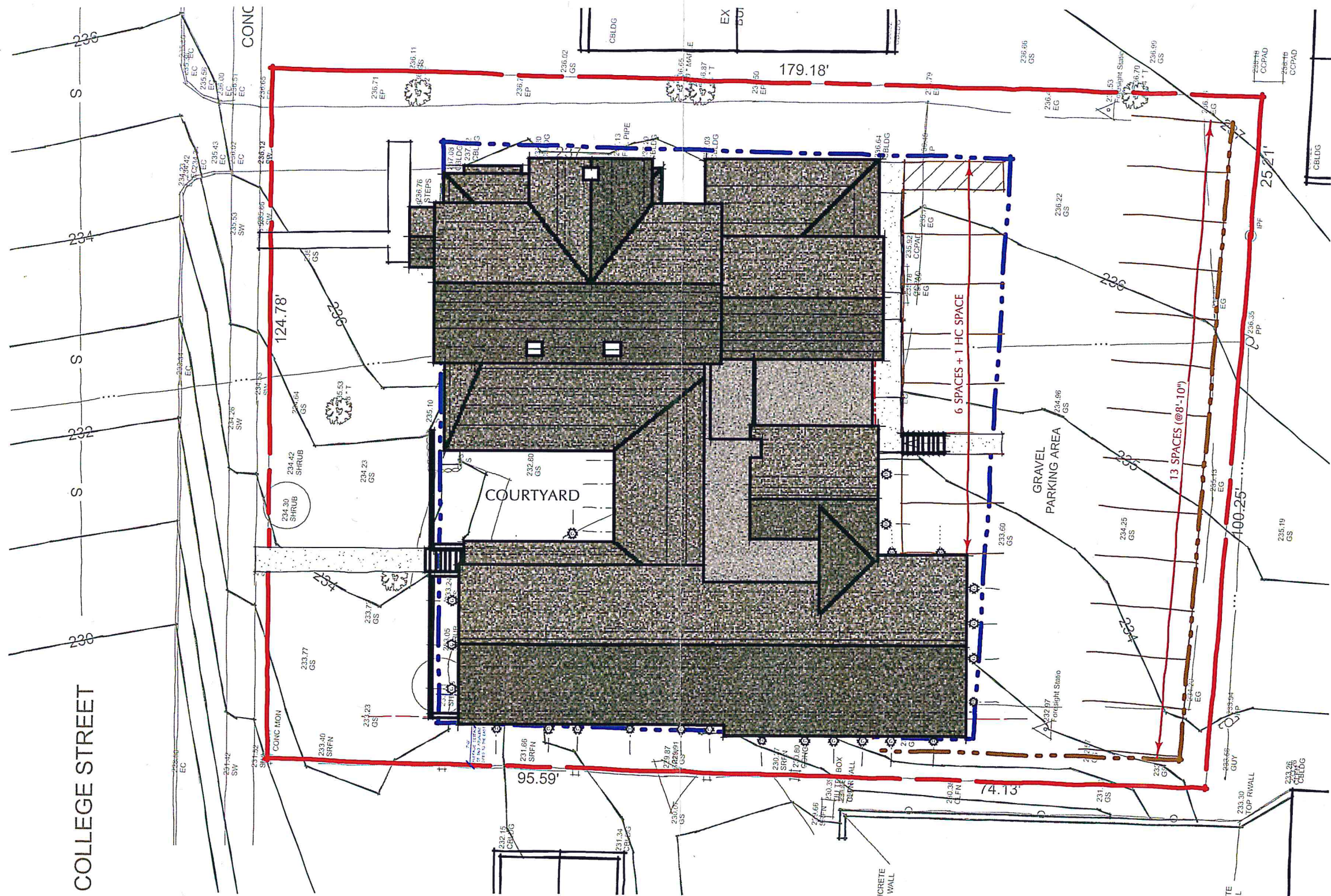
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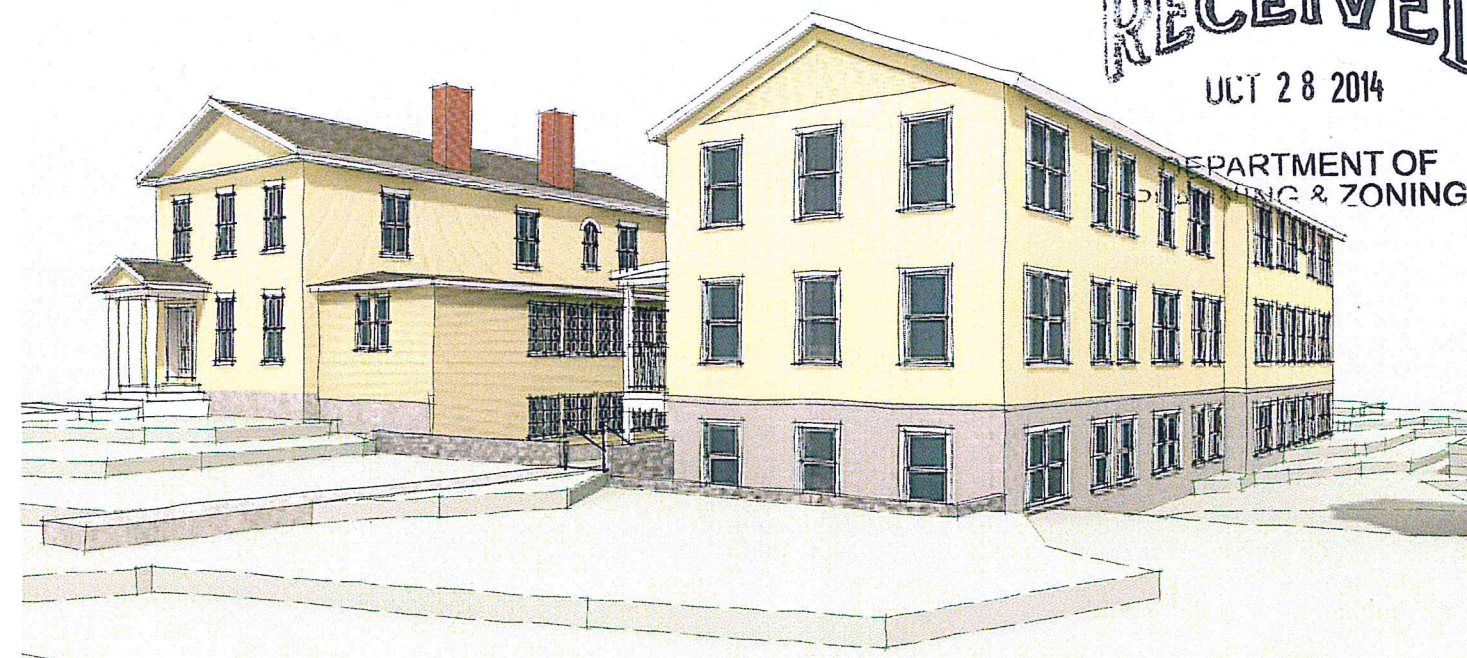
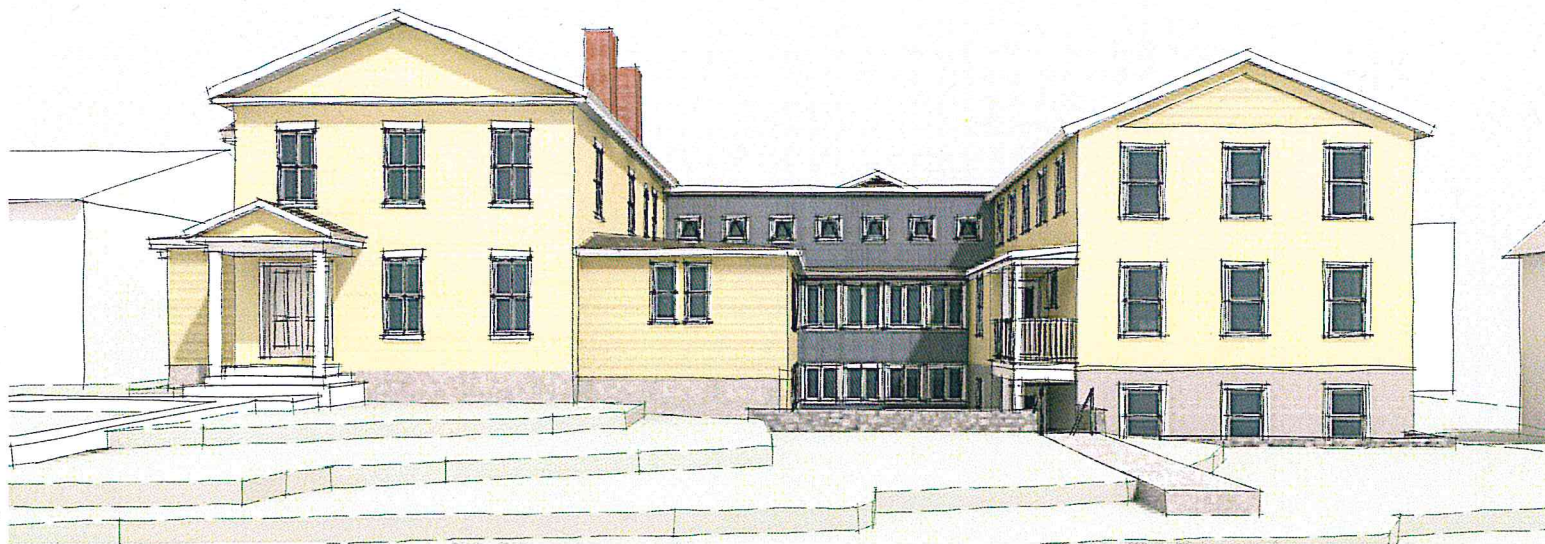
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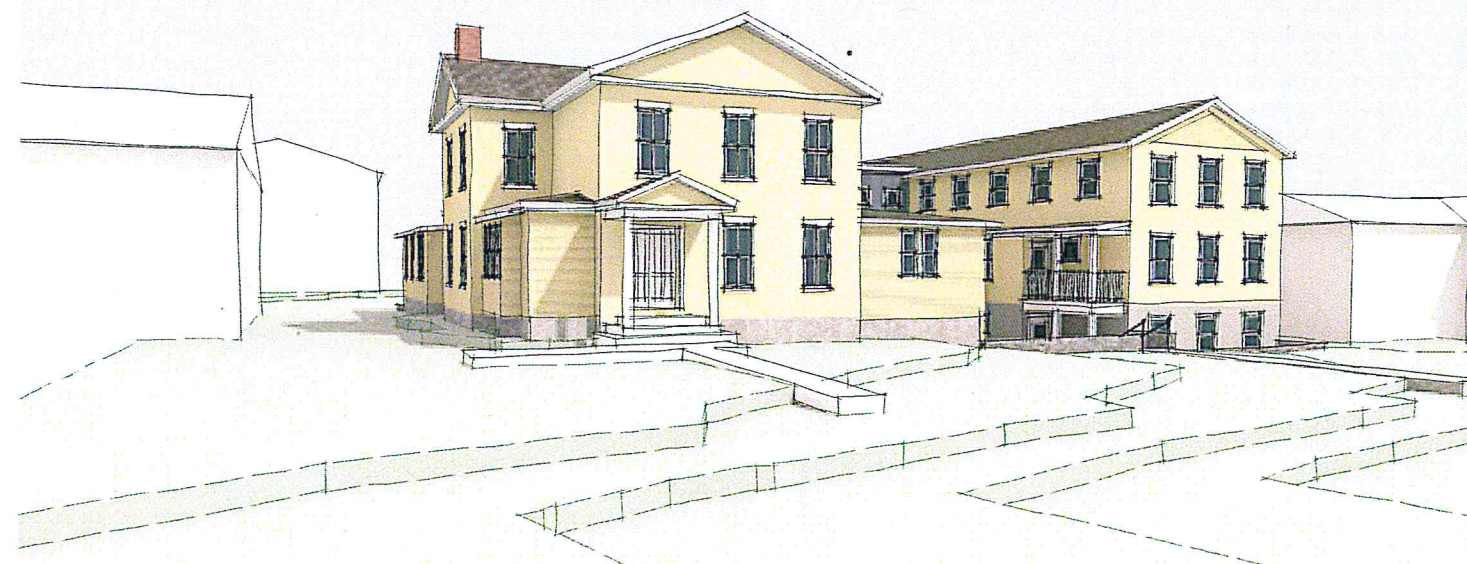
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SCHEMATIC DESIGN

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508.233.6200

DATE: 10.28

A2-4

United States Department of the Interior
National Park Service

**National Register of Historic Places
Continuation Sheet**

Section number 7 Page 39

The house has a rear wing of 1 1/2 stories and 4 x 1 bays with a gable roof and cornice returns. Extending to the west side of this wing is an ell of 2 x 1 bays, with a shed roof that meets the west porch.

The alcove formed by the main block and east ell is filled with a 2 story, 1 x 2 bay porch of which the second story is enclosed with panels behind a balustrade and glazing between the boxed posts supporting a molded cornice and flat roof. The first story is open with boxed posts and serves a side entrance. A second porch, 3 x 1 bays and 1 story, spans the full width of the west elevation. The shed roof is supported by undecorated columns tapering toward the top. Spanning between the columns is a balustrade with turned posts.

The house has a single, square, interior chimney that lies on the rear wing ridge. The windows have 6/6 sash with flat arches and wooden sills; most of the windows have louvered shutters.

This house is one of the houses on the south side of College Street constructed by the Morse Brothers (#s 46 and 47 are others). It is thought to have been built by T.S. Peck for one of his sons or sons-in-law.

45. Town Center Condominiums (295-297 College Street); 1980

This modern structure is an infill building between two of the Peck estate Greek Revival houses on College Street (See #44 and #46). It attempts to be unobtrusive by keeping a deep setback similar to the older buildings surrounding it. The 2-story, gable-roofed, aluminum-sided, 4-unit condominium is evidence of the continued development pressures in the district. This is non-contributing due to age.

46. Peck House (289 College Street); c.1835

This Greek Revival house of 2 stories, 3 x 3 bays, and gable front roof was, like #s44 and 47, built by the Morse brothers for the Peck family (Dr. John Peck was a wealthy druggist and merchant.). It is constructed in L-plan with a pedimented gable facing north onto College Street. This building is currently used for professional office space.

The classically molded front pediment encloses a semi-elliptical louver while a similar east facing pediment crowns the 2 story, 1 x 2 bay east ell. An interior wall chimney breaks the roof line at the ridge of this ell.

United States Department of the Interior
National Park Service

**National Register of Historic Places
Continuation Sheet**

Section number 7 Page 40

A 1 x 3 bay, 1 1/2 story, brick, rear wing with a 1 story, 1 x 2 bay east wing extend the structure to a rear parking area. A 1 story, clapboard sided, enclosed porch with an Italianate bay window fills the alcove between the pedimented east and north faces. A 1 story enclosed porch extends along the west elevation, its rolled asphalt half-hip roof ending abruptly at the rear to meet an enclosed stairwell leading to the second floor; banks of modern, single-pane casement windows run along the west wall.

The gabled, left (east) sidehall entrance portico boasts a classically molded pediment supported by Doric columns and pilasters at the wall line. Heavy Italianate double doors have ornate cut glass lights and bolection molded panels over a granite sill.

Two-over-two replacement sash, flat arches and wooden sills are common throughout the house with the exception of casement windows in the west enclosed porch. A single, round-headed, Italianate window gazes toward the lake from the west second story elevation. Louvered shutters flank front elevation windows.

47. Thomas Peck House (Langrock, Parker, Sperry & Wool Offices)
(275 College Street); c.1835

As with #s44 and 46, this Greek Revival residence on the southeast corner of College and South Union Streets was constructed by Morse Brothers c.1835 for the Peck family (in this case Thomas Peck, son of Dr. John Peck). The structure features a gable front main block with rear wing and side ells. The building sets on a coursed yellowstone foundation, is constructed with brick in American bond, and roofed with slate. Fenestration is primarily 6/6 sash with flat brick arches and projecting wood sills.

The 2 story, 3 x 2 bay, main block faces College Street and is surmounted by a pedimented, gable front roof with a trefoil louver. The left (east) side-hall entry has a heavy granite lintel over the Italianate double doors whose upper panels are round-arched and glazed, and whose lower panels bear bolection moldings. A brick, interior, wall chimney with corbelled cap pierces the roof near the center of the west wall.

Inset from the main facade is the 2 story, 3 x 2 bay, gabled, east ell. Across the north (front) side is a Gothic porch with slotted posts and a second story (deck) "Union Jack" balustrade. Modern paneled doors occupy the upper and lower west bay; in the other bays, the windows rest on modern (possibly replacement) wooden spandrels.

Burlington Comprehensive Development Ordinance

PROPOSED: ZA-14-07-Residential Parking Standards

As approved and recommended by the City Council Ordinance Committee on June 25, 2014

Changes shown (underline to be added, strike-out to be deleted) are proposed changes to the Burlington Comprehensive Development Ordinance.

Purpose: This proposed amendment to the Comprehensive Development Ordinance expands the Shared Use Parking District to include the Residential – High Density Zoning District; makes on-site parking requirement calculations for residential uses based on the size of the residential unit measured by the number of bedrooms; and reduces the on-site parking requirements for studio and 1-bedroom units as an incentive to their creation. The change is intended to increase the affordability of housing units by reducing the required parking requirements in downtown and the shared parking districts, as well as incentivizing the creation of smaller units.

Sec. 8.1.3 Parking Districts

The demand for parking is highly dependent on the context within which a given use or structure is located. Factors such as proximity to other related uses, availability of public transportation, the density of land uses, and the ability to share parking with nearby uses are all factors which influence the demand for individual and dedicated off-site parking. For the purposes of this Article, the following three (3) Parking Districts as illustrated in Map 8.1.3-1 are hereby created:

(a) Neighborhood Parking District:

This parking district establishes the baseline of parking requirements throughout the city where the demand for offsite parking is largely dependent on the needs and characteristics of an individual site or land use.

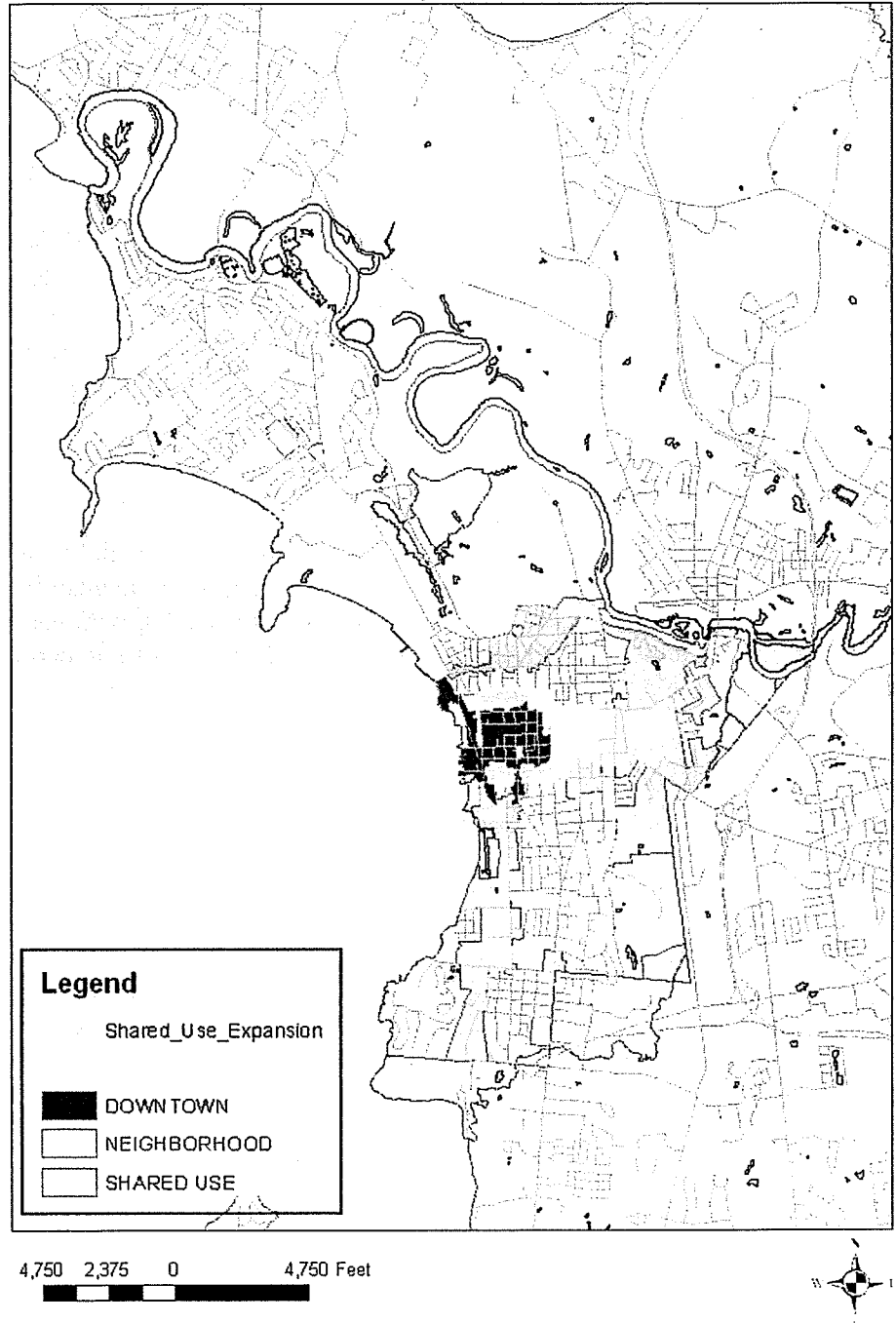
(b) Shared Use Parking District:

This parking district reduces the requirements from the baseline standards recognizing that opportunities exist to share parking demand between related nearby land uses, and that travel to and between these uses may not be strictly automobile dependent.

(c) Downtown Parking District:

This parking district further reduces the requirements from the baseline standards recognizing that extensive sharing of parking demand between nearby land uses occurs; that a majority of travel to and between land uses is independent from an automobile; and that an array of public parking facilities and frequent transit service greatly reduces the need for independent parking for individual land uses.

Burlington Comprehensive Development Ordinance
Parking Districts



Map 8.1.3 - 1 Parking Districts

Sec. 8.1.4 Existing Structures

Any structure or land use lawfully in existence prior to the adoption of this ordinance shall not be subject to the requirements of this Article as long as the kind or extent of use is not changed, and provided further that any parking facilities now serving such structures shall not in the future be reduced below such requirements. In the event that the kind or extent of use is changed, current parking requirements shall apply if the change results in a greater parking requirement than existing.

Sec. 8.1.8 Minimum Off-Street Parking Requirements

Parking for all uses and structures shall be provided in accordance with Table 8.1.8-1.

- (a) Where no requirement is designated and the use is not comparable to any of the listed uses, parking requirements shall be determined by the DRB upon recommendation by the administrative officer based upon the capacity of the facility and its associated uses.
- (b) When the calculation yields a fractional number of required spaces, the number of spaces shall be rounded to the nearest whole number.

Table 8.1.8-1 Minimum Off-Street Parking Requirements			
	Neighborhood Districts	Shared Use Districts	Downtown Districts
RESIDENTIAL USES¹	Per Dwelling Unit except as noted		
Multi-unit attached dwelling units, studio units or 1-bedroom dwelling unit.	<u>2</u>	<u>4</u>	<u>4</u>
Single Family detached and Duplex	<u>2</u>	<u>2</u>	<u>4</u>
Studio/1 Bedroom unit	<u>1</u>	<u>0.33</u>	<u>0.33</u>
2 Bedroom unit	<u>2</u>	<u>1</u>	<u>1</u>
3 Bedroom unit	<u>2</u>	<u>1.5</u>	<u>1.5</u>
4 Bedroom unit	<u>2</u>	<u>2</u>	<u>2</u>
5+ Bedroom unit	<u>2</u>	<u>3 + 1 per additional bedroom >5²</u>	<u>3 + 1 per additional bedroom >5²</u>
RESIDENTIAL USES - SPECIAL	Per Dwelling Unit except as noted		

¹ See also additional parking requirements under Sec. 4.4.5(d) 5 C Residential Occupancy Limits for occupancy by more than 4 unrelated adults in a Residential Zoning District.

² 1 parking space per additional bedroom shall not apply to an affordable housing unit or a dwelling unit occupied by a family as either are defined in Article 13: Definitions.

Department of Planning and Zoning

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Ken Lerner, Assistant Director
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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: Ken Lerner *[Signature]*
DATE: November 18, 2014
RE: Appeal of Zoning Permit 15-0422FC; 188-190 North Union 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: RL Ward: 1
Owner/Appellants: Kimberly & Eric Hathaway / Arnold King

Request: Appeal approval of ZP# 15-0422FC for fence.

Recommendation: Uphold determination for fence as permitted based on the following findings:

I. Findings:

A. Background

On October 7, 2014 zoning permit 15-0422FC was issued for "Installation of eight sections of wooden fencing along boundary line". The following conditions of approval were included:

1. The proposed fence shall be setback sufficiently to provide for the maintenance of both sides of the fence without entering onto the adjacent property. Sufficient access to the outside of the fence shall be provided to provide room for such access for the maintenance of the fence.
2. The proposed fence shall present a finished side to the adjoining property in accordance with Sec. 6.2.2(m) of the City of Burlington Comprehensive Development Ordinance.
3. Approval of this permit is for the fence only parallel to the southern property boundary and does not include any other site or building features; and

Standard Permit Conditions

On October 21, 2014 an appeal of this permit was filed.

B. Appeal

The appeal simply states: "Does not want fencing removed from his property & or other fence up. Chain link belong (sic) to Arnold King. Does not want it removed."

C. Response

The language in the appeal is general and does not address any standard other than claiming ownership of the existing chain link fence.

No evidence or documentation such as a survey has been presented to support the contention that fence is on the appellant's property. The fence is actually situated at the corner of a structure on the subject property.



II. Recommended Motion:

As no documentation to support the appeal has been provided it is recommended that the Board uphold the fence as approved and conditioned under Zoning Permit 15-0422FC.



Department of Planning and Zoning

149 Church Street, City Hall

Burlington, VT 05401-8415

Phone: (802) 865-7188

Fax: (802) 865-7195

www.burlingtonvt.gov/pz

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OCT 21 2014

DEPARTMENT OF
PLANNING & ZONING

Appeal of an Administrative Decision Request

Use this form to appeal any Administrative Decision or Notice of Violation - See Sec. 12.2.2 of the Zoning Ordinance.

SUBJECT LOCATION ADDRESS: 188 North Union St Burl.

Subject Property Owner: 186 North Union St Burl.

Appellant: Arnold R King

Agent/Representative: _____

Mailing Address: 186 North Union St Burl.

City, St, Zip: Burlington, VT 05401

Day Phone: 802-864-7688

Email: _____

Appellant Signature: Arnold R King

Date: 10/22/14

In order for your request to be considered complete, ALL of the following information must be provided, as applicable:

- ☒ The Appeal fee of \$250;
- ☒ Description of the decision under appeal; Removal
- ☒ Description of the property subject to the appeal; 188-190
- ☒ Reference to the regulatory provisions applicable to the appeal; Anchor Check List
- ☒ Relief requested by the appellant; Arnold King Does not want fence up?
- ☒ Alleged grounds why such requested relief is believed proper under the circumstances. Does Not want fence up.

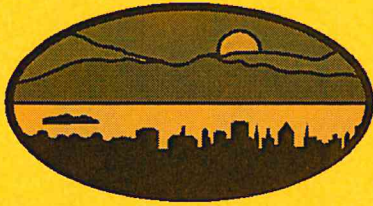
Does Not want Removal. Removed from his property & or other fence up. Chain link belong to Arnold King. Does Not want it Removed.

Office Use Only:

Check No. 2601

Amount Paid 250.-

Zoning Permit # 15-04227C



ZONING PERMIT

FENCE

City of Burlington, Vermont
Department of Planning and Zoning

Application Date: 09/24/2014

Appeal Expiration Date: 10/22/2014

Project Location: 188-190 NORTH UNION STREET

District: RM

Owner: Eric Hathaway

Ward: 2

Address: 37 Trails End Drive
Canton, CT 06019

Tax ID: 044-3-189-000

Project Type: Residential - Site Imp/Landscaping/Parking/Fence

Project Description: Installation of eight sections of wooden fencing along boundary line.

Construction Cost:	\$500	Lot Size (Sq Ft):	4,695
Net New Habitable Sq Ft:	0.00	Net New # of Housing Units:	0
Existing % Lot Coverage:	0.00	Existing # of Parking Spaces:	0
Proposed % Lot Coverage:	0.00	Proposed # of Parking Spaces:	0
Net New % Lot Coverage:	0.00	Required # of Parking Spaces:	0

Zoning Permit #: 15-0422FC

Decision By: Administrative

Level of Review: 1

Decision: Approved

See Conditions of Approval

Decision Date: October 7, 2014

Project File: NA

Zoning Administrative Officer

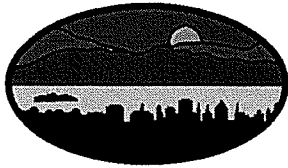
An interested person may appeal a decision of the Zoning Administrator to the Development Review Board until 4 pm on October 22, 2014.

Fee Type	Amount	Paid in Full	Balance Due: \$0.00
Application Fee:	\$50.00	Yes	Date Paid: _____
Development Review Fee:	\$0.00	NA	Check # _____
Impact Fee:	Not Applicable		

Building Permit Required: **Yes**

Permit Received by: _____

Date: _____



City of
Burlington, Vermont
149 Church Street

Zoning Permit - Fences – Conditions of Approval

ZP #: 15-0422FC

Tax ID: 044-3-189-000

Issue Date: October 7, 2014

Decision: Approved

Property Address: 188-190 NORTH UNION STREET

Description: Installation of eight sections of wooden fencing along boundary line.

Project Permit Conditions:

1. The proposed fence shall be setback sufficiently to provide for the maintenance of both sides of the fence without entering onto the adjacent property. Sufficient access to the outside of the fence shall be provided to provide room for such access for the maintenance of the fence.
2. The proposed fence shall present a finished side to the adjoining property in accordance with Sec. 6.2.2(m) of the City of Burlington Comprehensive Development Ordinance.
3. Approval of this permit is for the fence only parallel to the southern property boundary and does not include any other site or building features.

Standard Permit Conditions:

1. **Other City, State or Federal Permits.** The owner is solely responsible for obtaining all other required City, state and federal approvals. Failure to do so may invalidate this Zoning Permit and result in enforcement actions.
Note: All projects receiving a Zoning Permit also require a Construction Permit or written confirmation that a Construction Permit is not required from Department of Public Works-Inspection Services Division (DPW-ISD). All construction permits must be closed out by way of approved inspections by DPW-ISD before issuance of a Unified Certificate of Occupancy (UCO) by the Code Enforcement Office as per Condition 3, below.
2. **Time Limits.** This zoning permit shall become invalid unless work or action authorized by the permit is commenced by **October 7, 2015**. The owner shall complete the approved project and obtain a UCO (combined Zoning and Building certificates of occupancy, still applicable even if a zoning or building permit was not required) by **October 7, 2016**, or be subject to enforcement actions.

These time limits are binding upon the owner unless one of the following apply: a) longer or shorter time limits are specifically imposed by a condition of approval; or b) the time limits are tolled by additional state or federal permitting for the project or by an appeal; or c) an extension of time has been granted. An extension of time must be requested in writing PRIOR to the expiration of the permit. If the owner has enacted the permit and it lapses, the owner may be responsible to obtain a new zoning permit, if required, which shall be subject to the current Comprehensive Development Ordinance (CDO).

3. **Unified Certificate of Occupancy (UCO):** It shall be unlawful to use or occupy (or allow the use

or occupancy of) any land or structure or part thereof which has been created, changed, converted, or wholly or partly altered or enlarged in its use or structure without a UCO.

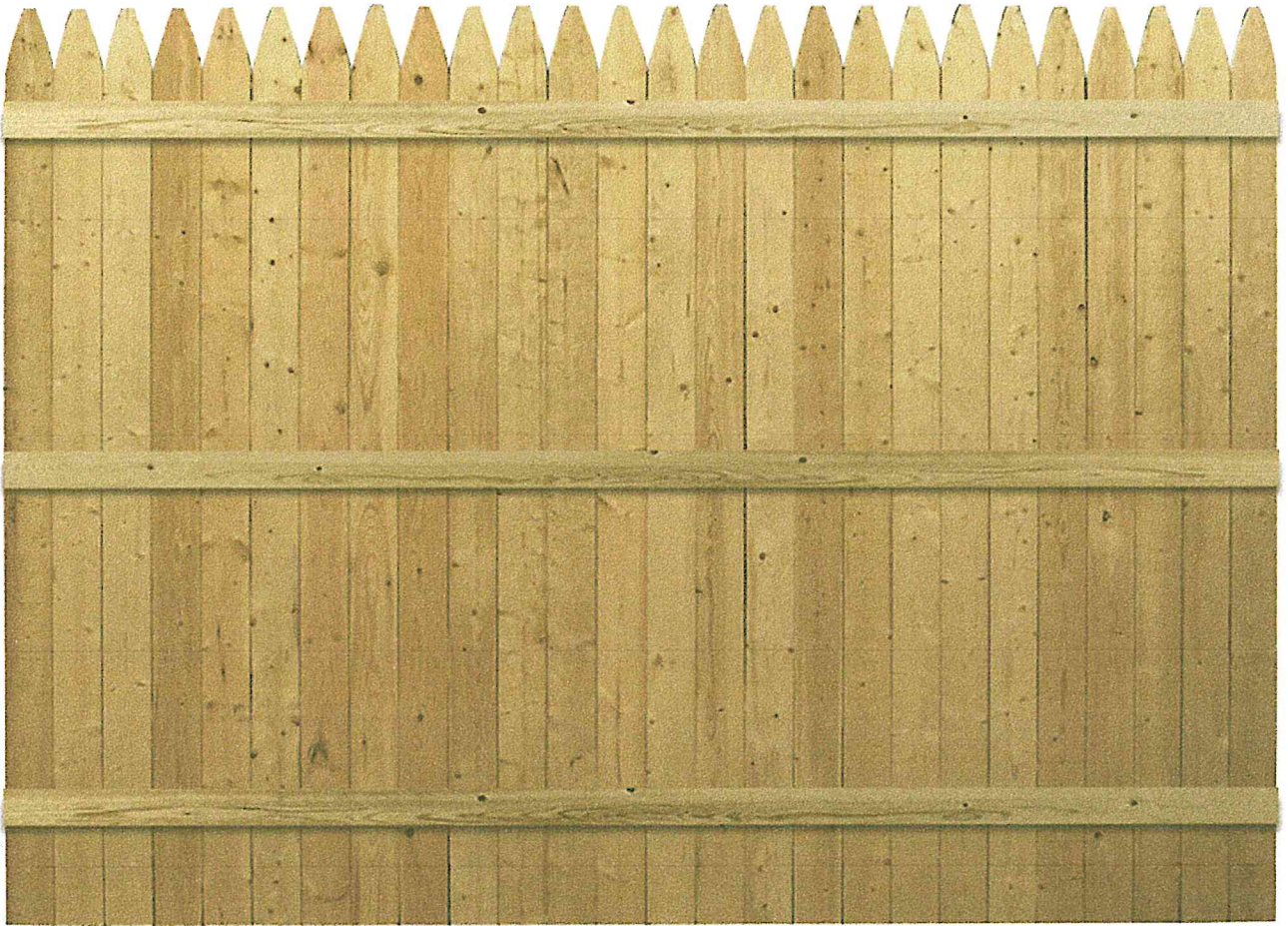
If the project is partially completed, meets “prior to issuance of a UCO” conditions of approval, meets all health and safety standards, and all municipal fees for the project are paid, a Temporary Zoning CO may be requested and issued. **Upon completion of the project**, applicant shall request and obtain a Final UCO from the Code Enforcement Office (located at 645 Pine Street). Additional information on how to request and obtain this UCO is available at this office. **Failure to obtain a certificate of occupancy** places the property in violation of the CDO and is subject to enforcement

In addition, **Failure to obtain a UCO within the time limits above is subject to** “after the fact” fees ranging from \$75 - \$1500 (in addition to the UCO fee).

4. **Project Modifications.** The project shall be completed as shown on the plans, which have been stamped “approved” and dated by the administrative officer. The project shall not deviate from the approved plans or conditions of approval without prior written approval from the administrative officer.
5. **Property Inspection.** By acceptance of this permit, the owner authorizes City Officials and/or their authorized representatives, access to the subject property for the purpose of observing work in progress, inspecting and/or measuring the property or improvements until such time the project has been issued a Final UCO.
6. **Completion and Maintenance of Improvements and Landscaping.** Owner or successor in interest is responsible for completing all improvements shown on approved plans. By acceptance of this permit, Owner agrees to maintain all improvements in a satisfactory condition. Any landscaping installed according to the approved plan which becomes diseased or dies shall be replaced by similar species and size no later than the first available planting season.
7. **Off-Site Drainage.** Issuance of this permit does not authorize the discharge of stormwater runoff or other surface drainage from the subject premises onto adjoining property or properties including but not limited to the public Right of Way.
8. **Errors.** The owner is solely responsible for the accuracy of all information contained in the Zoning Permit application. Any errors contained therein may invalidate the Zoning Permit and may result in enforcement action by the City.
9. **Transfer of Ownership. All zoning permits run with the land.** In the event of a transfer of ownership, partial or whole, of the subject premises, the transferee shall become permittee and subject to compliance with the terms and conditions of this permit.
10. **Violations/Penalties.** A violation of any of the conditions of this permit or of any provision of the CDO may result in enforcement actions, including but not limited to a penalty of up to two hundred dollars (\$200) per day, municipal tickets, and/or additional permitting fees.
11. **Incorporation and Reference of All Plans Presented.** This approval incorporates by reference all plans and drawings presented and all verbal representations by the applicant on the subject application to the extent that they are not in conflict with other stated conditions or regulations.
12. **For Properties Involved in Boundary Disputes.** Boundary disputes are not within the jurisdiction of the administrative officer or the Development Review Board. When an application is submitted and the boundary of the subject property is called into question, the boundary will be determined

based upon the best evidence available, for instance a survey or other official document. If a permit is issued and contrary evidence is presented to the City after the fact, such as a survey or Superior Court ruling with respect to the boundary lines, the permit may be amended or revoked by the City. If the permit is amended or revoked, owner shall bear all costs to remedy the situation, including removal of the structure(s) if necessary, that is if the structure(s) is/are unable to meet the requirements of the CDO and receive an amended permit in light of the actual boundary line.

13. **Damage to City Property.** The Owner is responsible for any damage to the City of Burlington's property, including but not limited to its right-of-way, sewer/water lines, etcetera, that occurs during the site improvements authorized by this permit. If damage occurs, the Owner shall restore the property to a condition equal to or better than the condition of the property prior to such damage.
14. **City Rights-of-Way and Ownership.** Permit approval does NOT authorize any work to be undertaken within the public ROW. Any work in the ROW can only occur with prior authorization by DPW and City Council, as required. Any work or improvements that are taken within the City's right of way does not diminish the City's ownership or authority regarding said right of way.
15. **Liquor License Required.** An approval of any use that includes the sale of alcoholic beverages is contingent upon the receipt of a liquor license from the City of Burlington or the State of Vermont, whichever is applicable.



Wood
6' height
8' width

New
Fence

NOTE

ANY MODIFICATIONS OR DEVIATIONS FROM THESE PLANS
REQUIRE ZONING APPROVAL PRIOR TO CONSTRUCTION.
ALL ERRORS IN DIMENSIONS, PLANS OR DETAILING ARE
FULLY THE RESPONSIBILITY OF THE APPLICANT/OWNER.

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SEP 23 2014

DEPARTMENT OF
PLANNING & ZONING

FINAL APPROVAL

SIGNED

PLANNING & ZONING DEPARTMENT
BURLINGTON, VERMONT

DATE

10/7/14

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SEP 23 2014

DEPARTMENT OF
PLANNING & ZONING

front
of
garage



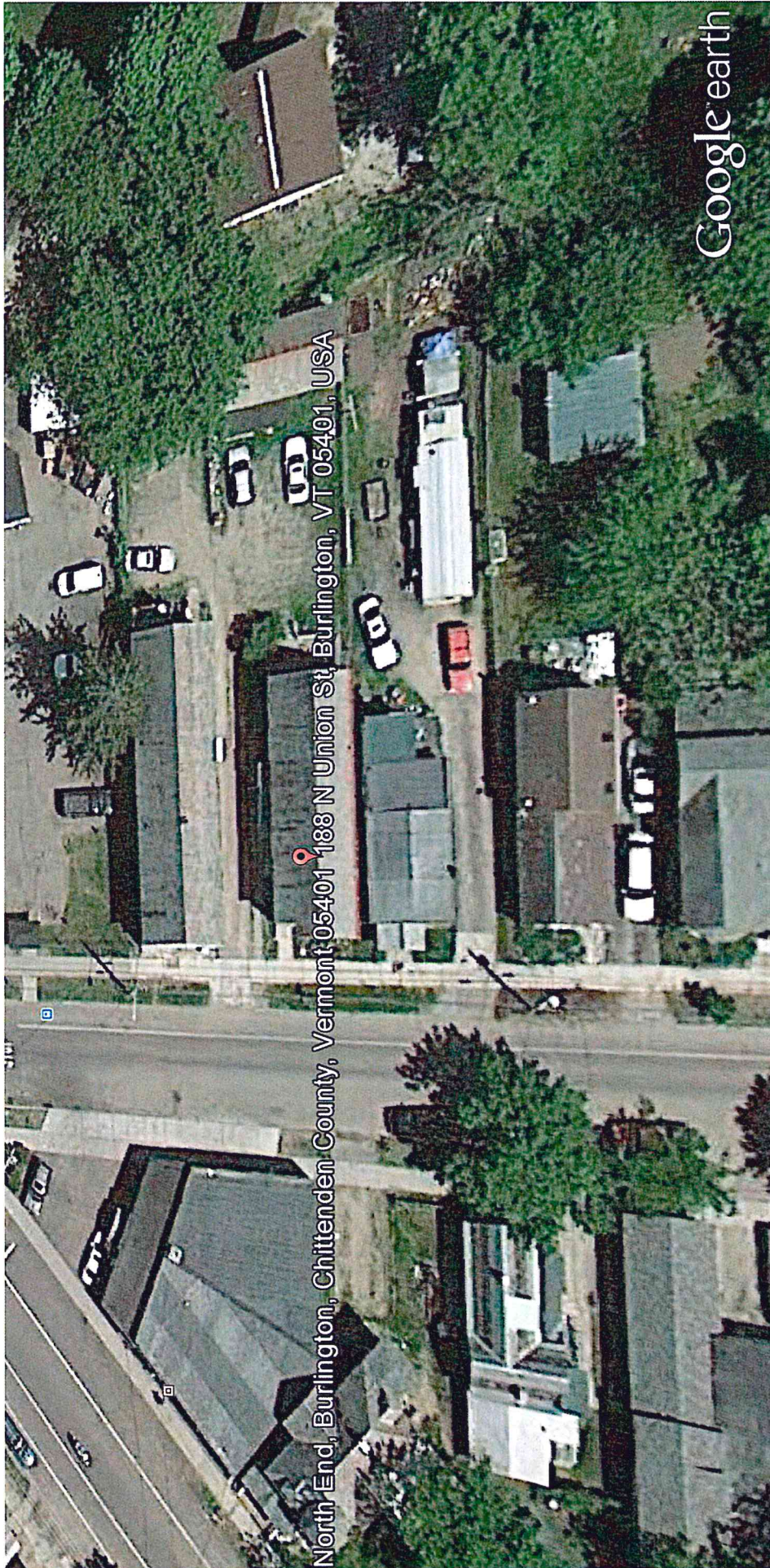
RECEIVED

SEP 23 2014

DEPARTMENT OF
PLANNING & ZONING

Back
of
House





Google earth

feet
meters

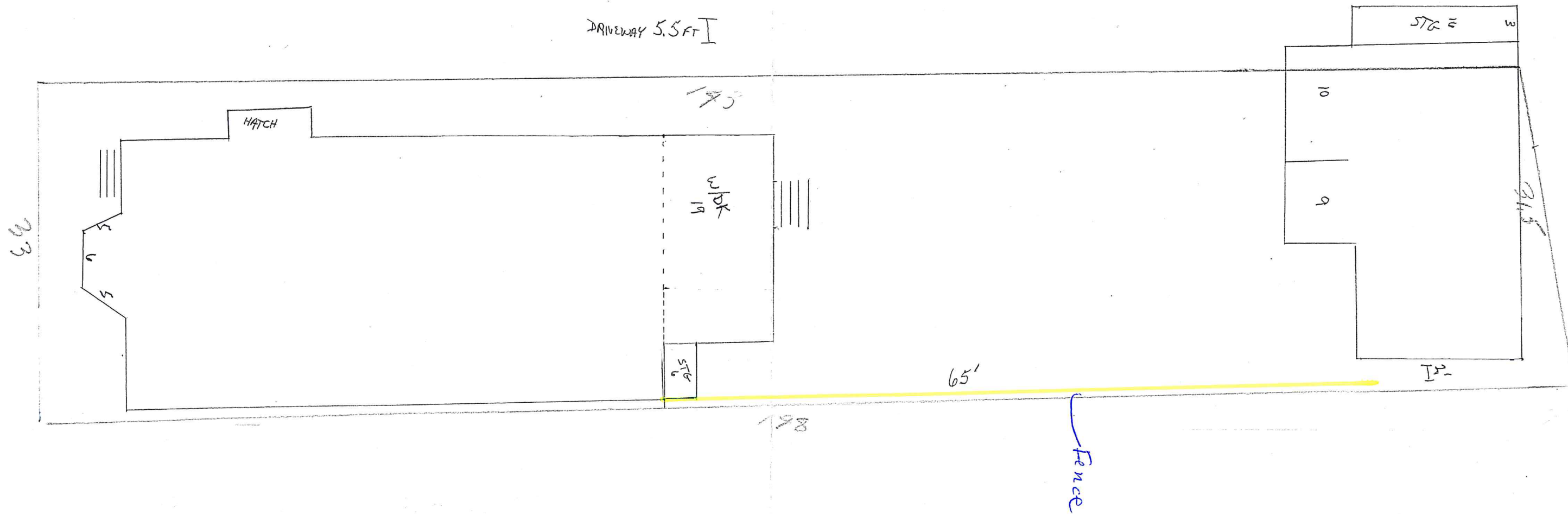
100

50



Google earth

188-190 North Union



-- NOTE --

ANY MODIFICATIONS OR DEVIATIONS FROM THESE PLANS
REQUIRE ZONING APPROVAL PRIOR TO CONSTRUCTION.
ALL ERRORS IN DIMENSIONS, PLANS OR DETAILING ARE
FULLY THE RESPONSIBILITY OF THE APPLICANT/OWNER.

FINAL APPROVAL - FOR FENCE ONLY AS PER
SIGNED [Signature] DATE 10/7/14 **Z.P. 15-0422 RR**
PLANNING & ZONING DEPARTMENT
BURLINGTON, VERMONT

DEPARTMENT OF
PLANNING & ZONING

OCT 03 2014

RECEIVED

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
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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: Ken Lerner *[Signature]*
DATE: November 18, 2014
RE: 15-0506CU; 37 North Prospect 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: RL **Ward:** 1
Owner/Applicant: Wilbur "Bud" Shriner
Request: Convert portion of boarding house into an additional residential unit.

Applicable Regulations:

Article 3 (Applications, Permits, and Project Reviews), Article 4 (Maps & Districts), Article 5 (Citywide General Regulations), Article 8 (Parking)

Background Information:

The applicant is seeking approval to convert four room portion of an eight room boardinghouse into a residential unit. The additional unit is allowable, as a conditional use, under Section 4.4.5 (d) 5. A. No site work or exterior modifications are included with this proposal.

Previous zoning actions for this property are noted below.

- 11/3/83 Conditional use approval for a boarding house granted for up to 20 occupants.
- 1/17/84 Conditional use granted for medical office home occupation.
- 5/18/84 The existing house on this property was approved for (interior) demolition/renovation (ZP83-312).
- 3/26/85 Approval for an additional kitchen to be allowed at boardinghouse.
- 1/23/86 Conditional use approval for an additional four room boarding house (four existed and an additional four boarders were approved). Result for premises was;
 - Four boarders on third floor
 - Two apartments on the second floor
 - Four boarders and portion of a residential unit on the first floor with a home occupation office.
- 3/5/87 Zoning Permit 87-067/COA S86-073 approved for construction of an additional single family residence on the premises under PRD regulations.
- Several minor zoning permits issued for fencing, window changes, bollards, etc.



Recommendation: 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:

(a) Conditional Use Review Standards

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

The proposed additional dwelling unit will be served by municipal water and sewer service. Adequate capacity is available; however, a wastewater permit from the State of Vermont may be required. **(Affirmative finding as conditioned)**

(2) The character of the area affected;

This neighborhood is defined by detached single family and multi-family homes, with the Red Cross right across the street and institutional uses nearby on Colchester Avenue. The proposal while adding a unit likely will result in fewer occupants as four of the boarding rooms will be converted into the new unit. **(Affirmative finding)**

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

No traffic information has been provided; however, anticipated traffic impacts are nil as there is no expected increase in occupancy. **(Affirmative finding)**

(4) Bylaws then in effect;

As conditioned, the conversion to an additional unit complies with all applicable zoning bylaws. **(Affirmative finding as conditioned)**

(5) Utilization of renewable energy resources;

No changes to the structure itself are proposed. **(Affirmative finding)**

(6) Cumulative impacts of the proposed use;

The subject property is located in the RL zone wherein residential use is permitted. Per this criterion, cumulative impacts are deemed negligible. **(Affirmative finding)**

(7) Functional family;

Apartment units in the RL zone are limited to occupancy by a family or functional family that is a maximum of four unrelated residents. The new unit will have to adhere to this standard.

(Affirmative finding as conditioned)

(8) Vehicular access points;

A large parking lot has existed on this site since at least 1983. There were 17 spaces that were reduced to 12 as part of the PRD approval in 1987. No access changes to the lot are proposed.

(Affirmative finding)

(9) Signs;

No signage is included in this proposal. **(Not applicable)**

(10) Mitigation measures;

The proposed additional dwelling unit will not produce noise or glare sufficient to warrant mitigation measures. **(Affirmative finding)**

(11) Time limits for construction;

The zoning permit is valid for 2 years; 1 year to start construction and another to finish. No additional time is being sought by the applicant. **(Affirmative finding)**

(12) Hours of operation and construction;

Hours of operation do not apply to the proposed residential use. While the project location is in a residential neighborhood, hours of construction need not be limited as the work is in the interior.

(Affirmative finding)

(13) Future enlargement or alterations;

Any future enlargement or alterations will require additional permit review in accordance with the regulations in effect at that time. **(Affirmative finding)**

(14) Performance standards;

No additional performance standards would apply to this change from boarding house to a residential unit. **(Affirmative finding)**

(15) Conditions and safeguards;

As conditioned, the proposed use complies with the applicable requirements of the Comprehensive Development Ordinance. **(Affirmative finding as conditioned)**

Article 4: Maps & Districts

Sec. 4.4.5, Residential Districts:

(a) Purpose

(1) Residential Low Density (RL)

The subject property is located in the RL zone. This zone is intended primarily for low density residential development in the form of single detached dwellings and duplexes. The site was approved as a PRD in 1986-7. **(Affirmative finding)**

(b) Dimensional Standards & Density

Lot coverage will not increase. Density is not considered as Section 4.4.5 (d) 5. A. allows an additional unit to be added to a structure that contains two or more dwelling units as of January 1, 2007 as a conditional use. This existing building clearly had more than two units. **(Affirmative finding)**

(c) Permitted & Conditional Uses

The additional dwelling unit may be permitted under a conditional use review pursuant to Section 4.4.5 (d) 5 A. **(Affirmative finding)**

(d) District Specific Regulations

1. Setbacks

No changes to the existing structures or to the site are proposed. **(Not applicable)**

2. Height

No changes to the existing structures are proposed. **(Not applicable)**

3. Lot Coverage

No changes to the existing lot are proposed. **(Affirmative finding)**

4. Accessory Residential Structures and Uses **(Not applicable)**

5. Residential Density

The additional dwelling unit may be permitted under a conditional use review pursuant to this subsection. **(Affirmative finding)**

6. Uses

One additional residential unit is request to replace four boarding rooms. **(Affirmative finding)**

7. Residential Development Bonuses

None requested. **(Not applicable)**

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

See Sec. 4.4.5 (b) above.

Sec. 5.2.5, Setbacks

See Sec. 4.4.5 (b) above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See Sec. 4.4.5 (b) 5 above.

Sec. 5.5.1, Nuisance Regulations

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

Sec. 5.5.2, Outdoor Lighting

No new proposed outdoor lighting. (Not Applicable)

Sec. 5.5.3, Stormwater and Erosion Control

No land disturbance proposed. (Not Applicable)

Article 8: Parking

Sec. 8.1.8, Minimum Off-Street Parking Requirements

The dwelling unit requires two parking spaces. The existing boarding house requires one space per two beds. Thus with the four beds requiring two spaces there is no net change in the required parking. However, 12 parking spaces were required based on Zoning Permit 87-067/COA S86-073. Conditions of approval require screening of the parking from abutting properties and the parking lot is required to have assigned space for each of the uses.

Current parking calculations are as follows:

SFR=	2 spaces
Four boarders =	2
2 apartments =	4
Four boarders now 1 unit =	2
<u>Home occupation office =</u>	<u>1</u>
Total =	11

While there appears to be adequate screening the parking lot as it exists is not clearly defined and the plat filed in the land records identifies 11 spaces. While this meets current requirements, 12 spaces were required as a condition of approval under ZP 87-067/COA S8-073. Thus, the parking lot needs to be clearly defined with at least 11-12 spaces and each use must have assigned spaces as required under ZP 87-067/COA S8-073. As revised site plan shall be provided to assure compliance with this requirement. **(Affirmative finding as conditioned)**

II. Conditions of Approval

1. **Prior to release of the zoning permit**, revised site plans shall be submitted subject to staff review and approval, that depicts: At least eleven parking spaces clearly defined with no increase in lot coverage above allowable percentages and meeting five foot minimum side yard setbacks.
2. Each parking space shall be identified as to their assigned use.
3. Occupancy of the new residential unit is limited to family or no more than four unrelated individuals as per Section 4.4.5 (d) 5.
4. The Applicant/Property Owner is responsible for obtaining all necessary Building Permits through the Department of Public Works as well as other permit(s) as may be required, and shall meet all energy efficiency codes as required.
5. A State of Vermont wastewater permit if required for the new dwelling unit shall be obtained.
6. Any new utility meters and screening (if proposed) shall be identified on the building and is subject to review and approval by staff.
7. Standard permit conditions 1-15.



Google earth

Google earth

feet
meters

20

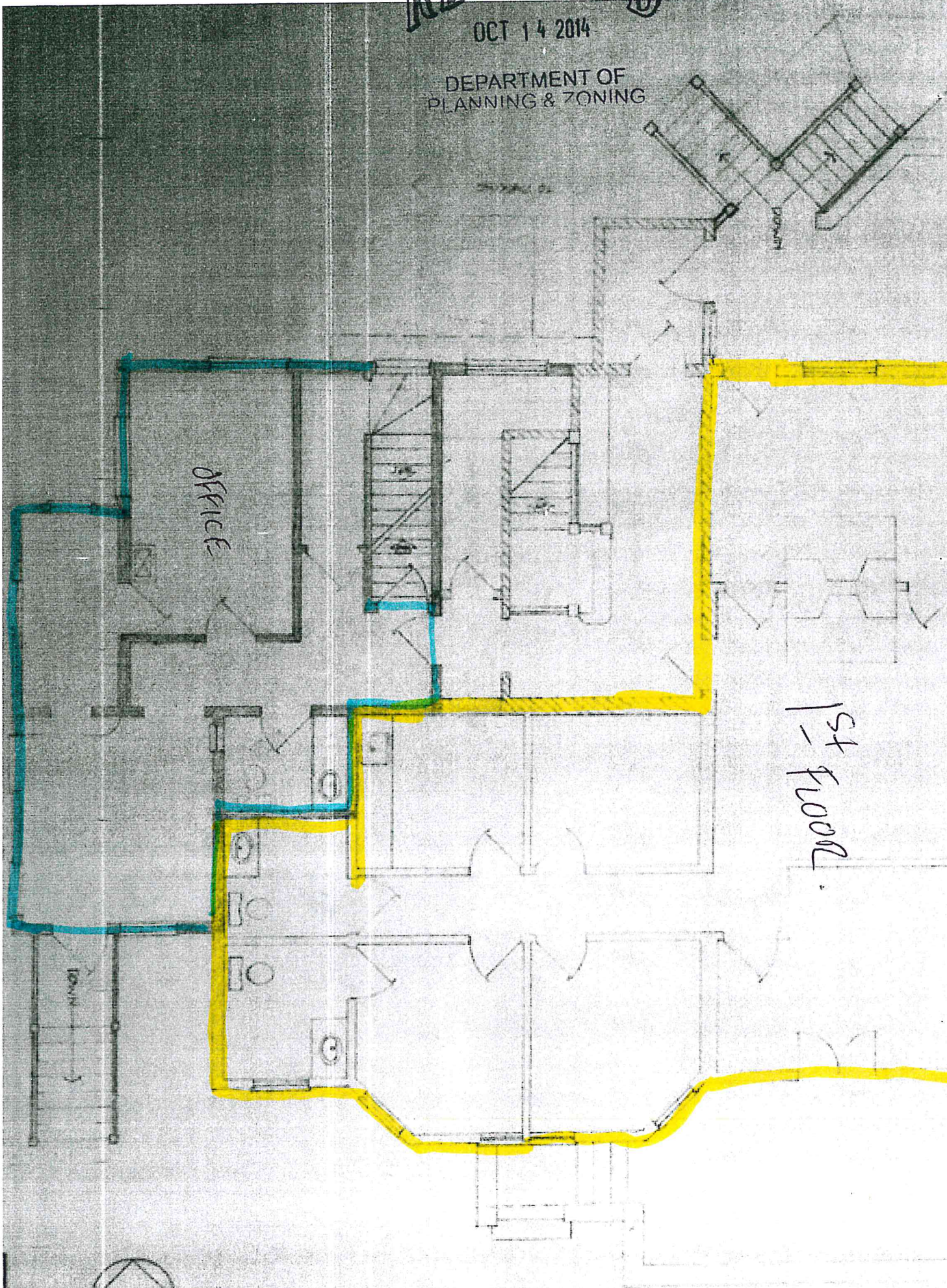
7



RECORDED

OCT 14 2014

DEPARTMENT OF
PLANNING & ZONING



1st Floor

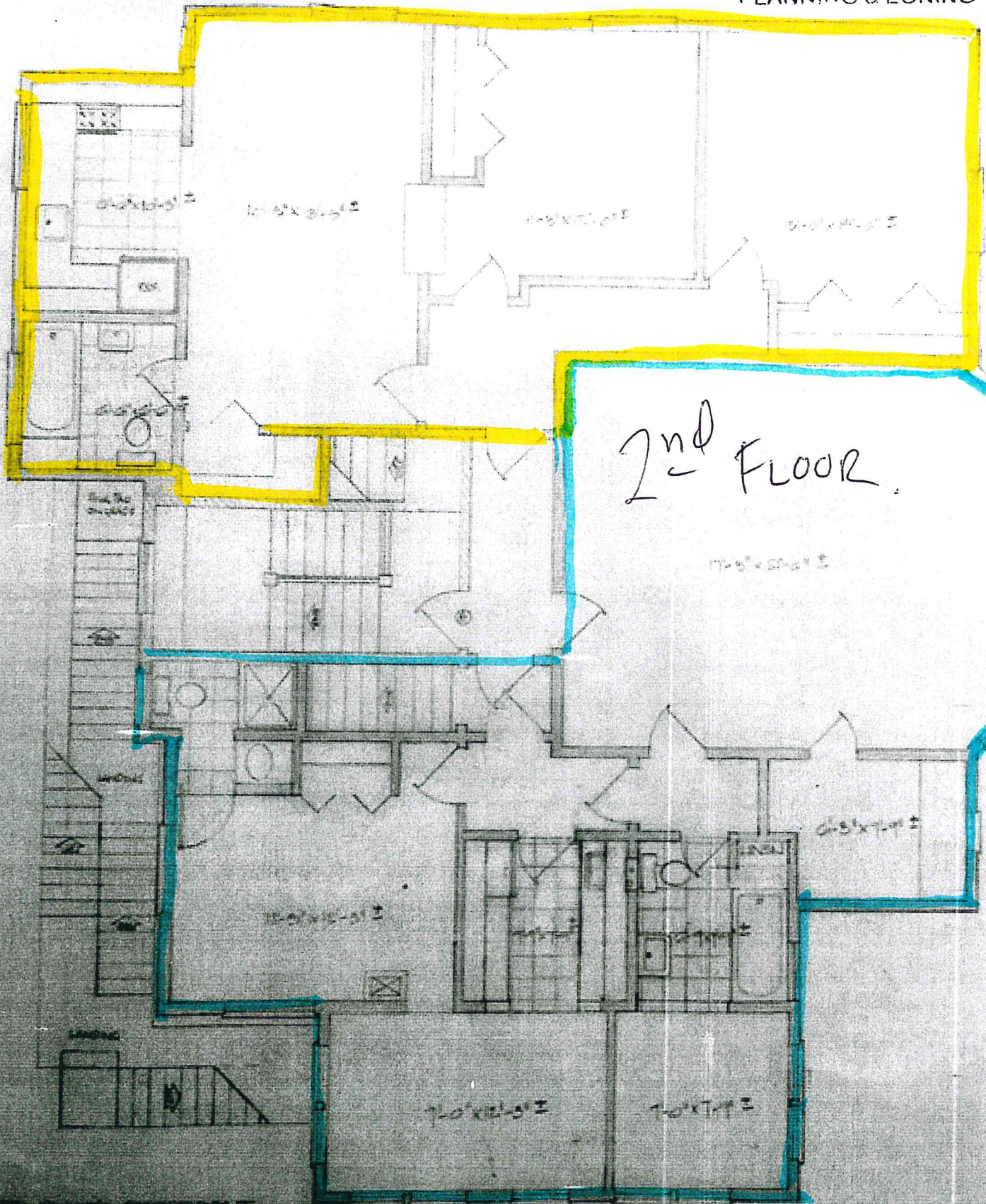
WL Shriner
37 No. Prospect St.
Burlington, VT 05401

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OCT 14 2014

DEPARTMENT OF
PLANNING & ZONING

STREET



THIS FLOOR REPRESENTS
THE 2ND FLOOR OF THE
BUILDING AT IN

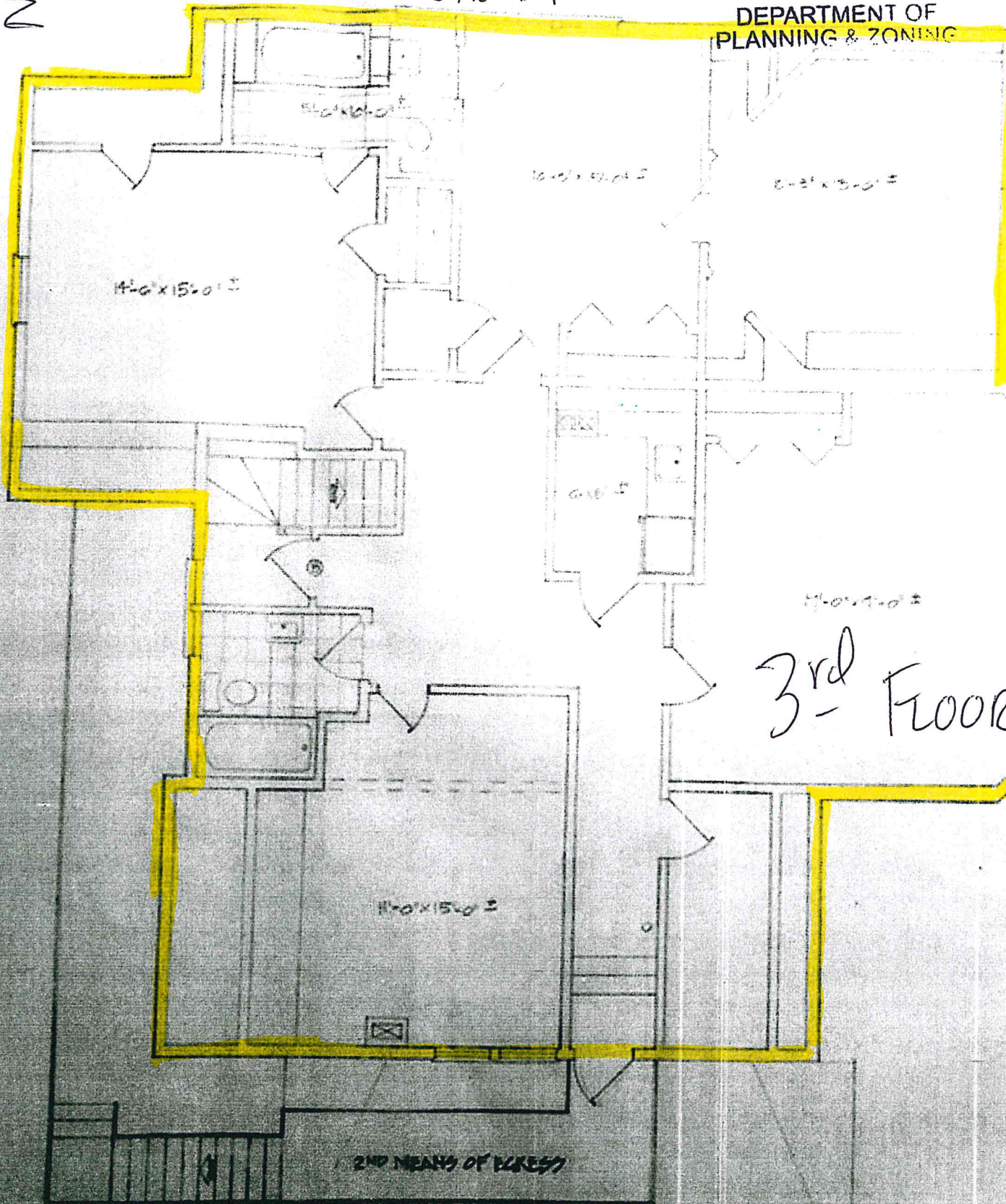
WL Shriner
37 No. Prospect St.
Burlington, VT 05401

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OCT 14 2014

DEPARTMENT OF
PLANNING & ZONING

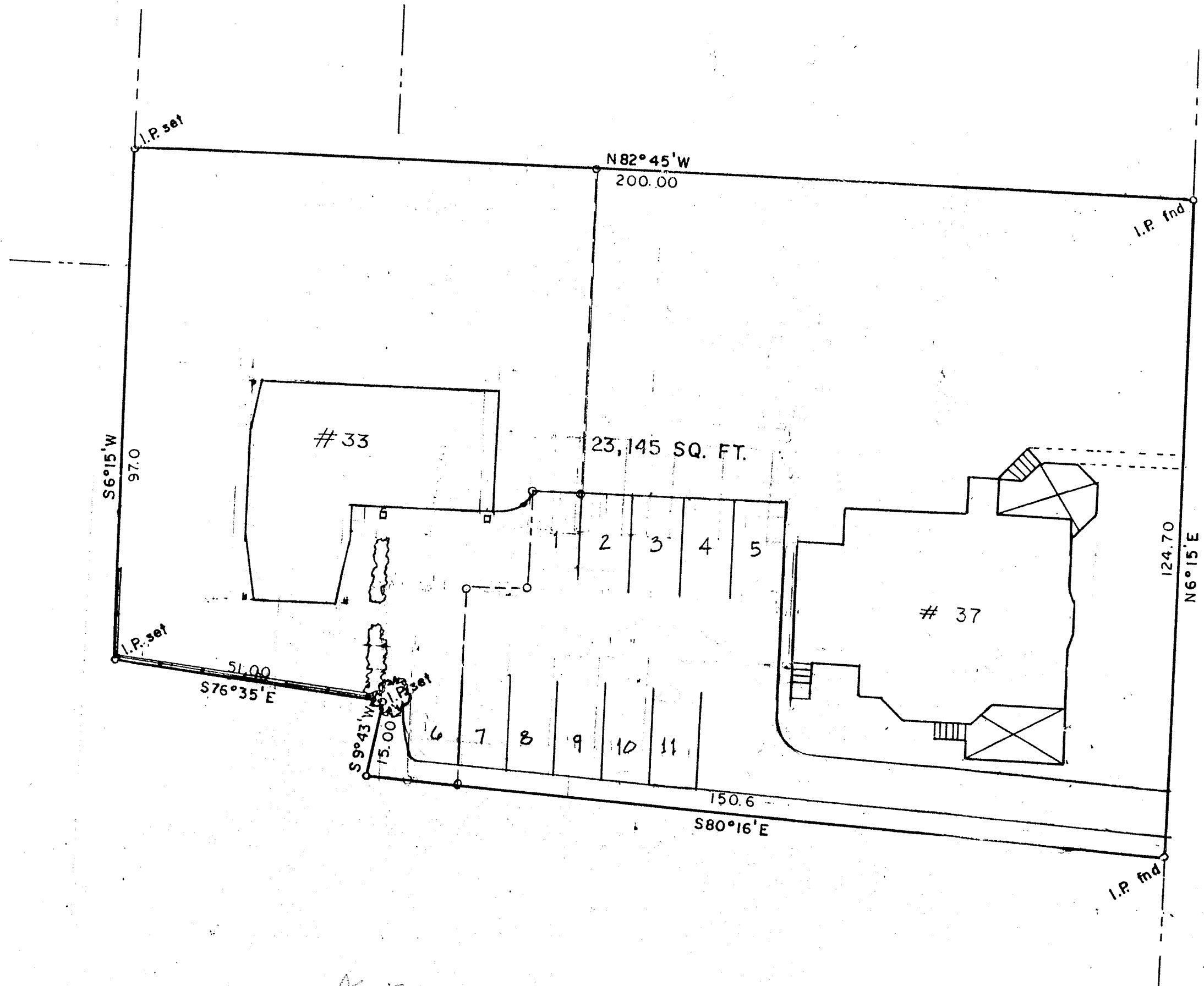
STREET



3rd Floor

2ND MEANS OF EGRESS

PLANS REPRESENT
THESE PLANS OF THE
PROSPECT ST. IN



NORTH PROSPECT STREET

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
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David White, AICP, Director
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Scott Gustin, AICP, Senior Planner
Mary O'Neil, AICP, Associate Planner
Nic Anderson, Zoning Clerk
Elsie Tillotson, Department Secretary



TO: Development Review Board
FROM: Scott Gustin *[Signature]*
DATE: November 18, 2014
RE: 15-0549SP; 316-322 Flynn Avenue

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: 5

Owner/Applicant: G&C Properties / Michael F. Alvanos

Request: Sketch Plan review to remove existing building and construct new mixed use building for deli, office space, and nine residential units.

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), and Article 11 (Planned Unit Development)

Background Information:

The applicant has requested sketch plan review of a proposed mixed use building and associated parking. The existing corner market building will be demolished along with the redemption center. The existing 3-unit residential building will be retained. The proposed building will be set to the street corner and will contain a mix of office, deli, and residential uses. Note that the deli space, at 2,315 sf exceeds the 2,000 sf café size limitation and is, therefore, considered a restaurant. In all, 9 residential units are proposed. Existing surface parking will be reconstructed to serve the new multi-use building. This sketch plan is the 3rd for potential redevelopment of this property and is significantly smaller than the prior proposals.

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 be served by municipal water and sewer. Sufficient capacity is available; however, written confirmation from the Department of Public Works will be required. A state wastewater permit will also be needed prior to construction.

2. The character of the area affected;

The subject property and the properties on the southwest and southeast corners of the Pine Street/Flynn Avenue intersection are zoned as Neighborhood Mixed Use (NMU). This zoning designation that was done several years ago better reflects the mixed use character of these properties and enables greater flexibility for their redevelopment. Champlain Elementary School (and the RL zone) abuts the subject property to the north. Single family homes lie to the east and south. Mixed uses are present to the west. As now proposed, the development is of a scale more contextually appropriate to its surroundings. The proposed mix of uses is consistent with the intent of the NMU zone.

3. Traffic on roads and highways in the vicinity;

No traffic information has been provided for this sketch plan review. Anticipated trip generation numbers and impacts on the Flynn Avenue / Pine Street intersection as related to existing conditions will be required as part of a formal permit application.

4. Bylaws then in effect;

Insufficient information has been provided at the sketch plan level to determine full compliance with all applicable bylaws.

5. Utilization of renewable energy resources;

No provision for renewable energy resources is noted in the project proposal; however, the incorporation of rooftop solar energy devices into the development is encouraged.

6. Cumulative impacts of the proposed use;

The deli and office components of the proposed development will have little impact beyond the existing corner market use. The proposed 9 residential units will entail impacts on community services and facilities, but those impacts are expected to be proportionately modest.

7. Functional family;

Not applicable.

8. Vehicular access points;

See Sec. 6.2.2 (i).

9. Signs;

See Sec. 6.3.2 (g).

10. Mitigation measures;

The proposed development is unlikely to generate offsite noise or glare substantial enough to require mitigation.

11. Time limits for construction;

No time limits for construction have been specified in this sketch plan submission. Without specifying otherwise, the zoning permit approval would be valid for 2 years (1 year to start construction and another year to finish). In light of the nearby residential properties, hours of construction must be specified and may be limited by the Development Review Board.

12. Hours of operation and construction;

Hours of operation need not be specified for the residential use. The office and deli uses are both permitted in the NMU zone and are not subject to restrictions on hours of operation. See the above criterion for hours of construction.

13. Future enlargement or alterations;

In the event of future enlargement or alteration, permits would be required and reviewed under the regulations then in effect.

14. Performance standards;

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

15. Conditions and safeguards;

Not applicable for sketch plan.

(b) Major Impact Review Standards

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

Basic stormwater management information has been provided. The proposal refers generally to a stormwater system that collects stormwater and treats it prior to infiltration or discharge. Stormwater management will be especially important on this property due to its location adjacent to Englesby Brook. Details on stormwater volumes and rates will be required with a formal permit application. The stormwater management plan will be subject to review and approval by the Conservation Board and Stormwater Administrator. No significant air or noise pollution is anticipated.

2. Have sufficient water available for its needs;

See Sec. 3.5.6 (a) 1.

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

See Sec. 3.5.6 (a) 1.

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;

An erosion prevention and sediment control plan in compliance with Chapter 26, Wastewater, Stormwater, & Pollution Control will be required. It will be subject to review and approval by the Conservation Board and Stormwater Administrator.

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.

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

The residential component of the proposed development is fairly modest. No significant impacts on the city's educational services are expected. Impact fees will be paid to help offset what impacts there are.

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 can be mitigated by payment of impact fees.

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;
See Sec. 6.2.2.

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 brings about greater intensity and diversity of development consistent with the rezoning of this area to NMU. The project is not expected to have an undue adverse effect on the city's present or future growth patterns or on its public services and facilities.

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

The sketch plans conceptually show initial compliance with the MDP, as per the following:

The project will result in additional mixed use development (pg. I-2, Land Use Policies).

The proposed development lies within the radius of the neighborhood activity center centered at the Flynn Avenue/Shelburne Street intersection (pg. I-29, Future Land Use Map - Centers for Growth and Development).

The development will implement measures to improve the quality and quantity of stormwater runoff leaving the site and entering Englesby Brook (pg. II-12, Natural Environment Action Plan).

The proposed commercial space is small in scale, consistent with that typically found in neighborhood mixed use areas (pg. VI-2, City Policies).

The project will comply with the city's current energy efficiency standards (pg. VIII-1, City Policies).

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 bring additional housing to the city and will diversify the housing stock in the neighborhood. No undue adverse impacts on the city's present or projected housing needs are anticipated.

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

Minimal anticipated impacts on the city's park and recreation needs are anticipated. Payment of impact fees will help offset such impacts.

Article 4: Maps & Districts

Sec. 4.4.2, Neighborhood Mixed Use Districts:

(a) Purpose

(2) Neighborhood Mixed Use (NMU)

The Neighborhood Mixed Use District 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 commercial uses are small in scale and are consistent with the purpose of the district. The location of the proposed development is well within walking or biking distance of residential areas and other employers.

(b) Dimensional Standards & Density

FAR in the NMU zone is limited to 2.0. The subject property is 26,424 sf (with 16,420 sf in the NMU zone). Gross square footage is 19,180 sf or 1.2 FAR relative to the NMU portion of the property. The sketch plan notes a FAR of 0.36 and needs to be corrected for the formal permit application.

Maximum permissible lot coverage is 80% in the NMU zone and 35% in the RL zone. The sketch plans note that coverage in the NMU portion will be 71% and will be 42% in the RL portion; however, the 71% is inaccurate for the NMU portion of the property. The 71% is based on 18,776 sf coverage on the entire property. Coverage within the NMU zone needs to be noted, and it needs to be based on just that portion of the property within the NMU zone. The 42% RL coverage appears to be accurate. Existing coverage in the RL portion is nonconforming at 45%. The reduction to 42% is acceptable.

The subject property is a corner lot, and therefore, contains two front yards and two side yards. There is no rear yard for the purposes of setback requirements.

A 15' setback is required along NMU property lines that abut a residential district. The proposed building observes this setback. This particular section of the NMU zone requires a 10' minimum front yard setback from the street curb (Table 4.4.2-1 footnote 7). The proposed structure complies with this setback.

Lastly, the front yard setback in the RL portion of the property is based on the average setback of neighboring buildings, +/- 5'. In this case, there is only one neighboring building in the RL zone – Champlain Elementary School. The school is set back far from the road and would result in an impossible setback for the RL portion of the property. As proposed, the reconstructed parking lot would remain nonconforming relative to the front yard setback, but the degree of nonconformity would not increase.

Within the NMU zone, the maximum building height is 35', and the minimum is 20'. Buildings shall be at least 2 stories. The proposed building is 35' tall and 3 stories.

(c) Permitted & Conditional Uses

Multifamily residential development is a permitted use in the NMU zone.

(d) District Specific Regulations

Not applicable to the project as proposed in either NMU or RL zones.

Sec. 4.5.4, Natural Resource Protection Overlay (NR) District

(c) District Specific Regulations: Riparian and Littoral Conservation Zone

(4) Requirements

The proposed development lies partially within the 100' buffer zone along Englesby Brook. The emphasis of this subsection is on protection of riparian corridors and on stormwater management. The proposed development, including its stormwater management system, will be subject to review and approval by the Conservation Board and the Stormwater Administrator.

(d) District Specific Regulations: Wetland Conservation Zone

(6) Criteria for Review

The property lies within 100' of wetlands included in the city's wetlands map. As a result, review under this subsection is required. No information pertaining to the wetlands review criteria have been provided and will be required with a formal permit application. Review and approval by the Conservation Board will be required.

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

See Sec. 4.4.2 (b) above.

Sec. 5.2.4, Buildable Area Calculation

Not applicable in the NMU zone or on a parcel of less than 2 acres in the RL zone.

Sec. 5.2.5, Setbacks

See Sec. 4.4.2 (b) above.

Sec. 5.2.6, Building Height Limits

See Sec. 4.4.2 (b) above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See Sec. 4.4.2 (b) above.

Sec. 5.5.1, Nuisance Regulations

Nothing in the proposal appears to constitute a nuisance under this criterion.

Sec. 5.5.2, Outdoor Lighting

Outdoor lighting is proposed, but details have not been provided. A full lighting plan will be needed with the formal submittal.

Sec. 5.5.3, Stormwater and Erosion Control

Stormwater will be collected and treated prior to discharge into Englesby Brook. The stormwater management system and erosion control plan will require review and approval by the Conservation Board and Stormwater Administrator per Chapter 26.

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

Important natural features onsite include Englesby Brook and associated wetlands. In light of this waterway's impaired status, construction site erosion control measures and post-construction stormwater management are particularly important. As noted previously, this project will be subject to review by the Conservation Board and the Stormwater Administrator.

(b) Topographical alterations

The site is generally flat and will remain so. Some grading work is proposed; however, it will not substantially alter the existing topography of the site.

(c) Protection of important public views

There are no designated view sheds from or through the property.

(d) Protection of important cultural resources

The proposed development site has no known archaeological resources.

(e) Supporting the use of alternative energy

The utilization of alternative energy is not included in this sketch plan. Utilization of rooftop solar in particular is encouraged.

(f) Brownfield sites

The property is not an identified brownfield.

(g) Provide for nature's events

See Sec. 5.5.3 for stormwater management.

The front entrance into the building is sheltered under a canopy. The rear entry does not appear to be sheltered and should be. Ample room remains onsite for seasonal snow storage.

(h) Building location and orientation

Placement of the proposed building is essentially consistent with that of the existing building. The new structure will be set to the street corner while still observing the required setback from the curb. The primary façade faces Pine Street and contains a well-defined central entrance and street-level shop front. The Flynn Avenue façade contains no entrance but continues with the fenestration and canopy facing Pine Street. On all sides, the ground level of the proposed building is differentiated from the upper stories, thereby improving its pedestrian interface.

(i) Vehicular access

Vehicular access will continue to be provided from both Flynn Avenue and Pine Street, albeit in better defined form.

(j) Pedestrian access

Steps, a walkway, and a patio area will connect the primary building entry to the public sidewalk. The public sidewalk will continue across both driveways entering the site.

(k) Accessibility for the handicapped

Aside from two HC parking spaces, no handicap accessibility details are provided. There is no indication on the sketch 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.”

(l) Parking and circulation

Reconstructed surface parking is placed to the side and rear of the building. The existing streetfront pavement will be removed and replaced with the new building and associated walkways, stairs, and patio. The rear parking area in particular will be screened by the existing and proposed buildings. Parking spaces are compliant at 9' X 18' within the surface parking lot. Back up space is sufficient at 24'. New landscaping is proposed along the periphery of the parking area, but no shading analysis has been provided. At least 30% shading of the surface parking should be achieved. The new trees along the northern border, while acceptable as landscaping, will provide no shading of the parking lot. The shrubs proposed along the eastern edge of the parking lot should be switched to shade trees in order to achieve the needed shading.

(m) Landscaping and fences

The sketch plans include a proposed landscaping scheme. As noted above, revisions will be needed in order to achieve the necessary parking lot shading. Most of the landscaping consists of hydrangeas and tiger lilies. The plant list notes 20 crab apple trees; however, the plan only depicts 3. Landscaping is concentrated in garden beds in front of the existing and proposed buildings. No new landscaping is proposed in front of the Pine Street parking lot. New landscaping, particularly trees and shrubs, should be installed here to screen the parking lot from the street.

(n) Public plazas and open space

A walkway and patio area will be installed between the new building and the public sidewalk along Pine Street. This area will benefit from ample western exposure. Details will be required with the permit application.

(o) Outdoor lighting

See Sec. 5.5.2.

(p) Integrate infrastructure into the design

All utility lines must be buried. No mechanical details have been provided. A trash and recycling enclosure will be provided at the northeast corner of the parking area. Material and dimensional details of this enclosure will be required with permit application.

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

(a) Relate development to its environment

1. Massing, Height, and Scale

The proposed 3-story structure will contain 19,180 gross sf. It will include 100' of frontage along Pine Street and another 39' of frontage along Flynn Avenue. Although larger than the building it will replace, the massing, height, and scale of the proposed structure are well within the range established by existing buildings in this NMU district. In an effort to maintain a relationship to the human scale (as required by this criterion), the ground level is differentiated from the upper stories and contains shop front fenestration and a wrap-around canopy separating it from the upper stories. Fenestration, architectural details, and building recesses and projections are successfully employed and preclude any blank facades.

2. Roofs and Rooflines

The proposed building will have a flat roof. While uncommon in this neighborhood, it is not without precedent. The proposed flat roof works well with the intended form and function of the building.

3. Building Openings

The proposed building exhibits two fenestration patterns, both of which are consistent with the overall appearance of the building. The ground level fenestration presents as that of a shop front while the upper stories incorporate a fenestration pattern more consistent with an apartment building. Fenestration throughout is appropriately scaled and suited to its intended purpose.

(b) Protection of important architectural resources

The existing building is not historic, nor is it eligible for listing on an historic register. Its demolition will have no adverse impact on Burlington's architectural resources.

(c) Protection of important public views

See 6.2.2 (c) above.

(d) Provide an active and inviting street edge

The primary façade will provide an active and inviting street edge. The proposed store front fenestration provides ample visual access into the building. The primary entrance is well defined and enhanced with an associated walkway and patio area. The projecting canopy shelters the front entrance and also divides the ground level from the upper stories.

(e) Quality of materials

The proposed building will be clad in Nichiha fiber cement panels on the upper two stories. The ground level will be clad in painted CMU block. The elevator tower will be clad in corrugated galvanized metal panels and will visually differentiate two ends of the building. Roofing materials are not noted but will presumably be some sort of membrane. Window, railing, and canopy, and trim materials are not noted and must be.

(f) Reduce energy utilization

No particular energy efficiency measures are called out in the sketch plans. The building will be required to comply with current state and city energy efficiency requirements. The multi-unit, mixed use structure will be inherently more energy efficient than multiple detached structures.

(g) Make advertising features complimentary to the site

Potential signage is depicted on the wrap-around canopy. The canopy will double as a sign band. The signs depicted thereon are conceptually acceptable. The "ALVANOS 2015" sign at the top of the elevator tower is too tall and cannot be permitted. The height limit is 14' or the ceiling height of the first floor, whichever is lower.

(h) Integrate infrastructure into the building design

No new mechanical equipment is depicted in the sketch plans. A formal permit application will require a roof plan. If any rooftop mechanical equipment is proposed, it must be depicted on the roof plan and screened.

(i) *Make spaces safe and secure*

Building entries will be illuminated. An intercom system for residents is encouraged. Adherence to applicable building codes will be required.

Article 8: Parking

Sec. 8.1.8, Minimum Off-Street Parking Requirements

The proposed mixed-use building is located in the Shared Use parking district. The 6 one-bedroom units presently require 2 parking spaces. At the expiration of zoning amendment 14-07, *Residential Parking Standards*, the 6 one-bedroom units will require 6 parking spaces. The 3 two-bedroom units require 3 parking spaces now and upon expiration of zoning amendment 14-07. The existing triplex on the property also requires 3 parking spaces. The 1,100 sf office space requires 2 parking spaces. The 2,315 sf deli (restaurant) space requires 7 parking spaces. In all, 17 parking spaces are presently required. At the expiration of zoning amendment 14-07, that minimum requirement will increase to 21 spaces. As proposed 24 parking spaces will be provided.

Sec. 8.2.5, Bicycle Parking Requirements

No bike parking details have been provided. The proposed 9 residential units will require 2 long term bicycle parking spaces and 2 short term bicycle parking spaces. The 1,100 sf office space is too small to require bike parking. Long term and short term bike parking for the deli is related to the number of employees and occupancy load, respectively. These figures have not yet been provided and will be needed as part of the permit application.

Article 9: Inclusionary and Replacement Housing

Sec. 9.1.5, Applicability

As 9 new residential units are proposed, inclusionary units must be provided. The standard requirement is 15% inclusionary – in this case 1 unit. No information on inclusionary units has been provided.

Article 11: Planned Unit Development

As 5 or more residential units are proposed in a single structure, the project qualifies as a minor PUD under Sec. 11.1.3, *Major and Minor Planned Unit Development* and is, therefore, not subject to review under Article 11. However, as previously noted, the number of units proposed requires major impact review under Article 3.

PINE & FLYNN DEVELOPMENT

COA LEVEL II

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ARCHITECT

JRMA DESIGN STUDIO

175 SUMMIT CIRCLE
SHELBURNE VERMONT
802 985 9363

WWW.JRMADESIGNSTUDIO.COM

DRAWINGS

REFERENCE

- R-1 VICINITY MAP
- R-2 CONTEXT PHOTOS
- R-3 EXISTING DESIGN PRECEDENT

DESIGN OBJECTIVES

- D-1 DESIGN OBJECTIVES

CONCEPTUAL DESIGN

- S-1 EXISTING CONDITIONS
- SP-1 PROPOSED SITE PLAN
- ZP-1 ZONING REFERENCE OVERLAY
- LP-1 LANDSCAPE PLAN
- A201 GROUND FLOOR PLAN
- A202 2nd FLOOR PLAN
- A203 3rd FLOOR PLAN
- A400 WEST ELEVATION
- A401 EAST ELEVATION
- A402 NORTH ELEVATION
- A403 SOUTH ELEVATION
- A450 BUILDING SECTIONS

DRAWINGS		PERMIT STAGE		CONSTRUCTION DRAWINGS	
CONCEPTUAL	☐	SKETCH / DISCRETIONARY	☐	25 % COMPLETE	☐
SCHEMATIC	☐	PRELIMINARY	☒	50 % COMPLETE	☒
DESIGN DEVELOPMENT	☒	FINAL	☐	75 % ISSUE FOR BID	☐
		ACT 250	☐	100 % COMPLETE	☐

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PLEASE NOTE:

THIS DESIGN IS FOR **SKETCH-PLAN ONLY**. LOCATION, CONFIGURATION OF BUILDING, HEIGHT OF BUILDING, ROADS, DRIVEWAYS, CURB CUTS / ENTRIES, PARKING SPACES, VEGETATION, ETC. IS SUBJECT TO FURTHER DEVELOPMENT AND DESIGN BY **JRMA DESIGN STUDIO**.

THIS IS **NOT TO BE USED FOR CONSTUCTION**.

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PINE & FLYNN DEVELOPMENT | SKETCH PLAN REVIEW

PROJECT NAME		PINE & FLYNN DEVELOPMENT
PROJECT ADDRESS		316 – 322 FLYNN AVENUE
TAX PARCEL NUMBER		057-4-066-000

OWNERS SIGNATURE

NAME OF APPLICANT	MICHAEL F. ALVANOS	C/O	G & C PROPERTIES
MAILING ADDRESS	90 SETH CIRCLE, WILLISTON, VERMONT 05495		
TELEPHONE NUMBER	802 343 6789		
E – MAIL	MICHAEL @ ALVANOSPMG.COM		
LEAD ARCHITECT	WILLIAM JOHN ROONEY JRMA DESIGN STUDIO		
TELEPHONE NUMBER	802 985 9363		

DESCRIPTION

The project site is situated along the eastern side of Pine Street and along the northern part of Flynn Avenue at its respective corners. The site is currently occupied by three (3) separate structures. First, a commercial store and deli, a three (3) unit residential building and a garage that houses a recycling center for the store/deli. The proposed development program includes the demolition of the existing store/deli and the garage that houses the recycling center. A new mixed use structure will be erected on site that will house a ground level commercial, replacing and reintroducing the store and adding new office space to the lower level. Above the commercial 2 levels of residential apartments will provide much needed housing to this area.

NOTEABLE IMPROVEMENTS

ENGLESBY STORMWATER IMPROVEMENTS

One of the goals of this project is the improvement of the Englesby Brook Storm Water Management system. Improvement on the land will allow all the storm water to be either infiltrated through improved landscaping, or, via an underground retention system that will house and treat all stormwater prior to discharge back into the ecosystem.

ENERGY EFFICENCY THROUGH MIXED-USE

Prior to submitting this project, Michael Alvanos and Eric Hoekstra, spearheaded a zoning change through the Burlington Planning Commission to provide the local residences improved zoning laws that would support mixed-use developments. Mixed-Use Development and infill design are cornerstones to improved energy efficiency.

UPDATED ARCHITECTURAL VENACULAR

The "South-End" of Burlington over the last 20 years has seen increased commercial development. With Dealer.Com, Burton Snowboards and Champlain College offering over 500 jobs, the demand to live close to where one works becomes a valuable asset to keeping these jobs local. The design of the building will adhere to the architectural vernacular created by these local businesses.

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LAKE CHAMPLAIN BURLINGTON
BIKE PATH NEW CHAMPLAIN
COLLEGE MILLER CENTER CHAMPLAIN
SCHOOL
APARTMENTS PINE
STREET CHAMPLAIN
ELEMENTARY
SCHOOL SHELBURNE ROAD (ROUTE 7)



OAKLEDGE PARK
ACCESS

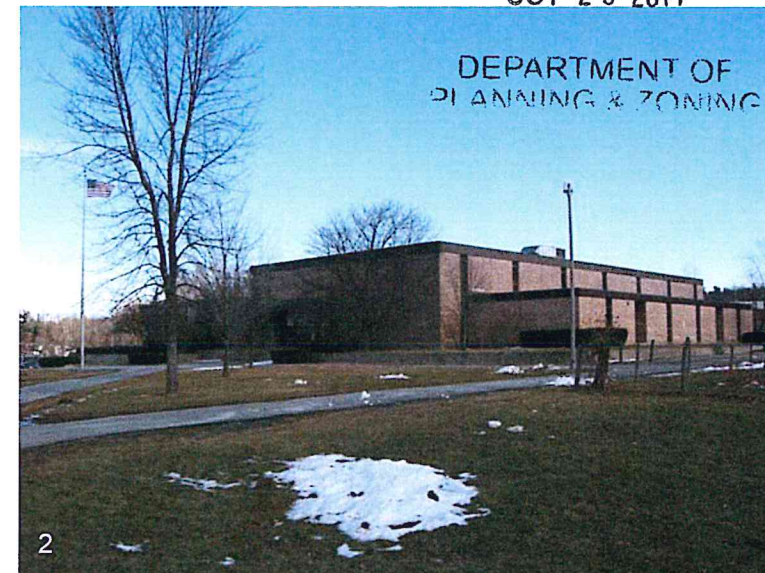


BURLINGTON VERMONT "SOUTH END" 208 FLYNN AVE FLYNN AVE
CO-OP HOWARD
CENTER PROPOSED
REDEVELOPMENT
316 FLYNN FLYNN AVENUE BURLINGTON HYUNDAI
DEALERSHIP

180 FLYNN ST. ANTHONY'S
CATHOLIC CHURCH



1. EXISTING DELI (PINE ST. DELI)
2. CHAMPLAIN SCHOOL
3. ST. ANTHONY'S CHURCH & OFFICE
4. HOWARD CENTER



Existing Context

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EXISTING DESIGN PRECEDENT

1. MALTEX BUILDING (PINE ST.) AIA AWARD RECIPIENT*
2. BURLINGTON ELECTRIC (PINE ST.)
3. BURTON SNOWBOARDS (INDUSTRIAL DR.)
4. BURLINGTON PUBLIC WORKS (PINE ST & LAKESIDE)
5. CHAMPLAIN COLLEGE (LAKESIDE)
6. FLYNN AVE. CO-OP (FLYNN AVE)

NOTABLE DESIGN ELEMENTS

1. Use of Metal & Glass
2. Flat or Low Pitch Roof
3. Use of Masonry (Brick)
4. Integration of Landscape Elements
5. Large (over 20,000 S.F +/-) Buildings where the height is at or over 35'-0"



DESIGN OBJECTIVES

1. DESIGN A RELATIONSHIP BETWEEN THE SIDEWALK AND THE STREET

The Streetscape along Flynn Ave is characterized by the mature tree canopy that is consistent along most of Flynn Ave to the north and south sides all the way to its terminus at Oakledge Park. We see a typical sidewalk width of 5' – 0"

The Pine Street Streetscape, towards the South End, is characterized by mainly larger buildings with little vegetation that protects the pedestrian from the street. Fewer plantings and minimal setbacks to commercial spaces

The ability to wrap the landscape into the design will remain a high priority. Tree plantings along Pine Street & Flynn Ave should protect the building and pedestrians from weather and provide shade during summer seasons.

2. CREATE A VISUALLY INTERESTING ELEVATION

The South End of Burlington, has been, and continues to be the location and heart of the Burlington Arts District. With the success of First Friday, and the annual Art Hop, the ability to support these events through visually interesting architecture become a main design goal. Moreover, Professional Design Firms, Engineering, Computer Science, Web-Site Design and Marketing firms all call the South End of Burlington Home. The Design must remain sensitive to the existing residential program yet also continue to strengthen the creative nature of the South End. A major component to this is how the West & South Elevation are treated along with the Material Selection of the Building.

3. SUPPORT A VARIETY OF MIXED-USE

The South End is a notable community that is truly mixed use. Its location near the Burlington Bike Path, Schools, Cafes, Shopping Centers and major transportation routes requires the building to be designed with multiple programs to meet the needs of the community. Any other approach would fail to recognize its strategic position and miss a valuable opportunity for smart growth as listed in the Comprehensive Development Plan for Burlington.

Also, the Burlington Planning Commission supported a change of zoning for this property and others in the hopes of providing greater Mixed-Use potential to a valuable corner in Burlington Vermont.



ZONING SUMMARY CHART (EXISTING)
Zoning District Information
LIGHT DENSITY RESIDENTIAL (RL)

Zoning Requirements	Required	Provided
LOT AREA	None Spec	10,006 S.F. (.23 Acres)
LOT COVERAGE (MIN)	35% (3,502 S.F.)	45 % (4,203 S.F.)
BUILDING SETBACKS		
FRONT YARD	AVG (2) LOTS	20' - 0"
SIDE YARD	10 % WIDTH	20' - 0"
REAR YARD	25 % DEPTH	-
BUILDING HEIGHT	MIN 20'-0" MAX 35' - 0"	35' - 0" -
DENSITY	7/DU/AC	-

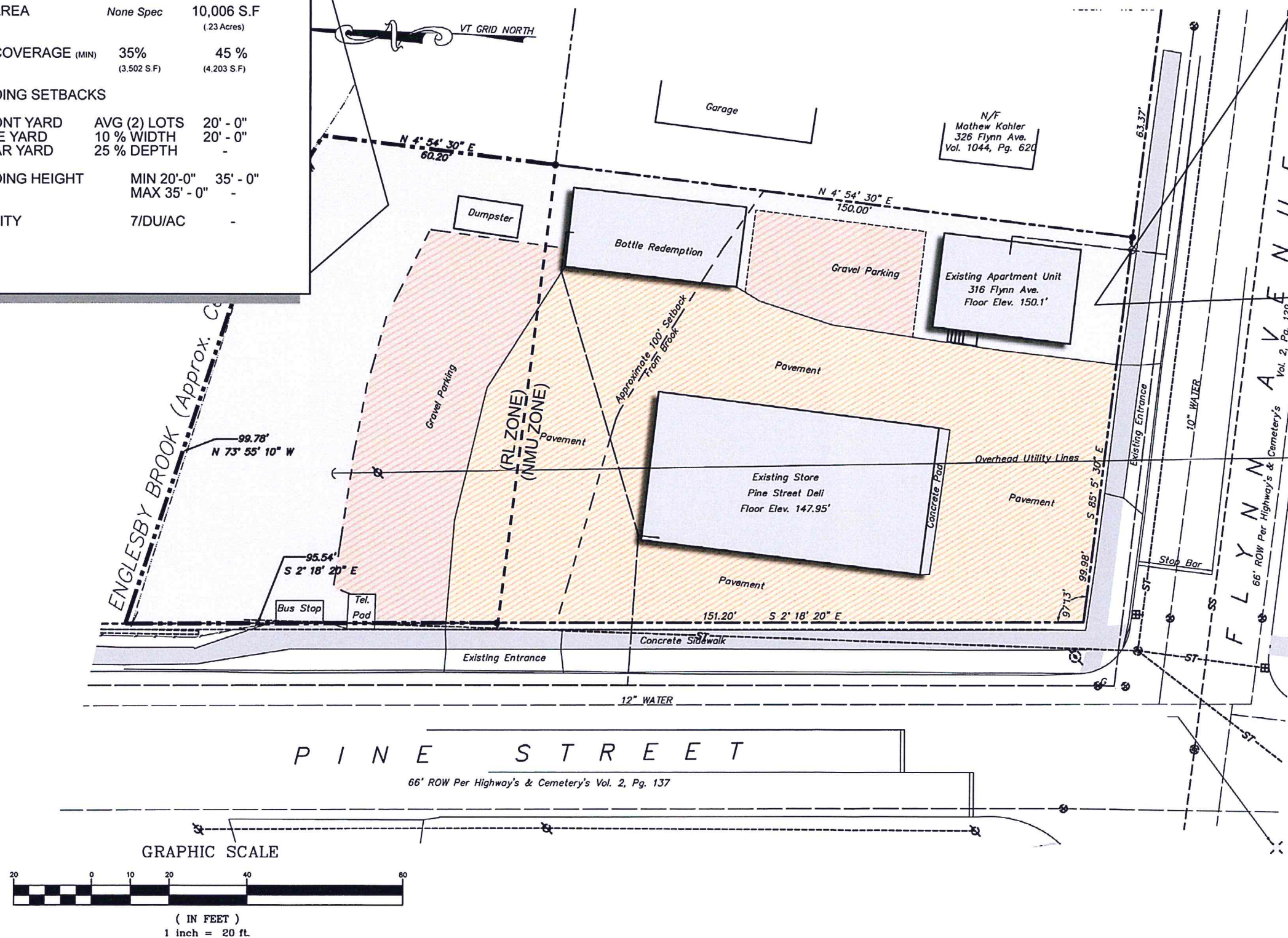
ZONING SUMMARY CHART (EXISTING)
Zoning District Information
(NMU)

Zoning Requirements	Required	Provided
LOT AREA	None Spec	16,420 S.F. (.38 Acres)
LOT COVERAGE (MIN)	80% (13,136 S.F.)	91 % (15,020 S.F.)
BUILDING SETBACKS		
FRONT YARD	0' - 0"	10' - 0"
SIDE YARD	0' - 0"	10' - 0"
REAR YARD	0' - 0"	-
BUILDING HEIGHT	MIN 20'-0" MAX 35' - 0"	35' - 0" -
DENSITY (FLOOR AREA RATIO)	FAR 2.0 (32,840 G.S.F.)	FAR 1.1 (16,695 G.S.F.)

(PINE ST. & FLYNN AVE NMU DISTRICT HAS A MIN 10' - 0" SETBACK)

LEGEND

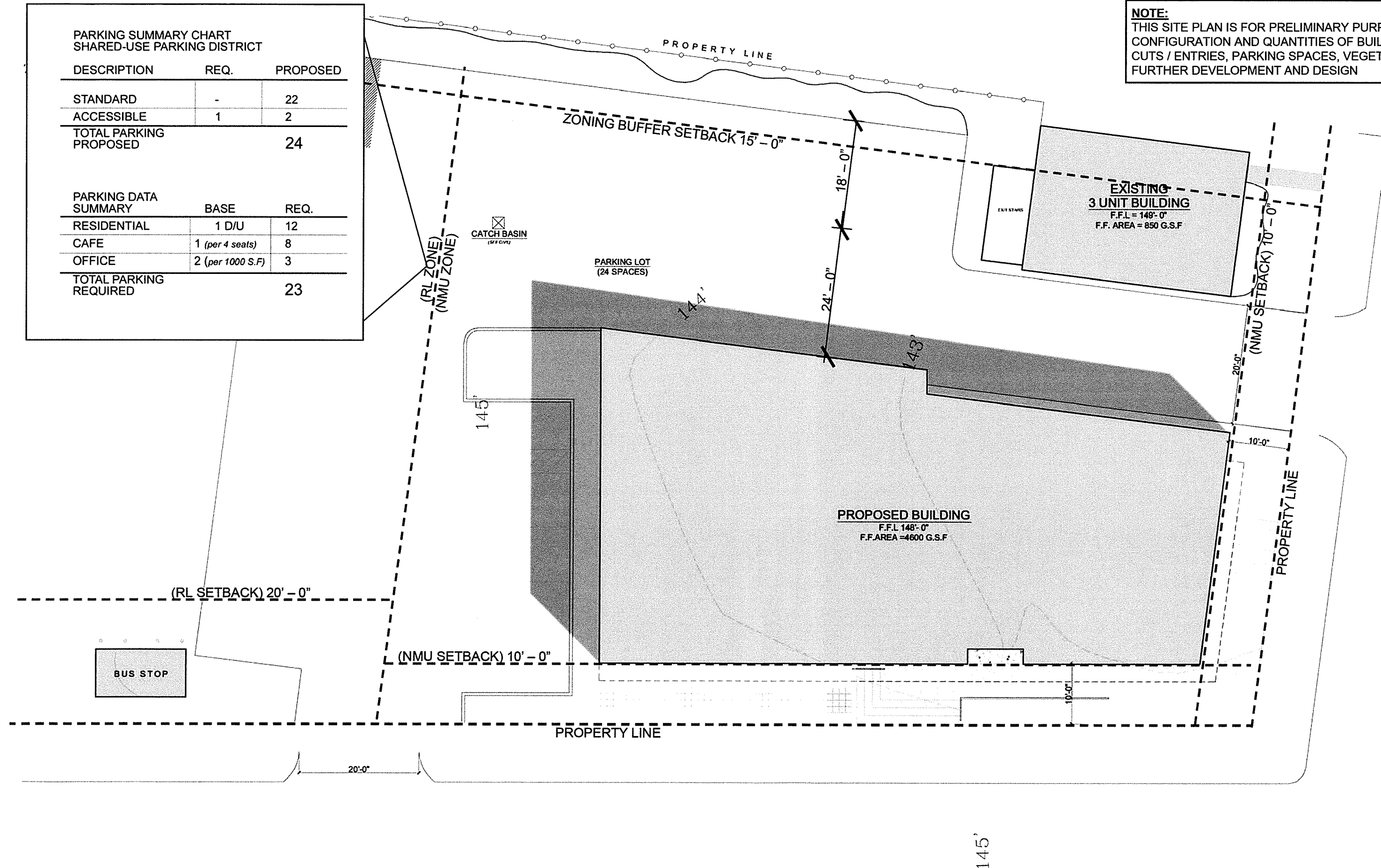
- Property/R.O.W. Line
- Proposed Property Line
- Overhead Utility Line
- Gas Line
- Water Line
- Sanitary Line
- Storm Line
- Utility Pole
- Concrete Monument
- Rebar Found
- Storm Catch Basin
- Gate Valve
- Manhole
- Gas Valve
- Traffic Light
- 3/4" Iron Pipe w/Cap# 568 Set



PARKING DATA SUMMARY	BASE	REQ.
RESIDENTIAL	1 D/U	12
CAFE	1 (per 4 seats)	8
OFFICE	2 (per 1000 S.F.)	3
TOTAL PARKING REQUIRED		23

THIS SITE PLAN IS FOR PRELIMINARY PURPOSES ONLY. LOCATION, CONFIGURATION AND QUANTITIES OF BUILDING, ROADS, DRIVEWAYS, CUTS / ENTRIES, PARKING SPACES, VEGETATION, ETC. IS SUBJECT TO FURTHER DEVELOPMENT AND DESIGN

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Proposed Site Plan

JRMA | DESIGN STUDIO architects + urban planning

Pine Street & Flynn Ave: Mixed Use Building

SKETCH PLAN

2014

SCALE 1/16" = 1'

SP-

ZONING SUMMARY CHART
Zoning District Information
LIGHT DENSITY RESIDENTIAL (RL)

Zoning Requirements	Required	Proposed
LOT AREA	<i>None Spec</i>	10,004 S.F. (.474 Acres)
LOT COVERAGE (MIN)	35% (3,502 S.F.)	42 % (4,280 S.F.)
BUILDING SETBACKS		
FRONT YARD	AVG (2) LOTS	20' - 0"
SIDE YARD	10 % WIDTH	20' - 0"
REAR YARD	25 % DEPTH	-
BUILDING HEIGHT	MIN 20'-0" MAX 35' - 0"	35' - 0" -
DENSITY	7/DU/AC	-

ZONING SUMMARY CHART
Zoning District Information
Neighborhood Mixed-Use Information (NMU)

Zoning Requirements	Required	Provided
LOT AREA	<i>None Spec</i>	16,420 S.F. (.474 Acres)
LOT COVERAGE (MIN)	80 % (21,140 S.F.)	71 % (18,776 S.F.)
BUILDING SETBACKS		
FRONT YARD	0' - 0"	10' - 0"
SIDE YARD	0' - 0"	10' - 0"
REAR YARD	0' - 0"	-
BUILDING HEIGHT	MIN 20'-0" MAX 35' - 0"	35' - 0" -
DENSITY (FLOOR AREA RATIO)	FAR 2.0 (52,852 G.S.F.)	FAR 0.36 (19,180 G.S.F.)

(PINE ST. & FLYNN AVE NMU DISTRICT HAS A MIN 10' - 0" SETBACK)

**LIGHT DENSITY
RESIDENTIAL (RL)**

(RL SETBACK) 20' - 0"

BUS STOP

**NEIGHBORHOOD
MIXED-USE (NMU)**

EXISTING
3 UNIT BUILDING
F.F.L = 149'- 0"
F.F. AREA = 850 G.S.F

PROPOSED BUILDING
F.F.L 148'- 0"
F.F.AREA = 4600 G.S.F

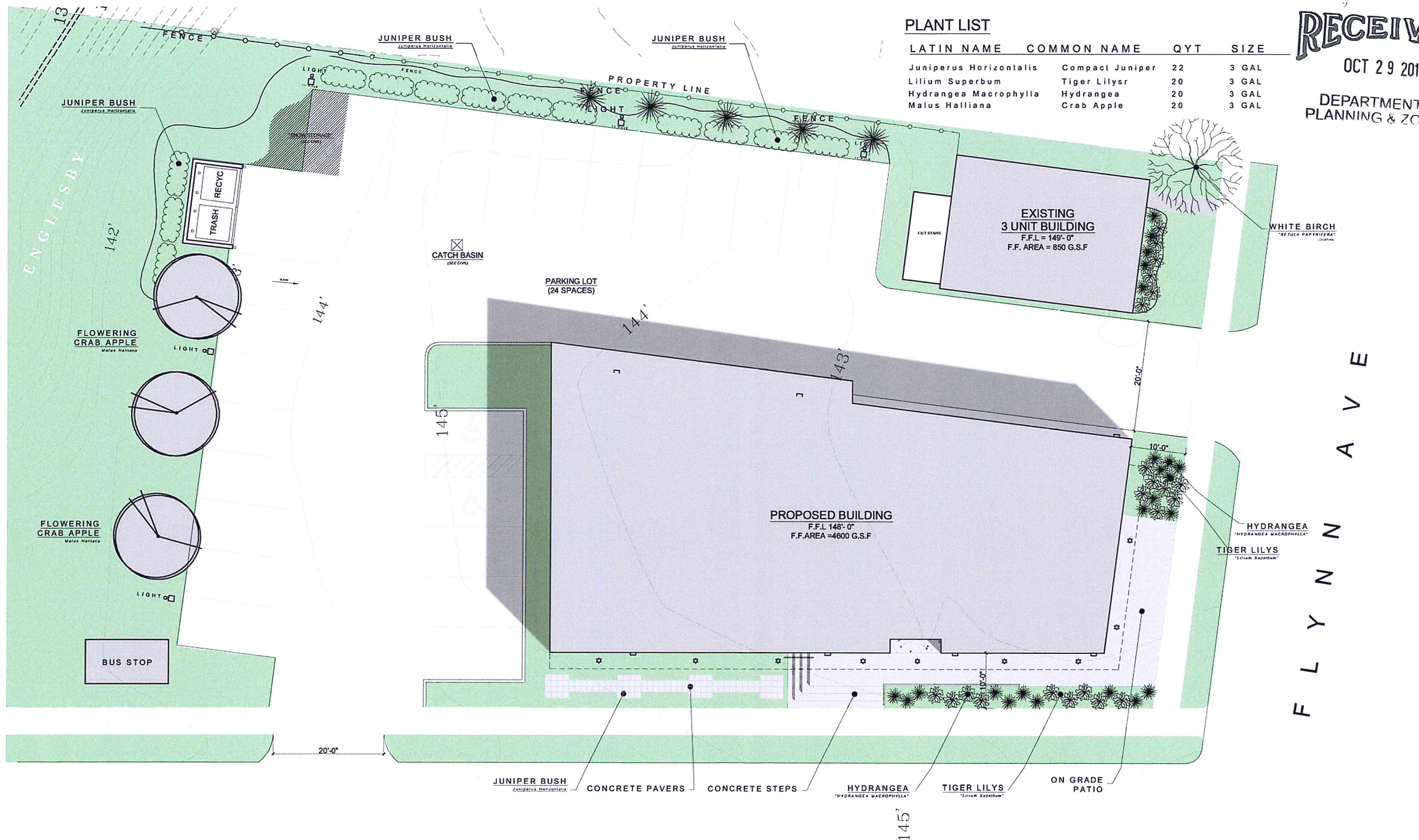
PARKING LOT
(24 SPACES)

CATCH BASIN
(SEE CIVIL)

(RL ZONE)
(NMU ZONE)

(NMU SETBACK) 10' - 0"

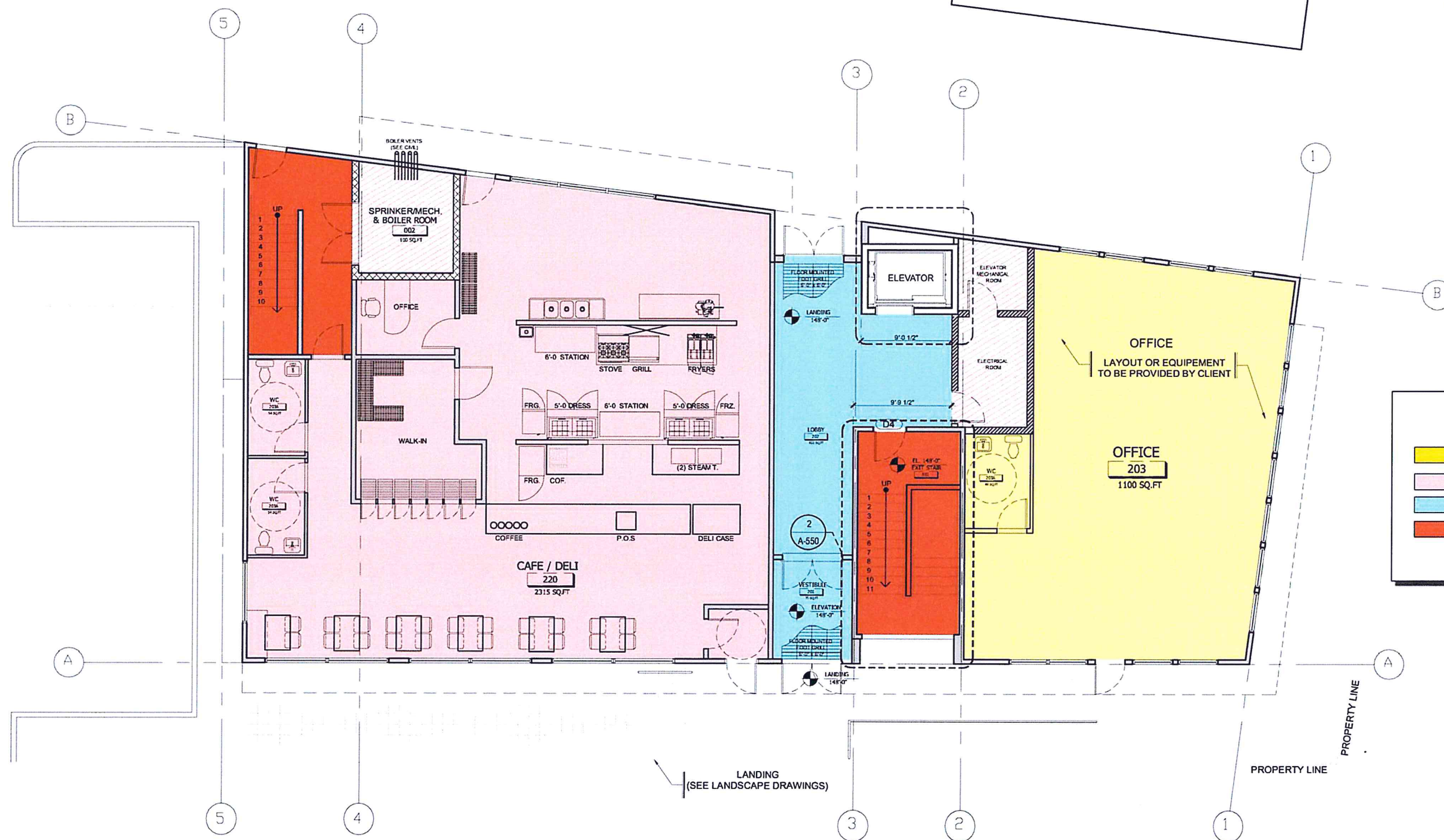
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Ground Level 148'-0"

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Pine Street & Flynn Ave: Mixed Use Building

SKETCH PLAN

2014

SCALE 3/32" = 1'

A20

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2nd Floor Level 161'-0"

JRMA | DESIGN STUDIO architects + urban planning

Pine Street & Flynn Ave: Mixed Use Building

SKETCH PLAN

2014

SCALE 3/32" = 1'

A20

RECEIVED
OCT 29 2014

DEPARTMENT OF
PLANNING & ZONING



3rd Floor Level 170'-9"

JRMA | DESIGN STUDIO architects + urban planning

Pine Street & Flynn Ave: Mixed Use Building

SKETCH PLAN

2014

SCALE 3/32" = 1'

A20

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WEST ELEVATION | PINE STREET

JRMA | DESIGN STUDIO architects + urban planning

Pine Street & Flynn Ave: Mixed Use Building

SKETCH PLAN

2014

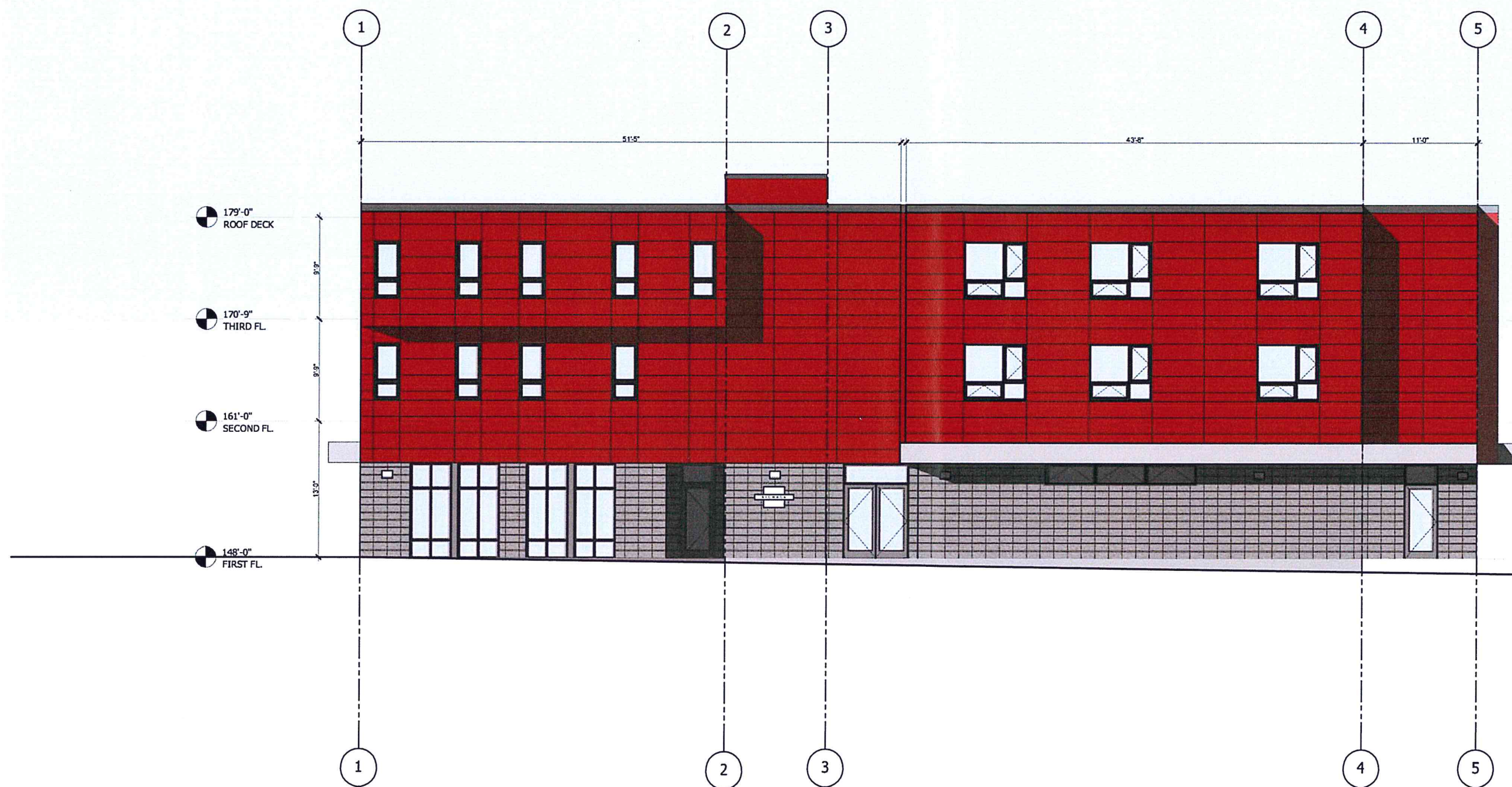
SCALE 3/32" = 1'

A40

RECEIVED

OCT 29 2014

DEPARTMENT OF
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EAST ELEVATION

JRMA | DESIGN STUDIO architects + urban planning

Pine Street & Flynn Ave: Mixed Use Building

SKETCH PLAN

2014

SCALE 3/32" = 1'

A40

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DEPARTMENT OF
PLANNING & ZONING



SOUTH ELEVATION | FLYNN AVE

JRMA | DESIGN STUDIO architects + urban planning

Pine Street & Flynn Ave: Mixed Use Building |

SKETCH PLAN |

2014 |

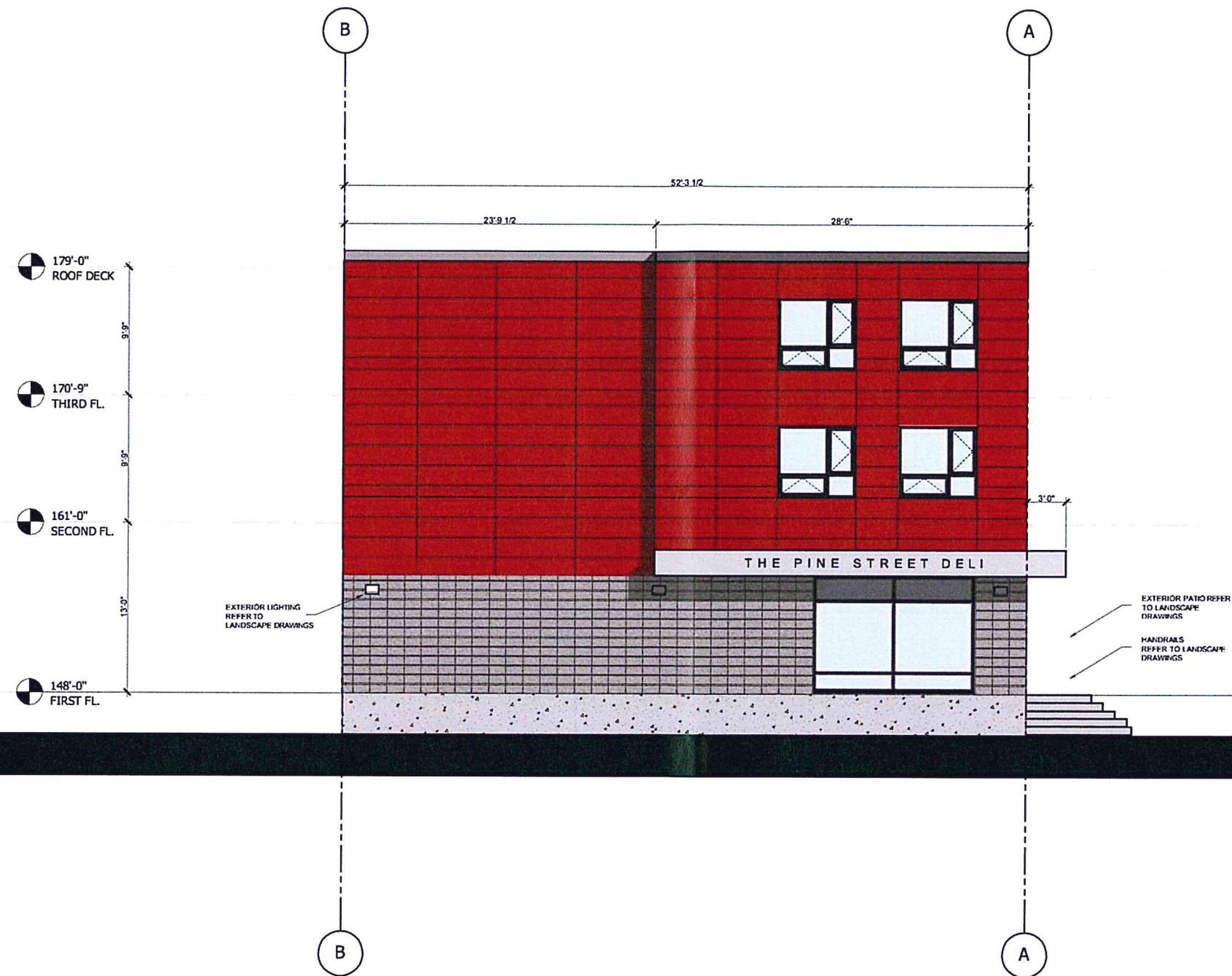
SCALE 3/32" = 1'

A40

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NORTH ELEVATION

JRMA | DESIGN STUDIO architects + urban planning

Pine Street & Flynn Ave: Mixed Use Building

SKETCH PLAN

2014

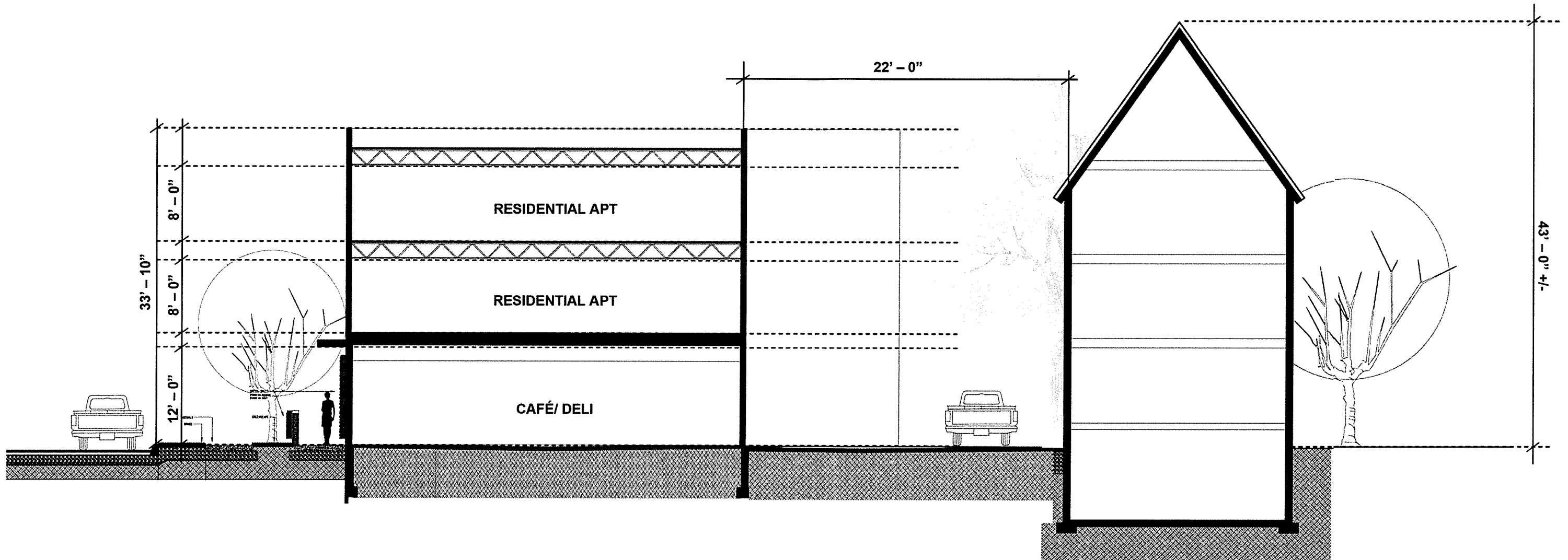
SCALE 3/32" = 1'

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RECEIVED

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DEPARTMENT OF
PLANNING & ZONING



Site Section A-A

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 Wednesday November 5 2014, 5:00 p.m. Contois Auditorium, City Hall, 149 Church Street, Burlington, VT MINUTES

Present: Jonathan Stevens (Vice Chair). Brad Rabinowitz, Michael Long, Missa Aloisi, Israel Smith, Ali Zipparo (Alt.),

Staff: Scott Gustin, Ken Lerner, Mary O'Neil, Nic Anderson

Absent: Austin Hart (Chair), A.J. LaRosa, Jim Drummond (Alt.)

I. Agenda

50 Howard Street has amended the application such that it can be processed administratively.
S. Gustin memo in packet.

II. Communications

None.

III. Minutes

One set from October 21 for review at deliberative.

IV. Consent

1. 15-0397CA: 1127 NORTH AVENUE (NAC, Ward 4) Hauke Building Supply Inc.

Construct new single story addition to existing hardware store for retail space. (Project Manager: Ken Lerner)

Applicant David Hauke present. No public present to speak. No objections by board to treat as consent item. Has read staff comments and has no questions or concerns.

Motion by B. Rabinowitz to approve and adopt staff findings.

M. Long seconded

Vote: 6-0-0

Motion Carried.

2. 15-0480CU: 294-296 NORTH WINOOSKI AVENUE (NMU, Ward 2) Irene Hinsdale/North End Studios

Conditional Use review for expansion of performing art studio space. (Project Manager: Mary O'Neil)

Applicants present. No public present to speak. No objections by board to treat as consent item. Has read staff comments and has no questions or concerns.

Motion by M. Long to approve and adopt staff findings.

M. Aloisi seconded

Vote: 6-0-0

Motion Carried.

V. Certificate of Appropriateness

1. 15-0358CA: 82 UNIVERSITY PLACE (I, Ward 1) UVM

Demolish Angell Hall and Cook Physical Science Building, construct new S.T.E.M building with connecting bridge to Votey Hall. (Project Manager: Scott Gustin)

Applicants and public sworn in.

Applicants Lani Ravin from UVM, Bob Vaughan, Alex Halpern from Freeman French Freeman, Evan Champagne, Bill Nedde and John Collins present. Agree with and accept all staff recommendations and conditions. Been reviewed by Conservation Board and Design Advisory Board. Read summary of proposal. Specifically requests longer timeframe on permit for over 4 years. Request to include Saturday construction.

S. Gustin notes no request for phasing. If interested in actual phasing would need it specifically as a phasing schedule.

Alex Halpern detailed plans.

J. Stevens asked about location and visibility of existing buildings.

A. Halpern and L. Ravin detailed.

A. Halpern continued presentation.

B. Rabinowitz asked about equipment on roof.

A. Halpern – All equipment enclosed in penthouse. Continued presentation. One building not two but done in phases. Detailed materials.

M. Aloisi asked where long term bike parking located.

A. Halpern. In courtyard on north.

A. Zipparo asked if short term bike parking is covered. Is it LEED certified.

A. Halpern – Yes, silver.

M. Long asked about footprint size. Asked if related to existing building architecturally.

A. Halpern – Smaller than existing. Yes have related to existing structures. Detailed materials again.

Martha Lang. Lives on Colchester Avenue. Wanted to make it clear that she is opposed to the project.

J. Stevens closed Public Hearing at 5.35pm.

2. 15-0482CA: 50 HOWARD STREET (RM, Ward 5) Rodney J. Martel

Remove existing accessory building and replace with new building with ground floor garage and second level apartment. (Project Manager: Scott Gustin)

Removed from agenda.

VI. Other Business

VII. Adjournment

Adjourned at 5.35pm.

Deliberative session held immediately.

Jonathan Stevens – Vice Chair, Development Review Board

Date

Nic Anderson, Zoning Clerk